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## Slave stealing women, slave-owning women, and stolen slaves in the American South

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### ABSTRACT

Slave stealing has not attracted scholarly attention; the women branded as kidnappers and “Negro thieves” are almost completely absent from the historiography of American slavery. Free women, across the spectra of race and class, played central roles in these dangerous, illegal, “unfeminine” ventures. On the other side of the law, slave-owning women were also embroiled in slave stealing cases. They frequently filed suits attempting to retrieve their stolen enslaved people. Both slave stealing and slave-owning women, despite their differing motivations exposed the fragility of the gendered identity that underpinned social and political authority in the South. Their behaviour complicates traditional definitions of female resistance under slavery. These women protested their treatment by their communities, governors, and family, proving willing to break, or manipulate, the law to advance their interests. Testing the pillars on which a patriarchal slave society rested, placed them at the centre of local and national dramas, which revolved around trafficking and owning human property. Their actions were destabilizing and underlined the ambivalent nature of Southern law and custom, and they contributed to a sense of insecurity over the future of slavery and the growth of sectionalism, which led to the outbreak of the American Civil War.

### KEYWORDS

Slavery; South; Kidnapping; Women

Slave stealing has yet to attract significant attention in the extensive historiography of American slavery. More strikingly, the part that women played in these both dramatic and everyday crimes, as thieves, as victims of theft, or, indeed, as stolen chattel, has been ignored. Although it has been acknowledged in a few studies that the theft of the enslaved was a common occurrence, most key works on American slavery have failed to recognize the practice at all.<sup>1</sup> In fact, research that has dealt with kidnapping and illegal trafficking under slavery has almost exclusively focused on the “Reverse Underground Railroad”: the name given to the practice of kidnapping free African Americans, often from the northern states, the most famous case being Solomon Northup.<sup>2</sup> Nevertheless, the crime of slave stealing spans the history of North American slavery. Securing the

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human property of an emerging slave-owning class was one of the earliest legislative concerns in colonial America, and defending ownership and guarding against theft remained a pressing issue until emancipation.

The significance of slave stealing as a destabilizing phenomenon within society ran deep. Incidence was high. Individuals, small groups, and larger gangs were accused of, arrested, and placed on trial for a wide array of activities that were viewed as theft of the enslaved and their labour. Slave stealers and the aggrieved parties, who sought the restoration of their stolen property and compensation, persistently appear in legal and government records, plantation papers, newspaper advertisements, and a variety of other sources. Motives were varied. Some were criminals greedy for profit. Others were friends, family members, or people in sexual relationships with the enslaved. Many were acting on personal bonds of affection. Conductors on the "Underground Railroad" and other practical abolitionists moved by ideological commitment were also, legally, slave stealers.<sup>3</sup> Yet the slave-owning class and the law often made little distinction between the two groups. By the first half of the nineteenth century, the debates surrounding the threat posed to property rights in human chattel were not just about the emerging abolitionist sentiment in the North but also focused on both non-slaveholding Southern whites and free people of colour too. Private and public discourse and reactions to slave stealing became a barometer of the slavocracy's fears for the future of their "peculiar institution" and provide significant insight into the anxieties that drove the South towards secession. Indeed, slave stealing can be placed at the nexus of social, political, and cultural instability arising from the practice of Southern slavery. In some instances, it was indicative of the hitherto largely unrecognized extent of organized crime in the South. Such crime thrived in the shadow of slavery, with networks that linked the legal slave trade to criminal enterprises and an illicit "underground slave trade" in which kidnap, forgery, and fraud determined possession of the enslaved. More than this, however, the intensely human dramas that played out around cases of theft of the enslaved are a stark indicator of the South's persistent inability to create a robust legal framework that secured slavery as a system, in which the enslaved were mere chattel while recognizing that they were also, in fact, people, capable of autonomy.<sup>4</sup>

Understanding slave stealing as a gendered phenomenon offers a particularly illuminating approach. That some women, such as Patty Cannon, were involved in the kidnapping of free African Americans for sale into slavery has received brief attention in the literature.<sup>5</sup> However, women's involvement in the theft of enslaved people has been largely ignored. Yet the assumptions surrounding women and their treatment in court, as either perpetrators or victims of slave stealing, reveal the potential for women to manipulate an otherwise constraining patriarchal authority to their own advantage. In particular, looking at female slave-owners' view of their rights, their responses to the theft of their enslaved people, and their efforts to retrieve their stolen property (or to obtain compensation for it) highlights the very important point that their "fundamental relationship to slavery" was "economic at its foundations."<sup>6</sup> As Stephanie Jones-Rogers astutely remarks, southern women "took part in economic activities that historians of slavery have either overlooked or alleged never happened." Thus, they should be viewed not as simply part of a masculine slaveholding world, but as central to the

operation, mechanics, and defence of slavery, and just as heavily invested in the growth of capitalism as their male kin. However, women slave-owners who tested, manipulated, and pushed past the gender constraints placed on them by a patriarchal society did not just play a part supporting slavery as a tool of "nation-making," but simultaneously undermined the gendered pillars upon which the nation's unity rested.<sup>7</sup>

The legal framework to protect slaveholders against slave stealing was formulated at the same time as the existence of slavery was secured in the North American colonies. In the seventeenth century, the first laws dealt with both the theft of indentured servants and the enslaved.<sup>8</sup> By the early eighteenth century, the crime was deemed so serious that those convicted of it were threatened with "death without benefit of clergy." In the nineteenth century, the laws that punished "outlaws" who took part in the theft of the enslaved moved away from the death penalty and, instead, punished the perpetrators with jail time and fines. Yet laws remained severe and increased in severity as the sectional crisis deepened.<sup>9</sup> As slavery evolved and spread, so too did the legal codes regarding the theft of the enslaved, and they increasingly encompassed all manner of activities. To "steal and entice away"; the "abduction and stealing of slaves"; "larceny of a slave"; "kidnapping," "conveying," "carrying away," "removing," "secreting," "harboring," and "decoying" of a slave to "purloin and decoy" enslaved property and also "aiding and abetting slaves" to escape or evade their labour were all considered to be forms of slave stealing.<sup>10</sup>

The increasingly severe penalties risked by "Negro thieves" reflected the growing insecurity about slavery felt by enslavers in the antebellum period. Indeed, these fears were evident even before the Missouri Crisis pushed debates over slavery's future to the fore of national politics in 1819. Thus, they are a useful reminder that the plantocracy's worldview was shaped as powerfully by a perception of internal disorder in the South as it was by any external threat from the North. In 1817, the "inhabitants, freeholders & Citizens of the Isle of White county," Virginia, petitioned the state's General Assembly about the "evils" of slave stealing and requested harsher, "severe & exemplary" punishments be meted out to the perpetrators; "base & immoral white persons & free persons of colour." They suggested that "Free persons of colour who were guilty of such crimes should be deemed felons, as they had been in the earliest laws of the state, and "punished by Death" if found guilty. Moreover, the petitioners linked the "intercourse between slaves and free persons," black and white, to "a spirit of disobedience" among the enslaved. They predicted that it would lead to insurrection & blood. The petitioners of 1817 were not entirely wrong, and their request could be viewed as a prescient warning to Southern governors, politicians, and slave-owners about the potential threat that slave stealers within their own borders posed to their way of life. The petitioners concluded their plea by requesting the state government to use its "constitutional powers" to ensure that "security" was no longer threatened by their attacks. The subject continued to be hotly contested in private and public, and similar petitions were filed across the South as slavery spread, an indication that the seemingly unsolvable problem of slave stealing exacerbated hostility and conflict over the regime.<sup>11</sup>

Although a link was being drawn between slave stealing and "a spirit of disobedience" among the enslaved, Southern courts actually struggled to define the precise role of the "stolen property" in these cases. In the end, they largely excluded the notion of enslaved people's resistance, or even some measure of culpability being assigned to them, in

prosecutions for slave stealing. Many believed that the threat to slavery came from free people within their own communities. Rather than acting as agents in their own theft, the enslaved were “stolen,” “kidnapped,” or, at least, “enticed” by an insidious internal enemy: “slave stealers,” “Negro jockeys,” “Negro thieves,” “black-birders,” or “man stealers.”<sup>12</sup> Slave-owners, who “supposed” that their enslaved runaways had been stolen and were being “harbored by some white person,” were often willing to offer additional rewards if they too were captured and convicted. The scale of slave-owners’ fears reflected the scale of the problem. For example, in the 1849 session of the Virginia General Assembly, it was agreed that any person who stole slaves or concealed fugitive slaves should “pay the sum of five hundred dollars,” an extremely hefty fee almost five times that of the fine imposed earlier in the century. By the 1850s and into the 1860s the fine for stealing slaves was anything from “\$10 to \$50 for every day of harbouring” another person’s slave.<sup>13</sup> Thus, despite the numerous laws passed with the intention of securing enslaved property and defending enslavers against the growing threats of illegal trafficking and abolitionism (although the latter was never explicitly mentioned in any laws that were passed), slave stealing persisted and proved to be one of the most difficult problems of slave management.<sup>14</sup>

Frequently, the theft of the enslaved was a collective act. Slave stealing and the business of “forgery & Stealing of Negroes and Selling them” was, in fact, one of the first types of organized crime that existed in America.<sup>15</sup> By 1817, one planter claimed the “avaricious and unprincipled” thieves and “outlaws,” who trafficked stolen slaves along specific routes to traders and vendors who accepted or produced false titles, in order to sell them to unsuspecting or the unconcerned buyers, were a growing problem and a threat to national security.<sup>16</sup> It is clear that alongside the “Underground Railroad” an “underground slave trade” existed too. It comprised of specific networks, routes, and accomplices. Illicit slave trading occupied a grey area in the law and in everyday life and was a relentless source of worry in the South. The increasing commentary on the problem after the 1807 and 1808 acts of abolition, as the exasperated remarks of this planter and the residents of Isle of Wight county, demonstrate, reflect a predictable upsurge in slave stealing after the end of the transatlantic slave trade and accompanying the spread and growth of the domestic slave trade. For example, Lewis Robards, a legitimate Lexington slave dealer, used the services of slave stealers in rural eastern Kentucky, and was prosecuted for his crimes. Many other “respectable” slave traders also dabbled in the underground slave trade.<sup>17</sup> One of the most infamous gangs that stole slaves (as well as kidnapping free African Americans) was led by a woman, Patty Cannon; this organization, which participated in numerous criminal activities, operated in Delaware in the 1820s. Cannon and members of her biracial gang stole and secretly shipped African Americans, enslaved and free, out of Delaware to the Deep South. There they were met by collaborators and sold illegally to those who did not ask questions about deeds of sale or other legal documents, or who were willing to produce forgeries. Cannon and many members of her gang were caught and prosecuted, and Cannon herself and some of the most notorious members were executed for the array of crimes they committed.<sup>18</sup>

However, beyond such large-scale criminal enterprises, there existed many more personal and localized incidents of slave stealing by women. Free African American women who attempted to assist family members to escape slavery could be accused of slave stealing, as the 1744 case of Esther Roberts, who was alleged to have stolen her enslaved

spouse, Stepney, illustrates.<sup>19</sup> Similarly, in 1764 Bolling Stark recounted the “theft” of his enslaved man, Bob, who was in a sexual relationship with a free white woman. The woman in question became pregnant and the couple had a child. The pair had not simply breached the laws against “miscegenation,” which punished those who participated in interracial sex or marriage, but slave labour had been lost in the process, in this case permanently when the couple absconded. While Bob’s owner admitted to his correspondent that Bob was a “runaway,” overall he took the legal stance that his free female lover and collaborator was to blame. Bob had been “decoyed away by a white woman.”<sup>20</sup>

As Kathleen Brown has noted, “poor white women, especially the widowed and unmarried found their activities scrutinised by their neighbors.” A lack of a husband to keep them under control, supposedly, encouraged them to socialize more frequently with servants and the enslaved. Such mingling promoted “illegal trade and illicit sexual activity,” posed pressing danger to those who owned bound labour, and, more generally, threatened social order. For example, in 1775 a courtroom heard that Anne Braithwaite’s alleged “disorderly house entertains and harbours Negroes.” She sold alcohol and offered the chance to “game at cards” and gamble. In return, Anne and those like her drew revenue from welcoming or “enticing Negroes” into their homes and taverns. Thus, from the early colonial period, many juries and communities in the Chesapeake and the Lowcountry grew weary of single women who, despite condemnation and the threat of punishment, transgressed boundaries of race and the law and, instead, turned enslavers’ lost or stolen property and expense into their own profit.<sup>21</sup>

Similarly, the involvement of women in slave stealing transcended class barriers, with wealthier slave-owning women at the heart of some more purposeful, organized criminal endeavours. In the 1830s, Louisianan Mrs. Elizabeth McWaters knowingly purchased some enslaved people who had been “feloniously” taken from their “true and lawful” owners, in Mississippi, by William Rummels and Abraham Jones. The pair “clandestinely conveyed” slaves across state lines, changing their names, and then traded them using a “pretended act of sale.” Though those who purchased stolen slaves were sometimes not aware that the documents were forged, other women, like McWaters, were fully cognisant. The situation was, however, even more intricate. McWaters had employed one of the thieves, Abraham Jones, as an overseer in 1835–1836, prior to her purchase of the stolen slaves. Jones claimed, in a case he bought against her before her death, that she and her family were “indebted” to him for his many services as an overseer, for money he had loaned them, for the hire of his own slaves on their plantation, and for buying and selling slaves for them.<sup>22</sup>

At first glance, it might be tempting to conclude that a dishonest overseer and his accomplice stole enslaved people and then encouraged his female employer to buy them. However, delving deeper into the multiple inter-locking suits and petitions that emerged over a decade reveals much more about the character of Mrs. McWaters and the part she played. Only fully exposed after her death, it appears that she was not just fully aware of the illegal nature of her purchases and working alongside Rummels and Jones to conceal the true identities of the stolen slaves (by changing their names), but that she may have devised the slave stealing scheme. Furthermore, she had herself previously used the accusation of slave stealing, to which she was subject, in an attempt to retrieve one of her slaves from a relative. Two years after Jones, her slave-stealing overseer

sued her for unpaid debts, and over a decade before Mississippian slave-owners sued her heirs and estate for compensation of their stolen slaves, McWaters accused a male relation of “illegally and wrongfully” taking one of her enslaved women, Minerva. She demanded the immediate return of her stolen property, \$20 per month for the duration of Minerva’s lost labour, and also \$100 in damages.

Elizabeth McWaters played both sides of the laws of slave stealing to achieve her aims. She and Patty Cannon and many others illustrate that women understood, manipulated, and transgressed the laws of slavery. They frequently stood at the heart of slave-stealing controversies, and their actions unveil the complexity of the web that surrounded slave ownership.<sup>23</sup> At the end of the 1830s, John Peters likened the theft of his mother’s slaves by another slave-owner to an “invasion.” Slave stealers, regardless of sex and class, assaulted “the feeling interest and patriotism of every Southerner,” and breached rights which were “guaranteed to us by Solemn compact and the fundamental laws of this Govt.” The theft of a slave was not simply an attack on an individual owner, but a grand affront to all loyal American citizens and patriots. In his mind, slave stealing represented the ultimate attack on the American nation and its government.<sup>24</sup>

There was another category of women branded as slave stealers who more frequently grabbed national attention: abolitionists. These slave stealing women had a more pointedly humanitarian and political purpose and, again, came from and worked together across classes and the colour-line. In Kentucky, Delia Webster attracted notoriety after she worked with Calvin Fairbank helping enslaved runaways. In 1844, the pair were captured and tried for their crimes. The law dealt with Fairbank more harshly than Webster, who was viewed as more dangerous than his female counterpart. By involving female accomplices, Fairbank (and men like him) challenged slavery and undermined Southern patriarchy and ideals of womanhood. He was sentenced to fifteen years in the penitentiary and spent over a decade in jail. However, the law treated female abolitionists like Delia Webster more sympathetically, due to their sex.<sup>25</sup>

Typically, Delia Webster has received less historiographical attention than male abolitionists, yet her story is gripping. As a female agent of the abolitionist movement, her experiences and treatment after her capture in many ways allowed her to be more effective. Originally from Vermont, Webster later worked as a teacher in Kentucky and co-founded the Lexington Female Academy. She successfully assisted many enslaved people in their escape across the Ohio River to freedom. After her capture, like Fairbank, she was placed on trial as a “Negro thief.” However, a desire to conform to gender stereotypes led prosecutors to publicly endorse the notion that women, as “naturally dependent” creatures, relied upon male guidance, and could be easily cajoled into aiding these thefts, but were not the instigators of them. Usurping the agency of white female abolitionists in the courtroom meant that women tended to receive lighter sentences than the despicable men who allegedly led them astray. Thus lawmakers portrayed Webster as misguided rather than consciously protesting slavery. The jury of married men, rather than convict Webster, presented her with a petition to be sent to Governor William Owsley, asking for her to be pardoned “on account of her sex.” Webster, however, refused to sign a document that predicated a pardon on her status as a woman, although the jury remained undeterred and sentenced her in 1845 to only “2 years in the Kentucky penitentiary for aiding and abducting slaves.” After merely two months in prison, where Webster

won the sympathy of her warden, who appealed on her behalf to the new governor of the state, John Crittenden, was pardoned and released.<sup>26</sup>

Shortly thereafter, Webster published her account of the episode, entitled *A History of the Trial of Miss Delia A. Webster*. In it, she denied being an abolitionist, despite rapidly resuming her abolitionist activities. Webster's trial and punishment for slave stealing had not deterred her from her work and she even audaciously returned to Kentucky, the state that had convicted her. Partly funded by the abolitionist movement, she purchased a farm on the Ohio River that became an Underground Railroad station. Arrested and jailed again in 1854, this time Webster escaped to Indiana, where authorities later captured, imprisoned, and placed her on trial under the 1850 Fugitive Slave Act, though the judge discharged the case because of a lack of evidence. Webster continued to aid enslaved runaways and operate as part of the Underground Railroad. When the Civil War erupted, she, along with other female abolitionist-slave stealers such as Harriet Tubman, served the Union cause as a nurse. Societal perception of women as the weaker, inferior sex could work in favour of white women participating in the Underground Railroad. In Delia Webster's case, the swift commutation of her sentence provided her the opportunity to quickly resume illegally "aiding and abducting" the enslaved to freedom, while her male accomplice lingered in jail, his pleas for a pardon were repeatedly denied. Women like Webster cannily exploited contemporary assumptions about their womanly "irrational" and "dependent" nature (or the need to publicly uphold such beliefs) to further their own, very calculated, subversion of slavery. Indeed, of the two, she proved to be a more dangerous and effective slave stealer.<sup>27</sup>

On the other side of the law, slave-owning women, married and single, became embroiled in slave stealing cases and the misappropriation of enslaved labour. They filed numerous suits focussed on the issue of human property theft, and their petitions and part in the legal proceedings further highlight the contradictions of race, slavery, and patriarchy that pervaded the South and fuelled the fear of instability and attack. Whether the culprits were their husbands, kin, acquaintances, or strangers, slave-owning women fought to maintain and defend their ownership of enslaved property and bring to account those who contravened their rights as enslavers. In fact, some married women used the crime of slave stealing for a dual purpose: to justify a divorce that would release them from patriarchal control. Their petitions provide new and intriguing insights into the act of slave stealing, its impact on female slaveholders, and the mechanisms in place to secure enslaved property. Indeed, the defence of the rights of married female enslavers supports the contention that "historians have neglected these women" because their actions "do not conform to prevailing ideas about white women and slave mastery."<sup>28</sup> More broadly, these cases and the various controversies surrounding them shed light on understudied areas of slavery, such as the slave hire and mortgage systems, collective ownership of enslaved people, term slaves, and, crucially, the world of small-scale slaveholders who owned ten or fewer slaves, but who were the majority of enslavers.<sup>29</sup> Until topics such as these are integrated into the history of North American slavery, the story will remain partial and skewed towards the elite or "plantocracy," who were actually no more than "an extremely small subset" of enslavers.<sup>30</sup>

Missouri Boyett lived in Sumter County, Alabama. She owned ten slaves "in her own right" and, at the time of her petition, in 1845, had never been married. Her father died in 1839 and she and her mother remained on the plantation to "carry on the farm"



alone. However, on the death of her mother, Missouri was left on the plantation “without any other white person.” Though she continued to “control and manage” her property and slaves, she professed that she was not formally educated, “scarcely able to read and write” and “without education or knowledge of business”. At this point, in 1843, she decided to employ Andrew Edwards, a man whom she believed “was her friend,” as an overseer. Edwards immediately began “a system of fraud, and villany,” laying the groundwork to steal her enslaved people. Firstly, he undermined her character and credibility in her community. Then, he “alarmed” her by claiming that there was controversy over her mother’s will and that it was “necessary for protecting her rights” to hire some of her slaves out of state. Aware of the faith that she placed in his “honesty & friendship,” Edwards preyed on Missouri Boyett’s “ignorance.” Presenting her with what he claimed was a slave hire contract, “a paper which he bought ready prepared,” he tricked her into signing a bill of sale for an enslaved man named Abram, who was then taken to Mississippi. The deceptions continued, encompassing four more of her slaves, and another man became involved to help sustain the ruse. James Alford “colluded” in “these fraudulent transactions,” “aiding and abetting the said Edwards in his nefarious attempts” to sell Boyett’s slaves beyond her reach and for his own profit. Without a husband or family, Missouri Boyett became the target of a slave stealing scheme, constructed by a man she knew well and had placed “full confidence in.” And yet, despite her vulnerable situation and her lack of education, she fought back, using the courts and her knowledge that they were keen to protect all who “possessed” enslaved people in their “own right.”<sup>31</sup>

It was not only single women who were duped by the deceitful predators. Many targeted those who were illiterate or unfamiliar with paperwork related to different slave financing schemes, such as deeds of sale, mortgages and slave hire agreements, and insurance. When, in 1840, Polly Lowrance’s husband Joel became indebted, she mortgaged her own enslaved people, Tempy and her son, John Solomon, to John Fisher. The latter agreed to advance the money for the debts that Joel owed, and in exchange, he would retain the mortgaged slaves until he was repaid. However, Polly “not understanding the form of a Mortgage,” was duped into executing “a Bill of Sale,” rather than a mortgage. Indeed, the sum in the document amounted to Joel’s exact debt and to much less than the value of the enslaved, which helps to explain the ease with which the deceit passed. Two years later, the Lowrances requested the return of Polly’s mortgaged slaves. However, Fisher denied their request, claiming that he had purchased the slaves, rather than transacting a loan through a mortgage. He then hastily sold Tempy to William Little, “a Negro trader, who soon after took her out of the country.” It is likely that the Lowrances did not wish to fall back into debt and thus could not afford to fight Fisher, who retained John Solomon until his death. At this point, perhaps with more resources at their disposal, when Fisher’s heirs advertised John Solomon for sale at a public auction, the Lowrances took legal action. As John Solomon was still living within the state, Polly and Joel petitioned the courts for the return of the stolen enslaved man. They argued that having “much more than paid” their debt and bearing in mind Fisher’s fraudulent conduct, their enslaved man should be returned, and they should receive compensation for the loss of Tempy. Despite an appeal from Fisher’s heirs, the request was granted, and Polly was compensated for the theft and damages inflicted.<sup>32</sup>

Aside from the gangs, strangers, or members of the local community who menaced and swindled those who did not fully understand the complexities of the legal and

financial framework of slavery, closer to home, theft and dubious deals took place within family units. Petitions detailing feuds and affairs, in which family members accused each other of slave stealing litter, Southern archives. Family members persistently preyed on female kin and attempted to infringe upon their property rights. Husbands stole the enslaved property of their wives, children stole their mothers' slaves, and even those placed as guardians of child slave-owners misappropriated their enslaved inheritances. Good knowledge of their victim's character and circumstances was an advantage. In 1833, Frances Clure, an illiterate Virginian widow, who stated that she was "entirely unacquainted with transacting business" of slavery, was tricked by her nephew, Hugh Chandler. In a similar ruse to that used by the overseer who deceived Missouri Boyett, her nephew claimed Clure's enslaved people were about to be confiscated to settle her late husband's debts. He "clandestinely, artfully and fraudulently" convinced her to sign her property over to him for her supposed protection. Chandler was not working alone. Once the deed was signed, his partners "by stealth, under cover of night, claimed took and carried away" her slaves from her plantation. Clure asked that the deed be annulled, and her stolen slaves returned, and the court granted her request.<sup>33</sup> In Georgia, Jane Ward and Sarah Gray collectively owned eleven slaves who had unlawfully come into the possession of Joseph Gray, a relative of Sarah's, who refused to return them, and instead "converted and disposed of the said Negroes to his own use and benefit." Ward and Sarah Gray calculated their value and sought \$6000 in damages.<sup>34</sup> Further South, in Mobile, Alabama, a controversy erupted over the enslaved grandson of a wealthy free African American woman named Margaret Collins, who had been placed in the care of his aunt. Rather than treating him as a relative, the boy's aunt hired him out as a slave. In her petition, Collins demanded that the court act to prevent "disposing of him" out of state, return her enslaved grandson to her, and force her daughter to pay her the ill-gotten proceeds from hiring out her nephew.<sup>35</sup>

Southern marriages could be particularly treacherous when it came to women's rights to their enslaved property, and many husbands appropriated and exploited their wives' enslaved people for sexual gratification or financial gain. Some husbands lived in open adultery with enslaved women, while others attempted to hide their illicit relationships in a variety of ways that amounted to theft. In Louisiana, Joseph Tisdale went to great lengths to both maintain and conceal his relationship with an enslaved woman, Louisa, who was owned by his wife, Mary. In her petition, Mary stated that Joseph took the enslaved woman from her and told her that she had been sold to a buyer in Texas. At the time of the petition, after the death of her husband and seven years after the alleged sale of Louisa, Mary had just discovered that her enslaved woman had not been sold and was not in Texas. Louisa was, in fact, still in New Orleans, where she had been living as Joseph's concubine and passing for a free white person. Although husbands controlled their wives' property in marriage, and thus Joseph's actions were not beyond his spousal rights, his treacherous and adulterous conduct contested the notion that he was a law-abiding and dutiful husband. Although Mary exploited this idea in her petition, exposing her late husband's transgressions and his poor treatment of her, this was not the crux of her case. Firstly, at the beginning of the plea, she asserted her rights as a slave-owner, stating that enslaved Louisa had been given to her by her father and was, therefore, her personal legal property, along with the woman's seven-year-old child, Lydia. The enslaved child was possibly the offspring of her husband's

affair, but this is not clear from the records. Nevertheless, Mary expected the court to support her desire to reclaim the stolen enslaved mother and daughter, assets which her husband's affair and deceit had denied her. Those who judged her case agreed with her viewpoint.<sup>36</sup> Similarly, on Christmas Day 1850, Catherine Ferguson's husband "secretly abandoned his house" and "carried off" one of his wife's enslaved women as he "fled to parts unknown." The court promptly supported Ferguson's right to retrieve her stolen slave and remove her husband as guardian of their shared assets, conferring the authority of control solely upon her.<sup>37</sup>

While some husbands stole enslaved women to continue sexual relationships, others had financial gain in mind. They evidently viewed the theft or misuse of their wives' enslaved property as a legitimate act and a method of sustaining and financing their lifestyles, regardless of their wives' rights or interests. Southern courts, in most cases, did not agree and supported women's rights of ownership. When Mary Ann Owens petitioned the courts in Kentucky in July 1841, she stated that her husband, Grandison Owens, while drunk and without provocation, beat her mercilessly, and in one instance shot at her and hit a dog instead. Mary took refuge from the abuse at her mother's house. Since then, her husband had sold off her property and, on the death of her mother, informed Mary he intended to secret away and sell her inherited enslaved people. Still married, but without familial protection, Mary Owens asked that she be granted a divorce and protection of her property and enslaved people from theft and that her husband be compelled to reach a financial settlement with her over items he had already sold.<sup>38</sup> A year later, also in Kentucky, an attack on the property of Elizabeth Gray had even more serious implications. From the estate of her deceased husband, Elizabeth retained the use of enslaved Lucy and her child during her lifetime, before they were inherited by her children. John P. Fox. Gray's new husband, however, forged a bill of sale for her slaves, sold them, and disappeared; they were found in the possession of the slave traders, Edward and Robert Crutchfield. Gray petitioned for a divorce from Fox and for restoration of her stolen slaves. The court ruled in her favour on both accounts. Married women with children left at the mercy of devious, thieving husbands were, as courts recognized, placed in a more vulnerable situation than single women, and thus the courts regularly interceded to defend the property rights of wives and children who owned slaves.<sup>39</sup>

Orphaned minors were in some instances allowed to marry, so slave-owning girls were a tempting target for suitors or families who wished to make a profit from a young bride's inheritance and lack of parental protection. In 1850 Flora L. Ewing Cheatham, a minor, petitioned the Bedford County court in Tennessee, via her guardian, claiming that her husband, who was a minor too when they wed, had plotted with his father to steal her slaves. Now twenty-one years old and an adult, the husband and his father, secretly and fraudulently, abducted her inherited enslaved man Porter and clandestinely run him off to Tennessee, where they sold him to a trader named Joseph Thompson. Flora described how, after marrying Nicholas Cheatham, she left him after a month or two because his language to her was such as a gentleman would not employ to his slave much less his wife, and his conduct was marked with cruelty and inhumanity. While fighting for the return of her enslaved man in Tennessee, Flora simultaneously filed for a divorce in Kentucky. In her attempts to recover her stolen slave she used agents who tracked down the slave trader, Thompson, and then suggested that enslaved Porter be placed in jail for safe-keeping until the matter was resolved. Wishing to avoid the loss

of the stolen slave, about the witching hour of midnight, Porter was “mysteriously spirited away by a son of Thompson. Thompson’s business partner, William Little, who had been part of the dubious dealings with Polly Lowrance’s enslaved people, then hid Porter. Flora declared that she had never assented to the sale, and argued that Kentucky laws barred her husband from claiming Porter by marital right. Flora’s petition was successful, and payment and restitution were granted.<sup>40</sup>

The numerous cases scattered across the South indicate that poverty, avarice, and marital or family feuds motivated the dishonest to steal the property of wives or female relations. The problems related to slave stealing cases were often complicated, and resolving them proved costly and time-consuming. Some cases dragged on over years. Others involved the theft and transportation of stolen slaves, not simply to a nearby city or region, but to another state, in which different legal codes or lack of local obligation meant they were much harder to retrieve. The dependent legal status of women in a patriarchal society could make it difficult for them to assert their rights, especially in marriage. Yet the determination of Southern courts to protect the right to hold *human* property often worked in their favour, aiding them to secure redress from both outright theft and grasping or menacing husbands or relatives.<sup>41</sup> Indeed, women suing for divorce had improved chances of success if their husbands had stolen one or more of their enslaved people. Conversely, when slave-ownership was not at stake, Southern women were less likely to be protected or supported by the law, as Virginian Mary Lawry discovered. In 1843, after her husband was imprisoned for stealing another man’s slave, Mary petitioned for a divorce not simply because her husband had been convicted for slave stealing, but also because he had had “illicit intercourse” with the stolen enslaved woman. Although the husband had deserted his wife and children, committed both a serious crime and adultery with a slave, her petition was rejected. In cases such as these, the court made it clear that Southern women had few rights. Though seemingly contradictory, the message was in sync with the South’s robust defence of slavery as an economic right rather than a racial imperative. While defending “true womanhood” was an important rhetorical tenet of Southern honour and identity, it became dispensable if property rights were not directly attacked. Thus, in such cases these women were left as social pariahs and economically vulnerable; not only bound to their unfaithful or incarcerated husbands but with “children to maintain.”<sup>42</sup>

However, as with female abolitionists, ideological constructs surrounding “womanhood” sometimes worked in favour of unmarried poorer women with children who were actively involved in slave stealing, even though the crime was viewed so seriously. For example, Nancy White petitioned the Governor of Kentucky asking to be released from jail halfway through her sentence “for assisting in the escape of slaves” and for “stealing a horse” in 1863. While some slaves were coerced, many others, hoping to gain freedom, willingly conspired with free whites. This was an example of the feared interracial cooperation between non-slave-owning whites and the unfree, which was deemed one of the gravest threats to the Southern society and stirred communities to collectively petition for solutions, such as harsher laws and including poorer whites in slave ownership.<sup>43</sup> Nevertheless, in 1865, at the height of the sectional tension, perhaps aware that the law treated women less punitively, Nancy White crafted her plea carefully, stating that:

The law proved me guilty and therefore it will profit me nothing to plead innocence at present. I certainly did go as far as the Ohio river with parties who I suppose were guilty of the offence. But as for myself there was no inducement whatever to influence me to take a part in the act. And what I did do I did it ignorant of the anormity of the Crime. But suppose I am guilty—God knows, and I feel that I have suffered Sufficiently already to atone for the offence.<sup>44</sup>

Despite her admission of guilt and the fact that that she had also stolen a horse, an indication that she was one of many poorer whites, who at least associated with the enslaved and sometimes aided their escapes, White expressed regret and claimed her crime was ignorance, not theft or abolition. She then focussed on her status as an ailing single mother of humble means, without wider family support, who “may not have long to live” and had “a little Daughter” to maintain and protect. The petition won her the favour of the authorities, who pardoned and released her. Against the backdrop of growing sectional conflict, slave stealing, an activity which already existed in that grey area between crime and social protest, had acquired a clear political dimension: it forced wealthy slave-owners to consider the cohesiveness of Southern society and raised worrying concerns about the loyalty of non-slave-holding whites and those on the margins. Slave stealing was, quite clearly, an omnipresent component in the South’s psychological preparation for the momentous act of secession.

The unusually detailed records related to slave stealing, especially court cases, present entirely new perspectives on the lives of women enmeshed in the volatile slave society of the eighteenth- and nineteenth-century South. Exploring the part they played in slave stealing cases offers insight into their involvement in the system of slavery and their daily preoccupations, and exposes a variety of new avenues and themes that have been relatively neglected historiographically. Analyzing the involvement of free women, black and white, in the diverse incidences of slave stealing demonstrates the ambivalent nature of Southern law and custom when dealing with those who trafficked human property and those it affected. Both slave stealing women and slave-owning women, despite their differing motivations, challenged contemporary gender conventions and exposed the fragility of the constructions of gendered identity that underpinned social and political authority in the South. In broad terms, their actions complicate traditional definitions of protest and resistance in Southern slave society. These women rejected or opposed their treatment by their communities, governors, and kin, and proved willing to break or manipulate the laws of slavery to advance their own interests, be they monetary, emotional, or ideological. Their challenges regularly tested the foundations upon which a patriarchal slave society rested. In the South, they brought into focus the precarious position of a planter class that was kept in place by racial inequality, the subjugation of the enslaved, and the subordination of women. While their part has been underestimated, female slave stealers and slave-owners alike, clearly demonstrate that those viewed as dependent, second-class citizens had an important and disruptive part to play in the nation’s contest over the “peculiar institution.” On a grander scale, female participation in a wide variety of acts that daily defied the codes and dogmas of race, class, and gender that governed the American society indicates that these women were not peripheral, but lead actors in local and national dramas which revolved around the right to own human property and the legitimacy of the institution of slavery. Although women slave stealers and women slave-

owners were often at different ends of the legal spectrum, their actions were socially and culturally destabilizing and heightened the fears of threat posed by “disloyal” poor whites and “disorderly” women. In doing so, they moulded antebellum Southern political thought and contributed to the febrile anxieties and contradictions that drove a conservative society to take the radical, and ultimately fatal, decision to go to war to defend slavery.

## Notes

1. There has been almost no work done on this topic. One article, by Timothy Reilly, has reviewed a specific instance of slave stealing in Louisiana and used the court case records to shed light on the early development of the domestic slave trade in North America, while Jeff Forret offers an interesting, but limited overview on the subject in his study of slaves, poor whites, and race-relations in the antebellum South. Reilly, “Slave Stealing in the Early Domestic Trade,” 5–39; Forret, *Race Relations at the Margins*, 143–8. In other studies, slave stealing draws, at best, only passing references, despite John Hope Franklin and Loren Schweninger’s admission that it occurred frequently. For example, works by Walter Johnson and Michael Tadman have illuminated much about the human story of the legal slave trade and its intricacies, but the illicit, indeed, by its very nature covert, story of the illegal trafficking of the enslaved (whether for profit or other reasons) remains in the shadows of the historiography. Franklin and Schweninger, *Runaway Slaves*, 273; Johnson, *Soul by Soul*; Tadman, *Speculators and Slaves*. Keri Leigh Merritt affirms previous historians’ claims that slave stealing was a serious crime, which often “elicited a much more serious punishment than did assault or even manslaughter or murder.” Merritt also attempts to identify those who stole slaves by dividing the thieves into two categories. The latter is useful, but does not convey the full complexity of slave stealing, as a crime, and the variety of activities and people involved in such cases. Merritt, *Masterless Men*, 210–13.
2. Hinks, “Frequently Plunged into Slavery,” 16–31; Wilson, *Freedom at Risk*; Reardon, “The Peculiar Kidnapping Case of Elizabeth Bright,” 34–71; Maddox, *The Parker Sisters*; Heerman, “Reducing Free Men to Slavery,” 261–91; Bell, “Counterfeit Kin,” 199–230; Bell, *Stolen*; Churchill, *The Underground Railroad and the Geography of Violence*; Forret, *Williams’ Gang*. A few works have reviewed slave-owners’ and slave-catchers’ attempts to retrieve fugitive slaves. Slave catchers sometimes stole free African Americans to sell in the South, claiming that they were runaways. Diggins, *Stealing Freedom*; Campbell, *The Slave Catchers*; Northup, *Twelve Years a Slave*.
3. Of these groups, only the “practical abolitionists” have received extensive scholarly treatment. Blackett, *Building an Anti-Slavery Wall*; Blackett, *Making Freedom*; Blackett, “The Underground Railroad and the Struggle Against Slavery”; Foner, *Gateway to Freedom*; Council, “Ringing Liberty’s Bell,” 494–531; Humez, *Harriet Tubman*; Clinton, *Harriet Tubman*; Larson, *Bound for the Promised Land*; Lowry, *Harriet Tubman*; Sernett, *Harriet Tubman*; Horton, *Harriet Tubman and the Fight for Freedom*; Oertel, *Harriet Tubman*; Olsavsky, “Women, Vigilance Committees, and the Rise of Militant Abolitionism, 1835–1859”; Cima, *Performing Anti-Slavery*; Clapp and Jeffrey (eds.), *Women, Dissent and Anti-Slavery*; Robertson, *Hearts Beating for Liberty*.
4. On this point, see Eugene Genovese, *Roll, Jordan, Roll*; Oakes, *The Ruling Race*; Oakes, “The Political Significance of Slave Resistance,” 89–107.
5. Bell, “Thence to Patty Cannon’s,” 661–79; Morgan, *Delmarva’s Patty Cannon*; Giles, *Patty Cannon*.
6. Jones-Rogers, *They Were Her Property*, xii–xiii, 204.
7. Stephanie Jones-Rogers’s work encourages historians to look more closely to “examine women’s economic investments in slavery” to “uncover hitherto hidden relationships among gender, slavery, capitalism.” Jones-Rogers, *They Were Her Property*, xiii.

8. Hening, ed., *The Statutes at Large; Being a Collection of all the Laws of Virginia*, Vol. 1, 1823, March 1642–43, Act XXI and March 1661–62. Act CII and 1660, “Virginia law enacted on English running away with negroes.” The earliest laws were primarily concerned with lost labour in cases in which servants stole or absconded with the enslaved. The law of 1660/62 stated that “Negroes who are incapable of making satisfaction by addition of time,” presumably because they were enslaved for life rather than indentured, had their penalty transferred to “the English [servant] so running away in company with them,” who was sentenced to “serve for the time of the said negroes absence as they are to do for their owne by a former act.” In the following year it was clarified that convicted servants, after their additional “time of service to their owne masters expire[d],” were then to “serve the masters of the said negroes for their absence.” In effect, they received a double penalty; additional service to their owner and then to the owner of the “stolen” slave.
9. William Moore to the Honourable the General Assembly of the State of North Carolina, 18 October 1800, PAR Number 11280003, *Race and Slavery Petitions Project*, University of North Carolina Greensboro Library (hereafter, *RSPP*).
10. Guild, *Black Laws of Virginia*, 54, 68, 92, 155, 161, 251; *Journal of the Senate of the Commonwealth of Virginia* (Richmond: John Warrock, 1850), 251; *North Carolina Session Laws*, 1741, chapter 27, and 1779, chapters 11 and 142, quoted in Schiller, “Conflicting Obligations,” 1221, 1225–6; To the Honorable A W O Hicks Judge of the Fifth Judicial District of the State of Texas, 1 February 1853, PAR 21585306, *RSPP*; James C. Hall to Honorable Thomas W. Thomas one of the Judges of the Superior Courts of Said State (Georgia), 28 December 1859, PAR 20685908, *RSPP*.
11. Petition from 49 of the residents of Isle of Wight County, Virginia, 1817, PAR Number 11681712, *RSPP*. For more examples, see the petitions to southern county courts contained in *RSPP*.
12. Hening, ed., *The Statutes at Large*, Vol. 1, 1823, March 1642–43, Act XXI and March 1661–62. Act CII and 1660; Guild, *Black Laws of Virginia*, 54, 68, 92, 155, 161, 251; *Journal of the Senate of the Commonwealth of Virginia*, 251. *North Carolina Session Laws*, 1741, chapter 27 and 1779, chapters 11 and 142; Schiller, “Conflicting Obligations,” 1221, 1225–6; To the Honorable A W O Hicks Judge of the Fifth Judicial District of the State of Texas, 1 February 1853, PAR 21585306, *RSPP*; James C. Hall to Honorable Thomas W. Thomas one of the Judges of the Superior Courts of Said State (Georgia), 28 December 1859, PAR 20685908, *RSPP*; McManus, *A History of Negro Slavery*, 84; Mooney, *Slavery in Tennessee*, 59; Rivers, *Slavery in Florida*, 225–6; Merritt, *Masterless Men*, 213.
13. Morehead and Brown, *A Digest of the Statute Laws of Kentucky*, Vol. 2, 1302–3; *The Acts of the General Assembly of the Commonwealth of Kentucky: Passed at the December Session 1844* (Frankfort, KY: A. G. Hodges State Printer, 1845), 4–5; *The Acts of the General Assembly of the Commonwealth of Kentucky: Passed at the November Session 1850* (Frankfort, KY: A. G. Hodges and Co. State Printer, 1851), 296–8; *Charleston Mercury*, 25 February 1831 and 6 October 1857. For more detail, see Sandy, “Negro Thieves’ and Abolitionists,” 81–102. See also Merritt, *Masterless Men*; Forret, *Race Relations at the Margins*; West, *Family or Freedom*; Maris-Wolf, *Family Bonds*.
14. For example, see 25 February 1831 and 6 October 1857, *Charleston Mercury*, 25 February 1831 and 6 October 1857; *New Orleans Picayune*, 23 June 1840.
15. William Moore to the Honourable the General Assembly of the State of North Carolina, 18 October 1800, PAR Number 11280003, *RSPP*.
16. Isaac Briggs to Dudley Chase, 5 February 1817, *Isaac Brigg Papers*, Library of Congress, Washington, DC (hereafter LoC).
17. Dunaway, *Slavery in the American Mountain South*, 151–2; Mancall briefly discusses the “secret networks of rustlers, counterfeiters, and slave stealers” that operated across the South. Though Mancall is not specific, it was, evidently, these groups (and more) that together enabled the formation of an underground slave trade. Mancall, *Making of the American West*, 261, 372; Many cases of the involvement of legitimate slave traders in slave stealing and the underground slave trade can be found in the court records of the South.

18. Bell, "Thence to Patty Cannon's"; Morgan, *Delmarva's Patty Cannon*; Giles, *Patty Cannon*.
19. 29 September 1744, VAG. As the status and position of "free people of colour" in the South came increasing under attack in the nineteenth century, some enslaved women chose to voluntarily enslave themselves rather than be forced to leave their homes and parted from their enslaved loved ones. West, *Family or Freedom*.
20. Bolling Stark to George MacMurdo, 15 December 1764, box 3, Newhall Family Papers, National Library of Scotland, Edinburgh.
21. 11 June, 9 July, 10 December 1742, Lancaster County Order Books, no. 8, 347, 350, 368, Virginia State Library, Richmond, Virginia (hereafter VSL); 6 September 1770, *Virginia Gazette* (hereafter, VAG); 19 June 1775, York County Court Order Book, VSL. Some of these examples are also cited in Brown, *Good Wives*, 239 and Morgan, *Slave Counterpoint*, 415–16.
22. Bartlett Smith to the Honorable the Judge of the Seventh Judicial District Court of the State of Louisiana, 14 October 1850, PAR 20885009, *RSPP*; Stephen Ford Smith to the Honorable the Judge of the Seventh Judicial District Court of the State of Louisiana, PAR 20884926, *RSPP*; Abraham Jones Petition to the Hon. Judge of the Third Judicial District Court of the State of Louisiana, 4 April 1836, PAR 20883608, *RSPP*; Elizabeth McWaters to the Honorable the Judge of the Third Judicial District Court Holding Sessions in and for the Parish of West Feliciana State of Louisiana, 22 November 1841, PAR 20884128, *RSPP*.
23. *Ibid.*
24. John Peters to A. P. Bagby, 3 January 1839, A. P. Bagby Papers, Alabama Department of Archives and History, Montgomery, Alabama.
25. Webster, *Kentucky Jurisprudence*; Fairbank, *Rev. Calving Fairbank During Slavery Times*; Calarco, *People of the Underground Railroad*, 155; John Homire, et al., to James F. Robinson, n.d., Office of the Governor, James F. Robinson: Governor's Official Correspondence File, Petitions for Pardons, Remissions, and Respites, 1862–1863, R4-435 to R4-436, Kentucky Department for Libraries and Archives, Frankfort, KY. Accessed via the Civil War Governors of Kentucky Digital Documentary Edition, [discovery.civilwargovernors.org/document/KYR-0001-029-0593](https://discovery.civilwargovernors.org/document/KYR-0001-029-0593), (accessed 30 January 202; hereafter *CWGK*); W. W. Fry to James F. Robinson, 13 July 1863, Office of the Governor, James F. Robinson: Governor's Official Correspondence File, Petitions for Pardons, Remissions, and Respites, 1862–1863, R4-262, [discovery.civilwargovernors.org/document/KYR-0001-029-0476](https://discovery.civilwargovernors.org/document/KYR-0001-029-0476), *CWGK* (accessed 30 January 2021); Leslie Combs to Thomas E. Bramlette, 14 April 1864, Office of the Governor, Thomas E. Bramlette: Governor's official correspondence file, petitions for pardons, remissions, and respites 1863-1867, BR10-183 to BR10-184, *CWGK* (accessed 24 July 2018).
26. Allen, *Aftermath, part second of "A Kentucky Cardinal"*, 70; Runyon, *Delia Webster and the Underground Railroad*, 53, 87–106, 125, 164–99; Webster, *Kentucky Jurisprudence*, 44, 55, 74, 80–4; *Eisan, Saint or Demon?*
27. *Ibid.*
28. Jones-Rogers, *They Were Her Property*, xi–xii.
29. *Ibid.* Jones-Rogers emphasizes the point that most historians have focussed on those who owned large numbers of enslaved people, even though the "records indicate that the majority of slave owners owned ten enslaved people or less."
30. *Ibid.*
31. Missouri Boyett to the Chancery Court of Sumter County, Alabama, 21 March 1845, PAR 20184507, *RSPP*; Similarly, Eliza Morris, after being deserted by her husband, was "thrown upon her own resources" and without protection. Consequently, two local men known to Eliza seized the opportunity and "sent a negro Man slave" to her home "to purloin & decoy" the enslaved girl she owned. Eliza was unable to stop the theft and demanded that the court intercede and ensure the return of her stolen slave or that she at least be compensated for the full value for her, \$600, and also \$5 per month hire fee for the time that had passed since the enslaved woman had been stolen. Eliza Morris to the Honorable Thomas S. Williams Chancellor for the Eastern Division of Tennessee, Bradley County Tennessee, 12 December 1846, PAR 21484604, *RSPP*.



32. Joel and Polly Lowrance to the Honbl. B. L. Ridley Chancellor &c, State of Tennessee, 29 July 1851, PAR 21485144, *RSPP*.
33. Frances Clure to the Honourable John Taylor Lomax Judge of the Superior Court of Law and Chancery for the County of Caroline, 22 June 1833, PAR 21683317, *RSPP*.
34. Jane Ward and Sarah Gray to the Honorable the Superior Court of said County (Georgia), circa August 1834, Par 20683403, *RSPP*.
35. Margaret Collins to Chancery Court of Mobile County (Alabama), 9 December 1837, PAR 20184722, *RSPP*.
36. Mary Wilson to the Honorable A. M. Buchanan Judge of the Fifth District Court of New Orleans, 9 November 1848, PAR 20884846, *RSPP*.
37. Catherine Ferguson Whittle to the Hon. Joseph W. Lesesne, Chancellor of the Southern Division of Alabama, 4 January 1853, PAR 20185301, *RSPP*.
38. Mary Owens to the Hon the Judge of the Scott County Circuit Court, 17 August 1844, PAR 20784412, *RSPP*.
39. Elizabeth Gray to the Chancellor of the Louisville Chancery Court, 2 December 1842, PAR 20784216, *RSPP*.
40. Flora L. Ewing Cheatham to Bedford Country Court, Tennessee, 27 July 1850, PAR 21485017, *RSPP*.
41. For more on this subject of women petition and using the law to defend their property Rights, see Edwards, *The People and Their Peace*.
42. Mary Lawry to the Senate and House of Delegates of the Commonwealth of Virginia, 18 January 1843, PAR 11684311, *RSPP*.
43. Petition from 49 of the residents of Isle of Wight County, Virginia, 1817, PAR Number 11681712, *RSPP*; Citizens of Currituck County to the Senate and House of Commons, 4 December 1860, PAR Number 11286002, *RSPP*.
44. Nancy White to Thomas E. Bramlette, 15 February 1865, Office of the Governor, Thomas E. Bramlette: Governor's official correspondence file, petitions for pardons, remissions, and respites 1863–1867, BR12-359, *CWVGK*, (accessed July 24, 2018).

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## Bibliography

- Allen, James. *Aftermath, Part Second of "A Kentucky Cardinal"*. New York: The Macmillan Company, 1911.
- Bell, Richard. "Counterfeit Kin: Kidnappers of Color, the Reverse Underground Railroad, and the Origins of Practical Abolition." *Journal of the Early Republic* 38, no. 2 (2018): 199–230.
- Bell, Richard. *Stolen: Five Free Boys Kidnapped into Slavery and Their Astonishing Odyssey Home*. New York: Simon and Schuster, 2020.
- Bell, Richard. "'Thence to Patty Cannon's': Gender, Family, and the Reverse Underground Railroad." *Slavery and Abolition* 37, no. 4 (2016): 661–679.
- Blackett, Richard. *Building an Anti-Slavery Wall: Black American in the Atlantic Abolitionist Movement, 1830–1860*. Baton Rouge: Louisiana State University Press, 2002.
- Blackett, Richard. *Making Freedom: The Underground Railroad and the Politics of Slavery*. Chapel Hill: University of North Carolina Press, 2013.

- Blackett, Richard. "The Underground Railroad and the Struggle against Slavery." *History Workshop Journal* 78, no. 1 (2014): 275–286.
- Brown, Kathleen. *Good Wives, Nasty Wenches, and Anxious Patriarchs: Gender, Race, and Power in Colonial Virginia*. Chapel Hill: University of North Carolina Press, 1999.
- Calarco, Tom. *People of the Underground Railroad: A Biographical Dictionary*. Westport, CT: Greenwood Publishing Group, 2008.
- Campbell, Stanley. *The Slave Catchers: Enforcement of the Fugitive Slave Law, 1850–1860*. Chapel Hill: University of North Carolina Press, 2012.
- Cima, Gay Gibson. *Performing Anti-Slavery: Activist Women on Antebellum Stages*. Cambridge, UK: Cambridge University Press, 2014.
- Clapp, Elizabeth, and Julie Roy Jeffrey, eds. *Women, Dissent, and Anti-Slavery in Britain and America, 1790–1865*. Oxford: Oxford University Press, 2011.
- Clinton, Catherine. *Harriet Tubman: The Road to Freedom*. New York: Little, Brown, 2004.
- Council, Ashley. "Ringling Liberty's Bell: African American Women, Gender, and the Underground Railroad in Philadelphia." *Pennsylvania History* 87, no. 3 (2020): 494–531.
- Diggins, Milt. *Stealing Freedom Along the Mason–Dixon Line: Thomas McCreary, the Notorious Slave Catcher from Maryland*. Baltimore, MD: Johns Hopkins University Press, 2015.
- Dunaway, Wilma. *Slavery in the American Mountain South*. Cambridge, UK: Cambridge University Press, 2003.
- Eisan, Frances. *Saint or Demon?: The Legendary Delia Webster Opposing Slavery*. New York: Pace University Press, 1998.
- Edwards, Laura. *The People and Their Peace: Legal Culture and the Transformation of Inequality in the Post-Revolutionary South*. Chapel Hill: University of North Carolina Press, 2009.
- Fairbank, Calvin. *Rev. Calving Fairbank During Slavery Times: How He "Fought the Good Fight" to "Prepare the Way"*. Chicago: R. R. McCabe, 1890.
- Foner, Eric. *Gateway to Freedom: The Hidden History of the Underground Railroad*. New York: W. W. Norton and Co., 2015.
- Forret, Jeff. *Race Relations at the Margins: Slaves and Poor Whites in the Antebellum Southern Countryside*. Baton Rouge: Louisiana State University Press, 2010.
- Forret, Jeff. *Williams' Gang: A Notorious Slave Trader and his Cargo of Black Convicts*. Cambridge, UK: Cambridge University Press, 2020.
- Franklin, John Hope, and Loren Schweninger. *Runaway Slaves: Rebels on the Plantation*. New York: Oxford University Press, 1999.
- Genovese, Eugene. *Roll, Jordan, Roll: The World the Slaves Made*. New York: Pantheon Books, 1974.
- Giles, Ted. *Patty Cannon: Woman of Mystery*. Easton, MD: Easton Publishing Company, 1965.
- Guild, June Purcell. *Black Laws of Virginia: A Summary of the Legislative Acts of Virginia Concerning Negroes: From Earliest Times to the Present*. Richmond: Whittet & Shepperson, 1936.
- Heerman, M. Scott. "'Reducing Free Men to Slavery': Black Kidnapping, the 'Slave Power,' and the Politics of Abolition in Antebellum Illinois, 1830–1860." *Journal of the Early Republic* 38, no. 2 (2018): 261–291.
- Hening, William, ed. *The Statutes at Large; Being a Collection of all the Laws of Virginia*. Richmond: John Warrock, 1850.
- Hinks, Peter. "'Frequently Plunged into Slavery': Free Blacks and Kidnapping in Antebellum Boston." *Historical Journal of Massachusetts* 20, no. 1 (1992): 16–31.
- Horton, Lois. *Harriet Tubman and the Fight for Freedom: A Brief History with Documents*. Boston, MA: Bedford/St. Martin's, 2013.
- Humez, Jean. *Harriet Tubman: The Life and the Life Stories*. Madison: University of Wisconsin Press, 2003.
- Johnson, Walter. *Soul by Soul: Life Inside the Antebellum Slave Market*. Cambridge, MA: Harvard University Press, 2001.
- Jones-Rogers, Stephanie. *They Were Her Property: White Women as Slave Owners in the American South*. New Haven, CT: Yale University Press, 2019.
- Larson, Kate Clifford. *Bound for the Promised Land: Harriet Tubman, Portrait of an American Hero*. New York: Ballantine, 2004.

- Lowry, Beverley. *Harriet Tubman: Imagining a Life*. New York: Doubleday, 2007.
- Maddox, Lucy. *The Parker Sisters: A Border Kidnapping*. Philadelphia, PA: Temple University Press, 2016.
- Maris-Wolf, Ted. *Family Bonds: Free Blacks and Re-enslavement Law in Antebellum Virginia*. Chapel Hill: University of North Carolina Press, 2015.
- Mancall, Peter. *Making of the American West: People and Perspectives*. Santa Barbara, CA: ABC-CLIO, 2007.
- McManus, Edgar. *A History of Negro Slavery in New York*. New York: Syracuse University Press, 1966.
- Merritt, Keri Leigh. *Masterless Men: Poor Whites and Slavery in the Antebellum South*. Cambridge, UK: Cambridge University Press, 2017.
- Mooney, Chase. *Slavery in Tennessee*. Bloomington: Indiana University Press, 1957.
- Morgan, Michael. *Delmarva's Patty Cannon: The Devil on the Nanticoke*. Charleston: History Press, 2015.
- Morgan, Philip. *Slave Counterpoint: Black Culture in the Eighteenth-Century Chesapeake & Lowcountry*. Chapel Hill: University of North Carolina Press, 1998.
- Northup, Solomon. *Twelve Years a Slave: Narrative of Solomon Northup, a Citizen of New-York, Kidnapped in Washington City in 1841, and Rescued in 1853*. Electronic Edition: "Documenting the American South". <https://docsouth.unc.edu/fpn/northup/northup.html>.
- Oakes, James. "The Political Significance of Slave Resistance." *History Workshop Journal* 22 (1986): 89–107.
- Oakes, James. *The Ruling Race: A History of American Slaveholders*. New York: Alfred A. Knopf, 1982.
- Oertel, Kristen. *Harriet Tubman: Slavery, the Civil War, and Civil Rights in the Nineteenth Century*. New York: Routledge, 2015.
- Olsavsky, Jesse. "Women, Vigilance Committees, and the Rise of Militant Abolitionism, 1835–1859." *Slavery & Abolition* 39, no. 2 (2018): 357–382.
- Reardon, Anne Marie. "The Peculiar Kidnapping Case of Elizabeth Bright." *Massachusetts Historical Review* 8 (2006): 34–71.
- Reilly, Timothy. "Slave Stealing in the Early Domestic Trade as Revealed by a Loyal Manservant." *Louisiana History* 55, no. 1 (2014): 5–39.
- Rivers, Larry. *Slavery in Florida: Territorial Days to Emancipation*. Gainesville: University of Florida Press, 2000.
- Robertson, Stacey. *Hearts Beating for Liberty: Women Abolitionists in the Old Northwest*. Chapel Hill: University of North Carolina Press, 2010.
- Runyon, Randolph. *Delia Webster and the Underground Railroad*. Lexington: University Press of Kentucky, 1996.
- Sandy, Laura. "'Negro Thieves' and Abolitionists: Slave Stealing in Kentucky in the Civil War Era." In *The Civil War and Slavery Reconsidered: Negotiating the Peripheries*, edited by Laura Sandy and Marie Molloy, 81–102. New York: Routledge, 2019.
- Schiller, Reuel. "Conflicting Obligations: Slave Law and the Late Antebellum North Carolina Supreme Court." *Virginia Law Review* 78, no. 5 (1992): 1207–1251.
- Sernett, Milton. *Harriet Tubman: Myth, Memory, and History*. Durham: Duke University Press, 2007.
- Tadman, Michael. *Speculators and Slaves: Masters, Traders and Slaves in the Old South*. Madison: University of Wisconsin Press, 1996.
- Webster, Delia Ann. *Kentucky Jurisprudence: A History of the Trial of Miss Delia A. Webster: At Lexington, Kentucky, Dec'r 17–21, 1844 Before the Hon. Richard Buckner on a Charge of Aiding Slaves to Escape from that Commonwealth – with Miscellaneous Remarks Including Her Views on American Slavery*. Vergennes, KY: H.W. Blaisdell Printer, 1845.
- West, Emily. *Family or Freedom: People of Color in the Antebellum South*. Lexington: University Press of Kentucky, 2012.
- Wilson, Carol. *Freedom at Risk: The Kidnapping of Free Blacks in America, 1780–1865*. Lexington: University Press of Kentucky, 1994.