



## George Washington And The Politics of Slavery

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George Washington was involved in a variety of policy decisions relating to the question of whether slaves and freedmen should serve in the Continental Army. Eventually, some 5,000 blacks fought under Washington on behalf of the American cause.

*Engraving of Washington attended by a black servant, by Jacques Le Roy, after John Trumbull, courtesy of the Mount Vernon Ladies' Association.*

he personally owned. Much more than just a functional legal instrument, the will served as George Washington's final message to his country, and the manumission clause represented one of the most symbolic acts of his long and distinguished career in public service.

Given the nature of this type of document, Washington addressed a range of personal matters in dividing his estate among his heirs. But he also made clear statements on other topics that were aimed at a much wider audience. Debts owed to him by family members were forgiven, personal

It was probably with a strong sense of relief that George Washington wearily made his way to his second-floor bed chamber on the evening of the ninth of July, 1799. A self-described old man at 67 years of age, and with little more than five months of life ahead of him, Washington had just completed a task that seemingly resolved an issue that had troubled him for decades. It was on that day that the former president finished writing his last will and testament, which spelled out his directions for freeing the more than 100 enslaved human beings that

items like the many swords and canes that he had acquired over the course of his public career were distributed as cherished mementos, and the thousands of acres of land that Washington had acquired so assiduously over the years were parceled out among a substantial number of relatives. Because George Washington had no offspring of his own, his estate was passed on to the children of his siblings, to the Custis family relations he gained by marriage, to a select few old friends, and to his wife, Martha Dandridge Custis Washington. The former president also took this opportunity to reinvigorate his one-man campaign for the creation of a national university by authorizing a portion of his estate to help endow it. But the clause in the will to which Washington likely devoted far more of his attention than any other, and which he hoped would send an unmistakable message to his countrymen, dealt with the issue of slavery. With the stroke of a pen, Washington set in motion the apparatus to free 123 enslaved African-American men, women, and children.<sup>1</sup>

While Washington acted to manumit those enslaved human beings that he owned in his own right, more than 150 other enslaved workers living at Mount Vernon were the legal property of the heirs to the estate of Daniel Parke Custis, Martha Washington's first husband, and they remained in bondage. Under Virginia law, the Custis (or "dower") slaves could not be freed without paying compensation to the heirs. At an estimated average value of 40 pounds sterling per slave, this would have amounted to a payment of more than 6000 pounds. By way of comparison, the total profit that Washington received from all of his plantation operations for the year 1797 was valued at little more than 900 pounds sterling. Nevertheless, during the 1790s Washington made a serious but ultimately unsuccessful attempt to implement a scheme by which he would sell a large portion of his western lands in order to raise the money to enable him to free the dower slaves.<sup>2</sup>

The dower slaves in many cases were the spouses and children resulting from intermarriage with the Washington

slaves. George Washington elected to honor the marital status of the Mount Vernon slaves, even though unions among the enslaved had no legal standing in Virginia. Washington followed through on this conviction by consistently working to keep the families from being dispersed, even when doing so would have been in his own financial best interest. He repeatedly declined to sell unneeded slaves, if by so doing family members would be separated. In a letter in 1786, Washington emphasized his unwillingness to carry out any such transactions, stating that: “it is ... against my inclination ... to hurt the feelings of those unhappy people by a separation of man and wife, or of families.”<sup>3</sup>

It was this quandary – the desire to free his slaves, balanced against the sorrow that would result from being able to liberate some but not all of the Mount Vernon slaves – that was at the heart of Washington’s thoughtful deliberations over the provisions of his will. In the end Washington arrived at a compromise. He stipulated that those slaves that he owned were to be freed, but only after the deaths of both he and his wife, Martha. All of this careful planning was needed in order to avoid witnessing the “painful sensations” that were sure to result from the enforced separation of the intertwined families.<sup>4</sup>

This act was the culmination of a lifetime contending with the day-to-day issues and complexities inherent in the practice of America’s “peculiar institution.” The most significant result of that experience was Washington’s steadily growing conviction that slavery was an evil that must be abolished. Washington had confronted both practical and political challenges relating to slavery throughout his adult life. In his days of service in the House of Burgesses, then as Commander in Chief of the American army during the Revolution, as President of the Constitutional Convention, and especially during his eight years as President of the new United States, slavery and its social impact was a recurring subject of debate. It was as a consequence of these experiences that Washington’s personal antipathy to slavery was confirmed. But they also convinced him that those feelings had to be balanced against, and ultimately be outweighed by, his equally certain conclusion that to confront the issue during his lifetime would be to risk tearing apart the fledgling nation he had worked so hard to establish. The fact that Washington neither spoke out publicly against slavery, nor initiated or materially supported any private measures to limit its spread or to speed its demise, is clear evidence of where his priorities lay.<sup>5</sup>

The priority that Washington gave to creating the Union, and then to doing whatever was necessary to establish and maintain a strong central government, has been widely recognized by scholars over the years, just as it was well

understood by knowledgeable observers during his lifetime. Washington had fought eight long years of war to secure independence, fretted over the fate of the nation during the tenure of the weak and ineffectual Confederation coalition, and then rededicated himself to the cause of a forceful federal authority during the deliberations of the Constitutional Convention.<sup>6</sup>

As president, Washington’s overriding goal was to safeguard the precious liberties that he and thousands of others had worked so hard to achieve. The eight years of Washington’s presidency was a period of passionate disagreement over the meaning of the legacy of the American Revolution. Throughout the heated national debate that ensued, Washington was steadfast in his faith in a strong national government. Examples of issues and events where Washington’s stance clearly demonstrated the depth of his commitment are numerous. The thin-skinned Washington nevertheless risked being branded a monarchist, and worse, and bore the brunt of searing personal criticism and political backbiting as a consequence of his support for America’s official neutrality during the global conflict between France and England. His signing of the Jay Treaty, his support for Alexander Hamilton’s scheme to establish the Bank of the United States, and his forceful action to squash the Whiskey Rebellion, were equally controversial. All of these measures, and many more, were carefully calculated to ensure the continued authority of the new government and the survival of the nation.<sup>7</sup>

When it came time for Washington to announce his decision to forego a third term as president, he took the opportunity to express his views on a variety of topics that particularly



As President, Washington carefully avoided adopting any public position pertaining to the legal status of slavery in the United States. Privately, however, he had determined to free all of the Mount Vernon slaves. *Portrait by Edward Savage of the Washington family, attended by a liveried servant, courtesy of the Mount Vernon Ladies’ Society.*

interested him. But he conspicuously avoided the subject of slavery. Instead, he maintained the silence adopted by Congress as its official posture. There is no doubt that he viewed this most troubling of all problems as having the potential to destroy the fragile union that was his life's work and chief political legacy. For both Congress and the President, their silence was an unspoken message that this most controversial topic had been laid to rest for the time being.<sup>8</sup>

But to conclude that George Washington's highest priority was to ensure the future of the nation, at virtually any cost – and that the consideration of potentially divisive issues like slavery simply could not be allowed to threaten that goal – is to let Washington and the other founders off much too easily from the charge of hypocrisy. At the same time, it minimizes the struggle that Washington and many of his contemporaries experienced in arriving at their decision. George Washington may have had more depth and breadth of experience than any other man of his generation in dealing with the thorny questions associated with the institution of slavery. Therefore to examine the circuitous route by which Washington arrived at his parallel decisions – public inaction on the one hand balanced against his personal motivation to resolve the specific issue of the disposition of the Mount Vernon slaves, on the other -- is to cast light on the complex and difficult questions that had to be addressed.

Born into a world where slavery was considered a normal part of life, George Washington initially appears to have felt no qualms about following along the same slave-holding path taken by his father, by his many relatives, and by virtually every other man of wealth and status whom he knew and respected. At the age of 11, George Washington inherited 10 slaves from his father's estate. He steadily acquired slaves over the next two decades, just as he was ever eager to expand his land holdings, to improve the productivity of his farms, and to win election to public office. Along with marrying well, another arena where Washington was enormously successful, these achievements comprised the main components of the tried and true formula for how to acquire wealth and ascend to social prominence in colonial Virginia.

Over the course of his lifetime Washington's attitudes toward slavery seem to have undergone a marked transformation. From his initial unquestioning support for the practice of slavery as an economic institution, and a wholehearted commitment to it as the basis for his personal prosperity, over time he became increasingly frustrated at dealing with its inherent inefficiencies, and grew troubled by the degrading effects it had on anyone who was deeply involved with it. This change of heart is evident at least by the year 1778, when he remarked that, "every day [I] long

more and more to get clear of [Negroes]." But at the same time that Washington had become convinced that continuing to own slaves would be a mistake, he also had decided to discontinue selling them, commenting that: "The advantages resulting from the sale of my Negroes, I have very little doubt of," [but], "My scruples arise from a reluctance in offering these people at public vendue." Some years later, Washington was even more candid in expressing his opinion on the topic, remarking that, "Were it not then, that I am principled ag[ains]t selling Negroes, as you would Cattle in the market, I would not, in twelve months from this date, be possessed of one as a slave."<sup>9</sup>

Thus, already by the 1770s, Washington was caught in a conundrum from which he would never really find a way to extricate himself. By 1786, Washington's thinking had progressed to the next level, marked by his statement that, "I never mean to possess another slave by purchase; it being among my first wishes to see some plan adopted by the Legislature, by which slavery in this Country may be abolished by slow, sure and imperceptible degrees." Of course, if Washington had been willing to bear the substantial cost, he could simply have freed the slaves. This was an approach he came to seriously explore at a later date, but one that he ultimately chose not to pursue.<sup>10</sup>

These developments in Washington's attitudes, not coincidentally, roughly paralleled the evolution of his disillusionment with the American colonies' subservient role within the British mercantile system. Washington's changing attitude toward Britain was influenced greatly by his dismay over his own steadily declining fortunes in navigating the tobacco export trade, which was the first of many steps he made along the path to his commitment to the cause of American independence. Just as Washington's misgivings with America's place in the British Empire initially were related to economic concerns, the basis for Washington's questioning of the viability of slavery first seems to have been related to financial considerations.<sup>11</sup>

In 1766, Washington broke from the staple-crop system based on tobacco production that he had so eagerly embraced less than a decade before. In its place, he turned to cultivating cereal grains, combined with redoubled efforts at self-sufficiency and a greater commitment to commercial enterprises. The cause of Washington's decision was his dissatisfaction with the tobacco consignment system, the declining international market for Virginia tobacco, and his alarming descent into debt to his London factor. Characteristically, Washington took a series of bold measures to stem the tide and to place his plantation on a firmer financial footing. With the transfer from tobacco to more diversified grain production with wheat as his cash crop, new methods of cultivation could be used that had a dramatic effect on Washington's labor needs. Instead

of the many labor intensive tasks related to growing tobacco – with the multitude of intermediate steps required in preparing seeds and the soil, hand planting, and finally processing, curing, and transporting the crop, in addition to the back breaking toil of hoe agriculture – grain farming was a much less intensive occupation that could take advantage of animal power and a growing battery of implements and devices calculated to further reduce the human labor required.<sup>12</sup>

Over time Washington succeeded in hoisting himself out of debt. This was accomplished by more closely attending to his affairs, by mastering the new art of wheat production, by working to make Mount Vernon a more self-sufficient operation, and, not the least of all, by benefiting from an additional influx of cash from the Custis estate. But even as he did so, he found that, try as he might to develop new industries and occupations with which to employ the excess, he possessed many more unskilled black laborers than he would ever need. Although his close attention to the bottom line meant that Mount Vernon would remain a profitable venture for decades to come, it was clear to Washington that unless he was willing to divest himself of a significant portion of his slaves, that they would constitute an ever increasing drain on his resources. Late in his life, Washington summed up his predicament with his usual insight and precision:

It is demonstratively clear, that on this Estate (Mount Vernon) I have more working Negroes by a full moiety, than can be employed to any advantage in the farming system, and I shall never turn Planter thereon. To sell the overplus I cannot, because I am principled against this kind of traffic in the human species. To hire them out, is almost as bad, because they could not be disposed of in families to any advantage, and to disperse the families I have an aversion. What then is to be done? Something must or I shall be ruined.<sup>13</sup>

Just as George Washington's eight years fighting for American independence was a catalyst for his conviction that a strong central government would be critical to the success of the new nation, it was during this period that his growing doubts about slavery seem to have been given a significant boost. Washington's general attitudes toward slavery already may have begun to change by the time he left Philadelphia in the summer of 1775 to take command of the Continental Army camped outside of Boston. But even so, there is no question that he assumed that blacks would play little or no part in the prosecution of the war, other than in their traditional role of providing labor to support the American troops. The British had other ideas, however, and Washington was soon forced to reconsider his army's policies in the matter.

Washington's initial objection to using blacks as soldiers was manifested in a general order that excluded "Negroes" from service, along with "Boys unable to bare Arms ... and old men unfit to endure the fatigues of the campaign." Shortly afterward, Lord Dunmore, the Royal Governor of Virginia who had embarked on a campaign to harass the American home front and disrupt the war effort, offered slaves their freedom in exchange for enlisting in the King's service. In response to Dunmore's actions, and at least partly because of the continuing shortage of fighting men willing to enlist in his army, Washington and Congress soon changed the policy to allow "free Negroes" to join the Continental forces.<sup>14</sup>

Measures to allow enslaved blacks to join the army as well, and to reward them with their freedom in exchange for their service, were initiated over the next several years. One such scheme called for the legislatures of Georgia and South Carolina to create army units comprised of slaves, who would then be freed following their discharge. This plan met with strong opposition in the two states involved, culminating in the threat that South Carolina might even withdraw its support for the war effort. Washington's silence on the matter, and his tempered reaction to the failure of the plan, clearly indicate that he was fully aware of the volatility of the subject, and prefigures his decision to abstain from the heated debates on slavery that were to reoccur during the Constitutional Convention a decade later. The basic issue that Washington saw in 1779 was that the "Spirit of Freedom which at the commencement of this contest would have gladly sacrificed every thing to the attainment of its object has long since subsided, and every selfish Passion has take[n] its place – it is not the public but the private Interest which influences the generality of Mankind nor can the Americans any longer boast an exception." In other words, private interest already had re-established itself as the dominant force in American society, and all efforts to affect the institution of slavery would henceforth be held accountable to it.<sup>15</sup>

Nevertheless, the spirit of liberty that had been so invigorated by the events of the 1770s did manifest itself in a number of important measures affecting the status of America's slaves. In 1777 the constitution for the new state of Vermont completely abolished slavery, and Massachusetts soon followed suit. Many other northern states, such as Pennsylvania in 1780, adopted legislation aimed at gradual emancipation during this period, although it was not until 1804 that New Jersey finally enacted a similar law. Not surprisingly, in the South anti-slavery gains were much more modest. But three southern states, including Virginia in 1782, passed laws that made it possible for owners to manumit their slaves given certain restrictions. It was the provisions of this law that Washington had to respect in formulating the manumission plan outlined in his will.<sup>16</sup>

With his status as the pre-eminent symbol of American Independence confirmed in the days following the peace of 1783, Washington became the focal point for many who sought to adopt the Revolutionary rhetoric on the inalienable rights of man and bring those ideals to bear on other issues. Not surprisingly, probably the most prominent among them were those seeking to abolish slavery throughout the United States. Those who approached Washington on the subject reflect the remarkable diversity of perspectives and approaches found within the growing abolition movement. These included highly principled men, such as the Marquis de Lafayette and several others who served with the General during the Revolution, who knew Washington well and who argued their case on the merits of the principle of universal freedom. Privately, Washington expressed his support for their views, and even encouraged schemes such as Lafayette's idea to establish a colony of freed slaves in Africa, but publicly Washington maintained his unbroken silence.<sup>17</sup>

The most vocal and insistent lobbyists were the Quakers, who for many years had been the largest and best-organized abolitionist group in the country. They were instrumental in the success of the bill that made Pennsylvania the first of the original 13 states to set a term limit to human slavery within its borders. The Quakers shared with Washington in one of their main reasons for opposing slavery, namely the disastrous effects that were almost universally imposed on the family lives of the enslaved. But the Quakers also had largely abstained from, and sometimes actively opposed, the war effort, which did little to endear them to the General. The fact that most Quakers had little or no financial stake in the matter seems to have further reduced their influence in Washington's eyes.<sup>18</sup>

One letter to Washington addressed in December 1785 by Robert Pleasants, a Quaker and a fellow Virginian from Henrico County, serves as a representative example of the tenor of the language and the type of argument that were so often used by petitioners on this topic. Pleasants asked Washington to, "Remember the cause for which thou wert call'd to the Command of the American Army, was the cause of Liberty and the Rights of Mankind: How strange then must it appear to impartial thinking men, to be informed, that many who were warm advocates for that noble cause during the War, are now sitting down in a state of ease, dissipation and extravagance on the labour of Slaves?"

Pleasants was unusual in that both he and his father, John, also a Quaker, had owned slaves. John unsuccessfully attempted to free his slaves in his will in 1771, while his son, Robert, emancipated up to 80 slaves under the provisions of Virginia's 1782 manumission law. Nevertheless, Washington does not appear to have taken the trouble to respond to the

Quaker's letter. Pleasants also sent Washington a pamphlet, described as "on the subject of Slavery," that Pleasants believed had been written by John Dickinson. Dickinson was another prominent Quaker, from Pennsylvania and Delaware, who also owned slaves, and who unconditionally manumitted his bondsmen in 1785. This may have been one of several such pamphlets that Washington had bound into a volume, entitled "Tracts on Slavery," and which was inventoried along with the rest of Washington's 1000-volume library after his death in 1799.<sup>19</sup>

From his position as presiding officer over the Constitutional Convention, Washington had a ringside seat to observe the deep political divisions that split the delegation over the question of slavery. The sectional conflicts that had arisen during the War over the enlistment of free blacks and slaves, the differing approaches taken by the individual states pertaining to the regulation of slavery within their borders, and the conflict over repeated attempts to restrict the international slave trade, all served as precursors to the even more highly charged debates that were to come in the convention hall in Philadelphia. Throughout the extended political maneuvering that was required to resolve the many contentious issues on the table, Washington remained silent, at least in public. But his fundamental support for a constitution that would unify the nation behind a strong central government remained unshakable. From this perspective, slavery was a topic fraught with danger, and one for which a compromise solution was the best that could be achieved.<sup>20</sup>

For Washington, and for the great majority of the founders, a provision for the eventual prohibition of the slave trade was a crucial part of any acceptable compromise. Outlawing the slave trade had been a focal point of contention for decades, being perceived by abolitionists as the most likely first objective in achieving their ultimate goal. The slave trade was considered a great evil, even by many slave-holding southerners who opposed abolition itself. Jefferson renounced the slave trade in his first draft of the Declaration of Independence. Virginia law prohibited further importation of slaves into the Commonwealth beginning in 1778. Therefore, it was almost inevitable that it became a particular focus of debate in the Convention. Opposition to the slave trade was a hallmark of the views of the moderate opponents to slavery, such as Washington, who believed that slavery should be eradicated, but who also were convinced that it could not be ended immediately. By shutting off further importation of slaves, it was widely believed, the demise of slavery would only be a matter of time.<sup>21</sup>

The slave trade proviso that was incorporated into the Constitution, therefore, represented a major victory for moderates, on the one hand, even as it was a bitter pill to

swallow for radical abolitionists. But it also was considered a crucial pro-slavery concession in the South. By stipulating that the slave trade could NOT be prohibited until 20 years had passed, the compromise only postponed the ultimate resolution of the issue, while giving both sides time to bolster their forces. The slave trade was prohibited in due course, but that act had much less impact than the moderate abolitionists assumed would be the case. For as it should have been clear to anyone who bothered to examine the evidence closely, even by 1790 the influx of additional slaves was hardly needed to guarantee that slavery would continue to expand by natural means. With the benefit of another 20 years of imports, when the slave trade finally was prohibited it did little to inhibit the continued precipitous growth of the enslaved population in America. By 1860 the number of slaves had multiplied to more than five times what it had been in 1790.<sup>22</sup>

Scholars continue to debate whether there really was any reasonable chance of adopting a national policy of abolition during the early years of the new republic, even if Washington had whole-heartedly thrown his support behind it. That Washington never seriously considered taking on that role during his presidency is beyond question. First of all, while he was a staunch proponent of strong federal authority, Washington's conception of presidential power was nevertheless quite conservative. Furthermore, he was well aware of the concerns held by many that the powers of the president were already greater than what might be prudent in a democratic form of government, and he was careful to act in a manner that respected those views. Washington's stance on slavery was fully consistent with that perspective, as he remarked privately on several occasions that he would support a plan of gradual abolition, but only if it was initiated by legislative authority.

But the question remains, could an abolition movement headed by Washington have had a chance to succeed? While impossible to know for sure, there are a number of indicators suggesting that much of the momentum enjoyed by the anti-slavery movement in the 1770s and 1780s had been dissipated well before 1790. The revolutionary ardor of the war years had dampened, and had been succeeded by a backlash against some of the earlier legislative gains. While a number of southerners – such as the Quakers Robert Pleasants and John Dickinson, and Washington's fellow Northern Virginian, Robert Carter – continued to manumit sizeable numbers of slaves, hardly a dent was made in the size of the overall enslaved population. In Virginia and throughout the South, news of the slave revolt in Santo Domingo caused a wave of fear that led to even greater retrenchment. Thus, it seems unlikely that a window of opportunity ever really existed when the passage of a nation-wide policy of abolition could have succeeded. But if it did, by 1791 it had closed significantly, if it hadn't

slammed completely shut.<sup>23</sup>

During the last years of his second presidential administration, Washington began to formulate plans for putting his personal affairs in order against the day when he would again, and finally, retire to private life. A major element of his plan called for easing the considerable effort required in overseeing his vast estate by seeking to sell or rent the great majority of his property. He hoped to find a group of progressive English farmers who could be induced to immigrate to America to farm the well tended, but still lamentably infertile, Mount Vernon fields. For Washington this plan would seem to have been the answer to so many of his most heartfelt desires. Not only would he be free of the toil and aggravation caused by the day to day oversight of the plantation, he would escape the frustrations of trying to adapt a system of slave labor to his innovative vision of Mount Vernon's future. And perhaps best of all, Washington would presumably experience the satisfaction of finally witnessing first-hand the benefits of the many innovative farming practices that for years he had been trying to adapt from the English agricultural innovators.<sup>24</sup> The land scheme took on even greater significance for Washington because it was an integral part of his final, concerted attempt in one clean sweep to solve the vexing problem of the disposition of the Mount Vernon slaves. Given the substantial cost of reimbursing the Custis estate for the value of the dower slaves, finding a method whereby he could afford to free them under the provisions of Virginia's 1782 manumission act was a considerable challenge. The first indication of Washington's ambitious plan is contained in a series of letters exchanged in 1794 between he and his secretary and close friend, Tobias Lear, and between Washington and the English agronomist, Arthur Young. As Washington portrayed it to Lear, the plan consisted of two interrelated parts: selling his thousands of acres of western lands and selling or renting the four outlying Mount Vernon farms. By divesting himself of most of his acreage, he would no longer require large numbers of slaves to support himself. This, in turn, would allow him to set free the slaves that he owned. In addition, with the profits from the land sales, Washington hoped to be able to buy the dower slaves from the Custis estate, in order to set them free. Thus would he solve the problem of breaking up the intermarried families, since all of the slaves could be freed at the same time.<sup>25</sup>

That this was Washington's intent, and that it was the most attractive aspect of the entire scheme, is demonstrated by his comments in a letter he wrote to Lear in 1794. Washington outlined the benefits that he hoped would obtain: "I have no scruple to disclose to you, that my motives to these sales ... are to reduce my income, be it more or less, to specialties, that the remainder of my days may, thereby, be more tranquil and freer from cares; and that I may be enabled ...

to do as much good with it as the resource will admit; for although, in the estimation of the world I possess a good, and clear estate, yet, so unproductive is it, that I am oftentimes ashamed to refuse aids which I cannot afford unless I was to sell part of it to answer the purpose.” Then in an aside marked “Private,” Washington went on to elaborate further: “I have another motive,” he wrote Lear, that “is indeed more powerful than all the rest, namely to liberate a certain species of property which I possess, very repugnantly to my own feelings; but which imperious necessity compels.”<sup>26</sup>

In an exchange of letters in 1796 between Washington and his friend David Stuart, Washington reiterated his plans and made it clear that his desire to free both his people and the dower slaves was the primary goal of his actions. Stuart also was a member of Washington’s extended family, as he was married to Eleanor Calvert Custis, the widow of Martha Washington’s son, Jacky Custis. Therefore he was intimately aware of the various issues at hand. The four children of Jacky Custis – Elizabeth, Martha, Eleanor, and George Washington – not only were the heirs to their father’s share of the Custis estate, they also were entitled to take possession of their grandmother’s dower lands and slaves upon her death. It appears that Stuart had contracted to “hire” a number of the dower slaves (from the estate of Jacky Custis) that already had come into the possession of Elizabeth at the time of her recent marriage to Thomas Peter. Given the number of heirs involved and the resulting complexity of the necessary legal arrangements, the scheme may have fallen apart as a result of opposition by the Custis children. This circumstance may have been at least partly what Stuart was alluding to when he referred to Washington’s “intentions” respecting the disposition of the Mount Vernon slaves as “a delicate and perplexing subject.”

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The difficulties relating to his inability to free the Custis “dower” slaves was a complicating factor in any manumission scheme that Washington hoped to implement. This portrait is of Tom, who is purported to be one of the Mount Vernon dower slaves, and who became the property of one of the Custis heirs upon the death of Martha Washington. *Ambrotype, courtesy of the Mount Vernon Ladies’ Association.*



There is no record of George Washington ever considering a plan of gradual manumission, whereby slaves might pay for their own freedom from extra money that they might earn. Interestingly, David Stuart did raise this topic in his response to Washington’s letter of February 7. Stuart proposed that, with respect to freeing slaves, “It has always appeared to me, that their welfare and the safety of the country required that the plan should be gradual. In this point of view, it has occurred to me to be a good preparatory step, to select some one of the most intelligent and responsible Negroes, and rent to him a farm with so many hands furnished with every necessary implement ... that if they conducted themselves well they should be at perfect liberty at the expiration of two or three years either to remain on the farm, or seek employment elsewhere; in short, that they should enjoy perfect liberty.” How this plan actually would have worked is a puzzle (could the slaves really be expected to buy their freedom from the revenues of their labors after so brief a period?). But no matter the viability of such a scheme, there is no evidence that George Washington ever considered adopting it or any other method of allowing the Mount Vernon slaves to earn their freedom.<sup>28</sup>

Unfortunately, Washington received only a few serious enquiries in response to his advertisements to sell or rent the Mount Vernon farms or his western lands. As a consequence, nothing came of Washington’s plan to free the dower slaves. Although he never seems to have expressed his thoughts on the topic in writing, his disappointment must have been acute. Three years later, when he wrote out his last will and testament, this meant that Washington was left with the unpleasant task of devising a final solution for the distribution of Mount Vernon’s slaves.

In the end, George Washington reached yet another compromise. Apparently personally unwilling to face up to the “painful sensations” which he knew would attend the break up of the families, Washington stipulated that his slaves would be freed upon the death of his wife, Martha. Since he knew that she could not free the dower slaves, he was fully aware of the impact of his decision. Clearly uncomfortable with the knowledge that the freedom of so many depended on her death, Martha Washington decided to accelerate implementation of this clause of the will to manumit her husband’s slaves during her lifetime. This was authorized on December 15, 1800 (to take effect the following January 1<sup>st</sup>), just a year after the death of George Washington, and almost 18 months before Martha Washington herself died. While there is no evidence recording the reactions of the Mount Vernon slaves to this event, either on the part of those freed or those who remained in bondage, it must have been the cause of much sadness as well as joy.<sup>29</sup>

With the failure of his land sales and rental scheme, Washington simply did not have the ready money needed to compensate the Custis estate for the value of the dower slaves. But although the legal wrangling to accomplish it may have ultimately proven unsuccessful, and such an act undoubtedly would have been unprecedented, it seems that George Washington might still have found a way to free the Custis slaves if he had been willing to devote a considerable portion of the value of his estate to that end. As he had apparently seriously considered divesting himself of much of his land holdings just a few years earlier in hopes of using that money to pay for freeing the dower slaves, it is puzzling that Washington did not make one final attempt. Or maybe the final decision to give up on the effort to free the dower slaves simply reflects the exhaustion of an old, worn out man. Whatever the reason, the decision indicates that there was an upper limit that even George Washington placed on the value of his principles. Unfortunately, there is no doubt that this was a condition shared by the vast majority of his slave holding contemporaries. Nevertheless, Washington's serious attempt to free all of the Mount Vernon slaves demonstrates his commitment to the principle of emancipation at a time when most of the others of the founding generation of slaveholders were avoiding the issue entirely.

Washington's will swiftly achieved the notoriety envisioned by its author, appearing in print almost immediately, and with no less than 13 editions published in 10 different cities in the year 1800 alone. And yet, if Washington hoped that the decision to free his slaves would lead his countrymen in large numbers to manumit their own bondsmen, he was sadly mistaken. In fact, his example failed to make a significant impression even on the members of his own family. In addition to the dower slaves, which she controlled but did not own, Martha Washington owned just one slave, named Elish. For reasons known only to herself, Martha Washington chose not to manumit Elish, instead passing him on to her grandson in her will. Of the family members who inherited the more than 150 slaves held by the Custis estate, none of them seem to have elected to free more than a very few. Bushrod Washington, the Supreme Court Justice and nephew of George Washington, and the inheritor of the Mount Vernon Mansion and 4,000 acres of the estate, never freed the slaves that he employed at Mount Vernon during his ownership of the plantation. And in fact, he even engaged in the practice most abhorred by his famous uncle – the disruption of slave families through public sale. Finally, almost none of George Washington's peers, either the obscure or the famous, not Jefferson, not Madison, not Monroe, elected to follow their president's example. We can only speculate on how much suffering and injustice might have been spared succeeding generations if they had.<sup>30</sup>

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#### Notes

- 1) The best source for examining George Washington's last will and testament is the printed version found in *The Papers of George Washington, Retirement Series*, Vol. 4, edited by W.W. Abbot (University Press of Virginia, Charlottesville, 1999), Pp. 477-527. Extensive editorial comments also are included, which are instrumental in helping to understand the events and issues surrounding the preparation of the document, as well as for knowing the identities of the many people named. *George Washington and Slavery: A Documentary Portrayal*, by Fritz Hirschfeld (University of Missouri Press, Columbia, 1997), is the most convenient source for examining Washington's writings on slavery. Dorothy Twohig's essay, "'That Species of Property': Washington's Role in the Controversy over Slavery," in *George Washington Reconsidered*, edited by Don Higginbotham (University Press of Virginia, Charlottesville, 2001), Pp. 114-138, is the best recent study of Washington's public role in the slavery controversy.
- 2) For laws regulating the activities of slaves, and relating to the responsibilities of slave owners, see Philip J. Schwarz, *Twice Condemned: Slaves and the Criminal Laws of Virginia, 1705-1865* (Louisiana State University Press, Baton Rouge, 1988). This sum is based on an average value of 40 pounds sterling per slave, a figure suggested as appropriate for the 1780s by Jackson T. Main, "The One Hundred," *The William and Mary Quarterly*, Volume XI(3):356 (1954). Even though many of the Custis slaves were old and past labor, this is probably a conservative estimate. Between 1754 and 1768, Washington purchased numerous slaves, paying between 30 and 60 pounds sterling per individual, with the average price about 50 pounds sterling, Hirschfeld, *George Washington and Slavery*, 1997, p. 12. The figure 898 pounds sterling is given in an accounting made by Washington on February 2, 1798, Mount Vernon Farm Ledger, 1797-98, copy in Washington MSS, Mount Vernon Ladies' Association, Folio 87.
- 3) *The Papers of George Washington, Confederation Series*, Vol. 4, edited by W.W. Abbot (University Press of Virginia, Charlottesville, 1999), p. 394. I know of no other instance of a Virginian attempting to emancipate slaves held in this unusual legal condition.
- 4) For a thoughtful appraisal of the issues involved in Washington's decision to free his slaves, see John P. Riley, "'Written With My Own Hand': George Washington's Last Will and Testament," *Virginia Cavalcade* 48(4):168-177 (1999).

- 5) See Hirschfeld, *George Washington and Slavery*, 1997, to trace Washington's changing attitudes.
- 6) The two best biographies of George Washington provide ample evidence of Washington's long-term dedication to the cause of American liberty and the creation of a strong federal government: Douglas S. Freeman, *George Washington: A Biography*, 7 volumes (Charles Scribner's Sons, New York, 1948-57), and James T. Flexner, *Washington, The Indispensable Man* (Little, Brown and Company, Boston, 1974).
- 7) Two recent treatments of Washington's years as president are: Jack D. Warren, Jr., *The Presidency of George Washington* (Mount Vernon Ladies' Association, Mount Vernon, Virginia, 2000), and Richard Norton Smith, *Patriarch: George Washington and the New American Nation* (Houghton Mifflin, Boston, 1993).
- 8) Joseph J. Ellis, *Founding Brothers: The Revolutionary Generation* (Alfred A. Knopf, New York, 2001), Pp. 81-119, provides a remarkably perceptive yet concise analysis of the larger issues involved in the debate on the topic.
- 9) Quoted in Hirschfeld, *George Washington and Slavery*, 1997, Pp. 28-29; quoted in Twohig, "'That Species of Property,'" 2001, p. 128.
- 10) *Papers of George Washington, Confederation*, Vol. 4, p. 243.
- 11) Washington's business affairs during the 1770s, and the impact of their successes and failures on his political thinking, are chronicled in, Bruce A. Ragsdale, "George Washington, the British Tobacco Trade, and Economic Opportunity in Prerevolutionary Virginia," *Virginia Magazine of History and Biography*, 97(2):133-162 (1989).
- 12) In addition to Ragsdale, "George Washington ... the Tobacco Trade," 1989, a good brief examination of Washington's agricultural pursuits can be found in, Alan and Donna Jean Fusonie, *George Washington, Pioneer Farmer* (Mount Vernon Ladies' Association, Mount Vernon, Virginia, 1998). See also, Lorena S. Walsh, "Slavery and Agriculture at Mount Vernon," in *Slavery at the Home of George Washington*, edited by Philip J. Schwarz (Mount Vernon Ladies' Association, Mount Vernon, Virginia, 2001), for an in-depth analysis of the impact that changing agricultural practices had on the lives of the Mount Vernon slaves.
- 13) *Papers of George Washington, Retirement*, Vol. 4, p. 256.
- 14) *The Papers of George Washington, Revolutionary War Series*, Vol. 2, edited by W.W. Abbot (University Press of Virginia, Charlottesville, 1987), p. 354; Hirschfeld, *George Washington and Slavery*, 1997, Pp. 141-152.
- 15) Quoted in Twohig, "'That Species of Property,'" 2001, Pp. 119-120.
- 16) Good sources for understanding the legal restrictions on slavery that were implemented during this period include: Ira Berlin, *Many Thousands Gone: The First Two Centuries of Slavery in North America* (Harvard University Press, Cambridge, Massachusetts, 1998), Peter Kolchin, *American Slavery, 1619-1877* (Hill and Wang, New York, 1993), and Schwarz, *Twice Condemned*, 1988. The standard history of the abolitionist movement is by, Mary S. Locke, *Anti-Slavery in America, from the Introduction of African Slaves to the Prohibition of the Slave Trade (1619-1808)*, (Peter Firth, Gloucester, Massachusetts, 1901[1965]).
- 17) Hirschfeld, *George Washington and Slavery*, 1997, Pp. 179-206; Twohig, "'That Species of Property,'" 2001, Pp. 124-130.
- 18) Twohig, "'That Species of Property,'" 2001, Pp. 124-126; Hirschfeld, *George Washington and Slavery*, 1997, Pp. 193-206; Locke, *Anti-Slavery in America*, 1965.
- 19) *Papers of George Washington, Confederation*, Vol. 3, Pp. 449-451. *Inventory of the Contents of Mount Vernon, 1810* (The University Press, Cambridge, 1909).
- 20) Twohig, "'That Species of Property,'" 2001, Pp. 124-125. There are an enormous number of studies of the workings of the Constitutional Convention; an interesting recent appraisal of the motives of the founders in relation to the slavery question is, Thomas G. West, *Vindicating the Founders: Race, Sex, Class, and Justice in the Origins of America* (Roman & Littlefield, New York, 2001), Pp. 1-36.
- 21) Kolchin, *American Slavery*, 1993, Pp. 79-80.
- 22) Kolchin, *American Slavery*, 1993, Pp. 85-92.
- 23) Ellis, *Founding Brothers*, 2001, p. 118, and Twohig, "'That Species of Property,'" 2001, Pp. 123-125, concur that the possibility of successfully restricting slavery nation-wide at this time was remote, at best.
- 24) See Jean B. Lee, "Mount Vernon Plantation: A Model for the Republic," in *Slavery at the Home of George Washington*, edited by Philip J. Schwarz (Mount Vernon Ladies' Association, Mount Vernon, Virginia, 2001), Pp. 13-46, for a particularly insightful examination of Washington's plantation management practices, and how they related to his vision for the new nation.
- 25) *The Writings of George Washington*, Vol. 33, edited by John C. Fitzpatrick (United States Government Printing Office, Washington, DC, 1940), Pp. 174-183, 353-360, Fitzpatrick, *Writings*, Vol. 34, Pp. 452-454.
- 26) Fitzpatrick, *Writings*, Vol. 33, Pp. 358.

- 27) I am indebted to Henry Wiencek for bringing the significance of the Washington-Stuart correspondence to my attention, and to Frank Grizzard and The Papers of George Washington editorial project for providing me with a transcript of the as yet unpublished Stuart letter. Washington's letter to Stuart is published in Fitzpatrick, *Writings*, Vol. 34, Pp. 452-454; Stuart's letter to Washington is in the collection of the Library of Congress, DLC:GW (Library of Congress, George Washington Papers). The last surviving offspring from the marriage of Martha Dandridge and Daniel Parke Custis was John Parke Custis, who died in 1781. His four children were entitled to share their father's estate, as well as the remainder of the estate of Daniel Parke Custis, made available upon the death of his widow, Martha Dandridge Custis Washington. The children were: Martha Parke Custis, Elizabeth Parke Custis, Eleanor Parke Custis, and George Washington Parke Custis, all of whom survived their grandmother, Frank E. Grizzard, Jr., *George Washington: A Biographical Companion* (ABC-CLIO, Santa Barbara, California, 2002); see Hirschfeld, *George Washington and Slavery*, 1997, Pp. 221-222.
- 28) David Stuart to George Washington, Library of Congress, DLC:GW (Library of Congress, George Washington Papers).
- 29) *Papers of George Washington, Retirement*, Vol. 4, Pp. 494; Hirschfeld, *George Washington and Slavery*, 1997, Pp. 209-223.
- 30) Joseph Sabin, *A Dictionary of Books Relating to America, From its Discovery to the Present Time* (Reprinted by Mini-Print, New York, 1962), Pp. 417-419. Jean B. Lee, "Historical Memory, Sectional Strife, and the American Mecca: Mount Vernon, 1785-1853," *Virginia Magazine of History and Biography* 109(3):255-300 (2001).



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