

**New London County African Americans  
And People of Color Collection, 1701-1854  
Judicial Department  
State Archives Record Group No. 003**

**History**

The New London County African Americans and People of Color Collection is an artificial grouping of records consisting of photocopies of cases involving people of color from the *Files* and *Papers by Subject* series of the records of New London County Court for the period between 1701 and 1854.<sup>1</sup> All original documents have been retired and second copies have been inserted in the places where the originals were once located.

**Research Note**

Originally called the African Americans Collection, the title has been modified because many persons found in the collection are identified as Mulatto, black, a person of color, or without any designation whatsoever. It is relatively easy to find court cases concerning or mentioning people of color when some sort of designation like Negro, Indian, Mulatto, black, or colored is used, but such attributions become increasingly rare as the nineteenth century progressed. Both federal census returns and *Black Roots in Southeastern Connecticut, 1650-1900* are extremely useful, but often one's decision is based upon the first name or surname or on instinct.<sup>2</sup> Naming conventions can be extremely useful in identify people of color. Certain first names like Boston, Bristo, Caesar, Cato, Cuff, Dinah, Jack, Lettice, London, Phillis, Pomp, Prince, and Scipio provide strong indicators that the individuals named are people of color. The situation is similar for such surnames as Brayton, Caples, Condol, Fagins, George, Glasko, Henry, Jacklin, Moody, Orchard, Pelham, Plato, Quash, Quy, Ruggles, Tossett, and Walmsley but many surnames are shared by whites and blacks, like Babcock, Brown, Congdon, Davis, Ellis, Freeman, Hyde, Jackson, Jeffery, Mallison, Mason, Moseley, Peckham, Peters, Rogers, Simons, and Williams. Thus, the task of trying to identify people of color is not an exact science and not doubt errors have been made for both inclusion and exclusion. Still, a collection and accompanying database that contains almost 1,200 records represents a massive new set of data, most of which has not heretofore been examined by researchers.

To cite just two examples of problems that can occur with certain surnames. In the towns of New London and Groton, lived a number of people over a period of 100 years with the surname of Jeffery/Jeffrey. Most were white, but *Black Roots* identifies several as people of color. Census records do not provide confirmation of that attribution, but the compiler has followed the lead of the authors of *Black Roots* and has included several Jefferys as people of color.<sup>3</sup> The same decision was not made, however, in

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<sup>1</sup> Records of the New London County Court are divided into four major series – *Dockets*, *Trials*, *Files*, and *Papers by Subject*. The New London County Court records were transferred to the Connecticut State Library in 1921. For more information on the history of county courts and these records, please see the finding aid for *New London County. County Court. Files, 1691-1855*.

<sup>2</sup> Barbara W. Brown and James M. Rose, joint authors, *Black Roots in Southeastern Connecticut, 1650-1900* (Detroit: Gale Research Co., 1980). The authors compiled data from census, church, justice of the peace, land, pension, probate, town, and vital records, plus account books and some reference to court records.

<sup>3</sup> Another line of Jeffreys with Niantic Indian blood is identified with the town of Lyme. See Vicki S. Welch, *And They Were Related, Too* (Xlibris Corporation, 2006).

the case of Benjamin Mallison. *Black Roots* identified Revolutionary War veteran Benjamin Mallison as a person of color, but probate and Groton vital records clearly indicate that he was white.<sup>4</sup>

The spelling for names conforms to that found in court cases and sometimes the name of the same person is spelled in different ways in separate cases, for example, Brayton and Briton, Condol and Congdon, and Right and Wright.

### **Scope and Content**

The first draft of this finding aid, covering the period 1701-74, contained records of 286 cases involving African Americans and people of color. Subsequent research has increased that number to 298. Another 808 cases involving people of color have been identified for the period between 1781 and 1854 and 85 new records found in *Papers by Subject*.<sup>5</sup> The black population in southeastern Connecticut remained relatively constant from the time of the census of 1774 and the abolition of the county courts in 1855. As slaves gained their freedom, and about 80% were free by 1800, however, they entered into more contracts and became plaintiffs or defendants in more civil and criminal cases.

The person of color is not identified by name, even a first name, in 45 records, 27 from prior to the American Revolution. In 209 other cases, 140 from 1701-74, the people are identified by first name and as a Negro or mulatto, while in around 935 they are identified by first name and surname.<sup>6</sup> People of color are defendants or mentioned in 5% of cases prosecuted by the King's Attorney in the colonial era, while the figure jumps to 40% of state prosecutions for the period between 1781 and 1854, a clear reflection of the connection between poverty and lack of opportunity on one hand and crime on the other.<sup>7</sup>

Genealogists and historians studying people of color in southeastern Connecticut are fortunate to have access to *Black Roots in Southeastern Connecticut*. This excellent work provides a frame of reference to determine what number and percentage of the cases located in *Files* and *Papers by Subject* for the New London County Court can be found in this published work. Of more than 160 named individuals found in New London court records for the colonial era, about 38% are represented in *Black Roots*. In total, this project identified more than 1,400 people of color, a figure that includes Native Americans, almost 55% (788) are listed in *Black Roots* and the remaining 658 are not.

Prior to the American Revolution, only a relatively small minority of African Americans was free, but this small group of individuals made up a significant percentage of cases. The records contain 29 lawsuits involving Robert Jacklin, around 45 on the Jackson family of New London, 25 on members of the Wright family (1710-74), and 21 on the Rogers family of New London (1720-49).<sup>8</sup> For the post-Revolutionary War period, half a dozen persons appear with great frequency. Isaac C. Glasko of Griswold is represented in 15 lawsuits (1811-49),<sup>9</sup> Prince Brown of Lyme in named in 13 (1814-35), mostly regarding references to

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<sup>4</sup> Benjamin Mallison was the son of Joseph and Phebe Willcocks Mallison and grandson of Joseph and Elizabeth Mallison.

<sup>5</sup> Cross checking of Costs and Executions in *Papers by Subject* has led to most of the additions to the original numbers.

<sup>6</sup> Mulatto is used in 19 no surname cases. Most were probably of mixed Negro and Indian blood.

<sup>7</sup> Blacks were parties in numerous debt cases at the county court level, more than 500 for the period after the American Revolution, but, since it is likely that the sums involved were often modest, many more suits were heard by single justices of the peace at the town level.

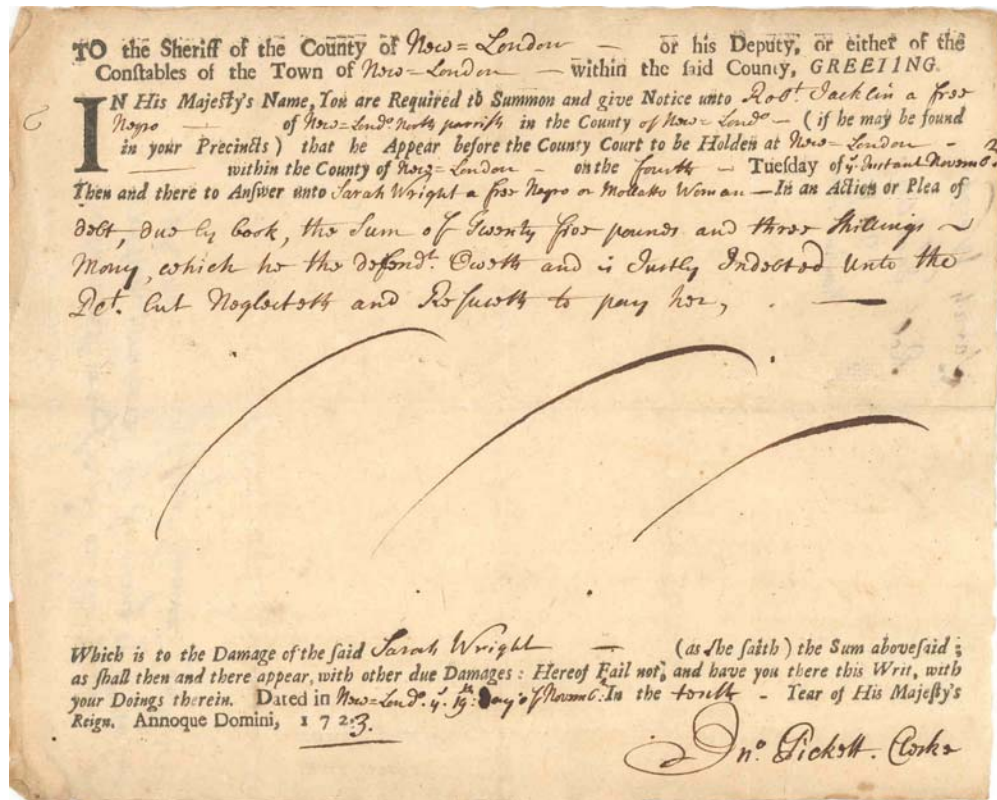
<sup>8</sup> John Jackson, Hagar Wright, and Adam Rogers were all at one time servants of James Rogers of New London. Brown and Rose, *Black Roots*, 201, 349, 452. The Jackson names found are Adam, John, Jane, and Peter, plus others listed as Abner, Joan, and Miriam and designated as Negro. An Isaac Rogers of New London is found in six lawsuits between 1799 and 1824 but no evidence exists that he was related to Adam Rogers.

<sup>9</sup> George Glasko is found 7 times and Jacob Glasko 3.

his land holdings, Benjamin Beach of Norwich in 11 (1820-38), Caesar Beckwith of Lyme in 7 (1800-09), Pero Moody of Preston and Lisbon 7 (1786-1823), and Peggy Sansom of New London in 7 (1831-50)

Robert Jacklin of New London, Colchester, and Norwalk came to New London from Newbury, Mass. in 1711 after he was emancipated.<sup>10</sup> Jacklin was the cause of a 1717 unsuccessful petition to the General Assembly from the inhabitants of New London urging it to pass legislation prohibiting free Negroes from owning land.<sup>11</sup> He was the plaintiff in six cases and defendant in twenty-three others. He owned and rented land in both New London and Colchester but had difficulty in paying his bills, as all the cases in which he was a defendant demonstrate. In 1732, George Holmes of Colchester sued Samuel Atwell to collect a debt owed to Jacklin. In 1729 as he was about to remove to Norwalk, Jacklin had given Holmes his power of attorney to collect monies owed him.<sup>12</sup> Descendants of Robert Jacklin appear in the records of the Litchfield County Court.

**Illustration 1**



**Sarah Wright v. Robert Jacklin, non-suit, Nov. 1723.<sup>13</sup>**

The collection includes around forty-five cases concerning John Jackson, his wife Joan, and their children.<sup>14</sup> Although John Jackson was free, Joan was not, and the New London County Court dealt with a

<sup>10</sup> *Black Roots*, 196-97; James M. Rose and Barbara W. Brown, *Tapestry: A Living History of the Black Family in Southeastern Connecticut* (New London: New London County Historical Society, 1979), 71-74.

<sup>11</sup> Rose and Brown, *Tapestry*, 71-72; Guocun Yang, "From Slavery to Emancipation: The African Americans of Connecticut, 1650s – 1820s (Ph.D., University of Connecticut, 1999), 243-44.

<sup>12</sup> Nov. 1732, Box 1, folder 37. All box and folder references are made to New London County African Americans Collection. Those interested in the place where the originals were located can find that information on the folders in the African Americans Collection.

<sup>13</sup> Nov. 1723, Box 1, folder 15.

<sup>14</sup> In the records, she is called Joan Negro. Children Abner and Peter are generally called Abner Negro and Peter Negro.

whole series of cases over a period of some fifty years in which the court attempted to determine who was and was not free. In the first lawsuit concerning Joan, *James Rogers, Junr. v. Samuel Beebe* in 1710, the plaintiff claimed that Joan of right belonged to him, while the defendant who was married to the sister of Rogers argued that Joan belonged to him, “by Virtue of an Order obtained from Mrs. Elizabeth Rogers Relick of Mr. James Rogers deceased . . . to Deliver sd. Joan to him the Defendant.”<sup>15</sup> Another case occurred in June 1711, *Samuel Beebe v. John Rogers & John Jackson*. According to the writ, Rogers and Jackson sailed from New London for Southold, Long Island, where, according to the plaintiff, they “had Stollen out his house at long Iland, a Negro woman Named Joan, and her two Negro Children.”<sup>16</sup>

Hagar Wright, often spelled Right, was freed in around 1691 and is represented in six lawsuits, while her children and grandchildren appear in another nineteen.<sup>17</sup> Most are relatively straightforward debt cases, but two concerned attempts by James Rogers to re-enslave Hagar and one of her children. In the first case, James Rogers, Jr. sued his uncle John Rogers, Sr., founder of the Rogerenes, for ownership of the fourteen-year old son of Hagar.<sup>18</sup> In the second case, *Hagar [Wright] v. James Rogers*, she sued to confirm that she and all her children were “free from Servitude.” Documentation includes a petition from Hagar in which she stated that although she and her children had been freed, but “being a poor & dispised widow woman” through “ignorance” had not proven it before the county court at the requisite time in 1710. She asked the court to confirm that she and her children were free.<sup>19</sup> In a later case, *Waitt Right v. Sarah Prentice*, Wright, a son of Hagar, stated that he had served on board the sloop *Defence* under the command of Capt. John Prentice, deceased, in the 1745 expedition to Cape Breton that culminated in the capture of Louisburg. The plaintiff claimed that the crew numbered 101 that he was never paid his share of £5,000<sup>20</sup> in prize money and sued for his “Just Part or Right in sd 5000 With his Just Damage and Coast.”<sup>21</sup>

Adam Rogers was a mulatto from New London who married a white woman, Catherine Jones.<sup>22</sup> He was plaintiff or defendant in thirteen cases between 1720 and 1747 and sons Adam, Jr. and John are represented by eight more cases from 1732 to 1739. Rogers is classified as a mulatto in New London church records, but his race is mentioned in just two 1720 court cases. He acquired some land after the death of his father-in-law Thomas Jones and was the plaintiff in seven of the thirteen cases in which he appears. In November 1744, May 1745, and June 1747, Rogers sued Joseph Bolles of New London for trespass. He stated that “on the 28<sup>th</sup> of June Last past and for 30 years before he was in actuall possession of a mention [mansion] house and farme” and that the defendant “with force and Arms in a violent manner . . . turned ye plaintiffs wife and Daughter out of said House and also ye plaintiffs household Stuff.”<sup>23</sup> All three lawsuits were eventually withdrawn.

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<sup>15</sup> June 1710, Box 1, folder 2. See also Allegra Hogan, “‘Buzzelling’ as Historical Method: In Praise of Genealogy,” *Connecticut History* 40 (Fall 2001): 255-57.

<sup>16</sup> June 1711, Box 1, folder 3.

<sup>17</sup> Brown and Rose, *Black Roots*, 450-53.

<sup>18</sup> June 1710, Box 1, folder 3. The boy was probably Waitt Wright who was about twelve and one half.

<sup>19</sup> Nov. 1716, Box 1, folder 7.

<sup>20</sup> Currency was denominated in pounds, shillings, and pence until the late 1790s. Each unit was separated by a dash, thus £2-17-5 equals 2 pounds, 17 shillings, and 5 pence. Twenty shillings make up a pound and twelve pence a shilling. Some debts are counted in fractions of pennies, called farthings. Four farthings make one penny. Connecticut depended almost exclusively on paper currency, called bills of credit. The colony’s original currency, called old tenor, had seriously depreciated by the 1740s, so that it took five to ten pounds of old tenor to be equivalent to one pound of lawful money.

<sup>21</sup> Feb. 1751, Box 2, folder 15. This lawsuit is found among the *No Docket* cases for which there was no verdict. Wright may have withdrawn the action.

<sup>22</sup> See below for more information on Catherine Jones.

<sup>23</sup> Box 2, folders 8, 9, 11. New London diarist Joshua Hempstead says the following about the incident, “Andrew Palmes turned Adm Roger’s wife and family out of doors & flung all their household goods ovut over the fence out Side.” “Diary of Joshua Hempstead,” *Collections of the New London County Historical Society*, Vol. 1 (New London: The New London County Historical Society, 1901), 427.

For the post-Revolutionary era, court records also contain material that can helpful in writing biographies of people of color, as, for example, Pero Moody (1750-1830) and Isaac C. Glasko (d. 1861), two men of some importance in the struggle of Connecticut African Americans to obtain equal rights. In 1823, Moody and Glasko unsuccessfully petitioned the General Assembly for exemption from taxation on the grounds that they were denied the right to vote.<sup>24</sup> Court records provide a great deal of new information about these two previously little known men. Pero Moody is found in seven court cases between 1783 and 1823, while Glasko was a party in fifteen from 1811 to 1849, mostly ordinary debt cases. Moody on the other hand had a much more interesting legal history. In November 1783, for example, William Mattison of Preston, who had supposedly freed Moody six years earlier, sued Nathaniel Cogswell for illegally purchasing goods and provisions from his “Negro man Servant named Pero.”<sup>25</sup> Two and one half years later Cogswell sued Pero and his brother Tidal Moody for £20 damages, claiming that one “Mindo A Slave to them (meaning Pero and Tidal) for life” had come to the plaintiff’s house in a “Suffering Condition” and that he had spent over £17 caring for him. The Moodys hired lawyers to defend them and the attorneys argued that Pero and Tidal could not be sued because Pero was “a slave for Life” and, therefore, by law “Cannot make any Contrac[c] that is binding.”<sup>26</sup> Moody appears again in December 1788 case involving the care of Lucretia Stanton, a poor inhabitant of Groton who fell sick on a trip to Preston and died in that town. Moody nursed her for more than six weeks and paid the costs for a sheet to cover her body, a coffin, and digging the grave. He received £5-4 reimbursement.<sup>27</sup>

### Illustration 2

*May 10<sup>th</sup> 1787 Town of Preston D<sup>r</sup> to Pero Moody*

<i>To 3 Weeks &amp; two Days Nursing Lucretia Stanton</i>	<i>0-18-0</i>
<i>To 3 Weeks Nursing D<sup>r</sup> after she was put to bed till</i>	
<i>To sheet &amp; Coffin 10/ Digging a Grave of</i>	<i>1-10-0</i>
<i>To my Trouble after Doctors &amp; Medicines</i>	<i>0-17-0</i>
<i>To paid M<sup>rs</sup> Jackson the Midwife</i>	<i>0-6-0</i>
<i>To paid Doc<sup>r</sup> Parkman's Bill for Doctoring</i>	<i>1-8-0</i>
	<i>L. 5-4-0</i>
<i>Pero Moody</i>	

### Bill of Pero Moody for Nursing Lucretia Stanton.

The last case involving Moody was heard by the March 1823 session of the county court. He sued Russel Rose and William Waters, assessors for the Town of Lisbon, in a plea of trespass, claiming that on October 20, 1819 one year after the adoption of the Constitution of 1818 that, “the plaintiff then being in said Town of Lisbon but not having although guiltless of every crime, the privileges of a Citizen and inhabitant of Said

<sup>24</sup> RG 002, Rejected Bills, African Americans, Box 2, folder 3, CSL. They argued in the petition that they were “descendants of African Citizens brought to this Country against their will,” their ancestors were enslaved, and that they “in the midst of the most mortifying discouragements have acquired some property.” Since the Constitution of 1818 prohibited them “form attaining the high character of Electors or being represented in the Legislature,” justice demanded that they be exempted from taxation.

<sup>25</sup> *Mattison v. Cogswell*, Nov. 1783, Box 3, folder 25.

<sup>26</sup> *Cogswell v. Moody*, Feb. 1786, Box 3, folder 33.

<sup>27</sup> *Robert Cray v. Benadum Gallup*, Dec. 1788, Box 3, folder 37.

State nor the right of suffrage therein, and not being liable to a poll or other tax in Said State . . . Russel and William under colour and pretence of Law . . . made out a List of the plaintiff[‘s] estate.” Moody had been assessed \$2.10 in town taxes, had refused to pay, had a wagon attached for non-payment of taxes, and was forced to pay them for its return. The case was initially tried before a local justice of the peace in August 1822 who rendered judgment in favor of Moody. The defendants appealed to the county court and it overturned the original judgment.<sup>28</sup> This lawsuit served as the basis for the subsequent petition to the General Assembly.

In other instances, court records provide context and information on individuals briefly mentioned in other sources. An article on “Letters by African American Sailors, 1799-1804” published in the January 2007 issue of the *William and Mary Quarterly*, for example, one Isaac Rogers of New London is mentioned.<sup>29</sup> Court records tell us that two Isaac Rogers lived in New London at the beginning of the 19<sup>th</sup> century. The court distinguished the two by identifying the Isaac of color as, “Isaac Rogers Alias Black Isaac.”<sup>30</sup> The Isaac Rogers of color appeared in six cases between 1799 and 1823.

The first case involving African Americans dates from September 1701 when John Jackson, the Negro servant of John Rogers of New London, was accused by Catherine Jones, a white woman, of fathering her bastard child by fornication. Jones was fined and whipped, while Jackson was required to pay for the maintenance of the mulatto child for four years.<sup>31</sup> The second case, *John Rayner v. Edward DeWolfe*, took place three years later. Rayner accused Mingo, the Negro servant of DeWolfe, of threatening to kill him. Twenty-seven men from Lyme signed a petition attesting to Mingo’s good character, saying that “wee do nott Know of any Wronge that hee hath Dun to any person . . . Since hee Came to This Town.”<sup>32</sup>

A number of subjects are covered in these African American cases. For the period between 1701 and 1774, the collection contains 96 suits for debt, 22 for attachment, 19 disputes over ownership, 17 cases of trespass, and 16 of fraudulent sale. It also includes 8 writs of execution, 7 cases of theft, 7 disputes over sale of slaves, and 7 of assault and battery. Other subjects include arson, cruelty, fornication, suits for freedom, lascivious carriage, nonpayment for services, runaways, and those in which Negro witnesses appeared. Similar subjects find representation in the years 1781-1854, except that lawsuits concerning slave owning and runaways end by 1800.

Almost exactly one third of all cases concerned debt, a figure that holds constant for both the pre and post-Revolutionary periods. The plaintiff and/or the defendant were free in all these cases. In a handful debt cases, both the plaintiff and defendant were African Americans.<sup>33</sup> The first case in which a free Negro sued a white man is *Adam Rogers “Molatto” v. Thomas Williams*. The plaintiff sued for twenty-two shillings in a debt by book and recovered judgment for the entire sum in June 1720.<sup>34</sup> The February 1731 court heard the case of *Samuel Doty v. Samuel Wright*, “a Malotto Man of Lyme,” in which the plaintiff sued to collect £3-15 that Wright owed by book. The defendant confessed judgment and the plaintiff

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<sup>28</sup> *Pero Moody v. William Waters and Russel Rose*, Mar. 1823, Box 6, folder 16.

<sup>29</sup> W. Jeffrey Bolster, “Letters by African American Sailors, 1799-1814,” *William and Mary Quarterly*, Third Series, Vol. LXIV, No. 1 (January 2007): 177. This letter from John Backus to Abraham Bishop was written on Oct. 28, 1811.

<sup>30</sup> *Nathaniel Otis v. Isaac Rogers*, Nov. 1799, Box 3, folder 24. The white Isaac Rogers lived in a part of New London called Great Neck that became part of Waterford when that town was incorporated in Oct. 1801.

<sup>31</sup> Sept. 1701, Box 1, folder 1.

<sup>32</sup> Nov. 1704, Box 1, folder 1. The verdict is not known due to the fact that no *Trials* volume exists for the years 1704-1710.

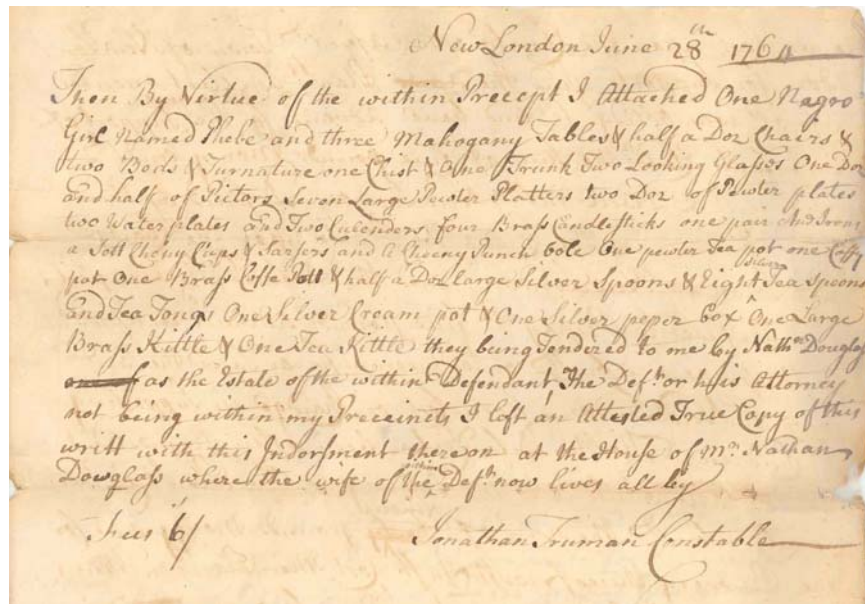
<sup>33</sup> *Robert Jacklin v. Sarah Wright*, Nov. 1723, Box 1, folder 15; *Sarah Wright v. Robert Jacklin*, Nov. 1723, Box 1, folder 15; *Robert Jacklin v. Samuel Wright*, June 1724, Box 1, folder 17, *Robert Jacklin v. Samuel Wright*, Aug. 1726, Box 1, folder 23, *Adam Rogers Junr v. John Rogers*, Nov. 1739, Box 1, folder 45; and *Cudgo Wanton v. Zebulon Caples*, June 1770, Box 3, folder 6.

<sup>34</sup> June 1720, Box 1, folder 11.

collected £3 debt and £1 costs.<sup>35</sup> More typical is a series of three February 1753 cases involving Hector, alias Hector Throope, formerly of Lebanon but then of New London; *Ichabod Robinson v. Hector* “a free Negro Man,” *Jonathan Trumble v. Hector*, and *Nehemiah Waterman v. Hector*. The defendant owed some £150 in depreciated old tenor currency. He confessed judgment in all three cases, but was unable to pay his debts. John Alden paid the three judgments and court costs and in return the court assigned Hector to the service of Alden for seven years.<sup>36</sup>

The records contain more than 270 debt lawsuits for the post-Revolutionary War period, in the majority of which the person of color was the defendant, as for example in December 1813 when Japhet Harmon and Jack A[l]my were successfully sued for debt.<sup>37</sup> Two additional cases were tried in November 1835, the first involving two people of color and the second in which the defendant was “a coloured man.”<sup>38</sup> Isaac C. Glasko of Griswold forms major exception to the rule that most African Americans were defendants in debt cases. He was plaintiff in seven and defendant in six debt cases.

### Illustration 3



### *Jeremiah Chapman et al v. William Sheehane* Negro slave Phebe and personal property attached<sup>39</sup>

Enslaved African Americans were considered property and they could be attached along with other real and personal property to ensure that a defendant would appear before the county court to answer the charges brought against him. Files for the period between 1701 and 1774 contain twenty-two cases in which slave property was attached by a constable or deputy sheriff. The first such case took place in February 1740 in *Timothy Mather v. Thomas Peck*. The defendant from Stratford had purchased in December 1736 a writ in favor of Thomas Bohanning of New York City against Thomas Clements of Lyme for £22. The plaintiff, a constable from Lyme, had served the writ on Clements, had attached a Negro man belonging to Clements, and boarded him for eight months while the action was pending.

<sup>35</sup> Feb. 1731, Box 1, folder 35.

<sup>36</sup> Feb. 1753, Box 2, folder 17. Poor whites, in addition to poor African Americans, were assigned to service, often of the plaintiff, for a period of time to cover debts owed.

<sup>37</sup> *Ralph Isham Petition*, Dec. 1813, Box 5, folder 20; *James Lee v. John Amy*, Dec. 1813, Box 5, folder 21.

<sup>38</sup> *Peggy Sansom v. Thomas Steward*, Nov. 1835, Box 7, folder 26; *Alfred P. Williams v. Ephraim Williams*, Nov. 1835, Box 7, folder 27.

<sup>39</sup> June 1766, Box 2, folder 24. Sheehane had two minor children who were unable to care for themselves.

Mather, however, had not been compensated for his services and sued for £27 damages. The court found for the plaintiff but the defendant appealed to the Superior Court.<sup>40</sup> In 1763, a “Negrow Boy Named Bristow about 8 years old” was attached in six different cases in which the defendant was Samuel Hull of Norwich.<sup>41</sup> The last slave attachment in the colonial era occurred in June 1774 in the case of *Samuel Whittelsey v. John Kirtland* in a debt by book for £30. As surety, constable Andrew Lord of Saybrook attached “one Negro Girl Named Phillis about two or three Year old” and “one Negro Woman About twenty Years Old Namd Tamar.”<sup>42</sup>

A second form of attachment was by writ of execution. After a defendant had been convicted and fined, property was seized by writ of execution and sold at auction if he could not pay the debt. The collection contains eight such cases. In *Gilbert Fanning v. Joseph Denison & John Williams 4<sup>th</sup>*, constable Fanning had served a writ of execution on August 19, 1774 directed against John Williams Esq. of Stonington for £91-19-6. He attached two yoke of oxen, “one negro Boy about twelve years of Age named Quash,” and a “Stone horse” or stallion. All were temporarily turned over to the defendants on the promise that they would deliver them to the signpost in Stonington on September 8 for sale. The defendants failed to do so, defaulted, and were ordered to pay the plaintiff £115 debt and £1-6-3 court costs.<sup>43</sup>

The records contain a number of disputes over ownership of slaves. One representative case is that of *Charles Bulkley v. John Richards*. The plaintiff served as administrator of the estate of Benjamin Swetland of New London, deceased, who in his lifetime possess clothes, household goods, tools, fabrics, “one Negro man Slave for Life Mingo £50,” and “one Negro Woman Slave for Life Rose £25.” All the listed items had come into the hands of the defendant who had refused to return them to the administrator of the estate. The court found for the plaintiff and the defendant appealed to the Superior Court.<sup>44</sup> In another case, Joseph Hunt of Westchester, New York sued Jonathan Haines of New London over the ownership of Ceasar. The plaintiff had purchased Ceasar from Jonathan Rogers and claimed that the defendant, although knowing of Hunt’s purchase, took a mortgage from Rogers “of said Negro.” The jury found for the plaintiff and the defendant appealed.<sup>45</sup>

Cases involving fraudulent sale almost invariably revolved around the health of the slave being purchased. In fifteen of sixteen fraudulent sale lawsuits, the plaintiff charged the defendant with falsely claiming that the slave purchased was of sound body. In the June 1735 case of *John Pike v. James Otis*, the plaintiff stated that in May 1732 he purchased “a Negro Woman slave Called fillis” for £31 and the defendant warranted that she was “Good, healthy, and well.” Pike discovered, however, that Fillis was blind and he sued to recover his purchase price.<sup>46</sup> Jonathan Harris sued Peter Brown over the sale of a Negro youth James about seventeen years old. The defendant asserted that James was in good health and that although he was well worth £500 in depreciated old tenor, he could be purchased for £160. The plaintiff “bought the Said Negro depending and relying upon the Decl[aratio]n of the D[efendant]t aforsaid, Yet . . . the Said Negro Was Subject to fitts which Render him altogether unfit for any Sort of Business & wholly deprived him of his Natural Reason.” He asked for £500 damages, but the case was withdrawn.<sup>47</sup> The only case that did not concern health, *Mathew McCure v. Samuel Tyler*, both of Killingworth, the mulatto girl in question was determined to have been free born.<sup>48</sup>

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<sup>40</sup> Feb. 1740, Box 2, folder 1.

<sup>41</sup> *Abiel Cheney v. Samuel Hull*, June 1763, Box 2, folder 34; *Ebenezer Fitch v. Samuel Hull*, June 1763, Box 2, folder 35; *David Hosmer v. Samuel Hull*, Ibid; *Simon Lothrop v. Samuel Hull*, Ibid; *Simon Lothrop v. Samuel Hull*, June 1763, Box 2, folder 36; *John Simson v. Samuel Hull*, Ibid.

<sup>42</sup> June 1774, Box 3, folder 17.

<sup>43</sup> Nov. 1774, Box 3, folder 17.

<sup>44</sup> June 1757, Box 2, folder 23.

<sup>45</sup> Nov. 1722, Box 1, folder 13.

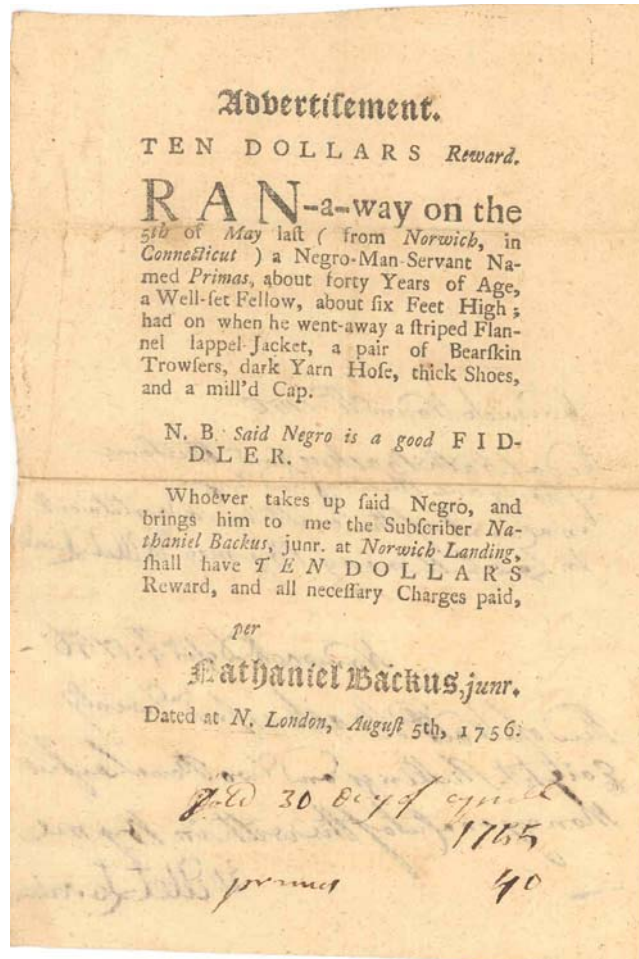
<sup>46</sup> June 1735, Box 1, folder 40. The plaintiff failed to appear at court.

<sup>47</sup> Nov. 1752, Box 2, folder 16.

<sup>48</sup> Nov. 1748, Box 2, folder 13.

Disputes over the sale of slaves, specifically for nonpayment, are similar in character but not identical to lawsuits over fraudulent contract. Typical of such cases is *Peter Buor v. Benjamin Ellard* that concerned the sale of two Negro men, Thomas and Quamino, for £300. The defendant neglected to pay the agreed sum, the court found in favor of the plaintiff, and the defendant appealed.<sup>49</sup> Another eleven cases revolved around the subject of enticing slaves to depart from the service of their master, seven from before the American Revolution and four thereafter. At the November 1737 court, Nathaniel Backus, Jr. of Norwich accused Jedidiah Frink of Voluntown of enticing his servant Primas away. The jury, however, did not agree and acquitted the defendant. Backus appealed.<sup>50</sup>

Illustration 4



Runaway slave notice.<sup>51</sup>

The court also heard nine lawsuits involving runaway slaves, five from before and four after the Revolution. The final runaway case was heard in February 1800, *Jonathan Starr v. Rufus Smith and Jasper Latham*. Primus Negro ran away from Jonathan Starr of New London on February 12, 1799. He secured passage on the sloop Speculator to the Port of New York thanks to the assistance of the two defendants.

<sup>49</sup> Nov. 1737, Box 1, folder 44.

<sup>50</sup> Nov. 1757, Box 2, folder 24.

<sup>51</sup> Nov. 1757, Box 2, folder 24.

Primus was captured, for some reason entrusted to the two defendants, and again escaped. Starr sued for two months lost services and the expenses incurred to return him.<sup>52</sup>

In addition, a tiny number of additional cases involved attempts to enslave (7) and kidnapping (2) after Connecticut's 1784 gradual emancipation statute. Perhaps the most interesting was *Caesar Peters v. John Mann and Nathaniel Mann*, December 1789. As the original writ stated, some two years earlier, the plaintiff together with his wife, and their eight minor children were at home, "all at peace with the Good Citizens of this State and about his Lawful Business, Being Intituled to Liberty and the protection of the Laws of this State as a Citizen thereof," despite the fact they were "of the Complection of the Inhabitants & Natives of Africa who have Been By Sundry of the more Barbarous European natives Considered as Slaves." The defendants broke into their house and kidnapped the family "for the Purpose of Transporting them to Some Foreign Country." They were placed in chains and taken to Preston to be put on board a ship sailing for slave country, but were rescued by a number "of the Good Citizens of this State." Peters sued for £2,000 damages. His lawsuit was unsuccessful and he appealed to the Superior Court.<sup>53</sup>

The suits for trespass cover a variety of subjects. The court classified the three cases of *Adam Rogers v. Joseph Bolles*, referred to earlier in which the defendant had forcibly evicted Rogers' wife and daughter from their house, as trespass. In another case, *Hagar Wright v. Rebecca Chesebrough*, the plaintiff accused the defendant of breaking into her house in Groton and forcibly carrying away a mulatto girl named Mary Right.<sup>54</sup> In June 1743, Samuel Ely and others sued Richard Ely for trespass. Richard's servant Tonney Negro had entered the land of the plaintiffs, cut down, and carried away timber valued at £15. The court found the defendant guilty and he appealed.<sup>55</sup> Lt. John Clark of Saybrook sued William Ely of Lyme for trespass, specifically for entering the plaintiff's house, imprisoning the family, and making off with his servant Zaccheus. Ely was also convicted and he likewise appealed.<sup>56</sup> In *John Willcocks 2<sup>nd</sup> v. Thomas Griffith*, the defendant, Boston who was a Negro servant, an apprentice, and an Indian servant were accused of trespass for tearing down the plaintiff's fence and allowing his livestock to escape. The defendants were all convicted, fined, and ordered to pay court costs.<sup>57</sup>

Perhaps the most intriguing case in the entire collection is found under the subject of theft, "Cezar a Mollatto Man of Norwich, Vers. Jubee, Negro Man of Groton, a Slave for Life to Capt. Chris[tophe]r Avery." Cezar accused Jubee of "feloniously taking 1000 Spanish Mil[le]d Dollars, 500 Pistol[e]s, and 50 Double Double Loons Spanish money" worth £5,000 in Connecticut bills of credit. The plaintiff claimed that Jubee had stolen the Spanish coin from a large wooden box in his house. Under questioning from Assistant Hezekiah Huntington, Jubee gave evasive and unconvincing testimony, but the jury acquitted him.<sup>58</sup> We know nothing further about the case and these two men. How was it possible for Cezar to acquire such a large sum of money, assuming that he was not engaged in some gigantic fraud? After all, £5,000 would make its legal owner one of the richest men in New London County. Had Cezar stolen then money, perhaps in the Caribbean? Was it prize money? Was the coin stolen by Jubee and "laundered" by confederates, because it was never found? Had Jubee been tempted by the thought that it was impossible for any white man to believe Cezar's tale of great riches, thus the theft could be undertaken with virtual impunity? We simply do not know.

The remaining six theft cases for the pre-Revolutionary War period take on a more normal pattern. In *John Hurlbut v. James Right*, the plaintiff affirmed that Right, "A Molato man . . . Servant to Andrew

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<sup>52</sup> Feb. 1800, Box 4, folder 35.

<sup>53</sup> Dec. 1789, Box 3, folder 39.

<sup>54</sup> Feb. 1731, Box 1, folder 34.

<sup>55</sup> June 1743, Box 2, folder 6.

<sup>56</sup> June 1729, Box 1, folder 31.

<sup>57</sup> Nov. 1767, Box 3, folder 1.

<sup>58</sup> New London County, County Court, Records, Trials, Vol. 21, Feb. 1749/50, no. 52; Feb. 1750, Box 2, folder 14. Additional information can be found in the Costs and Summons for Evidence series of *Papers by Subject*. Box 11, folder 16; Box 13, folder 16.

Davis of Groton,” stole a white mare, saddle, and bridle worth £35.<sup>59</sup> The court found Right guilty and sentenced him to pay treble damages of £165 together with court costs. Unable to pay, the court ordered that the defendant be whipped and assigned to the service of Hurlbut for fourteen years.<sup>60</sup> People of color were involved in around 100 cases of theft in the post-Revolutionary War era.<sup>61</sup> Files for April 1815 contain records of the non-prosecuted case of the *State v. Sarah Pomp* of North Stonington who was accused of stealing clothing and other household goods worth \$60 from Newcomb Kinney. Two other people of color, Prudence Robinson of Bozrah and Silas Aaron of Groton were also arrested and Pomp was jailed after she failed to secure bond for her court appearance.<sup>62</sup> In November 1830, George Derry, “a man of color,” was convicted of “feloniously & burglariously breaking & entering” the stores of Robert Jackson, Nathaniel Saltonstall, Robert Coit, and Samuel Hurlburt in New London and sentenced to six years at Wethersfield State Prison.<sup>63</sup> In a last example, Horace Thompson of Stonington, “a man of color,” was tried and convicted of stealing a horse worth \$70 and given a two-year sentence at State Prison.<sup>64</sup>

The collection includes seven cases of assault and battery from the earlier period and more than 140 for the later one. The African American servant is the victim of the attack in most instances in the colonial period. On June 13, 1772, John Leach of New London attacked a Negro boy named Cezar, the servant of Christopher Christophers. The boy was injured and Christophers had to pay medical expenses in addition to being deprived of the youth’s labor. He sued for forty shillings damages. In a trial before a justice of the peace, the defendant was found guilty. Required to pay five shillings damages and court costs of £1-0-10, the defendant appealed to the county court where the case was continued.<sup>65</sup> Rufus Minor and Samuel Minor, Jr. of Stonington filed a complaint on March 29, 1737 against three white men, a “negro man named Jack & two indian men” for assault. The local justice of the peace bound the miscreants over to the county court, but the case was ultimately withdrawn.<sup>66</sup>

Free people of color were also often victims of crime, as for example, Prince Williams of Groton who was violently attacked by Nathan Crary, Jr. with a club. Williams suffered a fractured skull and blows to the body that rendered him incapacitated. He sued for £200 pounds damages and settled out of court.<sup>67</sup> In November 1836, State’s Attorney Jirah Isham brought a complaint against Wheeler Morgan for assaulting, stabbing, and dangerously wounding Eber Quy of Norwich.<sup>68</sup> To cite one example of an all too common crime, the State accused George Jackson of New London for assaulting his wife Elizabeth, “by striking her repeated blows, with his fists on the breast, and . . . threatening that he would finish her, and would kill her.” The case was never brought to trial on the grounds of insufficient evidence.<sup>69</sup> African Americans, however, were perpetrators as well as victims of crime, as in the case of *State v. Benjamin Olney* of New London who was accused of assaulting George W. DeWolfe in September 1852.<sup>70</sup> Assaults and threats thereof comprised almost all crimes of violence involving people of color from the time of slavery until the mid-19<sup>th</sup> century.

The other two categories of criminal conduct represented by significant numbers can be characterized as sex crimes and those involving alcoholic drink. The King’s Attorney and State Attorney prosecuted 23 men and women for crimes associated with prostitution, 22 for adultery, 12 fornication, and 3 lascivious carriage. The State instituted 23 prostitution related offenses between 1842 and 1850. For example, in

<sup>59</sup> In this instance, servant meant hired servant and not slave.

<sup>60</sup> Feb. 1741, Box 2, folder 14.

<sup>61</sup> For these figures, not distinction is made between burglary, a crime that involves entering a building and stealing property there from, and theft.

<sup>62</sup> Apr. 1815, Box 5, folder 26.

<sup>63</sup> *State v. George Derry*, Nov. 1830, Box 7, folder 7.

<sup>64</sup> *State v. Horace Thompson*, Nov. 1845, Box 9, folder 9.

<sup>65</sup> June 1773, Box 3, folder 13.

<sup>66</sup> Nov. 1737, Box 1, folder 44.

<sup>67</sup> *Prince Williams v. Nathan Crary, Jr.*, June 1791, Box 4, folder 1.

<sup>68</sup> *State v. Wheeler Morgan*, Nov. 1836, Box 7, folder 30.

<sup>69</sup> *State v. George Jackson*, Nov. 1845, Box 9, folder 8. Three other people of color were called as witnesses; Minerva Robbins, Frelove Brighton, and Mrs. Anderson.

<sup>70</sup> Nov. 1852, Box 11, folder 1.

August 1842 Prince Williams of Preston was charged with keeping and maintaining “a House . . . reputed to be a house of bawdry and ill fame,” although the State’s Attorney declined to prosecute, while in June 1850 Sarah Richards of New London was convicted of prostitution, fine \$10, and obliged to pay court costs of \$18.30.<sup>71</sup> In June 1851, the State prosecuted both Josephine Mead and Henry Benton of New London for adultery. Josephine, wife of Edward Mead, was charged with “carnal knowledge of the body of Henry Benton,” but the case was nollied after she agreed to testify against Benton. Benton was found guilty and sentenced to two years at Wethersfield State Prison.<sup>72</sup> The handful of fornication cases include that of a lawsuit by Thankful Warris of Lisbon suing a minor after she became pregnant with his bastard child and James Guy of Norwich who was accused of committing fornication with a minor and inducing her to become a prostitute.<sup>73</sup>

Blacks are mentioned in eighteen cases that concern the illegal sale of alcoholic beverages. Lemuel Henry of New London, “not being a taverner,” was brought before the county court on four occasions in 1846 and 1847 for selling “spirituous liquors” by the glass from his shop.<sup>74</sup> Six years later the State prosecuted Benjamin Bacon, also not a licensed taverner, for the illegal sale of liquor to David Frost, Joseph Cross, and David Frost, Jr.<sup>75</sup>

The African American Collection contains materials on a number of other subjects. A few examples provide additional information on the kinds of cases found.

In June 1807, Jeremiah Tracy of Lisbon sued Pero Moody for violating the statute regulating fisheries by drawing a seine across the Quinebaug River at a time not sanctioned by law.<sup>76</sup> Several months later John Burwell and others, owners of the brigantine Dove, brought suit against Levi Meeds, “a transient black man,” on charges of desertion in violation of a federal law to regulate seamen in merchant service.<sup>77</sup> The State brought charges against Zebulon Parkis, Jr. in 1845 for disturbing a temperance meeting at the Methodist Episcopal Church in Norwich.<sup>78</sup> Robbins Babcock was prosecuted in December 1848 for throwing stones at a train of the Norwich and Worcester Rail Road in Lisbon. He was acquitted.<sup>79</sup>

The county court dealt with five cases of cruelty, three of which involved James Rogers of New London. In two 1755 cases, both called *Dom Rex v. James Rogers*, the King’s Attorney for New London County sued Rogers for cruelty to his slave Sharper. The defendant had “in a forceable manner drove a nail . . . Thro one of the Ears of him sd. Sharper and Nail’d the Same fast to the wall.” The jury acquitted the defendant.<sup>80</sup> In the last case, *James Rogers v. Giles Goddard*, the plaintiff sued for £400 old tenor damages. Rogers owned a 25-year old slave name Abner who was healthy and sound except for two sores, one on his left elbow and the second “near his Privete Parts.” The sores were not serious enough to prevent Abner from doing farm work. Rogers asked Dr. Goddard to cure the sores and he agreed to do so. Abner

<sup>71</sup> *State v. Prince Williams*, Nov. 1842, Box 8, folder 28; *State v. Sarah Richards*, June 1850, Box 10, folder 15.

<sup>72</sup> *State v. Josephine Mead*, June 1851, Box 10, folder 23; *State v. Henry Benton*, June 1851, Box 10, folder 24. All the prosecutions for adultery occurred between the years 1835-51.

<sup>73</sup> *Thankful Warris v. Samuel W. Perkins*, Mar. 1824; Box 6, folder 22; *State v. James Guy*, Nov. 1847, Box 9, folder 18.

<sup>74</sup> *State v. Lemuel Henry*, Feb. 1846, Box 9, folder 10; *Ibid*, Feb. 1847, Box 9, folder 15; *Ibid*, June 1847, Box 9, folders 16-17.

<sup>75</sup> *State v. Benjamin Bacon*, Nov. 1853, Box 11, folders 2-3.

<sup>76</sup> *Jeremiah Tracy v. Pero Moody*, June 1897, Box 5, folder 2.

<sup>77</sup> *John Burwell, Augustus Perkins & Samuel Freeman v. Levi Meeds*, Dec. 1807, Box 5, folder 3.

<sup>78</sup> *State v. Zebulon Parkis, Jr.*, Feb. 1845, Box 9, folder 7.

<sup>79</sup> *State v. Robbins Babcock*, Dec. 1848, Box 9, folder 29.

<sup>80</sup> Feb. 1755, Box 2, folder 19. The second case, found with June 1755 court records, concerns a 1753 prosecution of Rogers for cruelty to his “Negro boy” Sharper and two adults, Cato and Simon. A New London justice of the peace determined that Rogers “hath Cruelly Used the sd. Cato and Simon” and bound him over for trial before the county court. In June 1755, Rogers’ bonds were called out and he was dismissed after paying court costs of £10-15-2. June 1755, Box 2, folder 20.

was sent to the doctor's house and he did "in a Cruel and Unreasonable Maner . . . with a lance or some sharp instrument made an Invasion into the lower Part of the Right shoulder of the said Negro in a sound Part of his body where there was no sore before and then Cut out Part of one of the sinews of his said shoulder and thereby Grievously maimed and wounded said Negro." Abner lost the use of his right arm and the wound had not healed. The defendant was found not guilty and the plaintiff appealed to the Superior Court.<sup>81</sup>

Three cases found under three different subjects between 1762 and 1764 concerned Titus Mando.<sup>82</sup> In the first case, *Titus v. Jabez Lothrop* of Norwich, the plaintiff sued for £12 in a debt by book "for work and Labour Done." The defendant argued that Titus was a slave for life, but the court disagreed and ordered Lothrop to pay Titus £12 damages. The defendant appealed. The second case was *Jabez Lothrop v. Amariah Bozworth*. Suing for £50 damages, the plaintiff accused the defendant of enticing his slave for life to leave his service. The court deemed the declaration of the plaintiff insufficient and he again appealed. Documents in this lawsuit and in *Jabez Lothrop v. Joseph Fowler* of East Haddam, formerly of Lebanon, in a plea of covenant broken provided evidence that Titus, son of Phillis, was free born and, therefore, Fowler had no right to sell the boy.<sup>83</sup>

Some records contain a treasure trove of information about several people of color, for example, a riot in New London in 1831. The State's Attorney charged Peggy Sansom, Benjamin Burton, John Rhodes, Lucy Rhodes, and John Smith, "all persons of color," with being "rioters, routers and disturbers of the peace" by breaking into the house of Benjamin Beach on the night of July 5 and terrifying the residents. Five adults living in the house were called as witnesses – Benjamin Beach, Ann Beach, Frank Neads, Mariah Neads, and Nancy Freeman. Sansom, Burton, and Rhodes were bound over for trial. The three failed to appear for trial and defaulted on their bonds.<sup>84</sup> Eleven years later Norwich grand juror Charles Clark accused William Johnson, Felix Ruggles, James Peckham, Luther Peckham, William H. Brown "and divers other persons . . . unknown of said Town" on December 31, 1841 of disturbing a meeting and destroying property of the "Colored Ecclesiastical society" of Norwich. Thirteen members of the congregation were summoned as witnesses and the defendants were bound over to the February session of the county court. The case was continued and, after tempers had cooled, the defendants were not prosecuted.<sup>85</sup>

Other court records contain more tangential references to people of color, as when they are called as witnesses or mentioned in some other context. One such example from *Files* can be characterized as playing the race card. The November 1763 court convicted Samuel Atwell, Jr. of arson for burning down the full barn of Jedidiah Chapel of New London. The court ordered Atwell to pay £125-9 damages and £7-14 court costs.<sup>86</sup> The next February Atwell petitioned for a rehearing of his case. He argued that new evidence existed that pointed to a runaway Negro man called Will as the culprit. The court refused to grant Atwell a rehearing.<sup>87</sup> In a case of the theft of a cow from December 1813, Pardon Brayton was one of several witnesses called, while another that same session, John Noyes on behalf of the inhabitants of Lyme sued Charles Smith, as executor to the will of Marshfield Parsons, for the costs of caring for Basil, a "negro

<sup>81</sup> June 1753, Box 2, folder 18.

<sup>82</sup> In one case he is called Titus "a free Molato Man or Mustee," in the second Titus Mando, and a "Negro Boy Named Titus" in the third.

<sup>83</sup> June 1762, Box 2, folder 32; June 1763, Box 2, folder 37; Nov. 1764, Box 2, folder 42. The General Assembly, sitting as the colony's Supreme Court, heard the case, but declined to overturn the verdict. Connecticut Archives, Revolutionary War, 1<sup>st</sup> Series, Vol. 37, 199-204.

<sup>84</sup> *State v. Peggy Sansom, Benjamin Burton, John Rhodes, Lucy Rhodes & John Smith*, Nov. 1831, Box 7, folder 12.

<sup>85</sup> *State v. William Johnson, Felix Ruggles, James Peckham, Luther Peckham, William H. Brown "and divers other persons,"* Nov. 1842, Box 9, folder 27. For a related case, see Box 9, folder 29.

<sup>86</sup> New London County, County Court, Trials, Vol. 24, Nov. 1763, no. 7; *Ibid*, Files, Nov. 1763, Box 129, folder 8, no. 7.

<sup>87</sup> Feb. 1764, Box 2, folder 41.



Additional data is found in the *Papers by Subject* series of New London County Court Records. As indicated above, eighty-five records of people of color have been found who are not represented in *Files*. The bulk of them come from three series – Costs (39), Revolutionary War Pensions (20), and Summons for Evidence (14). The remaining dozen are divided among Executions (5), Conservators and Guardians (2), Court Expenses (2), Miscellaneous (2), and Confiscated Estates and Loyalists (1). In another 160 cases, the new information supplements that already found in *Files*, primarily from three series – Costs, Executions, and Summons for Evidence. Just over 20% of all records contain information derived at least in part from *Papers by Subject*.

Costs comprise the largest number of *Papers by Subject* records and consist almost exclusively of bills submitted to pay the expenses of jail prisoners. For example, in December 1819 prison keeper John Lawrence submitted a bill for \$5.50 to the county court, \$4.50 of which was for the feeding and jail fee for Jack Bennet who was accused of theft. The following March a bill for \$63.35 included \$9.21 for expenses incurred by James Robbins.<sup>92</sup> For the period from 1839 to 1850, the jailers provided lists of prisoners with the amount owed for the care of each. An early list for February 1840 lists ten people of color on three pages – Edmund Freeman, Harvey Hyde, James Kimo, Caroline Lazier, John Lazier, Louisa Lazier, Samuel Lewis, Phebe Orchard, Abraham Peters, and John Smith.<sup>93</sup>

Revolutionary War Pensions make up the next largest number of records. The United States Congress in 1818 passed legislation granting pensions to non-disabled veterans of the War of Independence. Subsequent legislation in 1820 limited pension rights only to those living in poverty.<sup>94</sup> *Papers by Subject* holds 154 alphabetically arranged pension applications, twenty of which were for people of color and four for Indians. All dating initially from June 1820, the petition of Peter Peters of Stonington is representative of the group as a whole. The petition was written by Charles Lathrop, clerk of the county court, and signed by Peters with a mark. Peters stated that he enlisted in the Continental Army in November 1777, served for three years in First Connecticut Regiment commanded by John Durkee, and re-enlisted to serve for the duration of the war. Now age 65, he was infirm and without a family. His property consisted solely of clothes worth a little over \$10.<sup>95</sup>

Summons for Witnesses is the last series to contain significant new information. In June 1735, Adam Rogers, Jr. was summoned to appear as a witness in the case between Joseph Talman and Moses Rowley and twenty years later “Ann a molatto wench” was summoned to give evidence in the case between John Huglison and Pardon Tabor.<sup>96</sup> Of the remaining items, just one stands out from the Conservators and Guardians series. On March 14, 1808, Thomas Halsey of Groton petitioned the county court. Saying that he had been born a slave and manumitted by Jeremiah Halsey, Esquire, in 1779, he had acquired an estate worth \$2,500. Notwithstanding his prosperity and enjoying “the privileges of a Citizen in all Respects except the Right of Suffrage,” the selectmen of Groton had appointed an overseer over him two weeks previously. He asked the court to “Liberate your Petitioner from the power and Controul of sd. Overseer” and restore him to his “Natural Rights and privileges of a Citizen.” The court granted his petition.<sup>97</sup>

The bulk of the information found in *Papers by Subject*, however, supplements that contained in *Trials* primarily in the series for Costs, Executions, and Summons. The case of *Cezar v. Jube*, described earlier, holds additional documentation in both Costs and Summons for Evidence.<sup>98</sup> After Stephen Nott recovered judgment against Zaccheus Still of Saybrook in June 1761 for £5-1-5 debt and £1-15 costs of suit, *Papers by Subject* provides information on the exact nature of the costs. They consist of cost of writ one shilling

<sup>92</sup> Costs, Jack Bennet, Dec. 1819; James Robbins, Mar. 1820, Box 11, folder 26.

<sup>93</sup> Ibid, Feb. 1840, Box 12, folder 3.

<sup>94</sup> *Index of Revolutionary War Pension Applications in the National Archives, Bicentennial Edition* (Revised & Enlarged) (Washington, D.C.: National Genealogical Society, 1976), x.

<sup>95</sup> Pensions, Revolutionary War, Peter Peters, June 1820, Box 13, folder 8.

<sup>96</sup> Summons for Evidence, June 1735, Box 13, folder 14; Feb. 1756, Box 13, folder 18.

<sup>97</sup> Conservators and Guardians, Thomas Halsey, Box 11 folder 8.

<sup>98</sup> Costs, Feb. 1750, Box 11, folder 16; Summons for Evidence, Box 13, folder 16.

and a six pence, officers fees seven shillings and six pence, travel four shillings four pence, and court fees and attendance totaling £1-1-3.<sup>99</sup>

The county court issued writs of execution to losing parties in lawsuits to recover the debt incurred and costs of lawsuits. Boxes 12 and 13 contain almost ninety executions levied by or upon African Americans. In June 1818 after Pero Moody of Lisbon recovered judgment against Isaac S. Moody for \$94.29 debt and costs of suit, a constable on July 20, 1818 went to the house of Isaac Moody and seized a feather bed, gun, and articles of clothing to be sold at auction.<sup>100</sup> Sometimes the execution takes the form of sentencing documentation for criminal offenses, as in June 1836 when Oliver H. Perry Lewis was convicted of burglary and sentenced to two years in Connecticut State Prison and costs of prosecution \$18.42.<sup>101</sup>

The African American and People of Color Collection, then, has considerable research value for those with biographical, genealogical, and historical perspectives and provides documentation that helps trace the history of slavery and freedom in New London County.

### **Provenance**

The records of the New London County Court were transferred to the Connecticut State Library in 1921.

### **Related Records**

Additional information can be found in *Dockets* and *Trials*. The volumes of records for *Trials* sometimes contain more information, particularly for the period before 1720. Documentation for cases that were appealed can be found the records for the Superior Court of New London County.

### **Access Note**

This artificial collection of materials devoted to African Americans appearing before the New London County Court consists of photocopies of original documents. All originals have been restricted.

### **Database of Cases**

A database for the 1,191 records involving people of color from New London County is included in this collection. The database contains fields for surname and first name, if known, residence, date of court session, case name, and subject. It can be accessed by researchers from the Connecticut State Library website at: <http://www.cslib.org/NewLondonAA.asp>

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<sup>99</sup> Costs, June 1761, Box 11, folder 18.

<sup>100</sup> Executions, *Pero Moody v. Isaac S. Moody*, June 1818, Box 12, folder 36.

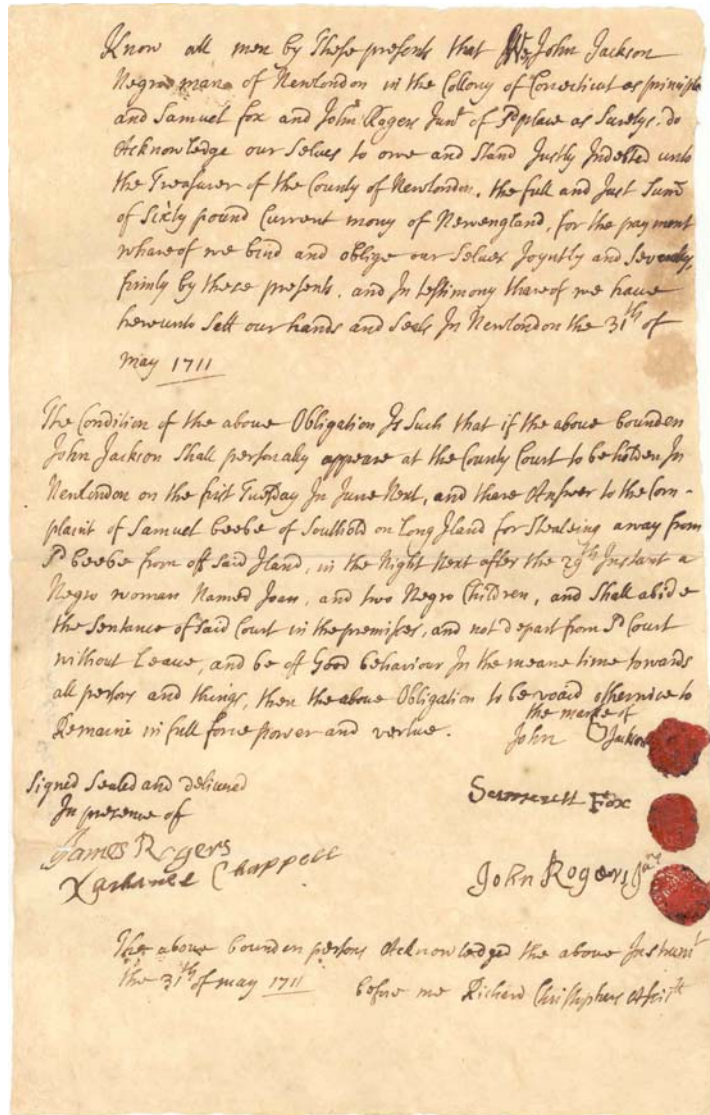
<sup>101</sup> Executions, *State v. Oliver H. Perry Lewis*, June 1836, Box 12, folder 46.

Container Listing

1. Files

- 1701 Sep-1739 Jun (folders 1-46) Box 1
- 1739 Nov-1767 Jun (folders 1-45) Box 2

**Illustration 6**



**Appearance bond for John Jackson, signed by Jackson with a mark,  
Samuel Beebe v. John Rogers and John Jackson<sup>102</sup>**

- 1767 Nov-1774 Nov (folders 1-17) Box 3
- 1781 Nov-1791 Jun (folders 18-43)
- 1791 Jun-1806 Dec (folders 1-44) Box 4

<sup>102</sup> June 1711, Box 1, folder 3.

1806 Dec-1819 Jun (folders 1-42)	Box 5
1819 Jun-1827 Nov (folders 1-35)	Box 6
1827 Nov-1838 Jun (folders 1-34)	Box 7
1838 Jun-1843 Nov (folders 1-32)	Box 8
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<b>2. Papers by Subject</b>	
Confiscated Estates (folder 7)	Box 11
Conservators and Guardians (folders 7-8)	
Costs (folders 8-46)	
Costs (folders 1-16)	Box 12
Court Expenses (folders 17-19)	
Executions (folders 20-47)	
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Pensions, Revolutionary War (folders 4-11)	
Summons for Evidence (folders 11-20)	