

Slavery and Southern Violence: County Court Petitions and the South's Peculiar Institution

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Twenty-eight years ago this month, I began a seminar at the University of Chicago on Alabama Reconstruction with Professor Franklin. As a number of his students who are here now know, Professor Franklin's seminars were life shaping and career molding. Such was the case for myself.

After choosing a topic, "Northern Philanthropy and the American Missionary Association in Reconstruction Alabama," I ventured south to Fisk University, where the American Missionary Association Papers were then housed, and to the Alabama Department of Archives and History, in Montgomery. After seven months of research and writing, I presented my findings. My colleagues complimented the paper as well-researched, and well-done.

Professor Franklin, however, said that he was surprised that the missionaries who went south after the Civil War to teach and assist freedmen encountered so little opposition or violence. I responded with a four minute monologue about how there was indeed a great deal of violence, how some missionaries had been assaulted, attacked, even murdered, how some churches and schools had been burned. Indeed, there had been so much violence that I decided to concentrate on the "positive aspects" of the missionary movement. Professor Franklin said only: "So one church burning is like another."

In subsequent years, and after using *From Slavery to Freedom* in my African American history classes, I came to appreciate how important it was to understand the place of violence in Southern history. Of course, a number of scholars have focused on this topic, including Edward Ayers, Philip Schwarz, and Professor Franklin himself, especially in *The Militant South*. We have some knowledge of the force used to keep slaves in line, to intimidate black families, and to curtail slave resistance, although I believe more can and will be said on these topics.

My presentation today is more modest. It seeks to understand the extent and nature of violence "within the plantation household." The current literature emphasizes tranquility, grace, gentility, and calm. Yet, there is ample evidence that such was often not the case. Indeed, slave owners themselves provide the evidence in the form of petitions to county courts. In their petitions, they reveal households that were anything but tranquil.

In South Carolina, for example, divorce was not legal (a number of South Carolinians went to Georgia for that purpose) and the only recourse for a woman caught in a bad marriage was to sue, through her "next [male] friend," for alimony or to preserve a trust estate. In Barnwell

District [county] alone, there are perhaps a half-dozen petitions similar to the one presented in 1841 by slave owner Eliza A. Ransom, the wife of Dr. Thomas S. Ransom, a respected physician. In a nine-page remonstrance seeking to retrieve property in a trust estate, she traced her husband's brutal and violent nature (always when visitors were absent) over a three-year period:

'he repeatedly slapped me,' she testified, 'knocked me to the floor, abused and ill-treated me both by words and blows.'

He was 'harsh, un Kind, contemptuous, degrading and cruel"

he treated his slaves in the same manner.

On one occasion, when he ordered a slave girl to bring him some water and Eliza asked her personal servant, Sally, to assist, the husband abruptly stepped out of the house, and began to beat Sally, "whereupon you Oratrix [Eliza Ransom] came down Stairs and mildly observed: 'Doctor, I told Sally to draw the water', on which immediately turning round, and without uttering a word, inflicted a severe blow on your Oratrix by which I was felled to the ground."

On another occasion, Dr. Ransom again became incensed with Sally, and shortly after breakfast commenced whipping her--After whipping her most severely for some time, "your oratrix approached him and observed that he had whipped Sally enough, whereupon he pushed your Oratrix with such violence that she fell and in the attempt to avoid falling she accidentally caught his shirt bosom which was torn, and as she was rising he gave your Oratrix a violent blow in the face which drew blood--after he had ceased beating Sally, he came into the house, and gave your Oratrix as many as thirteen blows over the shoulders, with the whip which he had been beating the servant, the marks of which were visible days afterwards."

Eliza Ransom cited other examples of her husband beating and whipping her and the plantation slaves. In addition, she said, he constantly used the most coarse, abusive, brutal, and insulting language, and was "habitually guilty of an adulterous intercourse with female slaves."

The literature on "Race, Slavery, and Free Blacks" in the South, with few exceptions, excludes stories like the one told by Eliza Ransom. From what is generally considered the beginning of slavery historiography, U. B. Phillips, *American Negro Slavery* (1918), to Kenneth Stampp who revised this early interpretation in *The Peculiar Institution* (1956), to the black community and black consciousness studies of the 1970s and the economic, demographic, and gender studies in recent years, few scholars have examined slavery from the perspective of domestic violence. So, too, do the most popular primary sources exclude information on this subject: planter's diaries, letters, notebooks, reminiscences, accounts of travelers, overseers, and political leaders, plantation record books, accounts, and business records as well as the most widely used African American sources: slave narratives such as those of Frederick Douglass, slave autobiographies, and the often cited 1930s Works Projects Administration slave reminiscences.

Eliza Ransom was only one of many plantation mistresses who told of domestic violence. Among the approximately 17,000 petitions in the Race and Slavery Petitions Project Holdings, at

least 1,000-10,000 pages of documentary evidence--deal with this question in one way or another. Indeed, from this evidence, several tentative generalizations can be made:

First, violence against slaves could and did spill over into domestic relations within slaveholding families.

Second, sexual exploitation by slaveholders over their human property could and often did often create an atmosphere of mistrust, apprehension, and violence.

Third, our picture of the troubled patriarch, a man of dignity, conscience, and morality, who was distressed by having to own slaves but thought it best for "those people"--this picture is less accurate than the picture of the owner who had few pangs of conscience, who married for money or slaves, and who attempted to exert physical intimidation over his slaves as well as sometimes over members of his own family.

Lastly, a number of slave owners believed violence was the best means to solve problems both in the slave quarters and in the plantation household.

As for the results of the Eliza Ransom suit, the docket page for the original petition is unfortunately missing and the court's decision is not included. We do know, however, that she fled from her plantation, took up residence with a friend, and through a male intermediary filed a civil suit for a return of her property. We also know that many months later the land and slaves in Eliza Ransom's trust were still under the control of Dr. Ransom who refused to give them up.

Source: Petition of Eliza Ransom to the County court, Records of the Equity Court, Barnwell District, SC, Bills, 1841, reel BW 83, South Carolina Department of Archives and History, Columbia, South Carolina.