



Register of Free Negroes: 1844-1861
from the Office of Clerk of the Loudoun County Circuit Court

Despite the 1806 Virginia mandate requiring African Americans emancipated after that date to vacate the state, it appears that the law was irregularly enforced in Loudoun, contributing to a large free black presence before the Civil War. Gaining legal residence in Virginia for free African Americans was another matter, however, as the story of Harriet Cook demonstrated. Interestingly, 93 white citizens, including elite members of society, vouched for her high character and valuable contribution to the community in a petition on her behalf to the state legislature.

HARRIET COOK (1850)*
1802? - UNKNOWN

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*[From *The Essence of a People II, African Americans Who Made Their World Anew in Loudoun County, Virginia, and Beyond*, edited by Kendra Hamilton, published in Leesburg, Virginia, by the Black History Committee of the Friends of Thomas Balch Library, 2002, pp. 17-20.]

Harriet Cook, a free black woman of Leesburg, was a valued and well-regarded member of her community. Emancipated in about 1838, when she was approximately 32 years old, Cook supported herself by working as a washerwoman, and she may have also served as the community's midwife.¹ She appears to have led a quiet life, gaining considerable respect as a skilled, trustworthy, and honest worker—until an 1850 case made her name one of the best known in the county.

Cook had been living in Leesburg as a free woman of color for about twelve years before turning to the network of white residents who valued her skills to ask for their help. She wanted something that white citizens of the state could take completely for granted: to be a legal resident of the state of Virginia.

Cook's apparently stable life in Leesburg was, in fact, built on a foundation of sand. An 1806 law stipulated that manumitted slaves were to leave the state within twelve months of gaining their freedom. Thus, Cook—along with [almost] every other free black in the state—could at any moment be forced to leave the state, losing her home, her family and friends, the respected position in the community that she had worked so hard to earn and maintain, indeed, everything that made life worth living.

Cook had weathered at least one crisis, in 1842, managing to maintain her residency despite a determined effort by a group of Loudoun County citizens who petitioned the General Assembly for stiffer enforcement of the 1806 law. It is not known what prompted her to act on her own defense in 1850, but we can make an educated guess.

She may have feared another campaign by the forces who so strongly opposed allowing free blacks to live in the county. The political debates over slavery in the territories that resulted in the Compromise of 1850, whose most salient provision was a toughened version of the Fugitive Slave Act, stirred the passions on both sides of the slavery issue to a fever pitch. Circumstances of a more personal nature may have contributed to her decision, but it seems likely that the precarious political climate may have played a role in making her wish for the security that legal permission to remain in the state would provide. In any case, Cook had evidently put years of work into network building, so when she made here appeal, she had plenty of support from prominent white citizens of Leesburg.

In January of 1850, ninety-three white citizens of Loudoun County filed a petition with the General Assembly on Cook's behalf. The petitioners were a veritable "who's who" for the county, including seven justices of the peace, five executive council members, sixteen merchants, six lawyers, and the postmaster.

The petition stressed the fact that Cook was an upstanding member of the community, "sustaining a high character as a religious, honest and valuable member of Society."² It noted that "serious inconvenience" would result if she were not permitted to remain in Leesburg; the document stressed that it would be a great hardship were the petitioners "to be deprived of her services as a washerwoman and in other capacities, in which in consequence of her gentility, trustworthiness and skill she is exceedingly useful."³

The petition did not go unanswered. Sixteen Leesburg and Loudoun County residents filed a counter-petition, requesting that the General Assembly deny Cook's petition on the grounds that residency of free blacks was not a matter for the General Assembly to decide. "[T]he law places the remedy in such cases where it ought to be, in the county and corporation courts,"⁴ the document read.

The counter-petition's strategy—relying on a simple argument of jurisdiction, leaving off any arguments about the "great and growing evil arising from the residence of the Free Black population"⁵ that surfaced in earlier agitation against free blacks—was an intriguing one. It may well have been that the anti-Cook forces sought to avoid a direct confrontation with the well-to-do citizens who had so solidly thrown their support behind such a valuable and upstanding member of the community.

No documents have survived confirming the legislature's decision in the matter. The General Assembly could have denied Cook's petition, sending the matter to the local courts. But it's worth noting that the legislature rarely denied such petitions on behalf of free blacks; in the one documented instance of a rejection, the circumstances were extraordinary.⁶

Census records for Loudoun County do not answer the question either. Cook is listed nowhere in the Loudoun County rolls for 1850 and 1860. But that offers no proof that she was forced to leave, as she failed to be recorded in the 1840 Census as well, when she was proven by other means to be living in Leesburg.

Tax records are often the surest measure, and "Harriet Cook" appears in those documents through 1857. No record of her is found after 1857. And so, after writing a remarkable chapter in Loudoun County's history, Harriet Cook disappears from the written record. But she leaves behind her a tantalizing glimpse of the trials and triumphs of life as a free black in antebellum Virginia.

End Notes

- ¹ Brenda E. Stevenson, *Life in Black and White: Family and Community in the Slave South* (New York: Oxford University Press 1996), 295
- ² LCLP, 25 January 1850, Virginia State Library.
- ³ *Ibid.*
- ⁴ LCLP, 19 January 1850, Virginia State Library.
- ⁵ Stevenson 268. ⁶ Stevenson 273.