

## Digital Collections Search Tips



### ***VIRGINIA UNTOLD: THE AFRICAN AMERICAN NARRATIVE RECORD TYPES***

#### **Bills of Sale:**

Bills of sale are written agreements which convey title of property, such as an enslaved person, from seller to buyer. Bills of sale record the name of the seller, the names of enslaved persons being sold and their price, and the name of the buyer. Given that they involved a property transaction, bills of sale were commonly recorded and filed with deeds in the local court.

#### **Certificates of Importation:**

Beginning in 1778, slaveholders who brought slaves into Virginia were required to register the slaves with the county court and sign an oath agreeing not to bring slaves into the Commonwealth with the intent of selling them. Certificates of importation, sometimes entitled certificates of nonimportation, contain information whereby a slave owner swears that (s)he has not imported the slave from Africa and that (s)he has not brought the slave into Virginia with the purpose of selling the slave. The slave is sometimes named, but not always, and occasionally information is given as to age, birthdate, and the state the individuals are moving from.

#### **Cohabitation Registers:**

A cohabitation register, or as it is properly titled, *Register of Colored Persons...cohabiting together as Husband and Wife on 27th February 1866*, was the legal vehicle by which former slaves legitimized both their marriages and their children. The information about an individual person contained in a cohabitation register is particularly valuable as it is often the first time that a former enslaved person appeared officially in the public record and because of the extensive kinds of information that the register recorded. The surviving Virginia cohabitation registers recorded the name of the husband, his age, place of birth, residence, occupation, last owner, last owner's city or county of residence, the name of the wife, her age, place of birth, residence, last owner, last owner's city or county of residence, name of children with the ages of each, and the date of commencement of cohabitation.

A second type of register is often grouped together with the cohabitation registers but provides solely for the legitimization of children whose parents are no longer living together. The official title of this document

is *Register of Children of Colored Persons...whose Parents had ceased to cohabit on 27th February 1866*.

These registers were maintained separately than those for still-married couples and far fewer of them are known to survive. The information recorded is nearly identical to that of the cohabitation registers with the exception of the notation whether the children's mother was at that time living or deceased.

### **Colonization Records:**

Free African Americans were discouraged from remaining in Virginia because their presence was a contradiction of the concept of black slavery. Restrictive laws were passed to force free African Americans to leave the Commonwealth. This collection includes records from two agencies created by the General Assembly for the purpose of removing free African Americans to Liberia.

An act was passed in 1833 "making appropriations for the removal of free persons of color" to the western coast of Africa and established a board of commissioners charged with carrying out the provisions of the act. The Board of Commissioners for the Removal of Free Persons of Color records, 1833-1856, contain correspondence, lists, minutes, oaths, and resolutions. Included are lists of free blacks, lists of free blacks who emigrated to Liberia (including the name of the ship), lists of free blacks willing to emigrate, and resolutions to send money to the American Colonization Society and to those who transported the free blacks to Liberia. Also included is a report of the Board of Commissioners, 1835, containing a list of free blacks transported to Liberia and including their names, ages, and where they had lived in Virginia.

The Colonization Board of Virginia was created by an act of the General Assembly passed on April 6, 1853, (chap. 55, p. 58) and appropriations were made to help fund the voluntary transportation and removal of free blacks to Liberia or elsewhere in West Africa through the efforts of the Virginia branch of the American Colonization Society. Statutory members of the board included the Secretary of the Commonwealth, the Auditor of Public Accounts, the Second Auditor of Public Accounts, and four other competent members appointed by the Governor. An annual tax was levied on free black males between the ages of 21 to 55 to help finance the operations of the board. The first meeting of the board was held May 2, 1853. The Colonization Board was authorized to reimburse the agents of the Virginia Colonization Society for transportation costs only after satisfactory proof that the freedmen had already been transported out of the state. The Virginia Colonization Society arranged for the actual passage of free blacks, and at each meeting the board received affidavits for particular freedmen who had already been transported, along with evidence that the individuals were currently free or born of free parents, that they were residents of Virginia and that they had already been transported to Africa or that they had embarked to another state for transportation. The Board was required to keep a journal of its proceedings, showing all actions taken and monies disbursed, and was also required to submit a biennial report to the General Assembly showing the name, age, sex, and locality of each person removed. The board held its last meeting on August 14, 1858, after the preceding session of the General Assembly failed to extend its existence. The Virginia Board of Colonization journal of proceedings includes lists of the names and ages of free blacks transported from the Commonwealth to Africa, as well as the county, city, or borough from which they were transported, and in some instances also includes the name of the ship and names of former slave owners.

**Commonwealth Causes:**

Commonwealth causes are criminal court cases filed by the state government that consist primarily of warrants, summons, subpoenas, indictments, recognizances, and verdicts handed down by juries and other legal authorities in order to prosecute individuals who violated the penal code. Commonwealth causes commonly found in Virginia Untold include cases against slave owners who permitted their slaves to go at large without permission, as well as those involving free African Americans accused of remaining in the Commonwealth more than one year following emancipation. In 1806, the General Assembly passed a law stating that all emancipated slaves, freed after May 1, 1806, were required to leave the Commonwealth. Those who remained in the Commonwealth more than a year could be put on trial by the state, and if found guilty, would forfeit their right to freedom and be sold with the proceeds from the sale going to the state treasury.

**Coroner's Inquisitions:**

Coroner's Inquisitions are investigations into the deaths of individuals who died by a sudden, violent, unnatural, or suspicious manner, or who died without medical attendance. Documents commonly found in coroner's inquisitions include the inquisition, depositions, and summons. Information found in the inquisition include the name of the coroner, the names of the jurors, the name and age of the deceased if known, gender and race of the deceased, and when, how, and by what means the deceased came to his or her death. If the deceased was African American, the inquest would identify the deceased as an enslaved African American or free African American if known. If the deceased was an enslaved African American, the inquest would include, if known, the name of the slave---owner and the slave--owner's residence. Information found in the depositions will include the name of the deponent and his or her account of the circumstances that led to the death of the deceased. Unlike many other legal proceedings in Antebellum Virginia, enslaved African Americans were permitted to provide depositions for Coroners' Inquisitions.

**Deeds of Emancipation/Manumission:**

Deeds of emancipation and manumission state the name of the slave owner, the name of the slave to be freed, the date the slave shall achieve freedom, the date the manumission was proved or certified, and sometimes a reason why the owner decided to emancipate the slave. The two methods of relinquishing ownership of an individual differ only in that slave owners directly freed their enslaved property by manumission. Deeds of emancipation could be generated after the slave owner's death by those executing a last will and testament. This collection also includes court orders that record the date or age when enslaved persons were to be emancipated by deed as stipulated in an enslaver's will.

**Election Records:**

Election records consist of lists of voters by county, magisterial district, and sometimes precinct, who participated in elections. Names are recorded alphabetically by first letter of the surname (though last names

are not generally listed alphabetically within each letter). Elections held October 22, 1867, occurred while Virginia was under military rule and were the first elections in which African Americans were allowed to vote.

### **Fiduciary Records:**

Fiduciary records consist primarily of estate administrator settlements, estate inventories, dower allotments, estate divisions, estate sales, and guardian accounts. Information recorded includes the names of estate owners, list of personal property owned (including enslaved people), quantity and value of each item, and names of recipients of property. Some fiduciary records include additional information regarding enslaved people such as age, family relationships, physical/mental condition, sold to someone else, and if they were a runaway.

### **Free Negro Registrations:**

Acts passed by the Virginia Legislature in 1793 and 1803 required every "free negro" or "mulatto" to be registered and numbered in a book to be kept by the county clerk. This collection contains records involved in the registration process. The registration language and process varied across localities, thus the information and type of records may differ. Registration records found in this collection include numbered certificates that recorded the free person's name, sometimes age, a brief physical description, and the circumstances of the person's freedom or emancipation. If born free, a reference is sometimes made to the parents. If emancipated, the emancipating owner, place, and date may be mentioned. There are affidavits that were given by individuals affirming a free person's status, as well as written descriptions of free persons. In addition, there are registrations that are loose papers matching information found in the bound volumes of registered "free negroes" kept in the court house.

### **Free Negro Tax Records:**

Free Negro Tax Records include free negro tax lists and free negro delinquent tax lists. An act passed in 1801 by the Virginia Legislature required commissioners of the revenue annually to return a complete list of all free African Americans within their districts, with their names, sex, place of abode, and trades, and a copy of the list to be fixed at the courthouse door. Free negro delinquent tax lists records names of free African Americans returned delinquent and sometimes why returned, such as "no property," "removed," or "not found."

### **Freedmen's Contracts:**

The Bureau of Refugees, Freedmen and Abandoned Lands was a federal agency created by the Freedmen's Bureau Bill, passed on March 3, 1865. Also known as the "Freedmen's Bureau," this agency was responsible for aiding refugees of the Civil War, especially former slaves, in the areas of education, employment, and health care. Meant to last for only one year after the war, the Bureau was operational from June 1865 to December 1868. Contracts usually specify the dates of the expected employment, the occupation of the employee, expected wages and housing arrangements, and any rent that is to be paid to the employer.

Though the federal government generated these records, a few localities retained possession of these records in their courthouses after the dissolution of the Freedmen's Bureau.

### **Freedom Suits:**

Freedom suits are law suits initiated by slaves seeking to gain their freedom. Predominant documents found in freedom suits include petitions, records of suits, depositions, affidavits, and wills. They record slaves' arguments for freedom, acquisition of slaves by slave owners, slave ancestry, and relationships between slaves and slave owners. Slaves sued for emancipation in freedom suits based on the following: they were descendant(s) of a free female ancestor, occasionally a Native American; failure of slave owner(s) to abide by the 1778 slave nonimportation act; or claimed to have been freed by slave owner(s) by deed of emancipation or last will and testament.

### **Indentures of Apprenticeship:**

Indentures of apprenticeship are composed of indentures binding out free negroes, often children, to learn a particular trade or craft. These indentures may be written agreements between the family of the apprentice and those responsible for the indentured. Or, these documents may be generated by local agencies such as the Overseers of the Poor, binding out orphans or those who are considered a burden to the Commonwealth. The indentures of apprenticeship contain the name of the person or institution binding out, the person to whom bound, the name of the person being indentured, the length of the apprenticeship, and the responsibilities of the person taking on the indentured.

### **Judgments:**

Judgments contain civil suits that relate mainly to recovering debt owed to the plaintiff by the defendant. Should the defendant not have funds to repay the debt, the court ordered their property (including enslaved property) to be seized and sold to repay the debt owed to the plaintiff. Judgments also contain suits brought by enslaved people seeking to gain their freedom. See also Freedom Suits.

### **Legislative Petitions:**

Petitions to the General Assembly were the primary catalyst for legislation in the Commonwealth from 1776 until 1865. Public improvements, military claims, divorce, manumission of slaves, petitions for free African Americans to remain in the Commonwealth, division of counties, incorporation of towns, religious freedom, and taxation were just some of the concerns expressed in these petitions. The petitions often contain hundreds of signatures and are a useful tool in genealogical research. Frequently, the petitions contain supplementary support documents useful in research, including maps, wills, naturalizations, deeds, resolutions, affidavits, judgments, and other items.

**Petitions for Re-enslavement:**

An act passed by the Virginia legislature in 1806 required freed slaves to leave the Commonwealth within a year of being granted their freedom. In 1856 another act passed by the Virginia legislature allowed free persons of color who desired to remain in the Commonwealth to petition for re-enslavement and choose an owner and remain in the state. These petitions include the petitioner's name, previous owner, means of emancipation, and desired owner.

**Petitions to Remain in the Commonwealth:**

In 1806, the General Assembly passed a law to suppress the manumissions of slaves by tying emancipation with deportation. The law stated that all emancipated slaves, freed after May 1, 1806, who remained in the Commonwealth more than a year could be put on trial by the state, and if found guilty, would forfeit their right to freedom and be sold with the proceeds from the sale going to the state treasury. Individuals wishing to stay were to petition the legislature through the local county court. Beginning in 1837, freed slaves could petition the local courts for permission to remain in the Commonwealth. Often included in the petitions are the name of the petitioner, the circumstances of free status, and a request to remain in the county often with accompanying names of citizens who can testify to the free status or who support the request of the petitioner to remain.

**Public Claims:**

A public claim is a record remitted to the Auditor of Public Accounts by a locality or individual in order to obtain payment for services rendered to the state. The Auditor of Public Accounts is the chief auditor and accountant of the General Assembly Auditing Committee and is responsible for conducting audits on all state entities that handle state funds. The Auditor of Public Accounts is also responsible for ensuring proper payments to localities and that those payments are issued in accordance with established rules and procedures. The public claims found in Virginia Untold involve pre-1865 enslaved people and free African Americans. During the antebellum period, the General Assembly passed increasingly restrictive laws in response to white fears of slave crime and insurrection. Procedures were established to compensate slaveholders for the loss of their property when enslaved people ran away or were imprisoned or executed. Some condemned enslaved people were transported beyond the state's boundaries to Africa. The American Colonization Society chartered ships to transport free African Americans and condemned enslaved people to Liberia. The records contain affidavits, bonds, correspondence, local court records, death warrants, estate files, powers of attorney, receipts, sheriff certificates, and valuations of enslaved people and free African Americans convicted for capital crimes and sentenced to be executed or transported from the United States.

**Requisitions for Public Use:**

Virginia enacted legislation during the Civil War era to requisition free persons of color and enslaved people to work on fortifications and other works of the public defense around the Commonwealth. The records found in this collection include requisition lists filed in local courts and payroll records of the Virginia Engineer

Department. Information found in these records include names of free persons of color and enslaved people, locality of origin, occupation, location of fortification, names of enslavers, and monetary value of enslaved people.

**Runaway Slaves Records:**

The Runaway Slaves Records, 1794, 1806-1863, include accounts, correspondence, receipts, and reports concerning expenses incurred by localities related to the capture of enslaved people attempting to escape to freedom. Localities were reimbursed for the expenses of confining, feeding, and selling of runaway enslaved people. Once the enslaved person was sold, the money was used to pay off the expenses, and the net proceeds were sent to the Auditor of Public Accounts and deposited into the commonwealth's Literary Fund for public education. The collection also includes records that contain information related to enslaved people from multiple localities who escaped to United States military forces during the Civil War.