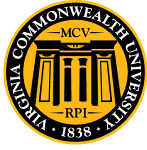

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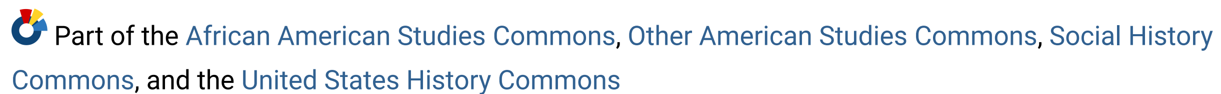

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Robert Cowley: Living Free During Slavery in Eighteenth-Century Richmond, Virginia

A thesis submitted in partial fulfillment of the requirements for the degree of Master of Arts from the Department of History at Virginia Commonwealth University.

by

Ana Frances Edwards Wilayto
Bachelor of Arts, California State Polytechnic University at Pomona, 1983

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Virginia Commonwealth University
Richmond, Virginia
June 2020

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For Grandma Thelma and Grandpa Melvin,
Grandma Mildred and Grandpa Paul.
For Mom and Dad, Allma and Margit.
For Walker, Taimir and Phil.

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Table of Contents

List of Figures and Tables 5

Abstract 6

Introduction 9

Chapter One: Life Enslaved 15

Chapter Two: Free During Slavery 41

Chapter Three: The Setting for A Problem People 70

Conclusion: Archival Complicity 98

Appendix 1: Timelines for Robert Cowley, Peter Randolph, and Ann Colley 105

Appendix 2: Transcript, 1785 Manumission 106

Appendix 3: Transcript, 1795 Appointment 107

Bibliography 108

List of Figures and Tables

Figures

Figure 1. Timeline Graphic: Robert Cowley, Peter Randolph, Ann Colley 25

Figure 2. Cowley's manumission document 29

Figure 3. Map of Lafayette's Campaign, 1781 32

Figure 4. Photo: Chatsworth House 34

Figure 5. Detail of Publick Square, *Plan of Richmond*, 1809 43

Figure 6. Sample of Cowley's signature on Civil Contingent Fund receipt 45

Tables

Table 1. Tax Rolls, Free Negro Registers, 1789-1819 48

Table 2. Excerpt from Free Negro Register, 1814-1815 50

Abstract

ROBERT COWLEY: LIVING FREE DURING SLAVERY IN EIGHTEENTH-CENTURY RICHMOND, VIRGINIA

By Ana Frances Edwards Wilayto, B. A.

A thesis submitted in partial fulfillment of the requirements for the degree of Master of Arts in History at Virginia Commonwealth University.

Virginia Commonwealth University, 2020.

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Michael L. Blakey, Ph. D., NEH Professor, Anthropology and American Studies, College of William & Mary

This thesis examines the life of Robert Cowley, a formerly enslaved man living free during slavery in eighteenth-century Richmond, Virginia. The first chapter examines Cowley's enslaved life through the records of others. The data collectors and historians of early America did not intend to capture the truth of Black people's American experiences, except as defined their enslavement--people in service to the wealth-building capacity of the nation. Yet the lives of Black people who lived in proximity to prominent whites can be glimpsed in a variety of records and writings from account books to deeds, from private letters to newspaper advertisements. Cowley did not begin to appear in the archival record with any regularity until after he became free in 1785. Relatively rich, if impersonal, the information in the documents gives the reader little sense of Cowley's motivations and decision-making processes. Having to cast a wider net to retrieve what might exist revealed the racism inherent in the archives as much as it helped convey the structural conditions in

which a free Black person like Cowley would have to live. This section is the biography of Cowley's free life from manumission to the moment when he could have lost it all--implication in Gabriel's Rebellion. The third section situates his life within those broader dynamics of race, slavery, and the meaning of freedom for free Black people in the post-Revolutionary era, and the archival footprint that reveals a continuation of the cultural violence of white supremacy to the present. Ideas of whiteness and Blackness are examined in relation to American identity and the law and race relations between free Blacks and whites after the American Revolution. Cowley was fortunate in many ways, but was nonetheless forced to navigate a Black life in a white nation founded on slavery, and he wrestled continuously with the realities of coexistence in an unwelcoming world.

Vita

Born in Los Angeles on September 15, 1960, Ana Frances Edwards Wilayto graduated from Inglewood High School, Inglewood, California, in 1978 and received a Bachelor of Arts in Visual Arts from California State Polytechnic University at Pomona in 1983. Edwards chairs and serves as public historian for the Sacred Ground Historical Reclamation Project, founded in 2004 by the Virginia Defenders for Freedom, Justice & Equality to promote the reclamation and proper memorialization of Richmond's Shockoe Bottom, the story of Gabriel's rebellion, the movements of Black people in Richmond's eighteenth-century urban landscape, and the neighborhood's place as the epicenter of the U.S. domestic slave trade from the 1830s through 1865. Since 2017, Edwards has worked at the American Civil War Museum in visitor engagement and interpretive planning. From 2005 to the present she has had articles published in *The Virginia Defender*, a statewide quarterly newspaper, and, in 2016, she published an essay in *Bending the Future: 50 Ideas for the Next 50 Years of Historic Preservation in the United States* by the University of Massachusetts Press. She co-authored an article with her husband, editor Phil Wilayto, "The Significance of Shockoe Bottom," for the *African Diaspora Archaeology Newsletter* (2015) and with archaeologist Ellen Chapman, Ph. D, and historian Libby Cook, Ph. D., "Bones in Stasis: The Challenging History and Uncertain Future of the Virginia State Penitentiary Collection," for the *Journal of the Anthropology of North America* (2020). In 2019, her essay, "The Manumission of Robert Cowley," was selected for the 2019 James Tice Moore Award by the faculty of the Department of History, Virginia Commonwealth University.

Introduction

In 2017, the Wilton House Museum's education director, Katie Watkins, reached out to the history department of Virginia Commonwealth University (VCU) for assistance with research to "better understand Wilton" and expand the museum's interpretive capacity to reach new audiences. The museum is an eighteenth-century brick mansion constructed for William Randolph III on a 2,000-acre farm in Varina, Virginia. In 1932, the crumbling structure was dismantled and moved to an exclusive west Richmond neighborhood where it was rebuilt and restored for use as a private museum and headquarters of The National Society of The Colonial Dames of America in the Commonwealth of Virginia. When the museum opened to the public in the 1950s it maintained its long-established tradition of showcasing the Randolph family, the building's architecture and furnishings as representations of Virginia's colonial gentility. Nearly seventy years later, the museum board decided it was time for a new direction.[1]

The decision meant a new strategic approach, including a new interpretive plan that included a more accurate presentation of the historical setting and the people--white and African--who lived and worked at Wilton for the century between 1753, when the building was constructed, and 1859, when it was sold from Randolph family ownership.[2] Wilton House Museum's two-person staff needed help and in response, VCU's Professor Sarah

[1] Wilton House Museum Strategic Plan, 2017-2022, accessed Feb. 3, 2020, http://www.wiltonhousemuseum.org/wp-content/uploads/Wilton-Strategic-Plan-.pdf.

[2] "Interpreting the Enslaved Experience at Wilton," *Wilton House News* XVII, Issue 1 (Spring 2017), accessed Mar. 11, 2020 http://www.wiltonhousemuseum.org/wp-content/uploads/2017.1.WiltonSpringa.pdf.

Meacham agreed to task her Fall 2018 graduate research seminar with the project as a public history collaboration. Per instruction, we met Meacham at Wilton House--myself and five students--for our first class session. Watkins gave us a comprehensive tour of the history of the Randolph family and the building, the organization and use of the rooms, the artifacts--furniture, textiles, artwork, as conduits to stories about William Randolph III, his wife-then-widow Ann, their heirs and descendants.

According to an archaeological report from 2002, the Wilton farm records show at least 94 enslaved men, women and children living and working at Wilton in 1815, making it one of the largest slaveholding properties in Henrico County.[3] The Randolphs were one of many settler colonial families--Bollings, Burwells, Byrds, Carters, Gooches, Harrisons, and Washingtons, to name just a few--whose wealth was created from their early role in land acquisition, large-scale tobacco farming, displacement of local Indigenous peoples, and the exploitation of captive, enslaved African laborers. The large brick home, located on a rise overlooking the James River, clearly represented their place in the English colonial plantocracy. Rarely had docents mentioned slavery.

One of the stories Watkins shared during the tour involved not Wilton, but Chatsworth, a neighboring farm of similar size owned by Peter Randolph, William III's brother. Chatsworth was built two years before Wilton and the brothers, both planters and political representatives, lived very similar lives. William III died in 1762. Peter lived another five years and, according to Watkins, had somehow communicated that he

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[3] Dennis B. Blanton and Thomas F. Higgins, *Wilton Speaks: Archaeology at an Eighteenth- and Nineteenth-century Plantation: Data Recovery at Site 44HE493, Associated with the Proposed Route 895 Project, Henrico County, Virginia* (United States: College of William and Mary, 2000).

intended for one of his enslaved laborers, Robert Cowley, to be manumitted and that he trusted someone in his family would see that it was done.

Cowley was already familiar to me from Douglas R. Egerton's *Gabriel's Rebellion: The Virginia Slave Insurrections of 1800 and 1802*, and the work of subsequent historians. Those historians told of a broad uprising to overturn slavery in the city of Richmond in 1800, by which time Cowley had gained the position of doorkeeper at the state capitol. He was said to have agreed to hand over to the insurrectionists the keys to the militia's store of guns, without which the rebellion would have stood no chance. Egerton wrote that Cowley, in spite of being "so circumscribed" by his position with the government, would have been known to the Black community of Richmond, and implied his cooperation. Historian Michael Nicholls treated the testimony against Cowley as a bit more opportunistic and vague, with no witness actually hearing Cowley agree or being present when he supposedly met with Gabriel. Nicholls and James Sidbury leaned toward the idea that Cowley may have pretended to agree to hand the guns over to the insurrectionists, but because Cowley never came to trial and seemed to have suffered no consequences from the accusation, his presence in the telling usually ended quickly.[4]

I still wondered: Who was this man? Was he involved in the conspiracy? If not, why not? If so, how did he escape punishment? Was it because of his ties to a prominent white family? When was he freed and what happened then? Was he really 125 when he died, as

[4] James Sidbury, *Ploughshares into Swords: Race, Rebellion and Identity in Gabriel's, Virginia*, 1*730-1810* (Cambridge, UK: Cambridge University Press, 1997), Michael L. Nicholls, *Whispers of Rebellion: Narrating Gabriel's Rebellion* (Charlottesville: University of Virginia Press, 2012); Philip J. Schwarz, *Gabriel's Conspiracy: A Documentary Record* (Charlottesville: University of Virginia Press, 2013).

some had claimed? I decided I wanted to write Robert Cowley's biography. This thesis is an expansion on the research I completed for the collaboration with Wilton.[5]

The appeal of well-known historical figures typically lies in their having performed heroic acts in literal or philosophical battles. In Massachusetts, Africa-born Phillis Wheatley challenged the self-serving elite white conceptions of Black intellectual capacity by becoming a successful poet of the eighteenth century in English, her second language.[6] Crispus Attucks of Massachusetts was a free Black man in his forties, famous as the first casualty of the American Revolution. James Lafayette was an enslaved man of Southampton, Virginia, whose work as a spy helped lead the Continental Army to victory in the last battles of the Revolution. Lydia Broadnax was a free, property-owning Black woman who survived a poisoning that killed founding jurist George Wythe, and she encountered a legal system that refused to use her eyewitness testimony against the killer only because she was Black.[7] To this writer's mind, the memory of Gabriel was important during slavery and after because the plan that he helped bring nearly to fruition confirmed what the plantocracy saw embodied in the revolution in San Domingue--that they should fear Black organizational capacity in the quest for freedom and equality.

---

[5] Brian McNeill,"Students uncover stories of enslaved people who lived and worked at Richmond's Wilton House – Public History at VCU," *Rampages* (University Public Affairs, Virginia Commonwealth University, Public History Blog, Mar. 5, 2019), accessed Dec. 14, 2019 https://rampages.us/public-history/2019/03/05/students-uncover-stories-of-enslaved-people-who-lived-and-worked-at-richmonds-wilton-house/

[6] Henry Louis Gates, *The Trials of Phillis Wheatley: America's First Black Poet and Her Encounters with the Founding Fathers* (New York: Basic Civitas Books, 2003). This book presents Wheatley facing down a body of prominent men of Boston so they could determine whether the Black race capable of producing literature.

[7] Andrew Nunn Knight, "Lydia Broadnax, Slave and Free Woman of Colour," *Southern Studies* (Spring and Summer 1994), 21-23. Julian P. Boyd, "The Murder of George Wythe," *William and Mary Quarterly* 3rd ser., 12, no. 4 (October 1955), 539. https://lawlibrary.wm.edu/wythepedia/images/5/5a/BoydMurderOfGeorgeWytheOctober1955.pdf.

Cowley's story is also exceptional, if not dramatically heroic. He was not that of "every man" in the new American nation, because the "every man" of eighteenth-century American life and historiography was epitomized as white, male, European-descended, and Christian. Women were an "other." Indians were an "other." Africans were the most "other." Cowley's experience was specifically that of an African American man in a nation debating with its white self the fate of enslaved African, African-descended and Native American people in its midst. The ebb and flow of white affection for the "rights of man" for Black people changed quickly, often violently, and with little warning. While Robert Cowley seemed fortunate in many ways, his very freedom made him part of a small, special and threatening caste. Amrita Chakrabharti Myers wrote that the free Black women of Charleston in the new republic "continually worked to stave off re-enslavement and restrictions to their freedom. Never completely free, their liberty was always contingent on their skills of negotiation," most typically with white men of power.[8] What lines in the sand did Robert Cowley draw in spite of the precarity of his place? And how might his long history of Black-white navigations have affected his decision to help, hinder or simply abstain from the planned rebellion?

The three sections of this thesis present Robert Cowley's life from birth through his manumission in 1785, the formative years of his free life and the last decades of his life. Each relies on the documentary record and questions that arise from what was not recorded. The first part examines the people and places of Cowley's early life and how they helped create the world he was forced to navigate while enslaved. The second part situates

[8] Amrita Chakrabarti Myers, *Forging Freedom: Black Women and the Pursuit of Liberty in Antebellum Charleston* (Chapel Hill: University of North Carolina Press, 2011), 8.

his free life within eighteenth-century, post-revolutionary Richmond, Virginia, and the United States as a former colony and a new republic. And the third part looks at ideas of whiteness and Blackness in the English colony in relation to American identity, the vacillating nature of relations between Blacks and whites after the Revolution and the laws that articulated how slavery and free Black "nonrights"--a term historian A. Leon Higginbotham used to describe the rights or legal protections granted to white servants that were intentionally not granted to enslaved Blacks--were being solidified into the American economy and social culture.[9]

Cowley was not a larger-than-life figure, seeking to upend society for the greater good. Yet, there could not have been a day in his life that did not require a near heroic vigilance for him to make his way in a society that was designing itself to ensure that he should not. The arbitrary violence--to his person or his livelihood--was a part of his life as it has been for Black people to this day. To be a free Black person in such a society was to be defined by what you were not: not enslaved, not white. Cowley's enslaved life before the American Revolution and his free life in the Revolution's aftermath raise questions about what freedom meant to a man contemplating the risks associated with challenging slavery on both personal and collective fronts.

[9] A.Leon Higginbotham, *In the Matter of Color, Race and the American Legal Process: Colonial Period* (New York: Oxford University Press, 1978), 55.

Chapter One

LIFE ENSLAVED

Sometime before 1740, a man named Robert Cowley was born in Virginia. A rumor has followed his name in historical accounts from the 1850s into the twenty-first century that he was fathered by a member of one of Virginia's most prominent colonial families. Enslaved until 1785, he lived and worked as a free Black person until his death in 1820, reportedly at the age of 125. This bit of sensationalism explains why the obituary of a "free man of colour" would be published in more than twenty newspapers throughout the young nation. The obituary went on to say that Cowley had been employed for many years as Doorkeeper to the Capital, a position to which he had been appointed by "the executive" as a reward for his service to the Commonwealth during the Revolutionary War.[10] In 1800, Robert Cowley was accused of being a co-conspirator in Gabriel's Rebellion, but was never charged.[11] This near-miss with Virginia's judicial system was his claim to historiographical fame—the only reason he shows up in the history books, the only reason we know anything of him today. So, why write about him? Even a cursory peek into the archives reveals that an examination of Robert Cowley's singular life serves several ends.

[10] Death Notice, *Richmond Enquirer*, 10 February 1820, America's Historical Newspapers, accessed Sep. 19, 2019, https://infoweb-newsbank-com.proxy.library.vcu.edu/iw-search/we/HistArchive/?p_product=EANX&p_theme=ahnp&p_nbid=E57S4DUDMTUzNzQwNjcyNy41MTI1Nzg6MToxNDoxMjguMTcyLjEwLjE5NA&p_action=list&p_queryname=8&p_topdoc=1).

[11] Douglas R. Egerton, *Gabriel's Rebellion & the Virginia Slave Conspiracies of 1800 and 1802* (Chapel Hill: University of North Carolina Press, 1993), 101.

First, Cowley's momentary association with the most notorious slave insurrection attempt of the century would be compelling enough reason to be the nexus of a study about the meaning of slavery, freedom, and resistance in post-colonial Virginia. Second, the need to bolster the very short roster of eighteenth-century Black biographies could also suffice because as we attempt, in the twenty-first century, to understand what living free in a slave society must have been like for Blacks in particular, we simply need more of those stories.[12] If those narratives have been ignored or hard to find, or told only to show their effect on white American history as if distinct from Black American history, then we must rectify that, and its marginalizing frameworks. Individual Black stories must be pried from historiographic obscurity and made available for our inquiries into the American experience.

Third, Cowley's life spanned an era of unparalleled change: the age of Revolutions—American, French and Haitian—and the public banter over the natural rights of man in England and France, and their colonies in the Atlantic, the expansion of slavery, capitalism and colonial power. This revolutionary era made it harder to ignore the contradictions inherent in the practice of and resistance to slavery in the United States. The title of historian Hilary McD. Beckles' book, *Natural Rebels*, signifies an important correlation between the intrinsic and perpetual co-existence of enslavement with resistance, with the impetus to seek freedom.

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[12] For a sampling of eighteenth century Black biographies, see: Jewel L. Spangler, "Slavery's Archive, Slavery's Memory: Telling the Story of Gilbert Hunt, Hero of the Richmond Theatre Fire of 1811," *Journal of the Early Republic* 39:4 (Winter 2019), 677-708; Andrew Nunn Knight, "Lydia Broadnax, Slave and Free Woman of Colour," *Southern Studies* (Spring and Summer 1994), 17-30; Edmund Berkeley, Jr., "Prophet without Honor: Christopher McPherson, Free Person of Color," *Virginia Magazine of History and Biography* 77:2 (Apr., 1969), 180-190; Robert E. Desrochers, Jr., "'Not Fade Away': The Narrative of Venture Smith, an African American in the Early Republic," *Journal of American History* 84:1 (Jun., 1997), 40-66.

The organization of a rebellion led by an enslaved Virginia blacksmith in 1800 marked, among other things, the end of white colonial America's post-Revolutionary ambivalence toward slavery, the hardening of Virginia into a race-based slave society and Richmond's evolution from a trading village to the political center of the state. It also demonstrated to white authority that Black people would continue to find ways to assert their sense of humanity and collective rights, even if articulated by individual actions and whether they sought to become part of society, as business-owners or fighting for the Patriot's cause, or to separate from it, as in fighting for England, escaping, missionary colonization, etc.[13] And so, to dig into Cowley's life story is to glimpse the opportunities and limitations of Black freedom during the first quarter-century of the United States' existence and a way to peek into free Black life in Richmond at that point in time.

Over the century that Cowley lived, Virginia was completely transformed--from the colony of an empire to an important state in an independent nation--white, with an unwanted but essential Black populace. Most whites, especially elites, cultivated the belief that Blacks and whites could not live together on any kind of equal footing, and therefore feared the growing Black population, especially those who were not enslaved. With aspirations for social equity, as beacons of hope for Black freedom, and suspected always of being ready to join their enslaved peers in resistance, free Black people triggered dread in

[13] Sylvester A. Johnson, *African American Religions, 1500-2000: Colonialism, Democracy, and Freedom* (Cambridge University Press, 2015), 167-69, 174-75.

whites and inspiration in Blacks. Conversely Black people consistently, in small and large ways, pushed on barriers to freedom erected by whites.[14]

Historian A. Leon Higginbotham wrote that the white society that Black people were forced to live within seemed always busy "trying to decide whether Blacks were people, and if so, whether they were a species apart from white humans, the difference justifying separate and different treatment."[15] With whites at the top of a social ladder and slaves at the bottom, the place of free Black people in society could be nebulous and ever-shifting, but was always a battleground of the fundamental contradictions within American society. Sociologist Orlando Patterson described the condition of the Black person enslaved in America as experiencing a "natal alienation"--an outsider from birth--as the result of the laws that specified perpetual and inherited slave status.[16] Through enslavement, whites sought to strip Black people of the history, time, material and settings with which to continue or maintain their original social identities, forcing them to accept themselves in a new world where "Black" equaled "slave" and carried no social status: Patterson's "social

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[14] Ira Berlin, *Slaves Without Masters: The Free Negro in the Antebellum South (New York: Pantheon Press, 1974)*, 15-16.

[15] Higginbotham, *In the Matter of Color,* 7.

[16] Orlando Patterson, *Slavery and Social Death: A Comparative Study* (Cambridge, MA: Harvard University Press, 1982), 35-38.

death.[17]" The very existence of a free Black people challenged exactly that framework by living alongside whites, where daily interactions made Black humanity undeniable.[18]

The practices that humans employ to live from day to day become a collection of norms that not only ensure survival, but articulate meanings and beliefs through artistic or ritual expression. Developed in concert with other humans, these norms become a culture, or a "world view," to borrow from Mechal Sobel.[19] Africans enslaved in the Atlantic colonies brought with them their cultures, which were then altered by their new experiences, new pressures and demands upon their bodies and their minds..[20] Born into the colonial period, maturing during the revolutionary years, becoming free and aging as the nation was normalizing its "two-faced" framework for whites and Blacks, Robert Cowley's struggle to develop a navigable world view--a normal--must have been the free Black person's perpetual, if rarely-realized pursuit. Little of what normalcy Cowley and his peers crafted

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[17] Patterson, *Slavery and Social Death*, 3.

[18] These assertions are made most directly by Melvin Patrick Ely, *Israel on the Appomattox: A Southern Experiment in Black Freedom from the 1790s Through the Civil War*, (New York: Vintage Books. 2004), Mechal Sobel, *The World They Made Together: Black and White Values in Eighteenth-Century Virginia*, (Princeton: Princeton University Press, 1987), and the trail of colonial and national era laws described by A. Leon Higginbotham, *In the Matter of Color, Race and the Legal Process: Colonial Period* (New York: Oxford Univesity Press,1978), Luther Porter Jackson, *Free Negro Labor and Property Holding in Virginia, 1830-1860* (Kingsport TN: Athaneum, 1969, Amerian Historical Association, 1942), James Sidbury, *Ploughshares into Swords: Race, Rebellion and Identity in Gabriel's, Virginia*, 1*730-1810* (Cambridge: Cambridge University Press, 1997), and Joshua D. Rothman, *Notorious in the Neighborhood: Sex and Families Across the Color Line in Virginia, 1787-1861* (Chapel Hill: University of North Carolina Press, 2003), Ch. 3, regarding legal consequences for whites for activities considered dangerous to the stability of white society, such as miscegenation.

[19] Mechal Sobel, *The World They Made Together: Black and White Values in Eighteenth-Century Virginia* (Princeton: Princeton University Press, 1987), 15.

[20] Ira Berlin, *Many Thousands Gone: The First Two Centuries of Slavery in North America* (Cambridge: Belnap, Harvard University Press, 1998), 17.

for themselves in the post-Revolutionary years could be passed on to their descendants, except, perhaps, the pursuit of normal itself.[21]

The attempt to extract Cowley's life story from archival records and an understanding of his historical social context is also an attempt by this author to understand a world view that facilitates empathy and comprehension between descendants of enslaved people from his time to ours. For most of the four hundred years of Black life in the Americas, Black people were forced to always stay conscious of their Blackness. Enslaved or free, being Black (or Mulatto) meant there were a range of laws on the books that controlled behavior and defined status in ways that were not done for whites, in spite of the proximity and sameness in essential human aspirations of the two races. The limitations on Robert Cowley's rights as a human being were so comprehensive, and shifty, as to be exhausting even for whites to follow. Interpersonal or professional relationships depended upon hierarchies of authority that applied to everyone and, within the parameters of basic respect for the rules of engagement, most of the time people found it easier to get along at their routine tasks than to disrupt the transactions of daily life. However, the same human instinct to pull normalcy from abnormal conditions also sought to achieve self-respect and assert self-determination, which meant that sooner or later someone would challenge the status quo of enslavement and racism. A close look at the records raises questions about Cowley's parentage and familial relations. Reports of his mixed-race heritage explain his enslaved status and suggest reasons why he was manumitted. But the archive of his life at this point is inconclusive.

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[21] Luther Porter Jackson, *Free Negro Labor and Property Holding in Virginia, 1830-1860* (Kingsport TN: Athaneum, 1969, Amerian Historical Association, 1942), ix.

Perhaps the most dangerous juncture in Robert Cowley's long life may have arrived in the summer of 1800 when he apparently was approached and invited to join in the "business" of Gabriel's rebellion.[22] As keeper of the keys to the Virginia State Capitol and to the room that held the guns of the state militia, Cowley's cooperation was a linchpin in a remarkable plan by enslaved and free Black people to take the governor hostage and demand an end to slavery in Virginia.[23] All that Cowley had done for the previous fifteen years to secure his life and personal independence in freedom would stand or fall in the wake of his decision. Would he risk his own freedom to end slavery?

Cowley was trusted with a privileged position within government operations, so what was it about him that made someone in the core group of insurrectionists think he should be invited to join them? In court testimony given against Gabriel, the enslaved man Ben Woolfolk said Gabriel told him he had attended a meeting at Cowley's house, that "Bob" or someone else present had given Gabriel a tour of the capitol building and the location of the militia's store, and that the "old man" had said he would either get them the keys in advance or be there to hand the weapons to them when they arrived.[24] This testimony makes it clear that there was a plan that involved the key keeper and the militia's guns, but did Cowley actually agree to help?

We do not know. The rebellion did not happen, and there are no documents yet found to indicate Cowley's thinking on the matter. While he was implicated by witnesses

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[22] Philip J. Schwarz, ed., *Gabriel's Conspiracy: A Documentary History* (Charlottesville: University of Virginia Press, 2012), 41.

[23] Michael L. Nicholls, *Whispers of Rebellion: Narrating Gabriel's Rebellion* (Charlottesville: University of Virginia Press, 2012), 99.

[24] Schwarz, *Gabriel's Conspiracy*, 152-153.

and questioned by jurists, Cowley was not arrested and therefore never tried. He was exonerated by his interrogators, two justices of the Henrico Court of Oyer and Terminer, with a conclusion that gave great relief to the governor to whom Cowley ultimately, if indirectly, owed his position.[25] Robert Cowley quickly and quietly returned to work, as if he had never been suspected. As someone who had lived for the previous fifteen years employed and trusted by the slavery-sustaining government of the state of Virginia, Cowley should have been the last person to be trusted by people planning a slave revolt. Little attention was paid to him in the record of the rebellion, so his complicity is unlikely to ever be concretely affirmed or refuted. But could enough context be coaxed from the record to give a sense of the kind of man Robert Cowley was, and what he might have done? Unimportant as he may have been in an empirical, drone's-eye-view of the nation's formative years, his experiences nonetheless left a trail revealing what was at stake for free Black people in the midst of the swirling rhetoric about liberty and equality. Cowley may simply have been good at seizing opportunities and avoiding trouble. I approached his story as one of an ordinary man who lived through extraordinary times, and whether those times affected the particular trajectory of his life and how race, freedom, and the aspiration to equality played out in a period of incredible change.

A MAN NAMED ROBERT COWLEY

One of the first ways that one encounters Robert Cowley is through his signature. Robert Cowley's name was variously written into the record as Robert or Bob Cowley and

[25] Schwarz, *Gabriel's Conspiracy*, 208-9.

Robert or Bob Cooley, even "Chatsworth Bob" once. In the eighteenth century and for much of the nineteenth, there were few writing standards and most people were semi- or fully illiterate.[26] The written word was often a phonetic rendering of an oral offering, so it is not surprising that researchers of this period encounter numerous variations on the spellings of names of people and places. In England and her colonies, the first syllable of Cowley's surname might as easily have been pronounced with a long ō vowel sound (ko'-lee) as with the short (kou'-lee), which could have affected the way the listener interpreted the name for spelling. As it happens, Cowley "told" us how to spell (if not pronounce) his last name when, upon employment with the state, he was required to sign his government receipts, and did so with "R Cowley."[27] Nowhere was he referred to as *Mr. Cowley*.

But where did he get the name? Common as it was for enslaved people to not have a surname, many did.[28] Cowley is an English name and there were plenty of Cowleys in the colony, but Robert Cowley's parents remain unknown as does his birth date or place, so it would be difficult to identify a single, rewarding research path. Historians have circulated a persistent rumor that his father was a member of an aristocratic or prominent Virginia family, presumably the Randolphs, who were a large presence in the colony.[29] We know that Robert was one of two hundred enslaved people owned by Col. Peter Randolph, living and working at Chatsworth, a 2,000-acre farm in Varina in present-day eastern Henrico

[26] Rhys Isaac, *The Transformation of Virginia, 1740-1790* (Chapel Hill: University of North Carolina Press, 1999), 121-122, accessed April 21, 2020 http://ebookcentral.proquest.com/lib/vcu/detail.action?docID=4321901,

[27] *Virginia Civil Contingent Fund*, *1795-1796*, APA 139, Box 5, Manuscripts, Library of Virginia.

[28] Berlin, *Many Thousands Gone,* 95-96.

[29] Egerton, *Gabriel's Rebellion*, 57-58.

County, who also owned and operated farms throughout the Piedmont region. The rumor of Robert Cowley's white paternity directs one to the logical conclusion that Randolph wanted Cowley to be freed because they shared a blood tie. Peter Randolph was born in 1717 on a plantation worked by many enslaved people.[30] To align with Robert Cowley's age at manumission, "above forty-five," Peter would have impregnated Cowley's mother as a young man shortly before or not much later than the year of his marriage to Lucy Cocke Bolling (1738).[31] If Peter fathered an enslaved child, manumitting that child would have fit with practices of the colonial era.[32]

Freedom was often considered by slaveholders to be a powerful gesture of gratitude or a reward for long or extraordinary service. In *Slaves Without Masters*, historian Ira Berlin described ideological manumissions as those which predominantly followed the American Revolution and personal manumissions as, generally, tied to some kind of relationship,

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[30] W. G. Stanard, "The Randolph Family." *The William and Mary Quarterly* 7, no. 2 (1898), 123.

[31] See p. 27 or transcription on p. 107, Edmund Randolph, "manumission of Robert Cowley," Death notice, *Richmond Compiler*, (Feb. 10, 1820).

[32] The tendency of slaveholder fathers to recognize and provide for or manumit the children of their sexual relations with enslaved women was greater in the Caribbean and Lower South mainland colonies than in the Upper South mainland or Chesapeake region. While the percentage of people manumitted in this way were proportionally tiny, the practice dropped significantly in the antebellum period in the U.S. See Annette Gordon-Reed, *The Hemingses of Monticello: An American Family* (New York: W. W. Norton, 2009) and Joshua D. Rothman, *Notorious in the Neighborhood: Sex and the Color Line in Virginia, 1787-1861* (Chapel Hill: University of North Carolina Press, 2003, Ch. 6)

including filial.[33]

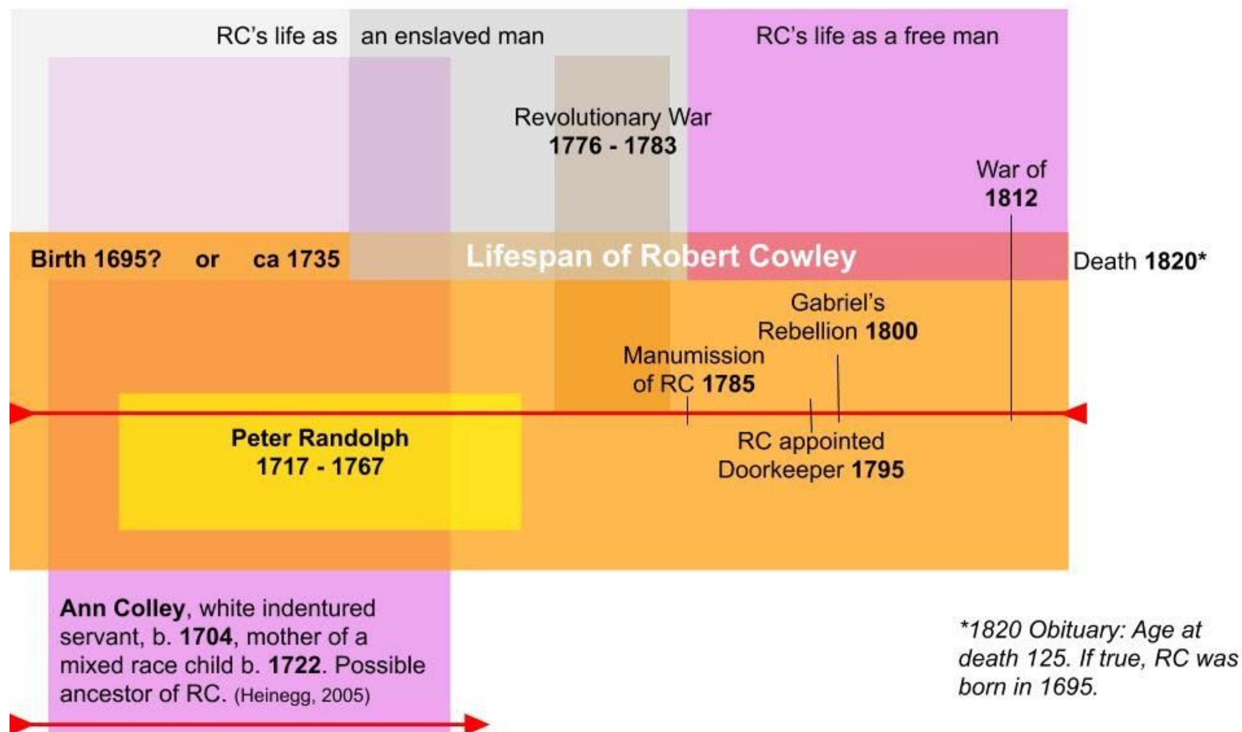

Figure 1. Timeline Graphic: Lifespans of Robert Cowley, Peter Randolph and Ann Colley overlapping key eighteenth century events.

No documents found to this point allude to a Randolph involvement with an enslaved woman, but with the persistent inferences that Cowley was mixed-race in historical writing and in historical interpretation at the Wilton House, Cowley's having spent the first half of his life in Randolph country, makes it hard to leave off the table that there may have been some Randolph kinship obligation to Cowley.

Another intriguing explanation of Robert Cowley's parentage points toward Cowley's mother rather than his father. Laws had been on the books forbidding

[33] Ira Berlin, *Slaves Without Masters,* 180-181.

miscegenation since the 17th century, imperfectly enforced.[34] At least one source indicates the possibility that Robert Cowley may have been descended from a white indentured servant woman named Ann Colley (probably born in England), who, in 1722, was charged with giving birth to a "mulatto bastard." Researcher Paul Heinneg in 2005 included Robert Cowley's name in a list of *likely* mixed-race descendants of Ms. Colley, who lived in the Central and Tidewater regions of Virginia, and in North Carolina. Ira Berlin, in his introduction to Heinneg's book, made the case that the majority of *free* Black people of the colonial era--seventeenth and early eighteenth centuries--were mixed-race and attributable to relationships or marriages between people of the same or similar working class, white indentured women and Black men, enslaved, indentured or free.[35] This dynamic was not exclusive and shifted almost entirely, during the nineteenth century, to that of white men fathering mixed-race children with enslaved Black women, increasing the number of children born into slave status rather than free.[36]

Colley was bound to a widow named Margarett Blagg who, in 1722, presented her to the justices at Washington Parish in Westmoreland County, Virginia, for the out-of-wedlock birth. Miss Colley was convicted and sentenced to five additional years of "service" following the completion of her current term. Blagg had seen the justices before, seeking compensation for lost revenue and expenses incurred related to the pregnancy and

[34] Higginbotham, *In the Matter of Color,* 44-47.

[35] For more on eighteenth century manumission and miscegenation see Chapters 5 and 6 in Ira Berlin's *Slaves Without Masters: The Free Negro in the Antebellum South* (1974), 178-187.

[36] Ira Berlin, "Foreword," *Free African Americans of North Carolina, Virginia, and South Carolina from the Colonial Period to About 1820*, by Paul Heinegg, 5th ed., (Baltimore, MD: Clearfield, 2005), accessed Jun 22, 2020 http://freeafricanamericans.com/foreword.htm.

delivery of the child (most likely by a midwife).[37] It is interesting that Blagg did not put Colley out of her house when the pregnancy was discovered, but, then again, Blagg probably realized she would benefit from the penalty of Colley's extended service. She could also keep or contract out the child who, though born legally free, was fathered by a Black man and would therefore be bound to service for thirty-one years. Heinegg listed eleven other men with the same last name or clear variations on it--Coley, Cowley, Cooley.[38] However, if name association was the only criteria Heinegg used to craft his list, more research will be required into the fate of Ann Colley and her child before the case for Robert's connection to them can be made feasible.

THE FIRST RECORD

Robert Cowley's manumission document was the first record to directly affirm his existence, to confirm that he was owned by Peter Randolph, that Randolph was dead, that Cowley was "mulatto" and "above forty-five years" old. The precise way in which Edmund Randolph, executor of the deal, wrote the document provided not only transactional details but also situated both men, and their witnesses, physically in place and time. Purchased from a group of men being auctioned off, probably to settle debts on the estate, Cowley was made free "from every species of servitude." Penned on a chilly December day in 1785 by thirty-two-year-old Edmund Jennings Randolph, Esquire, attorney general of Virginia and

[37] "Blagg, Margarett," *Order Book 1721-1722, Washington Parish, Westmoreland County*, Library of Virginia.

[38] Paul Heinneg, *Free African Americans of North Carolina, Virginia, and South Carolina from the Colonial Period to About 1820*, Fifth ed. (Baltimore, MD: Clearfield, 2005), accessed May 7, 2020 http://freeafricanamericans.com/Church_Cotanch.htm.

soon to be governor of the state (1786), the manumission was formally recorded by the clerk's office twelve days later, on 2 January 1786.[39] Cowley paid £50 (fifty pounds) to Randolph. That's $163 US dollars which in today's money would be more than $4,370. Wages for a hired enslaved servant might range from £6 to £9 per year, so the market rate, even for a man considered past his prime, was none too shabby.[40]

[39] Paul Heinegg, "Virginia Slaves Freed After 1782," *Free African Americans of North Carolina, Virginia, and South Carolina from the Colonial Period to About 1820*, Fifth ed. (Baltimore, MD: Clearfield, 2005) accessed Jun. 2020 http://www.freeafricanamericans.com/virginiafreeafter1782.htm. "Edmund Randolph, Esq. to a Negro man named Robert Cowley," *Henrico County Orders 1784-7*, (2 January 1786), 386."

[40] Thomas Cooper, *Some Reflections on America*, 2nd ed., (London: J. Johnson, Printers), 98-99, accessed 23 Mar. 2020 https://hdl.handle.net/2027/nyp.33433081777082

Know all men by these presents: That I Edmund Randolph of the city of Richmond, having this day purchased a mulatto man named Robert Cowley at the sale of Colo. Peter Randolph, deceased's negroes, made by his executors before Formicola's tavern in the said city, at public auction, and he having paid me the sum of fifty pounds, and my sole object in bidding for him having been to gratify him, I do hereby emancipate and set free him, the said Robert Cowley, and do entirely and fully discharge him from every species of servitude. And I do hereby bind myself my heirs, executors and administrators to perform all duties, which may be imposed on me by virtue of the "act to authorize the manumission of slaves", in consequence of having now emancipated the said Robert Cowley, who is above the age of forty five years. Given under my hand and seal this 21st day of december 1785.

Signed sealed and delivered
in the presence of
Beverley Randolph
Martha Randolph
James Innes

Edmund Randolph

Randolph, Edmund (1753-1813), [Manumission of mulatto slave Robert Cowley from the estate of Peter Randolph], 21 December 1785. GLC05490

Figure 2. Robert Cowley's manumission document written by Edmund Randolph in Richmond, 21 December 1785, and recorded at the Henrico County courthouse under Orders 1784-7, p. 386, "2 January 1786, Edmund Randolph, Esq. to a Negro man named Robert Cowley." Image: Gilder-Lehrman Institute of American History.[41]

[41] Edmund Randolph (1753-1813), "Manumission of mulatto slave Robert Cowley from the estate of Peter Randolph," Gilder-Lehrman Institute, accessed Oct. 2018 https://www.gilderlehrman.org/collection/glc05490.

According to the document, the executors of Peter Randolph's Chatsworth estate arranged for the manumission and the witnesses. Only two witnesses were required by the 1782 law, but here there were three. Two were the son and daughter-in-law of Peter Randolph, Beverley and Martha Randolph. They were also Edmund's cousins.[42] By the time of the manumission Peter's grandson, Peter Skipwith Randolph, was not more than ten years old. So it seems likely that, until he came of age, little Peter's uncle Beverley and aunt Martha would have been asked to stand in for him for certain kinds of responsibilities, such as witnessing this manumission.[43]

The third witness, James Rind, was a young lawyer from Williamsburg whose parents, William and Clementina Rind, established the second *Virginia Gazette* newspaper in Williamsburg in 1766. The *Gazette* was successful, becoming the "public printer" for the House of Burgesses, contracted to print official notices of the colony, and gave the Rinds significant social status. Clementina ran the shop after her husband's death in 1773, and died in 1774, one of the first women printers of Virginia. Their five children were fostered by a friend, John Coalter, who ensured the schooling of at least two of the boys. James Rind is assumed to have been one, and was recorded as "reading law in Kentucky and Virginia" in the early 1780s.[44] Fifteen years later, Rind would serve as the attorney assigned to

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[42] Stanard, "The Randolph Family," 124. Beverley's father (Peter Randolph) and Edmund's father (John Randolph) were first cousins.

[43] Stanard, "The Randolph Family."122-24.

[44] Cynthia A. Kierner, Megan T. Shockley, and Jennifer R. Loux, *Changing History: Virginia Women Through Four Centuries* (Richmond: Library of Virginia, 2013), 40-41, 53-54. Martha J. King, and the Dictionary of Virginia Biography, "Clementina Rind (d. 1774)," *Encyclopedia Virginia*. Virginia Humanities, 18 Dec. 2017, Accessed 22 Jun. 2020 https://www.encyclopediavirginia.org/Rind_Clementina_d_1774#start_entry.

present at trial to the Henrico Court of Oyer and Terminer the testimony of those accused in Gabriel's rebellion, an experience narrowly avoided by Cowley.

The public auction from which Edmund Randolph purchased Cowley was held in front of "Formicola's tavern," a well-known spot on Richmond's Main Street near the corner of 12th Street. Taverns and public houses often added to their hospitality revenue by offering, for a fee, the use of their yards for private and public events, such as estate sales and slave auctions. Owner Serafino Formicola had been an innkeeper in Williamsburg who "moved upriver to Richmond" between 1780 and 1782 following the relocation of the state capitol. Catering to gentlemen and officers, he was very well-connected and had been since he arrived in Virginia, the "Neopolitan who came over with Lord Dunmore," Virginia's final colonial governor. George Washington reported staying at "Formicalo's [sic] tavern" in 1786,[45] and when Formicola died in 1790, John Marshall served as executor of his estate.[46] He established Eagle Tavern at the corner of 15th and Main streets, but shortly thereafter relocated to Main and 12th. Construction on the capitol building had only just begun so the tavern was actually a short three blocks from where the General Assembly was then meeting, in a two-story wood warehouse building at 9th and E. Main. It was also just ten blocks west of the Courthouse on Main at 22nd Street.

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[45] Giovanni Schiavo, "25: Some 18th Century Italians who 'Made America'," *Special Issue: The Italian in America before the Revolution,* Vol. 2, No. 1 (January 1976), 102, accessed Jun. 22, 2020 https://doi.org/10.1111/j.2050-411X.1976.tb00375.x. Mary Ellen McWilliams, *Charlton's Inn, No. 20 / Report Prepared by Mary Ellen McWilliams* (Colonial Williamsburg Foundation Library, Research Report Series, RR-1160, (1940), 5-7.

[46] Anne Rachel Hedges, "Richmond's taverns in the years 1775 - 1810 : their role in the city's development from frontier town to capital city," *Master's Theses* 578 (University of Richmond, 1993), https://scholarship.richmond.edu/cgi/viewcontent.cgi?article=1585&context=masters-theses.

If the manumission document had been the only record found, it would still have been important. Used as a nexus point in Cowley's biography, the document reinforces Cowley's invisibility before 23 December 1785 and his transformation from an unnamed chattel unit with a market price to a free and tithable Richmond resident, recorded by name in the tax rolls. Cowley's life before 1785 can only be surmised by tapping the archives for details of his owner Peter Randolph's life and gleaning something from Randolph's activities as a planter, politician, businessman, and colonial aristocrat in pre-revolutionary Virginia.

Figure 3. Map of General Lafayette's Campaign of 1781, showing the Randolph properties at Chatsworth (white oval), Wilton and Turkey Island (in Black ovals). Richmond and Varina are outlined in boxes. The yellow lines represent paths followed by Lafayette's troops. The red lines follow British troop movements. Lafayette's men camped and drilled at Wilton for 10 days prior to the start of the Yorktown campaign in October 1781. Source: Library of Virginia.

BEFORE MANUMISSION

Peter Randolph was born on 20 October 1717 at Turkey Island, the large plantation established by his parents, William Randolph II and Mary Isham, near the western edge of present-day Charles City County. Raised in "an environment of great privilege and opportunity," he eventually, with his family's connections and support, "amassed in total some 20,000 acres and over 250 slaves."[47] His and his father's siblings and cousins spread out across the Tidewater and Piedmont regions of the Virginia territory, often acquiring thousands of acres at a time, and purchasing the slave labor needed to turn the ownership of that land into massive tobacco profits. His wealth brought him prestigious commercial and political appointments.[48] By 1740 he was working as an attorney in Williamsburg. In 1746, he received an appointment to the House of Burgesses which along with the Virginia Governor's Council, made up the colonial legislature. Later, the King's Commission for Plantations and Trade made him Surveyor General of Customs for the Middle Western Colony (essentially the mid-Atlantic region), a post he held for the rest of his life.[49] In the 1750s, Peter Randolph and William Byrd II were appointed commissioners to the Catawba and Cherokee Indians, emissaries for treaty and trade relations in the closing years of the French and Indian Wars.[50]

[47] Marc R. Mantrana, *Lost Plantations of the South* (Jackson: University Press of Mississippi, 2009), 30.

[48] Mantrana, *Lost Plantations*, 31.

[49] Virginia Colonial Records Project, "The Bd. of Trade to the King. Whitehall, 14 April 1749. Proposing Peter Randolph to the Council of Virginia to replace Robert Dinwiddie, resigned." *Treasury Board Letters 1754-1755, 1757*, Survey Report No. 845 (Virginia Colonial Records Project, Library of Virginia), 14.

[50] "Copy of Gov. Dinwiddie's commission (undated) appointing Peter Randolph and William Byrd, Commissioners to the Catawba and Cherokee nations of Indians." *Treasury Board Letters 1754-1755, 1757*, Survey Report No. 1286A revised (Virginia Colonial Records Project, Library of Virginia) ff.50.

Figure 4. Chatsworth House, Varina, Henrico County, Virginia. Built in 1751, it burned in 1915. Peter and Lucy Randolph ruled their 20,000-acre plantocracy from this house. Cowley and his peers were enslaved here and at seven more Randolph farms in Virginia. Photo: *Virginia Cavalcade* Magazine 15: 4. Library of Virginia.

In 1738, Peter Randolph married Lucy Cocke Bolling (a descendant of Pocahontas "Rebecca Rolfe," through her father) and they had four children: William, Beverley, Robert and Ann. Randolph had their home, Chatsworth, built in 1751 on land five miles northeast of and adjacent to his brother William III's home at Wilton. The brothers had established their home plantations about ten miles northwest from their ancestral Turkey Island birthplace. They built a "fine five-bay home with a steep gabled roof and symmetrical chimneys on the ends."[51] Two stories high, the house had an eight-column porch running the width of its first floor and a second floor porch with four columns centered above the

[51] Mantrana, *Lost Plantations*, 31.

front door. Peter and his brother William competed for extravagance in the materials and furnishing of their homes, including commissioning family portraits from Englishman John Wollaston during the artist's time in Virginia, 1754-1758.[52] To compensate for not acquiring as many portraits as his brother--a total of ten, Peter insisted on the larger format of "three-quarter-length portraits."[53] Chatsworth was headquarters to a network of agricultural labor camps worked by hundreds of enslaved African women, men, and children to provide wealth to a very small household of elite English settlers who assumed the right to it all. Cowley could assume very little except how to make the best of his life within theirs.

Chatsworth was run by Peter and his wife, Lucy, until Peter's death in 1767. In spite of advertising the sale of household goods in mid 1769 and planning a second sale a few months later, the property apparently remained in the family and Randolph's widow was able to live there until her death.[54] The house and land were inherited first by his eldest son, William, then his grandson Peter Skipwith Randolph in 1774, and lastly by Col. Peter's great-grandson William Beverley Randolph, who married, but died without heirs in 1879. Abandoned then for more than forty years, the house was lost to fire in 1915. Not long after, another house was built elsewhere on the property but the estate was greatly

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[52] The portraits of Col. Peter Randolph and Lucy Bolling Randolph are in the private collection of the Carter family, at Shirley Plantation, LLC.

[53] Mantrana, *Lost Plantations*, 31.

[54] *Virginia Gazette*, 27 July 1769 (Williamsburg: William Rind). *Virginia Gazette* 2. Colonial Williamsburg Foundation, accessed Jun. 19, 2019 https://research.colonialwilliamsburg.org/CWDLImages/VA_GAZET/Images/R/1769/0112hi.jpg.

reduced in size by sales over the years. The newer house still stands, but the memory of this farm's once-prominent place in the neighborhood has long since faded away.[55]

Various records over time place Cowley at or associated with Chatsworth, Wilton, Williamsburg, Richmond, Warwick, City Point, Petersburg and Bermuda Hundred, Because the record is so scant for this period it is difficult to make reliable narrative connections. Assuming Cowley remained part of Chatsworth after Peter's death, he would have taken his orders from Lucy Randolph, or son William, and his duties probably continued to take him between Chatsworth and Williamsburg, where several Randolphs continued to live and work for the colonial government. But Cowley's introduction to Richmond may have been the result of traveling with Randolph as he checked on his family's holdings. Two other Randolph men, Richard and William, held lots from the lottery held by William Byrd III to help pay down his debts.[56]

George Washington, leader of the Continental Army, was well-known for his opposition to arming "slaves," and for banning recruitment of Black freemen until it could no longer be avoided. The Patriots were not as unified in their enthusiasm for war as July 4th celebrations would have their descendants believe. Attrition was rampant, with soldiers preferring their own farming to re-enlisting. Washington's officers needed men, and recruitment became conscription. In the Northern colonies, Black men were welcomed into militias. They trained and fought side by side with white volunteers, and Washington

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[55] Mantrana, *Lost Plantations*, 32.

[56] William Byrd and William Mayo, "Plan of Richmond," 1737/1742, Library of Virginia, Manuscript, accessed 10 Jun. 2020 https://artsandculture.google.com/asset/a-plan-of-richmond-william-byrd-and-william-mayo/_QGyOLU_n6kuuQ?hl=en

eventually did make use of free Black men as soldiers.[57] Still enslaved, Cowley was not a recruit, but he could have accompanied one of the Randolph men into battle as an aide.

Between 1775 and 1781, Wilton Plantation was the base of operations for the militias of several counties.[58] Being just five miles from Chatsworth, it seems likely that there may have been some engagement between the two farms and households, and perhaps it was during this time that Cowley proved helpful. In January 1781, General Benedict Arnold's British forces burned through the small town. Later that year, Thomas Jefferson wrote in his memorandum book that "Chatsworth Bob" delivered toothbrushes to him while he was in Richmond attending a Virginia Assembly session.[59] So we know, at least, that "Chatsworth Bob" Cowley was running errands during the war. Perhaps he encountered some particular danger while delivering a message or supply of importance, and that became the reason for his manumission.

A payroll from the 7th Virginia Regiment in 1778 listed a "Robert Cauley," drummer, receiving a salary of £2.4s (two pounds, four shillings).[60] I hoped this might be another mis-spelling of Cowley, but drummers tended to be teenagers and given Cowley's age and the fact that the payroll provided no category to indicate race, this drummer was most

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[57] Douglas R. Egerton, *Death or Liberty: African Americans and Revolutionary America* (New York: Oxford Press, 2009), 74-75.

[58] Katie Watkins, *Wilton House Museum, A Virginian Story, Interpretive Plan 2019* (Richmond), 18.

[59] *Memorandum Books, 1781* (Jefferson Papers) "Dec. 21, Pd. Chatsworth Bob for 8 tooth brushes 8/." Archives, Library of Virginia. https://founders.archives.gov/?q=Chatsworth%20Bob&s=1111311111&sa=&r=2&sr=. 1)

[60] "United States Revolutionary War Rolls, 1775-1783," database with images, FamilySearch (https://familysearch.org/ark:/61903/1:1:QL6Y-XWSZ : 15 March 2018), Robt Cauley, Oct 1778; citing Oct 1778, Virginia, United States, citing NARA microfilm publication M246. Washington D.C.: National Archives and Records Services, 1980. FHL microfilm 830,377.

likely not our Cowley and music was not likely the service which warranted his later reward.

Peter Randolph's will did not articulate intentions for Robert Cowley. Peter wrote his will on May 4, 1767, and died on July 8, and as a British citizen recognized for acting in the colonial interest, a copy of his will was also recorded by the Prerogative Court of Canterbury in England in October 1767.[61] He left Chatsworth--the house and accompanying land (2,000 acres), slaves, horses and stock--to his eldest son, William, but for the use of his wife, Lucy, until her death.[62] The remainder of his 20,000 acres was divided up equally among his children: William, Beverley, Robert and Ann.[63] Warwick was another part of the Randolph estate situated close to Richmond on the west bank of the James River. The land was used to quarter the enslaved men who transported the tobacco, wheat and other goods harvested from Randolph's various farms. Also located there were the warehouses where the goods were stored before export or sale in Richmond's markets.[64] No special bequests were mentioned in that copy of the will. If another member of the family is to be considered, perhaps Peter's heir, the young William Randolph (who would have known Robert Cowley his entire life) proposed freeing Robert Cowley?

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[61] "Will of The Honourable Peter Randolph, Surveyor General of His Majesty's Customs for the Middle Western District of North America of Chatsworth in the County of Henrico and Colony of Virginia," *Records of the Prerogative Court of Canterbury,* copy of the May 4, 1767 will recorded Oct. 21, 1768 (The National Archives, Kew, PROB 11/943/96), accessed May 7, 2020 https://discovery.nationalarchives.gov.uk/details/r/D504212.

[62] *Virginia Gazette*, April 01, 1780 – pg. 2, "Mrs. Randolph, relict of ____ Randolph, Esq. lately died in England," (Williamsburg:Dixon and Nicolson), Colonial Williamsburg Foundation, Jun. 19, 2020, https://research.colonialwilliamsburg.org/CWDLImages/VA_GAZET/Images/D/1780/0055hi.jpg.

[63] "Will of The Honourable Peter Randolph."

[64] Ibid

The executors of Peter Randolph's estate were a close group of kith and kin: his cousin by marriage, Col. Archibald Cary (married to Peter's cousin Mary Randolph); Col. Richard Randolph Jr. (cousin); John Wayles (Thomas Jefferson's father-in-law and Sally Hemings father); and Seth Ware Sr.[65] They were all wealthy planters with no political or economic interest in the emancipation of enslaved people. As relations and friends of the deceased, these men might be inclined to do what Peter asked of them. However, if there were unexpected debts or other problems with settling the estate, they could determine that it was not in the best interests of the estate to free even a special enslaved man.

Over the next eighteen years, most of Randolph's original executors died. Local papers that may have shed light on the story that Cowley may have been related to Peter Randolph either did not exist or were likely lost.[66] While the Library of Virginia has a longstanding lost-document recovery program in place, it will take a wider and deeper examination of surviving personal papers of any number of people connected to Peter, his family or his estate's executors to reveal any hint of Robert Cowley's significance to the Randolph family. Nevertheless, in 1785, a Randolph family member was the instrument of Cowley's emancipation.

Legally free to pursue his own course, the middle-aged Cowley set up his life in Richmond. He had been attached to the farm and town, had been around war, trade and governance. Later records point to an evolving "career" as an errand-runner during which he must have developed a wider view of the world than those who remained at

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[65] Ibid.

[66] Lost Records Localities Digital Collection, *Library of Virginia*, accessed Mar. 30, 2020 http://www.virginiamemory.com/collections/lost.

Chatsworth, and he may have become quite familiar with the needs of lawmakers as well as planters. Cowley opted for the bustle of the new capital city, a town on the verge of explosive growth in a changing political landscape and Cowley would be witness to its transformation from trading spot to political center, from less than 1,400 people in 1784 to more than 5,700 in 1800.[67]

Cowley would not have been alone in recognizing Richmond at that moment as a place with great opportunity. The post-revolutionary years were a time when the customary boundaries of slavery and Black freedom were being tested by Black and white people in commerce, the courts and daily life. As the number of manumissions increased and Richmond's urban economy grew, free Black people found work in town and began to assert their ability to build communities with churches, schools, and businesses. Berlin describes this process as part of a transformation of Africans acting not only on their own behalf outside of enslavement, but as the foundation of a "new Afro-American culture."[68] So in building their institutions, "Blacks did more than provide for their own comfort, security, and mobility. In the years immediately following the Revolution, Negro freemen saw African churches and schools, like the selection of a new name or migration to a new city, as a means of establishing a new identity as a free people."[69] The bonds of slavery and racism tightened and the vitriol against free Black people working to improve their social condition worsened, but Robert Cowley's generation laid the footings for a world view that ultimately would end with emancipation.

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[67] Sidbury, *Ploughshares into Swords,* 278.

[68] Berlin, *Slaves Without Masters*, 78.

[69] Berlin, *Slaves Without Masters*, 78.

Chapter Two

FREE DURING SLAVERY

For ten years after his manumission, Cowley's old connections continued to serve him as he struggled to establish himself. Based on a farm account book in the collection of the Colonial Williamsburg Foundation library, Cowley maintained a working connection to Chatsworth, running errands, and making deliveries.[70] His first job for the state was in 1794, as caretaker of the governor's house.[71] Robert Brooke became governor of Virginia in 1795 and Cowley was appointed to the post of Keeper of the Capitol on April 30.[72] James Sidbury described this post as a position "coveted" by a Richmonder named Alexander Lacy who, earlier in the 1790s, "applied to become 'Doorkeeper to the Executive' ... because he would get 'a House on the Hill, Convenient to his Daughter who wou'd wash for him.'"[73] Cowley's predecessor was a Revolutionary War veteran named Wyatt Coleman.[74] A month

[70] Randolph. *Estate-farm Account Book*, 1783-1829, 1783, John D. Rockefeller Library, Williamsburg.

[71] *Executive Papers*, 1793-1795, Gov. Robert Brooke approved payment to Robert Cowley for care of the governor's house, Dec. 6, 1794, Library of Virginia, Microfilm, 310.

[72] *Executive Papers*, 1793-1795, Gov. Robert Brooke approved Robert Cowley to post as Keeper of the Capitol, 30 April 1795, Library of Virginia, Microfilm. Note: £70 was about $180, close to what Cowley had paid Edmund Randolph for his freedom.

[73] Sidbury, *Ploughshares into Swords*, 228.

[74] "*United States Revolutionary War Rolls, 1775-1783*," Wyatt Coleman, Jul 1779; citing Jul 1779, Virginia, United States, citing NARA microfilm publication M246. Washington D.C.: National Archives and Records Services, 1980. FHL microfilm 830, 372. FamilySearch (https://familysearch.org/ark:/61903/1:1:QL6Y-X7WH : 15 March 2018).

after Cowley was appointed, Coleman appealed to Governor Brooke to keep his position, to no avail.[75] Cowley took over in July and Coleman died in August.[76]

As a gubernatorial appointment, the Doorkeeper's position was filled entirely at the mercy of the executive in office, a circumstance later addressed by Gov. James Monroe when he requested that the doorkeeper position be shifted to the authority of the state.[77] Cowley was responsible for the care of the facility and its environs while the capitol's exterior construction was being completed and furnishings were being acquired for the interior. Given the size of the facility, the range of responsibilities, and the fact that there were usually at least two enslaved young people in his household, Cowley apparently coordinated and supervised the labors of others. His most significant responsibility was that of holding the keys to the many doors of the State House, its chambers, offices, and other rooms where, for example, some of the state militia's guns were stored at the time. Several contingent fund receipts describe payments to Cowley to transport people; communications, including funds, as an express service; and material.[78] Larger loads required the use of a dray--a two to four-wheeled cart pulled by a team of draft horses. This

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[75] *Robert Brooke Executive Papers*, 1794-1796 (bulk 1795-1796), accession 40723, State Records Collection, Library of Virginia, accessed Feb. 8, 2020 https://ead.lib.virginia.edu/vivaxtf/view?docId=lva/vi00866.xml

[76] Robert Kirk Headley, *Genealogical Abstracts from 18th-century Virginia Newspapers* (United States: Genealogical Publishing Company, 1987).

[77] Schwarz, *Gabriel's Conspiracy*, 208.

[78] Clifford J. Alexander, "The Many Ways Letters were Carried in 18th and 19th Century America," *The American Philatelist*, May 2019, accessed Jun. 4, 2020 https://stamps.org/news/c/collecting-insights/cat/postal-history/post/the-many-ways-letters-were-carried-in-18th-and-early-19th-century-america#:~:text=18th%2DCentury%20Expresses&text=In%20the%2018th%20century%2C%20special,intelligence%2C%20strategic%20plans%20and%20orders.

work (or its fee) was called drayage.[79] Clearly, Monroe's government trusted Cowley to keep operations flowing smoothly.

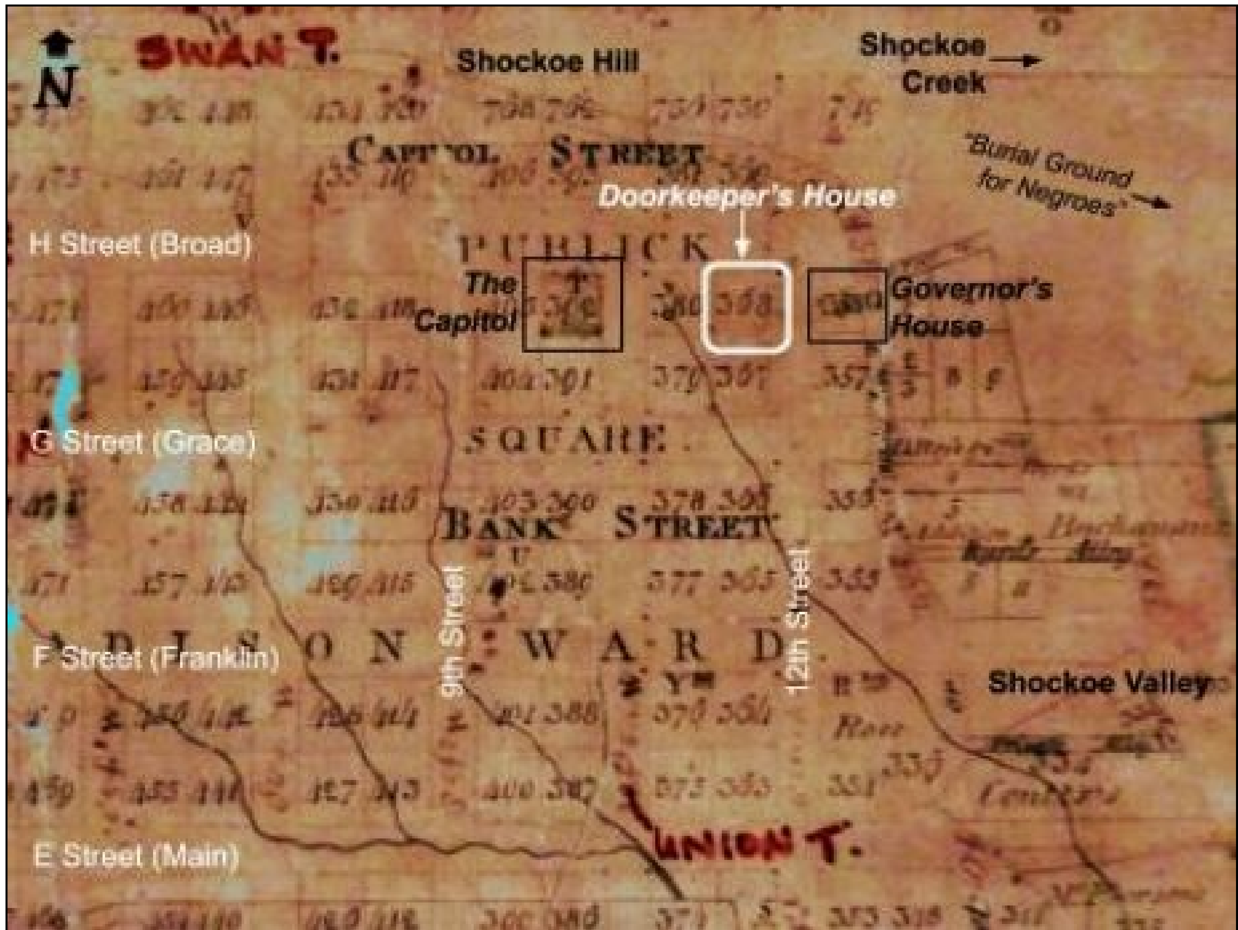


Figure 5. Detail with Publick Square, *Plan of Richmond, 1809*, Richard Young, surveyor. Based on the advertisement below, Robert Cowley lived in a house on lot 368, at the corner of 12th and Grace Street, roughly between the Capitol and Governor's house. Source: Library of Virginia

Cowley had worked at the capitol for a year when noted British architect Benjamin Latrobe did several watercolor sketches and paintings of Richmond's environs from the river to the capitol, and began working on plans for the new state penitentiary. He did at least two drawings of the capitol building shortly after the building's initial construction in

[79] *Virginia Civil Contingent Fund*, *1795-1796*, APA 139, Box 5, Manuscripts, Library of Virginia.

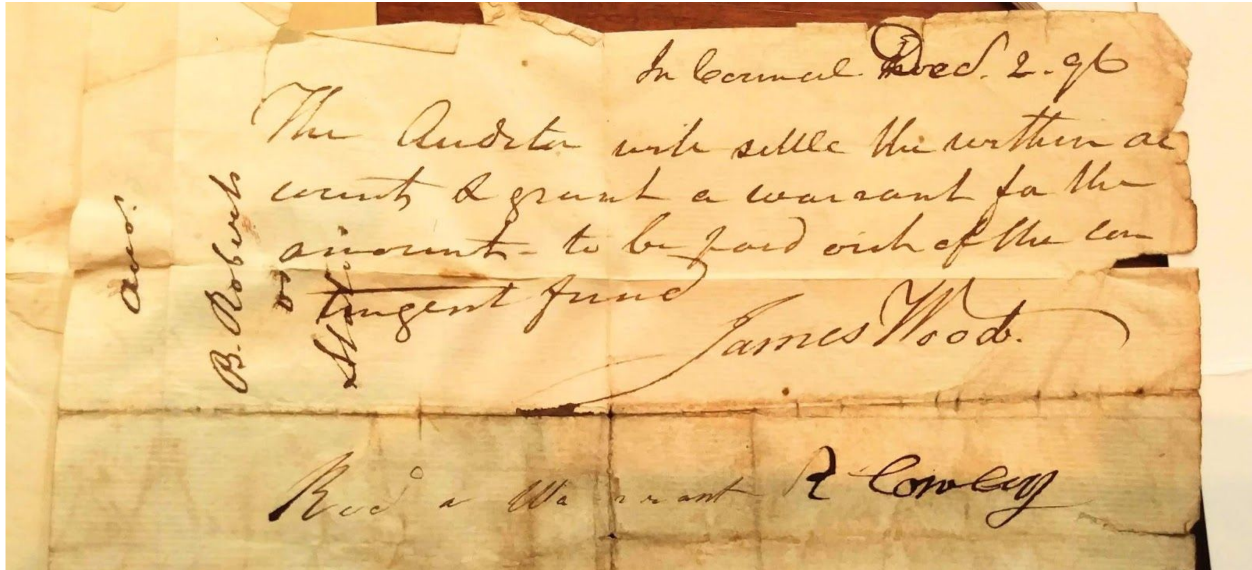
1797. One was a view looking uphill (northeast) from Bank Street and included the bell tower. The other view looked southwest at the building and featured a tiny guard shack. Though still a work in progress, the capitol building housed all three branches of Virginia's government. The development of a formal Capitol Square did not begin until 1816.

I found no record of housing designated for the Doorkeeper beyond its mention in Cowley's appointment in April 1795. This advertisement, though, places Cowley in a residence perfectly situated for his responsibilities, but that would become part of Capitol Square:

> WILL BE SOLD, at Public Auction, on Wednesday, the 25th inst. that most convenient and beautiful SCITE, on Shockoe Hill, opposite the Governor's house. It is 1.4 acre Lott, and runs about 60 feet on the street. There are two tenements on it, the one inhabited by Mr. Wren, and the other by Robert Cowley---Terms of sale, one-third in cash, one-third on the first of October next, and the remainder on the first of October twelve-month, in notes negotiated at the Bank of Virginia. If required, a mortgage is to be given on the property.
>
> January 19
> Nicholas Gautier
> Thomas Ritchie
> Eptds[80]

From this sale, or a future one, the property was at some point purchased by the state in preparation for the square's development.

[80] *The Enquirer*, (Richmond, Va.), 21 Jan. 1809, Chronicling America: Historic American Newspapers. Lib. of Congress. https://chroniclingamerica.loc.gov/lccn/sn84024736/1809-01-21/ed-1/seq-1/.


In Council Dec. 2. 96
The Auditor will settle the written ac
count & grant a warrant for the
amount to be paid out of the con
tingent fund
James Wood.

Aud. B. Roberts

Rec^d a Warrant R Cowley

Figure 6. Cowley’s signature: Warrant for payment issued by Gov. James Wood and signed for by Robert Cowley: “In council Dec 2 ‘96. The auditor will settle this written account & grant a warrant for the amount to be paid out of the contingent fund. *James Wood.* Rec’d a warrant *R Cowley.*” “Aud. B. Roberts” written sideways in the left margin.

Anyone paid from the state fund was required to sign a receipt or warrant for payment. Cowley signed all his receipts “R Cowley,” in a well-practiced script, and these signatures are the only examples of his handwriting found to date and seem to imply that he could have been literate. While it is possible he learned to write only his first initial and last name specifically to sign receipts, the quality of his hand is consistently good. Cowley’s signature, written in his own hand on dozens of payment warrants in 1795 and 1796, is also a gesture of living affirmation. The ink, the movement of the pen to form lines that became letters represented his unique identity. He provided that which put a symbol of his very existence on paper and into the record. There may be no autobiographical or personal correspondence, but we can see that he was there in Richmond. We can see proof that he lived and represented himself.

The Civil Contingent Fund, beyond recording the spending activities of the state, also provides one of the richest (and still underutilized) records of Cowley's working life: detailed invoices, payments and reimbursements received by Cowley for his own labors or those of others. One 1795 receipt itemized a ride from Richmond to Bermuda Hundred to City Point and back to Richmond, a round trip of some seventy-five miles in relation to carpeting to be installed in the new capitol building, for which he was paid $24.90. Another set of receipts, dated from September through December 1796, was almost entirely dedicated to the care and provision of a visiting delegation of Indian leaders.

The group consisted of a Shawnee leader called Captain Johnne and "three others of the Chikassaw."[81] They were lodged at Elizabeth Galt's Tavern and the expenses covered by the state were described as "sundries" for "the Indians," including meals, beverages, lodgings, and horses. In one case, Cowley purchased supplies for the making of four coats and hats--bright blue fabric, yellow trim, and feathers. The reason for this three-month visit was not recorded in the contingent fund receipts, but there was a heated presidential election under way that fall. white settler encroachment into treaty-secured Indian territories outstripped the new American government's willingness to prevent it, and moved the country inexorably toward its Indian Removal Programs of the early nineteenth century.[82] In 1796, as the first election following George Washington's presidency, the delegation might have been justifiably concerned about who would replace the U.S. leader

[81] *Virginia Civil Contingent Fund*, *1795-1796*, Receipt, 13 Oct. 1796, APA 139, Box 5, Manuscripts, Library of Virginia.

[82] Richard Green, tribal historian, "Chickasaws Visit President Washington (1794)" (Published July 2009: *The Chickasaw Times*) reprinted in ushistory.org by kind permission, accessed May 20, 2020 https://www.ushistory.org/presidentshouse/history/chickasaw.php.

with whom they had worked since before the Revolution. Capt. Johnne and his colleagues left after the election, and Cowley ensured all creditors were paid in full.

Historian Luther Porter Jackson asserted that Black slave-ownership was key to understanding free Black economy in the eighteenth century because it "represents a form of property ownership and because the expenditures for slaves in some communities rivaled the expenditures for property in houses and lots."[83] In all his years of reporting personal property for tax purposes between 1789 and his death in 1820, Robert Cowley listed "two workshops" once and it is not clear if they were business entities rather than real estate. Every year thereafter, aside from horses or carriage wheels, the property reported was "slaves." The slaves listed were designated by age group: "above 12," "between 12 and 16," or "above 16." For eight years, from 1803 through 1812, he reported "2 slaves above 12" and "1 horse" annually. In one remarkable year, 1810, Cowley reported eight enslaved people in his residence, and two horses.[84] Urban and agricultural free Blacks worked hard to build their wealth through property--city lots for use or investment or viable farmland. Why did Cowley not buy land?

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[83] Luther Porter Jackson, *Free Negro Labor and Property Holding in Virginia, 1830-1860* (New York: Atheneum, 1969, American Historical Association, 1942), 200.

[84] This 1817 advertisement offers part of a lot for sale "for ready money" at 3rd and G streets, "In conforming with the Deed of Trust, executed by Robert Cowley," but as executor he likely did not own this property. I also wonder if this ad does not, actually, refer to Robert Cowley, Jr., and Christopher McPherson's estate, Richmond *Enquirer*, (Richmond, Va.), 16 May 1817. Chronicling America: Historic American Newspapers. Lib. of Congress, https://chroniclingamerica.loc.gov/lccn/sn84024735/1817-05-16/ed-1/seq-4/.

Table 1. Tax Rolls, Free Negro Registers, 1789-1819[85]

Year	Name recorded	Detail	Additional information
1789	Bob Cowley	d^{o} 1 tithe	"1789 A List of Woodfin, 21 year-old tithables". First tax record appearance post manumission
1790	Robert Cowley	1 FM, 2 male slaves, 4 horses, 6 carriage wheels	Taxable Property
1790	April 12 - Robert Cowley	4 males above 16, 1 btwn 12 and 16, 2 horses	A List of Taxable Property within the District of John James Woodfin Commissioner in the County of Henrico for the year 1790
1796	Robert Cooley	1 fn, 2 male slaves over 16, 2 horses, 2 workshops	Taxable Property
1796	Robert Cooley FB	1 tithe 1 slave over 16, 3 slaves 12-16, 2 horses	Taxable Property (District of Robert Whelin, Commissioner)
1800	Robert Cowley	3 slaves above 12, 2 horses, 2 chairs	Taxable Property
1801	Robert Cowley FN	1 slave above 12, 1 horse	Taxable Property
1803	Robert Cowley FN	2 slaves above 12, 2 horses	Taxable Property
1804	Cowley, Robert FN	2 slaves over 12, 2 horses	Taxable Property
1805	Robert Cowley FN	2 slaves above 12, 1 horse	Taxable Property
1806	Robert Cowley	2 slaves above 12, 1 horse	Taxable Property
1807	Robert Cowley	2 slaves above 12, 1 horse	Taxable Property
1809	Robert Cowley	2 slaves above 12, 1 horse	Taxable Property
1810	Bob Cowley	2 slaves above 12, 1 horse	Taxable Property
1810	Cooley, Robt.	8 slaves above 12 and above 16, 2 horses p. 374 Richmond City	"Other Free" Heads of Household in the 1810 Virginia Census, by Family Name (Microfilm M252, reels 66-71)
1811	Robt Cowley	2 Slaves Above 12, 1 horse	Taxable Property
1812	Robert Cowley	2 slaves above 12, 1 horse	Taxable Property
1813	Robt Cowley FN	3 slaves over 12	Taxable Property

[85] *Richmond City Personal Property Tax List, 1787-1819*. Microfilm. Library of Virginia. Rolls 363-364.

1814	Cowley, Robert Cowley, Robert Junr Cowley, William Cowley, John	1 Fn 1 Fn 1 Fn 1 Fn	Taxable Property
1815	Cooley, Robert Cooley, William Cooley, Robert Jr	1 slave over 12, 1 head of cattle, 1 FN 1 FN 1 FN	Taxable Property
1816	Cooley, Robert FC	2 slaves over 12	Taxable Property
1819	Cooley, Beverly	2 horses $400-stage wagon	Taxable Property
FN = Free Negro, FB = Free Black, FC = Free Coloured			

Whether someone purchased or hired enslaved workers, the head of a household would be categorized as the "slave owner" liable to pay the taxes due.[86] Cowley's tax record shows a consistent presence of two or more enslaved people at any given time, and yet he may not have actually owned any of them. Cowley was periodically paid by Gov. Monroe to purchase cloth, coats and shoes for enslaved servants, lending credence to the notion that they may also have lived in the doorkeeper's residence, with supervision of them being part of his responsibilities.[87] Cowley looked after the capitol and grounds, in which case he may not have been the one to supervise and pay them, while the state covered the taxes. Between 1789 and 1819, there were only two years when no enslaved people appeared on his roll: 1789 and 1814.

The tax rolls, while sparking more questions than answers about Cowley's assets, do offer the first indication that Cowley had at least one, and possibly four children, whether

[86] Jackson, *Free Negro Labor*, 200.

[87] *James Monroe Papers: Series 3*, Letterbooks and Account Book, 1794-1806; Vol. 1; 1804 Aug. 7-1805 Nov. 29 (Reel 11), Library of Congress, accessed May 23, 2020. https://www.loc.gov/resource/mss33217.011_0220_0324/?sp=50&r=-0.65,-0.002,2.329,0.955,0.

by blood or other relationship. In the excerpt below from the rolls of 1814 and 1815, using both Cowley and Cooley, the names Robert, Jr., William, and John are listed.

Table 2. Excerpt from Tax Rolls and Free Negro Registers

Year	Name Recorded	Detail	Source
1814	Cowley, Robert Cowley, Robert Junr Cowley, William Cowley, John	1 Fn 1 Fn 1 Fn 1 Fn	
1815	Cooley, Robert Cooley, William Cooley, Robert Jr	1 slave over 12, 1 head of cattle, 1 FN 1 FN 1 FN	

To suddenly appear in the register right next to the senior Cowley indicates some relationship, if only proximity, on the day the information was collected. Neighbors? If they were part of his household and came of age in 1814, they would be required as adults to register as Free Negroes.[88] If they were not part of his household, and had not registered before 1814, then they may have been new arrivals in town. Searches for their names in the surviving records did not reveal their registrations in any other counties or towns. So where did they come from in 1814 and where did they go after 1815? As of the writing of this paper, no documents have appeared that connect them to the senior Cowley but that does not mean they were not related--that Cowley had no wife, children, siblings or cousins--people he may have visited back "home" at Chatsworth. These men--Robert Jr., William and John--may have been relatives who came to Richmond to work and then move

[88] Henrico County (Va.) Free Negro and Slave Records, 1789-1865, Local government records collection, *Henrico County Court Records*, Library of Virginia, accessed Jun. 19, 2020, https://ead.lib.virginia.edu/vivaxtf/view?docId=lva/vi02778.xml.

on. There was plenty of employment.[89] Tobacco and wheat processing remained a steady occupation, and, though more typically performed by slaves hired from their owners, when coupled with flour milling, ironmongery, coal, and the accompanying packing and transport industries, the employment opportunities in and around Richmond were significant.[90]

Christopher McPherson was another well-known freedman who lived in Richmond. From 1800 to 1811, McPherson was a successful clerk who owned several properties in and around town and was involved in Richmond's Black civic life. By 1812, personal, political, and financial disappointments in Richmond forced him to move and he relocated to New York City. He died there in August 1817. Interestingly for this paper, McPherson left the bulk of his estate to a man he referred to as his "adopted son Robert Cowley, Jr., late of Richmond." He had also appointed him one of two executors of his estate. The will was probated in New York in October 1817 and in Richmond in November that same year.[91] In January 1818, the final hearing took place in Richmond's Hustings Court on G and 18th streets. Robert Cowley Jr. was present but declined to serve as executor, and remained in court as that responsibility was passed to William D. Wren, the Sergeant of the City. In 1809, Wren lived next door to the elder Cowley near the Capitol.[92] Over the next several months, Wren published notices in the local paper, *Virginia Argus*, inviting anyone with claims on the estate of "McPherson, deceased, or against Robert Cowley" to contact the

[89] Midori Takagi, *Rearing Wolves to our Own Destruction: Slavery in Richmond, 1782-1865* (Charlottesville: University Press of Virginia, 1997), 10-12.

[90] Takagi, *Rearing Wolves*, 30-31. Marie Tyler-McGraw, *At the Falls: Richmond, Virginia, & Its People* (Chapel Hill: University of North Carolina Press, 1994), 64-65.

[91] *Richmond Wills and Probates*, *1817-1818,* Christopher McPherson, Nov. 1817-Jan. 1818, Microfilm, Library of Virginia.

[92] *Richmond Wills and Probates,* Christopher McPherson.

estate's executor.[93] Robert Cowley Jr. may have moved from Richmond as early as 1816 to Alexandria, Virginia, and only returned for the probate hearing. Many years later, his name appeared in newspaper notices from the Alexandria city post office listing the names of people who had letters waiting for them.[94]

The 1809 Richard Young *Plan of Richmond* depicts the city as a rapidly changing and growing city with significant development planned for its hillsides and riverside features.[95] Having begun as a warehouse district to the west of Shockoe Creek and Byrd's thirty-two quarter-acre lots between the creek and Church Hill, the western boundary had moved a couple miles just to the west of the new state penitentiary. The eastern boundary was just beyond Rockett's Landing. Shockoe Creek formed part of the northern border as it (and Bacon's Quarter Branch) wrapped around Shockoe Hill on its way south to the James River. All property lots were laid out and numbered, with many landowner names being noted on Young's map. Most of the day-to-day work activities were oriented toward the river industry and commerce in the valley along Main Street. Hotels and taverns were plentiful.

[93] *Richmond Enquirer* (Richmond, Va.), 31 Jan. 1818. Chronicling America: Historic American Newspapers. Lib. of Congress. <https://chroniclingamerica.loc.gov/lccn/sn84024735/1818-01-31/ed-1/seq-1/>.

[94] *Alexandria Gazette* (Alexandria, D.C.), 15 July 1851. Chronicling America: Historic American Newspapers. Lib. of Congress. <https://chroniclingamerica.loc.gov/lccn/sn85025007/1851-07-15/ed-1/seq-2/> "List of Letters remaining in the Post Office, Alexandria, Va.," included the name "Cowley, Robert." P.O. notices from 1848 showed the letters waiting for "Robert J. Cooley" and "C. Cooley & Co."

[95] Richard Young, city surveyor, Plan of Richmond, 1809/1810, Manuscript original at Library of Virginia, Richmond, https://artsandculture.google.com/asset/plan-of-the-city-of-richmond%E2%80%A6-richard-young/HwE6TCGbDk9eLA?hl=en

Wealthier residents lived up on the hills, Gambles, Shockoe and Church, where they built their churches, theaters and finer dry goods shops.[96]

The country's free Black population had grown quickly in several urban areas in the twenty years following the Revolution, increasing more than 1,500 percent in Baltimore (323 to 5,671) and Alexandria, Virginia (52 to 836). Richmond's free Black people had the third highest increase, growing 348.7 percent from 265 people in 1790 to 1,189 by 1810.[97] These numbers represent the first generation of freed-people making a claim to societal space, particularly in the urban environment. Their skilled and low-skilled labors were fundamental contributions to the capital city's economic vitality. Deeds of sale and newspaper advertisements made it possible also to get a sense of the first generation of a free Black, property-owning class.[98] Their numbers were small, and their fortunes, like that of whites, rose and fell due to various circumstances. William Cocke "bought a half-acre lot for ten pounds from the trustee of William Byrd III's estate." Joseph Dailey ran a fishing business and owned a lot on Main Street near 12th, and five acres along the river. Peter Hawkins was a "tooth drawer" (dentist) who "went about the streets of Richmond pulling teeth," driving some kind of horse-drawn vehicle. He owned "several houses and lots" and eventually amassed assets totalling $3,500. Nathaniel Anderson operated a livery stable, and a man named John Elson was "one of Richmond's first grocers."[99]

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[96] Tyer Potterfield, *Nonesuch Place: A History of the Richmond Landscape* (Charleston, SC: Potterfield, The History Press, 2009), 23-25. Sidbury, *Ploughshares into Swords*, 184.

[97] Berlin, *Slaves Without Masters*, 55.

[98] Jackson, *Free Negro Labor*, 142.

[99] Jackson, *Free Negro Labor*, 143.

Christopher McPherson, mentioned earlier in this paper, built a small fortune in real estate and personal property, including buying his own carriage to get around town when Virginia barred Black people from hiring cabs.[100] Robert Cowley was not a property owner, but he was a man of means and reputation. As members of a relatively small population of free Blacks in Richmond, it is likely that these two men knew each other and may have spent some of their non-working hours in similar places, like Shockoe Bottom, where there were taverns that catered to the city's Black men. In those places, they could pass the time, or discuss matters of importance and even secrecy.[101]

Cowley's and McPherson's advantages in Richmond were made possible by the relationships they had developed with important white men, precarious as they may have been. Cowley could have lost everything when suspected of joining the rebellion of 1800. McPherson, who had truly made the most of every good fortune that could befall an enslaved man--parents that he knew and remembered, an owner who educated him and put him in charge of one of his offices, a career as a clerk so well respected that he seemed to be able to get letters of recommendation from almost anyone, including James Madison, Thomas Jefferson, William Henning, and George Wythe.[102]

McPherson seems to have had a gregarious personality, enhanced, no doubt, by his success. He frustrated the tolerance of his white patrons by being too open with his

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[100] Edmund Berkeley, Jr., "Prophet without Honor: Christopher McPherson, Free Person of Color," *Virginia Magazine of History and Biography* 77:2 (Apr., 1969), 185-186.

[101] Nancy Jawish Reeves, "Nurseries of Mischief: Origin and Operation of the Underground Railroad of Richmond, Virginia," *Master's Thesis,* (Richmond, VA: Virginia Commonwealth University, 1998), 3-4.

[102] Christopher McPherson, "Appendix," in *A Short History of the Life of Christopher McPherson, Alias Pherson, Son of Christ, King of Kings and Lord of Lords. Containing a Collection of Certificates, Letters, &c. Written by Himself. (*Lynchburg, VA: Christopher McPherson Smith. Printed at The Virginian Job Office, 1855).

opinions and having no hesitation to use the town council and courts to air grievances, on his own or others' behalf, his persistent street preaching and insistence that he was a messenger of God. However, the tipping point may have been reached when, in March 1811, he had the audacity not only to start a night school for free and enslaved Black men, but to place an advertisement in the local paper, the *Virginia Argus*. The ad was pulled from the next issue by its editor after complaints from a virulently opposed white public. Within a month he was arrested, convicted of lunacy and spent a month at the state asylum in Williamsburg.[103] He left Virginia in 1812, remarking, "a man of colour . . . had but a slender chance of success, in going to law with weighty offers of the land."[104] McPherson, politely referred to as "a man of business and eccentricities" in his 1817 obituary, had climbed a ladder that was designed to wobble the more the weight of his manhood and his future relied upon its fragile upper rungs.[105] Cowley had climbed his post-Revolutionary ladder a little more gingerly.

The world of Robert Cowley, shared by men and women like Christopher McPherson, Gabriel, and Lydia Broadnax, was fluid and unpredictable. Each tried ways to carve out a space for their humanity. Even without a land base or governing principles, they found ways to coalesce as a people. They created and named their institutions "African," even if they had no memory of the individual places they had come from. They developed secret societies which can be attributed simply to the need for meeting secretly if they were

[103] Berkeley, "Prophet Without Honor," 188.

[104] Berkeley, "Prophet Without Honor," 189.

[105] *Virginia Death Index*, Richmond City, 1820, Library of Virginia.

to speak openly to one another on any subject, *and* to the tightly held tradition of secret societies that did survive the Middle Passage journeys with them.[106]

Robert Cowley's record to this point presents a picture of a man who, by 1800, had lived through extraordinary, revolutionary times while enslaved, then established himself in his free life in the capital city, while plainly dependent upon the good will of the men of government who employed him and trusted him with a sensitive position. And yet, there is enough both included and missing from the record to remind us that we cannot definitively answer the central question of Cowley's life: Was he likely to help Gabriel and the others with the insurrection?

INSURRECTION[107]

On 30 August 1800, the launching of a large-scale, well-organized slave insurrection, six months in the making, was thwarted by a monstrous thunderstorm that made roads and bridges impassable, so the decision was made to postpone the uprising to the next evening. The strategy had been to gather forces at Brook Run, about six miles north of Richmond, and divide into three squads. One group would move on the plantations in the immediate vicinity of Brook Run and kill the owners to prevent any immediate resistance. Another would head for the warehouses near Rockett's Landing on the James River, just

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[106] Jawish-Rives, "Nurseries of mischief," 3.

[107] This account of the 1800 rebellion attempt is drawn from Douglass Egerton, *Death or Liberty: African Americans and Revolutionary America* (New York: Oxford University Press, 2009), and informed by Philip J. Schwarz, *Gabriel's Conspiracy: A Documentary Record* (Charlottesville: University of Virginia Press, 2013); James Sidbury, *Plowshares into Swords: Race, Rebellion, and Identity in Gabriel's Virginia, 1730-1810* (New York: Cambridge University Press. 1997), and Michael L. Nicholls, *Whispers of Rebellion: Narrating Gabriel's Conspiracy*, Carter G. Woodson Institute Series (Charlottesville: University of Virginia Press, 2012).

southeast of Richmond, and set them on fire in order to draw the city's militia, which they knew was small in number at that time. The third would head for the Capitol, where they would arm themselves with the weapons stored there, made available by "Bob Cowley," the "old man" who kept the keys. The groups then would reconvene and march together on the executive mansion, take Gov. James Monroe hostage, and demand the end to slavery in Virginia.

The leader of this effort was Gabriel, a 24-year-old enslaved blacksmith from the Brookfield plantation owned by Thomas H. Prosser, Jr. Gabriel had a history of being hired out to work in Richmond or on other farms and was a familiar figure in the area. Another enslaved man, Sam Byrd Jr., apparently was the originator of the plan, but Gabriel quickly became one of the leaders. He was a charismatic figure and an effective organizer and recruiter. The week before the event, he was elected leader of the "business," as they called it. The core group consisted of men from Richmond, Petersburg and the surrounding areas, more of them enslaved than free. As far as we know, there were no women among their ranks, though one defendant mentioned that Gabriel's wife, Nanny, knew of the plot. Recruitment was carried out from Caroline County, north of Richmond, to as far south as Norfolk, via boatmen working on the James River. While a few whites, Indians and at least two Frenchmen reportedly were involved, most were typically skilled plantation-based men, often hired by employers in Richmond, a uniquely industrialized Southern town that was rapidly growing. Because they frequently moved between workplaces or between city and farm, their presence on the roads was not likely to draw attention.

Gabriel, his brothers, Solomon and Martin, and several other enslaved men were blacksmiths and farmworkers responsible for making the weapons: pikes, swords, and bullets for the guns they planned to acquire. It is likely that the date of the insurrection was set once the conspirators felt they could be sure of a supply of guns.[108] Testimony against Gabriel during his trial came from Ben Woolfolk, owned by Paul Graham of Hanover, and James, a man owned by Peter Tinsley, the Clerk of the House. It was said that Gabriel learned from another in the core group that two men, Gilbert (owned by William Young) and James, knew that the guns of the militia were stored in the Capitol and that Bob "Cooley" would give them access:

> "Ben Woolfolk-at Gabriel's trial, 6 October 1800:
>
> …. That the prisoner [Gabriel] told the Witness [Woolfolk] that Bob Cooley had told him if he would call on him about a week before the time of the Insurrection, he would untie the Key of the room in which the Arms and Ammunition were kept at the Capitol and give it to him or if he did not come, then on the night of the Insurrection being commenced he would hand him Arms out as fast as he could arm his men, and that he had on a sunday [sic] previous to this been shown by Cooley every room in the Capitol."[109]

This is pretty damning testimony for Cowley, but it was hearsay. Historians agree current evidence is simply inconclusive. Cowley may have agreed to hand out the arms to the men, should they actually arrive to collect them or not. Sidbury offered that Cowley may have decided to let Gabriel and the others believe he had agreed.[110] That may have been the prudent thing to do, and it would leave time for him to change his mind. Gabriel

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[108] Nicholls, *Whispers of Rebellion*, 48.

[109] Schwarz, *Gabriel's Conspiracy*, 152-153.

[110] Sidbury, *Ploughshares into Swords,* 67, n24.

did not speak at his trial, and had given no testimony to the court's attorney James Rind to present during the trial. The case against Gabriel rested on the testimony of witnesses who were trying to save their own lives. The testimony was written and recorded by men of a system with an interest in Gabriel's guilt, which was quickly concluded.

The trials that took place following the collapse of the insurrection lasted for at least three months, through November of 1800, at the Henrico Courthouse in Shockoe Valley, at what is now the intersection of 21st and E. Main streets. These trials were convenings of the Court of Oyer and Terminer, a term of French origin meaning "to hear and to determine." These courts began in Europe, for the purpose of trying capital crimes. In the colonies and the United States, they were often convened for cases involving enslaved Africans, Indians, and other socially marginalized people accused of misdemeanors, felonies or rebellion, which, of course, was a capital crime.[111] James Rind (one of three witnesses to the manumission of Robert Cowley) served as the court's attorney for nearly all of those accused of participation in the attempted insurrection.[112] His job was to record and present their testimony--and that of any witnesses against them--to the sitting justices. The justices then rendered their verdict and determined the punishment.[113]

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[111] Virginia, *Auditor of Public Accounts* (1776-1928), "Condemned Slaves and Free Blacks Executed or Transported Records, 1779-1865," accession APA 756, State government records collection, The Library of Virginia, Richmond, Virginia, accessed Jun. 19, 2020, https://ead.lib.virginia.edu/vivaxtf/view?docId=lva/vi04682.xml.

[112] Nicholls, *Whispers of Rebellion*, 110, 201n2.

[113] Tucker, St. George. *Dissertation on Slavery with a Proposal for the Gradual Abolition of It in the State of Virginia* (Philadelphia, 1796) , 60-62, accessed Sep. 12, 2018, https://phw02-newsbank-com.proxy.library.vcu.edu/cache/evans/fullsize/pl_009122018_1820_09732_272.pdf.

One can only imagine Cowley's thoughts when, on October 9, 1800, on the orders of the governor, he was called in to be interrogated by Justices Gervas Storrs and Joseph Selden.[114] Implicated during the trial of the most notorious of the conspirators, Cowley was in real trouble. Innocent or guilty, the situation was coming to a head. The governor would need to be convinced quickly if the Black man "intrusted" with the keys to the very house of government had not betrayed his benefactors.[115]

On Sep. 6, 1800, just seven days after the rebellion was discovered, Richmonder John Boyce entered the following into his journal about an encounter with Robert Cowley:

> "On alarm this Evening--on account of intelligence that the negros were expected to rise--Bob Cooley stop'd by the Guard at the Watch House about a quarter berfore ten O'Clock, said he had been over the River on a message from the Governor & was going home--was not detained he rode very fast. I was not present."[116]

It would be another month before Cowley was implicated, so Boyce may simply have noted what he thought was suspicious behavior just in case it should prove useful, a small act that emphasizes how dangerous it was for any Black person to be out at night while the town's residents were "on alarm." American whites, long familiar with Black resistance and well aware of the still-ongoing revolution by the enslaved Blacks of Saint Domingue, were so panicked at the discovery of what nearly happened that some leaders (Thomas Jefferson, St. George Tucker, John Adams) called for emancipation and resettlement in Africa or west of the Mississippi as a solution. One anonymous "gentlemen from Fredericksburg" shed all

[114] There were six justices sitting for the Henrico Court of Oyer and Terminer to hear Gabriel's trial on Oct. 6, 1800: Miles Selden, Hez. Henley, Benjamin Goode, Richard Adams, Pleasant Younghusband and George Williamson.

[115] Schwarz, *Gabriel's Conspiracy*, 160.

[116] Schwarz, *Gabriel's Conspiracy*, 20.

pretense, writing to Jefferson, "if we will keep a ferocious monster in our country, we must keep him in chains.... Slavery is a monster--the most horrible of all monsters," emphasizing not that it should be given up but that "The slaveholder can never be a Democrat."[117] Another editorialized, with more reserve, that the public good and general safety of white Virginians could only be accomplished by creating a vigorous and potentially tyrannical government. Still another said the situation warranted violence against anyone slave or free Black or white suspected of involvement.[118]

If Cowley did contemplate joining the effort, he would have been well aware that he was risking not only his own life, but the lives of those around him.[119] Justices Storrs and Sedden were said to have interrogated Robert Cowley intensely, but reported to Monroe that they were convinced he had not been involved. Gabriel, who initially indicated he would speak about the conspiracy only with Gov. Monroe, changed his mind after arriving in Richmond and provided no testimony on this or any other point during his own trial. If the details of Cowley's interview by Justices Selden and Storrs were recorded, no document has been located. His interrogation was described as "the most strict scrutiny into his conduct." Was Cowley free from suspicion because he had refused to participate, or because he had been able to convince Seldon and Storrs that he was not guilty of the insinuations? After all, as colonial Virginia's Lt. Gov. William Gooch opined to the Board of

[117] Philip J. Schwarz, *Slave Laws in Virginia* (Athens: University of Georgia Press, 2010), 60.

[118] Sidbury, *Ploughshares into Swords*, 138-139.

[119] Nicholls, *Whispers of Rebellion*, 99-100.

Trade in England back in 1736, whites believed that free Black people would always side with their enslaved peers.[120]

Seventy-two trials took place in the fall of 1800, resulting in twenty-six executions. Fifty-eight trials took place in Henrico County, just three in Richmond city, one each in Louisa and Dinwiddie, and nine in Caroline County. The one man tried in Dinwiddie was executed there, while all the others hanged in Henrico County. One man, a waterman, "committed suicide"en route to trial, the last of the men to die. Everyone else was either acquitted, pardoned or transported.[121] Cowley was one of sixty-seven "alleged participants" who faced no formal charges. Michael Nicholls points out that none of the men "taken up or tried" had harmed anyone--the only bloodshed in Gabriel's Rebellion was "that which streamed upon the scaffold."[122]

Gabriel not only agreed with the idea of seeking liberty through open rebellion, he took on the responsibility of its leadership and paid for the gamble with his life. Did he inspire or repulse the Cowley? His response remains a mystery. Shockoe Hill, where Cowley lived, overlooked Shockoe Valley and much of the riverside streets and buildings. Even if he couldn't see the exact spot where hangings were held, he would have known

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[120] Emory G. Evans, "A Question of Complexion: Documents concerning the Negro and the Franchise in Eighteenth-Century Virginia," *The Virginia Magazine of History and Biography* 71, no. 4 (Oct. 1963), 414–415. Transcript of letter from Lt. Gov. Gooch to Allured Popple, May 18, 1736. Accessed 19 May 2020 https://www.encyclopediavirginia.org/Denying_Free_Blacks_the_Right_to_Vote_1724_1735.

[121] Nicholls, *Whispers of Rebellion*, 117.

[122] Nicholls, *Whispers of Rebellion*, 160-161.

where "Gallows hill" was.[123] The recently established (1799) "Burial Ground for Negroes" was just blocks away, a rough and wooded area prone to flooding. Walking in the neighborhood, perhaps to buy supplies for the enslaved men whose work at the Capitol he supervised, he would have recognized the red flags posted on buildings to announce slave auctions underway, along with the sales being conducted in front of taverns along Main or Franklin streets between 15th and 17th streets, and near the public market. Deeds of sale would be walked down to be recorded at the clerk's office at Grace and 18th. The daily sight and sounds of men, women, and children being sold away would have been constant reminders of the ongoing crimes committed against his own people, and of the precariousness of his own situation.

THE LAST RECORDS

As the final events and decisions related to the attempted rebellion were carried out in 1801, Robert Cowley's life settled back into its routine. He returned to his post at the Capitol immediately after his interrogation in October.[124] Long after the executions had ended, the pardons conveyed and those sentenced to transport and sale in New Orleans had left the city, he continued to hold the keys to the Capitol and the militia's gunroom. In April 1801, however, there was a policy change. The militia's arms were transferred to "the roof" of the Capitol and the keys to the building were transferred from Cowley's care to that

[123] Nicholls, *Whispers of Rebellion*, 206-207 n26. Nicolls effectively challenged prior assertions that the gallows utilized for the "Gabriel's rebellion" executions was near the "Burial Ground for Negros" at 15th because they may not have been constructed there until 1804. The usual place until then was at "Gallows hill" near 1st and Canal Streets, "objectionably" visible to local residents who petitioned for its relocation.

[124] Schwarz, *Gabriel's Conspiracy*, 47, 144, 159.

of the first head of the newly established Public Guard, Alexander Quarrier.[125] Created by Gov. Monroe to protect property and keep an eye out for resistance-oriented slave activities, this Guard was the early precursor to today's Richmond police force.[126]

If Cowley's enslaved life was most attached to the Randolph family, his free life was perhaps most affected by its association with Gov. James Monroe. Cowley's name can be found in the state's civil contingent fund archives throughout his tenure as doorkeeper, but also in at least one of Gov. Monroe's personal account books, covering items paid for in 1801 and 1802. Payments were recorded on pages in the middle of the journal in which Gov. Monroe also recorded his thoughts on personal and political matters. Cowley received payment for running errands, supplying goods, conveyance of monies for services rendered by others, shoes and clothing for enslaved "servants," and pairs of brushes made with ramhorn handles.[127] As long as Cowley was employed and trusted by the governor's office, Cowley had security--at least a salary and a home.

The benefits of this kind of association are also illustrated by the experiences of Pharaoh and Tom, the two enslaved men who betrayed the rebellion to Mosby Sheppard. Monroe and others clearly understood that Pharoah and Tom were informers who had betrayed their own people. If potential future informers had to fear reprisals from the

[125] *A Guide To The Virginia Commandant Of The Public Guard Records*, 1801-1850, Library Of Virginia, Accession Number 36717, https://ead.lib.virginia.edu/vivaxtf/view?docId=lva/vi00424.xml.

[126] "James Monroe, 10 September 1800," *Papers of James Monroe*, accessed May 25, 2020, http://monroepapers.com/items/show/1479. General orders that include establishment of a public guard.

[127] James Monroe, *James Monroe Papers: Series 3,* Letterbooks, 1803-1806, containing copies of diplomatic correspondence during the years Monroe served as minister to England, and an account book containing memoranda and accounts during his mission to France, 1794–1796. The center portion of the account book was used for personal accounts, Oct. 1801–Nov. 1802. Library of Congress, accessed Jun. 22, 2020 https://www.loc.gov/item/mss33217015/.

people they had betrayed, they would be less likely to inform. So Gov. Monroe took steps to ensure the two men's safety (protective custody) and provide a reward (freedom). In 1801, Samuel Coleman, son of the former doorkeeper and Clerk of the Council, was the intermediary in Monroe's negotiations with the Shepherd family over the purchase price for the two men.[128] The Shepherds wanted $500 for each man. Monroe felt the amount was extravagant, but in the end paid what they asked. Both men were purchased by March 1801, and manumitted by the state decree. Private businessmen raised money to buy government bonds that provided them an annuity for the rest of their lives. The two men effectively locked in their status with white power by taking the last name of their former owner, becoming Pharoah Sheppard and Tom Sheppard and maintaining friendly relations with the Sheppard family over the next decades.[129]

With his reputation with the government intact, Robert Cowley continued to serve the Capitol, and with enough renown that he was included in an editorial published on May 26, 1802 in *The Recorder*, a Richmond newspaper. The writer sought to rebut the reported success of the Haitian rebellion at that moment. He wrote with absolute confidence that the Blacks would not prevail and that it would be as likely for Toussaint L'Ouverture to be elected "Lieutenant General of the Island" as it would be for "Cowley, the yellow doorkeeper at the Capitol," to "take his seat in the executive council, as Lieutenant

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[128] James Monroe, *James Monroe Papers*, "To Samuel Coleman, 21 February 1801," http://monroepapers.com/items/show/1595; "From Samuel Coleman, 28 February 1801," http://monroepapers.com/items/show/1599; "James Monroe, 19 March 1801," Papers of James Monroe, accessed May 26, 2020, http://monroepapers.com/items/show/1607.

[129] Nicholls, *Whispers of Rebellion*,144-145.

Governor of Virginia, under Mr. Monroe."[130] Not only do we have a pointed reference to Cowley's skin color, we see that he is recognized precisely for his relationship to the highest officer of the state. Two years later, in 1803, Monroe wrote from New York to Samuel Coleman, the state council clerk, about several personal and public matters, and included the following request:

> I wish the grave of our infant in the church yd [sic] at Richmond to be noted by something more permanent than the memory of our estimable friends who attended his deposit there. A small stone at the head with the initials of his name will be sufficient, "J. S. M." wh [sic] Robt [sic] Cowley will place for me.[131]

Monroe's infant son died just before Gabriel's trial, something Cowley would have known.

Robert Cowley's obituary was published first in Richmond and then in at least twenty-five more newspapers across the country. Whether the claim of 125 years was correct or merely sensational, Cowley did live to be very old. There is no indication of when he left the position of doorkeeper, but he remained on the tax rolls until the year before his death. Cowley's burial place is unknown, but there were likely options. Of the few Black institutions permitted by white authorities were burial associations dedicated to aid and burial. The Burying Ground Society of the Free People of Color of the City of Richmond was founded by free Black investors in 1815 and in 1816 the society had collected enough funds from its members to purchase land on the north west outskirts of the city and establish Phoenix, a private cemetery.

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[130] *The Recorder, or, Lady's and gentleman's miscellany*. (Richmond, Va.), 02 June 1802. Chronicling America: Historic American Newspapers. Lib. of Congress. <https://chroniclingamerica.loc.gov/lccn/sn84024678/1802-06-02/ed-1/seq-3/>

[131] Monroe, James, "To Samuel Coleman, 2 March 1803," *Papers of James Monroe*, accessed May 26, 2020, http://monroepapers.com/items/show/1752.

If Cowley died without the means to pay for private burial, his remains would have been interred in the Grave Yard for Free People of Colour, a one-acre plot of land adjacent to the Grave Yard for Slaves. The two cemetery sites were situated near the Poor House on Shockoe Hill and replaced the old burying ground in the valley along Shockoe Creek's western bank.[132] If he remained a man of some means, he may have joined the Free Black Burying Society of Richmond. That society's members had petitioned the city as early as 1810 to close the earlier burying ground because of its "disgustful" and "ghastly" state," and the "humiliating circumstance" that "malefactors" were interred there.[133] That first cemetery, used for enslaved and free Blacks and common criminals, is now known respectfully as Richmond's African Burial Ground. Also in 1816, the society also raised private funds to purchase land just outside the northern city limits to establish and care for a new cemetery called Phoenix.[134] As the earliest such institution, the Society demonstrated the presence of a free Black populace striving to establish vehicles of collective autonomy--the foundations of a Black Richmond.

> Departed this life, on Tuesday, the 8th of February inst., about 1 o'clock P.M., Robert Cowley, a man of colour, aged *one hundred twenty-five years*. For many years he had been a faithful servant to the Commonwealth of Virginia, by acting as doorkeeper to the Capitol, which office was given to him by the Executive as a reward for his revolutionary services, in which situation he gave universal satisfaction. …"[135]

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[132] Bryan Clark Green and Matthew R. Laird, *Remembering the Devil's Half Acre: Examining the History, Archaeology, and Architecture of Richmond's Shockoe Valley* (Richmond, VA: Preservation Virginia, 2018), 2.1-2.3.

[133] Christopher McPherson, *A Short History*, 21.

[134] Ryan K. Smith, "Barton Heights," *Richmond Cemeteries*, accessed Apr. 29, 2020, https://www.richmondcemeteries.org/barton-heights/

[135] *Richmond Compiler* (Richmond, 10 Feb. 1820)

As mentioned earlier, given the paucity of documentation on this score, we do not know what kinships Cowley actually had beyond the later mention of a daughter, who given *his* age, may herself have been elderly. The death of "Eliza Johnston Cowley, daughter of Robert Cowley" on 28 November, 1820, was recorded in the Virginia Death Index on 20 December of that year, but no age or other details have survived.[136] Unfortunately, as Virginia and the nation developed steadily into a deep slave society, any surviving family members and their descendants would not have followed a simple upward arc from revolutionary liberalism toward freedom and equality. Instead, Cowley's people would face a shrinking landscape of opportunity and would have to navigate a steadily deepening racial oppression before the Civil War finally would bring emancipation.

[136] *Virginia Death Index* (Richmond, 20 Dec. 1820), Library of Virginia.

Chapter Three

THE SETTING FOR A PROBLEM PEOPLE

"A standing problem with the free Negro before the Civil War was the fact that he lived in a society intended for two classes only--free whites and Negro slaves."[137] This is the opening sentence of *Free Negro Labor*, written by Luther Porter Jackson in 1942, in a time when Black scholars still faced the need to spend precious word-space defending their scholarly integrity because the assumption of inferiority still permeated institutional responses to their work.[138] From the ground of an emancipated but still oppressed people--that would shortly experience one of its worst lynching periods since before World War I--Jackson provided a footing for understanding the "span of time in which the free Negro is thought to have suffered the most severe restrictions…, from 1830 to 1860."[139] To do so, he had repeatedly to return to the era of the American Revolution. This was a period of optimism, when the nation's apparent acceptance of the doctrine of the rights of man "swelled the ranks of the tiny Southern free Negro population."[140] It was also a profoundly disheartening and tricky period with the undertow of repression just under the surface of a seeming "quiesence, a time," as Jackson put it, "when this region, although pro-slavery, was

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[137] Jackson, *Free Negro Labor*, 3.

[138] Early historians having to address this racialized critique within their historiography included Joseph T. Wilson, W. E. B. DuBois, Benjamin Quarles, C. L. R. James, and John Hope Franklin. White historian Herbert Aptheker made this the focus of his introduction to *American Negro Slave Revolts*, (New York: Columbia University, 1936).

[139] Jackson, *Free Negro Labor*, ix.

[140] Berlin, *Slaves Without Masters*, 15.

rather passively so."[141] The backlash that followed in the 1790s became the world that Robert Cowley was forced to navigate upon becoming free in 1785.

When Cowley was born, Europeans were settling the new world and African slavery in the British colonies had been a fact for a century. The evolution of the tobacco plantations of the Atlantic mainland and the sugar plantations of the Caribbean drove the trade in African captives--adding a Black population while decimating the native Indian populace. The average survival rate in the seventeenth century for both Blacks and whites after arrival in Britain's plantation colonies was initially very short--often just three to five years.[142] By the middle of the eighteenth century this situation had changed dramatically.

The documentary record of Robert Cowley's life in the early national period provides some insights into the key moments of his life--his birth, manumission, association with Gabriel's rebellion and his death. In the silences of the archive and the limitations of what has survived the question of what it meant to be free in an enslaved society rises. Using the questions Cowley's life raises as a guide, this chapter exposes some of the key aspects of this fraught status: Virginia's changing legal landscape's influence on manumissions, defining race relations between black and white people, and black people's opportunities in government. From this exploration, it becomes clear that free black people's experiences were confined by the intellectual conflicts of slavery and freedom, race and nation that bubbled up in the early national period.

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[141] Jackson, *Free Negro Labor*, 7.

[142] Hilary McD. Beckles, *Natural Rebels: A Social History of Enslaved Black Women in Barbados* (New Brunswick, NJ: Rutgers University Press, 1989), 30.

Cowley's manumission in 1785 suggests that his opportunity came about like others of that particular moment--as a response to the sudden consciousness of conflict between revolutionary freedom and a deepening slavery institution. Virginia was a major importer of captive Africans, and as natural increase improved, as the colonies settled into and expanded their agricultural plantocracy, the colonial territory's Black population also grew, finally becoming the single largest of the Atlantic mainland.[143] Virginia was considered the state most likely to consider gradual emancipation because some forty percent of the nation's Black people lived there. By the end of the eighteenth century, enslaved people were no longer needed to labor in such numbers due to changing agricultural conditions. Once-productive farmlands were exhausted from tobacco production, with the resulting declining quality leading to a weakened market share. Farmers were shifting to or adding cereal crops like wheat, which needed far fewer workers and did not deplete the soil. Skilled workers were being hired out or given permission to find work on other farms, in towns and along the waterways.[144]

Historian Michael Nicholls estimated that there were between 3,000 and 6,000 free Black people in Virginia by the end of the Revolutionary War, while the enslaved population was 187,600.[145] The Works Progress Administration's *Negro in Virginia* estimated that two in twenty-five Black people were free during the 17th century.[146] Not

[143] Berlin, *Many Thousands Gone*, 21-22

[144] Berlin, *Many Thousands Gone*, 134-137

[145] Sidbury, *Ploughshares into Swords*, 277-279.

[146] Writer's Program of the Workers Projects Administration in the State of Virginia, *The Negro in Virginia* (New York: Hastings House, 1940), 124.

more than two dozen were freed in the seven decades between 1700 and 1770. During theRevolutionary War, some 3,000 Black Virginians joined colonial Governor Dunmore to fight for the British cause in exchange for the promise of freedom, which most did not receive.[147] By the war's end, George Washington reluctantly considered manumission for enslaved Blacks who volunteered to fight against the British. After the war, and in particular after the enactment of the 1782 manumission act, the more conflicted slaveholders, for a time, significantly increased personal manumissions.[148] By 1790, the free Black population of Virginia had more than doubled to 12, 868. The total Black population growth did not slow down during the war, reaching 305,493 by 1790 and 423,088 by 1810. Of the Upper and Lower Southern states only South Carolina's Black population came anywhere near Virginia's growth and was still less than half in number: 108,895 in 1790 rising to 200,919 in 1810. Two leading Virginia planter-politicians, Thomas Jefferson and James Monroe, began to discuss making exportation a criteria for manumission, and proposed colonization in West Africa and west of the Mississippi--i.e. Negro removal projects--as a solution to the rising presence of an *un*-enslaved population.
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The majority of free Black people in the early colonial period tended to be mixed-race. If mothers were white, her mixed-race children were born free. Enslaved mothers and their children might be freed by their white-owner fathers, or the adult

[147] Berlin, *Slaves without Masters*, 372-373.

[148] William Waller Hening, editor, "An act to authorize the manumission of slaves, 1782," *The Statutes at Large; Being a Collection of all the Laws of Virginia from the First Session of the Legislature, in the Year 1619*. (Richmond: J. & G. Cochran, 1821) 11:39-40, accessed October 2019, https://www.encyclopediavirginia.org/An_act_to_authorize_the_manumission_of_slaves_1782

[149] Berlin, *Slaves Without Masters*, 106-107.

children could be manumitted without their mothers. And mixed-race adults were either rewarded with freedom for some exceptional service or, like Cowley seems to have done, earned enough money from extra work to purchase their own freedom. Prices were set by the going rate for a slave in working condition. The price demanded could range from the expensive-enough 50 pounds (Cowley's price) to the extortion-like 160 pounds.[150] My sense of Cowley's prime working capacity is skewed by how long he lived. However, it is possible that Cowley was simply able to come to an arrangement with Edmund Randolph because he was older than forty-five, and had the money to purchase his freedom.

Free status was fraught with challenges and it could be lost, but in general the free black population of Richmond continued to grow, even in the years when Black life became more and more restricted. Luther Porter Jackson considers 1830-1860 to be the most difficult period because whites continued to pass laws limiting movement, including curfews, no traveling to find work, the requirement to be pre-registered before moving to a new town, and so on. This period coincides with Richmond's evolution into an epicenter of the massive internal slave trade from Atlantic states to the Deep South.[151] Nonetheless, post-Revolutionary optimism encouraged free Blacks to take advantage of the opportunities to build small businesses and assert the right to acquire property--farmland and city lots.[152]

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[150] Sidbury, *Ploughshares into Swords*, 190-191.

[151] Walter Johnson, *Soul by Soul: A Life Inside the Antebellum Slave Market* (Cambridge: Harvard University Press, 1999), 4-7.

[152] Jackson, *Free Negro Labor*, 136, 137.

Free Blacks did occasionally use enslaved or indentured labor, acquiring them by hire or owning them outright. However, it was far more common for Black slaveholding to be "temporary and benevolent."[153] The larger percentage of those who bought enslaved people did so to preserve families from separation or to facilitate their manumission. Free Blacks were sometimes granted permission to remain in the state to be close to family members or to continue a thriving business. Free parents, Black and white, might bond out their children to apprentice in skilled trades. These were mechanisms by which Black people exercised some measure of control within the constraints of their free status. Assimilation, modeling the social and aesthetic customs of white society, was another way of accommodating the system while carving out some autonomy. Taking on the trappings of the master class was a way to succeed in a system you did not think you could change. "Much as they might sympathize with the slaves, free Negroes now had an interest of their own to defend."[154] Ambitious free Blacks might distance themselves from association with the "lowness" of enslaved Black life, and engage in a self-imposed class, denominational and color distinctions. Adapt and rise. Color systems evolved within free Black society based on preferential treatment for lighter-skinned Blacks, which itself had historical precedent in other parts of the new world where Africans had been taken—the Caribbean in particular had a three-color society: Black, brown and white. The free Black populations were predominantly brown (mixed-race), had often been free for generations and in places like Saint Domingue were a propertied, political layer influential with enslaved Blacks and

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[153] Jackson, *Free Negro Labor*, 200.

[154] Berlin, *Slaves Without Masters*, 56-57.

the minority whites in residence. At various times over the course of the thirteen-year Haitian Revolution (1791-1804), affluent free Blacks alternately sided with the French revolutionaries or the local planters, and as refugees to mainland states brought “their distinctions between blacks and browns” with them.[155] Darker skinned Blacks married lighter-skinned peers in hopes of producing lighter skinned children, visually distinguishing themselves even further from the “lower” classes, and there were free Blacks who accepted the presumed benefits of reflecting whiteness in their persons as well as their lifestyles. Across the coastal South, exclusive membership organizations were formed with a preference for those of a lighter skin color, or of those who had never been enslaved, even better if their free status had been generational.[156]

JUST TO BE CLEAR, IT WAS LEGAL

The edifice of laws defining Black life had been slowly built over the previous century, clarifying Black status in response to the perceived threats to white status quo, and steadily hardening the lines between white and Black humanity. Higginbotham describes a process of Black debasement by “pioneer[ing] alegal process that assured blacks a uniquely degraded status--one in which the crelties of slavery and pervasive racial injustice were guaranteed by its laws.”[157] Borrowed in part from the “Codes Noires” (“Black

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[155] Berlin, *Slaves Without Masters*, 58.

[156] For an in depth examination of the evolution of white Americans’ aspirations for a whites-only society from the planter to the lower classes and how the pressures by whites on free Blacks helped to stratify them to mirror white class distinctions, see chapters 6, “A White Man’s Country,” and 7, “The Economics of Marginality,” from Berlin’s *Slaves Without Masters*.

[157] Higginbotham, *In the Matter of Color*, 19.

Codes") from France, English colonies used them as a model for regulating the interactions between "negro, mulatto, Indian, Jew, Moor or Mohametan" and whites, with each category specifically defined and addressed.[158] Each new law or code tended to be a response to a particular problem that Black behavior presented as potentially trend-setting, such as success in economic competition with whites, claiming civil rights or the right to social parity. The first law to define slave status passed in 1662 and was actually triggered by the behavior of colonial English men. The law clarified the status of their mixed-race children:

> "WHEREAS some doubts have arisen whether children got by any Englishman upon a negro woman should be slave or ffree [sic], Be it therefore enacted and declared by this present grand assembly, that all children borne in this country shalbe [sic] held bond or free only according to the condition of the mother..."[159]

In 1691, another law intended to make the price for intermarriage between any white man or woman with any Black, mulatto or Indian punishable by permanent banisment from "the dominion."[160] Virginia's colonial government later passed the 1705 "Act concerning Servants and Slaves," itemizing no fewer than sixteen statutes by which the colony was to differentiate between servants and slaves, and to control the lives of both. Conditions and consequences for white servants were temporary, while those for "Negroes" were

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[158] Bernard Moitt, *Women and Slavery in the French Antilles, 1635-1848* (Bloomington: Indiana University Press, 2001), 152. Hening, ed., *Statutes*, 3:447–463, accessed 18 February 2020 https://www.encyclopediavirginia.org/_An_act_concerning_Servants_and_Slaves_1705.

[159] Hening, *Statutes*, 2:170, accessed Feb. 18, 2020 https://www.encyclopediavirginia.org/_Negro_womens_children_to_serve_according_to_the_condition_of_the_mother_1662,

[160] Higginbotham, *In the Matter of Color*, 45.

permanent. Slaveholders crafted the laws to fit their practices, effectively making their own actions legal, customary and justifiable.[161]

The violence experienced by the enslaved at the hands of the slaveholding society was intrinsic to the trade. Enslavement could only be maintained by force, by violence, both physical and psychological.[162] And yet, within that system, when violence inflicted went too far by slaveholder standards--meaning the slaveholder suffered losses to productivity and profits--it was possible for the slaveholder to prosecute the offenders and seek compensation. One example involves the case of Jacob, an enslaved waterman on the James River, who was said to have commiteed suicide upon being arrested and accused of involvement in Gabriel's Rebellion.[163] His owner, William Wilson, petitioned the Virginia General Assembly for compensation, arguing that Jacob had killed himself specifically because he had been accused of being involved in the attempted rebellion and assumed he would be found guilty. Wilson, therefore, blamed the state for putting Jacob in a position that resulted in depriving Wilson's large family of a man whose labors were important to its economic sustenance. In this example, the state declined the petition, but Jacob's case also illustrates that there was no legal concern for the pain, injury or loss to the enslaved victim or their loved ones left to deal with the physical and emotional repercussions. Wilson's justification for his claim was similar to that of several owners of men facing execution after conviction in the conspiracy trials of Gabriel's rebellion. If executed, the loss

[161] Higginbotham, *In the Matter of Color*, 32-33, 38.

[162] Marcus Rediker, *The Slave Ship: A Human History*, (New York: Penguin Books, 2007), 337-342; Edward Baptist, *The Half Has Never Been Told: Slavery and the Making of American Capitalism*, (New York: Basic Books, Perseus, 2014), 115-118.

[163] Nicholls, *Whispers of Rebellion*, 102-103.

of future income to the slaveholder would be burdensome. The justices agreed, in most cases, and pardons were granted. Plus, it saved the state from having to compensate the owner for the immediate value of the lost property.[164]

The roots of segregation that limited rights on the basis of race could be found in colonial era laws that distinguished between Black and white people. John Hope Franklin's article, "Two Worlds of Race," examined the intentionality of segregation through the early colonial precedents that defined the relationship between free Blacks and whites, later so entrenched during the era of Jim Crow. How Blacks and whites could occupy the same society was a feature in all discussions of civil rights. In 1736, Virginia's colonial Lieutenant Governor William Gooch responded no. Gooch was referring to a letter he had received eleven years earlier! The House of Burgesses passed a law in 1723 that limited slave manumissions to state authorization and decided that "Mullattoes and Negroes" should not have the vote. They could not be trusted, Gooch explained, to not take the side of their enslaved peers, and, more to the point, because "a distinction ought to be made between their offspring and the Descendants of an Englishman, with whom they never were to be Accounted Equal."[165]

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[164] Nicholls, *Whispers of Rebellion*, 138; Higginbotham, *In the Matter of Color*, 56-57; and Schwarz, *Gabriel's Conspiracy*, 165.

[165] Richard West, Alured Popple, and William Gooch, exchange of letters discussing "Denying Free Blacks the Right to Vote (1724, 1735, 1736)" featured in "This Day (Alured Popple Edition)," by Brendan Wolfe, *Encyclopedia Virginia Blog*, Virginia Humanities, 10 Jan. 2012, https://evblog.virginiahumanities.org/2012/01/this-day-alured-popple-edition/.

WHITENESS

Africans themselves came from cultures that also understood "servile service" to be a common part of society, but there were critical differences between African slavery and the new system as it was developed in the "New World." Generally speaking, African slave owners and traders did not view enslaved people as less than human, as some kind of sub-species of humanity. "All human relationships [were] structured and defined by the relative power between the interacting persons," declared Orlando Patterson.[166] A slave class, identifiable by sight, was condemned to perpetual and inheritable servitude which, in white thinking, came to mean perpetual inferiority. Distinctions between enslavement and freedom would be blurred by the simple state of being Black.[167] In the Americas, that view was consciously developed into a pseudo-science.[168]

While slavery existed in Africa, European slave trading and slavery in the Americas were carried out on a massive industrial scale that itself revolutionized society, creating the need for expansions in shipping, trade, and the means of physical repression. And finally, with the status of enslaved people determined by the status of their mothers, and the majority of those mothers being Black Africans and African descendants, slavery in the

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[166] Orlando Patterson, *Slavery and Social Death: a Comparative Study* (Cambridge, Mass.: Harvard University Press, 1982) 1, accessed Mar. 2020 https://hdl-handle-net.proxy.library.vcu.edu/2027/heb.03237. EPUB.

[167] Patterson, *Slavery and Social Death*, 4.

[168] Ibram X. Kendi, *Stamped from the Beginning: The Definitive History of Racist Ideas in America* (New York: Nation Books), 108-109.

Americas became, by code and custom, synonymous with being Black. This, of course, was not true in Africa.[169]

Slavery was transformed in Africa as Europe's appetite for resources matured and expanded into the "New World" in the 18th century. Serfdom, servitude, and slavery were historical practices in Europe adapted to the New World with a particular visciousness toward "non-Christian" peoples. Starting in the 15th century, Indians throughout the Caribbean and Atlantic regions were enslaved, sold in slave markets throughout the Caribbean to be worked to death, or taken to Europe as workers or curiosities. In the seventeenth century, English laborers were usually poor--recruits, convicts or kidnapped men--who were sent to the colonies to work and live typically short, often horrible lives.[170] But they were Englishmen and over time, as a group, were able to gain some protections as citizens of "the crown." English laboring numbers declined and English traders discovered the extraordinary amount of money to be made from the subjugation and exploitation of captive and kidnapped African men, women and children.

"Consciously moral human beings ….do not conventionalize such habits of thought and behavior without formulating a rationalizing ideology,"[171] so Europeans diligently worked to create and sustain a false hierarchy of humanity based on color. The English, as a rising global power, placed themselves at the top. Benjamin Franklin articulated this idea in his 1751 letter, when he wrote,

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[169] Sylviane A. Diouf, *Fighting the Slave Trade: West African Strategies* (United Kingdom: Ohio University Press, 2003), xiv.

[170] Rediker, *The Slave Ship*, 222.

[171] Audrey Smedley, *Race in North America: Origin and Evolution of a Worldview*. 2nd ed., (Boulder, CO:Westview Press, 1999), 110.

> “And while we are, as I may call it, Scouring our Planet, by clearing America of Woods, and so making this Side of our Globe reflect a brighter Light to the Eyes of Inhabitants in Mars or Venus, why should we in the Sight of Superior Beings, darken its People? why increase the Sons of Africa, by Planting them in America, where we have so fair an Opportunity, by excluding all Blacks and Tawneys, of increasing the lovely white and Red? But perhaps I am partial to the Complexion of my Country, for such Kind of Partiality is natural to Mankind.?” [172]

This telling musing on the part of a young Benjamin Franklin advocated for a whiter colony that was already “black,” “tawny” or “swarthy” enough. He admitted that he might be simply guilty of the “natural preference for one’s own kind,” but also identified the creation of this new English colonial society as a particular opportunity to “brighten” the planet. He makes his joke at the end, but it is the kind of joke that walks a fine line a very short distance before morphing into a principle for policymakers. Franklin’s complete essay was so well received by his counterparts in both England and the colony that it was included in at least six publications between 1755 and 1769. Though the section quoted above was removed before 1760, his “ideas on the growth of population entered the current of English economic thought,” and they most definitely hinted at their desire to consider race in regards to citizenship.[173]

When the American Revolution concluded in 1783, the former British colonies became the first to successfully exit the empire, an unprecedented event. As the political leaders worked to define the new society as a nation, they were also working to define

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[172] Benjamin Franklin, “Observations Concerning the Increase of Mankind, 1751,” *Founders Online*, National Archives, accessed Sep. 29, 2019, https://founders.archives.gov/documents/Franklin/01-04-02-0080. [Original source: The Papers of Benjamin Franklin, vol. 4, July 1, 1750, through June 30, 1753, ed. Leonard W. Labaree. New Haven: Yale University Press, 1961, pp. 225–234.]

[173] Benjamin Franklin, “Observations Concerning the Increase of Mankind, 1751,” n5.

themselves as new people in the world. Historian Winthrop Jordan posited that, without coalescence as a people with a reason to be, the English colonists would not have survived. They needed to figure out a new identity.[174] Returning to a Europe that no longer had the resources to sustain them was not an option, so these men, and later women, chose to identify as being English in the Americas, so as to maintain a cultural connection with home. After the Revolution, this became more difficult, since they claimed to have just rejected that society's governing mores. But the Haitian Revolution and the potential for mass Black rebellion truly put the fear in whites about their economic and cultural fate just as they were crafting their new identity.[175] So who would they become? What would it mean to be "American?"[176]

For Black people, the high-minded orations on the egalitarian entitlements of "man" simply devolved back to the same hierarchy of power and social access that those Federalists and Democratic Republicans claimed to have left behind in the Old World; those hierarchies were alive and well in the new one. Africans were not to be citizens and are not referred to in the nation's founding documents. The United States of America simply could not have come into existence without chattel slavery, and slavery could only be maintained if it was cheap enough, and given the expense of transport, food, clothing, and housing, it

[174] Jordan, *White Over Black*, 332.

[175] Editorial dismissive of claims that the French were losing against the Blacks of Saint Domingue, that L'ouverture would become Lt. Governor of the island "the precise moment the yellow doorkeeper, Cowley, would take his seat as Lt. Governor of Virginia, next to Mr. Monroe." *The Recorder, or, Lady's and gentleman's miscellany*. [volume] (Richmond, Va.), 02 June 1802. Chronicling America: Historic American Newspapers. Lib. of Congress. <https://chroniclingamerica.loc.gov/lccn/sn84024678/1802-06-02/ed-1/seq-3/>

[176] Jordan, *White Over Black*, 332.

had to be done on a enormous scale, and the scale of suffering of enslaved people meant the quest for adequate justifications would be equally weighty.

To impart such a system with a moral legitimacy, the founding leaders cloaked the economic commitment to slavery in as many moral rationales as possible. for example, promoting the view that heathens did not deserve (and Africans could not handle) that to which white, preferably Anglo-Saxon, Christians were divinely entitled. Religion alone, however, was not up to the task.

The racial thinking of politicians and intellectuals like Thomas Jefferson led to dabbling in "scientific rationales" about such constructs as climate and skin color, skull sizes and intelligence, pain tolerance and suitability for labor.[177] These characterizations were designed by elite whites to bolster their views of themselves as superior. Blacks were not consulted and their millennia of history were ignored. whites were their own audience, and they were not hard to convince. Truly, the only mechanism that guaranteed containing people of color within slavery was violence, and, therefore, violence was to be viewed as a justifiable tool of a people who were naturally "virtuous" because of their "natural" superiority.[178] However, if white clerics could also convince Black people that their enslavement was just punishment for some collective sin (descendants of Ham, the accursed son of Noah) they might bear it.[179] Slavery was to be born obediently and gratefully for a reward in the afterlife. And so, acquiescence and productivity preserved, we

[177]Ibram X. Kendi, *Stamped from the Beginnin*g, 131.

[178] Marcus Rediker, *The Slave Ship*, 10.

[179] Johnson, *African American Religions,* 167-169.

see the value of converting the enslaved to a narrow, obedience-focused version of Christianity.

Benjamin Franklin's influence on the early design of the new country notwithstanding, the leading white thinkers of Virginia--Patrick Henry and Thomas Jefferson, James Madison and George Washington, St. George Tucker and George Wythe--represented and continue to represent a range of views from liberal to conservative on the nation's approach to race, slavery, freedom and citizenship, in relation to the economic future of the nation. Historian Douglas Egerton describes slaveholding revolutionary figures like George Washington and the Marquis de Lafayette who each had an enslaved man serve with them during the War, causing them both to think differently about slavery. Washington manumitted his enslaved people in his will, but few were actually freed. Lafayette became anti-slavery, supported the petition of his enslaved aide, James Armistead of Southampton, Virginia, for manumission after the war, but struggled to see his larger emancipation projects through after Napoleon re-instated slavery in France and its territories.[180] St. George Tucker, like Thomas Jefferson, professed to be in favor of the gradual emancipation of Black people but insisted whites would not share their society, so "negro removal" was his solution. Robert Cowley's adjacency to the slavocracy does not seem to have had such an effect.

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[180] "To George Washington from Lafayette, 6 February 1786," Founders Online, National Archives, https://founders.archives.gov/documents/Washington/04-03-02-0461. [Original source: The Papers of George Washington, Confederation Series, vol. 3, 19 May 1785 – 31 March 1786, ed. W. W. Abbot. Charlottesville: University Press of Virginia, 1994, pp. 538–547.] *Founders Online*, National Archives, https://founders.archives.gov/documents/Washington/04-04-02-0051. [Original source: The Papers of George Washington, Confederation Series, vol. 4, 2 April 1786 – 31 January 1787, ed. W. W. Abbot. Charlottesville: University Press of Virginia, 1995, pp. 41–45.]

The more convincing anti-slavery advocate might have been George Wythe, a self-educated lawyer whose maternal grandfather had been a well known Scots Quaker and author of a "firey" anti-slavery pamphlet. His father owned slaves, but the family was not wealthy. When Wythe finally freed his inherited slaves, he paid those who stayed. Wythe was a member of the Continental Congress, first signer of the Constitution, first judge of the Chancery Court and known for two decisions finding slavery unconstituional based on the Bill of Rights. Both decisions were repealed by the Supreme Court. In 1806, Wythe and Michael Brown, a free young Black man he'd taken under his wing and educated, were poisoned by his great-nephew, George Wythe Sweeney, Jr., for the inheritance, but Wythe lived long enough to change his will. Sweeney was arrested, but because the sole witness was Black, Wythe's housekeeper (and possible companion), Lydia Broadnax, her testimony could not be used and Sweeney was acquitted for lack of evidence.[181] Everyone knew he was guilty, but it was more important to maintain the supremacist status quo and prevent Lydia Broadnax's testimony from sending a white person to the gallows than to secure justice for one of the leading lights of the revolution.

After the Revolutionary War, Virginia planters and merchants worked to put the most inconvenient principles of the era behind them and began to crack down on the gains of the growing free Black community, slowing the number of manumissions, passing more restrictive laws, and scapegoating free Blacks as instigators of insurrection.[182] Gabriel's

[181] Julian P. Boyd, "The Murder of George Wythe," *William and Mary Quarterly* 3rd ser., 12, no. 4 (October 1955), 520-539. https://lawlibrary.wm.edu/wythepedia/images/5/5a/BoydMurderOfGeorgeWytheOctober1955.pdf.

[182] Berlin, *Slaves Without Masters*," Failure of Freedom," 79-107.

Rebellion, however, reminded them of the dangerous game they were playing with the country's Black people. Revolutionary American slaveholders "watched in fascinated alarm as their own magnificent principles spread, as they thought, to France, then to the black island of Santo Domingo, and then to their own slaves. Gabriel's slave rebellion in Virginia in 1800 was real, half-expected, self-justifying, and utterly dangerous. As much as any single event it caused the sons eventually to repudiate their founding fathers' principles."[183]

Given how "free" we think we are in the United States today, it might be hard to imagine waking up everyday in the race- and class-centered world where notions of better and lesser kinds of people was an open social norm. Depending on your race, class, wealth and occupation, you were born into a condition with greater or lesser opportunities. Servitude itself was not at stake; indentured, bonded, penal and debt service contracts were long part of old world societies and would continue in the new ones, right through the Civil War, post-war sharecropping and domestic service. What *was* at stake was the relationship of their egalitarian ideals to their notions of who was worthy of equality. Permanent chattel slavery was reserved for African descendant people in the United States as a way to ensure the separateness that whites believed to be essential to co-habitation in the world they had made.

FLUCTUATING BLACK-WHITE RELATIONS

African slavery was essential to the planter way of life, and so free Black life was not only not essential, but was in fact an ongoing threat. In 1785, Cowley joined the ranks of

[183] Jordan, *White Over Black*, xxxi-xxxii

free Black people who were perceived by whites as innocuous and manageable in small numbers, but pernicious and threatening in large numbers. And yet throughout slavery--perhaps especially during the eighteenth century--whites and Blacks did live and work in proximity to one another, even interdependently, as the rigors of rural life would demand.[184]

The fluctuating relations between whites and Blacks also defined Cowley's life within that society, tugged at the limitations intended to keep the lives of free Black and mixed-race people as close to slavery as possible. Initially, interracial marriages, while not welcomed, were not specifically outlawed. Work brought Blacks and whites together, including opportunities to make money in off-hours by legal or illegal means. Large employment projects drew workers in numbers--and all of them needed necessities and recreation. Workers of both races, skilled and unskilled, enslaved and free, congregated in taverns, disorderly houses, and grog-shops, where drink and entertainments like gambling, dancing and sex could be had. Intimate relationships between whites and Blacks were inevitable and long-standing. Working in proximity in town rendered them social peers of a sort, but the essential relationships between Blacks and whites were economic.[185]

When Robert Cowley's race was mentioned in legal documents such as his manumission, he was described as "mulatto." One 18th century observer complained that this "spurious race of children" complicated conditions of life in a "New World" slavery

[184] Melvin Ely, *Israel on the Appomattox: A Southern Experiment in Black Freedom from the 1790s Through the Civil War* (New York: Vintage Books, 2004), 139.

[185] Egerton, *Gabriel's Conspiracy*, 26-27.

society which, were supposed to be based on clear racial distinctions.[186] Yet, mixed-race people were understood to enjoy advantages that derived from two conditions: lighter-skin (which itself is such a broad characterization as to be meaningless) or familial ties with their white (typically) fathers. Mixed-race people were more likely to hold elite slave positions in the plantation system. white fathers might acknowledge their mixed-race children and make them legal heirs to property or ensure their education or training in a trade, or they might even free them. Robert Cowley's luck in manumission and occupation may have been facilitated by his lighter-skin, coupled with his reserved demeanor and the influential associations he had enjoyed for most of his life.

The vast majority of free Black people lived in towns and had little wealth. Most men were laborers: boatmen, railroad, foundry and tobacco factory workers, waggoners or hostlers. Skilled workers included blacksmiths, bricklayers, spinners, weavers, millers, and painters. Women became domestic servants, washerwomen or seamstresses. Agricultural jobs were still the most prevalent, and some folks might travel out to a farm to work, returning home once a week or month, or only between harvests.[187]

Some free Blacks got themselves educated and acquired property and grew businesses, helping to establish neighborhoods with churches, cemeteries, burial societies and social clubs. More of these neighborhoods existed in New England and tended to be urban. A very few became wealthy. The handful of rural communities that came into

[186] Quote by Thomas Atwood, *History of Dominica* (London: 1791) from Barbara Bush's *Slave Women in Caribbean Society 1650-1838* (Bloomington: Indiana University Press, 1990) http://www.gutenberg.org/files/48847/48847-h/48847-h.htm

[187] Jackson, *Free Negro Labor*, 76.

existence, such as Israel Hill near Lynchburg, Virginia, were a rare and fragile phenomenon that depended, as Cowley did, on complex interactions with whites. In *Israel on the Appomattox,* historian Melvin Ely describes his own surprise at seeing the evidence that many white Virginians "felt secure enough to deal fairly and even respectfully with free African Americans," a "paradox," he wrote "that helped make room for a drama of free black pride and achievement to unfold in an Old South where ties of culture, faith, affection, and economic interest could span the barrier between black and white."[188]

Ely is careful to clarify that this security was felt by whites because slavery was firmly in place. This was also the case in town. A free Black community could develop in Richmond because, in spite of the political rhetoric about gradual emancipation and the liberalizing of manumission laws, slavery was nevertheless being baked hard into the new American identity. As long as their numbers were relatively negligible, there was room in white Richmond for a few free residents of color, especially if they could be judged both industrious and compliant. The numbers of free Black people, however, were growing.

The distinction between being free and enslaved was much finer than that between being Black and white. Being Black was all it took to be subject to the most limited life possible in the United States, and yet the new-national, post-Revolutionary period also held the most promise for some kind of parity, if not outright equality. Serving in the Revolutionary War was specifically cited as a justification for granting freedom to an enslaved person. During the years leading up to the war, there were slaveholders who did free their slaves to align with their evolving religious or philosophical beliefs and to

[188] Ely, *Israel on the Appomattox*, x.

address the contradiction of fighting for their freedom from England while keeping those of a different complexion enslaved.[189] Egerton speculated that Capt. Richardson of the schooner *Mary*, who picked up Gabriel after the rebellion and took him to Norfolk in spite of the laws against carrying Black passengers without free papers, was a reformed overseer whose conversion to Methodism may led him to become anti-slavery.[190]

And yet, most whites could not do it. They could not fathom equality with Black people. Jefferson, Madison and Tucker discussed emancipation schemes predicated on removing Black people from their society but removal did not happen because the founding plantocracy had made Black people fundamental to their quality of life. The solution was to keep them--expand slavery, curtail free Black mobility, and devise narratives that would cultivate white xenophobia. A hierarchy of racial signifiers conflated with morality was applied to economics and biology and transformed into a white national identity to be defended against all challengers. Black people were essential to white lives and so were the most obvious and constant challenge to the validity of a white superiority narrative. It was necessary for whites to despise Black people with a visceral fervor in order to maintain such an illogical social relationship.

SOLIDIFYING SLAVERY

The success of the Haitian Revolution of 1791-1804 was a beacon of hope for enslaved Blacks throughout the colonies even as it ushered in the expansion of the

[189] Ely, *Israel on the Appomattox*, 17-24.

[190] Egerton, *Gabriel's Rebellion*, 104-105.

domestic slave trade. In 1807 Congress passed legislation that completed the constituional provision of 1788, banning the U.S. transatlantic slave trade. As Napoleon abandoned Haiti, he also lost interest in the vast French-owned Louisiana territory, leading him to sell it to the United States in 1803.[191] The sale doubled the size of the new nation, opening vast and richly fertile agricultural lands and expanding the slavocracy to the south and west. Eli Whitney's invention of the cotton gin in 1793 already had made cotton production more efficient, and therefore more profitable, thus spurring migration from the east to the Deep South and even more production. So instead of reducing the need for laborers, the gin did just the opposite. By 1800, cotton was king, with the Deep South producing most of the world's cotton, most of it bound for the English textile industry, the world's first major industrial enterprise. All of this boosted the value of domestic "slave-stock" and further solidified the country's dependence on slavery. Followed quickly by the conclusion of the War of 1812--a victory which essentially eliminated any further fear of England's incursion on the break-away nation's sovereignty--the new country experienced perhaps its first real sense of secure independence, one that would facilitate its westward gaze.

Class, caste or wealth distinctions existed in Africa and Europe and both peoples carried those mind-sets with them to the "New World," no matter how they got there. Labor was the "curse" of the poor and they generally wanted to leave it behind as quickly as possible. Historian Mechal Sobel emphasized that Africans and Europeans arriving in the "New World" also "widely respected holders of wealth, differentiation in society and the

[191] Berlin, *Many Thousands Gone*, 219-226.

existence of unfree laborers."[192] This is true--there was nothing new about the essential social structures in place at the time. The distillation of blackness, slavery and inferiority into a single identity and a permanent condition is what distinguished slavery in the Americans in the Age of Enlightenment.

According to the Europeans who brought them here, the only reason Africans were in their world was to work. The fact that being in Virginia, for example, might come to mean something different to those same Black people, especially after they had transformed, after a few generations, from uprooted Africans to deeply rooted American-born Africans, was irrelevant. The white population had no intention of allowing Black people to become equal citizens in the society. When and where free Blacks existed in American society, their daily social encounters were fraught with a fragile tolerance.[193] Black Virginians could count on a measure of autonomy as long as there were not too many of them, so long as they were not too successful in their livelihoods, and specifically, only so long as their activities and their presence served the interests of white society.[194]

Richmond's overall population was growing, the need for labor was growing faster, and whites had not yet truly sorted out all the hierarchical channels. If someone could offer a needed service, it might not always matter what their race or color or social status might be. The legislation that defined and distinguished the rule of law between whites and free Blacks was a hodge-podge of reactive rulings that were often ignored or irregularly applied,

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[192] Sobel, *The World They Made Together*, 64.

[193] William L. Andrews, *Slavery and Class in the American South: A Generation of Slave Narrative Testimony, 1840-1865* (New York: Oxford University Press, 2019), 6-7.

[194] Jackson, *Free Negro Labor*, chapters I and VI.

including the 1806 law threatening banishment within twelve months of manumission. Almost the minute it was passed, the legislature was flooded with petitions for free Black people to be able to remain, with endorsements by local whites testifying to their economic importance to the area. Even when the law was reasserted after Nat Turner's rebellion in 1831, there were complaints that it had been too hastily and arbitrarily done.[195]

Nonetheless, Black people claimed what rights and access they could, as soon and whenever circumstances permitted. The introduction to Luther Porter Jackson's 1969 *Free Negro Labor and Property Holding in Virginia, 1830-1860* presents foundational experiences of free Blacks in their attempts to evolve with the new nation, strive for their place in it, achieve certain benchmarks in liberty, property ownership, and autonomous family life, in spite of the persistent racism. From 1782 until May 1806, enslaved men and women had been able to buy freedom for themselves and family members, set themselves up in households and generate livelihoods of their own choosing and imagine futures for their children. After May 1806, the General Assembly mandated that Black people who gained their freedom had twelve months to leave the state.[196] The Virginia Abolition Society, formed by Quakers in 1790, dissolved. Blacks found themselves living through the collapse of all hope that white society might one day abandon its racism, and so turned ever more inward for solace and solutions.[197]

[195] Writers' Project, *Negro in Virginia*, 125-6.

[196] Jackson, *Free Negro Labor, 6 ;* Samuel Shepherd, ed., *The Statutes at Large of Virginia, from October Session 1792, to December Session 1806* (Richmond: Samuel Shepherd, 1836), 3:251–253. https://www.encyclopediavirginia.org/_An_ACT_to_amend_the_several_laws_concerning_slaves_1806

[197] Berlin, *Slaves Without Masters*, 79.

AROUND THE CAPITAL

In 1806, Robert Cowley had been employed as Doorkeeper for eleven years and free for twenty-one. I have imagined him standing just outside The Eagle Tavern at 12th and Main in the gray light of a chilly afternoon in early winter, 21 Dec. 1785.[198] With the roar of the James River just three blocks away competing, perhaps, with the roar of freedom in his head, and gazing through the steam of his first free breaths. He considered the town with the eyes of a free man, contemplating what Richmond would actually hold for him in the years ahead? The day, a few weeks later, when Cowley's manumission was recorded with the city clerk, 21 January 1786, marked his first official day as a free man, and he, like all Richmonders, were part of a city in the making, already embarked on massive physical change and shimmering with the promises of the Revolution and the "Founding Fathers."

A few years later Cowley took on the job of doorkeeper and keeper of the keys to the Capitol while it was still under construction. He moved into a house near the Capitol and from that moment Shockoe Hill was the top of his domain, and, except for the wooded nature of much of the neighborhood, might have had quite a view of Richmond--the little trading village that grew to a small town with tobacco warehouses at the falls of the James until 1780, when the American Revolution drove the decision to relocate the state capital there from Williamsburg. Benedict Arnold captured and burned the village in 1781 in his attempt to help the Loyalists wrest it from Patriot control, but he did not hold it for long.

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[198] "[Diary entry: 21 December 1785]," *Founders Online*, National Archives, https://founders.archives.gov/documents/Washington/01-04-02-0002-0012-0021. [Original source: *The Diaries of George Washington*, vol. 4, 1 September 1784 – 30 June 1786, ed. Donald Jackson and Dorothy Twohig. Charlottesville: University Press of Virginia, 1978, pp. 253–254.] "Wednesday 21st. Thermometer at 44 in the Morning—44 at Noon and 46 at Night. Lowering all day with but little Wind and that Easterly."

The capital was built upon a landscape only recently recovered from one of the "great floods" which had "engulfed the lower portions of Richmond and Manchester, nearly wiping out the small settlement" ten years before, in 1771.[199] The river's unpredictable white waters could smash through anything human-made or otherwise, sweeping farms, buildings and small islands away one day, then slip its millions of gallons silently over the boulders, lapping banks and nourishing marshes the next.[200]

Of course it was the river, that very water power, that made development of the river for industry and transportation possible and successful. Flour mills and forges such as the precursor to Tredegar Iron Works proliferated along the falling waters. Motivated city planners and corporate investors mowed down woods and carved up riverbanks, leveled hillsides and filled in valleys until the seven hills of Richmond and old lands of the Powhatan empire were unrecognizable. The bustling docks and sloping banks along the James River may have been the most racially inclusive areas of the city for work mostly, but recreation and leisure as well. Fishing was an activity for every level of society: industry fished for profit, some people fished for a living and even more fished simply to eat. "During the spring spawning runs, Richmond experienced a sort of fishing mania. On the tidal portion of the river, great seine nets hauled in vast quantities of sturgeon, herring and, most important of all, shad. Those fish that made it past the seines faced a gauntlet of fishermen either tending fish traps or armed with nets and lines situated on the rocks, bridges and islands. The harvest could collect twenty thousand fish per day at the height of

[199] John C. Van Horne, ed.,*The Correspondence of William Nelson*. Virginia Historical Society (Charlottesville: University of Press of Virginia. 1975), 155.

[200] Potterfield, *Nonesuch Place*, 17-19.

the run."[201] Cowley's house was at the top of the hill by the governor's house, when 12th street seemed to be a straight shot downhill to the river. Surely he caught a fish or two for his evening meal.

The opportunities for residential, commercial and industrial development were obvious to city planners,who sought to maximize the city's new political status and accompanying economic potential. Several significant infrastructure projects were launched during Cowley's first decade as a free man, including the Capitol designed from plans that Thomas Jefferson mailed from France; the first state penitentiary, designed by English ex-patriot architect Benjamin Latrobe; and William Mayo's toll bridge, across which Cowley would have traveled on errands to Chesterfield County. The James River and Kanawha Canal (an initiative of George Washington's) was perhaps the most disruptive to the city in that it required earth moving on a scale never before seen. The manpower required to engineer the landscape, cut and lay the granite stone blocks and construct all other aspects of the canal and its lock systems was enormous and drew hundreds of workers of all races, native and foreign-born, enslaved, bonded and free, from all over the country over a period of several years.[202]

[201] Potterfield, *Nonesuch Place*, 27.

[202] Sidbury, *Ploughshares into Swords*, 165-167.

Conclusion

ARCHIVAL COMPLICITY

The first U.S. census collected the following demographics: “Free white males of 16 years and upward (to assess the country’s industrial and military potential), free white males under 16 years, free white females, all other free persons (by sex and color), and slaves.”[203] In 1803, a separate register for free Black people was established to keep track of their numbers, and included name, gender, age and occupation. Physical descriptions of whites were not included in the census, but they were in the “negro registers”--usually Black or Mulatto, and any marks or scars. Authorities found this information useful corroboration in ads for runaways slaves or fugitives or in court to prove identity.

Data collected on enslaved Black people was typically limited to their status as slaves--deeds of sale, farm account books--or as belligerents against the system, usually to do with resisting the bounds or cruelties of slavery, but also for common crimes. Depending upon the slaveholder, enslaved people might be listed in their records exclusively as a count of labor units by gender, age, occupation and value. Other records might include first names, last names, if they had them, and the relationships of children to mothers, but less often to fathers. Familial relations only mattered to the degree that the child was shown to be born of an enslaved woman, thereby establishing the child’s slave status. The consequence of this legal reality became the start of the long history of

[203] *United States Census*, 1790, https://www.census.gov/programs-surveys/decennial-census/decade/decennial-publications.1790.html

minimizing the role of Black fathers and then accusing them of not being responsible men.
[204]

Obviously, these records were never designed to assist Black descendants in tracing their lineage or finding their ancestors. They were designed to help slaveholders keep track of their human property and therefore end up dehumanizing people--like the slave ship, another technology of slavery.[205] This distinction helps emphasize the importance of challenging notions of objectivity in the recording of facts. In *Dispossessed Lives*, historian Marisa Fuentes rebutted the archives' characterization as a repository of objective facts and challenged historians to stand in a different part of the room to understand exactly how the facts recorded during slavery were not detached from the interests of the state and the slaveholders who created that state. The racism of our society was embedded into the archives and archival practices.[206]

A great deal has been written about the physical and emotional violence of enslavement and the slave trade, human trafficking, as it is called today, and it almost seems obvious to note it. There is also the problem of the effect on whites because of their complicity in imagining their superiority as a people at the actual expense of Black and

[204] Lu, Michael C., Loretta Jones, Melton J. Bond, Kynna Wright, Maiteeny Pumpuang, Molly Maidenberg, Drew Jones, Craig Garfield, and Diane L. Rowley. "*Where is the F in MCH [Maternal Child Health]? Father involvement in African American families*." *Ethnicity & disease* 20 (2010), S2-49-S2-50. Accessed May 20, 2020 http://www.nationalhealthystart.org/site/assets/docs/Ethnicity%20Disease%20-Where%20is%20the%20F%20in%20MCH.pdf

[205] Rediker, *The Slave Ship*, 41-43.

[206] Marisa Fuentes, *Dispossessed Lives: Enslaved Women, Violence, and the Archive* (Philadelphia: University of Pennsylvania Press, 2016), 5, 144-145.

Indigenous peoples' lives, and the lives of white dissenters, and all their descendants. As proved so far by the struggle to keep Black people subject and vulnerable through supremacist populism, American society is still permeated by anti-black racism that has been sustained at the cost of both Black and white human wholeness.[207] Rediker commented on the self-awareness of slave traders, observing that some of these men made "use of ledgers, almanacs, balance sheets, graphs, and tables" as the "merchants comforting methods" by rendering "abstract, and thereby dehumanized, a reality that must, for moral and political reasons, be understood concretely." Violence is the word that returns again and again when I read and think about slavery and the still churning "wake" that disturbs human progress in our American culture.[208] The memory of Robert Cowley lives within the wake of slavery and racism that began with the passage of the first slave ship.[209]

Until the evolution of a middle class that could mimic the material and aspirational aspects of the wealthiest of white American-ness, the vast majority of poor and non-elite whites existed invisibly in the American narrative of affluence, entitlement, opportunity and happiness. In fact their poverty and laboring were equated with low morality and dishonesty, while their educated and property-holding racial peers were associated with high moral standards and honesty.[210] Poor, working whites have been beleaguered from

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[207] Hatewatch Staff, "The Biggest Lie in the White Supremacist Propaganda Playbook: Unraveling the Truth About 'Black-on-White Crime'," *Southern Poverty Law Center* (Jun. 14, 2018), accessed Jun. 12, 2020 (https://www.splcenter.org/20180614/biggest-lie-white-supremacist-propaganda-playbook-unraveling-truth-about-%E2%80%98black-white-crime

[208] Christina Sharpe, *In the Wake : On Blackness and Being* (Durham: Duke University Press, 2016), 27.

[209] Sharpe, *In the Wake*, 28-29.

[210] William L. Andrews, *Slavery and Class in the American South: A generation of slave narrative testimony 1840-1865* (New York: Oxford University Press, 2019), 28-29.

the beginning of the nation. The power of their oppression and aspirations were finally felt in the industrial era struggles for workers' rights. The best of these efforts were also anti-racist because they revealed the unique and demonstrable strength of racial unity. The proof of this was also exposed in how powerfully the forces of the state were brought in to break up those inter-racial collaborations, whether for abolition or later, in the North, for workers' rights, because they so effectively challenged the authority of the elite in capitalist America. The state-supported nature of the African slave trade was the correlating factor in the power relationship between Blacks and whites--slavery or abolition was not a fight between individuals, but between interest groups and the federal government.[211]

Gabriel's Rebellion was seen by historian Douglas Egerton as a manifestation of the laboring classes in revolt against that system (enslaved and free farm laborers and urban workers). One of the responses to the thwarted plan was an early example of the state recognizing the need to upgrade from ad hoc militias to a standing public guard, entities that became the foundations of local police departments and the National Guard.[212] The violent tactics used by those earlier ad hoc formations were institutionalized and would become part of the "law and order" cultural virtue espoused to protect private property—buildings, land, domestic product, livestock--as opposed to the African nor Indian, nor to some degree, the poor white human beings who, nonetheless, persevered.

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[211] Joseph Inikori, "The Struggle against the Transatlantic Slave Trade: The Role of the State," in *Fighting the Slave Trade: West African Strategies*, Sylviane A. Diouf, editor. (United Kingdom: Ohio University Press, 2003), 170-198.

[212] Writers Project, *Negro in Virginia*, 155-158. Egerton, *Gabriel's Rebellion*, 164.

LAST THOUGHTS

For all the excitement I had at the beginning of this project, I come to the end at a bit of a loss. I set out to do a biography of Robert Cowley and I have, but I do not know him any better now than I did when I proposed this thesis topic. My frustration at that feeling is itself frustrating because I already knew the historical record would contain little about an eighteenth-century enslaved man, and was not sure there would be much more about him after he became free. But then I was tricked by the detail of his manumission document into thinking there would be more like it, that offered such a complete scene of the day he became free. I thought that with sources like that, I should reasonably expect to extrapolate a personality from the sources, rather than speculate a character.

Robert Cowley may be in "the record" as little as any other free individual of his era, white or Black, simply because all that was recorded was related to real and personal property and tracking its value and its taxability. But as an individual, Cowley vanishes because the record contains no personal communications from him. Unlike Christopher McPherson, who left us volumes about his life in letters and a biographical account of his attempt to thrive in an anti-Black society, or Venture Smith in Connecticut who published an autobiography in 1798 filled with the memories of his childhood and capture in West Africa, as well as how he made his life during enslavement and after he bought the freedom of himself and his family.

I learned that Cowley lived, he died, he worked, and he co-existed with incredible moments and notable figures in the history of the city, the state and the nation. He was law-abiding, as white law demanded, updating his place in the Free Negro Register and

reporting his personal property for tax assessment each year, presumably he paid his taxes because he does not appear in the civil court dockets. He was trustworthy in the eyes of the white nation's state leadership. Having been cleared of conspiracy, not another dramatic episode appears in the sources until his death.

There is so much information missing that every fact could easily represent a counter fact. And so, it leaves me wondering whether I do Robert Cowley any good by writing his biography? Does it show care for him or his memory? Or is even a spare biographical account another layer of violence against him by pricking at his historical privacy? Robert Cowley seems to me to have been a man of his own mind but not one who shared that mind in any public way.

Historian Marcus Rediker said that he wrote his book, *The Slave Ship: A Human History*, "with the greatest reverence for those who suffered almost unthinkable violence, terror, and death, in the firm belief that we must remember that such horrors have always been, and remain, central to the making of global capitalism," in other words the economy our nation nurtured, idealized and grew. [213] Rediker and Sharpe, Saidiya Hartman and Marisa Fuentes are among a range of scholars that have extended the notion of violence from the direct physical experiences to that committed by recorders and researchers in the service of systems that do violence.[214] The economists, statisticians and policy-makers who

[213] Rediker, *The Slave Ship*, 13.

[214] Marisa J. Fuentes, *Dispossessed Lives: Enslaved women, Violence, and the Archive* (Philadelphia: University of Pennsylvania Press, 2016); Christina Sharpe, *In the Wake : On Blackness and Being* (Durham : Duke University Press, 2016); Saidiya Hartman, "Venus in Two Acts." *Small Axe* 12, no. 2 (2008) and *Lose Your Mother: A Journey Along the Atlantic Slave Route* (Farrar, Straus and Giroux, 2007).

decided what data was needed designed the methodologies to collect, compile and distill it into tools of the prevailing narratives.

Even if we cannot know Robert Cowley any better than has been synthesized in this paper, I want to think that he conducted his life as Christina Sharpe declared, with the "knowledge …. that alongside, during, and within the catalogues of atrocities enacted on black people, we are, every day, making life: ordinary in our extraordinariness."[215]

[215] Christina E. Sharpe, "And to Survive," *Small Axe*, Volume 22, Number 3 (Durham, NC: Duke University Press, Nov. 2018, No. 57), 171-172.

Appendix 1: Timelines for Robert Cowley, Peter Randolph, and Ann Colley

Robert Cowley, ~1722-1820
~1722 - Earliest approximate birth year[216]
1767- Peter Randolph, Cowley's owner, dies at home, Chatsworth
1781 - Thomas Jefferson pays Cowley or some brushes
1785 - Dec. 21, Manumission by Edmund Randolph
1786 - Jan. 2, Manumission recorded with city clerk
1787-89 - Chatsworth farm account book, two pages record payments to Cowley
1789 - Enters tax rolls, Free Negro register
1795 - Apr. 30, Gov. Robert Brooke appoints Cowley to be Doorkeeper of Capitol
1800 - Implication in Gabriel's rebellion, exoneration.
1801-2 - Cowley's name in Gov. James Monroe's personal account book
1803 - Gov. Monroe requests Cowley place headstone on infant son's grave
1809 - Lot where Cowley for sale
1814-1815 - Other Cowleys appear on tax roles: Robert, Jr., John, and Stephen
1820 - Feb. 8 - Death at 1 pm. Daughter Eliza Johnston died, Nov. 30

Peter Randolph, 1717-1767
1717 - Oct. 20, Born on Turkey Island, second son of William II + Elizabeth Beverley
1738 - Jul. 20, Marries Lucille Cocke Bolling in Prince George County. Four children
1740 - Begins service as Henrico county justice, and member of the House of Burgesses
1749 - Appointed surveyor-general of the customs for the southern district of America
1749 - Inherits Westham town land from older brother Beverley
1751 - Home at Chatsworth completed, sells Westham
1755 - Randolph and William Byrd appointed commissioners to Catawba and Cherokee
1767 - Jul. 8, Died at Chatsworth, left estate to eldest son, William. Burial site unknown.

Ann Colley, ~1704-?
c1704 - Birth, probably in England, indentured to Margarett Blagg at some point.
1721 - Presented by Margarett Blagg to Washington Parish justices to recover expenses incurred by pregnancy and childbirth.
1722 - Presented to Washington Parish justices for birth of a mixed race child. Five years added to the indenture contract. The Child would be indentured for thirty-one years.
Death date unknown, though a Mrs. Ann Colley died in Richmond in 1782. (Va Death Index)

[216] This birth year is based on Cowley's obituary claiming his age at death as 125, his manumission document declaring him to be "above forty-five years," and Heinegg's implied connection between Cowley and Ann Colley.

Appendix 2: Transcript, 1785 Manumission

Know all men by these presents: That I Edmund Randolph of the city of Richmond, having this day purchased a mulatto man named Robert Cowley at the sale of Col. Peter Randolph, deceased's negroes, made by his executors before Formicola's tavern in the said city, at public auction, and he having paid me the sum of fifty pounds, and my sole object in bidding for him having been to gratify him, I do hereby emancipate and set free him, the said Robert Cowley, and do entirely and fully discharge him from every species of servitude. And I do hereby bind myself my heirs, executors and administrators to perform all duties, which may be imposed on me by virtue of the "act to authorize the manumission of slaves", in consequence of having now emancipated the said Robert Cowley, who is above the age of forty five years. Given under my hand and seal this 21st day of December 1785.

Signed sealed and delivered
Edmund Randolph

In the presence of
Beverley Randolph
Martha Randolph
James Rind[217]

[217] Edmund Randolph(1753-1813) [Manumission of mulatto slave Robert Cowley from the estate of Peter Randolph] Gilder-Lehrman Institute, accessed October 2018, https://www.gilderlehrman.org/collection/glc05490

Appendix 3: Transcript, 1795 Appointment

It is advised that Robert Cowley be appointed Keeper of the capital and doorkeeper to the council with a salary of seventy pounds per annum, and the use of the house now occupied by the present keeper and doorkeeper to commence from the 1st of July next.

all which matters so advised the governor orders accordingly signed

James Wood Robert Goode Marvin Burnley Carter Braxton Larkin Smith.[218]

[218] *Executive Papers*, 1793-1795, 30 April 1795, Library of Virginia, Microfilm.

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