

I. THE ERA OF ENSLAVEMENT

European settlement came late to Loudoun County, with the first non-indigenous population appearing a full century after the initial colonization of the Commonwealth. From its beginning, Loudoun was different: in addition to Virginia plantation owners who came in search of new lands to cultivate tobacco, the County hosted a large number of non-slaveholding small farmers (Quakers, Germans, and Scots-Irish) who had migrated from the North. This population generated a small but vocal abolitionist movement in the County that challenged the institution of slavery and opposed secession from the Union on the eve of the Civil War.

The County's racial balance was also distinctive. The relatively small number of enslaved people (about one fourth of the total population), as well as a significant number of free blacks, set Loudoun and other counties in northern Virginia apart from much of the antebellum South. Economic factors had a profound impact on demography: over time, tobacco cultivation depleted soils in Loudoun, and the unsuitability of lands in the hilly northwest of the county to plantation agriculture led to an excess of the enslaved population relative to demand. This in turn led to the sale of some 7,000 enslaved persons outside the County, many to the Deep South where the focus of plantation agriculture (especially cotton) had shifted. In numerous cases, the slavery trade led to the brutal break-up of families.*

**[Brenda E. Stevenson, Life in Black and White: Family and Community in the Slave South, p. 206]*

ENSLAVEMENT, FREEDOM, AND THE COURTHOUSE, 1757-1861

Bronwen Souders

The Courthouse, embodying the legal system of a Southern county since Loudoun's separation from Fairfax County in 1757, framed relations between the races from colonial times. Pro-and anti-slavery elements of the white community, as well as the enslaved and free black populations, have all left their mark at this place in ways that deserve remembrance.

Origins: Early Immigration into Loudoun County

The first non-native settlement of what is now Loudoun began on the heels of the Treaty of Albany in 1722, which essentially excluded indigenous tribes from that portion of the Northern Neck of Virginia east of the Blue Ridge and south of the Potomac. Speculators arrived from the Tidewater area to develop thousands of acres of land -- eventually resulting in large landholdings by enslaving, often absentee, Englishmen -- although actual settlement in Loudoun proceeded slowly at first.

Additional white settlement came from Pennsylvania, New Jersey and Maryland as German immigrants and Quakers took up land in the Loudoun Valley in the western half of the County. They farmed relatively small holdings and built mills around which grew villages and hamlets. The Quakers opposed slavery, military service and swearing oaths, setting them apart from their Cavalier neighbors. The Germans had no tradition of slavery and were relatively apolitical.

Further white settlement came in the mid-18th century as the Scots-Irish arrived in substantial numbers. These were farmers, craftsmen, and small business owners, most non-slaveholding. As these several groups prospered and grew, so did the divide between those who used the labor of enslaved individuals and those who did not.

The County has from the earliest white settlement also been home to African Americans, most of them enslaved, but notably, some free. By 1860, the federal census for the County showed roughly 15,000 whites, 5,500 enslaved, and 1,250 free black residents.

Year	Total Population	White	Enslaved	Free Blacks
1790	18,962	14,749	4,030 (21%)	183 (1%)
1800	20,523	15,200	4,990 (24%)	333 (2%)
1810	21,338	15,577	5,157 (24%)	604 (3%)
1820	22,702	16,144	5,729 (25%)	819 (4%)
1830	21,939	15,497	5,363 (24%)	1,079 (5%)
1840	20,431	13,840	5,273 (26%)	1,318 (6%)
1850	22,079	15,066	5,641 (26%)	1,373 (6%)
1860	21,774	15,021	5,501 (25%)	1,251 (6%)

Population of whites, enslaved and free blacks in Loudoun County, 1790-1860

The Courthouse and Loudoun's White Populace

The white community's shifting alliances evolved in the mid-19th century into a secessionist faction (small at first) and a Unionist element comprised of (mostly) non-slaveholding Quaker and German settlements. From 1757 until 1861 when Virginia left the Union, there was a white elite that owned large plantations employing many enslaved people. There were white yeomen of more modest means who might employ one or two enslaved individuals; and there were poor whites with no enslaved at all. Finally, there were the anti-slavery Quakers and other abolitionist minorities.

Professor Brenda E. Stevenson characterizes Loudoun in her book *Life in Black and White: Family and Community in the Slave South* as:

“. . . both an exceptional and typical Upper South site. Within its borders lived important branches of some of the South’s most illustrious and influential families: Carters, Byrds, Harrisons, Janneys, Lees, Masons, Mercers, Peytons and Powells. Their presence alone guaranteed Loudoun’s role in important state and national events.” [*Preface, ix-x.*]

Moreover, Loudoun was exceptional in the diversity of its population -- not just in race, but also class, place of origin, religion, political ideals, and social customs.

The Slaveholders

Yet slavery and race left an indelible stamp on Loudoun society. Many of Loudoun’s leading families, including President Monroe, were major enslavers. While Loudoun had relatively modest plantations compared to those of the Deep South, there were a few dozen plantations of several hundred or more acres and a proportionate number of enslaved individuals. They were concentrated along present Route 50 and along what is now the county’s Route 15 corridor, the Old Carolina Road. These men (as they usually were), some of whom owned a number of plantations both within and outside of Loudoun, were businessmen first: they sought to maximize their profits from their land. As one consequence, many enslaved families were broken up by work assignment—a wife and daughters might be needed at the main house, husband or sons were needed in another field on another property—or were separated by sale.

<p style="text-align: center;">FOR SALE,</p> <p style="text-align: center;">A Mulatto Woman and three Children.</p> <p><i>The Woman aged about thirty-two years; — One Boy between five and six; one Girl between three and four; and one Boy about two years old.</i></p> <p>CASH, or good bonds, will be taken in payment. The owner would prefer selling them in the county or state, but would not object to sell them to some person residing out of the state, if satisfied of his respectability, and assured he would prove a humane master.</p> <p style="text-align: center;"><i>Reference to the Printer.</i></p> <p style="text-align: center;">May 21, 1822.—19 6t.</p>	<p style="text-align: center;">Sale of Slaves.</p> <p>BY virtue of a deed of trust given to me by John A. Washington, to secure Eli Offutt certain sums of money therein specified, and dated the 10th day of July, 1822, I shall, on the 5th day of April next, expose for sale the SLAVES in said deed mentioned, for Cash, to the highest bidder.</p> <p>☞ The sale will take place before the front door of the Court house in Leesburg, at 12 o'clock, for the sums in the deed specified, and the expences of the trust.</p> <p style="text-align: right;"><i>Richard H. Henderson.</i></p> <p style="text-align: center;">March 16, 1824.—10 ts</p>
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Advertisements for Sale of Enslaved Persons, from the *Genius of Liberty* newspaper, Leesburg, Virginia: May 21, 1822 and March 16, 1824

More compassionate owners specified their enslaved persons must be sold within the County; others had no compunction in selling them South for the best price. Indeed, some 7,000 of Loudoun’s enslaved individuals left the County, many bound for the Deep South, as part of the interstate trade. This practice shattered families, friendships, and whole communities. Heart-rending stories about family break-ups included one of a middle-aged woman near Hillsborough (Hillsboro) who reportedly killed herself in 1829 rather than face separation from kin and community when she was sold. [Stevenson, p. 206]

Slavery's "Trail of Tears": The Forced Exodus of 450,000 Enslaved People from Virginia

Robert A. Pollard

In a remarkable essay on the slavery trade, Edward Ball describes the horrific forced migration of enslaved persons who were "sold down the river":

The Slave Trail of Tears is the great missing migration -- a thousand-mile-long river of people, all of them black, reaching from Virginia to Louisiana. During the 50 years before the Civil War, about a million enslaved people moved from the Upper South -- Virginia, Maryland, Kentucky -- to the Deep South -- Louisiana, Mississippi, Alabama. They were made to go, deported, you could say, having been sold. ("Retracing Slavery's Trail of Tears," *Smithsonian Magazine*, November 2015)

<https://www.smithsonianmag.com/history/slavery-trail-of-tears-180956968>

Virginia was the largest source -- an estimated 450,000 -- of these unfortunates, Ball reports. Enslavers parted with their chattel for a variety of reasons. Some were hard up for money or had tired of plantation life, looking for an easy way to cash in on the family fortune. Others had more enslaved workers than they could profitably employ, and found it hard to resist the prices offered by the slavery traders, who could sell them for an even higher price in New Orleans or Natchez. Whatever the reason, enslavers, including some of the Commonwealth's finest families, readily supplied the human cargo that would go on to work in the cotton, sugar, rice, and tobacco plantations in the newly opened lands of the Deep South. Although we may not have comprehensive data on the destination of enslaved people who were sold on the Courthouse steps in Leesburg, there is anecdotal evidence that many were in fact transported outside the County, most likely to points south.

Half the Virginia migrants were boarded on ships to New Orleans from the ports of Alexandria and Richmond; the other half were forced to march in overland "coffles" (caravans) some 1,100 miles westward to ports where riverboats took them down the Mississippi River to slavery markets in Mississippi and Louisiana. During each step of this brutal trade, from Virginia plantations to the point of sale down South, numerous families were broken apart, a traumatizing and searing experience.

Ball describes a coffle of 300 enslaved people that departed Alexandria in August 1834 on the way to the riverboats in Tennessee and points west, where they arrived a couple of months later, after covering up to 20 miles a day by foot. White men armed with guns and whips guarded

200 men and boys lined up in twos, their wrists handcuffed together, a chain running the length of 100 pairs of hands. Behind the men were the women and girls, another hundred. They were not handcuffed, although they may have been tied with rope.

Early in its journey, the coffle passed through the village of Aldie in western Loudoun while trudging along the Little River Turnpike (now Route 50). From there they headed west through Ashby's Gap to Winchester. The pitiful sight of such coffles along with the cruelty of the slavery markets touched the hearts of numerous eyewitnesses and formed one of the powerful images that abolitionists would evoke in building popular support in the North to end slavery once and for all.

The Non-Slaveholders and Abolitionists

Not all countenanced this evil institution. From the County's earliest days of settlement, its rolling hills and meandering creeks in the north and central Loudoun Valley enticed Germans, Quakers and Scots-Irish to settle in and around Lovettsville, Waterford, Hillsboro, the Waters community (Neersville), Taylorstown and Goose Creek (now Lincoln). The area proved ideal for cereal grains

—wheat, corn, oats and barley. The land was fertile and there was abundant water power to process them. Relatively modest acreages, sound practices and large family size enabled these farmers to flourish with little or no need of enslaved labor.

The Quakers had long been in the forefront of active opposition to slavery. They abolished the practice throughout their multi-state ministry in 1776, but as late as the 1850s Waterford's and Goose Creek's Meetings were disciplining a few foot-draggers who owned or rented enslaved, "contrary to discipline." Quaker abolitionists such as Samuel M. Janney and Yardley Taylor publicly advocated freedom for the oppressed. In several cases, they bought the enslaved themselves and then set them free, either providing employment or assisting them to move to a free state. Janney provided significant help to one "Armistead," a Loudoun escapee to Pennsylvania, by writing letters of introduction and providing maps and mileages for the man. This came to light when the fugitive was captured, jailed in Leesburg and tried.

Quakers William Tate and William B. Steer played a major role in the story of enslaved Kitty Payne and her three children after her owner freed them and took them to Pennsylvania to live free with her. The owner's jealous nephew, fearing a loss of his eventual inheritance, kidnapped the family and returned them to Rappahannock County, Virginia, with the intention of re-enslaving them. Tate and Steer raised money for Kitty's defense and escorted her to freedom again.

Waterford's and Goose Creek's Quakers played a quiet but nevertheless active role in the support and nurturing of their free black communities, many of whom remained in the county throughout the ante-bellum period, in spite of a state law requiring the expulsion of blacks emancipated after 1806 from the state (see article below).

Many Quakers from the North, and a few from meetings in the Carolinas, visited their coreligionists in Loudoun. One such was prominent Philadelphia abolitionist Lucretia Mott, who visited Waterford and Goose Creek. She also managed to speak to a broader audience at the courthouse, before meeting with President Tyler in Washington.

By the time of the Civil War, anti-slavery sentiment in the Quaker and German settlements was clear: the Secession Vote of May 1861 produced anti-secession margins in Waterford of 220-31 and in Lovettsville of 325-46, compared to a pro-secession tally of 1,628-726 in the County as a whole. That sentiment enabled a Waterford miller to raise the only cavalry unit in present day Virginia to fight for the Union. In another instance of defiance, Waterford's Amasa Hough Jr. assisted 16 "colored men" to freedom under cover of darkness in 1862 while on a scouting mission for the Union in Loudoun County.

THE COURTHOUSE AND LOUDOUN'S AFRICAN AMERICANS

The Enslaved

From the County's founding in 1757 to Virginia's secession from the Union in April 1861, the Courthouse was the embodiment of the legal framework that underpinned brutal enforcement of the institution of slavery.

The site witnessed:

- Sales of enslaved individuals from the courthouse steps (see ad below);
- Jailing of enslaved who were caught while attempting to escape. Others were interned for offenses from petty theft to murder (see ad below);
- Legal orders for “patrollers” named from every neighborhood to seek out and jail any enslaved person found “abroad”—i.e., not at home.

<p style="text-align: center;">PUBLIC SALE.</p> <p>I WILL sell, at auction, on <i>Thursday the 28th of the present month</i>, if fair, if not, the first fair day thereafter, all the</p> <p style="text-align: center;">HOUSEHOLD & KITCHEN FURNITURE</p> <p>of the late Mrs. Julia A. Wilson, at her late residence in Leesburg. And</p> <p style="text-align: center;">On Monday 8th of August next,</p> <p>(August Court,) in front of the Court-house, I will sell, to the highest bidder, several</p> <p style="text-align: center;">VALUABLE SLAVES,</p> <p>Likewise the property of the said Mrs. Wilson, to wit: a likely WOMAN 30 years of age, a good spinner and seamstress and her two children, both girls, one at the breast and the other about two years old—a likely young WOMAN 20 years of age, a good cook and house servant—HENRY, twelve years old—and OSCAR, seven years of age.</p> <p>A credit of six months will be given on all sums above ten dollars, on that and less, the cash will be required—no property to be removed until the terms of sale are complied with.</p> <p style="text-align: right;">T. ROGERS, Deputy Sheriff.</p> <p style="text-align: left;">July 16—ts</p>	<p style="text-align: center;">\$20 Reward.</p> <p>L EFT home on the 11th inst. a Negro Man, named</p> <p style="text-align: center;">DENNIS,</p> <p>About 40 years of age, supposed to be about 5 feet 10 inches high, stout and strong, and not very black. Prominent upper lip, with rather a down look; when sober has but little to say. Has a plain scar over his left eye, and a very black mark across his nose. Scars on his back, having been publicly whipped. Had on a brown coat with a velvet collar, white linen shirt, pantaloons, and waistcoat.</p> <p>If said negro is secured 50 miles from home, so that the subscriber gets him again, the above reward will be given; if 30 miles Ten Dollars; and if 15 miles Five Dollars, with all reasonable charges.</p> <p style="text-align: right;"><i>Wm. Gilmore.</i></p> <p style="text-align: center;">Leesburg, June 26, 1821.—24 if.</p>
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Advertisements from the *Genius of Liberty*, Leesburg:
Sale of “valuable slaves” (July 16, 1842) and runaway (June 26, 1821)

There were also notable court cases:

- In 1840, Leonard Grimes, a former enslaved man who had formed a carriage business in the nation’s capital to transport travelers in the region — enabled a mother and her children to escape from Loudoun to Washington. He was captured, returned to Loudoun, and could have received a severe penalty for the theft and transport of enslaved. Instead, ably represented by attorneys from Washington, D.C., and Loudoun County, he was sentenced to “only” two years in the state penitentiary, the lightest punishment possible. He moved north and continued his abolition work. (See article on “The Leonard Grimes Trial,” below.)
- Nelson Talbot Gant was freed by his master John Nixon in 1847, and tried unsuccessfully to buy the freedom of his wife before leaving for the safety of Ohio. When he returned to buy her at a higher price and was again refused, he stole her, but the two were captured and tried. Unexpectedly, the case was dismissed. (See article on “Trial for Wife Stealing,” below.)

The Free Black Community

The Courthouse was the source of deeds of emancipation from 1793 onward. Newly freed black individuals (through emancipation or free birth) were required to register with the Clerk of Court every three years, with the attestation of a white person, although the requirement was evidently not strictly enforced.

Free blacks almost always fared better than those enslaved. Eight such men and women in the Waterford area, for example, told the federal census taker they could read and write, and it is likely that others in the area (including some enslaved persons) were at least partially literate. Some ran ferry boats (see Bazil Newman account below), owned businesses, and apparently in a number of suspected cases gave assistance to runaways “following the North Star.” Still, many were little more than “slaves without masters,” as historian Ira Berlin has put it. Each individual was required to carry a “freedom paper” as legal proof of his or her status at any time they were away from home.

The 1850 and 1860 censuses—and later still—record that their “real” and “personal” property values considerably lagged those of the white community. But they could and did own land, for instance, in the Waterford and Lincoln areas. As a Waterford descendant put it, in her 95th year, “[Grandfather’s] house wasn’t much, but it was HIS.”

Conclusion

At the northern edge of the American South, Loudoun County’s social history still belies simplistic 18th and 19th century categories: North versus South, Confederate versus Union, free versus enslaved, farmer versus businessman. From the earliest days, some blacks were free and some whites were indentured. Some Quakers owned enslaved and— non-violent though their tenets were—several fought in the Revolutionary and Civil Wars. A number of free black men fought for the Union (as did a battalion of white men), and only a minority of white people held bondsmen. Looking ahead, the County in the 21st century has both an opportunity and a responsibility to preserve and learn from our complicated collective history, celebrating the good without burying the regrettable.

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