

Notes on Enslaved People at Maxwell Hall

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Introduction

These notes attempt to capture what is currently known about the African and African American men, women, and children who were enslaved by owners of Maxwell Hall from the late 1760s through the abolition of slavery in Maryland in 1864. This document builds on earlier work by Cathy Hardy Thompson and Franklin Robinson, and J. Richard Riviere. It also includes research I did while facilitating a just-completed master planning process for the Friends of Maxwell Hall. (For more context, see Thompson's 2012 Interpretation Plan and my working timeline which contains citations to all the records used in this document.

I hope these notes sparks conversation and curiosity and help lay the groundwork for more research. There is much left to learn from probate records, court records, tax records, church records, newspapers, genealogical sources, and oral tradition. In some instances, I've added "Follow Up" notes underneath entries to get someone started.

Now is the time to begin creating an archive that documents the history of this historic site. And to give presence to enslaved people by sharing what we know with the public. Further research and documentation will support future archaeological investigation, community outreach, and public interpretation, among other things. It will also spark further discussions and open possibilities for connecting th past to the present through descendant communities. A full understanding of the experience of enslaved people at Maxwell Hall is the best way to begin having an honest reckoning with the past. The sooner that begins, the better.

Notes

May 1769

George Maxwell is issued a patent for a 487.5-acre parcel along Swanson Creek which he names "Maxwell's Seat." He had the land surveyed in August 1768. Did Maxwell enslave people at this time? Did they help build the house, barns, outbuildings, and quarters, some of which still stand? We don't know (yet).

We do know that Maxwell was a slaveholder, as was his family and his in-laws. In 1745, soon after arriving in Charles County, Maxwell purchased three people. Two years later, he acquired five more people. We don't know if he held them or sold them.

1745 (May 7): Maxwell's acquisition of a 329-acre parcel from Thomas Howard includes three "Negroes"—a man named **Cesar**, woman named **Phillus**, and boy named **James**." The indenture stipulates that should any of the "Negroes die before the first of April next

or before delivery of them to Maxwell the loss... [Difficult to read but seems to imply that the loss will be covered by Howard and his heirs and assignees.] This is the first time Maxwell appears in the land records. (Charles County Land Records Book Z 2 folio 36)

1747 (July 21): Maxwell purchases from William Middleton five “Slaves... a Negro man named **Sharper**, a Negro boy called **Jack**, a Negro Woman called **Moll**, another called **Patience**, and another called **Nell**...” Notes that Middleton has already delivered them to Maxwell. (Charles County Land Records Book Z 2 folio 171)

December 1777

At the time of George Maxwell’s death, he held 17 men, women, and children in bondage here. He enslaved additional people on property he owned on the Eastern Shore where his wife would soon take the family. The inventory of his estate lists their names, ages, and valuation. I added the birth years. (Charles County Inventories 1777-1785, pp. 346-353. Completed on December 19, 1777; filed May 27, 1779)

1. Peter	60	“a Negro fellow”	born ca. 1717	20 pounds
2. Glasgow	55		born ca. 1722	25
3. Ben	50		born ca. 1727	50
4. Will	40		born ca. 1737	55
5. James	21		born ca. 1756	65
6. Charles	20		born ca. 1757	65 pounds
7. Sam	15		born ca. 1762	65
8. Juda	60	“a Negro wench”	born ca. 1717	18 pounds
9. Dena	50		born ca. 1722	40
10. Beck	37		born ca. 1740	48
11. Phillus	19		born ca. 1758	50
12. Moll	14		born ca. 1763	45
13. Ned	10	“a negro boy an Idiot”	born ca. 1767	5 shillings
14. Scipio	8		born ca. 1769	20 pounds
15. Glasgow	8		born ca. 1769	20
16. Dick	6		born ca. 1771	18
17. Davie	4		born ca. 1773	16

Maxwell family

1. George	52	born 1725
2. Elizabeth	48	born 1729
3. Elizabeth	19	born ca. 1758
4. Helen	18	born ca. 1759
5. Agnes	17	born ca. 1760
6. James	16	born 1761
7. Sarah	14	born 1763

8. May	12	born ca. 1765
9. Mary	12	born ca. 1765
10. Marion	9	born 1768

- Follow Up: An exhaustive search of probate records, including those of his wife, Elizabeth, who moves the family to Talbot County where she was raised, and the Maxwell children, might yield more information about the plight of these people.

July 1792

Maxwell Seat is acquired by John Rouse Adams who, as of 1790, held 12 people in bondage. The 1790 census doesn't indicate gender or age range as it does for white people. (1790 census, Charles County, MD, p.543) We do not know if those 12 people work and live at Maxwell Hall?

- Follow Up: Probate is promising: Adams dies in 1797, his widow around 1798. Who, if anyone, lived on the property between 1798 and 1812, however, is difficult to determine.

November 1812

Philemon Keech of St. Mary's County acquires Maxwell's Seat, moving in with his wife and child. We suspect that the Keeches brought with them some 10 enslaved people based on the 1810 census taken while they lived in St. Mary's County. Between 1814 and 1818, Rachel gives birth to four more children.

- Follow up: Look at Keech and Smoot probate and land records for evidence that the couple inherited enslaved people, or if Rachel brought enslaved people into the marriage?

Addendum, 8/12/20, based on the discovery of new info about Rachel Smoot:

Rachel Smoot (c.1770-1847) married Keech around 1810. It was her second marriage. (I didn't find her maiden name, but only did a brief search.) Rachel married Charles Smith Smoot (1774-1807) of St Mary's County around 1794. He appears to have died in 1807. They don't appear to have had children—that survived, at least.

In his will of Jan/Feb 1807, Charles leaves Rachel land (Foxes Race which she later sells), as well as five enslaved people: "negroes Winney and her child Matilda, Jim, Harry and Old Stephen." A decade earlier, Rachel's father-in-law, left enslaved people to his children – a grime and vivid reminder of how white slaveholding families acted to preserve slavery and their own wealth through chattel bondage. The will mentions an estate in Virginia that Rachel brought into the marriage suggesting that she was born there. In her own will of 1843, Rachel would leave her sons land in Morgan County, Virginia (now West Virginia). In later indentures around 1815-16, Rachel left her mark rather than a signature suggesting that she couldn't write.

Charles County MD Will Book AL-12, 1801-1808, {Abstract by Mike Marshall}; Page 399.
<https://www.colonial-settlers-md-va.us/getperson.php?personID=I103645&tree=Tree1>

Charles Smith Smoot, Will, January 28, 1807; February 10, 1807

I, Charles Smith Smoot of CC, being sick but of sound mind, memory and understanding;

- To wife Rachel Smoot, the plantation that Samuel Burroughs now lives on called "Foxes Race" containing 100 acres that I bought of Robert Fergusson Esqr.
- To wife Rachel Smoot, all my right of the plantation that I now live on. Also negroes Winney and her child Matilda, Jim, Harry and Old Stephen. Also ½ of my household and kitchen furniture together with ½ my stock. Item: my estate that I inherited by my wife Rachel Smoot in the state of Virginia, to said wife and her heirs.
- To brother Samuel Smoot, the residue of my estate

Executor: friend Dr. Charles Smoot, brother Samuel Smoot/Signed: January 28, 1807
Charles S. Smoot/Wit: John C. Waters, Walter B. Waters, Zachariah Moran

1797 Bequest to Charles & brothers, via Will of Josias Smoot, Sept 9, 1796; Nov 6, 1797
(Charles County MD Will Book AF-11, 1791-1801, {Abstract by Mike Marshall}; Page 421)

I, Josias Smoot of CC being infirm in body but of sound and disposing memory

- To my two sons Charles S. Smoot and Samuel Smoot, part of two tracts of land called Maidstone and New Branford.
- To son Charles S. Smoot, negro Thomas, exclusive of the four negroes that were previously given him. Also two feather beds furnished, the horse he rides, and two cows and calves, three years abidance in the house I now live after my decease.
- To son Samuel, Three negroes, Richard, Trece, and Silva. Also two feather beds and furnished, a horse and saddle.
- To wife Ann Smoot, negroes Charles and Jane to her free disposal, the plantation whereon I now live together with all the rest of my property not yet disposed of to my wife during her natural life and then to be equally divided between my two sons.

Executor: son Charles S. Smoot/Signed: September 9, 1796 Josias Smoot/Wit: John Adams, Joseph Morton

August 1820

Fourteen (14) men, women, and children are held in bondage by the Keeches according to 1820 census. We have no names, only gender and age range:

Three unnamed boys under 14 years old	(born between 1806 and 1820)
Six unnamed girls under 14 years old	“
Two unnamed young men between 14 and 25 years old	(born between 1795 and 1806)
One unnamed young woman between 14 and 25 years old	“
One unnamed man between 26 and 44 years old	(born between 1776 and 1794)

One unnamed woman between 26 and 44 years old

“

Keech family (census)

- | | | |
|-------------------|----|-----------------|
| 1. Philemon | 47 | (1773-1826) |
| 2. Rachel | 33 | (c.1787-1843) |
| 3. James Edward | 9 | (1811-1851) |
| 4. Ann | 6 | (c.1814-1825) |
| 5. Philemon E. | 5 | (c.1815-c.1847) |
| 6. John Alexander | 3 | (c.1817-1825) |
| 7. Jane Elizabeth | 2 | (1818-1851) |

Note: The census indicates that six people are engaged in agriculture.

1826

Ten (10) enslaved men, women, and children are named in the estate inventory for Philemon Keech who died [spring?]. (Charles County Inventories 1825-1829; October Term 1826, p. 259; Inventories 1829-1833; April Term, p.456)

Ten enslaved people			[age in 1830]	[ages in 1833]	[ages in 1840]
Leandor	28	born c.1798	32	35	42
Winnie	26	born c.1800	30	33	40
Letty	16	born c.1804	20	23	30
Moses	14	born c.1812	18	21	28
Harry	13	born c.1813	17	20	27
Dick	9	born c. 1817	13	16	23
Charles*	8	born c.1818	12	15	22
Matilda	8	born c.1818	12	15	22
John	5	born c.1821	9	12	19
Nelly	3	born c.1823	7	10	17
Eliza	2	born c.1824	6	9	16

*Charles could be the same person as Charles Southern, the 24-year-old man who is the subject of a 1842 runaway notice placed by Philemon E. Keech, Rachel's son. (See 1842 below)

- Follow Up: A thorough look a Keech's probate records might reveal more detail about the enslaved people.

1830

Sixteen (16) enslaved men, women, and children are listed by gender and age range in the census enumeration for Rachel Keech—including seven children born since 1820. (1830 census Bryanstown, p.25 of 30 on microfilm)

Five (5) unnamed males: 1 under 10; 2 between 10-24; 2 between 24-36

Eleven (11) unnamed females: 6 under 10; 3 between 10-24; 2 between 24-36

1833*

Twenty-eight (28) men, women, and children are enslaved by Philemon Keech as per his estate inventory (according to the 2012 interpretive plan for Maxwell Hall). *1833 feels very late for an inventory—some seven years after Keech's death—and might in fact be when it was filed.

- Follow Up: Examine (and copy) Philemon Keech's estate inventory to find out when it was done, who is listed on it, etc. Also look at all probate records.

February 1840

Two (2) enslaved women are “conveyed” by Rachel Keech to her youngest daughter, Jane E. (1818-1851) and her husband Dr. Benjamin Johns: “one negro woman **Mary** and one negro girl **Sarah**... value \$800. Neither are found on the 1826 list. (The couple paid \$2000 to Rachel Keech and had, in January 1837, signed a marriage contract naming Rachel trustee and party to the marriage settlement. (Charles County Land Records IB 24 folio 57).

➤ Follow Up: Look at census and probate records for the Johns. Jane dies in 1851

1840

Five (5) enslaved men and women are enumerated with Rachel Keech. It is likely that Mary and Sarah are not among the five people. I don't find a date when the census was enumerated but it likely was done in the spring or summer of 1840. Side note: The Keech's nearest neighbor, Ann Moran, enslaves 70 people. (1840 census for Charles County)

Two unnamed man between 24 and 36 years old	(born between 1804 and 1816)
One unnamed man between 36 and 55 years old	(born between 1785 and 1804)
One unnamed man between 55 and 100 years old	(born between 1740 and 1785)
One unnamed woman between 55 and 100 years old	“

September 1842

Charles Southern, about 24, flees Maxwell Hall seeking his freedom. Philemon E. Keech places a notice in a Washington, D.C. newspaper in October offering \$100 for his capture. Keech describes Southern as “about five feet eleven inches high, well formed, and about 24 years of age. He had on when he left white kersey pants and a white hat; no coat for he left the field where he was working. He thought he has obtained a pass by which he may probably escape to a free State.” (*National Daily Intelligencer*, October 2, 1842)

April 1843

Twelve (12) enslaved men, women, and children are bequeathed by Rachel Keech to her six grandchildren in a will made shortly before Rachel dies. The grandchildren are between one and five years old. Keech's action separates enslaved children from their parents and splits the enslaved community at Maxwell Seat/Hall in two. (Charles County Maryland Will Book DJ-16, 1833-1850; p.292 [abstract by Mike Marshall])

Children of James E. Keech (1811-1851) and Martha (Dent) Keech (1820-?):

To grandson Chilton A. Keech, negro Ben.

To granddaughter Ann Rachel Keech, negroes; Maria and Sam, and ½ dozen silver table spoons.

To granddaughter Amelia Keech, negroes; Littleton and Lucinda.

Children of Jane E. (Keech) Johns (1818-185) and Dr. Benjamin Johns (?)

To granddaughter Frances Ann Johns, negroes; Alice and John Wesley, and ½ dozen silver tea spoons, and silver sugar tongs.

To granddaughter Margaret Johns, negro Harry son of Harry and male infant child of Harriot.
To granddaughter Rachel Amelia Johns, negroes; Harry, George, and Harriot.

<u>Enslaved Person</u>	<u>Bequest to which grandchild</u>
Ben	Chilton A Keech (born 1838)
Maria and Sam	Ann Rachel Keech (born 1840)
Littleton and Lucinda	Amelia Keech (born 1842)
Alice and John Wesley	Frances Ann Johns (born 1838)
Harry, son of Harry, and male infant of Harriot	Margaret Johns (born c. 1839)
Harry, George, and Harriot	Rachel Amelia Johns (born c. 1840)

Notes: Recall that Mary and Sarah had been sent to serve the Johns family in 1840. They would now enslave at least nine people. In 1850, according to the Slave Schedule which is part of the census, Jane Johns enslaved 20 people: 10 males and 10 females, between the ages of six months and 60. (Only gender and age is indicated.) The five people sent to the household of James and Martha Keech doubtless joined other enslaved people. James Keech's 1850 Slave Schedule lists 20 enslaved people, 12 males and 8 females, between 11 and 50 years old.

- Follow up: Look at the probate records. Benjamin, Jane, and James are dead by the early 1850s—Benjamin, I think, before 1850. Rachel's son, Philemon E. Keech dies around 1847. Look for evidence about the enslaved.

November 1846

Maxwell Seat/Hall is acquired by Maria P. Morton whose family had large holdings of enslaved people. The assumption is that the Mortons lived here although they had holdings elsewhere.

- Follow Up: Look at probate for Maria P. Morton's husband, James Morton, and mother, Pricey Thomas, both of whom died in the 1840s.

October 1850

Fifty-four (54) men, women, and children are enslaved by Maria P. Morton, and son John C. Mortons owned multiple properties, making it hard to tie enslaved people to Maxwell Hall.

Summary of 1850 Slave Schedule. (The original records individuals' gender and age.)

Maria P. Morton

Nine (9) unnamed males between 11 and 40 years old

Twenty-five (25) unnamed females between 1 and 41 years old (12 are seven and under)

John C. Morton

Ten (10) unnamed males between 6 and 40 years old

Ten (10) unnamed females between 6 months and 40 years old

Morton family census (Bryantown District)

Maria 39 (1790-1876)

John C. 22 (ca.1828-1876)

Mary	15	(1834-1907)
Catherine	11	(1838-1897)
Susan	8	(1841-1911)

- Follow Up: Transcribe the slave schedule. Do an analysis by gender and age. Look closely at the Morton's land records and probate to understand their land holdings.

1850s [no specific year known yet]

Someone enslaved by Maria P. Morton was baptized and two people enslaved by Morton were married (to slaves of Mr. Geo. W. Thomas and Mr. B. Robertson) in the Episcopal Church (Records of St. Paul's Baden).

- Follow Up: Locate original record for details. Look at church records for evidence of other baptisms and marriages.

July 1856

Jim Boon runs away, seeking his freedom from the Mortons. Maria P. places a notice that reads: \$50 REWARD.—Ran away from the subscriber, near Benedict, Charles Co, Maryland, a negro man [named] Jim Boon, about five feet six inches high, chesnut complexion, 22 years old; had on when he left a black bombazot jacket and white pants with a black stripe on the leg; has relations in the District of Columbia. As he left without any provocation, it is more than probable that he may have been decoyed off to reach some of the free States. I will give thirty dollars for his apprehension in the State of Maryland, or fifty if taken in the District of Columbia or out of the state; in either case to be secured in jail so that I can get him. /M.P. MORTON

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M. P. MORTON.

National Intelligencer, July 10, 1856

- Follow Up: This is only the second time the records indicate a surname for an enslaved person. Worth doing some genealogical research to find descendants. I found a Jim Boon in 1870 census for Anne Arundel County. This may or may not be same man.]

1860

Seventy-six (76) people are now enslaved by the Mortons who are enumerated in the census in Bryantown District next to Benjamin and Mary Bowling, Maria's daughter and son-in-law. (Bowling enslaves 15 people according to the 1860 Slave Schedule, his entry following Maria Morton's. Maria gives her occupation as Farmer, John C. as Planter. Does this mean the Mortons are living at Maxwell Hall? Again, we need to know more about their land holdings.

The Slave Schedule for 1860 also records the "No. of Slave houses." for each slave holder. A promising detail, however fragmentary, that might inform future archaeological fieldwork.

Summary of 1860 Slave Schedule. (The original records individuals' gender and age.)

Maria P. Morton (47 enslaved men, women, and children; 6 "Slave houses")

Twenty-four baby boys, boys, young men and men between 1 and 55 years old

Twenty-three (23) baby girls, girls, young women, and women between 1 and 70 years old.

(Note: A handful of people are described as "Mulatto" versus "Black.")

John Morton (10 enslaved men, women, and children; 2 "Slave houses")

Seven (7) unnamed males – 1 infant and 6 men between 23 and 45 years old

Three (3) unnamed females: 1 infant and 2 women, ages 23 and 27

Susan Morton (15 enslaved men, women, and children; 2 "Slave houses")

Four (4) unnamed males: ages 4, 6, 40, and 55

Eleven (11) unnamed females: ages 1-52, with three infants 2 years and under

Catherine Morton (5 enslaved men, women, and children; 1 "Slave houses")

Two (2) unnamed males: ages 10 and 50

Three (3) unnamed females: ages 7, 8, 50

- Follow Up: Transcribe the schedule. Do an analysis by gender and age.

<u>Morton family census</u>	Real Estate	Personal Property (would include enslaved people)
Maria Morton (49)	\$25,000	\$45,000
John C. Morton (30)	\$25,000	\$10,000
Susan Morton (20)	\$16,000	\$18,500
Catherine Morton (18)	\$15,000	\$5,900
George Black (18), servant. Free Black man, Maryland born		

November 1, 1864

The State Constitution of 1864 officially emancipates all enslaved people living in Maryland.

- Follow Up: Do some research to learn what happens in Charles County in the aftermath of this event.

February 3, 1865

Maryland ratified 13th Amendment to the U.S. Constitution which abolished slavery in U.S.

- Follow Up: Determine if Mortons put in a 'claim' for losses as a result of the abolition of slavery. (Laws of Maryland Ch.189, March 22, 1867) Talk to someone at the Maryland State Archives about Charles County's Commissioner of Slave Statistics records

From the *Port Tobacco Times*, May 7, 1868

TO FORMER OWNERS OF SLAVES IN CHARLES COUNTY. The undersigned, appointed a "Commissioner of Slave Statistics," by the Governor of Maryland, by authority of an act of the General Assembly, "entitled An Act to provide for taking and perpetuating the evidence of the number of persons held to labor and service in the State of Maryland and emancipated by the Constitution adopted in the year 1864, and by whom such persons were held"—

Hereby gives notice, that he will attend at his Office, in PORT TOBACCO, from day to day, for the purpose of discharging his duties as said Commissioner.

The Act of Assembly designs to place, in the safe keeping of the State, correct evidence of the number of slaves held by her citizens, at the time, when, under the influence of the pledge of compensation from the United States, such slaves were emancipated. It is obvious that those only will be compensated who furnish the State with such evidence. The object of the Law and the necessity of its passage may be better understood by reading the Law itself. The preamble says:

"That the State of Maryland has a good, valid and just claim upon the Government of the United States for reasonable and adequate compensation for the said property, and that it ought not to be doubted that the Federal Government, when the passions excited by the late unhappy ' civil war shall have subsided, will recognize the justice of the said claims and faithfully perform her manifest duty in regard to it."

The law requires the following:

The names of the former owners, at the time of the adoption of the Constitution in the year 1864.

"The names, number, age, sex and physical condition of such slaves; whether they were slaves for life or for a term of years, and how many years; whether they have been enlisted or drafted into the United States, so far as is known to said owners or others; and into what regiments they were placed, and what compensation, if any, has been received from the State or General Government by such owner or owners for such slaves so enlisted or drafted into the military service of the United States." The testimony required is the sworn state- ment of the fonner owner or legal representative, confirmed by the "oath of at least two disinterested witnesses." The record thus made up is declared to be legal evidence upon all questions concerning the

ownership of slaves in this State at the time of the adoption of the Constitution by which said slaves were emancipated.” Fees cash. / F. C. BURGESS, / Com’r of S. S./ May 16, 1867

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