

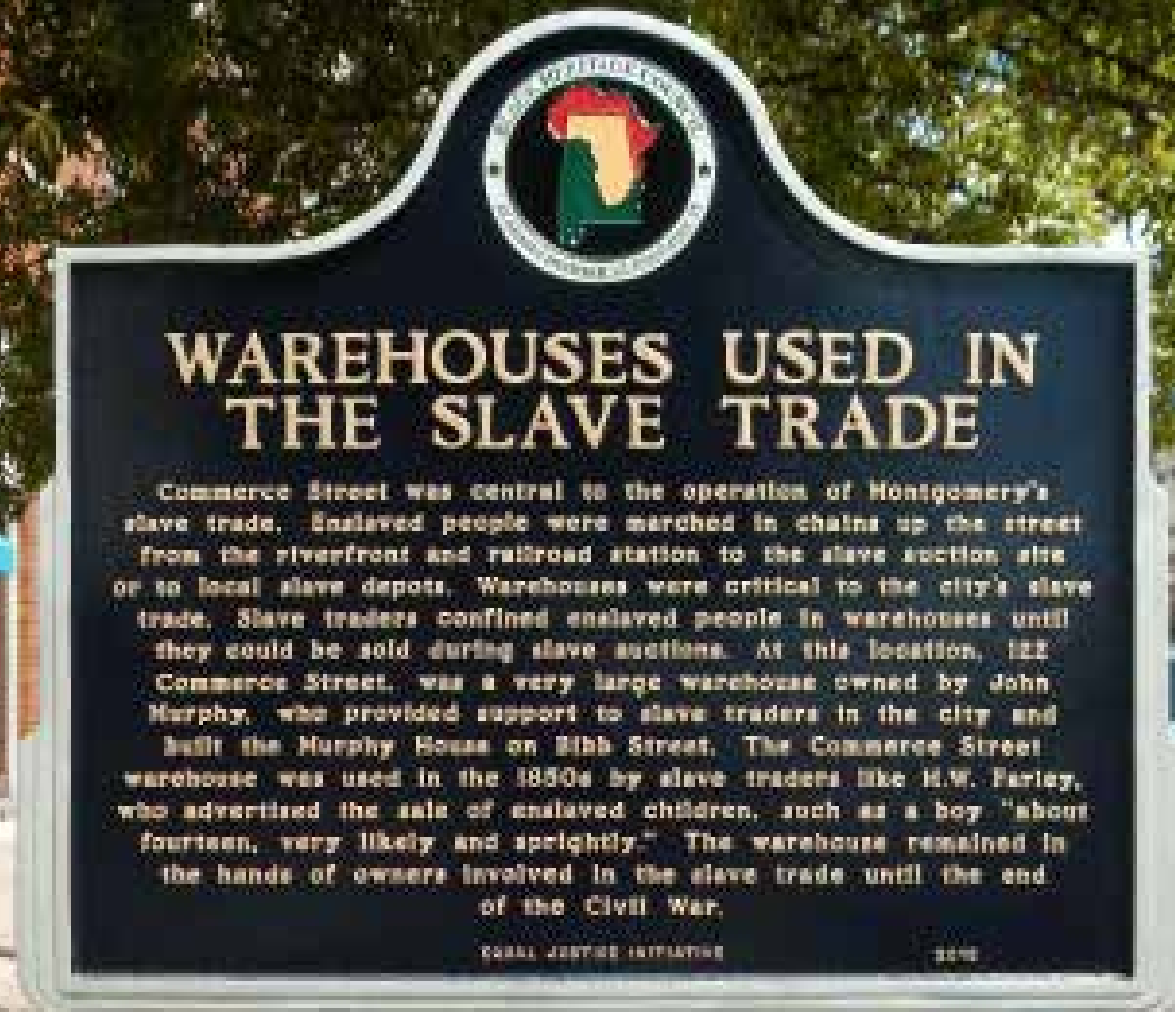
SLAVERY IN AMERICA

THE MONTGOMERY SLAVE TRADE

In 2013, with support from the Black Heritage Council, the Equal Justice Initiative erected three markers in downtown Montgomery documenting the city's prominent role in the 19th century Domestic Slave Trade.

eji Equal Justice Initiative

SLAVERY IN AMERICA THE MONTGOMERY SLAVE TRADE



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INTRODUCTION

Beginning in the sixteenth century, millions of African people were kidnapped, enslaved, and shipped across the Atlantic to the Americas under horrific conditions that frequently resulted in starvation and death. Nearly two million people died at sea during the agonizing journey. Over two centuries, the enslavement of Black people in the United States created wealth, opportunity, and prosperity for millions of Americans. As American slavery evolved, an elaborate and enduring mythology about the inferiority of Black people was created to legitimate, perpetuate, and defend slavery. This mythology survived slavery's formal abolition following the Civil War.

In the South, where the enslavement of Black people was widely embraced, resistance to ending slavery persisted for another century following the passage of the Thirteenth Amendment in 1865. Today, more than 150 years after the Emancipation Proclamation, very little has been done to address the legacy of slavery and its meaning in contemporary life. In many communities like Montgomery, Alabama — which had a prominent role in the slave trade and was a primary site for human trafficking and facilitating slavery — there is little understanding of the slave trade, enslavement, or the longstanding effort to sustain the racial hierarchy that slavery created. In fact, an alternative narrative has emerged in many Southern communities that celebrates the slavery era, honors slavery's principal proponents and defenders, and refuses to acknowledge or address the problems created by the legacy of slavery. Great progress has been made in deconstructing some of the most explicit forms of racial injustice, but questions of racial inequality and discrimination continue to dominate social, cultural, and political life. Our history of racial injustice is not well understood and is often avoided, creating a racial divide which is evident today in hundreds of formal and informal ways.

The Equal Justice Initiative (EJI) believes that a more informed understanding of America's racial history and the challenges it creates is vital to developing a healthier and more respectful local, state, and national identity. In April 2018, EJI opened two new sites in Montgomery, Alabama: The National Memorial for Peace and Justice, featuring the names of more than 4000 African American victims of racial terror lynching killed between 1877 and 1950; and The Legacy Museum: From Enslavement to Mass Incarceration. Built on the site of a former warehouse where enslaved Black people were imprisoned before sale, the 11,000-square-foot museum sits midway between Montgomery's historic slave market and the main river dock and train station that transported tens of thousands of enslaved people at the height of the Domestic Slave Trade. Museum visitors encounter replicas of slave pens that employ unique technology to bring to life first-person accounts from enslaved people narrating the fear, heartbreak, and inhumanity of the Domestic Slave Trade.

Reconciliation with a difficult past cannot be achieved without truthfully confronting history and finding a way forward that is thoughtful and responsible. We invite you to join us in this effort by exploring and sharing this report on American slavery, visiting the Legacy Museum and National Memorial in Montgomery, reflecting on the bonds between historic and contemporary racial inequality in America, and confronting the injustice in your own community. We hope that more information fosters greater knowledge and honest dialogue, and deepens our collective commitment to a just society. EJI believes that we have within us the capacity to transcend our history of racial injustice. But we shall overcome only if we engage in the important and difficult work that lies ahead.

Bryan Stevenson, Director

SLAVERY IN AMERICA

An estimated 10.7 million Black men, women, and children were transported from West Africa and sold into slavery in South America, Central America, or North America. Nearly two million more are estimated to have perished during the brutal voyage.



These starving people were rescued from a slave ship. Disease and starvation killed 1.8 million enslaved people before they reached the Americas. (The National Archives of the UK: ref. F084/1310.)

The enslavement of Black people in the United States lasted for more than two centuries and created a complex legal, economic, and social infrastructure that can still be seen today. The legacy of slavery has implications for many contemporary issues, political and social debates, and cultural norms — especially in places where slavery or the slave trade was extensive.

In the Transatlantic Slave Trade, kidnapped Africans were “bought” by traders from Western Europe in exchange for rum, cotton products, and weapons like guns and gunpowder.¹ As Historian John Blassingame describes, the captured Africans were then shipped across the Atlantic Ocean in cramped vessels under horrific conditions:

“Taken on board ship, the naked Africans were shackled together on bare wooden boards in the hold, and packed so tightly that they could not sit upright. During the dreaded Mid-Passage (a trip of from three weeks to more than three months) . . . [t]he foul and poisonous air of the hold, extreme heat, men lying for hours in their own defecation, with blood and mucus covering the floor, caused a great deal of sickness. Mortality from undernourishment and disease was about 16 percent. The first few weeks of the trip was the most traumatic experience for the Africans. A number of them went insane and many became so despondent that they gave up the will to live. . . . Often they committed suicide, by drowning or refusing food or medicine, rather than accept their enslavement.”²

In this way, an estimated 10.7 million Black men, women, and children were transported

from West Africa and sold into slavery in South America, Central America, or North America.³ Nearly two million more are estimated to have perished during the brutal voyage.⁴

For the millions of Africans who would face enslavement in the United States — either at the end of a transatlantic journey from Africa, or from birth as the descendants of Africans transported to the country in bondage — the particular experience of American slavery took different forms based on region and time period. Those enslaved in the northeastern states were not as confined to agricultural work as those in the South and many spent their lives in bondage laboring as house servants or in various positions of unpaid, skilled labor.⁵ The less diverse Southern economy, primarily centered around cotton and tobacco crops, gave rise to large plantations dependent on the labor of enslaved Africans, who toiled in the fields and ran the planters’ homes.⁶



Slave cabin and family near Eufaula in Barbour County, Alabama. (Library of Congress, Manuscript Division.)



Imprisoned men at Maula Prison in Malawi are forced to sleep “like the enslaved on a slave ship.” (Joao Silva/The New York Times/Redux.)



In many states where slavery was prevalent, most whites rejected emancipation and used violence, terror, and the law to disenfranchise, abuse, and marginalize African Americans for more than a century.

Largely for this reason, slavery in the two regions diverged. Slavery became less efficient and less socially accepted in the Northeast during the eighteenth century, and those states began passing laws to gradually abolish slavery. In 1804, New Jersey became the last Northern state to commit to abolition. In contrast, the system of slavery remained a central and necessary ingredient in the Southern plantation economy and cultural landscape well into the nineteenth century.⁷ By 1860, in the fifteen Southern states that still permitted slavery, nearly one in four families owned enslaved people.⁸ The South so desperately clung to the institution of slavery that, as the national tide turned toward abolition, eleven Southern states seceded from the United States, formed the

Confederate States of America, and sparked a bloody civil war.

In December 1865, just eight months after Confederate forces surrendered and the four-year Civil War ended, the United States adopted the Thirteenth Amendment abolishing slavery and involuntary servitude, “except as punishment for crime.” This meant freedom for more than four million enslaved Black people living in the United States at the time. However, in many states where slavery was prevalent, most white residents rejected emancipation and used violence, terror, and the law to disenfranchise, abuse, and marginalize African Americans for more than a century after emancipation.

INVENTING RACIAL INFERIORITY: HOW AMERICAN SLAVERY WAS DIFFERENT



Many enslaved and orphaned children were unprotected during the turmoil of the Civil War. (George Eastman House, International Museum of Photography and Film.)

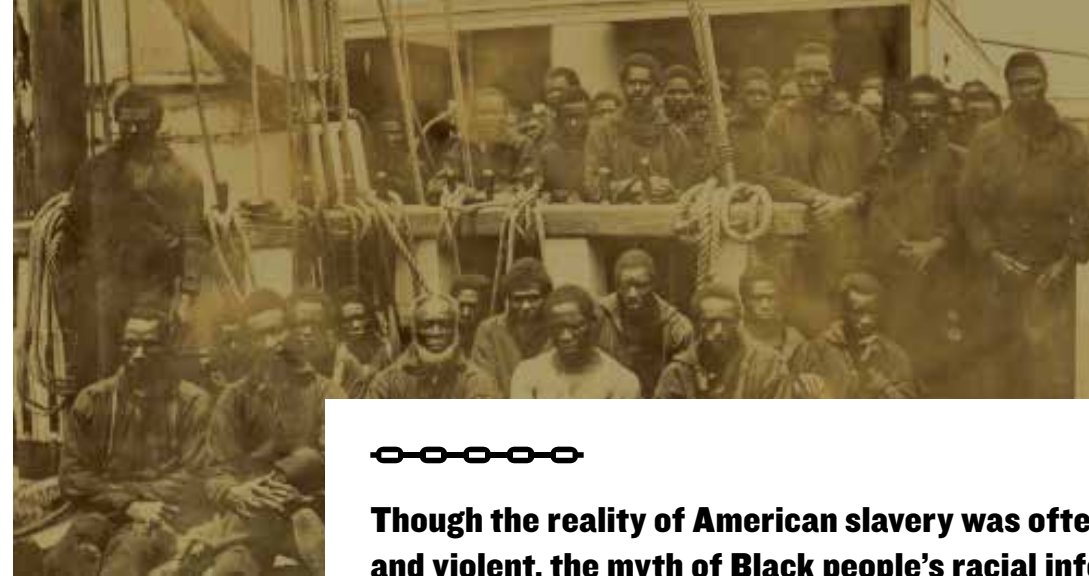
The racialized caste system of American slavery that originated in the British colonies was unique in many respects from the forms of slavery that existed in other parts of the world.⁹ In the Spanish and Portuguese colonies, for example, slavery was a class category or form of indentured servitude — an “accident” of individual status that could befall anyone and could be overcome after a completed term of labor or assimilation into the dominant culture.¹⁰

American slavery began as such a system. When the first Africans were brought to the British colonies in 1619 on a ship that docked in Jamestown, Virginia, they held the legal status of “servant.”¹¹ But as the region’s economic system became increasingly dependent on forced labor, and as racial prejudice became more ingrained in the social culture, the institution of American slavery developed as a permanent, hereditary status centrally tied to race.¹²



The institution of American slavery developed as a permanent, hereditary status centrally tied to race.

Over the next two centuries, the system of American slavery grew from and reinforced racial prejudice.¹³ Advocates of slavery argued that science and religion proved white racial superiority: under this view, white people were smart, hard-working, and more intellectually and morally evolved, while Black people were dumb, lazy, child-like, and in need of guidance and supervision. In 1857, for example, Mississippi Governor William McWillie denounced



“Contrabands” were enslaved people who escaped from plantations and sought protection from Union forces during the Civil War. These men escaped from plantations in South Carolina in 1862. (Collection of the New-York Historical Society, neg # 44751.)



Though the reality of American slavery was often brutal, barbaric, and violent, the myth of Black people’s racial inferiority developed and persisted as a common justification for the system’s continuation.

anti-slavery critics and insisted:

“[T]he institution of slavery, per se, is as justifiable as the relation of husband and wife, parent and child, or any other civil institution of the State, and is most necessary to the well-being of the negro, being the only form of government or pupilage which can raise him from barbarism, or make him useful to himself or others; and I have no doubt but that the institution, thus far in our country, has resulted in the happiness and elevation of both races; that is, the negro and the white man. In no period of the world’s history have three millions of the negro race been so elevated in the scale of being, or so much civilized or Christianized, as those in the United States, as slaves. They are better clothed, better fed, better housed, and more cared for in sickness and in health, than has ever fallen to the lot of any similar number of the negro race in any age or nation; and as a Christian people, I feel that it is the duty of the South to keep them in their present position, at any cost and at every peril, even independently of the questions of interest and security.”¹⁴

This perspective defended Black people’s life-long and nearly inescapable enslavement in the United States as justified and necessary. White slave holders were performing an act of kindness, advocates claimed, by exposing the Black people they held as human property to discipline, hard work, and morality. Though the reality of American slavery was often brutal, barbaric, and violent, the myth of Black people’s racial inferiority developed and persisted as a common justification for the system’s continuation. This remained true throughout the Civil War, the 1863 Emancipation Proclamation, and the adoption of the Thirteenth Amendment in 1865.

Indeed, ending slavery was not enough to overcome the harmful ideas created to defend it.¹⁵ “Freeing” the nation’s masses of enslaved Black people without undertaking the work to deconstruct the narrative of inferiority doomed those freedmen and -women and their descendants to a fate of subordinate, second-class citizenship. In the place of slavery, the commitment to racial hierarchy was expressed in many new forms, including lynching and other methods of racial terrorism; segregation and “Jim Crow”; and unprecedented rates of mass incarceration.

As early as the 10th century, biblical scripture was used to support the claim that Africans were a cursed people fit only for slavery.¹⁶ As scholar Ibram X. Kendi has documented, religion became a more common justification for slavery as national economies grew dependent on maintaining the system of bondage. To protect slavery, the American colonies and later the United States embraced religious teachings that endorsed ideas of Black inferiority, approved the inhumanity of chattel slavery, and promised reward to Black people who submitted to enslavement.

When slavery began in North America in the 17th century, the lands that would become the United States were colonies held by the British, and British law forbade the enslavement of Christians. Most Africans then practiced Islam or African folk religions — and as Christian missionaries set out to convert enslaved Africans in the colonies, British

slave owners worried they would lose their enslaved property if Africans were no longer seen as non-Christian heathens. This fear was realized in 1656 when Elizabeth Key, the daughter of an enslaved Black woman and a white Englishman, successfully sued for her and her child's freedom by arguing that her Christianity should shield her from enslavement. If slavery was to survive, religious teachings would have to adapt.¹⁷

In 1664-1665, a British minister named Richard Baxter published a treatise encouraging slave owners to convert the enslaved to Christianity and arguing that slavery was a righteous institution that allowed for the saving of African souls — without requiring their freedom.¹⁸ He told his Puritan readers that slavery was beneficial to African people, and paved the way for white people to buy, sell, and abuse African people while maintaining a Christian identity. Compatible

laws soon followed.

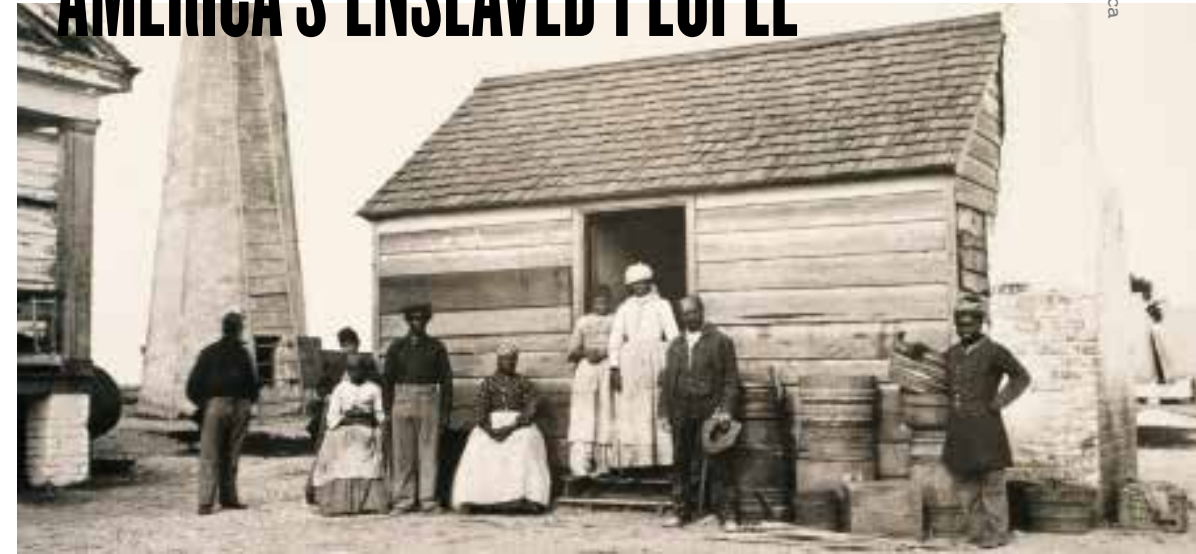
In 1667, the colony of Virginia declared that Christian baptism did not exempt enslaved Black people from bondage, and New York and Maryland soon did the same.¹⁹ These laws allowed white evangelicals to share Christianity with Black people without the risk of forced emancipation, and later laws further restricted Black Christians' religious practice and barred interracial worship services. After the colonies won independence and established the United States of America, these laws only strengthened.

As the abolitionist movement grew in the North, some openly challenged the church's tolerance of slavery — but Southern churches, largely dependent on the support of white slave owners, almost never questioned the morality of owning human beings.²⁰



THE LIVES AND FEARS OF AMERICA'S ENSLAVED PEOPLE

Enslaved people had to fear brutal abuse and mistreatment on many plantations in the South. (Donated by Corbis.)



In the decades leading up to the Civil War, confronted with abolitionists' moral outrage and growing political pressure, Southern slave owners defended slavery as a benevolent system that benefitted enslaved Black people.²¹ Even today, some continue to echo those claims in attempts to justify more than two centuries of human bondage, forced labor, and abuse.²² Records from the era paint a much different picture, revealing American slavery as a system that was always dehumanizing and barbaric, and often bloody, brutal, and violent.

As an institution, slavery deprived the enslaved of any legal rights or autonomy and granted the slave owner complete power over the Black men, women, and children legally recognized as his property. Structurally, this weakened enslaved people's claims to even the most basic social bond: the family. The enslaved could not



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legally marry, needed an owner's permission to enter into non-legal marriages, and could be forced to marry a partner chosen by the slave owner. Once married, husbands and wives had no ability to protect themselves from being sold away from each other, and if "owned" by different masters, were often forced to reside on different plantations. Parents could do nothing when their young children were sold away,²³ and enslaved families were regularly and easily separated at an owner's or auctioneer's whim, never to see each other again.²⁴

White men and women justified this cruelty by claiming Black people did not have emotional ties to each other. “It is frequently remarked by Southerners, in palliation of the cruelty of separating relatives,” observed one visitor to the South in the 1850s, “that the affection of negroes for one another are very slight. I have been told by more than one lady that she was sure her nurse did not have half the affection for her own children that she did for her mistress’s.”²⁵

In a first-hand account published by the American Anti-Slavery Society in 1839, a Kentucky woman told the story of two young Black men, Ned and John, who were frequently severely whipped by their master as punishment for “staying a little over the time with their wives” living on different plantations nearby: “Mr. Long would tie them up by the wrist, so high that their toes would just touch the ground, and then with

a cow-hide lay the lash upon the naked back, until he was exhausted, when he would sit down and rest. As soon as he had rested sufficiently, he would ply the cow-hide again, thus he would continue until the whole back of the poor victim was lacerated into one uniform coat of blood.”²⁶ Both men died young, from illness brought on by this abuse.

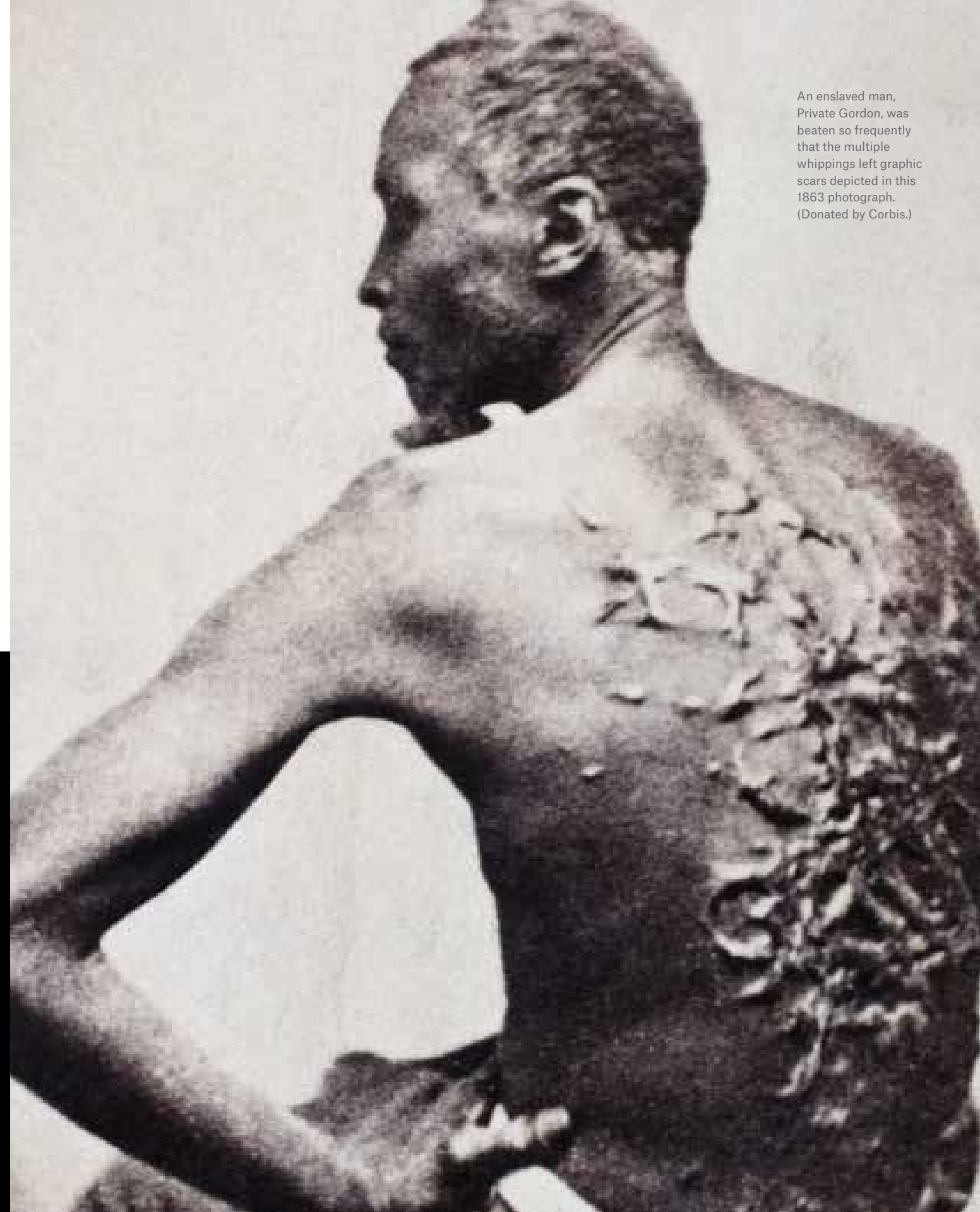
In addition to the labor exploitation inherent to slavery, slave owners had the power to sexually exploit the enslaved people they held, both male²⁷ and female. Sexual abuse of enslaved Black men included being forced to have sex with enslaved women against their will and in front of a white audience. In 1787, two white slave owners in Maryland forced an enslaved Black man, at gunpoint, to rape a free Black woman; when the act was done, one of the white men likened the act to breeding horses.²⁸

“

To be a man, and not to be a man—a father without authority—a husband and no protector—is the darkest of fates. Such was the condition of my father, and such is the condition of every slave throughout the United States: he owns nothing, he can claim nothing. His wife is not his: his children are not his; they can be taken from him, and sold at any minute, as far away from each other as the human fleshmonger may see fit to carry them. Slaves are recognised as property by the law, and can own nothing except by the consent of their masters. A slave's wife or daughter may be insulted before his eyes with impunity. He himself may be called on to torture them, and dare not refuse. To raise his hand in their defence is death by the law. He must bear all things and resist nothing. If he leaves his master's premises at any time without a written permit, he is liable to be flogged. Yet, it is said by slave holders and their apologists, that we are happy and contented.²⁹

”

John S. Jacobs, 1815-1875, was enslaved in North Carolina as a child and escaped to freedom in adulthood.



An enslaved man, Private Gordon, was beaten so frequently that the multiple whippings left graphic scars depicted in this 1863 photograph. (Donated by Corbis.)

“MR. LONG WOULD TIE THEM UP BY THE WRIST,  **SO HIGH**

THAT THEIR TOES WOULD  **JUST** TOUCH THE GROUND, AND

THEN WITH A COW-HIDE LAY THE LASH  UPON THE NAKED BACK,

UNTIL HE WAS EXHAUSTED, WHEN HE WOULD SIT DOWN  AND REST.

AS SOON AS HE HAD RESTED SUFFICIENTLY, HE WOULD PLY THE COW-HIDE

AGAIN,  **THUS HE WOULD CONTINUE UNTIL THE WHOLE**

BACK OF THE POOR VICTIM  **WAS LACERATED INTO ONE UNIFORM**

COAT **OF** **BLOOD.”** ²⁶

In its most prevalent form — the rape of enslaved Black women by white slave owners — sexual abuse often resulted in the birth of biracial children who were also enslaved. As property, enslaved Black women were not protected by the law and had no refuge from sexual violence.

In 1855, a 19-year-old enslaved Black woman named Celia stood trial for killing Robert Newsom. A white slave owner, Newsom had purchased Celia five years before and raped her regularly and repeatedly ever since — resulting in the birth of one child.³⁰ After repeated entreaties to the slave owner's daughter led nowhere, Celia took action. When Newsom came to her cabin seeking sex on the night of June 23, 1855, Celia told authorities, she clubbed him over the head twice with a large stick, killing him.³¹ The court concluded an enslaved Black woman had no right to defend herself against sexual attack, and an all-male, all-white jury convicted Celia of murder.³² Sentenced to death, she was hanged on December 21, 1855.³³

Finally, enslaved people frequently suffered extreme physical violence as punishment for or warning against transgressions like running away, failing to complete assigned tasks, visiting a spouse living on another plantation, learning to read, arguing with white people, working too slowly, possessing anti-slavery materials, or trying to prevent the sale of their relatives.³⁴

Because slave owners faced no formal prohibition against maiming or killing the enslaved, an enslaved person's life had no legal protection; for some slave owners, this led to reckless disregard for life and horrific levels of cruelty. In Charleston, South Carolina, in 1828, a slave holder flogged an enslaved thirteen-year-old girl as punishment, then left her on a table in

a locked room with her feet shackled together. When he returned, she had fallen from the table and died. The slave holder faced no consequence; under local law, "the slave was [his] property, and if he chose to suffer the loss, no one else had anything to do with it."³⁵ When an enslaved Black man named Moses Roper ran away from bondage in North Carolina, his owner whipped him with 100-200 lashes; covered his head in tar and lit it afire. When Moses escaped from leg irons, his owner had the nails of his fingers and toes beaten off.³⁶



Enslaved people frequently suffered extreme physical violence as punishment for or warning against transgressions like running away, failing to complete assigned tasks, visiting a spouse living on another plantation, learning to read, arguing with whites, working too slowly, possessing anti-slavery materials, or trying to prevent the sale of their relatives.

Even very young children were not safe from brutal abuse. In a letter to a cousin, a slaveholding white woman described the killing of a 12-18 month old child. "Gross has killed Sook's youngest child," she wrote. "[B]ecause it would not do its work to please him he first whipt it and then held its head in the [creek] branch to make it hush crying."³⁷

In May 1857, after a white family in Louisville, Kentucky, was murdered and their home de-

stroyed by fire, four enslaved Black men were accused of the crime and stood trial. After an all-white jury found the men innocent of the charges, an enraged mob of local white men armed with a cannon attacked the jail and overtook the building. Facing the threat of death at the hands of the bloodthirsty mob, one of the four enslaved men cut his own throat in terror; the mob beat, stabbed, and hanged the other three Black men to death.³⁸



Enslaved Black people faced the constant threat of attack, abuse, and murder under the system of American slavery, which devalued their lives, ignored their human dignity, and offered no protection under the law.



Randolph Linsly Simpson African-American Collection, Yale Collection of American Literature, Beinecke Rare Book and Manuscript Library.

As illustrated by this and many similar accounts, enslaved Black people faced the constant threat of attack, abuse, and murder under the system of American slavery, which devalued their lives, ignored their human dignity, and offered no protection under the law. Long after slavery ended, racialized attacks and extra-judicial lynchings like these continued, fueled by the same myth of racial inferiority previously used to justify enslavement.

“

The Poor Slave's Own Song

Farewell, ye children of the Lord,
To you I am bound in the cords of love.
We are torn away to Georgia,
Come and go along with me.
Go and sound the jubilee, &c.

To see the wives and husbands part,
The children scream, they grieve my heart;
We are sold to Louisiana,
Come and go along with me.
Go and sound, &c.

Oh! Lord, when shall slavery cease,
And these poor souls enjoy their peace?
Lord, break the slavish power!
Come, go along with me.
Go and, sound, &c.

Oh! Lord, we are going to a distant land,
To be starved and worked both night and day;
O, may the Lord go with us;
Come and go along with me.
Go and sound, &c.³⁹

”

THE DOMESTIC SLAVE TRADE IN AMERICA

In the late eighteenth and early nineteenth centuries, the United States acquired great swaths of land to the south of the original thirteen colonies. White settlers in search of cheap, fertile land began to move to this area from states in the Upper South, including North Carolina, Tennessee, Virginia, and Kentucky. These settlers brought with them enslaved Black people to work the land and care for their homes.⁴⁰ By the 1790s, the invention of the cotton gin allowed for increased production and the rising price of cotton created incentives for settlers to expand their plantations — and their supply of enslaved workers. In territories that would later become the Lower South states of Alabama, Louisiana, Mississippi, and Florida, the demand for enslaved Black people skyrocketed.⁴¹

After Congress outlawed the Transatlantic Slave Trade beginning in 1808,⁴² growing demand for enslaved Black laborers had to rely on natural reproduction in the local enslaved population, or the sale of enslaved people from one state to another. Over the next half century, this “Domestic Slave Trade” became ubiquitous across the South and central to the debate over

whether to abolish slavery.

An estimated one million enslaved people were forcibly transferred from the Upper South to the Lower South between 1810 and 1860.⁴³ By the time Alabama became a state in 1819, the Domestic Slave Trade was booming. Over the next forty years, the enslaved population in Alabama increased from 40,000 to 435,000.⁴⁴

The most prominent reason for the forced transfer of so many enslaved people from the Upper to the Lower South was the economy. Due to the booming cotton industry, enslaved Black people were worth more in the Lower South than anywhere else in the country — and they were also a more secure investment in the Lower South, where they had less chance to escape to freedom in the North.⁴⁵ Forced abolition was less of a threat in the Lower South where, in comparison to the Upper South, there was much less political will or popular support for creating legal prohibitions on slavery.

Beyond its benefit to Southern plantation owners, American slavery was a major engine of prosperity throughout the United States and worldwide. The labor of enslaved Black people in the United States fueled explosive economic growth and wealth accumulation during the 19th century, particularly within the vast cotton and textile trades. Many Northern businesses and families made wealthy in this era still retain those riches today, and can directly trace their fortunes to the toil of the enslaved.

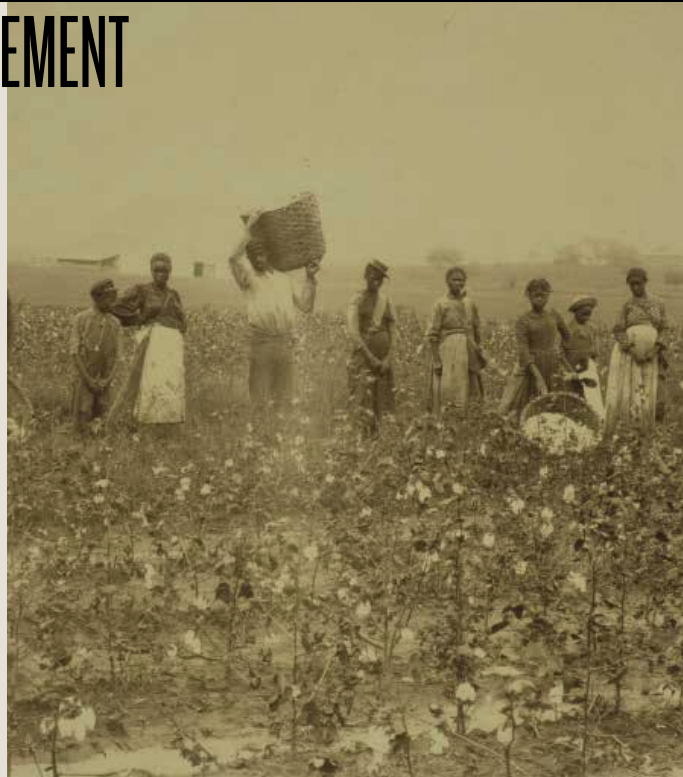
By 1830, one million people in America labored in the cultivation of cotton, and almost all of them were enslaved. Cotton constituted more than half of the United States' global exports. In addition to cotton, nearly all American industries were dominated by an economy dependent upon the work of enslaved people. Merchants in the North traded cotton, sugar, and other agricultural products grown by enslaved people. Banks and creditors accepted

enslaved human "property" as collateral when underwriting loans, and were authorized to "repossess" enslaved people if a debtor failed to repay the loan. In this way, financial institutions became directly involved in the slave trade.⁴⁶

As the Domestic Slave Trade expanded to meet the demand created by the booming cotton industry, cotton fueled America's emergence as the world's fastest-growing economy. Between 1810 and 1860, one million enslaved Africans were forcibly transported from the Upper South to the Lower South, and slave traders accumulated vast wealth in the

process. Federal laws like the Fugitive Slave Acts facilitated the widespread kidnapping for profit that left all Black people vulnerable.

The bodies of Black men, women and children enslaved in America were assigned monetary values throughout their lives. An enslaved person's purchase price was a painful reminder of how his or her life was commodified, and changes in this assigned monetary value could profoundly affect an enslaved person's destiny. Some of the greatest heartbreaks and inhumanities of enslavement arose from the cold valuation of human life.⁴⁷



Library of Congress



Library of Congress

Enslaved people were also appraised as human "assets" to allow slave owners to report on their "property" holdings for the purposes of insurance, wills, and taxes. Values for enslaved people could reach more than \$5000, representing more than \$150,000 today. Slave owners regularly ignored family bonds among enslaved people to prioritize profit goals, and treated reproduction as an economic process. After puberty, an enslaved woman's value was largely set based on her ability to bear children. Enslaved men were most prized for their physical ability, and men in their thirties considered to possess peak strength

and skill could be advertised as "prime hands," "full hands" or "A1 Prime." Depending on health and strength, enslaved men typically received high appraisals well into middle age, while enslaved women lost much of their value once past childbearing age.⁴⁸

Because enslavement was a permanent and hereditary status, by law, enslaved men and women had no recognized parental rights, and children could be sold from infancy. A child's value was calculated annually and influenced by health, demeanor, and skills. Many historical accounts describe aggrieved parents

attempting to raise money to buy their own children; typically these efforts were unsuccessful.⁴⁹

Profits from slavery laid the path for the Industrial Revolution, helped to build Wall Street, and funded many of the United States' most prestigious schools. Today, slavery is a prominent though largely ignored foundation of this nation's wealth and prosperity. Major companies and universities profited off of the institution of slavery, including Aetna, Inc., and New York Life Insurance Company, JP Morgan Chase, Harvard, Columbia, Princeton, and Yale. In 1838, two of Georgetown University's early presidents organized a massive auction to help the school evade bankruptcy, and sold 272 Black people for \$3.3 million. As one professor later said, "The university itself owes its existence to this history [which is] a microcosm of the whole history of American slavery."⁵⁰

The Domestic Slave Trade brought economic benefits to the entire South, but it also challenged the myth of benign slavery. Under that myth, white slave owners and enslaved Black people enjoyed an organic, mutually-beneficial relationship in which the master profited from the labor and the enslaved enjoyed the master's food, clothing, shelter, protection and civilizing influence.⁵¹ Prior to the growth of the Domestic Slave Trade, this myth faced little dispute because only slave owners, overseers, and the enslaved witnessed the brutal, day-to-day reality of slavery. As the Domestic Slave Trade grew, however, growing numbers of Southerners and travelers from the North had the chance to witness the system's inhumanity.

Slave trading relied on the sale of human beings as commodities, but its tragic scenes highlighted the humanity of those in bondage.⁵² Throughout the South, urban and rural communities alike witnessed exhausted and dejected enslaved people chained together and whipped as they marched hundreds of miles to be sold. They heard the screams and saw the tears of enslaved people torn from their homes and sold to the highest bidder. They shopped and worked amidst enslaved people publicly confined in pens resembling dungeons, alongside livestock in filthy conditions. Press accounts documented the heartbreaking stories of enslaved mothers who jumped from buildings and enslaved fathers who slit their throats rather than be separated from their families.

Slave traders held auctions in buildings near commercial areas throughout the South. Whitehall Street, Atlanta, Georgia. (Library of Congress, Prints and Photographs Division, Civil War Photographs, [LC-DIG-cw pb-03351].)

Jourden Banks, a Black man who was enslaved in Alabama before escaping to freedom, published a book in 1861 recounting his experiences. While being held for sale in Richmond, Virginia, he recalled,

"...I saw things I never wish to see again. [The slave jail] was so constructed, I should think, as to hold some two or three hundred. There are no beds, or comfortable means of lodging either men, women, or children. They have to lie or sit by night on boards. The food is of the coarsest kind. Sales take place every day. And oh, the scenes I have witnessed! Husbands sold, and their wives and children left for another day's auction; or wives sold one way, and husbands and fathers another, at the same auction. The distresses I saw made a deep impression upon my mind, My attention was diverted from myself by sympathy with others."⁵³



Enslaved people work in cotton fields outside Montgomery, Alabama, in the 1860s. (Library of Congress.)

This clearly exploitative treatment of enslaved people undermined the claim that slavery benefitted the enslaved.

Perhaps due to the economic and geographic differences between the regions, the Upper and Lower South developed differing views of the Domestic Slave Trade. In the Upper South, the slave trade was viewed with a mix of support and scorn,⁵⁴ and a small minority of white people questioned whether the system's brutality warranted outlawing it altogether.⁵⁵ In contrast, residents of the Lower South generally accepted the slave trade as proper and necessary, and very few expressed any concern for the enslaved.⁵⁶

Despite these differing attitudes, the slave trade benefitted both the Upper and Lower South, economically.⁵⁷ The Upper South received high sales revenue for the enslaved people sold to the Lower South, and used the threat of that region's

harsher work conditions to control and discipline the enslaved people who remained.⁵⁸ In the Lower South, enslaved laborers were forced to work long hours under harsh conditions for no pay, allowing landowners to maximize their profits and accumulate unprecedented wealth. Thus, even amid clear evidence of slavery's inhumanity, the symbiotic economic relationship between the two Southern regions solidified most white Southerners' allegiance to slavery.⁵⁹

Throughout the South, defenders of slavery rejected critics' characterization of the slave trade as barbaric and cruel and instead insisted that the documented horrors of bondage were imagined or exaggerated.⁶⁰ These pro-slavery advocates took to national platforms to assure Americans that enslaved people were primarily sold locally and had the opportunity to choose their new owners, and that efforts were made to keep families together. In reality, most enslaved people were sold without a single other family member;⁶¹ it is estimated that more than half of all enslaved people held in the Upper South were separated from a parent or child through sale, and a third of all slave marriages were destroyed by forced migration.⁶²



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Enslaved people on the Smith plantation in Beaufort, South Carolina. (The J. Paul Getty Museum, Los Angeles, Timothy H. O'Sullivan, "Slaves on J. J. Smith's Plantation, near Beaufort, SC," 1864, Albumen silver print, 21.4 x 27.3 cm.)

Proponents of slavery also claimed that slave-owners only sold enslaved people out of necessity — either to satisfy an insurmountable debt or to respond to dangerous misbehavior by the enslaved. In fact, only a small percentage of enslaved people were traded due to economic hardship or attempts to escape;⁶³ in most cases, slave owners of the Upper South sold enslaved people to gain supplemental income.⁶⁴

Pro-slavery advocates also tried to separate the inhumane slave trade from the “humane” institution of slavery by scapegoating slave traders as individually responsible for any brutal treatment of enslaved people being trafficked. While slave traders indeed committed myriad forms of abuse against the enslaved, including raping enslaved women,⁶⁵ slave owners did too — and the Southern social system did nothing to discourage this behavior. Despite their reputa-

tion for brutality, slave traders were generally among “the wealthiest and most influential” citizens in their communities.⁶⁶

Slave traders accumulated substantial wealth by purchasing the enslaved in the Upper South and transporting them to the Lower South. Transporting enslaved people on foot was considered the “simplest” way because it required only a horse, a mule, a wagon, and a whip.⁶⁷ The traders lined up enslaved adult Black men in pairs, handcuffed them together,



Despite their reputation for brutality, slave traders were generally among “the wealthiest and most influential” citizens in their communities.

and then ran a long chain through all of the handcuffs.⁶⁸ These arrangements were called “coffles.”⁶⁹ Enslaved Black women and older Black children marched behind the men, and the smallest children and the sick rode in a wagon at the rear.

The overland march was common and brutal. One trek could last months and exceed one thousand miles.⁷⁰ The enslaved were forced to march quickly for hours until they dropped in the road, and those who fell risked being



Traders lined up enslaved adult Black men in pairs, handcuffed them together, and then ran a long chain through all of the handcuffs.

slashed to pieces by long whips.⁷¹ Slave traders often sold enslaved people as they moved from one community to another along their route, and coffles became a common sight across the South.⁷²

Beginning in the nineteenth century, the introduction of new methods of transportation began to alter the routes used by slave traders. The arrival of the steamboat in 1811 allowed traders to send the enslaved from markets along the Ohio and Mississippi rivers to Natchez, Mississippi, and New Orleans, Louisiana.⁷³ The steam locomotive arrived in the 1830s and by the 1840s and 1850s, rail lines stretched across the South. Often cleared, constructed, and maintained by enslaved labor, these rail lines became a preferred method for transporting the enslaved to the Lower South. Trips that took weeks by foot now took less than two days by rail.⁷⁴



Library of Congress



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These changes in transportation transformed Montgomery, Alabama, from one of many stops along the overland route to a primary trading market. In 1847, a direct steamboat line was established between New Orleans and Montgomery,⁷⁵ allowing Montgomery to rival Mobile, Alabama, as a center for trading in enslaved Black people.⁷⁶ In 1851, enslaved people bought by the State of Alabama constructed a rail line to connect Montgomery to Atlanta, Georgia.⁷⁷ As more and more slave traders utilized this rail system, hundreds of enslaved people began arriving at the Montgomery train station each day.⁷⁸ Now connected to the rest of the South by boat and by rail, Montgomery became the principal slave market in Alabama.⁷⁹



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MONTGOMERY SLAVE TRADE

During the last twenty years of American slavery, no slave market was more central or conspicuous than the one in Montgomery, Alabama.



Court Square in downtown Montgomery, Alabama, looking down Commerce Street. (Ala. Dep't. Archives and History, Montgomery, Ala.)

During the last twenty years of American slavery, no slave market was more central or conspicuous than the one in Montgomery, Alabama. Montgomery's proximity to the fertile Black Belt region, where slave owners amassed large slave populations to work the fertile, rich soil, elevated Montgomery's prominence in the slave trade. By 1860, Montgomery was the capital of the Domestic Slave Trade in Alabama, one of the two largest slave-owning states in America.⁸⁰ Just as New Orleans was the major slave trade center in Louisiana and Natchez was the foremost slave trading city in Mississippi, Montgomery became the most important slave trading space in Alabama. New Orleans and Natchez are commonly recognized as the largest slave trading markets in the importing regions of the South, but census data⁸¹ suggests that Montgomery's prominence among South-

ern slave markets increased dramatically after 1840.⁸² The enslaved population in New Orleans decreased by 38 percent between 1840 and 1860, while the enslaved population in Montgomery County, Alabama, increased by approximately 80 percent.

A century prior to Montgomery's emergence as a dominant player in the Domestic Slave Trade, there were very few Africans living in the area now known as Alabama.⁸³ That changed in the nineteenth century when Alabama's fertile lands attracted early settlers from Virginia, the Carolinas, and Georgia, who brought enslaved Africans with them. When the booming price of cotton led to an increased demand for labor, slave traders stepped in to provide Alabama farmers with a supply of enslaved workers.⁸⁴ In 1820, 41,879 enslaved Black people lived in

Enslaved Black Population

City or County, State	1820	1830	1840	1850	1860
Mobile, Alabama	835	1,106	6,186	9,356	11,376
Montgomery, Alabama	2,655	6,450	13,115	19,427	23,710
Natchez, Mississippi	7,299	10,942	14,241	14,395	14,202
New Orleans, Louisiana	7,591	9,462	23,448	18,068	14,484



At least 300,000 of the 435,080 enslaved people living in Alabama in 1860 were in the state as a result of the Domestic Slave Trade. Many of them were sold in Montgomery.

Alabama; by 1860, this number had increased tenfold to 435,080.⁸⁵ Historians estimate that 70 percent of the new arrivals resulted from slave trading and 30 percent resulted from the relocation of white slaveholding families.⁸⁶ In other words, at least 300,000 of the 435,080 enslaved people living in Alabama in 1860 were in the state as a result of the Domestic Slave Trade. Many of them were sold in Montgomery.

The very Montgomery streets on which thousands of enslaved Black people were sold in the mid-1800s remain central to downtown Montgomery today. Enslaved men, women, and children arriving by steamboat or rail were paraded down Commerce Street from the Alabama River or railway station to the slave auction site or local slave depots.⁸⁷ Slave traders coming to Montgomery from the Upper South by foot

marched enslaved people down the Old Federal Road,⁸⁸ which ran from Milledgeville and Macon, Georgia, across the Chattahoochee River near Phenix City, Alabama, then through Mount Meigs, Alabama, and into downtown Montgomery, where the Old Federal Road became what is now Adams Avenue. Montgomery's slave market was situated near the Artesian Basin in present-day Court Square.



Enslaved men, women, and children arriving by steamboat or rail were paraded down Commerce Street from the Alabama River or railway station to the slave auction site or local slave depots.

Montgomery attracted a growing number of major slave traders whose presence dominated the city's geography and economy. They were located primarily along Commerce Street and Market Street, which is now Dexter Avenue. The 1859-1860 Montgomery city directory listed four separate slave merchants and depots, the same as the number of banks and hotels.⁸⁹ Three of the city's four slave depots lined the local thoroughfare leading up to the state capitol on Market Street.⁹⁰



Montgomery attracted a growing number of major slave traders whose presence dominated the city's geography and economy.



From 1848 to 1860, the probate office granted licenses to 164 slave traders in Montgomery. These traders arranged for the purchase of enslaved people from the Upper South and announced their subsequent sale in the Montgomery newspapers, advertising either for private sale at a depot or for public sale at auction.⁹¹ These notices regularly appeared in local newspapers; in one, a prominent local slave broker advertised the sale of "about 140 Negroes . . . at public auction, for cash at

the Artesian Basin [Court Square] on June 2, 1860." Another advertisement gave an observer "a sense of what the large traders meant by buying for the 'Southern market' [finding] in one column of a Montgomery newspaper three establishments respectively offering at private sale '150 likely Negroes, mostly from Virginia, and South Carolina' and '50 likely Negroes just arrived from the Carolinas.'"⁹²

Mason Harwell, one of the most active slave dealers in the 1850s attracted a sizable crowd "about the Artesian Basin, January 2, 1860, to witness the public sale of 30 horses, which had belonged to a circus, and 165 enslaved Black people."⁹³ In a single day, potential buyers could view as many as twenty different slave lots for sale in the heart of downtown Montgomery.⁹⁴ Sir Charles Lyell, an English citizen touring the South, came to Montgomery and recounted observing the sale of humans one day and the next day observing an "auctioneer . . . selling horses in the same place."⁹⁵ Another Englishman visiting Montgomery was struck, seemingly for the first time, at the inhumanity of humans being sold into slavery.⁹⁶

Slave trading in Montgomery thrived well into the mid-1860s, even as the Civil War raged. As late as 1864, T.L. Frazer & Co. opened a new "slave market" in Montgomery on the south block of Market Street (present-day Dexter Avenue) between Lawrence and McDonough Streets. In April 1864, a new firm of slave dealers announced plans to establish an office in Montgomery and promised to "keep constantly on hand a large and well selected stock such as families, house servants, gentlemen's body servants, seamstresses, boys and girls of all descriptions, blacksmiths, field hands."⁹⁷ Tellingly, even after Robert E. Lee's surrender, the

Montgomery Daily Advertiser continued to run "reward" advertisements posted by slave owners seeking their runaway "property." For example, on April 22, 1865, the Advertiser ran the following notice for N.G. Scott:

\$100 REWARD.

My Negro Woman JANE left my house, on Tuesday, April 5.

She is about 5 feet 4 inches high of dark copper color, quite fleshy, about 35 or 40 years old. I will pay the above reward if delivered to me or in jail where I can get her. She has a husband about 7 miles above Wetumpka belonging to Mr. Townsend.



From 1848 to 1860, the probate office granted licenses to 164 slave traders in Montgomery. These traders arranged for the purchase of enslaved people from the Upper South and announced their subsequent sale in the Montgomery newspapers, advertising either for private sale at a depot or for public sale at auction.

Cotton scene in Court Square, Montgomery, Alabama, 1870-1899. (Ala. Dep't. Archives and History, Montgomery, Ala.)

**E. BARNARD & CO.,
SLAVE DEPOT,
MONTGOMERY, ALA.**

3 few doors above **Montgomery** Hall.



WILL KEEP CONSTANTLY ON HAND

MECHANICS, FIELD HANDS,

Cooks, Washers and Ironers,
AND GENERAL HOUSE SERVANTS.

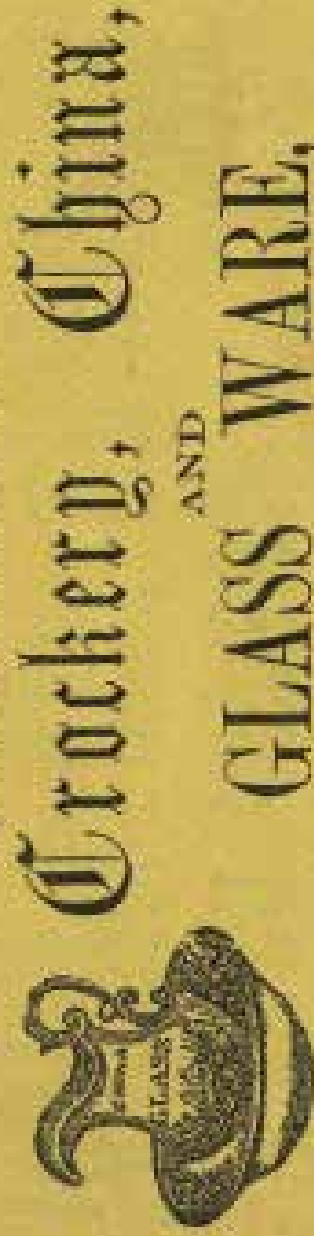
Particular attention paid to Buying and selling Slaves on
Commission.

REFERENCES:

Lee & Norton, John H. Murphy, F. M. Gilmer, Jr., Montgomery, Ala.;
E. B. Brown, Macon, Ga.; J. S. Riggs, Charleston, S. C.; Harrison & Pitts,
Columbus, Ga.

W. H. WARE,

IMPORTER AND DEALER IN



Crockery, China,

AND

GLASS WARE,

Belmond and Bellillo's Déclaire, Plated Castors, Forks, &c.

FINE TABLE CUTLERY,

HOUSE FURNISHING GOODS,

41 MARKET STREET,

FOUR DOORS ABOVE THE MADISON HOUSE.

Even after Robert E. Lee's surrender, the **Montgomery Daily Advertiser** continued to run "reward" advertisements posted by slave owners seeking their runaway "property."

Walking through downtown Montgomery today, one can still trace the steps that thousands of enslaved Black people took in the nineteenth century as they stepped from boats and railcars to be sold in this capital city. The path from the railroad tracks and the river, up Commerce Street to Court Square, past Dexter Avenue King Memorial Baptist Church, and on to where Dexter Avenue meets the Capitol, reveals a glimpse into that past and a chance to walk in those footsteps. Though the buildings that served as slave depots and offices for slave traders are no longer standing, the streets and plots of land where the Domestic Slave Trade prospered remain.

Indeed, the plot that now holds The Equal Justice Initiative offices at 122 Commerce Street, and The Legacy Museum at 115 Coosa Street, formerly housed a warehouse owned by John H. Murphy, commonly known as the founder of the Montgomery City Water Works and Sanitary Sewer Board and builder of the "Murphy House" at 22 Bibb Street. Murphy was a slave owner involved in the slave trade in Montgomery who housed enslaved people at the warehouse where EJI currently resides.⁹⁸ And EJI is not alone. Every inch of Commerce Street, Court Square, and today's Dexter Avenue witnessed the savagery and brutality of Montgomery's notorious slave trade — and its role in American slavery — although very little has been done to acknowledge this history.

MONTGOMERY'S PARTICULARLY BRUTAL SLAVE TRADING PRACTICES

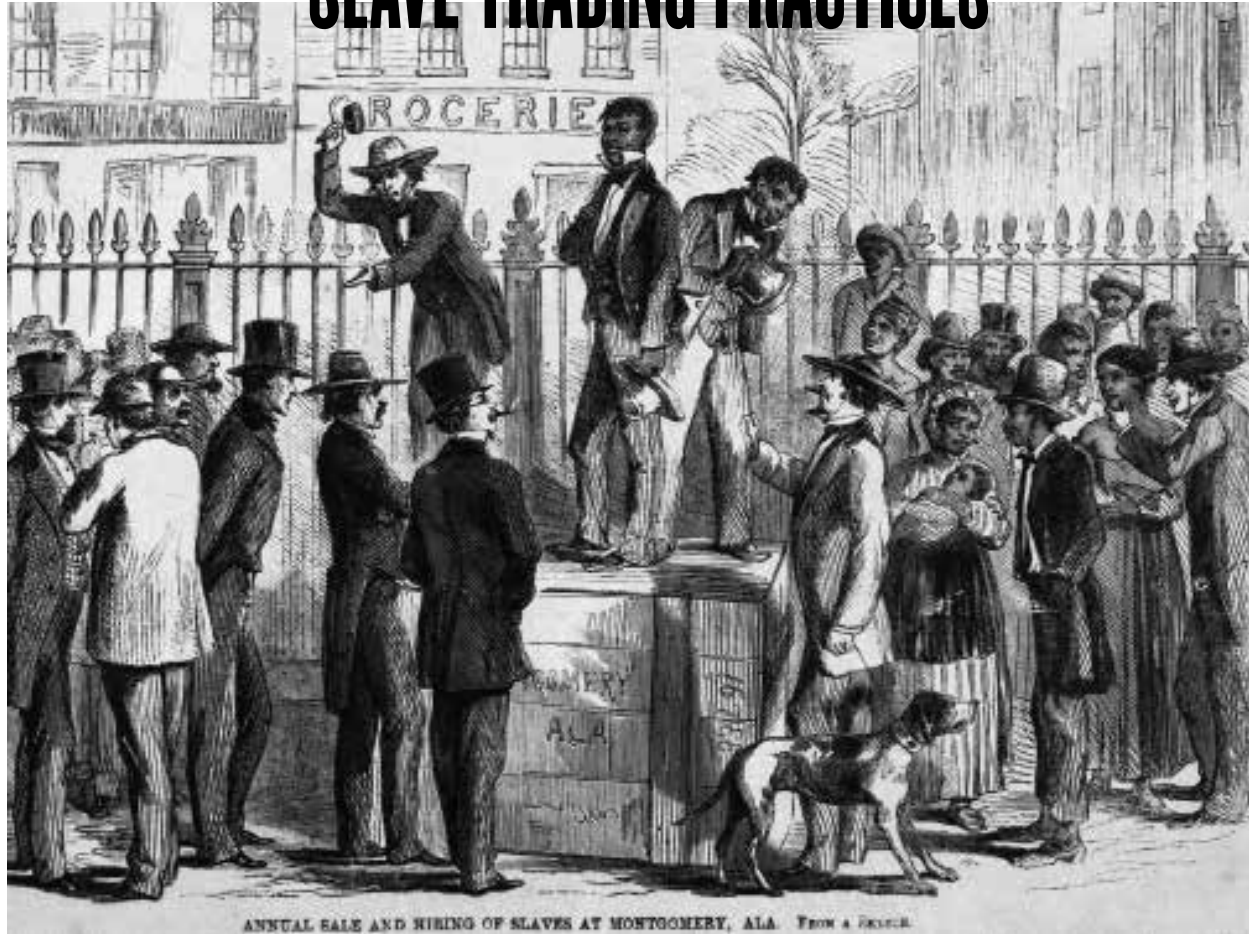


Illustration of Montgomery's slave market published in 1861. (Donated by Corbis.)

Jesse, a young, free Black man, was running an errand for his family in Maryland when he was kidnapped and taken to Richmond, Virginia. There, he was sold and shipped by rail to the slave market in Montgomery, Alabama. When Jesse informed the Goldthwaite family who purchased him in Montgomery that he was a free man, and asked them to help him return to Maryland, the family refused to send Jesse home or help him contact his family. Later, when emancipated as an elderly man, Jesse

sought to locate his family with the assistance of a preacher in Ohio but was never able to find his relatives or determine what became of them.⁹⁹ Tragically, Montgomery was the slave trading capital of a state with exceptionally disturbing practices, and Jesse's experience was not uncommon. His story has largely been forgotten, while a street near downtown Montgomery remains named for the Goldthwaite family that owned him.

KIDNAPPING AND ENSLAVEMENT OF FREE AFRICAN AMERICANS

Slave markets across Alabama, particularly the one in Montgomery, facilitated the kidnapping and enslavement of free African Americans. Under Alabama law, the color of a Black person's skin gave rise to a presumption that he or she was enslaved.¹⁰⁰ In fact, in 1833, the Alabama legislature banned free Black people from residing in the state.¹⁰¹ Although the presumption that a Black person was enslaved could be rebutted in court, Alabama judges proved resistant to claims of freedom. Courts procedurally barred emancipation claims,¹⁰² directed juries to ignore substantial evidence of freedom,¹⁰³ or simply refused to act in favor of individuals who demonstrated they were illegally enslaved. As a result, slave traders across the United States kidnapped free and enslaved African Americans to sell in the slave markets of Montgomery. One well-organized ring ran a business abducting free and enslaved African Americans in Florida and selling them in Alabama.¹⁰⁴

In the early nineteenth century, Amy Butcher and her daughter, Caty — free Black women residing in Prince George County, Virginia —

were abducted, transported to Huntsville, Alabama, and sold into slavery. Amy, Caty, and Caty's four children eventually brought suit in Madison County to regain their freedom. They were represented by an attorney at a hearing where multiple witnesses testified that the women had previously established their freedom in Prince George County and were seized after an erroneous larceny charge. Yet the Madison County Superior Court took no action, continuing the case from term to term for six years. Finally, after years of inactivity, the women dropped their suit and it was dismissed. As a result of the court's refusal to rule on the case, six free Black people were left to resign themselves to a life of slavery.¹⁰⁵



Slave traders across the United States kidnapped free and enslaved African Americans to sell in the slave markets of Montgomery.



Slave depots or pens were usually proximate to slave markets. Slave pen in Alexandria, Virginia. (Library of Congress.)

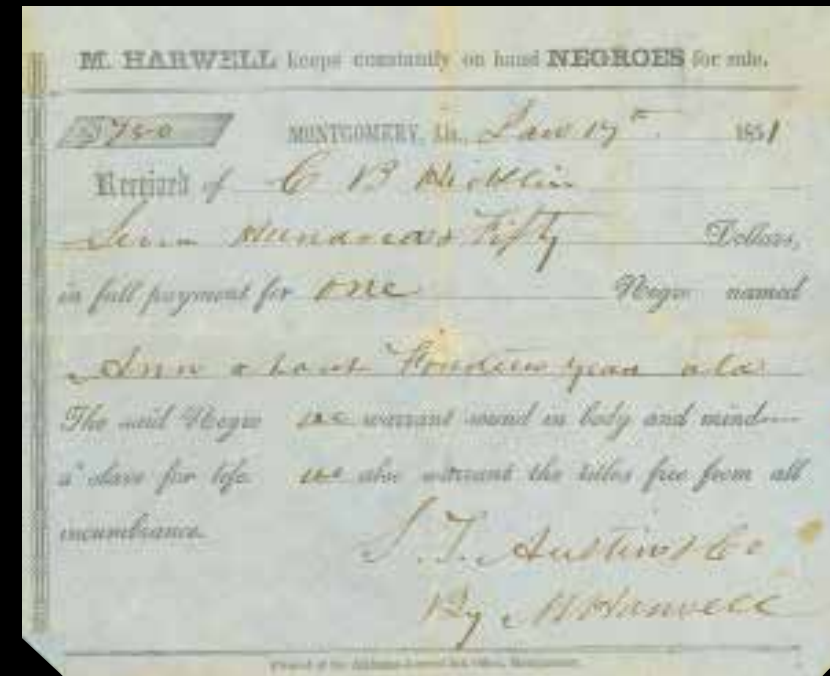
SEPARATION OF FAMILIES

Roughly half of all of the enslaved were separated from their spouses and parents as a result of the Domestic Slave Trade.¹⁰⁶ In Alabama alone, as many as 150,000 enslaved people were separated from their families.¹⁰⁷ Slave traders in Montgomery did not shy away from the practice of selling children away from their mothers or fathers. For example, though the Thomas L. Frazer & Co. Slave Mart in Montgomery was willing to sell families together, it eagerly advertised that it kept “constantly on hand a large and well selected stock” of young African American boys and girls. Delia Garlic, once enslaved in Montgomery, recalled:

“Babies wuz snatched from dere mother’s breas’ an’ sold to speculators. Chilluns wuz separated from sisters an’ brothers an’ never saw each other ag’in. Course dey cry; you think dey not cry when dey wuz sold lak cattle? I could tell you ‘bout it all day, but even den you couldn’t guess de awfulness of it.”¹⁰⁸

In part, Montgomery slave traders were responding to clients’ specific requests. Nothing restrained the whims of slave merchants and purchasers, resulting in the routine separation of families. Before 1830, some slave owners were reluctant to sell slave families to traders, who were notorious for tearing African American families apart.¹⁰⁹ However, by the time the slave trade in Montgomery became a dominant force, the concern for maintaining the familial ties of enslaved people had long disappeared.¹¹⁰

Advertisements in the Montgomery Daily Advertiser posted by those seeking to purchase enslaved people demonstrate that the slave trade in the city was far from family oriented. W.M.A. Reynolds of J.D. Ware’s Drug in Montgomery sought to purchase “[a] likely, strong and healthy negro girl, from 10 to 18 years of age,”¹¹¹ without regard for whether she was a daughter, sister, or even mother. Directly above Reynolds’ advertisement, S.P. Weeford, of the One-Armed Man’s Dry Goods Store, sought to sell a thirteen-year-old African American boy.¹¹²



Bill of sale for fourteen-year-old girl named Ann, bought for \$750 in Montgomery. (Ala. Dep’t. Archives and History, Montgomery, Ala.)

**NEW
SLAVE MART**
they keep constantly
on hand a large and
well selected stock.

Ala. Dep’t. Archives and History, Montgomery, Ala.

COOK WANTED.
A GOOD Cook, Washer and Ironer wanted. Apply to
GEO. W. WHITMAN,
at the Court House.
sep27244

NEGRO BOY FOR SALE,
13 YEARS old—very likely—at the One-Armed
Man’s Dry Goods Store, 14 Market Street.
S. P. WEEFORD.
sep22614

WANTED TO PURCHASE.
A LIKELY, strong and healthy negro gir’, from 10 to
18 years of age, of good character and disposition.
One capable of doing light house work and tending
children. Apply at this office.
W. M. A. REYNOLDS,
At J. D. Ware’s Drug.
sep23

NOTICE! NOTICE!
sale of thirty five likely
negroes... men, women, and
children.

NEGRO BOY FOR SALE.
13 years old.

Enslaved family at start of Civil War.
(Library of Congress)



The most heartbreaking, traumatizing, and painful feature of enslavement was the slave auction. Enslaved people lived in constant fear of being sold away from spouses, children, parents, and siblings. Following Emancipation, formerly enslaved people tried desperately to reconnect with their lost family and friends, publishing notices in newspapers across the country. These notices provide a window into the tragedy of the forced separation of enslaved people's communities and the fragile hope that, with Emancipation, they would be reunited. Although a small number of families did reconnect, many searched for decades without success.

Bettie (Nelson) Cox¹³

October 11th, 1883

INFORMATION WANTED CONCERNING my brothers, Joe and George Nelson, who enlisted in the Union army near Athens, Ala., in 1863. We formerly belonged to John S. Nelson, who lived within nine miles of Athens, Ga., on the Elk river. Our mother's name was Nancy Nelson, who died when I was two years old. My maiden name was Bettie Nelson. My name at present is Bettie Cox; am 22 years old. Address Bettie Cox, Columbus, Kansas.

Richard Thompson¹⁴

November 13, 1915

I would like to locate some of my people. My father's name was Ryland Jones, my mother's name was Jones before she was sold, and after she was sold, her name was Mary Carter. My sister's name was Janie Stokes, her brothers were named Richard and Henry Jones. Mother belonged to Mr. Charles Ebell, of Richmond, Va. Mary Carter and Andrew Carter belonged to the old Baptist Church. Any information will be gladly received.

Robert Williams¹⁵

March 31, 1866

Of my son, Daniel 15 or 16 years of age, who formerly belonged to Clinton Williams, Marshal county, Ten., and subsequently to Harvey McRory. When last heard from was in Memphis, Tenn. I am at present living at Unionville, Bedford county, Tenn. where I can be addressed, or the desired information can be sent to the Colored Tennessean, Box 1150, Nashville, Tenn.



Five generations of an enslaved family in South Carolina, 1862. (Library of Congress)

Emily Robbins¹⁶

February 26th, 1885

INFORMATION WANTED OF MY MOTH-er. Her the name was Patsy. We belonged to a speculator who lived near Greensboro, N. C. He took her to Ala-bama and sold her, but kept me, a small child. My present name and address is, Emily Robbins, Westfield, Indiana.

Mrs. Ceillia Sours¹⁷

November 29, 1883

Mr. Editor I desire to know the whereabouts of my six children, whom I left in Carroll county, Miss., the first year of the war. We all belonged to Mr. Steven Burts. He died and we were divided, and a Mr. Pratt took some of my children, and Miss Eugene, daughter of S. Burts, took the rest. My husband, their father, died. Wiley Parker bought me, and brought me to Texas. The names of my children were: boys, Daniel, Toby, Nelson and Walker; girls, Judia and Sillia. We lived three miles from Middletown, Miss., on Mr. Davis' plantation. Address me, care Mr. C. H. Graves, San Feilipe, Texas.

Martha Cobble¹⁸

August 3, 1889

Martha Cobble, of Owensboro, Ky., a Colored woman formerly a slave, has searched forty years for her two sons who were sold to a New Orleans trader when they eight and ten years of age. Recently she learned the whereabouts of both and was made happy by a visit from one of them.

Valentine Toliver¹⁹

December 16, 1886

MR. EDITOR — I have found out where my brother Emanuel and Stephen are by the help of the SOUTHWESTERN. So please to make another inquiry for my sister Pinnie and her husband Robin; Robert is his name, but they call him Robin; their eldest sons are named Stephen and Richard, and girls are Mame, Emmer and Caroline. I haven't called half of her childrens' names, as I cannot remember them; I have four names of cousins: Edmund, Comadore, Hudson, Nelson, all of them used to belong to Joe Green, who lived near Montgomery, Ala., and I have got one brother and sister after I have not found yet. Brother Stephen told me that they were sold in New Orleans and was sold together, names are Frank and Mary. Our first owner was Louis Toliver. I was born in Georgia, and when Louis Toliver moved to Mississippi I was 7 or 8 years old, and when I left there I went up to the plantation that was called the Monroe Place with Nick Toliver, my youngest master, and was sold to Morgan Smith in Alabama, and he died in the summer about the year 1860, and about the last of November 1860 I moved to Louisiana by Frank Smith, and I pray God they may see this. Any information as to her whereabouts will be gladly received. Address Valentine Toliver, Shreveport, La.

Black family outside former slave quarters, Georgia, c.1907.



EXPLOITATIVE LOCAL SLAVE TRADING PRACTICES

Because slavery was brutal and vicious, enslaved people frequently resisted cruel and barbaric practices. This resulted in torturous whippings or painful punishments that left scars and bruises. Slave traders understood that such scars and evidence of resistance would lower the value of enslaved Africans offered for sale, so traders engaged in cosmetic efforts to increase an enslaved person's value. To conceal an enslaved person's age or ailments, traders would decorate the enslaved to increase their marketability. For example, older men were shaved and their "grey hairs were plucked out . . . where they were not too numerous, in which case [the slave] had a prescription of blacking to cover [grey hair], and with a blacking brush we put it on."¹²⁰ These practices, which objectified enslaved people like livestock, were common in Montgomery and often succeeded in misleading observers and artificially increasing the purchase price of an enslaved person. Such practices also contributed to the especially exploitative features of the Domestic Slave Trade in Montgomery.

"TO BE SOLD AT AUCTION"

The institution of slavery sought to reduce enslaved Black men, women, and children to commodities. Slave owners and slave traders made fortunes by treating enslaved people as "property" to be bought, sold, and speculated on in the market economy. In 1854, local Montgomery merchant John G. Winter prepared to sell 117 enslaved people from his estate.

To maximize their purchase price, Winter prepared a catalog advertising each enslaved person by name, description, and attributes. "[S]o valuable and desirable a gang of Negroes, of the same number, has never been brought together upon any occasion." Winter boasted in the catalog. "Inured to labor, subject to rigid control, they are the most manageable lot of hands that were ever before offered to the public. United to the vivacity of the Virginian, they possess the humility of the low country Negro."¹²¹

The catalog's entries, excerpted here, reduced enslaved men, women, and children to their prospects as workers and breeders. Many of those

listed were connected as husbands and wives, parents and children, vulnerable to separation at auction and terrified by the unknown future ahead.

Randall—about 23 years old, raised in Virginia, good plantation hand, has complained some occasionally of a rheumatic pain in one of his shoulders; upon the whole a very good negro, but not one of the choicest.

Shepherd—boy about 11 years old, raised on road and plantation, good Cotton picker, and a very smart boy, off most excellent family, his mother being one of the best of Negroes, named Judy, and is in this Catalogue, will make a valuable man.

Nancy— about 26, field hand, cannot recommend her particularly, complains of indisposition, but probably a proper master might cure her. Cotton picker, smart enough to learn anything.

Viney— about 20, Georgia, daughter of Abram, good field hand, been a little practiced in the house but nothing to speak of; first rate young woman, fine breeder and first rate blood; she is No. One, raised by the present owner; has not a fault, fine cotton picker, smart enough to learn anything.

Molly—about 8;
Dolphus—about 3;

Children of Becky and Bill Nell.

Mary Jane— about 11;
Martha— about 10;
Louisa— about 7;
Passilla— about 9;

All Children of Judy.

Milus— boy about 11 to 12 years old, raised on plantation, been on the road for two years, smart as a steel trap, capable of learning anything. His brother, two years older is a moulder, for whom \$1,800 has been offered.

SEXUAL EXPLOITATION OF ENSLAVED PEOPLE



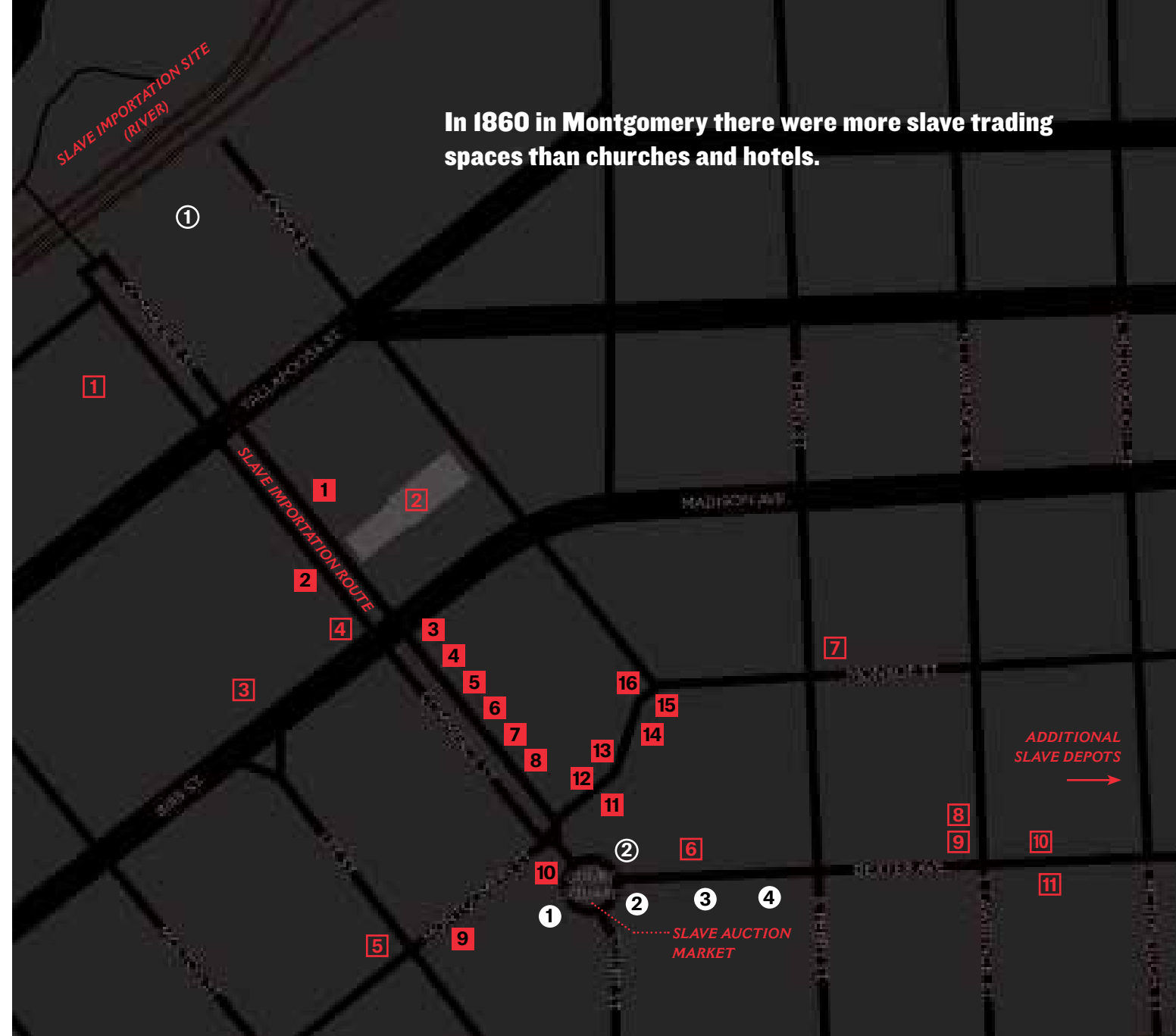
Library of Congress

In addition to supplying laborers, slave traders in Montgomery filled planters' orders for "fancy maids," African American women who were raped by their owners and passed around to friends and visitors to do the same.¹²² The systematic sexual abuse of enslaved people was also common practice among the traders themselves.¹²³ One former slave forced to serve as a trader's assistant reported that slave traders regularly raped the women they purchased.¹²⁴ Another former slave told of a trader who sexually assaulted a woman in his coffle and allowed his companions to do the

same for several days before selling her.¹²⁵ The unrestricted character and unregulated features of Montgomery's slave trade made the human exploitation created by slavery in south central Alabama especially notorious.



Systematic sexual abuse of enslaved people was also common practice among the traders themselves.



In 1860 in Montgomery there were more slave trading spaces than churches and hotels.

SLAVE DEPOT

- 1. Gilmer & Co.
- 2. **Warehouse and Slave Pens**
John H. Murphy & Co.
- 3. Thos. A. Powell
- 4. Jno. W. Lindsey
- 5. Brown & Bulger
- 6. Mason Harwell
- 7. **Slave Depot/Invester**
Lee & Norton
- 8. **Slave Depot**
- 9. **Slave Depot/Invester**
Samuel R. Browning
- 10. **Slave Depot**
- 11. **Slave Depot**

SLAVE AUCTIONEERS, TRADERS, AND INVESTORS

- 1. Wilkinson & Nickels
- 2. Hansford, Brame & Co.
- 3. Cameron & Benson
- 4. W. G. Lee & N. M. Carter
- 5. W. A. Grant
- 6. Gray James & Co.
- 7. Leonard Pitkin
- 8. F. H. Bock
- 9. D. S. Arnold
- 10. James B. Belshaw & Co.
- 11. Orme, Walington & Co.
- 12. James E. Davis & Harris Olcott
- 13. E. H. Metcalf & J. H. Weaver
- 14. John Whiting
- 15. M. Harwell
- 16. Harrison Edmund

BANKS AND INSURANCE COMPANIES FINANCING SLAVERY

- 1. State Bank
- 2. Lehman Bros.
- 3. Bank of Montgomery
- 4. Montgomery Insurance Co.

OTHER SITES COMPLICIT IN THE SLAVE TRADE

- 1. **Slave Owner's Business**
Winter Iron Works
- 2. **State Courthouse**



Nat Turner Urging the Slaves to Rebellion by Lorenzo Harris, 1936.

Enslaved Africans in the United States, like those throughout the Caribbean and the Americas, used a variety of tactics to resist bondage including revolts, escape, and survival. Documented revolts in Jamaica, Puerto Rico, and Suriname date back to the late 1700s.¹²⁶ The largest rebellion in the British colonies, known as Cato's Rebellion, took place in South Carolina in September 1739 when scores of enslaved Africans began an armed march to Spanish Florida and fought militia who tried to stop them. After the revolt, the colonial legislature passed the Negro Act of 1740, restricting the assembly, education, and movement of enslaved people, and barred importation of African slaves for ten years.¹²⁷

After enslaved Africans in Haiti won their freedom in 1804 fol-

lowing years of battle, American plantation owners suppressed domestic revolts with extraordinary violence. In 1811, federal troops and local white militia defeated a revolt by 500 enslaved people in modern-day Louisiana. Ninety-five participants were executed; the revolt's leader, Charles Deslondes, was mutilated and dismembered; and his followers' decapitated heads were mounted on pikes spanning 60 miles en route to New Orleans as a warning to others contemplating rebellion.¹²⁸

At least 30 enslaved African Americans were executed in 1822 after the discovery of Denmark Vesey's planned insurrection in Charleston, South Carolina.¹²⁹ In 1833, when enslaved minister Nat Turner led dozens of Black people on a bloody revolt against slavery in

Southampton, Virginia, white forces attacked local Black communities, killing an estimated 120 people. Afterward, nearly twenty enslaved people, including Turner, were convicted and executed.¹³⁰ But the violent repression of anti-slavery revolts could not eliminate resistance or prevent the eventual abolition of slavery.

For many Black people, resisting enslavement meant fleeing bondage to regions that had outlawed slavery and offered the promise of freedom. Throughout the more than 240 years that chattel slavery existed in North America, enslaved people longed for freedom and attempted to escape bondage. As early as 1793, Congress enacted its first fugitive slave law, requiring residents of all states to forcibly seize and return Black people who had escaped enslavement.¹³¹ Despite the legal obstacles and dangerous risks of running, approximately

100,000 enslaved men, women, and children managed to escape to freedom before 1865.¹³²

The Underground Railroad was an activist network developed to provide shelter, transportation, food, and other resources to thousands of runaways. One of its most famous and effective leaders was Harriet Tubman, a Black woman who escaped slavery in 1849 and returned to the South at least 15 times to guide more than 200 people to freedom.¹³³ Another leader, Henry Highland Garnet, escaped slavery as a child in 1824 and, as an adult, sheltered more than 150 runaways in his Albany, New York, home in a single year.¹³⁴

The Underground Railroad's "conductors" risked severe punishment. When caught journeying into the South in 1847, Black abolitionist Samuel D. Burns was jailed for 14 months in Dover, Delaware; authori-



Harriet Tubman

ties later tried to sell him into slavery, but fellow abolitionists arranged to purchase and free him.¹³⁵ In 1855, Alfred Wooby was sentenced to death in Bertie County, North Carolina, for hiding an enslaved person on a boat headed north.¹³⁶ And in 1857, abolitionist Elijah Anderson died in a Kentucky prison while serving a sentence for transporting runaways across state lines.¹³⁷

Indeed, American slavery was a violent, dangerous, and dehumanizing system for everyone. Those who could not escape or rebel developed cultural tools to resist through music, faith, bonds of support, and the will to keep living. Music was deep-

ly embedded in African culture well before the launch of the Transatlantic Slave Trade, and kidnapped Africans continued that tradition by using songs to communicate and encourage one another. A white sailor who worked on slave trade voyages from 1760 to 1770 remarked that Africans on board were known to "frequently sing, the men and woman answering another, but what is the subject of their songs [I] cannot say."¹³⁸

The songs passed through generations of enslaved African-descended people conveyed messages of sorrow and hope, and helped to forge community through work-songs in the field and story-telling and dance rituals in their cabins. "A man cannot well be miserable, when he sees every one about him immersed in pleasure," an enslaved man named Charles Ball later recalled. "I forgot for the time, all the subjects of grief that were stored in my memory, all the acts of wrong that had been perpetrated against me."¹³⁹

The determination to survive despite the forces of oppressive violence was itself a form of resistance.



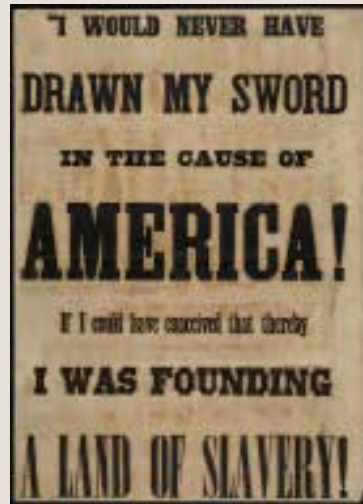
Attack and Take of the Crête-à-Pierrot by Auguste Raffet, 1839.

THE POST-SLAVERY EXPERIENCE



Two women attend a convention for formerly enslaved people in Washington, D.C., in 1916. (Library of Congress, Prints and Photographs Division, [LC-USZ62-35640].)

Southern states seeking to preserve the institution of slavery seceded from the United States in 1861 and formed the Confederacy — sparking the American Civil War.¹⁴⁰ Following the Confederacy’s surrender in 1865, the system of slavery that had become a foundation of the Southern economy and society was outlawed. The former slave states were immediately forced to recognize the Emancipation Proclamation of 1863, which had freed enslaved people in rebelling territories. The Thirteenth Amendment, ratified in December 1865, soon went even further by prohibiting slavery throughout the United States “except as punishment for crime.” Nevertheless, most white people refused to accept the emancipated status of Black people. Three states failed to ratify the Thirteenth Amendment until the twentieth century: Delaware in 1901, Kentucky in 1976, and Mississippi in 1995.¹⁴¹



Antislavery Broadside
(Boston Public Library)

On December 12, 1865, the Thirteenth Amendment was ratified, making slavery illegal except as punishment for crime and ending the system of racialized chattel slavery. This was largely made possible by the abolitionist movement. Led by generations of Black advocates joined by some white allies, abolitionists persistently worked to end slavery in the face of institutional opposition and widespread, violent resistance.

David Walker, a free Black abolitionist from Boston, published *An Appeal to the Coloured Citizens of the World* in September 1829. The pamphlet demanded the immediate emancipation

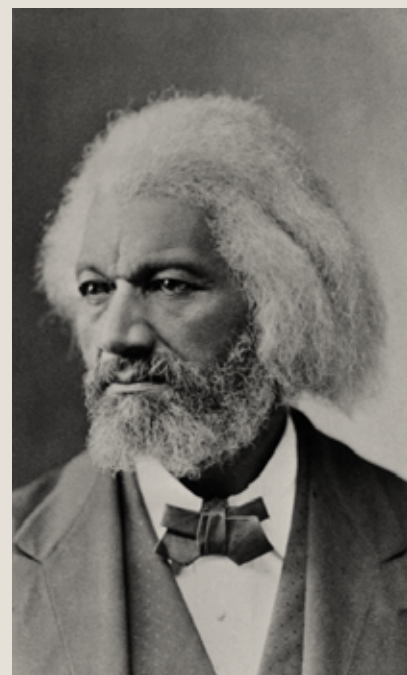
of the enslaved and called on free and enslaved Black people to actively fight against racial oppression and the institution of slavery. Walker's *Appeal* also warned white Americans who were complicit in racial oppression that their "destruction is at hand, and will be speedily consummated unless you repent."¹⁴²

Afraid and enraged, Southern white authorities branded the pamphlet dangerous and destroyed all copies found within their borders, and the State of Georgia offered a bounty for Mr. Walker's capture.¹⁴³ The next fall, North Carolina passed two laws banning the dissemination of any publication with the tendency to inspire revolution or resistance among enslaved or free Black people.¹⁴⁴ Georgia and Mississippi legalized use of the death penalty against free Black people caught spreading anti-slavery materials.¹⁴⁵ And multiple state legislatures prohibited anyone from teaching Black people to read.¹⁴⁶ Anti-slavery publications still persisted, including Frederick Douglass's *North Star* newspaper, and white abolitionist William Lloyd Garrison's *The Liberator*.

After enslaved preacher, Nat Turner's, rebellion in Virginia in 1831, the Mississippi legislature barred any African American person, free or enslaved, from becoming a preacher, and the city of Mobile, Alabama banned gatherings of more than three enslaved people.¹⁴⁷ Anti-slavery sentiment and activity continued to grow in the North where, in 1830, free Black people began organizing annual abolition conventions to gather and strategize.¹⁴⁸

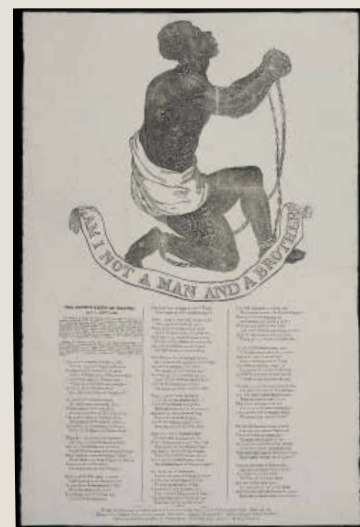
In response, the South intensified efforts to suppress abolition. On two different occasions in 1854, white "slave patrollers" in Mt. Meigs, Alabama, burned enslaved Black

Frederick Douglass



people alive for suspicion of possessing anti-slavery materials.¹⁴⁹ White abolitionist John Brown led a biracial, armed raid at Harper's Ferry in West Virginia, in an attempt to overthrow slavery; he was hanged for treason on December 2, 1859.¹⁵⁰

The abolition of slavery followed the Civil War but resulted from the tireless work of many Black leaders and others who risked their safety and sometimes lost their lives to stand against the denial of their humanity. "Those who profess to favor freedom, and yet depreciate agitation," said Frederick Douglass in 1857, "are men who want crops without plowing up the ground."¹⁵¹



"Our Brothers in Chains," an abolitionist poem published in 1837. (Library of Congress)

Following the Civil War, the federal government recognized it would be necessary to protect recently freed Black people and their new citizenship rights. Because there was little expectation that Southerners would openly grant African Americans equal rights within their communities, federal enforcement was deemed crucial. This led to "Reconstruction," a process by which the Northern-controlled federal government used federal troops and congressional authority to enforce emancipation and protect formerly enslaved peoples' new civil rights and American citizenship. Congress also established the Bureau of Refugees, Freedmen, and Abandoned Lands ("Freedmen's Bureau") to provide African Americans support in the areas of justice, labor, education, medical aid, and after 1867, political education.¹⁵²

Racial violence targeting newly freed Black people persisted during Reconstruction and ultimately outlasted the post-war federal intervention in the Southern states. Reconstruction ended less than fifteen years after the war's end, leaving the vast majority of the nation's Black population still residing in the South, vulnerable to systems and institutions controlled by the very white people who had recently enslaved them and who largely still believed Black people were inferior.



Racial violence targeting newly freed Black people persisted during Reconstruction.

A contemporary observer described the feelings of Southerners in the period immediately following the war:

“[There existed] a desire to preserve slavery in its original form as much and as long as possible . . . the people . . . still indulged in a lingering hope slavery might yet be preserved — or to introduce into the new system that element of physical compulsion which would make the negro (sic) work . . . [T]he main agency employed for that purpose was force and intimidation. In many instances negroes (sic) who walked away from the plantations, or were found

upon the roads, were shot or otherwise severely punished, which was calculated to produce the impression among those remaining with their masters that an attempt to escape from slavery would result in certain destruction. A large proportion of the many acts of violence committed is undoubtedly attributable to this motive.”¹⁵³

This struggle to enforce through violence and custom a racial caste system that could no longer be maintained by law would play out in Montgomery, the state of Alabama, and the South for generations, making slavery and its legacy a persistent part of our national identity.



Many African Americans fled plantations to fight with the Union Army. (Library of Congress.)

AFTER SLAVERY: POST-EMANCIPATION IN ALABAMA



Library of Congress, Prints and Photographs Division, [LC-USZ62-110813].

In 1861, when Alabama seceded from the Union to join the Confederacy, more than 435,000 of its residents — 45 percent of the state’s total population — were enslaved Black people.¹⁵⁴

The end of the Civil War carried with it the liberation of formerly enslaved people, but white Alabamians had little tolerance for the end of slavery. Observers of the time noted that this intolerance and anger was expressed both by former slave holders and by white Southerners who had never owned enslaved people but who “even previous to the war, seemed to be more ardent in their pro-slavery feelings than the planters themselves.”¹⁵⁵ White citizens were “possessed by a singularly bitter and vindic-

tive feeling against the colored race since the negro has ceased to be property.”¹⁵⁶ This bitter and vindictive feeling, coupled with a desire to coerce freed Black citizens into remaining enslaved, gave rise to a wave of extreme violence. To white citizens of Alabama, “the maiming and killing of colored men seem[ed] to be looked upon by many as one of those venial offences which must be forgiven to the outraged feelings of a wronged and robbed people.”¹⁵⁷



White citizens were “possessed by a singularly bitter and vindictive feeling against the colored race since the negro has ceased to be property.”

The end of slavery brought an immediate increase in violence against African Americans across the South that reached “epidemic proportions” in the summer of 1865.¹⁵⁸ The racial violence achieved multiple objectives: coercing African Americans to labor without their consent; preventing African Americans from leaving the plantations; and deterring emigration out of the South. White men “organized themselves into patrols, using dogs, to control the roads and pathways.”¹⁵⁹ Contemporary observers described the violence in Alabama as “particularly atrocious.”¹⁶⁰ An army observer overseeing Reconstruction in southern Alabama indicated that “blacks were still forced to stay and work on plantations without any pay. So many freedmen had been killed that the roads and rivers in south Alabama ‘stink with the dead bodies’ of those who tried to flee.”¹⁶¹ Violence was “the blunt instrument by which white society preserved its privileges — political, social, economic.”¹⁶²

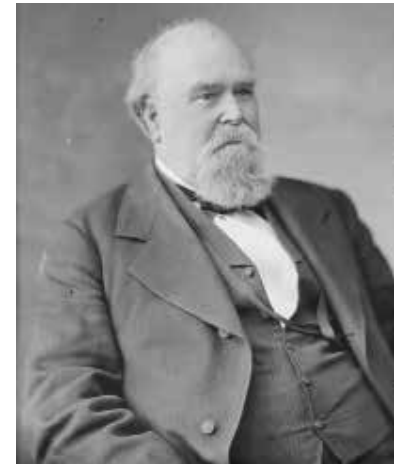
Yet social and political change marched on. Federally-enforced Reconstruction lasted from 1865 through 1874 in Alabama. During that period, Black people voted and held public office in the state for the first time and had access to new economic and educational opportunities. In response, Alabama leaders resistant to social reform based on racial equality (including many Confederate veterans) formed a Democratic

Party intent on “redeeming” the state and re-establishing white supremacy.

Democratic candidates were elected to office in large numbers in Alabama in 1874, largely due to the party’s use of violence, threats, terror, and fraud to intimidate Black voters and their white allies in counties throughout the state. In Eufaula, Alabama, high rates of Black voting had led to Republican Party dominance throughout Barbour County since the start of Reconstruction. A branch of a Democratic paramilitary group known as the White League formed there and was active throughout the 1874 campaign season, working in Eufaula to disrupt Republican political meetings and suppress Black voting. On election day, members of the White League raided Eufaula, attacked and killed several unarmed Black Republican voters, and chased more than a thousand voters away from the polls. Soon after, in nearby Spring Hill, Alabama, the League burned the ballot box, killed the teenaged son of a white Republican judge, prevented the counting of any Republican votes, and declared victory for every Democratic candidate.¹⁶³ Similar violence was reported in Mobile. At the election’s close, Alabama had a Democrat-controlled legislature and a Democratic governor, George S. Houston.



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Alabama Governor George S. Houston restored white supremacy and enslavement-era practices after gaining office through racial violence and terror. Today, Alabama’s fifth largest county is named in his honor. (Library of Congress.)

The election of 1874 returned the state to the control of former Confederate leaders and ended Reconstruction in Alabama. A Democrat and former congressman, Houston led a political effort to reverse the aims of Reconstruction in Alabama and restore the dominance of “the great governing race — the white people of the land.”¹⁶⁴ The goal was to reclaim and resurrect the racial hierarchy that had been used to justify slavery and to establish a new system of racial dominance.

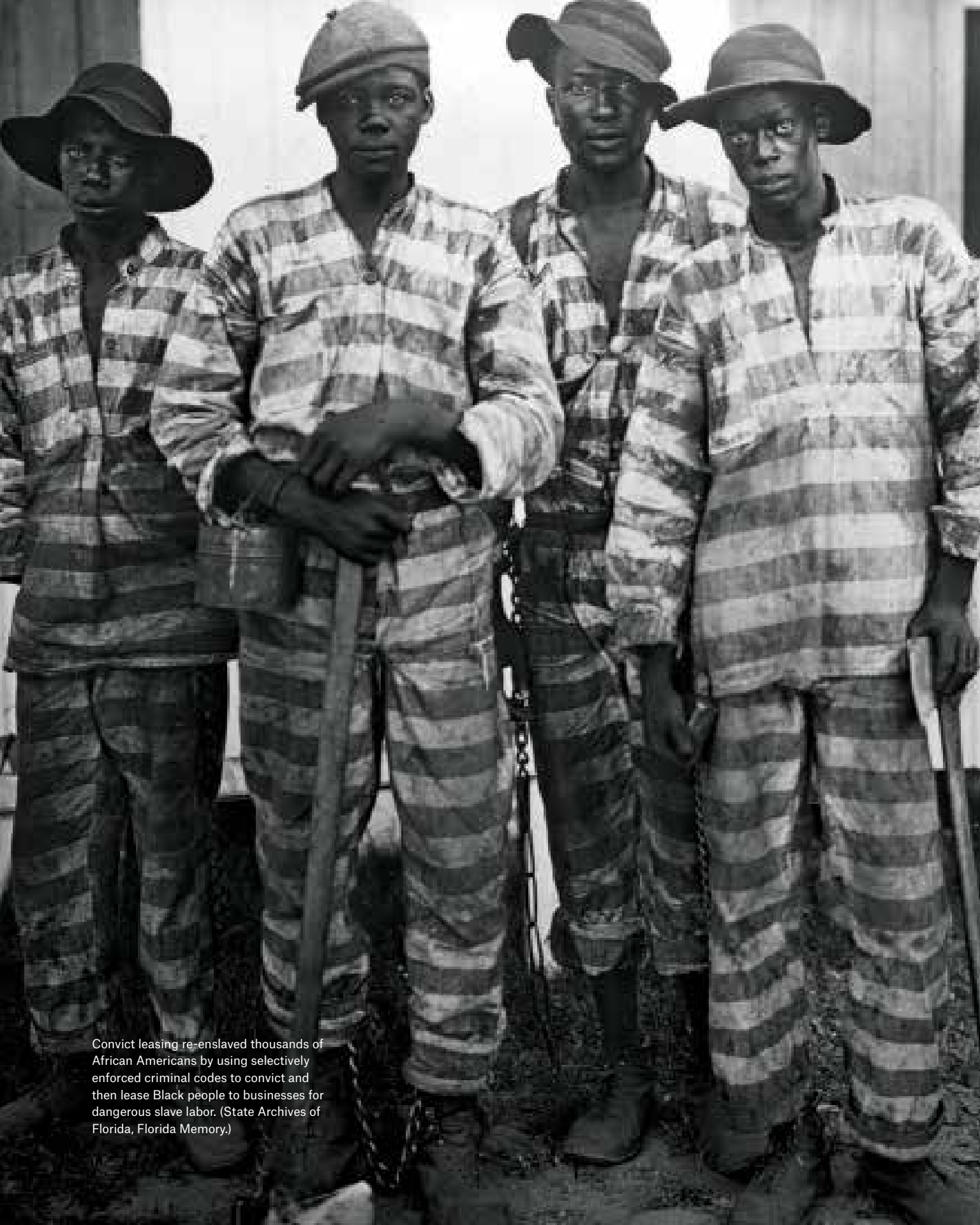


The election of 1874 returned the state to the control of former Confederate leaders and ended Reconstruction in Alabama.

1901 ALABAMA CONSTITUTION

In 1901, a gathering of white, male delegates from throughout the state met in Montgomery, Alabama, to draft a new state constitution. Their goal was to deprive Black people of their newly won civil rights and to re-establish a legalized system of racial hierarchy. The resulting 1901 Constitution disenfranchised the vast majority of Black men in the state, and all women; prohibited interracial marriage; mandated segregated public education; and created a legal system of second-class citizenship for Black people that would last for generations.

Alabama’s racially motivated 1901 Constitution remains the state’s governing document today. Repeatedly amended in the decades since its adoption and now the longest constitution in the world, it retains many discriminatory provisions along with the racist foundation on which it was written. Efforts to write a new constitution through legislative action or constitutional convention have repeatedly failed.



Convict leasing re-enslaved thousands of African Americans by using selectively enforced criminal codes to convict and then lease Black people to businesses for dangerous slave labor. (State Archives of Florida, Florida Memory.)

This was accomplished by passing laws that stripped Black Alabamians of the civil rights they had briefly enjoyed during Reconstruction. In the late 1870s and early 1880s, local governments implemented laws and ordinances requiring racial segregation on public transportation. The state also outlawed interracial marriage and, despite the Fourteenth Amendment's guarantee of "equal protection of the laws," the Alabama Supreme Court in 1882 upheld the interracial marriage ban as constitutional.¹⁶⁵ In 1883, the United States Supreme Court affirmed that ruling.¹⁶⁶ Economic exploitation and re-enslavement of Black people re-emerged through the system of sharecropping, which kept Black farmers impoverished and indebted to landowners from year to year, and convict leasing, which "leased" primarily Black state prisoners to private companies to perform dangerous work in inhumane and often deadly conditions for state profit.

Violent intimidation of Black voters continued in the decades following the 1874 election, but by the twentieth century Democratic political leaders felt confident enough to declare Black disenfranchisement as a policy goal. In May 1901, 155 white male delegates gathered in Montgomery for a constitutional convention. Immediately after his election as president of the convention, attorney John B. Knox of Calhoun County delivered a speech summarizing the convention's goals:

"And what is it that we want to do? Why it is, within the limits imposed by the Federal Constitution, to establish white supremacy in this state. This is our problem, and we should be permitted to deal with it, unobstructed by outside influences, with a sense of our responsibilities as citizens

and our duty to posterity . . . [I]f we should have white supremacy, we must establish it by law — not by force or fraud."¹⁶⁷

The resulting Alabama Constitution of 1901 mandated racial segregation in public schools, prohibited interracial marriage, and provided for the mass disenfranchisement of Black people. Using the recently passed disenfranchisement provisions of the Mississippi, South Carolina, and Louisiana constitutions as a guide, the convention adopted a poll tax, a grandfather clause, and felon disenfranchisement designed to intensify the effect of racialized law enforcement. Any loopholes were closed by the creation of arbitrary registration procedures that granted significant discretion to local white male registrars. Even when Black people managed to qualify for voter registration under these discriminatory laws, registrars refused to register them and courts refused to act.

Jackson Giles, a Black janitor living in Montgomery, had voted in Alabama from 1871 to 1901. Following implementation of the 1901 constitution, he was refused registration despite meeting all qualifications. He sued the state in federal court, asserting that the new provisions violated the Fifteenth Amendment's ban on racial barriers to voting. In 1903, the United States Supreme Court dismissed the case and authorized Mr. Giles's continued disenfranchisement.¹⁶⁸ Alabama's discriminatory voter registration system, combined with continued violent intimidation tactics, successfully suppressed Black voting in the state for several more generations, with no significant federal interference until the passage of the Voting Rights Act in 1965.

RECONSTRUCTION AND BEYOND IN MONTGOMERY

As the state capital, Montgomery was a focal point for post-slavery developments in Alabama, both political and social. The city received significant federal attention during Reconstruction¹⁶⁹ because troops from the United States Army's Fifteenth Infantry Regiment were posted in Montgomery¹⁷⁰ and the Freedmen's Bureau had a station in the city.¹⁷¹ The Freedmen's Bureau established schools and a hospital and provided the city's poor with nutritional assistance.¹⁷² But like many cities across the South, Montgomery "refused to accept the spectre of equality" for the freedmen and -women in its midst.¹⁷³ The primary tool of resistance was violence.

Montgomery represented economic opportunity for recently emancipated African Americans and attracted migration. Though federal troops were stationed in the city, Black Alabamians who traveled there still faced serious dangers. On

August 21, 1865, doctors at two separate hospitals in Montgomery gave detailed accounts of treating almost twenty Black residents of Montgomery who were victims of extreme violence.¹⁷⁴ The doctors recounted seeing Black men and women who had been shot in the hand, neck, or head; "scalped"; stabbed; beaten with clubs; had their throats cut; or had their ears, beards, or chins cut off.¹⁷⁵ The doctors reported that the "provocation for most of the attacks was the attempt of newly freed blacks to come to town."¹⁷⁶



A Black wagon driver was shot dead because he failed to "drive as far to the right as a white man thought he should."

The Ku Klux Klan, a white supremacist group started by Confederate veterans in Tennessee in 1866, resisted Reconstruction efforts by terrorizing free Black people and their allies, including Republican legislators, federal agents, bureaucrats, teachers, and any other individuals who were sympathetic to the cause of Black equality. The Klan was most active in northern Alabama, but offshoots of the group also operated in Montgomery. In one incident, after a white woman reported being insulted by a Black man in downtown Montgomery, Klansmen donned white sheets and rode through north Montgomery's Black community, terrorizing the residents with violence.¹⁷⁷

Although violence against free Black citizens had been constant since Emancipation, it surged in the late nineteenth century. Lynching accounted for nearly 2000 deaths nationwide between 1882 and 1901, and at least three Black men — Isaac Cook, Oliver Jackson, and Robert Williams — were lynched in Montgomery County in the 1890s, sending a tragic and terrifying message to the local Black community.¹⁷⁸ African Americans in Montgomery were murdered for minor breaches of Alabama's apartheid norms. In one instance a Black wagon driver was shot dead because he failed to "drive as far to the right as a white man thought he should."¹⁷⁹



(AP Photos/stf 500603019)



Eighteen-year-old Jesse Washington was lynched by a large crowd in Waco, Texas, in 1916. (Donated by Corbis.)

The local courts provided no relief for Black citizens terrorized by white violence, and the murder of Black Montgerians occurred all too often. As the Black newspapers of the time pointed out, “White men who shoot and kill Negroes are not adjudged guilty of murder by the law. Even colored women fall before the pistol of the white murderer and no note is taken of it.”¹⁸⁰

In the rare situation where the police and courts intervened on behalf of a Black citizen, there was little chance that the white perpetrator of violence would be held accountable. In 1910, Mitchell Johnson, a Black taxi driver, was hired to drive a white man home. When they reached the passenger’s destination, the white man got out and refused to pay. Mr. Johnson, who was responsible to his employer for the money, had the man arrested. The white passenger made bond, sought out Mr. Johnson, and shot him

dead. After he was arrested, the man claimed he killed Mr. Johnson in self-defense and was set free by Montgomery authorities.¹⁸¹

Fear, intimidation, violence, and terrorism were not confined to private vigilante groups or racially biased judicial institutions. The Southern Democrats employed the same tactics to seize political control of Alabama and its capital from newly enfranchised Black voters and the representatives — Black and white — that they supported. After former Confederates were elected to the legislature and governor’s mansion as Democrats in 1874, through fraud and intimidation, their supporters in Montgomery set about eliminating the remaining Black officials and Black electorate.¹⁸² In 1876, new city lines were drawn that excluded a number of Black citizens, and by 1877 “most Black voters and all Black officeholders were eliminated from participating in [Montgomery] city government.”¹⁸³

This became a statewide reality in 1901 with the adoption of the new state constitution, which effectively ended African American suffrage. With the Black community shut out of the political process, Montgomery officials enacted a series of laws designed to formalize the apartheid system. As early as 1914, Montgomery’s city ordinances required Black and white citizens to purchase theater and amusement park tickets in separate lines.¹⁸⁴ That same year, the city required segregation of public transportation and cemeteries¹⁸⁵ and continued to pass “Jim Crow” ordinances that entrenched segregation and restricted the movement of African Americans within the city. This included forbidding Black and white citizens from playing dominoes or pool together, segregated theaters and places of amusement, segregated bathrooms, segregated restaurants, and segregated taxicabs.¹⁸⁶

Montgomery’s criminal justice system was used

as a tool of racial control and separation, and broad laws prohibiting “vagrancy” and “disorderly conduct” brought Black residents into frequent contact with law enforcement. The city’s vagrancy ordinance made it “unlawful for any person to loaf, loiter, or idle upon any street or public place of the City of Montgomery.”¹⁸⁷ The punishment for vagrancy included a fine up to \$500 and hard labor for up to twelve months.¹⁸⁸ These laws were enforced almost exclusively against African Americans.

While African Americans ensnared in the criminal justice system initially provided forced inmate labor for the city, over time this system grew into the convict lease system. Under convict leasing, Black citizens convicted in local courts were brought under the control of private employers.¹⁸⁹ The brutal convict leasing system continued to evolve over the years, ensnaring thousands of Black Alabamians.¹⁹⁰



Montgomery’s criminal justice system was used as a tool of racial control and separation, and broad laws prohibiting “vagrancy” and “disorderly conduct” brought Black residents into frequent contact with Montgomery law enforcement.

The execution of James Keaton in Columbus, Mississippi, in 1934. Keaton was indicted, tried, convicted, and executed in seven days. (Univ. North Carolina at Chapel Hill, Wilson Special Collections Library)



POST-WAR THROUGHOUT THE SOUTH: RACISM THROUGH POLITICS AND VIOLENCE

Efforts in Montgomery and across Alabama to re-establish white supremacy through violence and political suppression proliferated throughout the rest of the South following emancipation. Between 1864 and 1866, ten of the eleven Confederate states created governments that deprived Black people of voting and other civil rights. Federal Reconstruction governments were set up in response, but resistance remained.

Racial violence surged in the South during this period, killing many Black people and terrorizing countless more. “How many Black men and women were beaten, flogged, mutilated and murdered in the first years of emancipation will never be known,” writes historian Leon F. Litwack.¹⁹¹

In 1869, Klansmen in Georgia attacked and brutally whipped fifty-two-year-old Abram Colby,

a sitting Republican Congressman, formerly enslaved and elected by enfranchised freedmen. Shortly before the attack, a group of Klansmen composed of town doctors and lawyers tried to bribe Colby to change parties or give up his office.¹⁹² When he refused to do either, as Colby later described in testimony to a Congressional committee, the men left and returned days later:

“On October 29, 1869, [the Klansmen] broke my door open, took me out of bed, took me to the woods and whipped me three hours or more and left me for dead. They said to me, ‘Do you think you will ever vote another damned Radical ticket?’ I said, ‘If there was an election tomorrow, I would vote the Radical ticket.’ They set in and whipped me a thousand licks more, with sticks and straps that had buckles on the ends of them.”¹⁹³

In April 1868, white Democrats in Opelousas, Louisiana, frustrated with growing local Black political power, attacked Black voters and their white supporters and terrorized the area for days. The violence left six white people and at least a hundred Black people dead. The parish became one of the first in Louisiana to return to white supremacist control. Surviving local Black voters had learned the consequences of opposing Democrats in politics, and in the November 1868 presidential election, Republican Ulysses S. Grant did not receive a single vote within the parish. By the time the 1876 gubernatorial elections put a Democrat into office and officially ended Reconstruction in Louisiana, Opelousas had birthed the state’s first chapter of the White League.¹⁹⁴

In most Southern states, like in Alabama, after a brief period of federally-led Reconstruction, local white residents used violent attacks to suppress pro-civil rights votes by terrorizing Black voters and their white supporters. As a result, Southern state governments gradually returned to the control of Democratic “Redeemers” intent on restoring racial hierarchy. The last federal troops were withdrawn from the South in April 1877, and with them went the promise of the freedmen’s new civil rights as Confederate veterans and their supporters returned to power in the South. As W.E.B. Du Bois would later write, the potential of emancipation had not been realized: “The slave went free, stood a brief moment in the sun, then moved back again toward slavery.”¹⁹⁵

This movement was hastened by local and state laws that combined to create a second-class citizenship for Black people, mandating segregation in schools, trains, buses, motels, and restaurants; outlawing interracial marriage; au-



As W.E.B. Du Bois would later write, the potential of emancipation had not been realized: “The slave went free, stood a brief moment in the sun, then moved back again toward slavery.”

thorizing economic exploitation through convict leasing and mandatory labor contracts; barring Black people from holding public office, voting in elections, or serving on juries; and providing no protection from the violent terror of lynchings and Ku Klux Klan attacks. Ku Klux Klan violence was so intense in South Carolina after the Civil War that, in 1871, federal investigators found evidence of eleven murders and more than six hundred whippings and other assaults in one county alone.¹⁹⁶ When local grand juries failed to take action, federal authorities urged President Grant to intervene, describing the state as “under the domination of systematic and organized depravity,” which created a “carnival of crime not paralleled in the history of any civilized community.”¹⁹⁷

Mob violence soon expanded beyond the Klan as white communities grew increasingly bold and confident in their ability to kill Black people with impunity. Boyle County, Kentucky, was the site of at least three lynchings of Black men in the decade after Emancipation — including Al McRoberts in 1866; Jerry Trowbridge in 1867; and Jim Turpin in 1876.¹⁹⁸ In Hancock County, Indiana, in the summer of 1875, a Black man named William Kemmer was lynched before a large crowd at the local fairgrounds before he could stand trial on charges of assaulting a white woman; afterward, thousands reportedly gathered to view his corpse.¹⁹⁹



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From the end of the Civil War until 1950, nearly 6500 Black people were lynched in the United States by mobs composed of unmasked and prominent community leaders, cheered on by white men, women, and children alike. In 1893 alone, 141 documented racial terror lynchings took place. Most lynchings occurred in the South and the highest numbers of victims were killed in Mississippi, Georgia, and Louisiana. More than 300 lynchings were documented in states outside of the South, with the highest death tolls in Oklahoma, Missouri, and Illinois.²⁰⁰

As the nineteenth century ended, many states moved toward creating laws and constitutions that would do legally what violent intimidation tactics had done for decades: disenfranchise Black people. Opposing this course of action could prove dangerous, even for white activists. During the summer of 1890, F.M.B. “Marsh” Cook, a white Republican and former candidate for Congress, campaigned for a seat at the

upcoming Mississippi constitutional convention and vowed he would use the position to oppose all attempts to limit Black voting rights.²⁰¹ Cook also encouraged the local Black community to organize against the creation of discriminatory constitutional provisions. Cook’s political views earned him threats from local white people, and on the afternoon of July 25, 1890, one day after giving a speech regarding the upcoming convention, Cook was found shot dead near Mount Zion Baptist Church in Jasper County.²⁰²

No one was arrested or tried for Cook’s murder and after his death, local enemies alleged that he was a dangerous man who had been inciting local Black people to attack white communities.²⁰³ Meanwhile, the 1890 Mississippi constitutional convention moved forward and resulted in a state constitution that instituted literacy tests and poll taxes to effectively disenfranchise nearly all of the state’s Black electorate. From 1890 to 1908, ten of the eleven Confederate states rewrote their constitutions to restrict voting rights through the use of poll taxes, grandfather clauses, and literacy tests administered by white registrars.²⁰⁴



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A NATIONAL LEGACY: OUR COLLECTIVE MEMORY OF SLAVERY, WAR, AND RACE



Marchers celebrating the Confederacy in 2011 parade in front of Dexter Avenue King Memorial Baptist Church in Montgomery, Alabama, where Dr. Martin Luther King Jr. was once pastor. (Photo by Stephen Chu.)

The Civil War and Emancipation generated significant social and political upheaval that drastically altered the political and social landscape of the South and presented the opportunity to lay a new foundation. But after the brief hope of Reconstruction, racial violence and discriminatory political movements committed to re-establishing white supremacy emerged.

Amidst this racial violence, more than a generation after the Confederacy's fall, white Southerners also began asserting their social and cultural dominance by embracing a revisionist history that portrayed the Civil War as a conflict in which the Confederate cause was heroic, honorable, and deserving of tribute. The conflict was recast as one unrelated to the institution of slavery, while the lesson of the Civil War and the suffering of generations of enslaved Black people was lost. This myth ignored the true brutality of that time period and distorted our national memory of the intermingled links between American slavery, the Civil War, and race.



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REVIVING THE CONFEDERACY IN ALABAMA AND BEYOND

Just as the coming of the twentieth century emboldened a rising generation of Alabama lawmakers and others throughout the South to test the bounds of federal civil rights protections, it ushered in a different cultural project: rewriting the narrative of the American Civil War. Following the Confederacy's surrender and defeat, Congress passed resolutions declaring its acts "rebellious and traitorous" and its living veterans "conquered enemies." In the late nineteenth and early twentieth centuries, following re-establishment of white supremacy in Alabama, and during a campaign of racial terror that targeted Black people with lynching and Ku Klux Klan attacks, Alabama leaders and organizations defiantly asserted their social dominance by recasting their forefathers' role in history.

In 1901, the same year it ratified a new state

constitution explicitly created to re-establish white supremacy, the Alabama legislature declared Confederate Memorial Day a state holiday.²⁰⁵ White Alabama residents were active in the memorialization effort, forming chapters of national organizations like the Sons of Confederate Veterans and Daughters of the Confederacy. Alabamians who were children during the Civil War or born after its conclusion undertook efforts to memorialize Confederate leaders as heroes through the creation of tax-funded monuments. White Southerners began to describe the Confederate cause as noble and admirable and insisted the Civil War was not connected to the institution of slavery.

The Confederate Monument in Montgomery, unveiled on the state capitol grounds in December 1898, stood eighty-eight feet tall, cost \$20,000



Montgomery, Alabama 2011.



Hundreds of Confederate memorials were erected in Alabama cities and towns over the next several decades.

in public funds, and had its cornerstone laid by aging former Confederate President Jefferson Davis.²⁰⁶ Hundreds of Confederate memorials were erected in Alabama cities and towns over the next several decades. In 1910, W.T. Hall, editor of the *Dothan Eagle* newspaper in Houston County, Alabama, wrote that "it would be a mighty good idea for the people of Alabama to erect a monument to the old slaves" in Montgomery:

"There is but one place [where such a monument should be built], and that is in the city of Montgomery, the city that crooned a lullaby to the infant confederacy and marked the place of inauguration of the first and only president of the confederate states; a city that still shows handsome colonial homes, public buildings, including the state capitol, that were built by slaves

and slave-holders.

It was in Montgomery, and the farming territory adjacent, where many of the largest slave owners lived, and when those faithful slaves were freed they continued to till the soil they had known so long. A monument set up on the capitol grounds would be a fitting remembrance to those old, faithful black mammies and Uncle Remuses."²⁰⁷

In addition to a state constitution that denied them the vote and other basic rights of citizenship, and a social system that subjected them to racial violence and terror, Black Alabamians witnessing the creation of monuments and proliferation of narratives that romanticized the Civil War and slavery were faced with yet another symbol of their oppression.

The claim to Confederate pride re-emerged in the 1950s and 1960s in efforts to assert defiance in the face of a new threat: the growing civil rights movement. When Attorney General Robert Kennedy came to Montgomery in April 1963 to urge Alabama Governor George C. Wallace to abandon his vow to defy federal school desegregation orders, protesters placed a Confederate Memorial Day wreath over the brass star marking where Jefferson Davis had taken the oath of office 102 years before. A note left with the wreath, explaining its intention to “keep any enemy from standing on the star where Jefferson Davis was inaugurated,” was signed “Unreconstructed.”²⁰⁸

The intensity of Alabama’s resistance to civil rights for African Americans in both the nineteenth and twentieth centuries is directly related to the inseparable connections between the Confederacy, the slave trade, slavery, and racial hierarchy. Continued denials of this history frustrate efforts to deal truthfully with the past and to destroy the legacy of inequality and hate, which can be found throughout the South.



At the start of the civil rights struggle in 1955, “Heart of Dixie” was printed on every Alabama license plate pursuant to laws passed by the Alabama legislature. Today, the phrase is legally required on every plate issued without the payment of extra fees. A special tag also has been approved for the Sons of Confederate Veterans.



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This page and opposite: Marchers gather to celebrate the legacy of the Confederacy in downtown Montgomery in 2011.



At a memorial celebration of Confederate General Robert E. Lee held in Georgia in 1902, Virginia Governor Andrew Jackson Montague praised “the unanimity of purpose and of sentiment that actuated the confederate soldiers, whose fervid courage and unselfish patriotism dazzled the civilized world,” and denied that slavery was a main cause of the conflict.²⁰⁹ In 1890, West Virginia chapters of the Sons and Daughters of Confederate Veterans erected what is known as the “Faithful Slave memorial” to pay homage to “the character and faithfulness of thousands of Negroes who, under many temptations throughout subsequent years of war, so conducted themselves that no stain was left upon a record which is the peculiar heritage of the American people, and an everlasting tribute to the best of both races.”²¹⁰

Following World War II, and into the 1950s and 1960s, Southern white resistance to the civil rights movement on the national stage often shrouded itself in defiant references to the Civil

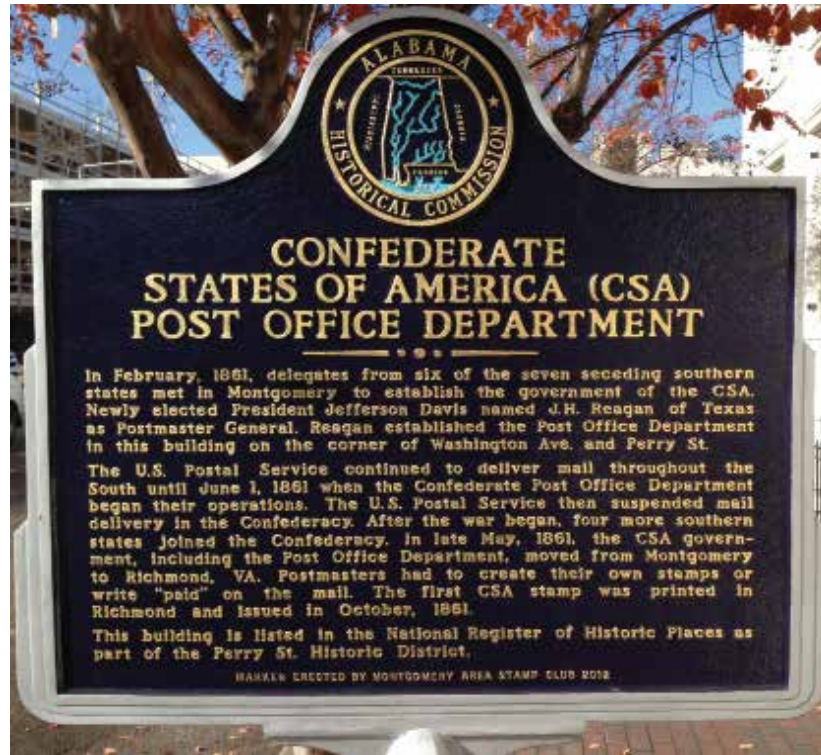


Southern white resistance to the civil rights movement on the national stage often shrouded itself in defiant references to the Civil War and the Confederacy’s “bravery in the face of federal tyranny.”

War and the Confederacy’s “bravery in the face of federal tyranny.” Divorcing the Civil War from its origins in slavery and recasting it as a “states’ rights” struggle gave the Confederate identity renewed political value. In 1948, Southern Democrats formed the States’ Rights Democratic Party (the “Dixiecrats”) and opposed Harry Truman in the 1948 presidential election.²¹¹

Dixiecrats represented the interests of pro-segregation white Southerners and “oppos[ed] the elimination of segregation, the repeal of miscegenation statutes, the control of private employment by Federal bureaucrats called for by the mis-named civil rights program. We favor home-rule, local self-government and a minimum interference with individual rights.”²¹² Dixiecrat rallies held in Alabama and Mississippi in 1948 made reference to Jefferson Davis and Robert E. Lee to great applause, featured many waving Confederate flags, and included somber memorial tributes to Confederate veterans.²¹³





There are at least fifty-nine Confederate monuments, markers, and memorials in Montgomery. This marker was erected in 2012.

In a not-so-subtle statement of continued Southern commitment to white supremacy, Confederate veterans groups enjoyed renewed interest during this time, and new groups were formed. In 1959, the Texas chapter of the Children of the Confederacy erected a plaque in the Texas state capitol building which insisted “the war between the states was not a rebellion nor was its underlying cause to sustain slavery.”²¹⁴ According to EJI research, at least 150 new Confederate monuments were erected in the United States between 1950 and 1975.

Even today, efforts to recast the Civil War and its origins have continued. The Confederate monument still stands at the Alabama state capitol in Montgomery and, in 1996, Alabama state senator Charles Davidson supported a return of the Confederate flag to the state capitol building. Davidson argued that slavery was a “family institution” and “civilizing influence” that

gave enslaved people education and the Christian religion, for which “those converted black Southerners are most grateful today.”²¹⁵ In 2006, a Confederate monument including a large image of the Confederate flag was erected in front of the Lamar County, Alabama, courthouse with an inscription reading: “Lamar County’s Tribute to the men and women who wore Confederate Gray and were faithful to the cause.”²¹⁶

In April 1961, the South Carolina legislature raised the Confederate flag over the state capitol for the centennial of the Confederacy’s founding. Originally intended to fly for just one year, it remained for decades. In the 1990s, the NAACP called for a tourist boycott of the state to pressure South Carolina lawmakers to recognize the painful connotations the flag holds for many of their Black constituents, but it was not until May 2000 that the state legislature moved the flag from atop the capitol to a

nearby Confederate memorial.²¹⁷ In 2015, after a white supremacist who embraced Confederate iconography attacked Charleston’s Emanuel AME church and killed nine Black worshippers, widespread protests led the state to remove the flag from the capitol grounds altogether.²¹⁸ To this day, the Mississippi state flag includes the Confederate flag in its upper left corner.

Invocation of Confederate pride and identity accompanied white resistance to civil rights and racial equality during and following Reconstruction, at the height of the civil rights movement, and well into the twentieth and twenty-first centuries. The legacy of slavery, Emancipation, white supremacy, and revisionism in the South, and throughout this nation, continues to shape discourse about racial history and impede progress toward honest and hopeful engagement with the past.



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(Library of Congress, Prints & Photographs Division, FSA/OWI Collection, [LC-USZ62-130073])

CONCLUSION

“The great force of history comes from the fact that we carry it within us, are unconsciously controlled by it in many ways, and history is literally present in all that we do.”

James Baldwin, 1965²¹⁹

America’s history of racial injustice is a challenging and sometimes difficult topic to discuss. Slavery, the racial terror and violence that followed the end of Reconstruction, and legally sanctioned racial segregation and subordination all reveal painful truths about a history of racial inequality and bigotry in the United States that is hard to accept. Talking about this history is complicated by problems that continue today. Racial disparities in health, employment, education, and opportunity persist. The presumption of guilt assigned to Black and brown adults and children, the racial profiling and mistreatment this presumption creates, and the racial dynamics of criminal justice practices and mass incarceration create enormous anguish and disruption in many communities. While it is tempting to divorce the racial injustice of our past from today’s issues of racial fairness and equality, it is irresponsible to ignore this historical context. In the United States, the legacy of slavery, racial terror, and segregation can be seen and felt in myriad ways. Our collective failure to understand this history creates distrust, fear, and anxiety that often undermines honest conversation about race and racial justice.

EJI believes that a deeper understanding of the legacy of slavery and our history of racial injustice can explain why so much work remains and can inform our thinking about how to create a healthy, just society that is less burdened by racial bigotry and inequality. In other parts of the world, many societies that have suffered from horrific human rights abuses have learned that re-

covery from these injustices depends on a commitment to truth and reconciliation. Without confronting our history of abuse truthfully and without thoughtfully acknowledging the serious harm and devastation unjust practices have created, there is no meaningful opportunity to reconcile ourselves to the past in the hope of a brighter future.

Slavery in America traumatized and devastated millions of people. It created narratives about racial difference that still persist today. Slavery fostered bigotry and racial discrimination from which we have yet to fully recover. In learning more about slavery, we can learn more about ourselves, our past, and hopefully, our future. By strengthening our understanding of racial history, we can create a different, healthier discourse about race in America that can lead to new and more effective solutions.

We hope that you will join us in exploring racial history and recognizing the significance this history presents in achieving equal justice in America. In overcoming the legacy of racial inequality, our moments of greatest progress have come when we have committed ourselves to acknowledging our mistakes and deepening our understanding of one another. We believe a more just and equitable future can be achieved, but difficult and important work must be done.

In Alabama and communities all over America, we shall overcome, but only if we engage in meaningful efforts to address the past, present, and future. Ultimately, EJI is persuaded that the hope of racial progress and racial justice in America will be shaped not by the fear and resistance of those who doubt its importance but by the commitment and dedication of those who believe.

Thank you for your interest and your support.



Slavery in America traumatized and devastated millions of people. It created narratives about racial difference that still persist today. Slavery fostered bigotry and racial discrimination from which we have yet to fully recover.

People recently freed from slavery in the 1860s. (Library of Congress)

NOTES

SLAVERY IN AMERICA

1. *Transatlantic Slave Trade*, UNESCO.org, <http://wayback.archive-it.org/10611/20180704133101/http://www.unesco.org/new/en/social-and-human-sciences/themes/slave-route/transatlantic-slave-trade/> (last visited Aug. 20, 2020).

2. John W. Blassingame, *The Slave Community: Plantation Life in the Antebellum South* (New York: Oxford University Press, 1979), 7.

3. David Eltis & Paul F. Lachance, *Estimates of the Size and Direction of Transatlantic Slave Trade* (2010), <https://slavevoyages.org/>.

4. Ibid.

5. *Slaves in New England*, Medford Historical Society, <http://www.medfordhistorical.org/medford-history/africa-to-medford/slaves-in-new-england/>.

6. Blassingame, *The Slave Community*, 249-83.

7. There were strenuous arguments in favor of increasing enslaved populations in the South in order to meet the “absolute necessity” of increasing the region’s labor supply in the face of growing demand for cotton. See, e.g., *DeBow’s Review*, “The South Demands More Negro Labor,” November 1858).

8. U.S. Census Bureau, “Census of Population & Housing, 1860,” <http://www.census.gov/prod/www/decennial.html>.

Inventing Racial Inferiority: How American Slavery Was Different

9. For example, in the Spanish and Portuguese colonies of South America, freed Black people did not retain a stigma of inferiority after slavery ended there the way they did in the United States. Frank Tannenbaum, *Slave and Citizen: The Negro in the Americas* (New York: Vintage Books, 1947), 65.

10. Roman law, which remained influential in countries like Spain and Portugal in the seventeenth and eighteenth centuries, viewed slavery as a mere accident, of which anyone could be the victim. As such it

tended to forestall the identification of the Black man with slavery, “thus permitting the Negro to escape from the stigma of his degraded status once he ceased to be a slave.” Carl Degler, “Slavery and the Genesis of American Race Prejudice,” *Comp. Stud. in Soc’y & Hist.* (Oct. 1959): 50. “Yet, of course, ancient [Roman] slavery was fundamentally different from modern [American] slavery in being an equal opportunity condition — all ethnicities could be slaves — and in seeing slaves as primarily a social, not an economic, category.” Phillip D. Morgan, “Origins of American Slavery,” *OAH Mag. of Hist.* (July 2005): 51.

11. “The status of the Negroes was that of servants, and so they were identified and treated down to the 1660s.” Oscar & Mary Handlin, “The Origins of the Southern Labor System,” *William & Mary Q.* (Apr. 1950): 203.

12. “Slavery was not an isolated economic or institutional phenomenon; it was the practical facet of a general debasement, without which slavery could have no rationality. (Prejudice, too, was a form of debasement, a kind of slavery in the mind.) Certainly the urgent need for labor in a virgin country guided the direction which debasement took, molded it, in fact, into an institutional framework. That economic practicalities shaped the external form of debasement should not tempt one to forget, however, that slavery was at bottom a social arrangement, a way of society’s ordering its members in its own mind.” Winthrop D. Jordan, “Modern Tensions and the Origins of American Slavery,” *J. of S. Hist.* (Feb. 1962): 30. “[S]lavery became indelibly linked with people of African descent in the Western hemisphere. The dishonor, humiliation, and bestialization that were universally associated with chattel slavery merged with Blackness in the New World. The racial factor became one of the most distinctive features of slavery in the New World.” Morgan, “Origins of American Slavery,” 53.

13. “[A]s slavery evolved as a legal status [in America], it reflected and included as a part of its essence, this same discrimination which white men had practiced against the Negro all along and before any statutes decreed it As a result, slavery, when it developed in the English colonies, could not help but be infused with the social attitude which had prevailed from the beginning, namely, that Negroes were inferior.” Degler, “Slavery and the Genesis of American Race Prejudice,” 52.

14. *The Liberator*, “Extracts from the Message of Gov. McWillie, of Mississippi, to the Legislature of the State,” December 11, 1857.

15. French researcher Alexis De Tocqueville observed that slavery was on a decline in some regions of the United States, but “the prejudice to which it has given birth is immovable.” Alexis De Tocqueville, *Democracy in America* (Chicago: University of Chicago Press, 2002): 328-29. Writing more than a century later, American historian Carl Degler noted that “it is patent to anyone conversant with the nature of American slavery, particularly as it functioned in the nineteenth century, that the impress of bondage upon the character and future of the Negro in the United States has been both deep and enduring.” Degler, “Slavery and the Genesis of American Race Prejudice,” 49.

16. Ibram X. Kendi, *Stamped from the Beginning: A Definitive History of Racist Ideas in America* (New York: Nation Books, 2016), 21.

17. Ibid., 40.

18. Ibid., 16.

19. Ibid., 49.

20. Blassingame, *The Slave Community*, 269-70.

The Lives and Fears of America’s Enslaved People

21. Supra note 14. See also *The Liberator*, “Extracts from the Message of Gov. Winston, of Alabama, to the Legislature of the State,” December 11, 1857; Daniel Pratt, “To the Editor of the Journal,” *Daily Alabama Journal*, October 21, 1850.

22. For example, Alabama state legislator Charles Davidson wrote a speech praising slavery for its civilizing influence on enslaved Africans and later defended his remarks. *New York Times*, “Bible Backed Slavery, Says a Lawmaker,” May 10, 1996; see also George W. Gayle, “Letter to the Editor,” *Montgomery Advertiser*, May 30, 2007; Pat Buchanan, “A Brief for Whitey,” March 2008, available at <http://www.buchanan.org/blog/pjb-a-brief-for-whitey-969>.

23. “Nearly two-thirds of all Appalachian slave sales separated children from their families — 70 percent of these forced migrations occurring when they were younger than fifteen.” Wilma A. Dunaway, *The African-American Family in Slavery and Emancipation*, (Cambridge: Cambridge University Press, 2003), 67-68.

24. Heather Andrea Williams, “How Slavery Affected African American Families,” *Freedom’s Story*, <http://www.nationalhumanitiescenter.org/tserve/freedom/1609-1865/essays/aafamilies.htm>.

25. J. C. Benton, *Through Others’ Eyes: Published Accounts of Antebellum Montgomery, Alabama*, (Montgomery, AL: New South Books, 2014), 105.

26. Theodore Dwight Weld, *American Slavery As It Is: Testimony of a Thousand Witnesses* (New York: American Anti-Slavery Society, 1839), 50.

27. “[S]exual assault of enslaved men took a wide variety of forms, including outright physical penetrative assault, forced reproduction, sexual coercion and manipulation, and psychic abuse.” Thomas A. Foster, “The Sexual Abuse of Black Men Under American Slavery,” *J. of the Hist. of Sexuality* (September 2011): 447.

28. Ibid., 445.

29. John S. Jacobs, “A True Tale of Slavery,” *The Leisure Hour: A Family Journal of Instruction and Recreation*, February 1861.

30. Douglas O. Linder, *Celia, A Slave, Trial* (1855): An Account (2011), <http://law2.umkc.edu/faculty/projects/ftrials/celia/celiaaccount.html>.

31. Ibid.

32. Ibid.

33. Ibid.

34. “When angry, masters frequently kicked, slapped, cuffed, or boxed the ears of domestic servants, sometimes flogged pregnant women, and often punished slaves so cruelly that it took them weeks to recover. Many slaves reported that they were flogged severely, had iron weights with bells on them placed on their necks, or were shackled.” Blassingame, *The Slave Community*, 261.

35. Weld, *American Slavery As It Is*, at 54.

36. Blassingame, *The Slave Community*, 261.

37. “Conditions of Antebellum Slavery, 1830–1860,” *Africans in America: PBS.org*. <http://www.pbs.org/wgbh/aia/part4/4p2956.html>

38. *Detroit Daily Free Press*, “Terrible Mob in Louisville – Three Negroes Hung,” May 19, 1859.

39. William J. Anderson, *Life and Narrative of William J. Anderson, Twenty-four Years a Slave; Sold Eight Times! In Jail Sixty Times!! Whipped Three Hundred Times!!! or The Dark Deeds of American Slavery Revealed. Containing Scriptural Views of the Origin of the Black and of the White Man. Also, a Simple and Easy Plan to Abolish Slavery in the United States. Together with an Account of the Services of Colored Men in the Revolutionary War—Day and Date, and Interesting Facts* (Chicago: Daily Tribune, 1857), 80-81.

The Domestic Slave Trade in America

40. Robert H. Gudmestad, *A Troublesome Commerce: The Transformation of the Interstate Slave Trade* (Baton Rouge, LA: Louisiana State University Press, 2003), 8.

41. Adam Rothman, “The Domestication of the Slave Trade in the United States,” in *The Chattel Principle: Internal Slave Trades in the Americas* (New Haven: Yale University Press, 2004), 33; Frederic Bancroft, *Slave Trading in the Old South* (Columbia: University of South Carolina Press, 1996), 8, 11.

42. Bancroft, *Slave Trading in the Old South*, 67; Rothman, “The Domestication of the Slave Trade in the United States,” 40.

43. David L. Lightner, *Slavery and the Commerce Power: How the Struggle Against the Interstate Slave Trade Led to the Civil War* (Chelsea, MI: Sheridan Books, 2006), 6; Steven Deyle, “The Domestic Slave Trade in America: The Lifeblood of the Southern Slave System,” in *The Chattel Principle: Internal Slave Trades in the Americas* (New Haven: Yale University Press, 2004), 93.

44. James Benson Sellers, *Slavery in Alabama* (Tuscaloosa, AL: University of Alabama Press, 1950), 147.

45. Gudmestad, *A Troublesome Commerce*, 28-29.

46. Sven Beckert, “Slavery and Capitalism,” *Chron. of Higher Educ.*, December 12, 2014; see also Edward E. Baptist, *The Half Has Never Been Told: Slavery and the Making of American Capitalism* (New York: Basic Books, 2016).

47. See Daina Ramey Berry, *The Price for their Pound of Flesh: The Value of the Enslaved, from Womb to Grave, in the Building of a Nation* (Boston: Beacon Press, 2017).

48. Ibid.

49. Ibid., 33-57.

50. Baptist, *The Half Has Never Been Told*, xxv-xxvi; *Atlanta Black Star*, “15 Major Corporations You Never Knew Profited from Slavery,” August 26, 2013; Rachel L. Swarns, “272 Slaves Were Sold to Save Georgetown. What Does it Owe Their Descendants?” *New York Times*, April 17, 2016; Stephen Smith & Kate Ellis, “Shackled Legacy: Histo-

ry Shows Slavery Helped Build Many U.S. Colleges and Universities,” *American Public Media*, September 4, 2017; Greg Grandni, “How Slavery Made the Modern World,” *The Nation*, February 24, 2014; Tom Jacobs, “Slavery’s Legacy: Raced Based Economic Inequality,” *Pacific Standard*, June 19, 2014; Eric Herschital, “How Slavery Gave Capitalism its Start,” *Daily Beast*, April 24, 2015; Ta-Nehisi Coates, “The Case for Reparations,” *The Atlantic*, June 2014.

51. Gudmestad, *A Troublesome Commerce*, 9, 41.

52. Ibid., 48.

53. Jourden H. Banks, *A Narrative of Events of the Life of J.H. Banks, an Escaped Slave, from the Cotton State, Alabama, in America*, (Liverpool: M. Rouke, 1861).

54. Baptist, *The Half Has Never Been Told*, 67.

55. Ibid., 63.

56. Ibid., 95.

57. Steven Deyle, *Carry Me Back: The Domestic Slave Trade in American Life* (New York: Oxford University Press, 2005), 95.

58. The threat of sale to the Lower South was key to controlling enslaved people, perhaps more than the whip, because it relied on terror rather than torture. Gudmestad, *A Troublesome Commerce*, 44.

59. Deyle, *Carry Me Back*, 92.

60. Ibid., 92, 109.

61. Michael Tadman, *Speculators and Slaves: Masters, Traders, and Slaves in the Old South* (Madison, WI: University of Wisconsin Press, 1989), 130.

62. Gudmestad, *A Troublesome Commerce*, 42.

63. Tadman, *Speculators and Slaves*, 129.

64. Ibid.

65. Ibid., 184-85; Gudmestad, *A Troublesome Commerce*, 75.

66. Tadman, *Speculators and Slaves*, 137.

67. Gudmestad, *A Troublesome Commerce*, 15.

68. Lightner, *Slavery and the Commerce Power*, 10.

69. Anthony Gene Carey, *Sold Down the River: Slavery in the Lower Chattahoochee Valley of Alabama and Georgia* (Tuscaloosa, AL: University of Alabama Press, 2011), 53.

70. Lightner, *Slavery and the Commerce Power*, 10.

71. Carey, *Sold Down the River*, 53.

72. Sellers, *Slavery in Alabama*, 154-55; Jeffrey C. Benton, *The Very Worst Road: Travelers’ Accounts of Crossing Alabama’s Old Creek Indian Territory*, 1820-1847 (Tuscaloosa, AL: University of Alabama Press, 2009), 125.

73. Enslaved people would be transported in coffles to the port of departure. Lightner, *Slavery and the Commerce Power*, 10.

74. Ibid.

75. J. Mills Thornton, *Politics and Power in a Slave Society: Alabama, 1800-1860* (Baton Rouge: Louisiana State University Press, 1978), 275.

76. Ibid.; Sellers, *Slavery in Alabama*, 152; Interview with Mary Ann Nealy, Historian, in Montgomery, Ala. (Jan. 30, 2013).

77. Jeffrey C. Benton, *A Sense of Place: Montgomery’s Architectural Heritage* (Montgomery, AL: River City Publishing, 2001).

78. Sellers, *Slavery in Alabama*, 153.

79. Ibid., 154; Bancroft, *Slave Trading in the Old South*, 298.

MONTGOMERY SLAVE TRADE

80. The census reported that there were 435,080 enslaved people in Alabama and 436,631 enslaved people in Mississippi in 1860. U.S. Census Bureau, “Census of Population & Housing, 1860,” <http://www.census.gov/prod/www/decennial.html>.

81. Though census numbers do not provide an entirely accurate measure of slave trading activity in an area, the amount of growth in a county supports a finding that there was a high volume of slave trading activity. The chart is based on data from United States Census records showing that the number of enslaved people residing in Montgomery increased significantly between 1820 and 1860, and by 1860 exceeded the number of enslaved people living in Mobile, Alabama, Natchez, Mississippi, and New Orleans, Louisiana. Dep’t Of State, *Fourth Census of 1820* (1821), 119-20, 122-23; Clerk of the House of Representatives, *Abstract of the Returns of the Fifth Census*, H.R. Doc. No. 22-269 (1832), 32, 36, 39; Dep’t of State, *Compendium of the Sixth Enumeration of the Inhabitants and Statistics of the United States* (1841), 52-63; J.P. B. DeBow, *The Seventh Census of the United States 1850* (1853), 421, 447, 473; Bureau of the Census, *Population of the United States in 1860: Compiled from the Original Returns of the Eighth Census* (1864), 8, 194, 270.

82. While Natchez and New Orleans are widely accepted as the largest slave trading markets in the importing regions, there were numerous additional markets across the South. Mississippi had urban markets in Aberdeen, Jackson, and Vicksburg. Tadman, *Speculators and Slaves*, 63. In addition to Montgomery, Alabama had slave trading markets in Selma and Mobile. Bancroft, *Slave Trading in the Old South*, 311. Although Tennessee was primarily an exporting state, Memphis played an important role in the Domestic Slave Trade as the most convenient place for planters from Arkansas, southwest Tennessee, northern and western Mississippi, and northeast Louisiana to obtain enslaved people. The city was situated on the Mississippi River, and after the introduction of the railroad in the mid-1850s it became the most accessible market for enslaved labor from the upper Carolinas, northern Georgia and most of Tennessee. Ibid., 249. Georgia began the 1800s as an importing region but quickly evolved into a slave exporting state. Slave markets in Georgia often served as a transfer point where slave traders from western locations could purchase enslaved people from the Upper South for transportation to more distant markets in Alabama, Mississippi, and the

Louisiana Territory. None of the slave markets in Georgia achieved the prominence of the exporting markets in Baltimore, Richmond, and Charleston or the scale of the importing markets in Natchez and New Orleans. Macon, Georgia, did achieve some relative size but struggled to develop into a “first class market,” largely because it was forced to compete with other markets in Georgia, including Savannah, Augusta, Atlanta, Milledgeville, and Columbus. Ibid., 245-47.

83. Carey, *Sold Down the River*, 21.

84. Deyle, *Carry Me Back*, 118.

85. Sellers, *Slavery in Alabama*, 147.

86. Ibid., 171; Lightner, *Slavery and the Commerce Power*, 7. A small percentage of enslaved people may have been bought by Alabama planters in other states and brought back to Alabama. Sellers, *Slavery in Alabama*, 142, 148; Carey, *Sold Down the River*, 51.

87. Lightner, *Slavery and the Commerce Power*, 10; Sellers, *Slavery in Alabama*, 152.

88. Interview with Mary Ann Nealy.

89. Deyle, *Carry Me Back*, 155.

90. John H. Napier III, “Montgomery During the Civil War,” *Alabama Review* (April 1988): 103-31.

91. Bancroft, *Slave Trading in the Old South*, 295.

92. Ibid., 296.

93. Ibid.

94. Ibid., 295; Sellers, *Slavery in Alabama*, 154.

95. Sir Charles Lyell, *A Second Visit to North America, Vol. 2* (London: Murray, 1855), 42-43.

96. *Harper’s Weekly*, “Slave Auction in the South,” July 13, 1861.

97. Lightner, *Slavery and the Commerce Power*, 178.

98. The E. Barnard & Co. Slave Depot advertised in the 1859-1860 Montgomery City Directory: “Will keep constantly on hand mechanics, field hands, cooks, washers and ironers, and general house servants. Particular attention paid to Buying and selling Slaves on Commission . . . References: Lee & Norton, John H. Murphy, F.M. Gilmer Jr., Montgomery.” (emphasis added). An 1852 map of Montgomery demonstrates that Murphy owned and operated a warehouse on and around present-day 122 Commerce Street. Ferdinand Okelomski, *Plan of the City of Montgomery*, Alabama Department of Archives and History, <http://alabamamaps.ua.edu/historicalmaps/counties/montgomery/montgomery.html>.

Montgomery’s Particularly Brutal Slave Trading Practices

99. Sellers, *Slavery in Alabama*, 159.

Kidnapping and Enslavement of Free African Americans

100. *Becton v. Ferguson*, 22 Ala. 599 (1853) (“It is undoubtedly true, in this State, that the presumption arising from the color of a person indicating African descent is, that he is a slave.”); *Field v. Walker*, 17 Ala. 80 (1849) (“All we intend to affirm is, that a person of color held in bondage as a slave in this state is presumed to be a slave.”).

101. The statute also provided that freed African Americans found in Alabama would have thirty days to vacate the state. After thirty days, the free person could be subject to a penalty of thirty-nine lashes and receive an additional twenty-day period to leave the state. After that period expired, the free person could be sold back into slavery with proceeds of the sale going to the state and to those who participated in apprehending him or her. John G. Aiken, *A Digest of the Laws of the State of Alabama* (Philadelphia: A. Towar, 1833), 396-97.

102. *Walker*, 17 Ala. at 82 (holding a writ of habeas corpus was an improper vehicle for free African Americans to demonstrate they were wrongfully enslaved).

103. *Becton*, 22 Ala. at 599. The trial court in Selma directed the jury to find that Mr. Jeter and his wife were enslaved in spite of overwhelming evidence that they were free. The Alabama Supreme Court reversed the trial court on procedural grounds, explaining that the question of Mr. Jeter and his wife’s legal status was for the jury to decide.

104. *State v. Adams*, 14 Ala. 486 (1848) (“It was further shown, that there existed in adjacent parts of Florida and Alabama, a set of men who had confederated to steal and run negroes from Florida to Alabama, and that the defendant was one of those concerned.”); *see also Hearnin v. Savage*, 16 Ala. 286 (1849) (discussing the recovery of forty enslaved people stolen in Alabama and sold in Louisiana).

105. Sellers, *Slavery in Alabama*, 157.

Separation of Families

106. Carey, *Sold Down the River*, 51.

107. According to the 1860 census, there were 435,080 enslaved people living in Alabama. Sellers, *Slavery in Alabama*, 147. At least 300,000 of the 435,080 enslaved people in Alabama in 1860 were in the state as a result of the Domestic Slave Trade. Ibid., 171; Lightner, *Slavery and the Commerce Power*, 7. Half of them (approximately 150,000 people) were separated from their families. Carey, *Sold Down the River*, 51.

108. Library of Congress, *Born in Slavery: Slave Narratives from the Federal Writers’ Project, 1936-1938, Alabama Narratives Volume 1* (1937), 129, <https://www.loc.gov/collections/slave-narratives-from-the-federal-writers-project-1936-to-1938/about-this-collection/>.

109. Gudmestad, *A Troublesome Commerce*, 64-65.

110. Ibid.

111. *Montgomery Daily Advertiser*, Sept. 22, 1864.

112. Ibid.

113. “Bettie (Nelson) Cox,” *The Christian Recorder* (Phila.), October 11, 1883, compiled by *Last Seen: Finding Family After Slavery* at <http://informationwanted.org/items/show/770>.

114. “Richard Thompson,” The Richmond (Virg.) Planet, November 13, 1915, compiled by *Last Seen: Finding Family After Slavery* at <http://informationwanted.org/items/show/2958>.

115. “Robert Williams,” The Colored Tennessean (Nashville, TN), March 31, 1866, compiled by *Last Seen: Finding Family After Slavery* at <http://informationwanted.org/items/show/900>.

116. “Emily Robbins,” *The Christian Recorder* (Phila.), February 26, 1885, compiled by *Last Seen: Finding Family After Slavery* at <http://informationwanted.org/items/show/812>.

117. “Ceillia Sours searching for her six children,” *Southwestern Christian Advocate* (New Orleans), November 29, 1883, compiled by *Last Seen: Finding Family After Slavery* at <http://informationwanted.org/items/show/2382>.

118. “Martha Cobble finds her two sons after 40-year search,” *Appeal* (St. Paul, MN), August 3, 1889, compiled by *Last Seen: Finding Family After Slavery* at <http://informationwanted.org/items/show/3222>.

119. “Valentine Toliver,” *Southwestern Christian Advocate* (New Orleans), December 16, 1886, compiled by *Last Seen: Finding Family After Slavery* at <http://informationwanted.org/items/show/2140>.

Exploitative Local Slave Trading Practices

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121. John G. Winter, *Cataloge of Negroes, Mules, Carts, Wagons, &C., to be Sold in Montgomery on the 23d instant at 10 o'clock, a.m.*, (Montgomery, AL: Advertiser and Gazette Job Office, 1854).

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123. Ibid.

124. Tadman, *Speculators and Slaves*, 184.

125. Ibid., 184-85.

126. See Guillermo A. Baralt, *Slave Revolts in Puerto Rico* (Princeton, NJ: Markus Wiener Publishers, 2007).

127. Jenna Gibbs, “Toussaint, Gabriel, and Three Finger’d Jack: ‘Courageous Chiefs’ and the ‘Sacred Standard of Liberty’ on the Atlantic Stage,” *Early American Studies; Philadelphia* (Summer 2015).

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131. “TO PASS S. 42, AN ACT RESPECTING FUGITIVES FROM JUSTICE AND PERSONS ESCAPING FROM THE SERVICE OF THEIR MASTERS,” 861. <https://www.govtrack.us/congress/votes/2-2/h85>

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133. Benjamin Quarles, *Black Abolitionists* (New York: Oxford University Press, 1969), 146

134. Ibid., 149.

135. Ibid., 162.

136. David S. Cecelski, *The Waterman’s Song* (Chapel Hill: University of North Carolina Press, 2001), 147.

137. Quarles, *Black Abolitionists*, 162.

138. Kenyatta D. Berry, “Singing in Slavery: Songs of Survival, Songs of Freedom,” Mercy Street Revealed citing, Marcus Rediker, *The Slave Ship: A Human History* (New York: Penguin Books, 2007), 282.

139. Baptist, *The Half Has Never Been Told*, 145-147.

THE POST-SLAVERY EXPERIENCE

140. At the Confederacy’s founding, inaugural vice president Alexander Stephens announced, “Our new government is founded upon exactly the opposite idea. Its foundations are laid, its cornerstone rests, upon the great truth that the Negro is not equal to the white man; that slavery subordination to the superior race is his natural and normal condition. This, our new government, is the first, in the history of the world, based upon this great physical, philosophical and moral truth.” Alexander H. Stephens, *Public and Private with Letters and Speeches* (1866), 721. The Confederacy’s first and only president, Jefferson Davis, also asserted, “[Slavery] was established by decree of Almighty God. . . . It is sanctioned in the Bible, in both Testaments, from Genesis to Revelation.” “Speech of Jefferson Davis in Senate Feb. 13 and 14, 1850, on Slavery in the Territories,” in *Jefferson Davis, Constitutional: His Letters, Papers, and Speeches* (Jackson, MS: Mississippi Dept of Archives and History, 1923), 286.

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A NATIONAL LEGACY: OUR COLLECTIVE MEMORY OF SLAVERY, WAR, AND RACE

Reviving the Confederacy in Alabama and Beyond

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CONCLUSION

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Bryan Stevenson, Director

EJI'S RACE AND POVERTY PROJECT



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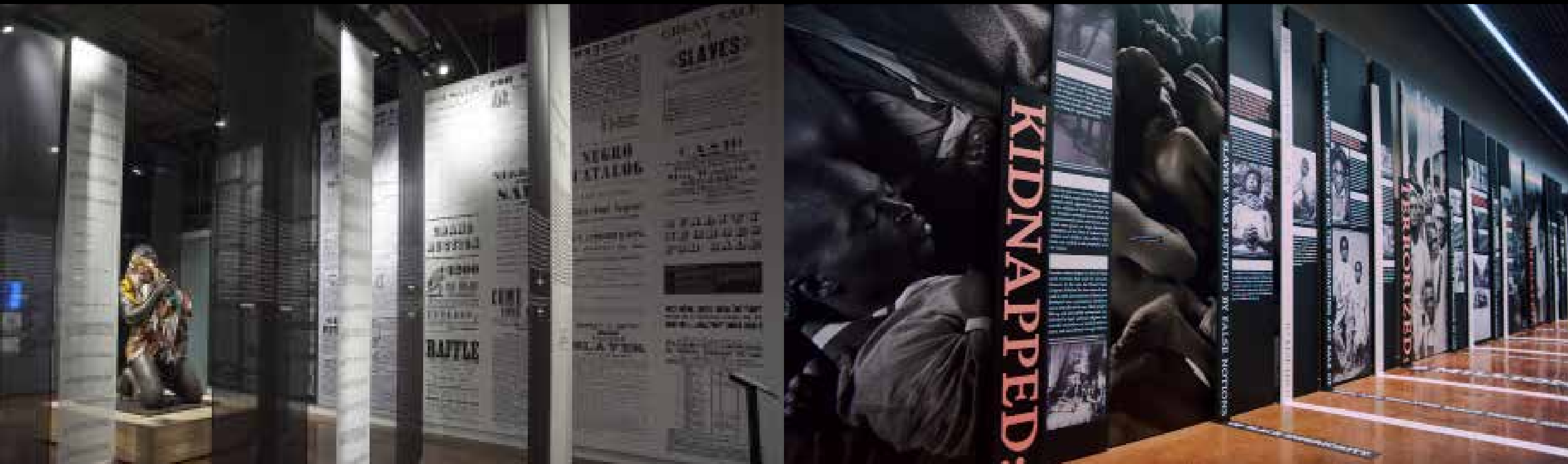
From Enslavement
to Mass Incarceration

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