ABSTRACT

Title of Dissertation:	"IF I AM FREE MY CHILD BELONGS TO ME": BLACK MOTHERHOOD AND MOTHERING IN THE ERA OF EMANCIPATION
	Jessica Wicks-Allen, Doctor of Philosophy, 2022
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Black women's reproduction was foundational to Atlantic slave societies because it produced future laborers and profits for slaveholders. Although the commodification of bondwomen's children generated grief, loss, and violence, enslaved women constructed individual and collective practices of motherhood that challenged that commodification. As emancipation reconfigured the social order, black women's and children's bodies and labor acquired dramatically new meanings. From the standpoint of former slaveholders, black women's reproductive capacity and offspring were no longer assets but encumbrances. Meanwhile, emancipation meant that freedwomen could exercise parental rights that had previously been denied. These shifts raise questions about how motherhood and childrearing informed black women's transition from slavery to freedom in the U.S. South.

The dissertation argues that black women's identities as mothers profoundly affected how they experienced and negotiated freedom. Black mothers sought to exercise self-determination by defining motherhood on their own terms, gaining control over their reproduction, and rearing

their children as they saw fit. To achieve these ends, they demanded remunerative employment, custody of their children, protection from violence, child support, education for their progeny, and personal dignity. Reconstituting family and protecting the welfare of their children animated formerly enslaved women's pursuit and definition of freedom. Whereas formerly enslaved women's reproductive capacity and children had been assets under slavery, in freedom they became undesirable to employers, generating a whole new set of constraints for black mothers, who, as a result, faced employment discrimination and poverty. In response to these circumstances, newly freed mothers developed a politics of mutual vulnerability that stressed collectivity rather than individualism. If motherhood engendered vulnerability, the embrace of relationality served as a source of black maternal empowerment.

While building on previous scholarship that has examined emancipation through the lens of gender, the dissertation deploys a more specific social location—motherhood—to bring black women's politics into sharper focus, emphasizing the ways in which ex-slave women made and remade freedom through kinship and care work. In so doing, it also reveals that motherhood remained a site of black subjugation, albeit in new ways.

“IF I AM FREE MY CHILD BELONGS TO ME”: BLACK MOTHERHOOD AND MOTHERING IN THE ERA OF EMANCIPATION

by

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To Oakland

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Abbreviations

BRFAL	Bureau of Refugees, Freedmen, and Abandoned Lands
FSSP	Freedmen and Southern Society Project, University of Maryland, College Park (with the project's identification number)
NARA	National Archives and Records Administration, Washington, DC
RG	Record Group

Introduction

As Union forces occupied the South Carolina sea islands in November 1861, the white residents retreated to the mainland, leaving behind their plantations and slaves. The "negroes . . . wild with joy at the defeat of the Rebels," as one observer described them, "poured into Union lines from all directions," believing that the soldiers were their "protectors and friends." Among those who sought the army's protection was "[a] huge negress . . . striding along with her hominy pot, in which was a live chicken, poised on her head." The barefoot woman toted a "child . . . on her back, with its arms clasped around her neck, and its feet about her waist, and under each arm was a smaller child." The woman's apron was "filled with articles of clothing." A "little yellow dog" and a "half-grown pig" trotted by her side. For her and hundreds of others, "the day of jubilee had come."[1]

The woman with the hominy pot was one of innumerable mothers who claimed their freedom during the era of emancipation. As she emerged from slavery, there were her children, clinging to her person as if they were an extension of herself. Together, they embodied the intimate relationship between ex-slave mothers and their children. As she strode toward Union military lines, the woman hurried along with all that she could carry. Her few personal items bore witness to the meager resources with which black mothers started their new lives in freedom. The white observer perceived her, with her children and scant possessions, as "grotesque," but everything she carried attested to her purpose. Each item was critical to the task of mothering. In the pot, potatoes, pork, and vegetables could be brought to a boil to stave off hunger. The extra clothing could mean the difference between freezing and surviving the ensuing winter. By selling the chicken or the pig, perhaps she could earn a few dollars to establish

[1] Elizabeth Hyde Botume, *First Days amongst the Contrabands* (Boston: Lee and Shepard Publishers, 1893), 15.

something that resembled a home. The items she carried reflected her determination to ensure her family's survival. The woman with the hominy pot offers a glimpse into ex-slave mothers' visions and practices of freedom. As she threw off the yoke of bondage, she sought not only bodily autonomy but to better the lives of her progeny. Motherhood inspired her quest for self-possession.[2]

This scene illustrates many central concerns of this dissertation. "'If I Am Free My Child Belongs to Me': Black Motherhood and Mothering in the Era of Emancipation" investigates how mothering, motherhood, and the ability to bear children informed black women's transition from slavery to freedom. It traces how pregnant women and women with children fit into the new labor system, navigated involuntary child apprenticeship, negotiated custody and childrearing responsibilities with the fathers of their children, and established broader systems of support. It also unearths freedpeople's constructions of motherhood by examining their attitudes toward childrearing, notions of proper mothering, and the roles prescribed for mothers and their children.

Black women's reproduction was foundational to Atlantic slave societies because it produced future laborers and profits for slaveholders. Although the commodification of bondwomen's children generated grief, loss, and violence, enslaved women constructed individual and collective practices of motherhood that challenged that commodification.[3] As

[2] My interpretation is inspired by Tiya Miles, *All That She Carried: The Journey of Ashley's Sack, A Black Family Keepsake* (New York: Random House, 2021), in which Miles poetically narrates the story of an enslaved woman named Rose who filled a sack with pecans, a braid of her hair, and a dress for the daughter from whom she was about to be separated forever. "It be filled with my love always," Rose told the child.

[3] Enslaved motherhood has received considerable scholarly attention. Major works include Marie Jenkins Schwartz, *Birthing a Slave: Motherhood and Medicine in the Antebellum South* (Cambridge MA: Harvard University Press, 2006); Sasha Turner, *Contested Bodies: Pregnancy, Childrearing, and Slavery in Jamaica* (Philadelphia: University of Pennsylvania Press, 2017); Wilma King, "'Suffer with Them Till Death': Slave Women and Their Children in Nineteenth-Century America," in *More than Chattel: Black Women and Slavery in the Americas,* ed. David Barry Gaspar and Darlene Clark Hine (Bloomington: Indiana University Press, 1996), 147–168; Deborah Gray

emancipation reconfigured the social order, black women's and children's bodies and labor acquired dramatically new meanings. From the standpoint of former slaveholders, black women's reproductive capacity and offspring were no longer assets but encumbrances. Meanwhile, emancipation meant that freedwomen could exercise parental rights that had previously been denied. These shifts raise questions about how motherhood and childrearing informed black women's experience in the U.S South during the Civil War and its aftermath.

This dissertation shows that black women's identities as mothers profoundly affected how they experienced and negotiated freedom. Formerly enslaved mothers' politics developed out of the practices and imperatives of motherhood. Black mothers sought to exercise self-determination by defining motherhood on their own terms, gaining control over their reproduction, and rearing their children as they saw fit. To achieve these ends, they demanded remunerative employment, custody of their children, protection from violence, child support, education for their progeny, and personal dignity. Reconstituting family and protecting the welfare of their children animated formerly enslaved women's pursuit and definition of freedom.[4]

White, *Ar'n't I a Woman? Female Slaves in the Plantation South* (New York: Norton, 1985), 91, 99-100, 105-106, 109-114, 159, 170-172, 180-181. The most recent work on the subject appears in Camillia Cowling, Maria Helena Pereira Toledo Machado, Diana Patton, and Emily West, eds., *Motherhood, Childlessness, and the Care of Children in Atlantic Slave Societies* (New York: Routledge, 2020). Reproductive resistance is an important thread in this literature. See Thelma Jennings, "'Us Colored Women Had to Go Through a Plenty': Sexual Exploitation of African-American Slave Women," *Journal of Women's History* 1, no. 3 (1990): 45–74; Liese M. Perrin, "Resisting Reproduction: Reconsidering Slave Contraception in the Old South," *Journal of American Studies* 35, no. 2 (2001): 255–274; Emily West and Erin Shearer, "Fertility Control, Shared Nurturing, and Dual Exploitation: The Lives of Enslaved Mothers in the Antebellum United States," *Women's History Review* 27, no. 6 (2018): 1006-1020; Jessica Millward, *Finding Charity's Folk: Enslaved and Free Black Women in Maryland* (Athens: University of Georgia Press, 2015), 21- 28.

[4] For ex-slave mothers, freedom was not predicated on an unencumbered self, but on being with and in relation to. My understanding of black mothers' politics is informed by maternal theorist Mielle Chandler, who insists that mothering "creates one's identity as intertwined, interconnected, and in-relation." See Chandler, "Emancipated Subjectivities and the Subjugation of Mothering Practices," in *Maternal Theory: Essential Readings,* ed. Andrea O'Reilly (Toronto: Demeter Press, 2007), 529-542 (quotation on 531). I follow the lead of those who define the political expansively to include daily acts of resistance and survival. See, for example, Robin D. G. Kelley, *Race Rebels*: *Culture, Politics, and the Black Working Class* (New York: Free Press, 1996); Sharon Romeo, *Gender and*

Unlike their counterparts in other New World slave societies that continuously imported African slaves, mainland North American slaveholders had begun to rely on the natural increase of the slave population sometime in the eighteenth century. The legal principle *partus sequitur ventrem*, first adopted in colonial Virginia and later codified in the other colonies, established that children followed the condition of their mothers.[5] Each child born to an enslaved woman inherited its mother's slave status, thereby enlarging her master's property. To increase their wealth and their labor force, slaveholders actively encouraged black reproduction with both the carrot and the stick.[6] The inheritability of their enslaved status forced mothers to live with the

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the Jubilee: Black Freedom and the Reconstruction of Citizenship in Civil War Missouri (Athens: University of Georgia Press, 2016); Stephanie M. H. Camp, *Closer to Freedom: Enslaved Women and Everyday Resistance in the Plantation South* (Chapel Hill: University of North Carolina Press, 2004).

[5] See Jennifer L. Morgan, "*Partus sequitur ventrem*: Law, Race, and Reproduction in Colonial Slavery," *Small Axe* 22, no. 1 (2018): 1-17; Camillia Cowling, *Conceiving Freedom: Women of Color, Gender, and the Abolition of Slavery in Havana and Rio de Janeiro* (Chapel Hill: University of North Carolina Press, 2013), 53-59.

[6] Slaveholders encouraged reproduction with material incentives such as additional food or lightened workloads. In rare cases, especially fertile women were exempt from labor altogether. See White, *Ar'n't I a Woman,* 99-101. Reproduction sometimes served as a bargaining chip for enslaved women, but slaveholders' investment in their reproduction also constituted heightened exploitation. Deirdre Cooper Owens has shown that slaveholders who were eager to increase births among their slaves consulted medical doctors who often experimented on black women's bodies. See Owens, *Medical Bondage: Race, Gender, and the Origins of American Gynecology* (Athens: University of Georgia Press, 2017). Lactating mothers were sometimes sold and rented as wet nurses. See Stephanie E. Jones-Rogers, *They Were Her Property: White Women as Slave Owners in the American South* (New Haven, CT: Yale University Press, 2020), chap. 5. On reproduction, see White, *Ar'n't I a Woman?*, 31-32, 67-70, 80, 87, 99-100; Cheryll Ann Cody, "Naming, Kinship, and Estate Dispersal: Notes on Slave Family Life on a South Carolina Plantation, 1786 to 1833," *William and Mary Quarterly* 39, no. 1 (1982): 192-211; Kathleen Brown, *Good Wives, Nasty Wenches, and Anxious Patriarchs: Gender, Race, and Power in Colonial Virginia* (Chapel Hill: University of North Carolina Press, 1996); Edward Baptist, "'Cuffy,' 'Fancy Maids,' and 'One-Eyed Men': Rape, Commodification and the Domestic Slave Trade in the United States," *American Historical Review* 106, no. 5 (2001): 1619-1650; Richard Follett, "'Lives of Living Death': The Reproductive Lives of Slave Women in the Cane World of Louisiana," *Slavery & Abolition* 26, no. 2 (2005): 289–304; Daina Ramey Berry, *Swing the Sickle for the Harvest Is Ripe: Gender and Slavery in Antebellum Georgia* (Urbana: University of Illinois Press, 2007) and *The Price for Their Pound of Flesh: The Value of the Enslaved, from Womb to Grave, in the Building of a Nation* (Boston: Beacon 2017). My thinking is especially indebted to Jennifer L. Morgan, whose study of the exploitation of enslaved women as workers and reproducers sparked my interest in this project. See Morgan, *Laboring Women: Reproduction and Gender in New World Slavery* (Philadelphia: University of Pennsylvania Press, 2004). There is a general consensus that enslaved women were valued for both their productive and reproductive labor, but scholars debate the extent to which slave breeding was practiced. For samples of this debate, see Gregory Smithers, *Slave Breeding: Sex, Violence, and Memory in African American History* (Gainesville: University Press of Florida, 2001); Thomas Foster, *Rethinking Rufus: Sexual Violations of Enslaved Men* (Athens: University of Georgia Press, 2019); Eddie Donoghue, *Black Breeding Machines: The Breeding of Negro Slaves in the Diaspora* (Bloomington IN: AuthorHouse, 2008); Robert William Fogel and Stanley L. Engerman, *Time on the Cross: The Economics of American Negro Slavery* (New York: W. W. Norton & Co., 1974), 78-79; Richard G. Lowe and Randolph B.

reality that the institution of slavery was produced through their wombs. Given these constraints, maternal love often coexisted with more ambivalent attitudes toward motherhood among enslaved women.[7]

Whereas formerly enslaved women's reproductive capacity and children had been assets to slaveowners, in freedom they became undesirable to employers. This shift in valuation generated a new set of constraints for black mothers, who, as a result, faced employment discrimination, destitution, child mortality, and forced apprenticeship of their children. Slaveholders-turned-employers, who no longer profited from black women's offspring, perceived pregnancy and small children as hindrances to black women's productivity. Such logics frustrated black mothers' efforts to find employment. Even when work could be found, wages proved paltry. These socioeconomic realities engendered cycles of female poverty and contributed to poor health outcomes for freed mothers and their children. Adding insult to injury, poverty justified involuntary apprenticeship and the denial of freedwomen's parental rights. In emancipation, motherhood remained a site of black subjugation, albeit in new ways.

The constraints that accompanied freedom did not break the will of black mothers. In response to these circumstances, freed mothers developed a politics of mutual vulnerability that stressed the importance of collectivity rather than individualism. Mutual vulnerability is the notion that human beings are vulnerable to one anothers' actions because we are socially and ecologically interconnected and interdependent. Black mothers' recognition of this reality

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Campbell, "The Slave-Breeding Hypothesis: A Demographic Comment on 'Buying' and 'Selling' States," *Journal of Southern History* 42, no. 3 (1976): 401-412; Claire Robertson, "Africa in the Americas? Slavery and Women, the Family, and the Gender Division of Labor," in *More than Chattel: Black Women and Slavery in the Americas,* ed. David Barry Gaspar and Darlene Clark Hine (Bloomington: Indiana University Press, 1996), 3-42.

[7] On enslaved women's attitudes toward motherhood, see West and Shearer, "Fertility Control, Shared Nurturing, and Dual Exploitation," 1008; Morgan, *Laboring Women,* chap. 4; Barbara Bush, *Slave Women in Caribbean Society, 1650-1838* (Bloomington: Indiana University Press, 1990), 120-149; Maria Rosa Cutrufelli, *Women of Africa: Roots of Oppression* (London: Zed Press,1983), 180.

encouraged cooperation. Mothers banded together and drew support from kin and communities upon which they relied to assist in the day-to-day tasks of childrearing, to insulate themselves from eviction and labor exploitation, to safeguard their progeny from violence, and to aid their protests against apprenticeship. These networks proved critical to both survival and the ability to secure the entitlements of freedom. If motherhood engendered vulnerability, the embrace of relationality served as a source of black maternal empowerment.[8]

In the last several decades, scholars have devoted increasing attention to the intersections of race, gender, and emancipation, yielding new insights into the lives of black women.[9] Work is needed, however, that teases out the differences among freedwomen based on their various social locations. Not only was emancipation gendered, but freedwomen's identities as mothers critically shaped their experiences. Women who could not or did not bear children experienced

[8] Here my thinking has been shaped by *Black Feminism Reimagined,* in which Jennifer C. Nash posits that "a commitment to mutual vulnerability constitutes a commitment to be intimately bound to the other (or to others), to refuse boundaries between self and other." Nash, *Black Feminism Reimagined: After Intersectionality* (Durham, NC: Duke University Press, 2019), chap. 4 (quotation on 116). Building on Nash, I am suggesting that mothers embraced, rather than eschewed, their interconnectedness not only with their children but with other kin and community members and that this worldview found expression in their maternal practices and politics.

[9] Relevant works include Stephanie McCurry, *Women's War: Fighting and Surviving the Civil War* (Cambridge, MA: Harvard University Press, 2019); Thavolia Glymph, *Out of the House of Bondage: The Transformation of the Plantation Household* (New York: Cambridge University Press, 2008); Romeo, *Gender and the Jubilee*; Nancy Bercaw, *Gendered Freedoms: Race, Rights, and the Politics of Household in the Delta, 1861-1875* (Gainesville: University Press of Florida, 2003); Thavolia Glymph, *The Women's Fight: The Civil War's Battles for Home, Freedom, and Nation* (Chapel Hill: University of North Carolina Press, 2020), chaps. 3 and 7; Martha Hodes, "The Sexualization of Reconstruction Politics: White Women and Black Men in the South after the Civil War," *Journal of the History of Sexuality* 3, no. 3 (1993): 402–417; Mary Farmer-Kaiser, *Freedwomen and the Freedmen's Bureau: Race, Gender, and Public Policy in the Age of Emancipation* (New York: Fordham University Press, 2010); Mary Farmer-Kaiser, "'Are They Not in Some Sorts Vagrants?': Gender and the Efforts of the Freedmen's Bureau to Combat Vagrancy in the Reconstruction South," *Georgia Historical Quarterly* 88, no. 1 (2004): 25–49; Noralee Frankel, *Freedom's Women: Black Women and Families in Civil War Era Mississippi* (Bloomington: Indiana University Press, 1999); Leslie A. Schwalm, *A Hard Fight for We: Women's Transition from Slavery to Freedom in South Carolina* (Urbana: University of Illinois Press, 1997); Carol Faulkner, *Women's Radical Reconstruction: The Freedmen's Aid Movement* (Philadelphia: University of Pennsylvania Press, 2004); Laura F. Edwards, *Gendered Strife and Confusion: The Political Culture of Reconstruction* (Urbana: University of Illinois Press, 1997); Catherine Clinton and Nina Silber, eds., *Divided Houses: Gender and the Civil War* (New York: Oxford University Press, 1992); Crystal N. Feimster,"'What If I Am a Woman': Black Women's Campaigns for Sexual Justice and Citizenship," in *The World the Civil War Made,* ed. Gregory P. Downs and Kate Masur (Chapel Hill: University of North Carolina Press, 2015), 249–268; Catherine Clinton, "Bloody Terrain: Freedwomen, Sexuality and Violence during Reconstruction." *Georgia Historical Quarterly* 76, no. 2 (1992): 313–332.

freedom differently than those who were mothers. Using motherhood as a frame of analysis, this dissertation adds nuance to discussions of gender and emancipation by rendering more visible the differences among black women's experiences.

Some recent work on emancipation that features black mothers has used their lives as windows into issues other than what it meant to mother in the emancipation South. Adam Rothman's *Beyond Freedom's Reach,* for example, tells the story of Rose Herera, whose children were kidnapped and taken to Cuba during the war, and her struggle to reunite with them during Reconstruction.[10] His microhistory yields important insights about the southern legal system and demonstrates the transnational character of the war and emancipation but offers limited analysis of mothers and mothering. While this dissertation aims to complicate our understanding of the process of emancipation by shedding greater light on its contingencies, its principal goal is to demarginalize black mothers by placing their lives at the interpretive center and narrating history from their vantage. It centers them for what doing so may reveal about them and about what they experienced and desired.

Historians have recognized the centrality of kinship to black conceptualizations and practices of freedom and, in so doing, have often discussed motherhood.[11] Books and articles on black women in particular states or localities have given the most sustained attention to mothers and motherhood. Many of them have depicted motherhood as central to black women's identities

[10] Adam Rothman, *Beyond Freedom's Reach: A Kidnapping in the Twilight of Slavery* (Cambridge, MA: Harvard University Press, 2015).
[11] See, for example, Herbert G. Gutman, *The Black Family in Slavery and Freedom*, *1750-1925* (New York: Pantheon, 1976); Jacqueline Jones, *Labor of Love, Labor of Sorrow: Black Women, Work, and the Family, from Slavery to the Present* (New York: Basic Books, 1985), chaps. 2 and 3; Mary Niall Mitchell, *Raising Freedom's Child: Black Children and Visions of the Future after Slavery* (New York: New York University Press, 2008), chap. 4; Abigail Cooper, "'Away I Goin' to Find My Mamma': Self-Emancipation, Migration, and Kinship in Refugee Camps in the Civil War Era," *Journal of African American History* 102, no. 4 (2017): 444–467; Barry A. Crouch, "The 'Chords of Love': Legalizing Black Marital and Family Rights in Postwar Texas," *Journal of Negro History* 79, no. 4 (1994): 334–351; Catherine Jones, *Intimate Reconstructions: Children in Postemancipation Virginia* (Charlottesville: University of Virginia Press, 2015).

and thus to their experiences during the transition from slavery to freedom. Sharon Romeo, for example, has shown that during the Civil War, Missouri freedwomen, who were especially concerned with asserting bodily integrity, used military courts to protest the kidnapping of their children. This pursuit of justice, she argues, set a precedent for claims they would later make to the Freedmen's Bureau. Susan O'Donovan has demonstrated that motherhood also informed the politics of black women in southwest Georgia. Because the free labor system advantaged men, she argues, formerly enslaved women demanded that black men bargain on behalf of their families in contract negotiations, vesting their husbands, fathers, and brothers with authority over their labor in order to achieve economic security for themselves and their children. In her study of black women in Mississippi, Noralee Frankel argues that "[d]uring slavery and after the war, motherhood, which signified the end of childhood and passage into adulthood, raised women's status within African American communities."[12] Motherhood has thus been a theme within the scholarship, but only in the context of other major ideas.[13] By unearthing freedwomen's constructions and practices of motherhood, this dissertation brings their politics into sharper focus, emphasizing the ways in which ex-slave women made and remade freedom through the

[12] Romeo, *Gender and the Jubilee,* chap. 4; Susan Eva O'Donovan, *Becoming Free in the Cotton South* (Cambridge, MA: Harvard University Press, 2007), 190-200; Noralee Frankel, *Freedom's Women: Black Women and Families in Civil War Era Mississippi* (Bloomington: Indiana University Press, 1999), 125. For other studies of black women during the transition from slavery to freedom, see Leslie A. Schwalm, *A Hard Fight for We*; Tera W. Hunter, *To 'Joy My Freedom: Southern Black Women's Lives and Labors after the Civil War* (Cambridge, MA: Harvard University Press, 1997), chaps. 1- 2.

[13] To date, Leslie A. Schwalm's "U.S. Slavery, Civil War, and the Emancipation of Enslaved Mothers," *Slavery and Abolition* 38, no. 2 (2017): 392-407, is the only article focused on black mothers and emancipation during the Civil War and Reconstruction. No book-length study of the period has used motherhood as its central frame of analysis. Scholars of black women's emancipation in earlier periods have shown that kinship broadly and motherhood specifically were constitutive of free(d) black women's politics. See Crystal Lynn Webster, "In Pursuit of Autonomous Womanhood: Nineteenth-Century Black Motherhood in the U.S. North," *Slavery and Abolition* 38, no. 2 (2017): 425-440; Jessica Marie Johnson, *Wicked Flesh: Black Women, Intimacy, and Freedom* (Philadelphia: University of Pennsylvania Press, 2020); Millward, *Finding Charity's Folk*, chaps. 2-3; Erica Armstrong Dunbar, *A Fragile Freedom: African American Women and Emancipation in the Antebellum City* (New Haven, CT: Yale University Press, 2008), 50-52. I build on their work in addition to studies on the Civil War era. By exploring what the intimate bonds between mothers and their children brought to bear on freedwomen's politics during and after the Civil War, this dissertation allows for comparison and a fuller understanding of black women's historical relationship to mothering and motherhood across time.

practice of kinship and care work.

Ex-slave mothers embarked on the rugged journey to freedom with histories that continued to shape their desires, practices, and worldviews. Slavery and its violence left an indelible imprint on their lives. Their emancipation thus cannot be understood without knowing something of their experiences of bondage. Historian Susan O'Donovan has recently urged emancipation scholars to consider more fully what the experiences of the enslaved brought to bear on freedom and its meanings. This dissertation heeds her call by regularly looking back toward slavery to make meaning of ex-slave mothers' definitions and practices of freedom, thereby bridging the historiographies of slavery and emancipation.[14]

The dissertation draws from an array of archival documents. The richest source base for reconstructing the lives of black mothers during this era is the records of the Freedmen's Bureau. In March 1865, Congress established the Bureau of Refugees, Freedmen, and Abandoned Lands, commonly referred to as the Freedmen's Bureau, within the War Department. General O. O. Howard served as commissioner of the bureau, assistant commissioners were appointed to head the bureau in each of the former slave states, and army officers and local civilians served as bureau agents. The bureau was charged with supervising freedpeople's transition from slavery to freedom. It doled out rations, supervised labor agreements, helped reunite black families separated during slavery and the war, settled disputes, provided medical care, promoted education and marriage, and helped former slaves secure military bounties and pensions to which they were entitled. These activities were carried out at offices across the former slave states, and the breadth of their

[14] Susan O'Donovan, "Writing Slavery into Freedom's Stories," in *Beyond Freedom: Disrupting the History of Emancipation*, ed. David W. Blight and Jim Downs (Athens: University of Georgia Press, 2017), 26-38. Steven Hahn's study of black political struggles during this era reveals the hidden infrastructure blacks built during slavery that laid the foundation for political participation after emancipation. His scholarship, which makes evident the need to bridge the historiographies of slavery and emancipation, has also influenced my thinking about the relationship between slavery and freedom. Hahn, *A Nation Under Our Feet: Black Political Struggles in the Rural South from Slavery to the Great Migration* (Cambridge, MA: Harvard University Press, 2003).

activities brought many newly emancipated blacks into contact with bureau agents. Files of reports, correspondence, labor contracts, relief rolls, complaints, trial summaries, affidavits, apprenticeship indentures, and other documents provide descriptions of these encounters and of freedwomen's interactions with their own families and communities, employers, and other white southerners.[15] The voluminous records of the bureau constitute the dissertation's principal source base. It also draws from military records, accounts by northern missionaries, ex-slave autobiographies, ex-slave interviews conducted by the Works Project Administration and others, records of northern freedmen's aid societies, slaveholders' diaries, and southern newspapers.

Freedwomen were largely illiterate and therefore left few first-person accounts for historians to interrogate.[16] Consequently, this study draws primarily from documentation not authored by its historical subjects. In so doing, it recognizes and grapples with the methodological challenges of using archives in which black women have been "spectacularly violated, objectified, disposable, hypersexualized, and silenced," in the memorable words of Marisa Fuentes.[17] The fact

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[15] On the Freedmen's Bureau, see George R. Bentley, *A History of the Freedmen's Bureau* (Philadelphia: University of Pennsylvania Press, 1955); Paul A. Cimbala, *The Freedmen's Bureau: Reconstructing the American South after the Civil War* (Malabar, FL: Krieger Publishing, 2005); Paul A. Cimbala and Randall M. Miller, eds., *The Freedmen's Bureau and Reconstruction: Reconsiderations* (New York: Fordham University Press, 1999); Farmer-Kaiser, *Freedwomen and the Freedmen's Bureau*; Eric Foner, *Reconstruction: America's Unfinished Revolution, 1863-1877* (New York: Harper and Row, 1988), 142-170; William S. McFeely, *Yankee Stepfather: General O. O. Howard and the Freedmen* (New Haven, CT: Yale University Press 1968); Donald G. Nieman, *To Set the Law in Motion: The Freedmen's Bureau and the Legal Rights of Blacks, 1865-1868* (Millwood, NY: KTO Press, 1979). For studies of the bureau in particular states, see Paul A. Cimbala, *Under the Guardianship of the Nation: The Freedmen's Bureau and the Reconstruction of Georgia, 1865-1870* (Athens: University of Georgia Press, 1997); Barry A. Crouch, *The Freedmen's Bureau and Black Texans* (Austin: University of Texas Press, 1992); Randy Finley, *From Slavery to Uncertain Freedom: The Freedmen's Bureau in Arkansas, 1865-1869* (Fayetteville: University of Arkansas Press, 1996); William L. Richter, *Overreached on All Sides: The Freedmen's Bureau Administrators in Texas, 1865-1868* (College Station: Texas A&M University Press, 1991).

[16] This methodological challenge has meant that much of the scholarship has focused on white or elite constructions of black motherhood and on how the ideas and political agendas of military officials, Freedmen's Bureau agents, and other white northerners shaped black women's material realties. Few studies have considered black women's and black communities' own constructions of and perspectives on motherhood during and after the Civil War, a lacuna this dissertation addresses.

[17] Marisa J. Fuentes, *Dispossessed Lives: Enslaved Women, Violence, and the Archive* (Philadelphia: University of Pennsylvania Press, 2016), 5. Much of black women's lives is lost to obscurity, but Fuentes's work serves as a model for how to bring them into focus. The incompleteness, if not violence, of the traditional archive, discussed in

that these sources mute and distort black women's voices does not preclude their use in understanding black women's lives and experiences; reading them against the grain and probing their silences brings black women's lived realities into focus.

Rather than zeroing in on a specific locale or only a brief chronological period, this study treats mothers' experiences across the former slaveholding states from the beginning of the Civil War to the end of the nineteenth century. Casting a wide geographical and temporal net, the dissertation uses broad strokes to paint a picture of what it meant to mother in the emancipation-era South. Geopolitics created variation, and local circumstances certainly informed the lived experience of emancipation, but the South's racist policies, practices, and ideologies generated similar constraints and maternal practices across the region, which are emphasized here. Foregrounding the commonalities serves not to essentialize the black maternal experience, but to shed light on broad social realities and trends.

"If I Am Free, My Child Belongs to Me" is a history of black mothering—the labor and practices in which black women engaged for the well-being of children, including gestation, birth, and caregiving. At center stage are black mothers—women who engaged in such work. My conceptualization of mothering continues in the tradition of scholars who have conceived of mothers beyond biological terms to include all women who participated in the day-to-day tasks of raising and supporting children. Male caregivers receive attention at points, but the

Fuentes's study, is exemplified in a report from Freedmen's Bureau agent John William De Forest to a superior. "My letters to magistrates concerning freedmen's complaints were so numerous that I only recorded the most important," De Forest wrote, "leaving the vulgar herd of insignificant injuries to the uncertain labyrinths of my memory." John William De Forest, *A Union Officer in the Reconstruction,* ed. James H. Croushore and David Morris Potter (Hamden, CT: Archon Books, 1968), 40.

dissertation's primary focus is mothering as a women's activity; the aim is to unearth what it meant to engage in mothering at the nexus of a specific set of social locations.[18]

The dissertation is also a history of motherhood. Unlike mothering, which is defined by individual practices and qualities, motherhood is an institution. It is a set of ideals established socially to regulate behavior, operating both politically and ideologically, and is contextually specific. In short, it is what society says a mother ought to be and what she ought to do. Throughout the dissertation is an exploration of how ex-slave women negotiated motherhood, how they accepted, refused, and struggled to define it, and their successes and failures in those endeavors. A focus on motherhood is intended to capture the structural, ideological, and experiential oppression confronting black mothers within the context of emancipation. At the same time, it elucidates the process by which black women developed their own constructions of what it meant to be a mother.

The dissertation begins with a discussion of black mothers' experiences during the Civil War. Wartime emancipation was a fitful process, achieved differently across space and time. Taking advantage of wartime instability and the proximity of Union troops, enslaved men, women, and children fled southern farms and plantations in unprecedented numbers. Most of them headed to Union military lines in hopes of finding protection, food, and shelter. Chapter 1

[18] My definition of mothering has been informed by feminist discussions and definitions of reproductive labor. According to Stephanie Shaw, reproductive labor entails "all the tasks related to the generation of and maintenance of human life," including the "fostering of emotional and intellectual development, and the preparation of a child for his or her expected social roles." Shaw, "Mothering under Slavery in the Antebellum South," in *Mothering: Ideology, Experience, and Agency*, ed. Evelyn Nakano Glenn, Grace Chang, and Linda Rennie Forcey (New York: Routledge, 1994), 237-257 (quotation on 237). Others have noted that reproductive labor "include[s] various kinds of work—mental, manual, and emotional—aimed at providing the historically and socially, as well as biologically, defined care necessary to maintain existing life and to reproduce the next generation." Barbara Laslett and Johanna Brenner, "Gender and Social Reproduction: Historical Perspectives," *Annual Review of Sociology* 15 (1989): 381-404 (quotation on 383). "Mother," as maternal theorist Sarah Knott contends, is best understood as a verb rather than a noun, grounded in a socially constructed set of activities rather than biology. Knott, *Mother is a Verb: An Unconventional History* (New York: Penguin, 2020).

traces the fate of mothers who escaped slavery during the Civil War and sought freedom within Union-occupied parts of the South. It shows that motherhood affected women's decisions to flee, their reception in Union-held territory, and their prospects in the refugee camps to which they were generally consigned. Not only were mothers regularly denied protection, but the camps proved unconducive to black women's reproductive aspirations and left them and their children vulnerable to disease and death.

The question of labor was central to the project of emancipation. Reconstruction's architects set out to erect a free labor system to replace chattel slavery, touting the system for its power to transform ex-slaves into independent workers and citizens. As scholars have established, free labor's implementation and implications were deeply gendered. Chapters 2 and 3 build upon the existing scholarship but add nuance by exploring the relationship between motherhood, emancipation, and free labor. Chapter 2 traces how mothers survived in a labor system that devalued their labor. Across the South, female heads of household with young children were denied employment. When they could find work on plantations or in domestic service, the wages they received were meager, often nothing beyond food and housing. Freedwomen who lost time to pregnancy or childcare incurred fines, had their wages slashed, and were discharged. Black mothers combated the resulting poverty and destitution by leaning on the labor of older children, by making claims for custody and child support on the fathers of their children, and by attaching themselves to men who were willing to support their families. At times, freedwomen deployed their status as mothers to secure relief from governmental authorities, but generally they sought economic security by fashioning themselves as dependents and urging male kin to fulfill what they understood to be their obligations. By homing in on these relationships, the chapter brings into view black women's expectations of men as fathers.

Chapter 3 considers the childcare strategies upon which black mothers relied as they transitioned into free labor. Formerly enslaved women's relegation to low-wage positions in agricultural labor and domestic service required them to toil from sunup to sundown in order to provide for their families. To care for their children while they worked, black mothers turned to older children, hired caregivers, schools, orphan asylums, and community-based forms of childcare, but many of them were forced to leave their young children unattended. Without supervision, some children died or were harmed, a devastating outcome for mothers who were intimately bound to their progeny. The chapter argues that the new labor system thus visited upon freedwomen unique forms of violence when it failed to recognize them as both laborers *and* mothers.

Chapter 4 investigates black mothers' efforts to negotiate the terms of their parental rights. In the postwar South, freedwomen experienced difficulty claiming their children from former owners, resulting in pitched battles for custody. Focusing on these disputes, the chapter considers the claims ex-slave mothers used to win control of their children. In their claims-making, black mothers insisted that white guardianship did not improve the lives of African American children, as prevailing assumptions would have it, and exposed as false the myth that paternalism animated white southerners' pursuit of custody. With each complaint they made, freedwomen contributed to the heightened surveillance and condemnation of former slaveholders' misdeeds. At the same time, they represented themselves as superior guardians who were invested in the best interests of their children. Ultimately, the chapter argues that freedwomen sought to establish themselves as maternal authorities who were rights-bearing citizens and knowledgeable about child rearing, both of which entitled them to control over their offspring.

The final chapter considers black maternal praxis in the postemancipation South. Black women and their communities did not necessarily subscribe to white, middle-class constructions of motherhood, but instead developed their own, which were informed by both their material conditions and their experiences in slavery. Mothers set out to govern, nurture, provision, educate, and safeguard their children. Indeed, caregiving was central to black maternal identity. At the same time, mothering was a social enterprise whereby mothers raised and cared for children with the support of kin and community. Black women's maternal praxis reveals that although black mothers sought to improve their own material conditions, they were also animated by a desire to see their children live lives free of the burdens of slavery and seize the opportunities made possible by emancipation. The chapter emphasizes black mothers' conception of freedom as a long-term, generational project, achieved relationally rather than individually.

Dramatic transformations were set in motion by the Civil War and the federal intervention that followed. Without a doubt, emancipation was meaningful for those whom it unshackled. New rights were bestowed upon freedpeople that allowed them to begin to engage fully in the body politic, an experiment in democracy unprecedented in the western world.[19] As dramatic as the changes were, slavery and its logics were embedded in nearly every facet of southern life and could not be washed away in an instant. Its relics remained, haunting the South writ large and black women's lives specifically.[20] No matter how hard ex-slaves willed them to

[19] My point here is informed by Eric Foner's Fleming Lectures in which he contends that despite the shortcomings of Reconstruction, it was a "unique and dramatic experiment in interracial democracy." The lectures are published as *Nothing but Freedom: Emancipation and Its Legacies* (Baton Rouge: Louisiana State University Press, 1983), quotation on 6.

[20] My thinking has been shaped by studies focused on the legacies of slavery's reproductive violence. For examples, see Hortense J. Spillers, "Mama's Baby, Papa's Maybe: An American Grammar Book," *Diacritics* 17, no. 2 (1987): 64-81; Dorothy E. Roberts, *Killing the Black Body: Race, Reproduction, and the Meaning of Liberty* (New York: Pantheon, 1997); Alys Eve Weinbaum, *The Afterlife of Reproductive Slavery: Biocapitalism and Black Feminism's Philosophy of History* (Durham, NC: Duke University Press, 2019).

vanish, those legacies circumscribed their efforts to redefine their lives in the radical ways they envisioned. It was within this context that freed mothers gained their freedom.

This dissertation is therefore a story about both oppression and agency, despair and hope, continuity and change. On the one hand, it underscores the harrowing obstacles freedwomen confronted during the transition from slavery to freedom on account of their identities as poor black mothers and on account of their perceived lack of value. On the other hand, it highlights their survival strategies, their dogged efforts to breathe meaning into their lives as freedwomen, and the new doors opened to them by emancipation. This tension lies at the heart of the dissertation, which portrays emancipation as a contested process. What follows is an attempt to understand how black mothers made freedom amid tumult.

Chapter 1

Fugitive-Slave Mothers in the U.S. Civil War, 1861-1865

Just before darkness eclipsed the evening sky, Juno, a fugitive-slave mother, and her children climbed into a canoe on the bank of North Carolina's Neuse River. As the lightweight vessel floated down the waterway, the wind came to life, nearly capsizing its hopeful and panicked passengers. To ensure a safe and steady journey for her children, Juno leapt into the water and walked alongside the canoe, guiding it while fighting the rapidly moving currents. Nature's challenges may have been the least of Juno's worries, however, because wind and water paled in comparison to the threat of capture by Confederate troops or the slave patrol. Finally, after a twelve-mile trek, hungry, exhausted, and dripping wet, Juno cast her eyes upon the Union army camp at Newbern, North Carolina, that would provide refuge to her and her children.[1]

This chapter tells the story of mothers like Juno who seized their freedom during the Civil War by fleeing to Union military encampments. Wartime chaos and the proximity of the Union army created new opportunities for slaves to escape bondage. While some sought out autonomous spaces free of white interference, the vast majority fled toward the Union army in search of freedom and protection. Among those who took that wartime path to freedom, hastening the destruction of slavery, were mothers with their children, who fled in unprecedented numbers. The chapter begins by exploring the considerations that informed their decisions to flee southern farms and plantations, their plots for escape, and their successes and challenges in these endeavors. It also discusses the reception of women and children within Union lines, with particular focus on how women's status as mothers affected their access to protection and

[1] Vincent Colyer, *Report of the Services Rendered by the Freed People to the United States Army, in North Carolina in the Spring of 1862, after the Battle of Newbern* (New York: Vincent Colyer, 1864), 26-27.

assistance. The second half of the chapter traces the lives of black mothers within the camps established by federal authorities to shelter fugitive slaves. It investigates how material conditions in the refugee camps affected black mothers' ability to care for their children and highlights the survival strategies they developed. It also explores their interactions with military officials and northern missionaries to elucidate how women with children negotiated the terms of their freedom and began establishing themselves not only as free persons, but as mothers with specific needs, rights, and desires.

By following enslaved mothers from southern plantations and farms to Union refugee camps, the chapter shows that motherhood had an impact on nearly every aspect of black women's wartime experience. The desire for dignified treatment, parental authority, and better futures for their children animated black maternal flight. Because of their figurative and literal attachments to children, however, fugitive mothers faced greater precarity than did men and childless women. Such attachments made flight more difficult and dangerous, and slaveholders exploited these relationships to deter escape. When women reached Union lines with children, military officials perceived them as impediments to military operations, frustrating their efforts to secure assistance. As Juno and thousands of mothers like her crossed the ever-shifting invisible lines that separated slave and free soil, motherhood continued to frame their experiences. The terms of wartime emancipation set by federal officials and missionaries proved antithetical to mothering. Within hastily erected refugee camps, mothers confronted overcrowding, disease, poor sanitation, inadequate shelter, malnutrition, and persistent danger, conditions that resulted in child loss. Union policies and practices tore families apart and undermined black women's claims to their children. Relief policies required black mothers to conform to white, middle-class notions of womanhood that were at odds with their own

constructions of motherhood. Despite these challenges, freed mothers struggled to imbue liberation with meaning by surviving, nurturing and protecting their progeny, demanding dignified treatment, and engaging in their own mothering practices with the help of kin and community.

Scholars have begun to rewrite the history of African Americans during the Civil War by shifting the focus from the battlefields and from black men's military service to the experiences of non-combatants, demonstrating that women and children were not peripheral bystanders of the war but integral to its development and outcome. In so doing, they have shown that gender, alongside geography, age, and ability, created distinct wartime experiences for men and women and critically shaped the process of emancipation. Stephanie McCurry has argued that "even when slave women had the same access to legal emancipation as black men (by virtue of the Emancipation Proclamation), federal policies, especially the focus on the military recruitment of black men, established fundamentally distinct possibilities and conditions on men's and women's attempts to claim and hold on to the status of freepeople."[2] McCurry and others have made

[2] Stephanie McCurry, "War, Gender, and Emancipation in the Slave South," in *Lincoln's Proclamation*: *Emancipation Reconsidered,* ed. William A. Blair and Karen Fisher Younger (Chapel Hill: University of North Carolina Press, 2004), 134-135. For other examples of works that use gender to examine the Civil War, see Thavolia Glymph, *The Women's Fight: The Civil War's Battles for Home, Freedom, and Nation* (Chapel Hill: University of North Carolina Press, 2019), "'This Species of Property': Female Slave Contrabands in the Civil War," in *A Woman's War: Southern Women, Civil War, and the Confederate Legacy*, ed. Edward D. C. Campbell and Kym S. Rice (Richmond: Museum of the Confederacy and University Press of Virginia, 1996), 1–27, and "Rose's War and the Gendered Politics of a Slave Insurgency in the Civil War," *Journal of the Civil War Era* 3, no. 4 (2013): 501–532; Stephanie McCurry, *Women's War: Fighting and Surviving the American Civil War* (Cambridge, MA: Belknap Press of Harvard University Press, 2019); Sharon Romeo, *Gender and the Jubilee: Black Freedom and the Reconstruction of Citizenship in Civil War Missouri (*Athens: University of Georgia Press, 2016); Noralee Frankel, *Freedom's Women: Black Women and Families in Civil War Era Mississippi* (Bloomington: Indiana University Press, 1999); Nancy Bercaw, *Gendered Freedoms: Race, Rights, and the Politics of Household in the Delta, 1861-1875* (Gainesville: University Press of Florida, 2003), chaps. 1 and 2; Leslie A. Schwalm, "Between Slavery and Freedom: African American Women and Occupation in the Slave South," in *Occupied Women: Gender, Military Occupation, and the American Civil War,* ed. LeeAnn Whites and Alecia Long (Baton Rouge: Louisiana State University Press, 2009), 137–153; Michelle Krowl, "Dixie's Other Daughters: African-American Women in Virginia, 1861-1868" (Ph.D. diss., University of California, Berkeley, 1998); Ella Forbes, *African American Women during the Civil War* (New York: Garland Publishing, 1998); Stephanie M. H. Camp, *Closer to Freedom: Enslaved Women and Everyday Resistance in the Plantation South* (Chapel Hill: University of North Carolina Press, 2004), chap. 5; Jim Cullen, "'I's a Man Now': Gender and African American Men," in *Divided Houses: Gender and the*

evident that gender is a valuable lens for re-evaluating the war because it not only renders women more visible but fundamentally transforms understanding of this critical moment in American history. This chapter complicates the discussion of gender and war by using motherhood as an analytical framework with which to interrogate emancipation and its meanings. It asks how motherhood contributed to the "fundamentally distinct possibilities and conditions" for fugitive slaves during the war. The perspectives that emerge from that question encourage more precise thinking about gender and the process of emancipation.

Studies of African American women have begun to explore their contributions to the war effort, the wartime trauma they experienced, and their struggles to make freedom meaningful. Nevertheless, the fact remains that the experiences of black women still "form no significant part of our understanding of the Civil War's human toll or the meanings ascribed to Union victory and emancipation," as Thavolia Glymph has so emphatically written.[3] This chapter takes up Glymph's challenge by exploring what black mothers brought to bear on the war and what the war brought to bear on black mothers.

Going to the Yankees: Black Mothers' Wartime Flight

In 1863, George Hepworth, a white officer in the United States Colored Troops, remarked on black men's instinctive desire for freedom. In Hepworth's estimation, the greater a man's understanding of the alternatives to bondage, the greater his discontent with slavery. Hepworth juxtaposed enslaved men's relationship to freedom with that of women, noting that

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Civil War, ed. Catherine Clinton and Nina Silber (New York: Oxford University Press, 1992), 76-96; Drew Gilpin Faust, George C. Rable, and Thavolia Glymph, "Southern Women in the Civil War," in *A Woman's War: Southern Women, Civil War, and the Confederate Legacy*, ed. Edward D. C. Campbell and Kym S. Rice (Richmond: Museum of the Confederacy and University Press of Virginia, 1996), 1–27.

[3] Thavolia Glymph, "Black Women and Children in the Civil War: Archive Notes," *in Beyond Freedom: Disrupting the History of Emancipation*, ed. David W. Blight and Jim Downs (Athens: University of Georgia, 2017), 121-135 (quotation on 122).

some "female servants" could not be "induced to leave the old home" because they were "sufficiently happy and contented as they are," experiencing "none of the horrors of slavery." Not so with the enslaved man, Hepworth argued. "His brain is at work on the problem [of his bondage] all the time," leaving him "restless until he owns his own body."[4]

The frequency and urgency with which women fled enslavement throughout the Civil War belies Hepworth's gendered assessment. Eager to "own their own bodies" and those of their children, women departed southern farms and plantations in droves. The Civil War marked a dramatic increase in women using flight to thwart slaveholders' power. Not since the Revolutionary War, as Leslie Schwalm has pointed out, had so many enslaved women and children struck out for freedom.[5] For any slave, successfully navigating the way to freedom was a dangerous ordeal. For women, whose gendered labor had often limited their knowledge of the geography beyond the plantation, the journey was particularly treacherous. For mothers bringing their children with them, the difficulty was only exacerbated.[6] As primary caregivers, women were reluctant to leave their children behind.[7] Before the war, enslaved women had run away less frequently than their male counterparts and in lower numbers. The war, however, made flight more viable for women and children. Proximity to the Union army, an ability to pinpoint a clear destination, the potential of obtaining protection, the absence of many white men, and the political and social instability caused by the conflict encouraged enslaved women and children to flee en masse. They saw no reason to wait for freedom to be handed to them and, as Thavolia

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[4] George H. Hepworth, *The Whip, Hoe, and Sword; or, The Gulf-Department in '63* (Boston: Walker, Wise, and Co., 1864), 47.
[5] Leslie A. Schwalm, "US Slavery, Civil War, and the Emancipation of Enslaved Mothers," *Slavery & Abolition* 38, no. 2 (2017): 392-407 (quotation on 393).
[6] On enslaved women's restricted geographical knowledge, see Camp, *Closer to Freedom*, 28-32, 36-38.
[7] Enslaved women were discouraged from fleeing without their children. "Stand by your own children, and suffer with them till death," Harriet Jacobs's grandmother instructed. "Nobody respects a mother who forsakes her children; and if you leave them, you will never have a happy moment." Harriet Jacobs, *Incidents in the Life of a Slave Girl*, ed. Jean Fagan Yellin (Cambridge, MA: Harvard University Press, 1987), 91.

Glymph writes, were determined to make their own freedom.[8] Union military presence signaled to these women that freedom was within their grasp and suggested that northern denunciation of the slave system could have concrete implications for their lives.[9]

If the Union army's presence made it a magnet for slaves, the burdens of bondage were equally important in animating enslaved mothers' flight. Disputes and violent altercations with masters or mistresses encouraged them to strike for freedom. Juno fled after her master refused to give her deceased child a proper burial, thereby denying her the right to grieve and mourn as she thought necessary.[10] Northern missionaries and teachers who assisted the former slaves once they reached Union-held territory often learned that women's decision to leave had come after their children were beaten or otherwise mistreated. One mother, whose master "'licked her eldest son almost to death because he was suspected of wanting to join the Yankees," explained that "[t]hey [slaveholders] does it to spite us . . . 'cause de Yankees come."[11] Increasingly dire material circumstances in the Confederacy also contributed to the departure of enslaved women and children. Despite its abundance of cultivable land and slaves, the Confederacy experienced acute food shortages.[12] On some plantations, food was kept under lock and key. Hunger plagued all classes of southerners, but slaves often experienced its pangs most acutely. A refusal to see their children suffer thus sent enslaved mothers to federal army lines. Union troops might "eat nigger babies" or sell them to Cuba, as rumored by their enslavers, but slaves nonetheless took their chances, reasoning, as one man did, that without enough to eat "we's gwine to die anyhow."

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[8] Glymph, "Rose's War and the Gendered Politics of a Slave Insurgency," 519.
[9] Fugitivity by men, women, and children alike increased over the course of the war, especially after the issue of the Emancipation Proclamation on January 1, 1863, which marked the Union's commitment to ending slavery, and the penetration of Union military forces deeper into the South from 1863 onward.
[10] Colyer, *Report of the Services Rendered by the Freed People,* 29.
[11] Quoted in Laura M. Towne, *Letters and Diary of Laura M. Towne, Written from the Sea Islands of South Carolina, 1862-1884* (Cambridge, MA: Riverside Press, 1912), 24.
[12] On food shortages in the Confederacy, see Andrew F. Smith, *Starving the South: How the North Won the Civil War* (New York: St. Martin's, 2011), chap. 3.

They might as well "try de Yankees."[13] Threats of being sold apart from their children, sexual violence, and the impressment of slaves for labor on Confederate fortifications also accelerated flight.[14]

When black mothers escaped with their children in tow, they did more than deprive their masters and mistresses of labor. They struck a powerful blow against slavery itself, contributing to its overthrow. It was through the black woman's womb that slavery was reproduced. By removing themselves and their offspring they took with them the very future of the institution, a fact of which slaveholders were acutely aware. Moreover, because slavery was built upon confinement, freedom was defined by mobility. Black fugitivity refused slavery's logic and thereby sped its destruction. In flight, mothers claimed their children as their own, a right slavery had systematically denied them. For enslaved mothers, self-possession could not be fully achieved by freeing their own bodies from bondage, because the intimate bonds between mother and child were an integral part of self-possession; it could therefore be attained only by also freeing their children. At every turn, the decision to "steal" themselves was informed by a profound desire to secure better lives for their children.[15]

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[13] Enslaved man quoted in Laura S. Haviland, *A Woman's Life-Work: Labors and Experiences of Laura S. Haviland* (Cincinnati: Walden & Stowe, 1882), 264. On rumors of slaves being sent to Cuba, see Letter from Lucy Chase, 7 January 1863, in *Dear Ones at Home: Letters from Contraband Camps*, ed. Henry L. Swint (Nashville, TN: Vanderbilt University Press, 1966), 33.

[14] Emily West, *Enslaved Women in America: From Colonial Times to Emancipation* (Lanham, MD: Rowman & Littlefield, 2014), 88-89. On the impressment of slaves by the Confederacy, see Stephanie McCurry, *Confederate Reckoning: Power and Politics in the Civil War South* (Cambridge MA: Harvard University Press, 2010), chap. 7; Ira Berlin, Barbara J. Fields, Thavolia Glymph, Joseph P. Reidy, and Leslie S. Rowland, eds., *The Destruction of Slavery,* ser. 1, vol. 1 of *Freedom: A Documentary History of Emancipation*, *1861-1867* (New York: Cambridge University Press, 1985), chap. 9. Sharon Romeo contends that in Missouri, men's enlistment in the Union army "propelled mass escapes by enslaved women and children," who often traveled to recruitment stations with their male kin. Romeo, *Gender and the Jubilee,* 58-59.

[15] Martha Fields, an enslaved woman in Virginia, is case in point. During her escape, when the family came to a river that required them to cross two-by-two in a small boat, she refused to go first. "I want you to carry all of my folks over first," she told her brother, who paddled the pairs across. Kevin M. Clermont, ed., *The Indomitable George Washington Fields* (Ithaca, NY: Cornell University, 2013), 71-72.

Women's wartime flight was calculated. Despite Lieutenant Hepworth's misguided assessment, their "brains" were "constantly at work" figuring out how to secure freedom. With intent ears and observant eyes, enslaved mothers followed the developments of the war and scrutinized the behavior of their masters and mistresses to assess when and how to leave. Former slave Mattie J. Jackson recalled that her mother would "sit up nights and read" the newspapers Union soldiers in St. Louis tossed over the fence "to keep posted about the war."[16] Although Martha Ann Fields never learned to read and write, she "taught her children daily lessons in observation," instructing them to "take notice and look about themselves to what was going on, with the understanding that they divulge nothing to anyone except herself." She would serve as the family's guide out of slavery when the moment presented itself. The day-to-day responsibility of caring for children also informed fugitive mothers' calculations. In preparation for her family's departure, Fields "packed up what little clothing she and the children had and then baked several large cakes of flour bread which she put with two bottles of sorghum and a small bit of meat in a bag."[17] Another mother planned to provide for her family by bringing a hominy pot, clothing, a chicken, and a pig with them.[18]

Flight could be a solo endeavor, but many fugitive mothers traveled with husbands, kin, and neighbors and even teamed up with other fugitives with whom they happened to cross paths. Traveling with husbands and male kin had its advantages. A South Carolina mother named Lizzie fled from the farm on which she was enslaved with her children, her husband Stephen, and another slave named Toney. "How so many children got off safely I can't imagine, but

[16] Mattie J. Jackson, *The Story of Mattie J. Jackson* (Lawrence, MA: Sentinel Office, 1886), 10. Booker T. Washington recalled that his mother kept abreast of wartime developments through the "grape-vine" telegraph. Booker T. Washington, *Up from Slavery: An Autobiography* (Garden City, NY: Doubleday & Co.,1900), 8.
[17] Clermont, ed., *The Indomitable George Washington Fields*, 67-68.
[18] Elizabeth Hyde Botume, *First Days amongst the Contrabands* (Boston: Lee and Shepard Publishers, 1893), 15.

Stephen is so completely acquainted with the face of the country the by paths & swamps that what would be difficult to others is easy for him comparatively," their owner, Adele Allston, explained. [19] Stephen's knowledge of the surrounding geography, coupled with his brawn, likely made getting the children to freedom possible. Martha Ann Fields's brother supplied her family with a "boat which he had dug out of a large tree." Using a spade, he "dug clay and dirt steps in the bank" so that the children could climb aboard the boat, then shepherded them two-by-two across the river.[20] Mothers relied on the strength and knowledge of husbands and other kin. Traveling in groups also provided safety; fugitives could collectively strategize and look after one another on the journey to Union lines. The group character of much slave flight also afforded companionship and allowed women to keep their families intact.

Whether undertaken alone or with others, escape from bondage was dangerous, especially for women with small children. Mothers had to keep little ones quiet. Infants and small children reduced the pace of the group as children walked more slowly or had to be carried. To avoid detection, fugitives traveled through woods, marshes, and swamps, and the presence of small children made navigating such terrain all the more difficult. During his escape from Clinch County, in south Georgia, to Liberty County, almost one hundred miles distant, Frank Frazier joined a group of mothers and their children who had also struck out for Liberty. When they arrived at a bridge over the Altamaha River around midnight, they found it guarded by rebel soldiers. Moving through the woods, they went half a mile upriver, and there crossed on some logs. But the rebels spotted them. With dogs hard upon their heels, the group quickened its

[19] Allston quoted in Schwalm, *A Hard Fight for We,* 89. On the group character of slave flight, see ibid., 88-89; Frankel, *Freedom's Women,* 34; Romeo, *Gender and the Jubilee,* 58-*59*; Cheryl Janifer LaRoche, "Coerced but Not Subdued: The Gendered Resistance of Women Escaping Slavery," in *Gendered Resistance: Women, Slavery, and the Legacy of Margaret Garner,* ed. Mary Frederickson and Delores Walters (Urbana: University of Illinois Press, 2013), 56-57.
[20] Clermont, ed., *The Indomitable George Washington Fields,*

pace toward Moyan Lake, only to find that the bridge across it had been burned. Frazier recounted in harrowing detail the challenge the terrain posed for the mothers and their young children:

> The bank was about fifteen feet high. I went down to the water as quick as I could. I climb down on the posts of the trestle work to the water, One woman threw down her child to me I caught it. This was her babe. She then threw down to me her little daughter about five years old I could not catch it and the current swept it away and it was drowned. One of the other women threw down her little girl about 7 years of age. I could not catch it, it was swept away and drowned.[21]

Even in the face of this devastating outcome, the party could not stop to grieve but had to press on.

During their escapes, fugitive mothers developed a variety of survival strategies. One mother of twelve, fearing that she would lose one of her children, "tied them all together by the hands and brought them all off safely." With the image of the slave coffle surely in mind, this mother repurposed a symbol of oppression into an act of familial freedom as she led her children out of slavery.[22] Her strategy reflects the way enslaved women conceptualized freedom itself. Like so many other fugitive mothers, her goal was not individual freedom, but freedom for all of the family members to whom she felt intimately bound. The autonomous, unencumbered self, often privileged in modern Western philosophy, was the antithesis of freedom for black mothers, who sought to nourish the bonds of kinship.[23]

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[21] Affidavit of Frank Frazier, 5 June 1865, enclosed in Chaplain J. H. Fowler to Capt. Ketchum, 7 June 1865, in *Land and Labor, 1865,* ed. Steven Hahn, Steven F. Miller, Susan E. O'Donovan, John C. Rodrigue, and Leslie S. Rowland, ser. 3, vol. 1 of *Freedom: A Documentary History of Emancipation*, *1861-1867* (Chapel Hill: University of North Carolina Press, 2008), 91-93.

[22] Elizabeth Ware Pearson, *Letters from Port Royal, 1862-1868*, *Written at the Time of the Civil War* (Boston: W. B. Clarke Company, 1906), 294.

[23] My interpretation is influenced by Mielle Chandler's work, which insists on a conception of persons as beings in-relation to and with, "at every level encumbered." Chandler, "Emancipated Subjectivities and the Subjugation of Mothering Practices," in *Maternal Theory: Essential Readings,* ed. Andrea O'Reilly (Toronto: Demeter Press, 2007), 529-542 (quotation on 530).

Few fugitive-slave mothers reached their destinations unscathed, and some lost their lives in pursuit of the imagined promised land. When slaveholders caught wind of their slaves' escape, they set out to recover their human property with rifles in hand and bloodhounds leading the charge. The archives capture in painful detail the violent reprisals mothers and their children faced when they were caught by slaveholders, rebel soldiers, or local authorities. One woman arrived at a Union camp with a lifeless infant in her arms; their former master had shot the child while pursuing them.[24] Maryland slaveholder John Hunter captured a pregnant fugitive-slave woman, her mother-in-law, and the woman's nine-month-old infant in the District of Columbia in April 1862. For their transgressions, "their clothes were raised & tied over their heads to keep their screams from disturbing the neighborhood & then [they] were tied up & whipped very severely." Afterward, the women were jailed, and the infant was taken from the mother, only to die shortly thereafter. After several months of imprisonment, the mother whose child had been taken gave birth in the jail. To spite her, the master and mistress "made no arrangements provided no Clothing nor anything for the Child or mother." The woman's husband "sent them Clothing & other articles" for a time, but the jailor "refused to allow them to receive" anything further.[25.] A runaway mother from Huntsville, Alabama, was arrested with her four daughters in Louisville, Kentucky. Jailed in another Kentucky town because the Louisville jail was too full, she and her daughters eventually found themselves on the auction block. In May 1863, they were sold from the courthouse steps to four different purchasers. Only the youngest child remained in her mother's care.[26] Wartime flight entailed immense unpredictability, and capture stood to

[24] Edward L. Pierce, "The Contrabands at Fortress Monroe, *Atlantic Monthly* 3 (November 1861): 627.
[25] Affidavit of Grandison Briscoe, 6 February 1864, in *The Destruction of Slavery,* ed. Berlin et al., 365.
[26] Amy Moore to Col., 14 August 1865, enclosing affidavit of Amy Moore, [14? August 1865], in *The Destruction of Slavery,* ed. Berlin et al., 566-567. "Refugees fleeing through the border states, where slavery was still legal," writes David Williams, "risked not only violence but also reenslavement." Williams, *I Freed Myself: African-American Self-Emancipation in the Civil War Era* (New York: Cambridge University Press, 2014), 192. For a mother who lost her son while fleeing to Union lines, see Haviland, *A Woman's Life-Work,* 270-271.

intensify slavery itself. Female fugitives were, without question, acutely aware of the consequences that loomed over any attempt to escape. Yet, despite the risks, hundreds of them chose to flee, simultaneously revealing the intensity of their desire for freedom and their abhorrence of a system that denied their humanity and their right to motherhood.

Slaveholders, whose way of life appeared to be vanishing before their very eyes, searched frantically for ways to prevent slave flight. This endeavor was sometimes a collective undertaking, as when slaveholders in Duplin County, North Carolina, "made up a fund & purchased a pack of Hounds at heavy cost" to buttress the slave patrol.[27] At other times private solutions served to suppress slave flight. Planters activated slave patrols, revoked written passes that had authorized slaves to visit family members, recalled slaves they had hired out in nearby cities, and blocked roads and bridges, all in the name of retaining their property.[28]

Slaveholders also relied on the very motherhood they denied to enslaved women. Black parental rights were non-existent in the law, but slaveholders understood that bondwomen were strongly attached to their children. They drew on this understanding to deter mothers from setting out for Union lines, leveraging women's children against them. Sarah, a mother of seven in South Carolina, was given the ultimatum that "if she followed the army she must take all her children." Her mistress knew that attempting to do so with seven children would be both daunting and dangerous and calculated that placing the onus on Sarah would prevent her from leaving. Despite her large family, however, Sarah followed Sherman's army for two hundred miles, carrying "Margery, a two-year-old child, in her arms" while "keeping the other children in

[27] Jere Pearsall to Prest. Davis, 25 November 1863, in *The Destruction of Slavery,* ed. Berlin et al., 94-95.
[28] Camp, *Closer to Freedom*, 129. The physical obstacles placed in slaves' way did not discourage flight. "Three women came in the other night who had traveled through woods for a hundred miles," one report noted. "Several rebels have endeavored to block up the roads and bridges, but all to no purpose. Still they come." "Army Correspondence," *Christian Recorder*, 4 March 1865.

front of her."[29] Other mothers were not so fortunate. In March 1865, when Frances Johnson, an enslaved woman in Kentucky, tried to steal herself and her three children, she was tracked down and forced to return at gunpoint. To forestall another attempt, Johnson's owner held her oldest child, age seven, as a hostage.[30] If some mothers were coerced to remain in slavery through their children, others made up their minds that if opportunity presented itself, they would go to the Yankees, no matter what the consequence. Johnson herself subsequently struck out without her children, with the intention of returning for them later.[31]

To keep their slaves beyond reach of the Union army, many slaveholders became fugitives in their own right. As clouds of black smoke dotted the horizon and the sound of Union boots drew closer, owners abandoned their plantations and removed their slaves deeper into the interior of the Confederacy. White southerners in the lower Mississippi Valley, for instance, fled west. One scholar estimates that as many as 150,000 slaves were "refugeed" to Texas by their owners.[32] Relocation met with resistance. Slaveholders knew that if word of removal reached their slaves before the plan's execution, a stampede for the woods or for Union lines would ensue. The execution of such endeavors therefore required calculation. Objecting to orders to

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[29] Mary Ames, *From a New England Woman's Diary in Dixie in 1865* (Norwood, MA: Plimpton Press, 1906), 15-16.

[30] Affidavit of Frances Johnson, 25 March 1865, in *The Black Military Experience,* ed. Ira Berlin, Joseph P. Reidy, and Leslie S. Rowland, ser. 2 of *Freedom: A Documentary History of Emancipation*, *1861-1867* (New York: Cambridge University Press, 1982), 694-695.

[31] When a South Carolina slaveholder ordered all of his slaves into a wagon bound further South, one mother fled immediately, forced to leave her children behind. See Letter from Lucy Chase, 7 February 1863, in *Dear Ones at Home: Letters from Contraband Camps*, ed. Henry L. Swint (Nashville, TN: Vanderbilt University Press, 1966), 32-41. According to Wilma A. King, some parents encouraged their children to flee slavery if the opportunity presented itself, even if doing so meant breaking family ties. It is likely that these lessons informed children's outlook on their mothers' decision to flee without them. See King, *Stolen Childhood: Slave Youth in Nineteenth-Century America* (Bloomington: Indiana University Press, 1995), 277.

[32] Yael Sternhell, *Routes of War: The World of Movement in the Confederate South* (Cambridge, MA: Harvard University Press, 2012), 99. Slaveholders in lowcountry Georgia and South Carolina took a similar tack, moving their slaves into the interior of those states. See Peter Bardaglio, "The Children of Jubilee: African American Childhood in Wartime," in *Divided Houses: Gender and the Civil War,* ed. Catherine Clinton and Nina Silber (New York: Oxford University Press, 1992), 221. Slaveholders in the Mississippi Valley migrated west of the river, while those in Virginia and North Carolina relocated to the Appalachian Mountains. See Chandra Manning, *Troubled Refuge*: *Struggling for Freedom in the Civil War* (New York: Knopf, 2016), 35.

remove all able-bodied adult slaves from the Yazoo-Mississippi delta, Jonathan Pearce reported from his 190-slave plantation that he was "the only one as far as my acquaintance extends who had not either attempted to or were preparing to move and every one who did so lost nearly if not all of the men and many of the women and children." "I believe every negro on this place will go to the Yankees before they would go to the hills," he predicted. The specter of being separated from their families and dragged deeper into the Confederacy only exacerbated slave flight.[33]

Just as Pearce predicted, threats of relocation encouraged some mothers to take the risk. In July 1862, Lucy Higgs Nichols, who was enslaved in North Carolina, learned of her master's plan to take his slaves further south, prompting her to escape with her baby to the camp of the 23rd Indiana Infantry.[34] Slaveholders, however, preyed on women's maternal affections to compel them to comply with removal. Children were carried away by refugeeing owners who believed the enslaved mother would "sooner sacrifice liberty than her child" and would therefore follow the master to wherever he took the children. Such was the case for "a yellow girl" in North Carolina whose master had "forcibly taken" her child "into the country towards Goldsboro" when he "heard the Yankees were coming."[35]

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[33] Jon'a. Pearce to Honl. Jas. A Seldon, 3 Nov. 1863, in *The Destruction of Slavery,* ed. Berlin et. al., 775-776. One Union general described "a general stampede among the colored population." "They are running away, to avoid being carried farther south," he explained. Brig. Genl G. Granger to Genl Rosecrans, 2 August 1862, Miscellaneous Records of the 16th Army Corps and Its Subcommands, ser. 406, 16th Army Corps, Records of U.S. Army Continental Commands, RG 393 Pt. 2 No. 7, NARA [FSSP C-4929].

[34] *The Jacksonville Daily Gazette* (Jacksonville, Wisconsin), 14 March 1889; "Why Aunt Lucy Got a Pension," *Denver Sunday Post*, December 18, 1898. After her arrival in Union lines, Nichols endeared herself to the troops and became a nurse for the regiment. At Vicksburg, her child, Mona, died, but Nichols continued to serve with the army, was present at the siege of Champion Hill and the capture of Jackson, and later marched in Sherman's raid to Meridian, Mississippi. She remained with the regiment until its last battle at Bentonville, North Carolina, and was then mustered out with it in Louisville.

[35] "A Phase of Slavery– An Officer of the Seventeenth Massachusetts," *Douglass' Monthly* 5, no. 3 (September 1862): 707. At least one Alabama slaveholder sold a mother from her two children during the war "with the avowed intention . . . that she should never see her children again, and for fear she would run off with the yankees." John Jones to Genl Jno B. Callis, 31 May 1866, vol. 58, pp. 234-235, Letters Received, ser. 112, Huntsville AL Subassistant Commissioner, BRFAL, RG 105, NARA [FSSP A-2073]. In his discussion of Civil War refugees, W. Caleb McDaniel shows that some children were taken deeper into the Confederacy and enslaved mothers were forced to leave their children behind when their masters relocated. See McDaniel, *Sweet Taste of Liberty: A True Story of Slavery and Restitution in America* (New York: Oxford University Press, 2019), 148-149.

An unprecedented number of enslaved mothers fled, but many remained unwilling to take the risk. Despite a burning desire for freedom, both fear and circumstance prevented their departure. When slaves on her plantation and the adjoining ones began running away en masse, Margaret Young stayed put. "Margaret had longed and hoped for freedom," but "she could not desert her little ones." Compelled to choose between freedom and keeping her family together, Margaret chose the latter. In the end, wartime developments eliminated Margaret's prerogative. Her master, John Arthur, determined at least to retain the value of what slaves he had left, sold Margaret into the slave trade. The sale separated her from her children, the oldest of whom was eight and the youngest three.[36]

As the Union army made its way across the southern landscape, new waves of slaves threw off the yoke of bondage, taking advantage of the upheaval to flee. With their bodies and their words, slaves offered searing critiques of the peculiar institution as they fled. An enslaved woman in Tennessee named Mill saw a Union fleet approaching in the distance but refrained from conspicuously defying her mistress until she was certain the gunboats would stop. Once she saw the "big rope flung on the bank," Mill "felt safe," and only then did she shatter her mistress's illusions about her fidelity. "I'll go if I have a chance" and "take what children I've got lef,'" she announced. As Union soldiers made their way onto the place, Mill's mistress asked her to help hide the valuables, but Mill refused. "[Y]ou bo't that silver plate when you sole my three children," she bitterly reminded her owner. Mill and the other slaves stood by while the

[36] "Margaret Young reunited with her son Dowen Young," Found Ad, *Appeal: A National Afro-American Newspaper* (St. Paul and Minneapolis, MN), January 1, 1898, "Last Seen: Finding Family after Slavery." Slaveholders punished escapees' families, which also likely informed enslaved mothers' decisions. After several of her slaves escaped, Adele Allston, a South Carolina slaveholder, ordered her overseer, Jesse Flowers, to "make an example of the old people whose children have deserted." "It does not seem to me reasonable or right," she wrote, "to leave negroes in the enjoyment of privileges and ease and comfort, whose children go off." Allston also instructed Flowers to put the children of fugitives "who never learned to work at once to learn." Adele Petigru Allston to Jesse Flowers, 16 July 1864, in *The South Carolina Rice Plantation as Revealed in the Papers of Robert F. W. Allston*, ed. James Harold Easterby (Chapel Hill: University of North Carolina Press, 2004), 292-293.

soldiers discovered the mistress's trunk of valuables, including the silver plate, filling Mill with a sense of contentment. Although Mill herself wanted nothing to do with the silver plate because "it was part o' my poor dear childern [*sic*]," she was glad to see it confiscated because it meant her mistress would no longer enjoy it. After the plantation had been plundered, Mill lived up to her promise. She marched off with the soldiers, and once aboard a Union gunboat, she and the other newly freed passengers "cheered loud, and long and strong, an' made the old river just ring ag'in."[37] The vessel that had been a symbol of hope on the horizon had become the vessel that would deliver her to freedom.

At the moment of emancipation, Mill revealed her contempt for slavery. She reserved her sharpest resentment for the sale of her children. Such moments of reckoning in which black women asserted ownership of themselves and their children were powerful precisely because the women were no longer forced to mask their emotions. The arrival of Union troops brought gratification and empowerment to enslaved mothers, even if tumult was the backdrop of their emancipation. One woman's chaos proved another woman's order. As one ex-slave put it, "The days of sadness for mistress were days of joy for us."[38] The world the Civil War made seemed foreign to slaveholders who had been stripped of their way of life. "What a turning of tables,"

[37] Haviland, *A Woman's Life-Work*, 274-276. The mistress's eagerness to obtain Mill's cooperation illustrates the very process by which former slaveholders' power was upended. Unlike in times past, the mistress acknowledged that Mill had a choice. In this sense, the mistress relinquished much of her power in an effort to retain any semblance of it at all. Some Union soldiers were struck by the slaves' lack of loyalty to their masters and mistresses, which gave the lie to ideologies undergirding the slaveholding South. Slaves volunteered to Union troops the whereabouts of their masters' horses, liquor, valuables, and foodstuffs. When Union soldiers asked one enslaved boy why he did not demonstrate more love for his master, he responded, "When my master begins to lub me, den it'll be time enough for me to lub him." Quoted in Hepworth, *The Whip, Hoe, and Sword,* 144. His response captures the outlook of many fugitive slaves during the war, especially mothers like Mill.

[38] Jackson, *The Story of Mattie J. Jackson*, 11. "We shouted and laughed to the top of our voices," Jackson recalled. "My mistress was more enraged than ever."

one northern missionary remarked of the topsy-turvey power relations between former masters and former slaves.[39]

Like Mill, Martha Ann Fields felt empowered by the proximity of Union troops and unleashed her own critique of reproductive slavery as she fled from bondage. On the eve of her mistress's death, Fields had been allowed to choose the family member to whom she would be bequeathed. She had settled upon a relative of the mistress who agreed not to sell, separate, or treat Fields's family cruelly. The promise proved empty, however; the woman "did not hesitate to inflict incessant cruelty upon [Fields] and her children" and sold Fields's oldest daughter, Louise, to purchase new horses and a carriage. During the war, as Fields and her seven children departed for Union lines, the mistress called out to her, "Martha Ann, are you going to leave me and take all the children too?", to which Fields replied, "You have lied to me twice and you'll never have the chance to do it again."[40] Fields saw flight as a means of protecting her family from sale and separation and of demanding the respect she had been denied as a mother. Leaving

[39] Haviland, *A Woman's Life-Work,* 271.

[40] Clermont, ed., *The Indomitable George Washington* Fields. Other mothers departed in similar fashion. In July 1862, Catherine Ann Devereux Edmonston, a North Carolina slaveholder, remarked in her diary that "Mary has announced her intention of leaving on Sunday with her children." See *Journal of a Secesh Lady: The Diary of Catherine Ann Devereux Edmondston, 1860-1866,* ed. Beth G. Crabtree and James. W. Patton (Raleigh: North Carolina Division of Archives and History, 1979), 210. Other mothers gained freedom by demonstrating that they were loyal partisans of the Union. As Thavolia Glymph has argued, black women were Unionists who supported the war effort in myriad ways. Although Union spies and intelligence gatherers are usually imagined as men, women and children uncovered and reported plots. An enslaved woman named Virinda earned her and her five children's freedom "on account of information she gave to the Union army about concealed arms." Geo. H. Hanks to Maj G. Norman Lieber, 20 January 1864, enclosing unidentified newspaper clipping "Local Intelligence," n.d., H-25 1864, Letters Received, ser. 1920, Civil Affairs, Department of the Gulf, Records of U.S. Army Continental Commands, RG 393 Pt. 1, NARA [FSSP C-735]. In Union-occupied Louisiana, a slave girl, "hearing her master say at the dinner-table, that he had one [bag] filled with loaded pistols, another with dirks, and the third with bowie-knives . . . told her mother." The mother directed the child "to be careful and listen, while busy about the room, to all her master said, and report to her." Upon learning of the master's plan "to paint a large company of their men black, who should assume the attitude of fight; then all were to cry out '*Insurrection! Insurrection*!' and fly to every negro man, woman and, child, and kill them off," the mother and her daughter made their way to New Orleans, where they "called on General Butler, to whom they told all." A "party of officers and soldiers were dispatched at once, who visited that house, demanded the keys, and searched the premises," which verified the truth of the plot. Not only was her master "banished from the city, his family sent outside the lines, [and] his property confiscated," but "his slaves [were] set free." Haviland, *A Woman's Life-Work,* 323.

in broad daylight, Fields let her defiance of slavery be known and, in so doing, made explicit that her children now belonged to her.

Many enslaved mothers bid adieu to enslavement as the Union army swept through the rebellious states, attaching themselves to the troops in hopes that they would lead them to freedom. Observers recounted what a "queer sight" it was to see so many "Negro women following the army, carrying all their possessions on their heads, great feather beds tied up in sheets and holding their few belongings," right along with their offspring. Yet, attaching oneself to the army held no promise of protection. Following the soldiers through "enemy country" was especially difficult for mothers laden with children and the household wares they had brought along to provide for their families. One mother recounted that the troops "walked very fast on the march," making it difficult for her to keep up with the six small children in her care. She "fell down several times with one [of the children] in her arms," and the child "die[d] shortly after." [41] Following the army meant long marches, hunger, exposure to inclement weather, insufficient food and shelter, and violent attacks by rebels, all of which made caring for a child extremely difficult. These challenges did little to deter mothers, however, as evidenced by the multitudes who sought freedom by such means.

The unprecedented number of female fugitives contributed to the erosion of slavery. Slaveholders could do little to prevent the last relics of bondage from disappearing. At times, their frustration and sense of betrayal manifested itself in ridicule of fugitive mothers. In May

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[41] John Eaton, *Grant, Lincoln, and the Freedmen: Reminiscences: of the Civil War with Special Reference to the Work for the Contrabands and Freedmen of the Mississippi Valley* (New York: Longman's Green, and Co., 1907), 83. Martha Ann Fields and her seven children arrived at a Union camp in Virginia to find the soldiers pulling out. Fields stopped the officer in charge and expressed her desire "to go with them to freedom." The officer told Fields she could not take all of her children, to which she replied, "Yes I can, or I don't go at all." Fields had come this far and was sure that she and her family could survive the rest of the journey. Her appeal proved persuasive. Her smallest children were loaded into a wagon, while the four largest ran behind it, holding on to its tailboard. After a long journey, she and her children were delivered to Fort Monroe. Alice M. Bacon, "From Slavery to Freedom," in *Southern Workman* 21, no. 3 (March 1892): 46.

1865, Georgia slaveholder Eliza Frances Andrews remarked in her diary that the Yankees had driven enslaved women "wild with false notions of freedom." As evidence, she cited "well-authenticated instances of women throwing away their babies in their mad haste to run away from their homes and follow the Northern deliverers." In one such case, Andrews claimed, a mother "hotly pursued by her master, threw an infant down in the road and sped on to join the 'saviors of her race,' with a bundle of finery clasped tightly in her arms."[42] For Andrews, black freedom was an individual, not a collective act. It was selfish, not loving. Andrews was the product of a slave society that neither valued nor respected black motherhood as legitimate. Consequently, she found black women's desire for freedom incomprehensible and therefore reprehensible; she could not imagine that black women's flight to Union encampments was in the interest of their children. Instead, she attributed it to Yankees who had made slaves "wild with false notions of freedom," upsetting a status quo in which enslaved people lived happily under their masters, without rights to their children.

Kentucky slaveholder C. Graham couched his aversion to emancipation as concern for the well-being of fugitive women's children. "Mothers becoming wearied with the toil of their children and scarce of food often neglect them till they perish, while others throw them into the ponds around Camp Nelson, from which many have been taken," he lamented. The federal post and recruiting center to which the women had escaped was depicted by Graham as a breeding ground for vice, neglect, and disorder. Moreover, implicit in his remarks was the notion that because enslaved mothers had never been required to raise their own offspring, their children would not survive under their care in freedom, necessitating both women's and children's return

[42] Eliza Frances Andrews, *The War-Time Journal of a Georgia Girl, 1864-1865* (New York: Appleton and Co., 1908), 277.

to slavery.[43] Taken together, Graham's and Andrews's observations reflect how deviant black motherhood served as a rationale for controlling the black population, a rationale that would endure long after Appomattox. Their remarks also make evident that black mothers were victims not only of physical violence, but of a symbolic violence that constructed them as murderers of their own children. The anxiety that mothers' self-possession incited in white southerners also points to the profound impact of their flight on slavery's demise.

A focus on black mothers' flight serves as an important reminder that many black mothers were "the prime movers in securing their own liberty" and that of their families.[44] As they departed for Union-held territory, they asserted themselves as mothers, taking possession of their progeny. Their fugitivity defied slavery's logic, which had classified them as chattel, devoid of kinship. Attachments to children fueled enslaved mothers' pursuit of freedom. At the same time, these attachments complicated wartime flight. Nonetheless, envisioning the northern soldiers as allies, the innumerable mothers who managed to escape headed to Union military lines. The next section follows them there.

Negotiating Freedom within Union lines

Fugitive-slave mothers made their way to Union-held territory in search of protection, but they often learned upon arrival that entry would require negotiation. Gender more broadly and motherhood in particular created barriers to women's access. In the eyes of federal officials, entitlement to wartime protection was largely based on one's ability to work. Labor functioned as the primary currency fugitives offered in exchange for admission into Union lines. Military officials readily welcomed able-bodied black men, whom they immediately perceived as

[43] C. Graham to Abraham Lincoln, 24 July 1865, in *The Destruction of Slavery,* ed. Berlin et al., 626-631 (quotation on 629).
[44] Berlin et al., *The Destruction of Slavery,* 3.

valuable for both their labor on behalf of the Union war effort and their subtraction from Confederate manpower. Fugitive-slave men were initially put to work in non-combatant roles constructing fortifications, breastworks, roads, and bridges; cooking and washing; driving supply wagons; and caring for the army's animals. Later, they were also recruited into the navy as sailors and the army as soldiers. The army did value some black women for their labor, employing them as hospital attendants, laundresses, seamstresses, and cooks. But those who gained government employment were typically unaccompanied by children, which enabled them to provide their services to the war effort; their labor could be used to benefit the Union precisely because they did not have children present to whom they needed to devote labor and care.[45] In his account of labor conditions in tidewater North Carolina's Union army camps, northern missionary Vincent Colyer reported that black men were paid $8 per month, plus food. "The women and children," by contrast, "supported themselves with but little aid from the government by washing, ironing, cooking, making pies, cakes etc. for the troops. The few women that were employed by the government in the hospitals received $4 a month, clothes and one ration."[46] Colyer's account reflected the Union's gendered, hierarchal categorization of fugitive slaves.

Military officials generally perceived mothers and their children as hindrances to military operations and, during the early months of the war, often barred them from entry into Union lines. Beginning with passage of the First and Second Confiscation Acts in 1861 and 1862, respectively, Union troops were authorized but not required to admit fugitive slaves into their

[45] On noncombatant military labor, see Thavolia Glymph, "Noncombatant Military Laborers in the Civil War," *OAH Magazine of* History 26, no. 2 (2012): 25–29; Ira Berlin, Steven F. Miller, Joseph P. Reidy, and Leslie S. Rowland, eds., *The Wartime Genesis of Free Labor: The Upper South*, ser. 1, vol. 2 of *Freedom: A Documentary History of Emancipation, 1861-1867* (New York: Cambridge University Press, 1993); Ira Berlin, Thavolia Glymph, Steven F. Miller, Joseph P. Reidy, Leslie S. Rowland, and Julie Saville, eds., *The Wartime Genesis of Free Labor, The Lower South*, ser. 1, vol. 3 of *Freedom: A Documentary History of Emancipation, 1861-1867* (New York: Cambridge University Press, 1990).
[46] Colyer, *Report of the Services Rendered by the Freed People,* 33.

lines.[47] In some places, especially in the western theater of the war, commanders operated at first according to a policy of exclusion. Exceptions were made when the army was in need of labor, a policy that tended to benefit black men. As General William T. Sherman, commander of the 5th division of the Army of the Tennessee, put it in August 1862, "We never harbor women or children—we give employment to men."[48] Because ex-slaves who labored in service of the Union army were promised protection and eventually emancipated, federal policies in effect opened a path to freedom for fugitive-slave men while foreclosing it to many women and children. Women stood a better chance of winning the favor of military commanders if they, too, demonstrated an ability to labor. Attachments to children lessened the odds that they would be perceived as available for labor, however, and reduced the employment opportunities extended to them.[49]

The Union army's reluctance to harbor women and children was also a matter of logistics. For the war's duration, food, clothing, bedding, and shelter were in short supply, and the federal government was often unable to address ongoing deficiencies. Fugitive slaves exacerbated the problem. On a very practical level, the Union army was simply not equipped with the sort of clothing and other necessities required by women and children. The need to procure such items may have further dissuaded Union officers from accepting them.[50]

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[47] On the confiscation acts, see Silvana R. Siddali, *From Property to Person: Slavery and the Confiscation Acts, 1861-1862* (Baton Rouge: Louisiana State University Press, 2005); John Syrett, *The Civil War Confiscation Acts: Failing to Reconstruct the South* (New York: Fordham University Press, 2005); Daniel W. Hamilton, *The Limits of Sovereignty: Property Confiscation in the Union and the Confederacy during the Civil War* (Chicago: University of Chicago Press, 2007).

[48] Maj. Genl. W. T. Sherman to Thomas Hunton, Esq., 24 August 1862, in *The Destruction of Slavery,* ed. Berlin et al., 292-294 (quotation on 294). Scholars agree that Union officials saw women, especially those with children, as undesirable. See, for example, Sharon Romeo, *Gender and the Jubilee*, 4.

[49] Schwalm, "US Slavery, Civil War, and the Emancipation of Enslaved Mothers," 395-396.

[50] Basic questions of how to clothe women and children were of concern to General Benjamin Butler, the Union commander in New Orleans. "We have with us many Negro women and children," Butler wrote, "bare foot and half naked. May I ask in what way, in view of the coming winter, these are to be clothed?" Benjamin Butler to Major General Henry W. Halleck, 1 September 1862, in *Private and Official Correspondence of Gen. Benjamin F. Butler during the Period of the Civil War*, ed. Jessie Ames Marshall (Norwood, MA: Plimpton Press, 1917), vol. 2, 243.

Most military officials deemed women and their children a nuisance, or what one commander described as "[u]seless negroes."[51] "Every Sambo has his Dinah and maybe a litter of little 'pickaninnies' that we have no sort of use for, and don't know what to do with," another Union commander complained.[52] Some commanders encouraged women and children to return to their former masters, while others assisted slaveholders in retrieving their slaves from Union camps. Still others simply left women and their children to fend for themselves. When General Speed Smith Fry, the commander of Camp Nelson, Kentucky, was confronted with what he called the "Nigger Woman Question," he employed a combination of these methods. He ordered escaped women and children to be returned to their former owners on the grounds that they were still legally slaves because the Emancipation Proclamation had no bearing in the state. He also banned all future runaway women from the camp, but still they came.[53] Most were the wives and children of men who had enlisted in the Union army. In November 1864, by order of Fry, all the women and children were forcibly expelled from Camp Nelson. Black soldier Joseph Miller testified that his wife and four children were among those evicted at gunpoint on a freezing day. Cast out into the bitter cold, Miller's "poorly clad" wife and children made their way to a town six miles from the camp, where the only shelter they could find was "an old meeting house belonging to the colored people" that was warmed by a single fire. Owing to "exposure to the

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Maj. Genl. W. T. Sherman to Capt. Waterhouse, October 8, 1862, in *The Destruction of Slavery,* ed. Ira Berlin, Barbara J. Fields, Thavolia Glymph, Joseph P. Reidy, and Leslie S. Rowland, ser. 1, vol. 1 of *Freedom: A Documentary History of Emancipation*, *1861-1867* (New York: Cambridge University Press, 1985), 297.

[51] Bvt Maj Gen J. C. Davis, General Orders No. 22, 14th Army Corps, 20 November 1864, vol. 6/8 14 AC pp. 86-87, General Orders and Circulars Issued, ser. 5701, 14th Army Corps, Records of U.S. Army Continental Commands, RG 393 Pt. 2 No. 371, NARA [FSSP C-8787].

[52] Quoted in Schwalm, "Motherhood and the Civil War," 395.

[53] Herbert G. Gutman, *The Black Family in Slavery and Freedom, 1750-1925* (New York: Pantheon, 1976), 370-374 (quotation on 371).

inclement weather," one of the Millers' children died.[54] On November 27, Captain Theron E. Hall, a quartermaster at Camp Nelson, reported that "[m]ore than four hundred poor women and children families of Colored soldiers have been sent from Camp the past week." "Some have died," he added, "and all are in a starving condition."[55]

As the fate of Joseph Miller's child attests, the army's disregard for mothers and their children could have fatal consequences. Dire circumstances elicited diverse responses from female fugitives. Some returned to their old homes with their children in hopes of better chances for survival. However, according to Vincent Colyer, many escaped slaves "expressed the greatest horror at the prospect of being sent back to their old homes," fearing the abuse they would face "for having absconded."[56] Instead, they slept in open fields and established unauthorized settlements on the fringes of the Union army camps that were unwilling to accept them. When possible, mothers followed the army, determined to survive and to take care of their children with the limited resources at their disposal. The threat of Confederate assault was always present, but proximity to Union forces and male kin helped insulate some women and their children from these perils.[57]

Despite discouragement from federal authorities, other mothers made their way to Union-occupied towns and cities.[58] But hardship often characterized their experiences there as well.

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[54] Affidavit of Joseph Miller, 26 November 1864, in *Free at Last: A Documentary History of Slavery, Freedom, and the Civil War,* ed. Ira Berlin, Barbara J. Fields, Steven F. Miller, Joseph P. Reidy, and Leslie S. Rowland (New York: The New Press, 1992), 493-495; Glymph, "Black Women and Children in the Civil War," 125.
[55] T. E. Hall to Captain E. B. W. Restieaux, 16 December 1864, in *The Wartime Genesis of Free Labor: The Upper South*, ed. Berlin et al., 680-685.
[56] Colyer, *Brief Report of the Services Rendered by the Freed People,* 51.
[57] Ira Berlin and Leslie S. Rowland, *Families and Freedom: A Documentary History of African-American Kinship in the Civil War Era* (New York: The New Press, 1997), 59; Schwalm, *A Hard Fight for We,* 142.
[58] Rampant spread of disease led some local officials and military authorities to try to prevent freedpeople from migrating to cities, believing that illness primarily plagued and was spread by black people. Unless former slaves had employment, they were regarded as undesirable inhabitants in the cities. See Jim Downs, *Sick from Freedom: African-American Illness and Suffering during the Civil War and Reconstruction* (New York: Oxford University Press, 2012), 73.

"The scenes were appalling," one Vicksburg observer reported. "Refugees were crowded together, sickly, disheartened, dying on the streets, not a family of them all either well sheltered, clad, or fed; no physicians, no medicines, no hospitals; many of the persons who had been charged with feeding them either sick or dead."[59] Mothers who sought refuge in the Washington, D.C., with numerous children were unable to secure the employment offered to freedmen at the Navy Yard, the Cavalry Depot, and other Quartermaster's sites. Freedwomen and children resorted to collecting and selling rags and other items found on the streets, including the bones of dead horses, for what little cash they could procure. Mothers relied on their older children to help accumulate the resources necessary for the family's survival. [60]

Finding housing in congested urban areas was a serious obstacle. Shanties, outhouses, and stables became makeshift homes for which former slaves had to pay exorbitant rents, on average $4 or $5 per month. These shelters offered little protection from the elements. Mothers with husbands in the army were in a better position to rent urban dwellings with the pay their husbands sent home, but army pay was notoriously irregular, and many women were therefore forced to find ways to house and feed their children on their own. Without jobs or support from male kin, mothers and their children were routinely turned out into the streets for non-payment of rent. Freedmen's relief associations sometimes provided bedding, soup, and clothing, but the support on offer was minimal at best, and the need for medicine and more nutritional food persisted.[61] For mothers who did not receive Union protection or had no desire to remain under close federal supervision, survival proved difficult.

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[59] Eaton, *Grant, Lincoln, and the Freedmen,*105.
[60] "Temporary Aid for the Freedmen," *Christian Recorder,* 4 March 1865; "The Negroes in Washington," *New Hampshire Patriot and State Gazette,* 8 February 1865. Jim Downs explains that ex-slaves understood "the value of the bones, which could be crumbled and buried in the soil with cotton seed, as fertilizer." Once collected, the bones were then sold to "local industries that specialized as 'bone grinders.'" Downs, *Sick from Freedom,* 120.
[61] National Relief Association of the District of Columbia, *Third Annual Report of the National Freedmen's Relief Association of the District of Columbia* (Washington, DC: M'Gill & Witherow, 1865), 4-8.

Motherhood impeded fugitive women's access to resources and protection. From the vantage of the military authorities who shooed them away, mothers had no place within Union lines because they added little, if anything, to the war effort.[62] Their exclusion rendered them both literal and figurative outsiders who were often forced to fend for themselves. Although many enslaved mothers no doubt learned through the grapevine of the disregard shown to women and children within Union lines, they continued to flee in droves, a testament to their desire for freedom and to the terrors they faced within the Confederacy. Through their presence and their persistence, fugitive-slave mothers sought to bend the federal government to their will in order to secure protection for themselves and their progeny; refusing to take no for an answer, they knocked on freedom's door until it opened.

Black Mothers in Union Refugee Camps

Fugitive slaves' arrival in Union military lines eventually led to a more concerted effort on behalf of the federal government to address their needs. By the end of 1862, army commanders had begun to appoint superintendents to oversee refugee settlements, commonly referred to as "contraband camps," to manage the population of former slaves who poured into Union-occupied regions of the Confederacy. Wherever the Union army made inroads, fugitive slaves flocked to its lines, necessitating an ever-growing number of camps across the South.

[62] Chandra Manning argues that the Union army's reliance on the services of formerly enslaved men, women, and children, entitled them not only to protection, but also to citizenship. Manning, "Working for Citizenship in Civil War Contraband Camps," *Journal of the Civil War Era* 4, no. 2 (2014): 172-204, and *Troubled Refugee,* 9-19. By Amy Murrell Taylor's account, although black women performed different work than their male counterparts once they reached Union lines, the labor of women was considered critical to the Union's military success. Taylor, *Embattled Freedom: Journeys through the Civil War's Slave Refugee Camps* (Chapel Hill: University of North Carolina Press, 2018), chap. 1. While in some contexts, women were indeed considered valuable to the Union war effort, a focus on motherhood makes it evident that women's other social locations informed their interactions with the federal government, their perceived value, and their sense of belonging. Mothers who had no services to render the government or behaved in ways that proved incompatible with its wartime agenda were deemed unworthy of protection, let alone citizenship, cautioning us to look more closely at the terms of emancipation and their implications for different categories of slaves and former slaves.

Housing in federally-sponsored refugee camps took the form of tents, barracks, or shanties. As the army employed black men for military labor and then as soldiers and sailors, residents of the camps became disproportionately women and children.[63]

With their feet planted in Union-held territory, fugitive-slave mothers began to establish themselves as freedwomen. Motherhood profoundly affected the process. As free persons, ex-slave mothers felt entitled to protection and adequate food, clothing, and shelter for their families. They held no illusion that wartime refugee camps would be paradises. But having fled their homes with little, they expected to have their basic needs met and to be treated with dignity. Moreover, they envisioned the camps as places where they could raise and nurture their children free from slavery's violence. "The women tell you that they will raise stronger children now that they are not worked so hard," one observer reported of hopeful mothers in South Carolina.[64] Refugee mothers expected to rear their progeny on their own terms and expected their kinship bonds to be recognized. But such expectations often went unfulfilled, both because slavery continued to cast its shadow and because the terms of wartime emancipation set by federal officials and northern missionaries undermined them.

Material conditions within the refugee camps flew in the face of ex-slave mothers' expectations of freedom. Massive wartime migration coupled with poor sanitation quickly transformed the camps into cesspools of disease, and lack of knowledge about germ theory left illness to run rampant. Smallpox, typhoid, yellow fever, and other epidemic diseases claimed many lives. Dysentery and typhus were ubiquitous. The groans of the sick and dying could be

[63] Scholarly works on the slave refugee camps include Manning, "Working for Citizenship in Civil War Contraband Camps"; Manning, *Troubled Refuge*; Taylor, *Embattled Freedom*.
[64] Charles Nordhoff, *The Freedmen of South-Carolina: Some Account of Their Appearance, Character, Condition, and Peculiar Customs* (New York: Charles T. Evans, 1863), 6; Elizabeth Ware Pearson, ed., *Letters from Port Royal, 1862-1868* (Boston: W. B. Clarke Co., 1906), 271.

deafening, and the absence of a comprehensive medical program exacerbated even basic health concerns. Health and sanitation conditions only grew worse as the number of fugitives within refugee camps swelled.[65]

Pitiful indeed was the condition of many fugitives upon entering Union lines. Their journeys had left them "footsore," in tattered clothing, sometimes "emaciated and already marked as victims of death."[66] Having traveled with only what they could carry, sometimes over great distances, mothers and their children arrived hungry, in desperate need of food, water, and rest. If Union camps sometimes offered respite, often they exacerbated refugees' distress. The army distributed rations to fugitive mothers and their children sparingly. An ever-growing number of fugitives meant that limited provisions were constantly stretched further, and delayed shipments and disrupted supply lines contributed to food shortages. The need for clothing and shelter was equally persistent. Mothers especially wanted for basic resources with which to care for young children. The demand for food, clothing, and shelter consistently outran the supply.[67] In order to survive, formerly enslaved mothers took advantage of whatever opportunities were available. They planted vegetable gardens around their dwellings and cooked, washed, and mended clothes for Union soldiers. Some of them found employment in military hospitals.[68] But

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[65] Horace James, *Annual Report of the Superintendent of Negro Affairs in North Carolina, 1864, With an Appendix, Containing the History and Management of the Freedmen in This Department up to June 1st, 1865* (Boston: W. F. Brown and Co., 1865), 57; James M. McPherson, *The Negro's Civil War: How American Negroes Felt and Acted during the War for the Union* (New York: Pantheon, 1965), 112; Downs, *Sick from Freedom,* 28-32; Berlin and Rowland, *Families and Freedom,* 61-62, 77-78.

[66] James, *Annual Report of the Superintendent of Negro Affairs in North Carolina,* 57.

[67] For an especially rich discussion of the battle for food and clothing, see Taylor, *Embattled Freedom*, chaps. 2, 5, and 6. Conditions in the refugee camps, as Chandra Manning has shown, "varied from place to place" depending upon "geography, weather, disease environment, the proximity of fresh water, drainage, availability of food, clothing, shelter," as well as "the attitudes of the Union officers and soldiers there." In regions removed from active combat, more permanent refugee settlements emerged. Fugitive slave mothers in places like Fort Monroe, Roanoke Island, Washington, D.C., and the South Carolina sea islands thus experienced the greatest stability. In the western theater of the war, particularly the Mississippi Valley, many camps were short lived, evacuated after a few weeks. The region was also embroiled in ongoing guerrilla warfare, which created greater precarity for fugitive slaves. See Manning, "Working for Citizenship in Civil War Contraband Camps," 190; Manning, *Troubled Refuge.*

[68] Schwalm, *A Hard Fight for We,* 98-99.

meeting their families' needs remained a challenge. Some soldiers refused to pay the women they hired or moved on before rendering payment.[69] When mothers did receive pay, it was inadequate. One working mother asked that her wages be issued in clothing because her "chiluns [were] naked, quite naked—in rags."[70] Limited positions as cooks, laundresses, and hospital attendants also meant that some mothers spent their days "hunting for washing or something to do" often without success.[71] Others were unable to perform such labor on account of large families of small children. As a result, large numbers remained reliant on the federal government for the duration of the war.

Living under dire conditions, mothers regularly buried the children they had risked so much to free. At Kendal Green Barracks, in the shadow of the nation's Capitol, missionary Laura Haviland observed that a child had frozen to death, marking "the fourth child in that row of cabins that had died" as a result of insufficient coal and wood.[72] The only shelter mothers in Alexandria, Virginia, could find was "old tenements and sheds, not fit for human beings," and, as a consequence, "a great share of the children . . . died."[73] Children constituted a significant share of the deaths in the refugee camps. Of 189 deaths recorded at Corinth, Mississippi, in spring 1863, 44 were children.[74] In the South Carolina sea islands, Charlotte Forten believed that "the manufacture of coffins was the only business that was at all flourishing."[75]

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[69] Glymph, "Noncombatant Military Laborers in the Civil War," 28.
[70] Towne, *Letters and Diary of Laura M. Towne,* 54.
[71] Haviland, *A Woman's Life-Work*, 366.
[72] Ibid., 461.
[73] "An Appeal," *Douglass' Monthly* 5, no. 6 (January 1863): 773.
[74] Manning, *Troubled Refuge,*117.
[75] Charlotte Forten, "Life on the Sea Islands (Part I)," *The Atlantic* 13 (May 1864): 588. "All my children have died, since I came into the army," one mother told a northern missionary. Letter from Lucy Chase, 1 April 1863, in *Dear Ones at Home*, ed. Swint, 54-69. Another mother buried three of her children on Craney Island. Letter from Lucy Chase, 1 July 1864, in *Dear Ones at Home,* ed. Swint, 116-129.

Poverty was but one of many threats to ex-slave mothers' new-found freedom. The camps' inhabitants quickly learned that Union-occupied areas, no matter their location, were not hermetic bubbles of protection. Refugee settlements were, rather, violent spaces frequently penetrated by slavery's armed defenders. As Horace James, superintendent of the Freedmen's Colony on Roanoke Island, North Carolina, said of its residents, "every change in the posture of public affairs, every movement of an army, every raid, advance or retreat, whether of our troops or of the other, is to them a new distress."[76] At a moment's notice, men, women, and children could be transferred to other places, moved in great haste by retreating Union troops.

Rebel raids and kidnapping by Confederate troops and guerrillas also compromised black safety and freedom. In the Mississippi Valley, the plantations to which mothers and their children had been assigned were routinely attacked by guerrillas. An 1864 report on the Natchez and Vicksburg district of Mississippi and the district of Helena, Arkansas, stated that from "the ninety-five safest of the plantations" where former slaves were employed, there were "taken by the rebels, 2314 head of serviceable stock, and 966 blacks."[77] The raids ruptured families. On one Natchez plantation, "[s]everal children were thrown upon the mules, or taken by the guerrillas on their own horses, where they were firmly held," the guerrillas paying "[n]o attention . . . to the cries of the children or the pleadings of their mothers." Preferring slavery to separation, some of the mothers "followed their children," while others had such a "dread of captivity" they did not dare to do so. "Among those taken was an infant, little more than eight months old."[78] After braving flight to Union-held territory, mothers continued to live in fear of violence and familial separation.

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[76] James, *Annual Report of the Superintendent of Negro Affairs in North Carolina,* 37.
[77] Eaton, *Grant, Lincoln, and the Freedmen,* 157-158.
[78] Thomas W. Knox, *Camp-Fire and Cotton Field: Southern Adventure in Time of War: Life with the Union Armies, and Residence on a Louisiana Plantation* (New York: Blelock & Co., 1883), 444.

Mothers called on the federal government to protect their physical safety as well as their parental rights. However, Union officials sometimes undermined these prerogatives, placing strains on the fragile bonds of kinship. In the summer of 1863, Dr. Wheaton, a Tennessee slaveholder, sent an enslaved woman and her husband to a nearby refugee camp, "with orders not to return under any circumstances." The woman's three children, ages four, seven, and ten, he retained. Although Wheaton lived just half a mile from the camp, it must have felt as though millions of miles separated the mother from her children. After seven months, the woman's husband, who had joined the Union army, returned to Wheaton's plantation with two other black soldiers to retrieve the children. Sneaking onto the place while Wheaton was away, the soldiers successfully recovered the children, who were delivered to their mother in the refugee camp.[79] Their reunion, however, was short-lived. Under orders from General Ralph P. Buckland, commander of the District of Memphis, "the children were found and amid the tears and protestations of the mother—were returned to D^{r} Wheaton." General Buckland was convinced that the children were "well cared for and kindly treated in the family of Dr. Wheaton" and that returning them to him "would be for the good of the children." To add insult to injury, the mother was "charged" by her former master "with abusing her children" at times. Her defenders, however, pointed out that she had given birth to another child "while in Camp" and had "conducted herself with propriety"[80]

Mothers' reliance on federal authorities for protection could be a double-edged sword. As in the case of the mother whose children were returned to Dr. Wheaton, federal policy sometimes worked to uphold slavery rather than freedom precisely because the Union army had little to gain

[79] Brig. General R. P. Buckland to M. D. Lauden, Esq., 23 February 1864, in *The Destruction of Slavery,* ed. Berlin et al., 316.
[80] Brig. General [Augustus L. Chetlain] to Lieut. Col. T. H. Harris, 12 April 1864, and Brig. General R. P. Buckland to M. D. Lauden, Esq., 23 February 1864, in *The Destruction of Slavery,* ed. Berlin et al., 316-317.

from entitling black mothers. Slavery and freedom collided to produce a state of unfreedom.[81] For mothers, freedom was not a destination, a status, or bodily autonomy, but something achieved in relation to others. Because reconstructing and maintaining family bonds were integral to their definition of what it meant to be free, having their own feet pressed firmly in Union-held territory was less than freedom in the absence of their children.[82]

The struggle of fugitive-slave mothers to survive within Union lines and to imbue their new status with meaning was exacerbated by the absence of husbands and other male kin. Refugee camps served as recruitment grounds for military officers who hoped to enlist black men in the Union army. Enslaved men saw enlistment as a means to strike a powerful blow against slavery and to ensure the freedom of their families.[83] They therefore volunteered in large numbers, but some were plucked from the camps against their will.[84] In the absence of husbands and other male kin, women became the sole providers for their families. Black soldiers tried to send their wages to their wives and other female kin for the support of their families, but payment was irregular. Overwhelmed by the daunting task of caring for their families, some mothers appealed directly to the secretary of war and other military officials, asking that their husbands be discharged, furloughed, or given leave to fulfill their familial responsibilities. The commander of a Louisiana black regiment reported that "applications are constantly made for

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[81] What is known of this mother is buried in correspondence between an attorney who investigated the legality of General Buckland's decision and military personnel. It is unclear how the attorney became involved in the dispute, but it is safe to assume that the mother's protests precipitated his intervention. The woman would end up working for wages on a plantation near Goodrich's Landing in Louisiana without the children who had been returned to her former owner's custody.

[82] Here my thinking is informed by Deborah Gray White, who writes, "For those fugitive women who left children in slavery, the physical relief freedom brought was limited compensation for the anguish they suffered." White, *Ar'n't I A Woman: Female Slaves in the Plantation South* (New York: W. W. Norton & Co., 1985), 71.

[83] The Militia Act (1862) emancipated men who served in the Union army and also their mothers, wives, and children (if their owners were disloyal). The act was reinforced by the Emancipation Proclamation. Federal authorities used such incentives to encourage black military service. For a robust discussion of the Militia Act and its implications for enslaved women, see Stephanie McCurry, *Women's War*, chap. 3.

[84] Ira Berlin, Joseph P. Reidy, and Leslie S. Rowland, eds., *Freedom's Soldiers: The Black Military Experience in the Civil War* (New York: Cambridge University Press, 1998), 19.

leave to visit the city to enable the soldiers to make some provision for their families."[85] In December 1863, Jane Wallis, a Virginia freedwoman, protested the impressment of her husband, whose absence left her with three children at a time when poor health made her unable to provide for them.[86] Wallis was neither the first nor the last to seek the discharge of her husband on such grounds. Again and again, applicants cited insufficient means to care for their children as justification for the discharge. Marina Sanders, a soldier's wife in North Carolina with five children under the age of eleven, "found it next to impossible to obtain food enough for herself & children." Although she was a "hard working woman," given "the size of her family" she was "obliged to take all her earning in provisions."[87] In theory, marriage stood to benefit the wives of soldiers, but in practice, they fared like unmarried mothers.[88]

In the absence of male kin, mothers turned to female networks for survival. Ex-slaves who had occupied the same plantation or lived in the same neighborhood under slavery often fled from bondage together. Decades later, Luvenia Smith, a mother of ten, recounted that when her husband enlisted, she followed his regiment to New Orleans but then relocated to a plantation

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[85] [Col. S. H Stafford] to Lieut. Col. R. B. Irwin, 4 January 1863, in *The Black Military Experience,* ed. Berlin et al., 685-686.

[86] Jane Wallis to Maj. Genl B. F. Butler, 11 December 1863, Letters, Orders, and Telegrams Received, Fort Monroe VA General Superintendent, BRFAL, RG 105, NARA.

[87] Affidavit of Marina Sanders, 22 May 1866, in *The Black Military Experience,* ed. Berlin et al., 671. A Freedmen's Bureau superintendent forwarded Sanders's affidavit with the suggestion that she and her children receive transportation to Wilmington, North Carolina, where her husband was stationed, but the request was denied. For other appeals for furloughs or discharges, see George Rodgers et al. to Mr. President, [August] 1864, in *The Black Military Experience,* ed. Berlin et al., 680-681; Rebecca Smith to Hon. Secretary of War, n.d., S-257 1865, Letters Received, ser. 360, Colored Troops Division, Adjutant General's Office, RG 94, NARA [FSSP B-165]; Martha Douglass to the War Department, 6 July 1865, D-222 1865, Letters Received, ser. 360, Colored Troops Division, Adjutant General's Office, RG 94, NARA [FSSP B-230]. The federal government sought to ensure that black women and their children did not remain dependent on the government, but the impressment and enlistment of black men undermined that objective. Limited access to employment opportunities, wages, and financial support, coupled with men's absence in military service, inevitably left many black mothers dependent on the government for support, perpetuating the very menace federal authorities aimed to eliminate.

[88] Stephanie McCurry argues that many black soldiers' wives struggled to gain recognition from federal officials. Union officers demonstrated a contempt for black women's claims that "dogged black soldiers' wives at every turn during and after the war." "The qualifying quotation marks" routinely placed around "soldier's wife" throughout the military record, she writes, serves as powerful evidence. McCurry, *Women's War,* 108.

in Bayou Sara, Louisiana, where she worked until he was mustered out. "I was with the wives of Aleck Cary, Charles Cotton & Harry Whitaker all this time," she explained.[89] It is likely that these women were reliant on one another precisely because of their husbands' absence. Generations of women assisted each other in raising children within the refugee camps. A Port Royal missionary observed that a woman named Tamar shared a home with her mother and grandmother. "She also had three children, one of whom was married and lived there with his wife and baby," who "the oldest woman was 'minding.'" "It was something to see five generations together, all apparently in good condition," the missionary remarked.[90]

Within Union-held territory, federal officials launched experiments in free labor that also shaped black mothers' wartime experience. As Union forces invaded the Confederacy, many slaveholders abandoned their plantations. The federal government seized the abandoned plantations and established various programs by which they would be used to employ former slaves while also generating revenue for the Union war effort. In some places, notably the sea islands at Port Royal, South Carolina, and the lower Mississippi Valley, the government leased abandoned plantations to northern businessmen, former U.S. military officers, and white southerners who took an oath of allegiance to the Union, all of whom employed black refugees to plant staple crops, especially cotton. The former slaves worked under contract terms and labor regulations dictated by federal authorities and received compensation in the form of wages or crop shares, plus rations and housing. With most able-bodied black men siphoned off for military labor or enlistment as soldiers, the workforces on the abandoned plantations came to consist

[89] Excerpt from the Deposition of Luvenia Smith, 16 May 1905, Civil War Pension File of Joe Smith, 83rd USCI and 78th, in *Voices of Emancipation*: *Understanding Slavery, the Civil War, and Reconstruction through the U.S. Pension Bureau Files*, ed. Elizabeth A. Regosin and Donald R. Shaffer (New York: New York University Press, 208), 89.
[90] Botume, *First Days amongst the Contrabands,* 56.

chiefly of women, children, and elderly or disabled men, all of whom were now expected to become self-supporting.[91]

On the federally-sponsored plantations, mothers and their children became assets rather than dependents on government largesse. Placing hoes and plows in women's and children's hands fulfilled two primary objectives. Government officials feared that long-term dependency would result from unemployment and believed that free-labor programs would promote former slaves' self-sufficiency. Women and children's labor on the plantations would allow them to produce food for their own subsistence, which would relieve the government of the need to dole out rations. More resources could thus be directed toward the war effort. Secondly, black industriousness, thrift, and self-sufficiency were ideological underpinnings of the federal emancipation project. The wartime free-labor program was thus a "dress rehearsal" for transitioning slaves from slavery to freedom. Free labor, in the eyes of federal officials, was the essence of what it meant to be free; with proper supervision, formerly enslaved African Americans could be rehabilitated and transformed into self-sustaining freemen and freewomen.[92] Formerly enslaved mothers recognized the potential income and independence to be reaped from wage labor and were eager to work to support their families, especially in the absence of husbands and sons. They also saw laboring for the government as a way to more fully secure their place within Union-held territory.[93]

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[91] Berlin et al., *The Wartime Genesis of Free Labor: The Upper South*; Berlin et al., *The Wartime Genesis of Free Labor: The Lower South*; Ira Berlin, Barbara J. Fields, Steven F. Miller, Joseph P. Reidy, and Leslie S. Rowland, *Slaves No More: Three Essays on Emancipation and the Civil War* (New York: Cambridge University Press, 1992), chap. 2.

[92] Willie Lee Rose, *Rehearsal for Reconstruction: The Port Royal Experiment* (Indianapolis: Bobbs-Merrill, 1964); Armstead L. Robinson, "'Worser dan Jeff Davis': The Coming of Free Labor during the Civil War, 1861-1865," in *Essays on the Postbellum Southern Economy,* ed. Thavolia Glymph and John J. Kushma (College Station: Texas A&M University Press, 1985), 11-47; William F. Messner, *Freedmen and the Ideology of Free Labor: Louisiana, 1862-1865* (Lafayette: Center for Louisiana Studies, University of Southwestern Louisiana, 1978).

[93] Letters from Lucy Chase, 1 April 1863, in *Dear One's at Home, Letters from Contraband Camps* (Nashville, TN: Vanderbilt University, 1966), 54-69.

In theory, the emergent free labor system was mutually beneficial for the federal government and black women, affording the former financial gain and the latter rations and wages. But the mutual benefit proved more theoretical than real. Wartime labor conditions and relations often resembled slavery. Workers could not travel freely from one plantation to another, and they could not quit or change employers. Those who refused to work were forced to do so without pay. As General Benjamin Butler made clear, "negroes have rights so long as they fulfill their duties." Freedom was conditional.[94]

The wartime labor system had little regard for the particular needs of ex-slave mothers. Responsibility for children made women's ability to meet employers' expectations difficult. Moreover, the government's labor policies did not alleviate material hardship. The wages mothers reaped were meager when they were paid at all. Sometimes women never saw a dime of their earnings because the cost of feeding their dependents was deducted from their wages. As one plantation lessee noted, "if the woman be ordinarily well and have no fraud practised on her, and have no children, she will get scanty rations, poor shelter and clothes, and *nine dollars,* for her year's work in the cotton field! But suppose she *has* a child—and black women *do* have children, what then?"[95] Women with multiple children had to stretch their rations to make sure all of them were fed. Even when wages were paid, they did not go very far, however few the number of her children.

Resourcefulness was a required skill for all freedwomen. But some things were beyond a mother's control. If a child or other relative became sick, mothers devoted their attention to

[94] General B. F. Butler, General Orders No. 46, 5 December 5,1863, in *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies* (Washington, DC: Government Printing Office, 1880-1901), ser. 3, vol. 3, 1139-1144; James, *Annual Report of the Superintendent of Negro Affairs*, 47; McPherson, *Negro's Civil War*, 156; Knox, *Camp-Fire and Cotton-Field*, 364-365; Rose, *Rehearsal for Reconstruction,* 83.
[95] James, *Annual Report of the Superintendent of Negro Affairs*, 47.

caring for them. Absenting themselves from work was sometimes necessary, but doing so could leave wage-earning women indebted to their employers, whether northern lessees or southern planters who had taken an oath of allegiance to the Union. Labor disruptions created employer resentment, and, as one northern observer put it, the "complaints arising between planter and laborer are endless."[96] Employer dissatisfaction did not dissuade women from devoting themselves to their families. Reoccurring complaints in the records of the government-supervised plantations demonstrate that black women felt entitled to divide their time between labor and family despite employers' grumbles of frustration. The emergent free labor system, however, treated workers as individuals and failed to reflect the economic and reproductive responsibilities that fell to black mothers. Throughout the war, federal officials and policies were at odds with what black mothers expected of freedom, fundamentally hindering their ability to provide for their children and establish themselves as mothers.[97]

Within Union-held territory, mothers also interacted with northern missionaries who had ventured south to provide relief, religion, and education to the former slaves. Amid the chaos of war and inadequate federal aid, mothers eagerly took advantage of the resources they had to offer. Refugee mothers sometimes found allies in northern missionary women, who appealed on their behalf to northern aid societies and military officials for books, clothing, bedding, and foodstuffs. With their assistance, black mothers reunited with children and ensured their deceased children received proper burials. When General Stephen Hurlbut ordered the relocation of ex-slaves from Cairo, Illinois, to Island No. 10, in the Mississippi River, one mother, whose eight-year-old child had recently died, refused to board the government steamer until her child

[96] John Eaton, *Report of the Superintendent of Freedmen Department of Tennessee and State of Arkansas for 1864* (Memphis, TN: Author, 1865), 54.
[97] Berlin et al., *Slaves No More,* 167.

had been properly buried. Her other children had all been sold away under slavery. Having previously witnessed the disregard soldiers showed for deceased black children, the mother was insistent that her child be sent to the spiritual world with respect. “I don’t want to leave my chile on dis bare ground,” she pleaded. To the captain in charge, it made little “difference if that child shouldn't be buried this afternoon or whether wharf rats eat it or not,” but with the intervention of Laura Haviland, a white missionary from Michigan, the child was laid to rest in a pine coffin before sunset.[98]

As Amy Murrell points out, “assistance also came with conditions.”[99] This was especially true of material relief. Northern missionaries were determined to provide food, clothing, and shelter to only the neediest of ex-slaves, leaving all others to take care of themselves. Mothers, particularly those with large families, were often regarded as worthy recipients, but the missionaries expected them to express gratitude and act deferentially. Mary Ames, a New England teacher among freedpeople in Charleston, was appalled by their sense of entitlement to donated clothing. “Several children came and demanded clothing as a right,” she wrote in her diary just weeks after her arrival in the city. Ames was equally dismayed by their boldness when a box of clothing arrived a month later and yet again former slaves came to “demand clothing . . . say[ing] they have a right to it.”[100] Refugee mothers did not conceive of clothing as a privilege but a right to which they were entitled. In making such claims they asserted their right both to be treated with dignity and to dress their children as they saw fit. In so doing, black mothers defied northern missionaries’ expectations.

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[98] Haviland, *A Woman’s Life-Work,* 247, 461.
[99] Taylor, *Embattled Freedom,* 158.
[100] Mary Ames, *From a New England Woman’s Diary in Dixie in 1865* (Norwood, MA: Plimpton Press, 1906), 39, 69-70.

Northern missionaries also expected black mothers to conform to white, middle-class notions of womanhood, and those who failed to do so were deemed unworthy of relief. In Port Royal, South Carolina, a freedwoman named Cumber who had given birth to a baby girl was "bad off" and in desperate need of supplies to care for her newborn. A crowd of freedwomen waited outside the home of Elizabeth Hyde Botume, a northern white teacher, as they "wished to bear united testimony in poor Cumber's case" even though "the women knew very well" Botume "would have nothing to do with" her because she was an unwed mother. In light of the women's appeal, Botume set aside her reservations and "made up the usual bundle of baby-clothes and comfortable things for the mother, which they were to carry to her."[101] While the delegation of freedwomen was successful in this case, the incident elucidates how northern missionaries could leverage their access to resources to compel black women to behave in ways they deemed acceptable. More importantly, it underscores black mothers' application of their own standards of proper motherhood. The collective appeal on behalf of Cumber demonstrates black women's belief that unwed mothers were as entitled to supplies as married ones. Accordingly, out-of-wedlock birth did not deter them from demanding assistance. In effect, they refused to conform to notions of womanhood that were incompatible with their needs and material realities. The collective action also speaks to the importance of female networks of support, as well as the social character of black mothering. Mothers advocated for one another's maternal needs.

Through home visits, northern missionaries endeavored to teach freedwomen "good nurture of their children" as well as "clean and healthful habits."[102] During such visits, missionaries witnessed the dire straits in which mothers were rearing their children. Charlotte

[101] Botume, *First Days amongst the Contrabands,* 125.
[102] E. L. Pierce, *The Negroes at Port Royal: Report of E. L. Pierce, Government Agent, to the Hon. Salmon P. Chase, Secretary of the Treasury* (Boston: R. L. Wallcut, 1862), 24.

Forten, who made "daily visits to the 'quarters,'" insisted that there was "nothing comfortable or home-like about them." The dwellings consisted of "two very small rooms" that were generally bare.[103] Such conditions drove missionary women to try to procure bedding and other resources. While mothers benefited from the assistance, home visits brought black mothers and their domestic habits under close scrutiny. Massachusetts abolitionist Susan Walker used her diary to record harsh judgments of the freedwomen she encountered in Port Royal, South Carolina. On March 25, 1862, she made the following entry:

> Again at the Jenkins' plantation to look into cabins, talk with women and see what can be done to improve them. Katy has 7 ragged, dirty children, what shall be done? No husband and *nothing*. Some clothes are given for her children—one naked, and must have it at once. Is Katy lazy? Very likely. Does she tell the truth? Perhaps not. I must have faith and she must, at least, cover her children. She promises to make her cabin and herself clean and to wash her children before putting on the new clothes. Will she do it? I will see her again.[104]

Her entry on April 4 was not only critical but impatient:

> Visited cabins and talked with women, found several sick and complaining of aches and pains; do not wonder they feel sick in such atmosphere. Why will not they keep cleaner? Have better ventilation! I always prescribe open door and bath—no medicine is needed if they would but live decently.[105]

Walker doubted these ex-slave women's capacity to be effective mothers without her guidance. As she saw it, their children were clad in rags, barefoot, and covered with filth on account of their mothers' ignorance.

Female missionaries generally believed themselves endowed with greater moral authority than their charges and regarded themselves as especially responsible for eliminating backward

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[103] Charlotte Forten, "Life on the Sea Islands (Part I)," *The Atlantic* 13 (May 1864): 592. For another description of ex-slaves' quarters, see Linda Warfel Slaughter, *Freedmen of the South* (Cincinnati: Elm Street Printing Co., 1869), 141.
[104] Susan Walker, *The Journal of Miss Susan Walker,* ed. Henry Noble Sherwood (Cincinnati: Historical and Philosophical Society of Ohio, 1912), 21.
[105] Ibid., 26.

maternal practices. As a consequence, black mothers were routinely subjected to belittlement and condescension. Laura Towne, an educator among the freedpeople on St. Helena Island, South Carolina, complained in her diary that "[t]hey make not the slightest preparation for an expected infant, having always been used to thinking it 'massa's' concern whether it was kept alive or not." Towne also disparaged black women who failed to mourn their children's deaths as she thought was proper. She cited an instance in which a woman who had recently lost a child "seemed perfectly stolid," but after being given a dollar "was pleased as if she had no sorrow."[106] Towne characterized the mother as devoid of deep feeling or affection for her child, her desire for material possessions exceeding her maternal instincts. In effect, Towne conceived of her as something less than a woman because did not meet her own standards of womanhood. Many white, middle-class women approached relief with the presumption that black mothers were inept and in need of white tutelage to properly raise their children, ignoring the fact that enslaved women had long cared for their own children.

White missionaries' ideas represented a broader understanding among middle-class northerners about the effects of slavery on formerly enslaved women. The American Freedmen's Inquiry Commission, which was charged by the War Department with studying the prospects of former slaves, generated a report that emphasized the incapacity slavery had produced. "In the first place, none of the cares—those noble cares, that holy thoughtfulness, which lifts the human

[106] Towne, *Letters and Diary of Laura M. Towne,* 24-25. Although they arrived with their own middle-class assumptions, black female missionaries and teachers were often more sympathetic to ex-slave women and commented on their maternal affection. Charlotte Forten, a member of a prominent black family in Philadelphia, remarked that despite the trials of slavery, one grandmother had "much of the milk of human kindness left her yet," because she had sat up "the entire night" to nurse a "poor baby faithfully." Forten, "Life on the Sea Islands (Part I)," 594. Harriet Jacobs, herself an ex-slave, worked among freedpeople in northern Virginia. "Many mothers, on leaving the plantations, pick up little orphans, and bring them with their own children," she remarked. Observing that many of these women became destitute, Jacobs did what she could "to make their condition more comfortable." On one occasion, she undertook a "begging mission" to secure quilts for a sick mother with an infant "in a dying condition." Harriet Jacobs, "Life Among the Contrabands," *Liberator,* 5 September 1862, 3. The number of African American women who traveled South to aid the freedpeople during and after the war was relatively small, however.

above the brute parent—are ever incurred here either by father or mother," the commission contended in its final report. "The relation, indeed, resembles, so far as circumstances can possibly make it so, the short-lived connexion between the animal and its young." According to the commissioners, enslaved mothers had received clothing, rations, lighter workloads, and sometimes relief from work in the field for bearing children, and these inducements had extinguished "the restraining influences . . . which belong to the parental relation among all other people, whether civilized or savage." The black woman had been conditioned to commodify her own children because the more human property she produced for her master, "the more claims she [had] upon his consideration and good will." Perhaps of most concern to the commission was what it saw as a lack of morality among the enslaved, as evidenced by their reproductive practices. "Young girls of fifteen—some of an earlier age—became mothers, not only without marriage, but often without any pretense of fidelity to which even a slave could give that name," the report lamented.[107]

Northern missionaries generally believed black mothers capable of reform. "Slavery crushed their nature; freedom must heal and elevate them," one reformer remarked. Education would do the elevating.

> The mothers, especially, must be taught their duties training their households. It was a law of slavery that "the child followed the condition of the mother." And in another sense, the children follow the condition of the mother the world over. The child confides in the mother, is cheered by her sweet words, and blessed by her counsels. Education must subdue vicious tempers, break down enmities, and establish the reign of love and kindness.[108]

[107] Edwin M. Stanton, *Report of the Secretary of War, Communicating, in Compliance with a Resolution of the Senate of the 26th of May, a Copy of the Preliminary Report, and Also of the Final Report of the American Freedmen's Inquiry Commission* (Washington, DC: Government Printing Office, 1864), 61.
[108] "Sand-Bank Jottings.—No. IV," *South Carolina Leader*, 23 December 1865.

Although proponents of emancipation were hopeful, such conviction was coupled with a belief that slavery and its attendant violence had rendered freedwomen's maternal instincts almost nonexistent. In reformers' evaluations, freedwomen were both explicitly and implicitly cast as apathetic, irresponsible, and neglectful. When poverty rendered mothers unable to provide for their children materially, inability was construed as ineptitude. Those who "wished to understand" white, middle-class prescriptions were considered "keen and bright," while those who did not were characterized as "stupid and idiotic."[109]

Reaching Union-held territory did not guarantee freedom or occasion jubilee. Racism, slavery, patriarchy, paternalism, and official action and inaction colored wartime emancipation, creating overwhelming obstacles for black mothers. Living in slavery's shadow, self-emancipating mothers were no longer chattel, but quickly discovered that emancipation and freedom were not one and the same. In the war's aftermath, former slaves would continue seek government protection, demand custody of their children, and insist on the right to govern themselves and their children. The Civil War marked only the beginning of black mothers' struggle for freedom.

[109] Eaton, *Grant, Lincoln, and the Freedmen*, 66.

Chapter 2

Black Motherhood and the Problem of Poverty

On May 26, 1868, Polly Jennings gave birth alone in the woods near the Virginia plantation where she was employed. Immediately following her no-doubt-harrowing delivery, she took a knife she had borrowed from a neighbor, slit her infant's throat, and concealed its body in a hollowed tree stump. Polly Jennings was unmarried, with five other children to care for. Her employer had threatened to evict her if she had any more children. Pregnant again, she resorted to infanticide to prevent her family from sliding into destitution. When the infant's body was discovered, the local coroner convened an inquest. Several freedpeople gave damning testimony against Polly, and in October the Halifax County Court sentenced her to hang for murdering her child. Agents of the Freedmen's Bureau intervened on her behalf, and her sentence was commuted to life in prison. Subsequently, after nearly a decade of incarceration, she was pardoned by Virginia's governor and released from prison on account of her exceptionally good prison record and a prevailing belief that she had been punished enough.[1]

On the one hand, Polly Jennings's story reveals the overwhelming and sometimes horrific obstacles black mothers faced during the transition from slavery to freedom. She, like so many other mothers, navigated a terrain that was hostile on account of her identity as a poor black mother and on account of her perceived lack of value. On the other hand, her story also

[1] Commonwealth vs. Polly Jennings, 29 May 1866, Records Relating to Complaints and Indentures, Halifax VA Subassistant Commissioner, BRFAL, RG 105, NARA; Thos P. Jackson to Brig Genl. O. Brown, 15 December 1868, Registered Letters Received, Halifax VA Assistant Subassistant Commissioner, BRFAL, RG 105, NARA; "Communication from the Governor of Virginia Transmitting List of Commutations of Punishment Granted during the Past Year, with Reasons Therefor," *Journal of the House of Delegates of the State of Virginia for the Session of 1877-8* (Richmond: R. F. Walker, 1877), House Document No. 3, 3. For other discussions of Polly Jennings, see Catherine Clinton, "Bloody Terrain: Freedwomen, Sexuality and Violence during Reconstruction," *Georgia Historical Quarterly* 76, no. 2 (1992): 320; Drew A. Swanson, *A Golden Weed: Tobacco and Environment in the Piedmont South* (New Haven, CT: Yale University Press, 2014), 165-166.

represents in extreme form both the strategies that black mothers used to survive and provide for their children, as well as their dogged efforts to breathe meaning into their lives as freedwomen. Polly Jennings's dreadful decision to commit infanticide was extraordinary, but it provides stark evidence of the childrearing predicaments ex-slave mothers faced after emancipation.

Whereas formerly enslaved women's reproductive capacity and children had been of great value to slaveholders, in freedom they were undesirable to employers. Across the postwar South, pregnant women and mothers with small children faced difficulty getting and keeping employment, and even when they were hired to work on plantations or in domestic service, they received meager wages or no compensation beyond food and housing. This chapter traces how black single mothers survived in a labor system that devalued their labor and privileged male-headed households.[2] Freed mothers combated poverty and destitution by attaching themselves to men who were willing to support their families or relied on the labor of older children to keep their fledgling households afloat. Deserted and otherwise single mothers also lodged paternity suits and made claims for child support, holding the fathers of their children accountable for fulfilling what they perceived to be their paternal duty.

In the face of postemancipation poverty, single black women used their identities as mothers to lay claim to economic support. In so doing, they eschewed individual autonomy and strategically embraced dependence. The economic realities they confronted, coupled with the free labor system's emphasis on male-headed households, necessitated this relational way of being. At the same time, emancipation raised new questions about familial obligation. If husbands, lovers, fathers, sons, and other male kin functioned as vital lifelines, the strategic use of motherhood and dependency did not come without its challenges to freedwomen. While at

[2] For the purposes of this chapter, single mothers are defined as freedwomen who lacked male financial support, including women who were unmarried, divorced, deserted, widowed, or living apart from their spouses.

times those on whom freed mothers sought to rely cooperated, disputes over custody, child support, and paternity reveal that former slaves often held conflicting notions about the entitlements and obligations of kinship. For freed mothers, defining themselves as free persons and enjoying their freedom became contingent upon their ability to reconcile those divergent, competing ideas in order to make effective claims upon their kin.

The Devaluation of Freed Mothers' Labor

"Early one morning, just after the close of the war," Jane Ferguson and her three children stood in front of the big house as their master, Jones Boroughs, announced the abolition of slavery. "Now, my children, we are free," she "leaned over and whispered" to her youngsters, Booker, John, and Amanda. Jane "hailed with joy" the news of her freedom and the prospect of "beginning a new life."[3] Her womb and her offspring were now hers and hers alone, and she no longer had to live under the threat of sale and separation. Gone were her fears of producing enslaved children and the implicit and explicit violence inherent in the institution of slavery. Freedom held the promise of educating her children and protecting them in ways previously only imagined. On the horizon, Jane saw brighter futures for her children. Boroughs's pronouncement was indeed cause for celebration. While Jane's prayer "that some day she and her children might be free" had been answered, emancipation brought with it challenges of a new sort. Most urgently, it "threw upon her [the] great responsibility" of supporting her family.[4] How would she earn a living? Would she hire herself to her former owner or leave to seek new employment? Most immediately, how would she put a roof over her children's heads, food in their mouths, and

[3] Booker T. Washington, *The Story of My Life and Work* (Naperville, IL: Nichols & Co., 1901), 20.
[4] Ibid., 13.

clothes on their backs? Such questions of survival confronted every formerly enslaved mother in the wake of slavery's destruction.

After the Civil War, former slaveholders no longer controlled African Americans' labor. Newly freed men, women, and children gained the rights to own property, enter into contracts, change jobs as they pleased, and benefit from the fruits of their own labor, entitlements long denied to them under bondage. Although the federal government's failure to redistribute land dashed most of their hopes of becoming independent proprietors, former slaves sought to achieve self-reliance by selling their labor within the free-labor economy. With the assistance of the Freedmen's Bureau, they contracted to work in exchange for wages or a portion of the crop. "The best protection the freedman has in the South is the value of his labor in the market" was the prevailing belief among federal officials and northern friends of the former slaves. Freedom's promise would be realized through the free labor system.[5]

Although the advantages of free labor were portrayed as universal, gender and motherhood specifically, deeply influenced former slaves' ability to negotiate the free-labor market. If the best protection for the freed*man* was the value of his labor, the same could not be said for freedwomen, especially not those with young children. As emancipation reconfigured the social order, black women's and children's bodies and labor acquired dramatically new meaning. From the standpoint of former slaveholders, black women's reproductive capacity and offspring were no longer assets, but encumbrances.[6] This shift in valuation disadvantaged

[5] James B. Steedman and James F. Fullerton, *Reports of Generals Steedman and Fullerton on the Condition of the Freedmen's Bureau in the Southern States* (Washington, DC: n.p., 1866). Federal officials, Jim Downs has shown, believed that free labor "would not only transform former slaves into independent workers, who could determine their course of employment," but also "solve the health and social problems that plagued the South." Downs, *Sick from Freedom*: *African American Illness and Suffering during the Civil War and Reconstruction* (New York: Oxford University Press, 2012), 122.

[6] As one Texas observer noted, "In former days women were high in the market 'if they had childern' but now it seems that employers have a dislike to negroe childern." Frd: Ed: Miller to Gen'l E M Gregory, 22 December 1865, in *Land and Labor, 1865,* ed. Steven Hahn, Steven F. Miller, Susan E. O'Donovan, John C. Rodrigue, and Leslie S.

mothers of young children within the labor market relative to black men and other black women.[7] In the aftermath of emancipation, many "women with families of small children," along with the old, sick, and disabled, were driven from plantations.[8] Pregnant women and mothers with small children especially struggled to find employment. "Among the thousands of freedpeople negotiating contracts and selling their labor," Catherine Clinton has pointed out, "women with children were discriminated against and often 'blackballed' by employers."[9] Freedmen's Bureau agents, who had been ordered to assist the former slaves in finding work so as to keep them off the government's relief rolls, often described the disregard shown to mothers. "Great difficulty is found by the Colored Women, who have no husbands, in obtaining employment," an agent in Virginia reported. "Work is scarce, and they are compelled to seek the aid and assistance of the bureau in supporting their families. The great drawback to this class, is their children. The majority of the farmers in the county . . . are not willing or . . . able to hire women who have children."[10] Mothers faced similar difficulty in other parts of the South. An Arkansas bureau agent observed that "planters seldom take of the women and children if they can avoid it."[11] "[T]here is little call for female help," another agent reported from Virginia, "and

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Rowland, ser. 3, vol. 1 of *Freedom: A Documentary History of Emancipation*, *1861-1867* (Chapel Hill: University of North Carolina Press, 2008), 975-976.

[7] Employers also preferred to negotiate contracts with male heads of households. See Mary Farmer-Kaiser, *Freedwomen and the Freedmen's Bureau: Race, Gender, and Public Policy in the Age of Emancipation* (New York: Fordham University Press, 2010), 169; Libra R. Hilde, *Slavery, Fatherhood, and Paternal Duty in African American Communities over the Long Nineteenth Century* (Chapel Hill: University of North Carolina Press, 2020), 247.

[8] Leon F. Litwack, *Been in the Storm So Long: The Aftermath of Slavery* (New York: Knopf, 1979), 188-189; Julia A. Wilbur, *Pennsylvania Freedmen's Bulletin* 1 (June 1865): 51. "A man from Alabama brought a woman and six children to this city," a bureau agent in Columbus, Mississippi, reported, "unloaded them in the Street and returned home leaving them in the rain to take care of themselves." Lieut S. D. Barnes to Lieut. E. Bamberger, 30 December 1865, in *Land and Labor, 1865*, ed. Hahn et al., 897-899.

[9] Clinton, "Bloody Terrain," 320.

[10] Benj. C. Cook to Lieut. Paul R. Hambrick, 30 June 1867, Letters Sent, Richmond VA Assistant Subassistant Commissioner, BRFAL, RG 105, NARA.

[11] A. E. Habicht to Bret Col. Henry Page, 2 Feb. 1867, in *Land and Labor, 1866-1867,* ed. René Hayden, Anthony E. Kaye, Kate Masur, Steven F. Miller, Susan E. O'Donovan, Leslie S. Rowland, and Stephen A. West, ser. 3, vol. 2 of *Freedom: A Documentary History of Emancipation*, *1861-1867* (Chapel Hill: University of North Carolina Press, 2013), 470-471.

women with children are not desired."[12] In the nation's capital as well there were "very few . . . willing to be burdened with a whole family of children, as the price of employing the parents."[13]

Without the means to earn a living, freed mothers struggled to procure food, clothing, and shelter and became vulnerable to malnutrition and disease.[14] Poverty often confined them to the plantations on which they had been enslaved and forced many of those who had hopefully ventured off to return. "[B]elieving she could do better by setting up for herself," a mother in Georgia left her former master's house and "remained away for five or six months." However, "failing completely to support herself and two younger children," she returned "for protection and support."[15]A Virginia planter complained that "a certain colored woman . . . with five small children has quartered upon his plantation, and refuses to leave." The woman had reportedly "remained on his premises all winter against his consent" and "managed to subsist by pilfering."[16] Rosaline Rogers, a mother of fourteen, chose to stay on with her former master out

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[12] Virginia bureau agent quoted in Clinton, "Bloody Terrain," 320. For other examples of pregnant women and women with small children unable to secure employment, see Benj. C. Cook to Capt. James A. Bates, 22 February 1867, Letters Sent, Richmond VA, BRFAL, RG 105, NARA; Thos P Jackson to Captain A. S. Flagg, 19 April 1866, in *Land and Labor, 1866-1867*, ed. Hayden et al., 414; S. K. Wood to Mr. Andrew Gelanda, 25 February 1866, Registers of Complaints, Macon GA, BRFAL, RG 105, NARA.

[13] Maj. E. H. Ludington and Maj. C. E. Compton to Col. James A. Hardie, 30 July 1864, in *The Wartime Genesis of Free Labor: The Upper South,* ed. Ira Berlin, Steven F. Miller, Joseph P. Reidy, and Leslie S. Rowland, ser. 1, vol. 2 of *Freedom: A Documentary History of Emancipation*, *1861-1867* (New York: Cambridge University Press, 1993), 337-344. Jim Downs has shown that ex-slaves unable to secure employment in the nation's capital, including women and their children, resorted to collecting and selling animal bones to earn money. "So much talk of free labor, of cotton, and the problem of rebuilding the South hung in the air during the Reconstruction era," he writes, "but on the ground a different reality unfolded—a reality where dead bodies provided the only chance to survive." Downs, *Sick from Freedom*, 121.

[14] Clinton, "Bloody Terrain," 321; Downs, *Sick from Freedom*, chap. 5.

[15] B C Ferrell to Col C. C. Sibley, 16 July 1867, T-478 1867, Letters Received, ser. 631, GA Assistant Commissioner, RG 105, BRFAL, NARA [FSSP A-158]. For another example of a mother who returned to the site of her enslavement, see Claim of Virinda, [3 October 1863], vol. 241 DG, pp. 259-261, Proceedings of the Provost Court, ser. 1683, New Orleans LA, Provost Marshal Field Organizations, Records of U.S. Army Continental Commands, RG 393 Pt. 4, NARA [FSSP C-1018]; Geo. H. Hanks to Maj G. Norman Lieber, 20 January 1864, enclosing unidentified newspaper clipping "Local Intelligence," n.d., H-25 1864, Letters Received, ser. 1920, Civil Affairs, Department of the Gulf, Records of U.S. Army Continental Commands, RG 393 Pt. 1, NARA [FSSP C-735].

[16] Edwin Lyon to Capt. Stuart Barnes, 8 April 1866, Unregistered Letters Received, Charlotte Courthouse VA, BRFAL, RG 105, NARA. A former slaveholder in Mississippi complained that his former slaves had demanded double wages when they gained their freedom, and when he "*refused positively,*" the men "left for parts unknown" and "left the families on the place," all of whom he characterized as "breeding women & small children." Wr W

of fear that her children would be bound out and her family broken up.[17] Wilma Dunaway estimates that "five years after emancipation, one-quarter of the black family units were still residing as laborers in white households, and the vast majority of them were women and their offspring."[18] Remaining on the plantation was a decision made out of desperation more times than not, but it is plausible that at least some mothers felt entitled to former slaveholders' support after having served them for years without compensation. Being consigned to the very sites where they had been enslaved, however, must have been deflating if not defeating for freedwomen who were eager to start their lives anew and to shed each and every vestige of slavery. Freedom, as demonstrated by the experience of black mothers, was not linear but uneven, intermittent, and interrupted. Mothers often took two steps forward, only to soon thereafter be forced to take one step back.

New and expectant mothers who lacked male support were particularly vulnerable to poverty and disproportionately sought relief from the Freedmen's Bureau.[19] A bureau agent in Virginia reported that his district was "filled with helpless women most of whom have little children." If not provided with rations, he claimed, they would starve. "I have many calls from women with children, and not a few of these are soldiers' widows, who are willing to work, could their children be taken care of," an agent in Maryland reported. "Have had more calls than

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Gibson to Col Saml. Thomas, 7 August 1865, in *Land and Labor, 1865*, ed. Hahn et al., 380. For another example of freedwomen remaining on plantations, see W. F. Roberts to Cap Upham, 13 September 1865, in *Land and Labor, 1865*, ed. Hahn et al., 389-390.

[17] The story of Rosaline is described in Jodi Vandenberg-Daves, *Modern Motherhood: An American History* (New Brunswick, NJ: Rutgers University Press, 2014), 41. "Wen we all wuz freed we had nuthin en no place ter go, so . . . mammy lived wid our Missis five y'ars longer," ex-slave Wiley Childress recalled. Interview with Wiley Childress, "Born in Slavery."

[18] Wilma A. Dunaway, *The African-American Family in Slavery and Emancipation* (New York: Cambridge University Press, 2003), 262.

[19] In the eyes of many Freedmen's Bureau agents, "destitute freedwomen represented the epitome of the worthy poor," Mary Farmer-Kaiser has argued, but federal relief was always envisioned as a short-term, temporary solution to female poverty. Farmer-Kaiser, *Freedwomen and the Freedmen's Bureau*, 35.

I can supply and have been obliged to find shelter for several houseless, homeless, friendless females, who in this unfriendly weather have neither food nor shelter, and must be provided for."[20] In her appeal for assistance, Gillie Arrington, a single mother of three young children "not large enough to earn their own living," explained that she had been unable to find "anybody that will take us on any terms." "I am entirely without a home," she wrote, "& have tried in every direction to get one & have failed, I know not to whom to apply except the authorities at Rocky Mt [Virginia]." "By my labor I can,t [*sic*] feed my children, let alone clothe them," she pleaded. Arrington's battle against destitution was so great that it colored her perception of freedom itself. "I . . . have fared worse than I ever did in all my life," she wrote, "& now starvation, seems at length to be the price I & my helpless children must pay for freedom."[21] Arrington's life, like those of many single mothers of small children, was marked by a precarity that made it impossible to fully enjoy freedom. Precarity had not only defied her expectations of what it meant to be free but ultimately left her wondering whether freedom had been a boon at all. Emancipation thus evoked a mix of emotions for newly freed mothers who found themselves destitute in the new labor system. Some freedwomen, including Gillie Arrington, managed to secure assistance from the Freedmen's Bureau, but such relief was temporary and inadequate, requiring them to find alternative means for long-term survival.[22]

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[20] Andrew Meurhead to Lt. Col. W. E. W. Ross, 14 December 1864, in "Communication from Major Gen'l Lew. Wallace, in Relation to the Freedman's Bureau, to the General Assembly of Maryland," *Maryland House Journal and Documents* (Annapolis, MD: Richard P. Bayly Printer, 1865), Document J, 65-66.

[21] Statement of Gillie Arrington, October 1866, in *Land and Labor, 1866-1867*, ed. Hayden et al., 780. For another example of destitute mothers, see Capt. J. H. Long to Bvt Maj Genl R K Scott. 16 March 1866, in *Land and Labor 1866-1867,* ed. Hayden et al., 283-284.

[22] Congress created the Freedmen's Bureau for the express purpose of providing relief, but limited resources and red tape limited its efficacy. The southern states proved even more inadequate in assisting needy ex-slaves. Wartime dislocation and economic hardship had created an unprecedented need for relief among southerners, black and white, "exhausting the resources of the county and municipal governments that administered relief," write the editors of the Freedmen and Southern Society Project, who discuss the refusal of those governments to assume responsibility for ex-slaves. Hahn et al., *Land and Labor, 1865*, chap. 6 (quotation on p. 606).

To be sure, countless employers did hire women with children. When mothers of small children and pregnant women were employed on plantations or in domestic service, however, they received meager wages or no compensation beyond food and housing, a testament to the devaluation of their labor.[23] According to *The Freedmen's-Aid Reporter,* there were "thousands of poor widows, with large families of children, who cannot get work," and when they did manage to get "washing or other work to do, the Southern people often will not pay if they can help it."[24] Labor contracts and disputes reveal the paltry compensation mothers received. John Doughty hired Edy, a Virginia mother of five, to work as a house servant in exchange for nothing but food, clothing, and shelter.[25] Dianna, a mother in Georgia, agreed to labor for James Alvis on similar terms. Alvis was to furnish her with "quarters and food" for herself and her two young children. For her part, Dianna promised "to work at any kind of labor said Alvis desires."[26] Dianna's contract provides a glimpse of the exploitation to which freed mothers were subjected on account of their limited job prospects. According to the editors of the Freedmen and Southern Society Project, reports from across the South indicate that wage-earning mothers received at most two-thirds of what first-class male hands did, but more typically only half.[27]

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[23] Berlin et al., *Land and Labor, 1865,* 327; Berlin et al., *Land and Labor, 1866-1867,* 710-711. Employers also routinely cheated mothers out of their meager, yet hard-earned wages by running them off when payday arrived. When Eliza Robinson asked her employer for a settlement, "he struck her over the head with a club." On another occasion she demanded payment on behalf of her daughter, to which he responded, "if the girl wants a settlement, I will give it [to] her by my pistol." Complaint of Eliza Robinson, 21 August 1868, Register of Complaints, Charlotte NC, BRFAL, RG 105, NARA. See also Complaint of Sarah, 11 December 1867, and Complaint of Sarah Miller, 17 May 1868, both in Register of Complaints, Charlotte NC, BRFAL, RG 105, NARA; Complaint of Robert Campbell, 22 August 1866, Registered Letters Received, Augusta GA, BRFAL, RG 105, NARA.

[24] "Friends' Freedmen's Association of Philadelphia," *The Freedmen's-Aid Reporter*, February 1867, VA, American Missionary Association Archives, Amistad Research Center, Tulane University, Slavery and Anti-Slavery Database.

[25] Contract between John A. Doughty and Edy Doughty, 22 November 1864, Labor Contracts, Fort Monroe VA, BRFAL, RG 105, NARA.

[26] Contract between James Alvis & Dianna, n.d., Labor Contracts, Savannah GA, BRFAL, RG 105, NARA. For other examples of women receiving only food and housing as compensation for their labor, see Wm Lewis Tidball to Bvt. Maj. W. R. Morse, 6 April 1867, Letters Sent, Charlottesville VA, BRFAL, RG 105, NARA; Contract between R. D. Brown and Mariah, 25 March 1866, Savannah GA, BRFAL, RG 105, NARA.

[27] Hayden et al., *Land and Labor, 1866-1867,* 327.

Circumstances such as geography and the number and ages of their children affected mothers' prospects of finding employment and the wages they earned. In regions with labor surpluses such as Virginia, Washington, D.C., and parts of North Carolina, mothers felt economic hardship most acutely, whereas in areas with labor shortages, like Texas and Arkansas, they were afforded greater economic opportunities.[28] Women with fewer and older children fared better than those with large families or very young children; as children grew older, mothers' economic circumstances improved.

Employers' belief that motherhood and work were incompatible clashed with the desires of freed mothers, who envisioned employment and fair wages as entitlements of freedom. "A home for her children, with decent provision for their comfort, was the meaning of freedom" for the freedwoman, a northern observer remarked, "and she expected and desired, not immunity from work and care, but a right to enjoy and to give her children the results of her own labor."[29] With such an understanding, mothers demanded employment, wages that enabled adequate support for their children, and personal dignity.[30] Embedded in their demands were incisive critiques of the free labor system. America Denton agreed to work for William Wynne as a field hand in exchange for $5 per month plus housing, food, and clothing. When the contract ended,

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[28] Farmer-Kaiser, *Freedwomen and the Freedmen's Bureau* 51-53; Hahn et al., *Land and Labor, 1865*, chap. 3; Hayden et al., *Land and Labor, 1866-1867,* chap. 3. The war had set thousands of former slaves in motion, which contributed to labor shortages in some regions and oversupply in others. See Downs, *Sick from Freedom,* 123. A transportation request reveals that among 100 "dependent freedmen" in central Georgia who had contracted to work in Galveston, Texas, were several women with children, all of whom contracted for wages, unlike women in Virginia who received only provisions. Even a mother of six was able to secure employment for $10 per month. J H Randle to Bvt. Maj. Genl. D. H. Rucker, 15 December 1866, Macon GA Subassistant Commissioner, BRFAL, RG 105, NARA.

[29] "From Slavery to Freedom: The Story of Martha Ann," *The Friend; a Religious and Literary Journal* 17 (September 1892): 61.

[30] These demands were a nuisance to white employers. "[I]t seems humiliating to be compelled to bargain and haggle with our own servants about wages," grumbled one former slaveholder. "The poor ignorant creatures have such extravagant ideas as to the value of their services that they are sadly discontented with the wages they are able to get." Eliza Frances Andrews, *The War-Time Journal of a Georgia Girl, 1864-1865* (New York: D. Appleton and Co., 1908), 319.

Wynne refused to pay her, claiming she was worth no more than the food and clothing she had received because she "had an infant child which required a great deal of her time and attention." Denton turned to the Freedmen's Bureau for assistance in obtaining the wages she was due. In a statement given before a bureau agent, Denton testified that she had reported to the fields at daybreak and returned to her quarters only once during the day to suckle her infant. "I lost no time in attending to the child," Denton insisted, "no more than what the women lost that had no children." When asked, "Did you consider you were worth with a sucking child as much as women without encumbrances," Denton responded with an emphatic "Yes."[31] From where Denton stood, the time she devoted to her child did not diminish her value as a laborer. Indeed, she saw no difference in the amount of labor she performed and that performed by the "unencumbered" women. Denton rejected the free labor system's hierarchical categorization of laborers that disadvantaged working mothers. The distinction made between women with and without children, as Denton pointed out, was arbitrary because, despite her childcare responsibilities, she had performed the same amount of labor as the non-nursing women and therefore expected to be paid on par with them. But Denton's views were not widely shared. The perception that mothers would be less productive and were therefore unworthy of employment and renumeration had devastating effects on the lives of newly freed women.

A Mrs. Thomas, a black mother of eight in Virginia "whose husband has been ill all winter," had tried to make ends meet, but when her efforts failed, she turned to the Freedmen's Bureau for assistance in securing employment. "Cannot our friends [the bureau] get up a workhouse so that we can earn a little food for our children?" she asked.[32] While white

[31] Dick Denton vs. Wm Wynne 7 April 1866, Orders Received, Papers Relating to Complaints, Bills of Lading, and Indentures, Ashland VA Assistant Superintendent, BRFAL, RG 105, NARA.
[32] N. G. C. Potter to O. Brown, 23 May 1867, Registered Letters Received, Fort Monroe VA Subassistant Commissioner, BRFAL, RG 105, NARA.

southerners routinely characterized black women as vagrants, slothful, and unwilling to work, Thomas's experience told another story: joblessness was no fault of her own but rather derived from gendered discrimination in the labor market. If all former slaves were expected to work, the gendered hierarchy of free labor made meeting such expectations difficult, if not impossible, for women with children too young to be employed. Thomas believed, however, that freedom entitled her to the opportunity to gain a living by work. When she could not secure employment from private employers, she urged federal officials to address her poverty. Thomas thought capaciously about the government's obligations and called upon it to ensure her economic and social well-being. Her own welfare and that of her children, as she would have it, should be a concern of the government, and she therefore urged federal officials to act on her behalf. In so doing, she insisted that the state recognize her needs as a mother. Moreover, in highlighting the particular challenges confronting poor mothers like herself, Thomas revealed the limits of the free labor ideology that animated Reconstruction. Although proponents of free labor promulgated the notion that hard work and personal responsibility promised economic independence, she was a living, breathing example that free labor failed to deliver on that promise.[33] Indeed, work itself remained elusive for black mothers despite their dogged efforts to secure it.

[33] "Both the advocates and critics of free labor," as Jim Downs has argued, "failed to consider the structural problems involved in the transition of a slave economy to a free labor economy. From shortages of available land for cultivation to limited employment opportunities both in the rising industries of the South and on the plantations, those engaged in the discussion about free labor did not explore the challenges of establishing an economic system that extended beyond merely one's willingness to work." Downs, *Sick from Freedom,* 124. On the free labor ideology, see Eric Foner, *Free Soil, Free Labor, Free Men: The Ideology of the Republican Party before the Civil War* (New York: Oxford University Press, 1970); Robert J. Steinfeld, *The Invention of Free Labor: The Employment Relation in English and American Law and Culture, 1350-1870* (Chapel Hill: University of North Carolina Press, 1991), and *Coercion, Contract, and Free Labor in the Nineteenth Century* (New York: Cambridge University Press, 2001).

Free Labor and Female Dependency

Black mothers became enmeshed in a free labor economy in which the patriarchal household held paramount importance. In the aftermath of emancipation, Freedmen's Bureau agents consistently encouraged marriage and the establishment of stable households among the former slaves. In so doing, bureau agents not only sought to promote moral discipline but also believed the marital contract would instill in former slaves the rights and obligations of free labor and citizenship. "At the very least, marriage was a contract, and contracts," as Mary Farmer-Kaiser points out, "were both essential and sacred to free labor society."[34]

Before the Civil War, slaves lacked control over even the most intimate aspects of their lives. The law did not recognize slave marriages, for slaves were property and could not enter into contracts. Although slaves formed committed unions, living together as husband and wife, for them, Tera Hunter writes, marriage "was not an inviolable union between two people but an institution defined and controlled by the superior relationship of master and slaves."[35] Slavery thus preluded their ability to govern their own families and subjected them to white intrusion, sale, and separation. As emancipation transformed slaves from "objects into subjects," it bestowed upon them new rights and obligations. If, under slavery, slaves had been subjected to the will of their master, in freedom, black men became patriarchs in their own right. They could now wield authority over their own households, enabling them to protect their wives and children and control their labor.[36] At the same time, black men were now expected to assume

[34] Farmer-Kaiser, *Freedwomen and the Freedmen's Bureau,* 28.
[35] Tera W. Hunter, *Bound in Wedlock: Slave and Free Black Marriage in the Nineteenth Century* (Cambridge, MA: Belknap Press of Harvard University Press, 2017), 6.
[36] "Upon the abolition of the slave master's 'prior right,' the former bondsman would gain the birthright of all free men: title not only to himself but his wife [and children]," writes Amy Dru Stanley, becoming "masters at home," with authority over their dependents. Stanley, *From Bondage to Contract: Wage Labor, Marriage, and the Market in the Age of Slavery* (New York: Cambridge University Press, 1998), 29.

economic, political, and moral responsibility for their wives and children.[37] Meanwhile, freedom elevated the black woman "from slavery and concubinage to an honorable and responsible place in society."[38] Women and their children became the dependents of black men.

If turning slaves into wage laborers and citizens could be realized through domestic arrangements, freedpeople would require lessons in contractual freedom and martial obligation. In a series of lectures, General Clinton B. Fisk, assistant commissioner of the Freedmen's Bureau for Kentucky and Tennessee, instructed former slaves in those rights and duties. First, he directed his attention to the men, whom he urged to work diligently in order to provide for their wives and children. "Get good steady work as soon as you can," he advised. "Be a MAN. Earn money, and save it." "Husbands must provide for their families," he told the men in his audience. "Your wives will not love you if you do not provide bread and clothes for them."[39] Slavery had denied bondsmen's manhood, but they could now lay claim to it by marrying and providing for their families.

Next, Fisk turned his attention to freedwomen. "Wives must do their part, also," he advised. "A wife should take care of her person, be clean, neat, and tidy," and "help her husband to make a living." She was to be "her man's helpmeet." In addition to supplementing the household income, freedwomen were charged with learning "how to knit and sew, mend clothes, and bake good bread, to keep a nice clean house and cultivate a garden."[40] Marriage was a relationship of reciprocal exchange whereby men gained women's affection and labor and women received protection and financial support. By honoring their wifely and husbandly duties

[37] Farmer-Kaiser, *Freedwomen and the Freedmen's Bureau,* 50.
[38] Clinton B. Fisk, *Plain Counsels for Freedmen: In Sixteen Brief Lectures* (Boston: American Tract Society, 1866), 23.
[39] Ibid., 25, 32.
[40] Ibid., 26.

and obligations, Fisk proclaimed, freedmen and women could realize both morality and economic self-sufficiency, if not upward mobility.

As marriage and the patriarchal household structured free labor, freedwomen were constructed as dependent wives and daughters. Although they were expected to contribute to the economic viability of their households, in the imaginations of federal officials, they were reliant on the labor and protection of their husbands and fathers.[41] Bureau agents saw marriage as the principal means to ensure the welfare of both mothers and their children. That belief led them to encourage freedpeople to quickly reconcile marital differences when they arose. Freedmen's Bureau agent Lewis Tidball, a strong promoter of marriage among the freedpeople, insisted that disputes between husband and wife should be "speedily settled," not only "because all such controversies ought to be," but because "in the meanwhile," women were left with "children to support," but without resources with which to do so.[42] Marriage, as Tidball intimated, shielded women and dependent children from poverty.

The presumption that mothers were married rendered female-headed households anomalous or even illegible. There was simply no place in the new order for unmarried mothers. Unaccounted for were the realities of slavery and the war, which had produced considerable numbers of single women, many of whom had dependent children. Sale and separation had ruptured slave families. Service in the Union army had taken husbands and fathers to distant places and sometimes to parts unknown. The war had also created unprecedented numbers of

[41] Mary Farmer-Kaiser argues that, as bureau agents understood it, "dependency was an expected and normal state of relations begot by marriage, motherhood, infirmity, and old age." Farmer-Kaiser, *Freedwomen and the Freedmen's Bureau,* 37.
[42] Wm Lewis Tidball to Dr. C. D. Everett, 30 June 1866, Letters Sent, Albemarle County VA Assistant Subassistant Commissioner, BRFAL, RG 105, NARA.

widows. How precisely would these and otherwise single mothers and their children survive in slavery's aftermath within a context that privileged marriage and male-headed households?

Enterprising single mothers necessarily became adept at situating themselves as dependents. Across the South, mothers attached themselves to male-headed households in order to take advantage of male earning power.[43] Susan O'Donovan argues that because the free-labor system advantaged men, formerly enslaved women demanded that black men bargain on behalf of their families in contract negotiations, vesting their husbands, fathers, and brothers with authority over their labor in order to achieve economic security for themselves and their children.[44] Although O'Donovan's work focuses on southwestern Georgia, the same was true across the South. While male-headed households were not immune to economic hardship, they greatly improved a mother's ability to care for her children.[45] "Wages . . . took a turn for the better when husbands and fathers got involved," O'Donovan writes. Whereas mothers could barely negotiate for a few dollars a month on their own, men "repeatedly converted their own productive capacity into wages for their wives and older children that matched, or nearly matched, those commonly drawn by single men."[46] In another part of Georgia, freedmen Joe and Andrew Curtis were able to secure $30 per month along with victuals for their wives and minor

[43] According to Herbert G. Gutman, most black women did not head their own households, and "[s]ubfamilies headed by single, widowed, or abandoned mothers . . . were incorporated into larger households so that very few young mothers lived alone with their children." Gutman, *The Black Family in Slavery and Freedom, 1750-1925* (New York: Pantheon, 1976), 445.
[44] Susan Eva O'Donovan, *Becoming Free in the Cotton South* (Cambridge, MA: Harvard University Press, 207), 190-200.
[45] Cahil Blackman, a Mississippi planter, complained to the Freedmen's Bureau about a freedman named George, whom he had hired to work as a field hand. "When he hired Geo. he had no wife nor children," but "[a]fter working on the place for a month, George "brought a woman and three children there & claimed her as a wife." Blackman perceived the mother and her children as encumbrances, but despite his annoyance, he agreed to allow George's family to remain on his place. Complaint of Cahil Blackman, 4 September 1867, Letters Sent Relating to Complaints, Vicksburg MS, BRFAL, RG 105, NARA.
[46] O'Donovan, *Becoming Free in the Cotton South,* 199.

children.[47] "We have succeeded at last in getting one man, a woman and a girl," a Virginia former slaveholder wrote in her diary. "The woman has two children—an encumbrance that I hoped to be rid of for all coming time since I was done with slavery—but Mr. Payne wanted the man and they had nothing to live on, so I had to acquiesce. We board and clothe her and her children for her service."[48] The erstwhile mistress's comments provide a glimpse of how freed families negotiated within the free-labor system. The Paynes "succeeded" in hiring hands only by acquiescing to the former slaves' demand that the entire family be employed, housed, clothed, and fed. Freedpeople thus leveraged male labor to see that women and children were provisioned. Labor-hungry employers' desire for able-bodied male workers evidently outweighed their desire to rid themselves of mothers and their children. At the same time, Mrs. Payne's remarks intimate how mothers' attachments to men could mean the difference between economic stability and abject poverty.

Mothers sought out both old and new intimate partners who demonstrated a willingness and ability to provide for them and their children. Under slavery, Preston White and Mary Jane White had belonged to different owners but maintained an "abroad" marriage and had three children together. Preston's owner then relocated and forced him to take a new wife, Margaret, with whom he also had three children. After emancipation, both women claimed Preston as her husband. "Either wife is willing to take the children of the other with her husband, but neither is willing to give up the husband, or her own children," a bureau agent reported of the conundrum. "[N]either is able to support her children without the husband."[49] Each mother may have had

[47] Contract between Thomas N. Arrington & Joe Colored Man, 1 January 1866 and Contract between Thomas N. Arrington &Andrew Curtis, 7 April 1866, both in Labor Contracts, Savannah GA, BRFAL, RG 105, NARA.
[48] Sarah Payne to "Cousin Mary," 13 February 1868, quoted in Catherine A. Jones, *Intimate Reconstructions: Children in Postemancipation Virginia* (Charlottesville: University of Virginia Press, 2015), 67.
[49] Wm Lewis Tidball to Bt. Maj. Wm. R. Morse, 3 November 1866, Letters Sent, Charlottesville VA, BRFAL, RG 105, NARA.

personal as well as economic reasons for seeking formal recognition as Preston White's wife, but the reality was that only by solemnizing a marriage could either of them hope to escape poverty. Marriage, however, was a tenuous lifeline. It could afford only one of these women protection. It could not account for the complex relationships that slavery had created, inevitably leaving some mothers destitute.[50]

Harriet Ann Bridwell and Harrison Smith had also married under slavery. During the war, Smith enlisted in the Union army. In his absence, Harriet "could not keep up and support herself and her child," and "under these circumstances was induced to accept the offers of protection made her by James Bridwell," with whom she was living and "keeping his house as his wife."[51] Following emancipation, Virginia freedman Philip Gray managed to locate his former wife, Willie Ann Gray, and their daughter, Maria, who had been moved to Kentucky sometime during slavery. Although Willie Ann was eager to reunite with Philip, she was unsure whether he would accept and care for her other children, who had been fathered by the new husband she took in Kentucky. "I have 3 little fatherless little girls," Willie Ann wrote to Philip. "[M]y husband went off under Burbridges command and was killed at Richmond Virginia." She agreed to join Philip in Virginia if he sent for her and the children but made clear that "you must not think my family to large and get out of heart for if you love me you will love my children and you will have to promise me that you will provide for them al [*sic*] as if they were your

[50] Although marriage afforded economic benefits, it also "invited new forms of racial subjugation," as Tera Hunter argues in *Bound in Wedlock*, 15.

[51] Affidavit of Harriet Ann Bridwell, 3 April 1867, in *The Black Military Experience,* ed. Ira Berlin, Joseph P. Reidy, and Leslie S. Rowland, ser. 2 of *Freedom: A Documentary History of Emancipation*, *1861-1867* (New York: Cambridge University Press, 1982), 678-679. The extent to which freedwomen sought legal marriage for economic support varied, based on individual circumstances. "Widowed women," writes Noralee Frankel, "often chose not to marry (although they might cohabit) because their remarriage would jeopardize their widow's pension from the U.S. government." Frankel, *Freedom's Women,* 151.

own."[52] Willie Ann's reunion with Philip was contingent upon his willingness to assume responsibility for all of her children. While Willie Ann undoubtedly hoped Philip would provide materially for her family, she also expected him to nurture, guide, and love her children. For her, economic provision was but one aspect of being a father and a husband.[53] By contrast, another formerly enslaved woman made explicit that her motives for marriage had been material. "I didn't have no money nor no home neither," she recalled, "he buyed me some shoes and handkerchiefs and a pretty string of beads. . . . I was might glad to marry him to get a place to stay."[54]

Some men willingly assumed responsibility for children not biologically their own, loving and providing for them just the same. In December 1865, Mississippi freedman Moses Scott wrote to his wife, Lilly Ann Scott, in Virginia. "My master has good land," Moses informed her. "He has agreed to let us go and work it. He provides all the stock, farming utensils and land, and gives us half we can make." Believing the family could make a better living in Mississippi than in Virginia, Moses encouraged his wife to "come out and bring all your children," five or six of whom had been fathered by a previous husband. "We have plenty to eat here, good Clothes, and have found work generally," he assured her. Although Moses "wishes to live with this Woman and provide for her," a Freedmen's Bureau agent explained, he lacked the

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[52] Willie Ann Grey to Philip Grey, 7 April 1866, Registered Letters Received, Richmond VA, BRFAL, RG 105, NARA. Also in Ira Berlin, Steven F. Miller, and Leslie S. Rowland, "Afro-American Families in the Transition from Slavery to Freedom," *Radical History* Review 42 (1988): 100-102.

[53] In her study of slave fatherhood, Libra R. Hilde shows that enslaved men served not only as providers and protectors, but also as caregivers to their children, roles they continued after emancipation. See Hilde, *Slavery, Fatherhood, and Paternal Duty in African American Communities over the Long-Nineteenth Century* (Chapel Hill: University of North Carolina Press, 2020).

[54] Quoted in Stanley, *From Bondage to Contract,* 47. Stanley points out that not all freedwomen were keen on exchanging one master for another, refusing to marry or "yield their rights as individuals." *From Bondage to Contract,* 51. Evidence suggests that some mothers encouraged early marriage amongst their daughters, a choice likely informed by women's limited economic prospects. On early marriage, see Ophelia Settle Egypt, *Unwritten History of Slavery: Autobiographical Accounts of Negro Ex-Slaves* (Nashville, TN: Social Science Institute, Fisk University, 1945), 192. For an example of a widowed mother using this strategy, see Excerpt from the Deposition of James Hubbard, 29 May 1911, in *Voices of Emancipation,* ed. Shaffer and Regosin, 109.

means to pay for their transportation, which posed a formidable obstacle to the couple's reunion.[55]

Marriages entered into after emancipation required men to assume responsibility for children from previous unions. In 1867, Texas freed mother Eliza married Wesley Fennell, who, as described by their employer, "takes charge of Eliza's children born, before their marriage & controls & directs them as a father."[56] Young Booker T. Washington's stepfather likewise provided for him and his siblings. "My mother's husband . . . wandered into West Virginia during the war and had secured employment in the salt furnace near Malden, in Kanawha County," Washington recounted. "Soon after freedom was declared he sought out my mother and sent a wagon to bring her and her children to West Virginia."[57] Not all men were willing to accept responsibility. "Ma married some nigger from way out in Indiana," former Georgia slave Kizzie Colquitt recalled. "He promised her he would send money back for her chillum, but never heered nothin' from 'im no mo'."[58] Although Colquitt's stepfather failed to follow through on his promise, her recollection sheds light on women's attempts to persuade new husbands to care for children with whom they had no biological connection. Such claims by formerly enslaved women suggest an understanding that family transcended blood relations. Expansive understandings of kinship, which had made surviving slavery possible, remained critical in freedom, especially for mothers who were so vulnerable to poverty. In asking black men to care

[55] Moses Scott to My Dear Wife, 17 December 1865, enclosed in Capt. William Tidball to Bvt. Maj. Wm. R. Morse, 24 August 1866, in *Land and Labor 1865,* ed. Hahn et al., 969-970. It is not known whether either Willie Ann Gray or Lilly Ann Scott successfully reunited with her husband.
[56] I. M. Wilson to Majr Smith, 28 August 1867, filed with M-425 1867, Registered Letters Received, ser. 3620, TX Assistant Commissioner, RG 105, NARA [FSSP A-3286].
[57] Washington, *The Story of My Life and Work,* 20. For other examples of stepfathers providing for new wives' children, see Mattie J. Jackson, *Story of Mattie J. Jackson: Her Parentage, Experience of Eighteen Years in Slavery, Incidents during the War, Her Escape from Slavery: A True Story* (Lawrence, MA: Sentinel Office, 1886), 8; Interview with Jane Montgomery, "Born in Slavery."
[58] Interview with Kizzie Colquitt, "Born in Slavery."

for extranuptial children, mothers called upon them to both recognize and help ameliorate slavery's forced separations and the complex family structures they had produced.[59]

As Ira Berlin, Steven Miller, and Leslie Rowland have argued, "The kinship connections and obligations of the former slaves extended far beyond those of husbands and wives, parents and children. Indeed, the burdens imposed upon black families by slavery had invested all kinship ties with added significance and assigned familial responsibilities to a wide network of friends and kin."[60] Mothers drew upon these networks for support, turning to brothers, fathers, sons, uncles, and cousins, at least some of whom felt obligated to assist female kin who were facing economic difficulties. Florida freedman Dave Waldrop offered a home to his cousin Sarah Jones, then in Montgomery, Alabama, who was unable to provide for her three children on her own. "I received word last week that you wer [*sic*] not doing very well," Waldrop wrote to Jones. "[I]f you will come down here to me I will take care of you and your children and you and children shall never want for any thing as long as I have any thing to help you with." Waldrop was all too aware of the challenges confronting single mothers. "I Know that it is hard enough for a woman to get along that has a husband to help her," he wrote, "and one that has not I do not Know how they do to get [a] living these times." He assured his cousin that she and her children were welcome to stay with his family as long as she desired.[61] Waldrop's earning power

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[59] For another example of men caring for non-biological children, see J. F. Dozier to Commander Griffin Post, 5 April 1867, Letters Received, Macon GA Subsassistant Commissioner, BRFAL, RG 105, NARA. What remains unclear is the extent to which the presence of children affected freedwomen's prospects for marriage or remarriage. Blended families proved difficult for children who disapproved of their mothers' new partners. When Andy Brice's father died during the war, "his mother married 'a ugly, no 'count nigger named Mills Douglas," which led Brice to "run away from de home of my step-pappy and go work wid Major Thomas Brice" until he became a "full grown man." Interview with Andy Brice, "Born in Slavery." For other examples of tension between children and stepfathers, see interview with John Brown, "Born in Slavery"; Jesse McElroy to Epsey Conway Johnson, 29 March 1867, in *The Trouble They Seen: Black People Tell the Story of Reconstruction*, ed. Dorothy Sterling (New York: Doubleday, 1976), 28-30.

[60] Berlin, Miller, and Rowland, "Afro-American Families in the Transition from Slavery to Freedom," 114.

[61] Dave Waldrop to Sarah Jones, 18 June 1867, in ibid.,119-120. Although extended family provided critical support, the prevalence of claims on fathers suggests that obligations were stronger for them than they were for more distant male kin. A father's refusal to support his children was seen as less acceptable, for instance, than a cousin's

evidently far exceeded Jones's, enabling him to incorporate her and her children into his household. But even if he eked out barely enough to care for them all, his ability to do that much speaks volumes about the inequities in the southern labor market and newly freedpeople's acute awareness of that reality. Other male kin stepped in as well. Amos Lincoln's father was killed after the war, after which his "Ma took the chillen to Shady Bayou to grandpa."[62] When Mary Petrel struggled to care for her twelve-year-old daughter, her son Ephraim "agreed to provide for her."[63] Former slave A. C. Pruitt recalled with pride when he was first able to contribute to the household's economy. "De fust money I gits I's so glad I runned and take it to my mama," he told an interviewer decades later.[64] Anthony Lucas provided for his adult daughter Hannah Lucas and her two children, who were listed as part of his household in the 1870 census.[65]

Freedwomen who attached themselves to male-headed households fared better than their single counterparts, but the postwar South's endemic violence, rampant disease, and squalid living conditions, along with the potential for spousal abandonment, meant that single motherhood and poverty were imminent threats to all formerly enslaved mothers. The death, illness, or abandonment of a husband or other male provider could unexpectantly leave a woman, by no choice of her own, to act as the primary caregiver and sole provider for her family. Elsie

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refusal to support female kin. When possible, female family and friends also stepped forward to support single freedwomen. Richmond freedwoman Patterson Hays found herself destitute and ill, living "in an obscure retreat" with her children, the "oldest child 6 years of age, and her youngest, 4 months," all in "extreme want . . . for clothing and shoes." Her sister, Minerva Pegram, "left her home in Carrol County and came [to Richmond] to take back her sister and her children." Pegram had "employment in a large boarding house," which made her "quite capable of providing for them." While it is unclear what Pegram's own family looked like, she may have been unmarried and childless, making it easier for her to care for her sister and her children. J. B. Clinton to Maj. J. R. Stone, 21 February 1867, Richmond VA, Letters Received, Richmond VA, RG 105, BRFAL, NARA; Benj. C. Cook to Capt. James A. Bates, 12 February 1867, Letters Sent, Richmond VA, RG 105, BRFAL, NARA. Hays "never had a husband," according to a local bureau agent, and was "deaf to all interrogatives relative to the father of her children."

[62] Interview with Amos Lincoln, "Born in Slavery."

[63] Complaint of Mary Petrel, 26 October 1864, Registers of Complaints, Charlotte NC, BRFAL, RG 105, NARA.

[64] Interview with A. C. Pruitt, "Born in Slavery." For another example of a son providing for his mother see Affidavit of Caroline Johnson, 10 April 1866, Unregistered Letters Received, Macon GA, BRFAL, RG 105, NARA.

[65] 1870 United States manuscript population census, King George's County, Virginia, Ancestry.com.

Reece recalled that when her husband died, "Dat am big sorrow in my life. There I is, with chillen to support. So I goes to cookin' 'gain and we has some purty close times." Reece managed to keep her household afloat, but financial strain made mothering difficult.[66] If marriage and male kin helped to insulate mothers from economic insecurity, the strategy was by no means foolproof. "In some cases a freed man finds himself the father of so large a family of small Children that his labor will not furnish them with the necessaries of life," observed a Freedmen's Bureau district superintendent in Tennessee.[67] Large numbers of small children placed a heavy economic burden on households regardless of who headed them.

Attachments to men generally had protective effects, but evidence suggests that women sometimes felt constrained to remain in undesirable or even abusive relationships because they lacked other means of supporting themselves and their children. A South Carolina freedwoman named Laney complained to the Freedmen's Bureau of "being beat about 30 lashes with a leather strap over her head and shoulders by her husband Cesar." When called to answer for the abuse, Cesar did not deny it but justified his actions by explaining that he "whipped her for lazyness & being indifferent to his comfort or welfare, and not working, washing, or mending his cloths [*sic*]." He charged his wife with "roaming about the country instead of remaining at home and attending the baby." Cesar also described himself as an industrious husband who "gives her a good home." In his eyes, marriage entailed a set of reciprocal privileges and obligations. Cesar was to provide for Laney, and, in return, Laney was to attend to his needs, take care of their child, and perform household chores. Cesar felt entitled to whip Laney when she failed to fulfill her part of the bargain. This was not the first time Cesar had reprimanded Laney, and although

[66] Interview with Elsie Reece, "Born in Slavery."
[67] Brig Genl Davis Tillson to Captain H. T. Clark, 18 August 1865, T-54 1865, Registered Letters Received, ser. 3379, TN Assistant Commissioner, BRFAL, RG 105, NARA [FSSP A-6013].

she was "free to leave if she desires," Laney likely endured Cesar's abuse because of the economic security the relationship afforded and her own limited prospects of finding employment with an infant in tow.[68]

Other men also used violence to enforce authority over their households. In July 1866, when Thomas Fields returned home to find that his wife had not "put house up," he "Knocked her down & beat her."[69] Lanella Holman, a freedwoman in Virginia, received similar treatment when she refused to prepare breakfast. Her husband not only beat her but struck his own mother with the handle of an ax when she attempted to defend his wife.[70] In November 1866, Georgia freed mother Antoinette Hargrave sought protection from Freedmen's Bureau agent Elias Yulee, a local civilian. She reported that her husband, Abner Hargrave, "has been in the habit of beating her in a brutal manner, and for no offense," and that he "frequently beats their children." When Antoinette left with the children, they were "overtaken by her husband and the children taken from her." Along with their progeny, Abner took a cow, two hogs, and a wagon that Antoinette had received as a gift from her father. Antoinette hoped to obtain custody of her children, but she received no support from Yulee. Despite Abner's "rather violent . . . temper," Yulee concluded that he was entitled to possession of his children. "[T]he beating of his children, not being beyond the law," he reasoned, "I could not legally prohibit or I would be interfering with his paternal rights and duties." Unable to gain control of her progeny, who might have helped her earn a living, Antoinette decided to remain with Abner. She feared that otherwise her children

[68] Complaint of freedwoman Laney, 28 August 1866, Register of Complaints, Orangeburg SC, BRFAL, RG 105, NARA.
[69] Nancy Fields v. Thos Fields, 10 July 1866, Proceedings of Cases before the Freedmen's Court, Fort Monroe VA, BRFAL, RG 105, NARA.
[70] Lanella Hollman v. Edward Bland, 3 June 1867, Proceedings of Cases before the Freedmen's Court, Fort Monroe VA, BRFAL, RG 105, NARA.

would be taken from her.[71] The specter of poverty thus engendered cycles of abuse.[72] The free-labor system created structural conditions that severely limited the options of freed mothers, who oftentimes found themselves forced to choose between the lesser of two evils.

Karin Zipf has argued that "some black women rejected the political and social conventions of the day that reserved the status of independent household head to men."[73] Female-headed households were, however, prone to poverty or even extreme deprivation, and "autonomy," as Catherine Jones has rightly pointed out, "was often more a barrier than a path to security and independence."[74] These dangers notwithstanding, many freedwomen found themselves heads of households by either choice or circumstance, and thus required to deploy alternative strategies for survival.

Custody Disputes and the Labor of Children

Reuniting families torn apart by slavery and solidifying existing family relationships were critical to African Americans' visions of freedom. "All former slave couples," however, "came to a crossroads where they had to decide whether to move forward with the same spouse after slavery ended," writes Tera Hunter.[75] Now eligible for legal matrimony, many former slaves decided to solemnize long-standing unions by marrying, but not all couples wished to

[71] Affidavit of Antoinette Hargrave, 7 December 1866, and E. Yulee to Bvt Maj. Genl. Davis Tillson, 14 December 1866, H-200 1866, Letters Received, ser. 631, GA Assistant Commissioner, BRFAL, RG 105, NARA [FSSP A-220]. According to Yulee, Antoinette had lodged complaints on several occasions about the abuse she and her children suffered at the hands of her husband, but each time the couple had reconciled.
[72] For other examples of domestic abuse, see Celey Jones vs. Robt Jones, 23 April 1868, Register of Complaints, Greenville SC, BRFAL, RG 105, NARA; Wm Lewis Tidball to N. H. Massie, 6 August 1866, Letters Sent, Charlottesville VA, BRFAL, RG 105, NARA; Ernest Anderson vs Beccy Johnny, 17 August 1867, Letters Sent Relating to Complaints, Vicksburg MS Subassistant Commissioner, BRFAL, RG 105, NARA [FSSP A-6387]. See also Stanley, *From Bondage to Contract,* 47- 48.
[73] Karin L. Zipf, "Reconstructing 'Free Woman': African-American Women, Apprenticeship, and Custody Rights during Reconstruction," *Journal of Women's History* 12, no. 1 (2000): 8-31 (quotation on 10).
[74] Catherine Jones, "Ties That Bind, Bonds That Break: Children in the Reorganization of Households in Postemancipation Virginia," *Journal of Southern History* 76, no. 1 (2010): 71-106 (quotation on 74).
[75] Hunter, *Bound in Wedlock,* 209.

continue their relationships. Men and women who had grown apart or perhaps had never been compatible voluntarily agreed to separate.

Sometimes separation was born of practical concerns like work or the lack thereof. Mary and James Lacy "lived together as man & wife" until October 1866, when "[w]ork got dull in Washington" and James went "to look for work elsewhere." He succeeded in finding employment in Virginia in the vicinity where they had been enslaved and sent for Mary to join him, but she refused to relocate, "assigning as a reason" that "'she did not intend to come among the old secesh.'"[76] Because they were unable to agree on where to live, Mary's and James's relationship came to an end. Ill-treatment, ex-marital affairs, loss of love, and a desire to form new unions also caused breakups.[77] The relationship between William Stevens's parents came to an end for yet another reason. When their former master and mistress relocated after the war, Stevens's mother went with them because "they treated her so nicely." But "Pa wouldn't follow," Stevens explained. "He said she thought more of them than he did."[78] In August 1866, a freedman named Bill appeared before the Freedmen's Bureau agent at Orangeburg, South Carolina to ask that his wife, Ellen, be reprimanded "for not loving and cherishing him as a good and dutiful wife should." She had received "presents from her male friends and relatives," he charged, and he suspected her of "violating the marriage bed." In her defense, Ellen denied "that she ever did anything wrong, or ever had anything to do with any man but her husband." She admitted to having received "a present of a dress from her brother-in-law, and that made her husband jealous," but denied having received any gifts from male suitors. "Both parties [were]

[76] Mary Lacey to Col. W. W. Rogers, 17 November 1866, and Affidavit of James Lacey, 28 November 1866, in *Land and Labor, 1861-1867,* ed. Hayden et al., 837-838. For other examples of couples who separated or lived apart on account of practical concerns, see Interview with Adeline Williams, "Born in Slavery"; Interview with Matilda Poe, "Born in Slavery."
[77] Hunter, *Bound in Wedlock,* 209-212.
[78] Interview with William J. Stevens, "Born in Slavery."

lectured, and advised to forget their little trouble, forgive and forget," the bureau agent wrote. He thought they had reconciled their differences, but by September, Ellen had grown tired of her husband's jealousy and suspicion and sought a separation.[79] "Emancipation," as Catherine Jones points out, "did not automatically produce reunion or household reconstitution. Instead, it helped to create circumstances that gave freedpeople greater latitude to determine what kinship relationships would mean in their postemancipation lives."[80] The decision to divorce, separate, or live apart entailed difficult choices, and the presence of children further complicated these choices. One freedwoman's husband who had been "sold away" enlisted in the Union Army. Believing that she and he would never be reunited, she took a new husband. "When the regiment was disbanded number one returned and claimed his wife," reported a northern missionary in the South Carolina sea islands. "She had two boys belonging to him, and a girl baby belonging to number two." The woman found herself in "a sore strait" as "[b]oth men claimed their offspring." The woman knew "what ever [*sic*] way she turned she must give up part of her children."[81]

The desire to harness black children's labor not only resulted in clashes with labor-hungry planters, but sometimes brought black women into custody disputes with the fathers of their children, who were equally eager to hire them out or include them in their labor contracts. Many parents turned to the Freedmen's Bureau to settle such disagreements. Their custody disputes demonstrate how profoundly formerly enslaved mothers relied on their children for

[79] Complaint of Bill, 20 August 1866, and Complaint of Ellen, 4 September 1866, Register of Complaints, Orangeburg SC, BRFAL, RG 105, NARA.
[80] Catherine A. Jones, *Intimate Reconstructions: Children in Postemancipation Virginia* (Charlottesville: University of Virginia Press, 2015), 59.
[81] Botume, *First Days amongst the Contrabands,* 163.

survival. They also offer a window into how former slaves negotiated kinship obligations after emancipation.[82]

When intimate relationships went awry, freed mothers sought custody of working-age children not only for emotional reasons, but also to supplement their household income. In April 1867, Ann Jordan, a freedwoman in Georgia, found herself abandoned by her husband, who took with him their three oldest children and hired them to white employers. "[H]aving in her arms an infant child only 4 weeks old," Ann found that "no person would hire her" and therefore sought custody of her fourteen-year-old son, who could "help to chop her wood and make her sorrowing life more pleasant." Ann's bid for custody was successful; the Freedmen's Bureau ruled in her favor and ordered her son's employer to return the boy to his mother.[83] Children's labor, especially that of teenaged boys, could greatly improve the economic standing of black households. Older children helped support younger siblings, making them particularly important assets to female-headed households. Because she was unable to support her "large family of small children" on her own, Kentucky freed mother Emily Read relied on the labor of her oldest son to "keep so many little children from starving."[84] Lucinda Weaver and Jefferson Green, an ex-slave couple in Kentucky, had five children. When Green left Weaver, he "took by force" their working-age son. Unable to provide for the children who remained in her care, Weaver asked a bureau agent for "an order to cause Green to take the other four children." The agent

[82] On occasion, divorced or separated parents and those who lived apart agreed to joint custody or other arrangements that enabled both parents to benefit from their children's labor and to maintain relationships with them. See, for example, Botume, *First Days amongst the Contrabands,* 162-163; Interview with Charlie Meadow, "Born in Slavery."

[83] J. F. Dozier to Commander Griffin Post, 5 April 1867, Letters Received, Macon GA Subsassistant Commissioner, BRFAL, RG 105, NARA.

[84] Emily Read to Maj Martin, 25 March 1866, enclosed in Capt. William H Merrell to Bvt Brig Genl John Ely, 6 April 1866, Unregistered Letters Received, ser. 16, Washington Headquarters, BRFAL, RG 105, NARA [FSSP A-16041]. For another example of a mother relying on older children to support younger siblings, see Harriet Hill to Brig Genl Tillson, 5 February 1866, enclosed in Charles Axt to Brig Genl Tillson, 5 February 1866, in *Land and Labor, 1866-1867,* ed. Hayden et al., 576-578.

ruled in Weaver's favor, but rather than instruct Green to take possession of the dependent children, he ordered the return of the oldest boy to Weaver, citing as reason that Green "could not appropriate the services of his children who have been reared by [their] mother."[85]

For Freedmen's Bureau agents, the major considerations in determining which parent should have custody were who could best provide for the child and the child's labor value. Although bureau agents sometimes awarded mothers custody of children with the understanding that the survival of female-headed households depended on it, there were no clear guidelines for determining who should have custodial rights. Other bureau agents showed favor to fathers, who could often demonstrate a better ability to provide for the children.[86] Having been authorized by their superiors to give such direction for the custody and support of children as they deemed proper, local agents used their own discretion.[87]

While black mothers' grim prospects in the labor market made them dependent on the labor of their older children, they felt particularly entitled to custody when they had previously been the children's sole providers. From where they stood, their right to depend on the labor of their children had been earned through the hard work of having raised them. In November 1866, Mary Lacey, a freed mother in Washington, D.C., complained to the Freedmen's Bureau that her husband, James Lacey, had taken their infant daughter to Virginia against her wishes. "My husband has done nothing to assist in supporting me for the past two years—nor has he assisted in providing for the child," Mary claimed. "I am working at Mr. W. H. Hildreth's—& have

[85] Ben H. Thomas to Maj Gen G. H. Thomas, 8 January 1867, and Endorsement by C. H. Frederick, 21 February 1867, T-6 1867, Letters Received, ser. 1068, KY Assistant Commissioner, RG 105, BRFAL, NARA [FSSP A-4396].
[86] For an example in which the father gained custody, see Order of Col Will A Adams, 8 December 1865, Orders Received, Contracts, and Miscellaneous Court Papers, Cuthbert GA, BRFAL, RG 105, NARA.
[87] For an example of orders authorizing agents to exercise their own discretion, see General Order No. 8, Headquarters, Assistant Commissioner, Bureau of Refugees, Freedmen, and Abandoned Lands, South Carolina, Georgia, and Florida, 11 August 1865, SC Assistant Commissioner, BRFAL, RG 105, NARA.

supported the child from the proceeds of my own labor."[88] North Carolina freedwoman Jermina Colwell told the bureau that "her former husband with whom she parted . . . left her to take care of the Children (4) in number and now after she had raised them he wishes to take them from her and hire them out." The bureau found in favor of Colwell because she had "taken care of the Children . . . without his assisting her."[89] Disley Potts, also in North Carolina, made a similar complaint, stating that Paul Owens, her children's father, "wishes to take her children away and allow her nothing for providing for them," even though "he has not helped her support them."[90] Freed mothers who had put in the time, energy, and care to ensure the survival of their children felt entitled to benefit from their labor. Moreover, they showed no hesitation about relying on their children to make ends meet.[91] They understood kinship obligations between generations to operate in both directions. Not only should parents support their children, but children should support their parents and younger siblings when they reached an age at which they were capable of doing so. One formerly enslaved woman in Virginia described the reciprocal obligations forthrightly: "I provided for my children when they were young now they must provide for me."[92]

This understanding led mothers to vehemently protest the custody claims of fathers or reputed fathers who had taken no part in raising the children. Immediately following the war, Kentucky freedwoman Nancy Harris went to "hunt a home where she could live." Until her husband was discharged from Union military service, she resolved to leave her eleven-year-old

[88] Mary Lacey to Col. W. W. Rogers, 17 November 1866, in *Land and Labor, 1866-1867,* ed. Hayden et al., 837.
[89] Complaint of Jermina Colwell, 2 December 1867, Register of Complaints, Charlotte NC, BRFAL, RG 105, NARA.
[90] Complaint of Dilsey Potts, 2 December 1867, Register of Complaints, Charlotte NC, BRFAL, RG 105, NARA.
[91] Catherine Jones has shown that white women in postemancipation Virginia "sometimes expressed unease" about relying on their children in the face of economic hardship. Jones, "Ties That Bind, Bonds That Break," 88. Black mothers' relationship to dependence on their children thus differed from that of their white counterparts.
[92] W H Bergfels to Capt C. B. Wilder, 7 September 1865, in *Land and Labor, 1865*, ed. Hahn et al., 517-521.

son Buchanan in the care of her former mistress, Elizabeth Scarce. In March 1866, upon her husband's discharge, Nancy "asked for her child," but "Mrs. Scarce refused to give him to her." Later, when Nancy and her husband again tried to gain possession of Buchanan, Scarce informed the Freedmen's Bureau that the boy's biological father, Anderson Bartlett, had bound the boy to her. Nancy insisted that Bartlett had no authority to make such a decision because he "deserted her before the child was born and never acknowledged publicly that he was such father and that he has never given her one cent in money or any other assistance in raising the child and cannot possibly have any interest in or authority over the child either in Law or otherwise." Having raised her son alone, she considered herself "the only person entitled to the possession of her child."[93] Charlotte Dennis, a freedwoman in Texas, claimed that the father of her child had no right to include him in his labor contract because "She has raised him" and "his father never owned him as a Son while they were Slaves."[94] A freed mother in Georgia named Sarah vehemently protested when freedman Martin Ingram attempted to take possession of her son, claiming to be his father. According to Sarah, Ingram was not the boy's father, and "respectable citizens" would testify that he had "laid no claim to the boy until he became free, & that he is not considered the boy's father." Because Ingram had not recognized his son under slavery, he had no right to claim him now.[95] Betsey Newsom, a North Carolina mother, entered a similar objection when her fifteen-year-old son Levi was bound out at his father's behest. He "has never

[93] Affidavit of Nancy Harris, 30 May 1867, #277 1867, Letters Received, ser. 1208, Louisville KY Superintendent, BRFAL, RG 105, NARA [FSSP A-4253]. Other documents in the same file indicate that the Freedmen's Bureau refused to nullify the apprenticeship.
[94] Affidavit of Charlotte Dennis, 18 March 1867, in *Land and Labor, 1866-67*, ed. Hayden et al., 635-636.
[95] Summary of letter from W. H. Brantley, 30 April 1866, vol. 1, pp. 35-36, Registers of Letters Received, ser. 630, GA Assistant Commissioner, BRFAL, RG 105, NARA [FSSP A-5030].

had the slightest control over said Levi nor taken any part in his raising, nor shown concern about him," she told the bureau.[96]

Children at times showed similar contempt for absent fathers. When Randall Wilson's "reputed father" attempted to claim his wages "to appropriate to his new family," Wilson protested, believing "it wrong that he should be made to work to support any other woman than his own mother." Wilson preferred to be bound out until he reached the age of majority than see his reputed father reap the fruits of his labor.[97] In the eyes of black mothers, and sometimes their children as well, abandonment, estrangement, and unfulfilled paternal duty severed any right to custody. At the same time, these cases gesture toward freedwomen's understanding that fulfilling both economic and emotional responsibilities to their families was an integral aspect of fatherhood.

In the postemancipation world, unlike under slavery, illegitimacy had myriad social and legal penalties, but mothers of children born out of wedlock often had better luck in maintaining custody than their previously-married counterparts. "The legacy under which slave fathers had no legal rights to their children," writes Noralee Frankel, "undermined an African American father's right to custody after emancipation."[98] "Where children are born out of wedlock," declared General Davis Tilison, the Freedmen's Bureau assistant commissioner for Georgia, "the mother is the guardian; and, if she can support the child, the father has no right to take it from her."[99] A Florida attorney articulated the same position. When it came to determining "whether

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[96] W[m] M. Robbins to Col. J. V. Bomford, n.d., E-6 1866, Letters Received, ser. 2452, NC Assistant Commissioner, BRFAL, RG 105, NARA [FSSP A-598].
[97] S. Losock Cruse to Wm W. Deane, 16 October 1865, Registered Letters Received, Augusta GA Subassistant Commissioner, BRFAL, RG 105, NARA. For another example of contempt for father's claim, see V. D. Gresham to Genrl Tillson, 4 June 1866 filed under "D" 1866, Unregistered Letters Received, ser. 632, GA Assistant Commissioner, BRFAL, RG 105, NARA [FSSP A-5097].
[98] Frankel, *Freedom's Women*, 136.
[99] Endorsement by Bt. Maj. Gen. Tillson, 21 November 1866, on J. H. Graham, 13 November 1866, vol. 20, p. 400, Endorsements Sent, ser. 628, GA Assistant Commissioner, BRFAL, RG 105, NARA [FSSP A-5110].

the mother of an illegitimate child shall have the control of such child or the reputed father," he pointed out, "[t]he law books clearly give the control to the mother." If the law were disregarded, "reputed" fathers would "turn to their advantage all of their children," "stripping the mother of all power to control or to select persons to control [her] illegitimate children."[100]

If mothers sought custody of their children as a matter of survival, fathers sometimes disputed their claims by calling into question their fitness to raise children and by casting themselves as both providers and caregivers. In a petition for custody of his nine-year-old son, Arkansas freedman Sam Wallace claimed to be doing so "not through malice or ill will to his mother" but rather "for the sole benefit of the boy," whom he believed was being abused by his stepfather and receiving inadequate care. If awarded possession of his son, Wallace would extend visitation rights to the boy's mother, but he believed he was the better guardian for the boy because he could best support him.[101] William Powell and Marria Jackson had lived together for seven years and had three children. Following the war, they separated, and each took a new spouse. The couple clashed over custody of their oldest son, Henry, who had earned $25 for the year 1866 working on a Louisiana plantation with his father. Jackson claimed that "her former husband . . . from whom she has a seperation [*sic*], and who is again married; has taken away, and abuses and ill treats her son Henry Powell." The Freedmen's Bureau agent charged with investigating Jackson's complaint described William Powell as "an industrious hard working Freedman" who "wishes to establish upon the boys [*sic*] mind the necessity of Knowing how to work. while he is Young." Jackson, by contrast, "did not care anything about" her son "while the boy was young . . . but now he is old enough to make a good living . . . she wants him and for

[100] James T. Magbee, to Majr S. C. McHenry, 27 June 1866, B-36 1866, Letters Received, ser. 586, FL Assistant Commissioner, BRFAL, RG 105, NARA [FSSP A-1033].
[101] Affidavit of Samuel Wallace, 10 March 1866, A-609 1866, Letters Received, ser. 231, AR Assistant Commissioner, RG 105, BRFAL, NARA [FSSP A-2285].

nothing more than to wait on her."[102] Like Sam Wallace, Powell insisted that granting him custody was in his son's best interest. Virginia freedman Horace Roysten, who sought custody of his three children, also cast himself as a provider. He told the bureau that he had established a home on the eastern shore of Maryland and was able to adequately clothe and feed his children. Two other freedmen corroborated Roysten's claims by stating that they had personally seen Roysten provision them.[103] In order to bolster his case, Roysten enlisted the assistance of community members to attest that he had regularly fulfilled his role as provider.

Fathers also sought custody on the grounds of mothers' adultery and sexual impropriety, casting the mothers of their children as immoral and therefore unworthy of custody. In January 1866, Texas freedman Jessee Rigdom sent a lengthy complaint to the Freedmen's Bureau. His ex-wife had been awarded custody of their three teenaged children, but he objected because before he left her "she had three children by the Black man who is now living with her." In Rigdom's view, "A woman who leaves her husband and takes up with another man is not fit to raise my children." By contrast, he cast himself as "sober and sudy [*sic*] and industrious as all the neighbors will testify." Moreover, up until this time, he had raised the children with the assistance of his own mother. [I]f she [Rigdom's former wife] was feeble and helpless, then there would be some Justice in her having their help," but such was not the case because she had "a stout able bodied man for a husband."[104] Augustus Charity, a freedman in Georgia, similarly charged his wife with immorality. He had been run off from Savannah just prior to federal capture of the city, and, when he returned after the war, he found his wife "living with a colored

[102] Captain W^{m} H Sterling to Lieut Ira D. M^{c}Clary, 15 February 1867, and 2^{d} L^{t} Ira D. M^{c}Clary to Capt William H. Sterling , 21 February 1867, in *Land and Labor, 1866-1867,* ed. Hayden et al., 633-634.
[103] Henrietta Evans vs. Horace Roysten, 2 January 1866, Proceedings of the Cases before Freedmen's Court, Fort Monroe VA Assistant Subassistant Commissioner, BRFAL, RG 105, NARA.
[104] Jessee Rigdom to the Chief of Freedman,s Bureau Galveston, 10 January 1866, in *Land and Labor, 1866-1867*, ed. Hayden et al., 575-576.

soldier." "Upon her promise to do better, Augustus rented a house and took her to live with him again," but she "continued to receive other men as visitors," causing Augustus to leave her and take their son with him. The Freedmen's Bureau concluded that because "[t]he mother is now living in a state of prostitution and is unable to take care of the boy," Augustus was entitled to custody.[105] Kentucky soldier Harrison Smith learned that in his absence his wife, Harriet Ann Bridwell, had taken up with another man. He enlisted his sister-in-law to take their seven-year-old child from Harriet and raise him until his discharge. "I doe not want her to have my child with an another man," Smith wrote. "[S]he is not living writ to rase children."[106] Smith believed his wife's sexual conduct was grounds to terminate her custodial rights.

Whatever the truth of the charges, these men's complaints offer a glimpse into freedpeople's definitions of good and bad mothers and the claims freedpeople used to call into question women's fitness to raise children. In their claims-making, fathers drew a direct line between sexual practices and the ability to be a good mother. They saw sexual misbehavior as antithetical to motherhood. By engaging in prostitution or extra-marital relations, these women had degraded themselves, thereby failing to adhere to the men's understanding of proper motherhood. If the children were left in the care of their debauched mothers, so these men would have it, their progeny were bound to follow in their mothers' immoral footsteps, which promised

[105] Frank J. Foster to Bvt. Maj. Gen Davis Tillson, 22 Nov 1866, Unregistered Letters Received, ser. 1013, Savannah GA Subassistant Commissioner, BRFAL, RG 105, NARA [FSSP A-5766]. Prostitution enabled some mothers to provide for their families. It is not clear whether such was in fact the case here, but "sexual-economic exchange," as Meleisa Ono-George notes, "remained a 'disgraceful livelihood,' and one that was inexcusable and contrary to the proper role of mothers and respectable domesticity." By engaging in sex work, "women were seen to be rejecting normative gender scripts of motherhood." Ono-George, "'By Her Unnatural and Despicable Conduct': Motherhood and Concubinage in the *Watchman and Jamaica Free Press,* 1830-1833," in *Motherhood, Childlessness, and the Care of Children in Atlantic Slave Societies,* ed. Camillia Cowling, Maria Helena Pereira Toledo Machado, Diana Patton, and Emily West (New York: Routledge, 2020), 157.

[106] Harrison smith to my dear sister, 9 March 1867, in *The Black Military Experience*, ed. Berlin et al., 677-678. For other examples of mothers accused of sexual misbehavior, see Petition of Henry Woodson, n.d., #137 1866, Registered Letters Received, ser. 4239, Richmond VA Subassistant Commissioner, RG 105, BRFAL, NARA [FSSP A-8156]; G W Jones to Capt W^{m} F White, 16 May 1867, Unregistered Letters Received, ser. 783, Bainbridge GA Agent, BRFAL, RG 105, NARA [FSSP A-5600].

a life of degradation. Implicit in such claims was an expectation that mothers set a good example for their children and take responsibility for their moral instruction. If children could help insulate female-headed households from poverty, at least some black fathers insisted that such support was contingent upon mothers' conformity to the standards of proper motherhood. When mothers failed to meet those standards, they forfeited any entitlement to their children's labor.

Custody disputes reveal the importance of children's labor to black households following the Civil War. Such labor was critical to the survival of female-headed households, which were especially susceptible to poverty. At the same time, the disputes begin to elucidate the process by which freedwomen negotiated with the fathers of their children for survival and for what they believed were the entitlements of motherhood. In addition to control of the labor of the working-age children they had raised and nurtured, single mothers also sought child support from the fathers of their children.

Claiming Child Support

In August 1866, Thomas Baker deserted Susan Brown. "Susan surrendered to his care the children, and for a time he provided for them," but upon learning that they were in a neglected state, "Susan took them again to herself." But she struggled to make ends meet, and the children remained "inadequately provided for, her means being only her own earnings." Thomas promised to assist in their support, but after five months had "furnished nothing." "On more than one occasion" Susan had written Thomas for support but received no reply. Having exhausted her options, she turned to the Freedmen's Bureau. The bureau proved sympathetic. The local agent described Susan as hardworking and industrious and believed that concern for her children's welfare motivated her claims on their father. "Susan asks nothing for herself," the agent reported, only means for "the support of the children." Thomas's questionable character

strengthened the agent's resolve to see justice done to Susan. Thomas's "habits of intemperance" were allegedly so severe "that his employer threatened to discharge him." Moreover, he earned "large and regular wages" and thus had failed to support his children "on account of his disposition, not inability." The bureau agent ordered Thomas not only to provide for the children, but also to pay Susan "a sizeable sum for the five months [she] has had them in her exclusive care."[107] Susan Brown's experience reflects another strategy freed mothers used to survive in slavery's aftermath: pursuing child support from the fathers of their children.

Following emancipation, single mothers who were deserted, divorced, or separated, or who gave birth to illegitimate children generally maintained custody of younger children. Subscribing to the "tender years" doctrine, or the presumption that mothers were best suited to care for infants and young children, Freedmen's Bureau agents often agreed that such children should remain with their mothers.[108] "If the children are small & need a mother's care," an agent in Georgia concluded, "the mother should keep them & the father [be] made to contribute towards their support."[109] A Mississippi bureau agent expressed a similar understanding of mothers' right to young children. "Until the child shall have attained the age of 6 years it is under the control of the mother," he wrote, but "beyond that age it is under the control of the father."[110] Unlike older children, however, small children and infants were economic burdens rather than assets. Their need for regular care and attention contributed to female unemployment. Moreover,

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[107] Wm Lewis Tidball to Maj. Wm. R. Morse, 2 October 1866, Wm Lewis Tidball to Maj. Wm. R. Morse, 25 January 1867, and Wm Lewis Tidball to Maj. Wm. R. Morse, 4 June 1867, all in Letters Sent, Albemarle VA Assistant Subassistant Commissioner, BRFAL, RG 105, NARA.

[108] While the "tender years" doctrine guided the decisions of many bureau agents, Michael Grossberg has shown that it was not firmly established until late in the nineteenth century. See Grossberg, *Governing the Heath: Law and Family in Nineteenth-Century America* (Chapel Hill: North Carolina Press, 1982), 248-250, 253.

[109] Simon Jordon to Moore Hays, 17 July 1867, Registered Letters Received, Augusta GA Subassistant Commissioner, BRFAL, RG 105, NARA.

[110] Fielding Neale to Robert G. Burrows, 25 September 1866, Letters Sent Relating to Complaints, Vicksburg MS, BRFAL, RG 105, NARA.

they had to be fed, clothed, and housed but could not contribute to the family's income. The presence of young children therefore generated economic distress, especially for women whose households included no adult men or older children. One observer put it bluntly: "A negro child is a dead expense from his birth until fourteen or fifteen years old."[111] But freed mothers were not entirely without recourse. To support their fledgling families, they looked to the fathers of their children.

Many freedmen regarded providing for their children as a paternal duty. From the moment of emancipation, they demanded possession of their children from recalcitrant former slaveholders and insisted upon exercising authority over them. The determination to control their own offspring is captured in a letter from Spottwood Rice, a former slave who had enlisted in the U.S. Colored Infantry, to his daughters, Cora and Mary, who were still held as slaves near Glasgow, Missouri:

> My Children I take my pen in hand to rite you A few lines to let you know that I have not forgot you and that I want to see you as bad as ever now my Dear Children I want you to be contented with whatever may be your lots be assured that I will have you if it cost me my life on the 28th of the mounth. 8 hundred White and 8 hundred blacke solders expects to start up the rivore to Glasgow and above there thats to be jeneraled by a jeneral that will give me both of you when they Come I expect to be with, them and expect to get you both in return. Dont be uneasy my children I expect to have you. If Diggs dont give you up this Government will and I feel confident that I will get you.[112]

Rice would stop at nothing until he had rescued his children from their enslaver and reunited with them. For Rice and many other black men, protecting, nurturing, and providing for their

[111] "The Policy of Slavery*," Charleston Courier* (Charleston, SC), 4 January 1864.
[112] Private [Spotswood Rice] to My Children, [3 Sept. 1864], in *The Black Military Experience*, ed. Berlin et al., 689-690.

children defined what it meant to be free.[113] Moreover, as Libra Hilde has pointed out, through their roles as providers, men sought to "assert patriarchal privilege and status."[114]

If black men had desired to protect and provide for their families under slavery, freedom afforded them the ability to act more fully on those desires. "When freedom was declared," Cat Ross recalled, "Papa come and got me and Mama and took us on over to his place again."[115] Emma Weeks, whose parents had been owned by different masters, told an interviewer that her father, too, was invested in providing for his family. "I don't remembah de day when I was set free," she declared, "but I do know dat pappy come over one day and got mammy and her chillun, and took 'em over to his cabin."[116] Milindy Maxwell, whose parents had also lived in separate households, reported that her father used his newfound freedom to unite his family. "After 'mancipation pa went to see about marrying ma over agen and they told him that marriage would stand long as ever he lived." He also set about collecting the seven children he had fathered with Maxwell's mother.[117]

Even men who chose not to continue a relationship with the mothers of their children remained committed to their children. "My father and mother separated but he would allus come back to see us and helped to sell the cotton in the fall," Laura Ray recalled.[118] Regarding the dissolution of a marriage in Mississippi, a Freedmen's Bureau agent reported as follows: "Peter does not love Viney any and Viney has no affection for Peter. They have agreed to separate.

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[113] For another vivid example of a freedman's determination to care for his children, see "Letter from a freedman to his old master," in Lydia Maria Child, *The Freedmen's Book* (Boston: Ticknor and Fields, 1865), 265-267.
[114] Hilde, *Slavery, Fatherhood, and Paternal Duty*, 227.
[115] Interview with Cat Ross, "Born in Slavery."
[116] Weeks quoted in Hilde, *Slavery, Fatherhood, and Paternal Duty,* 244.
[117] Interview with Milindy Maxwell, "Born in Slavery."
[118] Interview with Laura Ray, in *American Slave: A Composite Autobiography, Supplement series 2,* Texas Narratives, pt. 8, ed. George Rawick (Westport, CT: Greenwood Press, 1979), 3261-3264.

Peter cares for the children—and both are satisfied."[119] When a Virginia freed mother named Maggie accused William C. Hebener of taking up with another woman and disowning their son Willy, William felt compelled to set the record straight. "I do own him," William exclaimed in a letter to Maggie, "he is bone of my bone and flesh of my flesh." William not only recognized his son but vowed to continue supporting both Maggie and their child. "[A]s long as I have one dollar to supor [*sic*] you both I will give it to you," he wrote. "[T]imes are hard with me as they are with everybody else," he acknowledged, but "the day is not far distant when I hope I will be able to give you every thing [*sic*] that you both need. I will spare no pains to make a support for you[.] I am in honor bound to do that." "I am ever at your right hand to help you in time of need," he assured her. William did not feel absolved of paternal duty simply because the union between himself and Maggie no longer existed. Indeed, William considered his relationship to his child unconditional because his son was bone of his bone, flesh of his flesh. He therefore sought to co-parent with Maggie for the welfare of their child. William found equally disheartening Maggie's allegations of infidelity, which he characterized as "wholly untrue." While he denied "having a wife and keeping women," now that he was a single man, he felt free to act as he pleased. "I am entitled to a wife," he stated emphatically. "If I ever meet with a lady whom I can place confidence in and love her . . . I will not hesitate a moment to become her Husband. I consider you have forfeited your claim so far as that is concerned." Maggie had no right to dictate whom he courted or married, but William did believe she was entitled to economic support as the mother of his child.[120]

[119] Complaint of Peter Gregory, 16 November 1867, Register of Complaints, Louisville MS, BRFAL, RG 105, NARA.
[120] W. C. Hebener to Miss Maggie, 5 July 1865, Registered Letters Received, Richmond VA Subassistant Commissioner, BRFAL, RG 105, NARA.

Despite freed fathers' intentions, exploitative labor arrangements and the poverty of most freedpeople made providing for dependents no easy feat, and physical separation could add to the difficulty. "Faced with markets for labor and land that were beyond their control, ex-slaves sometimes decided that their family's long-term prospects required short-term separation," the editors of the Freedmen and Southern Society Project explain. "The search for better opportunities often entailed temporary separation, as families sent out one or more members, usually men, to find new employers, farms to rent, or government lands to homestead."[121] In areas with labor surpluses, men temporarily absented themselves to work on the railroads or in sawmills in hopes of earning wages to send back to their families.[122] Such ventures, however, did not always prove successful and sometimes kept men away from their families for long stretches. Furthermore, it took time to find opportunities and accumulate wages. In the meantime, freed mothers struggled to keep their households afloat while managing childcare. To complicate matters, short-term, temporary, or seasonal work kept men in motion, making it difficult for mothers to locate them. Unsure of their husbands' whereabouts, mothers had no way of tracking them down to secure a support even if their husbands had managed to earn it. Nonetheless, despite numerous obstacles, many freedmen parented and provided for their families.

Not all men were prepared to assume economic responsibility for their wives and children. Many no doubt felt burdened by their role as providers and saw emancipation as an opportunity to sever unwanted relationships. Freedmen's Bureau records reveal that many freed mothers experienced desertion. In Virginia, Frances Young was left destitute when her husband absconded with the last of her earnings and disappeared to Alexandria with another woman.

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[121] Hayden et al., *Land and Labor 1866-1867,* 568.

[122] Jacqueline Jones points out that "this pattern was especially common in areas characterized by noncotton local economies that provided alternative sources of employment for men." Jaqueline Jones, *Labor of Love, Labor of Sorrow: Black Women, Work, and the Family, from Slavery to the Present* (New York: Basic Books, 1985), 92.

Burdened with a sick child, Frances was "unable to do anything for the support of herself or her children" and sought relief from the bureau "to prevent her[self] from starving."[123] In December 1865, Georgia planter Shelton Oliver told the bureau that a deserted woman and her five children had been left on his farm. According to Oliver, the woman's husband "left without any known cause" and had taken up with a younger, "yellow complected" woman named Fanny.[124] Eliza Richardson, a freedwoman in Virginia, found herself in a similar predicament. She reported to the bureau that her "husband neglects to provide for her and his [four] children," two of whom were ill.[125] A South Carolina planter informed the local military commander that "[w]e have on this Plantation a freedwoman (Jane) with two little helpless children, and she being pregnant soon to give birth is left by her husband, the father of these two children, to shift and provide for herself." The planter wanted to evict her but hesitated on account of her vulnerable condition. "I should have put her in the public road long ere this but for her pregnant situation," he wrote.[126] For freedwomen, desertion was both emotionally painful and economically devastating. When a northerner asked her if she had no husband, one deserted woman replied, "I had one chile but he ran away one day with another woman. . . . Feel like it most killed me at first. I get over it now."[127]

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[123] Wm Lewis Tidball to Dr. C. D. Everett, 17 August 1866, Letters Sent, Charlottesville VA Assistant Subassistant Commissioner, BRFAL, RG 105, NARA.
[124] Shelton Oliver to Capt. Geo. R. Campbell, 22 December 1865, Registered Letters Received, Augusta GA Subassistant Commissioner, BRFAL, RG 105, NARA.
[125] Wm Lewis Tidball to Maj. W^{m} R. Morse, 27 June 1866, Letters Sent, Charlottesville VA, BRFAL, RG 105, NARA. For other examples of desertion, see Wm Lewis Tidball to Johnson Wilkinson, 1 August 1866, Letters Sent, Charlottesville VA, BRFAL, RG 105, NARA; Complaint of Harriet Alexander, 15 January 1868, Registers of Complaints, Charlotte NC, BRFAL, RG 105, NARA; Complaint of Emeline Bryan, 4 June 1866, Registers of Complaints, Augusta GA Subassistant Commissioner, BRFAL, RG 105, NARA; Affidavit of Leah Moore, 13 February 1866, Miscellaneous Records, ser. 423, Pine Bluff AR Superintendent, BRFAL, RG 105, NARA [FSSP 2546]; R. E. Folles to W. H. Sterling, 22 April 1868, Letters Sent, Algiers LA, BRFAL, RG 105, NARA; Complaint of Helen Williams, 8 June 1867, Daily Journal of Business Relating to Complaints, Clinton LA, BRFAL, RG 105, NARA; Complaint of Lucy Freeman, 4 June 1868, Register of Complaints, Athens GA, BRFAL, RG 105, NARA.
[126] J. Rives Wade to Officer Com'd'g Chester SC., 11 January 1867, in *Land and Labor, 1866-1867,* ed. Hayden et al., 629-630.
[127] Quoted in Frankel, *Freedom's Women*, 104.

Freedmen's Bureau agents, who uniformly promoted marriage and the male-headed family, found the large number of black single mothers and the prevalence of desertion alarming. According to Captain William Tidball, a bureau agent stationed at Charlottesville, Virginia, the problem of desertion had reached epic proportions in his jurisdiction. "Abandonment, followed by adultery, in some instances open and notorious, is a governing offence in this community," he reported. "The husbands frequently change their names to avoid detection."[128] Tidball regarded spousal abandonment as an egregious reflection of black men's disregard for the bonds of matrimony. But perhaps more alarming to him were the large numbers of mothers left without means of support. According to Tidball, abandoned mothers who had "large families of children" were "well disposed to work" but "can not find employment." In such cases, he wrote, the mother "must either become a charge upon the county or the Bureau, or separate herself from her children; while the husband, divested of all encumberance [*sic*], finds no difficulty in getting enlarged wages." Unless husbands were "arrested by some summary action," Tidball warned, adultery would "become a great moral evil" and female poverty a persistent problem.[129] Among the bureau men concerned about a lack of moral discipline among formerly enslaved men was General William P. Carlin, the assistant commissioner in Tennessee. "[A] disposition exists among the freedmen . . . ," he warned his subordinates, "to avoid the responsibilities of their marriage obligations, and, in many instances, to abandon their old wives, because they are

[128] Wm Lewis Tidball to Bvt. Lieut. Col. Jas A. Bates, 31 July 1866, Letters Sent, Charlottesville VA, BRFAL, RG 105, NARA.

[129] Wm Lewis Tidball to Bvt. Brig. Gen. O. Brown, 31 January 1867, Letters Sent, Charlottesville VA, BRFAL, RG 105, NARA. According to Tidball, abandonment was "quite common among the freedmen where there are large families of children." Benjamin C. Cook, a bureau officer in Richmond, pointed to the cost to the government. Desertion, he observed, "compelled many women with children to seek the assistance of the Gov't for support, who otherwise would not if their husbands were obliged to maintain them." Bvt Capt and Asst Sub Asst Com Benj. C. Cook to Capt. James A. Bates, 7 May 1867, Letters Sent, Richmond VA, BRFAL, RG 105, NARA.

encumbered with children."[130] To bureau agents, desertion, not gender inequity in the labor market, explained female poverty.

Many deserted mothers solicited the assistance of the Freedmen's Bureau to compel husbands and fathers to support their families. "[F]reedwomen relentlessly pursued the men who reneged on what women considered a reciprocal relation," writes Susan O'Donovan. They not only complained to bureau agents but also "avail[ed] themselves of all legal means to bring wayward partners to heel." [131] They used their identities as mothers to secure support, explaining to the bureau their struggle to raise their children alone. North Carolina mother Sarah Cobb complained that her husband John had "left her with two little children without anything on which to support herself & the children." She wanted him to return, send for them, or "provide means for the support of her children."[132] In August 1866, Luna Storms appealed to a bureau agent in Virginia for assistance in discovering the whereabouts of her husband. "She wishes to know where he is and what he is doing," the agent reported. "If he will not send for her and her children, she wishes him to provide for them. She would prefer if he would come hither to live. If he is married again, she wishes to know it, but in that case wishes him to support his child, which she is not able to support. In short, she wishes to know what he intends to do for her in the future."[133] Harriet Appleton, a freedwoman in Georgia, also struggled to make ends meet. The youngest of her two children was sick and the other was also too young to work. "[W]hat I work for is gust [*sic*] hardly anough [*sic*] to pay my Rent," she informed the bureau. She hoped the

[130] Circular No 3, Bureau Refugees, Freedmen and Aban[d] Lands, State of Tennessee, Assistant Commissioner's Office, 12 February 1867, vol. 25, pp. 453-454, Special Orders and Circulars Issued, ser. 3384, TN Assistant Commissioner, RG 105, BRFAL, NARA [FSSP A-10841].
[131] O'Donovan, *Becoming Free in the Cotton South,* 197 and 198.
[132] Issac A. Rosekrans to Officer in Charge of Bureau R.F.&A.L at Kinston, 6 January 1866, Letters Sent, New Bern NC, BRFAL, RG 105, NARA.
[133] Wm Lewis Tidball to Maj. W[m] R. Morse, 9 August 1866, Letters Sent, Charlottesville VA Assistant Subassistant Commissioner, BRFAL, RG 105, NARA.

bureau would help her get a support from her husband, explaining that without it, her family would become destitute.[134] Mothers stressed their own economic woes in order to claim support from their children's fathers.

In their claims-making, some freed mothers also cited the fathers' ability to provide. Susan Whiting, a Virginia freedwoman, was mothering six children, four of them by Christopher Davis. In her appeal for support, Whiting reported that Davis was "a good mechanic, earning large wages" and had no children by "his present wife, Emma." From where Whiting stood, there was no reason Davis could not provide for their children.[135] Eliza Richardson, another Virginia freedwoman, told the bureau that her husband "is a miller and earns good wages."[136]

Outraged by freedmen's disregard for the obligations of marriage and eager to prevent formerly enslaved women from becoming public charges, representatives of the Freedmen's Bureau proved helpful allies to mothers. To accommodate the needs of single mothers, bureau

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[134] Harriet Appleton to General Swiney, 4 May 1867, C-8 1867, Letters Received, ser. 758, Augusta GA Subassistant Commissioner, BRFAL, RG 105, NARA [FSSP A-5731]. While some mothers used the bureau as their first resort, others were reluctant to involve bureau agents in their domestic affairs. In April 1867, Virginia freedwoman Molly Walker reported that she had been turned away by her former employer after working for him just over a year. She had agreed to work for victuals and clothing for herself and children but "received nothing for her services." When she was turned off, "she was obliged to bring her children away with her" and was forced to find a way "to support them out of her own labor." Since her eviction, she had been living with her mother, who was "a poor woman" and "appear[ed] to be in great want." Molly's husband, Frank Walker, had allegedly "refused her any protection or assistance" and had "threatened to kill her." With the support of her mother, Molly had initially sought to survive on her own earnings, but desperation forced her to solicit the bureau's help in compelling her husband to "contribute to the support of herself and children." Wm Lewis Tidball to Bvt. Maj. W. R. Morse, 6 April 1867, Letters Sent, Charlottesville VA, BRFAL, RG 105, NARA. On women's relationship to the Freedmen's Bureau, see Farmer-Kaiser, *Freedwomen and the Freedmen's Bureau*; Frankel, *Freedom's Women,* 101-102, 104-107; Leslie A. Schwalm, *A Hard Fight for We: Women's Transition from Slavery to Freedom in South Carolina* (Urbana: University of Illinois Press, 1997), 173-179; Karin L. Zipf, *Labor of Innocents: Forced Apprenticeship in North Carolina, 1715-1919* (Baton Rouge: Louisiana State University Press, 2005)*,* chap. 4; O'Donovan, *Becoming Free in the Cotton South,* 134-135, 196-199; James Smallwood, "Black Freedwomen after Emancipation: The Texas Experiment," *Prologue* 27, no. 4 (1995): 305-311.

[135] Wm Lewis Tidball to Bvt. Maj. W. R. Morse, 7 May 1867, Letters Sent, Charlottesville VA, BRFAL, RG 105, NARA.

[136] Wm Lewis Tidball to Maj. W^{m} R. Morse, 27 June 1866, Letters Sent, Charlottesville VA, BRFAL, RG 105, NARA. For other examples of mothers emphasizing men's capability to provide for their families, see John William De Forest, *A Union Officer in the Reconstruction,* ed. James H. Croushore and David Morris Potter (Hamden CT: Archon Books, 1968), 114; Lucy Dickerson to Capt. Stuart Barnes, Petersburg, 23 July 1866, Letters Received, ser. 4153, Norfolk VA Subassistant Commissioner, BRFAL, RG 105, NARA [FSSP A-7931].

agents located husbands and fathers, ordered them to support their families, demanded the arrest of non-compliant fathers, and sometimes prosecuted men for bastardy.[137] If the new gendered responsibilities of emancipation afforded mothers a modicum of security, they also subjected black men to heightened surveillance and punishment. Failure to adhere to gendered prescriptions became a criminal act, punishable by law.[138] In order to compel black men to assume economic responsibility for women and their children, the bureau employed a broad definition of paternity. Men were responsible for supporting not only their natural children, but also children born to their wives prior to their marriage. *Marriage Rules*, issued by the bureau in South Carolina in August 1865 as General Order No. 8, provided that "if a man . . . shall refuse a new marriage relation with a former wife restored by freedom who may desire such a renewal . . . he shall be responsible for the support of such wife and also all of his children by her so long as they remain minor." Moreover, "[e]very man marrying a woman having children shall be responsible for their protection and support so long as they are minors, or until their marriage provided they have no other means of support."[139]

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[137] "There ought to be a statute to punish husbands for the abandonment of their wives," William Tidball exclaimed. "It should then be the duty of the overseer of the poor to prosecute the husband in the name of the county, to protect the treasury of the county against the expense of her maintenance. If the husband has property, it should be bound as security for his wife's support; and if he have none, part of his wages should be appropriated to that purpose by the judgement of the court, (a magistrate's) and notice of the that fact should bind the employer for the amount." Wm Lewis Tidball to Bvt. Brig. Gen. O. Brown, 31 January 1867, Letters Sent, Charlottesville VA, BRFAL, RG 105.

[138] Responsibility, contends Saidiya Hartman, became equated with blameworthiness, "thereby making duty synonymous with punishment." Hartman, *Scenes of Subjection: Terror, Slavery, and Self-Making in Nineteenth-Century America* (New York: Oxford University Press, 1997), 6.

[139] General Order No. 8, Headquarters, Assistant Commissioner, Bureau of Refugees, Freedmen, and Abandoned Lands, South Carolina, Georgia, and Florida, 11 August 1865, SC Assistant Commissioner, BRFAL, RG 105, NARA. While these gendered scripts stood to benefit freedwomen who could demand support from the fathers of their children, they could work against mothers who left relationships voluntarily. In February 1866 Phillip and Margaret Gray sought a divorce. In a document drawn up by a Freedmen's Bureau agent, Margaret agreed "not to call on the said Phillip Gray for any support for herself or children," and Phillip promised "not to molest or interfere in any manner with the said Margaret Gray in her usual work or to disturb her at any house she may occupy." Agreement between Phillip Gray and Margaret Gray, 15 February 1866, Richmond VA Assistant Subassistant Commissioner, BRFAL, RG 105, NARA. Margaret's willingness to forgo her husband's financial assistance in order to sever marital ties with him suggests that economic support was not enough to keep women in undesirable partnerships. Mothers who voluntarily dissolved their unions were expected to forgo support.

Desertion was not the only context in which mothers sought child support. Mothers of illegitimate children demanded assistance from the fathers of their children by publicly establishing their paternity. Kentucky freedwoman Loris Wallace informed a local bureau agent that Allen Humphreys had asked for her hand in marriage. She then became pregnant with his child. Sometime thereafter Wallace began hearing rumors that Humphreys was already married. Once she marched to where he lived and "satisfied herself that he was really married," she resolved to quit him. At the same time, she demanded that he "pay her doctors bill at the birth of the child" and be made "to contribute to the support of the child after its birth."[140] Louisa Branch, a Georgia freedwoman, charged Adam Hughes with "being the father of her child" and asked that he be "made to support it." Adam agreed to pay Louisa $4 a month "for its support" until the child reached the age of fourteen, to which Louisa agreed.[141] Penelope Parker felt similarly entitled to support from Henry Duckett, the father of her child. In January 1866, Henry, who admitted to having "sexual intercourse" with Penelope "at various times during the past eighteen months, and believes the child to be his," agreed to pay her $4 dollars per month until January 1868.[142] Margaret Ann Williams, "the mother of an illegitimate child," reported that Jesse Scott, the father, "refuses to provide for the child, and that she is not able to without some assistance." She asked the Freedmen's Bureau to issue "a warrant for his arrest" for bastardy so "that he may be made to contribute to the child's support." Williams's efforts to secure child support led Scott to strike back. In response to the bastardy charge, he "cast a stone at her in the street and struck a basket she carried at the time," and Williams feared the violence would

[140] Affidavit of Loris Wallace, 18 June 1867, enclosed in J. G. Nain to Lieut. James H. Rice, #128 1867, Letters Received, ser. 1198, Lexington KY Subassistant Commissioner, BRFAL, RG 105, NARA [FSSP A-4457].
[141] Louisa Branch vs. Adam Hughes, 21 May 1868, Registers of Complaints, Augusta GA, BRFAL, RG 105, NARA.
[142] Penelope Parker vs. Henry Duckett, 16 January 1866, Registers of Proceedings of Freedmen's Court for Elizabeth City County, Fort Monroe VA Assistant Subassistant Commissioner, BRFAL, RG 105, NARA.

escalate, given that Scott had "several times threatened her life by poison and more violent means."[143] Mothers of illegitimate children felt entitled to support from the fathers of their children. Their determination to make men fulfill their paternal duty evidently outweighed any fear of the social or reputational consequences of illegitimacy.

Immediately following the Civil War, writes Stephanie McCurry, freedwomen turned to "using the federal government to redress the sexual injuries of slavery, force accountability for past harms, assemble the resources by which they could establish themselves and their children as free families in free homes, and force the recognition of their civil rights as free people."[144] Black mothers pursued such ends in part by holding accountable the white men who had fathered their children, a radical departure from their experiences under slavery.

Enslaved women were routinely subjected to sexual violence at the hands of slaveholders, overseers, and other white men, bearing children who followed their own condition as slaves. Harriet Jacobs was just fifteen years old when she began suffering sexual abuse by her owner, James Norcom, who harassed her "with words that scathed the ear and brain like fire," filling her "young mind with unclean images, such as only a vile monster could think of." "I was compelled to live under the same roof with him," she recounted. "He told me I was his property; that I must be subject to his will in all things." With "no shadow of law to protect her from insult, from violence, or even from death," Jacobs remained vulnerable until she made her escape from

[143] Wm Lewis Tidball to James Lobban, 12 February 1867, Letters Sent, Charlottesville VA, BRFAL, RG 105, NARA. For other examples of mothers of illegitimate children naming the fathers of their children in order to obtain support, see Complaint of Peter Davenport, 18 November 1867, and Complaint of Charlotte Davis, 9 December 1867, both in Registers of Complaints, Charlotte NC, BRFAL, RG 105, NARA; Affidavit of Mathilda Dodd, 27 June 1867, Letters Sent, Albany GA, BRFAL, RG 105, NARA; Complaint of Mary Johnson, 18 February 1867, and Complaint of Caroline Thomas, 14 May 1868, both in Register of Complaints, Athens GA, BRFAL, RG 105, NARA.

[144] Stephanie McCurry, "Reconstructing Belonging: The Thirteenth Amendment at Work in the World," in *Intimate States: Gender, Sexuality, and Governance in Modern US History,* ed. Margot Canaday, Nancy F. Cott, and Robert O. Self (Chicago: University of Chicago Press, 2021), 19-40 (quotation on 32-33).

slavery.[145] Louisa Picquet's narrative also illustrates the sexual violence enslaved women suffered. Picquet was born on a South Carolina plantation in 1828. Her father, John Randolph, was a slaveholder, and her mother, Elizabeth Ramsey, was his fifteen-year-old enslaved seamstress. Just weeks after Picquet's birth, Randolph's wife demanded that he sell Ramsey because the infant Louisa closely resembled her own child. Randolph sold mother and child to a Mr. Cook, a Georgia planter who also proved sexually violent. Ramsey gave birth to three children by him, although only one of them survived infancy. When Cook relocated with his slaves to Mobile, Alabama, he began to pursue Picquet, who was then still just a girl. While Picquet lived for years under the threat of rape, she managed to evade Cook's advances with the help of a Scottish woman who operated the boarding house in which Cook resided while in Mobile. When financial trouble befell Cook, he was forced to sell his slaves, and Picquet became the property of a Mr. Williams in New Orleans. The sale afforded Picquet little reprieve. As her new master carried her to the Crescent City he made his intentions explicit. "He said he was getting old, and when he saw me he thought he'd buy me, and end his days with me. He said if I behave myself he'd treat me well: but, if not, he'd whip me almost to death." Picquet gave birth to three children by Williams. Only upon his death did she finally escape sexual slavery.[146] Picquet's narrative provides a window into the emotional and physical terror enslaved women and girls endured at the hands of their masters and the generational nature of gendered violence.[147]

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[145] Harriet Jacobs, *Incidents in the Life of a Slave Girl*, ed. Jean Fagan Yellin (1861; repr., Cambridge, MA: Harvard University Press, 1987), 44.
[146] Louisa Picquet, *Louisa Picquet, the Octoroon, or Inside Views of Southern Domestic Life* (New York: The Author, 1861), 18.
[147] Sexual relations between white men and enslaved women ranged from rape to concubinage. Enslaved women sometimes engaged in sexual relationships with white men to secure material goods or emancipation for themselves and their children, but, as many scholars insist, all interracial intimacy constituted sexual violence because enslaved women lacked the power of consent. According to Angela Davis, "there could hardly be a basis for 'delight,

Although "concubinage and illegitimate connections" existed to an "alarming extent," [148] white men had no legal obligation to either their enslaved children or the children's mothers. Most slaveholders treated their enslaved offspring much as they did their other slaves, selling them when necessary and separating them from their mothers. "I knew a man at the South who had six children by a colored slave," a former slave from Virginia recalled. "Then there was a fuss between him and his wife, and he sold all the children but the oldest slave daughter. Afterward, he had a child by this daughter, and sold mother and child before the birth. . . . Such things are done frequently in the South."[149] The property status of enslaved women enabled white men to sexually exploit them while claiming their children as property. Escaped slave, Frederick Douglass pointed to the consequences:

> The whisper that my father was my master, may or may not be true; and, true or false, it is of but little consequence to my purpose whilst the fact remains, in all its glaring odiousness, that slaveholders have ordained, and by law established, that the children of slave women shall in all cases follow the condition of their mothers; and this is done too obviously to administer to their own lusts, and make a gratification of their wicked desires profitable as well as pleasurable; or by this cunning arrangement, the slaveholder, in cases not a few, sustains to his slaves the double relation of master and father.[150]

Booker T. Washington's knowledge of his father's identity was equally scant. "Who my father was, or is, I have never been able to learn with any degree of certainty. I only know that he was a white man," Washington wrote in his autobiography. "I never heard of his taking the least interest in me, or providing in any way for my rearing."[151] While Douglass underscored how

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affection, and love' as long as white men, by virtue of their economic position, had unlimited access to Black women's bodies." Angela Y. Davis, *Women, Race, and Class* (New York: Random House, 1983), 26.

[148] William J. Anderson, *Life and Narrative of William J. Anderson, Twenty-Four Years a Slave* (Chicago: Daily Tribune Book and Job Printing Office, 1857), 14.

[149] Interview of William Thompson, in *The Refugee: Or the Narratives of Fugitive Slaves in Canada,* ed. Benjamin Drew (Boston: John P. Jewett & Co., 1856), 128. See also James McKaye, *The Mastership and Its Fruits: The Emancipated Slave Face to Face with His Old Master: A Supplemental Report to Hon. Edwin M. Stanton, Secretary of War* (New York: W. C. Bryant Co., 1864), 6.

[150] Frederick Douglass, *Narrative of the Life of Frederick Douglass, an American Slave* (Boston: Anti-Slavery Office, 1845), 4.

[151] Washington, *The Story of My Life and Work*, 15, 33.

paternal alienation empowered white men to generate wealth and partake in the most evil of pleasures, Washington saw it as an unfortunate, if inevitable, by-product of slavery whose victims were both black and white, slave and free. Bondage imposed upon black women a code of silence about sexual violence and the paternity of their children, allowing white men to safeguard their own honor and reputations and to live their lives as if interracial sex did not exist. "The secrets of slavery," Harriet Jacobs wrote, "are concealed like those of the Inquisition."[152]

After emancipation, black women who bore children by white fathers were newly entitled to hold them accountable just as state bastardy laws allowed unmarried white women to do.[153] Some freedwomen brought claims for child support against white fathers to the Freedmen's Bureau. Under slavery, O. H. Marshall had purchased an enslaved woman named Pricilla and kept her as his concubine. When Pricilla became free, she found herself pregnant with Marshall's child and made a claim before the Freedmen's Bureau for economic support. The two settled in a Freedmen's Bureau court, where Marshall agreed "to support the woman and her child when it is born."[154] In Georgia, Emma Hurlburt, who was described as "a *very* pretty colored woman," testified that James Selkirk, the superintendent of the Waynesboro Railroad, "was the father [of her infant] and should be made to support it."[155] As a slave in North Carolina, Clarissa Jones had given birth to a child by her owner, William Robertson. In March 1868, Jones testified that, "[f]inding she would soon have another child by him & fearing she would swear both to him, [Robertson] brought her into S.C. & threatened if she returned he would kill her." Jones, who

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[152] Jacobs, *Incidents in the Life of a Slave Girl*, 55. "My master was, to my knowledge, the father of eleven slaves," Jacobs wrote. "But did the mothers dare to tell who was the father of their children? Did the other slaves dare to allude to it, except in whispering among themselves? No, indeed! They knew too well the terrible consequences."
[153] After emancipation, white men could also be charged with rape against black women. See Diane Miller Sommerville, *Rape and Race in the Nineteenth-Century South* (Chapel Hill: University of North Carolina Press, 2004).
[154] Pricilla (colored) vs. O. H. Marshall, n.d. [1865], Registers of Complaints, Augusta GA, BRFAL, RG 105, NARA.
[155] Emma Hulbert vs. James Selkirk, n.d., Registers of Complaints, Augusta GA, BRFAL, RG 105, NARA.

"was destitute of any means of support, or place to go to, to be confined," appealed to a Freedmen's Bureau agent in Greenville, North Carolina, for assistance.[156] Initiating complaints and paternity suits against white fathers enabled black mothers to establish themselves as freedwomen worthy of protection and support. Naming the white fathers of their children not only held symbolic meaning but also promised economic benefits for mothers and their children, who now had legitimate claims to property and inheritance. As demonstrated by these examples, freedwomen sometimes lodged complaints against powerful men, a reflection of their dogged commitment to seek justice and to secure paternal financial support as an entitlement of freedom.[157]

Freedwomen with children born before emancipation had no legal claim to support from the fathers.[158] Despite this reality, some mothers pursued child support from their former owners and other white men who had violated them under slavery. Eliza Cook in North Carolina had been seduced by her master's son, James H. Cook, to whom she bore nine children. After emancipation, Cook attempted to evict Eliza and the seven children who were still living, but Eliza refused to leave, prompting James to file a complaint against her with the Freedmen's Bureau in July 1866. James characterized Eliza as "very insulting and abusive to him" and called

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[156] Complaint of Clarissa Jones, 25 March 1868, Register of Complaints, Greenville NC Subassistant Commissioner, RG 105, BRFAL, NARA.

[157] For other paternity claims made against white men, see Flora Murphy to Brvt. Maj D. T. Corbin, 23 May 1866, Register of Letters Received and Endorsements Sent, ser. 3201, Georgetown SC Subassistant Commissioner, RG 105, BRFAL, NARA [FSSP A-7174]; Affidavit of Eliza Cook, 12 July 1866, enclosed in Col. J. V. Bomford to Major Genl. O. O. Howard, 13 December 1866, filed as N-237 1866, Letters Received, ser. 15, Washington Headquarters, RG 105, BRFAL, NARA [FSSP A-2946]; Lucy Ann Bibb to General Brown, 29 June 1867, Letters and Orders Received, ser. 4056, Louisa Court House VA Assistant Subassistant Commissioner, RG 105, BRFAL, NARA [FSSP A-8177]; Deposition of Rachel Malone, 15 July 1865, Deposition of Rebecca Malone, 18 July 1865, M-23 1865, Registered Letters Received, ser. 3379, TN Assistant Commissioner, RG 105, BRFAL, NARA [FSSP A-6169].

[158] North Carolina law, for example, stipulated that a man who fathered a child by an unmarried woman would be "charged with the maintenance therefore, as the court may order," so long as the proceedings were initiated within three years. *Revised Code of North Carolina, Enacted by the General Assembly at the Session of 1854* (Boston, 1855), pp. 107-109.

upon the bureau to have her "removed from his house and premises." When Colonel A. G. Bready, superintendent of the bureau's central district of North Carolina, called upon Eliza to answer to the charges, she told a different story. "I have had no difficulty with him whatever," she told Bready. "The woman he is now married to and whom he married since the Surrender . . . wants to have me driven off the plantation," Eliza explained. "I told her I would not [go], that master . . . always let me have whatever I wanted on his plantation for myself and children and if I had my justice I had as much right there as she had." In order "[t]o please her he intends to deprive me and my children (and his) of home and Shelter on his plantation," she contended. Eliza gained the favor of Colonel Bready, who advised James to either "procure a home for her and children elsewhere" or "pay a Stipulated sum . . . to get rid of her." When James remained intent upon putting Eliza out without making provision for his children, Eliza, with the assistance of the Freedmen's Bureau, brought suit against James in the U.S. District Court. Because North Carolina law deprived her of the same bastardy protection as a white woman, she sought to use the federal Civil Rights Act, which had been enacted in April 1866, to claim that protection.[159]

Through such claims-making, Eliza Cook and women like her, whose children had been fathered by their enslavers and other white men, restored their dignity and self-respect while compelling others to bear witness to the mistreatment they had suffered under slavery.[160]

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[159] Brev^{t} Co^{l} A G. Brady [sic] to Eliza Cook, 9 July 1866, Bvt Col A G Bready to Dr James. H. Cook, 12 July 1866, enclosing affidavit of Eliza Cook, 12 July 1866, and Affidavit of Eliza Cook, 15 July 1866, all enclosed in Col J. V. Bomford to Major Genl. O. O. Howard, 13 December 1866, filed as N-237 1866, Letters Received, ser. 15, Washington Headquarters, BRFAL, RG 105, NARA [FSSP A-2946]. The district court judge, George Washington Brooks, concluded that Cook's case "did not come under the Civil Rights Bill, and that she could obtain no redress in the U.S. District Court." See Lieut T. D. M^{c}Alpine to Col. J. V. Bomford, 11 December 1866, enclosed in Col J. V. Bomford to Major Genl. O. O. Howard, 13 December 1866, N-237 1866, Letters Received, ser. 15, Washington Headquarters, BRFAL, RG 105, NARA.

[160] For other instances in which freed mothers sought child support from white men who fathered their children, see Alexis Broderick, "'If I Had My Justice': Freedwomen, the Freedmen's Bureau, and Paternity in the Postemancipation South," in *Ideas in Unexpected Places: Reimaging Black Intellectual History,* ed. Brandon R. Byrd, Leslie M. Alexander, and Russell Rickford (Evanston, IL: Northwestern University Press, 2022), 33-46.

Meanwhile, they forced the federal authorities and state officials to whom they appealed to reckon with the limits of existing law. The law operated as if black motherhood emerged only at the point of emancipation, an idea black mothers vigorously contested. In their pursuit of child support and economic stability they reimagined the law in ways that would serve them.

If the mothers of children fathered by white men sometimes found favor among Freedmen's Bureau agents, any doubt about the alleged father's paternity diminished their chances of securing support. Comfort Harmson, for example, charged John Martin with being the father of her child, but her case was dismissed on account of her "cohabitation with others previous to and during her association with Dfdt."[161] Likewise, when Hannah Grice named a white Freedmen's Bureau agent as the father of her child, several character witnesses claimed that she had worked as a prostitute, treated her mother badly, and "her habits were suspicious and improper," all grounds to discount her claim. The witnesses further testified that they had reason to believe her child had been fathered by a different man.[162]

Whether the fathers of their children were black or white, mothers sought support on their own terms. For most, that meant the receipt of provisions or cash rather than relinquishment of custodial rights. Harriet Douglass told a Freedmen's Bureau agent in Augusta, Georgia, that Mauge Newsome "got her with child," but she had "agreed to say nothing . . . provided Newsome would support the child." When Newsome "failed to do this," Harriet appealed to the bureau for assistance. She "preferred to keep the baby and accept an allowance of six dollars per month for its support."[163] Charlotte, a mother in South Carolina, complained that her husband,

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[161] Comfort Harmson vs. John Martin, 10 October 1866, Register of Proceedings of the Freedmen's Court for Elizabeth City County, Fort Monroe VA, BRFAL, RG 105, NARA.
[162] A K Brown to Maj. S. N. Clark, 18 December 1867, Unregistered Letters Received, ser. 457, DC Assistant Commissioner, BRFAL, RG 105, NARA [FSSP A-10229].
[163] Complaints of Harriet Douglass, 8 May 1868 and 11 May 1868, both in Registers of Complaints, Augusta Georgia Agent, BRFAL, RG 105, NARA.

Peter Sally, had "taken up with another wife, and deserted her, and her four children, and will make no provision for their support." Peter "offered to take all or part of the children" and teach them "habits of industry," but "Charlotte declined the offer." She wanted to keep them in her own care and demanded that Peter be made to support them by paying her a portion of his earnings.[164] When Betty Jackson, a freedwoman in Virginia, insisted that her husband, Andrew, contribute to the support of their children, he agreed to only "if left with him," because he "could do so at less expense."[165] Kentucky freedwoman Eliza Berkley claimed that her husband, George Beckley, had deserted her and sought the bureau's help in getting financial support. When questioned, George admitted to fathering one of her children but dismissed the accusation of paternal neglect. He had pleaded with Eliza to grant him custody of their child, he testified, but she had refused and instead insisted upon collecting child support.[166] Eliza may have felt that the child would be better off in her care, but economic considerations may also have informed her decision. Her second child had been fathered by another man, and cash or provisions from George may have enabled her to support her entire household. Furthermore, raising the child would perhaps give her the best claim to its labor in the future. Tennessee freedwoman Jane White testified that before deserting her, her husband had regularly beaten her and their children "in a very unhusband like manner." Given his abusive disposition, granting him custody was out of the question as far as Jane was concerned. "I do not wish my children to go away from here . . . but am willing to let my husband assist me in supporting them," she stated.[167] Possession of

[164] Complaint of Charlotte, 19 August 1866, Orangeburg SC Subassistant Commissioner, BRFAL, RG 105, NARA.
[165] Betty Jackson vs. Andrew Jackson, 4 May 1866, Letters Received, Fort Monroe VA Assistant Subassistant Commissioner, BRFAL, RG 105, NARA.
[166] James H. Rice to Capt. R. E. Johnston, 10 May 1867 and Affidavit of George Bertley, 20 May 1867, Unregistered Letters, ser. 1199, Lexington KY Superintendent, BRFAL, RG 105, NARA [FSSP A-4460].
[167] Affidavit of Jane White, 29 January 1867, enclosed in Michl Walsh to Bt Maj Genl W^{m} P. Carlin, 1 February 1867, W-7 1867, Registered Letters Received, ser. 3379, TN Assistant Commissioner, BRFAL, RG 105, NARA [FSSP A-6387]. For another mother who demanded child support and refused to give up custody, see Affidavit of

their children was integral to these freed mothers' definition of freedom. Cases in which mothers fought tooth and nail to maintain control over young children despite the economic burden they imposed suggest that economic imperatives alone did not motivate the pursuit of custody.

If some mothers insisted upon maintaining custody of young children while seeking economic support from the fathers, others fought for a division of custody. When Violet Reid's husband deserted her and refused "to do anything toward supporting the children," Violet suggested that "he shall take two of the children and leave two with her."[168] Joe Hudson complained to the Freedmen's Bureau that his former wife, Ann Porter, had been "in the habit of keeping the children awhile, and then returning them to him to take care of." To alleviate the economic burden of providing for both children, Hudson and Porter agreed that each would take one of them.[169] Margaret and her former husband, Edward Wolf, divided custody of their five children. The youngest three remained in Margaret's care while the other two resided with Edward, who also agreed to pay Mary $20 a year in child support.[170]

Support payments varied in amount, duration, and form. The Freedmen's Bureau generally awarded mothers support until their children reached working age. Anna R. Green, for example, brought the father of her children, Spencer Page, before a bureau court "for breach of promise to marry." The court ruled in Anna's favor and awarded her "the sum of $300" for "the support of unborn child in enstallments [*sic*] as follows—commencing with the date of the birth of the child—four dollars ($4.00) per week to be paid each Saturday."[171] Henderson Seek was ordered to support his twin children by Sauretta Douglass "until they be considered by law

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Franky Ann Worrell, 8 August 1867, Orders Received, Contracts, and Miscellaneous Court Papers, Cuthbert GA, BRFAL, RG 105, NARA.

[168] Complaint of Violet Reid, 7 December 1867, Registers of Complaints, Charlotte NC, RG 105, BRFAL, NARA.

[169] Complaint of Joe Hudson, 10 October 1867, Registers of Complaints, Charlotte NC, RG 105, BRFAL, NARA.

[170] Frankel, *Freedom's Women,* 137.

[171] Anna R. Green vs. Spencer Page, 8 August 1865, Complaint Book of the Freedmen's Court, Memphis TN, BRFAL, RG 105, NARA.

capable of caring, and providing for themselves." The amount Douglass was to receive was not specified.[172] Mary Hill was awarded "$1 per week until child be able to support itself."[173] A bureau court decided that Susannah Johnson was entitled to $5 a month from the father of her child, David Sprightly. The money was to be paid on the first day of each month until the child reached ten years of age.[174] By ordering such payments, the bureau sought to ensure that female-headed households were insulated from destitution until the children were capable of paid employment.[175] In some instances, however, bureau agents saw child support as even more temporary. Emily Robbins, a pregnant freedwoman in New Bern, North Carolina, was to receive $25 "for her support during the two months which she is unable to work being with child."[176] As demonstrated by Robbins's award, some bureau agents imagined black mothers as disabled workers who would soon be able to earn a living, rather than as mothers deserving of support until their children were capable of contributing to the household's income. Whatever their duration or amount, child support payments buoyed female-headed households; the few dollars a month they received was sometimes as much as a freedwoman could earn during the same period.

[172] United States vs. Henderson Seek, 15 April 1866, T-2 1866, Letters Received, ser. 231, AR Assistant Commissioner, BRFAL, RG 105, NARA [FSSP A-2343].
[173] Issac Rosekrans to Joe Hill, 29 March 1866, Letters Sent, Newbern NC Assistant Superintendent, BRFAL, RG 105, NARA.
[174] Benj C Cook to J A McDonnell, 15 August 1866, Letters Received, Fort Monroe VA Assistant Subassistant Commissioner, BRFAL, RG 105, NARA; Leopold Cowper to The Chief of the Freedmen's Bureau, n.d., Letters Received, Fort Monroe VA, Assistant Subassistant Commissioner, BRFAL, RG 105, NARA. For another example of orders for child support until working age, see Diana Jackson v. Joe Jackson, 19 June 1867, Register of Complaints, New Orleans LA, BRFAL, RG 105, NARA.
[175] A bureau agent in Richmond, Virginia, told his superiors that Julia Johnson had been "unable to obtain employment on acct of having children" and was therefore "liable to remain dependent for a long time." He believed that Johnson's "encumbrances" would prevent her from supporting herself for the foreseeable future. Benj. C. Cook to Lieut. Paul R. Hambrick, 29 September 1868, Richmond VA, BRFAL, RG 105, NARA. Such beliefs likely informed bureau agents' orders on fathers for child support.
[176] Complaint of Emily Robbins, 20 March 1866, Registers of Complaints, New Bern NC Assistant Superintendent, BRFAL, RG 105, NARA.

Female kin who were caring for children also sought to compel fathers to fulfill their duty to provide. Warner Wood had deserted his five children, leaving them with his mother, "an old woman barely able to provide for her own necessities." The bureau ordered him to return and "provide for his mother and children, all of whom need his assistance and care."[177] Lucy Dickerson, a freedwoman in Petersburg, Virginia, had assumed care of her brother-in-law's two children when he deserted them. Learning that he was at work for the Norfolk Railroad Company, she wrote him repeatedly and sent messages she knew he had received, but still he failed to provide for the children. One of them suffered from frequent fits, and Dickerson feared for the child's life. Although Dickerson's husband was supporting both his own family and her brother-in-law's children, she worried because his work was "unsteddy." Dickerson asked the Freedmen's Bureau to have the railroad company garnish a portion of her brother-in-law's wages for the benefit of his children.[178]

In their efforts to wrangle resources from non-compliant fathers, mothers were often sustained by kin and community. "Among certain of the colored people," a bureau agent observed, "there is considerable ill feeling resulting from the abandonment of wives and the seduction of unmarried women."[179] Such "ill feeling" inspired a "middle-aged freedwoman" in South Carolina to march to the bureau to report "that her son-in-law would do nothing for the support of his wife and children" even though he earned "good wages" working for the railroad.[180] Richard Raglan, a freedman in Virginia, reported that his daughter had been "deserted by her husband, Carter Tarray," who was "a blacksmith, and well able to support his

[177] Wm Lewis Tidball to Bvt. Maj. J. F. P. Crandon, 21 June 1866, Letters Sent, Charlottesville VA Assistant Subassistant Commissioner, BRFAL, RG 105, NARA.
[178] Lucy Dickerson to Capt. Stuart Barnes, 23 July 1866, Letters Received, ser. 4153, Norfolk VA Subassistant Commissioner, BRFAL, RG 105, NARA [FSSP A-7931].
[179] Wm Lewis Tidball to Bt. Lt. Col. Jas. A. Bates, 29 October 1866, Letters Sent, Charlottesville VA Assistant Subassistant Commissioner, BRFAL, RG 105, NARA.
[180] De Forest, *A Union Officer in the Reconstruction,* 114.

family."[181] At her death, Celia Nunnally left behind four children, the oldest nine and the youngest just eight days old. Her husband, Henry Beaufort, had deserted her. Ever since her husband's departure, Nunnally had "received such assistance as the means of some of her friends would allow." After she died, her brother, Napoleon Duplin, appealed to the Freedmen's Bureau to compel Beaufort to support his children.[182]

Kin also came to the aid of expectant mothers who had been seduced and deserted. Joseph Reddick brought a breach of promise suit against Augustus Davis for seducing his daughter Henrietta. Augustus and Henrietta had begun courting in May and lived together in the Reddicks' home, but Davis jilted Henrietta when she became pregnant. Joseph Reddick testified that Davis had asked for his daughter's hand in marriage, that during the time in which the couple lived in the same house, Henrietta "had no other visitors," and that the couple was often "alone at night." Certain that Augustus was the father of Henrietta's child, Reddick demanded that he be made to support it.[183] Reddick not only sought to win financial support for Henrietta and her unborn child, but evidently hoped to redeem the honor of his daughter and his family. He did so by making clear that she had engaged in sexual intercourse with Davis only under the

[181] Complaint of Richard Raglan, 30 July 1866, Letters Sent, Charlottesville VA Assistant Subassistant Commissioner, BRFAL, RG 105, NARA.
[182] Napoleon Duplin to Lieut. Merrill, 8 November 1865, Unregistered Letters Received, Richmond VA, BRFAL, RG 105, NARA.
[183]Jos Reddick v. Augustus Davis, 5 December 1866, Proceedings of Cases before Freedmen's Court, Fort Monroe VA Assistant Subassistant Commissioner, BRFAL, RG 105, NARA; Henrietta Reddick by Jos. vs. Augustus Davis, 5 December, Proceedings of Cases before Freedmen's Court, Fort Monroe VA Assistant Subassistant Commissioner, BRFAL, RG 105, NARA. Davis was sentenced to three months in jail, but it is unclear whether Henrietta received compensation. The case of Susan Hail also reveals the aid that kin and community provided to mothers in their pursuit of child support. Susan had lived with Milton as husband and wife for nearly five years. Milton had asked Susan's parents for her hand in marriage and "consent was given." Now she found herself pregnant by him and reported that "so soon as this occurd he has lef me, in a condition not able to help my self & without a home." Susan asked the Bureau to "have pity on the female sex" and command him to return and care for her. Susan's mother, Eliza Hail, also appealed to the Freedmen's Bureau, explaining that her own husband was an "invalid and has been for several years, and we have four children to support which is more than we are able to do." For Susan Hail's mother, the marriage of a daughter promised one less mouth to feed and she perceived the agreement as a binding one. Susan Hail to Freedmans Beaureaux, 25 September 1866, Letters Received, ser. 4343, Wythville VA Assistant Subassistant Commissioner, BRFAL, RG 105, NARA [FSSP A-8200].

promise of marriage and that she had no other sexual partners. In this case, desertion was of concern to Henrietta's family of origin because it placed financial strain on the Reddicks' household. When children married, their reliance on kin decreased. It is likely that Reddick protested the seduction because of the social and economic consequences it created. Edward Parker filed a complaint against John Taylor in similar circumstances. Two years earlier, Parker had hired his niece, for whom he acted as a legal guardian, to Taylor. While living with Taylor, the girl "began to give evident signs of becoming a mother, and on being questioned stated that Samuel Taylor . . . had, under promise of marriage, seduced her." Parker believed Taylor should be made to "provide for her or to fulfill his promise of marriage."[184] Freedwoman Elizabeth Thomas complained that freedman Robert Carrol, who resided on the Bates Farm in tidewater Virginia, had seduced her daughter, who was now pregnant. Thomas believed Carrol planned to skip town and demanded that he be made to support her daughter. The bureau instructed Thomas "to wait till the child was born and then make her complaint."[185] Thomas likely sought immediate support because pregnancy and post-partum recovery would preclude her daughter from earning a living. Collectively, these cases demonstrate a pervasive belief that fathers had a financial obligation to their children whether they were born out of wedlock or not. By bringing complaints to the Freedmen's Bureau, parents and other kin charged men with such responsibility.[186]

[184] Edward Parker vs. John Taylor, 29 June 1868, Register of Complaints, Alexandria VA Superintendent, BRFAL, RG 105, NARA.
[185] C P Goodyear to Lieut Mont S. Reed, 10 December 1866, Letters Received, Fort Monroe VA Assistant Subassistant Commissioner, BRFAL, RG 105, NARA.
[186] For other charges of seduction or breach of promise, see Mary Jones vs. Jas Bullock, 2 October 1866, Miscellaneous Records, Fort Monroe VA Assistant Subassistant Commissioner, BRFAL, RG 105, NARA; Complaint of Joshua Perry, 24 October 1866, Letters Sent, Charlottesville VA, BRFAL, RG 105, NARA; Nancy Randall vs. Westley Kenney, 26 January 1867, Registers of Complaints, Alexandria VA, BRFAL, RG 105, NARA.

Paternity and child support also became matters of community concern. A paternity case in Kansas divided a whole community, producing "considerable excitement among the people." It involved Jane Reed, who accused A.M.E. pastor Phil Hubbard of seduction. Reed swore "that she is an unmarried woman; that she is pregnant with a bastard child and that . . . P. H. Hubbard is the father of the said child." Hubbard denounced the allegations as baseless and claimed that they were intended to "ruin" him. On the day of the trial, a "large gathering of friends for both" reported to the courthouse to observe. Congregants of the A.M.E church showed support for Hubbard, but a "larger delegation of the people who think a wrong has been committed" turned out in support of Reed. Community members were reportedly so invested in the outcome of the case that they "knocked . . . furiously on the door" of the courthouse, which was too small to hold all of the curious onlookers; the irritated judge "ordered the attending constable to arrest somebody for contempt."[187] Mothers held the fathers of their children accountable, no matter their standing in the community. Hubbard's status as a clergyman probably heightened the community's response. Those who came to Reed's defense believed seduction immoral and that Hubbard had an obligation to acknowledge paternity and assume responsibility. By calling him to account, they hoped to right a moral wrong. It is likely that Reed's supporters were also eager to see justice done because they held high expectations of religious leaders within their community and therefore found Hubbard's actions particularly reprehensible.

Despite efforts to hold the fathers of their children accountable, destitution plagued the lives of single mothers. Some unmarried and deserted mothers who lacked male support resorted to desperate measures, including infant abandonment, child neglect, and even infanticide.[188]

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[187] "A Grave Change," *Herald of Kansas* (Topeka, Kansas), 30 January 1880.

[188] In her study of infanticide and infant abandonment in Richmond, Elna Green has shown that black mothers resorted to infanticide at higher rates than their white counterparts, a finding she attributes to the absence of

When a Georgia freedwoman named Ella became pregnant with Allen Clark's child, the couple decided to marry, but after the child's birth "they separated." Ella had custody of the child, but after several failed attempts "to get its father to support it," she "carried it to the house of Allen's mother where she left it." Allen "swore that he would not keep the child and carried it out and laid it in the street," where local authorities found it.[189] Ella refused to assume the sole responsibility of childrearing, which she likely associated with economic vulnerability. According to a Virginia Freedmen's Bureau agent, destitute mothers left their children on city streets and plantations to "either be provided for by strangers or starve."[190] As Elna Green has shown, some abandoning mothers left their infants at almshouses or other safe sites, "rather than exposing them to almost certain death elsewhere, [which] suggests that these mothers desired survival for their babies as well as for themselves." [191] Even those who committed infanticide may have done so out of love for their children rather than ambivalence toward motherhood. Infanticide enabled mothers who were living on the brink of destitution to ensure that they could adequately provide for their other children. It also spared the infant a life marked by poverty.[192] Although these survival strategies appear to have been uncommon among newly freed mothers, they speak volumes about the economic precarity of single motherhood.

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orphanages for black communities. See Elna C. Green, "Infanticide and Infant Abandonment in the New South: Richmond, Virginia, 1865-1915," *Journal of Family History* 24, no. 2 (1999): 187-211.

[189] "Negro Child's Fate," *Macon Telegraph* (Macon, Georgia), 23 November 1887.

[190] Geo. W. Graham to T. P. Jackson, 14 December 1868, Letters Sent, Boydton VA, BRFAL, RG 105, NARA. A newspaper reported that a "negro child about two months of age was placed on the platform of the railroad depot" by its mother, "who immediately thereafter boarded an east-bound train and left the place." "Over the Lake," *Times-Picayune* (New Orleans), 2 September 1885.

[191] Green, "Infanticide and Infant Abandonment," 197.

[192] For newspaper reports of infanticide, see "Negro; Cameron; Abandoned," *Alexandria Gazette* (Alexandria VA), 9 February 1864; "Editorial and Other Items," *New Orleans Times*, 1 February 1867; "The City," *Times-Picayune* (New Orleans LA), 17 July 1873. Poor working-class women's use of infanticide complicates, if not belies, Sarah Ruddick's assertion that "non-violence is a constitutive principle of maternal thinking." See Sara Ruddick, "Preservative Love and Military Destruction: Some Reflections on Mothering and Peace," in *Mothering: Essays in Feminist Theory,* ed. Joyce Treblicot (Totowa, NJ: Rowman & Allanheld), 114-144 (quotation on 126).

Although freed mothers entered the labor force with aspirations of providing for their children, the devaluation of their labor severely circumscribed their ability to do so. In the face of unemployment, paltry pay, and poverty, mothers looked to male kin and the fathers of their children as lifelines for survival. Female dependency more broadly, and the reliance on male kin in particular, thus developed in response to the gendered patterns of free labor. Disputes between mothers and the fathers of their children revealed, however, that freedpeople did not always agree about parental obligations. Nevertheless, mothers urged men to recognize the economic challenges they faced and used their status as mothers to secure support. Through their claims-making, freedwomen established economic assistance as an entitlement of black motherhood, and, in so doing, made freedom for themselves and their children meaningful.

Chapter 3

"You Might as Well Say I'm On Duty All the Time": Black Women's Childcare Strategies and the Gendered Violence of Free Labor

In the aftermath of the Civil War, freed mothers set out to make a living in hopes of providing better lives for their children. This chapter explores the childcare strategies black mothers developed to enable them to earn the wages they needed in order to support themselves and their families. Women drew on strategies they had used under slavery, but also devised new ones. In their efforts to secure supervision for their children during the workday, freed mothers toted their children to work; relied on older children, child nurses, schools, hiring-out, orphan asylums, and community-based childcare; and, when possible, attempted to negotiate childcare provisions as part of their labor contracts. Employers, however, for whom children were unwanted encumbrances, not only discouraged childbearing but ignored black women's dual responsibilities as mothers and household providers. In the absence of pronatalist policies and as a result of the continued denigration of black motherhood, freedwomen struggled to find adequate childcare. For many, leaving small children unattended proved the only option. This desperate measure exposed children to harm and even death, devastating realities for mothers who were intimately bound to their progeny. Adding insult to injury, southern newspapers attributed these tragic injuries to black maternal deviance, disregarding altogether their structural origins. The free labor system thus visited upon black mothers new forms of gendered violence that manifested itself both materially and discursively. This chapter argues that the free labor system and its adherents established conditions under which formerly enslaved women were "un-mothered" and black motherhood became pathologized.[1] Examining black mothers' postwar

[1] Here I build on the work of Mariame Kaba, who defines "un-mothering" as an effort by state and society to "actively and violently threaten, remove, disappear, and kill Black women's children." She contends that through the

labor experience not only brings into sharper relief the challenges they faced in the post-emancipation South, but also sheds light on the gendered violence endemic to free labor.

Scholarship on gender and emancipation has begun to explore formerly enslaved women's role within their households and the impact of work on women's intimate lives.[2] Building on that scholarship, this chapter homes in on childcare to unearth how freed mothers juggled care work with wage earning or managed their "double burden." It asks how free labor shaped black women's maternal choices and the internal dynamics of black households.[3] If newly free mothers aspired to prioritize care of their families, what were the limits and possibilities of realizing this objective, given the demands of the free labor system?

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process of un-mothering, "black women become un-mothers, having (sometimes) given birth then had their children disappeared through death, removal, or the prison-industrial complex." Kaba is primarily concerned with un-mothering as an act of physical dispossession. See Kaba, "Circles of Grief, Circles of Healing," in *Long Term: Resisting Life Sentences, Working toward Freedom,* ed. Alice Kim, Erica Meiners, and Jilly Petty (Chicago: Haymarket Books, 2018). For other discussions of un-mothering, see Connie Chung, *The Politics of (Un)Mothering: A Literature Review on Homeless Mothers* (Saarbrüken, Germany: Lambert Academic Publishing, 2011). I am expanding the definition of un-mothering to include the denigration of black motherhood and the ideological detachment of motherhood from blackness.

[2] See, for example, Nancy D. Bercaw, *Gendered Freedoms: Race, Riots, and the Politics of Household in the Civil War Delta* (Gainesville: University Press of Florida, 2003); Peter Bardaglio, *Reconstructing the Household: Families, Sex, and the Law in the Nineteenth-Century South* (Chapel Hill: University of North Carolina Press, 2000); Laura F. Edwards, *Gendered Strife and Confusion: The Political Culture of Reconstruction* (Urbana: University of Illinois Press, 1997); Noralee Frankel, *Freedom's Women: Black Women and Families in Civil War Era Mississippi* (Bloomington: Indiana University Press, 1999); Thavolia Glymph, *Out of the House of Bondage: The Transformation of the Plantation Household* (New York: Cambridge University Press, 2003); Susan Eva O'Donovan, *Becoming Free in the Cotton South* (Cambridge, MA: Harvard University Press, 2007); Hannah Rosen, *Terror in the Heart of Freedom: Citizenship, Sexual Violence, and the Meaning of Race in the Postemancipation South* (Chapel Hill: University of North Carolina Press, 2009); Leslie A. Schwalm, *A Hard Fight for We: Women's Transition from Slavery to Freedom in South Carolina* (Urbana: University of Illinois Press, 1997); Amy Dru Stanley, *From Bondage to Contract: Wage Labor, Marriage and the Market in the Age of Emancipation* (New York: Cambridge University Press, 1998); Karen Zipf, "Reconstructing 'Free Woman': African-American Women, Apprenticeship, and Custody Rights during Reconstruction," *Journal of Women's History* 12, no. 1 (2000): 8-31.

[3] My work here also builds upon scholarship that has underscored the relationship between public and private spheres. See Linda K. Kerber, "Separate Spheres, Female Worlds, Woman's Place: The Rhetoric of Women's History," *Journal of American History* 75, no. 1 (1988): 9-39; Jeanne Boydston, *Home and Work: Housework, Wages, and the Ideology of Labor in the Early Republic* (New York: Oxford University Press, 1990); Elsa Barkley Brown, "Negotiating and Transforming the Public Sphere: African American Political Life in the Transition from Slavery to Freedom," *Public Culture* 7 (1994): 107-146.

Violence was a defining feature of emancipation. Indeed, it was endemic in the nineteenth-century South, serving as a primary means by which whites attempted to maintain and, later, to restore white supremacy. Labor disputes, perceived violations of racial etiquette, black political participation, and pursuit of education all unleashed anti-black violence. There is no dearth of scholarship on the postwar South's violence. Scholars have probed both concerted and individual acts of anti-black violence to demonstrate the constraints of emancipation as well as the ways African Americans sought redress. Importantly, they have made it clear that such violence was not reserved for black men. Scholars of race, sexuality, and violence, for example, have established that rape functioned as a form of violence that was intended to reinscribe racial and gender boundaries and, in so doing, have shown that African American women suffered at the hands of white terrorists.[4]

Much of the emphasis within current scholarship on gender and violence, however, has been focused on overt, direct violence such as sexual exploitation, assault, lynching, and other forms of physical and psychological terror. Using motherhood as a frame of analysis, this chapter contributes to the scholarly conversation by attending to quotidian forms of violence that had equally devastating consequences for black women's lives. The free labor system, the chapter demonstrates, enacted violence against black women and their children. The chapter also takes seriously the workings of discursive violence and its effect on black women. As Patricia Hill Collins writes, "From the mammies, jezebels, and breeder women of slavery to the smiling Aunt

[4] Studies of sexual violence against black women include Rosen, *Terror in the Heart of Freedom;* Jacqueline Dowd Hall, "'The Mind That Burns in Each Body': Women, Rape, and Racial Violence," in *Powers of Desire: The Politics of Sexuality*, ed. Ann Snitow, Chrisitine Stansell, and Sharon Thompson (New York: Monthly Review Press, 1983), 328-349; Catherine Clinton, "Bloody Terrain: Freedwomen, Sexuality, and Violence during Reconstruction," *Georgia Historical Quarterly* 76, no. 2 (1992): 313-332. On African American resistance to postemancipation violence, see Kidada E. Williams, *They Left Great Marks on Me: African American Testimonies of Racial Violence from Emancipation to World War I* (New York: New York University Press, 2012); Crystal N. Feimster, *Southern Horrors: Women and the Politics of Rape and Lynching* (Cambridge, MA: Harvard University Press, 2009); Rosen, *Terror in the Heart of Freedom.*

Jemimas on pancake mix boxes, ubiquitous Black prostitutes, and ever-present welfare mothers of contemporary popular culture, negative stereotypes applied to African-American women have been fundamental to black women's oppression."[5] Collins's contention is certainly applicable to the era of emancipation. In the postwar South, stereotypes regarding black maternal deviance translated into inadequate access to resources, heightened surveillance, and denial of citizenship. A focus on mothers and their childcare strategies brings into view the technologies of post-emancipation violence.

Mothering and Free Labor

With emancipation, motherhood was no longer the exclusive right of white women, and freedwomen therefore hoped to reclaim their reproductive capacity, devote more time to their families, and raise their children on their own terms. Freed mothers prioritized their own children over waged labor, a choice they felt entitled to make and fought vehemently to protect. Directing their labor toward their own households was a priority for personal, political, and economic reasons. For one thing, doing so promised healthy, literate, and well-nurtured children. Parent-child relationships were emotionally fulfilling, and women therefore sought to spend as much time as possible with their children. Motherhood also afforded women a sense of dignity. At the same time, freedwomen's past experiences of reproductive violence critically shaped their relationship to motherhood. Slaveholders had appropriated both black women's labor and their children, putting mothers to work as field laborers and domestic servants and preventing them from caring for their own offspring. In some parts of the South, pregnant women were required

[5] Patricia Hill Collins, *Black Feminist Thought: Knowledge, Consciousness, and the Politics of Empowerment* (New York: Routledge, 1990), 5.

to work until they gave birth and were granted only short periods for postpartum recovery.[6] Pregnancy did not exempt bondwomen from slavery's violence. Indeed, ex-slave narratives reveal that slaveholders routinely abused expectant mothers.[7]

Slavery's labor demands similarly precluded black women from parenting as they wished or devoting as much attention to their children as they desired. As mothers performed backbreaking labor from sunup to sundown, children were often left in the care of superannuated slaves or older children who were tasked with keeping an eye on the plantation's youngsters.[8] Although these proto-nurseries ensured at least some child supervision, such arrangements were less than ideal for mothers, especially the mothers of infants. Former Louisiana slave Charlotte Brooks recalled in vivid detail the limits her owner imposed:

> I had a little baby when my second master sold me, and my last master would make me leave my child before day to go to the cane-field; and he would not allow me to come back till ten o'clock in the morning to nurse my child. When I did go I could hear my

[6] In his comparative study of Fairfax County, Virginia, and Lowcountry South Carolina, Damian Alan Pargas has shown that short lying-in periods and heavy labor quotas for pregnant women were characteristic of the upper South due to the region's dwindling number of slaves and economic woes. In comparison, expectant mothers in the Lowcountry received lighter workloads and longer lying-in periods, which Pargas attributes to the prevalence of disease in the region and slaveholders' efforts to curb the mortality rate among their female slaves to protect their own bottom lines. See Pargas, "From the Cradle to the Fields: Slave Childcare and Childhood in the Antebellum South," *Slavery & Abolition* 32, no. 4 (2011): 481-482. Other scholars have also shown that in the lower South, pregnant women received lighter workloads than in the upper South, women had longer confinement periods, and plantation nurseries were established. See Brenda E. Stevenson, *Life in Black and White: Family and Community in the Slave South* (New York: Oxford University Press, 1996), 193; Wilma A. Dunaway, *The African-American Family in Slavery and Emancipation* (New York: Cambridge University Press, 2003), 132; Robert William Fogel, *Without Consent or Contract: The Rise and Fall of American Slavery* (New York: Norton, 1989), 145; Schwalm, *A Hard Fight for We,* 28–30; Richard Follett, *The Sugar Masters: Planters and Slaves in Louisiana's Cane World, 1820–1860* (Baton Rouge: Louisiana State University Press, 2005), 73–74.

[7] See for example, interview with Analiza Foster, "Born in Slavery"; Interview with Henry Cheatam, "Born in Slavery"; Interview with Mary Gaines, "Born in Slavery." In late stages of pregnancy, enslaved women deemed deserving of punishment were "laid naked upon the ground, face downward, with their arms and legs stretched out firmly bound to stakes" with a hole dug underneath them "large enough to admit the pregnant belly" while the "coach trace or the paddle was applied." James McKaye, *The Mastership and Its Fruits: The Emancipated Slave Face to Face with His Old Master, A Supplemental Report to Hon. Edwin M. Stanton, Secretary of War* (New York: W. C. Bryant Co., 1864), 10.

[8] Wilma A. King, *Stolen Childhood: Slave Youth in Nineteenth-Century America* (Bloomington: Indiana University Press, 2011), chap. 2; Marie Jenkins Schwartz, *Birthing a Slave: Motherhood and Medicine in the Antebellum South* (Cambridge, MA: Harvard University Press, 2010), 10-14. Scholars have shown that care by elderly slaves was not the norm. Wilma A. Dunaway, for example, estimates that less than one-quarter of Appalachian slave children were left in the care of nurseries or elderly caregivers." Dunaway, *The African-American Family in Slavery and Emancipation* (New York: Cambridge University Press, 2003), 70.

> child crying long before I got to it. And la, me! my poor child would be so hungry when I'd get to it! Sometimes I would have to walk more than a mile to get to my child, and when I did get there I would be so tired I'd fall asleep while my baby was sucking. He did not allow me much time to stay with my baby when I did go to nurse it. Sometimes I would overstay my time with my baby; then I would have to run all the way back to the field.[9]

Enslaved mothers had little or no control over their breastfeeding schedules, which were instead dictated by the rhythms of plantation labor. The conditions under which they worked thus made nursing, an already demanding task, even more arduous, as it required bondwomen to trek back and forth from the fields to tend to their babies.

Slavery also undermined black motherhood by co-opting and exploiting female slaves' reproductive labor. Those of reproductive age were forced to serve as wet-nurses for their mistresses' infants. Slaveholding women, unburdened by the responsibility of breastfeeding their children, had greater freedom to pursue social lives and other activities.[10] "Mother nursed all Miss Jennie's children," Mattie Logan remembered. "They say I nursed on one breast while that white child, Jennie, pulled away at the other! That was a pretty good idea for the mistress, for it didn't keep her tied to the place and she could visit around with her friends most any time she wanted."[11] Such double duty all too often deprived black children of much-needed attention and nutrition. "Missus made me nuss her baby, an' set her little girl to watch me, for fear I'd give my baby too much, no matter how hard he cried," one former wet nurse recalled. "Many times I was'nt [*sic*] allowed to take him [her own son] up."[12] The breastfeeding arrangement was taxing,

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[9] Octavia V. Rogers, *The House of Bondage, or Charlotte Brooks and Other Slaves* (New York: Hunt & Eaton, 1890), 3-4.

[10] Wet nursing was among the many benefits that slavery afforded white women. Recent scholarship has refuted the notion that white women played a passive role in slavery by pointing to their adeptness at slave management, extensive authority over slaves, and personal investment in the maintenance and reproduction of chattel bondage. See Stephanie E. Jones-Rogers, *They Were Her Property: White Women as Slave Owners in the American South* (New Haven, CT: Yale University Press, 2019); Glymph, *Out of the House of Bondage.*

[11] Interview with Mattie Logan, "Born in Slavery."

[12] Quoted in Laura S. Haviland, *A Woman's Life-Work: Labors and Experiences of Laura S. Haviland* (Cincinnati: Walden and Stowe, 1881), 271.

both physically and emotionally. Wet-nursing two children meant her entire day was spent feeding. She was forced to give up her milk, with no say in the matter. Furthermore, while nursing the slaveowners' child, the enslaved woman endured her own infant's cries and was prevented from consoling it. Her milk supply could be exhausted before she had a chance to nourish her own infant, adding yet another dimension to the emotional trauma she faced.

Wet-nursing caused enslaved mothers anguish, requiring as it did that they direct nutrients and attention to white infants, rather than to their own, and just when their own children were most vulnerable. Former Georgia slave William McWhorter recalled that when his mistress died, his aunt Mary was forced to nurse her child. "If Aunt Mary was feedin' her own baby and Miss Lucy started cryin' Marse John would snatch her baby up by the legs and spank him, and tell Aunt Mary to go and nuss his baby fust," he reported. "Aunt Mary couldn't answer him a word," but she cried "'til de tears met under her chin."[13] Wilma Dunaway's study of black families in slavery and emancipation shows that enslavers expected black women to wean their own children early, even as they continued to nurse white children up to the age of two.[14] Once weaned, enslaved children were fed cow's milk and water. These practices contributed to poor health outcomes for both black mothers and their children. Former slave Ellen Betts was compelled to nurse one white child after another, at the cost of her own health. "Miss Sidney was Marse's first wife and he had six boys by her," she explained. "Den he marry de widow Cornelius and she gave him three boys. With ten chillen springin' up quick like dat and de cullud

[13] Interview with William McWhorter, "Born in Slavery."

[14] Dunaway, *African-American Family in Slavery and Emancipation,*134-141. See also Emily West and R. J. Knight, "Mothers' Milk: Slavery, Wet-Nursing, and Black and White Women in the Antebellum South," *Journal of Southern History* 83, no. 1 (February 2017): 46; Sally G. McMillen, *Motherhood in the Old South: Pregnancy Childbirth, and Infant Rearing* (Baton Rouge: Louisiana State University Press, 1990). According to Andrea Freeman, enslaved mothers "shared breastfeeding duties by cross-nursing—taking turns nursing their own and others' infants," which helped prolong enslaved children's access to their mothers' milk. Freeman, *Skimmed: Breastfeeding, Race, and Injustice* (Stanford, CA: Stanford University Press, 2020), 39.

chillen comin' long fast as pig litters, I don't do nothin' all my days, but nuss, nuss, nuss. I nuss so many chillen it done went and stunted my growth and dat's why I ain't nothin' but bones to dis day."[15] Emily West and R. J. Knight have argued that "white slaveholders manipulated and commodified enslaved women's motherhood by placing the needs of others, including the nutritional demands of [white] infant children, above those of the mothers themselves."[16] The exploitation of black women's reproductive labor and the denial of black motherhood under slavery made freedwomen especially eager to prioritize their own children in freedom.

The end of slavery transformed black household management and domestic relations. In particular, the sexual division of labor within the black household became more pronounced. In addition to performing waged labor, freedwomen assumed a bevy of domestic responsibilities. Women's day-to-day household labor included caring for children, cooking, cleaning, washing and ironing, mending clothes, gardening, and raising poultry. Although gender roles proved more fluid in black households than within white households, childcare almost always devolved to women.[17] As Laura Edwards writes, "gendered differences [within black families] revolved around reproductive labor."[18] Managing the household, in and of itself, was a full-time job. Mothers rose early to prepare breakfast before sleeping children awakened. The limited availability of money, time, utensils, appliances, and foodstuffs meant that feeding the family required resourcefulness. Despite these challenges, mothers made do with what they had on hand, procured from the local store, or received as rations from their employers, which usually

[15] Interview with Ellen Betts, "Born in Slavery."
[16] West and Knight, "Mothers' Milk," 46.
[17] Jacqueline Jones, *Labor of Love, Labor of Sorrow: Black Women, Work, and the Family, from Slavery to the Present* (New York: Basic Books, 1985), 58-64.
[18] Laura F. Edwards, *Gendered Strife and Confusion: The Political Culture of Reconstruction* (Urbana: University of Illinois Press, 1997), 156.

consisted of molasses, pork, and cornmeal.[19] Critical to the task of feeding the family was stretching the provisions as far as possible. Employers often issued rations only to those members of the family who were employed under contract. Nonworking children and other dependents received nothing.[20] The birth of each child created another mouth to feed while the amount of subsistence remained constant, requiring even greater resourcefulness on the part of parents. Sundown brought with it additional domestic tasks. In the evening hours, mothers cleaned, cooked, washed, ironed, sewed, and prepared for the next day.[21] The repertoire of domestic responsibilities, coupled with waged labor, made it necessary for mothers to fine-tune the balance between the two.[22]

Freed mothers struggled to draw boundaries between their wage work and home lives and demanded that employers recognize that they had families of their own. Virginia planter Sally

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[19] On the diets of freedpeople, see Anne Yentsch, "Excavating the South's African American Food History," *African Diaspora Archeology Newsletter* 1, no. 2 (2008): 1-40.

[20] René Hayden, Anthony E. Kaye, Kate Masur, Steven F. Miller, Susan E. O'Donovan, Leslie S. Rowland, and Stephen A. West, *Land and Labor, 1866-1867,* ser. 3, vol. 2 of *Freedom: A Documentary History of Emancipation*, *1861-1867* (Chapel Hill: University of North Carolina Press, 2013), 36. For an example of an employer withholding rations from non-working members of households, see W H Bergfels to Capt C. B. Wilder, 7 September 1865, in *Land and Labor, 1865,* ed. Steven Hahn, Steven F. Miller, Susan E. O'Donovan, John C. Rodrigue, and Leslie S. Rowland, ser. 3, vol. 1 of *Freedom: A Documentary History of Emancipation*, *1861-1867* (Chapel Hill: University of North Carolina Press, 2008), 518-521.

[21] Jones, *Labor of Love, Labor of Sorrow,* 89.

[22] As children grew older, women's childcare responsibilities decreased. Later in life, these responsibilities sometimes resurged as they assisted in caring for their grandchildren. Labor contracts reveal that it was not uncommon for mothers to live with adult children. While older women became dependents in the conventional sense, their unpaid care work enabled their adult children to earn a living. Aged parents thus contributed vital labor to the households to which they belonged. All adult children could benefit from extra hands to look after youngsters, but single mothers especially benefited from such arrangements. Because the burden of responsibility for childcare generally fell to women, the loss of a wife and mother created a crisis for families, especially those with young children. Without a wife and mother, households were left to figure out who would assume the caregiving and household responsibilities. Working fathers whose wives had died or were otherwise absent frequently relied upon their mothers, sisters, aunts, or other female relatives to assist them. Under such circumstances, fathers felt especially compelled to hire their children to an employer, as they found it difficult to accomplish both wage earning and childcare. This is not to suggest that fathers did not nurture their children. Libra Hilde had shown that in slavery and in freedom, caretaking, in the form of nurturance and advice, was integral to black men's roles as fathers. Although fathers formed affective bonds with their children that left indelible impressions upon them, the fact remains that the everyday demands of childcare usually devolved on women. On fatherhood in slavery and emancipation, see Libra R. Hilde, *Slavery, Fatherhood and Paternal Duty in African American Communities over the Long Nineteenth Century* (Chapel Hill: University of North Carolina Press, 2020).

Tabb complained that the freedwomen on her estate were "occupied solely in taking care of their children." While some "perform[ed] light housework," Tabb noted, these tasks were "divided amongst a large number." Dividing the domestic chores lightened the workload for each mother, enabling them all to devote greater time to their children. Their actions make clear that women prioritized motherhood and childrearing over waged labor. To Tabb's dismay, they demanded wages and rations despite their intermittent labor. Even though freed mothers split their time between labor for Tabb and care of their children, they felt entitled to wages and provisions. While Tabb characterized them as "insolent & idle," and therefore unworthy of remuneration, freedwomen rejected such understandings of the economic system and instead insisted that labor arrangements ought to both recognize and value their responsibilities to family.[23]

Perhaps the way freed mothers could best ensure adequate time for their own families was by refraining from waged labor altogether. A Tennessee employer agreed to hire a husband and wife and "feed [their] five children for nothing—aged from 10 years down," but the mother refused to sign the contract because she felt her time was better spent spinning and weaving for her family. To the employer's dismay, the mother not only refused to work for him, but insisted that her husband was not obligated to pay board for her or their children.[24] In her estimation, she had every right to devote full attention to the needs of her own household and subscribed to the philosophy that her husband's labor entitled the entire family to provisions. Reproductive labor to sustain her own family, she insisted, had value, and such work was worthy of respect if not remuneration.

Freedwomen whose husbands could support the entire family might abstain from waged

[23] Miss Sally. V. B. Tabb to Major General Howard, 15 August 1865, in *Land and Labor, 1865*, ed. Hahn et al., 518-519.
[24] Geo. T. Allman to Genl Fisk, 4 September 1866, in *Land and Labor, 1866-1867,* ed. Hayden et al., 439-441.

labor, but most mothers did not enjoy the luxury of devoting themselves exclusively to housework and childrearing. Few freedmen earned enough to cover the entirety of their families' expenses. Even though women's earnings were meager, their contributions were often critical to the family's survival, especially when the children were too young to earn wages. Moreover, widows and single mothers necessarily sought employment to provide for themselves and their dependents, which drew them out of their homes and into the fields of white landowners and the kitchens of white households.

With the vast majority of freed mothers compelled to work for white employers, they turned to a variety of strategies to preserve time for their own families, from negotiating for Saturdays off, protesting certain work assignments, and refusing to submit to unfair and demeaning labor arrangements. Such demands reflected their insistence upon enjoying the rights and privileges of their freedom. Alabama freedwoman Clarissa, for example, cared for both her two-year-old infant and her infirm mother, who was "unable to perform manual labor." To support them, Clarrisa contracted with an employer, but when she learned that neither her mother nor the child would be allowed to accompany her, she became "dissatisfied with the terms of the said contract" and demanded that it be abrogated.[25] Other freedwomen protested with their feet when labor agreements did not meet their expectations. Amy, an Alabama mother of two young children whose stepfather had included her in a contract without her consent, agreed to "try the place awhile and if she liked it would remain, if not, would leave."[26] A "colored woman" in Georgia refused to fulfill her contract when her employer moved to town, insisting that she had

[25] W. S. Bird to Agent Freedman's Bureau, 20 December 1866, Letters Received, ser. 80, Demopolis AL Subassistant Comissioner, RG 105, BRFAL, NARA [FSSP A-2140].
[26] Robt. A. Fleming J.P. to Brevet Maj Gen Wager Swayne, 23 February 1866, in *Land and Labor, 1866-1867,* ed. Hayden et al., 580-581.

signed to work in the country so that she could be near her husband.[27]

Greater control over their time could also be achieved by cobbling together odd jobs. So doing enabled some mothers to avoid contract labor in agriculture or domestic service and to care for their small children. Mothers picked and sold berries, marketed vegetables and eggs from the family's garden and poultry yard, took in laundry, and served as midwives.[28] Freedwomen generally preferred these modes of labor over domestic service or agricultural labor because they promised a greater degree of self-determination; mothers could manage their own time, set their own work hours, dictate the value of their labor, escape the watchful eye of white employers, breastfeed infants, and supervise their children as they worked.

Freed mothers' insistence upon prioritizing their own families appalled employers who continued to conceive of black women's bodies as instruments of labor for the exclusive benefit of whites. Employers feared that women's domestic obligations would interfere with their availability for wage labor. White southerners sought to control every aspect of formerly enslaved people's lives, including their domestic arrangements, in order to extract as much labor from them as possible and also to exercise social control.

While white, middle-class notions of domesticity suggested that a woman's proper place was within the home caring for her children, black mothers were expected to engage in field or domestic labor in service to whites. "Field-work, as an occupation, may not be consistent with the finest feminine culture or the most complete womanliness," a northern observer acknowledged, but "[b]etter a woman with a hoe than without it, when she is not yet fitted for the

[27] W S G Morris to Capt, n.d., vol. 146, p. 28, Register of Letters Received, ser. 756, Augusta GA Subassistant Commissioner, BRFAL, RG 105, NARA [FSSP A-5727].
[28] Jones, *Labor of Love, Labor of Sorrow,* 56. Looking at account books, Thavolia Glymph has shown that white households put out numerous chores besides washing, which domestic servants refused to do, including "making butter, tending chicken and hens, and making starch." These lines of employment also may have afforded freedwomen greater flexibility in terms of their schedules. Glymph, *Out of the House of Bondage*, 174.

needle or the book."[29] In the eyes of former slaveholders and many other white Americans, black women were not categorically women. Rather, society regarded them primarily, if not exclusively, as workers, which in effect estranged them from motherhood. Any activity that impinged upon former slaves' ability to devote their full energy to waged labor was unacceptable to white employers, and childcare was no exception. "The raising of children must not interfere with the raising of cotton," employers believed.[30] Complaints about freedwomen's "withdrawal" from the labor force and its contribution to labor scarcity abounded. To a Virginia planter's annoyance, most of the women on her place were "occupied solely in taking care of their children, [and] spinning a little cotton (not enough to clothe them)."[31] Echoing such concerns, a Freedmen's Bureau agent in Georgia reported that "a mere majority of the women are hired at present on the farms, but a very large number are doing nothing at-all towards supporting themselves and their children." "They are found occupying all the vacant houses in the Villages and country that they can get into, loitering and loungeing [*sic*] about," he grumbled, "some of them pretending an occupation, but most of them sponging upon the scanty earnings of their Fathers Husbands and friends."[32] In reality, few mothers could afford to fully abstain from wage labor. The vast majority worked for a living as field hands, child nurses, cooks, washerwomen, chambermaids, seamstresses, or hucksters.[33] The complaints reflected white concerns about the

[29] Edward L. Pierce, *The Freedmen of Port Royal, South Carolina: Official Reports of Edward L. Pierce* (New York: Rebellion Record, 1863), 309.
[30] William Pickens, *The Heir of Slaves*: *An Autobiography* (Boston: The Pilgrim Press, 1911), 9.
[31] Miss Sally. V. B. Tabb to Major General Howard, 15 August 1865, in *Land and Labor 1865,* ed. Steven Hahn et al., 517.
[32] J. D. Harris to Genl Tillson, 23 July 1866, in *Land and Labor, 1866-1867,* ed. Hayden et al., 434-436. "Former slaves could choose where and for whom they worked," as Mary Farmer-Kaiser points out, "but were not free to reject labor altogether." See Farmer-Kaiser, "'Are They Not in Some Sorts Vagrants?': Gender and the Efforts of the Freedmen's Bureau to Combat Vagrancy in the Reconstruction South," *Georgia Historical Quarterly* 88, no. 1 (2004): 30.
[33] Jacqueline Jones and others maintain that after the war, black women withdrew from waged labor. Some scholars contend that they did so because black families wanted to shield women from sexual abuse and violence and because such choices allowed women to attend to their own families. Others have attributed this "withdrawal" to freedwomen's desire to emulate white standards of behavior. More recent scholarship has challenged or complicated

loss of power and authority over former slaves rather than black mothers' actual behavior.

Black women's efforts to control their own labor was perceived as illegitimate and unproductive, especially when they challenged white expectations. Martha Richardson had been hired by her Uncle Sandy, a Florida freedman who was blind, to "take care of [his] children while his wife worked in the field." James Dewitt, a local white man, reported Martha as a vagrant because his wife "wanted Martha to go to her house to wash some clothes [and] she did not go." When Martha refused, "Dewitt got angry" and had her arrested. Despite the fact that Sandy was paying Martha $5 a month and feeding her, a jury found Martha guilty of vagrancy, and she received a sentence of three months' labor.[34]

Martha showed no interest in working for the Dewitts, ignoring Mrs. Dewitt's request to do her laundry. In so doing, Martha asserted that freedom entitled her to work for whomever she pleased, including her own kin. Moreover, she saw caring for her uncle's children as a legitimate form of employment. In a statement to the Freedmen's Bureau, she defended herself against the charge of vagrancy by representing herself as hardworking and gainfully employed, pointing to the fact that she was earning a monthly wage and "plenty to eat" as compensation for her labor. Martha's insistence upon exercising control over her own labor raised the ire of Florida whites in part because it disrupted their self-perception. When black women acted in ways that defied the

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the notions that women withdrew from wage labor and that black men alone represented their families in the public sphere. This scholarship instead suggests that, when possible, women withdrew from *full-time* wage labor, that gender roles among freedpeople were more fluid than earlier scholarship suggested and were not defined by those of whites, and that black women challenged the very constructions of gender that sutured together whiteness and womanhood. The new scholarship has illuminated the problematic binary of the public-private spheres and demonstrated that black women's domestic and public responsibilities coexisted and reinforced one another. See White, *Ar'n't I a Woman? Female Slaves in the Plantation South* (New York: W. W. Norton, 1999); Jones, *Labor of Love, Labor of Sorrow*; Leslie A. Schwalm,"'Sweet Dreams of Freedom': Freedwomen's Reconstruction of Life and Labor in Lowcountry South Carolina," *Journal of Women's History* 9, no. 1 (1997), 9-38; Schwalm, *A Hard Fight for We;* Barkley Brown, "Negotiating and Transforming the Public Sphere," 107-146; Glymph, *Out of the House of Bondage*; Tera W. Hunter, *To 'Joy My Freedom: Southern Black Women's Lives and Labor after the Civil War* (Cambridge, MA: Harvard University Press, 1997), 28-30.

[34] Statements of Sandy and Martha Richardson, 10 November 1866, in *Land and Labor 1866-1867*, ed. Hayden et al., 536-537.

social order, writes Erica Lawson, "the outrage expressed by whites was tied to a fundamental destabilization of the (white) ontological perception of self and personhood constructed through the subordination of Black womanhood."[35] White southerners like the Dewitts relied on black deference to affirm their own superiority. Martha had not only undermined the social order by refusing the Dewitts' demands, but, as a free woman, she had used her mobility within the labor market to work on her own terms and to insulate herself from labor exploitation. In the period leading up to her arrest, she had "staid a week at [her] mothers," then "cooked a week for Ben Russell in place of Dilsy," earning "a dollar for the week." After standing in for Dilsy, she "went to James Killpatricks," where she "staid two weeks picking cotton." But Martha quit when Killpatrick withheld her wages, and instead "went to Uncle Sandy's . . . and agreed with him . . . to nurse his children" until Christmas.[36] Martha showed a preference for short-term employment, taking numerous odd jobs in various locations to avoid contract work in domestic service or agricultural labor and only intermittently working for whites. Such strategies undermined white efforts to compel freedpeople to hire for the year. Martha had also wielded power over her labor by quitting when an employer withheld her wages. Finally, after being shortchanged, she hired herself to a black employer, a kinsman, altogether refusing to sell her labor to whites. These expressions of self-ownership threatened whites who felt robbed of both her labor and her subservience.

In the court's eyes, Martha's labor was illegible; her employment caring for black children was not real work because it was not in service to whites. Hiring a child nurse, it

[35] Erica Lawson, "Black Women's Mothering in a Historical and Contemporary Perspective: Understanding the Past, Forging the Future," *Journal of the Association for Research on Mothering* 2, no. 2 (2000): 21-30 (quotation on 22).
[36] Statements of Sandy and Martha Richardson, 10 November 1866, in *Land and Labor 1866-1867*, ed. Hayden et al., 536-537.

proclaimed, was a privilege reserved for white families. The court therefore found her guilty of vagrancy despite being gainfully employed. It thereby criminalized Martha's attempts to maintain occupational autonomy. Its decision implied that Martha's labor was not fully her own to sell as she pleased. By sentencing her to three months' labor, the court also forced Martha back into the service of whites; what whites could not achieve through the labor market, they did through the law.

Black mothers' occupational autonomy not only upended pre-existing power relations but had direct implications for the daily lives of whites. Many freed mothers departed the plantations and farms on which they had been enslaved, in search of new employers in the countryside or in nearby cities. In their wake, they left a bevy of uncompleted tasks that often devolved upon white women, acquainting them with their former slaves' drudgery. Ella Gertrude Clanton Thomas, the daughter and wife of Georgia planters, remarked in her diary that "out of all our old house servants not one remains except Patsey and a little boy Frank." If the help dwindled, the chores did not, ultimately requiring Thomas herself to pick up the slack. "I assisted her [Patsey] in wiping the breakfast dishes, a thing I never remember to have done more than once or twice in my life," she grumbled. Her troubles did not end there. When Nancy, a woman Thomas hired to replace her cook, quit unexpectedly, Thomas found herself "engaged in housework most of the morning."[37] Thomas struggled to come to terms with the new responsibilities that emancipation had imposed on her. Freedom also prompted a gendered leveling on the Alabama plantation where Annie Burton had been enslaved. "Our mistress and her two daughters, Martha and Mary, had to become their own servants," she recalled, "and do all the work of the house, going into the kitchen, cooking and washing, and feeling very angry that all their house servants had run away

[37] Virginia Ingraham Burr, ed., *The Secret Eye: The Journal of Ella Gertrude Clanton Thomas, 1848-1889* (Chapel Hill: University of North Carolina Press, 2014), 272-273.

to the Yankees."[38]

Freed mothers who worked on their own terms were described as lazy, insolent, and idle troublemakers, charged with "playing the lady," and blamed for their own poverty. Allegations of slothfulness were insulting to black mothers who worked so tirelessly to provide for their children. Years later, their children often reflected on their mothers' sacrifices and cited with admiration how their labor had sustained their families. "I didn't know what it was to suffer for nothing while my mother lived," Nate Shaw recalled. "So far as somethin to eat, I didn't know what it was to go hungry in her lifetime." Shaw's mother "would take food from her own dinner and reserve it for her children."[39] William Pickens wrote that his mother, who was "[d]etermined to keep her children in school" and a roof over their heads, labored "from early morning till late at night to that end." Eventually, the incessant labor had fatal consequences. "She died of overwork and consequent broken health" at the age of forty-five, leaving behind ten children.[40] Pickens's mother and many others sacrificed their time, their health, and even their lives for the sake of their families.

Newly emancipated mothers' efforts to attend to their own families were derided and impeded by white employers. Hostility toward black motherhood took myriad forms, including physical and verbal assault. Dismissal and other forms of punishment, for example, befell mothers who put their children first. Albert Wells, a Mississippi employer, ordered Peter Dickson's wife "to go into the woods to get rails to put around the cow pen." She refused, explaining that "she could not leave her baby," but volunteered her husband for the task. "This

[38] Annie L. Burton*, Memories of Childhood's Slavery Days* (Boston: Ross Publishing, 1909), 21.
[39] Theodore Rosengarten, *All God's Dangers: The Life of Nate Shaw* (New York: Avon Books, 1974), 13-14.
[40] Pickens, *The Heir of Slaves,* 43.

made Wells mad," and he ordered the Dicksons to leave.[41] Mothering also cost Sofia Chapman her job. Although Chapman had received permission to visit her daughter for the weekend, upon her return, her employer "told her to go out, that she should cook no longer for her."[42] Some employers resorted to violence when childcare interfered with their employees' labor responsibilities. On the morning of December 1, 1865, Mary Ann Smith was whipped by her former master Joe Smith after she "got breakfast for [her] children first," before watering the hogs.[43] While "suckling her child," Georgia freedwoman Josephine Lampkins was ordered to "lay it down and unload a wagon full of corn." Lampkins refused, informing her employer "that it [her child] was not done sucking." The infuriated employer drew a pistol, shot her, then "stabbed her in several places."[44]

The demands of waged labor impeded freedwomen's ability to prioritize their own children and households. The problem was especially acute for domestic servants whose endless chores required them to toil long hours in their employers' homes. As part of a Virginia labor contract, one woman was expected to "do all the washing," "aid in cleaning up the house," make the beds, carry water to the house, "clear away" and "wash the table ware," and "milk the cows and churn the milk," among other tasks.[45] Elinor Fells had an equally demanding job description. Fells, who contracted to work as a domestic servant in Caroline County, Virginia, was expected to milk the cows twice a day, work in the garden, cook, wash, clean the house, dry fruit during the summer, and "do any other work" the employer "may call on her to perform, except regular

[41] Peter Dickson vs. Albert Wells, 12 August 1864, Register of Complaints, Columbus MS, BRFAL, RG 105, NARA.
[42] Dorothy Sterling, ed., *The Trouble They Seen: Black People Tell the Story of Reconstruction* (Garden City: Doubleday, 1976), 76-77.
[43] W. F. DuBois to E. Bamberger, 5 December 1865, Registered Letters Received, Jackson MS Acting Assistant Commissioner, BRFAL, RG 105, NARA.
[44] Affidavit of Josephine Lampkins, 9 November 1865, in *Land and Labor, 1865,* ed. Hahn et al., 580-581.
[45] Contract between W^{m} J Berryman and Ja^{s} M Williams and Gary and Amos, 8 December 1865, in *Land and Labor, 1865,* ed. Hahn et al., 737-738.

field work."[46] As these contracts demonstrate, domestic servants were responsible for an array of tasks within white households. Domestic service was so time-consuming that it severely limited the ability of working mothers to attend to their own childrearing and housework. When they exacted such extensive labor, white employers ignored the fact that black women had their own children to raise.

The free labor system not only disregarded black motherhood but also redirected black women's reproductive labor to white households. Across the postwar South, white middle- and upper-class families remained reliant on black women as caregivers for their children. This intimate form of service to white families was often demeaning, if not dehumanizing. Freed mothers typically preferred other types of employment, but, given the limited options available to them, many were compelled to take such positions out of economic necessity. Ellen Betts recalled that despite being married with children of her own, she worked as a wet nurse. "I wanted to git paper for midwifing," she told her interviewer, "but, law, I don't never have no time for larnin' in slave time."[47] Betts did not say why she preferred midwifery to wet nursing, but her preference may have stemmed from her desire for greater autonomy and less physically taxing work.

For black mothers, domestic work often meant choosing between time with one's children or earning wages to feed, house, and clothe them. Almost fifty years after emancipation, Georgia, a mother who worked as a child nurse for a white family, likened her labor conditions to slavery:

> I frequently work from fourteen to sixteen hours a day. I am compelled by my contract, which is oral only, to sleep in the house. I am allowed to go home to my own children, the oldest of whom is a girl of 18 years, only once in two weeks, every other Sunday

[46] Contract between Littleton Flippo and Elinor Fells, 12 January 1866, in *Land and Labor 1866-1867*, ed. Hayden et al., 504-505.
[47] Interview with Ellen Betts, "Born in Slavery."

> afternoon—even then I'm not permitted to stay all night. I not only have to nurse a little white child, now eleven months old, but I have to act as playmate or "handy-andy," not to say governess, to three other children in the home, the oldest of whom is only nine years of age. I wash and dress the baby two or three times each day, I give it its meals, mainly from a bottle; I have to put it to bed each night; and, in addition, I have to get up and attend to its every call between midnight and morning. If the baby falls to sleep during the day, as it has been trained to do every day about eleven o'clock, I am not permitted to rest. It's "Mammy, do this," or "Mammy, do that," or "Mammy, do the other," from my mistress, all the time. So it is not strange to see "Mammy" watering the lawn in front with the garden hose, sweeping the sidewalk, mopping the porch and halls, dusting around the house, helping the cook, or darning stockings. Not only so, but I have to put the other three children to bed each night as well as the baby, and I have to wash them and dress them each morning. I don't know what it is to go to church; I don't know what it is to go to a lecture or entertainment or anything of the kind. I live a treadmill life; and I see my own children only when they happen to see me on the streets when I am out with the children, or when my children come to the "yard" to see me, which isn't often, because my white folks don't like to see their servants' children hanging around their premises. You might as well say that I'm on duty all the time—from sunrise to sunrise, every day in the week I am the slave, body and soul, of this family.[48]

As Georgia's experience demonstrated, taking care of white children required sacrifice on the part of black mothers. Her contract required her to live in her employer's home, affording her only rare visits with her own family. Employers prohibited their domestic servants from keeping their children with them. Visits by the children were also out of the question because "white folks don't like to see their servants' children hanging around the premises." Adding insult to injury, household servants were rarely paid sufficient wages. Georgia labored "from sunrise to sunrise, every day in the week," but received only $10 a week, hardly enough to cover the cost of food, clothing, and housing for her children. Making ends meet required her to hire her youngest child as a nurse to a white family, which subjected her daughter to the very conditions she herself

[48] From a Negro Nurse, "More Slavery at the South," *Independent* 72 (1912): 196-197. For some mothers, domestic service was out of the question. "Mothers with small children who are able and willing to work, but having no houses, and unable to leave their children when they have secured a temporary shelter, cannot become house-servants," one white philanthropist remarked. What was necessary to "enable them to support themselves, and, partially at least, their children," was "a *HOME* where upon arrival they could stay for a few days; but more especially where their children could be housed, clothed, fed, and taken care of, whilst they could be away at work." George A. Pope, "Letter from Baltimore Association for the Moral and Educational Improvement of the Colored People," *Pennsylvania Freedmen's Bulletin* 1, no. 1 (1865): 3-4.

detested. Moreover, Georgia was expected to cater to the white children's every need, to entertain and nurture them, and to love them as if they were her own children. She spent her days providing childcare services to a white family but could not personally afford the same services for her own family.

Georgia's work was not only onerous, but also subjected her to undignified working conditions. The South's rules of racial etiquette required blacks to address whites as "Miss" or "Mister," explained the editor of Georgia's account, but "no white person at the South ever thinks of addressing any negro man or woman as *Mr.,* or *Mrs.,* or *Miss*."[49] White children were taught to call their nurses "mammy," cook, nurse, "their niggers," and other demeaning names. The wife of a black Civil War veteran from Kentucky explained in a deposition for her husband's pension that she had gone to work in the home of a white family "as a nurse for [the] children." Although her name was Octavia, the family insisted upon calling her Lottie, which "had been the name of the nurse before me and so they just continued that same name."[50] Tera Hunter contends that the washerwomen who served as the primary caregivers for white children were simultaneously subordinated in and through these relationships. "Adolescent white Southerners," she writes, "witnessed and participated in the rituals eliciting servility and deference very early in life, learning the concrete meaning of their racial and class position vis-à-vis black servants."[51] The experiences of child nurses elucidate how reproductive waged labor, which was both critical to and devalued within the free labor system, worked to un-mother freedwomen by impeding their ability to devote time to their own children and stripping them of

[49] From a Negro Nurse, "More Slavery at the South," 198.
[50] Excerpt from Deposition of Mollie Russell, 19 September 1911, in *Voices of Emancipation: Understanding Slavery, the Civil War, and Reconstruction through the U.S. Pension Bureau Files,* ed. Elizabeth A. Regosin and Donald R. Shaffer (New York: New York University Press, 2008), 29.
[51] Hunter, *To 'Joy My Freedom,* 55.

their dignity.

Given slavery's commodification of bondwomen's bodies and children, freedwomen were especially eager to control their own reproductive capacity and demanded work conditions conducive to that aspiration. Working mothers, however, confronted practices that were designed to control their reproductive lives. Pregnant and nursing mothers, for example, prioritized themselves and the needs of their infants by temporarily withdrawing from contract work in the weeks preceding childbirth and by prolonging breastfeeding. Whereas some slaveholders may have been comparatively generous with time off after childbirth since they had a vested interest in the health of enslaved women and children, in freedom there were no such incentives. After emancipation, employers' expectations regarding childbirth often conflicted with those of black mothers. In his journal, one postwar planter complained, "Harriet and Amelia nursing over twelve months, disobeyed order to quit suckling."[52]

Disputes over lost time were common across the South. Freedwomen who were absent from work due to caring for children, pregnancy, or postpartum health issues incurred fines, had their wages slashed, and were thrown off plantations. Employers also exploited childbirth to cheat freedwomen out of wages. Thomas Broom had promised to pay Minerva "eighty dollars in gold or equivalent in the currency," "treat said negro humanely," "furnish her & child with the usual quantity of clothing," and "employ a physician . . . when necessary." When Minerva "was in an advanced state of pregnancy . . . expecting to be confined," however, Broom abandoned her and refused to pay the wages he owed her.[53] In Georgia, freedwoman Amanda and her husband

[52] Planter quoted in Noralee Frankel, "Breaking the Chains, 1860-1880," in vol. 1 of *To Make our World Anew: A History of African Americans to 1880*, ed. Robin D. G. Kelley and Earl Lewis (New York: Oxford University Press, 2000), 259.

[53] Contract between Minerva and Thomas M. Broom, 25 December 1865, Complaint Book of the Freedmen's Court, Memphis TN, BRFAL, RG 105, NARA. For mother evicted when she became pregnant, see Affidavit of E. E. Greenlee, 18 August 1865, Complaint Book of the Freedmen's Court, Memphis TN, RG 105, BRFAL, NARA

John contracted to labor for a year as field hands in exchange for wages and rations. But when Amanda became "pregnant and was about to give birth, she was turned off the plantation." John told a Freedmen's Bureau agent that he felt compelled to go with his wife and believed that her expulsion was their employer's effort "to get his labor for nothing."[54]

Charles Brandon and his wife Prissy signed a contract to work for Mrs. E. H. Mitchell, "a wealthy lady who cultivated a large plantation on the Brazos River," in Texas. In May 1867, Brandon complained to the Freedmen's Bureau that Mitchell had not paid them in full. "Mitchell said she owed them nothing" because "Brandon's wife did not earn her bread, & she was not going to pay her any-thing." Prissy, who had been pregnant, had lost twenty-one days, Brandon admitted. But Mitchell had charged Prissy for an additional six weeks of lost time, which Brandon denied and for which he demanded back pay.[55] Isham Crowell lodged a similar complaint regarding nonpayment of wages. Crowell's southwest Georgia employer had deducted $48.50 from his wages for time lost by his wife during her confinement. Crowell acknowledged that "his wife lost four weeks by confinement" and "had a few days chills & fever," but stated emphatically that she "did not lose anything like 97 days," as the employer claimed. Furthermore, the employer had deducted for the services of a midwife, which Crowell also contested because his wife had given birth before the midwife arrived and the midwife had therefore not charged anything.[56] Crowell's efforts reflect both a determination to thwart employers' attempts to control black reproduction and a belief that the regulation of black

[54] Complaint of John Little, 17 August 1868, Letters Received, Augusta GA, BRFAL, RG 105, NARA.
[55] J. L. Randall to Lieut. J. T. Kirkman, 7 June 1867, in *Land and Labor, 1866-1867,* ed. Hayden et al., 205-209.
[56] Ch. Raushenberg to Brvt Lieut Col. O. H. Howard, 6 June 1867, enclosing account of Isham Crowell with Farmer & Bailey, [5 Jan. 1866-14 Jan. 1867], and statement of Isham Crowell, [June? 1867], in *Land and Labor, 1866-1867,* ed. Hayden et al., 702-704. For other examples of employers withholding wages from mothers for lost time, see Complaint of Celia Brown, 29 October 1865, Register of Complaints, Amelia Court House VA, BRFAL, RG 105, NARA; Notes related to Sallyan Higison and Mildred Higison, n.d., Orders Received, Papers Relating to Complaints, Bills of Lading, and Indentures, Ashland VA, BRFAL, RG 105, NARA.

women's fertility was an entitlement of freedom.[57]

Black families organized their labor to accommodate pregnancy, and during confinement, husbands and older children assumed responsibility for providing for the family. Childbirth, however, could be costly. It was standard practice for employers to deduct from wages or crop shares for time lost to childbearing, and if pregnancy-related complications resulted in lengthy absence, the household's income could be considerably diminished. Moreover, many employers refused to provision non-working children. "Of course, now that they are no longer his property," Eliza Frances Andrews wrote of her father, who had been a prominent slaveholder, "he can't afford to spend money bringing up families of little negro children like he used to."[58] Like Andrews's father, former slaveholders showed little benevolence toward their former slaves and their dependents, and, as former slaves' families grew, freed parents had to divide inadequate resources among more children.

Former slaveholders who had once encouraged their slaves' reproduction now saw black women's reproduction as a detriment. Pregnant women and mothers of small children were particularly vulnerable, given their limited prospects in the labor market. When they could get jobs on plantations or in domestic service, they received meager wages or no compensation beyond food and housing. In tidewater Virginia, Easter Fisher signed a year-long contract to work as a house servant in exchange for "$2.50 per month up to 1st of April & 3.00 per month for every month following." However, "in case she gives birth to a child a customary deduction is to

[57] "Freedwomen looking to the Freedmen's Bureau to support their challenges to employers who reduced compensation because they had children were often disappointed," writes Catherine Jones, because agents, "regularly upheld the idea that employers should not have to pay wages to women who lost time caring for children." Catherine A. Jones, *Intimate Reconstructions: Children in Postemancipation Virginia* (Charlottesville: University of Virginia Press, 2015), 68. For another example of a mother cheated out of wages, see Complaint of Sarah, 11 December 1867, Register of Complaints, Charlotte NC Subassistant Commissioner, BRFAL, RG 105, NARA.

[58] Eliza Frances Andrews, *The War-Time Journal of a Georgia Girl, 1864-1865* (New York: D. Appleton and Co., 1908), 293.

be made," the contract provided."[59] A labor agreement in Georgia specified that "females who nursed during the years [*sic*] should get $75.00," while "those who did not nurse should have $100.00 per year."[60] Charity Elmore agreed to provide her employer "respectful service" in exchange for $2 a month. Her contract also specified, however, that she would receive no wages during the month of her confinement and would be responsible for her own medical expenses.[61] By docking pregnant and nursing women's pay, employers weakened the economic viability of what were already fledgling households. They also saddled mothers with expenses that made earning a living difficult. A Tennessee employer, for example, charged a freedwoman named Mary an exorbitant $1.50 per day for the board of each of her children under the age of twelve and "made no definite arrangement with her for as to the price she is to receive for her labor."[62] Such agreements trapped mothers like Mary into cycles of poverty and debt. Black reproduction and black children no longer functioned as capital for white enslavers, but white profits remained dependent on women's reproductive choices. In a post-slavery world, the un-mothering of black women promised both profits and control.[63]

While poverty may have contributed to a decline in birthrates, freedwomen refused to

[59] Contract between John A. Rowely and Easter Fisher, 12 January 1865, Labor Contracts, Fort Monroe VA Department of Negro Affairs, BRFAL, RG 105, NARA.
[60] Ch. Raushenberg to Brvt Lieut Col. O. H. Howard, 6 June 1867, enclosing account of Isham Crowell with Farmer & Bailey, [5 Jan. 1866-14 Jan. 1867], and Statement of Isham Crowell [June? 1867], in *Land and Labor, 1866-1867,* ed. Hayden et al., 702-704.
[61] Contract between M A. Baker and Charity Elmore, 9 January 1866, in *Land and Labor, 1866-1867,* ed. Hayden et al., 569-570.
[62] Captain W W. Deane to Mr. Robert Jouice, 10 July 1865, in *Land and Labor, 1865,* ed. Hahn et al., 370. The Freedmen's Bureau agent ordered the employer to enter into a contract with Mary and prohibited charges for her children's board that were "exorbitant and unjust."
[63] Feminist theories of social reproduction emphasize how women's unpaid labor—including cleaning, cooking, and childcare—has been simultaneously devalued and essential to capitalism, although invisible. The deterrence of black reproduction and interference in freedwomen's reproductive labor, however, complicates these theories of gender and capitalism. On social reproduction, see Tithi Bhattacharya, ed., *Social Reproduction Theory: Remapping Class, Recentering Oppression* (London: Pluto Press, 2017); Antonella Picchio, *Social Reproduction*: *The Political Economy of the Labour Market* (New York: Cambridge University Press, 1992); Lise Vogel, *Marxism and the Oppression of Women: Toward a Unitary Theory* (New Brunswick, NJ: Rutgers University Press, 1983); Mariarosa Dalla Costa and Giovanna F. Dalla Costa, eds., *Women, Development, and Labor of Reproduction: Struggles and Movements* (Trenton, NJ: Africa World Press, 1999).

allow employers to dictate their childbearing decisions.[64] Black mothers took advantage of the lying-in period despite the financial losses it imposed on their families. During such time, they recovered from pregnancy and childbirth, attended to their own bodies, and bonded with their new infants. Many also developed strategies that enabled them to both make a living and enlarge their families. According to Marie Jenkins Schwartz, some freedwomen who lost time due to childbirth agreed to make it up in the future, indebting themselves to their employers in hopes of maintaining their wages.[65] New and expectant mothers who were without spousal support were particularly vulnerable, but some of them were able to draw upon kin, friends, or neighbors who assumed their share of the labor in order to prevent eviction or reduced wages. "It is a common practice among them to hire each other to hoe their tasks, when sickness or other causes prevent them from doing it themselves," wrote an observer in the South Carolina sea islands, "so that most of the tasks of the lying-in women are taken care of by sisters or other friends."[66]

Black communities' willingness and ability to assist new and pregnant mothers should not be overstated. Elsewhere in South Carolina, a pregnant mother of two who had been deserted by her husband and left "to shift and provide for herself" found little succor from her co-workers. When the employer permitted freedpeople on the plantation to "select their own lots of hands . . . not one lot would have this woman." The employer respected their decision and resolved not to "incumber [*sic*] them with her—for she is not worth her feed."[67] Freed mothers faced similar difficulties on Florida plantations where freedpeople were working for a share of the crop.

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[64] This is not to suggest that all or even most black mothers aspired to enlarge their families. After 1880, fertility rates declined among black southerners, which suggests that many black mothers deliberately restricted their fertility. Jones, *Labor of Love, Labor of Sorrow,* 61-62.
[65] Schwartz, *Birthing a Slave,* 307.
[66] E .S. P. to Edward Atkinson, 25 May 1862, in *Letters from Port Royal: Written at the Time of the Civil War*, ed. Elizabeth Ware Pearson (Boston: W. B. Clarke Co., 1906), 55-56.
[67] J. Rives Wade to Officer Com'd'g Chester SC., 11 Jan. 1867, in *Land and Labor, 1866-1867,* ed. Hayden et al., 629-630.

"[T]he best hands banded themselves together in squads, to the exclusion and disadvantage of poorer hands, among which, unfortunately the women are classed," a Freedmen's Bureau agent reported.[68] Single mothers without kin, friends, or neighbors to assist or intervene often found themselves destitute.

Employers' disregard for women's reproductive health, coupled with inadequate health care, increased the dangers of childbirth. Marie Jenkins Schwartz has shown that many postwar contracts lacked provision for medical care. When women experienced pregnancy-related complications, doctors' visits and medicines had to be paid for out of pocket, which few freedwomen could do.[69] Lack of medical care jeopardized freedwomen's lives. William Lewis Tidball, a Freedmen's Bureau agent in Virginia, informed his superior of "a freed woman here, Carolina Brown, who is suffering greatly from a recent miscarriage, and who, without prompt medical attention, will not recover." "Her sister, who has the care of her, is too poor to hire a physician," Tidball wrote, "and she herself is too ill to be removed to the hospital at Gordonsville." Tidball was unsure how to proceed. "If I call a physician, he will expect me to pay his fees. If I do not, the woman is likely to die for want of medical aid."[70] Brown's life hung in the balance because her sister could not afford medical services. Brown may have developed a uterine infection, experiencing fever, chills, flu-like aches, abdominal pain, bleeding, and vaginal discharge. When left untreated, such infections progress from the uterus to the bloodstream and become systemic, leading to septic shock. Even as she fought for her own life, Brown was also likely experiencing shock, grief, anger, or depression over the loss of her child, which would

[68] Excerpt from W. J. Purman to Major E. C. Woodruff, 28 February 1867, in *Land and Labor, 1866-1867,* ed. Hayden et al., 480-484.
[69] Schwartz, *Birthing a Slave,* 296.
[70] Wm Lewis Tidball to Maj. Wm. R.Morse, 6 August 1866, Letters Sent, Charlottesville, VA, Assistant Subassistant Commissioner, BFRAL, RG. 105, NARA.

have exacerbated her suffering.

As they negotiated the free labor system, formerly enslaved mothers confronted reproductive violence and policies and practices that disregarded their maternal needs. Employers treated them as workers without familial responsibilities, which hindered their ability to nurture their children. Despite these obstacles, however, freedwomen were determined to control their reproductive capacity and to mother in accordance with their own standards; they resisted white southerners' un-mothering efforts by prioritizing their children and trying to control the terms of their labor as best they could.

Childcare Strategies

As black mothers sought employment to support their families, they faced new challenges with regard to childcare. Emancipation brought changes in the organization of labor and black family life that were at odds with the communal childcare practices they had relied on during slavery. Damian Alan Pargas has shown that on large plantations in the lower South, slaveholders established proto-nurseries in which elderly slaves and sometimes young girls cared for enslaved children during the workday.[71] These arrangements were not engendered by benevolence but rather were a means by which slaveholders sought to extract optimal productive labor from their female slaves while also protecting their investment in human property. Such childcare practices were in fact integral to bondwomen's commodification and evidence of slavery's disregard for black motherhood. Those purposes notwithstanding, children did not go unsupervised, and enslaved mothers could perhaps take comfort in the fact that their children would be looked after during the workday with little initiative on their own part. Moreover, in some parts of the South, mothers were often surrounded by grandparents, cousins, aunts, uncles,

[71] Pargas,"From the Cradle to the Fields," 477-493.

and fictive kin who assisted with childcare. In Fairfax County, Virginia, Pargas writes, "childcare was predominately a shared responsibility, as dawn-to-dusk labour permitted mothers and fathers little time to attend to their children during the workday." On average, he estimates, nearly a third of enslaved children were looked after by elderly women who lived on the same slaveholding, many of whom were kin to their young charges.[72] Daily intimate contact with kin helped to sustain enslaved mothers and proved vital for childrearing.

After the Civil War, the superannuated black women who had once minded children were frequently expelled from the plantations and found it nearly impossible to obtain employment. Plantation nurseries disappeared, for it no longer behooved former slaveholders to provide care for the children of their workers. Working mothers nevertheless continued to draw support from other freedpeople, especially kin. During the workday, some mothers pooled their resources and divided responsibilities in ways that enabled them to both work and care for their children. Harriet Snyder, who was a widow, reported to the Freedmen's Bureau that it had been "impossible for her to obtain remunerative employment" in Charlottesville, Virginia, "on account of her two children," but suggested that if the bureau would provide her with transportation to Roanoke, where she could "get more steady employment and better wages," her mother-in-law "would take care of the children, and thus enable her to earn a comfortable living for all of them." Snyder "call[ed] Roanoke her home" and "claim[ed] to be well acquainted there." Her rapport with people in her old neighborhood led her to believe that she would be more successful in finding employment there and that she could better manage to care for her children with the assistance of her mother-in-law.[73] Like Snyder, Mary Savage, a mother of four

[72] Ibid., 481-482. See also, Stevenson, *Life in Black and White,* 250-251.
[73] Wm Lewis Tidball to Bvt. Maj. W. R. Morse, 30 May 1867, and Wm Lewis Tidball to Bvt. Maj. W. R. Morse, 22 May 1867, both in Letters Sent, Charlottesville VA Assistant Subassistant Commissioner, BRFAL, RG 105, NARA. In her study of black women in Mississippi, Noralee Frankel also shows that black women relied on

who also requested transportation from the Freedmen's Bureau, felt confident that she could "get a comfortable living for herself and her children" if she relocated from Williamsburg, Virginia, to the Eastern Shore, "where she was raised, and all her friends and relatives reside."[74] Kate Drumgoold's mother, who had been a slave in Virginia, relied on members of her community. When she secured her own freedom, she set out to reclaim each of her children, who had been scattered "all over in different places." With all ten children in tow, she then headed for New York, where neighboring families volunteered to take in six of the children while the remaining four remained in her care. It was "a great help to mother," Drumgoold recollected, "as she could get the money to pay her rent, which was ten dollars per month."[75] "I know hundreds . . . who are . . . opening their homes to . . . neglected little ones whose mothers are out trying to earn a piece of bread and a garment for their children," a northern missionary reported.[76]

Some former slaves managed to negotiate community-based childcare as part of their labor contracts. In 1866, laborers on a South Carolina plantation "agree[d] to furnish from our number, nurses for children, and for the sick, contributing our respective portion of their wages." Eighteen of the thirty workers who signed the contract were female, eight were male, and the names of the remaining four make the gender unclear.[77] The large number of women in the labor force may explain why such a provision appeared in the contract. Black women were likely integral to the development of such contracts, and when mothers bargained on their own behalf,

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extended kin to help care for children, which enabled them to labor outside of the home for wages and, when so desired, to sever ties with husbands**.** Frankel, *Freedom's Women*, 151-154.

[74] O. Brown to General S. C. Armstrong, 21 May 1866, Registered Letters Received, Fort Monroe VA Subassistant Commissioner, BRFAL, RG 105, NARA.

[75] Kate Drumgoold, *A Slave Girl's Story: Being an Autobiography of Kate Drumgoold* (Brooklyn NY: The Author, 1898), 14, 20.

[76] Joanna P. Moore*, In Christ's Stead: Autobiographical Sketches* (Chicago: Women's Baptist Home Mission Society, 1902), 250.

[77] Contract between Arthur Middleton and Peter Brown et al., 7 Feb. 1866, in *Land and Labor, 1866-1867,* ed. Hayden et al., 397-399.

their maternal needs were front and center. A list of regulations on another South Carolina plantation reveals that the elderly continued to provide childcare for working mothers. "The old people, will work by minding the poultry—taking care of the infants, which shall be provided with a house & lot for their accommodation during the absence of their mothers," read one regulation.[78] While it is not known how these terms came into existence, freedpeople may have bargained for such arrangements to ensure that non-laboring children and elderly ex-slaves were insulated from eviction and adequately cared for. By incorporating such provisions into formal contracts, freed mothers ensured not only that their children would be provided for during working hours, but that they would have a form of recourse should employers disregard their childcare needs. Shared responsibility for children appeared in urban settings as well. According to Tera Hunter, washerwomen in Atlanta looked after their neighbors' children who were "left at home or in the streets to fend for themselves while their parents worked away."[79] Relying on the watchful eyes of neighbors was, of course, a greater possibility for women in urban spaces. In rural areas, and especially outside plantation districts, families were more dispersed, and many freedwomen were forced to take on the struggles of motherhood in isolation. Residential patterns and spatial proximity appear to have directly affected childcare.

Given post-emancipation changes in family life and work, more individualized forms of childcare gained prevalence.[80] Hiring children to white employers, for example, was common across the South.[81] While mothers saw the economic advantages of such agreements for their

[78] [R. W. Habersham], Regulations for the management of freed negro labourers on Walnut Hill Plantation S.C., [early Dec.? 1865], in *Land and Labor, 1865,* ed. Hahn et al., 954-956.
[79] Hunter, *To 'Joy my Freedom,* 62.
[80] The rise of male-headed, patriarchal households among former slaves after emancipation undermined the flexible nature of black kinship. See Katherine Franke, *Wedlocked: The Perils of Marriage Equality* (New York: New York University Press, 2015), 15-17.
[81] Mothers often entered into contracts with the same employers as their children, in which case they may have worked in the same home or fields as their children. In other cases, however, children were hired out independently of their mothers. Women and children in the latter category are treated here.

families, hiring also served a more immediate, practical function because it enabled working mothers to pursue employment without the constant, daily challenge of finding childcare. The material provisions such arrangements afforded children also explains the use of this strategy. In the wake of her mother's death, Emma Ray's father was compelled to hire out his children because he struggled to feed and clothe them. In her autobiography, Ray recalled that she "was nine and just old enough to take care of a baby and wash dishes" when she was hired out to a white doctor. **"**When he took me," Ray wrote, "I had no clothes. I remember their making me two little calico dresses and gingham aprons, and I was very proud of them."[82] Eveline Ferrell agreed to hire her son Patrick to a white employer in Virginia for the year 1866 on condition that he attend school from January 1 to April 1 and be clothed and fed.[83] Annie Burton's mother had secured employment as a cook, and the employer provided a hut for her and her children. When she lost her job, she took in washing by the day for whatever she could get, but the resulting income proved inadequate to provide for the family. Feeding her children posed a special challenge. "We were sent to get cold victuals from hotels and such places," Burton recalled. Eventually, her mother sent her and her brother to pick cotton and hired out her sister as a child nurse.[84] Freedpeople saw such arrangements as temporary forms of childcare that also enabled the children to contribute to the household's income.

When mothers were forced to turn to employers as, in effect, childcare providers, they had their own expectations about the employers' responsibilities and the limits of their authority.

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[82] Emma J. Ray, *Twice Sold, Twice Ransomed: Autobiography of Mr. and Mrs. L. P. Ray* (Chicago: Free Methodist Publishing House, 1926), 25.

[83] Contract between Eveline Ferrell and W. H. South Hall, n.d. January 1866, Contracts, Indentures, and Bills of Lading, Charlottesville, VA, Assistant Subassistant Commissioner, BRFAL, RG 105, NARA.

[84] Annie Burton, *Memories of Childhood's Slavery Days* (Boston: Ross Publishing Co., 1909), 13. Elderly ex-slave Georgia Telfair recalled that she had been hired out at the age of fourteen: "Dey hired me out to Mr. Jack Weir's fambly when I wuz 'bout fo'teen years old to do washin', ironin', an' cleanin' up de house, an' I wukked for 'em 'til I married. Dey lemme eat all I wanted dere at de house an' paid me in old clo'es, middlin' meat, sirup, 'tatoes, an' wheat flour, but I never did git no money for pay. Not nary a cent." Interview of Georgia Telfair, "Born in Slavery."

When employers used corporal punishment, for instance, mothers took exception, insisting that the discipline of children was a right reserved for their parents. Jane Sockwell, an Arkansas freedwoman, hired her thirteen-year-old daughter to work as a household worker. However, when Sockwell caught wind that the daughter had not only been sent to the fields but whipped when she proved unable to keep up, Sockwell went to retrieve the child. Despite the employer's insistence that he be allowed to "keep the child as long as he wanted and whip it as often as he pleased," Sockwell regarded the contract as void.[85] Freedwomen also intervened when they believed their hired-out children were treated unfairly. A Georgia freed boy named Romulus received his employer's permission to visit the graveyard, but when he returned his employer whipped him. Regarding the punishment as unjust, his mother filed a complaint with the Freedmen's Bureau.[86]

Hiring out children served an important economic function for black families who struggled to make ends meet in the post-emancipation South. From the standpoint of mothers and fathers, however, hiring rarely meant ceding parental rights or reflected diminished affection for their children. Parents maintained an emotional connection with their hired-out offspring by arranging visits whenever possible. Although Emma Ray wanted for little materially, she recalled being homesick and looking forward to Sunday visits with her widowed father. During one such visit, she expressed a desire to return home. Her father reassured her that their separation was not permanent and the circumstances did not diminish his love for her. "[M]y father told me I would have to go back; that he had not given me away, but just wanted me to work and get some clothes and something to eat. He said that he would never give me away; that

[85] Statement of Jane Sockwell, [spring? 1866], in *Land and Labor, 1866-1867,* ed. Hayden et al., 610-611.
[86] Complaint of Ellen Caswell, 16 April 1867, Letters Received, Macon GA, BRFAL, RG 105, NARA.

I should always have a home to come to and that I should be good and obey them."[87] If parents recognized the benefits or even the necessity of hiring, the experience could be difficult for the children.

Visits sometimes created conflict between black mothers and the employers of their children. A South Carolina freedwoman complained to the Freedmen's Bureau that her son Allen "is restrained from visiting her every other Saturday according to his Contract with Mr. S. E. Moorer, and that Moorer threatens to punish the boy."[88] In 1865, Eliza Taylor's nine-year-old daughter had come to see her in the town of Hempstead, Texas. Mrs. Chambers, the girl's employer, disapproved of the visit and sent her thirteen-year-old son after the girl with instructions to "*bring her out or kill her*." When the boy found the girl, she clung to her mother and refused to leave, whereupon the boy tied the girl's hands, placed a rope around her waist, tied the rope to his saddle then mounted and "put spurs to the horse." As a horrified northern military officer reported, "the child being unable to keep up fell, the horse took fright and ran a long distance kicking the body at every leap, leaveing [*sic*] the child a mass of broken flesh and bones dead."[89] As demonstrated by Taylor's story, hiring posed challenges to freedwomen's parental standing because white employers often regarded hired children as subject to their authority alone.

The division between work and childcare was not always absolute. Some mothers took their children with them to work. Nate Shaw recalled that when his stepmother "went to chop cotton for white folks," she usually brought him along. "[My] stepmother wanted my company,"

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[87] Ray, *Twice Sold, Twice Ransomed,* 25-26.
[88] Complaint register, 6 August 1866, *Land and Labor, 1866-1867,* ed. Hayden et al., 151. The bureau ruled in the mother's favor, ordering that Allen's employer "allow the boy every other Saturday to visit his mother."
[89] M. P. Hanson too Brig Gen Gregory, 12 October 1865, B-11 1865, Unregistered Letters Received, ser. 3621, TX Assistant Commissioner, RG 105, BRFAL, NARA [FSSP- A-3336]. In the wake of her daughter's death, Taylor reported the crime to federal military authorities, but they were ultimately unsuccessful in obtaining redress. The civil authorities released the boy who committed the crime, and he received no penalty.

Shaw explained, "but she also wanted to see me eat two good meals."[90] Rebecca Fletcher, who had been born a slave in Louisiana, recalled that "[a]fter freedom when the mothers worked for theyselves, they took the babies along to the fields, and put a piece of fat meat in a cloth and tied it round like a tit."[91] Without the constant oversight of employers to regulate their daily routines, sharecropping mothers often took their infants and small children to the fields. When possible, mothers assigned the children chores such as water-toting and picking cotton, which both kept them occupied and alleviated some of the mother's workload. The same strategy was deployed by mothers in other lines of work. When interviewed by the Works Project Administration in 1937, Patience Avery, whose mother and grandmother had operated a restaurant in Virginia, remembered that "dey had me 'sleep on a ole bench wid gra'ma's ole yarn dress an' coat spread fer me to lay on. I was covered wit mothers shawl, an' dis little bed o'mine was push under de counter so I could sleep 'till dey close de restaurant for de night."[92] Such arrangements were ideal for women with infants because they could nurse them as needed throughout the workday. Combining waged labor and childcare day in and day out was undoubtedly exhausting, but it afforded mothers peace of mind because they could supervise their youngsters directly.

Many mothers, unable to keep their children with them while they worked, turned to their older children to watch younger siblings. Not all older children were suited for the task, and they sometimes placed the younger children at risk. The young caretaker of one two-month-old infant accidently "let the child drop and dislocated its spine, and it died the next day."[93] Ike and Annie Higgins left their three-year-old child in the charge of an older brother. The boy left the toddler

[90] Rosengarten, *All God's Dangers,* 14.
[91] Interview with ex-slave Rebecca Fletcher, Louisiana Works Progress Administration, Louisiana Digital Library, State Library of Louisiana (https://louisianadigitallibrary.org/islandora/object/state-lwp%3A6905).
[92] Interview with Patience M. Avery, in *Weevils in the Wheat: Interviews with Virginia Ex-Slaves,* ed. Charles L. Perdue Jr., Thomas E. Barden, and Robert K. Phillips (Charlottesville: University Press of Virginia, 1976), 14-17.
[93] "A Careless Nurse," *Macon Telegraph* (Macon, Georgia), 22 March 1886.

while he went to gather berries and "on his return found the child burning," which resulted in its death.[94] If sibling child-minding posed dangers for young children, it also hindered older children by interrupting their schooling. Freed families, however, sometimes found creative ways to see that all of their children's needs were met. In Beaufort, South Carolina, a family whose daughters were pupils of Elizabeth Botume "arranged that one girl should come in the morning and get a lesson, and then run home to mind child, and let the nurse come." "But usually," Botume added, "the one left behind would come on with the baby and wait around the house until relieved." Before long, however, the arrangement was no longer necessary because the mother "engaged an old mama to mind them [the younger children] during school hours," allowing both of the young nurses to attend school full time.[95] Mothers like this one improvised until more ideal care could be found, and many mothers relied on a combination of childcare strategies.

Families sometimes put their wages toward hiring child nurses. A Florida freedman hired his niece to look after his children "while his wife worked in the field."[96] Kentucky freedwoman Emma Allen paid a black woman $5 a month to care for the youngest of her three children.[97] The fact that some families expended a portion of their earnings in this way reflects the value they placed on reliable care. Such arrangements mutually benefited mothers and child minders. Working parents could make a living with the peace of mind that their children were supervised by caregivers whom they knew, had personally vetted, and trusted. Meanwhile, child nurses received wages or some other form of supplemental income, escaped the demeaning conditions

[94] "A Child's Horrible Death," *Macon Telegraph* (Macon, Georgia), 20 June 1887.
[95] Botume, *First Days amongst the Contrabands*, 94.
[96] Statements of Sandy and Martha Richardson, 10 November 1866, in *Land and Labor, 1866-1867*, ed. Hayden et al., 536.
[97] Complaint of Emily Adams, 13 July 1867, vol. 153, p. 67, Proceedings of Freedmen's Court, ser. 1217, Louisville KY Subassistant Commissioner, BRFAL, RG 105, NARA [FSSP A-4549].

that often came with working for whites, and could care for their own families at the same time. Paid childcare, however, appears to have been out of reach for most freed mothers because their meager wages made it too costly. Moreover, former slaves were expected to work for white employers, and those who refused to do so were deemed idle and subject to punishment. Caring for black children was not regarded by whites as legitimate work. While it is unclear how many black women and girls were formally employed to care for black children, it is likely that these constraints limited their number.

Numerous scholars have underscored freedpeople's intense desire for education for themselves and their children, but few have explored the role of schools in mothers' childcare strategies. While former slaves clearly perceived schools as gateways to education and upward mobility, evidence suggests that they also used them as a form of supervision for their young children during the workday. Charlotte Forten, a northern black teacher, noted that several "babies" attended her South Carolina school. "They are too young even for the alphabet, it seems to me. I think I must write home and ask somebody to send me picture-books, and toys to amuse them with."[98] Another observer remarked that the "infant-class" in a school on St. Helena Island was "a source of great interest." The children's teacher had developed age-appropriate activities, including learning the alphabet, and showed a "considerable amount of patience, gentleness, and tact in varying her lessons" for her tiny charges.[99] William Briggs, a teacher in New Bern, North Carolina, reported that 158 of his pupils were under the age of six.[100] Such reports reveal that freed mothers envisioned schools at least in part as a form of childcare. Mothers may have been

[98] Charlotte L. Forten, *The Journal of Charlotte Forten: A Free Negro in the Slave Era,* ed. Ray Allen Billington (1953; repr., New York: Collier Books, 1961), 131.
[99] *American Freedman* 2 (March 1868): 695.
[100] William T. Briggs to George Whipple, 18 March 1864, NC, American Missionary Association Archives, Amistad Research Center, Tulane University, Slavery and Anti-Slavery Database.

eager to send their children to school to receive instruction as early as possible, but the decision to do so was likely also shaped by working mothers' need to secure supervision of their children. The use of schools for this purpose indicates the limited availability of other forms of community-based childcare. Moreover, despite some of their comments about the presence of young pupils, few if any teachers appear to have turned them away. Instead, they responded by implementing a curriculum to promote toddlers' development. In effect, mothers successfully transformed at least some schools into sites of childcare that helped them juggle their responsibilities as wives, mothers, and laborers.

Black parents had definite expectations of teachers as childcare providers. They intervened, for instance, when teachers used disciplinary methods they considered unacceptable. When Elizabeth Botume, the teacher at Beaufort, South Carolina, punished a student by making him face the wall, she received what she characterized as a "saucy letter" from his mother objecting to the practice. The mother authorized Botume to "lick him, for licks is a very good thing for a Chile," but disapproved of the wall-facing because "she didn't want his feelings hurted."[101] Thomas Poree, a Louisiana father, raised hell when his child was whipped by the school master with a cowhide. Poree was unwilling to accept an apology, deeming it "insufficient to heal the wounds inflicted on my feelings" and demanded the school master's resignation.[102] Black parents did not object to corporal punishment itself, but sought to control who was authorized to administer such discipline and regarded some forms of punishment off limits."[T]hey show great attachment to their children," reported a teacher in West Virginia, "but they are severe in governing them. They expect a teacher to be so too." "They really like a

[101] Botume, *First Days Amongst the Contrabands,* 250.
[102] Thomas Medard Poree to General Beard, n.d., P-34 1865, Letters Received, ser. 1303, LA Assistant Commissioner, RG 105, BRFAL, NARA [FSSP A-8583].

teacher better who compels them to perfect obedience," she remarked. "I followed the theory at once . . . and it worked well."[103] Whether the parents sought more rigid discipline or greater respect for their children's feelings, these instances provide a window into freedpeople's parenting philosophies and their insistence that their own values be reflected in school policies. Their demands also reflect a sense of ownership over the institutions that served them and an expectation that they could bend them to their will.

Northern missionaries, superintendents of wartime refugee camps, and Freedmen's Bureau officials regularly noted the considerable number of black children who had been orphaned during slavery or by the ravages of war. The problem of parentless children was extensive enough to require attention. Apprenticeship became the primary solution, but several orphanages for black children were established by northern aid societies or by freedpeople themselves. Children without parents were not the only beneficiaries of such institutions. Historian Jessie Ramey has shown that at the turn of the twentieth century, both black and white parents in Pittsburgh, Pennsylvania, used orphanages as a form of supplemental childcare. Rather than relinquishing custody of their children, working parents saw placing them in an orphanage "as a temporary necessity and often a service for which they were paying, a deliberate parenting choice and not an abandonment of their parenting responsibilities."[104] Evidence suggests that

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[103] Sarah Jane Foster*, Sarah Jane Foster, Teacher among Freedmen: A Diary and Letters,* ed. Wayne E. Reilly (Charlottesville: University Press of Virginia, 1990), 104. Another teacher received permission from parents to use corporal punishment to discipline their children. "Many a father and mother have begged me to beat their children at school," she noted. "'Spare the rod and spoil the child' is on every mother's tongue." Letter from Lucy Chase, 1 July 1864, in *Dear Ones at Home: Letters from Contraband Camps,* ed. Henry L. Swint (Nashville, TN: Vanderbilt University, 1966), 122. For another example of parents' expectations with regard to discipline, see John William De Forest, *A Union Officer in the Reconstruction,* ed. James H. Croushore and David Morris Potter (Hamden CT: Archon Books, 1968), 116.

[104] Jessie B. Ramey, *Child Care in Black and White: Working Parents and the History of Orphanages* (Urbana: University of Illinois Press, 2012). Christy Clark-Pujara has observed a similar use of orphanage asylums by former slaves in antebellum Rhode Island. See "In Need of Care: African American Families Transform the Providence Association for the Benefit of Colored Orphans during the Final Collapse of Slavery, 1839-1846," *Journal of Family History* 45, no. 3 (2019): 295-314.

some former slaves similarly placed their children in such institutions as a means of temporary childcare.

A number of circumstances led black mothers to temporarily board their children in orphanages. Freed mothers were often encouraged to leave their children in orphanages so that they could take positions as domestic servants.[105] The children of sick, disabled, or destitute women were also placed in the asylums. On January 27, 1865, Martha Canfield, a white missionary who founded the Canfield Colored Orphan Asylum in Memphis, Tennessee, recorded in her diary that she had "admitted four children, who have a mother, but with only one arm, and in very feeble health."[106] A few weeks later, she wrote that "Lizzie's mother came for her, and we were obliged to have her go." "The child came to us and was received . . . on her own [mother's] recommendation," she added.[107] While Canfield did not describe the circumstances that had led Lizzie's mother to place the child in the asylum, her comments reveal that at least some freedpeople used the institution as a temporary form of care.

The records of the National Colored Home for Destitute Women and Children in Washington, D.C., which was established in February 1863 by the National Association for the Relief of Destitute Colored Women and Children, indicate that although most of its charges were

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[105] "One poor soul with six children, for whom we found a place, receives seven dollars per month and tendered the Association six, for the board of her children," reported an officer of a Baltimore organization that assigned ex-slaves. Letter from the Hon. Hugh L. Bond, in *Pennsylvania Freedmen's Bulletin* 1*,* no. 1 (1865): 3.

[106] Extracts from Mrs. Canfield's Diary, in U.S. Army, Department of the Tennessee, General Superintendent of Freedmen, *Extracts from Documents in the Office of the General Superintendent of Refugees and Freedmen. Head-quarters, Memphis, Tennessee* (Memphis, TN: Freedmen Press, 1865), 20. Martha Canfield was the wife of the colonel of the 71st Ohio Infantry. She had accompanied her husband to the front, where she worked as a Civil War nurse. After her husband died from wounds sustained in the Battle of Shiloh, she returned home to Ohio to bury his body but soon returned to nurse soldiers in the Army of the Mississippi, spending most of her time in hospitals in Memphis. She later established the Colored Orphan Asylum of Memphis.

[107] Ibid., 22. Canfield held Lizzie's mother in contempt because she used the asylum for temporary childcare. She described her as an "injudicious mother" who, "though willing and able to take care of the child, did not know how." Although Canfield noted that Lizzie "was a very bright, active child" and that she "liked to keep her in the Asylum," she recognized the limits of her authority. "I could not encourage [such an] imposition, and [instead] compelled her to go," Canfield wrote. Canfield's comments reflect both white women's belief in their superior ability to care for black children and the new authority black mothers wielded over their children as freedwomen.

full orphans, the institution also accepted both half-orphans, that is, children with one living parent, and children with two living parents.[108] According to the association's 1865 annual report, the home welcomed "any destitute child or children, at the request of the parents or guardians, or next friend, or the mother, if the father is dead, or has abandoned his family, or does not provide for their support, or is a habitual drunkard."[109] Other asylums also appear to have boarded children temporarily. Formerly enslaved children Mary Jones, Rose Scott, Lucy White, Celestia Davis, Jane and Celestia Booth, and Samuel Keelan, all of whom had been admitted to an orphanage in Virginia, all had living parents.[110]

While orphanages appear to have more readily opened their doors to the children of destitute or sickly women, single fathers also placed children in their care. The register of children admitted to an orphan asylum in Virginia suggests that former slaves were more likely to place girls rather than boys.[111] The greater ease of hiring out boys may explain this pattern.

Orphanages were few, however, and they appear to have served the needs of only a small number of black parents. Former slaves, whose children were routinely kidnapped and apprenticed against the parents' wishes, were understandably reluctant to place their children in these institutions, as it was common practice for them to bind children out as soon as they were old enough to be apprenticed. In doing so, orphanages attempted to assign children to white homes where they would receive "good care, kind treatment, education in the ordinary branches

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[108] National Association for the Relief of Destitute Colored Women and Children*, Annual Report of the Association for the Relief of Destitute Colored Women and Children, 1865* (Washington, DC: Chronicle Steam Print, 1865), 5. According to historian Sonya Michel, "by the second half of the nineteenth century, the boarding of half orphans both white and black had become commonplace across the country." The practice became so widespread, she observes, that half-orphans outnumbered full orphans in most asylums. Michel, *Children's Interests/Mothers' Rights: The Shaping of America's Child Care Policy* (New Haven: Yale University Press, 1999), 41, 43.
[109] National Association for the Relief of Destitute Colored Women and Children*, Annual Report of the Association for the Relief of Destitute Colored Women and Children,* 5.
[110] Register of children admitted to orphanage, n.d., Miscellaneous Records, Fort Monroe VA Department of Negro Affairs, BRFAL, RG 105, NARA.
[111] Ibid.

taught in common schools, and . . . moral culture," but there were no guarantees that they would not wind up in the hands of white southerners intent upon exploiting black children. It is revealing that northern missionaries who operated asylums found it difficult to bind out orphans under the age of six because they required "constant care and attention."[112] White households lacked any motivation to accept black children who were not yet capable of labor. Moreover, because black parents' central aim was to reunite their families, they preferred childcare solutions that did not require long-term family separation.

The Problem of Unattended Children

The free labor system failed to accommodate freedwomen's dual roles as mothers and laborers. Consequently, working mothers perpetually confronted difficulty in finding, maintaining, and affording childcare. Although some freed mothers became adept at balancing familial responsibilities and waged labor, many had no choice but to leave their children at home unsupervised during the workday. From the first moments of emancipation, freed mothers were forced to do so in order to make a living. In 1865, a black soldier's wife in Washington, D.C, found herself unable to both work for wages and care for their four small children. An appeal for her husband's discharge from military service reported that "the only means the mother has of earning a livelihood is by putting the children to bed, Locking them in the house and going out to seek employment."[113] As evidenced by this mother's experience, a childcare dilemma emerged

[112] Petition for federal support for orphan asylum, 16 October 1865, TN, American Missionary Association Archives, Amistad Research Center, Tulane University, Slavery and Anti-Slavery Database.
[113] Geo. B. Clark to Hon E M Stanton, 23 October 1865, C-728 1865, Letters Received, ser. 360, Colored Troops Division, Adjutant General's Office, RG 94, NARA [FSSP B-225]. Unlike most such petitioners, she was successful. Her husband's commanding officer ordered that he be discharged. The records make it difficult to discern the full range of women's attitudes about leaving their children unattended during the workday, but this mother's experience reflects the distress it caused. This mother found the arrangement so untenable that she petitioned Union officers to discharge her husband so that she could stay home to look after her own children. For other petitions for spousal discharge, see Rebecca Smith to Hon. Secretary of War, n.d., S-257 1865, Letters Received, ser. 360, Colored Troops Division, Adjutant General's Office, RG 94, NARA [FSSP B-165]; Martha

with the inception of the free labor system. From the Civil War into the twentieth century, leaving little ones fastened up in the house was common practice among black working mothers who had few other alternatives.[114]

When children were left on their own, the black household, a site formerly enslaved women fought tirelessly to construct and protect, became sites of danger. Unsupervised children drowned, consumed poisonous substances like lye and potash, wandered off, or became the victims of white violence.[115] In Georgia, Mack Johnson, a white neighbor, "killed a negro child seven months old" because "the child was crying while its mother was out milking." Johnson had allegedly become so "infuriated owing to the noise" that he "broke the child's skull with his fist or a stick."[116] Household fires were especially menacing, claiming the lives of many unattended children. In Columbus, Georgia, a newspaper reported that fire had enveloped a two-room shanty and a "negro child about two years old, left locked up in one of the rooms . . . was consumed by the flames."[117] Another Georgia newspaper reported that "[t]he soul of a negro child went up in the smoke of a cabin on Mr. Geo. H. Staley's place in Houston county, last week."[118] According to one 1874 report, four children had burned to death on a single South Carolina plantation since the close of the war.[119] While older children were certainly victims of such tragedies, infants and

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Douglass to the War Department, 6 July 1865, D-222 1865, Letters Received, ser. 360, Colored Troops Division, Adjutant General's Office, RG 94, NARA [FSSP B-230].

[114] Although it was denounced as a practice of negligent black mothers, leaving children at home during the workday was common practice among working-class mothers white and black, North and South, due to lack of access to institutional childcare. The sight of children left unattended and wandering the streets moved reformers to establish the first day nurseries. See Michel, *Children's Interests/Mothers' Rights,* 12, chap. 2.

[115] See, for example, "Over the State. News from All Sections by Mail and Exchanges," *Macon Telegraph* (Macon, Georgia), 28 April 1885; "Died from Drinking Potash," *Macon Telegraph* (Macon, Georgia), 24 March 1885.

[116] *Macon Weekly Telegraph* (Macon, Georgia), 4 July 1876.

[117] "Two Fires—A Negro Child Burned to Death," *Columbus Daily Sun* (Columbus, Georgia), 21 December 1872.

[118] *Macon Weekly Telegraph* (Macon, Georgia), 25 January 1876.

[119] *Charleston News and Courier* (Charleston, South Carolina), 17 January 1874. For other deaths of unsupervised children in fires, see "Burned to Death," *Columbus Daily Inquirer* (Columbus, Georgia), 10 May 1870; "The Georgia Press," *Macon Weekly Telegraph* (Macon, Georgia), 7 March 1876; "The Georgia Press," *Macon Weekly Telegraph* (Macon, Georgia), 4 July 1876; "Southerner Gleanings," *Huntsville Gazette* (Huntsville, Alabama), 23 May 1885; "Burned to Death," *Macon Telegraph* (Macon, Georgia), December 12, 1885; "Over the State," *Macon*

young children made up most of the fatalities reported in southern newspapers. The greater variety of childcare options available to mothers for their older children, including school and paid employment, perhaps offers an explanation. Daily, mothers lived with the threat that their children could be among the number who perished. The newspaper accounts provide no trace of black mothers' responses to the fires that consumed their children and their homes, and it is difficult to contemplate the toll such events took on women who often labored night and day in service of their families' survival. Grief, anguish, regret, guilt, and frustration were surely among the emotions they experienced.

While newspaper reports sometimes conceded that such fires were tragic accidents, attributing the deaths of young children to spilled kerosene, candle sparks dropped in cradles, or child-play around open fireplaces, they routinely cited "carelessness of the mother" as the underlying cause.[120] Child mortality under such circumstances was used to denigrate black motherhood. After a child burned to death in a house fire, one newspaper observed that "as usual the mother had gone off and locked the child up in the house." "It is the usual story," a newspaper wrote of another incident. "The mother locked the child in the house and left it. When she returned it was a corpse." A year-old child was "left alone by its mother . . . with the usual result," yet another newspaper reported. Rather than give the full details of a child's death, the *Columbus Daily Enquirer* simply stated, "Left in the house while the mother—why repeat the old story?"[121] By characterizing these tragedies as "usual," the press equated black motherhood

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Telegraph (Macon, Georgia), 12 February 1886; "Dots from Delta: A Collation of Interesting News Items and Personal Paragraphs," *Columbus Daily Enquirer* (Columbus, Georgia), 4 November 1886; "Texas," *Times-Picayune* (New Orleans, Louisiana), 30 March 1883; "Infant Child Burned to Death," *Washington Post*, 25 November 1899.

[120] "Georgia News," *Columbus Daily Enquirer*, 7 December 1876; *Columbus Daily Enquirer*, 10 April 1878; "Burned to a Crisp," *Macon Telegraph* (Macon, Georgia), 12 September 1883; "Over the State. News from All Sections by Mail and Exchanges," *Macon Telegraph*, 28 April 1885.

[121] "Dots from Delta: A Collation of Interesting News Items and Personal Paragraphs," *Columbus Daily Enquirer* (Columbus, Georgia), 4 November 1886; "Dawson Journal: Mr. G. Willis," *Macon Weekly Telegraph*, 31

with ineptitude and neglect. Moreover, southern newspapers used these incidents as evidence that mothers lacked the intellectual and moral capacity to raise children properly. In November 1887, a Georgia mother "left her children in the house and went to the spring some distance to wash some clothes" when her cabin caught fire and her child was consumed by the flames. Three of her other children had allegedly "shared a similar fate." The mother is "not very bright in intellect," the newspaper charged, "and the wonder is the children have escaped this far from being burned to death."[122]

Infant deaths were sometimes portrayed as malicious plots by freedwomen to kill unwanted children. According to one white South Carolinian, the "willful destruction of infants" and "willful neglect and cruelty" more generally were so chronic among former slaves that he called upon the "law-making powers" to "take such legislative actions as will stop such criminal negligence on the part of the parents of colored children."[123] A New Orleans newspaper suggested that the "willful destruction of infants" was so common among the formerly enslaved that "[s]carcely one negro child in five is raised."[124] As early as 1866, in the immediate aftermath of emancipation, the Raleigh, North Carolina, *Daily Sentinel* charged that child murder was a serious problem. "Negro infanticide has assumed in our city proportions which are alarming," the paper reported, "and the scarcity of negro children is a subject which attracts the attention of every observer. Of the number of infants thus destroyed we can only form an imperfect estimate by the number of bodies discovered, for the greater portion of the murders thus committed will probably never be revealed until the grave gives up its dead. *But the number which are*

December 1880; *Macon Weekly Telegraph*, 14 March 1876; "Georgia News," *Columbus Daily Enquirer*, 10 October 1877.

[122] "A Negro Child's Fate," *Macon Telegraph* (Macon, Georgia), 23 November 1887.

[123] *Charleston News and Courier* (Charleston, South Carolina), 2 December 1884.

[124] "Colored Americans Increasing," *Times-Picayune* (New Orleans, Louisiana), 10 June 1871.

discovered disclose an amount of immorality and crime foul and unnatural, and forms a striking commentary at once upon the lack of maternal affection in the negro race, and the benefits resulting from emancipation." The paper charged that black mothers committed infanticide because they perceived their children as "a burden, an expense, and an incumberance [*sic*]" and because raising children stood in the way of their frivolous amusements and "nightly . . . frolics."[125] White southerners thus projected onto black women their own belief that black children were encumbrances. The vilification of black mothers legitimized anti-black violence and justified black subjugation. If black mothers were neglectful and perceived their children as burdens, their maternal obligations could be disregarded. Such logics justified the exploitation of black women's labor; their supposed disavowal of motherhood gave white southerners license to reduce them to nothing but laborers.

"Such propositions" regarding black deviance and infanticide appeared "everywhere" and were "universally . . . reiterated" by white southerners, according to General O. O. Howard, commissioner of the Freedmen's Bureau.[126] Indeed, the discourse was so widespread that at least some northern Republicans felt compelled to refute such claims in defense of black emancipation. Following a visit to Charleston, South Carolina, and the nearby sea islands to investigate the freedpeople's condition, John Alvord, the Freedmen's Bureau superintendent of education, reported that "mothers and babes" lacked "the care which slavery gave them when the birth and life of the latter was of such pecuniary advantage," but freedwomen exhibited "strong domestic affection" and "infanticide, as such, is never known." "The people are poor, and their children die, as do the suffering poor everywhere," he wrote, but the deaths were "not . . . [the]

[125] *Daily Sentinel* (Raleigh, North Carolina), 15 May 1866 (italics in the original).
[126] Howard, introduction to J. W. Alvord, *Letters from the South, Relating to the Condition of the Freedmen, Addressed to Major General O. O. Howard, Commissioner Bureau R., F., and A. L. by J. W. Alvord, Gen. Sup't Education, Bureau R., F., & A. L.* (Washington, DC: Howard University Press, 1870), 3.

result of deliberate barbarity."[127] White northerners' redeeming portrayals, however, were drowned out by the demeaning representations that white southerners circulated.

Black mothers, as depicted by southern newspapers, were estranged from proper womanhood because they had abandoned women's purportedly natural role as caregivers of children. By killing their offspring, they perverted the sacred relation between mother and child. Moreover, their proclivity toward violence and criminality rendered them incapable of wielding the moral influence women were expected to exert over their households. In short, they lacked the moral and intellectual capacity that proper womanhood required. "Black women's perceived status as deranged subjects," writes Sarah Haley, "proved to be the fertile ideological ground upon which constructions of normative gender positions flourished." As she further explains, "The black female subject occupied a paradoxical, embattled, and fraught position, a productive negation that produced normativity. She was an invention of a white supremacist imaginary defined in part by subjection to extreme violence and terror. In popular press accounts black women were . . . female but altogether distinct and anathema to the construction of normative womanhood."[128] The ungendering of black women meant that they were unworthy of respect and protection, making such discourse itself a form of violence against black women. Moreover, white southerners' insinuation that child mortality was a result of black pathology rather than structural inequality silenced black mothers' lived realities. Freed mothers were not only confronted with the threat and reality of losing their children while they worked but blamed for their deaths. Dismissed altogether was the fact that black mothers lived in poverty and were

[127] Ibid., 8.
[128] Sarah Haley, *No Mercy Here: Gender, Punishment, and the Making of Jim Crow Modernity* (Chapel Hill: University of North Carolina Press, 2016), 20, 21.

confined to low-paying jobs that undermined their ability to care for their offspring.[129]

If the southern press emphasized the harm done to black children at the hands of their mothers, its concern had little to do with the children's welfare. Indeed, white southerners did little, if anything, to improve the lives of black children. Rather, the images of the helpless black child and the deviant black mother, which were opposite sides of the same coin, were intended to disavow emancipation. Freed mothers' failure to fulfill their domestic obligations served as evidence that African Americans were unsuited for freedom. Promulgation of this idea worked in the service of white supremacy.

The myth of slavery's benefits to African Americans generally and to black mothers and their children in particular circulated in southern newspapers, simultaneously denigrating black motherhood and discounting black freedom. After emancipation, proslavery writers continued to portray the peculiar institution as not only benign (some even going so far as to describe it as a black paradise), but a social order necessary to protect blacks from their own inherent deviance. As post-emancipation proslavery writers would have it, slavery had provided special benefits to black mothers and their children: Masters and mistresses had served as surrogate parents to black children and kept a watchful eye over black mothers who were prone to violence, neglect, abortion, and infanticide.[130] "Under slavery, the owners of the labor of negroes had a direct and appreciable moneyed interest in the proper . . . [and] wholesome rearing of the children of slaves," a column in the New Orleans *Times-Picayune* asserted as a matter of fact; "nor yet can it

[129] "Narratives of infant death and infanticide," writes Felicity Turner, "contributed to a larger nationwide rhetoric circulating throughout Reconstruction that racialized motherhood, constituting the 'bad,' ignorant, and murdering mother as black, and the 'good,' respectable mother as white." Turner, "Rights and the Ambiguities of Law: Infanticide in the Nineteenth-Century U.S. South," *Journal of the Civil War Era* 4, no. 3 (2014): 365.

[130] Anna Mae Duane argues that in the nineteenth century, "pro- and antislavery arguments hinged on the idea that slave children were suffering." "[S]laveholders," she writes, "insisted that they often had to save black children from their own parents, who were cast as the primary abusers." Duane, *Suffering Childhood in Early America: Violence, Race, and the Making of the Child Victim* (Athens: University of Georgia Press, 2010), 156.

be denied that the wife, the daughter, and the physician of the owner at all times looked after the health of negro mothers and of negro children." The consequence, according to the *Times-Picayune*, was that "infant mortality among the negro slaves of North America was less by one-half than in the total white race." Any former slaveholder could attest to the fact that "not one negro child in six failed to reach the age of three years."[131] Slavery, the *Times-Picayune* suggested, had insulated black people from disease and premature death and kept morally depraved mothers from killing their children. Without white tutelage, former slaves were deteriorating in character and spiraling into a state of barbarism. Freedom, one southern white clergyman claimed, was a curse rather than a boon to the former slave.[132]

By harkening back to the idyllic days of slavery, white southerners suggested that African Americans had been better off under the control of whites who staved off their inherent degeneracy. Some even predicted that the absence of white oversight and social control would result in black extinction. In "a state of equal freedom, the white race, by its inherited superiority, would expel the blacks," or "by improvidence, immorality, disorder, confusion, idleness, neglect of the sick and inefficient care of children [they] would gradually fade away and disappear."[133] Freedom unleashed black degeneracy, which, if left unchecked, would have devastating outcomes for not just the black race but society as a whole. The specter of deviant black motherhood thus justified white surveillance and control.

In slavery's aftermath, freed mothers struggled to prioritize their families. The free labor system, however, proved hostile to their maternal objectives. Across the post-emancipation South, freed mothers could be seen constantly at work in service to white employers. Their

[131] "Colored Americans Increasing," *Times-Picayune* (New Orleans, Louisiana), 10 June 1871.
[132] Clergyman cited in "Freedom, Not a Boon, but a Curse," *Loyal Georgian* (Augusta, Georgia), 3 March 1866.
[133] "Colored Americans Increasing," *Times-Picayune* (New Orleans, Louisiana), 10 June 1871.

relegation to low-paying waged work required them to work from sunup to sundown, leaving little time to spend with and care for their own children. While they developed myriad strategies to mother their children, many freed mothers struggled to find adequate childcare. In the wake of the ensuing childcare crisis, black children routinely died prematurely. If only some black mothers faced the death of a child, they were all forced to live in fear of it. Although structural factors generated such tragic outcomes, black mothers were blamed. With their supposed proclivity for violence, murder, neglect, and disorder, freedwomen were the antithesis of motherhood and in need of surveillance and control. The pathologizing of black motherhood was in and of itself a form of violence, and it was integral to un-mothering the black woman. Black mothers' experiences cast in sharp relief the boundaries of freedom and the gendered violence that plagued the postwar South in the era of emancipation.

Chapter 4

Child Custody and Black Maternal Authority

In October 1863, Virinda, a freedwoman in New Orleans, set out to recover her children from her former owner, Joseph Soloman. Virinda had earned her freedom by providing the U.S. army with information about concealed weapons and, once freed, had set out to make a living to support her family. However, unable to provide for all five of her children, Virinda had resorted to leaving two of them with Soloman. When she returned to reclaim them, Soloman refused to give them up. Virinda turned to federal military authorities for assistance. The dispute came before Judge Atocha's provost court in New Orleans.[1] Witnesses gave testimony with regard to Virinda's character and economic circumstances. Margaret Jane McCormack, a seamstress and acquaintance, told the court that she had seen Virinda "always at work for 9 months" dressing hair and that she earned "enough to support her two children." A federal military officer described her as a hardworking mother who had solicited his assistance in finding work and managed to remain employed for a full year. By contrast, witnesses who testified on Soloman's behalf cast Virinda as "a lewd and abandoned woman" prone to theft and reported having seen her in the company of "colored women of bad repute." One of the children who had been left with Solomon told the court that she preferred to stay with him because "I did not have enough to eat when I was with my mother." Judge Atocha ruled against Virinda. "[T]he children should still be left in custody of Mr. Soloman," he decided, though he did permit Virinda "to visit the

[1] Because the Union commander had placed southern Louisiana under martial law, provost courts adjudicated legal issues that were ordinarily the purview of civil courts, including child custody disputes. Sharon Romeo has shown that in Missouri, military courts gave black women a means to protect themselves and their children, functioning as a means to breathe meaning into their newly acquired freedom. Sharon Romeo, *Gender and the Jubilee: Black Freedom and the Reconstruction of Citizenship in Civil War Missouri* (Athens: University of Georgia Press, 2016).

children twice a week, on Tuesdays and Fridays, for two hours, between the hours of 10 A.M. and five P.M." In the eyes of Judge Atocha, Virinda was unfit for guardianship because she could not demonstrate an ability to provide the children with proper care.[2]

The court's decision notwithstanding, Virinda felt entitled to her progeny. She continued to pursue custody and in the meantime tried to take advantage of the visitation privileges extended by the court. Soloman, however, refused to allow Virinda to see her children, had her arrested for "alleged violent language to him," and hoped she would remain imprisoned "to prevent her . . . from 'annoying him.'" Only by "promising to waive the right given her by Judge Atocha's decision to visit her children and agreeing that she would not enter the residence" was Virinda discharged from jail. Virinda "abided by the agreement" and "patiently and persistently sought to obtain by legal means the custody of her children." Finally, she took her case to the commanding general in New Orleans, impressing upon him that she had established a "comfortable though not luxurious home," endeavored to educate her children, and desired to "teach them to lead virtuous and useful lives." By representing herself as a hardworking woman with high aspirations for her offspring, she hoped to reverse the court's decision.[3]

While the outcome of her appeal is unknown, Virinda's story exemplifies newly freed black mothers' struggle to assert their parental rights. During and immediately following the Civil War, black mothers like Virinda began the daunting task of reconstituting their families.

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[2] Claim of Virinda, [3 October 1863], vol. 241 DG, pp. 259-261, Proceedings of the Provost Court, ser. 1683, New Orleans LA, Provost Marshal Field Organizations, Records of U.S. Army Continental Commands, RG 393 Pt. 4, NARA [FSSP C-1018]; Geo. H. Hanks to Maj G. Norman Lieber, 20 January 1864, enclosing unidentified newspaper clipping "Local Intelligence," n.d., H-25 1864, Letters Received, ser. 1920, Civil Affairs, Department of the Gulf, Records of U.S. Army Continental Commands, RG 393 Pt. 1, NARA [FSSP C-735]. Judge Atocha's decision was criticized as reinforcing slavery. He published his decision in the press "for the purpose of endeavoring to correct an erroneous impression which seems to prevail in the community."

[3] For other discussions of Virinda's case, see Adam Rothman, *Beyond Freedom's Reach: A Kidnapping in the Twilight of Slavery* (Cambridge, MA: Harvard University Press, 2015), 129-130; Mary Niall Mitchell, *Raising Freedom's Child: Black Children and Visions of the Future after Slavery* (New York: New York University Press, 2008), 182-184.

Slavery's negation of black kinship bonds made freed mothers particularly invested in exercising authority over their children. Tenacious mothers marched onto plantations and traveled near and far to reclaim their progeny. While they had always regarded their children as their own, emancipation held the promise of unprecedented access to and control over their sons and daughters and the opportunity to raise and nurture them as they saw fit. Recalcitrant former slaveholders, widespread kidnapping, and involuntary apprenticeship, however, thwarted these maternal aspirations. Freedwomen like Virinda understood that their parental rights remained tenuous and that laying claim to their children would require them to prove their maternal aptitude. If emancipation generated new possibilities, it simultaneously birthed new constraints.

The pitched battles for custody that raged across the South between black mothers and former enslavers provide a window into black maternal prerogatives, freedwomen's constructions of motherhood, and the mechanisms of repression that emerged alongside emancipation. Black mothers whose children had been abducted or apprenticed against their wishes challenged these actions in the courts and enlisted the assistance of the U.S. army, the Freedmen's Bureau, and sympathetic whites. In the process, they deployed a host of rhetorical strategies to assert authority over their children. Black mothers demonstrated that white guardianship did not improve the lives of African American children, as prevailing assumptions would have it, and exposed as false the myth that white paternalism animated white southerners' pursuit of custody. With each complaint they made, freedwomen contributed to the heightened surveillance and condemnation of former slaveholders' misdeeds, subjecting them to public scrutiny. At the same time, they represented themselves as superior guardians who were invested in the best interests of their children. Some black mothers employed the language of economic stability, which corresponded with the state's criteria for guardianship. While some capitulated to

the state's metrics, others rejected them and instead articulated their own standards of what constituted a fit parent and proper care. The variations reveal that freedwomen did not share a singular politics of black motherhood. Yet, whatever their particular claims, freedwomen sought to establish themselves as maternal authorities who were rights-bearing citizens and knowledgeable about childcare, both of which entitled them to control over their children.

Scholars have framed emancipation-era custody disputes chiefly as a battle over children's labor, attributing freedpeople's pursuit of custody to their reliance on children's labor for their families' survival. Mary Niall Mitchell contends that the most urgent question confronting the postwar South after emancipation was "what kind of labor system would replace chattel slavery" and suggests that struggles over the labor of black children were "attempts to spell out what the end of slavery would mean in practice, to articulate what should be." According to Mitchell, "the question of who would raise freedom's child was fundamentally a question about who would determine the economic future of black people after slavery." Wilma King, too, suggests that labor lay at the heart of custody battles. While slaveholders conceived of black children as an exploitable labor force, she posits, former slaves "saw themselves as qualified to decide how and when they or their offspring worked." Catherine Jones, however, challenges this framing by asserting that the stakes of child recovery were not only economic, but also political and emotional.[4] Building upon Jones's work, this chapter examines strategies black women used in claiming their children to underscore the emotional and political stakes of

[4] Mary Niall Mitchell, "'Free Ourselves but Deprived of Our Children': Freedchildren and Their Labor after the Civil War," in *Children and Youth during the Civil War Era,* ed. James Marten (New York: New York University Press, 2012), 160-172 (quotation on 161); Wilma King, *Stolen Childhood: Slave Youth in Nineteenth-Century America* (Bloomington: Indiana University Press, 2011), 317; Catherine A. Jones, *Intimate Reconstructions: Children in Postemancipation Virginia* (Charlottesville: University of Virginia Press, 2015), chap. 2. Richard Paul Fuke also treats custody disputes as battles over labor. Fuke, *Imperfect Equality: African Americans and the Confines of White Racial Attitudes in Post-Emancipation Maryland* (New York: Fordham University Press, 1999), chap 4.

child custody. It stresses that children were more than economic assets to the mothers who pursued custody of them. The interracial conflicts over black children that pervaded the postwar South exposed black mothers' intimate maternal desires and how those desires contributed to their constructions of freedom. The clashes thus offer insights about black women's personal and political agendas as well as their practices of self-definition in the aftermath of emancipation.

Reunion

As slavery met its demise, African Americans set out to reconstitute families that had been ruptured by sale, inheritance, hiring practices, and the war. As Heather Andrea Williams has pointed out, the Civil War set African Americans in motion, searching for long-lost family and friends, and those efforts expanded with emancipation.[5] "Aged women and gray-haired men journeyed to Virginia from far-off Georgia hoping to hear some word or, perchance, to meet sons and daughters whom they bade farewell at the auction block," reported a Richmond observer.[6] The importance of reconstructing family for African Americans was not lost on Freedmen's Bureau agents like William De Forest, who noted that the freedpeople "had a passion not so much for wandering, as for getting together; and every mother's son among them seemed to be in search of his mother; every mother in search of her children." "In their eyes," De Forest declared, "the work of emancipation is incomplete until the families that had been dispersed by slavery were reunited."[7] As northern missionary Elizabeth Hyde Botume observed, the

[5] Heather Andrea Williams, *Help Me to Find My People: The African American Search for Family Lost in Slavery* (Chapel Hill: University of North Carolina Press, 2012), 142.
[6] *New National Era,* 23 July 1874, in *The Trouble They Seen: Black People Tell the Story of Reconstruction*, ed. Dorothy Sterling (New York: Doubleday, 1976), 216.
[7] John William De Forest, *A Union Officer in the Reconstruction,* ed. James H. Croushore and David Morris Potter (1948; repr., Hamden CT: Archon Books, 1968), 36-37.

freedpeople "had a marvelous way of tracing out the missing members of families, and inflexible perseverance for hunting them up."[8]

Newly freed mothers invested enormous time, money, and energy searching for lost children, willingly exhausting the few resources at their disposal to achieve this end. Lucinda Gibbons, who traveled from Charleston, South Carolina, to Richmond, Virginia, to find her child, "wandered throughout the state to accomplish her mission" and "paid her expenses from the savings of her self [*sic*] and Husband."[9] Anna Johnson went from Georgia to Virginia "to procure two of her children" and then, "having accomplished her object," requested transportation from the Freedmen's Bureau back to her home.[10] In detailing efforts by parents at Harper's Ferry, West Virginia, to recover their children, a northern teacher wrote, "One woman here has exerted herself to find her four children at great expense, though dependent on her own labor altogether. She has only been able to recover two, though she had made a journey to Richmond and back to try and obtain the others, who were sold away in that vicinity."[11] Margaret Leggate was "refugeed" from Mississippi to Raleigh, North Carolina, about four months before the end of the war. The mistress "succeeded in retaining Margaret after the surrender about three years, by a promise, that if she would stay with her awhile, and work for her victuals and clothes that she would send her back to Mississippi to see her four children," reported the A.M.E. *Christian Recorder*. Margaret "toiled on for three long years, but as she

[8] Elizabeth Hyde Botume, *First Days amongst the Contrabands* (Boston: Lee and Shepard Publishers, 1893), 154.
[9] Benj. C. Cook to James A. Bates, 6 April 1867, Letters Sent, Richmond VA Assistant Subassistant Commissioner, BRFAL, RG 105, NARA.
[10] Benj. C. Cook to James. A. Bates, 17 May 1867, Letters Sent, Richmond VA Assistant Subassistant Commissioner, BRFAL, RG 105, NARA. While Gibbons's and Johnson's actions reflect the lengths to which mothers went to reunite with children, both women appear in the archive because their searches left them destitute. They had exhausted what few resources they had to locate their kin and requested transportation from the Freedmen's Bureau to their homes.
[11] Sarah Jane Foster, *Sarah Jane Foster, Teacher of the Freedmen: A Diary and Letters,* ed. Wayne E. Reilly (Charlottesville: University Press of Virginia, 1990), 104.

could not prevail on her mistress to fulfill her promise, resolved to leave and try to accumulate means" to travel. Although she successfully secured employment elsewhere, her wages were insufficient to pay for transportation to Mississippi. Poverty did not, however, extinguish her determination. With just two dollars to her name, Margaret set out to "*walk a distance of one thousand miles to see her dear children.*" Margaret had not only sacrificed her freedom but was willing to walk until "her feet had become so sore she could scarcely step."[12] As psychiatrist Vicktor Frankl writes, "suffering ceases to be suffering at the moment it finds a meaning, such as the meaning of a sacrifice."[13] The pain Margaret experienced, toiling for three long years and then walking hundreds of miles, was worth enduring if it meant reunion. For Margaret, the physical toll paled in comparison to the emotional loss caused by the absence of her progeny. The efforts of Margaret Leggate, Lucinda Gibbons, and Anna Johnson exemplify freedwomen's love for their children and the maternal devotion that animated their pursuit of reunion.

Children demonstrated equal determination to find mothers they had not seen in years. Mary Armstrong's search for her mother, who had been sold from St. Louis to Texas, began in 1863, when her master set his slaves free. When interviewed in the 1930s, Armstrong recalled receiving her freedom papers, "one 'bout a yard long and the other smaller," both emblazoned with "gold seals . . . of the State of Missouri." Just seventeen years old, with freedom papers in hand, Armstrong resolved to journey to Texas, deep in the Confederacy, to find her mother. "Away I goin' find my mama," she exclaimed. The dangers of the pursuit were not lost upon Armstrong. "Be careful," her former master warned her, "cause it sho' rough in Texas." There slavery remained very much intact. With or without papers, blacks in motion were susceptible to

[12] "The South Carolina Correspondence—A Remarkable Exhibition of an Ex-Slave Mother's Love for Her Children," *Christian Recorder,* 24 April 1869, in "Accessible Archives" (italics in the original).
[13] Vicktor E. Frankl, *Man's Search for Meaning: An Introduction to Logotherapy* (Boston: Beacon Press, 1992), 117.

reenslavement. Unlike many former slaves, however, Armstrong had clues about where her mother might be. That knowledge, coupled with her intense longing for reunion, must have strengthened her willingness to undertake the perilous journey.[14]

Armstrong first traveled by boat to New Orleans, confining herself to the "back end" of the vessel, "where the big, old wheel what run the boat was." Perhaps there she hoped to remain beyond earshot and eyesight of potential captors. Next, she traveled to Galveston and then made her way to Houston, up the Buffalo Bayou. After searching for her mother in Houston without success, Armstrong took a bumpy, two-day ride by stagecoach to Austin that left her feeling as if her "back [had been] busted . . . it was sich rough ridin'." By the time she reached Austin, physical ailments were the least of her worries. Approached there by a white man who asked her intended destination, and unable to provide a sufficient answer, she was taken "to the block what they sell slaves on." As the bidding for her sale began, Armstrong recalled, "I jes' pulled out my papers and helt 'em up high." Charley Crosby, a Confederate officer, demanded to see them. "You jes' look at it up here," Armstrong insisted, refusing to hand over the precious document. If her freedom papers fell into the wrong hands, Armstrong knew there was a good chance she would wind up reenslaved; she had no other way to prove her free status. Crosby squinted to get a look at the papers and then, after reporting to the onlookers, "This gal am free and has papers," offered her a place to stay among his slaves. Crosby then directed Armstrong to a refugee camp in Wharton County, but, now out of funds, her search temporarily stalled. After the war, "I starts to hunt mama 'gain," Armstrong recounted. When she successfully located her mother, the

[14] Interview with Mary Armstrong, "Born in Slavery." For another especially vivid story of a child searching for her mother, see Ophelia Settle Egypt, *Unwritten History of Slavery: Autobiographical Accounts of Negro Ex-Slaves* (Nashville, TN: Social Science Institute, Fisk University, 1945), 88. Armstrong's journey to find her mother is discussed at length in Abigail Cooper, "'Away I Goin' to Find My Mamma': Self-Emancipation, Migration, and Kinship in Refugee Camps in the Civil War Era," *Journal of African American History* 102, no. 4 (2017): 444–467.

reunion was marked by overwhelming joy. “Law me, talk ‘bout cryin’ and singin’ and cryin some more, we sure done it,” she recalled. Armstrong lived with her mother until she married in 1871.

Such stories not only reflect the determination of ex-slaves to reunite with loved ones, but also make visible the risks, trials, and tribulations that accompanied their searches. Mothers and their children trekked hundreds of miles by foot, boat, railroad, and stagecoach in search of one another, a testament to the significance of these relationships for imbuing their new free status with meaning. The stories also reveal the emotional fulfillment such relationships afforded and the pain and disappointment that accompanied failed attempts.[15]

Ex-slaves often appealed to the Freedmen’s Bureau for transportation to join family members. In October 1866, Jane Henderson requested transportation from Charlottesville, Virginia, to Charlotte, North Carolina, to reunite with her three children, William, Amanda, and Elizabeth. Jane had been taken from North Carolina during the war “to prevent her liberation by the federal armies.” “[Unable] to earn the means necessary to return to her home and children,” she solicited the bureau’s assistance.[16] Benjamin Pillman, a freedman in Georgia, wrote to the bureau, “I am desirous of bringing from Mississippi my three children, all minors who are now without protection and support.” Pillman had “made every exertion to accumulate the means to travel upon” but could not save enough money and feared that if he did not collect his children soon, they would be bound out as apprentices. He assured the bureau that if transportation was

[15] For important works that document the lengths to which ex-slaves went to reunite with kin, see Williams, *Help Me to Find My People*; Ira Berlin and Leslie S. Rowland, eds., *Families and Freedom: A Documentary History of African-American Kinship in the Civil War Era* (New York: New Press, 1997); Herbert G. Gutman, *The Black Family in Slavery and Freedom, 1750-1925* (New York: Pantheon, 1976), chap. 9; Leon F. Litwack, *Been in the Storm so Long: The Aftermath of Slavery* (New York: Knopf, 1979), 229-240.
[16] Wm Linn Tidball to Bvt. Maj. Wm. R. Morse, 26 October 1866, Letters Sent, Charlottesville VA Assistant Subassistant Commissioner, BRFAL, RG 105, NARA.

provided, he could "afford that protection and support due from a parent to his children."[17] Ex-slave parents imagined the federal government, with its vast powers and wide reach, as a resource and expected bureau officials to recognize the importance of their kinship bonds. Although sometimes sympathetic to freedpeople's reunion efforts, bureau agents generally held the government purse strings tightly, and many were "discouragingly surly with applications for transportation papers," as one bureau agent put it.[18] By fastidious vetting of each application, the bureau sought to deter black dependence on the government.

Both the expense of transportation and the physical distances separating loved ones made reunion difficult. On July 30, 1866, Virginia freedwoman Margaret Luper penned a letter to her daughter Ida's former owner, Adelaide T. Jordan. "I am veary [*sic*] sorry to say it is not in my power to come to get my child as I have a young Baby," Luper wrote, asking that Ida be sent to Smithfield, where she could claim her. Jordan responded that she had no money to pay the child's travel expenses, that she lived twenty or thirty miles from the railroad, and that the journey would be much too far for Ida to travel alone. "I don't see why you having a young baby should prevent your coming for I have seen a great many travel with a young baby," Jordan added impatiently. In lieu of sending Ida, Jordan sent directions: "You can take the Rail Road from Portsmouth to Weldon and then take the Raleigh Road to the Clarksville Junction, and then come on to Boydston; and we live about 8 miles from Boydston." Either unable or unwilling to provide for Ida any longer, Jordan warned Luper that if she did not claim her daughter soon, she

[17] Benj. Pillman to Jacob R. Davis, 26 January 1866, Augusta GA, BRFAL, RG 105, NARA. Endorsements indicate that the bureau authorized transportation for Pillman's three daughters from Mississippi to their father in Georgia. For another example of the financial challenges of reunion, see S. N. Dunkell to Gen. Wallace, 16 November 1864, in "Communication from Major Gen'l Lew. Wallace, in Relation to the Freedman's Bureau, to the General Assembly of Maryland," *Maryland House Journal and Documents* (Annapolis, MD: Richard P. Bayly Printer, 1865), Document J, 15-16.
[18] De Forest, *A Union Officer in the Reconstruction,* 37.

would turn her over to the "Yankees" in Clarksville.[19] Luper's circumstances illustrate the constraints imposed on black mothers in the aftermath of emancipation. White southerners like Jordan displayed little empathy for black mothers and even less willingness to assist them in recovering their children. Unless the children had been bound to them under apprenticeship laws, former owners generally desired their removal, unflinchingly foisting responsibility for their care onto black parents or the Freedmen's Bureau. At the same time, white southerners refused to fully recognize freedwomen as mothers, frustrating black women's efforts to reconstitute their families. Jordan gave Luper an ultimatum that placed her between a rock and hard place: Luper could either travel with her young baby in tow, which she had already expressed an unwillingness to do, or risk losing Ida, who might be put even further out of Luper's reach because taking the child to the Yankees probably meant that she would be bound out as an apprentice.

Identifying the location of kin posed another formidable challenge to black mothers' reunion efforts. By placing "Information Wanted" advertisements in black and Republican newspapers, African Americans sought to discover where lost family and friends could be found. In May 1865, Dorcas Burk placed an ad in the New Orleans *Black Republican* looking for her two sons, last known to have been living on the plantation of a Mr. Charles Steward in Arkansas.[20] In April 1866, Hagar Outlaw placed an advertisement in the *Christian Recorder* in search of her eight children, all of whom had been either sold or otherwise taken from her during slavery. Three of them, Cherry, Viny, and Mills, had been purchased by Abram Hester. Noah had been "taken to Alabama by Joseph Turner Hillsborough." John had been sold to George

[19] Margret Luper to Adelaide T. Jordan, 30 July 1866, Letters Received, Fort Monroe VA Assistant Subassistant Commissioner, BRFAL, RG 105, NARA.
[20] *Black Republican,* New Orleans, 13 May 1865, in "Last Seen: Finding Family after Slavery."

Vaughn, and Eli, who had "acted as a watchman for old David Outlaw," was sold by Joseph Outlaw. Thomas Rembry had been taken away by William Outlaw, and Julia "was sold to New Orleans by Dr. Outlaw." Hagar provided as much pertinent information as possible that might shed light on her children's whereabouts, including their names, where they had been sold or taken, their occupations under slavery, and the names of their owners and other men who had a hand in their sale or separation. The advertisement stated that Hagar was now living in Raleigh, North Carolina, and hoped her children would come to her. Hagar also used the advertisement as an opportunity to express what reunion meant to her:

> I hope they will think enough of their mother to come and look for her, as she is growing old, and needs help. She will be glad to see them again at her side. The place is healthy, and they can all do well here. As the hand of time steals over me now so rapidly, I wish to see my dear ones once more clasped to their mother' s heart as in days of yore. Come to the capital of North Carolina, and you will find your mother there, eagerly awaiting her loved ones.

In her old age, Hagar wanted to be surrounded by her children, whom she hoped would support her. The support she desired was both tangible and intangible, material and emotional. She concluded her advertisement with a note to Hugh Outlaw: "[I]f you should find any or all of my children, you will do me an incalculable favor by immediately informing them that their mother still lives."[21] If she could not be reunited with any or all of them, Hagar wanted her children at least to know that she was still alive. Knowledge of her whereabouts and condition would afford them peace of mind, and peace of mind was no small thing. Under slavery, without

[21] "Hagar Outlaw Seeks Information about Her Children, Cherry, Viny, and Mills Outlaw," *Christian Recorder,* 7 May 1866, in "Last Seen." For other examples of notices in which mothers sought children, see "Information wanted of Venus and John Barnett, formerly of Scott," *Christian Recorder*, April 13, 1867, and "Information Wanted of My Six Children," *Christian Recorder,* May 18, 1867, both in "Last Seen." The advertisements offered such information as names and physical descriptions of lost loved ones, to whom and from whom they had been sold, the slave traders involved in their sale, the plantations from where they had been sold, to where they may have been sold, and the slave trading sites through which they may have passed during their journey. Moreover, they provided the year in which their loved ones had been sold or their respective ages at the time of the sale. The ads also included information about the searchers such as the advertiser's relationship to the missing person and the advertiser's current location.

means of communication or travel, African Americans could often only wonder what became of kin from whom they had been separated. The ability to offer peace of mind through the circulation of information was thus empowering for former slaves.

The closer in proximity freedpeople remained to loved ones and the shorter the time since their separation, the greater the chances of reunion.[22] Ex-slaves were most successful in reuniting with kin when sale or separation had been recent and local. The truth of the matter, however, is that many searches ended in failure. The task of reconstructing family could be daunting, yet ex-slaves dared to imagine that one day they would reunite with long-lost kin, no matter the duration of their separation or the distance that stood between them. Although freedpeople's searches were "rarely fulfilled," Heather Williams writes, "the possibility kept them hoping, and intermittent stories of success kept them encouraged."[23] Advertisements searching for kin continued to appear well into the twentieth century, a clear sign of freedpeople's enduring hope for reunification with loved ones.[24] Hope had enabled slaves to survive and cope with slavery, and it remained important during freedom. It helped heal the emotional wounds born of separation and sale, wounds inflicted by slavery's denial of black kinship.

Husbands and wives, fathers, aunts and uncles, brothers and sisters, cousins, and friends all undertook searches for kin, but in the archive of emancipation, mothers seeking children from whom they had been separated are especially prominent. During and after the war, sometimes in quite dramatic fashion, mothers marched onto farms and plantations to take charge of their progeny. Many of them were confronted by masters unwilling to give up the children, forcing

[22] Reunion, as Catherine Jones has shown "depended on the proximity of the separation, in time and space." "For those family members separated by states, not counties, and by years, not months, attempts at reunion required both resolve and, sometimes, resignation." Jones, *Intimate Reconstructions,* 52.
[23] Williams, *Help Me to Find My People*, 168.
[24] Ibid., 192.

mothers to plot rescues. In autobiographical reflections on her childhood, Alabama ex-slave Annie Burton recounted her mother's three-year escape from slavery after being whipped for the first time. At the end of 1865, Burton's mother returned and "demanded that her children be given up to her," but the mistress was determined "that the slaves should not be told of their freedom" and insisted that she was entitled to keep the children because "my mother had been gone so long." Burton's mother, however, did not take no for an answer. Instead, she resorted to stealing her children in the night. During the escape, they "climbed fences and crossed fields, and after several hours came to a little hut which my mother secured on a plantation." They had just arrived when "master's two sons rode up and demanded that the children be returned." When Burton's mother threatened to "go with them to the Yankee headquarters to find out if it were really true that all negroes had been made free," the "young men left, and troubled us no more."[25] Jane Kamper, newly freed on the eastern shore of Maryland, claimed her children in a similar fashion. "I was the slave of W^{m} Townsend of Talbot county & told Mr. Townsend of my having become free & desired my master to give my children & my bedclothes," she stated at the Union military headquarters in Baltimore. Townsend refused, locked the children up, and insisted that the "Children Should be bound" to him. "I afterwards got my children by stealth," Kamper declared with obvious satisfaction.[26]

When Julia Malone's birth mother died, a woman with whom they lived took care of her. Once the slaves had been freed, Malone recalled, "My foster mammy comes out and asks massa to let her have me, but he won't do dat. But she puts one over on him fin'ly and gits me anyway." A team of former slaves retrieved little Julia while the former master was away. "Dey

[25] Annie L. Burton*, Memories of Childhood's Slavery Days* (Boston: Ross Publishing, 1909), 9-12.
[26] Statement of Jane Kamper, 14 November 1864, in *The Wartime Genesis of Free Labor: The Upper South,* ed. Ira Berlin, Steven F. Miller, Joseph P. Reidy, and Leslie S. Rowland, ser. 1, vol. 2, of *Freedom: A Documentary History of Emancipation*, *1861-1867* (New York: Cambridge University Press, 1993)*,* 519.

takes me to my foster mammy and she moves and won't low me outside, so massa can't ever find me," Malone explained. Like biological mothers, Malone's foster mother was determined to recover her daughter. Malone's recollections also reveal black women's tenuous claims to their children after emancipation. Her foster mother felt compelled to move and keep Malone in hiding in order to maintain custody. Doing so was perhaps the only way she could be sure their former master would never find them and that she could raise Malone as she desired. Malone remained grateful to her adoptive mother, reflecting fondly on their relationship and the care she provided. "She am good to me and care for me till I meet de boy I likes," she told her interviewer.[27]

Mothers' recovery attempts often met with violent reprisals. The white woman in Mississippi who kidnapped Polly Reaves's daughter "drew a pistol and threatened to blow her brains out" if Polly attempted to reclaim her child.[28] In Maryland, Louisa Foster's former owner threatened to chain her to the floor and whip her if she asked for her children again.[29] In Louisiana, Mary Ann Johnson was told by her sons' captor that if she ever "came near the place to take the boys, he would thrash her to death."[30] The attempt of a Virginia freedwoman to claim her grandchild elicited extreme violence. Local whites "knocked her down several times, put a rope around her neck, dragged her to the fence and chocked her, three men then took whips and

[27] Interview with Julia Malone, "Born in Slavery."
[28] Geo. S. Smith to J. B. McCallister, 26 November 1866, Letters Sent, Columbus MS, BRFAL, RG 105, NARA. For other examples of threats and violence against black mothers who tried to claim their children, see Statement of Adeline Williams, 16 February 1867, #99, 1867, Registered Letters Received, ser. 3851, Alexandria VA Superintendent, BRFAL, RG 105, NARA [FSSP A-9992]; Statement of Hester Anthony, 5 December 1864, in "Communication from Major Gen'l Lew. Wallace," 9; Harriet Hill to Brig Genl Tillson, 5 Feb. 1866, in *Land and Labor, 1866-1867,* ed, René Hayden, Anthony E. Kaye, Kate Masur, Steven F. Miller Susan E. O' Donovan, Leslie S. Rowland, and Stephen A. West, ser. 3, vol. 2, of *Freedom: A Documentary History of Emancipation, 1861-1867* (Chapel Hill: University of North Carolina Press, 2013), 576-577.
[29] Statement of Louisa Foster, 22 November 1864, in "Communication from Major Gen'l Lew. Wallace," 53.
[30] Complaint of Mary Ann Johnson against Bony Clamus, 27 August 1865, Register of Complaints, Amite LA Assistant Subassistant Commissioner, BRFAL, RG 105, NARA.

whipped her on the bare back."[31] A Maryland freedwoman who "refused to give up her Son [to his former owner] was over powered," and the altercation spilled into the streets. "The Mother came into the Post Office for Protection," the postmaster later reported, but the former owner followed her "and Struck her on the Side of the head nearly Knocking her down."[32] Across the South, former masters went about "threatening Mothers with the severest punishment if they come on their premises."[33] Child recovery was dangerous business, but many mothers risked their lives to achieve this end. They fought literally and figuratively for control over their children. Their actions conveyed both profound emotional attachment and deep responsibility for their children. The willingness to put their own lives in jeopardy suggests that for many freedwomen, motherhood was integral to life itself.

Having lost their lawful claim to black children, white southerners' efforts to hold on to them amounted to kidnapping. Once emancipation finally arrived in Kentucky, Hannah Davidson's family was "the last . . . to get off the plantation." When her mother finally set out in the pouring rain, children in tow, they walked all night but never managed to make their way beyond the large estate. Davidson's mother instead found herself surrounded by "the white folks," who took her children and "gave her so many minutes to get off the plantation." That was the last moment Davidson shared with her mother. "We never saw her again," Davidson told an interviewer decades later. "She died away from us." In her mother's absence, Davidson's former master had her and her siblings bound to him. "For twenty-one long years we were enslaved, even after we were supposed to be free," Davidson recalled with understandable bitterness. As she came of age, her life was marked by "work, work, work" in service of white folks, just as her

[31] Quoted in Catherine Jones, *Intimate Reconstructions*, 59.
[32] James Murray to Major General Lew Wallace, 5 December 1864, in *Wartime Genesis of Free Labor: Upper South,* ed. Berlin et al., 524-525.
[33] Ibid.

time in slavery had been.[34] Whites' brazen disregard for black kinship regularly undermined mothers' efforts to reconstruct their families.

While many mothers took matters into their own hands, others solicited the assistance and protection of Union soldiers and Freedmen's Bureau agents in recovering their children. In so doing, they imagined the federal government and its representatives as powerful allies with the brawn and authority to enforce their parental rights. As soon as she secured her own freedom, Kate Drumgoold's mother, who had been sold to Georgia during the war, returned to Virginia to collect her ten children, who were "all over in different places." Some of their former masters claimed the children were dead, while others hid them or simply refused to hand them over. After making several failed attempts, Drumgoold's mother "did not want to take the law in her own hands," so she "sent the soldiers after them." Even with their assistance, the recovery process was arduous and time-consuming, requiring the soldiers to return to the plantations "two or three times" before they successfully recovered the children. "[T]hese were hard times for mother and us," Drumgoold remembered. Yet, "after all the hard trials" and with the assistance of the soldiers, her mother claimed every last one of her youngsters.[35] Dilsey Brooks, who had also been sold away from her daughter during the war, "frequently tried to procure this child but without effect." Finally, she turned the Freedmen's Bureau.[36] In July 1866, Betsey Bowline

[34] Interview with Hannah Davidson, "Born in Slavery." For other examples of mothers whose children were kidnapped, see Chaplain L. S. Livermore to Lt Col. R. S. Donaldson, 10 January 1866, enclosing Phebe Trotter to Provost Marshal, 6 January 1866, in *Land and Labor 1866-1867*, ed. Hayden, et al., 572.

[35] Kate Drumgoold, *A Slave Girl's Story: Being an Autobiography of Kate Drumgoold* (Brooklyn NY: Author, 1898), 7-9. The sale of her mother had been a harrowing experience for Drumgoold, who longed for her mother's return. Knowledge that she had been sold from Virginia to Georgia did little ease her distress. "[T]he saddest thought was to me to know which way she had gone and I used to go outside and look up to see if there was anything that would direct me, and I saw a clear place in the sky, and it seemed to me the way she had gone, and I watched it three and a half years, not knowing what that meant, and it was there the whole time that mother was gone from her little ones." Drumgoold, *A Slave Girl's Story,* 5.

[36] Benj. C. Cook to Paul R. Hambrick, 6 June 1867, Letters Sent, Richmond VA Assistant Subassitant Commissioner, BRFAL, RG 105, NARA.

appealed to the bureau superintendent at Fort Monroe, Virginia, for assistance in retrieving her daughter, whose former master had held her in "abject slavery" since "the termination of hostilities." The daughter had received no wages for her services and was being abused.[37]

Plantation kitchens, front porches, cotton fields, farmhouses, and other sites of enslavement that had once reinforced the denial of black motherhood became the stages upon which women sought to lay claim to their children and to the entitlements of motherhood. Reclaiming offspring enabled formerly enslaved mothers to demarcate their new status as free women, to draw boundaries between slavery and freedom, and to divorce blackness from subjugation. For many freedwomen, it was the first step to asserting maternal authority. Indeed, it was an expression of self-ownership. At the same time, the stories of mothers' efforts to claim their children also disclose a deep yearning for intimate connection to their progeny and the emotional stakes of reconstituting family.

Apprenticeship and Maternal Authority

If distance, lack of resources, and recalcitrant former slaveholders proved challenging, apprenticeship posed the most formidable legal obstacle to mothers' efforts to reunite their families in freedom. Apprenticeship did not originate in the emancipation era but had been prevalent in the colonial period and persisted through the nineteenth century. Colonial and state laws empowered local magistrates to indenture, that is, bind the children of paupers, vagrants, unwed mothers, and residents of the county poorhouse to heads of households willing and able to provision them until they reached adulthood. Some parents also voluntarily bound out their children to learn a trade. In exchange for maintenance, protection, and instruction, indentured children provided unpaid labor to those to whom they were bound. Apprenticeship was intended

[37] C. H. Warren to S. C. Armstrong, 26 July 1866, Letters Received, Newport News VA, BRFAL, RG 105, NARA.

to promote child welfare and prevent dependence on public relief. In the words of Ruth Wallis Herndon, it also functioned to "maintain community stability" and reproduce a "hierarchally organized society."[38] By apprenticing children, local magistrates ensured that they would not drain community resources by becoming public charges and that propertyless or otherwise unfortunate individuals were attached to well-ordered households. They thereby reinforced the patriarchal household, the basic building block of colonial and nineteenth-century American society. Adult men were expected to govern their households, including their wives, children, and other dependents such as servants and apprentices. In the absence of a father or if a father was unable to fulfill this role, local magistrates intervened by binding children to patriarchal households. As a consequence, the children of single mothers, both free black and white, were especially liable to apprenticeship.[39]

In the wake of emancipation, white southerners drew upon existing state apprenticeship laws and new black codes to regain at least some social and economic control over African Americans. The black codes recognized ex-slaves' rights to own property, make contracts, marry, sue and be sued, and receive protection under the law for both their persons and their property but circumscribed their rights and mobility; blacks could not testify against whites and received harsh punishments for minor offenses. Vagrants, defined as freedpeople who were not employed under year-long contracts or who unlawfully assembled, were subject to fines or a

[38] Ruth Wallis Herndon, "'Proper Magistrates and Masters: Binding out Poor Children in Southern New England, 1720-1820," in *Children Bound to Labor: The Pauper Apprentice System in Early America*, ed. Ruth Wallis Herndon and John E. Murray (Ithaca, NY: Cornell University Press, 2009), 39-51 (quotation on 41).
[39] Ruth Wallis Herndon and John E. Murray, "'A Proper and Instructive Education': Raising Children in Pauper Apprenticeship," in *Children Bound to Labor: The Pauper Apprentice System in Early America*, ed. Ruth Wallis Herndon and John E. Murray (Ithaca, NY: Cornell University Press, 2009), 5-7. On apprenticeship in the antebellum South, see Victoria E. Bynum, "On the Lowest Rung: Court Control over Poor White and Free Black Women," *Southern Exposure* 12, no. 6 (1984): 40-44; Victoria E. Bynum, *Unruly Women: The Politics of Social and Sexual Control in the Old South* (Chapel Hill: University of North Carolina Press, 1992), 99-109; Karin L. Zipf, *Labor of Innocents: Forced Apprenticeship in North Carolina, 1715-1919* (Baton Rouge: Louisiana State University Press, 2005), chap. 1.

term of hard labor. The codes also included provisions that allowed for the apprenticing of black children. The children of unwed mothers, vagrants, and the poor, as well as orphans and abandoned children, could be bound to a white master, usually until the age of twenty-one for boys and eighteen for girls. In most states, the former master was given preference when a formerly enslaved child was to be bound. The apprenticeship laws thus reflected white southerners' effort to reinscribe slavery's social order, exploit the labor of black children, and undermine the economic viability of black households.[40]

Taking advantage of the new black codes and prewar apprenticeship laws, whites across the South wasted no time in binding children. In late 1864, for instance, the number of apprentices soared in Dochester County, Maryland, after the state adopted a new constitution that abolished slavery. In 1864, in that one county alone, seventy-three boys and thirty-eight girls were apprenticed compared to just one boy and no girls the previous year.[41] Barbara Jeanne Fields has shown that Maryland's former slaveholders were especially speedy in their apprenticeship efforts, binding out nearly 3,000 children within the first days of emancipation.[42] Maryland's black children were carried to the courthouse by "ox-cart loads," reported one aghast observer.[43] White North Carolinians took a similar tack. A March 1866 law stipulated that "all persons of color" were "entitled to the same privileges and subject to the same burthen and disabilities as by the laws of the State were conferred on, or were attached to, free persons of color, prior to the ordinance of emancipation." Antebellum law authorized the binding out of

[40] Wilma King, *Stolen Childhood,* 151; Berlin et al., *Land and Labor, 1866-1867,* 719; Eric Foner, *Reconstruction: America's Unfinished Revolution, 1863-1877* (New York: Harper & Row, 1988), 199-201.
[41] E. W. LeCompte to Lieut. E. C. Knower, 22 February 1867, enclosing "List of negro apprentices in Dorchester County, Maryland," 22 February 1867, in *Wartime Genesis of Free Labor, Upper South,* ed. Berlin et al., 547-548.
[42] Barbara Jeanne Fields, *Slavery and Freedom on the Middle Ground: Maryland during the Nineteenth Century* (New Haven, CT: Yale University Press), 139-142. See also Richard Paul Fuke, "Planters, Apprenticeship, and Forced Labor: The Black Family under Pressure in Post-Emancipation Maryland," *Agricultural History* 62, no. 4 (1988): 57-74.
[43] W. B. to Major Este, 15 November 1864, in "Communication from Major Gen'l Lew. Wallace," 5-6.

"the children of free negroes" when the parents were not married or "do not habitually employ their time in some honest, industrious occupation," leaving black households vulnerable to white intrusion.[44]

As had been the case in the colonial and antebellum periods, both black and white orphans and poor children were theoretically subject to binding out, and in some states the law made no distinction based on race. In practice, however, the courts apprenticed the children of African Americans in disproportionate numbers. Apprenticeship thus functioned as an instrument of anti-black terror. The targeting of black children was so widespread, it appeared to one North Carolina Freedmen's Bureau agent, that "no Freedman is safe in the possession of his children as they are liable to be taken away from their parents at any time, and apprenticed by the County Courts, and this without regard to whether the parents can support the children or not."[45] White Mississippians also took full advantage of the apprenticeship law. "A Delegation of very intelligent negroes or Freedmen called on me this week from Neshoba County and stated that almost every minor in their section of the county had been apprenticed," a bureau agent at Meridian reported.[46] To freedpeople and some bureau agents alike, it was readily apparent that

[44] An Act Concerning Negroes and Persons of Color or of Mixed Blood, 10 March 1866, *Public Laws of the State of North Carolina, Passed by the General Assembly at the Session of 1866* (Raleigh, NC: Wm E. Pell, 1866), 99–105; *Revised Code of North Carolina* (Boston: Little, Brown, and Co., 1855), 77–78.

[45] Bvt. Brig. Genl. Allan Rutherford, Annual Report 1866, 29 October 1866, Reports of Annual Operations, NC Assistant Commissioner, BRFAL, RG 105, NARA.

[46] Bvt Maj Jno J. Knox to Captain E. Bamberger, 10 March 1866, K-14 1866, Registered Letters Received, ser. 2188, Jackson MS Acting Assistant Commissioner for the Northern District, BRFAL, RG 105, NARA [FSSP A-9327]. While labor-hungry whites often kidnapped working-age children, infants and younger children were not immune from apprenticeship. A Freedmen's Bureau agent in South Carolina reported that in his district "infants were in many instances so bound, some only a few months old." He also reported, "I have known two small farmers to carry on a long war, involving fights, drawing of knives, suits for assault and battery, and writs of *habeas corpus*, for the possession of a jet black girl only seven years of age and almost valueless except as a plaything." De Forest, *A Union Officer in the Reconstruction,* 115. The prevalence of binding out young children suggests that apprenticeship transcended the question of labor. By possessing the bodies of formerly enslaved children, white southerners sought to reassert their authority in a climate where the playing field stood to be leveled by the destruction of slavery.

white southerners intended to reestablish slavery in all but name, wreaking havoc on black families.

Apprenticeship enabled white southerners to govern not only the labor of black children but also their mothers' labor and mobility. Once free, Georgia freedwoman Rebecca Parsons informed her former master that "she was going to her kindred who lived in Elbert County," to which he replied "that she might go but her children belonged to Him & she should not have them." Parsons, unwilling to be separated from her children, "was thus compelled to remain with Him." Later, when Parsons once again resolved to do with her children as she wished, hiring one of them to work for a neighbor, the former master "cruelly beat her . . . and drove her from his place thus separating her from her children." Parsons "found a home in Washington County" and then returned to demand her children, but to no avail. The former master told her the children had been bound to him "and that she should not have them unless she paid Him four hundred dollars."[47] Widespread apprenticeship kept freed mothers like Rebecca Parsons in place in order to remain near their progeny. While some were coerced into working for former masters who bound their children, others established homes nearby. In a few cases, whites went so far as to claim that the mothers themselves were minors in order to apprentice both the women and their children. Three men came onto an Alabama plantation to collect a woman named Matilda whose former owner had had her bound to him. Despite being "pregnant and *very* near her delivery, she was compelled to walk" the six miles to her former master's place "while the men rode."[48] In December 1866, an unnamed "colored man" reported to a Freedmen's Bureau agent at Columbus, Mississippi, that he had traveled to Pikesville, Alabama, "to get his granddaughter . . .

[47] Ira Berlin, Steven F. Miller, and Leslie S. Rowland, "Afro-American Families in the Transition from Slavery to Freedom," *Radical History Review* 42 (1988): 107-108.
[48] Complaint of Simon Durham, 22 January 1867, vol. 180, p. 115, Register of Complaints, ser. 189, Selma AL Subassistant Commissioner, BRFAL, RG 105, NARA [FSSP A-2001].

and her child," but was "overtaken by parties on his way back." They claimed both the mother and her child "to be apprenticed."[49] The apprenticeship system bound more than children. In effect, it stood to bind the whole family, limiting the mobility of black households and ensnaring black mothers in exploitative labor arrangements.

While the legal latitude to apprentice children varied by state, those in female-headed households were particularly vulnerable. In most states, children born out of wedlock or whose fathers had died or were absent were legally considered orphans, a fact that former slaveholders exploited to have the children of unmarried, widowed, and deserted women bound to them. White southerners questioned whether single mothers were entitled to custody of their children. In March 1866, the governor of Mississippi asked the state's attorney general whether, under the state's apprenticeship law, a black child could be bound against the wishes of its "parents or parent" and whether the mother of a fatherless child under the age of twenty-one was "entitled to its custody and service." The law, which had been enacted in November 1865, made it the duty of county officials to report to the probate judge all black children under the age of eighteen "who are orphans or whose parent or parents have not the means, or who refuse to provide for and support said minors." The attorney general ruled that "use of the term 'parent or parents' shows that it was the intent of the Legislature to give to either parent the right to control the minor child when they have the 'ability' coupled with the 'willingness' to support the minor."[50] Although the attorney general thus established that unmarried black women had a right to their

[49] Geo. S. Smith to Major A. W. Preston, 31 December 1866, Letters Sent, Columbus MS Subassistant Commissioner, BRFAL, RG 105, NARA.
[50] Circular Nº 5, Bureau Refugees, Freedmen and Abandoned Lands, Office Assistant Commissioner for Mississippi, 17 March 1866, vol. 31, pp. 283-286, General Orders & Circulars Issued, ser. 2055, MS Assistant Commissioner, BRFAL, RG 105, NARA [FSSP A-10901].

minor children, the governor's query reflects the widespread skepticism among white southerners about whether single black women were entitled to guardianship.

The children of single women were susceptible to indenture because apprenticeship laws regarded female-headed households as inherently inadequate. The frequency of familial separation under slavery and the enlistment of black men in the U.S. army during the war had produced a considerable number of female-headed households. Black mothers, especially those without able-bodied male kin, faced difficulty finding jobs because employers perceived women with small children as undesirable workers. Many single mothers found themselves destitute and were encouraged—and in some cases forced—to apprentice their progeny in order to obtain employment. "Women with large families of children, who are themselves able to work, but who cannot support their children, should bind out their children," the Freedmen's Bureau assistant commissioner for North Carolina instructed a subordinate. Although children were not to be bound without the parent or parents' consent, "it must be impressed upon the minds of these parents that they will not receive a support from the Bureau for such children."[51] "[S]uppose a colored woman has from three to five children and she has no husband and is still living with her former master," a North Carolina bureau agent hypothesized. "I think I should be furthering the interests of the Freedmen and carrying out the intentions of the government if I apprentice those children to their former master and hire the mother to the same person for fair wages and thus keep the family together and secure to the children an opportunity to learn to read and write."[52] In the eyes of bureau officials and local courts, the indenture of black children stood to benefit mothers and children alike. Apprenticeship would afford freed children provisions, basic literacy

[51] Lieut. Fred H. Beecher to Maj. Chas I. Wickersham, 2 April 1866, vol. 7, p. 101, Letters Sent, ser. 2446, NC Assistant Commissioner, BRFAL, RG 105, NARA [FSSP A-734].
[52] C. W. Dodge to Capt. F. A. Seely, 21 January 1866, Letters Received, ser. 2755, Newbern NC Superintendent, RG 105, BRFAL, NARA [FSSP A-871].

and numeracy, suitable homes, and proper oversight. At the same time, it would "relieve mothers & grandmothers of a vast number of children whom they cannot support," giving the "unencumbered" mothers and grandmothers "freedom to go & find work for themselves." [53] It was lost upon bureau agents and the local courts that it was structural poverty rather than children that encumbered black women.

On January 8, 1868, Georgia freedwoman Sylvia Darden marched to the local Freedmen's Bureau office and complained that William Bowden of Monroe County had taken two of her children "by force," had them bound to himself despite her protests, and would not "allow her to visit them or the children to visit her." Darden objected to the binding because it was done contrary to her wishes and because Bowden prevented her from maintaining a relationship with her children. Her complaint precipitated an investigation by Freedmen's Bureau agent George Wagner, who reported that the Monroe County Court had indentured Darden's children to Bowden in July 1866. Since the previous Christmas, Darden had "been living part of the time in one of Mr. Bowden's houses" and "washed for his wife, but refused to hire with him for the year." "I think this does away with her statement that he will not allow her to see the

[53] Bt Col Clinton A. Cilley to Col E Whittlesey, 19 November 1865, C-31 1865, Letters Received, ser. 2452, NC Assistant Commissioner, BRFAL, RG 105, NARA [FSSP A-518]. For another example of indentures being justified on such grounds, see W^m^ D Luckie to Lt. Col. Louis Lambert, 23 December 1865, #251 1866, Unregistered Letters Received, ser. 632, GA Assistant Commissioner, BRFAL, RG 105, NARA [FSSP A-5245]. Freed parents held no illusion that all of their children would live under their own roofs. However, they generally preferred to hire their children for terms of no longer than a year rather than apprentice them, a preference informed by numerous considerations. First, hired children earned wages and apprentices did not. Hiring-out entitled women to their children's wages and offered greater latitude to choose whose households their children became part of. Given the prevalence of violence and mistreatment against children, parents vetted employers with care and scrutiny. Hiring held the promise that when the household had accumulated enough money, the children could return to the family circle. Second, children typically hired for a year or less. The finite term of service afforded parents and their children greater flexibility; at the end of the year, if families desired to relocate, find new employers for their children, or withdraw their children's labor from the market, they were lawfully entitled to do so. Some families used hiring to shield their children from apprenticeship. One bureau agent "told women with a large family of children that if they would hire out or so dispose of their children as that they would be well cared for in that case they would not be bound." That, he remarked, "worked well and under all these influences nearly all the freedmen in this County have secured homes for this year." W^m^ B. Bowe to Colo. E. Whittlesey, 27 January 1866, Unregistered Letters Received, ser. 2453, NC Assistant Commissioner, BRFAL, RG 105, NARA [FSSP A-657].

children," Wagner concluded. He also reported that "she is now enceinte and about the 25th of January last, swore the child to a White man."[54] Darden lacked steady employment and was unwilling to sign a year-long contract, which indicated to Wagner an inability to support her family. Moreover, she was pregnant with an illegitimate child by a white man, yet another sign that she was likely to become destitute, to say nothing of her questionable moral character. Wagner directed Bowden to retain the children until further notice.

Wagner's investigation was not the first time the bureau had considered Darden's claims to her children and decided to leave them under Bowden's control. In May 1867, a different bureau agent had cast similar doubt on Darden's ability to provide for her children. Darden "had several small children and was living [as] a vagrant in the woods under a bush," he reported, "and her children were in a state of starvation." The family's desperate straits had led members of the community to intervene. "Citizens in the neighborhood got Mr. Bowden to take two of the children, which were bound . . . for [Darden] said she could not feed them," and Darden herself "tried to get others to take the other children." That investigation showed that Bowden "was treating the children humanely, was feeding and clothing them well, and [they] were well contented." According to the neighbors, Darden "was a pest to the people and seldom would work for a living."[55] Despite having lost that custody battle, Darden refused to renounce her claim to her children. She rejected the bureau's assessment that she was unworthy of guardianship.

[54] Affidavit of Silva Darden, 8 January 1868, Letters Received, Macon GA Subassistant Commissioner, BRFAL, RG 105, NARA; George Wagner to Capt M. S. Hill, 13 February 1868, Letters Received, Macon GA Subassistant Commissioner, BRFAL, RG 105, NARA.
[55] Jesse Ayeoesh to Capt N. Sellers Hill, 27 May 1867, Letters Received, Macon GA Subassistant Commissioner, BRFAL, RG 105, NARA.

State law often required local courts to apprentice the children of parents who were unable to support them, yet they had considerable discretion in determining what constituted adequate support. The probate judge of Marengo County, Alabama, believed it meant having "property[,] money or provisions on hand for a support in the future, so that in case of misfortune or sickness he would have something for a support."[56] That definition would have rendered almost all freedpeople ineligible for custody of their children, because most freedpeople were propertyless and worked for wages or crop shares; the institution of slavery had denied them the ability to lawfully accumulate property or savings. The bureau agent to whom the Marengo County probate judge propounded his opinion responded that "when a person has the ability to work, & support himself or herself, he or she has visible means of support." Moreover, children old enough for hire were capable of earning wages sufficient to support themselves and other family members as well, a circumstance that should also be taken into account in deciding whether parents could support their families.[57] Yet no matter how liberal the interpretation, both the Freedmen's Bureau and the civil authorities tended to emphasize "pecuniary ability without any regard to that more comprehensive interpretation which includes the determination of willing hearts."[58] As a result, large numbers of black children were subject to indenture.

White southerners took advantage of black mothers' poverty to defend their widespread efforts to bind black children. "[W]e think it very probable our course has been misrepresented by some mothers. who think they can support themselves & family," the Orphans Court of Anne Arundel County, Maryland informed a Union provost marshal. "[T]heir previous antecedents

[56] Thos J. Woolf to Maj C. W. Pierce, 1 November 1866, Letters Received, ser. 80, Demopolis AL Subassistant Commissioner, RG 105, BRFAL, NARA [FSSP A-1754].
[57] Bvt. Maj. C W Pierce to Hon. Thos J. Woolfe, 15 November 1866, P-58 1866, Unregistered Letters, ser. 9, AL Assistant Commissioner, RG 105, BRFAL, NARA [FSSP A-1754].
[58] *Baltimore American*, 18 January 1865.

being enquired into by the court it is made too apparent their utter inability to properly provide & teach habits of industry."[59] To further justify their authority over black children, white southerners couched their actions in terms of benevolence and the welfare of black children. "It is rather entertaining the various ways the negroes take to assert their freedom," a Texas newspaper remarked. "One wench that we know of teaches her little 'kinky heads,' that they must sass white folks. Another one that hires out, takes a little mangy fist along with her, and contends that it must be allowed to scratch up white folks' gardens."[60] According to the newspaper, black mothers were corrupting influences in the lives of their children. Apprenticeship promised to curb black delinquency and instruct their children in their proper place in the South's social order. Only under the tutelage of white southerners could black children become productive members of society. If left in their mothers' care, they were destined to wreak havoc and perpetuate black degeneracy; black motherhood would create successive generations of deviants. The specter of black delinquency thus legitimized apprenticeship and the removal of black children from their mothers' care.

Newly freed mothers became enmeshed in a system in which a parent's economic assets and ability to labor served as the primary metrics of fitness for guardianship. A Freedmen's Bureau agent in Jackson, Mississippi, for instance, determined that Harriet Goodwin, whose children had been illegally apprenticed, had "the right to control her children" and that no one had the power to "interfere to prevent her from employing, hiring, or otherwise controlling her children" because "neither Harriet nor her children are chargeable to any Beat or County officer

[59] Philip Pettebone et al. to Geo. W. Curry, Esq., 22 November 1864, in *Wartime Genesis of Free Labor, Upper South,* ed. Berlin et al., 520-521.
[60] "Asserting Their Freedom," *Flake's Bulletin* (Galveston, Texas), 7 March 1867. For an example of a white southerner who couched his actions as benevolence, see Sewell Hepbron to Major Este, 12 November 1864, and Sewell Hepbron to Major General Wallace, 19 November 1864, in "Communication from Major Gen'l Lew. Wallace," 56-58.

for support."[61] By demonstrating her ability to provide for her own children, Margarite Hood, a freedwoman in Mississippi, was similarly successful in gaining custody of her daughters Dora and Virginia, who had been bound to their former master and "self-reputed father" without her consent. Since emancipation, Hood claimed, she had not only "cared for them in sickness, protected them from inclemency of the weather, and provided for them in health, but through her own industry and thrift," had managed to give them "a very fair English education." Given her ability to "care, protect, and provide for the children," and no sign of "relax[ing] her duties toward them in this and other respects," the bureau judged Hood to be a "kind and dutiful parent." The bureau concluded that the former master had no legal grounds upon which to "take these children from under the care and protection of their mother without her consent" and supported Hood's claim for custody.[62]

The Freedmen's Bureau agents to whom mothers made their custody appeals generally adhered to middle-class notions of family life and encouraged former slaves to embrace this vision. Although not the only consideration, a woman's marital status weighed heavily in child custody disputes. Marriage conferred legitimacy upon black households and signaled to bureau agents and local courts that black mothers had the necessary means to raise children. As Mary Farmer-Kaiser has shown, "Black mothers who emphasized their position as dependents—as both wives and mothers—in apprenticeship complaints strengthened their position considerably."[63] Evidence suggests that as black women became increasingly adept at navigating the apprenticeship system, they deliberately represented themselves as dependents when making

[61] Thomas Shritten to Frank Goodwin, 10 February 1866, Letters Sent and Received, Jackson, MS, Subassistant Commissioner, BRFAL, RG 105, NARA.
[62] Magarite Hood to Maj Gen Wood, 2 January 1867, Unregistered Letters Received, ser. 2363, Vicksburg MS Subcommissioner, BRFAL, RG 105, NARA [FSSP A-9275].
[63] Mary Farmer-Kaiser, *Freedwomen and the Freedmen's Bureau: Race, Gender, and Public Policy in the Age of Emancipation* (New York: Fordham University Press, 2010), 118.

their claims. In an appeal to regain custody of her apprenticed daughters, Susan Crutcher, for instance, introduced herself as "the wife of Augustus Howell."[64] Crutcher willingly invoked her dependency. By identifying herself as a married woman, she situated herself as a respectable woman who embraced the patriarchal family. Furthermore, by describing herself as a wife, she implied an ability to provision and protect her children because attachment to a man signaled greater financial security and a lower risk of dependence on public relief. "I am able to provide for them and with the aid of my husband the father of them to protect them," declared Maryland freedwoman Mary Ann Ran in claiming her two children.[65] In a petition for her children, Elizabeth Kennard, who was also from Maryland, attested that although her husband was "temporarily absent," he was "a sober and industrious man, a good husband and a kind father . . . fully competent to take charge of his children."[66]

Black mothers also conveyed dependency through their own absence in the claims process. Freedmen's Bureau records are replete with cases in which mothers sent fathers, husbands, and other male relatives to lodge complaints on their behalf. Kentucky freedman John Payne, for instance, petitioned the bureau on behalf of his wife Betsey Kane, who was anxious to get possession of her sons, Reuben and John, her children "by a former marriage."[67] By sending her new husband and representing herself as a married woman, perhaps Kane thought she might have better luck securing the bureau's assistance. Jack Gill offers another example. He asked that his eleven-year-old granddaughter be returned to her mother, Mary, in Marietta, Georgia.[68]

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[64] Affidavit of Susan Crutcher, 25 June 1866, C-24 1866, Letters Received, ser. 1068, KY Assistant Commissioner, BRFAL, RG 105, NARA [FSSP A-4217].
[65] Mary Ann Ran to Major Gen'l Wallace, 21 November 1864, in "Communication from Major Gen'l Lew. Wallace," 64-64.
[66] Statement of Elizabeth Kennard, 22 December 1864, in "Communication from Major Gen'l Lew. Wallace," 66.
[67] Affidavit of John Payne, 2 March 1867, Affidavits and Records Relating to Complaints, ser. 1218, Louisville KY Superintendent, BRFAL, RG 105, NARA [FSSP A-4550].
[68] Jack Gill per E. B. Ruckner to Gen Lewis, 21 September 1867, Letters Received, ser. 955, Marietta GA Subassistant Commissioner, BRFAL, RG 105, NARA [FSSP A-5694].

Given their limited employment prospects, single mothers encountered standards for guardianship that were often difficult for them to meet. As a prerequisite for reclaiming her apprenticed child, a Mississippi circuit court required a freedwoman named Julia to secure a "home" and employment, "evidenced by a written contract" and "attested by Agent Knox," by the second Monday in January. Julia struggled to find work but eventually signed a contract on January 9. Her efforts were too late. The court refused to annul the indenture because "she had no lawful home by the Time required by Law" and "her children were Therefore [considered] idigent [*sic*]."[69] Courts could be rigid and unforgiving in their application of the law, disregarding the efforts of poor mothers to provide for their children.

While some mothers attempted to meet the state's standards, others challenged such criteria. In her demand for custody, one South Carolina mother told Freedmen's Bureau agent William De Forest that she had left her daughter with a planter named Jack Bascom, but "now I wants her back." Despite the mother's eagerness to be reunited with her daughter, De Forest encouraged her to leave her child in Bascom's custody, pointing out that he "made twenty-five hundred bushels of corn this last season, and it stands to reason she won't suffer there, while you, probably, don't know whether you'll have enough to go upon through the winter." "I don't keer for all that," she replied. "I can't go without seein' my little gal any longer."[70] Ann Duffee, a Louisiana freedwoman, relentlessly pursued custody of her children even after a bureau agent ruled against her on the grounds that she "could not support them so well as the white family." Insisting upon her right to custody, she went to get her children who were held "under lock and key" and refused to leave until she achieved her objective. The altercation concluded with a

[69] Jno J. Knox to Captain E. Bamberger, 10 March 1866, K-14 1866, Registered Letters Received, ser. 2188, Jackson MS Assistant Commissioner of the Northern District, RG 105, BRFAL, NARA [FSSP A-9327]
[70] De Forest, *A Union Officer in the Reconstruction,* 112.

justice of the peace "pulling her out of the yard."[71] Both of these mothers rejected the notion that poverty precluded custody. No matter her material circumstances, it was a mother's prerogative to have possession of her children, they insisted, laying claim to one of freedom's most fundamental promises. Implicit in their words and actions was not only a disavowal of official prioritization of material provision but an insistence that unconditional love and affection were important forms of care that merited recognition.

The failure of Freedmen's Bureau agents and civil authorities to recognize black women's parental rights made them feel no less entitled to their children. Some desperate mothers took actions that put them at odds with the law. Doing so, however, often resulted in arrest or in the children being placed even further out of reach. In Kentucky, Henrietta Lewis's former master agreed to visitation, but finding the arrangement insufficient, Henrietta "stole the boy from him at night." "The manner [in which] she behaved and the course she pursued to get the Boy" led a Freedmen's Bureau agent to conclude that "she is not a proper person to have custody of the child."[72] Laura Taylor took matters into her own hands because she believed freedpeople simply could not get a fair shake in the Russell County, Alabama, probate court. Several parents had lodged complaints about illegal apprenticeship with James Waddell, the probate judge, but justice had not been served. After being denied legal custody, Taylor resorted to stealing her children, but the sheriff pursued her and took them away. Taylor went to Waddell again and "asked to have the children restored to her," but "he would not listen to her, saying the children were bound, no matter with or without her consent" and "threatened to put her in jail if

[71] J. D. Rich to D. G. Fenno, 26 November 1865, R-199 1865, Letters Received, ser. 1303, LA Assistant Commissioner, RG 105, BRFAL, NARA [FSSP A-8588].
[72] A. W. Lawwill to Bvt Brig Genl John Ely, 7 March 1867, and Affidavit of Henrietta Lewis, 9 March 1867, #251 1866, Letters Received, ser. 1208, Louisville KY Superintendent, RG 105, BRFAL, NARA [FSSP A-4499].

she would come again."[73] Even when they could not meet the legal standards for guardianship, freedwomen were persistent in their endeavors to reclaim their children—often to the great annoyance of judges, bureau officials, and former masters. As demonstrated by these and earlier examples, prevailing assumptions about race, gender, and labor made the Freedmen's Bureau an unreliable ally. While bureau agents often assisted mothers in the recovery of their children, at times they undermined maternal prerogatives and familial concerns by ruling in favor of apprenticeship. Black mothers' relationship to the bureau therefore varied. Some called upon it to assist them in exercising their maternal rights, others felt compelled to circumvent it, while others outright defied it.

When mothers died, kin and friends stepped in to lay claim to apprenticed orphans. Their claims were generally viewed with suspicion and assumed to stem from pecuniary motives, but such attitudes did little to curb bids for custody. Like biological mothers, adoptive mothers, including relatives of the children, sought guardianship by demonstrating economic adequacy. While the details of their claims varied, some showed they had a network of family members that would assist them in supporting the children. In so doing, they articulated their own rubrics of parenthood that divorced parental aptitude from biology and insisted that alternative household formations were not only legitimate but perfectly suitable for rearing children. In August 1867, Mary Duvall petitioned the Freedmen's Bureau for custody of her ten-year-old granddaughter, Florence Weathers. When the girl's mother died six years earlier, Duvall had assumed care of her. Duvall subsequently hired her to Barney McCoy "to help in the dining room," but "sometime in July 1867," when she went to McCoy's to "see about the Girl," she learned that McCoy had had her bound without Duvall's knowledge or consent. McCoy had told the court

[73] Affidavit of Laura Taylor, 31 July 1866, enclosed in Fred Mosebach to O. G. Kenney, 1 August 1866, Unregistered Letters Received, ser. 9, AL Assistant Commissioner, BRFAL, RG 105, NARA [FSSP A-1723].

that Duvall could not adequately provide for the child, but Duvall contested that judgment. Her petition stated that "she is fully able to take care of the child and can offer evidence to that effect and also that she has one son and one daughter uncle and aunt of Florence and either of them are able and willing to take care of the child." While Duvall herself had the means to raise her granddaughter, she hoped that identifying kin who were also in a position to assist in raising the child would strengthen her claim. Her reference to other kin also suggests that she thought of childrearing as a collective enterprise rather than the responsibility of a single guardian or household. Duvall also mobilized sympathetic whites to attest to her economic standing. W. S. Y. Shackleford, "a citizen of Louisville, Kentucky," testified that she was an "industrious and sober woman" who earned enough to "purchase comforts for the family." She and her husband "lived agreeably together," and her husband was "an honest, industrious, and sober man" who had several assets including "a horse and wagon." Shackleford had "no hesitancy in saying that Mary and her Husband are well able to take care of the child." Duvall's landlord described her and her husband as "industrious[,] sober persons" who had "plenty to live on" and were therefore "abundantly able to care for and raise their Grand child."[74]

Like Mary Duvall, Lucy Hunter deployed kinship connections to gain custody of her nieces and nephews. In a petition to the Freedmen's Bureau, Hunter described her husband as an "industrious hardworking man" who was more than able to support her and the children. While she thus represented herself as a married woman, she also informed the bureau that she had two sisters, both of whom were married and "able to take care [of] these children." Hunter had four brothers as well, all "married, industrious men, and doing well." One of the brothers, Joseph

[74] Affidavit of Mary Duvall, 22 August 1867, affidavit of W. S. Y. Shackleford, 22 August 1867, and affidavit of Greenup King, 27 August 1867, all in Affidavits and Records Relating to Complaints, Louisville KY, BRFAL, RG 105, NARA.

Ellis, attested to the veracity of her claims. He described his extended family as sober and industrious and explained that, having only two children of his own, "he is fully able to assist in raising and educating the three children of his sister." Furthermore, "each one [of his brothers and sisters] is able to take one of the children and raise and educate it." Hunter and Ellis identified an entire network of kin willing and able to provide for the children. They presented themselves as suitable guardians by virtue of their marital status and financial standing but also by virtue of the other kin upon whom they could draw. Their affidavits reveal that some freedpeople strove to pool their resources for the welfare of orphaned children. In effect, they adopted a communal approach to parenting.[75]

If Freedmen's Bureau agents and southern civil authorities regarded material provision as the standard for custodial rights, black mothers challenged assumptions that white households would provide proper childcare and childrearing. State apprenticeship laws obligated guardians to "feed, clothe, and furnish attention to said children when sick as well as to give protection and parental care."[76] However, many apprentices lived in squalor and languished in grim conditions under the roofs of former slaveholders. Fannie Tatum, apprenticed to her former master until the age of twenty-one, was made to sleep "by the jamb of a fireplace on a sack of straw . . . cover[ed] with saddle blankets" in the winter, "when snow was waist high." The changing seasons brought no reprieve. "In summer I slept on the naked floor and anywhere I laid down was my bed just like a dog," Tatum recalled. She was also inadequately clothed. "I did not know what a coat was," she told an interviewer. She was provided only an underskirt, a dress, brogans,

[75] Affidavits of Lucy Hunter, 22 September 1866, and Joseph Ellis, 17 October 1866, enclosed in A. Benson Brown to Bt. Brig General John Ely, 18 October 1866, F-374 1866, Letters Received, ser. 1068, Kentucky Assistant Commissioner, RG 105, BRFAL, NARA [FSSP A-4240]. For other examples of former slaves drawing upon and leveraging kinship connections in apprenticeship disputes, see B C Ferrell to Col C. C. Sibley, 16 July 1867, T-478 1867, Letters Received, ser. 631, GA Assistant Commissioner, RG 105, BRFAL, NARA [FSSP A-158]; Berlin, Miller, and Rowland, "Afro-American Families in the Transition from Slavery to Freedom," 118-119.
[76] "Legislative Acts/ Legal Proceedings," *New Orleans Tribune*, 5 December 1865.

"sacks and rags" out of which she fashioned stockings, and a sun hat that consisted of "a rag tied on my head."[77]

Freedwomen sought to demonstrate that white guardians neglected their duty to furnish adequate food, clothing, shelter, education, and medical attention and were therefore unfit to have custody of their children. Mary Ann Johnson complained to the Freedmen's Bureau that her two sons, Burrow and Brien, ages fifteen and twelve respectively, were apprenticed to Bony Calmus, who "will not give them any clothes." They were "nearly naked and half starved," she maintained.[78] Lavinia Brooks reported that while under her own care, her daughter Susan had "good under and outside clothing" but since being sold to a new owner, who refused to give her up, had "become naked and shoeless," causing Brooks "many sleepless hours and uneasiness of mind."[79] Lydia Dorsey's grandchildren were taken to the eastern shore of Maryland and apprenticed by their former owner who, she claimed, was "a hard master and would not hire a doctor when the children were sick."[80]

Mothers often went another step further to show that they themselves had provided for their court-apprenticed children in the absence of proper care by their ostensible guardians. In September 1865, Maryland freedwoman Derinda Smothers sought custody of her son, who had been bound to her former master despite the fact that he was already hired to an employer for wages. Her son's living conditions were so deplorable, according to Smothers, that he had attempted to run away, but his master caught him and "beat him in a most brutal manner." The master "treats the boy wors[e] than a dog" and failed to provide basic necessities, a sympathetic

[77] Interview with Fannie Tatum, "Born in Slavery."
[78] Complaint of Mary Ann Johnson against Bony Clamus, 27 August 1865, Register of Complaints, Amite City LA Assistant Subassistant Commissioner, BRFAL, RG 105, NARA.
[79] Lavinia Brooks to Col. Ross, 10 November 1864, in "Communication from Major Gen'l Lew. Wallace," 79.
[80] Statement of Lydia Dorsey, 18 November 1864, in "Communication from Major Gen'l Lew. Wallace," 17.

white neighbor reported to the Freedmen's Bureau. "[H]e does not get half enougth [*sic*] to eat and no cloths [*sic*] but what his mother gives him."[81] Another mother objected to the apprenticing of her four children, "stating that all the cloth they had on were By her after Night."[82] Minnie Lee complained to the Macon, Georgia, bureau agent that her nephew's guardian had neglected him and moved to Florida "without making any provision for the maintenance, protection, or education of his apprentice." Lee had assumed the role of surrogate mother, feeding and maintaining her brother's son and "teaching him the rudiments of an English education, so far as her limited knowledge of the same will enable her to do so." She demanded that the apprenticeship be annulled on the grounds that the child's father was still living and that she, rather than the guardian, had been "feeding, supporting, maintaining and educating" the child. The bureau found in her favor and annulled the indenture.[83]

Efforts to prove the inadequacy of white guardians were sometimes undertaken collectively. Sixty-four ex-slaves in Holly Springs, Mississippi, petitioned General Oliver Otis Howard, the commissioner of the Freedmen's Bureau, for "the privilege of controling those who are near and dear to us by ties of nature." "We the undersigned beg leave to represent to you," they wrote, "that many of our sisters and brothers, as well as children of our deceased sisters and brothers, are held in bondage by their former owners, who do not treat them well, are not giving them any education, who look upon them as born for Slavery, and not fit for freedom, while we their near relatives, are not permitted in many instances even to visit them or they us." The

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[81] Joseph Hall to General Howard or those having charge of freedmen at Washington D.C., 14 September 1865, and affidavit of Derinda Smothers, 18 September 1865, in *The Wartime Genesis of Free Labor, Upper South,* ed. Berlin et al., 544-546.
[82] Thos. B. Davis to Hon. J. Lanox Bond, 6 November 1864, in *Wartime Genesis of Free Labor, Upper South*, ed. Berlin et al., 511-513.
[83] Testimony of Minne Lee, 13 February 1867, Letters Received, Macon GA Subassistant Commissioners, BRFAL, RG 105, NARA. For another example of a black mother provisioning her apprenticed children, see Complaint of Emily Edwards, 6 August 1866, Letters Sent Relating to Complaints, Vicksburg MS Subcommissioner, BRFAL, RG 105, NARA.

petitioners also staked their claim to the children on the grounds of having long been the source of their material support. "Before the war our labor supported them and the children of our white masters also," the petitioners claimed, "and it does the same since the war in a great measure." They sought control of the children, the petitioners concluded, "for their good and our consolation."[84]

In challenging apprenticeships, freed mothers charged that the guardians were failing to fulfill their obligation to meet the basic needs of the children and thereby underscored the exploitative nature of apprenticeship. In addition, some of them contended that it was instead through their own means and labor that their children had been sustained. In so doing, they established themselves as caretakers and providers, as maternal authorities. In effect, the mothers maintained that while white guardians may have possessed the means to provide for children, there was no guarantee that those resources would in fact be put toward the children's welfare. Merely because court-appointed guardians *could* furnish provisions and comfortable homes did not mean they *would*. Indeed, white guardians' assumptions about black inferiority made it unlikely that they would. By making visible the deplorable conditions under which many indentured children lived, black mothers upended the myth that paternalism lay at the heart of apprenticeship. Masters, they demonstrated, did not treat black apprentices as family members but as degraded laborers at best and as property at worst. Mothers who could effectively prove inadequate living conditions sometimes tipped the scales in their favor and succeeded in annulling apprenticeships.

Even if white guardians afforded apprenticed children the required necessities, black mothers insisted that material provision, wealth, power, and land were insufficient for the proper

[84] Petition of Edward Farmington et al., 18 November 1867, F-231 1867, Letters Received, ser. 15, Washington Headquarters, BRFAL, RG 105, NARA [FSSP A-9441].

rearing of children. Children required attention, guidance, and nurture, which apprenticeship relations all too often lacked. Zippe Turner, a freedwoman in Kentucky who was eager to gain custody of her grandchildren, argued that their current living arrangements and upbringing were both objectionable. "[T]he mother of these children died last fall leaving the young girls exposed to temptations," she attested, and "they now lodge in a shanty at a distance from the farm house and . . . one or two young colored men occupy the same shanty." Turner feared that with "no elderly person to watch over them," and living "at a distance from the farm house," her granddaughters would be exposed to early sexual activity or predation.[85] With these observations, Turner established herself as a maternal authority with the knowledge about how best to raise children. Children required moral instruction that the present arrangement lacked, she asserted. In particular, she conveyed the importance of instructing female children in sexual propriety and protecting them from corrupting influences. Turner implied that she could cultivate her granddaughters' moral habits better than their present guardian and, in so doing, undercut notions that associated whiteness with morality and blackness with immorality. Turner represented her granddaughters as innocent children in need of parental supervision and protection, thereby challenging assumptions that black children were intrinsically adult-like, inferior, dangerous, and immune to pain, assumptions that enabled white southerners to exploit black children's labor and justified their mistreatment and neglect. By conferring innocence upon her granddaughters, Turner demanded that they be afforded the protection and guidance that children deserved. This, she suggested, would be best achieved by placing them in her care. Lastly, she underscored a fundamental problem with apprenticeship: Rather than improve the

[85] A. C. Latham to Gen. Fisk, 22 April 1866, L-7 1866, Letters Received, ser. 1068, KY Assistant Commissioner, BRFAL, RG 105, NARA [FSSP A-4272].

lives of children, indenture arrangements subjected black children to harm by negating black childhood altogether.

Black women vehemently protested apprenticeship when they suspected child abuse. Violence against children violated freedwomen's notions of proper childrearing. Mothers portrayed southern white households as sites of violence against rather than tutelage of black youth. Standing *in loco parentis,* court-appointed masters and mistresses of apprentices were authorized, in the words of Mississippi's apprenticeship law, "to inflict such moderate corporeal chastisement as a father or guardian is allowed to inflict on his or her child or ward" to exact obedience.[86] Under Freedmen's Bureau regulations, however, "persons who have been guilty of cruelty" against slaves or of injustice against the freedpeople since emancipation were expressly prohibited from having children bound to them.[87] Despite such policies designed to protect indentured children, limited oversight allowed many white southerners to inflict cruel and inhumane punishments with impunity.

Mothers consistently made the Freedmen's Bureau aware of such transgressions and sought annulment of the indentures. In a petition for her son Anderson, Eliza Coleman, a Virginia freedwoman, stated that she wished custody of her son in order to spare him from physical violence. "I understand that he has a woman that beats him unmercifully without any cause," she wrote.[88] South Carolina freedwoman Alice Ardis sought custody of an orphan named Fanny. Both she and Fanny had been the slaves of Jonathan Miller and, having no children of her

[86] "An Act to Regulate the Relation of Master and Apprentice, as Relates to Freedmen, Free Negroes, and Mulattoes," *Laws of the State of Mississippi, Passed at a Regular Session of the Mississippi Legislature, Held in the City of Jackson, October, November, and December 1865* (Jackson, MS: J. J. Shannon & Co., 1865), 86-90.
[87] General Clinton B. Fisk, Circular, No. 8, Bureau Refugees, Freedmen, and Aban[d] Lands, States of Ky. Tenn, and North Al., 10 October 1865, vol. 23, pp. 264-276, Special Orders and Circulars Issued, ser. 3384, TN Assistant Commissioner, RG 105, BRFAL, NARA [FSSP A-10744].
[88] Eliza Coleman to Lieut. Wilson, 18 March 1866, Contracts and Indentures, Orders Received, and Bills of Lading, Goochland VA Office, RG 105, BRFAL, NARA.

own, Ardis wanted to adopt Fanny. In a letter addressed to the bureau's acting assistant commissioner at Hamburg, South Carolina, Ardis made her case by explaining that for the past five years she had cared for Fanny "and learned to love her as a *Mother*." Her love and affection had sustained the child in the absence of the girl's parents. She had taken Fanny into her home and raised her as a mother would. Although she had been under no obligation to do so, she had mended her clothes and cared for her to the best of her ability. Having established a relationship with Fanny under slavery, she also held great affection for her. Ardis had "washed & sewed for her, and the child slept in her room at night." Ardis juxtaposed herself with Fanny's white guardian, whom she portrayed as vile, abusive, and unsuitable for guardianship. "[C]onsider whether, under the circumstances, I am not a more proper person to bring up a *child* of *my own race*, than a *white man*, who has been a *cruel master*, and also *cruel to this child*," Ardis suggested.[89] The surrogate mother could see no reason why a young black child would be taken from a loving black home and placed under the control of a cruel white man who had no concern for the girl's best interests.

Suspected sexual violence elicited particularly vigorous protests from black parents. A Mississippi freedwoman complained that her only daughter had been apprenticed to her former owner until the girl reached the age of eighteen. "The girl was bound on the ground that her mother had not the means to support her," explained the Freedmen's Bureau subcommissioner at Holly Springs. The mother sought to have the apprenticeship annulled because she was "very

[89] Alice Ardis to Col. John Deveraux, 28 March 1866, Statement of M. J. Miller, n.d., and Affidavit of Alice Ardis, 24 August 1866, Miscellaneous Records, ser. 3064, Aiken SC Subassistant Commissioner, BRFAL, RG 105, NARA [FSSP A-7216]. Sure of her entitlement, Ardis invited the bureau to interview further witnesses. Testifying in support of her claim, freedman Morgan Bemerson stated that that he had personally seen Miller whip Fanny with a leather strap, while "he never knew Mr Miller to whip one of his own children." Affidavit of Morgan Bemerson 26 March 1866, Miscellaneous Records, ser. 3064, Aiken SC Subassistant Commissioner, Edgefield District, RG 105, BRFAL, NARA [FSSP A-7216]. By comparing Miller's treatment of Fanny with that accorded his own children, Bemerson made clear that Fanny had been the victim of violence rather than merely disciplined, preemptively rejecting the notion that Miller had acted as a paternalistic guardian. The outcome of the case is not known.

much grieved by the fear that [the former master] will misuse her daughter."[90] Elsewhere in Mississippi, Emily and her husband Orange expressed similar concerns about their fourteen-year-old daughter, Mandy. They had fled the plantation on which they were enslaved after Emily was whipped for refusing the master's sexual advances. In their absence, the former master had their three children bound to him. Emily asked the Freedmen's Bureau for help because she suspected that Mandy was also a victim of the former master's sexual advances.[91]

Slavery may have been destroyed, but white southerners continued to deploy similar violence to subjugate African Americans. What had changed, however, was the status of the formerly enslaved. With newly acquired rights, black mothers felt both compelled and entitled to protect their children from abuse at the hands of white southerners. It may have been painful and uncomfortable for black parents to report sexual violence or recount stories of child abuse, but they were willing to make intimate parts of their lives public if it meant reclaiming and protecting their progeny. By highlighting the abuse children suffered, they constructed white homes as unsuitable environments for a black child. Mothers protected their children out of both personal and social obligation, understanding such acts as integral to maternal duty. Their complaints to the Freedmen's Bureau and others demonstrate that they conceived of themselves as advocates for children who had few means of seeking justice in their own right and little recourse in defending themselves against white abusers. Parents' attempts to protect their children should also be read as acts of affection. With deep care for their children's well-being, freed mothers did all in their power to shield them from violence. With each complaint, they

[90] Nelson G. Gill to Lt. E. Bamberger, 20 Dec 1865, in *Land and Labor, 1865,* ed. Steven Hahn, Steven F. Miller, Susan E. O'Donovan, John C. Rodrigue, and Leslie S. Rowland, ser. 3, vol. 1 of *Freedom: A Documentary History of Emancipation*, *1861-1867* (Chapel Hill: University of North Carolina Press, 2008), 973-975.
[91] Affidavit of Orange, 20 February 1866, and Affidavit of Emily, 24 February 1866, enclosed in Maj J. J. Knox to Stuart Eldridge,19 March 1866, K-21 1866, Registered Letters Received, ser. 2052, MS Assistant Commissioner, RG 105, BRFAL, NARA [FSSP A-9121].

attempted to shed negative light on the apprenticeship system and demonstrate how it failed black children. At the same time, they cast themselves as responsible parents who knew how best to care for their children. Through their actions, they also affirmed that African American children were entitled to material provision, respect, and love.

Maternal Character and Child Custody

As demonstrated by Freedmen's Bureau complaint registers and correspondence, civil authorities and bureau agents scrutinized the lives of formerly enslaved women to determine whether they were worthy of custody of their children. When vying for custody of black children, white southerners contended that black women lacked not only the material wherewithal to provide for their children, but also the requisite moral aptitude, thereby placing their characters on trial. Across the South, black mothers were forced to defend their reputations in order to prove that they were fit for custody.

In the course of custody disputes, white southerners frequently condemned freedwomen's sexual behavior, contending that their out-of-wedlock childbirths and alleged lasciviousness made them unsuitable for guardianship. Accusations of pre-marital sex or sexual deviance had especially damning effects on black women's custody claims. In August 1866, Kentucky freedwoman Polly Lancaster turned to the Freedmen's Bureau to try to recover her fourteen-year-old son Edward, who had been bound to her former master, Alexander Sayres, by the Nelson County court. Witnesses spoke poorly of Lancaster's character. Sayres testified that he had sold her "about 8 years ago" because "she would not marry as I often wished her to do but would run with all the Black men that came about." He further alleged that Lancaster "would drink so as to neglect her work and . . . had several children and no two by one man." Lancaster's former mistress, Finnetta Sayres, also testified against her, explicitly calling into question

Lancaster's maternal capacity on account of her sexual proclivities and neglectful behavior. She described Lancaster as "dirty & lazy," with multiple children by both white and black men, all born out of wedlock. Finetta saw no probability of change in Lancaster's future. "She told me she never intended doing any better that she never could be tied to one man," Finetta testified. As was typical of former slaveholders who made bids for black children, Finetta represented herself as a surrogate mother to Lancaster's children. As a slave, Lancaster "would leave her child before it was a year old and go about the country," and Finetta had had to step in. "I have raised in the House all of her children," Finnetta claimed. Meanwhile her husband, Alexander Sayres, was, according to the Freedmen's Bureau agent, "a wealthy man and a prospering Christian of the Baptist persuasion" whom community members "much respected" and spoke of only "in the highest of terms." According to the Sayreses, Lancaster exhibited no features of a good mother. Finding Lancaster sexually promiscuous and her son well treated by the Sayres family, the bureau rejected Lancaster's claim to her child. The boy would be better off with the respectable Sayreses "than wandering about the county with his mother," it concluded.[92]

During the war, Sylvia Dixon and her husband took their five children from Henderson County, Kentucky, to Evansville, Indiana, where the husband sought to enlist in the Union army. Her master, Jim Gibson, followed the family and urged them to return, to which Dixon agreed on condition that she and her five children be paid $100 at the end of the year. When Gibson failed to live up to his end of the bargain, she quit and found employment for herself and the children elsewhere, whereupon "Jim Gibson came with a band of men and by force carried her children away to his house" and had them bound to him. Dixon turned to the Freedmen's Bureau to regain

[92] Testimony of Alexander Sayres and Mrs. Finetta Sayres, 20 Aug 1866, and [illegible] to Bvt. Brg. Gen. C. H. Frederick, 22 August 1866, Affidavits and Records Relating to Complaints, Louisville KY Subassistant Commissioner, RG 105, BRFAL, NARA.

her offspring. The bureau's decision hinged upon testimony by Gibson's neighbors. John T. Handley described Gibson as a "kind[,] indulgent master" of "unflinching integrity," who had taken good care of his slaves. On the other hand, he described Dixon as "a notorious whore," whom he did not "cosider [*sic*] . . . able, or competent to raise her children."[93] Another neighbor described Dixon as having "the character of a regular strumpet" and as unsuited to "maintain her children, or competent to train them as children should be trained."[94] The bureau's assistant commissioner for the state ordered that the children be left with Gibson.[95]

Moral character was also a consideration in the case of Louisa Barret, a Tennessee freedwoman. A bureau agent described her as follows: "Louisa Barret is a woman of bad character, she has the reputation of being what is usually called a regular strumpet, gets drunk occasionally, [and] she has had seven husbands and parted from them all." Louisa's alleged promiscuity coupled with a wavering commitment to husbands rendered her an incompetent mother in the eyes of the bureau men who rejected her custody claim.[96] Whether the allegations against these freedwomen were true or not, charges of sexual impropriety and out-of-wedlock childbirth often doomed black mothers' cases because such behavior defied Victorian notions of proper womanhood. As Victorian ideology would have it, ideal mothers engaged in sex to reproduce children, but only within the confines of marriage and not for passion or pleasure. As

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[93] Deposition of John T. Handley, 16 July 1866, filed with R-109 1866, Letters Received, ser. 1068, KY Assistant Commissioner Headquarters, RG 105, BRFAL, NARA [FSSP A-4307].
[94] Deposition of Isaac Handley, 23 July 1866, filed with R-109 1866, Letters Received, ser. 1068, KY Assistant Commissioner, BRFAL, RG 105, NARA [FSSP A-4307].
[95] John Ely to Robinson, 10 August 1866, vol. 14, p. 224, Letters Sent, ser. 1063, KY Assistant Commissioner, BRFAL, RG 105, NARA [FSSP A-4307].
[96] T F Cheaney to Maj Gen Fisk, 16 March 1866, T-54 1866, Registered Letters Received, ser. 3379, TN Assistant Commissioner, BRFAL, RG 105, NARA [FSSP A-6343]. As Hannah Rosen explains, "The liberal ideology embraced by . . . those guiding emancipation policy in the United States privileged self-control and voluntary submission to contractual obligations of both labor and marriage as the essence of modern freedom and the basis of a virtuous citizenry necessary to sustain a virtuous republic." Rosen, *Terror in the Heart of Freedom: Citizenship, Sexual Violence, and the Meaning of Race in the Postemancipation South* (Chapel Hill: University of North Carolina Press, 2009), 7. Women who were perceived as promiscuous or gave birth out of wedlock threatened the very foundations of society. How could women who failed to ascribe to these tenets raise virtuous children?

paradoxical as it may seem, sexual purity was crucial to ideal maternity. Mothers were asexual and upheld the virtues of motherhood through domesticity and selfless child nurturance.[97] Both pre-nuptial and extra-marital sex contradicted this Victorian ideal. Out-of-wedlock children were physical evidence of black women's sexual deviance and their estrangement from proper motherhood, and therefore became grounds to deny their custody claims. Allegations of sexual promiscuity also implied an unwillingness on the part of black women to embrace the patriarchal family and a lack of order within black households.

In the immediate aftermath of emancipation, many mothers had little choice but to temporarily leave their children in their former masters' households while they sought new homes. A Louisiana Freedmen's Bureau agent reported that "[s]everal applications have been made to me by freedwomen for their minor children." "In most of these cases," he explained, "the mother has left the plantation where she and her children lived, and sought and found employment elsewhere, and then made application for her children. In several instances the mother has signed an agreement for her children to work on some plantation for the year, and then applied to me to get them for her."[98] Regarding the large number of children left on plantations, another Louisiana agent complained that "the fathers of such children are Dead and the mothers have left them on plantations without making provisions for them."[99] Some mothers initially struck out with their children, but, finding it impossible to provision them, returned them to the care of former owners. Betsey Ramsey departed the Georgia plantation on which she had

[97] Nancy F. Cott,"Passionlessness: An Interpretation of Victorian Sexual Ideology, 1790-1850," *Signs* 4, no. 2 (1978): 219–236; Ruth Bloch, "Revaluing Motherhood: American Feminine Ideals in Transition: The Rise of the Moral Mother, 1785-1815," in *Gender and Morality in Anglo-American Culture, 1650-1800*, ed. Ruth Bloch (Berkeley: University of California Press, 2003), 57-77.
[98] W^m W. Todd to Capt. W^m H. Sterling, 28 February 1867, Narrative Trimonthly Reports of Operations from Subordinate Officers, ser. 1310, LA Assistant Commissioner, BRFAL, RG 105, NARA [FSSP A-8538].
[99] J. W. Kellen to Captain Lt. Hayden, 2 July 1866, Unregistered Letters Received, ser. 1602, Franklin LA Assistant Subassistant Commissioner, BRFAL, RG 105, NARA [FSSP A-8523].

been enslaved but was forced to leave her children behind because "she was unable to support them, as she could not get employment for herself."[100] This temporary childcare strategy strengthened freedwomen's chances of finding work and enabled them to begin to earn wages that might eventually support their families. It also ensured that, in the meantime, children were clothed, fed, and sheltered.

While the decision to leave children behind assured their temporary care, it simultaneously undercut mothers' subsequent efforts to secure custody. White southerners exploited black mothers' absence to have children bound to them under state apprenticeship laws, and, when custody disputes arose, charged the mothers with child abandonment. In the telling of white southerners, black mothers were negligent and returned for their children only when they stood to profit from their labor or when it was convenient. If motherhood required care and nurturance, these mothers were portrayed as entirely lacking those qualities. Black mothers' absenteeism served as proof of their maternal ineptitude. Freedmen's Bureau agents were critical of women who they believed had deserted their children. In early 1865, Amelia Johnson fled the mainland South Carolina plantation where she was enslaved, but had to leave her three children behind. She made her way to Beaufort, in the sea islands, and then after "a short length of time she returned to get her children; but was unable to find them." When she tried again in 1866, she found that a Lieutenant Baker had bound the children to Dr. Nathan Johnson, who was probably their former master. Johnson appealed to Lieutenant Baker, but he refused to annul the indenture. She took her case to the Freedmen's Bureau assistant commissioner for South Carolina, from whom she "obtained an order . . . for said Lieut. Baker to restore said children to *her*." But Baker refused to comply and informed the assistant

[100] W. T. C. Brannan to Capt. N. Sellers Hill, 26 February 1867, Letters Received, Macon GA Subasssistant Commissioner, BRFAL, RG 105, NARA.

commissioner that "the three children were deserted by their mother during Genl. Sherman's march through this State," whereupon the assistant commissioner ruled that "[u]nless the woman can show a very good reason for her desertion of them, and it can be proven that D^{r} Johnson does not take good care of them," the indentures should not be cancelled.[101] Georgia freedwoman Patience Smith "claimed that her son Walker" had been "bound against her consent." However, the bureau agent at Crawfordsville determined that "the boy Walker was abandoned by his Mother early in year 1865" and "was bound by proper authority 30th Jan 1866." Because there was "no objection to the binding out at the time nor in about 12 months afterwards & no complaint as to treatment," the agent decided that the boy should remain with the man to whom he was "legally bound."[102]

When freedwomen appeared to have been neglectful, which was the antithesis of proper motherhood, such considerations weighed against them. Many mothers, however, vehemently challenged allegations of child abandonment by arguing that their temporary absence was a result of pragmatism, necessity, and white violence rather than maternal dereliction. In March 1866, Georgia freedwoman Lucinda Davis enlisted the assistance of the Freedmen's Bureau to gain control of her sons, who had been apprenticed to their former master. In an affidavit, Davis stated that she had left her former plantation in response to abuse but was unable to take her children with her because their former master kept them locked up. Davis cast herself as industrious and capable of providing for her children and took great pains to show that she had not abandoned them. After escaping, Davis had secured employment and justified not

[101] J. J. Wright to Bvt. Brig. Gen'l. Gile, 6 February 1867, Letters Received, ser. 3096, Beaufort SC Subassistant Commissioner, BRFAL, RG 105, NARA [FSSP A-7170]; Endorsement by order of Bvt. Maj Genl. R K Scott, 11 March 1867, on Bv^{t} Brig General Geo W. Gile to Bv^{t} Maj E. L. Deane, 8 March 1867, Letters Received, ser. 3096, Letters Sent, Beaufort SC Subassistant Commissioner, BRFAL, RG 105, NARA [FSSP A-7170].
[102] Major Fready Ephram to W^{m} B. Moore, 28 August 1867, Letters Received, Augusta GA, BRFAL, RG 105, NARA.

immediately applying for her son on the grounds that "she had contracted to work" and "thought Christmas would liberate all." The bureau agent found in her favor. "It is quite clear . . . she had not abandoned them or he would not have locked them up," the agent concluded.[103] In her appeal for her son, Emily Cuff, a black mother in Maryland, explained that she had been "taken away from him and put in prison for three years." Once released, she had escaped to Philadelphia but waited until slavery was ended by the new state constitution to seek custody of her son, a delay she felt compelled to justify. "I would have seen about the little boy before," she stated, "but I thought I would wait until things got settled in Maryland." "[M]y heart is most broke about him," she concluded.[104]

If some mothers defended their characters vigorously, others made no claims of moral righteousness. The sheer number of black mothers who poured into bureau offices in search of assistance suggests that they regarded their entitlement to their children as unconditional and, when deprived of their children under any circumstances, believed injustice had been done. Emancipation offered new possibilities for black mothers to seek redress. Yet simultaneously, the local, state, and federal authorities interfered in freedwomen's lives and households in unprecedented ways.

Maternal Authority and the Meaning of Consent

Whatever their material circumstances, black mothers protested being separated from their children. From where these mothers stood, the forcible seizure of their children was the antithesis of freedom and amounted to slavery in all but name. Lucy Lee, a black mother in

[103] Affidavit of Lucinda Davis, 17 March 1866, Unregistered Letters Received, Macon GA Subassistant Commissioner, BRFAL, RG 105, NARA; Wiliam Walker to Col Louis Lambert, 17 March 1866, Macon GA Subassistant Commissioner, BRFAL, RG 105, NARA.
[104] Emily Cuff to Mrs. Mears, 10 November 1864, in "Communication from Major Gen'l Lew. Wallace," 28.

Baltimore whose daughter had been taken against her wishes, voiced sentiments that were shared by freed mothers across the South. "We were delighted when we heard that the Constitution set us all free," she wrote, "but God help us, our condition is bettered but little; free ourselves but deprived of our children, almost the only thing that would make us feel free and happy. It was on their account we desired to be free, for the few years we have to live, what need we care. No good, sir, its for our children. The old bones will sleep as sound in a slave as in a free grave. Give us our children and don't let them be raised in the ignorance we have." [105] The seizure of black children encroached on African Americans' domestic relations, denied them authority over their own households, and left them feeling that they had achieved something less than freedom.

The absence of children affected black households not only because children's labor was integral to black survival, but also because it took an emotional toll on parents who aspired to order and love their families as they saw fit. Lee's statement provides a glimpse into freed mothers' nuanced conceptions of freedom. Lee drew a sharp distinction between *being* free and *feeling* free. Maryland's new constitution abolished slavery, but Lee made clear that freedom meant little in the absence of her child, because kinship imbued freedom with meaning. Without her kin, slavery and freedom were virtually indistinguishable. For Lee, feeling free entailed fulfilling her own desires. Lee staked her claim to freedom in possession of her children. Children's removal from black households robbed Lee and other freed mothers of the ability to nurture their children and to enjoy these intimate relationships on their own terms. It also deprived them of the sensory pleasures of motherhood: children's laughter to fill their homes, tender caresses, nights of watching their infants slumber, along with the other joys that came

[105] Statement of Lucy Lee, 2 December 1864, Lucy Lee to Sir, 15 December 1864, and Lucy Lee to Lt. Col. W. E. W. Ross, 10 January 1865, in "Communication from Major General Lew. Wallace," in "Communication from Major General Lew. Wallace," 19, 68-69.

with having children close by. It deprived them of the pleasures of motherhood that freedwomen equated with feeling free. Lee's statement also indicates that black mothers' conceptions of freedom were grounded in mutuality. The promise of a better future for her child animated her pursuit of freedom. Lee hoped to see her child educated and free of the constraints that she herself had known. Given that she had few remaining years to live, it mattered little what became of her own life, but the possibilities for her children appeared limitless.

As a matter of necessity, aggrieved parents familiarized themselves with the law and drew upon it in their claims-making. Joe Bright's children, ranging in age from twelve to eighteen, had been seized and apprenticed to various white men in Sampson County, North Carolina, without his consent. Having leased forty acres of land, Joe needed his children to help cultivate a crop. "I know the law do not alow to bind any Childen of a freed men whare the parents is cable to Support them or thay ar over 14 years old thay can make thare one [i.e., own] support," he wrote a Freedmen's Bureau district superintendent from whom he sought assistance in recovering his children. Notwithstanding the law and his ability to support his children, a bureau agent had bound out Bright's children. "Is this justice?" Bright asked.[106] Given the evidence that the apprenticeships were illegal and that he was a suitable parent, Bright believed the apprenticeships should be overturned, and the bureau ultimately did so.

Eleanor Keller, an Alabama freedwoman, planted her flag firmly in the ground of motherhood. When Keller's former master refused to relinquish her thirteen-year-old son, "[s]he became very indignant," solicited the assistance of "every lawyer in town," and "demanded him as a matter of right."[107] Maryland freedwoman Linday Robbins solicited advice from the military

[106] Joe Bright to Worthy Cornell, 26 April 66, in *Land and Labor, 1866-1867*, ed. Hayden et al., 911-913.
[107] A. H. Keller to Col Jno B Callis, 6 June 1866, vol. 58, pp. 253-254, Letters Received, ser. 112, Huntsville AL Subassistant Commissioner, BRFAL, RG 105, NARA [FSSP A-2076].

commander in Maryland on how to reclaim her indentured progeny. After her husband enlisted in the Union army, Robbins and their children had been driven away by their former mistress. Although Robbins managed to secure employment and was supporting her children "by her own efforts," the children were "forcibly taken from her by constables, and bound to labor until their majority." Robbins "proceeded to the Court House and protested against such an unnatural act but was put out of the court room, and would not even be allowed to speak." "I have been ill-treated different times, I put up with it until now," Robbins stated, "but my children being taken away from me and bound in slavery to my old mistress, I cannot rest until I know whether it is a lawful proceeding or not."[108] Joe Bright, Eleanor Keller, and Linday Robbins all presented themselves as citizens with parental rights that deserved respect and used what legal knowledge they possessed to challenge the apprenticeship of their children.[109]

Some states required that, if living, parents be given notice of apprenticeship proceedings. Parents could therefore appeal the indentures if they could prove they had been made without their consent or knowledge. Invalidating an indenture required parents to obtain a writ of habeas corpus, prove that the indenture had been made unlawfully, and demonstrate their ability to provide for their children. Using the legal system to seek redress came with its own challenges. According to a Freedmen's Bureau agent in South Carolina, application for one's children was so costly that he "never knew mother, grandmother, aunt, or cousin to make it."[110] Applying for a writ of habeas corpus required legal knowledge most newly freedpeople lacked, and virtually all legal proceedings entailed fees and other costs that were beyond the means of

[108] Linday Robbins to General Case, 29 October 1863 [1864], and unsigned, undated endorsement, in "Communication from Major Gen'l Lew. Wallace, 32-33. See also Mary Dare to Dinah Reid, 6 December 1864, in "Communication from Major Gen'l Lew. Wallace," 74-75; Charlotte Hall to Gen. Ross, 20 January 1865, in "Communication from Major Gen'l Lew. Wallace," 90.
[109] For another example of a mother making rights-based claims, see Harriet Hill to Brig Genl Tillson, 5 February 1866, in *Land and Labor, 1866-1867,* ed. Hayden et al., 576-577.
[110] De Forest, *A Union Officer in the Reconstruction,* 115.

impoverished ex-slaves. In their attempt to recover their daughter, Lucinda, Mississippi parents Theresa and Alfred Brown turned to the Freedmen's Bureau rather than the "process of law," which they considered "both tedious and expensive." The Browns "desire to know if the Bureau cannot assist them, in a way more speedy and less expensive," explained the bureau agent in Jackson, Mississippi.[111] While some parents successfully hired lawyers or received advice from bureau agents, the legal process placed the burden of proving an apprenticeship illegal on black parents.

Despite these obstacles, black mothers returned again and again to federal military headquarters, Freedmen's Bureau offices, and local courts to protest the apprenticing of their children on the grounds that they had not agreed to the binding or, in many cases, even been present when their children were bound. The frequency of such complaints makes evident that parental consent requirements were inconsistently enforced. "I am a free woman, but my children are slaves of Dr. Featherbridge of Talbot Co. Md," Barbara Diggs declared in a statement made at military headquarters in Baltimore. "I make this Statement desiring information as to whether my children can be held by the said Dr. Featherbridge he claiming the right of binding them to him. I wish to get possession of them immediately if possible as it was averse to my will to have them bound to the said Dr. Featherbridge."[112] Mississippi freedwoman Eliza Avant had been driven off her former master's plantation. He had declined Avant's offer to hire her children to him because "[h]e wanted no free niggers around him," and instead had the children bound to him as apprentices. Avant believed the indenture was illegal. "I signed no

[111] Thomas Smith to Captain E. Bamberger, 1 February 1866, Letters Sent and Received, Jackson MS Subassistant Commissioner, BRFAL, RG 105, NARA. See also John Dennis to Hon. Sir, n.d., in "Communication from Major Gen'l Lew. Wallace," 17-18.
[112] Statement of Barbara Diggs, 4 November 1864, 15 November 1864, filed with M-1973 1864, Letters Received, ser. 12, Records of the Adjutant General's Office, RG 94, NARA [FSSP K-4].

paper," she stated. She felt especially betrayed given the many years of service her master had extracted from her. "I did not think he would treat me so, as good a slave as I had been for him."[113] When her children were bound without her consent, Alabama freedwoman Adeline Price likewise proclaimed that "an act of great injustice has been done to her."[114] Each of these mothers insisted that the white parties to whom their children had been bound had no legal claim to them.

Some black mothers were coerced into consenting to the apprenticeship of their children. A Texas freedwoman named Peebles bound her child to her former master under threat that he would "give her bones to the buzzards to pick" if she did not consent. This was not the first instance in which he had mistreated her. According to her testimony, he had a history of violence. Once, he had attempted to cut her throat. Another time he had struck her on the head with his whip, leaving a large scar.[115] Peebles's experience was not unusual. Mississippi mother Harriet Goodwin believed that if she did not agree to bind her child, she would be abused.[116] Freedwomen Mary, Harriet, and Francis White, also of Mississippi, were each "forced by . . . Robert White, during the month of April 1867, to make her mark on a paper which she knew nothing about" that authorized the binding of her children. When given an ultimatum to sign or be sent to jail, the mothers chose what they deemed the lesser of two evils.[117] Likewise, a woman in Georgia named Dinah bound her seven-year-old son Luther to a Colonel Harkee after he

[113] Affidavit of Miss Eliza Avant, 8 January 1866, in *Land and Labor 1866-1867*, ed. Hayden et al., 572.
[114] Sheldon Toomer on behalf of Adeline Price to Maj. Genl. Wager Swayne, 7 April 1867, Unregistered Letters Received, ser. 9, AL Assistant Commissioner, BRFAL, RG 105, NARA [FSSP A-1898].
[115] Chas. E. Culver to Lt. J. T. Kirkman, 2 August 1867, C-193 1867, Registered Letters Received, ser. 3620, TX Assistant Commissioner, BRFAL, RG 105, NARA [FSSP A-3204].
[116] Thomas Smith to Frank Goodwin, 10 February 1866, Letters Sent and Received, Jackson MS, Subassistant Commissioner, BRFAL, RG 105, NARA.
[117] Affidavit of Harriet White, 30 July 1867, affidavit of Mary White, 30 July 1867, and affidavit of Francis White, 30 July 1867, enclosed in N-1 1867, Registered Letters Received, ser. 2219, Lauderdale MS Subassistant Commissioner, BRFAL, RG 105, NARA [FSSP A-9404].

threatened to have Dinah's husband sent to the chain gang.[118] What white southerners could not achieve by lawful means they obtained by force. Operating in a perilous climate in which beatings, whippings, rape, and other forms of extra-legal violence were pervasive, black mothers had every reason to believe that imperious white southerners would make good on their threats. Cooperation was necessary to avoid abuse or other devastating outcomes; pragmatism and self-preservation thus animated many black mothers' decisions to place their mark on legally binding apprenticeship documents. Because consent lay at the heart of free labor ideology and the Reconstruction project, some Freedmen's Bureau agents vigorously defended mothers' custody claims when they furnished proof that the indentures had been made without their consent. "As a general thing," one Louisiana bureau agent remarked, "force has been used in making the mother sign the agreement and so I get the children for her."[119]

According to historian Karin Zipf, "[a]pprenticeship's political significance hinges on the meaning of consent." Consent, she writes, "served as the cornerstone of nineteenth-century republican philosophy" and was foundational to citizenship. "In a republic, free, independent, and intelligent men gave their consent (at the ballot box) to be governed. This consent was rational, and only independent citizens possessed the rational capability of providing consent. All

[118] Testimony of Dinah Williams, n.d., enclosed in R A Turnipseed to Col F A H Gaebel, 20 June 1867, G-1 1867, Letters Received, ser. 693, Albany GA Subassistant Commissioner, BRFAL, RG 105, NARA [FSSP A-5527]. Other women's consent was given under similar duress. According to Maria Murphree's testimony in June 1866, her husband had been jailed the previous winter for stealing, and soon after she was also arrested and put in jail. "Not knowing what would become of we, I gave my consent that my only child a little boy about eight years of age ought be bound out to the jailer." Shortly thereafter, the justice of the peace discharged Maria, but the jailor kept control over her child. Maria pleaded for the bureau's assistance in annulling the indenture. "I would have never have given my consent," she explained, and did so only because of the "helpless condition in which I was then placed." She pleaded further, "it is the only child I have, and all the comfort that is left to me." See Maria Murphree to Maj. Gen. Swayne, 26 June 1866, Unregistered Letters Received, ser. 1731, AL Assistant Commissioner, BRFAL, RG 105, NARA [FSSP A-1731]. See also Deposition of Fanny Thompson, n.d., in "Communication from Major Gen'l Lew. Wallace," 72-73.

[119] W^{m} W. Todd to Capt. W^{m} H. Sterling, 28 February 1867, Narrative Trimonthly Reports of Operations from Subordinate Officers, ser. 1310, LA Assistant Commissioner, BRFAL, RG 105, NARA [FSSP A-8538].

others who lacked this rationality were denied the right to vote and deemed dependents."[120] By claiming the right to consent, freedwomen thus situated themselves as independent, autonomous citizens entitled to custody of their children. Zipf reads black mothers' claims through the lens of liberalism, providing valuable insight. Consent did become central to freedom. But what remains less clear is the significance consent held for black women. Why did black mothers gravitate toward claims centered on consent? Were they simply borrowing the language of liberalism, or did something else inspire their claims?

Black women's articulations of consent departed from those of classical liberalism even if they appeared to replicate them. Black mothers privileged consent because consent or lack thereof had profoundly shaped their experiences of motherhood under slavery. Slave law conceived of slaves as property rather than persons, property that was entirely subject to the will of its owner. Saidiya Hartman has shown that "the law's selective recognition of slave humanity nullified the captive's ability to give consent or act as agent." Consent had no meaning because slaves lacked the right to refuse, enabling slaveholders to do with black bodies what they willed, whether for profit or pleasure. The negation of black humanity and slaves' inability to consent had gendered consequences. Sexual violence against a black woman was not a crime, but rather a "legitimate use of property," and masters and nonslaveholding white men therefore raped female slaves with impunity.[121] These legal assumptions, coupled with the prevailing discourse of black

[120] Zipf, *Labor of Innocents*, 92.

[121] Saidiya V. Hartman, *Scenes of Subjection: Terror, Slavery, and Self-Making in Nineteenth-Century America* (New York: Oxford University Press, 1997), 80. The law was a channel reserved for white women to protect themselves against rape. The law treated the sexual assault of black women as a trespass, that is, a violation of white men's property rights, rather than a violation of the enslaved woman's body. States also barred blacks from testifying against whites, further ensuring that such crimes would go unpunished. One exception to this general rule was if a slaveholder brought suit against a nonslaveholding white man or black male slave for violating his female slave. See Peter W. Bardaglio,"Rape and the Law in the Old South: 'Calculated to Excite Indignation in Every Heart,'" *Journal of Southern History* 60, no. 4 (1994): 749-772. On rape and slavery, see also Adrienne Davis, "'Don't Let Nobody Bother Yo' Principle': The Sexual Economy of American Slavery," in *Sister Circle: Black*

lasciviousness and insatiable sexual desire, rendered the rape of a black woman both illegible and unimaginable. Because slaves had no legal claim to their progeny, black motherhood was also illegible. Black children followed the condition of their mothers, thereby becoming the property of their owners. Although enslaved women certainly thought of their children as their own, property relations took precedence over black kinship, a reality that had numerous implications for the daily lives of enslaved mothers and their children. Mothers were forced to watch the abuse of their children without the power to protect them, children were at the slaveholder's beck and call, and, perhaps most devastating, mothers lived in fear of separation from their progeny.[122] Female slaves were also expected to nurture white children and white families before attending to their own, obligations that were imposed at the expense of black children's well-being. Slavery's negation of kinship and the meaninglessness of black consent robbed enslaved mothers of maternal authority.

With the experiences of slavery in mind, black mothers' consent claims acquire greater meaning. Bestowed upon black women by emancipation, the right to consent became an especially meaningful aspect of self-ownership. Consent meant, at least in theory, that black women's desires and choices were legally recognized. While enslaved black women did have a modicum of agency and attempted to shield themselves and their children from violence, emancipation enlarged the arsenal by which to combat breaches of their desires and will. Involuntary apprenticeship did more than preclude freedwomen from reaping the fruits of their children's labor. It violated their newly acquired right to consent, leaving them in a virtual state

Women and Work, ed. Sharon Harley and the Black Women and Work Collective (New Brunswick, NJ: Rutgers University Press, 2002), 103-127.

[122] As Hortense J. Spillers writes, "kinship' loses meaning, since the property relations can invade it at any given and arbitrary moment." Spillers, "Mama's Baby, Papa's Maybe: An American Grammar Book," *Diacritics* 17, no. 2 (1987): 64-81 (quotation on 74).

of kinlessness. Black womanhood broadly conceived, and black motherhood more specifically, thus hinged upon consent. By demanding the right to consent, black women laid claim not only to citizenship and the right to be autonomous subjects, but motherhood itself. Consent enabled them to exercise long-sought-after maternal authority.

Most freedwomen who sought assistance from the Freedmen's Bureau did so in order to obtain custody of their children. There is no doubt that most apprenticeships were entered into without parental consent. Some mothers did agree to bind out their children, however, and black mothers' maternal authority was therefore not necessarily about custody per se. Instead, it was about control and consent, the power to make choices regarding one's own children. In other words, maternal authority was centered on decision-making and the ability to fulfill one's own desire and will. By focusing on decision-making rather than custody alone, the breadth of freedwomen's strategies and maternal choices comes to light. Such a focus also allows for a more nuanced understanding of their definitions of motherhood and freedom.

In June 1866, the Freedmen's Bureau bound one-year-old Felicia Lucas to Mark Arnold of King George's County, Virginia. According to the indenture, Felicia was to "well and faithfully serve the said Mark Arnold" until she reached the age of eighteen. For his part, the indenture required Arnold to instruct Felicia in "the art and trade of House Servant and all its branches," teach her to "read and write and cipher," and provide "sufficient food clothing [and] medical attendance." Further, it guaranteed Felicia $12 at the end of her apprenticeship term. By placing an "X" beside her name, Felicia's mother, Hannah Lucas, certified, "I am the mother of the within named Child and . . . freely give my consent that she Should be apprenticed to . . . Mark Arnold." Why had Hannah consented to the apprenticeship of her infant child? While the indenture does not say, close examination of it and the context allows for speculation. The

indenture described Felicia as an orphan (that is, fatherless), indicating that Hannah was either unmarried, widowed, or deserted by the child's father. As a single mother, it would have been difficult for her to both make a living and care for a young child who required constant attention. The decision may therefore have been a sheer act of survival. While the indenture is vague about Felicia's duties and responsibilities, what Arnold owed Felicia is clearly specified. The indenture provided that she would receive "sufficient" food, clothing, and medical care. While these may seem like ordinary legal specifications, slaves had often been issued insufficient provisions, making them important elements of the indenture for freedpeople and a defining feature of freedom. Material provision was especially important because freedpeople's poverty often meant that securing basic resources for children was a challenge. The indenture also entitled Felicia to an education and a small sum of money at the end of her term of service with which to start her adult life. At eighteen, she would not only be employable as a domestic servant but would know "Addition, Subtraction, Multiplication, and Division . . . [and] the rules of Arithmetic as far as and including Ratio or Proportions." Did Hannah have a hand in the terms of the indenture? Had she willingly apprenticed her child after hammering out an agreement that would ensure her daughter's needs were met, and more? Hannah may have seen apprenticeship as a way to secure stability for both herself and her child and to provide a brighter future for Felicia.[123] Such a reading of the indenture enables us to see how black mothers may have shaped apprenticeship. Perhaps they not only railed against it but also sought to make it fit their own needs and those of their children.

Hannah later regained custody of Felicia. The 1870 census reveals that Hannah was living in King George's County, Virginia, with her father Anthony Lucas, age fifty-eight, and her

[123] Contract between W. G. Roberts and Mark Arnold, 1 June 1866, Reports, Contracts, Indentures, and Proceedings of Freedmen's Court, Fredericksburg VA Assistant Superintendent, BRFAL, RG 105, NARA.

two children, Felicia and Edward, ages three and four respectively. The incomplete nature of the archive makes it impossible to determine how or why Felicia came to once again be in her mother's care, but the census offers some clues. Hannah's father presumably provided for both Hannah and the children, as her occupation is listed as "Keeping House." Attaching herself to her father's household offered her the opportunity to stay at home to care for her children. Perhaps Hannah initially apprenticed Felicia out of necessity but, when her circumstances changed, insisted upon reclaiming her child. Hannah may thus have used apprenticeship as a temporary form of childcare until she could adequately provide for her progeny.[124]

Mothers who consented to the apprenticeship of their children felt entitled to set the terms of the agreements. If some mothers recognized their own inability to provide materially for their children, they at least wanted to select the person to whom they would be bound. Doing so enabled mothers to exercise a modicum of power; they could keep their children out of the hands of despised former owners or other undesirable households. Mothers selected persons who they believed would not only treat their children well but raise them in ways they thought desirable. In a letter to her brother in Florida, a freedwoman in Texas named Jane specified that she wanted a woman named Eliza Bruce to have control over her children, Ansill and Nelly, who were also in Florida. "Jim dont let Sugar Bill have Grace," she wrote. "I want you to keep her or let Miss Liza keep her until I come, also let Miss Liza have Ansil until he gets old enough to take a trade, tell Miss Liza dont let Ansill go about the Streets, raise him just as She would have raised [him] if he belonged to her." "[D]on't let my children be Separated," she further instructed her brother, "you let Miss Liza Keep them all, tell Nellie to be a good girl, Kiss her for me."[125] For whatever

[124] Legally, the indenture could be abrogated only if the party to whom the child had been bound voluntarily cancelled it or if he was found by a court to have violated its terms or mistreated the child.
[125] Mrs. E A Bruce to Majr S. L. M^{c}Henry, 27 June 1866, enclosing Jane to Dear Brother, 11 February 1866, and Eliza A. Bruce to E. M. West, 18 April 1866, B-36 1866, Letters Received, ser. 586, FL Assistant Commissioner,

reason, Jane felt that Eliza Bruce would be the best guardian of her children. Seeing the children brought up together was also of importance to her. From afar, Jane attempted to make custody arrangements that suited her and made specific requests about how her children ought to be raised. Despite her physical absence in her children's lives, she felt entitled to make decisions about their care and their fate. Jane's actions make evident that the assignment of guardianship to someone else neither precluded child-parent relationships nor erased women's sense of maternal duty or authority. Jane may have assigned physical possession of her children to Eliza Bruce, but she continued to conceive of them as her own. In specifying how they were to be raised, she in effect cast Eliza Bruce's household as an extension of her own. Furthermore, Jane's insistence on her brother's continued oversight reflects a still more expansive understanding of childrearing.

Freedmen's Bureau records also indicate that apprenticeship agreements often provided for maternal visitation. Such terms were undoubtedly requested by mothers themselves and reflect their efforts to maintain intimate bonds with their apprenticed children. Susanna Hughes was willing to bind her sons Lexington and Boston to D. F. Meyers, a white man she identified as their father, on the condition that Meyers "educate them as gentleman [*sic*] and . . . start them in business when they became of age." Hughes also required that she "be allowed to visit them whenever she sees fit no matter where they may be and that these children should be taught who [she] is and to respect their mother." The provisions reflect Hughes's commitment to educating her sons and to providing them with the skills necessary to make a living in adulthood. Through apprenticeship, she hoped to secure for them a better, upwardly mobile future. Despite her relinquishment of custody, Hughes also desired a continued relationship with her sons, which she hoped to maintain through visitation, and she demanded to be recognized as their mother even as

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BRFAL, RG 105, NARA [FSSP A-1033]. For an example of a woman willingly apprenticing her children, see Statement of Caroline Greenfield, 16 December 1864, in "Communication from Major Gen'l Lew. Wallace," 84.

they moved into the world of their white father. Furthermore, she insisted that they be taught to respect her. For Hughes, apprenticeship did not diminish the role or importance of a mother, nor did it have to come at the expense of her dignity.[126]

Like Susanna Hughes, Mary Parsons agreed to apprentice her son only if she could continue to sustain a relationship with him. The man to whom the boy was bound promised "the mother she should see her child every six months, he should be brought to her in town at times and she could come to him . . . in the summer."[127] Although freedwoman Margaret Barker found it "very hard to have a nephew to be bound out among strangers," she accepted the county court's action. It was only when she was denied visitation that she asked the Freedmen's Bureau to intervene. "[T]hey will not let me visit him," she stated in an affidavit before the Freedmen's Bureau. "If they would I would let them keep him," she wrote.[128] For Barker, lack of visitation rather than the apprenticeship itself warranted her complaint to the bureau. In her view, apprenticeship should not obstruct her ability to maintain a relationship with her nephew.

Well after the Civil War's dust had settled, the struggle for freedom continued on the home front. A central aspect of that struggle was control over black children. Black mothers rallied against the apprenticeship system, which many of them perceived as harmful to their children and an assault on their own rights. Through their claims-making they endeavored to establish themselves as parental authorities with the know-how and the right to govern their own families. In struggles for custody, freedwomen fashioned themselves as mothers. Children's labor was certainly integral to the survival of black households, but a paradigmatic shift away

[126] J. C. Delness to Mr. D. F. Meyers, 13 December 1865, vol. 100, p. 66, Letters Sent, ser. 3716, Houston TX Subassistant Commissioner, BRFAL, RG 105, NARA [FSSP A-3410].
[127] Statement of Agnes V. Morton, 19 November 1864, in "Communication from Major Gen'l Lew. Wallace," 27.
[128] Margaret Baker to Col Davis, 19 December 1866, vol. 91, p. 1, Letters Received, ser. 1146, Covington KY Superintendent, BRFAL, RG 105, NARA [FSSP A-4465].

from the question of labor brings into view how kinship relations more broadly and child-parent relationships in particular structured black mothers' definitions of freedom.

Chapter 5

"My Child, Him Is Mine": Freedwomen's Maternal Praxis

On March 21, 1865, one month after the Confederate army evacuated Charleston, South Carolina, the city's freedpeople organized a parade to celebrate their freedom. Ten thousand onlookers lined the parade route. The marchers included school children, clergymen, women's groups, tradesmen, bands, and soldiers, all singing and carrying banners. "The most original feature of the procession," according to the *New-York Daily Tribune,* "was a large cart, drawn by two dilapidated horses." "On this cart there was an auctioneer's block, and a black man, with a bell, [who] represented a negro trader, a red flag waving over his head; recalling the days so near and yet so far off, when human beings were made merchandise of in South Carolina." As told by the *Tribune*, "This man had himself been bought and sold several times and two women and a child who sat on the block had also been knocked down at public auction in Charleston." As the cart moved along, "the mock-auctioneer rang his bell and cried out: 'How much am I offered for this good cook?'" The scene elicited a visceral response from newly freed mothers. "Old women burst into tears as they saw this tableau," the *Tribune* reported*,* "and forgetting that it was a mimic scene, shouted wildly, Give me back my children! Give me back my children!" Following the cart with the mock auction were a hearse on which was written "Slavery is dead," and "50 women dressed in black." Although clothed in the color of mourning, the women marched with "joyous faces."[1]

As Charleston's freedpeople celebrated the promise of a better future, they included a tableau of the slave trade, a testament to the fact that they saw the rupturing of families as one of slavery's cruelest aspects. The emotional response from black mothers speaks to slavery's

[1] *New-York Daily Tribune*, 4 April 1865.

enduring impact on newly freed women who had endured reproductive violence and the denial of motherhood. The vestiges of slavery continued to haunt their lives in the form of memories and missing children; the divide between slavery and freedom was never absolute. As the *Tribune* put it, the days of bondage were at once "so near and yet so far off." While the tragic scene bore witness to the pain withstood by enslaved mothers, it simultaneously signified the dawn of a new beginning, giving Charleston's freedwomen a reason to march with "joyous faces." Slavery was dead, and the wrenching separations and relentless violence it had wrought were now part of the enslaved mother's past. She could now enjoy her freedom by mothering on her own terms. But what were those terms, precisely? What did she envision for herself and her children? What did it mean to mother in freedom?

This chapter examines freedwomen's maternal practices in order to understand how ex-slave women defined motherhood, forged meaningful relationships with their children, and fashioned themselves as mothers. Black women and their communities, it argues, did not necessarily subscribe to prevailing constructions of motherhood but developed their own, which were informed by both their material conditions and their experiences in slavery. For them, motherhood meant exercising control over one's progeny and providing for, nurturing, protecting, and educating them. Caregiving was essential to black maternal identity. Freed mothers also sought to define kinship obligations in ways that ensured their own support in old age. These efforts involved not only individual mothers, but also wider circles of ex-slaves. For black folk, motherhood was a social enterprise whereby freedwomen raised and cared for children with the support of kin and community. These networks of support proved critical to women's and children's survival and helped to protect freedwomen's rights to motherhood.

Mothering simultaneously forged and strengthened the bonds of kin and community. Through such maternal practices, freedwomen made motherhood meaningful.

Homing in on freedwomen's maternal practices elucidates that formerly enslaved women sought not only to improve their own material conditions, but also to create brighter futures for their families. Children represented hope. At the heart of freedwomen's maternal praxis was ensuring children's survival and providing them with opportunities that had been foreclosed to their parents and grandparents. Despite the often bleak realities of the postemancipation South, black maternal practices were predicated on the belief that a meaningful freedom could be realized. Freedom, as mothers understood it, was an ongoing project. Like a flower bud capable of blossoming, freedom had to be cultivated and nurtured. Freed mothers used their maternal practices to sow its seeds, knowing that their children and future generations would enjoy the fruits. Freedwomen's maternal practices thus bring into view the deep entanglements between motherhood and freedom.

Governing Children

Central to ex-slave women's definitions of motherhood and freedom was governing their own children, an aspiration informed by their experiences in slavery. Moses Grandy, born a slave in Camden County, North Carolina, recalled in vivid detail his mother's desperate, but failed efforts to keep her family together under slavery.

> The master, Billy Grandy, whose slave I was born, was a hard-drinking man: he sold away many slaves. I remember four sisters and four brothers; my mother had more children, but they were dead or sold away before I can remember. I was the youngest. I remember well my mother often hid us all in the woods, to prevent master selling us. When we wanted water, she sought for it in any hole or puddle formed by falling trees or otherwise: it was often full of tadpoles and insects: she strained it, and gave it round to each of us in the hollow of her hand. For food, she gathered berries in the woods, got potatoes, raw corn, etc. After a time the master would send word to her to come in, promising, he would not sell us. But at length persons came who agreed to give the prices

> he set on us. His wife, with much to be done, prevailed on him not to sell me; but he sold my brother, who was a little boy. My mother, frantic with grief, resisted their taking her child away: she was beaten and held down: she fainted; and when she came to herself, her boy was gone. She made much outcry, for which the master tied her up to a peach tree in the yard, and flogged her.[2]

Grandy's mother did everything in her power to prevent her owner from selling her children, but time and time again the chattel principle devastated those efforts. Grandy's mother was not only denied claims to her children, but punished for grieving their loss. Grief was an emotion forbidden to the enslaved mother, who was expected to unflinchingly accept her owner's disregard for her familial relations.[3] These wrenching separations evidence slavery's cruelties and the constraints that shaped mothering as a slave. At the same time, they are important for understanding the worldview of formerly enslaved mothers, who entered emancipation determined to define kinship relations in contradistinction to slavery.

If sale and separation played a critical role in black maternal subjugation in slavery, exercising authority over children was integral to realizing both motherhood and freedom. "[I]f I am free my child belongs to me," one mother put it.[4] "My child, him is mine," another woman declared.[5] Freedom, as demonstrated by these women's assertions, meant owning oneself and

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[2] Moses Grandy, *Narrative of the Life of Moses Grandy; Late a Slave in the United States of America* (London: C. Gilpin, 1843), 7-8.

[3] "I've seen them sell women away from little children, and women would be cryin' and they'd slap em about cryin," one former slave recalled. Ophelia Settle Egypt, *Unwritten History of Slavery: Autobiographical Accounts of Negro Ex-Slaves* (Nashville, TN: Social Science Institute, Fisk University, 1945), 228. Stephanie Jones-Rogers has shown that white mistresses used their female slaves who lost their babies to stillbirth or infant mortality as wet nurses, disregarding the pain and suffering this reproductive exploitation caused them. "When confronted with enslaved women's emotional responses to losing or being separated from their children," she writes, "white southerners constructed their grief as 'the sulks,' or even a form of madness." Denying enslaved women's right to express the full range of human emotion reflects the emotional and psychological violence inherent in slavery. Stephanie Jones-Rogers, *They Were Her Property: White Women as Slave Owners in the American South* (New Haven, CT: Yale University Press, 2019), 121-122.

[4] Sharlotte Paris to the Federal authoritys, 18 October 1866, in *Land and Labor, 1866-1867,* ed. René Hayden, Anthony E. Kaye, Kate Masur, Steven F. Miller, Susan E. O'Donovan, Leslie S. Rowland, and Stephen A. West, ser. 3, vol. 2 of *Freedom: A Documentary History of Emancipation*, *1861-1867* (Chapel Hill: University of North Carolina Press, 2013), 625-626.

[5] Quoted in Elizabeth Hyde Botume, *First Days amongst the Contrabands* (Boston: Lee and Shepard Publishers, 1893), 163. While ex-slave women invoked the language of ownership—previously used by white enslavers to define their chattel property—practices of community-based mothering, discussed throughout this chapter, suggest

one's children and rearing them without white interference. Children's labor was vital to black households, but the pursuit of parental authority was about more than control over their children and their productive capacity.[6] It was animated by a desire to nurture them, as demonstrated by the remarks of a mother on Craney Island, Virginia, who longed for her missing son. "I mourn for him and seek for him constantly," she told a northern missionary. "I feel as if I must get him and be kind to him and give my life to him."[7] Motherhood provided freedwomen a sense of purpose and structured their definitions of what it meant to be free. Freed mothers thus set out to strengthen existing family relations and desperately sought reunion with children from whom they had been separated.

Many newly freed mothers learned that exercising parental authority meant not only fending off white interference but forging meaningful relationships with their children. A mother's affection toward her progeny was not always reciprocated. During the antebellum period, some children were brought into the "big house" to clean, wait on their owners, care for white infants, and serve as companions to white children. These young household servants often had little contact with their mothers, spending much of their time around other domestic slaves and members of the white family that owned them. Austin Steward recalled being taken from his mother at the age of eight and brought into the "great house" to serve as an errand boy for his master, which required him to "stand in the presence of his master's family all the day, and a part

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that black women did not see children as private property. Through their maternal practices, black mothers subverted and redefined the meaning of ownership.

[6] My interpretation here is informed by Patricia Hill Collins, who writes, "Black women's relationships with children . . . is not intended to dominate or control," but rather "to bring people along, to 'uplift the race.'" See Collins, *Black Feminist Thought*: *Knowledge, Consciousness, and the Politics of Empowerment* (New York: Routledge, 2000), 49, 132.

[7] Letter from Lucy Chase, 1 July 1864, in *Dear Ones at Home: Letters from Contraband Camps*, ed. Henry L. Swint (Nashville, TN: Vanderbilt University Press, 1966), 116-129 (quotation on 127).

of the night, ready to doing anything which they commanded him to perform."[8] Although separated from their children by yards rather than miles, the experience generated grief and loss for enslaved mothers. Sara Debro recalled the day her master took her into the big house to be trained as a house maid: "mammy cred kaze she knew I would never be 'lowed to live at de cabin wid her no more."[9] While Debro did not expound upon why the separation pained her mother so deeply, the arrangement surely meant less intimate time with her daughter and made protecting her from physical or sexual violence more difficult.[10] The separation of mothers from their children also reinforced the notion that black mothers did not have meaningful relationships with their children, a notion upon which slavery was partially predicated. Reflecting on the practice of removing slave children from their mothers, Frederick Douglass remarked, "For what this separation is done, I do not know unless it be to hinder the development of the child's affection toward its mother, and to blunt and destroy the natural affection of the mother for the child. This is the inevitable result." Douglass, who had been separated from his own mother early in his childhood, recalled that upon her death, "I received the tidings . . . with much the same

[8] Austin Steward, *Twenty-Two Years a Slave and Forty Years a Freeman* (Rochester, NY: William Alling, 1857), 20.

[9] Interview with Sarah Debro, "Born in Slavery: Slave Narratives from the Federal Writers' Project, 1936-1938," Library of Congress (https://www.loc.gov/resource/mesn.111/?sp=252). Considerable scholarly attention has been paid to the trauma suffered by enslaved mothers sold from their children, but shorter-distance separation warrants greater study. LaKisha Michelle Simmons contends that when enslaved women had to leave their children behind to work in the fields, they experienced maternal loss. Simmons, "Black Feminist Theories of Motherhood and Generation: Histories of Black Infant and Child Loss in the United States," *Signs* 46, no. 2 (2021): 311-335 (separation and maternal loss on 321). Enslaved women, who toiled from sunup to sundown, spent very limited time with their children. What little time they did was in the evening after completing the day's labor in the fields. Wes Brady, for example, mostly saw his mother on Sundays. "The chil'ren was still in the bed when the fo'ks went to the fiel' and when they come home at night," he recalled. West's narrative is reprinted in *Memories of the Enslaved: Voices from the Slave Narratives,* ed. Spencer R. Crew, Lonnie G. Bunch III, and Clement A. Price (Santa Barbara, CA: ABC-CLIO, 2015), 40.

[10] Such arrangements, as Andrea Livesey has shown, also made it difficult for enslaved women to prepare their children for slavery's violence. See Livesey, "Conceived in Violence: Enslaved Mothers and Children Born of Rape in Nineteenth-Century Louisiana," in *Motherhood, Childlessness, and the Care of Children in Atlantic Slave Societies,* ed. Camillia Cowling, Maria Helena Pereira Toledo Machado, Diana Patton, and Emily West (New York: Routledge, 2020), 177-179.

emotions I should have probably felt at the death of a stranger."[11] Her passing evoked little emotion because he had not established a meaningful relationship with her while she lived; she was his mother only in name. Spatial separation in effect orphaned some enslaved children by precluding them from maintaining relationships with their parents.

Such living arrangements not only strained the mother-child bond but set the stage for intimate relationships between enslaved children and white mistresses. White mistresses often treated their favorites as personal "pets" for whom they developed affection.[12] Slave narratives and autobiographies indicate that this affection was sometimes reciprocated by enslaved children, even when the relationships were in fact devoid of mutual respect. Some ex-slaves spoke of their former mistresses fondly, even referring to them as "mother," "mama," or "white mothers." In her narrative, which centers heavily upon family life in slavery and freedom, Kate Drumgoold described how dear her mistress, whom she described as her "white mother," was to her. Drumgoold conceived of the woman as family because she was kind and "never liked the idea of holding us as slaves, as she always said that we were all that she had on earth to love."[13] Even when reflecting upon this relationship as an adult, Drumgoold thought of it as a loving one. Ex-slaves interviewed in the 1930s sometimes recounted the special privileges they had been afforded by virtue of their close relations to the white family, including sleeping in the mistress's

[11] Frederick Douglass, *Narrative of the Life of Frederick Douglass, An American Slave* (Boston: Anti-Slavery Office, 1845), 3.

[12] Mistresses' affection toward enslaved children can be overstated. Such relationships did not preclude these children from being sold, hired out, or harmed, and these feelings of affection were often suspended when they no longer served the needs of white slaveholders. Moreover, as Andrea Livesey has pointed out, not all plantation mistresses were kind to enslaved children who worked within their households. Livesey, "Conceived in Violence," 178. For an example of a child who was treated as a "pet," see interview with Solbert Butler, "Born in Slavery." For more on white mistresses' relationships to enslaved children, see R. J. Knight, "Mistresses, Motherhood, and Maternal Exploitation in the Antebellum South," in *Motherhood, Childlessness, and the Care of Children in Atlantic Slave Societies,* ed. Cowling et al., 186-201.

[13] Kate Drumgoold, *A Slave Girl's Story: Being an Autobiography of Kate Drumgoold* (Brooklyn, NY: The author, 1898), 4.

private quarters, extra food, and light work in comparison to other slaves. Sarah Debro, for example, claimed that she had been especially well kept, afforded a "clean apron every day," and given "plenty to eat too."[14] Another former slave, who "never called old Miss nothing but 'mother' in my life," reported similar treatment.[15] Not all children fully comprehended their value to slaveholders as commodities or understood that violence, exploitation, and racism structured these ostensibly intimate relationships.

Children's personal ties to white mistresses, coupled with the estrangement born of separation, frustrated some black women's efforts to reclaim their children during and after the Civil War. Children sometimes spurned their mothers when they came to recover them. "I didn't own my own mammy," Lou Turner recalled. "I own my old missy and call her 'mama.'"[16] Lizzie Hill ran away three times after her mother retrieved her from her Alabama master.[17] Reunion, as historian Catherine Jones points out, "was a complex emotional experience" for mothers and their children, for whom it sometimes had different meanings.[18] For ex-slave mothers who had endured long separations and spent many nights dreaming about claiming their children as their own, these reunions were painful, indeed bittersweet. Refusal, however, often gave way to affection. Anna Baker, whose mother had escaped slavery during the war, recalled, "I was scared o' her cause I didn't know who she was." To gain her trust and affection, Baker's mother explained why she had fled without her.[19] Emaline Neland, who identified with her mistress, remembered, "I didn't know no other mother till freedom." But she eventually accepted her

[14] Interview with Sarah Debro, "Born in Slavery."
[15] Egypt, *Unwritten History of Slavery*, 249.
[16]Interview with Lou Turner, "Born in Slavery."
[17] Interview with Lizzie Hill, "Born in Slavery."
[18] Catherine Jones, "Ties That Bind, Bonds that Break: Children in the Reorganization of Households in Postemancipation Virginia," *Journal of Southern History* 76, no. 1 (2010): 71-106 (quotation on 81).
[19] "It was 'count o' de Nigger overseers," who, Baker's mother explained, "kep' a-tryin' to mess 'round wid her an' she wouldn' have nothin' to do wid 'em.'" Interview with Anna Baker, "Born in Slavery."

biological mother. "I soon learnt to call her ma."[20] Neland's recollection of the process by which black women gained recognition as mothers from their children suggests that in some cases reconstructing family required more than simply locating loved ones. It also required intimate work, work of care and nurturance that commenced at the very outset of emancipation.

More times than not, children welcomed their parents' new parental authority. "For dependent children," writes Hilda Libre, "liberty meant parental control as much as it meant self-ownership."[21] This was even true for those who had been separated from their parents early in their childhood.[22] Upon learning of her freedom, Margaret Nickens exclaimed, "If I still have a mother and father I wants to go to dem."[23] Reunion with her parents gave Lucinda Davis a new identity. "[M]ammy and pappy git me after de war and I know den whose child I is."[24] Freedom came as a relief for children who no longer had to answer to both slaveholders and their own parents.[25] Mary Ellen Johnson defined freedom this way: "I am going to be raised free and that I don't b'long to nobuddy but God and my mammy and pappy."[26]

Yet, governing one's children transcended mere physical possession. Mothers threw off the yoke of bondage by giving their children surnames and replacing old names with new ones.[27]

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[20] Interview with Emaline Neland, "Born in Slavery."
[21] Libra R. Hilde*, Slavery, Fatherhood, and Paternal Duty in African American Communities over the Long Nineteenth Century* (Chapel Hill: University of North Carolina Press, 2020), 242.
[22] Henry Tibbs's mother gave him cake and candy before they were separated, perhaps her attempt to distract him or lessen the blow. This act of love likely shaped his desire to reunite with her after many years of separation. "Henry Tibbs searching for his mother Hannah," *Southwestern Christian Advocate*, 11 December 1879.
[23] Interview with Margaret Nickens, "Born in Slavery."
[24] Interview with Lucinda Davis, "Born in Slavery."
[25] This marked a major departure from slavery, when parents and slaveholders struggled for control over children. When an enslaved boy was called by his father and his owner at the same time, the boy's father told him, "'You are my child . . . and when I call you, you should come immediately, if you have to pass through fire and water." Quoted in Harriet A. Jacobs, *Incidents in the Life of a Slave Girl: Written by Herself* (Cambridge, MA.: Harvard University Press, 1987), 9. See also Marie Jenkins Schwartz, *Born in Bondage: Growing up Enslaved in the Antebellum South* (Cambridge, MA: Harvard University Press, 2000); Willie Lee Rose, "Childhood in Bondage," in *Slavery and Freedom,* ed. William W. Freehling (New York: Oxford University Press, 1982), 37-48.
[26] Interview with Mary Ellen Johnson, "Born in Slavery."
[27] Slave owners maintained the right to name their slaves. "Sometimes the mothers named the babies but most of the time masters did," recalled Shade Richards, an ex-slave from Georgia. Interview with Shade Richards, "Born in Slavery." William Wells Brown's mother was required to change his name when the master's nephew came to live

A Virginia mother, for example, changed her son's name from Jeff Davis to Thomas Grant, a highly charged assertion of her new freedom.[28] Another freedwoman resolved to adopt the surname Brown, and her "dutiful son" took the name too, believing "his last name should be the same as his mother's."[29] Union army veteran Dick Lewis Barnett changed his name with the help of his mother. "When I got home after the war," he stated in testimony for a Civil War pension, "I was wearing the name of Lewis Smith, but I found that the negroes after freedom, were taking the names of their father like the white folks. So I asked my mother and she told me my father was John Barnett, a white man, and I took up the name of Barnett."[30] Naming became a liberatory practice, allowing for self-definition and a sense of lineage and community.[31]

Mothers also sought to establish dates of birth for themselves and their children, information that had often been withheld from them as slaves.[32] After emancipation, Aaron Russell's mother secured her son's birth record from her former owner. "Massa William Patrick

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with the family, because the two boys shared the same name. "This, at the time, I thought to be one of the most cruel acts that could be committed upon my rights," Brown remembered. For years Brown was called Standford, and only after he escaped slavery was he able to reclaim the name William. Brown, *Narrative of William W. Brown, An American Slave* (London: Charles Gilpin, 1849), 96.

[28] Leon F. Litwack, *Been in the Storm So Long: The Aftermath of Slavery* (New York: Knopf, 1979), 251.

[29] Whitelaw Reid, *After the War: A Southern Tour, May 1, 1865-May 1, 1866* (Cincinnati: Moore, Wilstach, & Baldwin, 1866), 532.

[30] Civil War Pension File of Lewis Smith (alias Dick Lewis Barnett), Co. B, 77th US Colored Infantry, and Co. D, 10th US Colored Heavy Artillery, Records of the Department of Veterans Affairs, RG 15, NARA.

[31] On naming practices, see Herbert G. Gutman, *The Black Family in Slavery and Freedom, 1750-1925* (New York: Pantheon, 1976), chap. 6; Cheryll Ann Cody, "There Was No 'Absolom' on the Ball Plantations: Slave-Naming Practices in the South Carolina Low Country, 1720-1865," *American Historical Review* 92, no. 3 (1987): 562-596.

[32] Marie Jenkins Schwartz posits that "slaves considered birthdays of little importance." While "slaves lacked the means of recording births in writing, they had other methods of noting important events," she points out, yet birthdays largely went unnoted. Schwartz, *Born a Slave: Growing up Enslaved in the Antebellum South* (Cambridge MA: Harvard University Press, 2000), 15. From the former slaves' perspective, this was one of slavery's many forms of violence. "I have no accurate knowledge of my age," Frederick Douglass wrote, "never having seen any authentic record containing it. By far the larger part of the slaves know as little of their ages as horses know of theirs, and it is the wish of most masters within my knowledge to keep their slaves thus ignorant. I do not remember to have ever met a slave who could tell of his birthday. They seldom come nearer to it than planting-time, harvest-time, cherry-time, spring-time, or fall-time. A want of information concerning my own was a source of unhappiness to me even during childhood. The white children could tell their ages. I could not tell why I ought to be deprived of the same privilege. I was not allowed to make any inquiries of my master concerning it. He deemed all such inquiries on the part of a slave improper and impertinent, and evidence of a restless spirit." Douglass, *Narrative*, 1.

give my mammy de statement," Russell explained decades later. "It say I's borned in 1855 and dat make me 82 year old."[33] While it is unclear what type of document Patrick provided to Russell's mother, she likely secured it upon her own request. Because slave births were seldom recorded, freedwomen deployed alternative strategies to determine the dates.[34] "My mammy, she tole me, I was bawned de same night ez Miss Willie wuz, en mammy allus tole me effen I ever want ter know how ole I is, jes' ask my white folks how old Miss Willie is," Emmaline Kilpatrick told an interviewer. "I can't rightly tell mah age no udder way."[35] Once free, Kilpatrick visited the grave of "Miss Willie" to ascertain her own birthdate.

While determining birthdates was in and of itself an expression of personhood, doing so also afforded material benefits. After the war, widows of black veterans who applied for pensions were entitled to additional money per month for each child under the age of sixteen. To qualify for such benefits, mothers had to provide dates of birth for their children. While the requirements created a barrier for ex-slave mothers, many succeeded with the assistance of kin and community who corroborated the information mothers provided.[36] Such community involvement is exemplified by the following affidavit of Florence Covington, who verified the birthdate of Katie Childers's son:

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[33] Interview with Aaron Russell, "Born in Slavery."

[34] Excerpt from the Affidavit of Georgia Evans, 12 May 1893, and excerpt from the affidavit of Kate Childers, 11 October 1900, in *Voices of Emancipation: Understanding Slavery, the Civil War, and Reconstruction through the U.S. Pension Bureau Files,* ed. Elizabeth A. Regosin and Donald R. Shaffer (New York: New York University Press, 2008), 103. The births of some former slaves were recorded in family bibles and baptismal records.

[35] Interview with Emmaline Kilpatrick, "Born in Slavery."

[36] Regosin and Shaffer, eds., *Voices of Emancipation*, 103. At least some whites continued to withhold such information from their former slaves. "The white folks throwed the book what had our ages in it in the fire to keep us from having it, and none of us never knowed just how old we was," one former slave recounted. Egypt, *Unwritten History of Slavery*, 161. On black women's pursuit of Civil War pensions, see Michelle Krowl, "'Her Just Dues': Civil War Pensions of African American Women in Virginia," in *Negotiating Boundaries of Southern Womanhood: Dealing with the Powers That Be*, ed. Janet Coryell et al. (Columbia: University of Missouri Press, 2000), 71–88; Brandi C. Brimmer, "'Her Claim for Pension Is Lawful and Just': Representing Black Union Widows in Late-Nineteenth Century North Carolina," *Journal of the Civil War Era* 1, no. 2 (2011): 207–236; Brandi Clay Brimmer, *Claiming Union Widowhood: Race, Respectability, and Poverty in the Post-Emancipation South* (Durham, NC: Duke University Press, 2020).

> I have known Katie Childers widow of Stephen Childers for more than twenty years. I know when her boy Stephen was born. At the time I lived on Lewis Street directly opposite where Katie and Stephen Childers lived. We were intimate friends. My little girl, Rebecca, was born July 28, 1892, and Katie's boy Stephen was born not quite two months thereafter on Sept. 18, 1892. I know this because my bible shows the above to be the correct date of birth of my child and because she visited me after the birth of my child and before the birth of hers. We talked over the matter of the birth of our children and she several times expressed the wish that she was over with her trouble as I was with mine. Another reason I know the above date to be correct is because almost immediately after their child was born its father came over to my home after me. I went over and was the third person to take it into my arms.[37]

Covington's testimony illustrates how pension applicants who lacked formal documentation certified the birth dates of their children. With the assistance of Covington, Childers affixed the birth of her son to that of another child in the neighborhood. "[I]ntimate" friendships between freedwomen not only ensured the care of biological mothers during and after childbirth, but also conferred legitimacy upon freed mothers' claims for federal benefits. The bonds of community thus played a critical role in protecting and securing the entitlements of motherhood. The power to possess, name, and date were expressions of self-ownership that made motherhood meaningful.

Labor of Love: Providing and Caregiving

Caregiving and providing were central to black women's definitions of what it meant to be a mother. Women's labor was critical to the survival of their children. At the same time, it was a manifestation of love for their progeny. The work black mothers performed for their families not only demonstrates freedwomen's investment in their children's existence, but is also instructive for understanding how black mothers cultivated and nourished the bonds of kinship in slavery's aftermath.

[37] Excerpt from the Affidavit of Florence Covington, 18 September 1900, in *Voices of Emancipation*, ed. Regosin and Shaffer, 105.

The black mother took responsibility for her home and children. Over the course of a day, she usually engaged in a variety of domestic chores, including cooking, sewing, milking cows, raising livestock, and gardening, while relying on her children to assist in these tasks.[38] Her repertoire also included the day-to-day care of young children, whom she nursed, fed, dressed, supervised, amused, and cared for in illness.[39] Slaveholders had once determined who would supervise children, but this power now belonged to freed mothers, who often assigned the task to older siblings when they themselves could not do so. Mothers thus performed a bevy of household chores to the benefit of their families.[40]

The profound importance of mothers to their households is captured in former slaves' accounts of maternal loss. They emphasize, for example, that the death of a mother often meant that greater responsibilities fell to children. "All the ex-slaves did not fare as hard as we, having mothers to help them shoulder the responsibilities," Emma J. Ray wrote of her childhood.[41] Nate Shaw was forced to grow up quickly after his mother died. Just months later, nine-year-old Shaw found himself behind a plow, a task his mother had once performed. Shaw later recalled how miserable the experience had been. The weather was warm, the gnats ate him, he worked barefoot, and he was unable to control the mule, for which failing his father whipped him. "I just

[38] Thavolia Glymph has pointed out that the incorporation of children into such tasks "was a matter of survival as well as a means of protecting them from abuse." Glymph, *Out of the House of Bondage: The Transformation of the Plantation Household* (New York: Cambridge University Press, 2003), 173.
[39] Such tasks were usually carried out in rude quarters that closely resembled those black folks had lived in under slavery. On the material culture of slaves' and freedpeople's homes, see Michael J. Cassity, "Slaves, Families, and 'Living Space': A Note on Evidence and Historical Context," *Southern Studies* 17, no. 2 (1978): 209-215; Jacqueline Jones, *Labor of Love, Labor of Sorrow: Black Women, Work, and the Family from Slavery to the Present* (New York: Basic Books, 1985), 86.
[40] If emancipation provided an opportunity for mothers to devote more attention to their own households, for some it also produced greater domestic responsibilities, as chores once performed communally were now individual responsibilities. See Noralee Frankel, *Freedom's Women: Black Women and Families in Civil War Era Mississippi* (Bloomington: Indiana University Press, 1999), 71.
[41] Emma J. Ray, *Twice Sold, Twice Ransomed: Autobiography of Mr. and Mrs. L. P. Ray* (Chicago: Free Methodist Publishing House, 1926), 32.

wasn't big enough for the job, that's the truth," he declared.[42] Although he was young and unable to perform the task well, Shaw's family relied on him. Mothers also served as the glue that held families together, a contribution most acutely felt when they passed. "[A]fter the death of my mother, I do not think there was a time when the whole family sat down to a meal together," wrote one former slave.[43] Such recollections provide evidence that women's labor ensured the survival, comfort, and socialization of their children and attest to the central role of the mother in her family.

Black mothers' care of their children was not confined to the domestic sphere. Working outside the home was a central role for almost all black mothers. Because most black men earned insufficient wages to provide for their entire households, black women were often forced to enter the world of waged labor as well. Freedwomen were providers out of necessity, embracing "a broader definition of womanhood, one that incorporated resourcefulness and independence," unlike white women whose notions of womanhood rested on ideas of purity, fragility, dependence, and submissiveness.[44] Liza Culver, who earned a living doing field work, epitomized this version of womanhood. "She'd be out there with her dress rolled up nearly to her knees, just so she could have a clear stroke walkin. Pushed up and rolled up around her waist and a string tied around it and her dress would bunch up around her hips. She'd be in the field workin like a man."[45] When freedwomen worked outside the home, the survival of their families was the priority, but they also did so in order to provide opportunities for their children. As Maud Lee Bryant explained, "My main object of working was wanting the children to have a better way of

[42] Theodore Rosengarten, *All God's Dangers: The Life of Nate Shaw* (New York: Knopf, 1974), 15.
[43] Booker T. Washington, *The Story of My Life and Work* (Naperville, IL: Nichols & Co., 1901), 63.
[44] Bart Landry, *Black Working Wives: Pioneers of American Family Revolution* (Berkeley: University of California Press, 2000), 58.
[45] Rosengarten, *All God's Dangers,* 9.

living, that the world might just be a little better because the Lord had me here for something, and I tried to make good out of it, that was my aim."[46] Freed mothers hired as field hands and cooked, cleaned, and laundered for white people, including, in some cases, those who had once enslaved them. For freedwomen, writes Jacqueline Jones, "the rigors of childbearing and rearing, household chores, and outside employment represented a continuum from slavery to freedom."[47]

If emancipation generated few changes in black women's work and economic circumstances, freedwomen's adeptness at providing for their children with little also represented a continuum. Mothers worked relentlessly. Providing adequately required both will and resourcefulness. Domestic workers, for example, regularly took home leftover food from the kitchens of their white employers, appropriating it for their own families. One former slave recalled that her oldest sister, who acted as her caregiver after her mother's death, used her position as a cook to ensure the survival of her siblings.

> Our oldest sister was a mother to us, and when she was fourteen years old could do a woman's work. She was a good cook and housewoman and was a blessing and help to us all. In those days, Southerners who were able did not eat warmed-over food. All such was given to the slaves or help. As the people were fond of hot biscuits, the cook always made up a good quantity of dough, and served them hot. As they began to get cold, they were taken off the table, and more hot biscuits were served, and the cold ones were scraped into a bucket with other leavings, and, in a couple of days or less time, the cook had a bucket full to carry away. Our sister brought these home.[48]

"Pan-toting," as the practice was called (also referred to as "the service pan"), was regarded by some whites as theft, but black women felt justified in using it to supplement their paltry

[46] Interview with Maude Lee Bryant, in *Hope and Dignity: Older Black Women in the South,* ed. Emily Wilson (Philadelphia: Temple University Press, 1983), 42.
[47] Jones, *Labor of Love,* 77.
[48] Ray, *Twice Sold, Twice Ransomed*, 32.

wages.[49] One mother who admitted to "taking a little sugar, a little flour, a little meal, or a little piece of soap" indignantly denied accusations of theft and idleness:

> We don't steal; we just "take" things they are a part of the oral contract, exprest or implied We understand it, and most of the white folks understand it Others may denounce the service pan, and say that it is used only to support idle negroes, but many a time, when I was a cook, and had the responsibility of rearing my three children upon my lone shoulders, many a time I have had occasion to bless the Lord for the service pan![50]

If white employers described freedwomen as thieves, their children saw them as hardworking and revered them for having been adept providers. "I didn't know what it was to suffer for nothing while my mother lived," Nate Shaw recalled of his upbringing. Shaw attested to the fact that such care often meant personal sacrifice on the part of his mother, who "would take food from her own dinner and reserve it for her children."[51] Hardworking mothers were role models who demonstrated the importance of hard work, adaptability, and contributing to the well-being of others. Such caregiving also made children feel loved and valued. One former slave held on to a childhood dress long into adulthood because it represented her mother's love, expressed through her labor.

> My mother used to wash it every week and I washed it after she died till I got so I wasn't able to do it. My mother been dead 44 years. It gives me a pleasure to look at this little dress. Look here at the lace where I tore it going to my mother for her tiddy. I never did sew it up 'cause she said I stepped in it going to her.[52]

Her testimony reflects the meaning of caregiving, the importance of the mother-child relationship, and how that relationship, cultivated in part through women's labor, transcended the physical world and endured across space and time. By continuing the practice of weekly

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[49] Many white employers did not in fact regard pan-toting as theft. Instead, it became a customary entitlement, explains Tera W. Hunter, who discusses the practice in *To 'Joy My Freedom: Southern Black Women's Lives and Labor after the Civil War* (Cambridge, MA: Harvard University Press, 1997), 60-61, 67, 132-133, 135, 225-227.
[50] "More Slavery at the South," *Independent* 72 (25 January 1912): 196-200.
[51] Rosengarten, *All God's Dangers,* 14.
[52] Egypt, *Unwritten History of Slavery*, 77.

washing, she maintained a connection with her mother, the dress enabling her to feel close to her long after she had passed. The dress held symbolic value, provided reassurance and comfort, and served as a reminder of the affection shared between mother and daughter.

For ex-slave mothers, being a provider also meant equipping children with the skills needed to care for themselves. "Mammy had done larnt me how to wuk," Alice Green, who had been a slave in Georgia, told an interviewer. "I didn't know nothin' else but to go ahead and wuk for a livin."[53] Liza Culvert gifted her sons with the know-how to perform field work. "She taught em how to plow, chop, work that crop every way—she raised em up in it," according to one of them. "[S]he had to be a teacher to them boys, [because] weren't nobody else there to teach em but her."[54] Culvert's competence and skills made her an exemplar. From a young age, parents socialized their children for the work they would do in adulthood. A boy was taught to grease a wagon, harness a team, milk cows, shear sheep, reckon money and keep accounts, plow, build a fire, mend broken tools, and whitewash, among other tasks. Girls learned to sew and knit, mend clothes, make beds, tend poultry, cultivate vegetable gardens, milk cows, wash dishes, sweep carpets, cook, make dresses and children's clothing, nurse the sick, and "render efficient aid and comfort to those in trouble." Boys' socialization prepared them to become fieldhands, shoemakers, carpenters, bricklayers, blacksmiths, stone masons, and wagon makers, while girls' training prepared them for waged labor as field hands, nurses, cooks, maids, and seamstresses, while also keeping house for their own families.[55] Regardless of gender, all children were

[53] Interview with Alice Green, "Born in Slavery."
[54] Rosengarten, *All God's Dangers,* 9.
[55] "What Young People Should Know," *Christian Recorder,* 5 August 1865. Scholars have shown that women also imparted specialized skills. Midwifery was passed down from generation to generation. Girls learned the trade through apprenticeships to established midwives, usually their kinswomen. On midwifery, see Holly Mathews, "Killing the Medical Self-Help Tradition among African Americans: The Case of Lay Midwifery in North Carolina, 1912-1983," in *African Americans in the South: Issues of Race, Class, and Gender,* ed. Hans A. Baer and Yvonne Jones (Athens: University of Georgia Press, 1992), 62. Washerwoman, as Tera Hunter has shown, taught their

prepared to make an honest living. Emphasis was placed on self-reliance. As one former slave put it, "I owe my long life to my mother's training in childhood."[56]

Kinship Obligations and the Care of Aged Mothers

In November 1864, elderly black mother Jane Welcome penned a letter to President Abraham Lincoln requesting the discharge of her son from the army. "[H]e is all the subport I have now," she informed the commander-in-chief. "[H]is father is Dead and his brother that wase all the help that I had."[57] As a mother, Welcome felt entitled to her son's support and insisted upon claiming that entitlement, even if doing so required an appeal to the highest office in the land.

Freedom marked a turning point in the lives of black folks because it enabled them to define kinship obligations on their own terms. This meant that mothers now controlled their own children, but it also allowed sons and daughters to provide for aged parents.[58] While parents provided for dependent children until they reached adulthood and established their own households, the roles reversed over the course of women's and children's lifetimes: adult children took on the role of provider and mothers that of dependent. Defining kinship bonds in this way afforded both mothers and their children protection at the most vulnerable stages in their life cycles.

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daughters the trade while schooling them in "lessons of adulthood within the camaraderie of women's work." Hunter, *To 'Joy My Freedom*, 72.

[56] Interview with David Goodman Gullins, "Born in Slavery."

[57] [Jane Welcome] to Abraham Lincoln, 21 November 1864, in *Families and Freedom: A Documentary History of African-American Kinship in the Civil War Era*, ed. Ira Berlin and Leslie S. Rowland (New York: New Press, 1997), 205-206.

[58] Slavery, as Ira Berlin and Leslie Rowland have argued, not only prevented parents from nurturing, protecting, and providing for their children, but also impinged upon children's ability to care for their aged parents, a right that devolved to ex-slaves after emancipation. Berlin and Rowland, eds., *Families and Freedom,* 193-194.

Ex-slaves readily accepted the responsibility of caring for aged parents. Richard Henry Tebout, a nineteen-year-old soldier from New York, applied for a furlough on the grounds that he was the sole provider for his widowed mother. "My mother lost all her Children this fall Whill I Was in the Serveice," Tebout explained, and his father and grandfather were also dead. Without other living relatives, Tebout felt an obligation to provide for his mother, but emotional ties also animated his appeal. "She is hall i have got," he wrote.[59] Soldier Elijah Reeves was equally determined to fulfill his kinship obligations. "[T]he pecuniary circumstances of an aged grand mother and several orphan sisters whose sole dependence is on my earnings" prompted his request for a discharge.[60] In 1866, freedpeople working on a Georgia plantation brought suit against their employer, Reuben Kendall, for violation of their contract. The records of the dispute reveal that some of the men had contracted on condition that their aged mothers and mothers-in-law be provisioned. A freedman named Allen had agreed to work in exchange for $7 a month and quarters and fuel for his mother. Meanwhile, Kendall was to pay a freedman named Elias $13 a month and provide "quarters & fuel for his wife's mother."[61] While both sons and daughters assumed financial responsibility for parents, the higher valuation of men's labor put sons in a better position to fulfill such roles. Day-to-day caregiving, however, fell primarily to daughters and other female kin.[62]

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[59] Richard Henry Tebout to My kind friend, 26 September 1865, in *Families and Freedom*, ed. Berlin and Rowland, 206-208.
[60] Musician Elijah Reeves to Honble. Z Chandler, 14 September 1865, in *Families and Freedom,* ed. Berlin and Rowland, 235-236.
[61] Summary of letter from Andrew Garrett, 20 February 1867, vol. 2, pp. 4-5, Registers of Letters Received, ser. 630, GA Assistant Commissioner, BRFAL, RG 105, NARA [FSSP A-390].
[62] According to ex-slave Kate Drumgoold, daughters were better suited to take care of their parents in "old age . . . when they are helpless" than sons, whom she described as "not any good to care to a sick parent." Drumgoold, *A Slave Girl's Story,* 15-16. For an example of a daughter providing daily care to a sick mother, see G. A. Burton to Maj General Pope, 20 May 1867, in *Land and Labor, 1866-1867,* ed. Hayden et al., 489-490.

Having a large number of children ostensibly enlarged an elderly mother's care network, but the children were not always equally willing or able to assume the burden. John Trice reported to the Freedmen's Bureau that his aged mother was "wholly dependent" on him for support, while his brother contributed nothing. Although Trice was willing to continue to manage his mother's day-to-day care, he desired to "obtain something" from his brother "toward her future sustenance." Trice himself was nearly sixty years old and believed that, given his brother's younger age and greater ability to work, he too should contribute to their mother's care.[63] Similarly, Coy Woodfall and Mary Banks complained to the bureau that "the care and keeping" of their "old, destitute, and feeble" mother had devolved to them alone and accused siblings Matt Woodfall and Rosanna Payne of "neglecting and refusing to share the care and expense." The bureau court gave Mary Banks "the entire care of her mother for the present . . . until further arrangements can made, and Coy Woodfall, Matt Woodfall, and Rosanna Payne to contribute equally to the support of Mary and their mother." The bureau determined that Mary and her mother should receive "a weekly supply" of provisions, to include "one half bushel of meal, two pounds of bacon, two pounds of sugar, one pound of coffee, and fire wood."[64] Such disputes demonstrate an assumption that children were obligated to care for their aged parents. Which children would contribute and precisely what they would contribute were up for debate, but the mother's entitlement to their support was not. Some former slaves believed that all siblings ought to shoulder the burden of caring for aged parents, viewing the diffusion of responsibility as not only fair but perhaps necessary, given the limited resources of most freedpeople. Among the complaints brought to the Freedmen's Bureau, charges of neglect of

[63] Wm Lewis Tidball to Maj. W. R. Morse, 20 May 1867, Letters Sent, Charlottesville VA, BRFAL, RG 105, NARA.
[64] Coy Westfall and Mary Banks vs. Matt Woodfall and Rosanna Payne, 18 July 1866, Proceedings of the Freedmen's Court, Charlottesville VA, BRFAL, RG 105, NARA.

aged parents were infrequent, which suggests that, when able to do so, freedpeople generally contributed to their support without compulsion and that doing so was understood as a collective undertaking.

When freed mothers grew old and could no longer support themselves, they could now look to their children, but for childless women and those without familial ties, growing old meant vulnerability to destitution.[65] Whereas slaveholders had put elderly slaves to work minding children, tending gardens, and completing other tasks that enabled them to continue to benefit from their labor, after slavery's end whites expelled them from their plantations, farms, and households and refused to employ them. In the immediate aftermath of the war, the Freedmen's Bureau issued rations to the elderly and infirm, classifying them as the "worthy poor," but without the ability to work or opportunities for employment, they were extremely vulnerable to poverty and the bureau and its assistance were temporary. Some elderly freedpeople explicitly attributed their poverty to the absence of progeny from whom they had been separated under slavery. Eva Mercer, "a woman of over seventy-five," told Laura Haviland, a northern relief worker, that "[h]er husband and all her children were sold away," leaving her to "perish alone."[66] David Cary, described as "one hundred years old, in great suffering," also reported that he "had a large family," but "[t]hree wives were sold from him, and his children, one, two, and three at a time, were sent down the river, never to be heard from again."[67] A disabled and elderly

[65] It is important to point out that extended kin also felt a sense of obligation to the elderly. "In general the children love their parents and are obedient," one observer noted. "They like their parents most, but they stand up for all their relations." As his remark intimates, children were socialized to feel a responsibility to all aged kin rather than parents alone. Testimony of Harry McMillian before the American Freedmen's Inquiry Commission, June 1863, in *The Wartime Genesis of Free Labor: The Lower South,* ed. Ira Berlin, Thavolia Glymph, Steven F. Miller, Joseph P. Reidy, Leslie S. Rowland, and Julie Saville, ser. 1, vol. 3, of *Freedom: A Documentary History of Emancipation, 1861-1867* (New York: Cambridge University Press, 1990), 244-254.
[66] Laura S. Haviland, *A Woman's Life-Work: Labors and Experiences of Laura S. Haviland* (Cincinnati: Walden and Stowe, 1881), 416.
[67] Ibid., 417.

freedwoman in Tennessee likewise declared that slavery had robbed her of the opportunity to spend the remainder of her days in comfort. Her owners had "sold her offspring for money," leaving her "destitute of any children to wait on her or assist her to get a living."[68] These experiences disclose how slavery continued to shape the lives of freed mothers whose reproduction and children had been commodified. The afterlife of slavery prevented many mothers from experiencing fully the benefits of the kinship bonds now recognized in freedom.[69]

Nonetheless, unlike under slavery, many black mothers could now rely on their children to assist them in old age. Defining the obligations of kinship made motherhood meaningful. It not only ensured the survival of mothers at later stages in their life cycles but enabled children to express in concrete form the affection they felt for the women who had raised and nurtured them. Such care work nourished the child-parent relationship.

Othermothering

For black folk, motherhood was a social enterprise whereby mothers raised and cared for children with the support of kin and community. Freedwomen displayed a sense of responsibility for all children in their communities, not just those biologically their own. They assisted blood

[68] John M A[rv]ent to Brig. Gen. C. B. Fisk, 27 July 1865, in *Land and Labor, 1865,* ed. Steven Hahn, Steven F. Miller, Susan E. O'Donovan, John C. Rodrigue, and Leslie S. Rowland, ser. 3, vol. 1 of *Freedom: A Documentary History of Emancipation*, *1861-1867* (Chapel Hill: University of North Carolina Press, 2008), 623-624.

[69] Elderly freedpeople without means and without kin to care for them sometimes found relief in state-run or private institutions. During the tumult of the Civil War, northern missionaries began to establish institutions for the care of former slaves. The National Home for Destitute Colored Women and Children, founded in Washington, D.C., in 1863, is an example. While most of its inmates were orphans, the institution was also established "for the purpose of supporting . . . aged and indigent colored women," for whom it intended to "provide a suitable home, board, clothing, and instruction." National Association for the Relief of Destitute Colored Women and Children, *Twentieth Annual Report of the National Home for Destitute Colored Women and Children* (Washington, DC: West End Print, 1883), 3. Elderly ex-slaves in New Orleans who were in need of food and shelter could seek refuge in the Faith Home. Although it was established in 1878 by white northerners, the local black community supported the institution. "The colored churches in New Orleans . . . contribute monthly," the institution's matron, Joanna P. Moore, reported. She also observed that "little children from the Sabbath schools came trooping in with glad songs and put their offering of money and provisions in the old wrinkled hands and received a 'God bless you.'" Joanna P. Moore, *In Christ's Stead: Autobiographical Sketches* (Chicago: Women's Baptist Home Mission Society 1902), 80.

mothers in childcare for both short- and long-term periods and in both informal and formal arrangements, a practice scholars have characterized as "othermothering."[70] "Othermothers" included such blood kin as grandmothers, sisters, aunts, and cousins, as well as fictive kin and other members of the community. Othermothering, according to Arlene Edwards, developed from "West African practices of communal lifestyles and interdependence of communities."[71] Patricia Hill Collins also observes that mothering in West African societies was not an occupation reserved for biological mothers.[72] The West African practice of othermothering was continued by enslaved people, although it took on new meanings within the context of American slavery. "The experience of slavery saw the translation of other mothering to new settings, since the care of children was an expected task of enslaved Black women in addition to the field or house duties," writes Edwards. Slavery, she further argues, "engendered the adoption of communality in the form of fostering children whose parents, particularly mothers, had been sold. This tradition of communality gave rise to the practice of other mothering." Othermothering, as scholars have shown, has been a long-standing practice within black communities across space and time, functioning as both survival strategy and means of cultural transmission, but, as Edwards points out, details of the practice are contextually specific.[73]

Othermothering assumed a variety of forms, both formal and informal, across the postemancipation South. Biological mothers received assistance from childbirth to the grave.

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[70] Stanlie James, "Mothering: A Possible Black Feminist Link to Social Transformation?" in *Theorizing Black Feminisms: The Visionary Pragmatism of Black Women,* ed. Stanlie James and Abena P. A. Busia (New York: Routledge, 1993), 45-53; Carol B. Stack, *All Our Kin: Strategies for Survival in a Black Community* (New York: Basic Books, 1974); Karen I. Case, "African American Othermothering in the Urban Elementary School," *Urban Review* 29, no. 1 (1997): 25-39; Collins, *Black Feminist Thought,* 178-183.
[71] Arlene E. Edwards, "Community Mothering: The Relationship between Mothering and the Community Work of Black Women," *Journal of the Motherhood Initiative for Research and Community* 2, no. 2 (2000): 87-100 (quotation on 88).
[72] Collins, *Black Feminist Thought,* 181.
[73] Edwards, "Community Mothering," 80.

They brought new life into the world with the help of black midwives. Amid the throes of the sweaty, exhausting, and painful process of childbirth, midwives provided comfort, nourishment, and nurturing to women. They also cared for both mothers and their infants following birth. Reliance on midwives was a result, in part, of the economic constraints confronting ex-slaves. Paying for the services of a doctor was out of the question for many former slaves. Freedpeople instead enlisted midwives, who attended births for free, at a lower cost, or in exchange for provisions. Expectant mothers also preferred to give birth in the company of those they knew and trusted. In a context in which black women and children were devalued, a midwife's skill, healing powers, and care work proved especially critical for the protection and perpetuation of black life. The contributions of black midwifery, however, went beyond the physical. Practitioners acted as conduits of a collective ethos, sharing their trade with apprentices, most often kin, who observed and helped with deliveries. Through the transmission of such knowledge, midwives promoted cultural continuity.[74]

The same kin and friends who provided mothers comfort during childbirth shared the burden of day-to-day childcare in the years that followed. Sometimes generations of women shared a household.[75] As demonstrated above, in Chapter 2, othermothers enabled biological mothers to better negotiate waged work and childcare. When family members became ill, freedwomen relied on their neighbors to care for their children, which enabled them to nurse

[74] Mathews, "Killing the Medical Self-Help Tradition," 61-62; Marie Jenkins Schwartz, *Birthing a Slave: Motherhood and Medicine in the Antebellum South.* (Cambridge, MA: Harvard University Press, 2006), 295-299, 313. As othermothers, midwives protected birthing women during what could be a dangerous process and helped to ensure the survival of their newborn children. Midwives took pride in the services they provided to their communities. Nancy Boundry, a midwife "to black and white after freedom," boasted of her expertise. "De Thomson doctors all liked me and tole people to 'git Nancey," she declared. Interview with Nancy Boundry, "Born in Slavery."

[75] Botume, *First Days amongst the Contrabands,* 57; Frankel, *Freedom's Women,* 167-169.

their kin back to health.[76] Through othermothering, ex-slave women "created a community and a culture among themselves, turning what could have been a solidarity act into a collective effort."[77]

The care of black orphans perhaps best illustrates the extent and implications of othermothering during the era of emancipation. Northern missionaries, superintendents of refugee camps, and Freedmen's Bureau officials regularly remarked upon the considerable number of black children who had been orphaned during slavery or by the ravages of war. Although white missionaries and federal authorities perceived black orphans to be at risk, networks of kin often embraced them. Extended kin, for example, routinely sought custody of orphaned children who had been apprenticed to white masters.[78] "The binding out of children Seems to the freedmen like putting them back into Slavery," a Freedmen's Bureau agent in Louisiana informed his superiors. "In every case where I have bound out children, thus far Some Grand Mother or fortieth cousin has come to have them released."[79] One former slave told an interviewer that after her sister-in-law died, she helped her brother raise his five children in order to prevent them from being apprenticed. "They didn't go to the dogs," she asserted with pride.[80] Despite the belief among some bureau agents that pecuniary concerns motivated these bids for

[76] For a mother whose children were cared for by neighbors while she nursed her husband back to health, see Mary Ames, *From a New England Woman's Diary in Dixie in 1865* (Norwood, MA: Plimpton Press, 1906), 92.
[77] Elsa Barkley Brown, "Mothers of Mind," in *Double Stitch: Black Women Write about Mothers and Daughters,* ed. Patricia Bell-Scott, Beverly Guy-Sheftall, Jacqueline Jones-Royster, Janet Sims-Wood, Miriam DeCosta-Willis, and Lucille P. Fultz (New York: Harper Perennial, 1991), 83. Barkley Brown explains that the communal performance of work, namely laundry, had a similar community-building effect.
[78] For examples, see Affidavit of Elizabeth Pallars, 1 June 1868, Letters Received, Macon GA, BRFAL, RG 105, NARA; S Reed to Genl. S. C. Armstrong, 20 August 1866, Letters Received, Fort Monroe VA, BRFAL, RG 105, NARA; Cytha Nickols to chief Agent of the Freedmen Bureau at. N.O. LA, 10 January 1867, in *Families and Freedom,* ed. Berlin and Rowland, 240-242.
[79] Endorsement by Lt. James DeGrey, 29 January 1867, in *Families and Freedom,* ed. Berlin and Rowland, 242.
[80] Egypt, *Unwritten History of Slavery*, 192-193.

custody, there is no question that many freedpeople felt a moral obligation to care for orphaned kin.

When mothers died or became ill, sisters, aunts, grandmothers, and other female kin assumed the role. A freedwoman named Phoebe found herself caring for four grandchildren after her son was killed and her daughter died.[81] When Ann Smith's sister fell ill, Smith traveled from Washington, D.C., to Virginia to care for her, "but upon her arrival, she found that her sister had died a few days previous, leaving two Small Children." Smith took charge of the children and returned with them to her home in Washington.[82] Marietta Ogletree, a freedwoman in Georgia, "became sickly and feeble, and decided that she was not able to support her little girl baby, so she gave the child to Eliza Rollins to take care of and raise."[83] Dying mothers often appointed guardians to assume care of their children. Freedmen's Bureau records offer numerous examples of mothers who made such arrangements on their deathbeds.[84] Other freedwomen communicated their wishes in conversations with kin. "The last time I had seen my sister, a little over a year before she died," remembered Annie Burton, "she had said, when I was leaving, 'I don't expect ever to see you again, but if I die I shall rest peacefully in my grave, because I know you will take care of my child.'" When her sister did eventually die, Burton assumed care of her son.[85] Neal Upson's family members struck a similar agreement. "My Daddy and his cousin Jim swore

[81] Haviland, *A Woman's Life Work,* 376.
[82] Benj. C. Cook to Lieut. Paul R. Hambrick, 31 May 1867, Letters Sent, Richmond VA, BRFAL, RG 105, NARA.
[83] "A Kidnapper's Work. A Small Negro Child Forcibly Seized and Carried Away Last Night," *Macon Telegraph* (Macon, Georgia), 13 December 1889.
[84] For examples of mothers appointing guardians on their deathbeds, see Affidavit of Harriet Willis, n.d., Letters Received, Macon GA, BRFAL, RG 105, NARA; Patsey Williams to Gen Tilson, 21 October 1866, W-535 1866, Letters Received, ser. 631, GA Assistant Commissioner, BRFAL, RG 105, NARA [FSSP A-423]; D. S. Harbin to Agent of Freedmen's Bureau, 24 August 1867, Unregistered Letters Received, ser. 9, AL Assistant Commissioner, BRFAL, RG 105, NARA [FSSP A-1860]; Summary of letter from P. W. Alexander, 26 March 1866, vol. 1, p. 3, Registers of Letters Received, ser. 630, GA Assistant Commissioner, BRFAL, RG 105, NARA [FSSP A-5019]; Robt Baugh to Gen Swayne, 3 March 1866, Unregistered Letters Received, ser. 9, AL Assistant Commissioner, BRFAL, RG 105, NARA [FSSP A-2707]; Charlotte Jones to Comdg Officer Freedmans Bureau, 3 April 1866, Letters Received, ser. 1149, Covington KY Superintendent, BRFAL, RG 105, NARA [FSSP A-4462].
[85] Annie Burton, *Memories of Childhood's Slavery Days* (Boston: Ross Publishing Co., 1909), 22.

wid one another dat if one died 'fore de other dat de one what was left would look atter de daid one's fambly and see dat none of de chillun was bound out to wuk for nobody."[86] The prevalence of such requests suggests that freed mothers envisioned kin as a safety net and the care of children as a kinship obligation.

Freedwomen also adopted grandchildren, cousins, nieces, and nephews who had been separated from their mothers by their enslavers. Ellen Murray, a northern teacher among the freedpeople on St. Helena Island, South Carolina, reported that an ex-slave woman had "found among . . . the refugees, a young cousin who had also been sold away from her family, and at once applied for permission to take her home and care for her as her child, as . . . they had no other family but each other."[87] Sometimes living mothers without the means or desire to rear their children placed them in the care of kin. Georgia freedwoman Mary Oslin, for example, appointed her mother, Dorcas Stevens, as legal guardian of her daughter Lucy. A contract between the two women authorized Stevens to "keep and control her during her natural life."[88]

The adoption of children undoubtedly placed financial strain on poverty-stricken black households. Given their greater earning power, male-headed households were in the best position to absorb additional members.[89] These circumstances did not, however, preclude single women from adopting. Evidence suggests that female kin who lacked male support mitigated economic challenges by sharing the burden of childcare with other female kin, that is, with the support of othermothers. When Elaina Banks's aunt could no longer raise her, for example, Elaina's

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[86] Interview with Neal Upson, "Born in Slavery." While such agreements reflect the care shown for children, they also suggest ex-slaves' acute awareness of the precarity of black life after emancipation.
[87] Ellen Murray, "Report for February: Pennsylvania Freedmen's Relief School," *Pennsylvania Freedmen's Bulletin* 1, no. 2 (April 1865): 33.
[88] Contract between Mary Oslin and Dorcas Stevens, 26 November 1866, Letters Received, Macon GA, BRFAL, RG 105, NARA.
[89] "My husband work for de Unions when dey pay him," one freedwoman claimed. "I can make home for all. Dis child shall hab part ob de crust." Quoted in Harriet Jacobs, "Life among the Contrabands," *The Liberator,* 5 September 1862, 3.

grandmother agreed to "provide and care for her."[90] In the hands of black women, mothering could be a collaborative practice undertaken by numerous members of a family, a practice born, in part, of the economic realities confronting the formerly enslaved.

The care of black orphans extended beyond biological kin. Children who had been separated from their parents by sale, death, or abandonment were often adopted by community members. After her mother's death, Annie Burton went to live with Mrs. Campbell, "a colored woman, who adopted me and gave me her name." A teacher on St. Helena Island, South Carolina, reported that "[s]everal of the children are 'motherless,' and have been adopted by plantation people." "It is very pleasant to see these poor children so well cared for, tidily dressed by their new protectors, and sent to school regularly," she wrote. Friends and community members of deceased mothers often assumed responsibility for the care of their orphaned children, but in some instances, orphans were adopted by virtual strangers. A freedwoman named Affey told a northern missionary how she came to adopt an orphan named Peasant. "I aint know where her come from, nor whose her folks," Affey explained. "But her hadn't nowhere to go, an' no fambly,—no fader, an' no mudder, an' nobody: I couldn't lef' him so, an' I take him wid me."[91] In her explanation for taking in an orphan, another freedwoman stated, "The child's mother was a stranger; none of her friends cum wid her from de ole place."[92] Kinship, in these cases, was forged through the shared experience of wartime displacement.

While othermothering ensured the care of vulnerable children, it also allowed infertile women and those whose children had died or been taken from them to experience the joys of motherhood. A freedwoman in the Craney Island, Virginia, refugee camp who had lost all nine

[90] Benj. C. Cook to Lieut. Paul R. Hambrick, 13 November 1867, Letters Sent, Richmond VA, BRFAL, RG 105, NARA.
[91] Botume, *First Days amongst the Contrabands*, 139
[92] Jacobs, "Life among the Contrabands."

of her children resolved to take into her charge a "motherless infant." "Oh I should go wild, if I had not any children to look upon," she told a northern missionary.[93] Caring for the community's children gave women a sense of identity. "Us never have chick or chile," Minerva Bendy, an elderly ex-slave, told an interviewer in the 1930s. "I's such a good nuss I guess de Lawd didn't want me to have none of my own, so's I could nuss all de others."[94] Bendy did not explain the reason for her childlessness, but she believed that it had enabled her to devote her energy to the well-being of families in her community. Her narrative provides a window into how freedwomen in communities that highly valued motherhood made sense of their own childlessness and lived meaningful lives. Mothering, for many freedwomen, was a calling, something they longed to do and performed in a variety of ways. Despite the hardships and obstacles that stood in the way, black women without children regularly cared for and formed affective bonds with children not biologically their own.

Black communities came together to address the problem of orphaned children. Perhaps the clearest example is the establishment of orphan asylums by freedpeople themselves. Soldiers of the 56th U.S. Colored Infantry, together with local freedpeople and northern missionaries, built an orphanage for black children in Phillips County, Arkansas, that would later become Southland College. The soldiers purchased the land, erected buildings, and deeded them to the Indiana Yearly Meeting of Friends. The undertaking was collaborative, but, as Heather Andrea Williams has argued, "the soldiers' financial and physical contributions . . . were critical to its existence."[95] Such institutions were intended to protect children from labor exploitation or

[93] Letter from Lucy Chase, 1 April 1863, in *Dear Ones at Home,* ed. Swint, 54-69.
[94] Interview with Minerva Bendy, "Born in Slavery."
[95] Heather Andrea Williams, *Self-Taught: African American Education in Slavery and Freedom* (Chapel Hill: University of North Carolina Press, 2009), 58. See also 1st Lieut. S. J. Clark to Joseph Dickenson and Timothy Harrison, 11 June 1866, in *Families and Freedom,* ed. Berlin and Rowland, 242-243.

apprenticeship. Freedpeople elsewhere felt similarly obliged to protect black orphans. According to northern teacher Wilmer Walton, ex-slaves in Stevenson, Alabama, "unanimously agreed" to appoint one from among their number to collect a tax to establish an orphans' home "where colored orphans and sick & destitute, as well as aged & infirm people can be sheltered & provided for." "They say they would rather . . . die" than see "orphans of their race . . . be bound again to those who were recently their *masters*."[96] Perceiving apprenticeship as an affront to the entire community, freedpeople acted as surrogate parents to orphans who had no other protectors. Because state law and local authorities often regarded the children of unwed mothers as orphans (and therefore subject to court-ordered apprenticeship), the community also advocated the establishment of asylums in order to protect female-headed households. In so doing, the community helped mothers protect parental rights that otherwise may have been violated. The efforts undertaken by Stevenson's freedpeople represent an ethos of mutuality that promoted children's survival, supported mothers, and advanced the entire community.[97]

Black women were often at the helm of such projects, engaged in what some scholars have referred to as community mothering. In 1862, Elizabeth Keckley, herself an ex-slave, co-founded and served as president of the Ladies' Contraband Relief Association, which was established to assist destitute fugitive slaves in the nation's capital. The efforts of Keckley and other black women contributed to the establishment of the National Home for Destitute Colored

[96] Wilmer Walton to Gen O. O. Howard, 16 January 1866, Unregistered Letters Received, ser. 9, AL Assistant Commissioner, BRFAL, RG 105, NARA [FSSP A-1814].

[97] At least one white-operated orphan asylum required mothers to forgo custodial rights as a requirement for admitting their children. "Orphan children of widows under the age of 10 will be admitted to the friends orphan asylum," a military commander in Virginia directed, "but the mother must renounce all claim to the children." Major Gen. Schofield to S. C. Armstrong, 2 October 1866, Letters Received, Fort Monroe VA Assistant Subassistant Commissioner, BRFAL, RG 105, NARA. Regulations like these, which undermined black parental rights and prevented parents from using asylums for temporary childcare, likely contributed to ex-slaves' efforts to establish their own asylums.

Women and Children, of which Keckley was a founder.[98] Carrie Steele Logan, who had been born a slave in 1829, played a similar role in Atlanta, Georgia. After emancipation, she worked as a matron at the train depot in Macon, Georgia, then as a stewardess for the Central Georgia Railway at Atlanta's Union Station, during which time she became concerned about the well-being of Atlanta's homeless, parentless black children. In 1888, with the help of charitable whites and blacks and proceeds from the sale of her autobiography, Logan secured a charter from the state of Georgia to establish a home for black orphans.[99] The first home was a two-room building on three and half acres of land on the outskirts of Atlanta that the city donated. By 1892, Logan had moved the home into a three-story brick structure that included a hospital and a school. The orphanage took in both male and female children who were cared for until they could be placed with a family or earn a livelihood for themselves. Some of the orphans admitted to the home Logan had saved from the clutches of the law, demonstrating her efforts to spare youthful wrong-doers from the chain gang and from lives of crime incited by destitution.[100] Institutions such as these afforded some children safety they would have otherwise lacked.

During and after the Civil War, several orphanages for black children were also founded by northern aid societies. Even within these white-operated institutions, black women played important roles, often volunteering their time to care for the resident children. "The women,

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[98] Tamika Y. Nunley, *At the Threshold of Liberty: Women, Slavery, and Shifting Identities in Washington, D.C.* (Chapel Hill: University of North Carolina Press, 2021), 185; Ella Forbes, *African American Women during the Civil War* (New York: Garland Publishing, 1998), 55-56. At the time of her death in 1907, Keckley was a resident of the National Home for Destitute Colored Women and Children, the very institution she had helped to found. See Elizabeth Keckley's Will, in John E. Washington, *They Knew Lincoln*, ed. Kate Masur (New York: Oxford University Press, 2018), 214. On Keckley, see also Jennifer Fleischner, *Mrs. Lincoln and Mrs. Keckley: A Remarkable Story of the Friendship between a First Lady and a Former Slave* (New York: Broadway Books, 2003).
[99] E. R. Carter, *The Black Side: A Partial History of the Business, Religious, and Educational Side of the Negro in Atlanta, Georgia* (Atlanta: n.p., 1894), 35-36. See also Allison Dorsey, *To Build Our Lives Together: Community Formation in Black Atlanta, 1875-1906* (Athens: University of Georgia Press, 2004), 51-52. Carrie Steele Logan exemplifies the relationship between othermothering and community mothering. "The role of community mothers," Arlene Edwards writes, "often evolved from that of being an other mother." Edwards, "Community Mothering," 88.
[100] Gussie Mims Logan, "The Carrie Steele Orphanage," *The Voice of the Negro* 1 (11 November 1904): 538-540.

though too old and infirm to maintain themselves in homes of their own, are able to be very useful in assisting in the care of the younger children, in mending, knitting, [and] ironing," read the 1883 annual report of the National Home for Destitute Colored Women and Children.[101] The Memphis Colored Orphan Asylum, which was established in November 1863 by Martha Canfield, also relied on the labor of black women. In a diary entry of December 3rd of that year, Canfield wrote, "Employed Ann, a colored woman, with two little boys, whose husband is in the Union army." A December 28th entry read, "Uncle Morris Henderson, a colored Baptist preacher, brought several colored women who offered their services to assist in sewing, promising to come as they have opportunity." Two days later, "[f]our colored women came to assist in making pillows; completed six pairs and made some towels." In addition to sewing, black women cooked, cleaned, bathed and dressed the children, and took them to church.[102] Black women's care work was reflected in an 1866 rendering of the asylum in *Harpers Weekly* in which black women were shown tending to the children.[103] Although many freedwomen could not support these institutions financially, they contributed their time and skills.

Community-based childcare or othermothering ensured the survival and well-being of orphaned children in the absence of biological parents. At the same time, it provided freedwomen a sense of purpose. Care work for the next generation also subverted the narrative of

[101] National Association for the Relief of Destitute Colored Women and Children, *Twentieth Annual Report of the National Home for Destitute Colored Women and Children* (Washington, DC: West End Print, 1883), 11.
[102] "Extracts from Mrs. Canfield's Diary," in U.S. Army, Department of the Tennessee, General Superintendent of Freedmen, *Extracts from Documents in the Office of the General Superintendent of Refugees and Freedmen. Headquarters, Memphis, Tennessee* (Memphis, TN: Freedmen Press, 1865), 17-18.
[103] "Colored Orphan Asylum, Memphis Tennessee – A Group of Portraits Sketched from Life," *Harpers Weekly* 10, no. 488, (May 5, 1866), 296. Black women's institution-building at the turn of the twentieth century has been the subject of considerable scholarship, but more work is needed, however, that traces the myriad origins of that activism. Black women's care work within orphan asylums in the postemancipation period offers clues about where and how formerly enslaved black women performed service to their communities before the establishment of black-run institutions.

black kinlessness that had structured slavery. By acting as mothers to the orphans of their race, freedwomen delineated freedom from slavery and imbued their new status with meaning.

Othermothering played yet another important role: It assisted mothers in protecting their newly acquired rights to motherhood. In August 1867, a white Georgian named S. P. Hunt asked the Freedmen's Bureau to provide Alice, a "mulatto girl" on his plantation, with transportation to her mother in Nashville, Tennessee. Hunt wanted Alice removed because his attempts to "correct" her had provoked "dissatisfaction amongst the negroes in the neighborhood," who insisted "she is no longer a slave."[104] Similarly, friends in Maryland wrote to Emily Cuff to inform her that her son was being mistreated by his former owner. A worried Cuff promptly left Pennsylvania for Maryland to rectify the situation.[105] These episodes reflect black communities' investment in the well-being of black children. But those who kept an eye out for them and reported harm also reinforced the notion that white people no longer governed black children, that such rights were now reserved for parents. As they protected black children they also came to the defense of the children's mothers.

Given the constraints facing former slaves, othermothering, which was central to freedwomen's conceptions of motherhood, was both valuable and necessary. Community-wide responsibility for black children demonstrates formerly enslaved women's rejection of individualism in favor of a collectivism through which they promoted the well-being of both women and children.

[104] S. P. Hunt to Genl. O. O. Howard, 20 August 1867, Letters Received, Augusta GA, BRFAL, RG 105, NARA.
[105] Gutman, *The Black Family in Slavery and Freedom*, 409.

Ambivalence toward Motherhood

Although highly valued in black communities, motherhood was not an element of all freedwomen's definitions of freedom. Slavery's violence continued to contribute to ambivalence toward motherhood and childrearing.[106] Sexual abuse suffered in bondage caused psychological pain that dissuaded some women from birthing children as freedwomen. Rose Williams's master had paired her with a slave named Rufus with the expectation that they "bring forth portly chillen." Under threat of the whip, Rose complied with her master's demands despite her disdain for Rufus. But once emancipated, she vowed never again to "truck with any man." God would need to "look for some other [woman] for to 'plenish de earth," she declared.[107] Williams could not sever the psychological connection between childbearing and slavery. For women like her, the thought of birthing children was so painful that it was the antithesis of freedom itself. Although they did not express their views as emphatically, other formerly enslaved women felt the same. Born into slavery in 1818, Elizabeth Keckley had been loaned by her master to a local white merchant, Alexander Kirkland, who repeatedly raped her. As a result, at the age of twenty Keckley became pregnant with her only child, a son she named George. The sexual violence she experienced had lasting emotional and psychological effects. "I do not care to dwell upon this subject," Keckley wrote in her autobiography, "for it is one that is fraught with pain."[108] Keckley grew to love her son deeply, but given the circumstances under which he had been conceived she chose not to have more children.

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[106] This section focuses on slavery's impact on freedwomen's attitudes toward motherhood. More work is needed on the ways postwar economic conditions and personal desires also informed their attitudes. The story of Polly Jennings, whose story opens Chapter 2, above, hints at this relationship, but such accounts are rare in the archive.
[107] Interview with Rose Williams, "Born in Slavery."
[108] Elizabeth Keckley, *Behind the Scenes, or, Thirty Years as a Slave, and Four Years in the White House* (New York: G. W. Carleton & Co., 1868), 39. This point is also made in Hilde, *Slavery, Fatherhood and Paternal Duty,* 205. Like Keckley, Alice Bratton's mother, who had been "overtaken" by her master, also abstained from having any more children. Interview with Alice Bratton, "Born in Slavery."

Not all ex-slave women succeeded in bonding with children born of slavery's violations. "Emancipation," argues Libra Hilde, "offered women the opportunity to escape reminders of violence and abuse by leaving their children."[109] Fannie Tatum's mother sought freedom by denying her maternal identity. "My mother ran away and left my sister and me when we was three and five years old," Tatum recalled. "I never saw her any more till I was eight and after I was eight years old I never saw her again in forty years."[110] Henrietta Evelina Smith told an interviewer that her great-grandmother's master "would take her out behind the field and do what he wanted." Smith's great-grandmother "had two children by him," a boy named Eli and a girl named Anna. "When she got free," Smith reported, "she gave both of her children away." Smith's grandmother could not bear to have her children "round her because they reminded her of him."[111] Andrea Livesey has argued that although many mothers maintained strong bonds with children conceived under duress, sexual violence had a profound impact on freedwomen's attitudes toward motherhood and reproduction.[112]

For some freedwomen, the decision not to bear and rear children was a survival strategy and a coping mechanism. Their experiences are a testament to the fact that formerly enslaved women did not emerge from bondage as blank slates, but rather that their decisions, attitudes, and perceptions were informed by their histories. Freedwomen carried with them into freedom wounds that would take years or even generations to heal, if they could be healed at all. Such experiences mean that frameworks centered on devotion, self-sacrifice, and unconditional love are insufficient for capturing the experience of black motherhood. Freedom precipitated varying

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[109] Hilde, *Slavery, Fatherhood and Paternal Duty*, 203.
[110] Interview with Fannie Tatum, "Born in Slavery."
[111] Interview with Henrietta Evelina Smith, "Born in Slavery."
[112] Livesey, "Conceived in Violence," 180-181. Libra R. Hilde contends that black women discussed their experiences of rape openly in order to lay claim to sexual honor in ways similar to white women. Hilde, *Slavery, Fatherhood, and Paternal Duty,* 202. Public discussions of rape were also likely animated by freedwomen's and black communities' attempts to cope with tragedy and loss.

attitudes toward and articulations of motherhood among newly freed women. "Mothers are as diverse as any other humans," Sarah Ruddick writes, "shaped by the social milieu in which they work."[113] But if there was diversity among ex-slave women, what united them was their insistence upon exercising reproductive autonomy and their pursuit of self-definition.

The Protection of Children

In the fall of 1865, a nine-year-old black girl in Texas who was still held illegally in slavery set out for the village three miles away where her mother was at work. The girl's former mistress sent her teenaged son after her with instructions to "bring her out or kill her." When the boy found her, he tore her from her mother and used a rope to tie her behind his horse. When "he mounted and put spurs to the horse, the child being unable to keep up fell, [whereupon] the horse took fright and ran a long distance," dragging the child to her death. The girl's mother, Eliza Brown, determined to see justice done, appealed to Union General George Armstrong Custer, who had the boy arrested but soon thereafter turned him over to the local civil authorities, who let him go.[114] The murder was a horrifying demonstration of the disregard shown for black children's lives after slavery and the hostile society in which black women mothered.

Violence stalked the former slave states, and black children were not immune. "For white racists," writes Stacey Patton, "the goal in the aftermath of slavery was to undermine the future prospects of the African American race by attacking the physical, moral, and intellectual development of its children by denying them the privileges and protections reserved for innocent white middle-class children.[115] Violence was everywhere. It came in the form of nightriding,

[113] Sara Ruddick, *Maternal Thinking: Toward a Politics of Peace* (Boston: Beacon Press, 1989), 17.
[114] M. P. Hanson to Brig Gen Gregory, 12 October 1865, B-11 1865, Unregistered Letters Received, ser. 3621, TX Assistant Commissioner, BRFAL, RG 105, NARA [FSSP A-3336].
[115] Stacey Patton, *That Mean Old Yesterday* (New York: Atria Books, 2007).

beating, whipping, rape, fires set to black churches and schools, to say nothing of the countless other forms of terror. In this context, mothering meant protecting children from constant threats, and especially from physical violence. Newly freed mothers were determined to ensure their children's survival. Although their efforts to safeguard their children were not always successful, endeavors to do so imbued their lives with meaning. The protection of children enabled freedwomen to establish themselves as mothers, reinforced their authority over their children, and forced others to bear witness to that authority. "[W]hen women defended their children's bodies," Katy Simpson writes, "they were defending parts of themselves."[116]

Black children were socialized both to know their place in a violent and unjust world and to transcend the boundaries that oppressed them. The first lesson in survival was racial etiquette. The dangers in the postwar South demanded that black parents teach their children how to navigate society in a black body. That meant knowing how to act, where one belonged, and how to interact with whites. "[M]y mammy larn me how to 'have and where I 'long so de patterrollers and de Ku Klux never bother we'uns," Philles Thomas recalled.[117] Sometimes mothers dispensed advice to their children in the midst of violence. When nightriders barged into Robin Westbrook's home in search of her husband, she instructed her son to "Jump out doors and run." Although one of the riders "took him by the arm," the boy successfully "snatched himself loose

[116] Katy Simpson Smith, *We Have Raised All of You: Motherhood in the South, 1750-1835* (Baton Rouge: Louisiana State University Press, 2013), 179. In this chapter I focus on mothers' efforts to protect children from white violence, but mothers defended children from all forms of violence, including that within black households. Celey Jones, for example, had been married to Robert Jones for just six weeks when the relationship soured because Robert began beating their infant. She took the child to her mother for protection. See Complaint of Celey Jones, 23 April 1868, Register of Complaints, Greenville SC, BRFAL, RG. 105, NARA. Similarly, Nancy Johnson appealed to the Freedmen's Bureau to protect her daughter from her husband's abuse. See Nancy Johnson vs. Chas Johnson, 8 July 1867, Proceedings of Cases before Freedmen's Court, Fort Monroe VA, BRFAL, RG. 105, NARA. See also Betty Jackson vs. Martha Jones, 19 January 1867, Proceedings of Cases before Freedmen's Court, Fort Monroe VA, BRFAL, RG. 105, NARA.

[117] Interview with Philles Thomas, "Born in Slavery."

and got away."[118] Enslaved parents taught their children that "deference to whites of all ages was crucial to survival," writes Wilma King.[119] After slavery, black parents continued to teach their children to act deferentially toward whites in order to avoid violent confrontations. But if parents imparted the importance of deference, they also taught their children to disavow racial oppression. Indeed, each time a parent reported abuse to the Freedmen's Bureau, sassed or challenged a former owner, or refused to show undue deference to white people in general, he or she communicated the importance of sticking up for oneself and seeking justice.

Children also learned about the South's racial hierarchy by observing interactions between their parents and whites. When Ellis Ken Kannon was a boy, the Klu Klux Klan would come to his father's house "axin fer water en dey would keep us totin' water ter dem fer fifteen ter twenty minutes." Although none of his family members were physically harmed, they were forced to wait on the terrorists, socializing Ellis to understand that blacks were expected to be subservient to whites.[120] Other children witnessed violent assaults and murders of family members and neighbors. These episodes created painful memories that lasted a lifetime. "It still makes de shivvers run down my spine," confessed one elderly ex-slave, "and here I is ole and you all a settin' around wid me and two mo' wars done gone since dat awful time."[121] Children learned from these experiences that violence could be inflicted on black people with impunity and that black households could be violated at any moment. While adults may have attempted to shield children from the harsh realities of being black for as long as possible, these realities were likely understood from early in childhood.

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[118] Testimony of Robin Westbrook, in U.S. Congress, *Report of the Joint Select Committee to Inquire into the Conditions of Affairs in the Late Insurrectionary States* (Washington, DC: Government Printing Office, 1872), vol. 9, 391.
[119] Wilma King, *Stolen Childhood: Slave Youth in Nineteenth-Century America* (Bloomington: Indiana University Press, 2011), 173.
[120] Interview with Ellis Ken Kannon, "Born in Slavery."
[121] Interview with Millie Bates, "Born in Slavery."

White southerners continued to normalize sexual violence against black women and girls, a reality for which black mothers and othermothers prepared young girls. Northern missionary Elizabeth Hyde Botume described what happened when she received "thirty new plaid worsted dresses all cut and basted" to distribute to the ex-slave girls in her South Carolina school. "[T]he girls were delighted" with the dresses, Botume wrote, but "when they carried them home, the mothers considered them all together [*sic*] too short," believing it "highly indecorous to have the feet and ankles show below the dress." To make the garments more suitable, the mothers "pieced them out," and at least one "got a new cloth, which she inlaid to widen and lengthen and enlarge her child's gown."[122] Lucy McCullough's mother also imparted the importance of modesty. "[W]'omans en gals, dey stayed kivvered up better den," McCullough recalled. On one occasion, her mother saw her "cummin' crost de yahd en she say mah dress too short. She tuk it offen me, en rip out de hem, en ravel at de aig' er little, en den fus' thing I knows, she got dat dress tail on ter de loom, en weave more cloff on hit, twel it long enuf, lak she want it."[123] Elongating the dresses signaled chastity, which these mothers hoped would offer protection and insure respect for their daughters. Through proper comportment and modest dress, freed mothers sought to contradict the stereotype that depicted black women as hypersexual. The vigilance with which they amended the clothes intimates a persistent, imminent threat of sexual violence.

Sometimes mothers imparted survival tactics to their daughters more directly. Minnie Fulkes's mother instructed her, "Don't let no body bother your principle, cause dat wuz all yo' had."[124] Without much else to call her own, maintaining her moral integrity was especially important to Fulkes's mother. The lesson stuck with Fulkes, who guarded her sexuality even well

[122] Botume, *First Days amongst the Contrabands,* 236-237.
[123] Interview with Lucy McCullough, "Born in Slavery."
[124] Interview with Minnie Fulkes, "Born in Slavery."

after she was married and thereby testified to the seriousness with which mothers communicated such instructions to their daughters. By recounting what they had experienced and witnessed under slavery, former slaves both made their children privy to their own histories and sought to spare them the pain and suffering they had endured. They thus engaged in subversive storytelling for the sake of their children. When asked where he was from, Preely Coleman responded, "I knows that 'zactly, 'cause my mammy tells me that a thousand times. I was born down on the old Souba place, in South Carolina, 'bout ten mile from New Berry. My mammy belonged to the Souba family, but it's a fact one of the Souba boys was my pappy and so the Soubas sells my mammy to Bob and Dan Lewis and they brung us to Texas 'long with a big bunch of other slaves."[125] What was recounted "a thousand times" to formerly enslaved children went well beyond accounts of sale and separation to include rape and other sexual violence. Alice Bratton, for example, had been born of rape. Although she remembered little about her white father, Bratton recalled that "mama told me how she got tripped up and nearly died and for me to never let nobody trip me up that way.[126] Bratton was just a small child during slavery and likely heard this refrain well after emancipation. Although mother and daughter lived in two different historical contexts, Bratton's mother shared this painful memory in order to spare her daughter from a similar fate. In so doing, she acknowledged the cruel continuities between slavery and freedom. At the same time, she enjoined her daughter to vigilantly defend herself against sexual predation.[127] The ongoing need for such lessons was a painful reminder of the limits to freedom and the gendered violence for which those limits allowed.

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[125] Interview with Preely Coleman, "Born in Slavery."
[126] Interview with Alice Bratton, "Born in Slavery."
[127] According to Lakisha Michelle Simmons, black women inherited their mothers' stories, "incorporating them into [their] own understanding of racial violence and the American past." The narration of these stories across time, she argues, reveals "a Black notion of maternal embodiment that foregrounds Black women carrying the past within the body" and reflects "deep connections between grandmothers, mothers, and daughters." Simmons, "Black Feminist

Maternal protection also came in the form of discipline. As primary caregivers, mothers taught their children right from wrong in hopes of raising polite, respectful, and hardworking children who conducted themselves so as to reflect credit on their families and their race. Although Booker T. Washington's mother had no formal education, he described her as "the noblest embodiment of womanhood with which I have come into contact," having inculcated in him lessons of "virtue and thrift." "After our freedom no one was stricter than my mother in teaching and observing the highest rules of integrity," Washington wrote of his upbringing.[128] Discipline was intended to help children become moral, contributing members of their households and communities who respected their elders.[129] It also served other, more pressing concerns. Freed parents feared the consequences if children stepped out of line and therefore sought to instill in them the knowledge and self-discipline required to navigate a world in which African Americans were routinely the targets of violence. Because so much remained beyond their control, mothers did all in their power to ensure their children's survival.

Out of a desire to protect, freed mothers ruled with a firm hand. "They show great attachment to their children, making great efforts to reclaim them if they have been sold away, but they are severe in governing them," one northern teacher observed.[130] Many mothers subscribed to the adage "Spare the rod and spoil the child" and liberally administered corporal punishment.[131] Although the practice sometimes evoked criticism from disapproving

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Theories of Motherhood and Generation," *Signs* 46, no. 2 (2021): 311-335 (quotations on 322 and 318, respectively).

[128] Washington, *The Story of My Life and Work,* 15.

[129] "The children . . . are taught to be very polite to their elders, and it is the rarest thing to hear a disrespectful word from a child to his parent, or to any grown person," Charlotte Forten observed of freedpeople in the South Carolina sea islands. Charlotte L. Forten, "Life on the Sea Islands, Part I," *Atlantic Monthly* 13 (May 1864): 592.

[130] Sarah Jane Foster, *Sarah Jane Foster, Teacher of the Freedmen: A Diary and Letters,* ed. Wayne E. Reilly (Charlottesville: University Press of Virginia, 1990), 104.

[131] Some scholars argue that black folk adopted corporal punishment from their enslavers. In *Black Rage,* William H. Grier and Price M. Cobbs insist that "[b]eating in child-rearing actually has its psychological roots in slavery and even yet black parents will feel that, just as they have suffered beatings as children, so it is right that their children

missionaries and teachers, mothers insisted upon disciplining their children as they saw fit. When teacher Lucy Chase "remonstrated" with a mother for lashing her son with a rawhide, the mother responded, "Reckons I shall beat my boy just as much as I please."[132]

Parents reserved the right to determine when and by whom discipline was dispensed.[133] White employers' attempts to discipline black children, for example, were met with protests.[134] At the same time, strict mothers sometimes "expect[ed] a teacher to be so too."[135] Mississippi freedwoman Maria Rankin instructed her daughter's schoolteacher to "Be quite strict with her and see that she gets her lessons well." Should her daughter misbehave, she advised, "please report to me."[136] When teacher Sarah Jane Foster received word from a mother that her son had been "playing the runaway game," Foster "gave him a severe whipping" at the mother's behest.[137] The right to discipline children sometimes extended beyond biological mothers to

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be so treated. This kind of physical subjugation of the weak forges early in the mind of the child a link with the past and, as he learns the details of history, with slavery per se." Grier and Cobbs, *Black Rage* (Eugene, OR: Wipf and Stock, 1992), 138. On corporal punishment, see also Brenda Stevenson, "Distress and Discord in Virginia Slave Families, 1830-1860," in *In Joy and Sorrow: Women, Family, and Marriage in the Victorian South, 1830-1900,* ed. Carol Bleser (New York: Oxford University Press, 1991), 103-124.

[132] Letter from Lucy Chase, 1 July 1864, in *Dear Ones at Home*, ed., Swint, 122. Ellen Craft, another schoolmarm, forbade freedpeople's use of the lash on the plantation where she taught. Craft "made a plan that when the parents wanted to whip their children, they should take them into the grave yard, and when they got there kneel down and pray." Her need for such a plan suggests the resistance she received from former slaves who sometimes rebuffed white prescriptions of proper parenting. Craft quoted in Dorothy Sterling, ed., *We Are Your Sisters: Black Women in the Nineteenth Century* (New York: W. W. Norton, 1997), 343.

[133] Disciplining children was not an exclusively parental right, but rights in childrearing were not extended to anyone and everyone. Nate Shaw refused to allow his stepmother to punish him. "I was old enough to know that she weren't my mother and I didn't recognize her as my mother," he recalled. Rosengarten, *All God's Dangers*, 18. On a Mississippi plantation a quarrel ensued on account of "one Freedman whipping a child of another Freedman, whereupon one drew a knife on the other, and in turn the other discharged his revolver three times at the former but without serious results." 1″ Lieut. Geo. W. Corliss to Lieut Stuart Eldridge, 9 April 1866, in *Land and Labor, 1866-1867,* ed. Hayden et. al., 407-412.

[134] For an example, see Affidavit of Ellen Caswell, 16 April 1867, Letters Received, Macon GA, BRFAL, RG 105, NARA. Some contracts specified that employers had a right to discipline hired children. See Frankel, *Freedom's Women*, 144.

[135] Foster*, Sarah Jane Foster, Teacher of the Freedmen*, 104.

[136] Maria Rankin to Mr. White, 28 October 1870, TN, American Missionary Association Archives, Amistad Research Center, Tulane University, Slavery and Anti-Slavery Database. Mary Fletcher also encouraged her daughter's teachers to "play strick with her." Letter from Mrs. Mary Fletcher, 10 October 1870, TN, American Missionary Association Archives.

[137] Foster*, Sarah Jane Foster, Teacher of the Freedmen,* 104.

othermothers who were entrusted with the care of black children. The extension of rights in childrearing reflects the collective nature of black mothering. Moreover, if mothers regarded discipline as a means of protection, community members played an important role in safeguarding black children.

Freedwomen had no illusion that the end of slavery marked the end of racial terror. The quotidian experiences of emancipation taught them otherwise. In light of this reality, mothers prepared their children to survive in the world despite it, to protect their "principle" to the best of their ability. In so doing, they affirmed their children's and their own humanity. The insistence upon enduring in a world that failed to recognize black humanity was a radical act of defiance, as was teaching their children to do the same.[138]

Education

Freedpeople's aspirations for their children were many, but northern missionaries and teachers almost unanimously cited an earnest desire to educate their children. The establishment of schools for black children across the South owed much to the activism of freed parents who were eager to see their children educated. The Freedmen's Bureau and northern missionary associations helped sponsor schools, but freedpeople themselves raised funds to construct school buildings, paid tuition fees to employ teachers, and inaugurated campaigns for public education that laid the foundation for public schools for both white and black children in the South.[139]

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[138] In the words of feminist writer Alexis Pauline Gumbs, "Those . . . who nurture the lives of those children who are not supposed to exist, who are not supposed to grow up . . . are revolutionary in their very beings[,] doing . . . subversive work. Gumbs's, "m/other ourselves: a Black queer feminist genealogy for radical mothering," in *Revolutionary Mothering: Love on the Front Lines,* ed. Alexis Pauline Gumbs (Toronto: PM Press, 2016), 19-31 (quotation on 20). Parents protected children with varying degrees of success. If freedpeople managed to shield children from danger, the pervasiveness of early child death is a testament to the limits of parental protection. High rates of infant mortality, disease, malnutrition, and violent assault claimed the lives of many black children.

[139] Freedpeople in Spring Hill, Tennessee, who desired to have a schoolhouse built were willing to pay $200 toward its construction. "If they cannot raise all the funds now they will borrow some" and "pay when crops are sold," a local teacher reported. H. C. Eddy to George L. White, 1 April 1869, TN, American Missionary Association

Freed parents' pursuit of education for their children reflected ex-slaves' hope for the next generation.

Parents placed a high value on education because they believed it would open to their children a world of possibilities that had been foreclosed to them under slavery.[140] One father ranked education second only to freedom itself. "If I nebber does do nothing more while I live, I shall give my children a chance to go to school," he declared, "for I considers edecation [the] next best ting to liberty."[141] Many freedpeople took pride in the fact that their progeny would know more than they did. Northern journalist Whitelaw Reid remarked that black parents on St. Helena Island, South Carolina, did not appear "so anxious themselves to get 'white folks' larnin,'" but "every parent is painfully desirous that his children should learn."[142] Reid's comment alluded to the selflessness of freed parents and the stock they placed in their children. But it also reflected their understanding of freedom as something that would be realized not immediately, but generationally.

Some ex-slave parents did in fact pursue education for themselves. Northern missionaries remarked on mothers who attended their schools with infants in tow. Among Charlotte Forten's pupils was a mother who "came daily and brought her baby in arms." The child "happened to be one of the best babies in the world," according to Forten, "a perfect little 'model of deportment,'

Archives. On freedpeople's campaigns for education, see James D. Anderson, *The Education of Blacks in the South, 1860-1935* (Chapel Hill: University of North Carolina Press, 2010), chap. 1; Herbert G. Gutman, "Schools for Freedom: The Post-Emancipation Origins of Afro-American Education," in *Power and Culture: Essays on the American Working Class,* ed. Ira Berlin (New York: Pantheon, 1987), 260-297. Heather Andrea Williams has shown that black folk demanded education alongside political and legal rights. Schooling had been a privilege reserved for wealthy whites. The right to education, she argues, was thus a radical demand. Williams, *Self-Taught,* 69.

[140] [L]et de chil'en learn eberyting dey can," one mother told Charlotte Forten. "We nebber hab no chance to learn nuttin', but we wants de chil'en to learn." Quoted in Charlotte L. Forten, "Life on the Sea Islands, Part II," *Atlantic Monthly* 13 (June 1864): 667.

[141] Quoted in Christopher M. Span, *From Cotton Field to Schoolhouse: African American Education in Mississippi, 1862-1875* (Chapel Hill: University of North Carolina Press, 2012), 24.

[142] Reid, *After the War: A Southern Tour*, 512.

that allowed its mother to pursue her studies without interruption."[143] A Virginia teacher noted that a mother attended her school "with her wee one by her side."[144] Mothers who pursued education were role models for their children, inspiring them to believe in the power of education. Although many ex-slave parents sought education for themselves, they often placed their children's education before their own, projecting their hopes and desires onto the next generation.

Ex-slaves saw education as an investment that benefited the entire household. Children who attended school could serve as conduits of knowledge, teaching the older generations how to read and write. According to one observer, "the cases were quite numerous in which the more intelligent scholars were instructing their parents at home."[145] When asked why parents were "fond of sending their children to school," one freedman explained, " Because the children in after years will be able to tell us ignorant ones how to do for ourselves."[146] Rather than an individual possession, freedpeople envisioned education as a means to uplift the entire race. Freed parents also saw educating their progeny as a means of combating economic exploitation. White employers routinely falsified account books to cheat black workers out of hard-earned wages. Children who knew how to read, write, and figure understood labor contracts and could help protect their families from exploitation. "[G]o and learn your children so they can read and write for you and see if these men book wrong against you," George Roper, an Alabama orator and veteran of the 44th U.S. Colored Infantry, instructed members of his community.[147] Like Roper, Americus Moore's father understood the benefits of educating his children. When he was

[143] Forten, "Life on the Sea Islands, Part II," *Atlantic Monthly* 13 (June 1864): 667.
[144] "Mrs. S. N. Fish, Alexandria," *The American Freedman* 3, no. 3 (June 1868): 689.
[145] Reid, *After the War*, 253.
[146] Testimony of Harry McMillan before the American Freedmen's Inquiry Commission, [June 1863], in *The Wartime Genesis of Free Labor, Lower South*, ed. Berlin et al., 249-254.
[147] Testimony of George Roper, 5 November 1872, in U.S. Congress, *Report of the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States*, vol. 1, 687.

charged for goods he had not purchased, he contested the charge, explaining to his employer: "Well, everything I teak from you, and every time I pay you, I meak my little boy writ 'em down."[148] This practice enabled him to verify his suspicion that his employer was trying to swindle him. Literacy and ciphering could not and did not guarantee racial equity, but it enabled former slaves to negotiate with white employers and merchants on a more equal footing. Education was thus a source of personal, familial, and community empowerment. It not only promised a brighter future, but provided immediate, material benefits.

Reliance on children's labor prevented many parents from sending their children to school full-time. Attending school meant missed opportunities to learn a trade or to earn wages that were essential to the household's income. Children often moved in and out of the workforce, attending school only part of the year.[149] Edward Pierce, a northern superintendent in the South Carolina sea islands during the Civil War, reported a decline in school attendance, "the parents being desirous of having the children aid them in planting and cultivating their crops."[150] "The women were desirous to keep their children in school, but they needed their help at home," one teacher explained. "So they came to beg us to give them their 'lessons quick,' and send them back: for 'the grass shines mightily in the cotton.'"[151] These mothers clearly saw the importance

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[148] Edward W. Williams, ed., *Americus Moor, or, Life among the American Freedmen* (Washington, DC: s.n, 1886), 9.

[149] "[F]ew of the children can go to school about here," explained Charlotte, an elderly former slave in Louisiana. "We have school six months in this town, and you can see the children coming for a little while, and then they have to leave to go to work in the cane-field." Octavia V. Rogers, *The House of Bondage, or Charlotte Brooks and Other Slaves* (New York: Hunt & Eaton, 1890), 48. A Freedmen's Bureau agent in Kentucky reported that, although the schools of Henderson County were doing well, "they will not be as well attended for 6 months to come as children of the larger growth can earn about as much as an adult at striping [*sic*] tobacco & parents rely upon their wages in winter to enable them to send them to school the ballance [*sic*] of the year many of them only requiring that they work but 3 months & sending them to night schools during that time." Lieut Wells S. Bailey to Bvt Brig Gen John Ely, 31 December 1866, B-2 1867, Letters Received, ser. 1068, KY Assistant Commissioners, BRFAL, NARA, 105 [FSSP A-4335].

[150] Edward Pierce, *The Freedmen of Port Royal, South Carolina: Official Reports of Edward L. Pierce* (New York: Rebellion Record, 1863), 307.

[151] Botume, *First Days amongst the Contrabands*, 234.

of education but insisted that the school schedule accommodate necessary field work. The needs of the household also took priority for Julius Coffey, who had begun attending Fisk University but was temporarily forced to withdraw. "Mother is not able to tend to the crop and I will have to stay and hep [*sic*] her," he explained in a letter to the school's head.[152] Schools generally remained open from October to May, but students rarely attended without interruption.[153]

For some families, schooling was simply out of the question. Booker T. Washington wanted to attend a local school but instead worked alongside his brother and stepfather in West Virginia's salt mines. "I had been working in a salt-furnace for several months, and my stepfather had discovered that I had a financial value and so, when the school opened, decided that he could not spare me from my work," he recounted in his autobiography. As time went on, however, Washington persuaded his stepfather to allow him to attend school for part of each day.[154] Unlike Washington, who would eventually receive an education, Robert Falls "never had no learning."[155] Decisions about school attendance were sometimes beyond parents' control. On plantations where schools had been established, planters might insist that "School interests were secondary to farm interests" and order the school shut down when children were needed in the field.[156] Getting "book learning" could even be dangerous. Black school children often endured harassment on the way to school in the form of name calling and stone throwing. Samuel Spottford Clement, whose mother sent him to summer school, likened the journey to "passing a

[152] Letter from Julius Coffey, 7 March 1871, TN, American Missionary Association Archives.
[153] Williams, *Self-Taught,* 151.
[154] Washington, *Autobiography,* 24-25.
[155] Interview with Robert Falls, "Born in Slavery."
[156] William Pickens, *The Heir of Slaves: An Autobiography* (Boston: The Pilgrim Press, 1911), 12.

lot of lions." On account of the attacks his mother thought it best to take him out of school.[157] In some places, schoolhouses were burned to the ground and teachers threatened with violence.[158]

Where opportunities to attend school were limited, families sometimes strategized to ensure that their children received at least some education, a reflection of its value to the formerly enslaved. Families with numerous school-aged children might, for example, assign shifts. "One of the four children who belong to the school takes care of the baby of six months, while the others come to their lessons," teacher Ellen Murray reported of one family. This practice was quite effective, according to Murray, who noted that, "by taking turns, they are absent very little."[159] In Elizabeth Hyde Botume's school, children who had been tasked with caring for an infant brought the baby to school. They took turns holding the infant outside, so as not to disturb the class. After one child received the lesson, she "relieved the baby-tender [who] would return in her place."[160] In light of their dual obligations, children made the best of their circumstances, preferring interrupted education to none at all.

Mothers supported children's learning in numerous ways. Booker T. Washington's mother procured reading materials for him. "Although I could not attend the school," Washington recalled, "my mother secured a book for me, and although she could not read herself, she tried in every way possible to help me to do so."[161] Some freedwomen became personally involved in their children's schooling. Maria Rankin, who sent her daughter Nellie Robinson to Fisk University, illustrates such involvement. In August 1870, Rankin penned a letter to George White, the university's treasurer, in which she expressed her desire for Nellie "to

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[157] Samuel Spottford Clement, *Memoirs of Samuel Spottford Clement, Relating to Interesting Experiences in Days of Slavery and Freedom* (Steubenville, OH: Herald Printing Co., 1908), 13.
[158] Williams, *Self-Taught,* 199-202, 318-320.
[159] Ellen Murray, "Report for February: Pennsylvania Freedmen's Relief School," *Pennsylvania Freedmen's Bulletin* 1, no. 2 (April 1865): 33.
[160] Botume, *First Days amongst the Contrabands,* 94.
[161] *Washington, The Story of My Life and Work,* 23.

study practical arithmetic, geography, 5th reader speller and [to] commence grammar." "I also wish to rent the use of a piano for her to practice two hours per day," she wrote. "I do not wish her to take music lessons until next term." Rankin also requested further information about the curriculum. "Please write immediately and tell me what books you use."[162] Rankin contacted White again in January 1871 with concerns about Nellie's progress in reading. Rankin feared that too much reliance was being placed on homework. "[I]f she is left alone to practice in her room she will not accomplish anything atall," Rankin worried. Rankin encouraged White to see that more class time was devoted to reading exercises. Even as she issued instructions about her daughter's education, she told White, "Please take no offence at that. I have said I do not wish to dictate atall. I know the managers know their business but sometimes teachers are apt to think that scholars are more diligent than they are realy."[163] Rankin's interventions illustrate mothers' sense of entitlement and their attempts to influence both how and what their children learned. Her ability to send a daughter to Fisk was exceptional, but her investment in her child's education was not.

Like the cook who "said she should die very happy, feeling that her children can spend the balance of their days in freedom, though she had been in bonds," newly free mothers sought to make freedom meaningful not just for themselves, but for their children. The social, economic, and political realities confronting former slaves often made their prospects look bleak, but the maternal practices of freed mothers reflected a sense of hope. The constraints of the postemancipation South did not stop freed mothers from pressing for the entitlements of

[162] Maria Rankin to Mr. White, 31 August 1870, TN, American Missionary Association Archives.
[163] Maria Rankin to George L. White, 3 January 1871, TN, American Missionary Association Archives.

motherhood or from dreaming of greater possibilities for their children. Freedom began within ex-slave mothers' imaginations. What brewed there were visions of a world free of violence where they could survive, rear their children with the necessary resources, and create opportunities for their progeny that had been foreclosed to themselves. Through their mothering practices, they set out to create such a world. Although the dreams did not always materialize, they kept freed mothers moving forward, demanding rights and protection, and carving out spaces in which they and their children could survive, and perhaps even thrive.

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