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A Dark Record: Criminal Discourse and the African American Literary Project, 1721-1864

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A DARK RECORD: CRIMINAL DISCOURSE AND THE AFRICAN AMERICAN
LITERARY PROJECT, 1721-1864

by

BRIAN BAAKI

A dissertation submitted to the Graduate Faculty in English in partial fulfillment of the
requirements for the degree of Doctor of Philosophy, The City University of New York

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Brian Baaki

This manuscript has been read and accepted by the Graduate Faculty in English in satisfaction of the dissertation requirement for the Degree of Doctor of Philosophy.

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ABSTRACT

A Dark Record: Criminal Discourse and the African American Literary Project, 1721-1864

by

Brian Baaki

Advisor: Robert Reid-Pharr

A Dark Record charts the emergence and traces the evolution of a central figure in American culture, the myth of the black criminal. It does so both to explore the ideological effects of print, and to present an alternative history of African American literature. Historians have long maintained that the association of African Americans with crime solidified in our national culture during the post-Reconstruction period, the nadir for African American civil rights, with a corresponding rise in the over-policing of black individuals and communities. For its part, my study looks back from the post-Reconstruction period, and examines the role earlier American literature and print culture played in making the association of blackness with criminality (an association that arguably still remains in our present culture) so readily accepted by the end of the nineteenth century. Examining an archive of texts spanning from the colonial era execution sermons of Puritan New England, to slave narratives and fiction of the Civil War period, my study reveals an association of black people with crime as perhaps one of the oldest tropes in Anglo-American literary production. Yet I also view criminal discourse as a key point of entry for African American authors and literary subjects into the nation's cultures of print. This work ultimately argues that a sharpened focus on the issue of black criminality provides a new understanding of the first periods of the nation's literature, as well as a more complete view of African American literary history.

TABLE OF CONTENTS

Introduction—Criminal Discourse and African American Literary History, 1

Chapter One—Circulating the Black Rapist: *Sketches of the Life of Joseph Mountain* and Early American Networks of Print, 21

Chapter Two—Murder and Authorial Control in the African American Criminal Confession, 66

Chapter Three—Criminal Discourse and Antebellum African American Literature, 102

Epilogue—African American Crime and Physiognomic Analysis in Melville's *Benito Cereno*.
142

Works Cited, 164

Introduction

Criminal Discourse and African American Literary History

The 1890s and first few years of the twentieth century were a remarkable decade in the history of African American letters. While recent scholarship has attempted to fill in the gaps between the close of the Civil War and this later period, showcasing the valuable efforts of African American authors in the fields of life writing and periodical literature,¹ the list of names and works from this short span of literary history is still staggering. Beginning with Frances Harper's historical novel *Iola Leroy* (1892), we find here the political writings of Anna Julia Cooper and Ida B. Wells, the poetry and novels of Paul Laurence Dunbar, the fiction of Charles Chesnutt, Sutton Griggs, and Pauline Hopkins, and the debate captured in the innovative prose of Booker T. Washington and W.E.B. Du Bois. In turn, several of the most significant works of African American literary criticism and theory have sought to articulate the precise contribution of this body of texts. In *Modernism and the Harlem Renaissance* (1987), Houston Baker asserts that the 1890s, and not the Harlem Renaissance of the 1920s, marked "the commencement of an Afro-American modernism" (15), emanating from the writings of Washington, Chesnutt, and Du Bois. Pointing to a potential gender bias in Baker's study, Hazel Carby's *Reconstructing Womanhood* (1987) looks to the literary output of Harper, Cooper, Wells, and Hopkins to establish a "black women's renaissance" in the final decade of the nineteenth century. Finally, in his more recent work *What Was African American Literature?* (2011), Kenneth Warren maintains that African American literature itself did not emerge as a coherent cultural project until the era of Jim Crow segregation, legally "established in 1896 with the U.S. Supreme Court's decision in *Plessy v. Ferguson*" (1).

¹ Two important works in this vein are William L. Andrews' anthology *Slave Narratives After Slavery* (2011) and Eric Gardner's *Unexpected Places*.

Marked as the beginning of African American literary modernism, a high point in African American women's writing, and the inception of an African American literary tradition, the writings of black American authors from what we may term the "long 1890s" have received grand claims from critics in terms of their lasting import. Yet, in addition to the aesthetic sophistication and political coherence of this literature, attentive readers will notice just how saturated these works are with the issue of African American criminality. Redressing stereotypes of African Americans and crime, particularly the crime of rape, is an impetus behind Ida B. Wells two studies of the Post-Reconstruction lynching crisis: *Southern Horrors* (1892) and *A Red Record* (1895). African American agents of crime, African Americans falsely accused of crimes, and the specter of African American incarceration lubricate the plots of Chesnut's *The Marrow of Tradition* (1901) and Dunbar's *The Sport of the Gods* (1902)—not to mention James Weldon Johnson's later *The Autobiography of an Ex-Colored Man* (1912). More surprising, perhaps, discussions of crime recur throughout Washington's *Up from Slavery* (1901) and Du Bois' *The Souls of Black Folk* (1903), a dark shadow to the loftier topics of education and political enfranchisement.

The importance of criminality in fin de siècle African American literature can partially be explained by the tenuous position of blacks in the Post-Reconstruction south and the easy absorption African American men and women into a corrupt criminal justice system. Following the removal of federal troops in 1877, a social and political system emerged in the southern states that, to borrow the title of one historical study, established the conditions of *Slavery by Another Name*. At this time, landowners increasingly relied on a contract system for hiring African American farm laborers. Under this system, workers were legally bound to their employers and could be arrested and tried for leaving their farms or plantations, that is, for

walking off the job (Daniel 19-20). If prosecuted, these workers would likely become part of a growing convict lease system. As H. Bruce Franklin explains, “Under the convict lease system, prisoners were rented out to landowners, railroad and mining companies, or contractors who then sublet them to employers. The private lessee guarded, disciplined, fed, housed, and worked the convict as he saw fit. This system was indistinguishable from slavery except for the element of ‘crime’ and the much higher mortality rate” (103). To ensure a steady supply of workers for this profitable system, innocent African Americans were routinely prosecuted for false charges of robbery, assault, rape, and murder, as well as for more vague and innocuous crimes like vagrancy, loitering, drunkenness, and disturbing the peace.

The prevalence of criminal discourse in late nineteenth-century African American literature becomes even more understandable when we consider the frame recently established by historian Khalil Muhammad. In *The Condemnation of Blackness* (2010), a work that takes its title from Du Bois, Muhammad argues that the 1890s were the moment in which the association of blackness with criminality was solidified in the American cultural imaginary. Adding a new geographical emphasis, however, Muhammad argues that this cultural perception equally, if not largely, emerged in the urban north. A key event in Muhammad’s analysis is the national census of 1890. As the historian explains, “The census marked twenty-five years of [African American] freedom and was, consequently, a much-anticipated data source for assessing blacks’ status in a post-slavery era” (4). In Muhammad’s view, one major result of the census was to establish notions “about blacks as a distinct and dangerous criminal population” (3), as it reported that “African Americans as 12 percent of the population, made up 30 percent of the prison population” (4). Failing to take into account the race-based corruption of the nation’s criminal justice system, both in the old south and urban north, these figures in turn helped to foster that

very system. Moreover, the seemingly objective nature of the census findings bolstered the spurious notion that African Americans were more prone to criminality than native whites, white ethnics, or other non-black ethnic and immigrant groups. Muhammad therefore states, “For white Americans of every ideological stripe—from radical southern racists to northern progressives—African American criminality became one of the most widely accepted bases for justifying prejudicial thinking, discriminatory treatment, and/or acceptance of racial violence as an instrument of public safety” (4).

I begin with the 1890s, the importance of its literature in African American literary history, and the importance of criminality to that literature, because this study is concerned with the role earlier American literature and print culture played in making the association of blackness with criminality (an association that arguably still remains in our present culture) so readily accepted by the end of nineteenth century. At the same time, this study makes a case for the fundamental role of criminal discourse in the development of an early African American literary project. Examining an archive of texts spanning from the colonial era execution sermons of Puritan New England, to the slave narratives and fiction of the Civil War period, this work reveals an association of black people with crime as perhaps one of the oldest tropes in Anglo-American literary production. It therefore demonstrates the ways in which relatively modern ideologies of black criminality had a long prehistory extending back into the colonial, early national, and antebellum periods. Yet this project also views criminal discourse as a key point of entry for some of the first African American authors and literary subjects into the nation’s cultures of print. Charting the emergence and tracing the evolution of a central figure in our national culture, the myth of the black criminal, this work simultaneously presents an alternative history of African American literature.

Unlike the aforementioned literature of the 1890s, the issue criminality appears largely absent from the first texts of the African American literary canon. The first slave narratives of Briton Hammon (1760), James Albert Ukawsaw Gronniosaw (1772), Olaudah Equiano (1789), and Venture Smith (1798) are primarily concerned with recalling their subjects' fortuitous conversions to Christianity. At the service of a transnational abolition movement, these works are also devoted to detailing the horrors of the slave system, and thus have little interest in addressing negative cultural stereotypes still taking form in the national imaginary.

For the aims of this study, one of the most important bodies of writing then becomes the published confessions of executed African American criminals from the colonial and early national periods. Criminal confessions developed as an autonomous literary genre in colonial America out of printed versions of execution day sermons preached by Puritan ministers. As a part of the execution day spectacle, large crowds first gathered to attend a church service at which the condemned was also present. Here, a minister, typically chosen by the condemned himself, and often of considerable fame, preached a sermon that rivaled the execution for the most important event of the day. While sermons were a best-selling genre in colonial America, the printed versions of execution sermons had an added appeal, in that they typically contained a first-person biography of the executed criminal, likewise written by the clergyman. Beginning in the 1730s, and becoming more commonplace as the century progressed, the autobiographical narratives of condemned criminals then began to be printed and sold in pamphlet and broadside form apart from execution day sermons. This enabled printers to produce their texts prior to the execution spectacle, and sell them to the crowds gathered to witness those events, rather than weeks afterwards when public fervor had somewhat abated. Printers and legal officials with access to the condemned in prison then began to replace clergy as the typical scribes of criminal

confessions. The didacticism of religious authority thereby ceded some ground in the genre to a growing sensationalism and the more commercial concerns of printers.

Despite this more secular appeal, criminal confessions began to lose their preeminence among other types of crime literature in America around the turn of the nineteenth century. The genre first came to be eclipsed, in terms of commercial viability and cultural influence, by the poly-vocal form of the trial report in the first quarter of the nineteenth century. Documenting the multiple testimonies presented at criminal trials, rather than one person's slanted view of events, these texts offered readers a greater semblance of objectivity and claim to truth than the subjective, first person criminal confession was able to convey. Because of this, trial reports worked to instill confidence in American legal institutions in the turbulent first decades of the new nation, and therefore provided an added attraction to early American readers (Cohen 26-28). More important to the demise of the criminal confession, though, was the development of the penny press in America, beginning in the late 1820s. New printing technologies led to the creation of these affordable newspapers, marketed for the first time in America to working class readers. The advent of the penny press further coincided with the abolition of public executions throughout the states in the 1830s. The narratives of the condemned criminals, originally sold to motley crowds at or near the site of public executions, largely moved into popular newspapers as executions moved behind prison walls (Masur 114).

While whites of varying ethnicities comprised the subjects of criminal confessions, the appearance of African Americans in the genre conveyed a separate meaning. In terms of sheer numbers, there were more first person biographies of executed African American criminals published during the eighteenth century than slave narratives. In fact, there were only four slave narratives published before 1800: those of Briton Hammon (1760), James Albert Gronniowsaw

(1770), Olaudah Equiano (1789), and Venture Smith (1798). By contrast, there were at least nine known first-person biographies of executed African American criminals published during the same period: the confessions of Fortune (1762), Bristol (1763), Arthur (1768), Johnson Green (1786), Joseph Mountain (1790), Pomp (1795), Thomas Powers (1796), Abraham Johnstone (1797), and Stephen Smith (1797). Overshadowing other types of African American life writing published in the eighteenth century, criminal confessions with black subjects further held a disproportionate place in the genre as a whole. Richard Slotkin records that texts with African American subjects make up “some 14% of the total” of all criminal confessions published prior to 1800, “higher by far than [the black] percentage of the New England population” at the time (17). The appearance of black subjects in the criminal confession genre thus seems to have had an effect similar to the 1890 census. That is, much like the misleading statistics regarding blacks and crime presented in the census, the disproportionate presence of African Americans in criminal confession literature provided early America with a seemingly objective indicator of the criminal propensities of black people.

This is not to suggest, though, that the representation of black subjects remained static or unchanging in criminal narrative published throughout the eighteenth century. Indeed, African Americans appeared in a different light, and served a much different purpose, in this literature as it moved from the control of Puritan divines to the hands of enterprising printers. In Puritan execution sermons and criminal biographies, the subject typically appears as a prime exemplar of man’s sinful nature, a “common sinner with whom a community of sinners were urged to identify in the service of their own salvation” (Halttunen 4). Whether white or black, then, the subjects of these texts are presented as someone with whom the audience should identify, even as they take his or her life as a warning of the wages of sin. As an Enlightenment sensibility then

took hold, and printers and legal officials began to replace clergy as the typical authors of criminal confessions, the malefactor's race assumed a new importance. The authors of these later texts looked beyond innate depravity in a search for rational or environmental explanations for crime (Halttunen 42-43). Race then began to appear in late eighteenth-century criminal biography as one such seemingly objective factor leading to a subject's life of crime.

Granted, this is a difficult case to make, as Puritan era execution sermons and criminal biographies are often more explicitly racist than their later eighteenth-century counterparts. Richard Slotkin thus identifies the use of the "black example" in these Puritan texts. Discussing Cotton Mather's *Tremenda* (1721), the first single subject execution sermon published in North America with a black subject,² Slotkin observes that, "The sermon...is similar in its theological presumptions to those preached for white miscreants, and Mather frequently reminds his audience of this kinship in sin (both Original and habitual) with the Blackness before them. But if the ideology is non-discriminatory, the imagery is more intensely heightened for the black criminal" (10). Slotkin then quotes a passage from Mather's text that suggests a clear predilection in blacks for crime, as well as an aberrant sexuality: "A WICKED MAN is a *Sinner*, who *Loves* to be a *Sinner*...He serves divers *Lusts*. His *Lusts* have an absolute command over him. The *Motions* of his *Lusts*, have an irresistible Force upon him. He can't Resist his *Criminal Propensities*. He can't mortify his *Carnal Appetites*" (10). Such overt racism is difficult to locate in African American criminal confessions from the latter half of the eighteenth century. Yet the presentation of race as a rationally identifiable factor leading to crime not only appears in more muted and suggestive ways in these later works, but also proliferates as the century progressed.

² This text, discussed at greater length in Chapter Two, concerns the case of Joseph Hanno, a free black resident of Mather's native Boston, convicted for murdering his wife. In addition to a copy of Mather's sermon, *Tremenda* also contains the transcript of a supposed interview the Puritan divine conducted with Hanno in jail.

A desire to flesh this point out motivates the close readings of individual texts to follow in this study.

As criminal confessions moved from the control of Puritan clergy to commercial printers in eighteenth-century America, so too did their primary locations of production and distribution. As the previous paragraph suggests, Cotton Mather was an important figure in the development of the criminal confession genre. Mather, in fact, first gathered an assortment of criminal biographies, and published them without their complimentary execution sermons, in a 1699 collection titled *Pillars of Salt*. This text, like most of Mather's literary output, was published in his native Boston. Yet criminal confession literature truly proliferated once printers in much smaller towns and cities scattered across the Northeast began to produce texts in response to local crimes and capital punishments. Typically, this local event led to the printer's only foray into the original publication of criminal biography. For instance, the printing firm T. & S. Green, based in New Haven, Connecticut, published a newspaper, *The Connecticut Journal*, as well as an assortment of edifying pamphlet literature marketed to Yale students.³ The local trial and execution of African American Joseph Mountain in 1790, though, prompted the firm to print the first-person criminal biography *Sketches of the Life of Joseph Mountain*, authored by local attorney David Daggett. Originally produced in response to local crimes, criminal confessions would then commonly travel to other regional printers, who would copy and resell the works. Again, *Sketches of the Life of Joseph Mountain* provides an instructive example. Mountain's biography was copied and resold by printers in Hartford, Connecticut, Boston, and Bennington, Vermont, and even appeared in two German language editions published in Pennsylvania. In *Revolution and the Word*, Cathy Davidson mentions the "cumbersome printing techniques and

³ A more thorough description of this firm's catalogue appears in chapter one of this study.

inefficient methods for distribution” that plagued the development of the early American novel (76). Building upon Davidson’s work, Trish Loughran, in her important study *The Republic in Print*, argues that because of these early limitations in technology and distribution “a mutually informed, or *national*, discourse did not emerge via print [in America] until different parts of the country were in [the type of] sustained contact” brought about “through the creation of new and faster routes via steam, canal, and rail,” changes that did not fully occur until the second quarter of the nineteenth century (23). Yet, despite the delayed appearance of this type of national print culture, early American printers proved their ability to spread a message about crime—and in many cases, a fictive message of black criminality—across a relatively broad swath of the Northeastern states.

The fundamental role of Puritan clergy and small town printers in the early American criminal confession further suggests the inapplicability of these texts to theoretical models developed to explain European criminal discourse. Foucault’s influential view of the execution spectacle and its corresponding literature as an arm of state power seems inappropriate here, given both the Puritan focus on sin (Halttunen 22-23) and the commercial aims of local printers. Likewise, Peter Linebaugh’s contrary view of eighteenth-century British criminal biography as an authentic representation of the lives of a criminal proletariat, or “a unique and inestimable source of knowledge of the poor people who were hanged” (xxi), does not seem to travel to an early American setting. The subjects of American criminal confession literature from the colonial and early national periods were first used to elucidate the wages of sin and vice, and then to advance the differing agendas of their printers and scribes. Again, though, while a clear sense of white superiority emerges in the genre throughout the eighteenth century, and criminal confessions with black subjects were increasingly used to advocate for a greater suppression of

African American rights, the hand of the state is difficult to access in texts produced in such scattered locales, and under such a diffuse array of circumstances.

In contrast to its awkward relation to continental theory, the popular genre of the criminal confession has had a lasting influence on the African American literary tradition and its corresponding theory and criticism. This is somewhat surprising, as criminal confessions with African American subjects (almost exclusively authored by white scribes) mainly advance pro-slavery or pro-colonization arguments, suggesting that people of African descent are prone to criminality, and thus unfit to exist in the developing nation. Nevertheless this punitively designed genre has received sustained, if sporadic attention from important scholars of African American literature and culture since the 1970s. In a groundbreaking 1973 *American Quarterly* article, Richard Slotkin first analyzed the ideological aims of the early African American criminal confession and provided an exacting bibliography of “NARRATIVES AND EXECUTION SERMONS BY OR ABOUT BLACK CRIMINALS” published before the nineteenth century (Slotkin 28). H. Bruce Franklin then placed these texts at the head of a long tradition of African American prison writing in his pioneering study *Prison Literature in American: The Victim as Criminal and Artist* (1978).

Later critics would set the tone for literary-critical work on the genre, considering the place of the criminal confession in relation to the development of the slave narrative and later African American literary tradition. In *Witnessing Slavery* (1979), Frances Smith Foster stressed the fundamental role of early crime writing on “the emergence of the black narrator,” explaining that “before the nineteenth century, it was rare that a writing was primarily concerned with relating the experience of a single black person...When a black person as...subject gave way to the black person as narrator, the most common protagonist was the social degenerate” (36).

William L. Andrews would make related claims in *To Tell a Free Story* (1986), arguing that the biographies of African American criminals occupied the same “discursive field” as the first slave narratives (23), and pointing out that the “largest group of slave narratives” published between the years 1760-1810 were “the confessions of condemned black felons” (33). Finally, in her more recent study, *In the Shadow of the Gallows* (2012), Jeanine DeLombard asserts that the early African American criminal confession “endowed its putative enunciator, the black persona, with an undeniable civic presence” (32), one that prepared a way for the acceptance of later slave narrators in the print public sphere. In addition to directing further attention to a neglected, yet culturally significant genre, the work of these critics forces us to recognize the important place of the criminal confession in the development of the slave narrative.

This study builds on the work of these scholars, but differs in several important ways. Like Richard Slotkin, and historians who have followed his work, I examine eighteenth-century African American criminal confessions to trace the early construction of the black criminal in American culture. Yet, rather than a broad overview, I employ intricate readings of culturally significant texts to provide a more detailed sketch of the historical development of this figure. This leads to some surprising results. For instance, in the first chapter, we see the myth of the black rapist—a character that would play such an important role in black criminal discourse of the post-Reconstruction period—emerging in the 1790 biography of Joseph Mountain as a response to the pressing threat of multi-ethnic, proletarian revolt. This work also differs from Slotkin’s foundational study, in that it continues to trace the construction of the black criminal in texts from the antebellum period. As previously stated, the new publication of criminal confession literature largely ceased by this time. It therefore becomes necessary to access a different set of texts from the era to further the aims of this study. Thus, in chapters three and

four, I examine newspapers, published police reports, slave narratives, and fiction from the antebellum period to provide a more complete view of the ongoing construction of the black criminal in American culture. Viewing these texts as a continuation of a discourse begun in early African American criminal confessions has value in two respects: (1) it provides a fresh explanation for the inclusion of elements in antebellum literature commonly interpreted as a response to the threat of black slave revolt alone, and (2) it fills in a gap between the work of historians (like Slotkin) who have traced the construction of the black criminal to eighteenth-century New England and later scholars (like Muhammad) who have established the firm appearance of this figure at the end of the nineteenth century.

This study further takes issue with the established view of the criminal confession in African American literary history, in that it both works to complicate the relation of the criminal confession to the slave narrative, and decenter the place of the slave narrative in its historical arc. As we have seen, important critics such as Frances Smith Foster, William L. Andrews, and Jeanine DeLombard all view the published biographies of early African American criminals as part of an evolution of the slave narrative. While most early black criminal confessors were also enslaved, criminal confessions were produced under much different circumstances and with political aims largely at odds with the primary purpose of the slave narratives. In this light, critical work that suggests the influence of the criminal confession on the development of the slave narrative appears either too vague in its analysis of the relation between the genres, or too celebratory in its view of the criminal confession as providing a rare voice to the early black subject. Rather than priming the public for its later acceptance of the slave narrative by introducing them to the genre's characteristic features—an emphasis on a rebellious masculinity, a first-person black narrator—the influence of the criminal confession on later African American

literature would seem to lay in another direction. That is, criminal confessions are more usefully understood as having established a *discourse* of black criminality that both slave narrators and African American authors working in a variety of genres were forced to address in their writings. By focusing on *discourses* of crime, rather than styles of narration, we thus shift the importance of the slave narrative in our study, and view crime as an issue that both permeates and motivates an array of African American literary production throughout the nineteenth century. With this emphasis in mind, the post-Reconstruction era becomes a much more fitting end date than the antebellum period.

This study adds to recent scholarship that looks beyond the slave narrative to provide a more complete portrait of early African American literary history. While the incorporation of Black Studies into the academy led to the reprinting of an array of early African American writing in the 1960s and 70s, and Dorothy Porter's 1971 anthology *Early Negro Writing, 1760-1837* contains early black texts from a variety of genres (including criminal confessions), such efforts revitalized following the publication of Paul Gilroy's *The Black Atlantic* (1993). Gilroy's work points to a search for new archives in its identification of a "counterculture of modernity" located in an early black expressive tradition (5). In turn, works like Robert Reid-Pharr's study of the first African American novels *Conjugal Union* (1999), Joycelyn Moody's analysis of the spiritual biographies of nineteenth-century African American women *Sentimental Confessions* (2003), Vincent Carretta's *Unchained Voices: An Anthology of Black Authors in the English Speaking World of the Eighteenth Century* (2003), and the more recent essay collections *Beyond Douglass* (2009) and *Early African American Print Culture* (2012), to list only a few exemplary titles, both broaden our view of early African American literary production and provide theoretical and pedagogical imperatives. Furthermore, as Reid-Pharr states in his contribution to

The Cambridge Companion to the African American Slave Narrative, such scholarship rejects “the ‘Big Bang Theory’ of Black American literature” (143), or search for founding figures such as Phyllis Wheatley (in poetry) or Frederick Douglass (in the slave narrative), and instead considers that “there was an impressive amount of cross-fertilization between different genres of black writing in early national and antebellum America” (139-140).

Still, a “problem” genre like the criminal confession forces a reconsideration of what truly defines an (early) African American literary project. Advancing claims of black inferiority, and often advocating on behalf of pro-slavery or pro-colonization forces, the purpose of criminal confession literature differs radically from the first African American novels, newspapers, political tracts, plays, and poems, in addition to the slave narratives. In this light, critics Lara Cohen and Jordan Stein’s recent disavowal of the “black authorship” premise of African American literature as “literature written *by* (rather than *for* or *about*) African Americans” (14), and contrary endorsement of a “history of the book approach” to the study of “of the earliest African American texts” (14), seems unfinished in its application to early African American criminal narrative. More valuable to an assessment of criminal biographies with early black subjects, then, are theories that define an African American literary project by its political aims. Thus, in *The Black Atlantic*, Paul Gilroy defines a black expressive tradition or “expressive counterculture not simply as a succession of literary tropes and genres but as a philosophical discourse which refuses the modern, occidental separation of ethics and aesthetics, culture and politics” (38-39). Similarly, Kenneth Warren, in *What Was African American Literature?*, views a later African American literary project formed in opposition to “the social world defined by Jim Crow segregation” (1-2). Such theories point both to the problems inherent in the criminal confession genre, as well as to the significance of these texts in an ongoing tradition of African

American letters. Rather than an authentic representation of the lives and words of early black subjects, criminal confessions establish a discourse of black criminality that both contemporary and later African American authors—working in a variety of genres—were compelled to address in their writings.

Acknowledging the importance of criminal discourse in an ongoing tradition of African American arts and letters suggests the contemporary relevance of this study. Indeed, frequently cited incarceration rates for African American males and recent protests against police violence in black communities makes this point all the more apparent. Nevertheless, I would like to pause to consider the *irrelevance* of the (historically based) analysis presented in this study. For starters, consider the myth of the black rapist, a figure so important to the history, and historiography, of the black criminal in American culture. While certain sexual stereotypes no doubt persist, one would be hard pressed to find anyone—even the most ardent racist—who takes seriously the idea that black men want to rape white women. Yet this notion fueled one of the most horrific moments in our nation’s history, a lynching crisis that continued well into the twentieth century. However, we now see the threat of rape (among other violent and property crimes) currently employed in anti-immigration rhetoric. The recent, and politically motivated, application of this type of rhetoric to Latino immigrants points to a distinctive feature of eighteenth- and nineteenth-century African American criminal discourse—that it was inextricably linked to questions of national belonging. The common endorsement of colonization in early African American criminal narrative both makes this point glaringly obvious and establishes a clear relation to contemporary discourses of crime applied to non-black immigrant groups, the point of which, of course, is to argue on behalf of deportation, or a “closing of the borders.” Following the Civil Rights legislation of the 1960s, though, the place of native-born

blacks in the American polity was, and is, no longer a question. Despite their strong resemblances, then, the debates over African Americans and crime analyzed in this study and contemporary discourse of black criminality—along with their corresponding protests—are prompted by a separate (if related) set of issues and concerns.

My first chapter examines a body of texts produced in response to the criminal trial of Joseph Mountain in order to illuminate the early construction of the black rapist in American print. The central text in my analysis is Mountain's own "criminal confession," or first person criminal biography, *Sketches of the Life of Joseph Mountain* (1790). Evidence suggests both the widespread popularity of this work and its larger cultural influence. The first narrative of a condemned African American rapist published in twenty-two years, Mountain's story was shortly followed by a string of criminal biographies representing African Americans convicted of rape. Yet my analysis views Mountain's text as produced in response to a different set of concerns than these later narratives, all of which appeared after the commencement of the Haitian Revolution in 1791. Drawing upon historians Peter Linebaugh and Marcus Rediker's concept of a "Caribbean Cycle of Rebellion," I position Mountain's biography as a response not merely to concerns over black slave revolt alone, but to a related, if more immediate threat of cross-racial, proletarian revolution. My research examines the larger print records of Mountain's publisher and amanuensis to make this case. At the same time, I explore Mountain's potential as a literary subject to bypass the aims of his publisher and scribe, as, throughout his narrative, he repeatedly resists both the early figuration of the black rapist and larger claims regarding African American inferiority.

My second chapter further considers the place of popular crime narrative in the development of an African American literary project. Here, I examine a constellation of texts from the turn of the nineteenth century representing African Americans accused of murder: *The Dying Confession of Pomp* (1795), *The Address of Abraham Johnstone* (1797), and *The Confession of John Joyce* (1808). Offering unqualified defenses of their subjects' actions, and working either to explain or staunch charges of murder, these three texts mark an appropriation of the criminal confession as a tool in the struggle for African American freedom. They also represent an evolution of authorial control for African American authors working in the genre. In this chapter, I engage with both foundational theories of African American literature, and far more recent scholarship that extolls a "history of the book" approach to the study of early black-authored texts, to explore the lasting significance of these works. I affirm that rather than a neatly separable creative tradition, the narratives of Pomp, Johnstone, and Joyce show African American literature taking shape in response to a discourse of criminality both initiated and controlled by whites. Furthermore, I maintain that such works reestablish the importance of the author, and the role of individual agents, in the construction of an early African American literary project, as they make a rare intervention into criminal discourse on behalf of black Americans.

In my third chapter, I analyze the treatment of crime found in slave narratives from the antebellum period. My analysis both draws upon and parts company with Dwight McBride's provocative study *Impossible Witnesses: Truth, Abolition, and Slave Testimony* (2001). McBride's work stresses the influence of antebellum abolitionist rhetoric on the content of some of the most familiar and celebrated texts in the early African American literary canon. He argues that slave narrators like Frederick Douglass were laboring in an "overdetermined," or

preexisting, “discursive terrain” of abolitionist rhetoric previously established in publications like William Lloyd Garrison’s *Liberator*, first published in 1831. I employ McBride’s useful concept of a “discursive terrain,” but explore the influence of the early black press in shaping the content and ethics of the narratives of fugitive slaves. In particular, I focus on a discourse of crime located in the first African American newspaper, New York’s *Freedom’s Journal*, whose founding in 1827 predates the inception of Garrison’s *Liberator* by several years. I show how Frederick Douglass, in his 1845 *Narrative*, presents a view of crime much akin to *Freedom’s Journal*, where black culpability in criminal activity is either severally diminished or presented as a righteous act. By contrast, I demonstrate how later slave narrators like William Wells Brown and Jacob Green offer a morally ambiguous view of crime, one that anticipates the stance of popular, twentieth-century African American crime literature.

In a final epilogue, I use the lens of criminal discourse to provide new insight into the racial politics of Herman Melville’s much-studied novella *Benito Cereno* (1855). Scholars have traditionally read Melville’s tale of a black slave revolt at sea, set in the late eighteenth century, as prompted by contemporary concerns over the threat of slave insurrection in the agrarian south. In my analysis, I shift the historical and cultural context of this work from the south to the northern metropolis in which it was composed and published, New York City. This reading parts company from a critical consensus that celebrates Melville’s work for what appears a more radical or progressive racial politics for the way the narrative undermines white supremacist assumptions and posits the notion of a greater African American intelligence. Focusing on the issue of free African Americans and crime in the expanding northern metropolis of the 1850s, I offer a less affirmative view of the racial implications of Melville’s text. More precisely, I outline the pernicious links Melville’s historical fiction establishes between late eighteenth-

century racial science and the developing field of police, or forensic, science in the mid-nineteenth century. As the field of criminology developed out of the pseudo-scientific, racist thought of the Enlightenment Era, we gather the long historical arc of eighteenth-century crime ephemera, and its relation to canonical American literature, through this more culturally specific critical lens.

Chapter One

Circulating the Black Rapist: *Sketches of the Life of Joseph Mountain* and Early American Networks of Print

On October 20, 1790 an estimated crowd of ten thousand gathered in New Haven, Connecticut to witness the hanging of Joseph Mountain, a thirty two year old black man, for the crime of rape.⁴ Despite the large turnout, such an event was not rare for the time. Although fewer convicted criminals faced execution in post-Revolutionary America, it was not until the mid-1790s that state legislatures began to officially limit the punishment to convictions for murder.⁵ Nor was the race of the hanged in relation to the crime punished at all unique. Historian Sharon Block records that “Of the 174 men known to have been executed for criminal charges related to a rape between 1700 and 1820, 142—more than 80 percent—were identified as being of African descent” (162). What makes this event of particular significance is the print discourse it spawned, beginning with the malefactor’s own first-person account of his life and crime(s), *Sketches of the Life of Joseph Mountain*. First published in New Haven, Connecticut, and sold to the crowd at Mountain’s hanging, the text would ultimately transcend its local audience, as it was copied and resold by regional printers across a relatively broad geographical area. *Sketches of the Life of Joseph Mountain* appeared in six subsequent editions following the original, from

⁴ The October 27, 1790 edition of *The Connecticut Journal* records, “Wednesday last was executed Joseph Mountain, for a Rape. It is computed that ten thousand people attended the execution.”

⁵ In *Rites of Execution*, Louis Masur explains the decline in public executions following the American Revolution: “Whereas before the Revolution authorities often executed thieves, robbers, counterfeiters, and rapists, in the 1780s and 1790s legislatures approved revised penal codes and authorized the construction of a new institution of capital punishment, the penitentiary” (71). Pennsylvania officially banned executions for offenses other than first-degree murder in 1784. New York, New Jersey, and Virginia followed suit in 1786. Connecticut lagged far behind these states. The last person executed in Connecticut for a crime other than murder was Amos Adams, an African American hanged for rape, in 1817.

publishers as widely scattered as Hartford, Connecticut, Boston, and Bennington, Vermont, as well as an edition with no listed place of publication, and two German language editions published in Pennsylvania the following year. Although such reprinting was common for works in the “criminal confession” genre,⁶ Mountain’s narrative is the only text of this kind with an African American subject to achieve such widespread circulation and redistribution.

Sketches of the Life of Joseph Mountain quite literally went a long way in disseminating ideas regarding African American criminality in the early republic. Its influence is further suggested by the sharp increase in African American criminal confessions treating the crime of rape that followed its publication in 1790. Mountain’s story was the first narrative of a condemned African American rapist published in twenty-two years, since *The Life and Dying Speech of Arthur* in 1768; but it was shortly followed by the published rape confessions of Edmund Fortis in 1795, Thomas Powers in 1796, Cato in 1803, and John Battus in 1804. *Sketches of the Life of Joseph Mountain* would therefore seem to provide valuable insight into the emergence of a central figure in American culture, the myth of the black rapist, which would reach its apotheosis during the lynching crisis of the Jim Crow Era.

The construction of the black rapist in early American culture has been the subject of a vital, if prolonged, scholarly debate spanning across several decades. In a 1973 *American Quarterly* article, Richard Slotkin provided the first significant study of criminal biographies with African American subjects published in New England from the late seventeenth century

⁶ In *Pillars of Salt, Monuments of Grace: New England Crime Literature and the Origins of American Popular Culture*, Daniel Cohen explains that, “Whereas execution broadsides tended to be a distinctly ephemeral genre, catering to the intense local or regional interests temporarily aroused by a particular capital case, a number of the crime pamphlets published after 1780 demonstrated a far wider and longer lasting appeal” (24). Cohen further explains that, “books and pamphlets published in one region of the United States during the early republic were frequently reprinted in another section of the country” (24).

through the eighteenth century. While noting that criminal confession literature reiterated centuries old stereotypes regarding black sexuality, Slotkin traces the origin of the myth of the African American rapist to these texts, writing, “The image of the black man that emerges from these narratives is that of an oversexed brute, ungrateful for the blessings bestowed by his white masters” (26). Slotkin further identifies a link in these texts between notions of African Americans as a sexual threat, or danger, and anxieties over slave resistance movements, such as the Haitian Revolution. He then asserts that early African American criminal narrative worked to instill “the idea that all black crime is implicitly revolutionary, and is likely to be a part of some larger conspiracy” (26). In the early 1990s, Daniel Williams would make claims similar to Slotkin’s. Williams argues that the published rape narratives of African Americans such as Arthur, Joseph Mountain, and Thomas Powers both fabricated and worked to maintain “the racist stereotype of the oversexed black” (216). Yet Williams further notes that late eighteenth-century narratives of Irish Americans convicted of rape likewise evoked the “alien status” of their subjects “in order to justify their executions” (218). Finally, at the end of the same decade, Daniel Cohen offered a more nuanced treatment of the early construction of the African American rapist. Drawing upon his study of the published narratives of African American, Irish American, *and* Anglo American criminals, Cohen maintains that, “the authors of most such published crime accounts rarely emphasized, and often ignored or repudiated, the proto-racist images or stereotypes described by those modern scholars [i.e. Slotkin and Williams]” (483). However, Cohen also argues that popular crime literature did begin to advance “the proto-racist image of the African American male as a sexual predator,” but not until “texts issued after 1800” (522).

For its part, this chapter offers an analysis of Mountain's popular and culturally influential narrative to make a new contribution to this scholarly debate. In line with Slotkin and Williams, I maintain that the myth of the black rapist was manufactured and perpetuated in criminal biographies with African American subjects published throughout the 1790s. Like Slotkin, I also affirm that the narratives of African American rapists published from the mid-1790s to first years of the nineteenth century were produced in response to anxieties over black slave revolt, particularly the contemporaneous Revolution in Haiti (1791-1804). Yet, in my analysis, Mountain's 1790 text appears the product of a different set of concerns than the narratives of African American rapists that followed. In addition to anxieties regarding white masculinity, or the fear of black slave revolt alone, Mountain's narrative should instead be viewed as a response to the more immediate threat of cross-racial, proletarian revolt—a point made clear through greater knowledge of the text's printer, ghostwriter, and historical situation. In this respect, my argument in many ways adheres to the thought and methodology of Daniel Cohen, who argues that Mountain's text is more concerned with presenting its protagonist as a "picaresque rogue" than a "black beast" (502), and who calls for greater historical and textual specificity in making claims about the emergence of a cultural figure. At the same time, the literary analysis I offer of Mountain's narrative acknowledges the difficulty of establishing a clear political intent in a text comprised of competing voices, with no clear authorial stance, and whose very publication appears ascribable to different motivations.

A Network of Print

The issue of precisely whose voice or point of view dominates in Mountain's narrative has been addressed by the handful of critics that have provided a sustained reading of the work. Richard Slotkin sees Mountain's amanuensis, David Daggett, as the predominate voice guiding

the narrative. Slotkin writes that, “The author of Mountain’s narrative is...highly conscious...of the effects he’s trying to achieve, and of the ways he can manipulate his audience by playing with symbols from the popular imagination. The narrative was probably fabricated in large part by David Daggett, the magistrate who obtained Mountain’s confession and had it published” (22). Daniel Williams, on the other hand, sees the text as more collaborative between Mountain and Daggett, with the latter only wresting the narrative out of his subject’s hands near the end, when Mountain describes a supposed religious conversion while in prison. Williams then states, “Throughout the text [Mountain’s] character had been created through the collaboration of two authors, a balancing of the experiences provided by the historical figure and the words provided by his ghostwriter, but in drawing the narrative to a close, this collaboration broke down” (211). Legal historian Stephen Wilf largely shares Williams’ view of the text, affirming that, “Both Daggett and Mountain sharing authorship meant that the narrative was double-voiced” (112). Yet Wilf also insists that “there be no doubt that Mountain...was the dominant authorial voice” (113). Although not explicitly addressing this point in his reading of Mountain’s text, Daniel Cohen further explains the vexed issue of authorship in early African American criminal biography when he states:

Even where black offenders may have helped draft such statements, white editors undoubtedly revised them in various ways, probably for both form and content. As a result, it is often impossible to be sure whether a particular piece of information, or description, or commentary was volunteered by the condemned man; solicited, cajoled, or even coerced from the criminal by the white editor/ghostwriter; or simply inserted by the editor/ghostwriter for his or her own purposes (499).

As evident in the varying views of the text's critics, Mountain's narrative carries many of the difficulties in establishing authorship Cohen identifies above. Nevertheless, following the lead of Slotkin, it is the contention of this chapter, and the argument to follow, that the text's ghostwriter and editor, David Daggett, was the main force in shaping the meaning of Mountain's narrative, and thus the dominant authorial voice. Yet, into this discussion of Daggett and Mountain's place in the text, we may also consider the role of the commercial printing firm that first published the work, a matter previously unacknowledged by critics.

Thomas and Samuel Green, based in New Haven Connecticut, were the original publishers of *Sketches of the Life of Joseph Mountain*. Printers of over one hundred broadsides and pamphlets in the late eighteenth-century, Mountain's local execution seems to have prompted the Greens' only foray into popular crime literature in these forms. Other texts printed by the firm differ greatly in content, leaning more toward the pious and overtly didactic. Sermons preached at the funerals of Yale students, for example, were often printed and sold by the Greens,⁷ and their interest in moral instruction is further suggested by the printing of such titles as *Essay on Education* (1772), *The Child's Plain Path-Way to Eternal Life* (1775), and *Treatise on Dress: Intended as a Friendly and Seasonable Warning to the Daughters of America* (1783). This interest in death and moral instruction combined in the Greens' other contribution to the print discourse surrounding Mountain's trial and execution. The firm published the sermon preached by Reverend James Dana at the church service held prior to Mountain's execution, a text I will discuss at greater length later in this chapter. Titled *The Intent of Capital Punishment*,

⁷ A Sample of such titles printed by the firm include "Knowledge of Our End, with the Advantage and Importance of It: A Sermon Occasioned by the Death of Abel Chittendon, Student of Yale-College" (1770), "Funeral Oration, on Mr. David Ripley, of Windham; a Junior Sophister in Yale-College" (1783), and "Funeral Oration, on the Death of Simeon Bristol of New Haven; a Sophomore in Yale-College" (1783).

Dana sets out in this work to explain the necessity of executing the convicted rapist. Published two weeks after Mountain's execution, the day *Sketches of the Life of Joseph Mountain* was first available for purchase, Dana's sermon may be viewed as a rebuttal of sorts to a document published only a few weeks prior by the same firm. This and the Greens' marked interest in modifying behavior through print suggest that the firm quite possibly had extra-commercial motivations for publishing Mountain's narrative.

With a broadside and print catalogue comprised mainly of religious subjects, a sense of the Greens' more worldly concerns can be found in their newspaper *The Connecticut Journal*, published between the years 1775-1835. Across multiple editions, the Greens' paper displays a growing concern over property crime and proletarian revolt in the early republic. The issues of *The Connecticut Journal* detailing the disturbances now known as Shays' Rebellion are a good place to discern the Greens' concerns and allegiances, or at least the politics of their intended audience. In five editions published between February 21, 1787 and May 9, 1787, the paper stridently condemns the purpose of the Rebellion. At the same time, individual contributors to the paper soften their chastisement of the rebels themselves, painting them as good-hearted citizens embodying the spirit of 1776, who unfortunately have been deceived by treasonous leaders. A correspondent to the February 21 edition, for instance, reports "that among the many despicable characters which have lately appeared in arms against the government, he cannot but be convinced, that a great part of them are honest citizens, who have been excited thus to act from the artful misrepresentations of villainous and designing men, who have been leading them" (1). The paper here appeals to the sensibilities of a reading public still heady and prideful from the success of the American Revolution, while at the same time addressing the economic interests of a potential readership.

A harsher treatment of the rebels appears in a dispatch from Royal Tyler, published in the March 14 edition of *The Connecticut Journal*. Tyler was leading a regiment sent to put down the Rebellion at the time; and his letter reveals how a concern over property necessitated a counter-attack from authorities. He writes, “We have this moment sent off about 50 men in sleighs, in hopes of overtaking the Rebels, and recovering our friends and their property” (2). Evaluating the character of the participants themselves, Tyler differs from the previous reporter, declaring that, “The malice of the Rebels can be equaled to no other beings but Devils” (2). In his contributions to the Greens’ newspaper, Tyler offers a view of the Rebellion similar to one found in his play *The Contrast*, first performed in the same year. The play’s hero Manly believes (in this words of his uncouth servant Jonathan) “that it was a burning shame for the true blue sons of liberty...to have any hand in kicking up dust against a government, which we had a hand in making” (791). Such sentiments characterize the general appraisal of Shays’ Rebellion located throughout multiple editions of *The Connecticut Journal*. In its coverage of the disturbance, the Greens’ paper betrays a shared concern with the protection of private property and greater control of potentially fractious portions of the population, issues directly relevant to subsequent details found in Mountain’s narrative.

The Greens’ printing record clearly marks them as social conservatives in the turbulent milieu of post-Revolutionary New England. Nevertheless, the firm’s precise motivation for publishing the text remains ultimately indecipherable. Indeed, the Greens may have produced the pamphlet for no other reason than as a paid printing job, or to bolster their social standing in the community. In fact, the title page of the pamphlet declares that, “The writer of this history has directed that the money rising from the sales thereof, after deducting the expense of printing, &c. be given to the unhappy girl, whose life is rendered wretched by the crime of the malefactor.” In

addition to establishing the printing of the text as a decidedly non-commercial endeavor, as any proceeds were intended to be “given to the young girl,” the Greens’ role is further diminished in this notice by the presence of “the writer,” Mountain’s amanuensis, attorney David Daggett, who “has directed” both the printing and sale of the text. Further regarding Daggett, the Greens may also have undertaken the publication of Mountain’s narrative to curry favor with the young attorney, whose legal and governmental connections could garner them future business. At the same time, details present in Mountain’s narrative, which, as we will see, includes an episode wherein the protagonist engages in theft and property damage during London’s Gordon Riots, makes it difficult to dismiss the political stance of the publishers, especially in relation to social disturbances like Shays’ Rebellion. The fact that the one criminal biography the Greens chose to publish evokes the specter of this type of disturbance raises the possibility of a larger political motivation underlying their printing of the text.

Further insight into the political purpose guiding the publication of *Sketches of the Life of Joseph Mountain* may be gleaned from knowledge of the text’s scribe. Mountain’s ghostwriter was attorney David Daggett. Admitted to the bar in 1786, Daggett was young into his career and only 25 when he recorded Mountain’s narrative. He would go on, though, to serve as mayor of New Haven, U.S. senator, and chief justice of the Connecticut State Supreme Court. Daggett’s public record allows us to establish his personal thoughts on race and slavery to a degree not possible for most scribes of early African American criminal confessions. We know that Daggett publically opposed Simeon Jocelyn’s plan to found a black college in New Haven in 1831. Two years later, while serving as chief justice of the Connecticut State Supreme Court, he upheld legislation that prevented a black student from entering a female academy. In an 1835 Connecticut State House meeting, where new resolutions were proposed and drafted for the

treatment of slaves and free blacks, Daggett supported a law that banned the distribution of abolitionist texts through the mail. He was also an ardent supporter of the colonization movement (of free black Americans to Liberia) throughout the 1830s.

We should keep in mind, though, that Daggett's documented anti-black, anti-abolitionist, and pro-colonization efforts all happened in the 1830s, in the wake of Nat Turner's revolt in 1831. Moreover, Daggett, born in 1764, was in his 60s and 70s in the 1830s, and was only around 25 when he recorded Mountain's narrative. The views of a 25 year-old writing not long after the American Revolution (and before both the radical turn of the French Revolution and inception of the Haitian Revolution) likely differed from those of a white man in his 70s following Nat Turner's rebellion. In fact, Daggett voted to give Connecticut blacks the right to vote when he was nearly 80, in 1844, proof that his racial politics shifted to some degree in his lifetime. Despite his opposition to African American literacy and education in the 1830s, we also know that Daggett had a relationship with early African American author William Grimes, who published the first book length fugitive slave narrative in America in 1825. Grimes "mentions [Daggett] in the 1825 edition of the *Life of William Grimes* and calls him a 'friend' in the 1855 edition" (Andrews 140). Provided this evidence, that Daggett held differing racial views throughout his public career, one could even argue that his very involvement in the publication of Mountain's narrative, and of his apparent desire to let the condemned criminal have his say, marks him as something of a racial liberal, circa 1790. Fully conceding these qualifications, Daggett's later public record, and perhaps more telling, his later literary endeavors, further suggests an impulse toward discipline guiding the publication of Mountain's narrative.

Such an impulse clearly directs another of Daggett's print collaborations with the Greens, a published version of an oration he delivered in New Haven, Connecticut on July 4, 1799, titled

Sun-Beams May Be Extracted From Cucumbers, But The Process Is Tedious. In this speech, Daggett calls for a political system that will ensure greater control over increasingly rebellious portions of the population. His main concern is with a growing spirit of Jacobinism emanating from France, one that calls for “the leveling [of] all distinctions” (14). Affirming his class allegiances, Daggett works to overturn a mindset that views a trans-national aristocracy as “abominable, cruel, wicked, and devilish” (17). The attorney declares that those who hold such a view have commenced “an open and violent war upon all the valuable interests of society” and that “no property is too valuable for them to destroy” (19). Daggett ultimately affirms that the Federalist Party is the surest means for successfully combating these “American Jacobins” (20), stating, “At this day there exist two parties in these United States. At the head of one are Washington, Adams, and Ellsworth—The object of this party is to protect and defend the government from their destruction, with which they believe it threatened” (27). Although delivered nearly a decade after his involvement with Mountain, Daggett’s oration speaks to concerns present throughout Mountain’s narrative, as it more clearly establishes the attorney’s thoughts on social upheavals spreading throughout the late eighteenth century.

Published by a commercial printing firm and transcribed by a member of the legal profession, *Sketches of the Life of Joseph Mountain* exemplifies the evolution of criminal confession literature in eighteenth-century America. As mentioned in our introduction, in late seventeenth-century America, autobiographical accounts of executed criminals were first appended to the published texts of sermons preached prior to the criminals’ hangings, and were typically written by the clergymen who preached those sermons. Beginning in the 1730s, and becoming more commonplace as the century progressed, the autobiographical narratives of condemned criminals began to be printed and sold in broadside and pamphlet form apart from

execution day sermons. This enabled printers to produce their texts prior to the execution spectacle, and sell them to the crowds gathered to witness these events. Printers or legal officials with access to the condemned in prison then began to replace clergy as the typical scribes of criminal confessions. A rather uniform focus on the wages of sin in these texts thus shifted to the differing agendas of printers and legal officials.⁸

What Daggett's, or the Greens', agenda may have been for the publication of Mountain's text, of course, remains largely conjectural and open to debate. This is because the editor and publisher are equally loath to insert themselves into Mountain's story. Unlike other editors and scribes of criminal confessions from the era, Daggett refuses to offer his personal views on the causes and potential outcomes of Mountain's actions directly in the pamphlet via any kind of preface or end commentary. In fact, Daggett's only significant interpolation into the text occurs about mid-way through, in a brief footnote wherein he mentions the comparative lack of racial prejudice directed toward blacks in England.⁹ This lack of overt didacticism makes Mountain's narrative at once more literary—which accounts in part for its initial popularity—and harder to pinpoint in terms of its political purpose compared to other works in the genre. Because of this very *literariness*, then, it becomes necessary to adopt the approach literary scholars have taken in analyzing the racial politics imbedded in early American texts, fully granting the possibility of contrary critical interpretations. Following this, Daggett and the Greens' public and print records, and they way they so closely correspond to episodes in the narrative, establish the text, in the

⁸ I am generally following historian Daniel Cohen's overview of the evolution of the genre as found in "Chapter One" of his study *Pillars of Salt, Monuments of Grace: New England Crime Literature and the Origins of American Popular Culture*.

⁹ This note reads: "The reader will please to recollect, that Negroes are considered in a different point of light in England, from what they are in America. The blacks have far greater connection with the whites, owing to the idea which prevails in that country, that there are no slaves" (13). Daggett provides one other note in the text, wherein he defines the term "*foot-pad*" for readers as one "who robs on foot only" (3).

argument that follows, as a response to the threat of domestic social rebellion. Whether Daggett and/or the Greens sought to posit a direct link between African American criminality and the pressing threat of increased social disturbance is ultimately not as important as the notion that they were responding to such anxieties with the publication of Mountain's text, as this offers new insight into the early construction of the black rapist in American culture.

A Fugitive Text

A genre developed in large part by new regional printing firms, criminal confessions were produced in America in response to parochial instances of crime and punishment, and appealed first and foremost to local readerships. At the same time, the transnational currents evoked in Mountain's narrative, which primarily documents his experiences as a highway robber in England, establish the need to place the text in broader historical contexts. In the *The Many-Headed Hydra*, historians Peter Linebaugh and Marcus Rediker document a recurring cycle of slave revolts and revolutionary activity in the eighteenth-century Atlantic world. One of the principal disturbances in their analysis is the New York Conspiracy of 1741, which involved the plot of a multi-racial confederation of slaves and workers to set fire to the city of New York. In all, thirteen fires were set, including one at Fort George, "the chief military installation of the colony and one of the greatest fortifications in all of British America" (174-175), before the conspirators were detected and arrested. Parting company with both contemporary commentators and later historians who view the event merely as a pretext, or literal smokescreen, for thefts, Linebaugh and Rediker regard it instead as a "conspiracy by a motley proletariat to incite urban insurrection" (179).

Further tracing the legacy of the New York Conspiracy, Linebaugh and Rediker point to other slave revolts that ignited in its wake, such as Tacky's Revolt (1760) and subsequent slave

uprisings in the Caribbean in the 1760s, as well as numerous stateside slave rebellions like those in “Alexandria, Virginia, in 1767; Perth Amboy, New Jersey, in 1772; Saint Andrew’s Parish, South Carolina, and . . . Boston in 1774; and Ulster County, Maryland, Norfolk, Virginia, Charlestown, South Carolina, and the Tar River Region of North Carolina in 1775” (225-226). Linebaugh and Rediker read these events as part of an interrelated “Caribbean Cycle of Rebellion” (193), which would culminate with the commencement of the Haitian Revolution, one year after the publication of Mountain’s narrative, in 1791. The historians thus view multi-racial urban uprisings and black slave rebellions as part of an interrelated web of proletarian revolutionary activity in the eighteenth-century Atlantic world. Moreover, in these multi-racial, multi-ethnic, proletarian revolts (especially the New York Conspiracy) taverns were key sites of insurrectionary plotting and support, as “taverns, like ships, were places where English, Irish, African, Native American, and West Indian could meet and explore their common interests” (181). The historians therefore explain that after detection of the New York Conspiracy, authorities first “went after the taverns and other settings where ‘cabals’ of poor whites and blacks could be formed and subversive plans disseminated” and then “endeavored to teach racial lessons to New York’s people of European descent, promoting a white identity that would transcend and unify the city’s fractious ethnic divisions” (207).

The type of interracial plotting and support in taverns that so worried early American authorities in Linebaugh and Rediker’s view appears remarkably early in Mountain’s narrative. The story first begins, though, like many works in the genre, in a place of patriarchal order and control.¹⁰ The protagonist explains at the start that, “I JOSEPH MOUNTAIN, was born on the 7th

¹⁰ This is a convention found in both black and white criminal narratives of the era. In the widely popular *Memoirs of the Notorious Stephen Burroughs* (1798), for example, Burroughs laments that his life of crime began when he disobeyed his father’s orders and

day of July, A.D. 1758, in the house of Samuel Mifflin, Esq. of Philadelphia, father of the present governor of Pennsylvania. The first seventeen years of my life were spent in Mr. Mifflin's family...[as] a servant in the house" (2). Mountain turns his back on the home of this patriarchal master at a young age. Although a slave, he is given permission to travel to England for reasons that are unspecified in the text, thus beginning the peripatetic life that will continue until his trial and execution. He states, "In the 17th year of my age, on the 17th of March 1775, with my master's consent, I entered on board the ship Chalkey...and the 20th of May following we arrived in the Downs. I soon quitted the vessel, and in four days was strolling the streets of London in quest of amusements" (2). Alone in the metropolis, Mountain quickly befriends two white musicians and circus performers in a tavern, who, once sure they can trust him, inform Mountain that, "This was their employment in the day time, for the purpose of executing more effectually the principal business of their lives, viz. highway robbery" (3). The two performers easily recruit Mountain into their operation, and together they begin a series of daring highway robberies recalled in vivid detail in the text, robberies enacted almost exclusively, we should note, upon members of the English gentry.

The figure of the highwayman, and the crime of highway robbery, was a very real presence in London and its environs throughout the eighteenth century, which were accordingly represented in crime ephemera, street ballads, and other forms of popular culture during the era. In *The London Hanged*, Peter Linebaugh states that, "The highwayman represented personal independence and power, a figure...who was neither an oppressor...nor limited by the life of service. He aspired in part to the figure of a master artisan... Thus, in actuality as well as in

left his patriarchal home, first entering the military (9), and then taking to sea (30). Commenting upon this very convention, Richard Slotkin as well observes, "The typical criminal therefore begins as an unfilial child, who throws off the yoke of parental guidance to pursue willfully vicious courses, usually involving sexual promiscuity or precocity" (7).

popular representation, he shared attributes of both the plebian tradesman and the proletarian victim of oppression” (192). One of the most celebrated highwaymen in English culture at this time was the legendary Dick Turpin, hanged for his crimes in 1739, whose rob from the rich give to the poor ethos was immortalized in such ballads as “Turpin’s Appeal to the Judge,” which sings, “Sometimes in Cloth and Winter-frieze/ Sometimes in Russet-gray;/ The Poor I fed, the Rich likewise/ I empty sent away” (Linebaugh 203).

American printers drew upon this popular figure of the highwayman in crime literature published shortly before Mountain’s narrative. The first and second volumes of *The American Bloody Register* (1784), the first criminal magazine published in the new nation, contain “THE LIFE AND DYING CONFESSIONS OF RICHARD BARRICK, HIGHWAY ROBBER” and “THE LIFE AND DYING CONFESSION OF JOHN SULLIVAN, HIGHWAY ROBBER,” both partners in crime. The fourth volume of the *Register*, published in 1789, “was advertised as *Containing the life and confession of Rachel Wall, William Durogan, and William Smith,*” all executed for highway robbery (Williams 253). Although no known copy of this final edition of the *Register* exists, Wall’s narrative appeared in a separate broadside that still remains, the *Life, Last Words, and Dying Confession of Rachel Wall* (1789). The highwayman would even appear around this time in the Greens’ newspaper, *The Connecticut Journal*. The February 28, 1787 edition of the paper includes on its first page a narrative of highwayman George Robert Fitzgerald “*lately executed in Ireland.*” Containing remarkably little about Fitzgerald’s exploits as a thief, this piece mainly relates the malfeasance of his attorney, Timothy Brecknock, who “prided himself on his ingenuity in deceiving the court,” and was executed alongside Fitzgerald for tampering with evidence related to the latter’s case. The inclusion of this narrative in an edition of *The Connecticut Journal* displays the contemporary, stateside appeal of a figure

largely associated with English (and in this case Irish) culture. Moreover, much like their printing of Mountain's narrative, the Greens further display (or perhaps *betray*) their interest in modifying behavior through the publication of this article.

Through the narration of Mountain's life as a highwayman, the text reveals contemporary concerns over property crime and proletarian rebellion, suggesting the need for greater control of potentially fractious portions of the population. At the same time, this portion of Mountain's history contains many surprising effects that can distract from the text's overarching political intent. The criminal career of a highwayman is shown, in fact, to be the one form of employment that enables Mountain not to take an active role in the trans-Atlantic slave trade. Mountain's original gang breaks up for the first time when one member attempts to cash a stolen bank note. Although not prosecuted because he convinced authorities that he found it, the three are forced to disband for a time because they have been identified together under suspicious circumstances. Mountain then takes one of the few "honest" jobs apparently available to him as a free man of color in late eighteenth-century England, working as a cook on a merchant vessel. He recalls, "I now resolved to quit this course of life which I had hitherto pursued with so much success. Accordingly I entered on board the brig Sally, as a Cook, and made two voyages with her to Lisbon...I made another voyage...to Kingston in Jamaica; which being finished in nine months, I again visited London, and concluded to relinquish the seafaring business for the present" (7). Mountain's contribution to the English colonial slave economy, however tangential through his menial employment on the Jamaica bound ship, can be said to inform his apparent distaste for "the seafaring business" upon his return to London. In this moment, he also experiences a newfound appreciation for the life of a thief, stating, "My former life, tho' singularly vicious, yet possessed many charms in my view" (7).

Despite this initial resistance, Mountain falls back into the slave trade near the end of his criminal history in London. After his participation in the Gordon Riots, or Lord Gordon's Rebellion of 1780, an event I will discuss later in this chapter, Mountain becomes fearful of remaining in England, London especially, as "sometime in the Spring of the year 1784...The rioters who were concerned in Lord Gordon's Rebellion were now daily arrested, tried, and executed. Knowing myself deeply concerned in this mob, and supposing it probable that Mountain's turn might come next, I quitted London" (15-16). Mountain is forced to resume his life at sea, making two voyages that directly implicate him in the slave trade. He recalls, "From this period until August 1789, I was employed as a sailor; during which time I made two voyages to the coast of Guinea, and brought cargoes of Negroes to Jamaica; one voyage to Greenland; one to Leghorn and Venice; three to Philadelphia; and one to St. Kitts" (16). In showing that Mountain "made two voyages to the Coast of Guinea, and brought cargoes of Negroes to Jamaica," as well as mentioning his voyage to "St. Kitts," the text directly establishes the convicted criminal's involvement in the transnational slave trade. Apparently recording both Mountain's actual biography and representing a stark social reality, the text thus positions a life of crime ("tho' singularly vicious") as a way for the black subject to bypass employment in the slave trade.

The text again draws attention to the liberating effects of a life of crime in a remarkable scene in which the protagonist's work is properly rewarded, irrespective of his race. When Mountain resumes this criminal career after his first hiatus at sea, he joins an elite confederation of thieves based at a London tavern. He recalls, "The business which now seemed most alluring to me was that of *highway-man*. Considering myself at the head of the foot-pads, I aspired for a more honorable employment, and therefore determined to join my self to the gang of highway

men, whose rendezvous were at the Broad St. Giles up Holborne, at the sign of the Hampshire hog" (8). This tavern was "kept by a William Harrison, a native of the Isle of Man" (8), who comes to represent a kind of father figure for both Mountain and the other thieves in the gang. "Harrison was the support, the protector, and the landlord of this whole company. The horses and accouterments were kept and furnished by him, and occasionally supplied to adventurers" (8). Whereas Mountain's American master likely took whatever wages he had earned, this new father figure, Harrison, uses his means to help Mountain acquire wealth. Mountain also receives emotional compensation for his work from this family of thieves. After one particularly successful run of thefts, he recalls, "I never shall forget with what joy I was received. The house rang with the praises of Mountain. An elegant supper was provided, and he placed at the head of the table. Notwithstanding the darkness of his complexion, he was complimented as the first of his profession, and qualified for the most daring enterprises" (10-11). Mountain here has apparently entered a new type of family relation, one in which the oppressive authority of a patriarch has been largely excised, and where a black man is both financially and emotionally compensated for his labor, "Notwithstanding the darkness of his complexion." Yet this very lack of patriarchal control becomes posited in the narrative as a factor contributing both to Mountain's later criminal activity in England and to the final crime for which he is prosecuted and ultimately convicted in Connecticut. Therefore, such seemingly subversive moments, in which the subject's voice clearly emerges, and that contribute to the text's literary merit, appear in the service of an agenda decidedly hostile to the type of (African American) freedom and mobility represented in the text.

The text continues this practice in another memorable moment in which racial distinctions seem to blur in Mountain's narrative. In his very first robbery, Mountain recalls that

his white accomplices “Hyde and Wilson were dressed in white frocks and boots, with their faces painted yellow to resemble Molattoes [sic]. Mountain was dressed in the same manner, with the addition of “a large tail wig, white gloves, and a black mask over his face” (3). In addition to evoking the type of inter-racial, proletarian collaboration Linebaugh and Rediker argue American authorities found increasingly threatening throughout the eighteenth-century, the text gestures here toward the permeability and performativity of racial categories. In the first paragraph of his narrative, after mentioning his birth in the house of his master, Mountain provides the details of his parentage, stating, “My father, Fling Mountain, is a Molatto [sic] and now lives at Philadelphia. My mother is a Negro and was a slave till she was twenty-one years of age” (2). The son of two black parents, and thus with little chance to pass for white, Mountain in his first theft nevertheless performs both the role of a white and member of the gentry with his “large tail wig,” “white gloves,” and mask that though “black” ironically conceals his race. Moreover, his white partners canny choice to “yellow” their faces so that they appear as “Molattoes” and not strictly black, further works to undermine the distinction of fixed racial categories, as it more deeply aligns them with Mountain, whose father was “a Molatto.” This type of interracial bonhomie accords with Daggett’s later editorial footnote, which, we may recall, points to the comparative lack of racial prejudice experienced by blacks in England. Such passages could again be used to support the claim that Daggett was something of a racial liberal at the time he composed Mountain’s narrative. Contrary to such thinking, it is important to point out that Mountain’s interracial activity only serves to foster attacks on an international aristocracy, the very class whose interests Daggett defends in his published oration from July 4, 1799, *Sun-Beams May Be Extracted From Cucumbers, But The Process is Tedious*, also printed by the Greens. The appearance of this episode in Mountain’s narrative therefore seems guided by

the same anxieties and impulses as the efforts of American authorities who, in the wake of the New York Conspiracy, worked to promote a white identity that “divided and weakened the proletariat” as it “unified and strengthened a fictive community based on whiteness” (Linebaugh and Rediker 209).

The text continues to present what may be construed as racially liberal moments, only to serve its larger conservative purpose, in another extraordinary episode in which Mountain recalls his marriage to a young white woman in England. Despite his success as a highwayman, Mountain quits the confederation of thieves based at the London tavern and takes a hiatus from his criminal activities when he meets and marries “a Miss Nancy Allingame, a white girl of about 18 years of age...possessed of about 500l. in personal property, and a house at Islington” (13). Mountain imagines and addresses the possible disbelief of his white American readers to this autobiographical detail, stating, “It may appear singular to many, that a woman of this description should be in the least interested in my favor; yet such was the fact, that she not only endured my society, but actually married me in about six months after our first acquaintance” (13). Closing out this portion of his history, Mountain explains that he remained married to this Englishwoman “about three years; during which time I exhausted all the property which came into my possession by the marriage. We then separated and she was received by her father” (13). Through his novelistic memory of seducing, marrying, and swindling an heiress, Mountain shows his sexual conquests motivated by financial gain rather than animal urges. The text therefore humanizes its subject to a considerable degree through this episode, which, as we will see, clearly distinguishes the work from African American rape narratives subsequently published.

The episode of Mountain's marriage can further be understood to humanize the convicted rapist by placing the pamphlet in another cotemporary context. In her recent study, *'Til Death or Distance Do Us Part* (2010), Frances Smith Foster stresses the political importance of early African American marriages. Noting the impact of an "antebellum science that declared that unrestrained sexuality and irresponsible parenting were inevitable as part of the genetic imprint of Africans" (xi), Smith argues that early black marriage contracts offered contrary proof of African American "sexual morality" (87), and thus of a full humanity. Foster mainly accesses an antebellum archive, including African American newspapers and slave narratives from the 1840s, 50s, and 60s to show "that slaves could and did marry, that slave marriages were valued...and that love among slaves did last despite distance and beyond death" (xvi). Yet she also points out the importance of African American marriage discourses in the late eighteenth century, particularly in the founding of the African Union Society in 1787. Foster explains that for this important grouping in Philadelphia's free black community, "Marriage and sexual ethics were immediate concerns. The minutes of the Society's meeting on January 15, 1788 report the following resolution: 'That no man shall live with any woman as man and wife without she is lawfully his wife, and his certificate must be delivered to the clerk and put on record'" (74). Foster's work demonstrates that presenting a positive image of the race through lawful marriage was a major concern for African American communities in the late eighteenth century. Mountain's marriage, therefore, could offer proof of the subject's shared humanity to the text's initial (white) audience. Nevertheless, this episode ultimately serves to advance the image of a criminal underclass in general, and African Americans in particular, as thievish and untrustworthy. Thus, while Mountain appears as a rational agent rather than an animalistic

attacker in this episode, the final image is that of a cunning manipulator and social climber, eager to overstep his rightful place in society.

Mountain's duping of the heiress, much like his recollections of robbing well-heeled gentleman on the London highways, demonstrates that his crimes in England were enacted almost exclusively on members the British aristocracy or landed gentry. Yet, despite their geographical distance, Mountain's crimes in England become more clearly linked to the threat of like crimes taking place in the United States in a robbery whose victim is both not ostensibly a member of the gentry, and whose religion associates him with American culture, particularly that of Pennsylvania and New England. Working alone, while still based at "the sign of the Hampshire hog," Mountain conducts a string of solo-robberies, one of which involves the theft of a Quaker:

My course was now for Manchester, where I put up for about 24 hours at the "bull's-head." The evening following, about 11 miles from Manchester, I "touched" a Quaker. It was nearly 9 o'clock when I met him. I enquired if he was not afraid to ride alone. He answered, No. I asked him his religion; he replied, "I am a Friend." I observed, "You are the very man I was looking for—you must deliver your money." He seemed very unwilling and said, "Thou are very hard with me." I replied, "You must not *thou* me." He then gave me his plain gold watch, 6 guineas, and four bank notes of 20 l. each (10).

Although Quakerism was founded in England in the mid seventeenth century, the religion became greatly synonymous with colonial and early national America because of its growth in the developing nation. Quakers were also well known to late eighteenth-century American

readers for their anti-slavery activism.¹¹ As Stephen Wilf explains, “more than any other colonial city, Philadelphia experienced the beginnings of antislavery agitation, largely under the auspices of Quaker leadership...[Quaker] Anthony Benezet, created a school where blacks could receive instruction to prepare for freedom. Quakers were instrumental in the 1775 founding of The Pennsylvania Abolition Society” (107). It is perhaps a stretch to claim that Mountain’s theft of this representative of Quakerism suggests that such anti-slavery activity is wasted, as blacks are inherently predisposed to criminality and thus unworthy of abolitionists’ efforts. Nevertheless, the surprising appearance of this Quaker character in the narrative, who almost strikes one as something of a tourist or interloper among Mountain’s larger depiction of London, connects the convicted criminal’s actions abroad to the possibility of similar crimes occurring stateside, given the cultural connotations of the victim.

Anxieties over increased crime taking place in the northeastern United States combine with larger concerns over proletarian rebellion in the text when Mountain recalls his participation in London’s Gordon Riots of 1780, an event Peter Linebaugh has characterized as “the most serious municipal insurrection of the eighteenth century” (333). The Gordon Riots began as a protest organized against Parliament’s Papists Act of 1778, which was passed to overturn discriminatory statutes against Catholic subjects in the British Empire. On June 2, 1780 Lord George Gordon, then President of the Protestant Association of London, and a group of followers attempted to deliver a petition demanding immediate repeal of the Act to the House of Commons. When petitioners were both turned back and arrested by guards, the crowd moved through the streets of London, grew in size, and the Riots, London’s most destructive of the

¹¹ In “Letter XI” of *Letters from an American Farmer* (1782), for example, Crèvecoeur’s Farmer James experiences a transformation in his thoughts on slavery when he witnesses the Quaker Bertram’s benevolent treatment of his freed black workers (195-197).

eighteenth century, began in earnest. Over the course of several days participants in the Riots were responsible for widespread property damage, including the destruction, or near destruction, of several Catholic churches, cathedrals, and schoolhouses, as well as many Catholic owned businesses and the homes of affluent London Catholics (Rudé 270-275).

Despite these attacks on Catholic owned properties, historian George Rudé has convincingly argued that anti-Catholic sentiment was not the primary motivation behind the efforts of the rioters. Putting Rudé's analysis in context, Peter Linebaugh explains that previously "the riots were interpreted only as the misguided actions of an ignorant drunken mob. Dr. Rudé's study of the economic background both of the rioters and their targets demonstrated that the rioters were not a criminal mob, but, on the whole, journeymen or wage-earners, and that their targets were chosen less because of their religious affiliation than of their wealth" (334). To make this argument, Rudé notes that the homes of Catholic workers were neither targeted nor destroyed in the Riots, stating, "once the priest and the schoolmaster had been dealt with...it was the gentleman, the manufacturer, the merchant, or the publican, rather than the independent craftsman or the wage-earner, who was the main object of the rioters' attention" (287). The historian then argues, "that behind the slogan of 'No Popery' and other outward forms of religious fanaticism there lay a deeper social purpose: a groping desire to settle accounts with the rich, if only for a day, and to achieve some rough kind of social justice" (289). Rudé concludes that, "once launched by the Protestant Association, being a movement of the poor, [the Gordon Riots] began to assume, however confusedly, a social complexion which its original promoters had not intended and with which they had little sympathy" (291). In Rudé's view, then, the working-class participants in the Riots saw beyond the anti-Catholic ideology of Gordon and his ilk, and were fueled instead by demands for economic equality and social justice. In fact, the

greatest legacy of the Riots was not the attacks on Catholic owned properties but on British governmental institutions such as Newgate, Fleet, and King's Bench prisons, the Marshalsea debtor's prison, and a failed attempt on the Bank of England. Peter Linebaugh further documents the prominent role of black rioters in "the delivery of Newgate," as, "Two were Afro-Americans who brought to London a living memory of the experience of slavery" (354-355).

The threat of cross-racial, proletarian revolt looming throughout the narrative since Mountain's arrival in London, made pregnant by his conspiratorial plotting in taverns and repeated attacks on British aristocracy, finally manifests itself in the text. However, Mountain's professed motivation for his involvement in the Riots works to diminish the seriousness of proletarian revolutionary activity, especially with respect to black subjects. Recalling his participation in the Rebellion, Mountain states, "In the beginning of June 1780, I joined a mob headed by Lord George Gordon. The mob was the result of a dispute between the Papists and Protestants. It was a matter of most sovereign indifference to me, whether the rebellion was just or unjust. I eagerly joined the sport, rejoicing that an opportunity presented whereby I might obtain considerable plunder" (12). Such disregard for the concerns of others is well in keeping with Mountain's larger presentation in the narrative as a picaresque rogue and individual offender. Yet it seems that Mountain's representation, in this particular moment, carries with it another, subtle effect. Much like the participants of the 1741 New York Conspiracy, Mountain's involvement in the Gordon Riots is dismissed out of hand here as a mere pretext for theft. With Mountain standing as a representative of his race, the text therefore diminishes the seriousness of all black revolutionary action in this passage.¹² Furthermore, by suggesting that African

¹² Richard Slotkin makes a similar point in his overview of the genre, arguing that early African American criminal confessions present "the logically inconsistent but...convincing conception of black revolutionary or political activity as 'crime'—an idea that trivializes,

American involvement in an urban revolt is motivated by theft alone, not a serious protest against social injustice, the text reiterates a trope that will continue in American culture over the next two hundred twenty five years, through the urban riots of the twentieth century, to the much more recent protests in Ferguson, Missouri.

This is not to say that the text refuses to take seriously the threat of proletarian rebellion in this moment. Indeed, Mountain's recollection of the Gordon Riots is the portion of the text that speaks most to anxieties regarding revolutionary activity in the eighteenth-century Atlantic world. We should therefore note that although he does admit to "plundering, at various times, about 500 l. sterling" during the rebellion (297), specific acts of theft are not included in Mountain's description of the Riot. Instead, Mountain describes assaults on important governmental institutions. Recalling his involvement with the rioters, Mountain thus states, "The five succeeding days were employed in...burning Newgate, and relieving about 300 persons confined in it, (some under sentence of death) in setting fire to King's-bench and Fleet-prisons, and in numerous other acts of violence and outrage against those who were in opposition" (12-13). While the text seems to appeal to the patriotic sentiments of its regional audience here, with the description of these attacks on the British Crown, another reading reveals this episode as part of a more focused politics. More than merely catering to popular tastes, then, the text presents these attacks on government institutions in a call for greater control of potentially rebellious elements of the American populace (African Americans, discontented workers), in an effort to preempt the type of open revolt described by Mountain.

defuses movements like the Haitian Revolution of 1791, sabotage and insurrection by [nineteenth-century] slaves, the boycotts and sit-in of the 1950s and 1960s, or the activities of the Black Panthers in 1970" (27).

At the same time, this particular episode, perhaps more than any other portion of the text, speaks to the great potential first-person criminal confessions carried to incite the brand of protest captured in the narrative. Indeed, it is hard to dismiss the radical potential of a soon to be executed prisoner describing a multi-racial, proletarian mob destroying three prisons, not to mention the freeing of “about 300 persons” from Newgate Prison, “some under sentence of death” (13). Germane to this point is Caleb Smith’s recent work *The Oracle and the Curse* (2013), a study of multiple genres of early American print, which considers “the capacity of the printed word to call readers to a side in a struggle over justice” (3). Smith argues that in an increasingly secularized early America, judges no longer appeared as the oracles of God, but instead as “the oracle of the sovereign people” (3). Yet, “If the court’s sentence could ratify itself by gaining the assent of one public, the rebel might appeal to a counterpublic for vindication” (3-4). “Spoken from the other side of legal authority,” and documented, among other places, in the autobiographical “confessions” of early American criminals, Smith terms this “kind of utterance...the *curse*” (4), and suggests that it carried the potential “to summon moral communities in opposition to legal institutions” (19). The details of Mountain’s involvement in the Riots—attacking governmental institutions and freeing condemned prisoners—would seem to carry the type of “summoning power” Smith outlines (xi). Such an idea gains greater valence if we consider both the heterogeneous, largely working class audience of the early criminal confessions (a large portion of which included the motley crowds gathered to witness public executions) and Daniel Cohen’s point that “virtually all the most popular crime pamphlets published in the early republic dealt with alleged miscarriages of justice” (25). A text like Mountain’s hints at the potential of criminal confessions to incite open rebellion, which helps explain why the genre was largely replaced by the more dispassionate, and less incendiary, form

of the trial report beginning in the nineteenth century.¹³ The very form of the first-person criminal confession thus endowed the narrator with the ability, at times, to supersede the intentions of the text's producers through the bare narration of the details of his life.

Criminal Confessions and African American Literature

Because of the radical potential imbedded in criminal confession literature, and its more obvious place in a tradition of masculine life writing, it is little wonder that scholars have worked to limn the relation of these texts to a later African American literary tradition. As our introduction shows, important scholars of African American literature, such as Frances Smith Foster, William L. Andrews, and Jeanine DeLombard, have made forceful claims for the place of the early African American criminal confession in the development of the slave narrative. Despite these prescient arguments, criminal confessions still occupy a marginalized place in the African American literary canon, as their lack of aesthetic and political cohesiveness provides an awkward fit with some of the more influential definitions of the tradition articulated by Henry Louis Gates, Paul Gilroy, and Kenneth Warren.

In *The Signifying Monkey* (1988), Henry Louis Gates argues that the African American literary tradition is defined by the "repetition and revision" (xxiv), or "Signification" (xxvii), of key tropes, as black writers read and respond to each other's work from text to text. Gates, in fact, has used this idea of formal bonding between texts as the aesthetic criteria for inclusion in the *Norton Anthology of African American Literature*. In his "Preface," Gates and co-editor

¹³ Discussing the fact that the trial report began to eclipse the genre of the criminal confession at the turn of the nineteenth century, Daniel Cohen explains that the form of the criminal confession seemed unavoidably biased, as "Criminals or editors...presented one-sided versions of events to the public" (*Pillars* 28). In Cohen's view, "Trial reports presented an ideal solution to that dilemma, not by suppressing ambiguity and disagreement, but by providing a literary vehicle designed to present and fairly evaluate competing factual accounts and legal interpretations of disputed events" (*Pillars* 28).

Nellie McKay mention “the repetition, tropes, and signifying that define the tradition” as a guiding marker for inclusion in the anthology (xxxvi).¹⁴ Gates’ view of what constitutes an African American literary tradition has been forcefully challenged a number of times,¹⁵ recently by Kenneth Warren in his provocative study *What Was African American Literature?* (2011). Here, Warren views African American literature as a “historical entity” (8), yet one that existed as a coherent project only during the period of legally enforced segregation from the Jim Crow era to the Civil Rights legislation of the 1950s and 1960s. He writes, “African American literature was a post-emancipation phenomenon that gained its coherence as an undertaking in the social world defined by Jim Crow segregation...with the legal demise of Jim Crow, the coherence of African American literature has been correspondingly, if sometimes imperceptibly, eroded as well” (1-2). In addition to historical specificity, Warren thus views a particular politics, rather than shared tropes or formal features, as the unifying criteria of an African American literary tradition. Such a view accords with Paul Gilroy’s notion of a “counterculture of modernity” articulated in *The Black Atlantic* (1993). Gilroy defines this black expressive tradition or “expressive counterculture not simply as a succession of literary tropes and genres but as a philosophical discourse which refuses the modern, occidental separation of ethics and aesthetics, culture and politics” (38-39). Aside from Warren’s historical boundaries, which of

¹⁴ Gates and McKay further maintain that they “have looked to include the most historically important and aesthetically sophisticated works” of “the African American literary tradition” in their anthology (xl), “works of such a quality that they merit preservation and classroom interest” (xxxvii).

¹⁵ Particularly relevant to this discussion is Robert Reid-Pharr’s view of an African American literary tradition as articulated in *Conjugal Union: The Body, the House, and the Black American*. Here, Reid-Pharr offers a historically specific designation for this cultural and intellectual tradition, arguing that the African American literary project did not fully commence until the antebellum period and the creation of the first African American newspaper in 1827, New York’s *Freedom’s Journal*, which marked the first sustained efforts of “Black American intellectuals” to bring, and write, “their community into existence” (31).

course excludes all texts written prior to the Civil War, these theories of an African American literary tradition would seem to leave little space for the criminal confession, as they all hinge on the idea of a stable politics or aesthetic vision that the vexed issue of authorship in this genre rarely allows. For these very reasons, critics Lara Cohen and Jordan Stein have taken issue with the “black authorship” premise of African American literature as “literature written *by* (rather than *for* or *about*) African American persons” (14), and instead extoll a “history of the book approach” approach to the study of “the earliest African American texts, whose meandering plots, numerous plagiarisms, and multiple rewritings defy any notion of textual stability” (2). Still, though the genre as a whole clearly had an impact on the development of the slave narrative, a text like Mountain’s demonstrates the need to analyze criminal confessions on a case by case basis in order to assess whether a work takes part in an African American literary project or tradition, that is, if we are to distinguish such a tradition, even in its inception, as one concerned with the advancement of African American freedom.

The Rape

Mountain’s text significantly differs from the four African American rape narratives that follow, in that it introduces doubt as to the subject’s guilt. Yet in no way does the text flinch from its final assertion that Mountain’s execution is a just and fitting end for his past life of crime, and his continual balking of (white) patriarchal authority. The event in question takes place on May 26, 1790 as Mountain, who returned to America to avoid arrest during the aforementioned crackdown on the participants of London’s Gordon Riots, sets out on foot for New York City from New Haven, Connecticut. A mile from town, he encounters two young white women, his thirteen-year old victim and her older sister. Before any physical altercation takes place Mountain propositions the sisters. He explains, “I began a conversation with them,

and attempted, by persuasion, to effect my purpose. They were terrified by my conduct and endeavored to avoid me” (17). Turning violent, Mountain attempts to seize “the eldest girl; she, however, struggled from me. I then caught the younger, and threw her on the ground” (17). Although he acknowledges this aspect of the assault, Mountain refuses to admit to the crime of rape, stating, “I have uniformly thought that the witnesses were mistaken in swearing to the commission of a *Rape*: That I abused her in a most brutal and savage manner—that her tender years and pitiable shrieks were unavailing—and that no exertion was wanting to ruin her, I frankly confess” (17). Mountain would officially plead not guilty at his trial. Knowing this, the subject’s partial confession in this portion of the narrative strikes an odd note, as he seemingly does and does not confess to the crime of rape. Legal historian Stephen Wilf explains that what Mountain most likely denies here is the “degree of penetration” required for a successful rape conviction under Connecticut law, and that “his strategy was clearly to shift the prosecution to attempted rape” (118). Another possibility exists that Mountain’s denial of penetration was a gesture made to the parents of his young victim, in order to diminish some of the social stigma attached to their (soon to be marriageable) daughter resulting from her attack. Yet, taking these claims of innocence in earnest, Mountain nevertheless condones his death sentence near the end of the narrative, when he states, “My trial was far more favorable than I expected... The jury had little hesitation; indeed the most compassionate hearer of this cause could only have pronounced me *Guilty*. I beheld with astonishment of lenity of the Court, and sure that in a country where such a sacred regard is had to the liberty of the subject, no man’s life can be unjustly taken from him” (18). Although faithfully replicating the defendant’s claims to innocence, claims made earlier at his criminal trial, the text ultimately endorsed the justness, even the “lenity,” of his sentence.

The version of the crime Mountain offers in his narrative, in fact, largely accords with other, blatantly condemnatory versions of the affair published both before and after his hanging. The first important contribution to the print discourse surrounding Mountain's trial was the speech delivered by sentencing Judge Eliphet Dyer on August 12, printed in *The Connecticut Courant* on August 23, 1790. In Dyer's view, there is no question as to Mountain's guilt. Addressing the defendant, he declares that "the crime of which you were convicted... was by you committed with every circumstance of aggravation, and with a daring boldness and impudence, unheard and unknown, which with your after conduct, glorying in your shame, and even insulting the victim of your brutal lust... renders [you] so abandoned to be unfit for society, and unsafe to be at large among the human species." Dyer even recreates the scene of the rape, presenting Mountain as a savage and animalistic attacker, one far too primal to remain cunning. He thus imagines Mountain during the crime as "wholly inattentive to human discovery... meeting the harmless and innocent maid, tender in years, and in a way so frequented that she was unsuspecting of danger, urged on by worse than brutal lust, and more than savage barbarity, relentless to her cries, her shrieks, or her tears." Although Dyer, in the printed version of his courtroom declaration, is clearly more interested than Daggett, or the Greens, in depicting Mountain as a "savage" attacker, his earlier version of the assault bears a striking resemblance to the presentation of the crime in Mountain's text. This especially holds true for Dyer's comments upon the victim's "tender years" and "her shrieks," language quoted almost verbatim in Mountain's narrative, which states, "her tender years and pitiable shrieks were unavailing" (17). The version of the affair presented in *Sketches of the Life of Joseph Mountain*, then, largely reaffirms Justice Dyer's description of the crime published two months prior.

A further indication of the Greens' deeper interest in Mountain case appears through another condemnatory text printed and sold by the firm two weeks after Mountain's execution. As mentioned earlier in this chapter, T. & S. Green published a version of the sermon preached by Reverend James Dana at the church service held prior to Mountain's hanging. Titled *The Intent of Capital Punishment*, this text, much like Dyer's courtroom oration, works to dispel any doubt as to the defendant's guilt. Dana here declares, "Seldom is such an offense so amply proved. For seldom is a delinquent of this description so bold and shameless" (8). Speaking to Mountain's recalcitrance, and his long criminal history now circulated in a text "this day published" (22), Dana further states, "Very few have ever been more hardened and audacious offenders...after having escaped the vigilance of several magistrates in the kingdoms of Europe...the prisoner long perpetrated the most flagitious crimes" (13-14). Dana thus links Mountain's past involvement with white thieves and social revolutionaries in England to his sexual attack in American, further asserting the necessity of the defendant's execution. Dana's published sermon suggests the Greens' more punitive impulses for contributing to the print discourse surrounding Mountain's trial. *The Intent of Capital Punishment*, though it appears to override the denial of a capital crime found in Mountain's own first person account, likewise serves to endorse the ultimate silencing of the black criminal agent.

The Black Rapist

Mountain's narrative advocates for the justness of his conviction for rape, even as it introduces the possibility of his innocence and presents him as a less "savage" attacker than other published versions of his assault. Mountain's presentation in the text also differs significantly from images of African Americans found in the four rape confessions that followed, which establish the image of a threatening, and at times animalistic, black male rapist escalating in

American culture throughout the 1790s.¹⁶ Yet, as Daniel Cohen has stressed, these later texts employ the “literary formulae” of “the picaresque, the evangelical, and the sentimental” to present more complex views of their subjects (512) and suggest environmental factors leading to their crimes. In this respect, the narratives of Edmund Fortis, Thomas Powers, Cato, and Battus appear at times less cautionary in their treatment of African American criminality, even as they work to manufacture the myth of the black rapist.

The Last Words and Dying Speech of Edmund Fortis (1795) describes the subject’s brutal rape and murder of a fourteen year old girl in Exeter, New Hampshire. Encountering his victim alone on a road, Fortis recalls that “I then took her by the arm and carried her into the woods: She screamed and to prevent her noise, I took hold of her throat, threw her down and committed my crime against innocence” (6). Describing then the murder, Fortis recounts, “fearful that she should discover my crime, I took her by the throat and strangled her, and endeavored to hide her body under a log, by covering it with some branches and rotten wood” (7). If Fortis’ attack before the murder bears resemblance to Mountain’s, it significantly differs in that no doubt is introduced as to the perpetrator’s guilt in having committed an actual rape. In this respect, Fortis’ text clearly amplifies concerns over the black male as a sexual threat. Yet this appears as a minor concern in the narrative as a whole, which culminates in Fortis’ dramatic conversion to Christianity in prison. Thus, while one sentence of the text (quoted above) is devoted to a description of the rape, three full pages (8-11) vividly depict the subject’s religious conversion. In addition to this marked use of evangelical motif, the text also suggests environmental factors

¹⁶ This is a point made separately by both Richard Slotkin and Daniel Cohen. Discussing only the narratives of convicted African American rapists published before 1800, Slotkin observes that, “Each account is more detailed and sensational than the one preceding it” (20). Whereas Daniel Cohen argues that it was not until after 1800 that American crime literature began to contain “protoracist depictions of African American men as violent sexual offenders” (525).

leading to Fortis' crime. Fortis explains at the start that he first began to steal and took to the road because of a brutal and parsimonious master in Virginia—"Lawyer Jones, who treated me like a slave" (3)—practices that inevitably led to a life of sexual promiscuity.¹⁷ Therefore, as Fortis's text advances fears over African American freedom and mobility through its depiction of a brutal black rapist, it also casts the blame for the subject's life of crime on unjust whites and charts his miraculous religious conversion, a presentation Daniel Cohen rightly views as "antithetical to that of the 'black beast'" (505).

Whereas *The Last Words and Dying Speech of Edmund Fortis* builds toward the subject's religious conversion, *The Narrative and Confession of Thomas Powers* (1796) culminates in a series of dramatic escapes from prison. In fact, the distribution of the narrative sequence is remarkably similar in both texts. Powers' confession uses only a paragraph to describe the occasion of his crime and a sentence to detail the actual rape: "I threw her on the ground, and in spite of her cries and entreaties, succeeded in my hellish design" (6). By contrast, three full pages (8-11) are given to a recital of his repeated escapes from prison, which include such dramatic elements as descending from an upper-story jailhouse window from a rope made out of a cut-up blanket (8) and frantically sawing his handcuffs apart in a blacksmith's shop (10). Power's text, then, is considerably more interested in deploying picaresque or adventure motifs than in advancing the cautionary image of a black sexual predator (Cohen 503-504). Yet, to an even greater degree than both Mountain and Fortis' texts, Powers' narrative works to advance an association of blacks with deviant sexuality. This appears in Powers' narration of his sexual history prior to his rape offense, wherein his partners, unlike his later victim, are each black. Powers begins his sexual career at the age of nine, when, "Being one Sunday at home from

¹⁷ Fortis then records, "Here I followed my old practice of stealing, and kept a woman" (3). And he further states, "I continued my practice of taking things and lying with women" (4).

meeting, with nobody but a young Negro woman, who lived in the house, she, enticing me to her bed, where she was sitting, soon taught me the practice of that awful sin, which now costs me my life” (4). Powers then continues his sexual practices with “the young black girls about the streets” (5). These willing black sexual partners appear in stark contrast to Powers’ white victim, who resists his attack. By showcasing the alternate sexual profligacy and chastity of black and white women, in addition to the rapist’s own actions, the text presents a sustained image of African American sexual deviance.

The Life and Confession of Cato (1803) likewise sketches its subject’s history to establish an association of African Americans with deviant sexuality. Cato appears even more sexually depraved than Thomas Powers through his acknowledgement of acts of bestiality. He thus recalls that, “I became lewd to such a degree that my lasciviousness overleaped all bounds of discretion, and I indulged in the most wanton and abominable excesses, so that not even the brutal part of creation escaped the rage of my unruly passions, the innocent lamb and the loathsome swine, indiscriminately became its victims” (6). Given the seriousness of Cato’s offense, this detail would appear to carry no ironic or humorous tone. Describing his crime, Cato first relates what appears as a failed attempt at a rape, similar in this regard to Mountain’s version of his attack. Cato, seventeen at the time of his trial and execution, explains that he first sexually propositioned his twelve year old victim, and when she refused his offer and taunted him he “immediately assaulted her, threw her down, and attempted a violation of her chastity but not effecting it I permitted her to rise” (8-9). Unlike Mountain, however, Cato’s conviction rests on the brutal murder of his victim, as he first struck “the crown of her head” with a “stone” (9), and then strangled her with “two rails crosswise on her neck” (10). The text then positions the victim’s “chastity” as responsible for the ultimate failure of the attempt at rape and not the perpetrator’s

lack of desire, as suggested through his past acts of bestiality. Moreover, the text draws a clear correspondence between the sexual deviance of black people and the greater threat of assault and murder. At the same time, Cato's narrative, like Edmund Fortis', establishes environmental factors leading to the subject's later actions. Cato thus explains that his first master in New Jersey "was a man of very corrupt and immoral habits, subject to habitual intoxication, and most of the vices which flow from that fertile source of human depravity...the consequence was that I and my brothers and sisters were left to govern ourselves, and form such habits and principles as our inclinations led us to pursue" (3). In Cato's view, it is this moral laxity of his first master, and not his racial makeup, that irrevocably stamps his character. Daniel Cohen therefore observes, "*Cato's Life and Confession* could be read more persuasively as a condemnation of his enslavement than of his race" (508).

The Confession of John Battus (1804) also provides a significant consideration of environmental factors underlying the subject's crimes. However, the search for rational explanations for Battus' actions ultimately leads to an acceptance of the irrational, as well as to a disavowal of race as a factor in his case. Like *The Last Words and Dying Speech of Edmund Fortis*, Battus' narrative relates both a brutal rape and murder. Battus recalls that when he encountered his thirteen year old victim alone on a road he "took her round the waist, carried her three or four rods from the path among some thick bushes, laid her on her back—where, by force, without the arts of flattery, in a manner unpracticed among the brute species, deaf to her struggles, her cries and entreaties—disrobed her of that virgin purity, which is the flower and pride of her sex!" (10). Battus further recounts his arduous work of murder to cover his crime and silence his young victim, twice beating her over the head with "a rough stone," and when she still would not die, "taking up a stake or piece of rail" and sinking her "under water" in a nearby

pond (12). The text then presents a startling view of an African American rapist and murderer, perhaps more brutal than in any preceding narrative. At the same time, the text suggests that black people as a race are not inherently prone to criminal acts. Exploring the possible environmental causes leading to Battus' crime, the narrative establishes that the rapist and murderer had a kind master that both supplied his material needs and provided "admonitions to lead a virtuous life" (5). Yet despite these "advantages," Battus recalls that he "pilfered a number of small articles" early on in life (5). With no apparent need for these articles—cataloged throughout nearly two pages (6-7) of the confession—Battus explains these early thefts as a caprice of youth,¹⁸ and "not because I had a more leading propensity to steal than many, or perhaps, others in general" (5). Furthermore, Battus' attack on his victim, with whom he was previously acquainted, is presented both as an outcome of his early life of crime and as another irrational act—as a freak of nature, rather than as an indication of the black subject's true nature: "And here I must solemnly declare, I had no other design on this hapless victim of my lust, before this was gratified. But when one sets out on a single wicked errand, his path is lined with objects, that induce him to engage deeper and deeper in the black work" (11). Presenting a frightening image of a black rapist and murderer, *The Confession of John Battus* also disavows the notion that African Americans are inherently prone to criminal behaviors, even as it fails in its search for rational explanations behind the subject's actions.

The confessions of Fortis, Powers, Cato, and Battus, published from the years 1795-1804, establish a growing concern over the black rapist in American culture following the publication of Mountain's 1790 narrative. These later texts also present a more clear-cut image of the black

¹⁸ Making precisely this point, Battus declares, "I pass over other occurrences in my life, and must do myself the justice to suppose they were in common with others of my age, who are subject to foibles and to every sin" (8).

subject as a sexual deviant and predator. The narratives of Fortis, Powers, and Battus primarily achieve this by introducing no doubt as to their subject's guilt in having committed an act of rape. Moreover, if Cato's confession depicts a failed rape—similar in this respect to Mountain's narrative—the failure both is attributed to his victim's "chastity" and offset by Cato's recital of past acts of sexual deviancy. Yet, as we have seen, advancing the image of a threatening black rapist does not seem to be the primary concern of each of these texts, which foreground religious conversion (Fortis'), adventure scenarios (Powers'), and search for environmental factor's leading to the subjects' crimes (Cato's and Battus'). The role that both Mountain's and these later narratives played in constructing the figure of the black rapist would then seem to reside in the cumulative force they carried as a body of texts. Daniel Cohen thereby asserts that, "the sheer number of trials and publications pertaining to alleged black-on-white rapes and rape murders, at a time when such capital cases (regardless of the race of the perpetrator) were very rare in New England, undoubtedly made an impression on whites of the region" (514). Finally, if the presentation of the black rapist in Mountain's narrative is informed by larger concerns over multi-ethnic social rebellion, the exceedingly violent nature of the later confessions, particularly the depictions of Fortis, Cato, and Powers' assaults, speaks to growing fear over black slave revolt attributable to the contemporary revolution in Haiti.

While such representations were shaped by immediate historical realities, they were also no doubt influenced by long-standing cultural stereotypes regarding black sexuality. In his classic study *White Over Black: American Attitudes Toward the Negro, 1550-1812*, historian Winthrop Jordan provides a valuable survey of Anglo thoughts regarding black sexuality contemporary to European settlement in the Americas and the development of the trans-continental slave trade. Jordan argues that seventeenth-century Englishmen who first recorded

encounters with Africans were conditioned by reports from previous European travelers. He states, “Long before the first English contact with West Africa, the inhabitants of virtually the entire continent stood confirmed in European literature as lustful and venerous” (33). Especially influential in Jordan’s view were the sixteenth-century writings of Leo Africanus and Jean Bodin. In his 1526 work, first translated into English in 1600, Africanus opines that, “the Negroes...so behave themselves as if they had continually lived in a Forrest among wild beasts. They have great swarms of harlots among them; whereupon a man may easily conjecture their manner of living” (33). Bodin, in 1566, likewise registers that, “in Ethiopia...the race of men is very keen and lustful” (33). Seventeenth century Englishmen on merchant and slave trading expeditions to the African coast would reiterate these tropes in their travel writings, adding a new emphasis, it would seem, on penis size. One English traveler thus reported that native Africans possessed “large Propagators,” and another that they were “furnisht with such members as are after a sort burdensome to them” (34). The unknown author of *The Gold Coast* (1665) likewise found Africans “very lustful and impudent, especially when they come to hide their nakedness, (for a *Negroes* hiding his Members, their extraordinary greatness) is a token of their Lust, and therefore much troubled with the Pox” (35). We see the imprint of these stereotypes, now linked to Christian iconography on American soil in published reports of the 1692 Salem witchcraft trials. Richard Slotkin notes that, “The demons who possessed young white girls during the witchcraft hysteria of 1692 were described as ‘Black,’ and the devil himself called the ‘Black Man.’ The means of possession adopted by the black demons were distinctly sexual, often symbolically and occasionally overtly so” (9). Thomas Jefferson accesses this long history of stereotyping in *Notes on the State of Virginia* (1785), when he rather politely remarks that African Americans “are more ardent after their female” (139).

The influence of such longstanding cultural stereotypes is evident in the fact that deviant sexuality and the related threat of miscegenation are themes that run through nearly all of the early African American execution sermons and criminal confessions, irrespective of the punished crime. One of the earliest instances of this appears in Cotton Mather's 1721 execution sermon *Tremenda*, preached prior to the hanging of Joseph Hanno, a black man convicted of murdering his wife. Mather chastises Hanno in sexually charged language, stating, "A WICKED MAN is a *Sinner*, who *Loves* to be a *Sinner*...He serves divers *Lusts*. His *Lusts* have an absolute Command over him. The Motions of his *Lusts*, have an irresistible Force upon him. He can't Resist his *Criminal Propensities*. He can't mortify his *Carnal Appetites*" (4-5). A more explicit association of blackness with deviant sexuality (now linked with miscegenation) appears in *The Life of Johnson Green* (1786). Executed for the crime of burglary, Green's broadside narrative functions mainly as a catalogue of items he stole. Nevertheless, he mentions the stolen goods he has "given to lewd women," and asserts, "I have had great dealings with women, which to their shame be it spoken, I often too easily obtained my will of them." Green goes on to mention a history of extra-marital affairs, some with white women. He states, "I have had correspondence with many women exclusive of my wife, among them were several abandoned Whites, and a large number of Blacks; four of the whites were married women, three of the blacks have laid children to me beside my wife, who has been much distressed by my behavior" (Broadside, no page numbers). Likewise, in *The Dying Confessions of Pomp* (1796), Pomp, who was executed for murdering his master with an axe, recalls, "I was frequently troubled with convulsive fits and sometimes crazy in such a degree, that I was generally bolted in to a chamber every night, in order to hinder me from getting into the chamber where my master's daughter slept." Pomp further declares that his murder was fueled by the belief that if his master were dead "Mrs. Furbush [his master's wife]

and the farm would be mine” (Broadside, no page numbers). The prevalence of such sexual matters in the confessions of black criminals executed for crimes other than rape speaks not only to the prurient interests of the texts’ first readers, but, relatedly, to what Eric Lott has characterized as “the power of the black penis in white American psychic life” (9). The legalistic genre of the criminal confession can then be said to have helped legitimate long-standing Euro-American folk beliefs regarding black bestiality, sexuality, and criminality.

Although informed by long-standing cultural stereotypes regarding black sexuality, it is the contention of this chapter that the five narratives of African American rapists published between 1790-1804 played an important role in constructing the figure of the black rapist in American culture. This is a significant point, as recent historians have challenged the idea that the myth of the black rapist can be traced to early America. Diane Sommerville, for instance, argues that scholars “have projected post-bellum assumptions” onto earlier periods, and that “the image of the menacing black rapist did not become an obsession of the white southern mind until sometime after emancipation” (491). Martha Hodes makes similar claims, stating that, “White ideas about the dangers of black male sexuality were not newly formed after the Civil War, but white virulence reached a greater intensity with the transition from black slavery to black freedom. Beginning in the Reconstruction era...white Southerners explicitly conflated black men’s alleged misconduct toward white women with the exercise of their newly won political rights” (5-6). It should be clear from these passages that Sommerville and Hodes are both culling antebellum, Southern archives to make their revisionist claims. Such a geographical focus speaks to historian Khalil Muhammad’s point that “the dominant historical narratives about black criminality before the 1960s have been told through southern criminal justice practices” (4), and

thus further establishes a need to access earlier, Northern archives to trace more fully the evolution of the black rapist in American culture.

Historians Daniel Cohen and Sharon Block have done precisely this in work that follows Sommerville's and Hodes' analyses. Cohen first argues that,

Whereas Hodes and Sommerville suggest that the myth of the 'menacing black rapist'...did not fully emerge in the South until the mid- to late nineteenth century, the evidence...indicates that, by the early years of that century, modern liberal constructions of alleged black criminality had already begun to contend in the northeastern United States, and especially in New England, with protoracist depictions of African American men as violent sexual offenders ("Social Injustice" 525).

For her part, Block is perhaps even more vehement in her challenge to Sommerville and Hode's views. Examining court records rather than crime literature, the historian observes that, "Instead of manifesting their anxieties in lynching or polemical attacks, early American courts charged, convicted, and punished black sexual offenders at a much higher rate than whites. Every time a black man was convicted of a rape and a white man was not, the image of black sexual danger was reinforced" (9). Still granting credence to Sommerville and Hode's revisionist claims, we may view the black rapist of the post-Reconstruction Period as something like the uncanny return of an earlier figure, albeit in a heightened form. The character trafficked so heavily in the racist cinema and literature of the Jim Crow era may then be thought of as an intensified version of the same figure manufactured and disseminated in early American crime literature.

Conclusion

Redoubling claims that the construction of the black rapist grew in American culture throughout the 1790s, this chapter differs from the contentions of previous scholars in several

important ways. The popularity of Mountain's 1790 narrative, and its apparent influence on the line of African American rape narratives that followed, establish *Sketches of the Life of Joseph Mountain* as an important text in the development of a key figure in American culture. Moreover, the literary merit of the text compared to other works in the genre both forces consideration of the place of the narrative in relation to an African American literary tradition, and reveals the guiding aims of the text's producers. In this analysis, Mountain's narrative appears as a response to the threat of multi-ethnic proletarian revolt, represented stateside in disturbances like Shay's Rebellion, and abroad in London's Gordon Riots. This position differs significantly from that of Richard Slotkin, who views the construction of the black rapist as a response to the threat of African American rebellion, but considers only the impact of racially differentiated slave insurrection, particularly the Haitian Revolution, and occludes the influence of multi-racial social rebellions from an earlier date. The argument presented in this chapter, therefore, accords in many ways with the work of Daniel Cohen, who establishes more purely racial concerns building in criminal narrative published throughout the 1790s and first decades of the nineteenth century. The positive image of Mountain that the narrative sometimes presents, however, can distract from the text's larger political purpose. Seemingly subversive, or potentially empowering, moments are presented in the text only to advance claims for the greater suppression of freedom among potentially rebellious portions of the population, particularly African Americans. Motivated by far different aims than the first slave narratives, then, a text such as Mountain's complicates the place of the criminal confession in an African American literary tradition, even as it provides a voice to the early black subject.

Chapter Two

Murder and Authorial Control in the African American Criminal Confession

In the previous chapter we saw the criminal narrative of Joseph Mountain as a text molded and shaped by its producers to advance claims for a greater suppression of African American rights. This is even as Mountain recounts more personally liberating moments, and offers a clearer indication of his authorial sway, than the subjects of later African American rape narratives published throughout the 1790s and first decade of the nineteenth century. Yet two remarkable texts from the same era, *The Dying Confession of Pomp* (1795) and *The Confession of John Joyce* (1808), show the criminal confession used to advance contrary claims for greater African American freedom and inclusion. In *The Dying Confession of Pomp*, the text's white scribe, printer Jonathan Plummer, offers an unqualified defense of Pomp's murder of his master, and seeks out environmental causes behind the slave's actions. Appearing during the contemporaneous Revolution in Haiti (1791-1804), Plummer seeks to make a space for black citizens in the new American nation by divesting Pomp's crime of its broader, revolutionary significance. Plummer further dismisses apparently irrational explanations for the murder located in Pomp's own account of events. Refuting the subject's explanation for the cause of his violent crime, Plummer's work exposes many of the contradictions and limitations of Enlightenment rationality and liberality, even as it draws upon these intellectual currents to make inclusive claims for African American equality.

A more complete appropriation of the criminal confession as a tool in the struggle for African American freedom appears in *The Confession of John Joyce*. This text was authored by Richard Allen, a founder of Philadelphia's African Methodist Episcopal (A.M.E.) Church, and a leading figure in that city's sizable, and ever expanding, community of free African Americans.

Allen's involvement in Joyce's case seems activated by more localized concerns than Plummer's interest in Pomp, as the former works to shift the view of blacks in his native city, making bold claims for inclusion in the face of the murder of a white citizen by a black criminal agent. In addition to this separate historical and geographical frame, Allen's work further appeared in a different literary climate than Pomp's text, at a time when the criminal confession had begun to lose influence to the newly influential form of the trial report. This shifting literary trend is key to an understanding of Allen's work. Much more than a standard criminal biography, *The Confession of John Joyce* resembles a skillful adaptation of the trial report, presenting a series of objectively recorded witness testimonies that both acknowledge Joyce's culpability in a murder, and work to exonerate his alleged accomplice, African American Peter Mathias. Allen's efforts on behalf of Philadelphia's black community thus springs from his knowledge and sophisticated use of literary convention. What we gain from a comparative analysis of *The Dying Confession of Pomp* and *The Confession of John Joyce*, then, is the sense of an evolution of authorial control in the African American criminal confession genre. While the concept of authorial control has famously been used by Robert Stepto to explain the development of the antebellum slave narrative and the inception of an African American literary canon and tradition,¹⁹ the narratives of Pomp and Joyce suggest a similar development at a much earlier date. Moreover, these texts reveal an African American literary project first taking shape in a national discourse of black

¹⁹ In *Behind the Veil* (1979), Stepto first employed the concept of "authorial control" to outline the development of the antebellum slave narrative, further establishing it as aesthetic criteria for the most sophisticated writing of early African American literature. Stepto thus argues that *The Narrative of the Life of Frederick Douglass* (1845) is "more sophisticated" than other antebellum slave narratives (4), because Douglass offers "what is unquestionably our best portrait in Afro American letters of the requisite act of assuming authorial control" over the white editors and contributors to the text (26).

criminality, one largely hostile to the very presence of African Americans in the developing nation.

Jonathan Plummer's Intervention

The Dying Confession of Pomp recalls the murder of James Furbush, resident of Andover Massachusetts, by his black slave or indentured servant, Pomp. Of all the crimes recorded in African American criminal confession literature, murder would seem the most likely to provoke fears over black slave revolt and social insurrection. Yet, Pomp's narrative was the first African American criminal confession of the eighteenth century to detail a slave's murder of his master. Most of the narratives of African American murderers that precede and follow Pomp's text during the century relate crimes of "passion" with female victims. The first single-subject narrative of an African American murderer printed in North America was Cotton Mather's *Tremenda: The Dreadful Sound with Which the Wicked are to be Thunderstruck* (1721), an execution day sermon, prison interview, and brief biography devoted to Joseph Hanno, a black resident of Mather's native Boston convicted for murdering his wife. Apart from Hanno's wife, the remaining victims of murders recorded in eighteenth-century African American criminal confessions were white. *The Last Words and Dying Speech of Edmund Fortis* (1795) relates the murder of a white female domestic worker by the slave Fortis; and both *The Dying Speech of Bristol* (1763) and *The Dying Speech of Thomas Powers* (1796) detail cases in which slaves murdered their masters' daughters. Relatedly, two other execution sermons that antedate Pomp's tale, Mather Byle's *The Prayer and Plea of David, to be Delivered From Blood Guiltiness* (1751) and Henry Trevett Channing's *God Admonishing his People of Their Duty as Parent's and Masters* (1786), treat black female domestic workers charged with murdering white children under their care. These texts undoubtedly raise the specter of black revolution through their

description of murders with white victims. Nevertheless, *The Dying Confession of Pomp* was the first criminal confession to recount a case of a slave murdering his master, a fact that makes the text's explicit claims for African American rights all the more remarkable, appearing as it did during the time of the Haitian Revolution.

Pomp's narrative was written and published by Jonathan Plummer, a printer based in Newburyport, Massachusetts. Plummer refrained from prefacing Pomp's confession. Rather, he permits the condemned murder to have his say first, and then offers his own, complimentary analysis of the details found in Pomp's narrative. Plummer's analysis of Pomp's crime loses some of its credibility through the self-deprecatory tone he strikes near the end of the text, when he advertises other services he provides. Here, Plummer claims to engage in "various branches of trifling business—Underbeds filled with straw and wheeled to the ladies doors—Any person wanting a few dollars at any time may be supplied by leaving a proper adequate in pawn—Wanted 1000 junk bottles" (broadside, no page numbers). In addition to distracting from his insights into Pomp's crime, the scribe's self-presentation as a junk dealer here fails to accurately represent his efforts as a printer. Plummer, between the years 1789-1818, produced over forty broadsides of which we still know today. Sensational tales of death and dying appear to be among the printer's main topics of interest. A sampling of titles printed by Plummer includes, *Death of Mr. Charles Austin...Who Was Shot in Boston on the 4th of August Last by T.O. Selfridge, Esq.* (1806), *Death of Tamar Ham!...Who died in Boston, One Night in the Summer of the Year 1816, After Having Been Knocked Down and Stamped the Day Before* (1816), *Deaths of Three Persons who Killed Themselves* (1807), and *Dreadful Earthquake and the Fatal Spotted Fever: A Funeral Sermon and a Funeral Psalm, on the Death of About Ten or Fifteen Thousand of People Killed by an Earthquake on the Twenty-Sixth of March 1812 in South America* (1812).

Plummer thus tried to capitalize on sensational scenes of death, particularly violent death; and he apparently held this literary output on the same level as his “other branches of trifling business.” Considering this, it becomes all the more remarkable that Plummer would make such a bold intervention in early African American crime literature.

Pomp’s narrative evokes the precarious situation of “free” African Americans in Massachusetts shortly after the state had abolished slavery in 1783. The subject explains that by the time he had murdered his master, Captain Furbush, he had been residing with him “ten or a dozen years” (Broadside, no page numbers). This places the beginning of Pomp’s time with Furbush around 1783 to 1785, either immediately before, or sometime after, the abolition of slavery in the state. In fact, it seems that Pomp had some level of agency in arriving at the home of Furbush. He explains that when he had trouble with his previous master, Mr. Abbot, “I went to the Select men of Andover to know whether I had not a right to leave [Abbot’s home], and by their advice continued there a considerable time longer. But after a while it came to pass that Captain Furbush took a notion to have a black man; and applying to the Select men, obtained their consent that I should be his servant.” Pomp is thus able to sway local authorities to allow him to switch masters and reside with Furbush. Nevertheless, Pomp is apparently unable to escape from Furbush through similar legal channels. After realizing that “I did not like [Furbush] any better than the man with whom I last lived,” Pomp explains that “I ran away from him, but was pursued, found, brought back, and severely flogged by him for my pains. I afterwards ran off again but met with the same fate.” Describing a life of forced servitude following Massachusetts’ abolition statutes, the text suggests that Pomp was either unaware that slavery had been abolished in his home state or that he had entered into indenture bonds with his previous master Abbot, which Furbush then purchased.

Whether an illegally held slave or somewhat legally indentured servant, Pomp expresses throughout his narrative that he expected some modicum of freedom and financial compensation for his labors. It is when these are denied, in fact, that he begins a series of failed attempts at escape. Pomp insists that the financial success or failure of Furbush's farm rested entirely on his skill and expertise. He explains that when first began to reside with Furbush, his master "did some work himself, but I did not like the way he carried on his business, and after a while he left off work entirely, and by my desire left the whole management of the farm to me. I performed nearly all the work that was done on the place, cut all the hay, and with a trifle of help...raised a hundred and seventy bushels of corn in a year." Despite these efforts, Pomp complains that Furbush "still continued unkind to me, never letting me go to meeting on Sundays, and forcing me to clear out cattle on those sacred days. When I asked him for money, he commonly gave me no more than four pence half penny at a time: and even on election day he gave me no more, nor would he suffer me on those days to go frolicking till after one o'clock in the afternoon." Pomp's troubles with Furbush thus ensue from a lack of personal freedom and financial compensation he feels rightfully due anyone in his position, whether slave or indentured servant.

Alongside these claims to personal liberty and a just wage, Pomp further presents his crime as the end result of a suppressed sexuality. He explains that he "entertained an idea that Mrs. Furbush and the farm would be mine, after the death of my master. The hopes of being master, husband, and owner, on the one hand, and the cruel treatment I had received from Furbush on the other, prompted me to wish for his death, and produced an idea of hastening [it] by [killing] him myself." Pomp's expressed desire to become a "master" here may be viewed as an even greater extension of the appeal for monetary compensation made earlier in the narrative. At the same time, his hope of acquiring Mrs. Furbush following the murder grants a sexual

motivation to his crime. Pomp, in fact, mentions a suppressed sexual desire for Furbush's daughter earlier in the text. He thus recalls that, "I was frequently troubled with convulsive fits and sometimes crazy in such a degree, that I was generally bolted in to a chamber every night in order to hinder me from getting into the chamber where my master's daughter slept." Rather than a simple desire for mastery, or material wealth alone, Pomp's violent actions toward Furbush are explained in his narrative through an enforced isolation and suppressed sexuality. We thus see through these early passages the great difference between Pomp's criminal narrative and a text like *Sketches of the Life of Joseph Mountain*, discussed in the previous chapter. Mountain's amanuensis permits the black criminal agent to present the details of his life, but shapes the narrative to advance a case for a greater restriction of African American freedoms. Lacking much of the literary sophistication of Mountain's narrative, Pomp's *Dying Speech* nonetheless presents a litany of complaints against an unjust (and quite possibly criminal) employer ultimately murdered by his bondsman.

In addition to a desire for financial compensation or sexual gratification, Pomp offers another, quasi-spiritual explanation behind his killing of Furbush. Pomp states that on the morning of the murder he "arose considerably disordered having a great singing noise in the ears, and something whispering strange things to me," and explains that later that night "something still kept whispering in my ear, that now is your time to kill! kill him now! now or never! now! now!" Heeding the command of this mysterious voice, Pomp recalls that he "took an axe and went softly into the room of my master, and the moon shining bright, distinguished him from my mistress, I raised the ax before he awaked and at two blows, I so effectually did the job for him that he never even stretched himself." Pomp's claim to have been directed by a supernatural voice resembles two other famous murder cases of the era. In 1782, William Beadle killed his

wife and children and then himself in the town of Wethersfield, Connecticut. In a journal left for posterity, Beadle insisted that his actions were “directed by the hand of heaven” (Marsh 21). The case of James Yates, who also murdered his family, likewise claiming that he was directed to do so by God, took place in the year following Pomp’s trial, 1796. In a criminal confession published that same year in the *Philadelphia Minerva* and *New-York Weekly Magazine* entitled “A Account of a Murder Committed by J—Y—upon His Family,” Yates asserted that, “a spirit had appeared to him while he read his Bible, commanding that he destroy his idols” (Smith 98). Reports of both killers have long been viewed as source texts for Charles Brockden Brown’s 1798 novel *Wieland: or, The Transformation*. Readers familiar with Brown’s work will recall that the novel relates the case of Theodore Wieland, who murders his family after he is instructed to do so by a disembodied voice. Discussing these two source texts for the novel, Caleb Smith observes that, “Both documents belonged to the growing body of sensational crime literature and to a wider conversation in the press about the dangerous tendencies of [religious] unorthodoxy” (90). Pomp’s narrative therefore both contributes to this cultural trope, present across several texts published in close temporal proximity, yet introduces another potential outcome of religious fanaticism. Whereas Beadle, Yates, and Wieland cite supernatural instruction as the explanation for the killing of their wives and children, Pomp claims it as one of several factors leading him to slay an oppressive master.

Pomp’s reiteration of a cultural trope that would feature so prominently in Brown’s *Wieland* further suggests the influence of the gothic on the text. In *Murder Most Foul: The Killer and the American Gothic Imagination* (1998), historian Karen Halttunen elucidates the influence of gothic tropes and conventions in late eighteenth-century American crime narrative, particularly the confessional biographies of murderers. Halttunen reminds us that colonial era

criminal biography, almost exclusively produced by Puritan clergy, sought to present “the condemned murderer as [an] exemplary sinner” (5). By contrast, “The new Gothic murderer,” commonly encountered in American criminal biography from the 1780s forward, “like the villain in Gothic fiction—was [depicted] first and last [as] a moral monster, between whom and the normal community yawned an impassable gulf” (5). The historian thereby asserts that, “The most important cultural work performed by the Gothic narrative of murder was its reconstructions of the criminal transgressor: from common sinner with whom the larger community of sinners were urged to identify in the service of their own salvation, into moral monster from whom readers were instructed to shrink” (4-5). Halttunen attributes this new figuration not simply to an increasingly secular culture, but to “the new understanding of human nature provoked by the Enlightenment” (35). As she states, “Horror was about the essential meaninglessness of evil within an Enlightenment worldview committed to the basic goodness of humankind” (56). Pomp’s text clearly displays the influence of the gothic in its focus on the violent details of the murder and its allusion to the sexual nature of the crime. Yet Plummer’s work significantly differs from both Puritan and Enlightenment-era narratives of killers, as described by Halttunen. Rather than depicting the killer as someone with whom the reader should identify because of a shared sinful nature, or as someone from whom the reader should “shrink” because of his alien status as a “moral monster,” the text presents Pomp as someone for whom a privileged community of readers bears some responsibility, because of the existence and corrupt practices of societal institutions.

After slaying Furbush, Pomp claims to experience certain physiological changes during his incarceration, which both can make his narrative troubling to modern readers, and contributes to a broader motif in early African American crime narrative. Pomp first explains that after

receiving his sentence the “convulsive fits” that have plagued him for the past dozen or more years (since the Massachusetts “Select men” informed him that he was not free) have finally disappeared. He thus remarks, “I never felt so well and hearty in my life as I am now, [convulsive] fits and lunacy have left me entirely [and I] hope to behave cleverly and graciously in this world.” Pomp then describes a more symbolic physiological change following his trial and sentence, as he claims that his skin color has begun to whiten upon his embrace of Christian doctrine in prison. He states, “I [would] make a very extraordinary priest, and [indeed I] am turning very fast into one. When I [arrived] here, I was as black as any negro in the country, but I have scarcely a drop of negro blood left in me, my blood having so far [turned] into the blood of a Minister, that I am nearly as white as a Mulatto.” Bypassing any effort to psychoanalyze Pomp’s language here, what remains interesting about these claims to a race change is that it contributes to a small, but noteworthy, motif in early African American crime narrative. For instance, after his execution, the hanged body of one of the principal actors in the 1741 New York Conspiracy, African American John Gwin, is noted to have “somewhat bleached or turned whitish,” while the face of his executed white accomplice “turned a deep shining black” and his “beard and neck...was curling like the wool of a negro’s beard and head” (Linebaugh and Rediker 209). As we saw in the last chapter, highwayman Joseph Mountain, in his popular 1790 narrative, transforms to white when he dons a disguise in his first robbery, sporting “a large tail wig,” “white gloves,” and a mask that further conceals his race (3). Later in the text, when his efforts are celebrated at a banquet of thieves, Mountain describes the scene in language that suggests racial distinctions have been eradicated: “The house rang with the praises of Mountain. An elegant supper was provided, and he placed at the head of the table. Notwithstanding the darkness of his complexion, he was complimented as the first of his profession, and qualified for

the most daring enterprises” (10-11). What becomes most remarkable in Pomp’s narration of a race change, then, is its participation in a broader motif identifiable across several texts. Here, the actions of black criminals have the unexpected effect of undermining ideas of racial difference and strengthening allegiances along class lines. This offers a new dimension to what, in fact, made African American crime (and first person African American criminal narrative) so troubling to early American authorities.

In his complimentary analysis of Pomp’s narrative, printer Jonathan Plummer further considers the factors that shaped Pomp’s crime. Doing so, he echoes, though always expands upon, points found in the killer’s own version of events. The first explanation Plummer offers is Furbush’s financial exploitation of Pomp. Plummer thus states that Pomp “was very capable of contriving business on a farm, and such was his strength and industry, that besides the [board,] which he received for his labor, Capt. Furbush could very well have afforded him 50 dollars per year—With such wages...he might soon have acquired money enough to purchase 50 acres of excellent land, and to have enabled him to clear and improve the same.” Plummer here echoes Pomp’s own point regarding his great value to Furbush’s business and lack of pay for his labors, as he seeks out environmental explanations for the slave’s crime.

Offering a material explanation for Pomp’s killing, Plummer contributes to a new discourse on crime in late eighteenth-century America. Again, historian Karen Halttunen explains that as a new Enlightenment sensibility began to pervade American crime literature at this time “a diverse array of printers, hack writers, sentimental poets, lawyers, and even murderers themselves...were displacing the common interpreters of crime [i.e. the clergy]” (37). As a result, criminals, murderers in particular, no longer appeared in crime literature as exemplary sinners, proof of man’s natural depravity. Rather, “popular murder literature began to

cast about more in keeping with a rational understanding of human nature. Life histories of criminals offered environmental explanations of the murderer's actions" (42). Plummer's consideration of the material, or environmental, causes of Pomp's crime thus displays the influence of a broader intellectual climate, one that radically altered the shape of American crime literature by the close of the eighteenth century. Yet, though he was taking his lead from larger cultural trends, Plummer's work remains unique, for he was the first author of a criminal biography with a black subject to provide a sustained consideration of environmental factors underlying a capital crime in the service of an argument advocating for increased freedoms for African Americans.

An indication of Plummer's particular intervention in this respect can be gained through a comparative analysis with other African American crime narrative of the era. *The Life and Confession of Cato* (1803), a first-person criminal biography of a black American executed for the joint crimes of murder and rape, for instance, also posits environmental factors underlying the subject's crime. Here, Cato states: "My master was a man of very corrupt and immoral habits, subject to habitual intoxication, and most of the vices which flow from that fertile source of human depravity...he almost totally neglected his family concerns, the consequence was that I and my brother and sister were left to govern ourselves, and from such habits and principles as our indications led us to pursue" (3). Cato's narrative contains no complimentary analysis from his scribe, as Pomp's does. The condemned murderer's words are thus left to stand unchecked. *The Life and Confession of Cato* therefore suggests a lack of discipline and control of African American slaves and workers as a cause of (violent) crime. Plummer, by contrast, cites such a level of control and suppressions of rites as principal factors behind Pomp's violent actions. The Enlightenment sensibility that informs this particular aspect of late eighteenth-century crime

literature (that is, a rational search for environmental causes into crime) thus leads to radically different conclusions in each text.

This analysis further suggests that, in an Enlightenment context, race itself began to emerge in American crime ephemera of the late eighteenth century as a “rational” explanation for criminal behavior. The association of blackness with criminality in American culture can therefore be attributed, at least in part, to the influence of Enlightenment thought, as race began to assume a seemingly objective indicator of an individual’s propensity for crime. A text like *The Dying Confessions of Pomp*, which severely undermines such notions, thus lends a voice to what Paul Gilroy has termed a “counterculture of modernity” located in an early black expressive tradition (5), which Gilroy further characterizes as “the dissonant contributions of black writers to Enlightenment and counter-Enlightenment discourses” (ix). Plummer’s work therefore employs methods of Enlightenment rationality to disrupt an emerging discourse on black criminality bolstered by those very same methods.²⁰

Alongside a claim to due wages, Plummer echoes the subject’s own point that a suppressed sexuality contributed to his crime. Plummer suggests that if Pomp had been paid a fair wage “some unfortunate white woman might possible have sought asylum in his arms, or at least the...girl that fell within the line of his acquaintance would have sprung like a nimble doe [upon] his marriage bed—The animating sweets of freedom, and of domestic life, had then been all his own—He would neither have sullied his hand with innocent blood.” Apart from merely fleshing out a point embedded in Pomp’s own narrative, Plummer’s appeal here speaks to a

²⁰ In this respect, the text elucidates a point made by Philip Gould, who observes that “early Black writing demonstrates many distinctive features that may be understood in contexts associated with the eighteenth-century ‘Enlightenment,’” yet further notes that “Enlightenment culture” was “simultaneously empowering and troubling to early Black writers” (109).

broader sexual interest that pervades his writing. After stating at the close of the text that he conducts “various branches of trifling business,” including “Underbeds filled with straw and wheeled to the ladies door,” and the purchasing of pawned articles and “junk bottles,” Plummer advertises his services in the fields of sex and romance: “A certain secret disorder cured privately and expeditiously—Love-letters in prose and verse furnished on the shortest notice—The art of gaining the object beloved reasonably taught.” In light of this latter advertisement, even Plummer’s claim to provide “Underbeds filled with straw and wheeled to ladies doors” carries decidedly sexual undertones.

Still, we should not let indications of a personal sensibility diminish the radical nature of Plummer’s appeal to Pomp’s sexual rights. By citing this particular “environmental cause” of Pomp’s crime, Plummer goes against the grain of most early African American crime narrative, which typically promotes fears regarding miscegenation. As we saw in the last chapter, details of miscegenation appear in almost all early African American criminal confessions, irrespective of the punished crime. Moreover, Plummer is writing at a time when rape, particularly the rape of white women, becomes the dominant crime recorded in first person criminal narratives with African American subjects. The years 1790-1804 saw the publication of the narratives of five African American rapists condemned to death for raping, and in some cases also murdering, white women: those of Joseph Mountain in 1790, Edmund Fortis in 1795, Thomas Powers in 1796, Cato in 1803, and John Battus in 1804. These texts each provoke fears over miscegenation in order to strengthen their cases for a greater suppression of African American freedom and mobility. Plummer, by contrast, invites an interracial union for the oppressed Pomp, and further suggests that this sexual and domestic relation would have prevented his crime. The scribe thus endorses greater freedom for blacks as a means to combat violent crime, rather than advocating

for a suppression of freedoms to meet the same ends, as we see in the contemporaneous narratives of African American rapists and rapist-murderers.

Plummer also suggests environmental causes for Furbush's murder not found in Pomp's account. He cites Pomp's lack of education as a key factor in the slave's violent act. Plummer laments that Pomp "knew not the names of the Seven Sciences, nor even that there were such things or names—knew nothing of ancient or modern history, nor even the late revolution in France, or the consequences of it so often rung through the universe...Of philosophy, geography, good breeding, honor, politics, he never heard, or heard with little attention, and less improvement." With these lines, Plummer tacitly suggests the intellectual parity, or at least capability, of black people by endorsing their education. He thus takes part in a vital debate regarding African American intellectual capabilities at this time.²¹ Nor does the printer suggest that benevolent whites alone are responsible for the care and maintenance of African American education. Indeed, Plummer cites Pomp's alienation from a black community as a major factor in his diminished mental state. He writes, "[Pomp] lived either alone in the field, in bed, or in the kitchen of some people, who were too much above him to be his associates: and probably was never learned to read—There were few Negroes in Andover or any where near him, and all were unlearned people. From whom then or in what manner was it in his power to gain knowledge?" Bespeaking an Enlightenment sensibility, Plummer here continues his consideration of environmental causes underlying Pomp's crime, citing alienation and a lack of education. At the

²¹ One of the most vocal and influential proponents of black inferiority at this time was, of course, Thomas Jefferson. In his *Notes on the State of Virginia* (1785), Jefferson asserts that African Americans' existence appears to participate more of sensation than reflection" (139), and that efforts for their education have only proven "that their inferiority is not merely the result of their condition of life" (141). Jefferson thus concludes, "I advance it therefore as a suspicion only, that the blacks, whether originally a distinct race, or made distinct by time and circumstances, are inferior to the whites in the endowments of both the body and mind" (143).

same time, he makes bold claims for African American intellectual capacity and the role black Americans can play in educating fellow members of their communities.

Although he echoes Pomp's claims for certain environmental factors underlying his crime, Plummer refutes Pomp's supernatural explanation for his murder of Furbush. Plummer insists that the condemned murderer could not have been speaking the truth when he claimed to have been instructed by a disembodied voice. He writes, "As to [what Pomp] said of something telling him to kill his master, I believed it to be a falsehood... contrived to excuse his conduct." Governed by an Enlightenment sensibility that seeks out rational, environmental explanations for crime, Plummer is unable to accept Pomp's irrational explanation for his actions. William L. Andrews thus views Pomp as "an antagonist to the white amanuensis-editor's power to rationalize and thus explain away the slave's violation of social and moral norms" (51). Andrews further notes, "Like many in the nineteenth century whose ontological and semiological assumptions were contradicted by slave narrators, Plummer perseveres his worldview by denying Pomp's" (51). In a text that seeks to promote greater freedom for African Americans, we thus see the white editor's stubborn persistence in asserting authorial control over his black subject.

Plummer's analysis also appears short sighted in that it refuses to acknowledge the revolutionary import of Pomp's criminal act. This feature of Plummer's commentary is more muted and suggestive than his explicit refutation of Pomp's supernatural version of events. It appears in the scribe's lament over Pomp's lack of education, when he states that Pomp, "knew nothing of ancient or modern history, nor even the late revolution in France, or the consequences of it so often rung through the universe... [or of] geography." Plummer here places Pomp's violent assault on an unjust master in the context of the Age of Revolution. Especially relevant at

this time, of course, is the contemporaneous Revolution (led by enslaved blacks) in Haiti. Yet, Plummer denies the possibility that Pomp is guided by the same principles as the Haitian and other revolutionaries based on a rather confused claim regarding the slave's lack of historical knowledge and "geography." We should add, though, that Plummer's denial of Pomp's revolutionary spirit is no doubt informed by his desire to promote greater freedoms for African Americans, particularly in his home state of Massachusetts. Indeed, as we saw in the last chapter, a concern over a spirit of Jacobinism and black revolutionary action was evoked in other crime narrative of the era to advance claims for an increased suppression of African American rights. Plummer, then, likely has the best interests of Massachusetts' blacks in mind when he divests Pomp's crime from the Age of Revolution. At the same time, Plummer's explicit denial of the revolutionary import of Pomp's actions, like his explicit denial of Pomp's supernatural explanation for the murder, further betrays the limits of his analysis and his need to reassert authorial control.

What we find in the *Dying Confession of Pomp*, then, is the African American criminal confession employed for the first time as a tool of black liberation, though a partial and limited tool at best. Although the conservative form of the criminal confession is appropriated by Jonathan Plummer to advance claims for African American rights, the subject of the narrative is ultimately unable to free his version of events from the authorial sway of his scribe and commentator. For a more complete appropriation of the form, we must then look to *The Confession of John Joyce* and the efforts of the text's author, Richard Allen.

Richard Allen's Case

With *The Confession of John Joyce*, author Richard Allen entered the criminal proceedings surrounding the murder of Sarah Cross, a white shopkeeper in Philadelphia, for

which two black men, John Joyce and Peter Mathias, had been convicted and sentenced to death. By the time of Joyce and Mathias' 1808 trial, Allen had become a luminary in Philadelphia's ever expanding community of free blacks. Born into slavery in the state of Delaware in 1760, Allen worked to purchase his own freedom in 1780, and was ordained as a minister in Philadelphia in 1786. With Pennsylvania as the first state to abolish slavery, in 1780, Philadelphia became a primary destination for both free, and recently *freed*, African Americans. As Joanna Brooks explains, "Hundreds of newly freed slaves migrated to Philadelphia in the next decades, establishing the foundations for the United State's largest free black community" (152). To aid this community, Allen, along with fellow minister Absalom Jones, founded the nondenominational, mutual aid Free African Society in 1787. Also alongside Jones, Allen would found Philadelphia's African Methodist Episcopal (A.M.E.) Church in 1794, which holds the distinction as the first independent religious denomination founded by blacks in America. Allen's eminence would lead him to be named the Church's first bishop in 1816. Yet, as we will see, by the early nineteenth century, Allen was also well known beyond his religious community for his intervention on behalf of black Philadelphians in print.

By the time Allen took up Joyce and Mathias' case the first-person criminal confession was coming to be viewed as something of a belated, or hackneyed literary form. Criminal confessions began to lose relevance at the close of the eighteenth century, only to be eclipsed by the newly influential form of the trial report. Historian Daniel Cohen explains that, "Although criminal trial reports had not been a particularly popular form in New England during the seventeenth and eighteenth centuries, printers issued more than a dozen during the first ten years of the nineteenth century, at least twenty four during the decade after that, and many more throughout the antebellum period" (26). As the name implies, trial reports documented the

multiple testimonies presented at criminal trials, rather than one person's slanted view of events, as in criminal confession literature. Cohen further suggests that the trial report began to overshadow the first-person criminal confession because it provided the semblance greater truth and objectivity, "not by suppressing ambiguity and disagreement, but by providing a literary vehicle designed to present and fairly evaluate competing factual accounts and legal interpretations of disputed events" (28). Because of this, Cohen views the trial report as an even more conservative form than the criminal confession, as the former "tended to reclaim crime literature as an effective instrument of authority" by working to "restore public confidence in the moral nexus between crime and punishment" (28). As we have seen, *The Dying Confession of Pomp* lends strength to Cohen's claims, revealing the great potential of criminal confessions to question both individual legal proceedings and larger social structures.

In *The Confession of John Joyce*, Allen thus seems to adopt an outmoded literary form with a somewhat radical history (especially with relation to black subjects) at a time when it had largely been replaced the more conservative form of the trial report. Nevertheless, though entitled *The Confession of John Joyce*, Allen's text adheres far more to the structure of the newly influential trial report than the somewhat belated criminal confession. Neatly divided into separate sections, Allen's work objectively records multiple perspectives on Joyce's crime: his own, the sentencing judge's, an eyewitness', Joyce and Mathias' attorney's, Joyce's, and Mathias'. Offering these competing subjectivities, Allen then symbolically enters the legal proceedings himself, cross-examining the condemned in their cells, and refuting evidence presented at their trial.

The Confession of John Joyce was not Richard Allen's first foray into African American crime narrative. In collaboration with Absalom Jones, Allen produced *A Narrative of the*

Proceedings of the Black People, During the Late Awful Calamity in Philadelphia, in the year 1793, a text published in 1794. In this work, Jones and Allen systematically refute charges that black workers looted houses during Philadelphia's yellow fever epidemic of 1793. Philadelphia's yellow fever crisis of 1793 lasted roughly four months, from August to November. Although it was not Philadelphia's the first bout with the disease, the 1793 season was the deadliest outbreak of yellow fever the city had experienced to date. It is estimated that nearly five thousand residents of the city died from the disease in the four months, and that some twenty thousand of Philadelphia's fifty-five thousand residents then abandoned the city for the countryside.

Philadelphia's medical establishment, centered at the city's College of Physicians, was divided into two distinct camps in attributing a cause for the disease. The "contagionist" faction, led by physician William Currie, argued that the disease was transmitted between persons through a bodily exhalation termed "contagion." These doctors traced the appearance of the disease in the city to the West Indies and the recent flood of French planters who had arrived in Philadelphia, in flight from the Revolution in Haiti. The other leading camp speculating on the cause of the disease were "climatists," who followed the thinking of Philadelphia physician Benjamin Rush. Rush believed that yellow fever was a disease characteristic of tropical climates, and attributed Philadelphia's outbreak in the summer of 1793 to a season of especially hot weather. Diverging in their theories for the cause of the disease, both the contagionist and climatist factions of Philadelphia's medical establishment initially believed that the city's black population was immune to the illness. Especially influential in propagating this myth was Philadelphia physician (and contagionist) John Lining. Lining argued that, "There is something very singular in the condition of the negroes...which renders them not liable to this fever" (Carey, first ed., 77-78). Lining was basing his theory on his research into the yellow fever

epidemic that struck Charlestown, South Carolina in 1748. Believing this epidemic to also have originated in the West Indies, Lining noted that Charlestown's black population experienced a far lower death rate, directly attributable to the disease, than the city's white and native populations (Brooks 157). Linings observations concerning the Charlestown epidemic were correct but he was confused in his analysis. If blacks in Charlestown (or Philadelphia) experienced, as a whole, a lower rate of infection than whites it was because earlier exposure to the disease had rendered them immune. Thus, the portions of both Charlestown's populace of 1748 and Philadelphia's of 1793 that were least susceptible to the disease were those born in the West Indies who had exposure to the fever in childhood. Ignorant of germ theory, Lining and his followers in Philadelphia's medical establishment, including (initially) climatist Benjamin Rush, attributed an apparent resistance to the disease in certain African Americans as the result of an innate racial difference, instead of an immunity resulting from earlier exposure.

If African Americans were initially believed to be immune to the yellow fever, it was also widely assumed that Philadelphia's black population owed an unpaid debt to the white majority. As previously noted, in 1780, Pennsylvania was the first state in the new nation to enact legislation for the emancipation of slaves. The law was limited in its scope. Children born into slavery before the passing of the law would remain slaves for life; those born after the law would be forced to serve as indentured servants for the first twenty-eight years of their lives before gaining their freedom. Despite these restrictions, many Pennsylvania whites held that the state's black population owed the race responsible for these emancipatory measures a debt of gratitude. The fallacious belief in black immunity to the yellow fever epidemic then provided a great opportunity for Philadelphia's sizeable black community to repay this debt. Such thinking caused Benjamin Rush, who would soon realize he was wrong in assuming blacks immune to the illness,

to post a notice in *Philadelphia's Daily Advertiser*, first suggesting to whites “the safety and propriety of employing black people to nurse and attend persons inflicted by this fever,” and further exhorting “the black people that a noble opportunity is now put into their hands, of manifesting their gratitude to the inhabitants of that city which first planned their emancipation from slavery, and who have since afforded them so much protection and support, as to place them, in point of civil and religious privileges, upon a footing equal with themselves” (Rush 655). For their part, Absalom Jones, Richard Allen, and their recently formed Free African Society immediately fell into action in response to Rush’s call, organizing African American laborers during the epidemic, including nurses, body collectors, and grave digging units.

Despite this quick and heroic response, the efforts of Philadelphia’s black workers during the epidemic were maligned in an influential document published just as the fever had subsided. Philadelphia printer Matthew Carey wrote and published *A Short Account of the malignant fever, lately prevalent in Philadelphia: with a statement of the proceedings that took place on the subject in different parts of the United States*, the first edition of which appeared on November 14, 1793. In a small but influential portion of this text, Carey begins by acknowledging that medical authorities were wrong in assuming black Philadelphians immune to the disease. However, he proceeds to outline both the fortunate and unfortunate results of this mistake:

The error that prevailed on the subject had a very salutary effect; for at an early period of the disorder, hardly any white nurses could be procured; and had the negroes been equally terrified, the sufferings of the sick, great as they actually were, would have been exceedingly aggravated. At the period alluded to, the elders of the African church met, and offered their services to the mayor, to procure nurses for the sick, and to assist in burying the dead. Their offers were accepted; and Absalom Jones and Richard Allen

undertook the former department, that of furnishing nurses, and William Gray [another member of the Free African Society], the latter—the internment of the dead. The great demand for nurses afforded an opportunity for imposition, which was eagerly seized by some of the vilest of blacks. They extorted two, three, four, and even five dollars a night for attendance, which would have been well paid by a single dollar. Some of them were even detected in plundering the houses of the sick (77).

Carey's narrative of black malfeasance during Philadelphia's 1793 yellow fever epidemic would have immediate and far-reaching influence. Four English language editions of Carey's *Short Account* would appear between November 14, 1793 and January 16, 1794. Furthermore, stateside German and French language editions were published early in 1794 for Pennsylvania's immigrant communities; and an additional English language edition was published in London at the same time. Carey's claims would also prompt a forceful rebuttal, and vivid counter portrait of black activity during the crisis, in Jones and Allen's *A Narrative of the Proceeding of the Black People*.

To the accusations of Carey, Jones and Allen would offer a series of unflinching counter-claims in their co-authored text. Having served themselves as unpaid organizers of black labor during the crisis, Jones and Allen rely on their more direct knowledge, first, to insist that the payment black nurses received was necessitated by market demands. They write, "It was with difficulty persons could be had to supply the wants of the sick, as nurses;—applications became more and more numerous, the consequence was, when we procured them at five dollars per week...we found they were gone elsewhere...they had been lured away by others who offered greater wage, until they got from two to four dollars per day" (7). As to Carey's charge of black nurses and body collectors "plundering the houses of the sick," Jones and Allen suggest that

whites were responsible for more thefts during the crisis than blacks, stating, “We can assure the public, there were as many white as black people, detected in pilfering, although the number of the latter, employed as nurses, was twenty times as great as the former, and that there is, in our opinion, a greater proportion of white, as of black, inclined to such practices” (13-14). Although *The Confession of John Joyce* appeared some fourteen years later, Allen would thus have been known to both black and white audiences in Philadelphia for his important role in a nascent, yet ongoing debate regarding African American criminality in the developing nation, the urban north in particular.

A Narrative of the Proceedings of Black People serves as an important literary precedent for Allen’s later work, as, like *The Dying Confession of Pomp*, it makes a rare and explicit intervention into late eighteenth-century criminal discourse on behalf of black Americans. Yet *The Confession of John Joyce* was preceded by one other first person criminal confession that expressly denied African American culpability in a murder. In *The Address of Abraham Johnstone* (1797), the first person subject categorically refutes charges that he murdered one Thomas Read, a fellow member of Woodbury, New Jersey’s free black community. Johnstone’s work stands out among other early African American criminal confessions, in that it is the only work in the genre apparently authored by the criminal defendant himself. There is no clear indication that Johnstone collaborated with an amanuensis; and while it is impossible to ascertain how much editorial intervention went into his work, the text contains no end commentary and remarkably little beginning commentary, except for a brief preface from an unnamed source. Stridently denying his involvement in the crime throughout the text, Johnstone’s work is divided into two sections, “The Address of Abraham Johnstone,” a sermon of sorts, in which Johnstone informs and instructs an imagined audience of both black and white readers, and “The Dying

Words of Abraham Johnstone,” wherein the author recounts his version of the events leading up to his prosecution. While Johnstone’s exculpatory appeal bears resemblance to *A Narrative of the Proceedings of Black People*, the text also anticipates several elements found in Allen’s later work.

Johnstone’s trial took place at the time of emancipation debates in the state of New Jersey,²² and the convicted murderer’s desire to forward and cultivate a positive image of African Americans clearly motivates his writing. Johnstone displays particular insight into the power of text in promoting damaging myths regarding African American criminality. He remarks upon the disproportionate representation of African Americans in popular crime narrative, gallows literature in particular, stating, “that if the population throughout the United States then be taken, and then a list of all executions therein be had, and compared therewith impartially, it will be found that as [whites] claim a preeminence over us in every thing else, so we find they also have it in this particular, and that a vast majority of whites have died on the gallows when the population is considered” (7). Johnstone here rails not against a corrupt criminal justice system, which unduly prosecutes and sentences to death black defendants, but against a print culture that disseminates misrepresentations of black criminal activity and capital punishments. He thus shows great awareness of the print discourse he has entered, and by implication, knowledge of the stereotypes propagated therein.

One idea commonly promoted in early American crime literature, which Johnstone resists in his text, is a supposed predisposition of blacks toward theft. Johnstone first works to disabuse readers of this notion when he offers environmental causes for purported instances of African American theft. Charting the history of enslaved blacks in North America, Johnstone laments

²² The importation of slaves was first banned in New Jersey in 1788; and slavery itself was finally abolished in the state in 1804.

that “if the most pressing hunger should compel us to take from that master by stealth what we were sure to be denied if we asked, to satisfy our craving appetites, the most wanton and dreadful punishments were immediately inflicted upon us even to a degree of inhumanity and cruelty” (12-13). Johnstone here establishes African American theft as a righteous act, a just reclaiming by oppressed and exploited workers for wages dues. Through this passage, Johnstone takes part in a vital, eighteenth-century debate concerning instances of African American theft as evidence of racial inferiority. Thomas Jefferson would lend a voice to this discussion in his *Notes on the State of Virginia* (1785). Although endorsing the idea of black “physical” inferiority (by which he means mostly a *mental* or *intellectual* inferiority), Jefferson refutes any idea of black “moral” inferiority in this work (138). Addressing the idea of a supposed propensity toward theft as evidence of this “moral” inferiority, Jefferson asserts, “The disposition of theft with which [African Americans] have been branded, must be ascribed to their situation, and not to any depravity of the moral sense. The man, in whose favor no laws of property exist, probably feels less bound to respect those made in favor of others” (142). Making claims similar to the founding father, although working to advance a much different thesis, Johnstone displays a keen awareness of larger discourses regarding black criminality, located both in popular crime ephemera and weighty political writings.

Offering a historical and material explanation for African American theft, Johnstone also denies individual charges of theft leveled against him. Doing so, he reverses one of the most common tropes of early African American crime narrative. In his “Dying Words,” Johnstone refutes accusations of theft presented at his murder trial. Given the paucity of evidence on which his case was based, these assaults on his character would seem to have carried great weight in his conviction. The first accusation Johnstone denies is that he stole blankets from a landlady while

impoverished and suffering a bout of fever (34-35). Although he earlier justifies thefts of food by disenfranchised blacks, Johnstone next refutes charges that he robbed two separate smoke houses and a slaughterhouse (35-36). A cataloguing of specific acts of theft is a common feature of many early African American criminal biographies. Although few African American criminal confessors were executed specifically for the crime of theft or burglary, recitations of acts of theft appear in most works of the genre. As we saw in the last chapter, convicted rapist Joseph Mountain uses the occasion of his confession primarily as an opportunity to recall his past life as a master thief and highway robber in England. When describing his past thefts, Mountain typically provides an exacting inventory of the items he stole. In one particular heist, for example, Mountain claims that he took from his victim “a gold watch valued at 44 guineas, a purse of about 30 guineas, 3 gold rings, and a pair of gold knee buckles worth about 6l.” (294). Critic Jeanine DeLombard has found great significance in these catalogues of stolen commodities. She argues that the public acknowledgement of crime, especially theft, provided the enslaved and non-citizen black with the rare opportunity to attain “personhood” in early America, as it “marked the ascension from human chattel to legal person” (“Apprehending” 105). As it was not legally possible for a chattel (or non-person) to steal another chattel, DeLombard reads the public admission of theft by the condemned black criminal, via such itemized lists of stolen chattels, as an empowering act, in that it subtly negates the legal distinction of non-person. In Johnstone’s text, by contrast, we see a like attempt to achieve personhood (or the mere preservation of life) through a direct denial of thefts. Johnstone further displays an apparent knowledge of black criminal discourses here, as he deftly reverses a key trope of the genre.

The Address of Abraham Johnstone represents an important development in early African American criminal confession literature. The text marks the first time a first-persona biography was used by an African American defendant to categorically refute all criminal charges,²³ and therefore seems to offer a new phase of subjectivity in the criminal confession genre. Yet Johnstone's very position as a soon to be executed criminal calls into question his control of the text, and raises suspicion as to the extent of his authorship. Speaking to this latter point, notice language used by Daniel Cohen in his reading of Johnstone's text: "From the outset, *the ostensible author* presented himself as a longtime advocate for his race. 'I ever and always took a lively interest and pride in forwarding the affairs and assisting all those of my color that I could,' Johnstone (*or his ghostwriter*) explained" (515, emphasis added). Here, the critic clearly expresses doubts or misgivings concerning Johnstone's authorship of the text. Such doubts were likely held by many of Johnstone's own contemporaries upon encountering such a forcefully written biography with a black, criminal subject. If questions of truth and authenticity plagued the slave narrative from the eighteenth century forward, how much more so the early African American criminal confession, especially a text like Johnstone's, in which the subject sought to exonerate himself from a charge punishable by death? Richard Allen's later work *The Confession of John Joyce* thus points to the paramount necessity of establishing authorial control in early crime narrative in order to make convincing claims on behalf of African American freedom.

Allen establishes his control over the text, as well as a keen awareness of literary convention, at the start of *The Confession of John Joyce*, in a sermonic preface addressed to both

²³ As we saw in the last chapter, Joseph Mountain uses the occasion of his published confession to offer a partial confession of his crime. Moreover, earlier in his narrative, he celebrates countless crimes he previously enacted in England.

black and white audiences. Although there is no documented proof, Samuel Otter suggests that this may have been a version of a sermon Allen actually spoke at Joyce and Matthias' funeral, because, "As the most eminent clergyman in Philadelphia in the late eighteenth and nineteenth centuries, Richard Allen preached execution sermons for the city's black prisoners"(43). In his prefatory sermon, Allen follows the lead of nearly all works in the genre by declaring capital punishment a just retaliation for the crime (and sin) of murder. Citing Biblical precedent, Allen thus states that "Under the Levitical Economy, an involuntary man-slayer could find safety, only by flying to a city of refuge; but as to the murderer, no sacrifice must be offered to God—no money received by man for his pardon—the horns of Jehovah's Altar he grasped in vain.—The language of the law was, 'thou shalt take HIM from mine Altar, that he may die'" (3). Rather than employing his sermon to make a case against the death penalty, then, Allen seizes this opportunity to list the steps his black and white listeners may presently take to one day "avoid the gallows" (4). In particular, he instructs these black and white readers and auditors not to "steal," fornicate with "harlots," and visit "taverns," practices that while not criminal, eventually lead to greater offenses (4). Allen then explicitly addresses a black audience near the end of his introductory sermon in a section headed "People of Color" (5). He instructs this audience to take Joyce's case as a special warning to modify their current behavior, especially to forswear "mid-night dances and frolics" (5). Allen then incorporates one of the oldest elements of American crime narrative into his text, the execution sermon, and it appears in much the same way as in the most conservative works of the genre, both defending the death penalty and admonishing listeners to alter their wicked ways. Furthermore, Allen specifically instructs a black audience to modify their behavior in order to present a positive image of the race. Yet, Allen's text greatly differs from other execution sermons of the era, as it disentangles blacks from common

stereotypes propagated in crime literature, identifying stealing and sexual licentiousness as practices to which both blacks and whites are susceptible.

First incorporating one of the oldest elements of crime literature in North America, the execution sermon, the remainder of Allen's text more closely resembles the newly influential form of the trial report. After his introductory sermon, Allen next includes a "SUBSTANCE OF THE TRIAL, As it appeared in one of the public Papers" (6). Culling his information from this vaguely named source, Allen objectively records eyewitness testimony of the crime, refraining from commenting upon it or critiquing it at this moment. The principal witness in the case was "Anne Messinger, a girl between 13 and 14 years of age" (7). Sent on an errand to victim Sarah Cross's store, Messinger testified in court that she uncharacteristically found the door locked. Peering through the keyhole, Messinger claimed she observed "that Mrs. Cross at this time, was lying on the floor dead; that Peter [Mathias] was in the room with Joyce; that Joyce opened the drawer of the counter, and that he took out all the money; that he then lighted another candle and went upstairs...Peter going with him" (7). Allen ends this "SUBSTANCE OF THE TRIAL" by documenting the legal strategy of Joyce and Mathias's court appointed attorney. Fully admitting both of his clients' guilt, the text explains that, "The counsel then entered into an examination of the evidence, and endeavored to show, that although it proved the homicide, it did not fix upon the prisoners, such a previously formed design to take away life, as, under the statute of Pennsylvania, was required to warrant the punishment of death" (9). The attorney therefore sought to have both of his clients' sentences reduced from death to the full punishment for unpremeditated murder, "solitary confinement for 18 years" (9), a legal strategy that ultimately failed, as both Joyce and Mathias were sentenced to hang.

It quickly becomes evident in the text that Allen has a much different legal strategy in mind. Through the remaining sections of *The Confession of John Joyce*, Allen will build a case that both acknowledges Joyce's premeditated plan to murder and works to exonerate Mathias from any involvement in the crime, not merely premeditation. First objectively recording witness testimony, and then outlining counsel's failed strategy, Allen takes over Mathias's defense in a symbolic court of print. Rather than criminal biographies, the remaining sections of the text, which provide Joyce and Mathias's individual confessions, appear more like testimonies of witnesses Allen has called to the stand.

The inclusion of the "SUBSTANCE OF THE TRIAL, As it appeared in one of the public Papers" in *The Confession of John Joyce* establishes that Allen was entering an established print discourse regarding Joyce and Mathias' trial. Moreover, it is clear that Allen was attempting to contradict, or override, that very discourse by including confessional testimonies from the defendants not found in the "SUBSTANCE OF THE TRIAL." It is here important to note that another published report of the trial appeared after both Joyce and Mathias' executions on March 14, 1808, in a text titled "The Fate of Murderers: A Faithful Narrative of the Murder of Mrs. Sarah Cross, with the Trial, Sentence, and Confession of John Joyce and Peter Mathias." The "Confession of John Joyce and Peter Mathias" mentioned in the title of this document refers only to testimonies presented at the criminal hearing, and not, of course, to the confessional narratives of the defendants gathered by Allen after the trial and included in his *Confession of John Joyce*. "The Fate of Murderers" thus contains a report of the trial likewise found in Allen's text, but fails to include later testimonies that, as we will see, establish Mathias' innocence—at least of a crime punishable by death. Thus far I have been unable to ascertain whether "The Fate of Murderers" or *The Confession of John Joyce* was published first. As no copyright was filed for

either text, establishing a more precise date of publication would seem to rely on advertisements for the sale of each text placed in Philadelphia newspapers, which I have currently failed to discover. It therefore remains unclear whether Allen was further responding to this report of the trial, or if “The Fate of Murderers” sought to refute the version of the crime presented in *The Confession of John Joyce*. In any event, “The Fate of Murderers” further places Allen’s work amid a multi-textual discourse of African American criminality taking place in the urban North, Philadelphia in particular.

The first testimony Allen gathers to build his case for Mathias’s innocence is Joyce’s own. In a section of the text headed “CONFESSION,” Joyce offers a version of the crime that differs greatly from his attorney’s. Joyce here unequivocally admits to premeditating the murder of Sarah Cross, yet he insists he never shared this plan with Mathias. He states, “On Friday the 18th of December last, early in the evening, I went down to the house of Peter Mathias or Matthews...while there, I conceived the plan of the murder, but did not relate it to Peter, at that, or any other time” (14). Joyce further claims in his “CONFESSION” that while Mathias had accompanied him to Sarah Cross’s store, he had left the premises at the time of the murder. Detailing unaccounted for time that preceded eyewitness testimony, Joyce then claims that, “Peter was desirous to go, and proposed it...[he] then went out of the house. I called after him to tarry a little, and I would go along with him in a few minutes. The door was shut to by Peter. I then, holding the stick in my hand, felt strongly tempted to perpetrate the horrid act: I struck her on the head with the stick...and she fell to the floor” (14-15).

Objectively recording the murderer’s testimony to build his case for Mathias’s innocence, Allen is compelled to insert himself into the narrative after Joyce’s “CONFESSION.” He explains that after he had taken Joyce’s testimony, the murderer was visited in prison by the

mayor of Philadelphia, who was considering at that time a stay of execution on Mathias' behalf. When asked by the Mayor if Mathias's had been in the house at the time of Cross's murder, Joyce contradicted the testimony he had given Allen, answering, "that he was" (17). Although unable to reexamine the witness himself, Allen responds to this contradictory statement. He offers the testimony of unnamed witnesses to the interview who claimed that "as soon as the Mayor had withdrawn from the cell, an awful horror seemed to seize [Joyce's] mind and he exclaimed, 'Lord forgive me for what I have told the Mayor is a falsehood...I told him, Peter was present, when I killed Mrs. Cross but he was not. Lord! forgive me for it, for he is an innocent man'" (17). Allen here steps in to collect and document more evidence after Joyce's previous testimony had been refuted through the Mayor's cross-examination. Adhering to the conventions of the newly influential form of the trial report, Allen's text further appears as the document of a trial he has continued to carry on after Mathias' sentence and beyond courtroom walls.

The final section of the text, Mathias' "CONFESSION," both presents the most exculpatory evidence on the defendant's behalf and calls Allen's entire purpose for the text into question. Mathias here accounts for his presence at the crime scene following the murder. He explains that when he returned to Sarah Cross's store, having been out on the street at the time of the actual killing, Joyce refused to let him leave: "I then saw Mrs. Cross laying on the floor. I asked John what he was about, and whether he had killed the woman? he replied, 'No: she is not dead;' but he swore, 'he would have his money and property,' ... I then told him this was not the way to act, and asked him to let me out of the house; he swore 'he would not until he got his property'" (33). Mathias here presents even more damning testimony regarding Joyce's character with information absent from the killer's own account of the crime. Joyce's testimony to

Philadelphia's mayor, which sabotaged Mathias' final attempts at appeal, thus loses much of its credibility in light of Mathias' closing testimony. With Mathias' strongest claims to innocence appearing in this final section, Allen's final remarks in the text strike a jarring note. In the last lines of his work, Allen asserts that Mathias "confirmed his confession in the presence of the Sheriff and Coroner between 9 and 10 o'clock the night before his execution, as he did under the gallows" (36). If Allen's skillful adaptation of the trial report has worked only to exonerate an already executed man, what is his ultimate purpose for the text, other than to clear Mathias' name and repair his tarnished reputation?

In answer to this question, we may first say that Allen's take on the trial report serves to exonerate black Americans as a whole from blanket accusations of criminality. To achieve this end, Allen stresses the importance of punishing individual offenders who are truly guilty. Such an impulse guides *A Narrative of the Proceedings of Black People, During the Late Awful Calamity in Philadelphia*. Near the close of their collaborative text, Jones and Allen state, "The few [blacks] that were discovered to merit public censure, were brought to justice, which ought to have sufficed, without being canvassed over in [Matthew Carey's] 'Trifle' of a pamphlet...for we conceive and experience proves it, that an ill name is easier given than taken away" (13). After acknowledging these "few" instances of criminal culpability, Jones and Allen next establish their readiness to appear in print to defend black Americans against future libel. "We have many enemies that begrudge us the liberty we enjoy, and are glad to hear of any complaint against our color, be it just or unjust; in consequence of which we...would not be backward to interfere, when stigmas or oppression appear pointed at, or attempted against them, unjustly" (13). In the authors' view, print is the most effective disseminator of negative stereotypes respecting African Americans, most especially, stereotypes concerning criminality. Yet, print is

also the most effective tool for combatting such stereotypes. To fully achieve this, though, acknowledging the responsibility of individual offenders is as essential as denying blanket claims that malign the entire race. Mathias is best understood, then, to function metonymically in *The Confession of John Joyce*. The falsely accused defendant serves as a symbolic representative of his race, whose entire name Allen works to clear in his adaptation of the trial report.

Conclusion

Jonathan Plummer's *The Dying Confession of Pomp* and Richard Allen's *The Confession of John Joyce* represent an evolution of authorial control in the early African American criminal confession. Both writers appropriate this punitively designed genre, one traditionally employed to advocate for a greater suppression of African American rights, to advance bold claims for black freedom and inclusion in the new American nation. As such, both texts highlight the paramount role of the editor in criminal confession literature. If a text like Joseph Mountain's showed us how the subject's story could be manipulated in the service of an outside agenda, *The Address of Abraham Johnstone* invites doubt as to the subject's level of authorship because of the very nature of the genre, thereby undermining the text's strong claims for equality. Even *The Dying Confession of Pomp* displays the pernicious influence of the (white) editor in early African American crime narrative. To advance his particular message, the text's printer and scribe Jonathan Plummer both contradicts Pomp's version of events and denies the revolutionary significance of the slave's actions. Governed by Enlightenment ideals in his search for rational explanations behind the killing, Plummer equally displays the racial condescension characteristic of much Enlightenment-era thought. For his part, Richard Allen also appeals to new standards of rational objectivity in *The Dying Confession of Pomp*, his adaptation of the newly influential form of the trial report. Unlike Plummer, however, Allen

refrains from contradicting his subject's version of events. Rather, he permits Joyce to present testimony not offered at his trial in an attempt to exonerate his alleged accomplice, who functions in the text as a symbolic representative of both Philadelphia's larger black community, and, by extension, African Americans as a whole in the early republic. Since the 1970s, scholars have noted the influence of criminal confession literature on the development of the slave narrative and emergence of an African American literary subject. Our analysis in these first two chapters has worked to trace more fully the contours of that development, revealing criminal discourse as a fraught arena of struggle in which an early African American literary project took shape.

Chapter Three

Criminal Discourse and Antebellum African American Literature

Richard Allen's address to, and advocacy on behalf of, a free black community in the urban north is a fitting transition to our next chapter, which considers the influence of the early African American press—likewise fashioned in an urban milieu—on the representation of crime found in the narratives of fugitive slaves. Any discussion of nineteenth-century African American criminal narrative would be incomplete without a consideration of the autobiographies of fugitive slaves. At their core, fugitive slave narratives are criminal stories. Documenting the realities of the slave system, these tales culminate in an act for which the narrator is both directly responsible and (at the time of the story's initial publication) often still punishable. America's first fugitive slave narratives, the *Life of William Grimes* and *A Narrative of Some Remarkable Incidents in the Life of Solomon Bayley*, were both first published in 1825; but the conventions of the genre would solidify in the antebellum period. A valuable study in this respect is Dwight McBride's *Impossible Witnesses: Truth, Abolition, and Slave Testimony* (2001). McBride's work stresses the influence of antebellum abolitionist rhetoric on some of the most familiar and celebrated slave narratives of the 1840s and 1850s. In McBride's view, fugitive slave narrators like Frederick Douglass were laboring in an "overdetermined," or preexisting, "discursive terrain" of abolitionist rhetoric already established in publications like William Lloyd Garrison's *Liberator*, first published in 1831, and the Theodore Dwight Weld edited *American Slavery As It Is: Testimony of a Thousand Witnesses* (1835), published under the auspices of the (Garrison founded) American Anti-Slavery Society. As McBride argues, "the situation of the discursive terrain is that there is a language about slavery that preexists the slave's telling of his or her own experience of slavery" (3). It therefore "becomes very important for the slave narrator to be able

to speak the codes, to speak the language that preexists the telling of his or her story” (3). Thus, “even as the discursive terrain enables these articulations, it also restricts them” with the slave narrator serving “as a kind of fulfillment of abolitionist discourse” (5). Confronting an older critical paradigm in African American literary studies that celebrates the artistic innovations of individual agents, McBride views elemental texts of both the American and African American literary canon as severally constrained by the parameters of a pre-established discourse.

To make this important and provocative argument, McBride perhaps overstates the influence of Garrisonian abolitionism on antebellum African American literary production. At the very least, the critic occludes the role of the antebellum black press, whose inception predates the founding of Garrison’s *Liberator* by several years, in shaping the ethics and content of the narratives of fugitive slaves. Germane to this discussion is Robert Reid-Pharr’s important study of the first African American novels, *Conjugal Union: The Body, the House, and the Black American* (1999). Here, Reid-Pharr asserts that the antebellum period marked the first sustained efforts of “Black American intellectuals” to bring, and write, “their community into existence” (31). Fundamental to Reid-Pharr’s argument concerning periodization is the creation of the black press, beginning with the first African American newspaper, New York’s *Freedom’s Journal*, founded in 1827. Reid-Pharr’s critical work demonstrates how many concerns present in *Freedom’s Journal* recur in the first novels produced by African American authors during the 1850s, as “The [paper’s] editors were especially self-conscious...about how they should represent the black community to itself and to the rest of the American community” (31). For our part, an examination of *Freedom’s Journal* reveals the ongoing importance of a discourse of black criminality in the early antebellum north—one that will be taken up and reshaped by the fugitive slave narrators of the period. As the first African American newspaper (founded at the

very beginning of the antebellum period), *Freedom's Journal* may be viewed as a bridge between the African American crime ephemera of the colonial and early national periods and the slave narratives of the 1840, 50s, and 60s. Taking our lead from McBride, while at the same time acknowledging the influence of the early black press, a view of African American crime established in *Freedom's Journal* represents another aspect of the "discursive terrain" in which fugitive slaves were compelled to craft their narratives.

Throughout multiple editions of *Freedom's Journal* a view of crime emerges that carries little or no moral ambiguity. African American culpability in crime is diminished, while the white slaver appears as the most brazen and recalcitrant of criminal agents. Such a view accords with the presentation of crime found in the most celebrated fugitive slave text of the era, *The Narrative of the Life of Frederick Douglass* (1845). Here, as in his later *My Bondage, My Freedom* (1855), Douglass represents crimes enacted by slaves (be it fugitive escape or the theft of certain chattels) as righteous acts, a just reclaiming of rights due. Whites actively participating in the slave system, in turn, figure as the unlawful perpetrators of crimes against humanity. While replicating this schema to a certain extent, a much more ambiguous view of crime appears in the contemporaneous slave narratives of William Wells Brown and Jacob Green. In these texts, much less excusable forms of African American criminal activity are celebrated for their ability both to disrupt slavery as a capitalist enterprise and to undermine white abolitionist rhetoric. Often reveling in the illegal and disreputable behavior of individual black actors, these narratives recall the moral ambiguity present in early African American criminal confessions, as they point to the emergence of a non-heroic tradition of African American literature, one with later twentieth-century resonances.

Discourses of Crime in New York's *Freedom's Journal*

New York's *Freedom's Journal* existed for only two years. The first edition of the paper appeared on March 16, 1827; and the final edition was published on March 28, 1829. The paper's founder, Peter Williams Jr., selected as his co-editors two young members from New York's cadre of black intellectual elites, Samuel Cornish and John B. Russworm. Russworm was the first black graduate of Bowdoin College, having earned his degree there in 1826 (a year after Nathaniel Hawthorne, incidentally, who graduated from the College in 1825, and two years after Franklin Pierce, who graduated from Bowdoin in 1824). Russworm was only 28 at the time of the founding of *Freedom's Journal*. Four years older, Cornish was an ordained minister believed to have founded New York's first black Presbyterian congregation. Neither had ever been enslaved. Several commentators contend that the dissolution of their intellectual partnership and the eventual demise of the paper resulted from opposing stances on the issue of colonization. Throughout his tenure as the editor of *Freedom's Journal*, the more formally educated Russworm was an ardent supporter of the American Colonization Society and its plan to transport free African Americans to the fledgling colony of Liberia on Africa's Western coast. It is commonly thought that the dispute between Russworm and Cornish over the colonization issue caused the latter to resign his post as co-editor after only six months. It is also believed that Russworm's unflagging support of the American Colonization Society led to a decrease in readers and the ultimate demise of the paper after only two years. In his study *The Early Black Press in America, 1827-1860*, Frankie Hutton holds such a view when he suggests, "The problem with Russworm may have been that he put too much of the responsibility of rectifying the plight of blacks on them rather than putting more of the burden on whites who had developed a national pastime of racism and of keeping people of color degraded" (7). Given Hutton's well-

informed view, the treatment of crime throughout *Freedom's Journal* is especially noteworthy, as, rather than castigating blacks for their criminal or even disreputable behaviors, the paper consistently works to disestablish an association of blacks with crime and cast this view back onto whites.

Lurid reports of everyday crime, both in New York and throughout the nation, mainly appear in two sections of *Freedom's Journal* titled "SUMMARY" and "DOMESTIC NEWS." Significantly, these two sections disappeared from the paper shortly after Cornish resigned his post as co-editor. Cornish left the paper after the September 14, 1827 edition. The "SUMMARY" and "DOMESTIC NEWS" sections no longer appeared in *Freedom's Journal* following the October 26, 1827 edition, even though the paper would exist for almost another year and a half.²⁴ Little over a month after Cornish's departure, then, Russworm dispensed with sections that linked *Freedom's Journal* to the popular press, and devoted his paper more explicitly to issues of black political uplift: attacks against slavery, endorsements of colonization, and revisionist history, particularly of the Haitian Revolution. Russworm's removal of the "SUMMARY" and "DOMESTIC NEWS" sections after Cornish's departure offers new insight into what led to the split between the editors, an issue commonly interpreted as an irreconcilable difference over colonization. If Cornish was in fact responsible for the inclusion of the "SUMMARY" and "DOMESTIC NEWS" sections, with their rather sensational accounts of crime, the ultimate break between the editors could have had as much to do with a dispute over the general tone and appearance the paper should take, with Cornish favoring a more commercial

²⁴ The type of criminal notice typically found in these sections appears once more in the September 19, 1828 edition in a section titled "For Freedom's Journal." Here the paper reports the news of a crazed white prisoner in a Raleigh, NC jail who was finally "shot...through the body" by "the jailer." Akin to most of the paper's earlier reports of crime, this notice highlights acts of white barbarity and violence, in this case, in a southern slave state.

publication, and Russworm envisioning an undiluted political paper. Related to this, Robert Levine, in his contribution to the essay collection *The Black Press* (2001), reminds us that Cornish continued to work as a subscription agent for *Freedom's Journal* after he left as editor (23), as did David Walker, who would stage an impassioned attack against the colonization scheme in his *Appeal to the Colored Citizens of the World* (1829). These points further complicate the established view of Cornish and Russworm's break as based mainly upon opposing stances to the issue of colonization, and suggest instead a more mundane dispute over the tone and tenor their paper should take to remain commercially viable.

Working to establish the criminal propensities of whites, *Freedom's Journal* shifts a cultural association of African Americans with criminality that we, in our preceding chapters, have traced to the colonial period. The paper's editors display a sense of the historical reach of such stereotyping when in the March 16, 1827 edition they declare, "We wish to plead our own case. Too long have others spoken for us. Too long has the public been deceived by misrepresentations...for though there are many in society who exercise toward us benevolent feelings; still (with sorrow we confess it) there are others who make it their business to enlarge upon the least trifle, which tends to discredit any person of color."²⁵ In terms of long-established discourses of criminality, the execution sermons and criminal confession literature of the eighteenth- and early nineteenth-centuries provides a key locus for the type of "misrepresentations" decried in this notice. Closer to home, though, both in temporal and geographical distance, is a curious text titled *Skillman's New York Police Reports*. Authored by one John B. Skillman, the text was first published in 1830, but reports on the years 1828-1829, concurrent to the publication of *Freedom's Journal*. A study of *Skillman's New York Police*

²⁵ Editions of *Freedom's Journal* are single sheet, and thus contain no page numbers.

Reports provides insight into the popular view of African American criminality circulated in New York at the time of the paper's tenure.

In terms of biographical information concerning the author, or figures representing the popularity of the work, not much is known about Skillman and his *Reports*. At present, there appears no scholarly article or monograph chapter devoted to the text. Based upon the contents of the book, Skillman apparently frequented the early morning sentencing trials in lower Manhattan of men and women arrested the previous night for relatively minor offenses like drunkenness, vagrancy, petty theft, and prostitution. Skillman records these abbreviated trials in comic vignettes typically littered with homophonic puns. For example, the September 14, 1829 report states that, "S.L. seized a highly respectable gentleman by the *collar*---the man was in a *choler* without provocation. He was *collared* by a limb of the law" (98, emphasis in original). A following report from the same date similarly quips, "*John Bruce bruised* a lady considerably---considered a brutal and outrageous act. *John Bruce* will not bruise anyone again very soon" (98, emphasis in original). It becomes clear, then, that Skillman aspires toward humor writing with his curious assemblage of a text. It also becomes clear that he seeks to manufacture an association of African Americans and criminality in his work.

Skillman works to establish an idea that blacks are disproportionately responsible for the city's crime through the very design of his book. While African Americans make up a small amount of the accused criminals sentenced throughout Skillman's *Reports*, the text commences with an overwhelming volley of black malefactors. The very first report that appears in the text details the trial of "a colored boy" named "William Jones" (9). No clear charge or offense is ascribed to the defendant in the recorded dialogue between Jones and a judge that comprises the report. The idea that Jones had escaped from prison appears as a possibility when the judge

questions Jones if he has “ever been to the Penitentiary?” and “Did you serve out the term for which you were sentenced?” (2). Jones’ appearance at the beginning of the text sets the tone for the first section of Skillman’s *Reports*, which chronicles the proceedings of July 31, 1828. The third report of this opening section then lists a “*Bill Seaman*, 14 or 15 years of age, and of ebony hue” arrested for robbery (10, emphasis in original) and the sixth and last a “*Henry Edmondson*, a mulatto” arrested for taunting a police officer (12, emphasis in original). Of the six defendants that appear in this opening section, then, three are directly identified as black. Of the remaining three, it is uncertain whether the description of “*Donnell*, as sooty as Vulcan” on trial for “vagrancy” (11, emphasis in original) and “*Mary Holland*, with a black eye, smutty face, and rummy breath” (11, emphasis in original), arrested of course for drunkenness, are meant to convey African American associations or designate some other ethnic group. In any event, the opening of Skillman’s *Reports* is engineered to convey the sense that blacks are responsible for a disproportionate amount of the city’s crimes. In a text like Skillman’s, whose weak efforts at humor could cause many a reader to cast the book aside well before finishing it, such a method seems particularly effective. Even though black defendants make increasingly rare appearances throughout the text, their disproportionate placement at the beginning works to fix a lasting association in the reader’s mind.

In sharp contrast to Skillman’s early onslaught of black offenders, whites overwhelmingly appear as the agents of crimes recorded throughout *Freedom’s Journal*. And whereas Skillman’s black offenders appear in defense of relatively benign and victimless crimes, like escape, public drunkenness, and disturbing the peace, *Freedom’s Journal* consistently reports the most violent and serious crimes, such as murder, committed by whites. A plethora of white murderers thus appears across multiple editions of the paper. The April 27, 1827 edition,

for instance, lists three separate murders in its “SUMMARY.” The article records, “Randall W. Smith of Lexington, Ken. has been tried, and found guilty of manslaughter and sentenced to the penitentiary seven years, for killing Dr. Brown.” The article also recites, “A woman of the name of Hanford, with one of her sons, has been committed to prison in Wilton, Conn. on a charge of having murdered another son.” Finally, it states, “The Frankfort, (Ky.) Argus, of the 4th inst. contains an advertisement offering a reward of \$200 for the apprehension of Ewing Hogan, who was murdered by John Wells. One item is worthy of notice in the description of Hogan—‘a part of his nose has been bitten off!’” Through these reports, *Freedom’s Journal* follows a larger trend in American newspapers of the time, which appealed to larger readerships by focusing on violent and sensational subject matter. The development of the penny press is particularly relevant in this respect. Historian Louis Masur thus explains the changing shape of American newspapers “in the 1820s and 1830s”: “Facilitated by technological innovations such as a steam driven and cylinder presses, a new type of newspaper emerged. It cost one cent rather than six, was pitched to an expanded market of daily buyers rather than a limited number of subscribers, and hawked the ‘news’ (in itself a relatively new concept) to all segments of the community rather than an elite minority” (114). While a part of this larger publishing trend, the reports of white murderers scattered throughout *Freedom’s Journal* further serve to overturn an established image of irrational and animalistic black attackers, circulated in colonial and early American crime ephemera, and reassert these images back onto whites.²⁶

Continually listing violent crimes perpetuated by whites, *Freedom’s Journal* also repeatedly calls for harsher sentencing for these offenders. The April 27, 1827 edition of the

²⁶ Reports of white enacted murders also appear in the June 1, June 8, June 15, June 22, July 16, July 27, August 10, September 7, October 12, and October 26, 1827 editions of the paper; and the May 25 and July 6, 1827 editions of the paper contain reports of slaves murdered by their masters in the South.

paper thus records the crime of an elderly white murderer who received an especially light sentence: “At the Court of Oyer and Terminer, held in Huntingdon county, last week, a man by the name of Dempsey, aged 75 years, was found guilty of murder, in the second degree, for killing his wife. He was sentenced to five years imprisonment in state prison.” This terse and matter of fact description of the sentence contains no explicit evaluation of the court’s punishment. Yet the editors’ personal thoughts on the issue may be gleaned from the description of another murder trial found in the very same edition. Here, a pro-capital punishment sensibility emerges as the paper records, “At the recent trial of Sarah Howland, for murder at Newport, while the counsel was engaged in packing the jury, a man was asked, if he had formed any opinion relative to the case about to be called before him, and he replied, ‘that he believed...it was time somebody was hung for the credit of the state.’” Again, the paper’s lack of editorial opining in this instance, an indication of its journalistic sophistication, makes it impossible to discern if this anecdote is included as further proof of the violent propensities of whites, or to establish the death penalty as just retribution for the crime of murder. Both points perhaps gain credibility in light of the edition’s earlier notice concerning the white murderer Dempsey’s sentence of “five years imprisonment in state prison.”

In addition to suggesting the appropriateness of the death penalty for (white) murderers, *Freedom’s Journal* also establishes capital punishment as disproportionately and unfairly meted out to African American offenders sentenced for lesser crimes. This appears in the May 18, 1827 edition of the paper, which records, “At the Superior Court for Warren county, (N.C.) Judge Ruffian presiding, a free boy of color, named William Henison was convicted of forcibly breaking into a house and of stealing therefrom a few articles of small value. Sentence of death was passed upon him, by the Court, to be carried into execution on the third Friday in May.” A

clearer view of the paper's stance toward the sentencing practices for white murderers emerges from this report of a capital sentence handed to a young African American accused of theft. In an era of execution and penitentiary reform, *Freedom's Journal* thus establishes capital punishment as just retribution for the crime of murder, and protests its disproportionate application to African Americans convicted of crimes against property.²⁷

Typically ascribing cases of murder to white offenders, *Freedom's Journal* further associates the crime with a racially maligned segment of the white American population. That is, the Irish repeatedly appear as both agents and victims of murders recorded in the paper. Moreover, the details found in the record of these Irish enacted killings are typically more graphically violent than in other murder notices found in the paper. The May 4, 1827 edition of the paper thus lists a recent occasion where, "Five Irishmen employed upon the canal at Southwick, Mass. have recently killed one of their companions named Jer. Fitzpatrick, by beating him with clubs. The perpetrators immediately fled, but several persons had gone in pursuit of them." In this notice, it is therefore not only the killers, but also the victim of the crime (named Fitzpatrick), who apparently is of Irish decent. The same edition of the paper records another violent death with an Irish victim. Located in the "DOMESTIC NEWS" section, this notice likewise reads, "An Irishman by the name of John Mullen, was killed in Brooklyn, Long Island, on the 20th inst. by a blow on the head, from one of the arms of a windmill near Mitchell's oil factory." While this report describes a violent death by accident rather than murder, the second killing of an Irishman in a workplace setting recorded in the same edition of the paper works to establish the Irish as an especially reckless bunch, though they have been entrusted with the type of jobs typically denied to free blacks in the North.

²⁷ Unduly harsh sentences of African Americans convicted of crimes are also decried in the July 13 and August 3, 1827 editions of *Freedom's Journal*.

The paper further records murders with Irish agents, whose victims are not explicitly identified as Irish themselves, thereby suggesting the danger this group poses beyond their community. The May 25, 1827 edition of the paper, for instance, reports that, “On the evening of the 22d inst. Robert Stakes was murdered by Hugh McClanan, in Spruce street near William st. with a large butcher’s knife. McClanan is now in custody.” Although quite possibly Scottish, the killer’s name, McClanan, carries decidedly Irish resonances. Moreover, the name of his victim, Robert Stakes, evokes few ethnic or national affiliations, thus suggesting all segments of the population as possible victims of Irish enacted violence. A notice of an especially violent and deranged Irish murderer then appears in the May 18, 1827 edition of *Freedom’s Journal*. This longer entry is worth quoting in its entirety. It reads:

Patrick Mallory has been confined in jail at Concord, Mass. upwards of 24 years. He was imprisoned on a charge of murder, and was brought forward for trial, but remanded to prison on the pleas of insanity. Since his imprisonment he has been willfully dumb for three years. For 14 days he abstained from all nourishment, and was greatly emaciated: on being solicited to take some food he replied, “bring me a pint of rum.” He took food however on the 14th day. Tobacco is his only solace, and when he cannot get it, he chews the straw from his bed. He lately made an attempt to assassinate the jailer with a chisel, in consequence of the jailer dressing him in a clean suit of clothes. He is about 70 years of age, a native of Ireland.

Violent and reckless in workplace settings, murderers of both their own and victims outside of their community, mentally unhinged, given to drink, the Irish appear across multiple editions of *Freedom’s Journal* as a group especially prone to criminality. Working to transfer an association with the crime of murder from blacks to whites, the paper reaffixes this association to another

racially maligned segment of the population, one commonly linked with African Americans in contemporary reports of New York's criminal underclass.²⁸

Our analysis of African American criminal confessional literature in the preceding chapters should show that the crime of murder was not directly associated with blacks in early America. A propensity toward violence was not offered as proof of black inferiority as commonly as theft and sexual deviance were. Indeed, casting murder or assault as the particular domain of African Americans would have been an especially hard fiction to maintain, given the violence inherent in the transcontinental slave trade and domestic slave system. By directly associating the crime of murder with whites, then, *Freedom's Journal* may not work to transfer a specific cultural association from blacks so much, as make larger claims about the inability of whites to control their animal passions. This pursuit continues in the paper's recording of another bodily crime that was specifically associated with early black Americans, the crime of rape, and its related notions of sexual deviance.

Much like murder notices, when crimes of rape are listed in *Freedom's Journal* the perpetrators are invariably white. The March 23, 1827 edition of the paper, for instance, provides the notice of a white rapist that compounds multiple acts of sexual deviancy. This article states that, "Christopher McGovern, a man near 60 years of age, has been convicted of a rape committed on his own daughter, about 17...the prisoner's wife had been dead only about seven weeks. The prisoner was sentenced to the state one-year solitary confinement, and at hard labor for the remainder of his natural life. He...seemed no way affected by the sentence." This unrepentant white rapist thus appears even more depraved through the record of his dual offense of incest, which the notice posits as an affront to his marriage vows, some two months after his

²⁸ Further reports of Irish murderers appear in the July 16 and July 20, 1827 editions of the paper.

wife's death. Another rape notice found in the April 27, 1827 edition of the paper again combines multiple offenses to redouble an image of white sexual depravity. The report states that, "A man named John Smith, has been committed to prison at Portland, for attempting to commit a rape of a girl of ten years, at Saco, Me." Although stringent age of consent and child molestation laws did not appear in American until the late nineteenth century, it is clear from this notice that the paper regards this offense (or is interested in promoting it) as an abuse against a child, with the designation of the victim as "a girl ten years of age." Like the rape of an immediate family member, this attack on a child presents a damning occasion of white sexual depravity. Through these notices of white rapists, *Freedom's Journal* works to dispel an association of blacks with sexual deviancy, a mainstay of the eighteenth and nineteenth-century criminal confession genre, and cast this view back onto whites.²⁹

As *Freedom's Journal* works to transfer an association of bodily crimes, like rape and murder, from blacks, it also establishes intellectual or "white collar" crimes as the particular domain of whites—a detail especially relevant to our later discussion of William Wells Brown. Counterfeiting is one such intellectual crime repeatedly recorded in the paper. The April 20, 1827 edition, for example, recalls that, "Seven persons were arrested on the 7th inst., charged with passing counterfeit money—They constituted a gang, \$10 bills of the Newark bank were found in their possession." The May 11, 1827 edition contains another, though far less organized, instance of the crime, stating, "A man was recently tried in Concord, Mass. for counterfeiting six-penny pieces. They were made of double tin stamped with quicksilver." Given the

²⁹ Related to these images of sexual deviancy are reports of white husbands arrested for domestic assaults found in the June 15, June 22, July 16, and July 20, 1827 editions. Both the rape and spousal abuse notices advance an image of white immorality related to violations of the marriage vow. This especially holds true, of course, for those rape cases involving incest. A less serious example of this appears in the notice of a white bigamist located in the October 19, 1827 edition of the paper.

longstanding practice in our culture's rhetoric to affix racial distinctions only to non-white peoples, or whites ascribable to certain ethnic groups, it is safe to assume that the perpetrators of these acts of counterfeiting were white. Provided this, it seems the paper would further suggest that unsolved cases of the crime were most likely enacted by white agents. Such a case appears in the April 27, 1827 edition of the paper, which states that, "Twenty dollar notes of the Branch Bank of the U. States, at Charlestown have been counterfeited and are in circulation." Likewise, the May 18, 1827 edition of *Freedom's Journal* warns, "BEWARE OF COUNTERFEITERS—A new emission of counterfeit three dollar notes of the Mechanic's and Farmer's Bank, has just made its appearance. The signature of Mr. Knower, the President, and Mr. Olcott, the Cashier, are admirable, and the filling up easy and natural. The paper and engraving is as course as genuine ones, which is saying a good deal." The description of the great skill involved in a successful counterfeiting operation speaks to the multiple interests this crime held for the country's literate classes. Across multiple editions of *Freedom's Journal*, we find this intellectual crime cast as the special provenance of whites. Whites appear throughout the paper, then, as recurring agents not only of bodily crimes of passion, but of calculated, intellectual crimes that both demand great artistic skill, and further serve to disrupt the workings of monetary capitalism.³⁰

Working to transfer, or at least dispel, an association of blackness with criminality, the reports of white crime found in *Freedom's Journal* always relate, in some way, to the situation of free African Americans living in the urban North. Among the many reports of white lawlessness listed in the paper, the crime of kidnapping would seem of great concern to members of a free

³⁰ Reports of white counterfeiters are further located in the June 1, June 8, July 6, August 3, August 24, September 7, September 21, September 28, and October 5, 1827 editions of the paper. Relatedly, the October 12 and October 19, 1827 editions contain notices of whites prosecuted for "forgery."

black community in the antebellum north. Although the paper records no specific instances of African Americans kidnapped by slave dealers in New York City, it evokes the specter of the crime in an urban (albeit Southern) metropolis. The May 4, 1827 edition of the paper thus records that, “Mrs. Betsey Wallis, a free woman of color, of Baltimore, offers a reward of \$100 for the recovery of her son, John Wallis who has been missing since the 8th of March.—There is reason to believe he has been kidnapped.” While no direct mention is made of slave traders as potential agents of this kidnapping, the prevalence of this crime at the time make that the likely reality of the case, that is, if the missing son had indeed been kidnapped. Indeed, this frantic mother’s notice may have been part of a larger ruse to aid her missing son’s escape from slavery, a deception the paper then continued. Nevertheless, by including this notice the paper’s editors alert their readers to stand on guard against potential abductors in their own environs, as they make apparent their readiness to advertise the crime and seek out the missing person should it occur again. In either case, whether willing participants in a ruse or earnest searchers for the victim the paper works to establish solidarity in a black community under threat by white criminal agents.³¹

The above listing of a specific instance of kidnapping, as it relates to slavery, is in line the paper’s larger treatment of the system. That is, the editor’s of *Freedom’s Journal* make apparent their intentions of distinguishing between slavery as a legally sanctioned institution and actual infractions of the law that mark abuses of that institution. The March 30, 1827 edition of the paper contains a lengthy entry titled “PEOPLE OF COLOR,” which expounds upon these principles. The unsigned author of this piece explains that he has “three objects in view in thus going into the examination of the nature of slavery as a legal institution.” The first is to make

³¹ Extended coverage of the trial of a notorious white kidnapper, in league with a black accomplice, appears in the June 8, June 22, and July 27 editions of the paper.

clear that “the relation between the slave master and the slave is a proper subject of legislation. It is a conventional right, and depends entirely upon the laws.” “The second object,” the author states, is “to relieve slaveholders from a charge, or an apprehension of criminality, where in fact, there is no offence.” Finally, “The third” is “to fasten charges of criminality on the very spot where such a charge will lie.” The paper here presents a nuanced treatment of crime in relation to slavery, one absent from the ultraist rhetoric of Garrisonian abolitionism, which categorizes slavery as an infringement on the Constitution, and the slave owner and those he employs as criminal agents. At the same time, the paper asserts the need to expose criminal abuses within the slave system when they occur, as well as their fixed intention to do so.

The focus on abuses of the slave system found in *Freedom's Journal*, along with the paper's larger treatment of violent, sexual, and intellectual crimes, would have a direct bearing on the representation of such acts in the later narratives of fugitive slaves. As the first African American newspaper, *Freedom's Journal* established a stance on crime with which all antebellum slave narrators were compelled to engage, or, to employ Dwight McBride's terminology, a particular “discursive terrain” in which their work was formed. The selection of texts I will analyze throughout the remainder of this chapter, then, is somewhat arbitrarily chosen—aside, perhaps, from Douglass's unavoidable influence in the genre—as any one narrative or constellation of texts could be read as a response to the discourse of crime established by the paper. Nevertheless, the narratives of Frederick Douglass, William Wells Brown, and J.D. Green provide some of the most compelling and influential engagements with the treatment of crime located in *Freedom's Journal*. And as the paper itself continued and rearticulated a discourse of criminality established in early American crime ephemera, these

slave narratives provide an additional bridge to more modern treatments of crime found in later nineteenth- and twentieth-century African American literature.

Frederick Douglass's Criminal Enterprise

Still by far the most read and studied of all the fugitive slave narratives, Frederick Douglass's 1845 *Narrative of the Life of Frederick Douglass* would greatly influence the genre throughout the remainder of the antebellum period. In *To Tell a Free Story* William L. Andrews thus labels Douglass's *Narrative* "the great enabling text of the first century of Afro-American autobiography. Its sales—4,500 copies in the first five months of its existence—prompted repeated reissues in America and, in the next two years, English, Irish, and French editions. Popular demand of the literature of fugitive slaves surged" (138). Yet, if Douglass's work created a greater demand for, and influenced the content of, slave narratives to follow, Dwight McBride reminds us that the text itself was shaped by a preexisting abolitionist discourse. Reiterating his thesis that, "The slave witness witnesses not only to individuals but also the 'world of the listener,' his or her discursive milieu" (152), McBride further notes that, "Douglass was clearly aware of his discursive milieu and paid a great deal of attention to this awareness in crafting his testimony" (154).

Germane to our particular focus, then, is Douglass's apparent awareness of, and engagement with, a preexisting discourse of African American criminality. While asserting that Douglass had knowledge of this discourse in its colonial and early national manifestations (through a familiarity with African American criminal confession literature, for example) is highly probably, such an argument is not only untenable, but, perhaps, even irrelevant. The fact remains that he was working in an antebellum discursive terrain shaped in part by the early black press, which continued this discourse from those earlier periods. Much like the editions of

Freedom's Journal examined earlier in this chapter, Douglass's 1845 *Narrative* is a work saturated with discussions of criminality. And like the paper, Douglass works to transfer an association of blacks with crime firmly onto whites. Yet unlike the first African American newspaper, which makes a clear distinction between the legality of slavery and illegal abuses in its midst, Douglass asserts that the slave system is itself a criminal enterprise. Douglass then moves beyond the vision of *Freedom's Journal* as he represents slaves who commit crimes like theft, fugitive escape, and even murder as moral agents, acting in the right in just opposition to a system that, while legally sanctioned, is criminal in its very design. Further transferring an association with criminality to whites, Douglass's work presents a clear moral compass, where slaves acting in defiance of the law are following the dictates of a personal conscience—one that should be shared by the rest of the nation.

In his 1845 *Narrative*, Douglass parts company with *Freedom's Journal* in that he views the very economic relation on which slavery is based as a criminal arrangement. The slave owner that takes or never pays his workers wages, though legally permitted to do so, is guilty of theft and extortion in Douglass's view. As Douglass's literacy develops as a youth in Baltimore, and he begins to study the anti-slavery discourses located in "The Columbian Orator" (83), he first comes to identify the slave owner as a criminal agent: "The more I read, the more I was led to abhor and detest my enslavers. I could regard them in no better light than a band of successful robbers" (84). This view of the slave owner as thief deepens when Douglass begins to hire out his time and is forced to turn over his wages at the end of each week to his Master Hugh Auld: "And why? Not because he earned it,—not because he had any hand in earning it,—not because I owed it to him,—nor because he possessed the slightest shadow of a right to it; but solely because he had the power to compel me to give it up. The right of the grim-visaged pirate on the

high seas is exactly the same” (135). Douglass continues this rhetoric of the slave owner as robber or thief throughout the remainder of his *Narrative*, further mentioning Hugh Auld’s “robber-like fierceness,” and describing the slave master as “a pretty honorable sort of robber” (139). Furthermore, commenting upon the hypocrisy of the self-professed Christian that owns slaves, Douglass remarks that, “The man who robs me of my earnings at the end of each week meets me as the class leader on Sunday morning,” and that, “We see the thief preaching against theft” (154). Like *Freedom’s Journal*, Douglass, in his 1845 *Narrative*, manufactures a text in which criminality is primarily the domain of whites. Yet, unlike the paper, criminality seems to have less to do with the biological determinants of race in Douglass’s view, than with a specific class position. And while the paper acknowledges the legality of the slave system (at least for the time being) Douglass presents slavery itself as a criminal enterprise based upon the theft and extortion of black workers.

This presentation continues in Douglass’s discussion of the crime of kidnapping. As we have seen, *Freedom’s Journal* stresses the distinction between the legally sanctioned institution of slavery and illegalities committed in its shadow. One illegal act repeatedly mentioned in the paper is the crime of kidnapping, as blacks in both the free North and slave South were abducted and trafficked into slavery—a crime that must have been a cause of great concern to an audience of free African American readers in New York. In his *Narrative*, Douglass himself expresses his fear of kidnapping during his brief sojourn in the city, a stopover on his way to the final destination of New Bedford, Connecticut. Douglass then states that, “I was afraid of speaking to the wrong one, and thereby falling into the hands of money-loving kidnappers, whose business it was to lie in wait for the panting fugitive, as the ferocious beasts of the forest lie in wait for their prey.” Yet, while Douglass expresses his fear of falling victim to kidnappers in the urban North,

he also asserts that the legally sanctioned slave owner is guilty of the same crime. In the “Appendix” to his 1845 *Narrative*, Douglass comments upon the hypocrisy of self-professed Christians who would refuse a criminal from entering their congregation, but would gladly accept a slaver owner, stating, “They would be shocked at the proposition of fellowshipping a *sheep-stealer*; and at the same time they would hug to their communion a *man-stealer*” (156, emphasis in original). Douglass again departs from the view of crime presented in *Freedom’s Journal* through these lines, as he puts the criminal agent of the kidnapper on the same plane with the lawful slave owner.

Douglass’s view of crime in relation to slavery, therefore, both accords with, and significantly varies from, the treatment of the issue in *Freedom’s Journal*. Much like the paper, then, Douglass works to transfer a cultural association with criminality from blacks. *Freedom’s Journal*, we recall, pursues this end by refusing to list crimes known to be perpetrated by blacks, or to explicitly identify blacks as agents of crimes. Douglass, on the other hand, suggests that enslaved blacks can never be guilty of crimes, even if the acts in which they engage are technically illegal, because they are acting in defiance of a slave system that is criminal in its very design. In one exemplary passage, wherein he charts his growing fascination with the word “abolition” as a youth, Douglass states that, “If a slave ran away and succeeded in getting clear, or if a slave killed his master, set fire to a barn, or did anything wrong in the mind of a slaveholder, it was spoken of as the fruit of *abolition*” (85, emphasis Douglass’s own). Douglass here presents a bold, yet exacting moral calculus in which crimes like slave escape, murder, and arson are “wrong” merely “in the mind of the slaveholder,” and, by implication, right, or *righteous*, in Douglass’s view. The clear line between right and wrong with respect to the condition of slaves and fugitive slaves that Douglass establishes in his 1845 *Narrative* would be

significantly challenged and altered in the later antebellum narratives of William Wells Brown and Jacob Green. These latter works introduce a moral ambiguity not present in Douglass's text, one more in line with the popular writings of black Americans from the twentieth and twenty-first centuries, and thus point to an non-heroic, perhaps even disreputable, tradition of African American literature.

William Wells Brown's Moral Ambiguity

In his first published autobiography, *Narrative of William W. Brown, A Fugitive Slave* (1847), William Wells Brown continues a discourse of criminality located in both *Freedom's Journal* and Frederick Douglass's 1845 *Narrative*. Brown first pursues the established aims of the first African American newspaper in publicizing abuses, or criminal acts, within the legally sanctioned system of slavery. Brown asserts that such abuses exist in all parts of the country where slavery exists; and he seeks to disabuse his readers from the notion that slavery is more benignly practiced in its northernmost reaches. He writes:

Though slavery is thought by some to be mild in Missouri, when compared with the cotton, sugar and rice growing States, yet no part of our slaveholding country is more noted for the barbarity of its inhabitants, than St. Louis. It was here that Frances McIntosh, a free colored man from Pittsburgh, was taken from the steamboat *Flora*, and burned at the stake. During a residence of eight years in this city, numerous causes of cruelty came under my observation;—to record them all, would occupy more space than could possibly be allowed in this little volume (688).

Brown then offers a personal anecdote in proof of white lawlessness (in relation to blacks) in his native St. Louis. The former slave recalls an instance when he was attacked by a white man who stood in no relation to his master—one Samuel McKinney—merely because he had defended

himself in a prior, unwarranted attack from McKinney's son. As a result of this assault, in which McKinney "seized [Brown] by the collar, and struck [him] over the head five or six times with a large cane," Brown explains that, "It was five weeks before I was able to walk again" (689).

Expanding his geography, Brown further documents a murder he witnessed in New Orleans. In this case, a slave accused of stealing "meat," yet affirming his innocence to his death, was beaten to death by a mob of whites. "After punching him, and striking him over the head, he at last sank into the water, to rise no more forever" (699).

These acts of white lawlessness sanction the criminal practices of fugitive slaves in Brown's view. At the same time, the instances of black criminality described by Brown pale in comparison to the violent crimes of whites already recorded in his narrative. On his flight to freedom, Brown thus recalls the theft of a boat with which to cross the Ohio River. Accompanied by his mother in this initial escape, Brown explains that, "We proceeded to the upper part of the city, where I had been two or three times during the day, and selected a skiff to carry us across the river. The boat was not mine, nor did I know to whom it did belong; neither did I care" (702). Casing the location beforehand, Brown recalls here a premeditated crime of theft. Furthermore, Brown not only expresses no regret over his criminal actions on his path to freedom, but the scene culminates in the seeming destruction of the stolen property: "We were soon upon the Illinois shore, and, leaping from the boat, turned it adrift, and the last I saw of it, it was going down the river at good speed" (702). Brown here expresses a view of African American criminality very much in line with that of Frederick Douglass in his 1845 *Narrative*. In the view of both authors, criminal actions committed by fugitive slaves appeal to a higher morality, one in defiance of the laws of the land, which enable the slave system.

Representing a view of criminality, in relation to slavery, very much in line with both *Freedom's Journal* and Frederick Douglass's 1845 *Narrative*, Brown also deviates from these established discourses as he describes the disreputable practices of an African American protagonist. The flawed characteristics and behaviors Brown affixes to himself in his narrative range in seriousness. Yet, they all inform a non-heroic, and even morally corrupted, black character, the type either obscured or admonished against in both Douglass's text and the first African American newspaper. For instance, both *Freedom's Journal* and Douglass's *Narrative* ardently espouse the cause of temperance, positioning sobriety as a means of self-advancement for both enslaved and free blacks. Notices advocating on behalf of temperance appear in nearly every edition of *Freedom's Journal*, and range from the subtle to the more overtly didactic. For example, a report in the August 10, 1827 edition states that, "Col. Coit, grocer, of Norwich, has discontinued the sale of ardent sprits, from conscientious scruples." And the following notice reads: "-HARD DISCIPLINE. -Two persons in Louisiana, lately made a bet which could drink the greatest quantity of ardent spirits. A gallon was procured, which was drunk up in a few minutes; and the person who proposed the bet went for more! but on his return found the other lifeless." For his part, Douglass's strongest case on behalf of temperance appears in his 1845 *Narrative* when he describes the typical Christmas holiday for slaves on the plantation, in which "the slaveholders not only like to see the slave drink of his own accord, but will adopt various plans to make him drunk. One plan is, to make bets on their slaves as to who can drink the most whiskey without getting drunk; and in this way they succeed in getting whole multitudes to drink to excess" (115). In contrast to the slaves who take part in this sport of the masters, Douglass praises the foresight of the "staid, *sober*, and industrious ones of our number [who] would employ themselves" during the holiday "in making corn brooms, mats, horse-collars, and

baskets,” or in “hunting opossums, hares, and coons” (114, emphasis added). Brown on the other hand not only avoids such temperance rhetoric in his first autobiography but unapologetically dwells on his early penchant for alcohol. The former slave thus recalls that, “My master and mistress were great lovers of mint julep, and every morning, a pitcher-full was made...After drinking freely all around they would have family worship...I cannot say but I loved the julep as well as any of them, and during prayer was always careful to seat myself...so as to help myself when they were busily engaged in their devotions” (691). On one level, Brown presents here merely an amusing anecdote. At the same time, Brown’s avowed fondness for alcohol, further positioned as a means to strike back at his slave master, runs the risk of alienating a large portion of his initial audience, given the strong links between the reform movements of temperance and abolition.

Brown’s self-portrayal as a flawed and non-heroic narrator continues when he chronicles his involvement in the slave trade. Brown recalls that his Missouri master hired him for a time to a slave trader named Walker. Working as Walker’s primary assistant, Brown assisted the “soul driver” in transporting gangs of slaves to the New Orleans slave auctions. One of Brown’s major duties at this time also entailed preparing “the old slaves form market” (693). Brown explains that, “I was ordered to have the old men’s whiskers shaved off, and the gray hairs plucked out, where they were not too numerous, in which case he had a preparation of blacking to cover it...These slaves were also taught how old they were by Mr. Walker, and after going through the blacking process they looked ten or fifteen years younger” (693). Brown expresses deep regret over this involuntary involvement in the slave trade, lamenting that, “I was heart-sick at seeing my fellow creatures bought and sold” (693). Still, Brown’s active participation in both the transport and sale of his fellow slaves marks him as a betrayer to his race, thereby compromising

the sympathy he elicits from his readers. William L. Andrews thus observes that deliberately flawed slave narrators like Brown “risk their readers’ ambivalence toward them as heroes by acknowledging that they did things conventional heroes were not supposed to do” (144).

Following Andrews’ point, active participation in the slave trade would have been unimaginable in Frederick Douglass’s *Narrative*, which presents a hero with an unimpeachable moral character and an unflagging devotion to his race. Yet, it is important to acknowledge the fact that Brown’s efforts in preparing “the older slaves” for market has the effect of deceiving whites, and thus, however partially, upsetting the slave system. As Brown himself concludes the above-mentioned scene: “I am sure that some of those who purchased slaves of Mr. Walker were dreadfully cheated, especially in the ages of the slaves which they bought” (693).

Brown’s work in support of the slave system anticipates a later moment in his narrative, in which he again betrays a member of his race, and further risks losing the sympathy of his readers. At the same time, this episode also has the ultimate effect of deceiving a white slave owner and disrupting the slave system. During his time hired out to the aforementioned Walker, Brown is issued a note and a dollar bill from his temporary master, and instructed to deliver both to the local jailer. Suspicious of the note’s contents, the still illiterate Brown has the note read to him by a visiting sailor, who informs Brown that, “This is a note to have you whipped, and says that you have a dollar to pay for it” (697). Continuing on his way to the jail, Brown encounters a free black man, who “had been in the city but a short time” (698). With the stranger also unable to read, Brown hands him the note and offers to pay him the dollar bill for its safe delivery to the jailer, explaining that he “was so busily engaged [he] could not do it” (698). The stranger complies, and ends up taking Brown’s whipping for him, paying the dollar to do so. When the dumbfounded victim of Brown’s ruse emerges from jail he carries another note, addressed to

Brown's master, stating that the whipping had been completed and the dollar payment received. Guessing the note's contents, Brown adds insult to injury, and pays the freshly whipped man fifty cents for the note, "that being all the money I had. He gave it to me, and took his money. He had received twenty lashes on his bare back, with the negro whip" (698). Brown displays here a troubling moral ambiguity, as his criminal deception within the slave system includes a black victim. At the same time, the ultimate target of his deception is his temporary slave master Walker. Brown, although still unable to read, uses his intelligence to thwart the white slave master's attempts at corporal discipline. William L. Andrews observes that "this whole episode has demonstrated the best way for the slave to keep from being whipped again is to *mis*behave himself in the manner that Brown has revealed to the reader...[given] the fact that forcible resistance is impossible in Brown's world" (147, emphasis his own). Brown's tale of overcoming his slave master is a far cry from Frederick Douglass physical domination of his temporary master Covey from his 1845 *Narrative*, the moment in which Douglass believes that he "was made a man" (107). Brown's tale of trickery points to a non-heroic tradition of African American literature, as well as a potentially alienating moral ambiguity that harkens back to the early biographies of condemned, African American criminals.

As with his involvement in the slave trade, Brown expresses remorse over his betrayal of a free African American in his ruse with the note, stating, "I have often, since my escape, deeply regretted the deception I practiced on this poor fellow" (699). Recalling this same episode in the 1848 version of his *Narrative*, Brown further claims that he did not "entertain the same view of right and wrong which I do now" (Andrews 148). Yet Brown's (possibly criminal) deceptions would continue after he had escaped from slavery and arrived in the free North—acts recorded in his 1853 *Narrative of the Life and Escape of William Wells Brown*, attached to his novel *Clotel*.

Furthermore, following this new set of deceptions, Brown expresses no regret over his actions. It becomes clear, then, that Brown only remains sorry for instances in which he tricked his fellow blacks, as the victims of his new ruses are uniformly white. Brown ultimately suggests then that criminal deceptions enacted by African Americans have a moral sanction, or just precedent, in all areas of the nation, not merely in the slave South—a position that further distinguishes his view of crime from that of Douglass.

Brown positions his first deception in the North as a direct response to having been duped by a greedy white employer. Brown resumes his work on steamships while living as a fugitive slave in northern Ohio; and he explains that, “In the autumn of 1835,” he was “cheated out of the previous summer’s earnings by the captain of the steamer in which I had been employed running away with the money” (25). Brown then states, “I was, like the rest of the men, left without any means of support during the winter, and therefore had to seek employment in the neighboring towns” (25). Previously working on Lake Erie, Brown seeks employment in the nearby town of Monroe, Michigan. The first job he attempts to acquire was one commonly associated with African Americans in the antebellum period, that of a barber.³² Brown recalls, “I passed the door of the only barber in the town, whose shop appeared to be filled with persons waiting to be shaved. As there was but one man at work, and as I had, while employed on the steamer, occasionally shaved a gentleman who could not perform that office himself, it occurred to me that I might get employment...but the barber told me he did not need a hand” (25). Insisting that he “was not to be put off so easily” (25), Brown sets up his own shop in retaliation, grossly

³² In her study of Poe’s “The Murders in the Rue Morgue” (1841), critic Elise Lemire thus observes that, “In the antebellum period, the tending of white men’s hair and beards was typically done by blacks, for whom such labor was considered ‘natural’” (183). And she further notes that, “barbering was the chosen profession of free blacks who wanted to rise [economically]” (184).

inflating his credentials. “I took [a] room, purchased an old table, two chairs, got a pole with a red stripe painted around it, and the next day opened with a sign over the door, ‘Fashionable Hair-dresser from New-York, Emperor of the West’” (25). Brown even resorts to spreading slander about the barber that initially refused him employment: “Of course I had to tell all who came in that my neighbor on the opposite side did not keep clean towels, that his razors were dull, and, above all, he had never been to New York to see the fashions” (25). Brown, here, goes beyond showing no remorse, and clearly boasts of his past deceptions of seemingly innocuous whites in the North. Moreover, his deceptions are sanctioned in his narrative, appearing in response both to his having been cheated by the (white) ship captain and the workplace discrimination he experiences in Monroe. Shut out from the opportunity to earn a fair wage, Brown resorts to deceptive practices that border on the criminal; and he displays no remorse for having done so.

Brown raises the stakes of his deceptive practices, and veers closer to the criminal, when he begins to print and then circulate his own currency from the barbershop. Placing this episode in the financial crises of the 1830s, Brown explains:

At this time, money matters in the Western States were in a sad condition. Any person who could raise a small amount of money was permitted to establish a bank, and allowed to issue notes...This being the case, many persons borrowed money merely long enough to exhibit to the bank inspectors, and the borrowed money was returned, and the bank left without a dollar in its vaults, if, indeed, it had a vault about its premises. The result was that banks were started all over the Western States, and the country flooded with worthless paper...these were called “Shinplasters” (26).

Brown decides to put his own “Shinplasters” into circulation, and commissions a local printer to manufacture his currency. Brown then recalls that, “my bills were soon in circulation; and nearly all the money received in return for my notes was spent in fitting up and decorating my shop” (27). Brown not only shows no remorse for this deception, he experiences no ultimate reprisal for printing this worthless currency. When his clients ask to exchange the notes Brown solves the dilemma by simply offering them other worthless currency in return. The episode then concludes on an interminable note, with Brown stating, “my Shinplasters were again in circulation, and my bank once more on a sound basis” (28).

Hildegard Hoeller smartly reads Brown’s tall tale of his time in Monroe as a direct response to Frederick Douglass recollection of his experience in the North (in the seaport town of New Bedford, Connecticut) as found in his 1845 *Narrative*. Readers familiar with the text will recall that Douglass also experiences workplace discrimination in the North. Refused employment in his skilled trade as a ship caulker, Douglass is forced to take the unskilled work of “stowing a sloop with a load of oil” (150). Nevertheless, Douglass presents a positive view of his experience in New Bedford, stating, “It was new, dirty, and hard work for me; but I went at it with a glad heart and a willing hand. I was now my own master. It was a happy moment, the rapture of which can be understood only by those who have been slaves. It was the first work, the reward of which was to be entirely my own” (150). Hoeller then comments that, “While Douglass depicts his freedom in a world of industry and production, Brown places his in one of speculation, unbacked money, and trickery” (124). Initially following Douglass in his view of criminal deception as morally sanctioned for enslaved blacks, Brown parts company with him in asserting that such practices are also warranted in the North, as they function in response to a united system of discrimination and exploitation.

It is important to observe that Brown is not precisely engaging in criminal activity when he produces and circulates his own essentially worthless currency. Nevertheless, his role as a scam banker in Monroe, Michigan evokes the specter of counterfeiting, a crime that held a unique distinction among other criminal acts in the American cultural imaginary. As we have seen, the pages of the first African American newspaper, New York's *Freedom's Journal* are littered with notices of counterfeiters and warnings of fraudulent currency. These reports speak to the prevalence of the crime in the early antebellum period, as well as to related concerns over the economic solvency of the developing nation. At the same time, the crime itself, one that blends intelligence and daring with artistic ability and technical skill, carried a unique glamour among much more sordid and violent crimes. Counterfeiters were the subjects of popular criminal biographies from colonial and early national America, such as *A Short Account of the Life of the Life of John*****Alias Owen Syllavan* (1756), *The Life and Confession of Herman Rosencrantz* (1770), and *The Memoirs of Stephen Burroughs* (1798). These texts appeared at a time when the published biographies of African American criminals were devoted solely to the narratives of convicted thieves, murderers, and rapists—crimes attributable to an irrational, animal body rather than a calculating intelligence.

Counterfeiting carried a unique cultural capital, then, among other types of crime in eighteenth- and nineteenth-century American culture. A sense of this may be gleaned from a notice in the June 1, 1827 edition of *Freedom's Journal*. The paper here records that “The Rome *Republican* cautions the public against receiving \$5 notes of the Geneva Bank.” The cosmopolitanism evoked through the multiple European capitals listed in this notice speaks to the special glamor both the crime and its agents carried in antebellum America. Herman Melville would further contribute to this view in his novella *Bartleby* (1855). Near the end of the tale,

when the unnamed narrator visits the incarcerated Bartleby in the New York City prison the “Tombs” (31), the “grub-man,” a character that frequents the prison and may be hired by “Such gentleman as has friends here” to provide the incarcerated with “something good to eat” (32), informs the narrator that he erroneously believed the vagrant Bartleby was a “gentleman forger,” as “they are always pale and genteel-like, them forgers” (33). Earning the title “gentleman,” the counterfeiter stands out in American culture of the time as something more than the common criminal. If not precisely a “white collar crime,” given the negative connotations that term often carries, counterfeiting carries its own, unique cultural associations. When Brown adopts the persona of a counterfeiter in his 1853 *Narrative* he embraces the intellectualism and artistry associated with the crime. Affixing these qualities to an African American agent, Brown radically alters the common view of black criminality disseminated in the nation’s cultures of print dating back to the colonial period.

If the figure of the counterfeiter had remained a popular fixture of American culture from the colonial period, the question remains as to why Brown included the Monroe, Michigan episode in his 1853 *Narrative*, but not in the first two versions of his autobiography, published in 1847 and 1848 respectively? In answer to this question, Hildegard Hoeller views this added episode as a decidedly tall tale, one that suggests the author’s embrace of a less realistic mode of storytelling in his later narrative. Hoeller thus states that, in his 1853 *Narrative*, Brown “moves us from fact to fiction, as if deciding that his earlier narrative was based on a foundation America no longer had any right to claim” (127). Related to the critic’s point here, Brown’s narrative as a counterfeiter can be attributed to a changing view of criminality in response to the 1850 Fugitive Slave Law. This Act of Congress, which mandated that fugitive slaves in the North were to be arrested and immediately returned to their owners in the South, casts a shadow over Brown’s

1853 *Narrative*. Brown, exiled in England at the time of the text's composition and publication, informs his readers that his legal owner has raised the stake he is now demanding for his manumission following the law. Brown concludes his *Narrative* with a letter from this owner to an abolitionist interested in purchasing Brown's freedom. Offered fifty pounds from the abolitionist, Brown's owner demands double in his letter of reply, explaining,

You state that I offered to take three hundred and twenty dollars for him, and give him free papers, in 1848. I did so then, but since that time the laws of the United States are materially changed. The fugitive slave bill has passed since then. I can now take him anywhere in the United States, and I have everything arranged for his arrest if he lands in any port in the United States. But I will give him papers of emancipation, properly authenticated by our statutes, for the sum of five hundred dollars (or [one hundred pounds]) that will make him as free as any white person (39-40).

If the Monroe episode appears within the 1853 *Narrative* as a retaliation for having been duped and cheated by a greedy (white) employer, the inclusion of this new episode, absent from the two versions of Brown's autobiography from the late 1840s, also appears as a response to the Fugitive Slave Act. As this Act sanctions the kidnapping of black people in the North, Brown positions African American duplicity, and perhaps even criminality, directed at whites as the inevitable outcome. This view of crime in relation to African American agents differs sharply from that of Frederick Douglass, who, as we have seen, presents crimes enacted within the slave system as righteous acts, but endorses lawfulness once free. Nevertheless, Brown's step toward moral ambiguity is still rooted in a clear ethics, as only crimes against whites are sanctioned as an appropriate response to America's legal climate, and his past deceptions of fellow blacks are deeply regretted.

J.D. Green's Disreputable Narrator

For a truly amoral African American literary persona, one that displays little to no remorse for his past deceptions, and thus presages the narrators of popular, twentieth-century crime and pulp literature, we must turn to the *Narrative of the Life of J.D. Green*, published near the close of the American Civil War, in 1864. Like William Wells Brown, Green relates past instances where he deceived, and lied about, fellow blacks as a slave in order to escape physical punishment. Yet, he parts company from Brown's much more respectable narrative voice, when he unapologetically recounts past quarrels with his fellow slaves.

A memorable example of this occurs in Green's narrative when he recalls a "negro shindy, or dance" he attended as a slave "about twelve miles from home" (692). Green is even less inclined than Brown to cast himself as a heroic slave; and the self-deprecatory presentation he offers here borders on a type of literary blackface performance. Green takes great care in preparing his appearance for this dance. He recalls that, "I had a good pair of trousers, and a jacket, but no necktie, nor no pocket handkerchief, so I stole Aunt Dinah's checkered apron, and tore it in two—one part for a necktie, the other for a pocket handkerchief. I had twenty-four cents, or pennies, which I divided equally with fifty large brass buttons in my right and left pockets" (692). In this clownish outfit, Green imagines himself "the richest and handsomest nigger" his fellow slaves at the dance "had ever seen" (692). Deep is Green's embarrassment, then, when the seat of his pants tears and his dancing partner exposes his accident. Green then recalls that, "my breeches gave way...and what made my situation still more disgraceful was the mischievous conduct of my partner, the gal that I was dancing with, who instead of trying to conceal my shame caught my shirt tail behind and held it up. The roar of laughter that came from both the men and gals almost deafened me" (693). Adding insult to injury, Green, now cast

outside, further recounts that, “what made me feel, in my own opinion, that my humiliation was just as complete as the triumph of the negroes inside was glorious, was that the gals had turned my pockets out, and found that the hundred of dollars they had thought my pockets contained, consisted of 24 cents, or pennies, and fifty brass buttons” (693). Taking his revenge for this “humiliation,” Green unties and scatters all of the horses (except his own) tied up outside the dance: “The first thing I thought of now was revenge. Take your comfort niggers now, said I to myself, for sorrow shall be yours in the morning, so I took out my knife and went around the fence and cut every horse loose, and they all ran away” (694). As each horse was taken by a slave without his or her master’s permission, Green foresees that the slave’s inevitable delay home, or, even worse, the loss of a horse, will automatically result in a flogging: “Well, thought I, your master will have to reckon with you to-morrow; you have glad hearts to-night at my expense, but to-morrow you will have sore backs at your own” (694). Green here conjures up a comic and petty image of his former self, one that displays scant feelings of solidarity for his fellow slaves.

If Green’s prank of cutting lose the horses outside the dance appears justified in his narrative, given the subject’s deep humiliation, his actions toward a fellow slave upon return to his home plantation after the dance appear less defensible. Much like William Wells Brown in his 1847 *Narrative*, Green here recalls an instance in which he lies to ensure that another slave is beaten in his place. Arriving home after the dance, Green is unable to replace the horse he has taken (without permission) back in its stall. In an attempt to remedy the situation, Green lets all of the other horses out of their stalls and drives them into the pasture before heading off to bed shortly before dawn. Placed in charge of the care of the animals at the end of each day, Green feigns surprise when he wakes to his master’s angry cries at the sight of the horses turned loose:

“Here I put on an expression of wonder and surprise—looking first into the meadow and then at the stable door, and to master’s satisfaction, I seemed so completely confounded that my deception took upon him the desired effect” (694). The master buys the performance; and Green seizes this opportunity to place the blame for the loose horses on his fellow slaves: “Then I affected to roar right out, crying, now master you saw my horses all clean last night, and now some of those negroes have turned them out so that I should have to clean them over again” (694). The master again believes Green’s falsehood. His response is to gather all of the slaves in order to elicit a confession, all except Green: “Here master...demanded to know who turned the horses loose, and when thy all denied it, he tied them all up and gave them each 39 lashes” (695). Green expresses remorse over the outcome of his deception, stating, “My poor guilty heart already bleeding for the suffering I had caused my fellow slaves, was now almost driven to confession” (695). Instead of confessing, though, Green fixes the blame on another slave named Dick, a character he positions as a foe both to himself and the other slaves on the plantation, “a negro who, like Ishmael, had his hand out against every man; and all our hands were out against him...so I told master I believed it was Dick: moreover, I told him I had seen him in and out of the stable on Saturday night” (695). Like William Wells Brown, Green displays remorse over the whipping his innocent fellow slaves receive in his place. Yet, Green’s presentation of this emotion differs significantly from Brown’s. Green is not, like Brown, presenting this past episode through the lens of one whose personal ethics have matured and changed. Instead, he records the emotions his character felt in the moment; and his response to these bad feelings (in the moment) is to wrongfully accuse one particular slave. Unlike Brown, then, Green is ultimately unrepentant about past quarrels with his fellow African Americans within the slave system. Green text realistically highlights the individualistic, slave narrator’s ultimate object of

self-preservation, as well as the inevitable fracturing in slave communities that necessarily results.

Faithfully representing this unattractive reality, Green still provides a rationale for the duplicitous and morally questionable behaviors of enslaved African Americans. Green's narrative demonstrates how often slaves were violently punished for offenses they did not commit. Green takes advantage of this fact when he betrays a fellow slave to avoid a whipping. Yet, Green further establishes how blacks in the South were just as commonly punished for crimes enacted by whites. Green thus recalls, "One morning after my mother was sold, a white boy was stealing corn out of my master's barn, and I said for this act we black boys will be whipped until one of us confesses to have done what we are all innocent of, as such is the case in every instance" (688). Green never returns to this episode or discloses how it turned out—whether the he and his fellows ("we black boys") were punished for the theft or not. The point, then, is not to relate a personal abuse suffered, but to establish the frequency, and impersonality, of such injustices. Appearing in the opening paragraph of Green's narrative, this clear realization that blacks are frequent scapegoats for crimes committed by whites establishes a unique moral compass that can be seen to guide Green's actions throughout the remainder of the narrative. If one is so easily punished for a crime, or crimes, they did not commit, a pursuit of the lawful—in relation to white property—becomes exceedingly irrelevant. Appearing near the close of the Civil War, Green's text, though set in the slave South, provides an analysis with relevance to other parts of the nation, particularly the urban metropolises of the northeast with growing African American communities. Moreover, Green's view of the criminal scapegoating of black people eerily presages the social realities of the post-Reconstruction period—and beyond—as it anticipates the moral stance of later African American crime narrative.

Acknowledging the inevitability of slave punishment, and the prevalence of quarrels between slaves, Green likewise promotes violent action against the white slave power in his narrative. The type of violent resistance Green himself pursues, however, deviates from a traditional heroic paradigm and accords with the narrator's larger self-presentation throughout the text as a cunning trickster. Green's principal act of violent rebellion against whites comes about at the age of seventeen when he fights a white youth who he catches stealing his property. Green is punished mid-fight by an acquaintance of his master and mistress, one Mr. Burney. Green recalls, "[Burney] kicked me away from the white boy, saying if I belonged to him he would cut off my hands for *daring* to strike a white boy... The kick was so severe that it was sometime before I forgot it, and created such a feeling of revenge in my bosom that I was determined when I became a man I would pay him back in his own coin" (689, emphasis in original). Green does not wait long before pursuing this desire for revenge. His reaction is a nefarious plot that involves switching the tobacco in Burney's pipe with gunpowder. Green is able to achieve this as Burney, "who was a great smoker," is one of his mistress's "two lovers," and she keeps "a large pipe with a German silver bowl" at home in expectation of his visits (689). Green easily switches the contents of the pipe and awaits the results of his machination. The plot couldn't have a more desired effect, as Burney is seen after the explosion "lying back in the arm chair in a state of insensibility, his mouth bleeding profusely" (690), and all blame for the assault falls on the mistress's second lover. Green then cheerily reports that, "I was never once suspected or charged with the deed" (690). Through this episode, Green clearly endorses physical resistance from one's oppressors. Yet the path he takes to resistance is a sharp detour from Frederick Douglass's heroic grappling match with Covey. Instead of a fair fighter, Green presents a cunning manipulator, who seeks not merely submission, but apparently the death of

his oppressor. Green's use of gunpowder instead of his own physical body as the tool of resistance appears especially meaningful in this light, as it symbolically prefigures much larger acts of resistance and rebellion.

Conclusion

The *Narrative of the Life of J.D. Green* points to a growing sense of moral relativism in African American first-person narrative toward the close of the Civil War. The appeal for African American probity located in the first African American newspaper *Freedom's Journal*, and espoused by Frederick Douglass in his 1845 *Narrative*, becomes increasingly difficult to access in the later works of William Wells Brown and Jacob Green. If all of the black-authored texts discussed in this chapter share the aim of establishing the moral deficiency and criminal propensities of whites, then Brown and Green establish a more plastic and adaptable moral code as a just response to this reality. In this respect, they introduce a sensibility largely characteristic of popular African American crime narrative that came to prominence in the latter half of the twentieth century. In her contribution to the recent essay collection *Early African American Print Culture* (2012), critic Jeanine DeLombard views the first person biographies of African American criminals from the colonial and early national periods as precursors to this type of popular literature, authored by such writers as "Chester Himes, Iceberg Slim, Donald Goines, George Jackson, Eldridge Cleaver, Assata Shakur" (DeLombard 99). We should keep in mind, though, that the criminal confession was mainly a punitively designed genre produced by conservative clergyman and legal officials, and therefore left little space for the subject to express a personal morality underlying their crimes. In this light, the works of antebellum African American authors who stray from a script regarding black social responsibility, yet view their actions as a response to unjust social realities, appear as an

important bridge between the earliest African American crime narrative and this later literature.

In any case, each of the texts studied in this chapter provide individuated responses to a discourse of African American criminality that both stretches back to the colonial period and was constantly changing in the face of new historical realities.

Epilogue

African American Crime and Physiognomic Analysis in Melville's *Benito Cereno*

As African American authors were responding to a long-standing and pervasive discourse of black criminality in their slave narratives, so too were white fiction writers of the antebellum period. Alongside Poe, perhaps no other canonical, mid nineteenth-century American author was more enmeshed in popular print culture than Herman Melville. Melville originally wrote his classic novella *Benito Cereno* (1855) for publication in the New York periodical *Putnam's Monthly Magazine*. Living in New York while composing the story, Melville was saturated in an urban print culture deeply concerned with the issue of free African Americans and crime. Fashioned in the same city and era that produced texts like *Skillman's New York Police Report* and the first African American newspaper *Freedom's Journal*, *Benito Cereno* correspondingly displays the wider influence of black criminal discourse in American literature prior to the Civil War. Melville's novella then provides a valuable case study with which to conclude this project, as it speaks to the implications of our analysis on a text outside of the primary archive.

Scholars have traditionally read *Benito Cereno* as prompted by concerns over slave revolt in the agrarian south, understandable for a tale depicting a slave mutiny at sea. Viewing the text as offering a clear indication of the author's stance on slave insurrection provides the basis for both condemnatory and celebratory treatments of Melville's racial politics in the tale. Important scholarship up until the early 1960s largely followed F.O. Matthiessen's influential view of the text in *American Renaissance* (1941) as a fundamentally racist work because of Melville's "brutally savage" depiction of the morally justified slaves (508).³³ In the later 1960s and 1970s,

³³ Following Matthiessen, Sidney Kaplan, in 1957, then viewed *Benito Cereno* as a regression from the racial liberality of Melville's earlier work, "a plummet like drop from the unconditionally democratic peaks of *White Jacket* and *Moby-Dick*" (23). Similarly,

concurrent with the emergence of Black and African American Studies into the academy, a sea change began to appear in scholarship on the novella. Critics now celebrated Melville's work for its presentation of a more progressive racial politics for the way the narrative undermines the white supremacist attitudes of the character Delano.³⁴ Taking a more measured stance on the text, Robert Levine characterizes such wholly affirmative views of the racial politics of *Benito Cereno* as "an exercise in certainty, in literary mastery, an occasion to offer pious denunciations of Delano and Cereno and fraternal embraces to Babo and his fellow conspirators" (166). Levine's work then seeks "to challenge the tendency to read *Benito Cereno* as a transcendently assured attack on enslavers and racists" (168). In this post-revisionist vein, Maggie Sale has provided an insightful reading of the text that both acknowledges Melville's endorsement of African American intelligence and critiques his racial politics through his problematical treatment of slave revolt.³⁵

This epilogue likewise extrapolates Melville's apparent endorsement of greater African American intelligence both to provide a less affirmative view of the racial implications of *Benito Cereno* and to *reaffirm* the importance of black criminal discourse in antebellum literary production. Following Levine's work, I further place Melville's high seas drama in the context of the antebellum north.³⁶ This reading differs, though, in its more precise focus on the issue of free

Joseph Schiffman, in a 1962 introduction to *Benito Cereno*, declared that Melville "sullied his tale with racism" (235).

³⁴ I will engage with critics who hold such a view later in this epilogue.

³⁵ Sale thus declares that, "*Benito Cereno* does participate in the process of hero and national identity formation like those employed in the Amistad archive, but...its distorted representation of the rebels' savagery complicates and potentially undermines the authorizing aspects of these processes" (161-162).

³⁶ Providing a contemporary, antebellum context for Melville's novella, Levine thus states, "In both the North and South, those of the middling and upper classes were haunted by fears of insurrectionary subversion, of 'mutiny'...that kept these uneasy 'sea captains' on the lookout for plotters against the ship of state" (169).

African Americans and crime in the expanding northern metropolis of the 1850s. I read Melville's critical treatment of late eighteenth- and early nineteenth-century racial sciences as key to an understanding of this issue in the text. While Melville critiques late eighteenth-century physiognomic theories and their racial biases in *Benito Cereno*—through his character Delano's contrary endorsement of such thought and practice—he ultimately upholds many of their same conclusions with the text's final avowal of the criminal propensities of black people and the idea that such difference may be explained through new sciences of the brain. In this light, Melville's historical fiction displays the link between late eighteenth-century racial science and the developing field of police, or forensic, science in the mid-nineteenth century. Although Melville's novella offers a radically different stance on the natural intelligence of black people, it ultimately draws many of the same conclusions as physiognomy and phrenology through its affirmation of the criminal inclinations of the exceptional black.

Police Science

Criminal anthropology, or criminology, did not emerge as a clearly distinguishable field of inquiry until the late nineteenth century. The father of modern police science was Frenchman Alphonse Bertillon. While working as a clerk for the Paris police, Bertillon, in the 1870s, devised a system of classification that recorded the precise anatomical measurements of captured criminals. The forerunner to present-day fingerprint and DNA archives, Bertillon's system relied on measurable proof of individual differentiation to identify repeat offenders. Eventually, Bertillon's "techniques would move from the police station to the streets, where he applied a comparable system for measuring, photographing, and codifying crime scenes" (Ewen 263). Bertillon's system of physical measurement, especially measurements of the head, drew upon the principles and methods of ethnography and anthropology. As Bertillon himself once stated, "All

police work is an affair of identification, to see an individual in the milieu of the crowd. To achieve this goal, authorities search for an infallible method for describing the individual, the equivalent of the general ‘type’ that anthropologists search for in identifying human groups” (Ewen 264). Despite this search for a criminal “type,” though, Bertillon’s method still lacked many of the racial biases informing the later police science of Italian Cesare Lombroso.

In his book *Criminal Man*, first published in Italian in 1876, Lombroso advanced his theories of the born criminal, or criminal type. As practitioners of physiognomy, craniology, and phrenology had throughout the preceding century, Lombroso looked to physical features, particularly of the head, for proof an inherent degeneracy and inclination to criminality. Not surprisingly, Lombroso explicitly linked criminality to the physical make-up of black or African peoples. Drawing upon an examination of skulls and skeletal frames from different ethnic types, Lombroso’s work remarks upon “the singular coincidence between the abnormalities found in criminal men and those observed in the normal skulls of colored or inferior races” (Gibson 21). Lombroso’s work would have great impact in the United States, beginning in the 1890s. Three of the foundational text of American criminology, Arthur MacDonal’s *Criminology* (1893), August Draht’s *The Criminal: His Personnel & Environment* (1900), and G. Frank Lydston’s *The Diseases of Society* (1904), were heavily indebted to Lombroso’s theories (Ewen 280). Emerging in the late nineteenth century, the science of criminology, which first sought to identify individual offenders, and then criminally inclined classes and ethnic groups, drew upon the principles of physiognomy and phrenology developing since the late eighteenth century. A further survey of these sciences will aid our understanding of Melville’s historical novella *Benito Cereno*, which both sketches their evolution, and displays their later link to theories of race and crime.

Criminal Profile in *Benito Cereno*

Currently a mainstay of college and university American literature survey courses, Melville's tale of a slave revolt aboard a Spanish ship is now a familiar one. Also well known is the fact that Melville based his novella on an actual historical event, one earlier recorded in American sea captain Amasa Delano's published travelogue *A Narrative of the Voyages and Travels, in the Northern and Southern Hemispheres* (1817). As the actual slave insurrection upon which the novella was based took place in 1805, Melville noticeably altered the date of the event in his work to 1799. The opening sentence of *Benito Cereno* thus partially reads: "In the year 1799, Captain Amasa Delano, of Duxbury, in Massachusetts, commanding a large sealer and general trader, lay at anchor, with a valuable cargo, in the harbor at St. Maria—a small, desert uninhabited island toward the southern extremity of the long coast of Chili" (34-35). In conjecturing as to Melville's reasons for so noticeably altering the date of his historically based story, Eric Sundquist suggests that the author sought to evoke the Haitian Revolution by placing the tale firmly between its dates, 1791-1804. The critic thus states, "In altering the date of Amasa Delano's encounter with Benito Cereno from 1805 to 1799...Melville accentuated the fact that his tale belonged to the Age of Revolution, in particular the period of violent struggle leading to Haitian independence presided over by the heroic black general Toussaint L'Ouverture" (140). Sundquist is surely on target with this assertion. But Melville's alteration of the date of the event also places his story, and in particular the misrepresentations of his hapless character Delano, firmly within the frame of late eighteenth-century physiognomic theories devised by Johan Caspar Lavater, Friedrich Blumenbach, and Petrus Camper. Moreover, as these physiognomic theories would later be critiqued by the sciences of craniology and phrenology in the early to

mid-nineteenth century, so too will Melville's third person narrator upend the historically bound perspectives of the character Delano in the final portion of the novella.

Johann Caspar Lavater, a Swiss theologian, began the rapidly influential science of physiognomy in the last quarter of the eighteenth century. In his *Essays on Physiognomy*, first published between 1775 and 1778, Lavater established his method for discerning individual character through a close examination of physical features, particularly those of the face and head. In Lavater's view, a well-formed person indicated an intelligent and trustworthy character. Yet an untrained eye could lead to misperceptions, as the intelligent were also the most adept at deceiving others: "Men...make all possible efforts to appear wiser, better, and [more honest] than in reality they are. They affect the behavior, the voice, the appearance of the most rigorous virtue. This is part of their art; they study to deceive, until they are able to remove every doubt, destroy every suspicion of their value and worth" (Lavater 83). Physiognomic knowledge and training thus becomes all the more necessary in light of such rampant duplicitousness. Lavater instructs his followers to pay special attention to the features of the face in order to establish a person's true moral character, to move from the general outline to a study of more minute characteristics: "Neglect no part of the countenance...Each trait contains the whole character of man...Every minute part has the nature and character of the whole. Each speaks the truth, the truth of the whole" (Lavater 84). Focusing on these individual traits, Lavater further endorsed racial hierarchies, and promoted the identification of national types as a convenient shorthand for quickly establishing a person's character and worth: "Compare a Negro and an Englishman, a native of Lapland and an Italian, a Frenchman and an inhabitant of Terra del Fuego. Examine their forms, countenances, characters, and minds. Their differences will be easily seen" (Lavater 339). Lavater's science thus sought to train its adherents to quickly evaluate and identify the

moral fiber of the many strangers encountered in busy, modern life. Although formulated in the relatively placid environs of Zurich, Switzerland in the late eighteenth century, Lavater's work seems prompted by an impetus similar to the later police sciences of Bertillon and Lombroso, which sought to quickly identify individual offenders and criminal types in an increasingly crowded urban metropolis. Finding himself aboard a crowded ship's deck rather than a city's streets, Melville's Delano puts Lavater's principles to use as he tries to quickly discern the intelligence and truthfulness of the strangers he encounters.

Johann Friedrich Blumenbach would significantly extend Lavater's notions of racial hierarchy based on physiognomic features in his text *Treatise on the Natural Variety of Mankind*, published in its first and second editions in 1775 and 1795. Drawing upon Linnaean systems of classification, Blumenbach placed at the top of his hierarchy of humanity the white race, a group he more precisely termed Caucasian. Blumenbach derived this name from the skull of a woman who had lived in the Caucasus region of Georgia. Blumenbach cited the "perfect" shape of this deceased woman's skull as evidence for the physical, intellectual, and moral superiority of the white race. As Blumenbach himself explains, "I have taken the name of this variety from Mount Caucasus, both because of its neighborhood, and especially its southern slope, produces the most beautiful race of men, I mean the Georgian" (265). Like Lavater, then, Blumenbach based his science for identifying both individual and group worth primarily on personal, aesthetic judgments regarding the features of the human head and face.

The final major anatomical scientist of the late eighteenth century, whose ideas have a direct bearing on the perceptions of Melville's Delano, was Petrus Camper. The aesthetic standards for individual and racial classification begun by Lavater and Blumenbach gained the semblance of greater scientific precision in the work of Camper, who devised a system of

geometric measurement for the angles of the human head and face. Beginning in 1770, Camper began to publicize his theory of the facial angle in a series of lectures delivered throughout Europe. In Camper's analysis, the angle of the human face ranged from 70 to 100 degrees. The lower number, or more sloping forehead, indicated a lesser intelligence; while a higher number, or more perpendicular facial profile, was a sign of a greater intellectual capacity. Based upon his study of human skulls and living subjects, Camper asserted that black or African people commonly figured on the lower end. By contrast less sloping, or more perpendicular head shapes, were commonly encountered in white Europeans. In fact, Camper fixed these two racial types as ends of a spectrum: "the two extremities of the facial line are from 70 to 100 degrees, from the negroe [sic] to the Grecian antique" (Camper 72). First published, or publicized, in the last quarter of the eighteenth century, the physiognomic theories of Lavater, Blumenbach, and Camper can be seen to have a direct bearing on Melville's novella, set in 1799, particularly on the perceptions of the historically bound character Amasa Delano. Delano's view of the black and white shipmates of the San Dominick represents a synthesis of these aesthetically based systems of racial hierarchy, one that precludes the notion of greater black intelligence.

As we have seen, Lavater's method of physiognomic examination relies on its practitioners' abilities to make snap judgment decisions regarding an individual's character based upon a quick assessment of their physical features. Although ultimately wrong in his suspicions of where the true menace lies aboard the San Dominick, Delano is nevertheless depicted in Melville's text as a trained, and even particularly skilled, practitioner of physiognomic science. A discipline whose ultimate goal was to establish an individual's moral integrity, Delano's practice of physiognomy appears compatible with his own trustworthy character. Mentioning Delano's "undistrustful good nature" early in the tale, the text then

comments, “Whether, in view of what humanity is capable, such a trait implies, along with a benevolent heart, more than ordinary quickness and accuracy of intellectual perception, may be left to the wise to determine” (35). Given Delano’s ultimate failure in perceiving the true threat aboard the *San Dominick*, the text’s suggestion here of the character’s “more than ordinary quickness and accuracy of perception” would seem to carry only ironic meaning. Yet Delano appears from the start as an adept practitioner of Lavater’s science, and, therefore, as someone who possesses the “quickness and accuracy of perception” necessary to carry out this method of scrutiny. When Delano first boards the *San Dominick*, in fact, the text notes that, “his one eager glance took in all the faces, with every other object about him” (38). Quickly working to distinguish individual character aboard this crowded ship, Delano begins the practice of physiognomic investigation. Moreover, the captain’s social standing marks him as a fit practitioner of Lavater’s method, and he further appears to possess the intelligence necessary to carry out this science. The ultimate failure of Delano’s physiognomic scrutiny, then, rests not his own abilities, or lack thereof, but in the racial prejudices of the science itself, which allows the black faces aboard the *San Dominick* to go unsuspected.

Delano’s careful study of Benito Cereno’s face and figure provides the basis for his initial suspicions of the Spanish captain. Yet this exact same study, particularly of the angle of Benito Cereno’s face when seen in profile, allows him to set aside those initial concerns, and trust in the character of his host. Surveying the Spaniard’s behavior and appearance, Delano first suspects that he may be an “impostor” to his class, “once playing a part above his real level”: “Some low born adventurer, masquerading as an ocean grandee” (52). As the text states, Delano’s suspicions regarding Benito Cereno’s truthfulness arise “not from within, but from without” (52); that is, the American’s doubts develop from a careful inspection of the stranger’s appearance and

deportment, “from without,” and not merely from some personal intuition. At the same time a more careful inspection of the Spaniard’s facial profile—one that evokes the principles of Lavater, Blumenbach, and Caspar—allows these fears to evaporate: “Glancing over once more towards his host—whose side-face, revealed above the skylight, was now turned toward him—he was struck by his profile, whose clearness of cut was refined by the thinness incident to ill-health, as well as ennobled about the chin by the beard. Away with suspicion. He was a true offshoot of a true hidalgo Cereno” (52-53). In addition to the general physiognomic groundwork of Lavater, Delano’s examination here evokes the aesthetic criteria of Blumenbach, when he approves the “cut” of Benito Cereno’s profile “ennobled about the chin by the beard.” Furthermore, Delano’s reliance on the study of the Spaniard’s profile draws upon Camper’s method of establishing the facial angle as an indication of individual intelligence and moral worth. A more precise use of physiognomic science, then, enables Delano to dispel suspicions concerning the strange captain’s class pretensions.

Delano’s practice of physiognomic investigation leads him only to suspect that the ship’s Spanish Captain, the titular Benito Cereno, might be guilty of some sort of plot or treachery. This leads the American to minutely analyze both the Spaniard’s facial features and facial tics through the course of his time aboard the stranger’s ship. Intently studying the face of a white European from the same, or similar social class, Delano fails to make an equal examination of the black slaves in his midst. When he first walks the decks of the *San Dominick*, Delano notices “the conspicuous figures of four elderly grizzled negroes, their heads like black, doddered pillow tops, who, in venerable contrast to the tumult below them, were couched sphynx-like, one on the starboard cat-head, another on the larboard, and the remaining pair face to face on the opposite bulwarks above the main chains” (38). If the term “sphynx-like” suggests the ultimate

mysteriousness and unreadable nature of these faces, Delano further betrays a tendency to pass over these figures as objects unfit for study. Noticing then “the six hatchet polishers” who “sat intent upon their task” Delano observes their “raw aspect of unsophisticated Africans” in a “glance” that “rested but an instant upon them” (39). Dismissing the San Dominick’s black inhabitants as objects unworthy of serious scrutiny, Delano devotes his time to a close examination of the Spanish captain. In contrast to his impatient “glance” at the ship’s black crowd, Delano intently observes “the Spanish captain” as “a gentlemanly, reserved-looking, and rather young man...dressed with singular richness, but bearing plain traces of recent sleepless cares and disquietudes” (39). Practiced in physiognomic investigation, Delano further adheres to the science’s racial biases through his choice of subject.

Throughout Melville’s tale, the bulk of Delano’s physiognomic readings are devoted to a study of the ship’s white captain, in an effort to discern his true character. Yet when Delano does examine the appearance of one of the black slaves aboard the ship his adherence to the principles of physiognomic science only serves to bolster his racial prejudices and his belief in the slaves’ innocence in any plot. When he first notices Babo, a character he believes to be the captain’s faithful steward, but who is, in fact, the orchestrator of the slave mutiny, Delano makes a study of the slave’s head that evokes Camper’s theory of the facial angle as an indicator of intelligence. Although written in the third person, readers familiar with *Benito Cereno* will recall that we often view Delano’s perceptions throughout the first section of the novella. Delano then observes that, “By [Benito Cereno’s] side stood a black of small stature, in whose rude face, as occasionally, like a shepherd’s dog, he mutely turned it up into the Spaniard’s, sorrow and affection were equally blended” (39). As we have seen, Camper maintained that the angle of the human face ranged from 70 to 100 degrees, with a higher number, or more perpendicular face

and head shape, offering clearer proof of an individual's intelligence. While Camper argued that the "negroe" commonly had a facial line of around 70 degrees, he asserted that any lower number marked a step toward the animal kingdom: "However, the facial line must not sink much lower than five degrees; that is, to 65; as the countenance would too closely resemble that of an ape. Lower than seventy gives the features of an ape; still lower the resemblance of a dog" (Camper 99-100). Delano's comparison of Babo's "rude face" to that of a "shepherd's dog" evokes Camper's model of racial and species hierarchy, in which dogs, with the most extreme facial angle, appear less intelligent than apes, who appear less intelligent than the least intelligent of humans, the "negroe." Employing Camper's concept of the facial line in his examination of Babo's head and face, Delano concludes that the slave, based upon his physiognomic profile, lacks the requisite intelligence for serious deceit and cunning.

Along with his notice of Babo's "rude face" like "a shepherd's dog," Delano continues to observe the slave cargo of the *San Dominick* in animalistic terms. When he again notices the group of "hatchet polishers" (46), and briefly suspects their menace, Delano is able to dismiss these concerns by likening them to trained monkeys: "But when, facing about, he saw the whole file, like so many organ-grinders, still stupidly intent on their work, unmindful of everything beside, he could not but smile at his late fidgety panic" (47). Later, Delano notices a group of slaves taking shade under an upturned life boat, "squatting on old mats below, or perched above in the dark dome, on the elevated seats...like a social circle of bats, sheltering in some friendly cave" (68). Moreover, when the battle for the *San Dominick* takes place, near the end of Delano's version of affairs, the fatigued black combatants are seen with their "red tongues lolled,

wolf-like, from their black mouths” (88).³⁷ Delano continues to view the blacks aboard the *San Dominick* in animalistic terms when he focuses, exclusively, on a group of female slaves: “He was gratified with their manners; like most uncivilized women, they seemed at once tender of heart and tough of constitution; equally ready to die for their infants or fight for them.

Unsophisticated as leopardesses; loving as doves” (61). Comparing the ship’s black crowd to pack or herd animals like monkeys, bats, wolves, leopards, and doves, Delano further views a lone black woman and her nursing infant in similarly animalistic terms:

His attention had been drawn to a slumbering negress, partly disclosed through the lace-work of some rigging, lying...like a doe in the shade of a woodland rock. Sprawled at her lapped breasts was her wide-awake fawn, stark naked, its little black body half lifted from the deck, crosswise, with its dam’s; its hands, like two paws, clambering upon her, its mouth and nose ineffectually rooting to get at the mark; and meantime giving a vexatious half-grunt, blending with the composed snore of the negress (60).

Likening this final, nondescript black object to a “doe” with her “fawn,” the indistinguishable black inhabitants of the *San Dominick* thus appear, in Delano’s view, even lower down the chain of being than the unsuspected slave Babo.

Delano, then, both largely ignores the black crowd aboard the *San Dominick*, and views this slave cargo in animalistic terms. Yet if the American fails to perceive this black mass as a serious threat, in the way that he does Benito Cereno, he nevertheless expresses the need for their proper policing. Delano is described early in the text as a character with “an undistrustful good

³⁷ Maggie Sale makes the perceptive point that Delano does not actually witness the attack on the *San Dominick*; and that this representation of the “wolf-like” slaves betrays Melville’s own prejudice against the rebelling blacks (166-167). However, we may also view this moment as Delano’s fantasy of the attack on the ship, as his practice of viewing the slaves in animalistic terms continues here.

nature” (35). Later, he appears more in the terms of a condescending racial liberal, one who “took to negroes, not philanthropically, but genially, just as other men to Newfoundland dogs” (71). Despite this “old weakness for negroes” (71), however, Delano is affronted by the lack of discipline exercised toward the blacks aboard the ship. Delano attributes the untoward behavior of the ship’s slaves in this instance “to the absence of those subordinate deck-officers to whom, along with higher duties, is entrusted what may be styled the police department of a populous ship” (42). Further sketching Delano’s thoughts on this subject, the text states that, “What the San Dominick wanted was, what the emigrant ship has, stern superior officers. But on these decks not so much as a fourth mate was seen” (43). Delano’s call for a proper “police department” to control the ship’s slaves evokes the specter of African American crime in an urban environment. Moreover, his notice of such departments on “emigrant” ships links this criminal threat to other ethnic groups flooding American cities. Delano’s physiognomic investigations related to the detection and punishment of crime thus mirrors the change in the application of racial science throughout the eighteenth and nineteenth centuries. If the racial sciences, in the eighteenth century, were first put to the service of rationalizing systems of colonial expansion and exploitation, such as the slave trade, they became increasingly associated throughout antebellum America with the detection of criminal threat in the urban metropolis.

Delano further adheres to the aesthetic principles of late eighteenth century physiognomic science when he begins to suspect individual blacks of conspiracy aboard the San Dominick. Conducive with the science’s racial biases, Delano suspects the ship’s mulatto steward above all the other blacks aboard the San Dominick as guilty of some sort of plot or conspiracy. In fact, Delano’s suspicions of this character arise from a precise physiognomic reading of his head and face. When he first views this “hybrid” character Delano is impressed by his aesthetic form: “He

accosted Don Benito, and they slowly walked together. They had gone but a few paces, when the steward—a tall, rajah-looking mulatto, orientally set off with a pagoda turban formed by three or four madras handkerchiefs wound about his head, tier on tier—approached with a salaam, announcing their lunch” (75). The American then contrasts the “elegance” of “the graceful steward” with “the insignificance of the small bare-headed Babo,” further remarking that the former’s “physiognomy was European; classically so” (75). The aesthetic standards guiding the theories of Lavater, Blumenbach, and particularly Camper were guided by models of symmetry located in classical sculpture (Ewen 109). In addition to the lasting influence of the European Renaissance, such thinking displays the veneration of ancient Greek and Roman in art in the mid through late eighteenth century, a time also known as the “neoclassical period.” Delano’s evaluation of the mulatto’s “physiognomy” as “classically” “European” not only marks him as a follower of these sciences, but also causes him to seriously suspect the steward, because his “physiognomy” betokens a higher intelligence. As Delano warns the Spanish captain, “when a mulatto has a regular European face, look out for him...your steward here has features more regular than King George’s of England” (75). Along with his wholesale acceptance of white supremacist thought, then, Delano’s ideas of African American intelligence are based upon physiognomic investigations rooted in classical models of aesthetic symmetry.

When Delano suspects a fully black character aboard the *San Dominick*, his suspicions again appear informed by notions of classical symmetry guiding late eighteenth-century physiognomic science. However, unlike the mulatto steward, whose facial features alone appear to excite the American’s suspicions, Delano’s concerns over the slave Atufal are based upon the shape of both his head *and* body. Upon his first encounter, Delano regards Atufal as a “gigantic black” (49), “surveying, not without a mixture of admiration, the colossal form of the negro”

(50). Although a convention of speech, the term “colossal” both evokes and derives from the Colossus of Rhodes, the nearly one hundred foot high statue of the Greek god Helios, one of the “Seven Wonders” of the ancient world. It is this evocation of classical symmetry based in ancient sculpture that causes Delano to first suspect Atufal as “some mulish mutineer” (50). Further remarking upon the “form” of this fully black character, Delano concludes that, “he has some royal spirit in him, this fellow” (50). Atufal’s comparisons to classical sculpture are redoubled later in the narrative, when he is likened “to one of those sculptured porters of black marble guarding the porches of Egyptian tombs” (78). If Atufal is obliquely compared to ancient Greek sculpture through the term “colossal,” he is explicitly likened to “Egyptian,” or African, art in this latter comparison. As physiognomic theorists like Camper took their models of classical symmetry from ancient Greek sculpture, it seems that Melville could be establishing a similar ideal in African art through these lines. However, the text’s main critique of the physiognomic method seems to reside in the very idea that one can discover personal intelligence or character through a “surveying” of the bodily shape. Indeed, Delano fails to suspect Babo of serious cunning not only because of his “crude face” but because of his “small stature” as well (39).

The influence of these notions of classical symmetry would continue in America during the antebellum period, bolstered and reshaped by the new science of phrenology. An example of this can be seen in Frederick Douglass only work of fiction *The Heroic Slave* (1853). The tale’s hero Madison Washington, based upon the historical figure who led a successful revolt aboard the slave ship *Creole* in 1841, is described in terms of aesthetic symmetry and bodily power much akin to the depiction of Melville’s later character Attufal. As Douglass’s work states:

Madison was of manly form. Tall, symmetrical, round, and strong. In his movements he seemed to combine, with the strength of the lion, a lion’s elasticity. His torn sleeves

disclosed arms like polished iron. His face was ‘black, but comely.’ His eye, lit with emotion, kept guard under a brow as dark and glossy as a raven’s wing. His whole appearance betokened Herculean strength; yet there was nothing savage or forbidding in his aspect. . . . His broad mouth and nose spoke only of good nature and kindness (6).

It is in fact this reading of the hero’s “aspect,” combined with the eloquence of his speech, that prompts Madison’s white observant Listwell to alter his view toward black people and their enslavement: “Here then is a man. . . of rare endowments. . . From this hour I am an abolitionist. I have seen enough and heard enough, and I shall go to my home in Ohio resolved to atone for my past indifference to this ill-starred race, by making such exertions as I shall be able to do, for the speedy emancipation of every slave in the land” (7-8). Douglass’s text thus suggests that Madison Washington’s symmetrical features and powerful body are necessary components of his exceptional intelligence and courage—a correspondence Melville most certainly disavows in *Benito Cereno*. At the same time, we should note that Douglass seems interested in establishing a new aesthetic criteria for bodily perfection, one that includes “black, but comely” skin, “a brow as dark and glossy as a raven’s wing,” and a “broad mouth and nose.” As “one of the most photographed Americans of the nineteenth century, rivaling Abraham Lincoln and Walt Whitman for the single most photographed among them” (Wallace 314), Douglass seems to have offered his own physiognomic features as tangible proof of his exceptional merit.

A Focus on the Brain

In what we may term the third section of *Benito Cereno*, after the first part in which Delano’s perceptions are largely recorded and the subsequent court transcript, the omniscient third person narrator introduces theories of the brain that did not appear until the nineteenth century, well after the time in which the story is set. In the first decade of the nineteenth century,

Germans Franz Joseph Gall and his younger disciple Johann Gaspar Spurzheim first articulated the new sciences of craniology and phrenology. Both Gall and Spurzheim were continuing the principles of physiognomy established by Lavater decades earlier. They believed that individual intelligence and moral character could be discerned through an investigation of the human body. However, they significantly parted company with Lavater in viewing the size and shape of the human brain, and the corresponding impression it made on the skull's shape, rather than the features of the face, as the more precise indicator of individual worth. The brains and heads of criminals in fact, particularly those of recently executed murderers, played a major role in Gall's search for physical signs responsible for predetermining a person's behaviors. In addition to a predisposition to criminality, the head shape also marked a person of particular intelligence. Yet, again, this new focus on head shape differed from the more aesthetically derived theories of Lavater and Camper: "Reflecting the implicit biases of Camper's facial angle, Gall and Spurzheim's craniology deemed a high, broad, and large forehead as sign of formidable intellectual powers" (Ewen 144).

The science of phrenology would acquire increased popularity in antebellum America through the activities of O.S. Fowler, who repackaged Gall and Spurzheim's ideas in a more accessible form for a broader audience. Yet another important American in the development of these new sciences of the brain was Philadelphia physician Samuel George Morton. Morton's well-illustrated study *Crania Americana* was first published in 1839. To a certain extent, Morton followed the principles of phrenology and physiognomy, especially Camper's theory of the facial angle. Yet he insisted that a measurement of the brain alone, a practice he termed "craniometry," provided the clearest indicator of human intelligence. Furthermore, Morton's work advanced a case for the inherent inferiority of African Americans and Native Americans, based upon his

examination of the skulls of both deceased and living subjects. If phrenology would gain popularity in America throughout the mid nineteenth century, Morton's theories of craniometry would take greater hold in Europe at that time. Morton's most passionate and influential follower in Europe of the mid nineteenth century was the French anthropologist Paul Broca. Broca's key deviation from Morton's methodology, however, was to argue on behalf of the brain's weight, rather than its size, as an even more precise measure of an individual's value (Ewen 160-161). The sciences of cranioscopy, phrenology, and craniometry developed by Gall, Spurzheim, and Morton would play a major role in the development of police and forensic sciences, first codified, we should remember, in Europe during the 1870s and 1880s. Moreover, these nineteenth-century sciences of the brain appear to have a direct bearing on Babo's final presentation in *Benito Cereno*.

By showcasing Babo's craft in engineering and executing the mutiny, Melville's text clearly refutes Morton's claims for black intellectual inferiority. Nevertheless, the final images of the story endorse certain aspects of Morton's craniometric theory, thereby inviting its racialist implications. Just prior to his execution, the narrator characterizes Babo as "the black—whose brain, not body, had schemed and led the revolt, with the plot," further mentioning "his slight frame" as "inadequate to that which it held" (102). The text here clearly undermines late eighteenth-century physiognomic thought, the notions of bodily symmetry guiding Delano's suspicions of the physically powerful Atufal and the classically formed mulatto steward. Rather than the face and body, the text asserts that Babo's exceptional intelligence resides in his "brain," which "schemed and led the revolt." Evoking Morton's nineteenth-century science of craniometry, then, the text weighs Babo's brain in relation to his body, showing the latter to be "inadequate to that [i.e. the brain] which it held." Babo's brain again appears to be measured in

the final image of the novella, wherein his decapitated head is fixed to a pole after his execution: “The body was burned to ashes; but for many days, the head, that hive of subtlety, fixed on a pole in the Plaza, met, unabashed, the gaze of the whites” (102). Measured earlier in relation to his body, Babo’s decapitated head appears as weighed on this stake, offering tangible proof of his exceptional intelligence. In his remarkable study *Melville’s Anatomies* (1999), Samuel Otter considers the author’s engagement with Morton’s theories in *Moby-Dick* (1851). The critic maintains that Melville’s epic offers a “critique of nineteenth-century efforts to get inside the body” (102), particularly Morton’s science of craniometry and its conclusions regarding “the degraded character of American Indians and Negroes” (103). Yet the final images of *Benito Cereno* point to the measured brain as the source of the black character’s exceptional intelligence. Critiquing one aspect of Morton’s study, Melville’s novella seems to endorse its primary method of analysis.

Although the text refutes Morton’s conclusions regarding black intellectual inferiority, Melville’s examination of Babo’s brain nevertheless points to another inherent difference in black people, a predisposition to criminality. While, the text clearly makes a case for Babo’s unique intelligence, one that upsets Delano’s bland notions of white superiority, this intelligence appears mainly synonymous with criminal cunning. Indeed, Babo’s superior intelligence—superior to the largely indiscriminate black mob aboard the *San Dominick* we might note—is exclusively put to the service of enacting and concealing what we can only term crimes, particularly the crime of murder. As we have seen, criminology developed in late nineteenth-century Europe out of the much earlier sciences of physiognomy, phrenology, and craniometry. The first criminologists, Bertillon and Lombroso, drew upon these systems of physical differentiation to isolate both individual offenders and potentially threatening segments of the

population. For his part, Melville seems to follow a similar impulse in *Benito Cereno*. Babo's measured head and brain distinguishes him from the black mob aboard the *San Dominick*, and betokens a higher intelligence in the exceptional slave. Yet this intelligence only serves the exceptional black's criminal purposes. Firmly disavowing the principles of physiognomy, the text shows Babo's criminal propensities as discoverable only after his death, that is, after his severed head has been examined and measured. Affirming theories of racial and criminal differentiation, Melville's novella ultimately suggests that the criminal within the crowd can only be discovered after it is too late. Yet the race of the perpetrator seems to provide the surest grounds for whom to suspect.

Conclusion

This epilogue has sought to provide a new understanding of Melville's *Benito Cereno*, one that considers the role the text played in developing notions of black criminality in antebellum America. The reading I have provided departs from a critical status quo that celebrates Melville's work for what appears a more radical or progressive racial politics. Such readings hinge on the fact that the text repeatedly deflates Delano's white supremacist assumptions and posits the notion of a greater African American intelligence. Melville's fiction clearly disputes the notion that race and physiognomic make-up can offer an indication of a person's intellectual capacity. Fully black and physically misshapen, with a diminutive frame and dog-like head, Babo ultimately reveals himself as the most intellectually gifted character in the narrative. Yet Melville places this intelligence merely in the service of the exceptional black's criminal designs. What appears as a radical reimaging of black intellectual capability, then, largely accords with the conclusions of physiognomy, phrenology, and, later, criminology, which each endorse the natural degeneracy of black people, ultimately linked with a disposition

to criminality. *Benito Cereno* thus provides a cautionary warning to white readers in the antebellum north, especially in the nation's urban metropolises, who were forced into increased contact with a rapidly expanding free black populace.

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