

Political Effects of Warfare and Occupation on Rhode Island's Recruitment and Abolition Policies

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Thomas Nichols was an enslaved man belonging to Benjamin and Phoebe Nichols of Warwick. According to the record of recruitment of the 1st Rhode Island Regiment, on May 22nd, 1778, he joined the ranks, and his enslaver was compensated by the Rhode Island State Treasury with the maximum value of £120. In the “Accounts of Negro Slaves Enlisted into Continental Battalions” Nichols was listed as recruit thirty-six, one of three recruited from the county Warwick, a bayside area south of Providence.¹ The enslaved Nichols initially passed muster and was brought to the regiment. When he was inducted into the regiment, he would have been promised to receive his freedom, and “be immediately discharged from the service of his master or mistress, and be absolutely free, as though he had never been encumbered with any kind of servitude or slavery.”² This was a radical style of military emancipation in the war and particularly novel because the enslaved would be receiving their absolute freedom and the enslavers would be receiving monetary compensation. While Benjamin Nichols was compensated for the loss of labor, Thomas Nichols would be receiving “all the bounties, wages, and encouragements” that any other white soldier would receive. This included, when being deemed medically unfit for the battlefield, having the option to join the Corps of Invalids on half-pay. The corps was responsible for guarding munitions and assisting in transporting equipment. The soldiers sent to the corps were deemed medically unfit for a battlefield but still able to complete other labors for the Army.³

¹ “Accounts of negro slaves enlisted into continental battalions,” General Treasurer’s Accounts Alphabetical Book No. 6, 1761-1781, Rhode Island State Archives.

https://sosri.access.preservica.com/uncategorized/IO_69917081-a9d3-4b27-bfb6-9b45994e00ad/

² “Act allowing slaves to enlist in the Continental Battalion,” February 1778. Rhode Island State Archives.

https://sosri.access.preservica.com/uncategorized/IO_67bc7f40-035e-4d13-a3d0-96c2d619b123/

³ It is unknown who the actual real writer of the letter was, as Thomas Nichols could not read or write. It is assumed that Dan Murdoch, the man he stayed with and cared for him for a while, wrote the letter. <https://allthingsliberty.com/2021/04/the-discovery-of-an-important-letter-from-a-soldier-in-the-1st-rhode-island-regiment/>

The political factionalism in Rhode Island, while calmed for a time during Revolutionary War and British occupation, reappeared when the issue of enslaved enlistment was brought before the General Assembly in 1778. As the war escalated, Rhode Island needed to find additional sources of manpower. It's history of being the northern hub in the Transatlantic Slave Trade, and having abolition laws that were significantly overlooked, shaped its response to the Continental army's severe shortage of troops. Yet, like with all things in Rhode Island, innovation came with political and military pushback. The Slave Enlistment Act of 1778 was an opportunity to supplement manpower shortages by recruiting willing and able enslaved men from around the colony into a regiment for the Continental Army. The enslavers would receive up to £120 in exchange for their slaves being granted their freedom and assorted benefits. The Act itself highlighted that there were no other means available nor other options to resolve the manpower shortage issues, announcing "it is in a manner rendered impossible for this state to furnish recruits forth the said two battalions, without adopting the said measure so recommended." While the state's political leaders had achieved a new degree of harmony until the proposal of the Act, several members opposed the creation of an African American and Native American regiment and published their arguments. Despite their concerns, it passed on February 14th, 1778, and was never officially revoked. The only countermeasure action against the Act that was ever passed, but not strictly enforced, was a halt to recruitment for approximately one year.⁴

The Rhode Island and Providence Plantation colony served within British North America as a port and production center. Founded as a center for religious freedom, Rhode Island drew

⁴ John Russell Bartlett, *Records of the Colony of Rhode Island and Providence Plantations, in New England*, vol. 8 (Providence, RI: Cooke, Jackson & Co., 1863), 358; 354. <https://babel.hathitrust.org/cgi/pt?id=umn.31951t00184205i&view=1up&seq=375&skin=2021>

colonists who valued political independence. Within the smallest colony were some sharply antagonistic political factions, a diverse religious community, and the largest enslaved population per capita outside the south. Rhode Island's political divisions pitted two main groups and some scattered smaller groups against each other in a cycle of feuds and alliances. The Rhode Island colony had a General Assembly and a Governor along with royal agents and more localized bureaucrats. Around May 1775, the most notable political division, the Ward - Hopkins, began to take an external view of the colony's issues. Sydney V. James' *Colonial Rhode Island, A History*, postulates that many of the colony's political conflicts were spurred around military conflict in North America. James theorizes that because the military conflicts brought in new issues and new political heroes it pulled the primarily Quaker community in vastly different directions. The American Revolution redefined the conflict between Samuel Ward of Westerly and Stephen Hopkins of Providence. Sectionalism tracing back to the Seven Years War increasingly pitted colonists against the British. The smallest colony pulled itself into the forefront of the revolution by being the first colony to declare independence and remove the oath of allegiance to the crown for colonial officials in 1776.⁵

There is a clear accelerating path from desperation of a northern slave society at the beginning stages of the revolution, to enlistment of said slaves, to gradual abolition legislation after the war. The exigency of the occupation of the Rhode Island colony damaging the economy and promoting occasional raids inland by the British, the expectation of the colony to provide two regiments to the Continental Army, and the rare political agreement in the colony that the British issue had to be resolved, the creation of a regiment of enslaved men seems inevitable. Additionally, the gradual movement in abolition after the war was hurried by the racial

⁵ Sydney V. James, *Colonial Rhode Island A History* (New York: Charles Scribner's Sons, 1975), 52.

integration of the Rhode Island regiments and the success of the Act. While abolition in the state was not immediate, the gradual steps taken followed the aftermath of the Act and the desires of groups like the Society of Friends. It also followed a series of political divides between different parties and the issue of suffrage among the races exacerbated the issue until it dissolved into all out political war.⁶

Looking at Rhode Island as a singular entity, it is clear the colony turned state made most of its decisions out of a need for survival, not a desire to be a part of the Revolution. Rhode Island valued its independence, after extracting itself from the British monarchy by being the first colony to declare independence, it joined the militant revolution, knowing the best chance for survival was to side with their fellow colonists. However, within Rhode Island there was always some form of political conflict, the American Revolution fueling the political fire. While the desperation for freedom from the British was agreed on, how to achieve political freedom was still contested. Some sided with nine-time colonial governor Stephen Hopkins who hoped for a non-violent resolution. He believed that even after riots, strongly worded frustrated pamphlets, and more, there could still be a diplomatic solution. During the pre - revolutionary period, many loyalists supported his leadership. Others were ready for an all-out war and preferred it as well, mostly those siding with Samuel Ward, who would later be made a military leader in the regiments. They believed that the time for diplomatic resolutions had passed, and battles were the only solution. Within the growing nation, the Continental army was barely surviving. In mid-December of 1777, the army arrived at Valley Forge for what would be a horrific winter. Initially, 11,000 troops arrived at the camp. Thousands of them lacked shoes,

⁶ Erik J. Chaput, "Proslavery and Antislavery Politics in Rhode Island's 1842 Dorr Rebellion." *The New England Quarterly* 85, no. 4 (2012): 658–94. <http://www.jstor.org/stable/41714230>.

proper winter clothing, and there was little food. Additionally, and the most damaging to military leaders trying to encourage reenlistment and discourage desertion, they had not been paid in months.⁷

Different types of military emancipation in the American Revolution were political and military strategies by both sides to fix manpower shortages and to destabilize plantation slave societies. While there had been enslaved or formerly enslaved nonwhite soldiers used in military service up to this point, they typically fit into two distinct categories, neither combative. First, they could have been declared free through being granted freedom by their masters, purchasing their own freedom, or running away. Later they could have chosen to enlist in one of the state militias or an early Continental Army regiment, before General Washington banned the enlistment of African Americans in 1775.⁸ The second option for being included in the military at the time, as an enslaved man, was to be the property of a soldier, typically an officer. Many white officers, like George Washington, had enslaved servants who accompanied them to military camps. A few, like General Washington's enslaved valet William Lee, even accompanied their masters into battle yet only in the position of standard bearer or carrying weaponry.⁹ Leadership in the Continental Army were strongly conflicted over allowing nonwhite soldiers to participate in military conflicts. On October 8th, 1775, General Washington and the members of the Council of War "Agreed unanimously to reject all Slaves, & by a great Majority

⁷ Sydney V. James, *Colonial Rhode Island A History* (New York: Charles Scribner's Sons, 1975), 76.; James Kirby Martin and Mark Edward Lender, *A Respectable Army: The Military Origins of the Republic, 1763-1789* (Hoboken: John Wiley & Sons, 1982). 101

⁸ "General Orders, 12 November 1775," *Founders Online*, National Archives, <https://founders.archives.gov/documents/Washington/03-02-02-0326>. [Original source: *The Papers of George Washington*, Revolutionary War Series, vol. 2, 16 September 1775–31 December 1775, ed. Philander D. Chase. Charlottesville: University Press of Virginia, 1987, pp. 353–355.]

⁹ Jessie MacLeod, "William (Billy) Lee," George Washington's Mount Vernon, accessed January 4, 2023, <https://www.mountvernon.org/library/digitalhistory/digital-encyclopedia/article/william-billy-lee/>.

to reject Negroes altogether.”¹⁰ On November 12th, he would release an official General Orders barring the enlistment of any “Neither Negroes, Boys unable to bear Arms, nor old men unfit to endure the fatigues of the campaign.”¹¹ The British offered a different method of military emancipation.¹²

On November 7th, 1775, Lord Dunmore extended emancipation to all slaves willing to fight for the British cause. While granting their freedom, he refrained from granting them full British citizenship, enforcing their lower status in the British social hierarchy, and depriving them of certain rights. He also offers this opportunity to all enslaved individuals, not just able-bodied men. Additionally, compared to the Rhode Island Act years later, there was no compensation to the enslavers. The enslaved would need to escape their enslavers or be given to the British, typically by loyalists. While appearing to be a call for any living reinforcements available, there was a consequence that may not have been expected by the British.¹³ En masse, many enslaved men, women, and children tried to get to the British lines, including appearing at Lord Dunmore’s house. The colonists feared they would lose their laborers, there would be slave rebellions, or at the least the enslaved would suddenly be armed. This is one of the many reasons the colonists chose to integrate African American men into the Continental Army and militias.¹⁴

¹⁰ “Council of War, 8 October 1775,” *Founders Online*, National Archives, <https://founders.archives.gov/documents/Washington/03-02-02-0115>. [Original source: *The Papers of George Washington*, Revolutionary War Series, vol. 2, *16 September 1775–31 December 1775*, ed. Philander D. Chase. Charlottesville: University Press of Virginia, 1987, pp. 123–128.]

¹¹ General Orders, 12 November 1775.

¹² *Ibid*

¹³ Alan Gilbert, “Chapter 1: Lord Dunmore, Black Insurrection, and the Independence Movement in Virginia and South Carolina,” in *Black Patriots and Loyalists: Fighting for Emancipation in the War for Independence* (Chicago: University of Chicago Press, 2013).

¹⁴ Alan Gilbert, *Black Patriots and Loyalists: Fighting for Emancipation in the War for Independence* (Chicago: University of Chicago Press, 2013).

In reviewing historiography for this discussion, I focus on a few main themes of literature, each a step in the path of gradual emancipation. The first group use is to break down the history of political factionalism within the Rhode Island colony and how the Revolution both subdued and exacerbated the conflicts. James' *Colonial Rhode Island: A History*, describes in detail the history of the political rivalries and debates in Rhode Island before and through the American Revolution.¹⁵ Understanding the inherited party lines within the colony emphasizes the later cohesion unofficially agreed upon later. David S. Lovejoy's *Rhode Island Politics 1760-1776* has a similar explanation to James. Following the discussion of factionalism over the Ward-Hopkins rift, Lovejoy explains that as the reluctant Rhode Islanders "were halfheartedly attempting to form a coalition of parties in order to bind political wounds, they were trying ... to cooperate with other colonies..." I build off both their foundational works discussing the initial reservations to the Act and why it was effective later for the postwar abolition movement in Rhode Island. While they are both slightly older than the other historiographies I intervene with, they still hold a relevant presence in the foundational political history of the Rhode Island colony.¹⁶

A second historiographical area I follow is the history and societal impacts of the Rhode Island enslaved society. Through Christy Clark-Pujara's *Dark Work: The Business of Slavery in Rhode Island*, I deconstruct the narrative around the business of slavery, before, during, and after the war. Clark-Pujara's view of how slavery developed such a strong foothold that sustained the Rhode Island economy from settlement into the nineteenth century allows me to discuss a parallel narrative of abolition. When reviewing the success the slave trade allowed the Rhode

¹⁵ Sydney V. James, *Colonial Rhode Island A History* (New York: Charles Scribner's Sons, 1975), 259

¹⁶ Lovejoy, David S. *Rhode Island Politics, and the American Revolution, 1760-1776*. Providence: Brown University Press, 1958.

Island economy, following the abolition movement with a mirrored timeline emphasizes the adaptations the colony made to the loss of unpaid labor.¹⁷

Woody Holton's *Liberty is Sweet*, offers alternative perspectives to the standard, white-focused Great Man narrative of the American Revolution, pulling a more diversified voice to the fore. He also asserts, and I agree, that the goal of creating the Rhode Island First Regiment was not intended to promote abolition on the part of the American leaders nor was that the goal of British military leaders offering similar emancipation like Lord Dunmore. It was purely to resolve the manpower deficit. Unintentionally, it helped prompt equality among the races. Alan Taylor's *American Revolutions: A Continental History, 1750-1804*, offers a larger encapsulating perspective of the revolution and I draw from his discussion of political division and the drastic measures for manpower shortage solutions. Looking at the same history from the different perspectives of Black history, Benjamin Quarles's *The Negro in the American Revolution* looks at a broad view of the enslaved and freedmen's involvement in the revolution. I pull from his introductory work the effect of the Black soldiers on the war, the path of military emancipation, and how the enslaved soldiers used these offers of emancipation to find freedom. An example of more recent historiography that examines the occupation of Rhode Island and the significance of the first American French joint operation being a failure is Christian McBurney's *The Rhode Island Campaign, The First French and American Operation in the Revolutionary War*. McBurney begins with the initial start to the British occupation of Aquidneck Island and discusses the eventual secret evacuation of the island on August 31. While acknowledging the

¹⁷ Christy Clark-Pujara, *Dark Work: The Business of Slavery in Rhode Island* (New York: New York University Press, 2018). and Alan Taylor, *American Revolutions: A Continental History, 1750-1804* (New York: W.W. Norton & Company, 2017). and Benjamin Quarles, *The Negro in the American Revolution* (Chapel Hill: Univ. of North Carolina Press, 1998).

campaign was categorized as a disaster, McBurney creates a historiography that combines the races in the narrative rather than create a one-or-the-other racial history.¹⁸

I am closely aligned with Robert A. Geake's *From Slaves to Soldiers*, which gives a detailed background on General Varnum, the slaves involved in Rhode Island military politics, and how the regiment was created and is remembered. I support Geake's theory of a serious shortage of manpower forcing General Varnum to propose this idea, supported by the Rhode Island Militia Records and the early colony-wide censuses taken in 1774 and the military census of 1777. Concerning the revolutionary method of military emancipation from both sides of the war, Alan Gilbert's *Black Patriots and Loyalists* builds a foundation for explaining the methods of both British and American military leadership to recruit and control the enslaved recruits. I recognize his explanation of concern over arming slaves and the threat of armed slaves fighting along with the British in later arguments over abolition within the state. I also add to his perspective of black agency in this time, viewing how the enslaved used the offers of military emancipation from both sides to escape enslavement, as well as their decisions to stay or desert.¹⁹

Alongside the extensive census data, I use personal correspondence between American military leaders such as Varnum, Greene, Cooke, Washington, and the personal records of American and British leaders.²⁰ These allow for a detailed specific insight into how the military

¹⁸ Woody Holton, *Liberty Is Sweet: The Hidden History of the American Revolution* (New York, NY: Simon & Schuster Paperbacks, an imprint of Simon & Schuster, Inc., 2022). and Christian M. McBurney, *The Rhode Island Campaign: The First French and American Operation in the Revolutionary War* (Yardley, PA: Westholme, 2018).

¹⁹ Robert A. Geake and Spears Lorén M., *From Slaves to Soldiers: The 1st Rhode Island Regiment in the American Revolution* (Yardley, PA: Westholme Publishing, 2020).; Alan Gilbert, *Black Patriots and Loyalists: Fighting for Emancipation in the War for Independence* (Chicago: University of Chicago Press, 2013).

²⁰ Mildred Mosher Chamberlain, *The Rhode Island 1777 Military Census* (Baltimore, MD: Reprinted for Clearfield Company by Genealogical Publishing Company, 2014).

and political leaders viewed the manpower shortage and how they planned their campaigns with shortages in mind. As needs changed with the progress of the war, I follow the opinions and plans of these leaders to find the moments and situations forcing a change. Another letter I am choosing to analyze, one of three known to be written by African American soldiers in the American Revolution, was written by Thomas Nichols. The regimental recruitment wrote a letter to his former enslaver on January 18th, 1781. This rare artifact adds the voice of one of the members of the regiment. Additionally, the General Assembly kept and preserved prolific records of the General Assembly in a ten volume published series, *Records of the Colony of Rhode Island and Providence Plantations in New England*, spanning from 1636-1792, published under the Rhode Island Secretary of State John Russell Barlett.²¹ Records such as payrolls allow me to map when a soldier was with the regiment, his rank, and how much they were paid. Many military payrolls had accompanying roll sheets showing a table of the different ranks and those who held them at the time. It allows a clear understanding of how the leadership positions in this regiment were assigned and how quickly turnover occurred. In this case it shows how the enlisted Black soldiers were never promoted to a rank above private. They were also each paid £5 a month, a wage they were allowed to keep.²²

State of Rhode Island: Politics, Slavery, Invasion, and Desperation

The origins of the political rivalries within Rhode Island are deep rooted and inherited. Beginning with the strong political dynasty of the Wantons of Newport and their leanings toward supporting the British, even converting to, and maintaining a connection to the Church of

²¹ John Russell Bartlett, *Records of the Colony of Rhode Island, and Providence Plantations, in New England*, vol. 8 (Providence, RI: Cooke, Jackson & Co., 1863).

²² “Revolutionary War Rolls, 1775-1783,” Folder 5, Rhode Island, 1st Regiment, US Revolutionary War, National Archives, M246, Page 8. <https://www.fold3.com/image/10215280>

England. They had a rivalry with William Greene of Warwick, passing the Governorship back and forth for several years in the 1740s. Issues began to arise for the Wantons when a group of Newport residents sent a petition to the King, asking for an intervention over a banking controversy. Rhode Islanders complained, “they had violated the first rule of Rhode Island politics, which was never to jeopardize the autonomy under the charter.”²³ The political games were centered in Newport as the largest port and an economic hub, this waned in the 1760s as Providence expanded, at this time Samuel Ward and Stephen Hopkins rose to lead the new factions. In support of Greene, Ward had published unflattering opinions in opposition to Hopkins’s campaign. Ward and Hopkins quickly became public rivals in the published political sphere of Rhode Island. James discusses pre-war political factionalism by drawing attention to the opinion of Ward to take action against the British, and Hopkins hoping for a diplomatic outcome that would benefit them economically. As the rioting in Rhode Island over tax policies, currency practices, and the Intolerable Acts increased, there were more bipartisan stances against the British that eventually found both Hopkins and Ward chosen for the First Continental Congress.²⁴

Prior to the War of Independence, The Rhode Island and Providence Plantation Colony was a bustling hub of import and export shipping. Considered a port plantation society, raw materials such as molasses and sugarcane would enter the ports of Newport and Providence and they would quickly create rum and sugar, and also export agricultural materials such as meat, grain, and assorted vegetables. Items such as rum would then be sent to Africa, where more enslaved men and women would be brought back. It was also one of the largest slave ports of the

²³ Sydney V. James, *Colonial Rhode Island A History* (New York: Charles Scribner's Sons, 1975), 279

²⁴ Sydney V. James, *Colonial Rhode Island A History* (New York: Charles Scribner's Sons, 1975), 138

continental colonies. Narragansett Bay was the center of all of the trade-in and out of Rhode Island. The most significant events bringing Rhode Island into the war began in 1772 when the British increased the level and number of inspections on ships entering and exiting the Bay. In June of that year, Rhode Islanders responded to the interference by boarding, taking the crew hostage, and burning the *HMS Gaspee* while it was attempting a routine patrol. The division of opinions regarding the British between Ward and Hopkins became even clearer as Ward supported the rebellious and military responses and Hopkins continued to support the idea of a diplomatic and economic resolution.²⁵ In response, the British began imposing port sanctions against Newport and Providence. As tensions increased, the towns of Providence, Washington, and Kent began to recruit and train militias in preparation for a possible all-out war. Two years later, the Rhode Island General Assembly approved James M. Varnum's, then still a civilian lawyer, charter for a larger state militia known as the Kentish Guard.²⁶ Later the militia would begin to send officers to the Continental Army and Major Nathanael Greene, eventually George Washington's second in command, began in the Kentish Guard. In December of 1776, in response to rioting and other various uprising acts, the British took control of Aquidneck Island, which has the towns of Newport and Middletown as well as the island town of Portsmouth and the essential town of Block Island. As a seaport state, Rhode Islanders also funded and led their own expeditions to Africa and eventually roughly 100,000 slaves would be transported on Rhode Island ships.²⁷

²⁵ Sydney V. James, *Colonial Rhode Island A History* (New York: Charles Scribner's Sons, 1975), 281.

²⁶ Many of the recruits thought it was improper for the leader to limp in parades. Varnum would not be taking military command of the militia initially, due to a leg length discrepancy that gave him a limp. Robert A. Geake and Spears Lorén M., *From Slaves to Soldiers: The 1st Rhode Island Regiment in the American Revolution* (Yardley, PA: Westholme Publishing, 2020).

²⁷ Ibid

The desperation of the Rhode Island slave owners to escape the British political control developed over time but on December 8th, 1776, the war reached the shores of Narragansett Bay. In October 1776, Major General William Howe had a plan to take complete control of Manhattan. Outside of the state of New York he looked for a possible base for the British Army and a safe harbor for the navy under Lord Richard Howe. Rhode Island's Narragansett Bay offered several benefits. First it was a state in the New England region. As the majority of the governing of the colonies were in New England, this would give them a strong base close to the major battles. Second, it allowed them to create a blockade of the northern coast. Rhode Island was presenting a particular problem for the British with the trade and delivery of needed supplies out of the smallest colony. Choosing a trade colony, with a reliance on maritime trade, to occupy, also crippled the economy of Rhode Island. British warships blocked the Narragansett Bay by occupying Aquidneck Island blocking trade export and import and eliminating the income of many Rhode Island merchant families.²⁸

On December 8th, 1776, Sir Henry Clinton and the British fleet arrived at the mouth of the bay. They quickly moved from Coddling Cove and once they landed, the colonists escaped northeast through Howland's Ferry. They quickly took control of Narragansett Bay, Aquidneck Island, and Block Island. The blockade around Narragansett Bay introduced another form of modern warfare, less focused on open battlefields and more on the economic detriment of blocked exports. Aside from the increased taxes, during the war there were trade embargoes put in place that lowered or eliminated the income of the colonists. The blockade of Narragansett

²⁸ Sydney V. James, *Colonial Rhode Island A History* (New York: Charles Scribner's Sons, 1975), 46

Bay affected the state income, the private income of merchants along the blockade line, and affected the economy throughout the colonies.²⁹

All of the sixteen towns and counties the enslaved recruits are from have a border along the coast. Some are islands, including Aquidneck Island where the British were occupying, however four recruits were brought by their owners to the recruitment posts. They also had to risk maneuvering around the British establishments, the British ships in the Bay and to shore without being caught and risk being arrested. This only adds to the depiction of desperation, risking a great deal for an economic benefit and creating a larger regiment.³⁰

At this point, the entrance to Narragansett Bay was controlled by the British. According to the census of 1774, this also eliminated roughly 2,500 white men over the age of sixteen and around 550 Black men over the age of sixteen.³¹ This quickly was seen as a manpower deficit after the Winter of 1777 at Valley Forge. Due to the losses, many in the Army leadership floundered for recruitment ideas as enlistment terms were up and men left as deserters, or they lost them due to starvation, illness, or loss of limbs from infection or frostbite. First, they believed that they could offer reenlistment to many of the white soldiers at the end of their enlistment, however, the number of deserters would serve as a prelude to the mood surrounding reenlistment. The number of deserters increased through the winter at Valley Forge and the number of reenlistments declined as the morale declined, fewer men wanted to join the military. Varnum's letter, proposing an all-African American regiment, went against publicly stated

²⁹ Douglas W. Marshall and Howard H. Peckham, *Campaigns of the American Revolution: An Atlas of Manuscript Maps* (Ann Arbor, Mich: The University of Michigan Press, 1976).

³⁰ Ibid; "Accounts of negro slaves enlisted into continental battalions," General Treasurer's Accounts Alphabetical Book No. 6, 1761-1781, Rhode Island State Archives.
https://sosri.access.preservica.com/uncategorized/IO_69917081-a9d3-4b27-bfb6-9b45994e00ad/

³¹ 1774 General Rhode Island State Census
https://www.brown.edu/Facilities/John_Carter_Brown_Library/exhibitions/jcbexhibit/Pages/item_6.html
 Block Island does not appear on this census.

opinions by many in the command, including Washington. However, Washington himself recognized the sense of desperation after the first few months at Valley Forge. In a letter to Patrick Henry, just five days after the Act was passed, Washington describes how poor the conditions at Valley Forge were. Unless conditions improve quickly, he believed “another campaign may prove impossible.” The army required more food, more troops, and more general resources if they were going to attempt any other advancements.³²

Recognizing the need for a large manpower resource and understanding that Washington had publicly stated his opposition to the idea of African American free or enslaved soldiers in the Continental Army, Rhode Island politicians and military leaders began to look for other options. Other colonial leaders had dismissed the idea of a draft and the need to reopen the port and expel the British from the Bay pushed them to propose something seemingly drastic. They were not looking to create a serious piece of abolition legislation or support the movement, however when facing no other option, one military leader presented a form of military emancipation to the Continental Army leaders as a solution to the manpower deficit.³³

Act Allowing Slaves to Enlist in the Continental Battalion

On January 2nd, 1778, General Varnum had written to Washington stating they had no other option, and he needed the Commander’s approval before continuing. He stated that:

“The two Battalions from the State of Rhode Island being small, & and there being a Necessity of the State’s furnishing an additional Number to make up

³² “George Washington to Patrick Henry, 19 February 1778,” *Founders Online*, National Archives, <https://founders.archives.gov/documents/Hamilton/01-01-02-0375>. [Original source: *The Papers of Alexander Hamilton*, vol. 1, 1768–1778, ed. Harold C. Syrett. New York: Columbia University Press, 1961, p. 431.]; James Kirby Martin and Mark Edward Lender, *A Respectable Army: The Military Origins of the Republic, 1763-1789* (Hoboken: John Wiley & Sons, 1982). 99

³³ *Ibid*

their Proportion in the continental Army; the Field Officers have represented to me the Propriety of making one temporary Battalion from two...³⁴

Varnum presents the case of the already existing small battalions. Under the Eighty-Eight Battalion Resolution, Rhode Island was required to supply two full regiments.³⁵ Varnum argued that the regiments at the time were insufficient as well as the number of white men who were willing and able. The officers proposed to combine the existing units into one and send one set of officers back to Rhode Island.

“In order to receive & prepare the Recruits for the Field. It is imagined that a Battalion of Negroes can be easily raised there. Should that Measure be adopted, or recruits obtained upon any other Principle, the Service will be advanced.”³⁶

Varnum’s proposal was to send an entire group of officers from one of the battalions back to Rhode Island to recruit slaves. He assured Washington there will be enough slaves in Rhode Island to make this a plausible plan and that it will be successful. He names the leading officers at the end of his letter as “Colo. Greene, Lt. Colo. Olney and Major Ward.”³⁷ There are other officers including seven captains, twelve lieutenants, six ensigns, one Pay Master, one surgeon

³⁴ “To George Washington from Brigadier General James Mitchell Varnum, 2 January 1778,” *Founders Online*, National Archives, <https://founders.archives.gov/documents/Washington/03-13-02-0104>. [Original source: *The Papers of George Washington*, Revolutionary War Series, vol. 13, 26 December 1777–28 February 1778, ed. Edward G. Lengel. Charlottesville: University of Virginia Press, 2003, p. 125.]

³⁵ Robert K. Wright, “Chapter 5: An Army for the War 1777,” in *The Continental Army* (Washington, D.C.: Center of Military History, U.S. Army, 1989).

<https://permanent.fdlp.gov/websites/www.history.army.mil/books/RevWar/ContArmy/CA-05.htm>

³⁶ *Ibid*

³⁷ Colonel Nathaneal Greene, Lt. Colonel Jeremiah Olney, and Major Samuel Ward.

and his assistant, one adjunct, and one chaplain making command a total of thirty-three officers.³⁸

The next day Varnum wrote Washington another letter, proposing a different solution to manpower issues. While Varnum wanted to support a draft for the war, he understood this would not have been well received; he does believe that it was “necessary to make a temporary Sacrifice of Freedom, in part to give it greater Security in future.” As he writes this in January of 1778, he also proposes that if the Commander finds a draft to be a foolish political decision, Varnum argues they could extend enlistment periods from three months to three years or until January of 1779 for those joining now. “If it should be tho’t impolitic to attempt drafting the Men for the Term of three Years or during the Contest, I would propose, that their Service expire the last of January next.” Washington does not write to Varnum directly from November 1777 to April 1778 however to show his approval for the plans, he sends a letter on January 2nd, 1778, to the Governor of Rhode Island, Nicholas Cooke, and states Cooke should “give the Officers employed in this business all the assistance in your power.”³⁹

Cooke took the General’s plan and the Commander’s approval and presented both to the General Assembly. On February 14th, 1778, the Slave Enlistment Act was approved after some debate, and the officers began enlistment. While there was a political protest against the act that would be eventually published to the public, the understanding of a larger external enemy forced the General Assembly to pass the bipartisan legislation. The exigencies of war and occupation

³⁸ “Revolutionary War Rolls, 1775-1783,” Folder 5, Rhode Island, 1st Regiment, US Revolutionary War, National Archives, M246, Page 8. <https://www.fold3.com/image/10215280>

³⁹ “To George Washington from Brigadier General James Mitchell Varnum, 3 January 1778,” *Founders Online*, National Archives, <https://founders.archives.gov/documents/Washington/03-13-02-0110>. [Original source: *The Papers of George Washington*, Revolutionary War Series, vol. 13, 26 December 1777–28 February 1778, ed. Edward G. Lengel. Charlottesville: University of Virginia Press, 2003, pp. 132–136.]

and the manpower deficit surpassed political factions and created a temporary understanding of the need for African American military emancipation and involvement.⁴⁰

The Slave Enlistment Act of 1778 created an opportunity for slaves to receive their freedom and benefits matching those of white soldiers on the condition they fought for the Continental Army in the Rhode Island First Battalion. The Act states that “whereby it is in a manner rendered impossible for this state to furnish recruits for the said two battalions, without adopting the said measure so recommended.” The General Assembly understood they were facing a severe manpower shortage. They recognized that the shortage was also affected significantly by the occupation in Narragansett Bay, “the enemy, with a great force, have taken possession of the capital, and of a greater part of this state.” Beginning the legislation with an explanation of the desperate situation they faced, the General Assembly then stated, “every able-bodied Negro, mulatto, or Indian man slave, in this state, may enlist into either of the said two battalions.”⁴¹

Within the act, after stating the situation and the power to enlist, the General Assembly explained both the benefits the enslaved soldier would receive as well as the enslaver. First, they would receive their aforementioned freedom. “Upon passing muster before Col. Christopher Greene, be immediately discharged from the service of his master or mistress and be absolutely FREE...” This differed slightly from Great Britain’s Lord Dunmore’s proclamation, as the slaves escaping to the British would receive freedom but stopped short of guaranteeing they would be able to get to and live in Britain. The Act also creates a caveat for the slaves labeled unable to

⁴⁰ “Act allowing slaves to enlist in the Continental Battalion,” February 1778. Rhode Island State Archives. https://sosri.access.preservica.com/uncategorized/IO_67bc7f40-035e-4d13-a3d0-96c2d619b123/

⁴¹ Slave Enlistment Act of 1778 published in *Records of the State of Rhode Island and Providence Plantations in New England 1776-1779*, Bartlett, John Russel, Vol. VIII. 359

bear arms. If an enslaved person were unable to pass muster but expressed interest in joining the battalions, they “shall not be chargeable to his master or mistress; but shall be supported at expense of the state.” They wanted to support the patriotic enslaved men both militarily and politically. It is unclear if they would be in the military, however based on Thomas Nichols’s experience, we could assume they would be sent to the Corps of Invalids for the soldiers deemed medically unfit.⁴²

In addition to being granted their freedom, slaves were to receive a series of other benefits. The Act encouraged the enslaved to join by promising “all the bounties, wages, and encouragement, allowed by the Continental Congress, to any soldier enlisting into their service.” The inclusion of wages for the enslaved, and the possibility of promotion supports the novelty of the Act. Simply freeing the enslaved and offering the community they were freed in a monetary compensation was standard for the previous Rhode Island abolition acts. Offering both the enslaved and enslaver their own monetary compensation made the act distinct aside from the military aspects.⁴³

There were also benefits for the slave masters to send their property to this regiment. On the condition that the enslaver presented clothing for the enslaved person to the officers of the regiment, they could be paid up to £120. To determine the price of the slave, there would be a committee of five men, “one from each county,” to determine a slave’s value. As seen in the recruitment roster, there was a price difference among some of the slaves. While Benjamin Nichols received the full £120 for his enslaved Thomas, Nicholas Gardener of Exeter only received £30 for his enslaved Arthur Gardner. Outside the record of how much the enslavers

⁴² Alan Gilbert, *Black Patriots and Loyalists: Fighting for Emancipation in the War for Independence* (Chicago: University of Chicago Press, 2013).

⁴³ While they were promised the possibility of promotions, none were ever recorded to be promoted above private.

were paid in the enlistment record, there seems to be no explanation of what caused the differentiation in pricing.⁴⁴

The appeal to sell an enslaved person, they may not be able to fully utilize at the time with factory production closed from the occupation, also gave their dwindling income some relief. Many of the merchants along Narragansett Bay would not be able to participate in the regular trade patterns they had been accustomed to because of the blockade and selling their able-bodied slaves would not be immediately cost the Rhode Island State Treasury. The double benefit of economic relief and military recruitment enticed enough slaveowners into action.

Opposition to the Act

When the Act was first presented to the General Assembly, six assembly members issued a petition against the creation of the regiment. John Northup of North Kingston, Col. George Peirce of Exeter, James Babcock, Jr. of Westerly, Major Sylvester Gardner of North Kingston, Othniel Gorton of Warwick, and Samuel Babcock of South Kingston all argued and signed a four-point letter against the regiment.⁴⁵ Their arguments included financial, public appearance and opinion, and a question over the number of men available. While they were reasonable concerns, each point could be dismissed or explained by terms laid out in the original proposed Act. Their arguments did not prove accurate, and the needs of the colony and the rebellious new nation outweighed the six members' anxieties.⁴⁶

The members of the assembly who protested the Act came from a mix of backgrounds. While Col. Peirce was the only dissenter from a coastal county, he would still have seen the

⁴⁴ Name could be Autter.

⁴⁵ John Russell Bartlett, *Records of the Colony of Rhode Island and Providence Plantations, in New England*, vol. 8 (Providence, RI: Cooke, Jackson & Co., 1863), 361
<https://babel.hathitrust.org/cgi/pt?id=umn.31951t00184205i&view=1up&seq=375&skin=2021>

⁴⁶ Ibid

economic and cultural strain of British forces occupying and blockading Narragansett Bay. Additionally, having two military officers in the group allowed them to have military credibility while protesting this new source of manpower. This qualification also opened them up to another argument they chose not to make. Because the newest recruits were enslaved, they would have lacked any military training, including how to fire a musket, making it a lengthier training process and a longer period before they would be useful for an offensive on a battlefield. Many of the original white male recruits would have hunted before, giving them basic knowledge of a firearm. The protesters could have argued that to provide a competent unit faster, they needed to select a group of white men, proficient at hunting.

The first opposing argument in the petition stated the number of enslaved African American men in the state, who would be willing and able to enlist, was far too low to make the creation of the regiment a reasonable decision. Many men in the Continental Army were being mustered out and were disinclined to reenlist. Others had decided to join the various state militias. More still had wintered at Valley Forge with General Washington and the rest of the Continental Army and had suffered through disease, frostbite, and the occasional resulting amputation of a limb and were unfit to serve longer. Rhode Island also faced recruitment issues with some citizens choosing to take a religious nonviolence oath within the “Friends-meetings,” exempting them from the socially required enlistment. Because the Rhode Island Colony was founded on religious freedom, they recognized religious preferences as an acceptable way of being not counted as “able” for the military census.⁴⁷

The second opposing view raised issues with a variety of appearance complications. They began the section discussing the appearance of an enslaved regiment to the rest of the Early

⁴⁷ Chaput, Erik J. “Proslavery and Antislavery Politics in Rhode Island’s 1842 Dorr Rebellion.” *The New England Quarterly* 85, no. 4 (2012): 658–94. <http://www.jstor.org/stable/41714230>. 2

Modern world. They were concerned about the hypocrisy of the state to “purchase a band of slaves to be employed in the defense of our rights and liberties of our country.” The six petitioners viewed the regiment as counter to everything they were fighting for and worried that the new country would be viewed poorly by those they needed as allies. Their argument, however, ignores the section of the Act where the enslaved soldiers are granted several benefits and most importantly their freedom at the end of the war. They were granted “all bounties, wages, and encouragements, allowed by the Continental Congress,” that were typically given to any other soldier. This includes pensions, wages during the war, and in the case of Thomas Nichols, the ability to join the Corps of Invalids. The Act supported the idea of the new nation, that to fully attain freedom, you have to fight against the oppressive British Empire. While the white colonists would be fighting for freedom from the British, the enslaved regiment would be fighting to be granted freedom from the state.⁴⁸

Another issue over appearance the section claimed was the lack of manpower the colonies were facing would be too blatantly obvious to the enemy. Showing they had no other white men who were willing and able to join their military, they feared, would make them appear weak and vulnerable to the British. This argument would not have been valid for three reasons. First the British attempted to recruit free and enslaved Black men from North America first, through Lord Dunmore’s Proclamation in April 1775. Additionally, there were many formerly enslaved Black people fighting for the colonies in other state militias and armies at this point, especially Connecticut and Massachusetts, such as Cesar Ferrit and Peter Salem. Perhaps the proximity to these other states’ militias helped promote the idea of a non-white or at the

⁴⁸ John Russell Bartlett, *Records of the Colony of Rhode Island and Providence Plantations, in New England*, vol. 8 (Providence , RI: Cooke, Jackson & Co., 1863), 358
<https://babel.hathitrust.org/cgi/pt?id=umn.31951t00184205i&view=1up&seq=375&skin=2021>

minimum a mixed regiment to the Rhode Island General Assembly. The third counterargument to this could be an assessment of the monetary and labor value of the men enlisted. At a few of the recruitment posts, white Rhode Islanders tried to dissuade enslaved men from enlisting by telling them they were only cannon fodder and would be used as expendable resources. As the economy of Rhode Island had all but been shut down by the blockade, many of the enslaved from port towns were not being utilized. The third and final argument for appearance concerns presented by the six members was the use of Black regiments by the colonial forces would suggest the use to the enemy. Not only were they concerned that it would increase troop numbers for the other side, but they also feared the British may have “the idea of employing Black regiments against” colonial forces. Again, this relates back to Lord Dunmore’s Proclamation of 1775. Their enemy at the time already had the idea and was putting it to use in many of the colonies in the new world. This argument did not work in their favor either.⁴⁹

The third type of argument the six petitioners presented was the economic doubts. The main island in Narragansett Bay, Aquidneck Island, was occupied at this point and trade was greatly reduced. The main industries in Rhode Island, shipping, and production, were almost completely blocked. While the Act was promising up to £120 per recruited enslaved man, this was an added cost to what would later pay the soldiers. The petitioners argued that the cost of raising an enslaved regiment “vastly exceed[ed] the expenses of raising an equal number of white men.” There were strong points to argue cost issues, after another winter with low trade income, however the Act included a line to protect the small colony from extreme debt. The

⁴⁹ “African Americans in the Revolutionary War,” National Parks Service (U.S. Department of the Interior), accessed March 23, 2023, <https://www.nps.gov/chyo/learn/historyculture/african-americans-in-the-revolutionary-war.htm>; Greene, Lorenzo J. “Some Observations on the Black Regiment of Rhode Island in the American Revolution.” *The Journal of Negro History* 37, no. 2 (1952): 142–72. <https://doi.org/10.2307/2715341>.

colony was proposing paying the enslavers “with the money which is due to this state, and is expected from Congress,” not from money that belonged to the Rhode Island Treasury. The General Assembly promised to pay back the money to the fund. In the end the recruitment of the enslaved men would pay out over £10,000 in total. Dismissing the argument’s last phrase regarding the effectiveness of the regiment, it would not cost Rhode Island more immediately. Later there would be cause for concern for repaying the debt, however one could speculate that repayment would be discussed after there was a clear victory in the war. Additionally, the question over who would pay the monthly wage to the soldiers was not a concern for the small colony, as they would be paid by Congress as members of the Continental Army.⁵⁰

The fourth and final argument presented against the argument was questioning if there would be a “uneasiness” around the idea of selling the enslaved in this manner. They also worried that the price would not be acceptable to the owners. While they did not recruit the number the politicians hoped for, Nicholas Cooke promoting to George Washington on February 23rd, it was “generally through that 300, and upwards will be enlisted,” however the total seventy-three who did enlist push back on the idea that enslavers would be dissatisfied with the price offered.⁵¹

In the end the arguments were not only invalid, but they were dismissed, and the bill passed. The regiment was created and recruitment began. At the end of May 1778, there was an

⁵⁰ John Russell Bartlett, *Records of the Colony of Rhode Island and Providence Plantations, in New England*, vol. 8 (Providence, RI: Cooke, Jackson & Co., 1863), 358

<https://babel.hathitrust.org/cgi/pt?id=umn.31951t00184205i&view=1up&seq=375&skin=2021>

⁵¹ “To George Washington from Nicholas Cooke, 23 February 1778,” *Founders Online*, National Archives, <https://founders.archives.gov/documents/Washington/03-13-02-0550>. [Original source: *The Papers of George Washington*, Revolutionary War Series, vol. 13, *26 December 1777–28 February 1778*, ed. Edward G. Lengel. Charlottesville: University of Virginia Press, 2003, p. 646.] and “Accounts of negro slaves enlisted into continental battalions,” General Treasurer’s Accounts Alphabetical Book No. 6, 1761-1781, Rhode Island State Archives. https://sosri.access.preservica.com/uncategorized/IO_69917081-a9d3-4b27-bfb6-9b45994e00ad/

election for the General Assembly and in early June the new assembly chose to temporarily halt recruitment from June 1st, 1778, to June 10th, 1779. This, like the anti-enslavement laws, was all but ignored. While this could be blamed on communication delays, one significant name stands out as an enslaver who enlisted his man into the regiment on July 18th, 1778. After the Act was supposedly revoked, the 66th enslaved man recruited into the regiment is listed to have belonged to “His Excell. William Greene” of Warwick. Greene was the Governor of Rhode Island from May 4th, 1778- May 6th, 1786. For his enslaved man, Cato Greene, the Governor received £120.⁵²

Whether as an act of protest or to find some sort of income in the middle of the occupation, the Governor’s action draws more attention to similarities to other abolition acts in the colony, including those that would later be passed during his tenure as Governor. These acts, as state legislation, should have been enforced by state agents. However, if even the Governor is ignoring certain pieces of legislation around abolition, who is to enforce it?

Abolition and the State of Rhode Island

Before the war was even imagined, enslavement, abolition, and citizenship for African Americas in Rhode Island was debated in the State House. At a meeting of the “Generall Court of Election” in Warwick the first piece of slave legislation and emancipation in Rhode Island passed. On May 18th, 1652, they voted to create a gradual emancipation law. Covering both enslaved and indentured servitude, they ordered anyone held for ten years or when the enslaved turn twenty-four, to be freed. The courts also prevented any subversion of this new law by ruling that if the person were brought into a forced labor situation before the age of fourteen, their ten-

⁵² John Russell Bartlett, *Records of the Colony of Rhode Island and Providence Plantations, in New England*, vol. 8 (Providence, RI: Cooke, Jackson & Co., 1863), 358
<https://babel.hathitrust.org/cgi/pt?id=umn.31951t00184205i&view=1up&seq=375&skin=2021>; “Accounts of negro slaves enlisted into continental battalions,” General Treasurer’s Accounts Alphabetical Book No. 6, 1761-1781, Rhode Island State Archives.
https://sosri.access.preservica.com/uncategorized/IO_69917081-a9d3-4b27-bfb6-9b45994e00ad/

year mark would start the moment they were brought into the colony. They also add a penalty for failure to release anyone, stating “that man that will not let them goe free, or shall sell them away elsewhere, to that end that they may be enslaved to others for a long time, hee or they shall forfeit to the Collonie forty pounds.” While this was the first step towards abolition in the American colonies, there were many flaws to this law. Firstly, it only applied to Providence and Warwick. Secondly, there was no enforcement of the law and the Society of Friends had yet to denounce slavery. In 1675 the Rhode Island General Assembly tightened the slave market by banning the enslavement and trade of Native Americans.⁵³

Despite the mild relief to the enslaved, there was a different political factionalism developing over the societal and political integration of these newly freed slaves. When the Society of Friends or Quakers denounced slavery officially in the early 1770s, there was still political favoritism towards the trade. Legislative roadblocks made it difficult to free those who were enslaved, requiring enslavers to pay a bond that would be used to take care of the freed slave, thus relieving the community of the financial burden. Additional laws in 1774 required any newly enslaved person brought into the colony to be freed within a year. This was another law easily circumvented, many enslavers would travel with their slaves, removing them from the colony and restarting the one-year clock. This law also did not free any enslaved people already residing in the colony.⁵⁴

⁵³ John Russell Bartlett, *Records of the Colony of Rhode Island, and Providence Plantations, in New England*, vol. 1 (Providence, RI: Cooke, Jackson & Co., 1863), 251. James Kirby Martin and Mark Edward Lender, *A Respectable Army: The Military Origins of the Republic, 1763-1789* (Hoboken: John Wiley & Sons, 1982).

⁵⁴ Christy Clark-Pujara, *Dark Work: The Business of Slavery in Rhode Island* (New York: New York University Press, 2018). and Alan Taylor, *American Revolutions: A Continental History, 1750-1804* (New York: W.W. Norton & Company, 2017). and Benjamin Quarles, *The Negro in the American Revolution* (Chapel Hill: Univ. of North Carolina Press, 1998). 61

It could be argued that the Slave Enlistment Act of 1778 was the third significant act of gradual abolition in the colony. It was not the intention when the act was created to promote the abolition movement, however it was very similar to the other acts that had been passed previously within the colony. It only affected a select group; it was not immediate, and there was an economic qualifier. While it allowed the enslaved to eventually gain their freedom, they had to serve until the end of the war. Once the war was over, if the colonies won, it guaranteed freedom to those enlisted. It also did not apply to all enslaved individuals, only to men willing and able to join the Continental Army and whose enslaver was willing to sell them into the regiment. Unlike the previous acts, however, it compensated the enslaver compared to requiring them to present a bond to ensure no financial obligations were placed on the community.⁵⁵

After the war, the slave trade continued in the new independent nation. In 1784 the General Assembly passed an act to create the first steps toward gradual abolition of slavery in Rhode Island. While quoting ideals from the Declaration of Independence, it states, “all men are entitled to Life, Liberty, and the Pursuit of Happiness,” and continues by stating “the holding of Mankind in a State of Slavery...is repugnant to this Principle and the Subversive of the Happiness of Mankind.” While it did not ban slavery outright it did again move a step closer. It proposed that anyone born within the state after March 1784 could not be enslaved. It also stated that if someone owned a slave with children who would be born free because of this bill, the slave owners were still responsible for the children until they reached the age of twenty-one for

⁵⁵ An Act to Prevent the Slave Trade and to Encourage the Abolition of Slavery, October 1787. Rhode Island State Archives. https://catalog.sos.ri.gov/repositories/2/digital_object_components/80 Accessed February 9, 2023.; Act forbidding forced covenant bond, 1652. Rhode Island State Archives. https://catalog.sos.ri.gov/repositories/2/digital_object_components/25 Accessed April 1, 2023.; An Act Prohibiting the Importation of Negroes into this Colony, November 1775. Rhode Island State Archives. https://catalog.sos.ri.gov/repositories/2/digital_object_components/55 Accessed January 27, 2023.; An Act to Prevent the Slave Trade and to Encourage the Abolition of Slavery, October 1787. Rhode Island State Archives. https://catalog.sos.ri.gov/repositories/2/digital_object_components/80 Accessed March 3, 2023.

men and eighteen for women. Again, contrary to the previous pieces of abolition legislation they require the “Support and Maintenance” cost of supporting the children be at the expense of the town where the enslaver lives. They may also use the children as apprentices throughout town. This act effectively banned hereditary slavery, however, the generation of children of the enslaved were held as “statutory slaves.” A rare moment in early republic legislation where slavery is almost permitted in written law. In 1787 the General Assembly finally passed a bill to prohibit Rhode Islanders from participating in the Slave Trade, ending the import of the enslaved into the state. Not authored, the act sites the decision by the United States General Congress in 1774, before the war, to end the colonies-wide involvement in the Transatlantic Slave Trade. It banned any citizen of the state, whether as a merchant or the enslaver, to transport any native African without the person’s “voluntary consent.” It also lists the consequences of being fined £100 for each person illegally transported and £1000 for any ship used to transport people illegally. The only apparent caveat in this act was that any ship that was currently underway would not be charged or fined.⁵⁶

Predominantly however, these acts were not enforced by state agents but by members of the Providence Society for Abolishing the Slave Trade and its Quaker and non-Quaker members like Moses Brown. Abolitionists in and around Rhode Island fought to pull their state away from slave trading vessels in their ports and auctions in their towns. They would partner with political

⁵⁶ An Act authorizing the Manumissions of Negroes, Mulattoes and others, and for the gradual Abolition of Slavery, February 1784, c6de0a29-efdd-4cbd-87ab-b6e5c1ce543a-c6fb1f13-9562-46cb-982b-3c398b1abd58, Public Laws, Acts & Resolves, General Statues, Rhode Island State Archives, <https://sosri.access.preservica.com/archive/sdb%3AdeliverableUnit%7Cc6fb1f13-9562-46cb-982b-3c398b1abd58/?view=render>. ; John Russell Bartlett, *Records of the Colony of Rhode Island and Providence Plantations, in New England*, vol. 10 (Providence , RI: Cooke, Jackson & Co., 1863), 262.<https://babel.hathitrust.org/cgi/pt?id=hvd.32044032309635&view=1up&seq=271&skin=2021> ; Clark - Pujara, 86 and Wiecek, William M. “The Statutory Law of Slavery and Race in the Thirteen Mainland Colonies of British America.” *The William and Mary Quarterly* 34, no. 2 (1977): 258–80. <https://doi.org/10.2307/1925316>.

parties like the Constitutionals and those who supported significant political reform. Beginning in 1841 and finishing in 1842, less than twenty years before the Civil War, Rhode Island rewrote their state constitution. On November 21-23, 1842, they would vote to instate the new Constitution beginning May 2, 1843. Between the convention years of 1841-1842 names like William Lloyd Garrison pushed for the continued trade of the enslaved in Rhode Island. He used his newspaper out of Newport to attempt to discredit and protest the abolitionist society.

Despite Garrison's best efforts, groups like Free African Union Society and African Union Society, joined with the Quaker groups to promote Section 4 of the Rhode Island State Constitution. In "Article I, Declaration of Certain Constitutional Rights and Principles," Section 4 is titled "Slavery prohibited," and states "Slavery shall not be permitted in this state." Unlike all the other pieces of abolition legislation, this Constitutional amendment was observed.⁵⁷ Slavery was officially banned in the state. It also did leave any possibility for an age or gender ambiguity.

The second inclusive and significant addition to the Rhode Island State Constitution was the suffrage section. While it states that only men could vote, they had to be citizens of 21 years or and held residency in the state for at least a year. Nowhere in the constitution does it define a citizen. While this act does allow African American men to begin to vote, the political battle to enfranchise all men in Rhode Island led to the Dorr Rebellion, where two Governors and two General Assemblies claimed to be in control of the state.

⁵⁷ *The Constitution of the State of Rhode Island and Providence Plantations*. Assembled by the Convention. Knowles and Vose, Providence, RI. 1842. Retrieved from the National Archives. <https://tile.loc.gov/storage-services/public/gdcmassbookdig/constitutionof00rh/constitutionof00rh.pdf>

Thomas Dorr, a then member of the Suffrage party, had grown up as a member of an affluent Rhode Island family and had been traditionally conservative. As a Jacksonian he favored total male suffrage but pushed back against standard Jacksonian ideals however by supporting African American male suffrage. While the Suffrage Party wrote and passed a constitution before the rest of the state in 1841 and swore Dorr in as Governor in 1842, there was one problem. According to the laws of Rhode Island and the charter that was still in place, Samuel Ward King was still in office as Governor and would remain there until January 23rd, 1843.⁵⁸

Epilogue

Thomas Nichols seems to disappear from the record after early 1780. After appearing in a payroll, where it shows he received £5 a month for his service, he is no longer seen on the payroll lists or in any military record for that matter.⁵⁹ While records indicate he could have been transferred to the Corps of Invalids in Boston, it is uncertain when he left the war. In the *Heads of Families at the First Census of the United States Taken in the Year 1790: Rhode Island*, there are 6 categories for individuals to fall under.⁶⁰ First it lists the “Name of the Head of the family,” then “free white males of 16 years and upwards, including heads of families,” “free white males under 16 years,” free white females including heads of families,” all other free persons,” and finally “slaves.” This table format was standard in the census, including states like Vermont who already had total emancipation leaving the slave column, however blank. While states like Vermont had abolished slavery years before and did not list slaves in the census,

⁵⁸ Matthew Wills, “The Dorr Rebellion for Voting Rights - JSTOR Daily,” JSTOR Daily (JSTOR, February 17, 2022), <https://daily.jstor.org/the-dorr-rebellion-for-voting-rights/>.

⁵⁹ “Revolutionary War Rolls, compiled 1894-1912, document the period 1775-1783,” NARA, Record Group 93, Roll 0085, Folder 4, Page 120. <https://www.fold3.com/image/10215182>

⁶⁰United States. Bureau of the Census, and United States. Census Office. *Heads of Families at the First Census of the United States Taken in the Year 1790 ...* Washington: Govt. Print. Off., 190708. <https://babel.hathitrust.org/cgi/pt?id=uc2.ark:/13960/t3ws8zq90&view=1up&seq=32>

Rhode Island still maintained a dwindling enslaved population. In the Rhode Island record, there remains a “Benjamin Nicholas” in Warwick, and it is listed that there are three individuals living in his house that are categorized as “all other free persons.” It can be assumed that as Thomas Nichols was so determined to get back to his former enslaver in his letter, after the war he returned to Warwick. As a veteran of the Continental Army, he would have been made absolutely free and given a pension at the war’s end or when he was discharged.

While Thomas Nicholas would have eventually been made free, Rhode Island's freedom from their British occupiers was less certain. In October of 1779, the British commanders evacuated their forces from Rhode Island to redeploy them in the southern colonies. This was after a summer campaign by the colonists, to retake the colony, failed. August of 1778 began a pivotal turnover for the Rhode Island colony as well as the rest of the young country. The campaign to reclaim Rhode Island was the first time the regiment saw conflict. While the recruitment had started over seven months prior, the regiment had completed a rigorous course before joining the rest of the Continental forces in Tiverton in early August. This was also the first joint French American maneuver.⁶¹ French Admiral Comte d’Estaing, arrived at the mouth of Narragansett Bay on July 25th, according to Major Frederick MacKenzie, commander of the British occupation.⁶²

During this campaign, the colonists would lose almost half of the troops sent, either to battle wounds or desertion, they made a fortified stand southeast of Turkey Hill beginning around August 24th. Using this point as a siege point, they created a two-mile-long line from one side of Aquidneck Island to the other and the 1st Rhode Island Regiment was charged as

⁶¹ Christian M. McBurney, *The Rhode Island Campaign: The First French and American Operation in the Revolutionary War* (Yardley, PA) Westholme Publishing, 2011) 101-102

⁶² Frederick Mackenzie, in *The Diary of Frederick Mackenzie*, vol. 1 (New York: New York times, 1968), 178.

defenders of the line. The colonists attempted to hold this line as General Sullivan ordered the evacuation of colonists and troops from the island, north through Howland's Ferry.⁶³ The 1st Regiment held the line against three different Hessian advances until they fled north to the mainland.⁶⁴ The conflict ended around August 29th. General Sullivan stated later in a General Orders announcement that while there was doubt over the battlefield accomplishments of the First Rhode Island Regiment, "the Regiment will be entitled to a proper share of the honors of the day."⁶⁵ The occupation held until the British followed the shift in the war to the south and refocused their troop deployment to the Carolinas and Virginia.

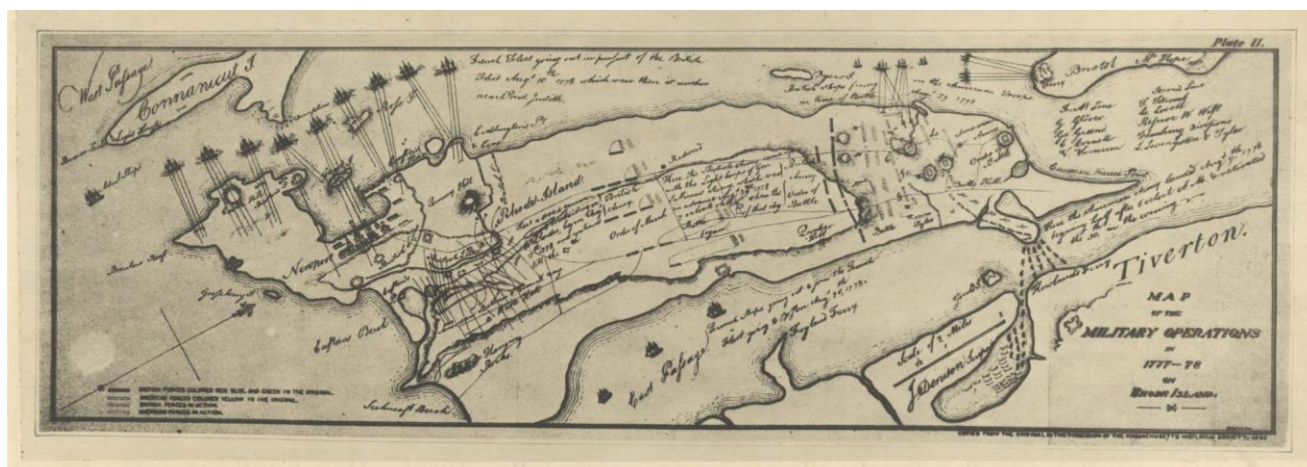
While in control of Newport, the British carried out seaside raids and tore down buildings to use as firewood. They controlled one of the largest ports in Rhode Island, Newport, and the mouth of Narragansett Bay. Although not every resident in Rhode Island was a merchant or mariner, the entire colony felt the economic repercussions of the British taking control. The Slave Enlistment Act would have brought a small measure of economic relief as well as opening a new avenue of abolition discussion, as soldiers returning from the revolution would have memories of fighting alongside free African American and Native American men.⁶⁶

⁶³ Christian M. McBurney, *The Rhode Island Campaign: The First French and American Operation in the Revolutionary War* (Yardley, PA: Westholme, 2018), 170.

⁶⁴ Robert A. Geake and Spears Lorén M., *From Slaves to Soldiers: The 1st Rhode Island Regiment in the American Revolution* (Yardley, PA: Westholme Publishing, 2020). 59

⁶⁵ General Orders August 30, 1778, in Josiah Fletcher's orderly book.

⁶⁶ Robert A. Geake and Spears Lorén M., *From Slaves to Soldiers: The 1st Rhode Island Regiment in the American Revolution* (Yardley, PA: Westholme Publishing, 2020). 62



The above map shows the path of the colonists moving southeast to attempt to reclaim the island. The dashed line, three quarters of the way through Aquidneck Island, shows where the colonists made their stand around Turkey Hill. The shorter dashed lines leading into Tiverton show the escape from Howland's Ferry when they were almost overrun by British and Hessian forces.⁶⁷

During the war, the 1st Rhode Island would see repeated recruitment cycles, mass desertion and pardons for returning, and several integral battles. In addition to the Battle of Rhode Island, the regiment would be taken north to Boston, south to Virginia, west to New Haven and dozens of them taken prisoner and paraded through British controlled New York. They would be passed to different commanders and eventually combined in 1781, after the Battle of Rhode Island with the 2nd Rhode Island Regiment to create a regiment of African American, Indigenous, and white soldiers. This movement to integrate the units together racially would have affected the social hierarchy of the regiment. This change, while the foot soldiers' reaction is not recorded, would have made a serious change to the dynamic within the regiment.

⁶⁷ Originally for "Mason's Reminiscences of Newport." Owned by Rhode Island Historical Society Collections, Map #3047 RI Map V.3 p17, retrieved from Phillips Memorial Library, Providence College, Providence, RI. <http://library.providence.edu/encompass/rhode-island-in-the-american-revolution/rhode-island-in-the-american-revolution/>

The regiment would serve through 1783 together, giving them around two years of sleeping, eating, and fighting together.

Within the pension records, very few of the men are listed. There are a few different reasons that could cause them to be removed or left out of the record. The first is that some of the men who enlisted were killed in action. Battlefield reports from this war, that still survive, are not always accurate, therefore making it difficult to know which of the men were killed and when. Another reason they may not be listed in the pension records is that no one claimed their pension. If they did not survive the war, it would be left to someone who could claim a familial relationship. If these individuals were still enslaved, they may not be able to travel to claim pensions or have the ability to claim they are related. Lastly and the most frustrating for historians is the record of their pension may have been lost or destroyed.⁶⁸

The level of desperation in Rhode Island fluctuated around the occupation and the control of the British, however it forced the colony onto a path of abolition. Intentional or accidental, the Slave Enlistment Act was a reaction to the extreme anxiety felt in the bayside counties and in the dwindling Continental Army. Its secondary function as a new piece of abolition legislation for the colony would allow an integration of the regiments later and promote the abolition later among Revolutionary War veterans. It would also promote the ideals of freedom to those enslaved.

While investigating those who were in the American War of Independence, it is essential to remember the levels of liberation being defended. On a broad level, the colonists were battling to be free from the control of the British Empire and King George III. After the war, with the

⁶⁸ James Kirby Martin and Mark Edward Lender, *A Respectable Army: The Military Origins of the Republic, 1763-1789* (Hoboken: John Wiley & Sons, 1982).

Articles of Confederation the states would also see more freedom from being under federal control, the articles minimizing the control of the federal government. However, during the war, many regiments, like the 1st regiment of Rhode Island, had men who at the end of the war would be freed from enslavement. Henry Laurens, General Varnum, and eventually George Washington recognized the power that freedom and independence had at every level and utilized enslaved men.⁶⁹

⁶⁹ Woody Holton, *Liberty Is Sweet: The Hidden History of the American Revolution* (New York, NY: Simon & Schuster Paperbacks, an imprint of Simon & Schuster, Inc., 2022). and Christian M. McBurney, *The Rhode Island Campaign: The First French and American Operation in the Revolutionary War* (Yardley, PA: Westholme, 2018). 158

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Maps

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