

## TRADING IN JERSEY SOULS: NEW JERSEY AND THE INTERSTATE SLAVE TRADE

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Jacob Van Wickle sat in his Middlesex County home in the spring of 1818 with money on his mind.<sup>1</sup> He realized slaves in New Jersey sold at far below the prices Mississippi and Louisiana plantation owners paid for similar chattel from the Upper South. With this knowledge, Van Wickle sought to sell dozens of “cheap” New Jersey born slaves to the New Orleans market. As the ringleader of the largest slave trading organization in the Garden State, he helped undermine the promise of abolition which had begun in New Jersey in 1804.<sup>2</sup>

In February 1804, New Jersey became the last Northern state to begin the process of dismantling its slave system when it passed an Act for the Gradual Abolition of Slavery. The law declared children born to slave mothers after July 4, 1804 “shall be free, but shall remain the servant of the owner of his or her mother . . . and shall continue in such service, if a male, until the age of twenty-five years, and if a female until the age of twenty-one years.” The abolition law essentially declared a freedom of the womb as it freed all children born to slaves but required them to serve their mother’s master until they reached the statutory age.<sup>3</sup>

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PENNSYLVANIA HISTORY: A JOURNAL OF MID-ATLANTIC STUDIES, VOL. 77, NO. 3, 2010.  
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The service requirement for these Jersey children, like those in Pennsylvania, New York, Rhode Island, and Connecticut who had earlier enacted gradual abolition programs attempted to reduce any monetary loss slaveholders might suffer from gradual abolition. In that way, it respected the property rights of the slaveholder and shifted the burden of emancipation to the slave and the slaves' freeborn children. Masters desperate to continue to reap the benefits of bound labor treated these children the same as their parents, as slaves. The treatment these freeborn children experienced (hard work, whippings, separation from family by sale or inheritance) made them indistinguishable from those who remained in legal bondage. In this sense, these freeborn children became *slaves for a term*.<sup>4</sup>

Men like Jacob Van Wickle realized the economic potential these slaves for a term and their enslaved parents represented and sought to reap an immediate profit from their sale to the Deep South. Indeed, this trade represented the largest loophole imbedded in Northern gradual abolition programs, for while it helped destroy the institution of slavery in the Garden State by reducing the total number of slaves, it allowed the removal of slaves for a term from the grasp of the law created to eventually free them. Sale to the South then illustrated that most slaveholders never wavered in their support of slavery and resisted any attempt to alter the world of unfreedom they had helped create in the Garden State.

That New Jersey law allowed the transport of slaves out of state forces us to rethink the identity of gradual abolition in the North. As opposed to the relatively quick elimination of legal slavery in the South after the Civil War, slavery in the North, as historian Shane White has argued for New York, "died hard."<sup>5</sup> Indeed, as the last Northern state to pass a gradual abolition law, New Jersey's white citizens exhibited an overall apathy for abolition that often gets lost in the debates over the end of Northern slavery. Sales to the South show not only that slaveholders attempted to limit the impact the gradual abolition law had on their slaves but that slave traders harnessed and exploited the public's apathy for abolition which even further delayed the destruction of slavery. Instead of a triumph of Revolutionary ideology, the Early Republic gave an inhospitable welcome to the large numbers of slaves whose masters continued to exploit them; sale out of state made a mockery of any idea of freedom the Revolution created.<sup>6</sup>

In the years after the Revolution, the New Jersey legislature concerned itself with not only the prohibition of the Atlantic slave trade but with the regulation of the internal trade in human chattel. In 1788, the state

legislature introduced a requirement which mandated a slave had to give his or her consent in order to be sold or transported to another state. The legislation required a private examination of the slave by two impartial local officials, usually justices of the peace or inferior court judges. If the officials felt the slave consented to the transfer, they approved the sale and the slave could be transported outside New Jersey. Lawmakers again enshrined the idea of consent in an 1812 law when they reiterated the restriction on sales of slaves for life without their consent and included the newly created slaves for a term under the same requirement. They further allowed for parents of slaves for a term to provide consent if the child was under age twenty-one. The 1788 and 1812 laws attempted to foster an environment that theoretically acknowledged the slave's humanity and right to determine at least some direction in their lives but were frequently ignored by Jersey slaveholders.<sup>7</sup>

Slave owners and men like Jacob Van Wickle saw the enhanced prospects for slave sales in the Old Southwest, the present day states of Alabama, Mississippi, and Louisiana, which had grown considerably through the innovation of the cotton gin. With new opportunities appearing everyday, New Jersey slaveholders, by now mostly concentrated in the eastern part of the state bordering New York, transformed their slaves from personal property to independent market commodities. Through this, they responded to the growth of the interstate market which not only ensnared Virginians to sell their slaves to Louisiana planters or compelled Irish workers to toil endlessly on New York's Erie Canal but limited the role abolition played in the North. These masters commodified their slaves in an effort to profit from the changing economic relationships that gradual abolition brought to the nineteenth century.<sup>8</sup>

In 1818, the Charlestown, Virginia's *Farmer's Repository*, Charleston, South Carolina's *City Gazette and Daily Advertiser*, Baltimore's *Patriot and Mercantile Advertiser*, and the *New Orleans Chronicle* all published the same article which claimed that New Jersey slaves perfectly complemented Southern agriculture. Articles in each of the papers advised "Jersey negroes appear to be peculiarly adapted to this market . . . as it is understood that they afford the best opportunity for speculation."<sup>9</sup> Sales of New Jersey slaves to the South unaccompanied by their masters made the Garden State resemble the Upper South: a base of supply to fuel the fertile economy of the Old Southwest. Both New Jersey and the Upper South experienced economic shifts in the early part of the nineteenth century. As New Jersey's cities grew and the

state shifted towards an economy less dependent on agriculture, the Upper South remained an agricultural power but one who veered production away from labor intensive tobacco to the cereals and grains New Jersey farmers had grown for decades. Slaveholders in New Jersey and the Upper South realized their slaves became less necessary on a daily basis thus they jumped at the opportunity to sell their slaves on the open market.<sup>10</sup>

John Marsh, a native of Rahway, New Jersey moved to New York City where he and his business partner William Stone decided to take advantage of the growth they saw in the Old Southwest. They imagined they could stuff their pockets not with cotton but with the much sweeter sugar which grew on the plantations of Southern Louisiana. In 1818, Marsh, his wife Eliza, and their infant daughter Sarah arrived at their newly purchased plantation at Petite Anse, about 150 miles west of New Orleans. Of course, Marsh understood the necessity of slave labor to make his fortune in sugar.<sup>11</sup>

Marsh and others like him spurred on a windstorm of demand for slaves in Louisiana. As early as 1804, Daniel Clark, the first delegate from the Orleans Territory to the US House of Representatives, wrote to Jonathan Dayton, New Jersey's United States senator, and asked "if the prohibition of the African trade" would be "mediated by repeal of the prohibition upon application to Congress at their next session" since the demand for slaves in the new territory was so high.<sup>12</sup> Similarly, South Carolina slaveholders realized the potential profit available in slave sales when they reopened the transatlantic slave trade to their ports in the early nineteenth century. The demand for slaves set the background for New Jersey's largest inter-state slave trade: the sale of human cargo between the Garden and Bayou states.

The predominant plot to remove enslaved blacks from New Jersey centered on two men: Jacob Van Wickle and Charles Morgan. Morgan, a Louisiana state legislator and plantation owner in Point Coupee Parish, left his plantation in January 1818 in search of additional slaves to work for him. Originally planning to travel to Virginia with \$45,000 in cash to solve his labor needs, Morgan detoured to New Jersey to visit his birthplace and relatives including his brother-in-law, Jacob Van Wickle. Van Wickle, a former member of the Middlesex County Board of Chosen Freeholders, a justice of the peace, and a judge of the Middlesex County Court of Common Pleas, had watched the progress of the state's gradual abolition law over the past fourteen years. In newspaper after newspaper, he saw hundreds of advertisements for sales of slaves for life and slaves for a term at prices a fraction of

what they could be sold for near his brother-in-law's home in Louisiana. Morgan decided to drop the Virginia buying expedition and team up with Van Wickle to buy as many Jersey slaves as possible with his \$45,000. With the available cash reserves afforded the duo, they could buy at a minimum 150 slaves as the highest advertised price for a slave for life in New Jersey between 1804 and 1818 appeared in May 1816 when the *New Jersey Journal* advertised a nineteen year old "smart, active" male who was "used to waiting and can garden." His price: \$300. Traveler Isaac Holmes commented that the same able-bodied slave could be sold for upwards of \$800 on the New Orleans auction block for a \$500 profit.<sup>13</sup>

Since masters throughout New Jersey had no qualms of making profits from their slaves, the search for potential investments was not at issue. The main impediment to the exportation of so many slaves rested in the 1812 law and its requirement that slaves consent to leave the state. The law entrusted the evaluation of that consent to members of the judiciary who, according to the belief of the legislature, had to be above reproach as they inhabited such an exalted position. However, above reproach Jacob Van Wickle was not. Van Wickle used his power as a Middlesex County judge to falsify the consent of slaves under the 1812 law. In just six months, he approved the removal of sixty slaves for life and thirteen slaves for a term. His connection to the slave trading ring resounded far from New Jersey as the same newspaper advertisement in New Orleans that remarked how well Jersey slaves adapted to Louisiana claimed those "who bear the mark of Judge Van Wickle" were especially well suited for plantation life.<sup>14</sup>

Although in the documents he filed with Middlesex County Van Wickle swore he properly judged the consent of those he examined, he routinely lied to slaves by promising them high wages in the South and a safe return to New Jersey in the future. He also ignored the law, since seventeen of the sixty slaves for life he interviewed were less than twenty-one years of age and therefore could not give their legal consent. Only one had a parent available, coincidentally a mother who also agreed to leave New Jersey. He then further proceeded to attack the very notion of freedom when he approved the transfer of thirteen slaves for a term. Van Wickle certified the thirteen children, ranging from six weeks of age to nine years, "as far as they could answer . . . declared their willingness" to remove to Louisiana. Van Wickle took the crying of a six-week-old slave for a term for approval of a life of unfreedom in the Deep South. Isaac Holmes, who vividly recounted his remembrances of the slave trade in Middlesex County, referred to Van Wickle as an "outrage

on humanity," as he blatantly failed to certify any slave's consent and ceded all pretense of legality in the service of his own profits.<sup>15</sup>

Van Wickle's illegal actions did not stop with simple abuse of judicial power. Through his son Nicholas, Van Wickle acted as Morgan's agent in New Jersey. As a New Jersey resident, Nicholas easily bought slaves for eventual transportation to Louisiana at the "South River Establishment," the name newspapers gave to Van Wickle's estate. In New Jersey's own slave castle, Judge Van Wickle examined his son's purchases, certified their consent to leave for Louisiana, and confined them while they waited for transportation out of the Garden State. After living under guard at the "garrison," another term used to describe Van Wickle's home, the slaves Nicholas bought, along with those purchased by Van Wickle allies Lewis Compton, Peter Hendry, and James Brown, boarded two ships near Perth Amboy, the *Mary Ann* and the *Thorn*. Both ships carried a total of seventy-five enslaved souls.<sup>16</sup>

Loading the human cargo onboard the *Mary Ann* proved difficult as local Quaker abolitionists filed a complaint with customs officials to attempt to stop the departure. The complaint claimed the ship's manifest invalidly reported the cargo onboard. After the Atlantic slave trade closed in 1808, federal law required every domestic slave trading vessel to file a manifest listing the number and characteristics of slaves under transport. Compared at the end of the voyage to the beginning, the manifest ensured the slaves who began the trip ended it without any additional non-American slaves. The local customs official, dumfounded at exactly what the Quakers disputed, failed to provide proper documentation to Morgan. Bypassing the customs official in Perth Amboy, Morgan completed a manifest and received the necessary forms from the New York customs house.<sup>17</sup>

The *Mary Ann* sailed from New York, according to James Elain, a passenger onboard, at eleven o'clock in the morning March 10, 1818. Elain thought he had booked a direct voyage to New Orleans but the ship soon came to anchor off the coast of Sandy Hook. As the ship sat at anchor, a smaller vessel approached the *Mary Ann*. A Perth Amboy based packet vessel, the *Thorn*, had thirty-six blacks onboard along with Morgan, William Lee, who commanded the *Mary Ann* on its trip to Louisiana, and several other whites. As the crew loaded the ship with the slaves and their belongings, a lookout spotted a revenue cutter headed towards them, at that point less than four miles away. Quickly, Elain said the crew moved the blacks beneath the deck and stowed their luggage with them in the ship's hold to hide those who had just joined the ship and had no listing on the manifest. Elain correctly felt the

crew's quick actions and the hasty departure of the *Thorn* signaled they did not want the revenue cutter to know what had just transpired.<sup>18</sup>

With the slaves in the ship's cargo hold, the revenue cutter came alongside the *Mary Ann* and boarded her. Elain remembered hearing the cutter's boarding officer accuse the captain of smuggling, but an inspection of the ship's manifest satisfied him that the *Mary Ann* had not engaged in any illegal activity and the cutter released it to continue to New Orleans. Lucky for the crew of the *Mary Ann*, the revenue cutter's boarding party had failed to inspect the ship from bow to stern, less they would have found twenty-nine slaves and seven slaves for a term hidden below deck. Of these, Morgan had to force several onboard; he tied up and carried one man on the ship himself while another barely managed to get aboard before the hatch closed behind him to lock him in. Morgan and his cohort clearly realized the men and women on the *Thorn* and *Mary Ann* had no wish to leave New Jersey and certainly no longer freely consented to travel to New Orleans.<sup>19</sup>

The *Thorn*, after she dropped off one shipment of slaves to the *Mary Ann*, loaded on another group of slaves from Perth Amboy and left on its own voyage to New Orleans, arriving shortly after the *Mary Ann* with another thirty-nine slaves. Upon arriving in New Orleans on the *Thorn*, Morgan found the *Mary Ann* seized by customs officials for falsifications to its manifest. The captain of the ship, William Lee, stood trial in New Orleans for sailing with false documents which included lying about the ages of the slaves under his charge to the extent that port officials claimed there was no way possible his slaves matched their supposed ages and descriptions. Lee argued that Van Wickle had signed off on all the petitions and therefore the transfers had legal authority but did concede that his crew had taken at least five of the slaves onboard the ship by force, a clear rejection of their consent. Lee's confession that he coerced five slaves onboard differed from an anonymous letter written to a New Brunswick newspaper which accused Van Wickle of only interviewing roughly half of the blacks who supposedly consented to leave New Jersey. More than just the five resisters cited in Lee's case, Judge Van Wickle likely lied about or coerced the consent of the majority of the blacks onboard the *Mary Ann*. However, regardless of the overwhelming evidence pointing to a shady ring of collusion and deceit, a jury of sympathetic Louisiana slaveholders, eager for more slaves to flow from the North and Upper South, found Lee not guilty.<sup>20</sup>

While slave masters consistently worked to sustain the slave system in New Jersey by sales of their chattel far from abolition's reach, certain

New Jersey residents recognized the abuses of the system and, unlike the jurors in William Lee's trial, spoke out against it. State officials indicted Charles Morgan and several others who participated in the Middlesex slave trading ring. No New Jersey court, however, ever indicted Judge Jacob Van Wickle, the mastermind who supported the entire process via his signature on the consent agreements. In fact, Van Wickle appeared as a witness for the prosecution in several cases. Primarily, the charges against the slave trading ring centered on the removal of the freeborn slaves for a term. According to the indictments, the trading syndicate violated the 1812 removal law as the "servants for a term" they sold remained too young to consent to their sale out of New Jersey.<sup>21</sup>

Many New Jersey residents identified the slave for a term's transfer as an activity outside the boundaries of acceptability. Of course, most Northern whites during the first half of the nineteenth century did not embrace African American freedom. Whites stripped blacks of legal rights, public educational opportunities, and most notably the right to vote, an action taken by New Jersey early in the abolition period in 1807. At the same time, the North also witnessed the birth of the colonization movement designed to rid Northern cities of ex-slaves as well as the widespread kidnapping and sale of free blacks by slave traders. In what historian Leslie Harris calls "the limits of emancipation," white legislators remained mostly ambivalent towards ensuring even legally free African American's freedom.<sup>22</sup> However, in October 1818, after the courts handed down the indictments, 103 freeholders of Middlesex County petitioned the legislature for a new law, one which prohibited the type of trading the Van Wickle cohort had engaged in. The petition argued

the intention of the legislature manifestly appears to have been to abolish slavery in this state as fast as was practical and to prevent slaves and children thus born free (denoted Servants for years) from being taken without their full and free consent out of the protection of these laws by which their rights and privileges were secured. Since, however, has arrived, not contemplated by the people of this State, when the restraint imposed by the legislature are insufficient to guard against the proceedings of persons whose thirst for gain and disregard the law of God and Man.<sup>23</sup>

With this language, the petitioners identified slave trading, the most heinous part of slavery to abolitionists, as a violation of the true intention of the



Gradual Abolition Act. The petitioners demanded the legislature defend the “servants for years” and prevent slavery’s continuation by proxy in other jurisdictions. Citing “the high prices of the producer of the Southern States” because of the “prohibition by the United States of the slave trade from Africa,” they argued that this particular instance of slavery rose to a higher moral level that needed to be stopped.<sup>24</sup>

Like the petition to the state legislature, other calls printed in New Jersey newspapers begged the state to take action to preserve the liberty and freedom of the slaves for a term. James Wilson, one of New Jersey’s United States senators, even introduced a law in Congress to prohibit the interstate slave trade if “by the laws of such state, such transportation is prohibited.” In his support for the law, Wilson contended that “the traffic in slaves and servants of color had been carried on to considerable extent from the state of New Jersey and under color of this traffic, it was believed many free persons, or who were soon to become free, had been consigned to slavery for life.” Wilson’s argument highlighted that New Jersey leaders realized a significant loophole existed which while it allowed for the destruction of the state’s slave system, it did not allow for actual emancipation to occur. Wilson’s bill in Congress ultimately soured Southern representatives as they wanted to protect new sources of slaves from the Upper South and from the North. Therefore, they voted against cutting off their supply lines and strengthening the federal government’s ability to regulate the internal slave trade.<sup>25</sup>

Slavery in the 1810s had become very much a regional issue for New Jerseyans which likely further fanned the flames of public protest. Three quarters of the state’s approximately 7500 slaves lived in East Jersey while the heavily Quaker-dominated West entered the nineteenth century with comparatively few. Indeed, by 1800 the divisions between East and West Jersey over the issue of slavery had been established: slaveholders in the East consistently fought to continue the institution of slavery while those in the West, with their Quaker roots, tried to destroy it. Outflanked by Jeffersonian Republicans and Quakers in 1804, gradual abolition became a contentious regional issue which made the slave trade even more reprehensible to Western New Jerseyans.<sup>26</sup>

In response to the public outcry against the internal slave trade, the New Jersey legislature passed a revised law on November 5, 1818 which, while it continued dependence on an individual slave’s consent for removal, limited who could sell a slave out of state. The new law stipulated a slave owner had to live in New Jersey for five years before he or she could remove a slave from New Jersey. The law also prohibited the sale of slaves to non-resident masters.

With this new law, someone like Charles Morgan, who bought a slave and then a few days later attempted to remove them, could not legally transport anyone out of state. As a concession to support property rights, the legislature reaffirmed its commitment to protect non-resident slaves visiting the state from any form of abolition. The 1818 law, like the previous 1798 and 1812 laws, exempted visiting slaves from both gradual abolition as well as the new slave trading ordinances. In this respect, the state legislature firmly took a stand to end the slave trade but not to advance abolition any further; indeed it limited abolition to only Jersey-born or Jersey resident blacks. Although far from free soil to its own slaves, state law specifically prevented any slave from another state to ever benefit from the gradual abolition law.<sup>27</sup>

The outcry at the sale of these young slaves for a term to the Deep South channeled a fervent desire of Northerners to imagine themselves distinct from the South but also revealed that while they stood reviled at the slave trade, they ignored slavery's persistence in their own state. The public nature of the debate over the Middlesex slave trading ring became too much for them to ignore. Just as Joanne Pope Melish argued for New England, the slave trade in the 1780s directed abolitionist thought to the most vile and sinful image of slavery instead of at the condition of slaves in their own towns and cities. The same happened in late 1810s New Jersey when those who pressured the legislature to impose strict limits on slave trading only did so when they could no longer ignore it; they did not become strict proponents of abolition. On a regular basis, most white residents lived desensitized and ambivalent to the plight of slaves.<sup>28</sup>

As the legislature debated the 1818 law, John Marsh, the Rahway native turned Louisiana planter began buying slaves in New Jersey for his new sugar plantation before the opportunity to purchase them at cut-rate prices escaped him. Marsh and Stone's agents, among them William Compton and William Raburgh, bought several slaves for Marsh's estate in days before the legislature passed the stricter 1818 law. In addition to the slaves, they also secured indentures from at least eleven free blacks from New York City who agreed to serve in Louisiana for terms varying from three to five years for thirty to fifty dollars a year.<sup>29</sup> Compton planned an overland expedition to Louisiana after he had his slave coffle "examined" by Judge Van Wickle. Compton left Perth Amboy on October 25 with four slaves while two other agents of Marsh and Stone traveled with four of their own slaves in the same group. The coffle crossed the Pennsylvania border where authorities at Reading arrested them, suspecting as the *New Jersey Journal* reported, "that these poor, innocent

sons of African, whose only crime is that of being black, were purchased in New Jersey, with an intention of being conveyed to the south."<sup>30</sup>

Like Pennsylvania, other states gave gangs of slaves heightened scrutiny as newspapers warned the public to look for slaves who traveled from New Jersey destined for the South. In Leesburg, Virginia, the *Genius of Liberty* alerted readers that "human beings entitled by the laws of our country to their freedom" might soon come into the area, controlled by "monsters that infest society, called soul drivers" who would parade these free blacks "manacled and groaning under the chains of oppression."<sup>31</sup> Similarly, Virginia's *Alexandria Gazette* told readers to closely "examine every drove of slaves passing through the state, and when this drove from New Jersey is discovered, effectual means will be taken to secure to them their rights, and to bring the villains who have kidnapped them to justice."<sup>32</sup> Indeed, at the same time Compton's slaves crossed the border, the Pennsylvania Abolition Society had been working to stop the illegal importation of slaves into the United States from foreign sources and therefore looked to this local incident as another indication that their work had not ended with gradual abolition.<sup>33</sup>

The heightened interest in keeping New Jersey slaves in New Jersey resulted in Compton's conviction in Lebanon, Pennsylvania of "unlawfully detaining blacks, men and women whom he had brought out of the state of New Jersey, after the passage of the late law, for the purpose of exporting them to Louisiana and Mississippi."<sup>34</sup> The Pennsylvania judge freed all of the slaves and thought he had ensured their protection when he handed them over to two members of the Pennsylvania Abolition Society, William Wayne and Thomas Shipley. Unwilling to give up on his slave cargo, Compton traveled to Philadelphia and attempted to detain the slaves once again only to be arrested by Philadelphia authorities for false imprisonment. Pennsylvania authorities transferred the now emancipated blacks back to New Jersey, but Compton once again pursued them and filed suit in New Jersey to reclaim them. Compton argued that since he had gained consent for the slaves' transfer out of New Jersey before the 1818 law went into effect, his cargo should not be subject to that law. Eventually Compton's persistence won out and the New Jersey courts re-enslaved the four blacks and handed them back to Compton. He transported them to Marsh's Louisiana plantation where they served for the rest of their lives. Despite the law to solve the very problems caused by Compton and his cohort, New Jersey justices again allowed slave traders to circumnavigate the law and remove slaves who should have died in New Jersey as the last generation.<sup>35</sup>

William Raburgh, a soul dealer from Alabama, traveled along on Compton's Pennsylvania expedition.<sup>36</sup> An agent for Marsh and Stone, he participated in not only the Louisiana trade but a separate one between New Jersey and Alabama. Like Compton, Raburgh bought slaves primarily from Somerset County for transport to Alabama in the last few weeks before the stricter 1818 law went into effect. Raburgh purchased ten slaves for life and one slave for a term from eight different owners. He set out from Somerville at the beginning of November 1818 with four slaves bound for Alabama on the same route as Compton took into Pennsylvania.<sup>37</sup>

Like his fellow dealer, Pennsylvania authorities apprehended him near Reading, transported him and his slave coffle to Lebanon for trial, and granted them all their freedom. Raburgh followed Compton's lead and pursued his slaves back to New Jersey where the Newark *Centinel of Freedom* warned: "we understand that Rayburgh, the noted Alabama dealer in human flesh, has returned to this state since he was dispossessed of his prey in Pennsylvania and has had the address again to seize three of the poor blacks and confine them in jail at Somerville."<sup>38</sup> Raburgh, arrested in Somerville and held on \$3,000 bail, successfully defended himself and defeated a habeas corpus petition filed on behalf of at least two of the slaves, Walter Wilson and his wife Jane. He, like Compton, reclaimed all four slaves lost in Pennsylvania, acquired legal title to them, and confined them in the New Brunswick jail until he could determine how he could most effectively extract them from New Jersey. With his identity already broadcast in the state's leading newspaper, Raburgh opted for sea travel instead of an overland expedition. He transported all four slaves on the sloop *Lydia* to New York where he intended to travel with the group to Alabama. In New York City, one of the slaves he reclaimed, twenty-one year old Jane Wilson sued Raburgh in an attempt to gain her freedom.<sup>39</sup>

Jane Wilson, born in 1797, lived with her master William Skillman in Hunterdon County before Thomas Logan, a Bridgewater farmer, bought her. Logan agreed to sell Jane, along with thirty-three year old Walter and twenty-one year old Hannah, to Raburgh knowing that he intended to transport them to Alabama. Raburgh realized he needed to establish just cause for holding Jane and the other slaves in New York since their exportation might be seen as illegal under the state's slave trade restrictions. He appeared before United States Supreme Court Justice Henry Brockholst Livingston, then riding circuit in New York State, and argued that Jane was a runaway slave and under the federal fugitive slave law he needed to certify her status in order to

transport her back to New Jersey. Livingston, who seemingly did not know or did not care that Raburgh intended to take Wilson to Alabama, issued a writ that entitled Raburgh to transport her out of New York as a fugitive slave.<sup>40</sup>

The New York Manumission Society learned of Jane Wilson's case and in March 1819 applied to Cadwallader David Colden, mayor of New York City, to issue a writ of habeas corpus on her behalf. In April 1819, Raburgh appeared with Wilson to answer the writ and defend his right to take her out of New York. He contended that Justice Livingston's certification "was conclusive on the subject and ought to preclude all further inquiry" and rested a large portion of his case on the certificate's entitlement to move Wilson anywhere he wanted. Additionally, he argued that the 1818 New Jersey law did not apply to Wilson since he acquired permission to remove her to Alabama on November 2, three days before the legislature passed the stricter 1818 law. Raburgh concluded that even if he did not take her out of New Jersey until November 7, two days after the effective date of the law, the 1812 law should control Jane Wilson's removal since he had initiated the removal process on November 2.<sup>41</sup>

Colden disagreed and instead favored the approach of the Manumission Society which argued that since Jane Wilson left New Jersey after November 5, 1818, she should be free. Colden rebutted Raburgh's argument on the superiority of Livingston's certificate when he claimed that a decision by one magistrate without the benefit of a jury, despite his high status, could not be conclusive. Colden wrote

the more I reflect on that decision, the more I am induced to believe it is right. I am persuaded that the Congress of the United States could not, even if they had so intended, either consistently with the Constitution of the United States, or with any principles of civil liberty, leave to a single magistrate, who may be the very lowest in the United States, without jury, and indeed, without trial, to decide finally whether I may be dragged from my family and home upon the claim of one who may pretend a right to my services.<sup>42</sup>

With this statement, Colden suggested that Raburgh lied or misrepresented himself to Livingston to gain the certificate. More importantly, Colden attacked the very nature of Northern fugitive slave laws; he assailed the federal system which did not require a jury or more than the decision of a single judge. Colden put himself at the center of the ongoing debate over the role

of the Northern states in returning fugitive slaves to the South and the right of the federal judiciary to summarily decide if a slave could be considered a fugitive. Angered by Raburgh's claim over Wilson, Colden contended no single magistrate had any right to decide on issues related to slaves especially when that decision resulted in a lifetime of bondage.<sup>43</sup>

In the end, Colden decided the 1818 law controlled all acts by New Jersey slave owners after the effective date of the legislation, that is, Jane Wilson, since Raburgh removed her from New Jersey after November 5, 1818, should be free as freedom was the appropriate legal remedy for illegal sales out of New Jersey. He ordered her taken to "any place in the city where she thinks she will be secure" and gave her the ability to start a new life as a New York free black instead of a slave in Alabama. Thomas Shipley, the treasurer of the Pennsylvania Abolition Society who had rescued her from bondage in Reading, proclaimed after he heard Colden's verdict: "You could not have afforded me greater pleasure (than news of) poor Jane and her children's triumph over such a base and villainous scoundrel."<sup>44</sup> The participation of the New York Manumission Society rose as perhaps the greatest reason for Wilson's success. Their advocacy in her case distinguished her from the majority of other New Jersey blacks who suffered abolition's failures. Additionally, Colden's position as president of the New York Manumission Society most likely did not hurt Wilson's chances for freedom either.<sup>45</sup>

Of course, Northern courts not only freed Jane Wilson but hundreds of other slaves in the abolition period who brought suits in order to gain their freedom. Both the New York Manumission Society and especially the Pennsylvania Abolition Society routinely assisted slaves who had a legal case to gain their freedom. As opposed to its neighbors, New Jersey's abolition society died out by 1809 due to a lack of public support and therefore did not petition state courts to advance the abolitionist cause. Without a strong abolitionist presence, New Jersey courts consistently denied slave freedom far more consistently than did Pennsylvania and New York courts.<sup>46</sup> No court ever convicted the members of the Van Wickle slave trading ring for any violation of the 1812 law as most of them lived safely in Louisiana out of justice's reach. Lewis Compton went to trial for the removal of one slave by force, the removal an infant slave for a term without proper consent, and for the removal of the four slaves to Pennsylvania. Prosecutors dropped charges in one case and a New Jersey jury found him not guilty on the remainder. Juries also found two other co-conspirators not guilty of any crime. An anonymous writer, calling himself "Humanity" wrote in a letter to Senator James Wilson,

published in the Trenton *True American* claiming that the “vast profits they realize(d) (from the trade) . . . enable(d) them to employ or retain the first counsels and attorneys in the state. By their money and through their connections, they can obtain” license do what they please without fear of prosecution. Humanity complained that “such a combination of numbers, wealth, and influence” outstripped any effort to punish them for their crimes.<sup>47</sup>

Slave removals from New Jersey drastically decreased after the legislature passed the rigid 1818 law, but the damage to the process of abolition still had been done. The slaves exported to John Marsh’s Louisiana plantation or sold in the slave markets of New Orleans grew up to live their lives as slaves, not as slaves for a term marked for eventual freedom in New Jersey’s era of abolition.

The internal slave trade, its meanings, and influence on the United States in the first six decades of the nineteenth century has spurred significant interest by historians. Robert Fogel and Stanley Engerman first looked at the sale of slaves from North to South and argued that since the total black population in New Jersey did not grow at a rate similar to the decline of slaves between 1810 and 1820, a large number of slaves had to have been sold out of state. More recent work on the internal slave trade by Michael Tadman, Walter Johnson, and Steven Deyle all point to the importance of the slave trade and its centrality in the solidification of slavery in the United States in the nineteenth century. Johnson’s work especially shows the importance of commodification in the Upper South. Like those Virginia slaveholders, New Jersey slave owners and traders placed the slave’s value as a market commodity above any promise of freedom.<sup>48</sup>

Revisiting Fogel and Engerman’s data on New Jersey shows us that between 1810 and 1820, when the slave population decreased (by 9,020 slaves), the increase in the total black population amounted to only 8,670 (see table one). This figure does not account for natural population increase; a sizeable number of slaves had to have left the state. Even when considering if ex-slaves left New Jersey for surrounding states, there still exists a sizeable deficit of free blacks in the region and suggests that many slaves did not gain freedom but left the state through the slave trade. Of course, it remains difficult to fully determine the extent of the trade as only 121 petitions to remove slaves from New Jersey remain for the period between 1810 and 1820. Many of these records either did not survive or, more likely, slaveholders removed their slaves without official license and therefore left no records.<sup>49</sup>

TABLE I. Rates of Growth of Black Population, 1800–1830 in New Jersey

CENSUS YEAR	TOTAL FREE AND SLAVE POPULATION	PERCENT INCREASE PER DECADE	TOTAL SLAVE POPULATION	PERCENT DECREASE PER DECADE
1800	16,824	n/a	12,422	n/a
1810	18,694	+11%	10,851	-12.6%
1820	20,017	+7%	7,557	-30%
1830	20,557	+2.7%	2,254	-70%

Fogel and Engerman, however, relied on raw census figures which depended on cloudy assumptions of slavery and freedom which hurt our ability to quantify the numbers of slaves sent south. No clear rule existed for census enumerators on how to classify the freeborn slaves for a term. Between 1806 and 1820, 2,294 slaves for a term were born in the nine of New Jersey's thirteen counties with surviving records. These slaves for a term should have been classified in the 1820 census as free blacks under the age of fourteen years. Since these children did not legally exist as slaves, the census should have recorded that no slaves under age fourteen lived in New Jersey in 1820. However, the census recorded 1,452 slaves under the age of fourteen and another 6,421 free blacks of the same age. With this realization, all of the slaves Fogel and Engerman counted in their estimates using the raw census data may not have been slaves at all. Many of them lived as slaves for a term. Although Fogel and Engerman's work cannot be fully confirmed with our limited population data, the presence of slave trafficking from New Jersey to the South does point to a pattern of sales between the North and the South in the waning years of Northern slavery. However, to more adequately understand this forced migration, we should recognize the inherent weaknesses in census data for Northern black communities in the era of abolition.<sup>50</sup>

In total then, the existence of a sizeable removal of slaves from New Jersey defied the spirit of the 1804 Gradual Abolition Act. Its prevalence allowed hundreds of slaves to be removed from New Jersey to the South where they toiled on the cotton and sugar plantations of Louisiana, Mississippi, and Alabama. This slave trade affirmed that New Jersey slaveholders placed a slave's value as a commodity above the eventual end of slavery that the Gradual Abolition Act had promised. In this regard, they not only undermined abolition in New Jersey but became important participants in the



nationwide internal slave trade. Although this is very much a story about New Jersey, all Northern states with gradual abolition programs experienced similar issues in their abolition periods; the internal slave trade represents an important part of the elongation of slavery that gradual abolition permitted across the North. Slaveholders made conscious choices to drown out the idea of freedom and sell their chattel to men like Compton, Van Wickle, and Raburgh. The abolition of slavery in the North then was neither a quick nor popular process. More than just a defense mechanism for property rights, the general public apathy towards abolition in New Jersey illustrates that neither the Revolution nor gradual abolition actually changed how most white New Jerseyans felt towards slavery or African Americans.

## NOTES

1. The author would like to thank Allan Kulikoff, John Inscoe, Susan Klepp, and the anonymous readers for *Pennsylvania History* for their helpful suggestions and comments. This article and the larger project it is a part of have been supported by a grant from the New Jersey Historical Commission, a division of the Department of State in the form of a Samuel Smith Fellowship.
2. For more on Van Wickle and his trading syndicate, see Frances Pigeon, "An Abominable Business: The New Jersey Slave Trade 1818," *New Jersey History* 109 no. 3-4 (1991), 14-35. Unfortunately, Van Wickle himself wrote very little about his participation in the slave trade therefore it remains difficult to fully understand his ideas on the slave trade more than as an economic motivation.
3. "An Act for the Gradual Abolition of Slavery," Feb. 15, 1804, *Acts* 28th G.A. 2nd sitting, ch.CIII, p. 251-54.
4. I develop this idea of slaves for a term in my larger project, "Freedom and Unfreedom in the 'Garden of America:' Slavery and Abolition in New Jersey, 1770-1857" (Ph.D. diss., University of Georgia, 2010). Also, see Joanne Pope Melish, *Disowning Slavery: Gradual Emancipation and Race in New England, 1780-1860* (Ithaca: Cornell University Press, 1998), 84-118; and Christopher Osborne, "Invisible Hands: Slave, Bound Laborers, and the Development of Pennsylvania, 1780-1820," *Pennsylvania History* 72 (Winter, 2005), 77-99. For property rights affect on abolition in New Jersey, see Graham Hodges, *Root and Branch: African Americans in New York and East Jersey, 1613-1863* (Chapel Hill: University of North Carolina Press, 1999), 192; Giles Wright, *Afro-Americans in New Jersey: A Short History* (Trenton: NJ Historical Commission, 1988), 25; Robert Fogel and Stanley Engerman, "Philanthropy at Bargain Prices: Notes on the Economics of Gradual Emancipation," *The Journal of Legal Studies* 3 no. 2 (June 1974), 379. For the same debate over property rights and the shifting of the burden of emancipation to slaves (via apprenticeship) in the context of emancipation in the British Caribbean, see Seymour Drescher, *The Mighty Experiment: Free Labor versus Slavery in British Emancipation* (New York: Oxford University Press, 2002), 136-38.
5. Shane White, *Somewhat More Independent: The End of Slavery in New York City* (Athens: University of Georgia Press, 1991), 46-47. White's work was among the first to acknowledge that slavery did not

- quickly end after the Revolution and that the 1790s, in New York, represented a period of growth of the institution. However, after 1799, he argues that slavery in New York was “legislatively doomed” whereas New Jersey slaveholders skirted legislation to continue profiting from slavery. See Shane White, *Stories of Freedom in New York*, (Cambridge, MA: Harvard University Press, 2002), 13. Of course, slavery in the South did not die a quick or easy death either. For two excellent works on the struggles of the first years of freedom, see Leslie Schwalm, *A Hard Fight for We: Women’s Transition from Slavery to Freedom in South Carolina* (Urbana, IL: University of Illinois Press, 1997) and Susan O’Donovan, *Becoming Free in the Cotton South* (Cambridge: Harvard University Press, 2007).
6. Recent scholarship on slavery in New Jersey began with Arthur Zilversmit, *The First Emancipation, The Abolition of Slavery in the North* (Chicago: University of Chicago Press, 1967), which told the political story of abolition across the entire North. Zilversmit discussed the abolition process and specifically slave trading from New Jersey for only two pages but specifically mentions the Van Wickle case. See pages 216–17. The only published studies focusing on New Jersey comes from Graham Hodges. His *Root and Branch* looks at abolition in both New York and East Jersey and argues that both states experienced a “painfully slow emancipation” but he only devotes a little over two pages to describing that emancipation and relegates the interstate slave trade from New Jersey to a footnote. See pages 191–93. In his *Slavery and Freedom in the Rural North: African Americans in Monmouth County, New Jersey* (Madison, NJ: Madison House, 1997), he again discusses slave trading to the South and cites the Van Wickle case but does not develop its importance to post-1804 black life. Similarly, work on other Northern states also does not provide detailed discussions of the status of slaves and slaves for a term during the abolition period. While Gary Nash provides an excellent look at the development of a free black community in Philadelphia, he does not provide a detailed discussion of the status of slaves in the abolition period. See Gary Nash, *Forging Freedom: The Formation of Philadelphia’s Black Community, 1720–1840* (Cambridge: Harvard University Press, 1988), especially 66–99. Nash and Jean Soderlund do discuss the abolition period in more depth with excellent examples of slaveholder decision-making in Gary Nash and Jean Soderlund, *Freedom by Degrees: Emancipation in Pennsylvania and its Aftermath*, (New York: Oxford University Press, 1991), 137–66. Leslie Harris’ *In the Shadow of Slavery: African Americans in New York City, 1626–1863* (Chicago: University of Chicago Press, 2003) also focuses more on the development of a free black community as does Erica Armstrong Dunbar’s recent work, *A Fragile Freedom: African American Women and Emancipation in the Antebellum City* (New Haven: Yale University Press, 2008), which brings a crucial and previously missing gendered reading of Northern abolition. Melish’s *Disowning Slavery* perhaps provides the best accounting of the abolition period. Her work on New England argues that Northern whites attempted to disown their previous relationship with slavery whereas in New Jersey I argue the sale of slaves to the South represents a continued interest in slavery despite the passage of a gradual abolition law.
  7. “A Supplement to an Act, entitled ‘An Act to prevent the Importation of Slaves into the State of New-Jersey,’” Nov. 26, 1788, *Acts 13<sup>th</sup> General Assembly*, First sitting, and “An Act supplemental to the act entitled An act respecting slaves,” Feb. 1, 1812, *Acts 36<sup>th</sup> General Assembly*, Second sitting.
  8. The power of the market in the Old Southwest made slave trading an integral part of that region. See Stephen Deyle, *Carry Me Back: The Domestic Slave Trade in American Life* (New York: Oxford University Press, 2005) as well as Josh Rothman, “The Hazards of the Flush Times: Gambling, Mob Violence, and the Anxieties of the Market Revolution,” *Journal of American History* 95, no. 3 (December 2008), 651–77.

9. *New Orleans Chronicle*, July 14, 1818, Charlestown, VA *Farmer's Repository*, August 12, 1818, *Baltimore Patriot and Mercantile Advertiser*, August 7, 1818, and Charleston, SC *City Gazette and Daily Advertiser*.
10. Zilversmit, *The First Emancipation*, 216; Melish, *Disowning Slavery*, 101–3; Fogel and Engerman, “Philanthropy at Bargain Prices,” 381. Other key works on the importance of the internal slave trade include Michael Tadman, *Speculators and Slaves: Masters, Traders, and Slaves in the Old South* (Madison: University of Wisconsin Press, 1989) and Walter Johnson, *Soul by Soul: Life Inside the Antebellum Slave Market* (Cambridge: Harvard University Press, 1999). Also see Allan Kulikoff, *The Agrarian Origins of American Capitalism* (Charlottesville: University of Virginia Press, 1992), 226–63.
11. Ann Patton Malone, *Sweet Chariot: Slave Family and House Old Structure in Nineteenth-century Louisiana* (Chapel Hill: University of North Carolina Press, 1992), 92.
12. Daniel Clark to Jonathan Dayton, August 26, 1804, Jonathan Dayton Papers, New Jersey Historical Society (hereafter NJHS).
13. Pigeon, “An Abominable Business,” 16–18. Also see *New Jersey Journal*, May 7, 1816; Isaac Holmes, *An Account of the United States of America Derived from Actual Observation, During a Residence of Four Years in that Republic* (London: Caxton Press, 1823), 324.
14. Middlesex County Manumission Book, 217–95, New Jersey State Archives (hereafter NJSA). Pigeon, “An Abominable Business” 17–20; *Charleston City Gazette and Daily Advertiser*, August 7, 1818.
15. Pigeon, “An Abominable Business,” 17–20. For Isaac Holmes quote, see Holmes, *An Account of the United States of America*, 324.
16. Pigeon, “An Abominable Business,” 17–24.
17. Pigeon, “An Abominable Business,” 23 and Deposition of James M. Elain, concerning the exporting of slaves, May 22, 1818 in BAH Collection, Miscellaneous Depositions, 1743–1906, NJSA. For more information on ship’s manifest requirements, see David Lightner, *Slavery and the Commerce Power: How the Struggle Against the Interstate Slave Trade Led to the Civil War* (New Haven, CT: Yale University Press, 2006), 46.
18. Pigeon, “An Abominable Business,” 23 and Deposition of James M. Elain, concerning the exporting of slaves, May 22, 1818 in BAH Collection, Miscellaneous Depositions, 1743–1906, NJSA.
19. Pigeon, “An Abominable Business” 24–26; Deposition of James M. Elain, concerning the exporting of slaves, May 22, 1818 in BAH Collection, Miscellaneous Depositions, 1743–1906, NJSA; “Flesh for Sale,” pamphlet series No. 1, *Addresses Before the Eastern Division of the New Jersey Board of Proprietors* (Perth Amboy, NJ, 1942), 36–37.
20. Pigeon, “An Abominable Business,” 24–26; *New Orleans Chronicle*, July 14, 1818.
21. Indictment of Charles Morgan for Exporting Slaves, Subpoenas of Nicholas Van Winkle, Court of Oyer and Terminer, Middlesex County, Arrest Warrant for Lewis Compton and James Edgar, Court of Oyer and Terminer, Middlesex County, June 1818, Subpoenas, the State v. Lewis Compton, Court of Oyer and Terminer, Middlesex County, Warrant to Arrest Charles Morgan, Court of Oyer and Terminer, Middlesex County, BAH Collection, Oyer and Terminer Documents, Hunterdon and Middlesex Counties, NJSA. Also see Indictment of James Edgar for Exporting a Slave, Court of Common Pleas, Middlesex County, Indictment of Peter Hendry for exporting a slave, Court of Common Pleas, Middlesex County, and Indictments for exporting slaves, Court of Common Pleas, Middlesex County, BAH Collection, Common Pleas (Bergen-Sussex Quarter Sessions), NJSA.

22. Leslie Harris, *In the Shadow of Slavery*, 96–133; Douglas Egerton, *Death or Liberty: African Americans and Revolutionary America* (New York: Oxford University Press, 2009), 169–72; Judith Apter Klinghoffer and Lois Elkis, “The Petticoat Electors: Women’s Suffrage in New Jersey, 1776–1807” *Journal of the Early Republic*, 12:2 (Summer 1992), 159–63. For kidnapping of free blacks from the North, see Carol Wilson, *Freedom at Risk: The Kidnapping of Free Blacks in America, 1780–1865* (Lexington, KY: University Press of Kentucky, 1994) and Daniel Meaders, ed, *Kidnappers in Philadelphia: Isaac Hopper’s Tales of Oppression, 1780–1843* (New York: Garland, 1994).
23. Petition of the Inhabitants of Middlesex County to the New Jersey Legislature opposing the transportation of slaves from New Jersey, October 28, 1818, BAH Collection, Legislative Records, 1811–1934, NJSA.
24. Petition of the Inhabitants of Middlesex County to the New Jersey Legislature opposing the transportation of slaves from New Jersey, October 28, 1818, BAH Collection, Legislative Records, 1811–1934, NJSA.
25. *Washington Whig*, August 31, 1818 and *Newark Centinel of Freedom*, December 29, 1818.
26. I expand significantly on the role of East and West Jersey in Chapter Two of the larger project, see James Gigantino, “Freedom and Unfreedom in the “Garden of America:” Slavery and Abolition in New Jersey, 1770–1857” (Ph.D. diss., University of Georgia, 2010).
27. An Act to Prohibit the Exportation of Slaves or Servants of Color Out of this State, November 5, 1818, *Acts 43<sup>rd</sup> General Assembly*, 3–6; Paul Finkelman, *Imperfect Union: Slavery, Federalism, and Comity* (Chapel Hill, NC: University of North Carolina Press, 1981), 76. Also see 42–44 for similar restrictions in place in Connecticut and Rhode Island.
28. Melish, *Disowning Slavery*, 52–53. Also see Richard Newman, *The Transformation of American Abolitionism: Fighting Slavery in the Early Republic* (Chapel Hill, NC: University of North Carolina Press, 2002) for an in-depth discussion of how abolitionists, specifically in Pennsylvania, attacked slavery and the remnants of slavery in the judicial and legal realms in the first decades of the nineteenth century. Beverly Tomek also deals with the relationship between the Pennsylvania Abolition Society and the Colonization movement. See Beverly Tomek, “Seeking ‘An Immutable Pledge from the Slave Holding States:’ The Pennsylvania Abolition Society and Black Resettlement,” *Pennsylvania History* 75, no. 1 (Winter 2008), 26–53.
29. Malone, *Sweet Chariot*, 101. The indentures of these blacks can be found in the Avery Papers, Southern Historical Collection, University of North Carolina Chapel Hill (hereafter SHC).
30. *New Jersey Journal*, December 1, 1818; William Stone to John Marsh, December 10, 1818, Avery Papers, SHC.
31. Leesburg, Virginia *Genius of Liberty*, November 24, 1818.
32. *Alexandria Gazette*, November 14, 1818.
33. Pennsylvania Society for Promoting the Abolition of Slavery to the American Convention for Promoting the Abolition of Slavery to be Assembled in Philadelphia, December 10, 1818, Papers of the Pennsylvania Abolitionist Society, Library Company of Philadelphia (hereafter cited as LCP).
34. *Newark Centinel of Freedom*, December 15, 1818.
35. Minutes of the Pennsylvania Abolition Society, December 3, 1818, Papers of the Pennsylvania Abolitionist Society, LCP; *Genius of Liberty*, December 8, 1818; Pigeon, “An Abominable

- Business," 28; Malone, *Sweet Chariot*, 99–103; William Stone to John Marsh, December 10, 1818, Avery Papers, SHC.
36. There are several spellings for his last name, including: Raburgh, Raborg, Raborgh, Rayboy, and Rayburgh.
  37. Malone, *Sweet Chariot*, 99–103, *Newark Centinel of Freedom*, December 15, 1818. Also see *New York City Hall Reporter*, Volume IV, No. 4, April 1819.
  38. *Newark Centinel of Freedom*, December 22, 1818.
  39. Malone, *Sweet Chariot*, 99–103, *Newark Centinel of Freedom*, December 15, 1818. Also see *New York City Hall Reporter*, Volume IV, No. 4, April 1819. For failed habeas corpus case in Somerville, see Supreme Court Case File 37799 (NJ v. William Raboy, February 1819), NJSA.
  40. *New York City Hall Reporter*, Volume IV, No. 4, April 1819. For more on the 1793 Fugitive Slave Law, see Lightner, *Slavery and the Commerce Power*, 40–41.
  41. *New York City Hall Reporter*, Volume IV, No. 4, April 1819, quote on 48; Jacob Wheeler, *Reports of Criminal Law Cases with Notes and References Containing also a View of the Criminal Laws of the United States*. (Albany, NY, 1851), preface.
  42. *New York City Hall Reporter*, Volume IV, No. 4, April 1819, 50.
  43. *New York City Hall Reporter*, Volume IV, No. 4, April 1819, 50. It is interesting to note that although Colden attacked the nature of the fugitive slave law, he himself is a single judge deciding the fate of Wilson. He quickly claimed that he is not the final decider in the case of Wilson, claiming that Raburgh could try to appeal his decision and gain additional avenues towards regaining his property. Also see Paul Finkelman, "State Constitutional Protections of Liberty and the Antebellum New Jersey Supreme Court: Chief Justice Hornblower and the Fugitive Slave Law" *Rutgers Law Journal* 23, 753–87 for a later case involving a rejection of federal fugitive slave law in New Jersey.
  44. Nicholas Slabey to Thomas Shipley, October 22, 1819, Papers of the Pennsylvania Abolitionist Society, LCP.
  45. *New York City Hall Reporter*, Volume IV, No. 4, April 1819, 50. Raburgh objected to Colden deciding the case based on his position as President of the Manumission Society. Colden rebuffed this objection by claiming "the objects for which the society was instituted appeared to the common cause of humanity and the duties incumbent on its members were such as every member of the community, whether belonging to the society or not, were morally bound to perform."
  46. For more on court cases brought by the abolition society, see Richard Newman, *Transformation of American Abolitionism*, 60–85. For more on the New Jersey abolition society and its destruction, see Minutes of the Proceedings of the New Jersey Abolition Society, Haverford College Quaker Collection (HCQC), 7–10, 73–77, and 99–113. Also see John Griscom to Thomas Cope, January 14, 1805, Thomas Cope Family Papers, HCQC for information on another abolition committee which floundered.
  47. *Trenton True American* article as reprinted in *Washington Whig*, August 31, 1818. Also see Pigeon, "An Abominable Business," 27.
  48. Fogel and Engerman, "Philanthropy at Bargain Prices," 392–93. For works on the internal slave trade, see Stephen Deyle, *Carry Me Back*; Walter Johnson, *Soul by Soul: Life Inside the Antebellum Slave Market* (Cambridge, MA: Harvard University Press, 1999); Michael Tadman, *Speculators and Slaves: Masters, Traders, and Slaves in the Old South* (Madison: University of Wisconsin Press, 1989).

49. Fogel and Engerman, "Philanthropy at Bargain Prices," 392–93; Hodges, *Slavery and Freedom in the Rural North*, 212; White, *Somewhat More Independent*, 152–55. See David Menschel, "Abolition Without Deliverance: The Law of Connecticut Slavery 1784–1848" *Yale Law Journal*, 111:1 (October 2001) for a discussion of similar issues in Connecticut. Population statistics from the neighboring states where ex-slaves could have migrated to after freedom (Pennsylvania, New York, and Connecticut) still have the same population deficit as a region. County clerks recorded slave removals in the same book they recorded slave manumissions. The books for Bergen, Essex, Sussex, Middlesex, and Somerset are held by the New Jersey state archives while the Morris book is published. See David Mitros, ed, *Slave Records of Morris County, New Jersey: 1756–1841* (Morristown: Morris County Heritage Commission, 2002). The Monmouth County book is held at the Monmouth County Library and Archives and what remains of the Hunterdon County book by the Hunterdon County Historical Society.
50. Fogel and Engerman, "Philanthropy at Bargain Prices," 392–93. Counties recorded the registrations of slaves for a term in Black Birth Books. The books for Bergen, Essex, Sussex, Middlesex, and Somerset are held by the New Jersey State Archives. The Morris and Monmouth Black Birth Books are published. See David Mitros, ed, *Slave Records of Morris County, New Jersey: 1756–1841* (Morristown: Morris County Heritage Commission, 2002) and George Moss Jr, ed, *Black Birth Book of Monmouth County, New Jersey* (Freehold, NJ: Office of the County Clerk, 1989). The original Black Birth Book of Monmouth County, held at the Monmouth County Library and Archives, was also consulted for this project. Additional data for slaves for a term came from miscellaneous slave for a term registrations from Hunterdon and Burlington County, NJSA. Slave for a term data is also housed at the Hunterdon County Historical Society.