

Your Holy Dwelling: Religion, Legislation, and Free Black Community in Virginia, 1800-1840

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B.A., College of William & Mary, 2023

A Thesis presented to the Graduate Faculty of the University of Virginia in Candidacy for the
Degree of Master of Arts

Corcoran Department of History
University of Virginia April 2024

In the hot Virginia summer of August 1831, preacher Nat Turner led nearly seventy enslaved people in a rebellion against white plantation owners and enslavers in Southampton County. For forty-eight hours from August 21, beginning at the plantation where Turner himself was enslaved, the group killed nearly 60 whites and freed the enslaved people along their route.¹ It was the largest and most violent slave revolt ever seen in the United States. The group was eventually suppressed by the state militia on August 23, but another outpouring of violence – this time by white perpetrators, predominately against dozens of innocent Black men, women, and children – ensued in the days and weeks following. Perhaps as many as 120 Black people uninvolved in the rebellion were killed in retaliatory bloodshed.² Turner and twenty-nine other enslaved men were convicted for “conspiring to rebel and making insurrection.” Turner was executed on November 5, and his remains were subject to numerous demeaning and cruel acts after his death. Eighteen men were hanged and another twelve were sold out of the state.³ The Turner revolt was the epitome of white fears come true: armed and organized enslaved rebellion, led by a charismatic and intelligent Black preacher who claimed divine inspiration for the immediate and violent abolition of enslaved people. Following the intense violence of August and September 1831, debates over how best to soothe Virginia society and prevent such atrocities from recurring erupted. The patriarchal illusion of slave-master relations had been shattered; slavery and its future were uncertain. The key to resolving this crisis was to find the explanation for this revolt: how was it organized and inspired?⁴ For many, one common theme prevailed: the

¹ Randolph Ferguson Scully, *Religion and the Making of Nat Turner's Virginia: Baptist Community and Conflict, 1740-1840* (Charlottesville: University of Virginia Press, 2008), 1.

² Patrick H. Breen, *The Land Shall Be Deluged in Blood : A New History of the Nat Turner Revolt*, (New York NY: Oxford University Press, 2015), 103.

³ Breen, *The Land Shall be Deluged*, 1.

⁴ Scully, *Religion and the Making of Nat Turner's Virginia*, 3.

influence of evangelical Christian sects. To suppress Black freedom, Black religion had to be controlled.

Debates over access to religion and authority to preach or interpret scripture had been ongoing long before Turner's revolt, but the sudden and drastic nature of this violence forced these tensions into the limelight. Whites feared the revolt was religiously inspired even before information or convictions had been released: in a letter from the editor dated August 25, the *Richmond Whig and Commercial Journal* reported that "the prevalent belief is that on Sunday week last at Barnes' Church... the plan of insurrection was then and there conceived." The editor decried Turner, "the ringleader... [who] pretends to be a Baptist preacher."⁵ With the release of Turner's *Confessions*, which was relayed to and heavily edited by white lawyer Thomas Gray, the religious element of slave rebellion could no longer be ignored. In his confession, Turner emphasized his Christian upbringing and the many prophetic revelations he had received throughout his lifetime that culminated in his August rebellion. The *Confessions* and the narrative tensions within model the debates over the meaning and legacy of the revolt which were occurring statewide: Gray characterized Turner as a crazed zealot, reducing the rebellion to that of a madman, but Turner's careful prose and vision relay his abolitionist interpretation of scripture from a lifetime of study. The struggle to control the revolt narrative, and of the legacy it would leave, came down to a struggle over religious legitimacy and authority: who could interpret and preach the scriptures, and to whom?⁶ Legislative responses in 1832 cracked down

⁵ "Extract of a Letter from the Senior Editor, dated Jerusalem, Southampton County Ct. House, Thursday Evening, Aug. 25," *Richmond Whig and Commercial Journal*, August 29, 1831.

<https://viriniachronicle.com/?a=d&d=RWCJ18310829.1.2&e=-----en-20--1--txt-txIN----->

⁶ Scully, *Religion and the Making of Nat Turner's Virginia*, 4.

on Black preachers, assemblies, and literacy in the hopes of quelling independent Black worship, one of the greatest challenges to the preservation of slavery.

Though Nat Turner's rebellion may have been a pivotal moment in exacerbating tensions, earlier enslaved rebellions had set the precedents which caused white Virginians to assume religious elements would be behind Turner's actions. Gabriel's Rebellion in 1800 ushered in the new century by seemingly connecting the rise of evangelical sects over the course of the 18th century and enslaved uprisings.⁷ Early 19th century Virginia saw a flurry of legislation attempting to further regulate and oppress Black lives to prevent the possibility of enslaved rebellion, culminating in the 1830s post-Nat Turner. At the heart of these increasingly strict and specific laws were debates over the right to autonomous worship. Religion was key to the organization and ideology of the two major 19th century slave revolts in Virginia, prompting white fears over the power of religion to support uprising and abolition when interpreted by Black leaders. Additionally as concerning to white legislators, membership in a congregation and religious authority also gave one very real claims to belonging and participation in civic life, undermining many white nationalist movements gaining popularity in the 19th century. The rapid growth of evangelical sects which encouraged Black membership and of independent Black preachers within these sects threatened the very foundations of Virginia's social and religious hierarchies. Legislation was passed to prevent independent Black worship in an attempt to exert white control over interpretation and authority, imagining that this would prevent further violence and slave unrest. Black congregants, in turn, mobilized their legal experience to petition for state recognition of their own religious spaces. In clever manipulations of legal and social tensions,

⁷ Nicholas May, "Holy Rebellion: Religious Assembly Laws in Antebellum South Carolina and Virginia," *The American Journal of Legal History* 49, no. 3 (2007), 245.

congregants created their own spaces defined by their self-identification as a community outside of the white surveillance state.

This research builds upon robust bodies of literature regarding rebellion, religion, and petitioning in early 19th century Virginia. Historians of religion and violence in this era, like Randolph Ferguson Scully in his seminal work on Nat Turner, have emphasized the social tensions which religion exacerbated in this period.⁸ Much work has been done to establish worship, typically Protestant Christianity and especially Baptist and Methodist congregations in this period, as critical to the formation of Black neighborhoods, cultures, and identities. Lawrence W. Levine emphasized the importance of spirituality to forge identity despite oppression; Anthony Kaye looked at neighborhoods to argue that worship created independent Black communities.⁹ Most works, however, have followed the lines of Silva Frey, who argued that Black Baptists used religion to assert personhood and citizenship to white oppressors, sparking debates over slavery within religious communities; perhaps problematically, many scholars have focused on white recognition to define citizenship.¹⁰ In this work, I define citizenship as belonging within a community and participation within it, rather than federal (at this time, white) recognition along the lines of recent scholarship. I do not argue either that Black congregants were seeking federal citizenship. I do argue that Black petitioners were aware that white recognition of their spaces could be manipulated into protecting a degree of autonomy for themselves: pandering to white expectations in the written word could allow them to visibly create their own communities which hinged on their own communal recognition in reality.

⁸ Scully, *Religion and the Making of Nat Turner's Virginia*.

⁹ Anthony E. Kaye, *Joining Places: Slave Neighborhoods In the Old South* (Chapel Hill: University of North Carolina Press, 2007).

¹⁰ Sylvia R. Frey, *Water From the Rock: Black Resistance In a Revolutionary Age* (Princeton, N.J.: Princeton University Press, 1991).

I also draw on scholars of Black litigation in assessing petitioning and legal consciousness. Traditional scholarship has argued that Black Americans were legal outsiders, both barred from basic civil rights but also not knowledgeable enough in convoluted legal structures to engage with a hostile white system. More recent studies have refuted these assumptions. Historians Laura Edwards and Kimberly Welch have explored the unique legal culture of the early south, arguing that the highly public and social nature of the law supplied all southerners, regardless of race and gender, with an informal legal education.¹¹ Alongside scholars like Tim Maris-Wolf, who studied residency petitions and re-enslavement, they have asserted that Black southerners were highly knowledgeable of and willing to engage with the law, which could be mobilized to defend their property and reputation or maintain freedom.¹² Petitioning was a particularly effective and accessible way of engaging. Dylan Penningroth, in an effort to bolster these understandings of early Black litigants, has highlighted the myriad ways Black Americans engaged with the law before the civil war; examining the associations formed by Black communities, including churches and congregations, he argued that these functioned as powerful legal entities for Black litigants.¹³ Churches as incorporated institutions were a communal way of exercising civil rights as institutions bestow membership and belonging on followers, allowing Black congregants to define and govern themselves (i.e., to act with “civil rights” within these institutes). These scholars on Black litigants have roundly proven that early

¹¹ Kimberly M. Welch, *Black Litigants In the Antebellum American South* (Chapel Hill: The University of North Carolina Press, 2018); Laura F. Edwards, “Status Without Rights: African-Americans and the Tangled History of Law and Governance in the Nineteenth-Century U.S. South,” *The American Historical Review* vol. 112, no. 2 (April 2007).

¹² Ted Maris-Wolf, *Family Bonds: Free Blacks and Re-enslavement Law In Antebellum Virginia* (Chapel Hill: The University of North Carolina Press, 2015).

¹³ Dylan C. Penningroth, *Before the Movement: The Hidden History of Black Civil Rights* (New York, NY: Liveright Publishing Co., 2023).

free communities in the United States were highly knowledgeable and active in legal spaces, and that petitioning in particular followed set scripts of language which manipulated white anxieties. I intend to add to this impressive historiography by highlighting how communal petitions from congregations in this era combine the former ideas on ‘white recognition’ and the latter on Black community building: they marry these to carve spaces of autonomy for themselves in a highly fraught and surveilled religious atmosphere.

This study follows the flux of rebellion, legislation, and congregational responses from 1800-1840. I begin by tracing the growth of legal categories of race, freedom, and religion over the late 17th and 18th centuries to establish the legal and social context behind Gabriel’s rebellion in 1800 and why it elicited such strong legislative responses. I then turn to the rebellion itself, tracing the elements which inspired restrictive legislation and stoked white fears. These new laws and the growth of colonization ideologies in the aftermath of Gabriel’s Rebellion reveal the conclusions of white legislators: a free population and autonomous religion could be mobilized toward rebellion, and thus the solution was the deportation of freemen and white domination over religious authority. ‘Religion’ in this study contends only with various forms of Protestant Christianity, as a full accounting of the many traditions in North America would be far too capacious for this study and the tensions I explore are inspired by the attempt to gatekeep categories of Christian and free. I follow this chain of religion, rebellion, and legislation through Nat Turner’s rebellion and the aftermath from 1830-1840 to prove how these concepts of religious autonomy and violence became increasingly linked in the white imagination during this period.

I then highlight the life of the Reverend John Dipper, a freeman in Williamsburg who exemplifies the challenges free Black preachers faced in early 19th century Virginia. Dipper was

born, enslaved, freed, and ordained in Virginia; his life and correspondence, exceptionally well documented, thus touch upon many of the themes of this thesis and can be used to extrapolate the effects of rebellion and legislation upon prominent freemen and preachers. Dipper was not, however, indicative of the general population of free Black congregants – thus I then turn to congregational petitions from 1820-40.

Pulling three petitions from Richmond and Petersburg, I analyze the language and actions used by Black congregants to protect their autonomy. Borrowing from the scripts of language utilized in residency petitions, these congregants and leaders pandered to expectations of white ‘recognition’ by state legislatures and neighbors to create autonomous spaces and claims of belonging which at their center relied on their own communal recognition of themselves. Given the highly fraught atmosphere of religious authority in this era, these were no simple claims, and the enforcement of religious laws fluctuated with temporal and geographic distance from the two major slave rebellions of the early 19th century. Nonetheless, Black congregants used their expertise in petitioning to claim white legal recognition in the creation of autonomous religious spaces. Richmond and Petersburg are particularly apt for this study as the largest free Black cities in Virginia at the time; it is important to note here, then, that this study does not claim to be indicative of the religious lives of the majority of Black Virginians in the early 19th century. Roughly 40% of Virginia’s population at the turn of the century was enslaved.¹⁴ In the early years of the Atlantic slave trade, Christian conversion was often used to justify enslavement and sermons emphasized obedience in hierarchical relationships.¹⁵ In the south, plantation slavery

¹⁴ Douglas R. Egerton, *Gabriel's Rebellion: The Virginia Slave Conspiracies of 1800 and 1802* (Chapel Hill: University of North Carolina Press, 1993), 3.

¹⁵ Albert J. Raboteau, *Slave Religion: The "invisible Institution" In the Antebellum South* (Oxford: Oxford University Press, 2004), 96, 152.

isolated the majority of enslaved people from institutional churches – both because of the physical distance from churches, but also because Virginia historically had a dearth of clergymen.¹⁶ Plantation missions in the 19th century changed this landscape, and as the 19th century progressed, enslaved populations were becoming increasingly Christian – often outnumbering white congregants, though always under white ministers and leaders.¹⁷ Though the free population was also expanding – by 1800, 10% of Black Virginians were free – this was not the norm, and to worship under a Black preacher was even rarer.¹⁸

The exceptionality of these cases, however, make their visibility and legal standing even more intriguing, and give us insight into the religious and racial attitudes of the era. Petitions and correspondence from Black congregational leaders across Virginia attest to the complex evolution of the legal, religious, and social world of free Virginians in this decade. Through this turmoil, congregants continued to express their legal consciousness through petitions and to advocate for their religious autonomy and belonging.

Part I: Early Legislative Context

Legislation targeting Black worship was not new in the 19th century. The earliest Black code in Virginia was passed in 1680, an act prohibiting “the frequent meetings of considerable numbers of Negro slaves under pretense of feasts and burials,” as such assemblies were “judged of dangerous consequence.”¹⁹ Aptly titled the “Act of 1680 on Negro Insurrection,” this early law created the first legislative link between religion and rebellion. The 1680 law came in the wake of Bacon’s rebellion, the frontier battle between Nathaniel Bacon and Royal Governor

¹⁶ Raboteau, *Slave Religion*, 104, 153.

¹⁷ Raboteau, *Slave Religion*, 213.

¹⁸ Egerton, *Gabriel's Rebellion*, 15.

¹⁹ William Waller Hening, ed., *The Statutes at Large: Being a Collection of All Laws of Virginia, from the First Session of the Legislature, in the Year 1619* (New York: R. & W. & G. Bartow, 1823), 2:481–482.

William Berkley; the alliance of some enslaved people and white indentured servants in the struggle was of great concern to the upper and governing classes of Virginia.²⁰ Though the vast majority of Bacon's rebels were, in fact, white backcountry men, the 1680 act targeting communal Black worship was the first law passed after the rebellion concluded in 1677. The most concerning element of the rebellion to legislators, then, was the potential for Black communities to challenge the elite oligarchy of plantation owners who were quickly seizing political and economic control of Virginia. The route to Black community and collective organization, in the eyes of white legislators, was through religious "pretenses": "feasts and burials," as stipulated in the Act. They compounded this law in 1682, making slavery status dependent on budding racial categories ("Negroes, Moors, Mollattoes and Indians") rather than religious affiliation: converting to Christianity did not equate to release from bondage.²¹ Historians have long argued that the legislative repercussions of Bacon's Rebellion were some of the earliest and most marked moments of racial categorization and alienation in American history: lawmakers sought to legally demarcate freedom as white and slavery as non-white to prevent further unrest.²² A large piece of this effort was, clearly, removing Black access to religion and undermining the legitimacy of Black Christianity. Enslaved people were no longer granted the mobility or time to worship communally, and conversion to Christianity was

²⁰ Edmund S. Morgan, *American Slavery, American Freedom: The Ordeal of Colonial Virginia*, (New York: W. W. Norton & Company, 1975); Kathleen Brown, *Good Wives, Nasty Wenches, and Anxious Patriarchs: Gender, Race, and Power In Colonial Virginia* (Chapel Hill: University of North Carolina Press, 1996), 179.

²¹ Brown, *Good Wives*, 180.

²² For Morgan in *American Slavery, American Freedom*, Bacon's Rebellion was the era in which all classes of whites learned to harness racism and exploitation of non-whites (in this case, indigenous Americans) for their own benefit. For Brown in *Good Wives, Nasty Wenches, and Anxious Patriarchs*, it was a period in which American masculinity came to be symbolized in part by whiteness and freedom. This interpretation takes a bit of both.

demeaned as a false effort to escape bondage rather than a sign of true conviction – note the law’s phrasing of “pretenses.” Religious worship and federally recognized Christian membership were thus limited to free whites, making access to worship an important symbol of freedom and citizenry in English North America.

Religious authority, then, was an important element of the hierarchy of race and freedom created in the first century of English settlement. The boundaries and methods of worship were briefly tested in the 18th century with the birth of evangelicalism in North America during the First Great Awakening (1730s-40s). New, radical Christian sects (or, at the very least, growing sects) including Presbyterians and Quakers, and later Methodists and Baptists, offered venues, methods, and leaders of worship outside of the state-established and historically prominent Anglican Church. Open-air meetings and oral practices which de-centralized literacy and doctrinal learning made this form of Christianity more accessible to enslaved people, and perhaps their seeming opposition to the Anglican Church and the social/racial hierarchies of Virginia made them more appealing.²³ Evangelicals, indeed, often took their missions to enslaved people and welcomed them into their congregations.²⁴ This is not to say all these white evangelicals, though some did, opposed the institution of slavery or treated Black Americans as equals; in fact, many white evangelicals advocated for the conversion of enslaved people to Christianity to promote subservience and obedience to ‘natural’ hierarchies. Paul in Colossians 3:22-4:1 was commonly emphasized by white preachers and enslavers: “Bondservants, obey in everything those who are your earthly masters, not by way of eye-service, as people-pleasers, but with sincerity of heart, fearing the Lord. Whatever you do, work heartily...” White-lead

²³ Scully, *Religion and the Making of Nat Turner’s Virginia*, 42-43; Frey, *Water from the Rock*, 23.

²⁴ Frey, *Water from the Rock*, 23.

Christianity, then, often interpreted scripture to be both supportive of slavery and of the social hierarchies of men; the curse of Ham, too, was often used to justify specifically Black enslavement.²⁵ Nor is it to imply that sincere Black Christians did not exist before the mid-18th century; Black Americans, of course, came to Christianity with their own varieties of interpretations and motivations. Rather, the growth of evangelicalism signaled a period across the English colonies wherein the categories and boundaries of Christian, White, Black, Free, and Enslaved were once again questioned: debates over the Christianization of slaves, and of the sincerity of conversion and conviction of any evangelical, were revived. The number of creole, Christian, enslaved and free Black Americans increased, challenging late 17th century legal categories of free white Christians and enslaved Black others. The First Great Awakening made apparent the connections between religion and status; it reinvigorated debates over religious legitimacy and conviction, and who should have access to worship and the authority to lead it.

By the latter half of the century, these debates had certainly not been settled, but were in part absorbed by the dialogues surrounding the Revolutionary era. At the heart of the American Revolution were discussions of liberty, freedom, and equality, which necessitated a revision of slavery in America.²⁶ For Black Americans, who had long already been debating and advocating

²⁵ Black preachers, by contrast, could choose to emphasize Paul's referral to himself as a slave of God, or Corinthians 6:20, which says that all bodies have been "bought with a price" of Jesus's sacrifice, so no man belongs to himself or another, but to God. Corinthians says also that all "[bodies are] a temple of the Holy Spirit within you," thus all men are equals under God. This is to emphasize that interpretation and authority to choose which scriptures to preach was pivotal to how one understood the morality and justness of slavery, hence the vitriolic struggle to prevent free Black Americans from accessing this authority.

²⁶ Frey, *Water from the Rock*, 45; Frey refers to the revolution as fundamentally a war about slavery. Certainly, it was intertwined fundamentally with discussions of freedom, and the dialogues of the revolutionary era continued to reverberate in upcoming rebellions like Gabriel's. For more on the revolution and slavery, see Gary Nash, *The Unknown American Revolution: The Unruly Birth of Democracy and the Struggle to Create America* (New York: Viking, 2005) or

an expansion of these notions, the revolutionary period from the 1760s-1790s was a time of unparalleled opportunity to advocate the expansion of freedom.²⁷

As debates over slavery, religious evangelicalism, and the growth of free populations intensified, so too did the efforts of lawmakers to limit religious authority to white men.

Gabriel's Rebellion in 1800 was an inauspicious herald of the new century and highlighted the tensions over freedom and slavery which had been growing strained in the 18th century; it encouraged swift action to reaffirm these categories and to prevent the continued growth of independent Black worship.

Part II: Religion and Violence

Gabriel's Rebellion was suppressed before it could actually begin, but that did little to diminish the anxieties it produced in white legislators. Led by Gabriel Prosser, an enslaved blacksmith hired-out in Richmond, the rebellion was planned by enslaved people throughout Virginia who experienced a rather remarkable degree of mobility.²⁸ The group called for an occupation of Richmond, which would be achieved by setting fire to the city, kidnapping the Governor from the Capital, and then taking the penitentiary arsenal.²⁹ Gabriel stipulated that Methodists and Quakers should be exempted from the violence.³⁰ Before they could initiate their plan (set for late August), two enslaved men informed their enslaver, Mosby Sheppard, of the

Gary Nash, *Race and Revolution* (Madison: Madison House, 1990); Woody Holton, *Liberty Is Sweet: The Hidden History of the American Revolution*. (New York: Simon & Schuster, 2021).

²⁷ Egerton, *Gabriel's Rebellion*, 3-18.

²⁸ Hiring-out was an arrangement in which enslavers would send enslaved people to perform labor under a contract with another party for a set fee and time period. This diversified enslaved labor and the enslaver's income, thus maintaining the viability of slavery as the U.S. developed in the 19th century. It also, however, meant that the laborers were travelling more frequently to and from contracts and perhaps experienced less direct supervision by enslavers; this mobility, though greater than it would be under traditional plantation labor, was not unchecked.

²⁹ Egerton, *Gabriel's Rebellion*, 23.

³⁰ Egerton, *Gabriel's Rebellion*, 51-52.

plot. Over 70 men were arrested for conspiracy and insurrection; Gabriel briefly escaped but was captured in Norfolk. Gabriel's plan was a culmination of the challenging themes throughout the 18th century which strained social and racial hierarchies: evangelical religions, abolitionist ideologies, and debates over the expansion of liberty.³¹ The size of the planned uprising, and the methods and ideologies Gabriel drew upon, ignited white fears similar to those the 17th century gentry had imagined following Bacon's rebellion. The continued testing of the categories those 17th century lawmakers had created over the course of the 18th century had formed the ideological and physical requirements for Gabriel's Rebellion to be born. Though the boundaries being tested post-Bacon were fully integrated to Virginia's economic and social life by 1800, they were also being continuously challenged, and the most volatile challenges came from religious foundations.

Gabriel's Rebellion, on the surface, was not inherently religious, but scripture and Biblical allegories were critical in creating opportunity to plan and a dogma to follow. Meetings by Gabriel and his co-conspirators were held on Sundays "under pretext of attending preachment," probably largely at the Baptist Hungry Meeting House in Richmond where many of the rebels worshipped.³² Gabriel treated and courted potential recruits in the same manner as evangelical ministers. Such practice was, in part, obviously pragmatic: Sundays were often days of rest from labor, and church services were one of the only opportunities for large numbers of enslaved people to gather with relatively little oversight.³³ This does attest, however, to the growing import of Christianity to the formation of Black communities, as numbers of converted

³¹ Egerton, *Gabriel's Rebellion*, 3-18.

³² James Sidbury, *Ploughshares into Swords: Race, Rebellion, and Identity in Gabriel's Virginia, 1730-1810* (Cambridge: Cambridge University Press, 1997), 62; Scully, *Religion and the Making of Nat Turner's Virginia*, 129

³³ Sidbury, *Ploughshares into Swords*, 74.

Christians and even Black preachers jumped in the late 18th and early 19th century. The religious language employed by Gabriel and his co-conspirators in their recruitment speeches and confessions also attest to the centrality of religion in this effort. At one meeting, as conspirators challenged Gabriel's leadership, they invoked a series of Biblical allusions to argue their cases. Ben Woolfolk played on Gabriel's aptly angelic name and compared their enslaved followers to the Israelites of the book of Exodus: they needed a Moses to lead them from the oppression of the Pharaoh, but they lacked the proper kind of angel to guide them.³⁴ Martin, Gabriel's brother, countered with his own Biblical allusion: "I read in my Bible where God says, if we will worship him... five of you shall conquer an hundred and a hundred, a thousand of our enemies."³⁵ Martin cleverly built upon Ben's criticism in his own rebuttal, reiterating that the enslaved were indeed God's chosen people and had divine providence behind their cause; religion was as important to the moral survival of the rebellion as the physical location of recruitment. Letters and confessions from followers frequently refer to speeches from Gabriel and Martin as preachings or sermons, further indicating the religious undertones of their efforts for liberty. Though the religious tones of Gabriel's Rebellion are often overlooked or undermined by historians, they are pervasive and indicative of the growing influence of evangelical Christianity in the minds and ideologies of Black Virginians in their own struggles for independence and community.³⁶

³⁴ *Calendar of Virginia State Papers and Other Manuscripts, Vol. IX*, (Richmond: 1890), 151 (Accessed on familysearch.org)

³⁵ *Calendar*, 151.

³⁶ Scholars have long debated the actual extent of religious influence on Gabriel Prosser and his rebellion. Douglas Egerton's *Gabriel's Rebellion* (1993) is still one of the most prominent works on the subject, and in his note on religion he roundly denies that Gabriel was in any way a religious leader or even a generally religious man. He traces the history of this connection between Gabriel and preachers in his appendix and concludes that the best historians approach the subject with "healthy skepticism," that though religious influence may have been there to some degree, secular themes prevailed. I will not challenge this, but the legacy of Gabriel's

Perhaps more critically, these elements were enough to stoke white fears that unregulated Black religion could facilitate violence.

The legislative response to Gabriel's culminative challenge was swift and broad. Richmond, the starting place of the rebellion, passed ordinances to ban the hiring-out of enslaved people in an attempt to cut off their mobility.³⁷ Statewide, the Assembly updated the ban on slave meetings in 1804 by specifically prohibiting "slaves to assemble in considerable numbers at meeting houses and places of religious worship, in the night," which was "productive of considerable evil to the community."³⁸ These earliest legislative responses to Gabriel, then, understood the pragmatic – at least – opportunity which religious attendance provided for the growth of community and passing of information; most importantly, these facilitated rebellion and violence. The law was also enacted against slaveowners and other whites who aided the illegal assembly of enslaved people: several court cases from the late 1810s fine white property-owners for allowing slave meetings on their land.³⁹ Such cases indicate that, for a time at least, these laws were regularly enforced and reiterated. The 1806 "Act to Amend the Several Laws Concerning Slaves" banned free Black residency a year past the date of their emancipation/manumission; freemen had to either leave the state or acquire an exemption to the law through successful petitioning to the legislature. Like the assembly act, this law placed partial blame on white abettors by fining the manumitter if the freeman illegally resided in Virginia past their grace year. For Black Virginians the punishment was much more severe:

rebellion (for white legislators) was one of religious contestation – hence my emphasis here on the religious elements present in the rebellion.

³⁷ *Journal of the House of Delegates of the Commonwealth of Virginia 1807-1808*, 84-87.

³⁸ Samuel Shepherd, ed, *The Statutes at Large of Virginia* (Richmond, Virginia: Samuel Shepherd, 1836), Vol. 3, 108.

³⁹ May, *Holy Rebellion*, 248.

corporal punishment in the form of lashes, and later the threat of re-enslavement. Black violence against enslavement was thus countered with the threat of white violence against free populations. This law sought to stunt the growth of the free Black population, essentially closing its ranks and perpetuating the categories of white freedom and Black enslavement. By prohibiting religious assembly, they thus sought to keep religious autonomy out of the hands of Black Virginians as the solution to the crisis of enslaved rebellion. These laws compounded one another: enslaved Black Virginians could not be granted an official minister's license, and free Blacks were expelled from the state. The important symbol of religious authority and independence was limited to white men, and the perceived instigator of violence was quelled.

In 1831, with the onset of Nat Turner's rebellion, the power of religion for rebellion became even more apparent and threatening to white legislators. They redoubled their efforts to control access to religion and religious authority to protect the institution of slavery and prevent further violence against white enslavers.

Turner's rebellion hinged on Biblical interpretation. In his *Confessions*, Turner referred to the "Divine inspirations" he had received throughout his lifetime which imbued him with a sense of special destiny. "The Spirit that spoke to the prophets" also frequently spoke to Turner, and it was his role to relay these messages to the enslaved people around him.⁴⁰ He felt the right to lay claim to religious authority both on this basis and on the emphasis of other enslaved people on his intelligence and charisma. Turner was a chosen leader from a self-determined community, and he inhabited this through preaching to and baptizing his followers.⁴¹ The spirit sent Turner visions of a great battle "between white spirits and black spirits," a vision that the "great day of

⁴⁰ Nat Turner and Thomas R. Gray, *The Confessions of Nat Turner, the Leader of the Late Insurrection In Southampton, Va* (Baltimore: Lucas & Deaver, 1831).

⁴¹ Scully, *Religion and the Making of Nat Turner's Virginia*, 194.

judgement was at hand.” Turner would free God’s people.⁴² According to a note by Gray, the divine signal to usher in judgement came in the February 1831 solar eclipse, which some scholars have claimed Turner interpreted as a Black hand covering the sun.⁴³ Turner himself does not offer such a reading, but nonetheless it is clear that his interpretations of Biblical passages and divine signals were massively important to his movement. The centrality of religious authority was immediately apparent to white audiences: “The case of Nat Turner warns us,” wrote the *Richmond Enquirer*, “No Black man ought to be permitted to turn a Preacher throughout the country.”⁴⁴ For Black preachers – chosen by Black congregants – to read, interpret, and preach was at the heart of the growth of Turner’s Rebellion. Such religious authority and autonomy had to be limited to preserve the institution of slavery.

Shortly after Turner’s execution, the Virginia Assembly passed a law forbidding any Black Virginians “to preach, exhort, or conduct,” and doubled down on assembly laws, outlawing “any assembly or meeting, for religious or other purposes, either in the day time or night.”⁴⁵ It was prohibited for any Black Virginians to conduct funerals, an attack on religious authority and community, and prohibited to teach any enslaved people to read or write.⁴⁶ The exception to these laws was that “any ordained or licensed white minister of the gospel” could still preach to slaves, attesting to the fact that private interpretation and authority over the

⁴² Turner and Gray, *Confessions*.

⁴³ Turner and Gray, *Confessions*.

⁴⁴ “The Banditti,” *Richmond Enquirer*, August 30, 1831, <https://chroniclingamerica.loc.gov/lccn/sn84024735/1831-08-30/ed-1/seq-2/>

⁴⁵ *Acts Passed at a General Assembly of the Commonwealth of Virginia, December 1831-1832*, 20. <https://babel.hathitrust.org/cgi/pt?id=uc1.a0001803196&seq=26>

⁴⁶ *Acts Passed at a General Assembly of the Commonwealth of Virginia, December 1831-1832*, 20.

scripture was what legislators sought to restrain, not just the status of being Christian.⁴⁷ Vitriol against free Black Virginians increased, fearing that they – with greater access to literacy and religious authority – could inspire further slave unrest and freedom seeking violence. In March 1832, the General Assembly passed a bill responding to the white residents of Northampton County (where Turner was enslaved). For the “peace and order of society,” the Assembly determined it was “absolutely necessary... that the free people of colour should be promptly removed” to the colony in Liberia.⁴⁸ In the wake of Turner, their solution was to eliminate the legitimacy of Black leaders by prohibiting preaching, and to prevent ‘invisible’ worship by removing the free population.

The early 1830s marked a distinct period of paranoia over Black religion and freedom in Virginia. Laws originally passed after Gabriel’s Rebellion, which sought to prevent violence against enslavers and to protect the racial categories of freedom in Virginia, were compounded after Nat Turner’s rebellion made the connection between religious authority and unrest even more apparent. Surveillance of Black religion under white leadership and exile of free people were white legislators’ solutions to protect a free, white, Christian nation.

The early 19th century also saw the birth of another white nationhood-seeking movement in response to the growing free population: colonization societies. Colonization sought to remove free Black Americans and relocate them in a new colony in Liberia, on the West African coast. The American Colonization Society (ACS) was formed in 1816, chaired by Henry Clay and supported by many prominent white Americans – Andrew Jackson, Thomas Jefferson, James

⁴⁷ *Acts Passed at a General Assembly of the Commonwealth of Virginia, December 1831-1832*, 21.

⁴⁸ *Acts Passed at a General Assembly of the Commonwealth of Virginia, December 1831-1832*, 23.

Madison, and James Monroe, among others.⁴⁹ In the words of Clay, to “drain off” the free Black population of North America would then preserve the racial categories of freedom upon which the institute of slavery and white supremacy rested. Colonization leaders argued that free Blacks, due to “unconquerable prejudice,” could never achieve true equality in American society.⁵⁰ Free Black Americans, to colonization advocates, were a challenge to the status quo and could never fully integrate into American life and society; they were “the most vicious” class in America and “contaminated” all around them, destroying the hierarchies which supported society and fostering slave unrest. To find belonging, freemen should form their own community distinct from the United States entirely.⁵¹ Racial homogeneity among citizenry was critical to these proponents. They offered, in lieu of creating free Black communities in America (in this context, most critically a community of worship), the colonization of Black nations in Africa. The sudden rise in colonization societies and ideology in the 19th century enhances the challenge which rapidly growing free Black populations clearly posed to white lawmakers and elites.

Anxieties which had been accumulating for much of the late 18th century thus came to a peak in the early 19th century, following two major enslaved rebellions facilitated by Christian scripture and structures. Scholarship has roundly proven that the residency acts, for much of their tenure, were leniently enforced and Black petitioners often successfully stood against them; likewise, colonization efforts are often critiqued as monumental failures.⁵² Religious authority and independence, however, posed a very large and very real threat, one which counteracted the

⁴⁹ Bjørn F. Stillion Southard, *Peculiar Rhetoric: Slavery, Freedom, and the African Colonization Movement* (Jackson, MS: University Press of Mississippi, 2019), 3.

⁵⁰ Southard, *Peculiar Rhetoric*, 3.

⁵¹ David M. Streifford, “The American Colonization Society: An Application of Republican Ideology to Early Antebellum Reform,” *The Journal of Southern History* 45, no. 2 (1979), 201.

⁵² See Welch, Edwards, Maris-Wolf for more on residency acts and enforcement in the antebellum south.

ideologies behind residency laws and colonization societies. To be member of an established Christian community granted one visible claims of belonging within the continent; to be the preacher of such a body appropriated symbols of white manhood and citizenship. This authority had become increasingly linked with violence, and so free religious leaders came under especially harsh attacks. Though it is notoriously difficult to determine the actual effect of legislation on the average freeman's life, those in positions of authority and interpretation – whose literacy aids in the documentation of their lives – exemplified the challenges of visibility and proximity to white communities.

Part III: The Reverend John Dipper and the Williamsburg Baptists

In Williamsburg, a Black Baptist congregation had been worshipping since the 1770s under the leadership of Gowan Pamphlet, the only ordained Black preacher of any denomination at the time. Despite the tumultuous first decades of the 19th century, the Church managed to retain their autonomy for much of this period.⁵³ Pamphlet passed in 1807, but by the 1820s, another man had gained enough credibility in the Black community to take his place. John Dipper, a local freeman, would become the congregation's leader over the course of the late 1820s-30s.

Dipper was born into slavery in roughly 1778.⁵⁴ He was manumitted in 1816 for his “long and faithful services... industry and good moral character and extraordinary exemplary deportment.”⁵⁵ By March of the next year he had secured an exemption to the residency laws,

⁵³ Carl Lane and Rhoda Freeman, “John Dipper and the Experience of the Free Black Elite, 1816-1836.” *The Virginia Magazine of History and Biography* 100, no. 4 (1992), 498.

⁵⁴ John Dipper's Certificate from the State of New York, 11 Apr. 1835, in John Dipper Papers, John D. Rockefeller, Jr. Library, Colonial Williamsburg (Rockefeller Library).

⁵⁵ John Dipper Deed of Manumission, December 31, 1816, in John Dipper Papers, Rockefeller Library.

citing the meritorious credentials listed by his manumitter.⁵⁶ He was well known by the white community and shrewdly ingratiated himself into the economic network of Williamsburg: court records in the 1830s indicate he may have been a creditor, and several times he was awarded quite considerable sums.⁵⁷ In 1829, Dipper received his minister's license, granting him permission to preach "not only in the border of our own church, but in the region round about," and Dipper took advantage of this mobility.⁵⁸ He wrote to his wife from Lynchburg later that year of the "pleasure of [preaching]" to the residents there.⁵⁹ Dipper's early life exemplified that Black Virginians could and did manipulate the social and economic tensions of white neighbors to thrive in freedom. His access to religious authority, in addition, put him in a position of leadership for his Black neighbors – both free and enslaved.⁶⁰ The signature of another Black preacher, Benjamin White, on Dipper's license and letters from congregants seeking his advice on internal disputes reiterates the autonomy the Black Baptist community of Williamsburg wielded. The congregants of Williamsburg had created their own community, within which they elected their own leaders, regulated their own membership, and created their own rules. It was a thriving example of how autonomous Black spaces had been built through religious independence and authority. As one of the congregation's preachers, Dipper's visibility – also as a legal body and valued neighbor - would have been unparalleled decades beforehand.

Dipper and the Baptist Church of Williamsburg were remarkable for their autonomy in late 18th and early 19th century Virginia. That they retained this space and authority even through the legislative aftermath of Gabriel's rebellion in 1800 makes them even more so. It is possible

⁵⁶ John Dipper Register, March 24, 1817, in John Dipper Papers, Rockefeller Library.

⁵⁷ Lane and Freeman, "John Dipper," 496.

⁵⁸ John Dipper Minister's License, August 2, 1829, in John Dipper Papers, Rockefeller Library.

⁵⁹ John Dipper to Polly Dipper, November 24, 1829, in John Dipper Papers, Rockefeller Library.

⁶⁰ John Locust to John Dipper, n.d., in John Dipper Papers, Rockefeller Library.

that with their geographic distance from Richmond and the Black community's historic roots in Williamsburg, Gabriel's aftermath did little to stoke white Williamsburg's anxiety. Nat Turner's rebellion in 1831, as explored above, explicitly connected violence and Black religion in the minds of white Virginians. The responses to this event, often exacerbating those post-Gabriel, were harsher and more widespread – even reaching Williamsburg for the first time.

Reverend Dipper certainly felt the effects of these legislative shifts. In the early half of 1832, as the legislative response to Turner rolled out, Dipper prepared to escape Virginia. His Church was shut down, indicating the sudden intensity of enforcement surrounding the new laws. The ban on Black preachers may have motivated Dipper's departure, along with the potential for deportation of freemen as was being discussed in Richmond. He liquidated his property, relinquishing his land and economic ties to Virginia.⁶¹ The loss of the Church property clearly hit him and his congregants hard: Dipper had been born and raised in Williamsburg, and had built a quite prosperous life and community. The First Baptist Church had survived the aftermath of Gabriel and decades of legislation, but the panic over religion in 1831-32 was fierce. Instead of merely turning back to his own land and economic ventures pre-ordination, Dipper felt compelled to leave Virginia entirely, and potentially permanently, at the loss of their community space.⁶²

The rush of Dipper and his family to sell their ties and leave after the shutdown of the Church is perhaps because this was their greatest claim to belonging in Williamsburg: without the visible community, space, and leadership position within the Church, Dipper and his family

⁶¹ Richard T. Booker to John Dipper, 29 May 1832, in John Dipper Papers, Rockefeller Library.

⁶² The 1806 residency law forbidding free Black residency a year past the date of one's manumission also stipulated that if one crossed state lines, even if only for a temporary sojourn, one relinquished any exemptions/residency rights they had been granted. Given this and Dipper's apparent knowledge of the laws and atmosphere, his move was not taken lightly.

were once again at risk of forced removal despite his other networks in Williamsburg. The destruction of the Church heralded the destruction of the community through loss of their ties to the land and property ownership – this thread will be further explored in the communal investigation of Part IV. For Dipper, however, this loss clearly struck especially hard. He specifically exemplified the threat perceived by whites in a way no ordinary congregant did, and his anxiety highlights the extreme response by whites and legislators post-Turner. As Dipper and his family relocated to New Jersey, he attempted to retain his kinship and social networks through correspondence, but with laws prohibiting enslaved literacy and the difficulty of relocation, many of his relationships were ended with the loss of their communal space. By denying access to religious authority, legislation post-Turner sought to destroy Black communities in Virginia, paving the way for the success of more seemingly secular legislative acts.

Like the legislation post-Gabriel, and like the residency acts, laws passed to prevent Black worship of course did not actually stop it. Dipper's high profile and proximity to white Virginians may have afforded him some early advantages, but it also put him at greater risk of being targeted by enforcement efforts as a result of being known, perhaps motivating his move. Those who remained in Williamsburg continued to worship in their own spaces with their own community. Records from the Dover Baptist Association, the Church's biracial overseeing body, noted in late 1832 that the Williamsburg Church was "closed in consequence of the insurrection at Southampton," but regardless the "present number of members [was] about 700."⁶³ Though the symbolism and anti-colonization power of the physical church was temporarily lost, the

⁶³ *Minutes of the Dover Baptist Association*, Oct. 13-15, 1832, from Virginia Baptist Historical Society, Richmond.

congregants of the First Baptist continued to advocate for their rights to worship and their ties to the community through this – only Dipper felt forced to relocate. By the very next year, the visible markers of their self-determined community were returned. John Andrews wrote to Dipper in 1833 that he “saw [Dipper’s] old Meeting House opened on Sunday last.”⁶⁴ The Association notes of September corroborate this, and hint at how the Black congregants had successfully evaded the ‘reign of terror’ which had been imposed in 1832. The First Baptist notified the Association that “since they have been permitted to meet together they have determined to keep none in fellowship who do not honor Christ, and walk as Christians.”⁶⁵ The theory versus reality of legislation in Virginia is especially visible in this anecdote: merely two years after Turner’s rebellion and the legislative panic following, the Williamsburg congregants had reopened their Church. Their promise to expel any dubious characters may have been part of their compromising efforts to regain the power of visible worship; they posited the Church as a community good, through which they could check any potential unrest of the Black population under Black leadership. They thus managed to defend their own space, managed by their chosen leadership, even within the atmosphere of white surveillance by positing their self-determination as a communal good. Maybe they petitioned the General Assembly or made efforts to communicate with local authorities as other congregations across Virginia attempted. Regardless, they argued for their religious legitimacy – reiterating that members were true Christians and displayed good Christian character for their community – and desired the return of the property which communicated this legitimacy to wider audiences. The success of the Williamsburg

⁶⁴ John Andrews to John Dipper, May 8, 1833, in John Dipper Papers, Rockefeller Library.

⁶⁵ *Minutes of the Dover Baptist Association*, Sept. 24-26, 1833, from Virginia Baptist Historical Society, Richmond.

congregation in retaining their autonomy and evading harsh legislation post-Turner speaks to the legal consciousness the community had developed over the early 19th century.

Dipper's move, an action which he certainly would not have taken lightly, and his correspondence with Virginian acquaintances attest to the developing legal consciousness of free Black communities. They also hint that enforcement of religious statutes varied – over temporal distance from legislation, geographic distance from sites of violence, and across people in positions of religious authority. As a preacher, Dipper was in a unique and complex position. His congregation could resume worship, but he was the one who held contested religious authority. His return would not go unnoticed, nor would his continued worship in spite of the recent laws likely be forgiven.

In 1835, Dipper wrote to Robert Saunders Jr., a white Williamsburg resident, asking his opinion on the atmosphere in Virginia and if he could return to his home state. Saunders wrote back:

I have according to your request examined those laws of the state which might operate upon you in case of your return to it. The result of that examination is unfavorable. The general law upon the subject declares that free persons of color shall not come in the state; and it makes the duty of magistrates to have them arrested and sent back beyond the limit of the state, all such as shall come within these limits. To this sweeping provision, I find no exception in favor of those whose objective is merely a temporary sojourn in the state... This being the state of this I cannot advise you to make the trial.⁶⁶

⁶⁶ Robert Saunders, Jr to John Dipper, March 27, 1835, in John Dipper Papers, Rockefeller Library.

Dipper found a different way to evade the state laws, registering himself before a New York notary as a mariner and enlisting on a voyage with the *Nautilus*.⁶⁷ His new captain, Philip Morris, provided Dipper with a note that “will let him pass anywhere within the state of Virginia until Thursday the thirtyeth of April when I shall return to New York.”⁶⁸ Dipper’s resourcefulness in finding a loophole unimagined by the lawyer Saunders speaks to the savvy of free Virginians, but the necessity of hiding his old profession of minister attests to the anxieties he faced regarding the religious laws of Virginia. Though he could, and successfully did, evade the residency and visitation laws attempting to eradicate the free Black population of Virginia, Dipper did not feel he could regain the religious *authority* he had once held in Williamsburg.

Dipper’s visibility and presence within the white community of Williamsburg thus may have heightened the potential of post-Turner laws being levied against him. Clearly, he did feel that the 1830s marked a distinct period. His church, which had operated for half a century, was shut down for the first time. He felt compelled to leave the state and to erase his financial and property ties to Virginia. Even as anxieties over violence began to subside, Dipper and his allies concluded the atmosphere was still hostile to Black preachers and scriptural interpretation. The layman of his congregation, however, had found a way to resume worship and regain their Church property. Those without ordained authority perhaps were not perceived as being as much of a threat. Petitions from other Virginian congregations seeking to override the religious legislation of the early 19th century highlight how congregants, as communal bodies, experienced this period and responded to it.

Part IV: Congregational Petitioning and Legal Consciousness

⁶⁷ John Dipper’s Certificate, Rockefeller Library.

⁶⁸ Philip Morris Pass to John Dipper, April 25 1835, in John Dipper Papers, Rockefeller Library.

In 1823, a Baptist congregation in Richmond wrote to the House of Delegates to request their own physical church. Given the “rapid increase of population” both in “the number of free persons of color and slaves” in Richmond, it was increasingly common for them to be “excluded from the churches.” Black worshippers were, by lack of Black spaces and preachers post-Gabriel, largely forced to join biracial denominations led by white figures. The congregation argued they simply did not fit in the “much crowded” churches, and so they requested permission to build their own.⁶⁹ Having been “some time associated with the Baptist Church,” a list of 700 of their members, free and enslaved, was submitted for examination of their “moral character.” The petitioners concluded by proposing a name – the Baptist African Church – and reassuring the Assembly that they would abide by “the proper restrains of persons of color” and would not “expect to hold night meetings or assemblages.” The mayor, John Adams, and the master of police, Joseph Price, both endorsed their petition and reported various individuals as “respectable” and their church a “benefit to themselves as well as to the white population of Richmond.” This short petition came at a critical period to tell us much about legal theory vs. reality, and of community building and autonomy in the 1820s.⁷⁰

Following the residency laws post-Gabriel and post-Turner, many freeman found that they could be evaded with successful petitioning to the Virginia legislature. Capitalizing on the reputation culture of the early South and their social savvy, the population of freemen in Virginia built successful lives and cultivated social and business relationships with white neighbors. The free congregants of this study had most likely garnered legal experience in this way: petitioning, especially in the form of residency petitions, was familiar to and powerful for free Black

⁶⁹ *Richmond Free Persons of Color: Petition*, 1823-12-03, Accession Number 36121, Box 364, Folder 4, Legislative Petitions Digital Collection, Library of Virginia, Richmond, VA.

⁷⁰ *Richmond Free Persons of Color: Petition*, 1823, Library of Virginia.

Virginians. Congregants borrowed from the scripts of language used in residency petitions – pandering to white expectations of Black Virginians by cultivating support of the racial hierarchy white legislators sought – to placate anxieties as they established their autonomous religious spaces.⁷¹ Congregational petitions, however, sought to evade religious laws borne of the fear of violence, and came from institutional bodies, not individual freemen. The debates between congregants and legislators in these petitions were more complex than their residency predecessors.

Both the location and timing of this first petition are of import: Richmond was the very site where Gabriel had worked and organized his rebellion twenty years prior. Just a year beforehand, in 1822, a massive revolt had been uncovered in South Carolina which was explicitly religious in nature. Far more so than Gabriel's had been, Denmark Vesey's conspiracy consistently invoked the Bible and spoke of the plight of slavery as the plight of God's chosen, making the connection between evangelicalism and abolition unquestionably clear to white audiences.⁷² One would imagine that the recent unrest in South Carolina might exacerbate similar tensions which had recently shaken Virginia. Nonetheless, the Richmond congregation felt not only the need, but the opportunity to petition for their own independent church. Perhaps enforcement of legislation following Gabriel's Rebellion had dropped off by the 1820s, and the free Baptists felt they had a chance to legally establish their own space of worship. Perhaps too

⁷¹ Kimberly Welch, *Black Litigants*, 63. See more in Penningroth, Edwards, Maris-Wolf.

⁷² Some scholarship has argued that Denmark Vesey's rebellion was in fact a conspiracy fabricated by the white court (See Michael Johnson, "Denmark Vesey and His Co-Conspirators" in *The William and Mary Quarterly* 58, no. 4 (2001): 915–76). Johnson makes a compelling case, but certainly if historians have been fooled for centuries, so too were the already anxious whites of Virginia. The *legacy* of Vesey's conspiracy was that of religious heresy, using scripture to advocate for the rights of the enslaved, and thus this case still highlights that whites saw this "misinterpretation" (in their minds) of scripture as the greatest threat to the institution of slavery.

the generation of freeborn Black Virginians who came of age in the 1810s and 1820s had by now ingratiated themselves into the complex web of social and economic relationships of a 19th century city. Legal, economic, and social culture in the South were highly intertwined; one's reputation, above all else, determined fitness to enter into contracts of any kind. Residency scholars have argued that proof of one's reputation was often the key to a successful residency law exemption for free Black Virginians; establishing rapport with white neighbors and slotting oneself into the "daisy chain of IOUs" upon which business interactions rested proved one's belonging and import to the community.⁷³ Removal would be a greater disruption of economy than a preserver of white society and it may inspire violence to preserve networks of economy and kinship. The congregants may have been relying on a similar technique in their petition, evidenced by the apparent familiarity with which the mayor and the master of police claimed to the petitioners ("of them I know I believe to be well disposed people," wrote Pleasants, and Adams approved of the characters of those "so far as I know or have heard of").⁷⁴ They believed they had a chance at bypassing assembly laws in their church because they were well known to the community, secular and religious, around them.

The language of their petition evidences that they were aware of the highly fraught position they were in as free Black Virginians and Baptists; they sought to walk a tightrope between placating white fears and establishing their religious legitimacy to combat oppressive legislation and ideologies. Reassuring the legislature that they intended to abide by the assembly laws, for example, and not to congregate at night "but with the consent" of the white mayor, indicated their knowledge of the laws and their willingness to compromise: a level of 'obedience'

⁷³ Penningroth, *Before the Movement*, 29.

⁷⁴ *Richmond Free Persons of Color: Petition*, 1823, Library of Virginia.

for a level of autonomy.⁷⁵ This too follows the scripts of the residency petitions, in which petitioners were keenly aware of their disruptive potential and of white anxieties regarding their ambiguous class status. They placate these possible objections by reaffirming their knowledge of the laws and their desire “for the preservation of the peace and good order of society.” The congregants even seem to play on the former discussion on the Christianization of the enslaved for the purpose of subservience: they note that “few of them can boast any Knowledge of letters,” yet are desirous of the “sensible and prudent” “instruction from public and divine worship.”⁷⁶ Again teasing out the tensions between white fears and white hopes, the petitioners cede in one arena of law (the formal education of Black Virginians) to gain another (religious access, which in their own language promotes social harmony). In these aspects, the congregants’ petition follows closely the scripts set by their peer’s - and maybe many of their own - residency petitions. In many other aspects, however, this religious petition is unique.

Much of this petition speaks to religious legitimacy: the petitioners, in seeking to combat oppressive legislation which wanted to remove both their access to worship and their physical selves from Virginia, sought to prove the sincerity of their conviction and their belonging within the community of Richmond. Their emphasis on the fact that they had “been for some time associated with the Baptist church” established their genuine religious affiliation and acceptance by the larger white denomination. This note spoke to the legitimacy of their social ties by connecting them to an established, and partially white, organization. In a sense similar to residency petitioners’ efforts to prove their community worth, religious membership – i.e.,

⁷⁵ *Richmond Free Persons of Color: Petition*, 1823, Library of Virginia.

⁷⁶ *Richmond Free Persons of Color: Petition*, 1823, Library of Virginia.

membership in an established community - gave them stronger claims to belonging and legitimacy.

One of the more unique elements of this petition is its communal nature. The petition is signed “Free Persons of Color of the City of Richmond of the Baptist Denomination,” and the names of “about 700 persons” were submitted with it (and 90 signers). The importance of this is manifold. As Dylan Penningroth has argued, churches essentially functioned as legal entities, within which members had distinct rights and which were intertwined with state law.⁷⁷ This, in part, might explain why the congregants felt compelled to seek state recognition of their membership: by incorporating their church, they created a visible legal body (especially important considering that Black Virginians were not legally recognized in the 19th century) and could thus defend property rights and seek intervention in internal disputes should they arise.⁷⁸ There is also, quite simply, power in numbers.⁷⁹ The petition of one freeman seeking residency could easily be overturned; the petition of 700 freemen seeking access to worship, a fraught and delicate subject, would be far more difficult to reject on fear of uprising. Their numbers spoke to their belonging; that they had created such a robust community asserted their long roots in Virginia and their connections to society at large. It would be difficult indeed to disregard such a group.

The language of the petition also alludes to the fact that the members of the congregation had been already meeting independently for some time in “private Houses.” Clearly, they already understood *themselves* to be a congregation. They had been choosing their own members, leaders, and interpretations of scripture for some time. In petitioning, they sought white legal

⁷⁷ Penningroth, *Before the Movement*, 120.

⁷⁸ Jones, *Birthright Citizens*, 71-73.

⁷⁹ Penningroth, *Before the Movement*, 128.

recognition in order to protect what was in actuality already a community based on Black recognition. Though further records of the petitioners and their church have not survived, it seems likely they were rejected by the state Assembly.⁸⁰ This does not diminish the importance of the petitioner's actions or underscore what they still accomplished through petitioning. The act of merely writing out their plan for the church made them into a recognizable legal body, even if the erection of a physical church was rejected. The power of the written word shouldn't be overlooked in early Black legal history: the performance of applying to the mayor and chief of police, of receiving local approval and giving local notice, and entrenching the existence of their congregation into the written word, if not into the physical realm, made them visible members of a local organization – and one which hinged on their own identification of their congregation.⁸¹ This was a powerful means of proving to local officials their membership and belonging in the community, once again undercutting legislation seeking to remove and limit the free population. Even if the state refused their proposal, these petitioners had notified and performed the act of legal association for locals. This way, they could keep worshipping in the “private Houses” they had historically used; the community they had built and recognized would continue to act autonomously.

Why was the petition rejected? Perhaps because of lingering anxiety post-Gabriel, or of freshly renewed religious concerns post-Vesey to the south. Likely, the petition was rejected because of the enormous symbolic value of physically taking up land, as petitioners requested for

⁸⁰ The “First African Baptist Church” was established in Richmond in 1841, eighteen years after this petition. Various other churches and congregations existed in Richmond pre-Civil War (See Ulrich Troubetzkoy, *Richmond, City of Churches*) and I wouldn't disregard the possibility that this petition created the African Church of Manchester (est. 1823). Given that the bill from the 1823 petition was proposed December 10, 1823, however, the timeline seems a bit tight to be sure. The limited publications on this source also assume the petition's rejection.

⁸¹ Penningroth, *Before the Movement*, 38.

the building of a church. The act of land ownership was a powerful rebuttal against the ideology of colonization societies and a symbol of citizenry; to own land indicated you were genuinely free, your own master and dependent on no other.⁸² In the colonial era, to own land was the foundation to civil participation and personal pride – land requirements for voting rights are the classic example linking property to independence. Owning land also indicated one’s vested interest in the community, your intent to stay and your connection to the local economy. Free Black Virginians were, of course, excluded from the franchise in the 19th century, but to own land was symbolic of their commitment to the United States, their roots here, and their status as masters of themselves and their households. It was difficult to obtain land, both because of the difficulty of saving funds (especially if one had to purchase one’s own freedom) and because of the unwillingness of many whites to sell to Black buyers, but if achieved, it could combat the idea that Black Americans did not belong or could not succeed in North America. Richard Allan, a late 18th century abolitionist and Methodist preacher, advanced such colonization rebuttals, arguing the “land which we have watered with our tears and our blood, is now our mother country.”⁸³ Later, abolitionist David Walker would make a similar claim in his *Appeal to the Colored Citizens of the World*, in which he criticized the American Colonization Society.⁸⁴ Walker denounced that colonization advocates sought to “drive us from our property,” which

⁸² Richard S. Newman, “‘We Participate in Common’: Richard Allen’s Eulogy of Washington and the Challenge of Interracial Appeals,” *The William and Mary Quarterly* 64, no. 1 (2007), 123.

⁸³ As Quoted in Chris Apap, “‘Let No Man of Us Budge One Step’: David Walker and the Rhetoric of African American Emplacement,” *Early American Literature* 46, no. 2 (2011), 333.

⁸⁴ Walker was a member of the Reverend Samuel Snowden’s Methodist church and generally affiliated with the AME church in Boston, Massachusetts. Biblical allusions are prominent in his *Appeal*, signifying the nationwide import of religion in the rhetorical battle against colonization societies. Walker advocated that Black knowledge, through education and religion, terrified white people as the strongest means of countering stereotypes of inferiority and subservience.

“we have enriched.” If property ownership and land improvement were the markers of wealth in America, Walker argued that Black Americans were the ones to create the American economic landscape (a double entendre). Walker published his appeal in 1829; six years earlier, the Baptist congregants were seeking the protection and rights of property ownership in their own petition. Church property rights may have been even more powerful than individual freeman’s property rights: it was, as explored above, a communal right, which members of the congregational community could all lay claim to as proof of belonging.⁸⁵ It could be protected by the church as an entity, a legally recognized body unlike an individual freeman.⁸⁶ Further, it made their worship officially recognized in a sacred space, granting them further legitimacy and authority over their spiritual lives and interpretations. This act of taking up land for worship was thus especially charged with power.

From this petition, then, it is evident that Black Virginians were highly knowledgeable of the law and how to navigate it, forming powerful legal associations to act on their behalf and to give themselves ties to the land and community around them to combat colonization. Religious statutes proved harder to evade than secular residency laws, but nonetheless petitioners performed what white legislators believed to be the steps of religious legitimacy (seeking state recognition), and through that made their own spaces more visible and retained autonomy. These communities had long already existed and were defined by their Black members, not white recognition, but through their petitions, congregants carved visible spaces of their autonomy.

By protecting their autonomy through legal recognition, the petition indicates that perhaps the regulation of religious access was diminishing in the 1820s with temporal distance

⁸⁵ Jones, *Birthright Citizens*, 73.

⁸⁶ Penningroth, *Before the Movement*, 27.

from Gabriel's Rebellion. Though the filling of physical land was still too disruptive for white legislators to concede, religious authority was becoming more accessible. The Richmond Baptists had clearly been worshipping independently for some time under leaders which they elected themselves. Two decades had passed since Gabriel's rebellion ignited white suspicion. These anxieties were rekindled in 1831, however, and congregants once again had to defend their religious spaces.

In the brutal aftermath of Turner's rebellion, free people in Richmond continued seeking the written and visible protection of their communities. In 1834, a petition was sent to the Legislature of Virginia from eleven freemen requesting the rights to perform their own burial ceremonies. The petition begins with an acknowledgement that by an "act passed 15 March 1832 slaves, free negroes, and mulattoes are prohibited from preaching, exhorting, conducting or holding any assembly or meeting for religious" purposes. Echoing the petition from 1823, they lament that "being unable to procure white ministers to perform the usual ceremony in the burial of the dead," they hoped for the "passage of a law authorizing free persons of color as well as slaves to perform the ceremony." They offer to "obtain a license for that purpose from the pastor of the church to which they respectfully belong for a limited period" for such occasions.⁸⁷ It is possible that this is actually the very same congregation which petitioned for the erection of a physical Church in 1823: Isham Ellis, a prominent freeman from Richmond, signed both petitions across the ten-year gap.

Burial services, of course, carry a heavy emotional and spiritual toll for participations, but performing and carrying out services on their own also meant Black congregants were creating

⁸⁷ Free Persons of Color: Petition, 1834-12-17, Accession Number 36121, Box 279, Folder 89, Legislative Petitions Digital Collection, Library of Virginia, Richmond, VA.

their own sacred spaces, tying themselves to land and property through kinship, as well as claiming religious authority over the graveyard land and their own souls. In an era where Black bodies were often equated with property under slavery, this gave them recognized and charged authority over their own remains and souls, and by extension, over the land which they made sacred. Though perhaps not as visible as a Church space, their authority over graveyards and burials was thus a similar route for combating colonization ideology: they had family and history in North America, and ties to land they infused with sacred meaning.

The petitioners utilized their connections to other congregations in Richmond to apply pressure to the Legislature by bringing in white pastors: 11 of them signed the petition, endorsing the congregants' claim that they would seek a license from these pastors when the need for a burial should arise.⁸⁸ This web of Baptists, white and Black, made clear the ties which Black congregants had created in Richmond, thus protecting their rights to residency and worship there. Their easy assimilation into these biracial congregations gave them a better chance at evading the 1832 laws.

The petition also speaks to the rights that came with membership in an association – in this instance, associations formed by their own self-determination.⁸⁹ They exercised the rights of citizens within these memberships by choosing which pastors they followed (the abundance of white signatures attests to the freedom of choice they could exercise in picking a congregation), and on choosing Black leaders for themselves within these congregations. They would be electing who actually delivered the burial sermons and rites. Despite the façade of white control of their worship, then, the congregants would themselves have say over who lead them in the

⁸⁸ *Free Persons of Color: Petition*, 1834, Library of Virginia.

⁸⁹ Penningroth, *Before the Movement*, xxiii

most emotionally charged and sacred rituals. Thus, though seemingly bowing to the racial hierarchies which white legislators wanted to see, they actually were exercising a different kind of right within their own community.

The petitioners' bill was referred to the committee on courts of justice and the final verdict is uncertain, but the legislative response at all is still indicative of the power of community and religious authority. Williamsburg's congregation at this time had successfully regained visible autonomy, and the Richmond Baptists were clearly still worshipping and pressing for greater autonomy, making it difficult to determine how strictly the laws post-Turner were enforced statewide (especially as the years from initial legislation passed). The above hint that maybe this period was not such a 'reign of terror,' as some scholars are beginning to argue.⁹⁰ On the other hand, the note of the 1834 petitioners explicitly referencing the law and the (albeit temporary) shutdown of the historical Williamsburg church indicate it might have been fairly severe, for it was well known and felt. A final petition attests to the complexity of the religious landscape of free Black and white Virginians post-Turner.

Like Williamsburg, Petersburg was home to a robust and historic free Black population: by the end of the Civil War, there were 10,000 Black Virginians living in Petersburg, up to a third of whom were free before the war. It was the second largest free city in Virginia after Richmond.⁹¹ A petition echoing complaints similar to the Richmond congregation's efforts to perform their own burials came from Petersburg in 1839, attesting to the longevity of legislative anxieties post-Turner. The petitioners wrote for the Black congregants to "obtain the means of

⁹⁰ The phrase 'reign of terror' regarding the post-Turner period comes from Herbert Aptheker's *Nat Turner's Slave Rebellion*, 1966.

⁹¹ William D. Henderson, *The Unredeemed City: Reconstruction in Petersburg, Virginia 1865-1874* (Washington, D.C.: University Press of America, 1977)

marrying, burying, and baptizing persons of their color,” illegal under the “existing laws of the Commonwealth” and usually “performed by white ministers of the gospel.” They lamented that many white ministers “cannot be expected to perform these services, in addition to those which pertain to” their white flocks; additionally, many of the Black congregants were “extremely poor” and did not have the means to pay for these additional services. The petitioners requested “the Commonwealth to give permission to such free colored ministers of the gospel as they consider worthy of confidence, *authority*, upon their application” (emphasis mine) and assured the Legislature such services would be performed only in the daytime, with the caveat that the Legislature could “revoke the authority” when necessary.⁹²

Unlike the previous two petitions, this was written by the white congregants of Petersburg. Despite the change in authorship, it contains many of the same themes as the earlier petitions from Black congregants themselves – efforts to placate white fears by reassuring their knowledge of the laws, willingness to compromise on some levels to gain some autonomy, and an appeal to the community they had formed with white neighbors and worshippers. It also highlights that Black worship was still visible to white neighbors throughout the 1830s, despite statewide legislation seeking to eradicate it. Though it is impossible to tell who initiated this case from the records that survive, it is clear that the Black and white congregants of Petersburg were intimately aware of one another and their respective independent worship. The language of the white petitioners indicates that they viewed the Black worshippers as a separate entity, which was forced to employ white ministers but preferred to be led by their own. Perhaps the Black congregants had approached white neighborhood leaders to pursue this case, believing that white

⁹² Citizens: Petition, 1839-01-08, Accession Number 36121, Box 273, Folder 22, Legislative Petitions Digital Collection, Library of Virginia, Richmond, VA.

voices would garner greater sympathy and confidence within the legislature. If this is so, like the 1823 petition, Black congregants thus performed white expectations of legal recognition to write their autonomy and worship into existence; most importantly to their reality, the community in which they resided saw them as an autonomous congregation. The mayor, master of police, and almost 50 other whites signed the petition. Though the legislature rejected the petition in January 1839, the Black congregation had established their visibility and a degree of autonomy from white neighbors within Petersburg.

Part V: Reflection

The decade post-Turner was tumultuous, then. Anxiety over religious autonomy and its perceived connection to the erosion of the colonial categories of race and freedom was reaching a peak. Such fears had been growing since Gabriel's Rebellion some 40 years before, and legislators had increasingly sought to control Black worship over this period. By the 1840s, legislation inspired by Turner had been long passed and concluded, though to varying degrees of 'success.' Though the 1839 petition requesting merely temporary Black ministers was rejected, in 1841 the first African Baptist was established in Richmond. Clearly it is impossible to determine the efficacy or enforcement of these laws. It can be determined, however, that the religious autonomy of Black Virginians and violence had become increasingly connected in the white imagination during this period, but also that Black congregants attempted to mobilize their legal experience from residency petitioning – as well as their status as a legal body within a church – to protect their own religious spaces. This was often not successful at the state level, where white elites felt greater pressure to maintain the structures of slavery by making the experiences of freedom and religious authority exclusive to whites. It was, however, a clever

practice at the local level that entrenched regional norms of independent worship by notifying white neighbors and town officials.

From roughly 1800-1840, religious spaces were arenas of intense debate over autonomy, identity, and belonging. Religious authority – the right to interpret scripture and preach – was increasingly linked to slave rebellion. White legislators, desperate to preserve a Southern society which rested upon the institute of slavery, believed the solution to be the strict regulation of Black worship under white direction. Access to Christianity was wider than it had been historically, but only if it came through white interpretations which emphasized obedience and subservience. Black congregants, especially those of the rapidly growing population of freemen, were highly aware of the anxieties of white legislators and of their liminal positions in society. The denominations they had been increasingly drawn to over the late 18th century were already a threat to the status quo and thus the authority Black preachers had earned within these were especially likely to draw legal ire. Their knowledge of the law and experience in petitioning – gained from the necessity of residency petitioning – gave congregants a means to combat white nationhood ideologies and to preserve their autonomy. They borrowed many techniques from residency petitions: congregants included white testimonials and acknowledgements of the law to request state recognition of their belonging. They wrote into legal existence communities shaped by and lead by other Black Virginians, despite the increasingly strict legislation seeking to eliminate just such communities. The developing legal consciousness of free Black Virginians was thus mobilized in the religious sphere to create pockets of autonomy, belonging, and community locally. However, figures like the Reverend Dipper, who held positions of greater visibility and who came dangerously close to appropriating symbols of white citizenry – as a preacher, and as an authority figure selected by his community – were targets of greater vitriol

under increasingly restrictive laws. This was at the heart of early 19th century tensions: religious authority could be weaponized, both to protect or to combat the institution of slavery.

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