

# Freedom's Agenda: African-American Petitions to the Massachusetts Government 1600–1900

Early in the nineteenth century wealthy Bostonians developed one of America's most glittering neighborhoods on Beacon Hill.

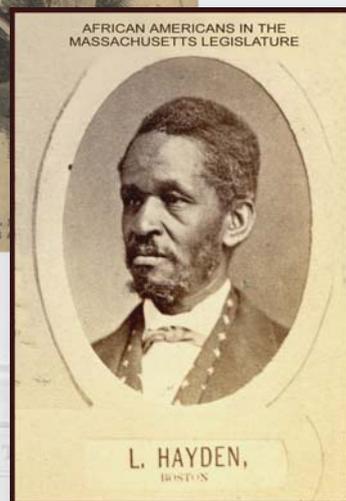
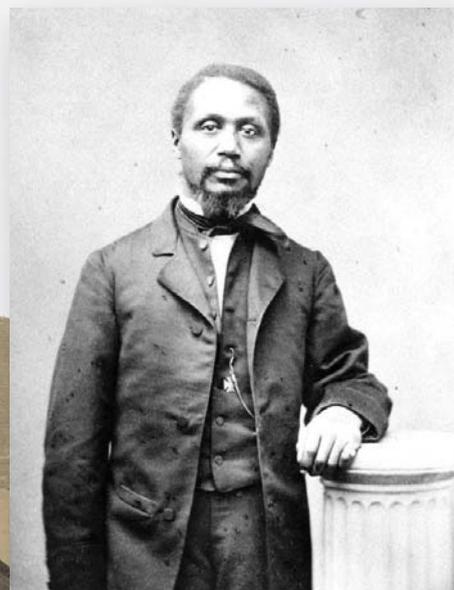
On the other side of the hill – the North Slope – William Cooper Nell grew up in a predominantly black neighborhood. Exploring the Massachusetts State House as a boy he was impressed by the historic atmosphere that seemed to celebrate the ideals of democracy. Later in life Nell would deliver many petitions to the State House seeking equal rights for black citizens.

Downtown, on Washington Street, abolitionist attorney Ellis Gray Loring took a thirteen year old black boy from Salem as a servant. Decades later Robert Morris became one of two black attorneys in America who had passed the bar.

Morris also signed petitions, as did Lewis and Harriet Hayden. Their Beacon Hill boarding house became a “temple of refuge” for runaway slaves like themselves.

Today these petitions, and more, are preserved at the Massachusetts Archives. Dating to the colonial period, they provide a fascinating window into the past and a link to our own times, identifying issues that became central to the modern civil rights movement.

The petitions highlight stunning progress and stubborn injustices that remain with us today.



LEGAL VOTERS.

L. HAYDEN,  
BOSTON



# Free and Unequal

*"All men are born free and equal."*

Declaration of Rights, Massachusetts Constitution of 1780

Slavery ended in Massachusetts when Mum Bett and Quock Walker brought separate lawsuits to win their freedom, citing language in the new state constitution.

## Seeking Restitution

Before it served as George Washington's headquarters and poet Henry Wadsworth Longfellow's home, the wealthy Vassal family kept slaves at their Brattle Street mansion in Cambridge. Fellow Tory Isaac Royall owned plantations on the island of Antigua and held a large number of slaves at his Medford estate. Both families fled on the eve of the Revolution and former slaves submitted petitions to the Massachusetts government for redress.

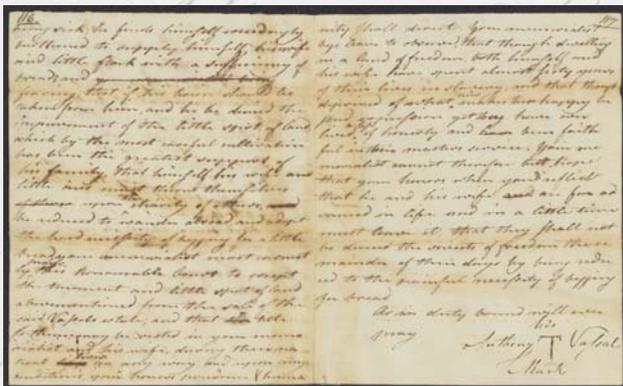
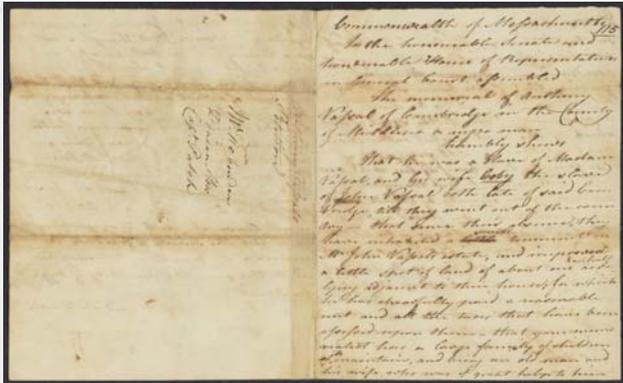
Mum Bett, also known as Elizabeth Freeman



Massachusetts Archives photo of Vassal House



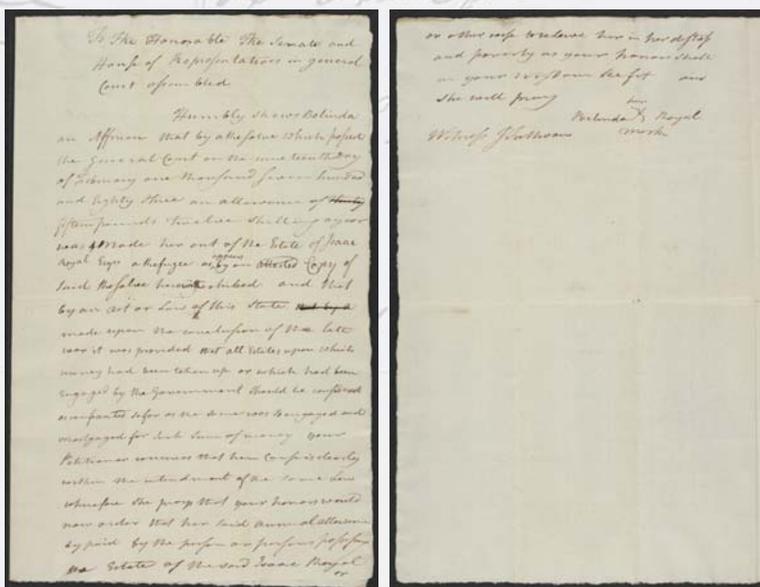
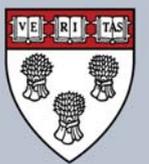
Provincial elegance: the Vassal and Royall Houses. Restored slave quarters are shown to the right of the Royall House and are central to current interpretation of the site. Courtesy of Royall House and Slave Quarters



Slavery at the Vassal House: In old age Anthony and Cuba Vassal petitioned for help: "The land your petitioners now improve is not sufficient to supply them with such vegetables as are necessary for their family." In a second document John Hancock approves the payment of twelve pounds for each. Massachusetts Archives

## A Modern Controversy

Seventy seven slaves were burned alive during a rebellion at the Royall's property in Antigua. When Isaac Royall Jr. left Massachusetts for England, he felt an emotional tie to his former home. Royall donated money to Harvard College that helped establish a law school. Today the Harvard Law School seal reflects the Royall family crest. Currently there is a debate about its appropriateness.



"Belinda," a former slave on the Isaac Royall estate, submitted several petitions to the Massachusetts government.

She had been captured in Ghana at the age of 12. Because of "age and infirmity" she was awarded "fifteen pounds twelve shillings per annum" from the Royall estate. This 1785 document shows that the promised "maintenance" was not received each year. Massachusetts Archives

## Cruel and Unusual

After the Revolution, James and Thomas Handasyd Perkins made a fortune trading with China. Earlier, as slave traders, they told agents not to take infants since they were difficult to sell.

# The Abolitionist Movement

*“Partially enjoying the fruits of liberty”*

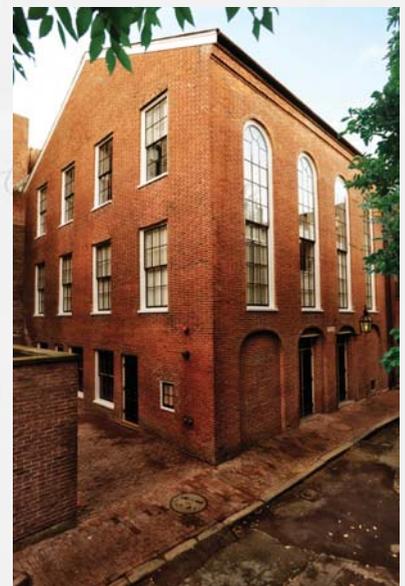
John T. Hilton, an early leader in Boston’s black community, describing the status of African-Americans in Massachusetts

During the nineteenth century Boston became a center of the abolitionist movement although there remained widespread resistance to the prospect of equal rights for black citizens.

## Why Massachusetts?

While life was difficult for African-Americans here it was often worse in other states, north and south. In Massachusetts a literate and literary elite included a small but dedicated group of abolitionists. Many citizens saw the inconsistency between celebrating the ideals of the Revolution and the continuing institution of slavery. For African-Americans, meeting and organizing, writing and publishing, were *officially* tolerated in Massachusetts, though not without risk.

*The African Meeting House on Beacon Hill was a place of worship as well as community organizing. In 1832 William Lloyd Garrison and eleven others signed the American Anti-Slavery constitution in its vestry. Today it is the site of the Museum of African-American History.* Massachusetts Historical Commission



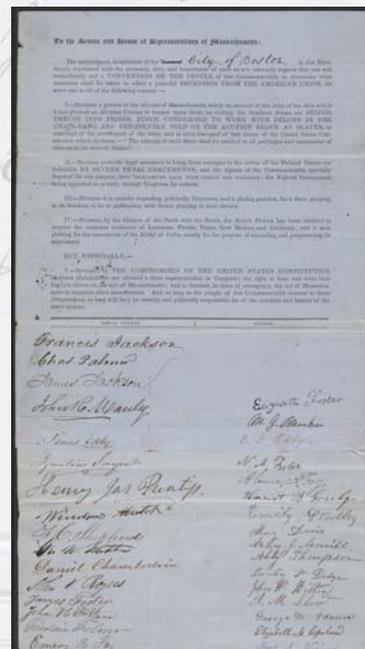
## Abolition in Black and White

History textbooks have long recognized some abolitionists: William Lloyd Garrison, Harriet Beecher Stowe, and usually Frederick Douglass. Douglass often appears to be an anomaly, a forceful and eloquent black man holding his own on the national stage. Today, historians look further. Abolition was not simply a gift from benevolent activists outside the black community. It was also the work of capable organizers within, people who made history without making the history books. Some of their names appear on these petitions.

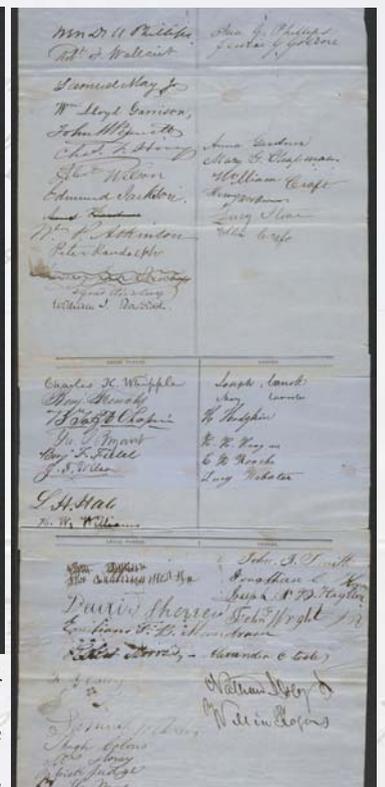
*William Lloyd Garrison, originally from Newburyport, devoted his life to the abolition of slavery. His organization and newspaper, the Liberator, promoted the cause. Some of the exhibit’s printed petitions were set in Garrison’s office.* Metropolitan Museum of Art

## “Bobalition” Posters

Most in Massachusetts were not abolitionists. On July 14, black Bostonians celebrated the 1808 abolition of the Atlantic slave trade with marches and banquets. On at least one occasion the festivities were violently attacked. “Bobalition” posters mocked the event and the African-American dialect. (“Abolition” is pronounced “Bobalition” in this racist satire.) Library of Congress



*The names of black and white abolitionists appear side by side on this 1850 petition, proposing secession from the union over the issue of slavery.* Massachusetts Archives



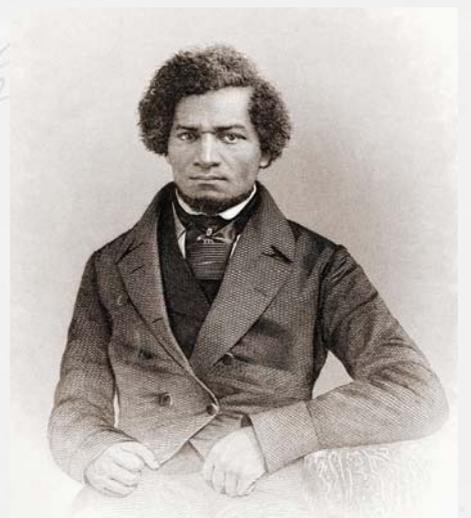
# Public Accommodations: Jim Crow in Massachusetts

*“I refused to move, and they clutched me, head, neck and shoulders... I had interwoven myself among the seats. In dragging me out, it must have cost the company twenty five or thirty dollars, for I tore up seats and all.”*

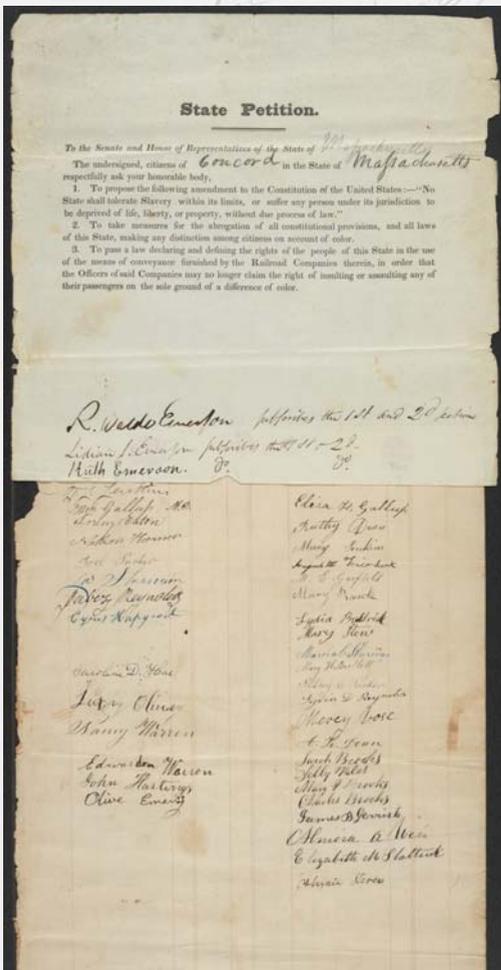
Frederick Douglass on being evicted from a Massachusetts railroad car

## Out of Town on a Rail

The phrase “Jim Crow” is associated with segregation in the American south. It may be surprising that the term was first used for segregated railway cars in Massachusetts. “Jim Crow” cars were sometimes called “Jimmies.” Shortly after boarding in Lynn, Frederick Douglass refused to move to a separate car on the Eastern Railroad. The conductor and several assistants ripped up the seat, with Douglass in place, and ejected him from the train.



Frederick Douglass



Ralph Waldo Emerson

Ralph Waldo Emerson signed this 1844 petition that included a protest against railroad discrimination. A benevolent figure by all accounts, Emerson was the great grandson of Cornelius Emerson who was actively involved in the slave trade. Massachusetts Archives

Frederick Douglass signed this 1842 petition against railroad discrimination that he had personally experienced in Massachusetts. The petition includes the names of William Lloyd Garrison and community activist William Cooper Nell. Massachusetts Archives

*“Jim Crow” was a character of derision in minstrel shows. “Jim Crow” laws separated the races.*



An idealized image of nineteenth century railroads

**Rating the Railroads**  
The Liberator, edited by William Lloyd Garrison, published a “Traveler’s Directory,” rating Massachusetts railroads. The Boston and Lowell Railroad and the Boston and Worcester were listed as “equally free for all.” The Boston, New Bedford and Providence Railroads maintained “a vile distinction enforced by brutal assaults.” The Eastern Railroad had the worst record. Using tactics that anticipated the modern Civil Rights movement, including “ride-ins” and boycotts, protesters changed its policies.



# School Desegregation: Separate but [Un]equal

*“All children are equal before the law,” ... “Not the few who can pass the examination of a skin scanning committee”*

William Cooper Nell

As in the twentieth century, black citizens identified equal education as a critical step toward full equality. Using techniques similar to those of later activists they organized protests, petitions, and a court challenge to segregated schools.



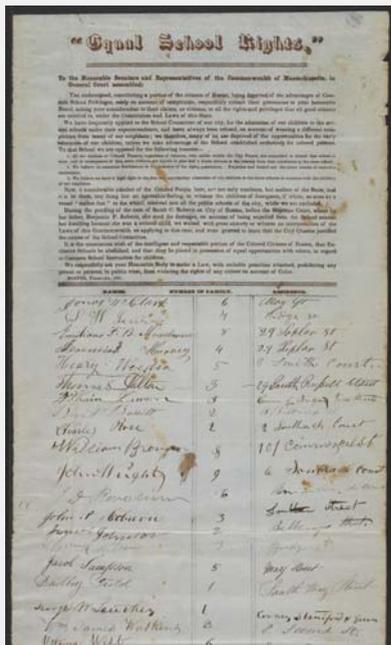
William Cooper Nell  
Massachusetts  
Historical Society

*The Abiel Smith School: A wealthy philanthropist, Abiel Smith, had donated money to establish a school for black children. By 1848 it had fallen behind other Boston Public Schools by almost every measure. The Mather School library had nine hundred volumes, the Mayhew School four hundred, while the Smith School had one.* Massachusetts Archives photo



## The Activist: William Cooper Nell

At the segregated Abiel Smith School twelve year old William Cooper Nell was cited for academic excellence. White students were invited to a banquet at Faneuil Hall and awarded a medal. Nell received only a voucher for Benjamin Franklin’s autobiography. Nell served as a waiter at the banquet. “You ought to be here with the other boys,” said one official. “Why have you not taken steps to bring it about?” thought Nell. He began a lifetime of activism including petitions to end school segregation.



*This 1851 petition against school segregation includes the signer’s addresses. Many, including Belknap Street, Southac Street, and Smith Court are black neighborhoods on the North Slope of Beacon Hill.* Massachusetts Archives

*This boarding house was home to William Cooper Nell (on the North Slope of Beacon Hill.)* Massachusetts Archives photo

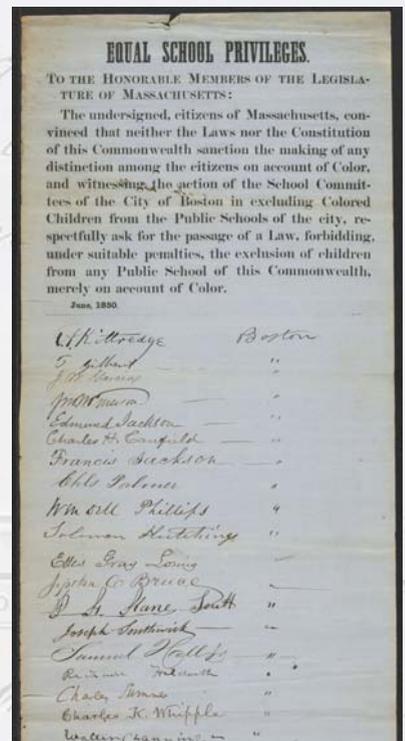


## The Attorney: Robert Morris

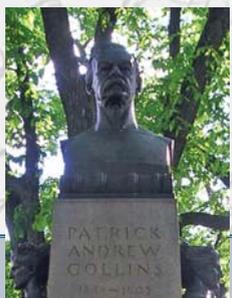
Morris was born in Salem in 1823 and started waiting on tables before the age of thirteen. One Thanksgiving he served abolitionist lawyer Ellis Gray Loring at a Salem home. Impressed with Morris’s demeanor Loring invited the boy to return with him to Boston as a servant. Morris sat outside, next to the driver, on the segregated stage coach. A few years later Loring encouraged Morris to study law. He later challenged school segregation in the courts.



Attorney Robert Morris  
Social Law Library



*This 1851 petition against segregated schools includes the names of socially prominent abolitionists including Wendell Phillips, son of a former mayor, and attorney Ellis Gray Loring, who mentored Robert Morris. Charles Sumner, less prominent at first, later became famous as a Massachusetts Senator.* Massachusetts Archives



Patrick A. Collins

## Returning the Favor

Morris was called the “black lawyer” but also the “Irish lawyer” because so many clients were Irish immigrants. He was sympathetic to a young boy harassed by classmates in the Chelsea schools. One of ten Irish students in a class of one hundred, the child’s arm was broken at one point. Starting as an office boy with Morris, Patrick Collins later studied law and became mayor of Boston.

# Roberts v. The City of Boston, 1849

*"The cause of equal school privileges originated with us. Unaided and unbiased we commenced the struggle."*

Benjamin Robert on efforts to desegregate Boston schools

In 1954 the landmark *Brown v. Board of Education* decision struck down segregation in public schools. The prior legal doctrine allowing "separate but equal" schools originated with the Supreme Judicial Court in Massachusetts.

## Sarah and Benjamin Roberts

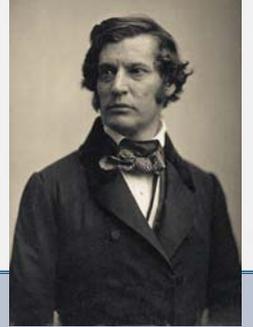
Benjamin Robert's daughter Sarah was forced to walk a longer distance to a segregated school. Her maternal grandfather James Easton was a Revolutionary War veteran who tried to integrate his local church. After buying a pew, he found it covered with tar the following week.

Benjamin Roberts published a newspaper for a time and ran a printing business. He brought suit to desegregate Boston public schools. Some black parents disagreed, thinking that a segregated school was safer.

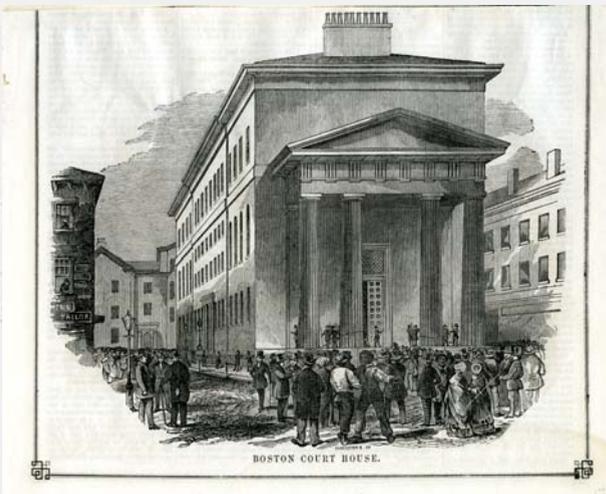


Several black activists were related to the Roberts family, including Charles Lenox Remond of Salem. A dynamic speaker, he may have been the first African-American to testify before a Massachusetts legislative committee (examining railroad discrimination in 1842.)

*Benjamin Roberts submitted this petition in 1850 protesting school segregation. "Your petitioner, being by birth a Bostonian and grandson of one of the "Soldiers of the Revolution, having two sons and three daughters who are all banished from the schools nearest their residences as a result of not wearing a skin quite as pale as the children of their neighbors." Massachusetts Archives*



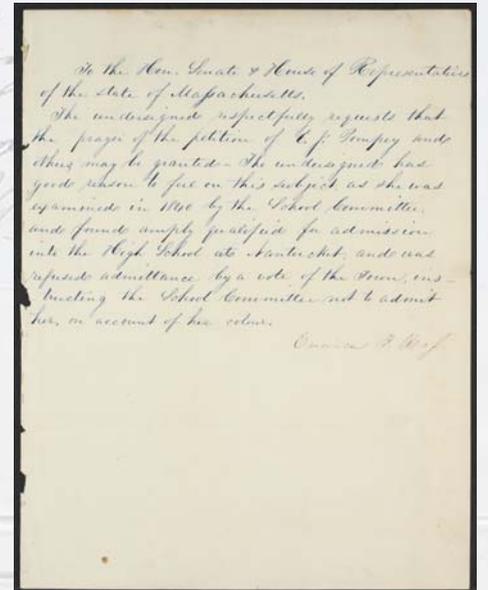
*Roberts approached black attorney William Morris to handle the case. Morris joined with another young attorney, the future Senator Charles Sumner, in representing the Roberts family.*



The Roberts case was heard in the same courthouse that was later the scene of dramatic and violent protests against the return of fugitive slaves during the 1850's. Boston Athenaeum



*Domineering and austere, Chief Justice Lemuel Shaw of the Supreme Judicial Court was not moved by moral arguments against segregation.*



*This successful petition by Eunice Ross led to school desegregation in Nantucket. The Massachusetts legislature ended segregation in all public schools in 1855, after the controversial Roberts decision. Massachusetts Archives*

## The Roberts Decision

The doctrine of "separate but equal" was born in Massachusetts. In 1849 the Supreme Judicial Court ruled that separate schools, if equal, did not violate the principle of "equality before the law." The decision was cited to justify segregation in later cases in Nevada, California, New York, Arkansas, Missouri, Louisiana, Kansas, Oklahoma, South Carolina, Oregon, and West Virginia. It became entrenched in national law when followed by the U. S. Supreme Court in the case of "Plessy v. Ferguson" that upheld segregation in New Orleans in 1896.

# The Right to Serve

“On their return from victory they may march up State Street over the spot consecrated by the martyrdom of Crispus Attucks, amid the plaudits of admiring citizens.”

William Cooper Nell on the prospect of recruiting black soldiers

Barring military service by black men was a double insult, questioning courage and competence, while denying a claim to equal rights.

## The Militia Law

Massachusetts law allowed only “white male citizens” to serve in the militia. Nineteenth century militias were, in part, social organizations with comic opera uniforms, dinners, and balls. During the crisis years of the 1850’s their military purpose became more important. In 1853 Robert Morris appeared before a legislative committee to advocate authorization of black units. The legislature was unmoved. Black activist William Watkins called the hearing “a humbug, a legislative farce.”



After the Civil War, the “Shaw Guards” served as honor guards at the funeral of Senator Charles Sumner. Black militia units were banned before the war. In 1876 budget cuts in Massachusetts struck down this unit.

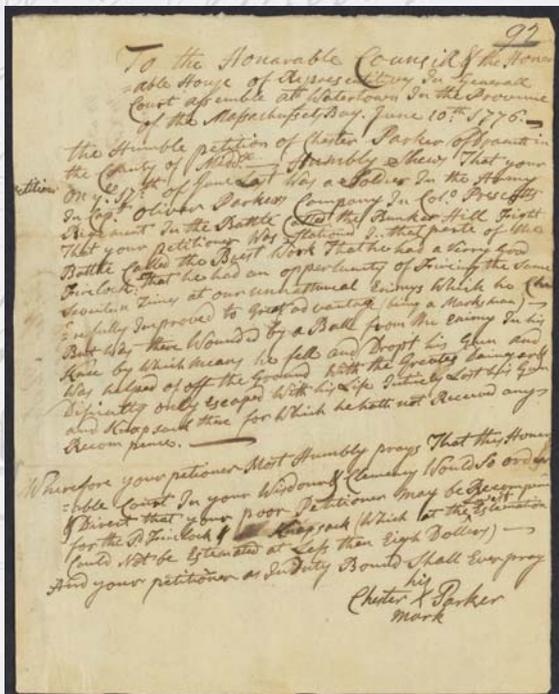


One of many petitions sent to the legislature, this requested authorization to form the “Massasoit Guards.” This black unit would be named for a Native American leader. Although arms were ordered and uniforms designed (dark blue with light blue trim) the unit decided not to march without legislative approval. (1851) Massachusetts Archives

## A History of Service

In an 1850 lecture William Cooper Nell made the connection between the ideals of the American Revolution and the quest of African-Americans for equal rights. He went beyond a philosophical argument to document the service of black soldiers in American wars. Beginning with the Boston Massacre, he identified Crispus Attucks,

of black and Native American ancestry, as the first to die in the American Revolution.



Many documents recount the service of black veterans and some provide vivid detail. In June, 1776, Chester Parker of Dracut addressed the Provincial Government in Watertown. He fought “In the Battle called the Bunker Hill” and discharged his “firelock” seventeen times. “Wounded by a Ball from the Enemy in his Knee” he was carried away and requested funding to replace his lost musket. Massachusetts Archives



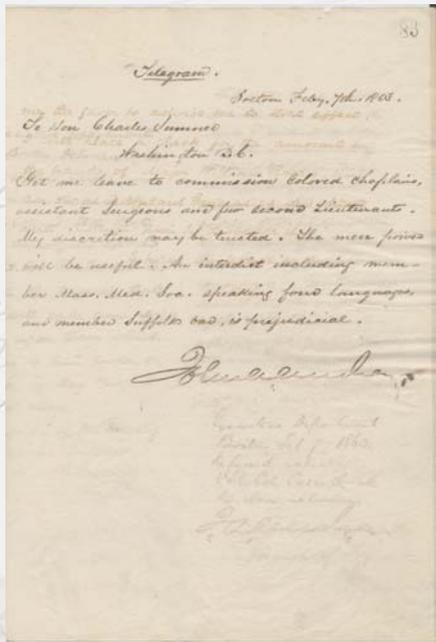
A period ad for Nell’s history of African-American military service. Houghton Library, Harvard University

# Glory!

Lincoln's Emancipation Proclamation of January 1, 1863 brought hope and also an authorization to recruit black soldiers for the union army.

## Three Regiments

Massachusetts recruited three African-American regiments during the Civil War, the 54th, 55th, and 5th Cavalry. News that black soldiers could not be officers led to divisions within the black community. Some opposed recruitment. "Equality first, guns afterward" was the sentiment voiced by William Wells Brown. Robert Morris agreed and argued against enlistment. William Cooper Nell was discouraged by the ban but thought the historical opportunity should not be missed. Similar concerns arose over the issue of equal pay.



Governor John Albion Andrew telegraphs Senator Charles Sumner on recruitment of black officers. "Get me leave to commission colored chaplains, assistant surgeons, and...second lieutenants." Andrew notes "a member of the Mass. Med. Soc., speaking four languages and a member Suffolk Bar" being disqualified (possibly references to Dr. John V. De Grasse and Robert Morris.) Black officers were not commissioned until later in the war. Massachusetts Archives



For several generations this monument, opposite the Massachusetts State House recognized the sacrifice of Colonel Robert Gould Shaw, of the 54th Regiment, who died at Fort Wagner. Appropriately, the names of the regiment's fallen black soldiers were added in 1981. Massachusetts Archives photos



## The Glorious 54th

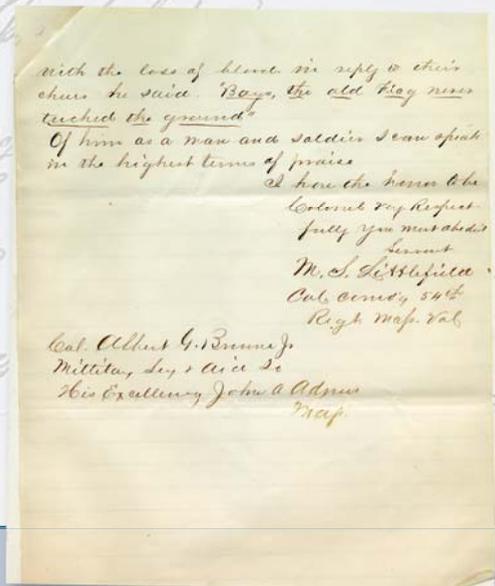
In modern times the 54th Regiment's 1863 assault on Battery Wagner, near Charleston, South Carolina, has become one of the most famous Civil War incidents. It has been described as a "hopeless" mission, a frontal assault on heavily fortified positions. Although disastrous in terms of casualties, it served to validate the courage and commitment of black soldiers. By the end of the war ten percent of soldiers in the Union army were black and 37,000 had died.



The 54th Regiment flag held aloft at Fort Wagner by Sergeant William H. Carney. State House Art Collection



A Colonel's account of Carney's heroism at Fort Wagner: "Having received two very severe wounds, one in the thigh and one in the head, still he refused to give up his sacred trust...Boys the old flag never touched the ground," he said when entering the field hospital. Massachusetts Archives



William H. Carney, Library of Congress

Sergeant William H. Carney of New Bedford was awarded the Congressional Medal of Honor for action at Fort Wagner. It was the first incident in American history leading to this recognition for a black soldier. After the war, Carney died in a tragic elevator accident while working at the State House.



# Equal Justice

“One of the most revolting scenes I have ever witnessed took place this morning in the yard of the Leverett Street prison.”

Baltimore Sun article, 1849

Issues of equal justice remain in the forefront of our national debate today, echoing concerns that have been voiced by each generation of African Americans.

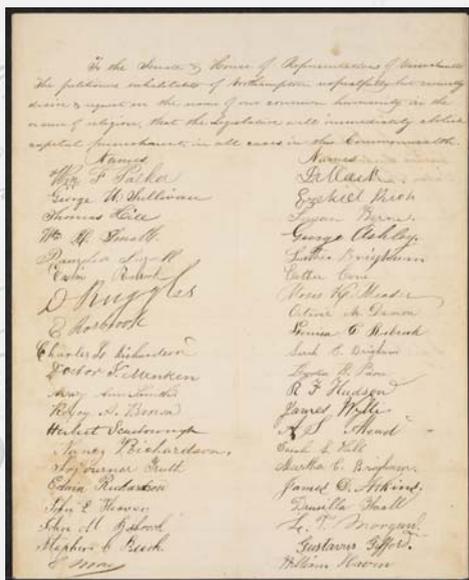
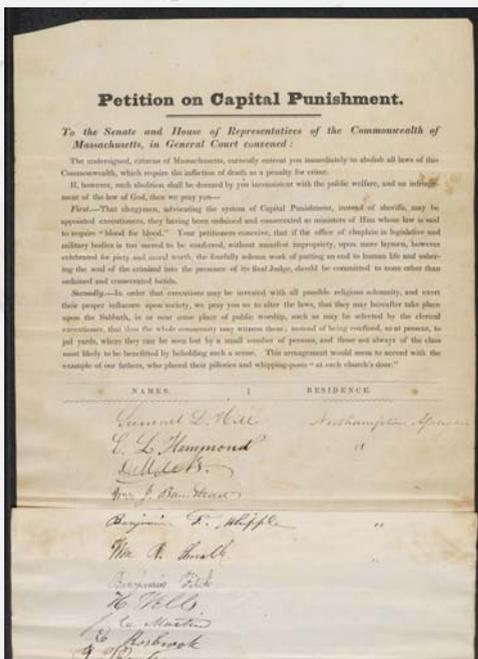
## The Case of Washington Goode

Washington Goode, a black man, was hanged at Boston's Leverett Street jail on May 25, 1849 - the first execution at the jail in thirteen years. Abolitionists charged that the death penalty was imposed, in part, because of Goode's race. Goode was convicted in the stabbing death of Thomas Harding “a rival for the affections” of a woman named Mary Ann Williams.

The case struck a chord because it raised the issue of equal punishment and the inhumanity of the death penalty.

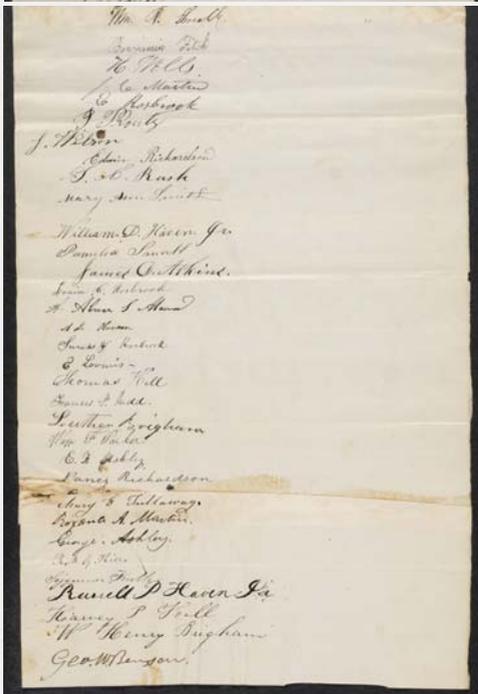


Sojourner Truth



Sojourner Truth signed two petitions protesting the death penalty while living in Northampton, Massachusetts. Born into slavery in New York, she selected her distinctive name as an itinerant preacher. Notice the biting satire in the printed petition. Massachusetts Archives

Protests in the Washington Goode case foreshadowed similar controversies in the twentieth century and today. One hundred and thirty petitions were submitted requesting clemency. Over 24,000 Massachusetts residents signed including William Lloyd Garrison, Ralph Waldo Emerson and Henry David Thoreau.



## A National Issue

The execution was reported in newspapers far beyond Massachusetts. A reporter for the *Baltimore Sun* was deeply affected by the event and submitted a moving account of the day.

“One of the most revolting scenes I have ever witnessed took place this morning in the yard of the Leverett Street prison. ...I learned that the wretched man had attempted to commit suicide the night before ... with a piece of glass. But for the timely arrival of the physician, he must have died in a few minutes.

The officers were required to carry the condemned man in an arm-chair because of his feeble condition occasioned by the loss of blood the night previous...Goode beheld for the first time the fatal instrument which was to complete the awful tragedy. At this moment he seemed to realize his fate and leaned his head back in hopeless agony.

Such a scene I hope never to witness again. The cold pouring rain- the shivering meager group assembled around the gallows- the ghostly appearance of the bleeding victim...

All the efforts of a host of philanthropists to have the sentence of death commuted to imprisonment for life were to no avail.”

Goode was hanged, still strapped to his chair.



The Leverett Street Jail was located in Boston's West End. Few reminders of the neighborhood remain today.



**WANTED.**  
5000 TONS of Granite, for breaking up at the House of Correction, in Leverett-street. Stone Cutters' Granite chips are for the purposes as good as any stone. Any person willing to contract for the whole or any part of the above, are requested to send in their proposals to the subscriber within ten days; 200 tons to be delivered per week at the Gaol in Leverett-street. March 16 JOSIAH QUINCY, Mayor.

Bleak House: Nineteenth Century ad for granite to be cut by inmates at the Leverett Street jail.

# On the Shoulders of Giants

This exhibit presents a first chapter in an unfinished history.

These African-American petitions are reminders that principled struggle conveys dignity even in defeat. It is also important to remember that the larger story is not one of failure. Building on the foundation of earlier activism, the modern civil rights movement achieved unimaginable success.

While we have not attained perfection as a society, we can celebrate these twentieth century milestones in the quest for fairness and equality.

## Desegregating the American Military

Despite warnings that it would lead to problems with unit cohesion and battlefield performance, President Harry S. Truman signed an executive order desegregating the U.S. military on July 26, 1948. In 1989 General Colin Powell was appointed Chairman of the Joint Chiefs of Staff, the nation's highest military position.



Historical Context: President Truman's decision to integrate the military shares the front page with a story about lynching. Library of Congress

General Colin Powell was the first African-American Chairman of the Joint Chiefs of Staff. United States Army



## School Desegregation

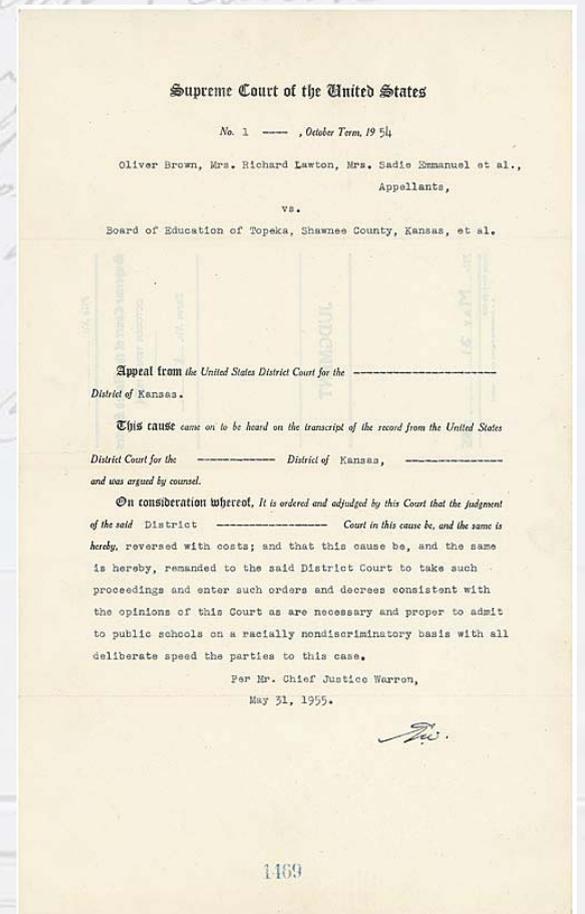
In 1954 Chief Justice Earl Warren spoke the historic words that “separate educational facilities are inherently unequal” in announcing the U.S. Supreme Court decision in *Brown v. Board of Education of Topeka, Kansas*. This issue remains in the headlines and in the courts today, but the terms of the debate have shifted. Few try to justify school segregation in principle.

The U.S. Supreme Court's historic desegregation order in *Brown v. Board of Education* National Archives



Nettie Hunt and daughter Nikie on the steps of the U. S. Supreme Court Library of Congress

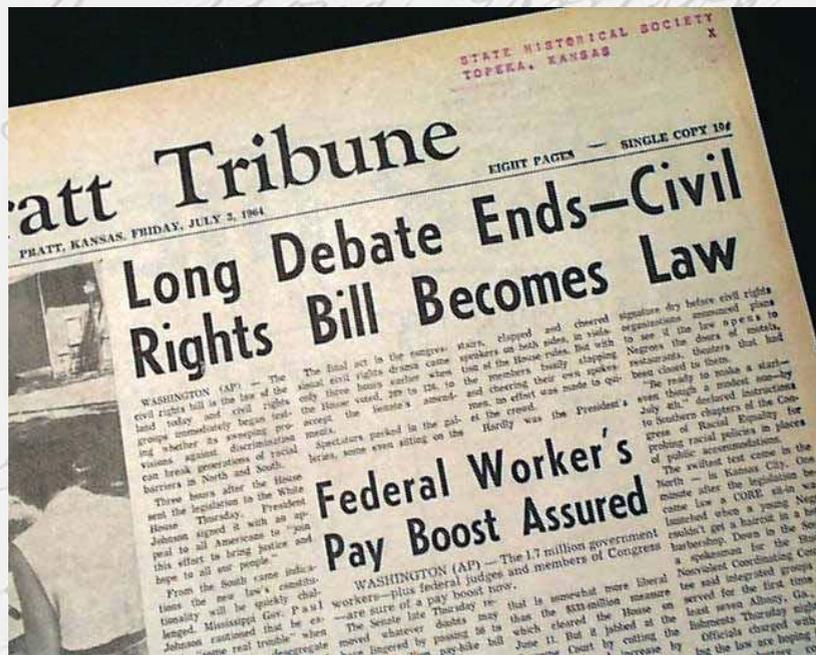
Linda Brown was a third grade student when her family filed the desegregation lawsuit that bears her name. Library of Congress



# Milestones

## Public Accommodations

The landmark Civil Rights Act of 1964 had many provisions including a ban on discrimination based on race, religion or ethnicity in hotels, motels, theaters and restaurants engaged in interstate commerce.



The Civil Rights Act of 1964 headlined newspapers across the country.



President Lyndon B. Johnson and Dr. Martin Luther King, Jr. at the signing of the Civil Rights Act of 1964  
Library of Congress



The Massachusetts Commission Against Discrimination was established in 1946 to enforce state laws against discrimination in public accommodations, employment, housing, credit and education.

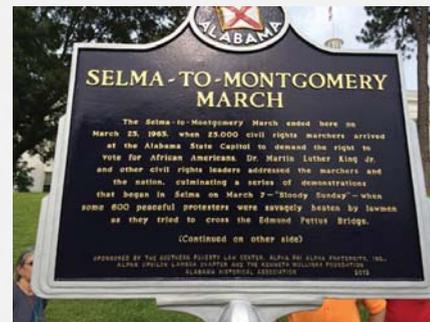
## The Right to Vote

The Voting Rights Act of 1965 has been effective in protecting the rights of African-Americans. It included enforcement provisions for particular states with a history of discrimination. The U.S. Supreme Court has recently relaxed enforcement. Currently there is a trend in some states to make registration and participation more difficult.



The 1965 attack on peaceful marchers at the Edmund Pettus Bridge in Selma, Alabama was a turning point in national opinion on the struggle for voting rights. Alabama Tourism Department

President Barack Obama and former Massachusetts Governor Deval Patrick. While Democrats and Republicans may disagree on public policy, the historical significance of this photo is clear.

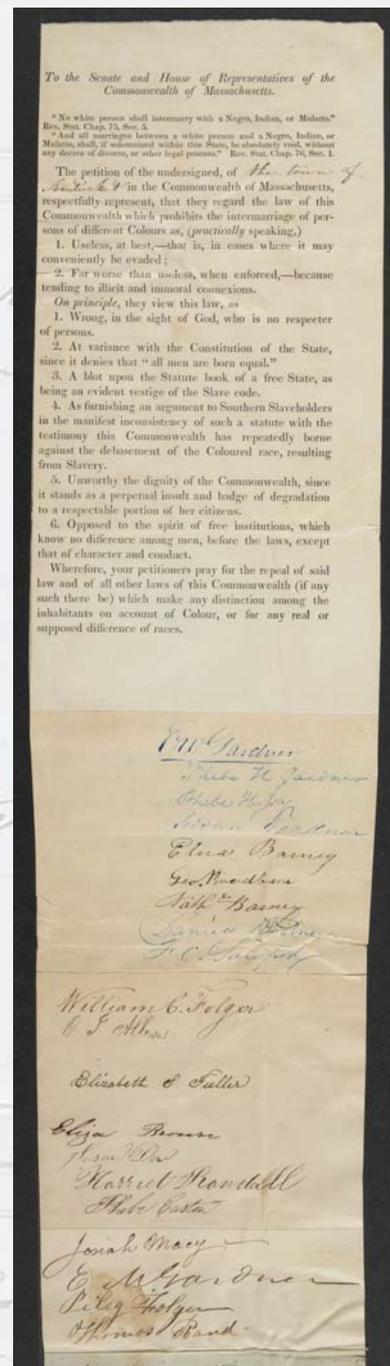


## Then and Now

In the nineteenth century, abolitionists campaigned to change Massachusetts law banning interracial marriage. In 1843 Massachusetts became the second state to end the prohibition (through legislation.) In 2004 Massachusetts became the first state to legalize same-sex marriage through a Supreme Judicial Court decision. Similar arguments about the "freedom to marry," as a "vital personal right," were made in both cases.



Mildred and Richard Loving. In 1967 the U.S. Supreme Court struck down state laws banning interracial marriage in the case of *Loving v. Virginia*. Library of Congress



This 1843 petition from Nantucket, protests the Massachusetts ban on interracial marriage as being "Wrong in the sight of God... Unworthy of the dignity of the Commonwealth since it stands as a perpetual insult and badge of degradation to a respectable portion of its citizens." Massachusetts Archives