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Summer 2019

# African American Community at Brushy Fork

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*Journal*  
of the Illinois State  
Historical Society

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Source: *Journal of the Illinois State Historical Society* (1998-), Vol. 112, No. 2 (Summer 2019), pp. 129-162

Published by: University of Illinois Press on behalf of the Illinois State Historical Society

Stable URL: <https://www.jstor.org/stable/10.5406/jillistathistsoc.112.2.0129>

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# The African American Community in Brushy Fork, Illinois, 1818–1861

*Charles R. Foy and Michael I. Bradley*

**THE HISTORY OF RACE** and African Americans in Coles County, Illinois in the antebellum years has largely focused on two events: the Matson trial of 1847 and the Charleston Lincoln-Douglas debate in 1858. In each, Abraham Lincoln played a central role. During the Matson trial he represented slave owners asserting ownership to several Coles County African Americans, while in the Charleston senatorial debate with Stephen Douglas Lincoln asserted that

I am not, nor ever have been, in favor of making voters or jurors of negroes, nor of qualifying them to hold office, nor to intermarry with white people; and I will say in addition to this that there is a physical difference between the white and black races which I believe will forever forbid the two races living together on terms of social and political equality.<sup>1</sup>

These two events provide a stark contrast to Lincoln's image as the Great Emancipator. Just as importantly, they also help demonstrate Coles County whites' attitudes about African Americans and the nature of life for African Americans living in Brushy Fork, Coles County.<sup>2</sup>

In the late 1830s Lewis and Nancy James, along with their two young sons, John and Joseph—all formerly enslaved Kentuckians—settled in Brushy Fork. As had Abraham Lincoln's family, the James family crossed the Ohio River from Kentucky seeking new lives on the marshy lands of central Illinois.<sup>3</sup> While de Tocqueville believed the Ohio River to be a divide “between liberty and servitude,” this idea has long been disproved.<sup>4</sup> Historians have demonstrated that during the antebellum era

the region on both sides of the Ohio River comprised a borderland with shared cultural attitudes and practices. Left unanswered is how deeply into Illinois's interior the Ohio River borderland extended. Did the James family by migrating to Brushy Fork, more than one hundred miles north of the Ohio River, enter a region socially and politically distinct from counties south of the river, or did they find themselves in a region that shared cultural attitudes and practices with its southern slave state neighbors?<sup>5</sup> If Brushy Fork was in a region that shared cultural attitudes and practices with slave states such as Kentucky, how did this shared cultural environment shape the lives of blacks who lived there? And what methods did African Americans utilize to develop communities in this largely isolated rural area? Through a consideration of the migration of African Americans to Brushy Fork, their lives in this rural settlement in the decades before the Civil War, and a comparison of their lives with that of African Americans in Kentucky, this article will demonstrate that the physical remoteness of Brushy Fork, family/kinship connections and African Americans' alliances with sympathetic whites enabled the small black community in Brushy Fork to create economic independence and obtain a level of wealth not achieved by many other African Americans in Illinois, and in doing so deepen our understanding of African American lives in the rural Midwest.<sup>6</sup>

### **African American Migration into Illinois**

From at least the beginning of the eighteenth century, French settlers had brought slaves such as "Senegalle" with them into Illinois Country. The desire for coerced labor was widely shared by French settlers, resulting in a region in which the typical household included slaves. After the Seven Years War British officials believed Illinois could be the "*Granery of Louisiana*," and to that end, sent two large cargoes of slaves, one from Philadelphia and one from Jamaica, to the region.<sup>7</sup> But the overall numbers of African Americans in Illinois, as a French colony, an American territory and then as an American state, were relatively small. Until the 1830s there were few settlers, white or black, in Illinois; the state's population was less than 23 percent that of neighboring Kentucky.<sup>8</sup> In the ensuing three decades most African Americans migrating into Illinois, whether brought to the state by white masters, free migrants, or fugitives, tended to cluster in sought after locations along rivers and near timber,

a particularly important resource on the prairie.<sup>9</sup> With Illinois lacking a developed road system prior to 1850 most African American migrants entered the state on its rivers and ended up putting down roots along the Ohio, the Mississippi and the Wabash rivers that bordered south and central Illinois in a fish-hook pattern. They also settled in scattered urban centers of the state's interior (see Figures 1A & 1B). This pattern of settlement differed from that in neighboring Indiana and Ohio, where most African Americans settled in the southern halves of those states. Black migrants to Illinois settled in the American Bottom along the Mississippi River to the southern tip of Illinois then northerly along the Ohio River past Shawneetown and up the Wabash River beyond Vincennes.<sup>10</sup> These communities were generally small; in 1850 there were only five towns (Springfield, Alton, Jacksonville, Quincy and Chicago) and seven counties in Illinois that each contained nearly one hundred blacks.<sup>11</sup> Some towns in the fish-hook, such as Black Bottom in Massac County, were settled by freed slaves from Kentucky.<sup>12</sup> The western portion of the fish-hook—the area comprising the American Bottom and Madison, St. Clair, Monroe, and Randolph Counties—had significant groupings of African American settlers. Concentrations of blacks were also located in larger inland towns, such as Springfield, as well as Chicago.

Enslaved African Americans' presence in early Illinois was most notable in salt works near Shawneetown in southeastern Illinois. Gallatin County—with 695 black residents—had the state's largest concentration of African Americans. The salt works generated considerable revenues for the financially struggling state. To ensure their profitability the works were specifically exempted from the state constitutional ban on slavery.<sup>13</sup> The salt works' industrial slave gangs may have been unique in their scale and economic importance, but bondage of African Americans was hardly limited to such industrial operations or the southern region of Illinois. Slavery existed in other areas of the state, such as the lead mines of Galena, albeit in less significant concentrations.<sup>14</sup> And as a contributor to the *Alton Observer* noted in 1837, several hundred individuals were "held in perpetual and absolute servitude" in southwest Illinois.<sup>15</sup> Simon Vandersdale of St. Clair County, Pierre and Francois Choteau of Kaskaskia, Thomas Vaughn of Galena, and Jacob Weaver, of Waggoner were among the white Illinoisans who owned and trafficked in the sale of African Americans.<sup>16</sup>

Some southern whites, such as the Virginian Edward Coles, later governor of Illinois, freed African Americans they brought into the state.<sup>17</sup> In 1819 Coles manumitted seventeen slaves. He provided them with assistance that included free rent, providing books, as well as helping his former slaves find non-agricultural jobs.<sup>18</sup> Despite such assistance, the manumission settlement of his manumitted slaves at Edwardsville failed due to being undercapitalized and its settlers lacking access to labor to help them clear and work the land.<sup>19</sup> Two decades later, Free Frank, a former Kentucky slave, established New Philadelphia, Illinois as a haven for his extended family whom he had purchased from slavery. Although New Philadelphia never became a majority black town, in contrast to Coles' and other manumission settlements, it did develop as a commercially successful settlement.<sup>20</sup> At approximately the same time, the first black town in Illinois, Brooklyn, located in the American Bottom, was established and soon became a refuge for runaway slaves.<sup>21</sup>

In freeing African Americans Coles and others Illinois residents abided by the language of the Northwest Ordinance and the 1818 Illinois state constitution barring slavery and involuntary servitude. However, many Illinois residents strongly opposed ending *de facto* slavery in Illinois. A considerable number of southern whites migrating into Illinois believed that slave labor was critical to their economic well-being and that bonded labor would promote the settlement of the state.<sup>22</sup> As Clinton Boggess has observed, in the early years of statehood, Illinois was "a people practically southern in origin . . . being governed by officials from the south under southern laws."<sup>23</sup> Illinois law enabled whites to maintain their former slaves in a state of servitude that, other than the legal term applied to it, was perpetual slavery. In face of a requirement that slave owners entering the state either register their former slaves as indentured servants within thirty days, or, if they did not register them and leave the state within sixty days forfeit title to their bondsmen, hundreds of southern migrants chose to transform their slaves into indentured servants.<sup>24</sup> In the two decades before statehood an estimated six hundred indentured servitude contracts were recorded by clerks in Illinois. With these contracts providing for lengthy terms of servitude—some as long as 99 years—indentured servitude in Illinois constituted *de facto* slavery.<sup>25</sup>

In converting slaves into servants for extensive periods of indenture, Illinoisans employed a strategy commonly used in an era in which slave



Figure 1A. Free and Enslaved Blacks in Illinois, 1840, by county.  
Map created by Michael Bradley.

masters throughout the Americas faced increased abolitionist hostility. From New York to Indiana to the West Indies slave masters compelled enslaved people to sign long-term indentures that while providing the guise of free status in fact placed blacks in long-term bondage under the control of their former slave masters.<sup>26</sup> As a result, African Americans in Illinois who were not enslaved often experienced difficulties exercising

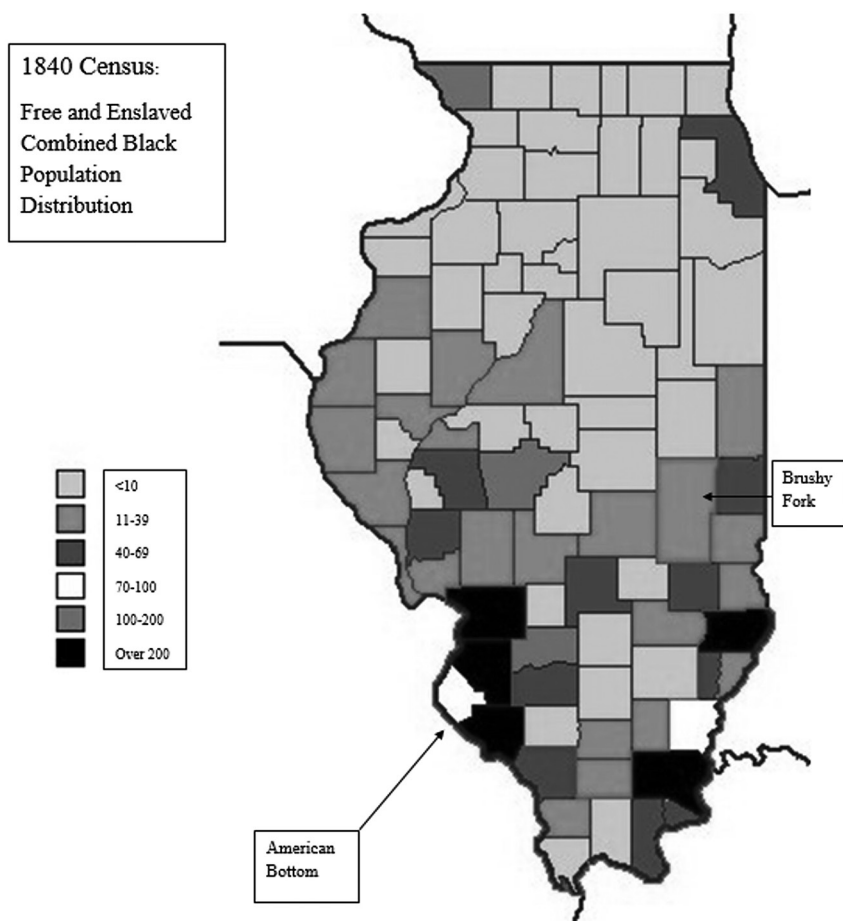


Figure 1B. Free and Enslaved Blacks in Illinois, 1840, by population. Map created by Michael Bradley.

control over their lives as did other formerly enslaved individuals not only south of the Ohio River, but elsewhere in the Americas.

### **African American Settlement and Community in Brushy Fork**

While African Americans concentrated along the southern fish-hook and in urban centers few blacks, or white settlers, ventured into the prairie of



east central Illinois prior to the Civil War. Migrants to Illinois sought out bottomland areas with rich soils and timber along rivers. They did so for the materials to build homes and fences, to avoid trying to farm in prairie lands with which they lacked familiarity and for the fertile land such areas offered. Prior to the 1850s there was little settlement in eastern Illinois. Only with the news in 1849 that the Illinois Central Railroad would be bringing a line in the region did significant migration into Coles County begin.<sup>27</sup> Thus, in settling in northwestern Coles County the James family and other African American migrants chose to reside away from centers of black culture and community as well as on the periphery of Illinois economic activity. The remoteness of Brushy Fork is apparent from the fact that it and the areas directly to the north of it were, due to having extensive wetlands poorly suited for farming and lacking transportation infrastructure, some of the “last parts of Illinois to be intensively settled.”<sup>28</sup> Why then did African American migrants from southern slave societies choose to settle in isolated Brushy Fork?

As Paul Gilroy noted, African Americans often moved as part of their “struggles towards emancipation, autonomy, and citizenship.”<sup>29</sup> How did migrating to Brushy Fork assist African Americans in reaching these goals? Answering this question is not an easy task; black settlers of Brushy Fork left few records. However, the available evidence—censuses, property deeds, court proceedings, birth certificates, marriage licenses and military records—indicate that Brushy Fork’s remote location and most importantly, being a locale in which African Americans were able to create and maintain family and kinship networks, sustained them during often trying times prior to the Civil War.

By 1840 Coles County had a population of 9,616 residents, of whom thirty-three or only .34 percent were black. In the ensuing two decades the county’s black population barely increased (rising to thirty-six), while the county’s total population rose 47.7 percent to 14,203 residents.<sup>30</sup> In contrast to the salt-mine industry near Shawneetown, and the American Bottom, two areas where slavery was commonplace, census records indicate that Coles County had no slaves. However, as is detailed below, some African Americans in Coles County were, in fact, enslaved.<sup>31</sup>

In the decades prior to the Civil War there were two distinct groups of African Americans in Coles County: a cluster of barbers at the railroad junction of Mattoon, and the farming community at Brushy Fork and

nearby agricultural settlements. The Mattoon barbers fit within a traditional model of free black settlements in northern states, those located within urban centers or railroad depots.<sup>32</sup> Brushy Fork's African Americans provide us with a more understudied population, that of black farmers, and specifically, black farmers not residing in manumission or black majority towns.<sup>33</sup> Thus, this small community offers an opportunity to glimpse the degree to which isolated black farmers were, in a period when they were not welcomed in Illinois, able to develop economic independence and an African American community.<sup>34</sup>

During the period between 1831 and 1861 not less than eleven different African American families lived in Brushy Fork. The James family, Ranson and Lucy Yarnell, Joseph Martin, and the Edward Mavis families all migrated to Brushy Fork from Kentucky. The settlement's other African American residents mostly came from other southern states. By 1860 blacks at Brushy Fork comprised more than one-half of Coles County's African American population. Nearby settlements, such as Independence, also had African American residents, including the Redden and Hadram families from Kentucky and Maryland.<sup>35</sup> Despite Brushy Fork being neither a railroad junction such as Mattoon, or a county seat such as Charleston, the types of locales that typically attracted African American migrants, the majority of Coles County's African American population resided in this isolated area. Why? And what methods of community building did this group of African Americans engage in at such an isolated location?

In contrast to other free black communities, both in Illinois and elsewhere, prior to the Civil War Brushy Fork's African Americans did not have their own organized church.<sup>36</sup> It was only at the end of Reconstruction that a black church was established at Brushy Fork. In June 1876 the Manuel family sold a small parcel of land to Joseph Martin, Levi Jesse, and Edward Minnis for what was almost certainly the establishment of an African Methodist Church. While it has long since disappeared, the church's remnants were depicted and described in 1967 in a local newspaper article regarding Brushy Fork's African American community.<sup>37</sup> The lack of a church in Brushy Fork prior to the Civil War is likely to have been due to the small number of African Americans in the settlement and a number of African Americans not having converted to Christianity before their emancipation.<sup>38</sup>

There may have been no black church at Brushy Fork during the antebellum era, but given the importance of religion to African Americans, organized religious activity of some type was likely to have been in existence since the community's inception in the late 1830s.<sup>39</sup> White laymen were known to have led periodic prayer groups and Bible readings elsewhere in Coles County. John James, one of the other few literate members of Brushy Fork's African American community, or Anthony Bryant, who had been a licensed Methodist minister in Kentucky, could have done the same. Such prayer meetings would have provided both a sense of community to the settlement's African Americans and the opportunity to choose who would lead them in prayer. Informal religious gatherings avoided "white approval and control" which often characterized African Americans' religious activities in established churches. For example, Baptist congregations in regions of Kentucky from which some Brushy Fork blacks migrated, such as those in South Benson and Elkington, prohibited African Americans from holding meetings for blacks in their churches.<sup>40</sup>

Those African Americans who desired a more formal religious structure could have traveled to Oakland when a Methodist Church was organized there near the end of the 1850s. But neither informal prayer groups or attending white churches offered Brushy Fork African Americans the black-centered religious organization so important to the development of African American communities elsewhere in the years prior to the Civil War. Before the establishment of the Brushy Fork AME Church in 1876, African Americans in Brushy Fork seeking an organized black religious community would have had to travel to Mattoon, a seventy-mile round trip journey; not a jaunt working farmers were likely to have done. And they only could have done so starting in 1866 when Reverend Smith Nichols organized a black Methodist Church there.<sup>41</sup>

As did the drafters of the Northwest Ordinance, African Americans perceived education "as a key to liberty."<sup>42</sup> By the 1830s, most northern states provided limited educational opportunities for African Americans; however, they were generally segregated.<sup>43</sup> As debate rose regarding the place of African Americans in the United States so too did questions regarding education. Nat Turner's Rebellion in 1831 stifled many efforts by northern African American communities and whites to promote education for African Americans as fear and panic gripped the white population.<sup>44</sup> In the three decades before the Civil War the presence of substantial African

American populations who could promote and finance education was the foundation of most successful black schools. In Baltimore, the roughly 25,000 African Americans living there in the mid-nineteenth century were able to finance and create schools, so long as they did not challenge white hegemony and racial structure.<sup>45</sup> Despite a Free School Law sponsored by Governor Coles being passed in 1825, southern migrants in Illinois opposed paying for public schools. Their opposition led to the law's repeal in 1829 and limited efforts being made to provide public education in areas of the state, such as Coles County, primarily settled by southern migrants. As the First Convention of the Colored Citizens of Illinois in 1853 commented, depending on "donations and subscriptions" alone to fund the education of black youth was unsustainable. The upshot was that despite the Northwest Ordinance providing for a section in each township to be set aside for maintenance of public schools and there being some public education of whites in Coles County in the antebellum period, Coles County African Americans did not attend schools; in 1850 only one of the county's blacks could write. Nor are there any known records evidencing a school for blacks in Brushy Fork or anywhere else in Coles County. Given that blacks were not educated in most of the rural Midwest there is no surprise in this. Instead the public record contains clear evidence in the post-Civil War era of Coles County politicians struggling to consider how best to begin to educate the county's African Americans. Coles County state senator Charles B. Steele noted whether blacks were to "be a curse or a help to our nation," depended upon "the measure of education" provided to them. In the antebellum era, the vast majority of the county's African Americans, including most of those at Brushy Fork, were illiterate. In contrast, in 1840 70 percent of Coles County whites were literate. This was undoubtedly due, in part, to the community lacking sufficient size and funding to create and maintain schools. Combined with white antipathy and expanding "white opposition to African American education," Brushy Fork African Americans lacked formal schooling. Given that most African Americans coming to Brushy Fork were illiterate, the lack of education for their children resulted in the large majority of the settlement's African Americans being illiterate into the 1870s.<sup>46</sup>

In many northern free black communities, communal ties that served to bind residents together were developed and maintained through fraternal organizations, including Masonic lodges, benevolent societies, and

Negro Conventions. Masonic lodges, such as the first black one established by Prince Hall in Boston in 1775, were important sites of organizing and social action.<sup>47</sup> Although the black barbers in Mattoon were instrumental in establishing a Masonic lodge, Eureka Lodge No. 13, there are no known records of black Masons in Brushy Fork or nearby settlements or of Brushy Fork African Americans participating in Masonic activities.<sup>48</sup> Nor is there evidence of Brushy Fork African Americans being active in benevolent societies or Negro Conventions, although African Americans from nearby counties, such as Reverend H. Brown from neighboring Paris, the county seat of adjacent Edgar County, participated in Negro Conventions.<sup>49</sup>

Lacking a church, a school, and fraternal organizations, one might believe that Brushy Fork African Americans hardly fit the definition of an organized community. After all, without such communal organizations providing a collective ethos, can there be said to have been an African American community in Brushy Fork? Why should we not simply consider these black settlers as individuals living in isolation?<sup>50</sup> A consideration of African American land ownership in Brushy Fork and kinship connections among the town's black residents demonstrates that despite the absence of traditional means of community building and being geographically isolated, Brushy Fork's African Americans were able to create and maintain for several decades a remarkably resilient community.

Although scholarly attention on black farmers has largely focused on the post-Civil War era, black involvement in the agricultural sector dates back to the very beginnings of English settlement in North America. The life of the black indentured servant Anthony Johnson—who in the seventeenth century obtained his freedom, went on to own his own farm, and become the “black patriarch” of a small town in Virginia—is generally used to understand that blackness in the early years of colonial Chesapeake did not automatically equate in whites' eyes with enslavement.<sup>51</sup> However, Johnson's life is also important for demonstrating the long history of African Americans in North America using farming to create economic and social independence. The hundreds of thousands of slaves who toiled in the tobacco, cotton and rice fields of the antebellum South may not have been able to use their agricultural skills to create independent lives while enslaved, but those skills would subsequently be valuable when moving north to establish new free lives.<sup>52</sup>

For African Americans in the antebellum era the ownership of land was seen as the foundation for the creation of a rural middle class. African American land ownership reflected a Jeffersonian view that it held the key to economic independence. So just how did Brushy Fork blacks use land to create independent lives? Many early settlers of Illinois moved into unclaimed areas where they staked a claim, often spending the first winter in a makeshift shelter. The following year would be spent building a more permanent structure and securing title to the property, if they had not already done so. This often required a journey of some distance to land offices. Land purchases had been largely bought by the wealthy and land speculating firms. The initial cost of \$2 per acre was prohibitive for most families. The division of sections into eighty-acre parcels for \$1.25 per acre in 1820 and then in parcels of forty acres in 1832 made land more readily available. However, even after 1832 many migrants could not afford to purchase land. With the elimination in 1820 of public credit for land purchasers, settlers seeking lands were required to have cash in hand for the full purchase price. This resulted in squatters comprising about half of the Illinois settlers.<sup>53</sup> The high rate of squatting was recognized by the Preemption Act which gave squatters first priority to purchase 160 acres, so long as they were citizens and over twenty-one years of age. Lacking capital due to not previously owning land the James cohort likely fell into some variation of this pattern, moving onto uninhabited lands, setting up temporary lodging, and securing the rights to the land after their arrival.

The nature of the land in Brushy Fork posed significant physical and financial challenges to black migrants. Soggy prairie soil in the area required draining and use of new plowing technology in order to support settlement and agricultural activities. Draining and clearing prairie land was expensive; hired workers charged \$2 an acre, an amount equal to or greater than the purchase price of the land. When added to the estimated \$109 cost to build a home, as well as the almost \$200 required to fence eighty acres of land, the expense of hiring workers was beyond the fiscal resources of many migrants.<sup>54</sup> Census records confirm that this was true for the Brushy Fork blacks: none of them had non-relative workers living with them. Encouraging family and friends to migrate to the area was thus critical to these migrants' success as they lacked the financial resources to hire others to work the land.<sup>55</sup>

Ownership of land and farming were often key to rural African Americans achieving economic independence. If one applies Loren Schweninger's criteria for being a prosperous farmer in the antebellum era as owning at least \$2,000 in property, then Brushy Forks' African American farmers do not appear to have been very successful; only one met Schweinger's standard for prosperity. By 1860 Lewis James was the wealthiest African American in Coles County with real estate valued at \$2,000 as well as an additional \$200 in personal property. Most of the community's African Americans were either tenant farmers or owned land valued at less than \$1,000.<sup>56</sup> The subsistent farmers of Brushy Fork stand in stark contrast to prosperous free blacks such as John Berry Meacham, a Virginia slave, who after purchasing his freedom, moved first to Kentucky and then to Missouri in 1815, and who by 1850 had accumulated more than \$8,000 in real estate holdings.<sup>57</sup>

Although Schweninger's criteria for prosperity would, at first blush, appear to indicate a community with only limited success, a closer analysis of Brushy Fork African Americans' land ownership shows that hard work and marital connections helped create a resilient community. By maintaining a close community of neighboring households and providing economic and labor support to each other this group of African Americans was able to make healthy gains in wealth over the course of a generation. Lewis James initially purchased forty acres of land for the group in May 1841. Over the next several years he and his extended family worked diligently to clear the prairie and turn it into a functional means of production to not only support the extended James family but provide capital for expansion. In May 1850, James purchased an adjacent tract of forty acres. By 1850 the group had a total of \$1,500 in real estate listed between three related individuals, Lewis James, Lucy Dupee, and Ranson Yarnell, at \$700, \$600, and \$200 respectively. By 1860 the group collectively had increased this value yet again to a total of \$6,400 in real estate and personal property valuing \$1,100.

The James cohort's success attracted other African Americans to Brushy Fork. David Manuel and his family's move to Brushy Fork can probably be explained by financial instability for African Americans elsewhere due to competition for jobs with whites. David Manuel's family did not find economic success near Lebanon, Indiana, owning only seventy dollars in personal property and no real estate in 1860. After moving to



the Brushy Fork area, the connections with the community provided a better environment, and possibly assisted with the capital necessary to enable David Manuel to change occupations, purchase four hundred dollars in real estate, and increase his personal property. Other African Americans who had migrated to Brushy Fork in the 1840s and 1850s, such as Isom Bryant and Simeon Wilmot, also found initial shelter in the community. Wilmot, who would marry and settle outside the group, made economic gains more slowly working as a farm hand through 1860, a day laborer in 1870 and finally as a farmer in 1880 when he was able to hire a mulatto farm laborer of his own.

The economic success of Brushy Fork African Americans is made evident when compared to Coles County's forty-nine black households, who in 1870 comprised 220 blacks.<sup>58</sup> These households had a combined wealth in real estate of \$5,200 and personal property of \$3,775. By comparison the James' and Dupee's extended family ten years earlier already had real estate valued at \$7,400 and personal property of \$1,100. By 1870 these two families' wealth was of a similar level, albeit more dispersed among their extended kin network. Lucy Dupee's holdings in 1870 at \$2,400, accounts for 46 percent of the entire property value of every Coles County African American. Only twelve of Coles County's forty-nine African Americans owned real estate, and of those that did, the largest single real estate holder in the county owned \$600, with another eight owners having \$500 in real estate. These figures are comparable to what the Dupee and James families began with, creating a profit of almost five-fold on their initial purchase. Other African Americans in Coles County did not amass values such as these over a similar period. In comparison to the rest of the township that they lived in, which comprised of whites, and contained seventy-eight real estate holders and 117 personal property owners, the Brushy Fork African American community was exceptional. The median real estate value for the township was \$1,600 and the median personal property value was \$300.<sup>59</sup>

Although Brushy Fork's African Americans' success was noteworthy, it pales in comparison to the economic holdings of Coles County's most successful whites. The county's largest property holders were whites. Snowden Sargent owned \$30,000 in real estate and \$6,000 in property and Andrew Gwinn held \$36,000 of real estate and \$1,500 in property. These two had \$6,000 and \$7,000 in real estate ten years earlier,



respectively. Their next closest demographic was a cluster of nine individuals who owned between \$8,000 and \$13,880 in real estate, none of whom were black or from Brushy Fork.

As did free blacks of the South in the eighteenth and nineteenth centuries, Brushy Fork's African Americans formed "tightly knit social and cultural clans linking their families through intermarriage."<sup>60</sup> That the community had kinship connections and actively corresponded with other African American communities outside Coles and later Douglas counties is made apparent by the kinship and family connections the area's African Americans developed. Edward Minnis married Duphehna Emily Bass in Vigo County, Indiana February 21, 1856.<sup>61</sup> The same year Lucy Ann Minnis married George Manuel. George Manuel and presumably his brother, David Manuel, were in the house of John Spell in North Carolina in 1850.<sup>62</sup> David married Johana (Joanna) Freeman in Vigo County in 1853, and lived near Lebanon, Indiana in 1860 in Sugar Creek Township. Sometime between 1860 and 1863, they probably decided through correspondence that the black family network at Brushy Fork would provide better opportunities, as by June 1863 they were living nearby.<sup>63</sup> Sophia Olmstead, Dupee's granddaughter married Arkansas-born J. Fuller in Douglas County on May 5, 1866, who does not appear on Douglas or Coles County census data in 1860 or 1865, suggesting that he too either came into the area or was engaged in correspondence with the Brushy Fork community. Others, such as Simeon Wilmot and Isom Bryant, also gravitated to Brushy Fork and married African American women from the local area. Wilmot and his sister Jane Bryant, along with Anthony, must have known of the Brushy Fork group, and probably interacted with them well before Wilmot's decision to enter the community.

The ability of Brushy Fork's African American community to protect itself, its lack of religious organization and use of white allies can be seen through events preceding the famous 1847 Matson case.<sup>64</sup> This case is best known for Abraham Lincoln's role representing a slave owner asserting ownership claims to Coles County African Americans. George Matson was a Kentucky planter who ventured to Illinois first in 1835 and who purchased land northwest of Brushy Fork. Apparently taking advantage of the remoteness of his Illinois farm operations, which he named "Black Grove," Matson circumvented Illinois law and had slaves brought from Kentucky, who included the Bryant family, to work his Coles County

lands.<sup>65</sup> When Matson's mistress and housekeeper threatened that the Bryant children would be sold south Jane Bryant and her children fled. Matson had the runaways arrested and imprisoned. In response, Anthony Bryant sought help from various white religious leaders. While white ministers were willing to pray for the Bryants, they declined to provide them financial or legal assistance. Anthony Bryant then turned to and found aid from nearby abolitionists Hiram Rutherford and Gideon Ashmore. The two abolitionists hired an attorney to file a writ of *habeas corpus*. The ensuing court proceeding raised the issue whether the Bryants were fugitives who under the terms of Illinois's black codes could be sold, or were they domiciled residents of Illinois who could not be enslaved. The court held that the Bryants were domiciled residents and therefore "they be and remain free and discharged from all servitude whatever."<sup>66</sup> After this decision the Bryants migrated to Liberia.

The Matson trial was emblematic of the struggle in the Ohio Valley borderland between whites who held southern attitudes that slavery was appropriate and African Americans who sought to create independent lives. The Brushy Fork African Americans' ability to save Jane and her children from enslavement demonstrates that despite the African American farmers' isolation they could effectively organize and use legal process to maintain their hard-won independence. But at the same time, the Bryants' decision to migrate to Liberia also evidences there were real limits to black independence in antebellum Coles County. The court may have held that Jane Bryant was not enslaved, but the ruling did not guarantee that she and her husband would not be thereafter kidnapped and re-sold into slavery. After all, the decision in the Matson case did not change the view of many whites throughout the Ohio River Valley that slave property was protected no matter where in the nation it was found.

## **The Personal Liberty of Brushy Fork African Americans**

To understand the scope of Brushy Fork African Americans' personal liberty a consideration of their liberty compared to those of Kentuckian African Americans is a logical starting point as the Illinois black laws were "largely copied from the slave codes of Kentucky and Virginia."<sup>67</sup> In making such a comparison a logical standard to apply is the degree to which African Americans in each state enjoyed what the English jurist

William Blackstone characterized as the four principal legal rights comprising personal liberty: personal security of body; the power to move where one wanted; freedom from imprisonment without cause; and the free use, enjoyment, and disposal of all property.<sup>68</sup> A review of Illinois and Kentucky laws shows that neither state provided meaningful measures to protect African Americans' personal liberty, and that with regards to each of Blackstone's four components of personal liberty life for African Americans in Brushy Fork was very similar to that for African Americans in Kentucky. Legal measures in both states reflected a strong animus by whites towards blacks.

Almost one hundred years ago the historian Theodore Pease characterized the Illinois black laws as "savage."<sup>69</sup> Prior to 1850, Illinois was the sole state north of the Mason-Dixon Line to adopt laws founded upon the presumption that all African Americans without a certificate of freedom would be deemed a fugitive. Nor did it, as had several northern states in the years prior to 1850, enact personal liberty laws protecting fugitive slaves.<sup>70</sup> When one considers the specifics of how the Illinois black laws shaped and limited the lives of African Americans living in Brushy Fork, Pease's observation proves quite apt.

From 1818 through 1865 Illinois enacted a series of laws that established tight restrictions for African Americans entering the state. It did so because public opinion was "strongly in favor of prohibiting free Negroes from settling in the state."<sup>71</sup> Each African American entering Illinois was required to present a certificate of freedom confirming their status as a free person after 1819. Those without such a document were deemed run-aways and were subject to incarceration, advertisement, and ultimately sale into slavery.<sup>72</sup> Even free blacks could not linger in Illinois for a period beyond ten days without being subject to arrest, jail, a fine, and ultimate ejection from the state. African Americans with documented proof of freedom had to post a \$1,000 bond to ensure that they would not be a financial burden to the locality. Anyone harboring a black lacking a bond or certificate was subject to a \$500 fine.<sup>73</sup> Obtaining the required bond was expensive and often arduous. For African Americans migrating into Coles County a precondition to their becoming Illinois property owners was obtaining a certificate of freedom from the state they left. For Lewis and Nancy James this meant two separate bonds in Kentucky. Not only did the cost of such manumission bonds act as a financial impediment

to economic independence, but to obtain the bonds often required the support of local affluent whites willing to guarantee the good behavior of the ex-slave. Thus, before even contemplating purchase of land at Brushy Fork the James family needed to navigate two legal systems, Kentucky and Illinois, obtain the support of whites in both states, and come up with the monies necessary to purchase two sets of bonds for each member of the family, as well bear the costs of moving north. And as was true in Kentucky, when Lewis and Nancy arrived in Illinois, they found many whites preferred to hire slaves or white laborers over free blacks.<sup>74</sup> The net effect was to make it very difficult for blacks to either own land or to find well-paying jobs in Illinois. As a result, the state became white by design; between 1830 and 1860 while Illinois was experiencing an enormous population boom, the percentage of African Americans in the state and Coles County fell considerably.<sup>75</sup>

As was true for Kentuckian free blacks, who were denied the right of free association, the movement of African Americans in Illinois was severely limited.<sup>76</sup> Enslaved or indentured African Americans found more than ten miles from home without a pass were subject to whippings of up to thirty-five lashes and if they gathered in groups of three or more they could be whipped or jailed. The 1853 black exclusion law further provided that free blacks who stayed in the state for more than ten days were subject to a fifty-dollar fine. Should the fine not be paid the black could be sold.<sup>77</sup> Any Illinois resident was authorized to detain an African American for the purpose of bringing him or her before a court to prove their free status.<sup>78</sup> For African Americans migrating to Illinois from Kentucky such limits on their movement would have been reminders of the lives they left behind south of the Ohio River. In Kentucky, free blacks faced similar limits on their freedom of movement. Free blacks were generally not questioned while they were in their residences. The same was not true when they moved about in public. There they were viewed with suspicion, often questioned and not infrequently jailed as fugitive slaves.<sup>79</sup>

The security of one's body was a central concern of nineteenth-century African Americans. Cultural values as well as legal standards in both Kentucky and Illinois equated blackness with enslaved status. Unlike in Ohio and some other northern states, in Kentucky and Illinois the burden was upon free blacks to establish that they were not enslaved.<sup>80</sup> When a white improperly claimed an African American as his slave, as did the

wealthy Illinois salt works proprietor John Hart Crenshaw in 1842, they were often acquitted of kidnapping due to “the disqualification of negroes as witnesses.”<sup>81</sup> Similarly, Kentucky barred the testimony of slaves against whites. As a result, court proceedings in both states often did not provide effective protection for African Americans against abuses by whites.<sup>82</sup>

Economic and political changes in the decades before the Civil War resulted in increased insecurity for African Americans in the Ohio River borderlands. In the years after the War of 1812 southern planters began moving their operations to the Mississippi Delta.<sup>83</sup> With the Indian Removal Act of 1830 making fertile land in the Cotton Belt available at low prices the large-scale movement of enslaved peoples westward dramatically increased, as did kidnappings in the Ohio River region. This was due to four factors: the rapid acceleration in the price of slaves, a violent proslavery culture in the Ohio Valley, the Fugitive Slave Act of 1850, and the unwillingness of local governmental officials to aggressively take steps to halt kidnapping of free blacks.

Prices for prime enslaved field hands increased in tandem with acceleration of prices for cotton during the 1850s. Thus, while an average field laborer cost approximately seven hundred dollars in 1850, by 1860 his value increased to more than \$1,600. In the same period a pound of cotton rose from seven cents to eleven cents.<sup>84</sup> The incentives for kidnapping a free black were tempting for “vicious, degraded, crazy scoundrels” willing to make their riches from stealing others.<sup>85</sup> Throughout the antebellum era Kentucky newspapers regularly advertised slaves apprehended and jailed as fugitives. Some kidnappers, such as Lewis C. Robards, a slave buyer in Lexington, Kentucky, not only resided in the very areas that the James family and some other Brushy Fork blacks migrated from, but were known to have agents along the Ohio engaged in kidnapping free blacks.<sup>86</sup> The benefits of kidnapping resulted in not only organized kidnappings but also spur of the moment captures and sales of free blacks into slavery. The crew of steamboat *Commodore* in 1841 grabbing an African American boy from an Ohio River quay claiming he had escaped from slavery in New Orleans, was but one of the scores of such opportunistic kidnappings in the Ohio River borderland in the twenty years before the Civil War.<sup>87</sup>

Kidnappings of free blacks occurred in Illinois. From 1819 to 1826 the *Illinois Gazette* contained repeated dispatches concerning the kidnapping

of free African Americans.<sup>88</sup> And the phenomenon did not thereafter wane. In 1829 John Singleton, “born of a free mother” in Illinois was kidnapped and taken to Alabama as a slave. After he ran Singleton was seized in St. Louis from a steamboat by two whites, who, “with force of arms,” imprisoned him, apparently with the intent to resell Singleton into slavery.<sup>89</sup> Three years later John Merry, a free black man from Illinois was arrested as a slave in St. Louis and shipped to New Orleans to be sold.<sup>90</sup>

In the 1840s kidnappings accelerated throughout the Ohio River region. In response to the Fugitive Slave Act, after 1850 southern slave catchers “fanned across [the Ohio River valley] in search of runaway slaves” and “legally free negroes in Ohio, Indiana, and Illinois had good reason to fear for their safety.”<sup>91</sup> To ensure their victims had little recourse these kidnappers, known as “nigger stealers,” often destroyed African Americans’ freedom papers, resulting in free blacks being taken up and imprisoned as fugitives.<sup>92</sup> Kidnappings on both sides of the Ohio River resulted in scores of freedom suits being filed in which African Americans asserted that they had been illegally enslaved. In St. Louis Circuit Court alone more than one hundred freedom suits involving African Americans from Illinois were filed between 1800 and 1861.<sup>93</sup>

While kidnappings made Illinois free blacks vulnerable in the antebellum era, such coerced enslavements in the Ohio Valley borderland took place within a larger context of violence against African Americans. As the Missouri Supreme Court noted in 1834, “there was nothing in the soil of Illinois as in England, that would work the emancipation of a slave by mere setting foot thereon.”<sup>94</sup> When combined with Illinois slave owners offering rewards for the capture and return of fugitive slaves, rejection of the principal that residence in a free territory freed an enslaved individual, resulted in violence against Illinois blacks. Rewards enticed Illinois residents to attack African Americans, including the fifteen whites in Bear Creek, who attacked two runaway slaves from Missouri, resulting in the death one of the runaways.<sup>95</sup> Whites also believed they had the right to question African Americans’ movements, leading to violent encounters. In 1842, a black in a sailboat on the Ohio River heading from Kentucky to Illinois was attacked by the crew and passengers of the steamboat *Corsair*. When the black man resisted, he was killed with an axe and then “skinned and quartered.”<sup>96</sup> While “unbridled mob violence” may not have been commonplace, the threat of violence against blacks

was present.<sup>97</sup> Prosecution of whites for assaulting African American was rare. As a result, vigilante associations were organized and African Americans armed themselves. With the notable exception of Quakers, many abolitionists supported African Americans using weapons to defend themselves. Thus, when in 1838 runaways in Illinois used guns to defend themselves, Gamaliel Bailey, the editor of the antislavery newspaper *Philanthropist* proclaimed “Success to the runaway!”<sup>98</sup>

Governors of nearby slave states were generally not willing to assist in the return of kidnapped Illinois African Americans. As the Governor of Missouri observed in 1849, slave state governors believed the citizens of their states had a “positive, unqualified constitutional right” to “seize and re-possess his slave,” putting the burden on kidnapped African Americans to prove their free status.<sup>99</sup>

Nor did Illinois law provide much of a deterrent to the kidnapping of African Americans. Legislation enacted in 1818 providing for a \$500 fine for kidnapping had little, if any, impact upon men such as John Crenshaw. For example, in 1838 it took a Jacksonville, Illinois jury only twenty minutes to permit a white slave owner lacking a warrant to take the black man Robert to slavery in Kentucky. With Illinois juries rarely sympathetic to African Americans’ claims of kidnapping, victims often lacking freedom papers, and legal standards providing substantial barriers to blacks’ legal success, white slave catchers knew the odds favored them. After the enactment of the Fugitive Slave Act some Illinois courts held that slave catchers were authorized to use “such force as they might deem necessary” to recapture fugitives.<sup>100</sup>

The threat of a free black’s enslaved spouse, partner, child or parent being sold “downriver” meant Illinois African Americans had to face the possibility their families would be separated. The fear and anxiety this undoubtedly produced for African American migrants to Brushy Fork would have echoed their experiences in Kentucky. As Lewis Hayden, a black who fled enslavement in Lexington, Kentucky observed, masters in the Blue Grass State often believed there was “no more harm in separating a family of slaves than a litter of pigs.”<sup>101</sup> African Americans in Illinois understood that to be alone was to be vulnerable. The primary method to protect themselves was through safety in numbers. This took the form of living in manumission towns, such as Brooklyn or in the black established town of New Philadelphia, gathering in occupational groups, such



as that of the free black barbers of Mattoon, or forming a family and kinship group, as did Brushy Fork's African Americans.<sup>102</sup>

African Americans in Illinois could purchase property. However, courts would not recognize as valid any contract between a white and a black created while the black was enslaved or an indentured servant. As a result, African Americans brought into the state as slaves or indentured servants had a very difficult time amassing sufficient monies to purchase property. Thus, it is not surprising that in Brushy Fork it was free African American migrants and not those who had been indentured servants in Illinois who achieved the greatest economic success.

Blacks in Brushy Fork and elsewhere in Illinois were also prohibited from exercising basic political rights. Abraham Lincoln's famous remark at the 1858 Charleston debate that "I am not, nor ever have been, in favor of making voters or jurors of negroes," expressed a view held by many white Illinois residents at the time. African Americans in Illinois were not allowed to vote, serve on juries, testify against whites or serve in the militia.<sup>103</sup> These limitations on their political rights echoed restrictions Kentucky and states in the Upper South imposed on free blacks.<sup>104</sup> These limits depressed the numbers of free blacks in both states; it was not merely that African American families such as the Bryants or the James, who migrated to Kansas in the 1870s, believed better opportunities, ultimately laid elsewhere. Many free blacks simply chose to avoid living in the Ohio River Valley due to these restrictions and, like Illinois-born Wesley Barton, moved to other northern states, where they faced less onerous legal limitations.<sup>105</sup>

## Conclusion

African Americans living in Brushy Fork found themselves residing in a region and a state in which cultural and legal standards were as antagonistic to them as those in Kentucky. Despite Brushy Fork being within an unfriendly Ohio borderland it held an appeal to former slaves seeking emancipation and autonomy. The town's very remoteness provided refuge from marauding kidnappers along the Ohio River, a not small consideration at a time when being captured and sold back into slavery was a very real possibility for African Americans living in the Ohio borderland. While legal rendition of fugitive slaves may have been difficult to enforce in much of the North prior to the Fugitive Slave Law of 1850, renditions



were not unknown in the Ohio Valley borderland and kidnappings and returns of runaways without legal oversight fairly common.<sup>106</sup> Slave masters had a recognized right of “self-help” in recapturing their runaways. Although this right could only be legally exercised if it was done peacefully, kidnappers in the Ohio Valley borderland were still quite willing to employ violence to recapture runaways. Thus, Brushy Fork’s remoteness offered African Americans personal security that neither Illinois law or most white citizens of the state were willing to provide.

As the Matson trial and whites being sureties on bonds allowing the James family to settle in Brushy Fork demonstrate, Brushy Fork’s African Americans also had allies nearby, something that over the centuries and throughout the English-speaking work would often prove critical to African Americans holding onto freedom in the face of whites seeking to re-enslave them.<sup>107</sup> Agricultural life in the remote prairie of east central Illinois also provided African American residents of Brushy Fork with a familiar way of life. The rhythms of rural agricultural life were something the James and Redden families knew well. Brushy Fork may have not offered the rich associational lives free blacks experienced in urban centers such as Chicago or Cincinnati. However, it was a place where their family and kinship network provided them sufficient resources, at least up until the Civil War, to create independent lives. African Americans in Brushy Fork lived in a hostile Ohio Valley borderland that was far from ideal, but their lives in this isolated rural community enabled them to make meaningful movement towards the full autonomy they and all formerly enslaved peoples sought.

## Notes

The authors wish to thank the Eastern Illinois University (“EIU”) History Department colloquium, Terry A. Barnhart, Mark Hubbard, Bonnie Laughlin-Schultz, Debra Reid and the anonymous JISHS referees for their comments. They would also like to acknowledge the support of EIU’s Redden Fund for financial assistance to make this research possible.

1. Charles R. McKirdy, *Lincoln Apostate: The Matson Slave Trial* (Jackson: University Press of Mississippi, 2011); Charles H. Coleman, “The Lincoln Douglas Debate at Charleston, Illinois,” *Eastern Illinois University Bulletin*, 220 (1957), 43; Charles H. Coleman, “The Matson Slave Case,” *Historical Essays* (Eastern Illinois University Bulletin, special number, May 1962), 31–40.

2. Certificate of Emancipation, Commissioners' Records, Coles County, Vol. 2, 1832–1893, 294, Coles County Courthouse; U.S. Bureau of Census, *Population of the United States in 1840: Sixth Census* (Washington, D.C.: Government Printing Office, 1841) [hereafter "1840 United States Census"].

In the mid-nineteenth century "Brushy Fork" referred to a rural farming community located between Newman and Oakland along a branch of the Embarras River. It was also known as "Nipantuck." *County of Douglas, Illinois* (Chicago: F.A. Battey & Co., 1884), 371. The area roughly corresponds with the west-central portion of present-day Sargent Township that is northwest of Walnut Point State Park.

3. For the Lincoln family's migration into Coles County see Mabel Kunkel, *Abraham Lincoln, Unforgettable American* (Delmar: Kentucky Imprints, 1976), 16. By the 1850s Kentuckians comprised the third largest group of migrants into Illinois. Allan G. Bogue, *From Prairie to Corn Belt: Farming on the Illinois and Iowa Frontiers in the Nineteenth Century* (Chicago: University of Chicago Press, 1963), 14.

4. Alexis De Tocqueville, *Democracy in America*, vol. 1 (New York: Knopf, 1976), 362–63.

5. Matthew Salafia, *Slavery's Borderland: Freedom and Bondage Along the Ohio River* (Philadelphia: University of Pennsylvania Press, 2015), 2–3. Salafia contends that the "Ohio borderland" was comprised of "areas of Kentucky, Indiana and Ohio" and asserts that over time this borderland contracted to just the counties along the Ohio River. In contrast, Nicole Etcheson contends that in the 1850s the "Upland South stretched into north central Illinois," while Stanley Harold argues that Illinois was part of what he defines as the Lower North which had "fundamental differences" with the slave states to its south. Kevin P. Phillips contends that as of 1860 the "southern portions" of Illinois was a "border state in character." Nicole Etcheson, *The Emerging Midwest: Upland Southerners and the Political Culture of the Old Northwest, 1787–1861* (Bloomington: Indiana University Press, 1996), 4; Stanley Harold, *Border War: Fighting Over Slavery Before the Civil War* (Chapel Hill: University of North Carolina Press, 2010), 4–5; Kevin P. Phillips, *The Cousins' Wars: Religion, Politics and the Triumph of Anglo-America* (New York: Basic Books, 1998), 367. While M. Scott Heerman discusses the nature of black servitude in Illinois during the antebellum era, he does not address the question of whether Illinois was part of the Ohio borderland. M. Scott Heerman, "In a State of Slavery: Black Servitude in Illinois, 1800–1830," *Early American Studies* 14 (Winter 2016), 114–39.

6. As Debra A. Reid has noted, there are few studies of black farmers as they "left little more than a ripple of historic evidence." Debra A. Reid, "Introduction," in Debra A. Reid and Evan P. Bennett, *Beyond Forty Acres and a Mule: African American Landowning Families since Reconstruction* (Gainesville: University of

Florida Press, 2012), 2–3. We use the term “blacks” to refer to all those listed in various census reports as either “black” or “mulatto” and therefore of African descent .

7. Carl J. Ekberg, *French Roots in the Illinois Country: The Mississippi Frontier in Colonial Times* (Urbana: University of Illinois Press, 1998), 2–3; Robert Michael Morrissey, *Empire by Collaboration: Indians, Colonists and Governments in Colonial Illinois Country* (Philadelphia: University of Pennsylvania Press, 2016), 145–46; Bayton to Rumsey March 1, 1768 in *Trade and Politics: 1765–1767*, ed. Clarence W. Alvord and Clarence E. Carter, Collections of the Illinois State Historical Library, vol. XVI, British Series, vol. III (Springfield: Illinois State Historical Library, 1915), 181.

8. U.S. Bureau of the Census, *Population of the United States in 1830: The Fifth Census* (Washington, D.C.: Government Printing Office, 1830) [hereafter “Census of 1830”].

9. Malcolm J. Rorborough, “Diversity and Unity in the Old Northwest, 1790–1850: Several Peoples Fashion a Single Region,” in *Pathways to the Old Northwest: An Observance of the Bicentennial of the Northwest Ordinance*, ed. Andrew R.L. Cayton, et. al. (Indianapolis: Indiana Historical Society, 1988), 72; Cullom Davis, “Illinois: Crossroads and Cross Section,” in *Heartland: Comparative Histories of the Midwestern States*, ed. James H. Madison (Bloomington: Indiana University Press, 1988), 145.

10. Nicole Etcheson, “Rivers, Roads, and Settlers: Migration and Settlement in the Prairie State,” in *From Courtroom to Classroom: The Lincoln Legal Papers Curriculum*, eds. Dennis E. Suttles and Daniel W. Stowell (Springfield: Illinois Historic Preservation Agency, 2002), 21–23; Bogue, *From Prairie to Corn Belt*, 8, 47; J. Blaine Hudson, *Fugitive Slaves and the Underground Railroad in the Kentucky Borderland* (Jefferson, NC: McFarland and Co., 2002), 24–27. The American Bottom is a fertile floodplain which extends from Alton south along the Mississippi River to its junction with the Kaskaskia River. For more on French colonial Illinois see Ekberg, *French Roots in the Illinois Country* and Morrissey, *Empire by Collaboration*.

11. U.S. Bureau of the Census, *Population of the United States in 1860: The Eighth Census* (Washington, D.C.: Government Printing Office, 1864) [hereafter “Census of 1860”].

12. Jon Muller, *Archaeology of the Lower Ohio Valley* (Walnut Creek, CA: Left Coast Press, 2009), 270.

13. At the time of statehood salt works provided the majority of Illinois’s general revenue. Jacqueline Yvonne Blackmore, “African Americans and Race Relations in Gallatin County, Illinois from the Eighteenth Century to 1870,” (Ph.D. dissertation, 1996, Northern Illinois University), 17; Arthur Clinton Boggess, *The Settlement of Illinois, 1778–1830* (Chicago: Chicago Historical Society, 1908), 149.

14. Christopher P. Lehman, *Slavery in the Upper Mississippi Valley, 1787–1865: A History of Human Bondage in Illinois, Iowa, Minnesota and Wisconsin* (Jefferson, NC: McFarland & Co., 2011), 61–62.
15. Harrold, *Border Wars*, 65.
16. St. Louis Circuit Court Historical Records Project, <http://www.stlcourtrecords.wustl.edu> (accessed Jan. 10, 2018).
17. Kurt E. Leichtle and Bruce Carveth, *Crusade Against Slavery: Edward Coles, Pioneer of Freedom* (Carbondale: Southern Illinois University Press, 2011), 85; Ralph L. Ketcham, “The Dictates of Conscience: Edward Coles and Slavery,” *The Virginia Quarterly* 36 (Winter 1960), 13–14, 52. Coles deflected Thomas Jefferson’s attempts to have him abandon his plan to free his slaves upon entering Illinois. Henry Wiencek, *Master of the Mountain: Thomas Jefferson and his Slaves* (New York: Farrar, Strauss and Giroux, 2012), 238, 271. Quakers settling in Indiana similarly brought slaves with them for the purpose of freeing them. Willard Heiss, comp., *Honey Creek Monthly Meeting of Friends Vigo County, Indiana 1820, Abstract of Records* (Indianapolis: John Woolman Press, 1961), 3; Algie I. Newlin, *The Newlin Family Ancestors and Descendants of John and Mary Pyle Newlin* (North Carolina: Guilford College, 1965), 57.
18. Suzanne Cooper Guasco, *Confronting Slavery: Edward Coles and the Rise of Antislavery Politics in Nineteenth-Century America* (DeKalb: Northern Illinois University Press, 2013), 79, 182–83.
19. Sundiata Keita Cha-Jua, *America’s First Black Town: Brooklyn, Illinois, 1830–1915* (Urbana: University of Illinois Press, 2000), 34–35; Guasco, *Confronting Slavery*, 83; Theodore Pease, *The Frontier State, 1818–1848* (Springfield: Illinois Centennial Commission, 1918), 23.
20. Juliet E.K. Walker, *Free Frank: A Black Pioneer on the Antebellum Frontier* (Lexington: The University Press of Kentucky, 1983).
21. Cha-Jua, *America’s First Black Town*, 43.
22. Paul Finkelman, *Slavery and the Founders: Race and Liberty in the Age of Jefferson* (Armonk, NY: M.E. Sharpe, 2014), 78, 91; James Simeone, *Democracy and Slavery in Frontier Illinois: The Bottomland Republic* (DeKalb: Northern Illinois University Press, 2000), 4; Hugh Prince, *Wetlands of the American Midwest: A Historical Geography of Changing Attitudes* (Chicago: University of Chicago Press, 1997), 164. In contrast to white settlers of Iowa, few Illinois settlers migrated to the state due to a revulsion against living in southern slave societies. Bogue, *From Prairie to Corn Belt*, 18. Instead, in 1823–24 southern migrants vigorously pushed for a state convention to legalize slavery in Illinois. Although that effort failed, slavery was not legally prohibited in the state until 1845 and slaves were present in various parts of the states up to that date. Richard E. Hart, “Springfield’s African Americans as a Part of the Lincoln Community,” *Journal of the Abraham Lincoln Association* 20 (Winter 1999). Southern migrants’ economic

independence was often dependent upon bonded labor, as is evident from slave sale advertisements masters placed in Illinois newspapers. Heerman, "In a State of Slavery," 123. For the background of Illinois's southern settlers, see John D. Barnhart, "The Southern Influence in the Formation of Illinois," *Journal of the Illinois State Historical Society* 32 (September 1939), 348–78.

23. Boggess, *Settlement of Illinois, 1778–1830*, 112.

24. Heerman, "In a State of Slavery," 123.

25. Heerman, "In a State of Slavery," 114–39; Paul Finkelman, "Evading the Ordinance: The Persistence of Bondage in Indiana and Illinois," *Journal of the Early Republic* 9 (Spring 1989), 21–51; Darrel Dexter, *Bondage in Egypt, Slavery in Southern Illinois* (Cape Girardeau: Center for Regional History, Southeast Missouri State University, 2011), 9–15; *History of Gallatin, Saline, Hamilton, Franklin and Williamson Counties, Illinois, from the Earliest Time to the Present: Together with . . . Biographical Sketches, Notes, Reminiscences, Etc.* (Chicago: Goodspeed Pub. Co., 1887), 31. Many of the slaves brought to Illinois were never registered. Simeone, *Democracy and Slavery in Frontier Illinois*, 243–46.

26. David Hammond Gellman, *Emancipating New York: The Politics of Slavery and Freedom, 1777–1827* (Baton Rouge: Louisiana State University Press, 2006), 162–63; John Craig Hammond, *Slavery, Freedom, and Expansion in the Early American West* (Charlottesville: University of Virginia Press, 2007), 210–13; Jennifer L. Anderson, *Mahogany: The Costs of Luxury in Early America* (Cambridge: Harvard University Press, 2012), 266.

27. Simeone, *Democracy and Slavery in Frontier Illinois*, 42–3; Rorborough, "Diversity and Unity in the Old Northwest," 72; William Vipond Pooley, "The Settlement of Illinois from 1830 to 1850," (Ph.D. Dissertation, 1908, University of Wisconsin, Madison), 323, 440, 566. John Melish's 1819 map shows southern counties, such as Randolph and St. Clair, as settled and politically organized, while Coles and adjoining counties Douglas, Edgar, Cumberland, Clark and Champaign counties are depicted as unorganized territory without towns.

28. Kristin Hoganson, "Meat in the Middle: Converging Borderlands in the U.S. Midwest, 1865–1900," *Journal of American History* (March 2012), 1027.

29. Paul Gilroy, *The Black Atlantic* (Cambridge: Cambridge University Press, 1993), 16.

30. Census of 1840; Census of 1850 and Census of 1860.

31. Antebellum era Illinois records regarding black inhabitants, such as slave registers and census records, are not completely reliable. Heerman, "In a State of Slavery," 122n22, 124–25n37. In part this was due to many slaves not being registered. John W. Allen, "Slavery and Negro Servitude in Pope County, Illinois," in *An Illinois Reader*, ed. Cyldre C. Walton (DeKalb: University of Northern Illinois University Press, 1970), 102–12. A search of Coles County and Douglas County probate records disclosed no records for any of Brushy Fork's African American

residents. (Douglas was created in 1851 and included the former northwestern portion of Coles County). It is unclear whether this was due to unreliability of Illinois antebellum local governmental records or that African Americans choose not to record wills.

32. Quincy T. Mills, *Cutting Along the Color Line: Black Barbers and Barbers Shops in America* (Philadelphia: University of Pennsylvania Press, 2013), 21; Douglas Bristol, Jr., "From Outcasts to Enclaves: A Social History of Black Barbers from 1750 to 1915," *Enterprise & Society* 5 (December 2004); Ira Berlin, *Slaves Without Masters: The Free Negro in the Antebellum South* (New York: Pantheon Books, 1974), 237. In addition to the barbers at Mattoon and the farmers at Brushy Fork and adjoining towns, there were a handful of other African Americans in Coles County, such as Ephraim Stewart, who farmed in the small town of Hutton.

33. For antebellum northern black established or majority towns, and manumission towns see Walker, *Free Frank*; Zachary Cooper, *Black Settlers in Rural Wisconsin* (Madison: The State Historical Society of Wisconsin, 1977); Cha-Jua, *America's First Black Town*. Mattoon was not established until the mid-1850s.

34. The challenges of African American settlers in Brushy Fork in the first half of the nineteenth century contrasts sharply with the experiences of blacks who migrated into Illinois at the end of the century when the state enjoyed a "reputation for racial tolerance." Wanda A. Hendricks, *Gender, Race, and Politics in the Midwest: Black Club Women in Illinois* (Bloomington: Indiana University Press, 1998), xii.

35. Census of 1830; Census of 1840; Census of 1850; Census of 1860.

36. Walker, *Free Frank*, 85; Cha-Jua, *America's First Black Town*, 36 ("according to legend" a group of individuals in Brooklyn organized an AME congregation in 1825, although Cha-Jua acknowledges there are "many questions" as to the accuracy of this legend); Richard S. Newman, *Freedom's Prophet: Bishop Richard Allen, the AME Church, and the Black Founding Fathers* (New York: New York University Press, 2008).

37. "Negro Cemetery's History in Douglas County Comes to Light," *Charleston News-Gazette*, January 16, 1967.

38. Daniel L. Fountain, *Slavery, Civil War and Salvation: African American Slaves and Christianity, 1830–1870* (Baton Rouge: Louisiana State University Press, 2010), 15–19.

39. Fountain, *Slavery, Civil War and Salvation*, 30; Albert J. Raboteau, *Slave Religion: The "Invisible Institution" in the Antebellum South* (New York: Oxford University Press, 1978), 212; E. Franklin Frazier, *The Negro Church in America* (New York: Schocken Books, 1964), 16–17.

40. Newton Bateman, Paul Shelby and Charles Edward Wilson, *Historical Encyclopedia of Illinois* (Chicago: Munsell Pub. Co., 1906), 3; Eugene D. Genovese, *Roll, Jordan, Roll: The World Slaves Made* (New York: Random House, 1972),



238; Fountain, *Slavery, Civil War and Salvation*, 52; South Benson Baptist Church Records, 1851, Kentucky Historical Society, Frankfort, KY.

41. Wilson, *History of Coles County*. In the 1870s Brushy Fork African Americans could have also chosen to attend services in a black Baptist Church in Mattoon.

42. Paul Finkelman, "The Northwest Ordinance: A Constitution for an Empire of Liberty," in Cayton, et. al., *Pathways to the Old Northwest*, 10.

43. Paul Finkelman, *Encyclopedia of African American History, 1619–1895: From the Colonial Period to the Age of Frederick Douglass* (New York: Oxford University Press, 2006), 274; Frank Morral and Barbara Ann White, *Hidden History of Nantucket* (Charleston, SC: The History Press, 2015), 18–22.

44. Hilary J. Moss, *Schooling Citizens: The Struggle for African American Education in Antebellum America* (Chicago: University of Chicago Press, 2013), 62.

45. Ibid., 69. Galesburg Illinois offers an interesting comparison. There abolitionist whites and African Americans created educational opportunities for the African American community. Earnest Elmo Calkins, *They Broke the Prairie: Being some account of the settlement of the Upper Mississippi Valley by religious and educational pioneers, told in terms of one city, Galesburg, and of one college, Knox* (Urbana: University of Illinois Press, 1989).

46. Census of 1840; Census of 1850; Census of 1860; and Census of 1870; Paul Theobald, *Call School: Rural Education in the Midwest to 1918* (Carbondale: Southern Illinois University Press, 1995), 67–68; Robert L. McCaul, *The Struggle for Black Schooling in Nineteenth-Century Illinois* (Carbondale: Southern Illinois University Press, 1987), 106–107.

47. Paul Lawrence Dunbar, "Hidden in Plain Sight: African American Secret Societies and Black Masonary," *Journal of African American Studies* 16 (2012): 622–37; Craig Stephen Wilder, *In the Company of Black Men: The African Influence on African American* (New York: New York University Press, 2011), 115.

48. *The History of Coles County, Illinois Containing a History of the County, Its Cities, Towns, &c., a Directory of Its Tax-Payers, Portraits of Early Settlers and Prominent Men, General and Local Statistics, Map of Coles County, History of Illinois, Illustrated, History of the Illinois, Illustrated, History of the Northwest, Illustrated, Constitution of the United States, Miscellaneous Matters, &c., &c.* (Chicago: W. Le Baron, 1879), 390.

49. *Negro State Convention, Illinois, 1856, Proceedings of the State Convention of Colored Citizens of the State of Illinois, Held in the City of Alton, Nov. 13, 14, 15, 1856* (Chicago: Hays and Thompson, 1856) 6–7.

50. Mary Pattillo-McCoy, "Church Culture as a Strategy of Action in the Black Community," *American Sociological Review* 62 (December 1998), 768.

51. Timothy Breen and Stephen Innes, *"Myne Own Ground:" Race and Freedom in Virginia's Eastern Shore, 1640–1676* (New York: Oxford University Press, 1980).

52. Scott E. Casper, "Out of Mount Vernon's Shadow: Black Landowners in George Washington's Neighborhood, 1870–1930," in Reid and Bennett, *Beyond Forty Acres and a Mule*, 39–62. Although historians disagree as to the extent African agricultural knowledge shaped agricultural practices in North America, there can be little doubt that by the nineteenth century many African Americans had substantial agricultural expertise. David Eltis, Philip D. Morgan, and David Richardson, "Agency and Diaspora in Atlantic History: Reassessing the African Contribution to Rice Cultivation in the Americas," *American Historical Review* 112 (December 2007), 1329–58; Judith A. Carney, *Black Rice: The African Origins of Rice Cultivation in the Americas* (Cambridge, MA: Harvard University Press, 2002); Edda L. Fields-Black, *Deep Roots: Rice Farmers in West Africa and the African Diaspora* (Bloomington: Indiana University Press, 2008).

53. Pooley, "The Settlement of Illinois from 1830 to 1850," 331; Simeone, *Democracy and Slavery*, 48, 100; R. Douglas Hunt, "Agriculture in Antebellum Illinois," in Suttles and Stowell, *From Courtroom to Classroom*, 33.

54. William Oliver, *Eight Months in Illinois* (Chicago: Walter M. Hill, 1924), 243–46.

55. Hunt, "Agriculture in Antebellum Illinois," 33–34.

56. Loren Schweninger, *Black Property Owners in the South, 1790–1915* (Urbana: University of Illinois Press, 1997); 186; *The History of Coles County*, 699.

57. Loren Schweninger, "Prosperous Blacks in the South, 1790–1880," *American Historical Review* 95 (February 1990), 43–44, 52.

58. We are using the term household here to refer to any free black either singly or as a family as they appear on census records as either a self-sustaining family or in the household of another in a servile capacity.

59. Values obtained from an examination of Township 15N Range 14 E of Douglas County Illinois from the 1860 census.

60. Schweninger, "Prosperous Blacks in the South, 1790–1880," 37.

61. Vigo County, Indiana; Index to Marriage Record 1840–1920 Inclusive Volume, W. P. A. Original Record Located: County Clerk's Office; Book: 1; Page: 330. Such kinship networks were commonplace among the second generation of Illinois settlers. Simeone, *Democracy and Slavery*, 209.

62. Year: 1850; Census Place: Northern District, Sampson, North Carolina.

63. Year: 1860; Census Place: Sugar Creek, Boone, Indiana; Vigo County, Indiana, Index to Marriage Record 1840–1920 Inclusive Volume, W. P. A. Original Record Located: County Clerk's Office; Book: 1; Year: 1870; Census Place: East Oakland, Coles, Illinois; Consolidated Lists of Civil War Draft Registration Records (Provost Marshal General's Bureau; Consolidated Enrollment Lists, 1863–1865), National Archives and Records Administration (NARA); Records of the Provost Marshal General's Bureau (Civil War), Consolidated Enrollment Lists, 1863–1865 (Civil War Union Draft Records), NARA.



64. The formal name of the case is *Jane Bryant et. al. v Robert Matson*. The records of the case can be found at the Coles County Courthouse. We thank Circuit Court Judge Michael Shick for his assistance in locating these records.

65. One of Matson's slaves, Simeon Wilmot, testified in 1846 he had been in Illinois for the past three years. His testimony was corroborated by white witnesses. However, Matson had been generally careful to keep slaves on his Illinois property for only short periods and made formal declarations every year before a hired hand testified that blacks were in Illinois only temporarily and were being returned to Kentucky. Anthony Bryant, who worked as an overseer or foreman, was an exception who stayed on at Black Grove.

66. McKirdy, *Lincoln Apostate*, 25; *The Papers of Abraham Lincoln: Legal Documents and Cases*, ed. Daniel W. Stowell (Charlottesville: University of Virginia Press, 2008), 17–21. Rutherford and Ashmore and were among a group of more than thirty known abolitionists in Coles County. In so ruling, Justices Wilson and Treat of the Illinois Supreme Court followed the Indiana precedent in *Vaughn v Williams*. Williams held that slaves brought into a 'free state' for six months by a slave master who declared his intent to become a citizen of that state were "entitled to their freedom." *Vaughn v Williams*, 28 F. Cas. 1115, 1118 (D. In. 1845).

67. *Proceedings of the Illinois State Bar Association, Thirty Second Annual Meeting* (Springfield: Illinois State Register Book Publishing House, 1908), 115. Many of the observations herein about how the Illinois black laws limited African Americans' liberties (e.g., requiring bonds to enter the state, barring testimony against whites and barring blacks from public schools), were also true for both Indiana and Ohio. Finkelman, "Persistence of Bondage in Indiana and Illinois," 22–40; James H. Rodabaugh, "The Negro in Ohio," *Journal of Negro History* 31 (January 1946), 115.

68. Sir William Blackstone, *Commentaries on the Laws of England*, 4 vols. (Philadelphia, 1771), vol. 1, 126–40.

69. Pease, *The Frontier State*, 1818–1848, 47.

70. James Oakes, *The Scorpion's Sting: Antislavery and the Coming of the Civil War* (New York: Norton, 2014), xi–xx, 32–25; Thomas D. Morris, *Free Men All: The Personal Liberty Laws of the North, 1780–1862* (Baltimore: John Hopkins University Press, 1974), xi; Finkelman, "Legal Ethics and Fugitive Slaves," 1799.

71. Stanley W. Campbell, *The Slave Catchers: Enforcement of the Fugitive Slave Law, 1850–1860* (Chapel Hill: University of North Carolina Press, 1968), 61. In doing so, Illinois acted more like the slave state Missouri, than it did a northern state such as Wisconsin. Oakes, *The Scorpion's Sting*, 94.

72. Elmer Gertz, "The Black Laws of Illinois," *Journal of the Illinois State Historical Society* 56 (1963), 463. Examples of such cases from towns along the Ohio, Mississippi and Wabash rivers include *The Nashville Monitor*, September 2, 1853; *The Quincy Whig*, November 22, 1853; *Provincial Freeman*, August 22, 1857. Other

examples can be found in Helen Cox Tregillis, *River Roads to Freedom: Fugitive Slave Notices and Sheriff Notices Found in Illinois Sources* (Bowie, MD: Heritage Books, Inc., 1998).

73. Campbell, *The Slave Catchers*, 61.

74. Deed of Emancipation, Lewis James, Feb. 1, 1836, Woodford County, Kentucky: Commissioners Record, Coles County, Coles County Courthouse, Vol. 2, 1832–1893, 294, Charleston, IL.

75. Juliet E.K. Walker, “Legal Status of Free Blacks in Early Kentucky, 1792–1825,” *Filson Club Quarterly* 37 (October 1983), 384; Census of 1860. We thank Sace Elder for suggesting the term ‘white by design.’

76. Walker, “Legal Status of Free Blacks in Early Kentucky, 1792–1825,” 388–89 (free blacks not permitted under 1808 law to migrate into Kentucky and free blacks in Kentucky were assumed to be harboring a fugitive slave if they met a slave without his or her master’s consent); Victoria L. Harrison, “Man in the Middle: Conway Barbour and the Free Black Experience in Antebellum Louisville,” *Ohio Valley History* 10 (Winter 2010), 33.

77. Stanley W. Campbell, *The Slave Catchers: Enforcement of the Fugitive Slave Law, 1850–1860* (Chapel Hill: University of North Carolina Press, 1968), 61. These provisions track those contained in the 1661 Barbados slave code, the model for most colonial slave codes. Richard Dunn, *Sugar & Slaves: The Rise of the Planter Class in the English West Indies, 1624–1713* (Chapel Hill: University of North Carolina Press, 1972), 238–41.

78. Stowell, *Papers of Abraham Lincoln: Legal Documents and Cases*, 4n2.

79. Walker, *Free Frank*, 59. Limits on the movement of free African Americans in Kentucky continued during the Civil War. Ira Berlin, et. al, *Freedom: A Documentary History of Emancipation, 1861–1867*, Vol. I (Cambridge: Cambridge University Press 1985), 536.

80. Edlie L. Wong, *Neither Fugitive nor Free: Atlantic Slavery, Freedom Suits, and the Legal Culture of Travel* (New York: New York University Press, 2009), 177, 220–21; Stephen Middleton, “The Fugitive Slave Crisis in Cincinnati, 1850–1860: Resistance, Enforcement, and Black Refugees,” *Journal of Negro History* 72 (Spring 1987), 26; J. Winston Coleman, *Slavery Times in Kentucky* (Chapel Hill: University of North Carolina Press, 1940), 201. This was similar to eighteenth-century legal procedures. Charles R. Foy, “Eighteenth-Century Prize Negroes: From Britain to America,” *Slavery and Abolition* 31 (September 2010), 382–89.

81. Pease, *The Frontier State*, 49; J. Blaine Hudson *Encyclopedia of the Underground Railroad* (Jefferson, NC: McFarland & Company, 2002), 74.

82. Coleman, *Slavery Times in Kentucky*, 255. Even after the Civil War Kentucky legislators were reluctant to allow African Americans to testify against whites. Victor B. Howard, *Black Liberation in Kentucky: Emancipation and Freedom, 1862–1884* (Lexington: University of Kentucky Press, 1983), 132. Other states

in the Ohio Valley borderland also prohibited blacks from testifying against whites. See Rodabaugh, "The Negro in Ohio," 15; Harrold, *Border Wars*, 66.

83. Richard S. Dunn, *Two Plantations: Slave Life in Jamaica and Virginia* (Cambridge, MA: Harvard University Press, 2014); Walter Johnson, *River of Dreams: Slavery and Empire in the Cotton Kingdom* (Cambridge, MA: Harvard University Press, 2013), 4.

84. James L. Huston, "The Pregnant Economies of the Border South, 1840–1860: Virginia, Kentucky, Tennessee, and the Possibilities of Slave-Labor Expansion," in *The Old South's Modern Worlds: Slavery, Region, and Nation in the Age of Progress*, eds. L. Diane Barnes, Brian Schoen, and Frank Towers (New York: Oxford University Press, 2011), 132–34; Coleman, *Slavery Times in Kentucky*, 201; Harrold, *Border Wars*, 57.

85. *Albany New Patriot*, February 7, 1844.

86. Coleman, *Slavery Times in Kentucky*, 201, 211. Estimates of fugitive slaves fleeing northward from border states vary widely. Thus, while Blain Hudson estimates 44,000 Kentucky slaves fled north between 1800 and 1860, Anne E. Marshall contends 5,000 fled annually. J. Blain Hudson, *Fugitive Slaves and the Underground Railroad in the Kentucky Borderland* (Jefferson, NC: McFarland & Co., Inc., 2006), 161–62, 211; Anne E. Marshall, *Creating a Confederate Kentucky: The Lost Cause and Civil War Memory in a Border State* (Chapel Hill: University of North Carolina Press, 2010), 13.

87. Harrold, *Border Wars*, 58–59.

88. Coleman, *Slavery Times in Kentucky*, 201.

89. John Singleton, a free man of color v Alexander Scott, et. al., 1827, St. Louis Circuit Court Historical Records Project, <http://www.stlcourtrecords.wustl.edu/display-case-images.php?caseid=5563&page=1> (accessed January 10, 2018).

90. Walter Johnson, *Soul by Soul*, 128–29. Merry was one of the few fortunate African Americans who, after being kidnapped, was able to contact acquaintances and with their help regain his freedom.

91. Pease, *The Frontier State*, 49; M. Scott Heerman, "'Reducing Free Men to Bondage': Human Trafficking and the Politics of Abolition in Antebellum Illinois," unpublished paper presented at "Human Trafficking in Early America" conference, MCEAS, April 23–25, 2015, p. 4, 8–9; Coleman, *Slavery Times in Kentucky*, 207; Rodabaugh, "The Negro in Ohio," 18.

92. Coleman, *Slavery Times in Kentucky*, 201, 206. Freedom papers served a critical role in protecting African Americans in earlier periods. Foy, "Eighteenth Century Prize Negroes," 383–88; Carol Wilson, *Freedom at Risk: The Kidnapping of Free Blacks in America, 1780–1865* (Lexington: University of Kentucky Press, 1994), 333.

93. St. Louis Circuit Court Historical Records Project, <http://www.stlcourtrecords.wustl.edu> (accessed January 10, 2018). Such kidnappings led Free Frank

and other blacks migrating into central Illinois to travel along the Ohio River to the Wabash River where they turned north and likely crossed into Illinois at Vincennes, thereby limiting their time on the dangerous Ohio River. Walker, *Free Frank*, 72.

94. Nat (a man of color) v Ruddle, 3 Mo. 400 (1834).

95. Harrold, *Border Wars*, 55.

96. *Louisville Journal*, June 1, 1842.

97. McKirdy, *Lincoln Apostate*, 19.

98. David Williams, *I Freed Myself: African American Self-Emancipation in the Civil War Era* (New York: Cambridge University Press, 2014), 33; *Philanthropist*, August 28, 1838; *Cincinnati Daily Gazette*, November 26, 1838.

99. *Governors' Letter Books, 1840–1853* (Springfield: Illinois State Historic Society, 1911), 212; St. Louis Circuit Court Historical Records Project, <http://www.stlcourtrecords.wustl.edu> (accessed Jan. 10, 2018). Some U.S. deputy marshals also proved reluctant to enforce warrants for the return of kidnapped free African Americans. Harrold, *Border Wars*, 59.

100. Harrold, *Border Wars*, 55; *The National Era* (Washington, D.C.), October 12, 1854.

101. Johnson, *River of Dark Dreams*, 144–47; Peter Kolchin, *American Slavery, 1619–1877* (New York: Hill and Wang, 2003), 95–98; Dunn, *Two Plantations*, Chap. 7; and Stanley J. and Anita W. Robboy, “Lewis Hayden: From Fugitive Slave to Statesman,” *New England Quarterly* 46 (December 1973), 592.

102. *Free Frank*, 81; Cha-Jua, *America's First Black Town*, 39–44.

103. Illinois constitution 1818, 1848, 1853.

104. Walker, “Legal Status of Free Blacks in Early Kentucky, 1792–1825,” 382–92.

105. Cooper, *Black Settlers in Rural Wisconsin*, 6.

106. Carol Wilson, *Freedom at Risk: The Kidnapping of Free Blacks in America, 1780–1865* (Lexington: University of Kentucky Press, 1994), 45; Paul Finkelman, “Legal Ethics and Fugitive Slaves: The Anthony Burns Case, Judge Loring, and Abolitionist Attorneys,” *Cardozo Law Review* 17 (May 1996), 1798. Kidnapping by Kentuckians of runaway slaves took place as far north as Michigan. Paul Finkelman, “Midwestern Racial Tolerance and the Value of ‘Justice Delayed,’” *Iowa Law Review* 89 (October 1992), 97–98.

107. Manisha Sinha, *The Slave's Cause: A History of Abolition* (New Haven: Yale University Press, 2016), 283–91; Eric Foner, *Gateway to Freedom: The Hidden History of the Underground Railroad* (New York: Norton Books, 2015), Chap. 4; Charles R. Foy, “Uncle Somerset's Freedom: Liberty in England for Black Sailors,” *Journal for Maritime Research* 13 (Spring 2011), 27.