

# Penn Slavery Project Spring 2018 Research Report

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In the past year's research into the role slavery played in the early years of the University of Pennsylvania, the main topic our team looked to address was the University's proximity to slavery. Since the University did not, itself, own slaves, we used the approach of "proximity to slavery" to investigate the relationship of the early trustees to slavery. Proximity to slavery, for us, meant looking at Penn's trustees who owned enslaved people and the University's deriving a financial benefit from the institution of slavery. Also included in the definition of proximity are the experiences of enslaved people living on campus and on plantations to which the University had proximate connections. This part of the definition of proximity to slavery requires examining the interactions enslaved people may have had with faculty and students attending Penn, as well as delving further into the experiences and lives of enslaved people connected to our research.

The goal of this project is to provide transparency about the trustees' and the school's dealings in an era where slavery was widespread and normative. Our team approached this project with the understanding that in a slaveholding society, no one was completely innocent from the institution of slavery.<sup>1</sup> As such, we were interested in the complicity of the University in the institution of slavery. Our team defined complicity as, "speaking to the many ways in which colonial universities relied on and contributed to America's slave society in the years prior to the Civil War."<sup>2</sup> For our work this past semester, this meant, more specifically, looking into the ways enslaved labor enriched the University financially; the role of enslaved labor on

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<sup>1</sup> Brooke Krancer, "Penn Slavery Project Report" *University of Pennsylvania Archives: Penn in the 18<sup>th</sup> Century* (November 2017): 8, [http://www.archives.upenn.edu/histy/features/1700s/BKkrancer\\_Penn%20Slavery%20Project%20Report.pdf](http://www.archives.upenn.edu/histy/features/1700s/BKkrancer_Penn%20Slavery%20Project%20Report.pdf).

<sup>2</sup> Penn Slavery Project, "Preliminary Findings of the Penn Slavery Project" (presentation, Penn Slavery Project – Recent Findings, Philadelphia, PA, May 3, 2018).

campus; and the effects on the nation of rhetoric about slavery and black bodies originating from the Medical School.

## **Part 1:**

### **Overview of our Fall 2017 findings**

In our first semester of research, we focused on 18<sup>th</sup> century Trustees of the University of Pennsylvania and their personal connections to slavery. There were 126 Trustees of the University of Pennsylvania from 1749-1800. Of this group of 126, the Penn Slavery Project focused on 28 of the trustees for our research. We chose to look closer at these men because their occupations, wealth, and prominence in Philadelphia and the Mid-Atlantic led us to believe that they could have connections to the slave trade. Each member of the team chose to research four early Trustees.<sup>3</sup>

The four Trustees that I examined were Edward Tilghman Jr.,<sup>4</sup> James Tilghman,<sup>5</sup> Gen. James Potter,<sup>6</sup> and Caspar Wistar.<sup>7</sup> Edward Tilghman was a lawyer who enjoyed living a private life, shunning all offers to join the courts or the legislature. He was the son of Elizabeth Chew, making Benjamin Chew, another early Trustee and one of the wealthiest men in the region, Tilghman's granduncle. James Tilghman was a lawyer, and he served both Lord Baltimore and the Penn family in their land offices, rising to become Secretary of the Proprietary Land Office in Pennsylvania. Gen. James Potter was one of the highest-ranking generals in Pennsylvania

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<sup>3</sup> Penn Slavery Project, "Preliminary Findings of the Penn Slavery Project" (presentation, Public Panel Discussion at the Museum of the American Revolution, Philadelphia, PA, January 13, 2018).

<sup>4</sup> "Penn Biographies: Edward Tilghman (1750-1815)," University of Pennsylvania Archives and Records Center, Accessed May 11, 2018, [http://www.archives.upenn.edu/people/1700s/tilghman\\_edwd.html](http://www.archives.upenn.edu/people/1700s/tilghman_edwd.html).

<sup>5</sup> "Penn Biographies: James Tilghman (1716-1793)," University of Pennsylvania Archives and Records Center, Accessed May 11, 2018, [http://www.archives.upenn.edu/people/1700s/tilghman\\_jas.html](http://www.archives.upenn.edu/people/1700s/tilghman_jas.html).

<sup>6</sup> "Penn Biographies: James Potter (1729-1789)," University of Pennsylvania Archives and Records Center, Accessed May 11, 2018, [http://www.archives.upenn.edu/people/1700s/potter\\_james.html](http://www.archives.upenn.edu/people/1700s/potter_james.html).

<sup>7</sup> "Penn Biographies: Caspar Wistar (1761-1818)," University of Pennsylvania Archives and Records Center, Accessed May 11, 2018, [http://www.archives.upenn.edu/people/1700s/wistar\\_caspar.html](http://www.archives.upenn.edu/people/1700s/wistar_caspar.html).

during the Revolution,<sup>8</sup> and served as Vice-President of Pennsylvania. He was also one of the largest landowners in the state during his life. Caspar Wistar was a renowned Professor of Anatomy at Penn and Trustee. He was President of the Pennsylvania Abolition Society, the American Philosophical Society, the Pennsylvania Prison Society, the Humane Society, and the Society for Circulating the Benefit of Vaccination.<sup>9</sup>

Gen. Potter<sup>10</sup>, as one of the largest landowners in Pennsylvania, utilized slaves to work that land. On September 13, 1770, one of Potter's enslaved men named Jack was written up in a *Pennsylvania Gazette* advertisement by the jailor alerting James Potter that he had four weeks to pay the charges on behalf of his enslaved man or have the state sell Jack to pay off the debts.<sup>11</sup> Potter's will list six enslaved people.<sup>12</sup>

James Tilghman<sup>13</sup> grew up at the Tilghman family estate on the eastern shore of Maryland before moving to Annapolis and later Philadelphia to pursue a law career. After moving to Philadelphia in 1760 to serve in the Pennsylvania land office, his Pennsylvania tax records indicate that he owned four slaves up until 1776.<sup>14</sup>

Edward Tilghman Jr.<sup>15</sup> was also born on the eastern shore of Maryland in Wye. Included in the family landholdings was the Whitehall Plantation. Edward Tilghman Sr. held the property

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<sup>8</sup> Horle et. al., eds., *Lawmaking and Legislators*, 1087.

<sup>9</sup> "Penn Biographies: Caspar Wistar (1761-1818)," Accessed May 11, 2018.

<sup>10</sup> "Penn Biographies: James Potter (1729-1789)," Accessed May 11, 2018.

<sup>11</sup> Joseph Thomas, "Announcement to James Potter to collect his slave, Jack, from jail," *Pennsylvania Gazette*, September 13, 1770, <https://bit.ly/2rBGm17>.

<sup>12</sup> I was unable to obtain a copy of his will. An overview of his will is listed in Horle et. al., eds., *Lawmaking and Legislators*, 1093.

<sup>13</sup> "Penn Biographies: James Tilghman (1716-1793)," Accessed May 11, 2018.

<sup>14</sup> "James Tilghman 1776 tax records from Philadelphia County, in Pennsylvania, Tax and Exoneration, 1768-1801," Ancestry Library, Accessed November 28, 2017, <http://bit.ly/2BBuhxj>.

<sup>15</sup> "Penn Biographies: Edward Tilghman (1750-1815)," Accessed May 11, 2018.

until his death in 1772, when he passed the property down to Edward Tilghman Jr.<sup>16</sup> However, part or all of the land that was passed down to Edward Tilghman Jr. was sold to Benjamin Chew in 1772.<sup>17</sup> It is interesting to note that while it is likely Edward Tilghman Jr. owned slaves, he is only confirmed as owning slaves for the 4 months between being bequeathed Whitehall and selling the property to Benjamin Chew. He was never listed as having owned slaves in itemized Pennsylvania tax records.

## **Part 2:**

### **Spring 2018 goals**

This semester, I wanted to continue to look at the lives of enslaved people I came across in my research from Fall 2017. The Whitehall papers were the only records we found last semester that described details about enslaved people's lives, family ties, and small, personal details how they lived. Among the records kept at Whitehall include name, age, birth-year, status (died, sold, working somewhere else, working at Whitehall, etc.), the cost of their clothing and shoe size,<sup>18</sup> and the papers kept track of familial relationships on the plantation for the end of the 18<sup>th</sup> century.<sup>19</sup> Finding these papers last semester inspired me to continue to look into the lives of the enslaved people this semester. I intended to focus on Edward Tilghman Jr., James Tilghman, and Gen. Potter again, this time delving beyond the numbers listed on the page and try to find

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<sup>16</sup> Edward Tilghman Surrender to Edward Tilghman Jr., January 9, 1772, Box 775, Folder 12, Chew Family Papers, Historical Society of Pennsylvania.

<sup>17</sup> Edward Tilghman Copy Deed to Benjamin Chew, May 1772, Box 774, Folder 22, Chew Family Papers, Historical Society of Pennsylvania.

<sup>18</sup> Whitehall Plantation Slave Expenses, 1786-1797, Box 773, Folder 14, Chew Family Papers, Historical Society of Pennsylvania.

<sup>19</sup> Benjamin Chew, Memos Book for Whitehall & Kent Affairs, ca. 1790, Box 773, Folder 21, Chew Family Papers, Historical Society of Pennsylvania.

more information about their enslaved people. I was unable to find wills of any of my trustees last semester, so I still had unanswered questions about those trustees' ties to slavery at the end of their lives.

In line with learning more about the lives of enslaved people owned by the trustees, I also wanted to answer the question of whether enslaved labor was used on Penn's campus. In my report from last semester,<sup>20</sup> I argued that the use of enslaved labor by trustees was different than the use of enslaved labor on campus because having enslaved people working on campus would have had direct interactions with the students, faculty, and administration of the school. In essence, slavery on Penn's campus would have touched all aspects of running the school and the core functions of a university, which are to teach students and perform groundbreaking research. Slavery on Penn's campus at the time would also be something for which the University was directly responsible for. I sought to answer the question of whether the University used enslaved labor in my research this semester.

### **Part 3:**

#### **Spring 2018 Findings**

With the help of Mark Lloyd, I was able to procure the wills of James Tilghman, Edward Tilghman Jr., and Caspar Wistar this semester, which I was unable to do last semester. However, I was not able to view Gen. Potter's will, so I did not spend time looking into him more this semester. I decided to focus on the Tilghman family's wills because of their closer ties to slavery

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<sup>20</sup> Dillon Kersh, "Penn Slavery Project Preliminary Research Report" *University of Pennsylvania Archives: Penn in the 18<sup>th</sup> Century* (December 2017): 10, [http://www.archives.upenn.edu/histy/features/1700s/DKersh\\_Penn%20Slavery%20Project%20Preliminary%20Research%20Report.pdf](http://www.archives.upenn.edu/histy/features/1700s/DKersh_Penn%20Slavery%20Project%20Preliminary%20Research%20Report.pdf).

than Wistar, who was a leading abolitionist. In looking at Edward Tilghman's will,<sup>21</sup> I was shocked to find no mention of enslaved people in his will. In his will he gives all of his real estate to his wife, but it does not go into any more detail about his holdings outside of Philadelphia. Further research at archives in Maryland and Delaware are needed to determine whether or not enslaved people worked on the aforementioned real estate.

During James Tilghman's time as a Trustee in the 1770s, he loaned<sup>22</sup> the University £1,000. The loan was repaid, with interest, by December 1775.<sup>23</sup> Tilghman was able to afford such a large loan to the school because of the wealth generated by his numerous plantations in Maryland. When Tilghman died, his will broke down his property in a much more detailed manner than Edward Tilghman Jr.'s will. James Tilghman the Trustee gave his son, also named James Tilghman, his plantations at the head of the Saint Michael River [now called Miles River, in Talbot County, Maryland]:

being in the whole above eleven hundred acres to the same sum or less and all the stock of hogs, horses, sheep, and black cattle that shall be on or belong to the same at the time of my death and also my negro man James and my negro wench Hannah and her children and grandchildren and the sum of one thousand ([signed] James Tilghman) pounds current gold or silver coin according to the rates established by act of assembly of this state.<sup>24</sup>

James and Hannah are the only enslaved people mentioned by name in the entire will. As such, I attempted to find further information about their lives through records I could access in Philadelphia, but unfortunately, I have yet to find further mention of them outside of James

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<sup>21</sup> Edward Tilghman will, Philadelphia Will Book 6, p. 157.

<sup>22</sup> For further information about University fundraising and its connection, see Caitlin's Spring 2018 report.

<sup>23</sup> Originally learned of this payment from Clay Graubard, "Documenting the University of Pennsylvania's Connection to Slavery" *University of Pennsylvania Archives: Penn in the 18th Century* (April 2018): 35. Primary source document can be found in the December 1, 1775 entry in the *Day Book Belonging to the Trustees of the Academy of Philadelphia*, 134.

<sup>24</sup> James Tilghman will, Philadelphia Will Book 2, p. 191.

Tilghman's will. Tilghman's will further divides his property and slaves, using phrases such as giving his "stocks of negros" on his Adventure and Caccaway [now spelled Cacaway] plantations to his son, William, and "all the slaves"<sup>25</sup> on Fausley plantation to his granddaughters (his son, Tench Tilghman, who was a Revolutionary War hero and aide-de-camp to George Washington, died before him). All of Tilghman's "house negros" were equally divided among the heirs.<sup>26</sup> Based on the thousands of acres of land in Maryland and the numerous plantations listed in his will, it is conservatively safe to assume that Tilghman enslaved dozens of people at the time of his death, though further research at archives in Maryland is needed to determine exactly how many enslaved people he owned, what happened to them after his death, and further information about their lives.

One of James Tilghman's sons, William, was critically important to the Pennsylvania Supreme Court's understanding and interpretation of the 1780 Gradual Abolition Act in the early 19<sup>th</sup> century. The Gradual Abolition Act said that all enslaved people born prior to the implementation of the Act were still enslaved for life. The children of those enslaved for life were to be held in servitude for 28 years, after which they would become free. Questions in the law arose when enslavers did not properly register their enslaved people with the courts, as well as the status of the grandchildren of enslaved people born before 1780. Would the grandchildren also be enslaved for twenty-eight years or would they be born free?

William Tilghman (1756-1827), as Chief Justice from 1805-1827, was influential in addressing these questions and shaped the direction of the Court over his twenty-two-year term as Chief Justice. In the first case challenging the Gradual Abolition Act, *Respublica vs. Negro*

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<sup>25</sup> Ibid, 192.

<sup>26</sup> Ibid, 193.



*Betsey* (1789),<sup>27</sup> all of the Justices argued that the spirit of the law was intended to free enslaved people. Thus, they argued, failure to properly register their enslaved people should result in their freedom from bondage.<sup>28</sup> Tilghman, however, differed sharply from the previous Justices. William Tilghman believed that the strict adherence to the letter of the Gradual Abolition Act should not automatically result in the enslaved person's freedom because it failed to recognize the property rights of the enslaver. This is not to say that Tilghman did not grant freedom in registration cases; rather, he argues that freedom of the enslaved person cannot automatically be favored at the expense of property rights. A possible reason for the departure from previous rulings under Tilghman could be that his own slaveholding background made him more sympathetic to masters' sides in faulty registration cases.<sup>29</sup> William Tilghman was given an honorary doctorate in law from the University of Pennsylvania in 1807.<sup>30</sup>

The second half of my research looked at the role of enslaved labor on Penn's early campus.<sup>31</sup> My research focused on Ebenezer Kinnersley,<sup>32</sup> who was the first professor of English Tongue and Oratory. He held the position from 1755-1772, when he retired. Kinnersley's other position on campus was the first steward of the school's first dormitory from 1764-1772. The University Archives profile on Kinnersley includes his wife's help in running the dorms, who was in charge of hygiene and laundry.<sup>33</sup> Outside of his life at Penn, Kinnersley was a leading

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<sup>27</sup> *Respublica v. Negro Betsey*, 1 U.S. (1 Dall.) 469 (1789).

<sup>28</sup> *Ibid.*

<sup>29</sup> Robert M. Cover, *Justice Accused: Antislavery and the Judicial Process* (New Haven: Yale University Press, 1975), 66.

<sup>30</sup> "Alphabetical Listing of Honorary Degrees," University of Pennsylvania, accessed May 11, 2018, <https://secure.www.upenn.edu/secretary/hondegalph.html#W>.

<sup>31</sup> For information about the use of enslaved labor in building the campus, see VanJessica's Spring 2018 report.

<sup>32</sup> "Penn Biographies: Ebenezer Kinnersley (1711-1778)," University of Pennsylvania Archives and Records Center, Accessed May 11, 2018. [http://www.archives.upenn.edu/people/1700s/kinnersley\\_ebnzr.html](http://www.archives.upenn.edu/people/1700s/kinnersley_ebnzr.html).

<sup>33</sup> *Ibid.*

scientist of the day studying electricity,<sup>34</sup> and he was “the principal collaborator” on Benjamin Franklin’s projects in the 1740s and 1750s.<sup>35</sup>

Kinnersley traveled throughout the colonies showcasing his and Franklin’s inventions. On one trip in 1749 to Maryland and Virginia, Kinnersley shows an audience the power of electricity. One of his exhibitions shows how an electric current can travel through water by setting liquor on fire 200 yards away.<sup>36</sup> Later in the trip, Kinnersley demonstrated some form of primitive shock therapy on participants, claiming that electricity applied to the human body can cure “tooth ache, pains in the head, deafness, pains in the limbs, which had been so violent as to take away the use of them, pain in the stomach, swelling of the spleen, sprains, relaxation of the nerves, &c.”<sup>37</sup> Of particular note of these experiments is his cure of Samuel Miller’s inability to raise his arms above his head, and curing a “negro boy’s” deafness. Presumably Samuel Miller is white because his name was listed, showing how Kinnersley experiments on both white and black bodies for his experiments.

Tax records from 1767 and 1769 indicate that Kinnersley owned one enslaved person.<sup>38</sup> This would have been when Kinnersley was Steward of the dormitory. In looking further into Kinnersley’s connection to slavery, the College paid Kinnersley for “his negros Services at the Academy in Ringing the Bell making Fires.”<sup>39</sup> The Daybook notes continuous payments for Kinnersley’s enslaved man’s work – whose labor began October 25, 1756<sup>40</sup> – with payments

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<sup>34</sup> For information about the connection between science, the Medical School, and slavery in our findings, see Carson’s Spring 2018 report.

<sup>35</sup> Leo Lemay, *Ebenezer Kinnersley, Franklin’s Friend* (Philadelphia, University of Pennsylvania Press, 1964): 63.

<sup>36</sup> *Ibid.*, 71.

<sup>37</sup> *Ibid.*, 72.

<sup>38</sup> Mark Lloyd’s report.

<sup>39</sup> January 29, 1757 entry. *Day Book Belonging to the Trustees of the Academy of Philadelphia*, 39.

<sup>40</sup> *Ibid.*

beginning in January 1757. The last payment that directly mentions his enslaved man's work is from January 1770.<sup>41</sup> While the payments directly mentioning Kinnersley's "negro" stop in 1770, Kinnersley continues to receive a second salary until his retirement in 1772, suggesting that he was still being paid for the enslaved man's work on campus until 1772.<sup>42</sup> The term "2<sup>nd</sup> Salary" is used in the College's Account Book in 1768 and 1769 as well, when the 2<sup>nd</sup> salary referred to the enslaved man's work. I therefore believe it is likely that the enslaved man worked on Penn's campus until Kinnersley's retirement in 1772. In 1872, 100 years after his retirement, Penn installed a stained-glass memorial to Kinnersley on the first landing of the east staircase of College Hall, the main building on campus.<sup>43</sup> The memorial was taken down sometime after 1918, the last reference I have found of it, though when it was taken down is a question that requires further research.

After Kinnersley retired from Penn in October 1772 for health reasons, he traveled to Barbados on the Brig Rachel in early December 1772 to spend the winter in a warmer climate. In a March 13, 1773 letter Kinnersley wrote to his wife back in Philadelphia, he writes that:

Caesar was taken very ill last week with a pain in his bowels, which at last settled in his side, bleeding and some doses of physick has made him pretty well again.<sup>44</sup>

The nature of the letter was to inform his wife of his own health conditions after a winter in the Caribbean, and it is very personal in tone. Thus, including information about Caesar before an

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<sup>41</sup> Mark Lloyd's report.

<sup>42</sup> April 21, 1772 entry. *Account Book of the Academy of Philadelphia*, 78v.

<sup>43</sup> I first came across this memorial on Kinnersley's Find A Grave website ("Ebenezer Kinnersley," Find A Grave, accessed May 11, 2018, <https://www.findagrave.com/memorial/59071312/ebenezer-kinnersley>). I later confirmed its existence in George Erasmus Nitzsche, *University of Pennsylvania: Its History, Traditions, Buildings and Memorials* (Philadelphia: International Printing Company, 1918): 78. I also found reference to it in Thomas Harrison Montgomery, *A History of the University of Pennsylvania: From Its Foundation to A.D. 1770* (Philadelphia: George W. Jacobs & Co., 1900), 174.

<sup>44</sup> Lemay, *Ebenezer Kinnersley*, 107. Special thanks to Donna C. Shelton, a direct descendant of Kinnersley who pointed me to Lemay's book.

update on his own health implies that this is someone who would be intimately known to his wife, and is someone relevant enough to mention in the letter. The letter mentions Kinnersley's desire to return to Philadelphia soon, and presumably, since Caesar recovers from his illness, he makes the return voyage with Kinnersley. In 1774, Kinnersley was again taxed for one negro.<sup>45</sup> Based on the fact that Kinnersley was paid for his enslaved man's labor from 1757-1772, the voyage to Barbados not long after his retirement, and a tax record recording only one negro from 1767-1774, I believe that Caesar is likely the name of the enslaved man who worked on Penn's campus. More research needs to be conducted into the life of Caesar to confirm without a doubt that he is the same man who worked on Penn's early campus.

#### **Part 4:**

##### **Where do we go from here?**

Moving forward, I would like to continue to research Caesar. As the only confirmed enslaved man employed by the school that we have come across thus far in our work, Caesar's story is one that we must tell. Ringing the bell and making fires, Caesar likely interacted with students, faculty, and the administration on a daily basis. Yet, his story was unknown until recently. I plan to continue researching Caesar, and hopefully will be able to trace his descendants as well.

More work also needs to be done on the Tilghman family's connection to slavery. I plan on visiting archives in Maryland and Delaware, so I can view primary source documents that I was unable to access online from Philadelphia. James Tilghman's inventory of his estate will

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<sup>45</sup> "Ebenezer Kinnersley 1774 tax records from Philadelphia County, in Pennsylvania, Tax and Exoneration, 1768-1801," Ancestry Library, Accessed May 11, 2018, <https://bit.ly/2KRpmNc>.

hopefully provide valuable information, such as the names of his enslaved people, that will help me piece together their lives and family ties that were severed due to the institution of slavery.

I would also like to examine the University's land holdings, a significant source of income for the early university, to see if there were any connections to slavery on any properties the University owned.<sup>46</sup> We have only begun to look into enslaved people on University properties with our research into Kinnersley, but more work needs to be done to address the question for the portfolio of properties the University owned prior to the Civil War.

Lastly, I still believe that the best way to present our findings to a wider audience is through an interactive website dedicated to the Penn Slavery Project. An interactive website would allow the public to click on trustees, faculty, and students who we have examined this year and see documents relating to their proximity to slavery. This could include documents related to slavery, abolitionist activities, or whether they were neighbors with freedmen. This would allow us to showcase the documents we have uncovered thus far and would provide a unique space for future research to be added. A mock-up done by VanJessica Gladney of what this website could look like was included in our Spring 2018 presentation slides.<sup>47</sup>

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<sup>46</sup> "Archival Collections: Office of the Treasurer. University Real Estate Title Papers, 1761 - 2006 (bulk 1870 - 2006)," University of Pennsylvania Archives and Records Center, accessed May 11, 2018, <https://www.archives.upenn.edu/faids/uph/uph500.html>.

<sup>47</sup> Penn Slavery Project, "Preliminary Findings of the Penn Slavery Project" (presentation, Penn Slavery Project – Recent Findings, Philadelphia, PA, May 3, 2018).

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Still need to add to bibliography:

-Caitlin, Carson, and VanJessica’s Spring 2018 citations



- Edward and James Tilghman Wills
- Mark Lloyd report



