Table Annexed to Article: “The Idea of Freedom Might be Too Great a Temptation for Them to Resist,”

Peter J. Aschenbrenner, Purdue University
From Tobias Lear

Sir, Philadelphia April 5th 1791.

The enclosed letter from Mr G. Morris, was yesterday put into my hands by Mr R. Morris, having come under cover to him.

... The Attorney General called upon Mrs Washington today, and informed her that three of his Negroes had given him notice that they should tomorrow take advantage of a law of this State, and claim their freedom—and that he had mentioned it to her from an idea that those who were of age in this family might follow the example, after a residence of six months should put it in their power. I have therefore communicated it to you that you might, if you thought best, give directions in the matter respecting the blacks in this family.

Mrs Washington has just now received your letter from Mount Vernon, where we are happy to hear that you arrived well. She does not write at this time, but desires to be remembered. The family continues in good health. Mrs. Lear unites with me in best respects. I have the honor to be with the highest respect & warmest attachment—Sir—Your most Obedt Servt

Tobias Lear.
Dear Sir, Richmond [Va.], April 12th. 1791.

Since my last to you from Mount Vernon, your letters of the 3d. and 5th. Instant have been recd., the last at this place where I arrived yesterday to dinner.

... 

The Attorney-General’s case and mine I conceive, from a conversation I had with him respecting our Slaves, is some what different. He in order to qualify himself for practice in the Courts of Pennsylvania, was obliged to take the Oaths of Citizenship to that State; whilst my residence is incidental as an Officer of Government only, but whether among people who are in the practice of enticing slaves even where there is no colour of law for it, this distinction will avail, I know not, and therefore get you will take the best advise you can on the subject, and in case it shall be found that any of my Slaves may, or any for them shall attempt their freedom at the expiration of six months, it is my wish and desire that you would send the whole, or such part of them as Mrs. Washington may not chuse to keep, home—for although I do not think they would be benefitted by the change, yet the idea of freedom might be too great a temptation for them to resist. At any rate it might, if they conceived they had a right to it, make them insolent in a State of Slavery. As all except Hercules and Paris are dower negroes, it behoves me to prevent the emancipation of them, otherwise I shall not only loose the use of them, but may have them to pay for. If upon taking good advise it is found expedient to send them back to Virginia, I wish to have it accomplished under pretext that may deceive both them and the Public;—and none I think would so effectually do this, as Mrs. Washington coming to Virginia next month (towards the middle or latter end of it, as she seemed to have a wish to do) if she can accomplish it by any convenient and agreeable means, with the assistance of the Stage Horses &c. This would naturally bring her maid and Austin—and Hercules under the idea of coming home to Cook whilst we remained there, might be sent on in the Stage. Whether there is occasion for this or not according to the result of your enquiries,
or issue the thing as it may, I request that these Sentiments and this advise may be known to none but yourself & Mrs. Washington. From the following expression in your letter “that those who were of age might follow the example of his (the Attorney’s people) after a residence of six months”—it would seem that none could apply before the end of May—& that the non age of Christopher, Richmond & Oney is a bar to them.

I offer Mrs. Lear the child and yourself my best wishes—and with Sincere Esteem I am Your Affecte. friend.
Sir,  

On Thursday last I had the honor to receive your letter of the 12th Instant with its enclosures.

I have had a very full conversation with the Attorney General respecting your slaves, without however, letting him know that I had heard from you on the subject; but entered upon it with this introduction that as you were absent, and could not return before the expiration of the term which the law of this State specifies for the residence of a Slave, I thought it my duty to take such advice & such measures in the business, with the concurrence of Mrs Washington, as might be proper in the occasion, having a due regard to your public station.

The Attorney General made the following observations on the subject. That he found it was a received construction of the law, and one which he thought the words of the law fully warranted, that if a Slave is brought into the State and continues therein for the space of six months, he may claim his freedom, let the cause of his being brought be what it may; and that this extends, in its full force, to those slaves who may be brought here by the Officers of the General Government or by members of Congress. If a man becomes a Citizen of the State, six months residence of the slave is not necessary for his liberation; he is free from the moment his master is a citizen; the term of six months being only intended for the slaves of such as might travel through or sojourn in the State. That those Slaves who were under the age of 18, might, after a residence of six months, apply to the Overseers of the Poor, who had authority to bind them to a master until they should attain the age of 18, when they would become free. That the overseers made it a point to bind the young Slaves to their original masters, unless there should be some special reason against it; but after they are so bound they cannot be carried out of the State without their own consent. That the Society in this city for the abolition of slavery, had determined to give no advice and take no measures for
liberating those Slaves which belonged to the Officers of the general Government or members of Congress. But notwithstanding this, there were not wanting persons who would not only give them (the Slaves) advise; but would use all means to entice them from their masters. This being the case, the Attorney General conceived, that after six months residence, your slaves would be upon no better footing than his. But he observed, that if, before the expiration of six months, they could, upon any pretence whatever, be carried or sent out of the State, but for a single day, a new era would commence on their return, from whence the six months must be dated for it requires an entire six months for them to claim that right. As the matter stands upon this footing I think that there will be but little difficulty in it; for Austin is now at home on a visit to his wife, by Mrs Washington’s permission. This will oblige him to commence a new date for six month from his return—which will be next week. Richmond goes in a Vessel that sails tomorrow for Alexandria—and I shall propose to Hercules, as he will be wanted at home in June when you return there, to take an early opportunity of going thither, as his services here can now be very well dispensed with, and by being at home before your arrival he will have it in his power to see his friends—make every necessary preparation in his Kitchen & as he must return when you do to this place. Mrs Washington proposes in a short time to make an excursion as far as Trneton, and of course, she will take with her Oney & Christopher, which will carry them out of the State; so that in this way I think the matter may be managed very well. If Hercules should decline the offer which will be made him of going home, it will be a pretty strong proof of his intention to take the advantage of the law at the expiration of six months. As Mrs Washington does not incline to go to Virginia until you return to this place, the foregoing arrangement is the best I can think of to accomplish this business.

You will permit me now, Sir, (and I am sure you will pardon me for doing it) to declare, that no consideration should induce me to take these steps to prolong the slavery of a human being, had I not the fullest confidence that they will at some future period be liberated, and the strongest conviction that their situation with you is far preferable to what they would probably obtain in a state of freedom.
I am happy to say that Mrs Washington has entirely recovered from her severe cold & with the rest of the family, enjoys good health. Mrs Lear & our little boy are well, she begs your acceptance of her best thanks for your kind remembrance of them, and presents her sincere wishes for your health & happiness—in which she is most heartily joined by, Sir, Your grateful & most Obliged Humble Servant

Tobias Lear.
Sir,  

Since I had the honor of writing to you on the 29 of last month, the two Platteaux, which Mr G. Morris sent from France, have arrived. One of them has received a slight fracture in the corner; but it has injured it very little.

In my letter of the 22d of May I mentioned that Hercules was to go on to Mount Vernon a few days after that. When he was about to go, somebody, I presume, insinuated to him that the motive for sending him home so long before you was expected there, was to prevent his taking the advantage of a six month’s residence in this place. When he was possessed of this idea he appeared to be extremely unhappy—and altho’ he made not the least objection to going; yet, he said he was mortified to the last degree to think that a suspicion could be entertained of his fidelity or attachment to you. And so much did the poor fellow’s feelings appear to be touched that it left no doubt of his sincerity—and to shew him that there were no apprehensions of that kind entertained of him, Mrs Washington told him he should not go at that time; but might remain ‘till the expiration of six months and then go home—to prepare for your arrival there. He has accordingly continued here ‘till this time, and tomorrow takes his departure for Virginia.

...  

Mr Dandridge arrived here yesterday and is this day to be inoculated for the small pox, as a person who has not had it would be unsafe in this City for a single day. With the highest respect & most sincere attachment I have the honor to be Sir,  

Your obliged & grateful servt  

Tobias Lear.