

Stiles v Richardson. Philadelphia. 1797-99.

PAS Papers Box 4A Manumissions Actions involving illegal enslavement of free black, 1787-1830

Ins. Dost thou know anything of one Robert Ward & Sam^l Pennington both of the State of Maryland, in the Spring of 1797.-perhaps in April or May, coming over into Salem County, New Jersey, in Search of two male negroes whom they claimed as Slaves, by the name of James & Isaac Sadler or James & Isaac Berry, ~~Doth thou know~~ Did thou ever know or rember, having any such black persons employed in thy Service, or whether s^d Pennington or Ward got the Clothes of the s^d Negro James out of the house of Sam^l Irving.-whether Ward & Pennington were informed that the negroes were there at Samuel Swings & who informed them so.-whether Sam^l Swing & Jas Johnson ever went to the s^d Ward Pennington, in order to purchase the s^d Negroes, & what Conversation passed on the subject,-whether they apply'd more than once to buy them,-whether Sam^l Swing or Jas. Johnson, Concealed the s^d negroes in any way from the s^d ward or Pennington, or endeavoured in any whatever to prevent their suing or taking them up or taking them home-whether any was said about Pennington's Purchasing them of Ward & for how much money, and what their conversation upon that subject, whether thou discovered any thing about a Sham Sale from Ward to Pennington-& what sort of Instrument of writing, or whether any was given by Ward to Pennington conveying the s^d Negroes, dost thou know any thing of one W^m Davis, being present at the time Ward, executed or signed the s^d Bill of Sale or Certificate to Pennington & whether he was called to take notice that it was a sham Sale in order to get the s^d negroes into his possession, & did the s^d Davis sign the s^d Certificate or Bill of Sale as a witness or any other person. Did Sam^l Swing demand & get 40 Dolls. Of Pennington before Swing would give them up-

whether he ever knew or heard of Pennington being attackes by Several men in Salem, who told him that he had made a breach of the Law in purchasing s^d negroes in that State, that he was liable to a fine of 500 Dol^l for each Negro unless he would manumit them in consequence of which he consented to manumit them,- How long did Pennington agree to take them for, before theu should be free.-

Dost thou believe or hast thou any reason to think that Ward or Pennington might have readily obtained every ↑Legal↓ assistance from the Civil Authority for taking up, apprehending, removing to the State of Maryland the s^d negroes, with any Sham Sales or conveyances of any kind.-Does or has there ever appeared any partiality in the Justices or Civil officers of Salem County on behalf of run away Slaves or negroes, or any connivance at it, or any thing like evading the Law. But that every man has ↑had↓ free liberty to search ↑for↓ apprehend take up & remove if he found them in the County, unto whatever State he belonged according to Law without any interruption

Com^{nr} named James Kinsey Esquire ~ Salem T. Henry ????? Esq.
For Ct.

Salem County ___

Witnesses to be examined

Joseph Kirkbride } Exⁿ of
Mary Potts and } Insptr
Phineas Potts } Potts

Jailer Certificate re???
Isaac

* * *

Philad^a County Ja To the Keeper of the Prison

Receive into your Custody Negro Isaac charged before me by George Stiles his master with deserting his Service therefore keep the said Isaac until discharge agreeable to Law Given under my hand & Seal this twenty fourth day of December 1798

Sign^d John Grover¹

Sir/ You will pleas not to discharge Negro Isaac committed by me on the twenty fourth instant till a further hearing

To the Keeper of the Prison Sign^d John Grover
Southwark December 31st. 1798

Philad^a County Ja. To the Keeper of the Prison

Sir On your giving Negro Isaac's master notice and allowing him a reasonable time to come and claime the said Servant and pay the Cost, if he neglects you are hereby requested to discharge the said Isaac at the expiration of said term that you shall fix given under my hand & Seal this Eight day of March 1799

Signd John Grover

I certify the foregoing to be true Copies from the Originals in file in the Prison and I also Certify that by a reference to the Docket the said Isaac appears to ↑have↓ been discharged from Prison March 9th 1799 Philad^a Aug 31. 1804

Ab^m Douglass Clrk of the Jail

* * *

Opinion William Lewis²
& Walter Franklin³

¹ John Grover, a justice of the peace, lived at 343 South Second Street in 1799. Cornelius William Stafford, *The Philadelphia Directory for 1799*, 62.

² William Lewis, a Quaker attorney who had figured significantly in the drafting of the 1780 Gradual Emancipation Act, had long afforded his legal services to the Pennsylvania Abolition Society. In 1799, he resided at 82 South Third Street. Cornelius William Stafford, *The Philadelphia Directory for 1799*, 86.

³ Walter Franklin, an attorney, had assisted the Pennsylvania Abolition Society with several cases, one of which, *Flora v. Graisbury* (1802), had sought unsuccessfully to establish the unconstitutionality of slavery

Respecting Isaac Sadler ~ in Prison
a Free man sold a slave by
Samuel Richardson _ to
Cap George Stiles

I am of opinion that the discharge of Isaac Sadler from prison will not affect the Claim of Captain George Stiles on Samuel Richardson for Damages in selling the said Isaac as a slave when he was free- ~~bind~~ though I cannot with any propriety give a positive consent to discharge the said Isaac I certainly shall not in any manner oppose or obstruct it _

2nd. March 1799
Walter Franklin
I am of the above opinion
Wm. Lewis
Mar. 5th. 1799

* * *

George Stiles
v
Daniel Richardson
Supreme Court of Pennsylvania
Case settle(?) to March Term 1799

Interrogatories to be administered to Doctor Ward and others witnesses to be produced, sworn and Examined on the part of Daniel Richardson the Defendant in the above action before John Patterson Esquire of Elktown Commissioner pursuant to a rule of said Court.

Imprimis Do you know the Parties Plaintiff and Defendant in the title of these Interrogatories named or either and which of them and how long have you known them either and which of them declare the truth and your knowledge herein.

Secondly Do you know or were you acquainted with the Circumstances respecting the sale of a Negro man by Daniel Richardson the Defendant in this action to the Plaintiff when and where that sale was made and the circumstances respecting the same, declare the truth and your knowledge herein.

Thirdly Can you say what price or sum of money was paid for the same Negro by the plaintiff Capt. Stiles to the Defendant whether the negro was sold as a Slave and how you know him to be a Slave. Declare the truth and your knowledge herein.

Fourthly Do you know whether the same Negro was ever manumitted or set free by any Master that he lived with and under what Circumstances such manumission was procured, and when and where the same was delivered as well as the consideration received by such Master, Declare the truth and your knowledge therein

Fifthly Do you know or can you say what age the negro sold as aforesaid was at the time of the sale and what the value of such a Negro would be as a Slave in the State of Maryland, Declare the truth and your knowledge herein.

in Pennsylvania. In 1799, he resided at 83 South Second Street. Cornelius William Stafford, *The Philadelphia Directory for 1799*, 55.

Lastly Do you know of any other matter or thing or have you heard or Can you Say any thing touch the matter in Question in this Cause that may tend to he benefit & advantage of the Defendant in this Cause besides what you have been interrogated into.

* * *

Proceedings of a Commission under the Direction of John Partridge Esquire
Commissioner appointed in a Cause depending in the Supreme Court of Pennsylvania
Between Captⁿ. George Stiles, Plaintiff and Daniel Richardson Defendant
Elkton December the 4th 1799.

The Deposition of Doct Robert Ward aged about Thiry two Years being sworn on the Holy Evangels of Almighty God, declareth and saith in answer to the first Interrogatory that he knows Richardson the Defendant, but does not know George Stiles the plaintiff and that he hath known said Daniel Richardson about two or three years.

To the Second Interrogatory he answers and Saith that he knoweth nothing of his own knowledge, but that he heard said Daniel Richardson say, that he had sold said Negro man alluded to in the interrogatories to the said George Stiles for the sum og Seventy Five Pounds current money to Elkton

To the Third interrogatory he answerth and Saith that as to the Price of said Negro, it is andwered in his answer to the second Interrogatory and that he understood from said Daniel Richardson the Defendant that the said Negro man was sold as a slave to said George Stiles and further says that said Negro he believes was a slave

To the Fouth Interrogatory he answereth and saith, that to his own knowledge he does not know that said Negroe ever was manumitted.

To the Fifth Interrogatory he answereth and says that said Negro was about Eighteen Years old and that the value of such a Negro at that time as a Slave in the State of Maryland would be about Eighty Pounds

To the Sixth and last Interrogatory he answereth and says that to his own knowledge he knoweth or can say nothing further_

* * *

The Deposition of William Davis aged about Thirty one Years after being duly sworm, deposeth and saith in his answer to the first Interrogatory that he knoweth not George Stiles the Plaintiff but that he hath had small acquaintance with Daniel Richardson the Defendant for this one or two years.

To the second Interrogatory he answers and says that he knoweth nothing about it. To the Third Interrogatory he answereth and saith that he always understood said Negro to have been a Slave-

To the Fourth Interrogatory he answers and says that he knoweth there was an instrument of writing executed between Doct. Robert Ward the person mentioned in the first Deposition and a certain Samuel Penington, being a sham sale for the said

Negro Man, in order to enable said Doct. Ward to get into his possession the said Negro man who had absconded from the said Doct Ward and who was then in the state of New Jersey, and that they the said Robert Ward and the said Samuel Penington called on him that said William Davis to evidence the same as a sham sale To the Fifth Interrogatory he answers and says that he knoweth nothing of the said Negro's age, but supposes such a Negro in the State of Maryland as a Slave about that time was worth about Eighty Pounds Current money.

To the Sixth and last Interrogatory he answers and says that he knoweth nothing further than what he has already said.

The Deposition of Samuel Penington aged about twenty years old after being duly sworn deposeth and saith in answer to the first Interrogatory that he does not know the plaintiff George Stiles, and that he never saw Daniel Richardson the Defendant to know him until this Day

To the Second Interrogatory he answers and says that he knoweth nothing respecting it.

To the Third Interrogatory he answers and says that he heard said Daniel Richardson the Defendant say that he had sold the said Negro Man to said George Stiles that Plaintiff for the Sum of Seventy five Pounds Current Money and that he had always understood said Negro Man to be a slave.

To the Fourth interrogatory he answers and says that in the month of April, Seveteen hundred and Ninety Six, he fell in with Doct Robert Ward in search of two Negroes calld James and Isaac which they understood were there in the County of Salem and State of New Jersey, and when they arrived there, they were informed the said Negroes had gone to Springfield, and they immediately set out for that place, but on their arriving there could not hear any thing respecting said Negroes and returned back to Salem and were informed there, that a certain Samuel Swing and James Johnson came forward had such Negroes in their possession and on the same evening the said Samuel Swing and James Johnson came forward and enquired for Doct Ward in order to purchase the said Negroes as they run, said Robert Ward informed them that he would not sell them unless they would bring the said Negroes forward that he might see them, which they refused to do, on said evening the said Robert Ward and Samuel Penington went down to said Samuel Swings house but could not see the said Negroes, but were informed that the Negroes were there, he then go the Cloaths of said Negro James out of the house of said Samuel Swing and then returned back to Salem, where said Swing and Johnson came again in order to purchase the said Negroes the said Robert again informed them that he would sooner loose the property than sell them in that state, likewise he also informed them that he had sufficient proff that they then harboured the Negroes, that he had got the cloths of said James out of his the said Samuel Swings house said during then appeared to be alarmed and went to W and got his advise respecting the business who informed him that he had better give up said Negroes or he would be subject to a fine of five hundred Dollars, the said Samuel Swing then came forward to said Robert Ward and informed him and the said Samuel Penington that if they would ride down to his house about three oClock in the afternoon he would produce the Negroes, accordingly they went down, he then he had not seen the Negroes nor did not know where they were, but that he would still buy them from said Doct Ward he again informed them that he would not sell them in the State of New Jersey, the said Samuel Swing †then‡ agreed to send his own Negro man to see if he could find

them the Negro returned and said that he had seen James, but that he was not willing to see his Master (the said Doct Ward) but said he would see him the Deponent, The said Samuel Penington was then conducted by Swing's Negro man into a large Swamp, where he saw the said Negro James, and he told him that his master Doct Ward wished to see him, to which said Negro would not consent unless he this Deponent would purchase him, he then told him if he would go forward he would purchase him from his master if they could agree, he then consented to go. On the Evening before the said Robert Ward agreed to make a sham sale to the Deponent of said Negroes provided he could not obtain them in any other way, The evening on which said Negro came forward the said Samuel Penington asked the said Doct Ward what he would take for said Negroes to which he replied four hundred and Fifty Dollars, which he agreed to give him in presence of said Samuel Swing who informed the said Negroes that it was necessary that Doct Ward should give him this Deponent an Instrument of writing to show that he had sold them, accordingly the said Robert Ward gave a Certificate relinquishing his claim to said Negroes but before the executing said certificate they called on M William Davis (the person mentioned in the second Deposition) to take notice that it was a sham sale in order to obtain the said Negroes for the said Robert Ward, likewise to evidence the same, He this Deponent after obtaining the Certificate for said Negroes, went down to the said Samuel Swings where both the Negroes were present, the said Samuel Swing then offered to purchase the negroes from him this Deponent, but he informed him that he would not sell them, he then said he was entitled to forty Dollars, which sum he this Deponent gave before he could get the Negroes, the said Samuel Swing advised the said Negroes to go no other way than through the town of Salem, where he would meet with more of their friends, who would advise them what was best to be done, and on the said Samuel Penington's arrival in the town of Salem, he was attacked by several men who told him that he had made a breach of the Law in purchasing said Negroes in that state that he was liable to a fine of five hundred Dollars for each Negro unless he would manumitt them, in consequence of which he consented so to do, they then drew a couple of manumissions for said Negroes, which he this Deponent signed to be free in four years from the date of said certificate they then informed him that he might go on This Deponent further says that he did not give said Robert Ward any Consideration for such sale (nor never was so to do but the Certificate given by said Robert Ward to him this Deponent was done merely to satisfy said Samuel Swing ↑and↓ to obtain possession of said Negroes, that they threatened to exact the fine if he did not consent so to do, and he this Deponent being a stranger and not knowing that he could get security was apprehensive he might be put to goal under these circumstances the said Samuel Penington was induced to sign the said manumission to avoid imprisonment.

To the Fifth interrogatory he answers and says that as to the age of said Negroes he does not know, but supposes such a Negro as a slave at that time in the State of Maryland was worth about Eight Pounds.

To the Sixth Interrogatory he says he can say nothing further than what he has already said

The Deposition of Doct Samuel t Thompson aged about twenty two years being duly Sworn deposeth and saith in answer to the first interrogatory that he knoweth neither of the Parties

To the Second Interrogatory he answers and says that he knoweth nothing respecting it

To the third Interrogatory he answers and says that as to the price or sale of said Negro he knoweth nothing, that the said Negro was born in the year Seventeen hundred and Seventy Nine (as he has been informed by his mother) two years after which M Joseph Ludley the master of said Negro died and left Rachel James and Isaac (the Negro now in Question) to Miss Mary Ludley now the Wife of said Doct Ward to her and her heirs forever

To the Fourth interrogatory he answers and says that he knoweth nothing respecting it.

To the Fifth Interrogatory he answers and says that he knoweth nothing than what he has already said

To the Sixth and last Interrogatory he answers and says ~~he knoweth~~ that he knoweth nothing