
**The Extraordinary Life of Zacharia Carr:
Free People of Color
in Antebellum Montgomery County**

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In many ways, Zacharia Carr lived a perfectly ordinary life in the years preceding the American Civil War. Born in Albemarle County, Virginia, about 1816, Carr married in his early twenties and several years later elected to move with his wife and two children to eastern Montgomery County, settling near the village of Shawsville. There he fathered four more children and with his wife raised a family whose descendants remain in the county to this day. Working as a carpenter and a farmer, Carr established a reputation among his customers and neighbors as a skilled craftsman and an honest man, and built a modest estate with which to support his family. None of this seems unusual. In many ways, the life of Zacharia Carr resembles the lives of many other men in Montgomery and adjacent counties during the decades before the Civil War. What distinguishes Zacharia Carr's experience from those of other men, however, is the fact that he was Black.

Scholars have long known that the populations of colonial and antebellum Virginia included thousands of free people of color—men and women who were Black or mixed race but were not enslaved. Known at the time as “Free Negroes,” these individuals occupied a fragile, middle ground between Black and White, slave and free. Though free, they enjoyed few of the rights that White Virginians did, and the privileges accorded them were limited and subject to the whims of government officials. Historians have carefully reconstructed many elements of the stories of free people of color in the antebellum South, but they have done so most often in communities with relatively large populations of the free and enslaved African Americans.¹ They have, however, written much less about free people of color in regions such as southwest Virginia, where neither slavery nor African Americans were as common as they were in other parts of the South.

This article seeks to explore the experiences of free people of color in southwest Virginia through the experience of Zacharia Carr. He is the individual around whom the story revolves, and Montgomery County, where he spent most of his adult life, is the context in which it is situated. What it

reveals is not unique to his life or to the situation in Montgomery County. Zacharia Carr left a fuller documentary record of his life than many of his peers did, but in many important ways, his story is similar to those of others living in the mountain South. He belonged to a minority within a minority and lived a life constrained by the attitudes of his White neighbors and the laws they enacted to protect themselves from the threat they believed he posed to their safety and their way of life. But in spite of those restraints, Zacharia Carr and other free people of color created successful lives for themselves. Recognizing their presence and their experiences is essential to understanding the full complexity of race and race relations in southwest Virginia during the antebellum era.

Historians still cannot agree when the first Africans arrived in Virginia or what their exact status was when they did arrive. Africans had certainly reached Jamestown by 1619, though, when a Dutch ship brought “20. and odd Negroes” to the colony. Initially some of these early arrivals seem to have been treated more like indentured servants than chattel slaves and seem to have been freed after completing their terms of service. They and their descendants then formed the nucleus of a small, moderately successful community of free Blacks in colonial Virginia. That community continued to grow slowly during the seventeenth and early eighteenth centuries, partly through a small number of Blacks who arrived before slavery was firmly established in the colony, partly through natural population growth, and largely through children born of White female servants and the male slaves with whom they often worked, lived, and socialized.²

The number of free people of color in Virginia then grew rapidly for a quarter century after the American Revolution as a result of a 1782 law that permitted individual owners to manumit their slaves. Some owners may have done so in response to the revolutionary idea that “all men are created equal.” Others, however, simply took advantage of the opportunity to free themselves of the obligation to care for elderly or surplus slaves. Whatever the motive, the number of manumissions grew so significantly after 1782 that in 1806, in the wake of the Haitian Revolution and the abortive 1800 Gabriel’s Rebellion, the General Assembly amended the law to require that any slave manumitted after 1806 leave the state within a year unless granted permission to stay by the legislature (later changed to the court of the county in which he or she lived). This did lead some freed slaves to emigrate, and it did slow significantly the rate of growth among Virginia’s free people of color, but their number continued to grow through the final decades of the antebellum era.³

In the case of Montgomery County, it is impossible to say when the first free people of color arrived, but it was certainly before 1790 because

the federal census that year counted six “other free persons” in the county’s population. Over the next seventy years, that number followed roughly the same pattern that the county’s slave population did—rising slowly until 1840, then falling for a decade before growing rapidly during the 1850s. In fact, the number of free people of color in the county grew even more rapidly in that final antebellum decade than did either the number of slaves or that of Whites; the 1850 census showed sixty-six free people of color in the county, and by 1860 their number had climbed to one hundred forty-seven. It was still, however, a relatively small element in the county’s total population. Free people of color were less than 2 percent of the county’s total free population in 1860 and made up just over 6 percent of its total Black or mulatto population.

The origins of Montgomery County’s free people of color are often as hazy as their number, but the most significant sources seem to have been migration and natural population increase. Because manumission usually generated a public record—a will or a deed of manumission—and no such records have been found from Montgomery County before the nineteenth century, it seems that the county’s first free people of color probably migrated there. Once settled, free migrants of color then added to Montgomery County’s population through natural increase. One family in particular, the Campbells, dominated the county’s free community of color during the early nineteenth Century. Hannah Campbell was apparently the matriarch of this clan, but little else is known about her. It is impossible to say when she arrived in the county, from whence she came, or with whom she produced her children. She was in the county by 1797, though, and already had a son. Over the next two decades, she had at least one more son and eight daughters, and those children began having children of their own during the 1830s and 1840s. By 1850, nearly 40 percent of free Blacks or mulattos enumerated on the census for Montgomery County (twenty-six of sixty-six) bore the Campbell surname. The family added ten more to their number between 1850 and 1860, but by then the number of free people of color had more than doubled, and by 1860 the Campbells had fallen to just under a quarter of the county’s free population of color.⁴

A much smaller number of the county’s free people of color had gained their freedom through manumission. The earliest known private manumission in Montgomery County occurred in 1803, and others followed throughout the antebellum years. Between 1803 and 1860, at least eighty-two slaves were manumitted by their owners. And in contrast to the pattern found in many other regions of Virginia, manumissions in Montgomery County did not slow after the law was tightened in 1806 or after the 1831

Nat Turner Rebellion. In fact, more than two-thirds of known manumissions in the county came during the decade 1840–1849. Few of those manumitted in Montgomery County remained there as residents, though; most were encouraged or required to emigrate after their liberation. Charles and Polly Taylor manumitted twenty-one slaves in 1845 and provided them a wagon, four horses, and supplies with which to leave the state; Dorothea Bratton freed another twenty-one in 1847 but immediately dispatched them to Liberia before they or her family could object; Mary Wade freed eight slaves in 1859, all of whom were immediately denied permission to remain in the state, and three more in 1860, who soon moved to Ohio. Others simply disappeared from the historical record after they were freed. In just nine of the eighty-two cases is there evidence that suggests a manumitted slave became a free resident of Montgomery County, and in just three instances is that evidence conclusive: William Moon, manumitted in 1837, King James, manumitted in 1849, and Spencer Bright, manumitted in 1855.⁵

As with many free people of color in Montgomery County, the precise origins of Zacharia Carr remain a mystery. Descendants believe that he was born in Charlottesville in 1816 and was related to a White planter named Dabney Carr. All of this is possible, but much of it has proven impossible to confirm independently. Records of his wife, Rebecca Williamson, do indicate that Carr was living in or near Charlottesville when the couple married, about 1840, but no record is known to have survived in which Zacharia reported his place of birth. He did report the year of his birth, but not consistently; censuses taken in 1867, 1870, and 1880 record his age as fifty-one, forty-two, and sixty-two. It seems obvious that the age of forty-two, recorded in 1870, was inaccurate because living next door to Zacharia and Rebecca, who was said to be forty that year, was their son James, age thirty, and his family. The other two censuses indicate that Zacharia was born in 1816 and 1818, which is consistent with his descendants' account. Thus, it does seem safe to say that Zacharia Carr was born in Albemarle County about 1816.⁶ It is impossible, however, to provide any confirmation to the belief that he was related to Dabney Carr. Dabney Carr (1743–1773) was a close friend of Thomas Jefferson and the husband of Jefferson's sister, Martha. After Dabney's death, his widow and children, including his son Dabney Jr. (1773–1837), often stayed at Monticello, and for many years his other sons, Peter and Samuel Carr, were widely reported to have been the father or fathers of children born to Sally Hemmings. DNA evidence has now undermined the Carrs' alleged link to Sally Hemming's children, but the sons of Dabney Carr still *may* have fathered some of the Black Carrs living in Albemarle County during the nineteenth century, including Zacharia.⁷

It also remains impossible to be certain about the circumstances of his birth, but he was probably born to a free woman of color. Had Zacharia been born to an enslaved woman, he too would have been enslaved, and no record has yet come to light of his ever having been freed. His father, however, could have been anyone—including Dabney Carr Jr. or one of his brothers. Interracial sex—both forced and consensual—was common in Virginia at that time, and it is certainly possible Zacharia's father was White. Of course, he could also have been a free man of color. Virginia law was silent on the matter of free people of color marrying one another. They often married, however, and their marriages were usually accorded *de facto* recognition, even if they had no statutory basis. Zacharia Carr could even have been the son of a free woman of color and an enslaved man. Such unions were not unusual in antebellum Virginia, and a child's status followed that of the mother, even if the father was enslaved. Thus, Zacharia Carr could have been born in a family that was entirely free, partly free, or entirely enslaved, and it is impossible to say which of those was the case.

As he came of age, Zacharia Carr acquired both a skill and a partner with whom to build his life. The skill was carpentry, which his descendants believe Zacharia learned from James Oldham. This has proven impossible to confirm, but it is certainly possible. Oldham, a White man, had trained as carpenter and joiner in Philadelphia, worked on the construction of the White House, and then worked for Thomas Jefferson at Monticello between 1801 and 1804. He then worked in Richmond until 1819 when he returned to Charlottesville as one of many artisans helping to build the University of Virginia. He later opened a public house in Albemarle County and died there in 1843.⁸

The partner Zacharia met was Rebecca Williamson, whose family was enslaved on a plantation outside Charlottesville. The couple, of course, could not legally marry. Rebecca was enslaved, and Virginia law did not allow slaves to marry because to allow legally binding marriages between slaves would create a conflict between a master's right to sell a slave and the supposed sanctity of that slave's marriage. White Virginians refused to undermine the rights of slave owners to dispose of their property as they wished, so no slave could *legally* marry. Many owners, however, encouraged their slaves to join in marriage-like unions. Escaping slavery with a family was more difficult than doing so alone, and many owners hoped that marriages and parenthood would forge bonds that reduced the likelihood enslaved workers would try to escape. Unions involving enslaved women also promised to provide enslaved children, even if the father was free, so slaveowners had a strong financial incentive to encourage marriage among their enslaved workers.⁹

Rebecca Williamson's owner was Isaac White. During the 1830s, White lived at Farmington, four miles west of Charlottesville, though in 1840 he sold Farmington and moved to Keelona, ten miles south of Charlottesville. Little is known of his operations at Farmington, but at Keelona White employed some forty slaves raising wheat for market and a variety of other crops for use on the plantation. Zacharia and Rebecca seem to have met while she was living at Farmington and had married by 1840, when their son James was born. Soon after their marriage, though, Isaac White relocated to Keelona, and his enslaved workers, including Rebecca, moved with him. Zacharia may also have lived and worked on or near the plantation. He enjoyed such an arrangement with Rebecca's later owner and may have at Keelona too. If not, he could certainly have found work in the Charlottesville area and visited his wife when her owner allowed. It was hardly a storybook marriage, but the couple soon had a second child, Wilson, and seem to have found ways to make a life together in spite of the challenges they faced.¹⁰

That life was upended in 1843 by the marriage of Isaac White's daughter, Elizabeth Bettie, as she was known to the family, had been engaged to a young doctor-in-training she had known for several years. He was "discarded," however, when Bettie met Joseph H. Kent. Kent belonged to an extensive family with large holdings of land and slaves in Montgomery and Wythe counties and lived on his father's plantation, Edge Hill, in eastern Montgomery County. John Kasson, a tutor living at Keelona, was hardly impressed by young Kent. "He was certainly by no means such a gentleman as the other," Kasson wrote. He offered no details but wrote to his brother, "[T]here is many a hard report abroad of the worst character about [him]." Bettie was smitten, though, and the couple married on May 3, 1843. Within a month, the newlyweds had moved to Montgomery County and seem to have taken Rebecca and her children with them.¹¹

With his wife and sons moving to Edge Hill, Zacharia Carr faced a dilemma. His actions make clear that he wanted to keep his family intact, which meant following them to Montgomery County, but doing so was not easy. Moving to a new community in that era presented serious challenges to any young workingman. In addition to the immediate cost of transporting himself and his property to Montgomery County, Carr would need to re-establish his business once he got there. How would he do that when he had no reputation among his new neighbors? How would he attract customers among people who knew nothing of him or his work? And in an agrarian world such as antebellum Montgomery County, the economy depended on credit because few people had cash except when they sold the crops they had harvested. If Carr did find customers, they might not be able to pay him

for months, but he would need to purchase supplies immediately in order to survive and to operate his business. Who would extend credit to a stranger with no local history? But the challenge of moving to a new community was even greater for Zacharia Carr than for other young men because he was a free person of color. Not only was he likely to face greater suspicion among his new neighbors than a White man would, but he also faced a variety of legal challenges as well.

Some of these restrictions had applied since the colonial period, but the range of restrictions had begun to increase as the number of free people of color grew after the American Revolution. They then tightened dramatically in the wake of Nat Turner's failed, but bloody, uprising in 1831. By 1840, free people of color in Virginia were denied the right to vote, to serve on juries, to possess firearms without court permission, to preach or to attend any religious service conducted by a slave or a free person of color without White supervision, and to attend school. They also paid higher taxes than Whites of similar economic standing, and during the 1850s all free men of color in Virginia between the ages of twenty-one and fifty-five were required to pay a capitation tax of one dollar to support emigration from Virginia to Liberia, a tax that no White man was obliged to pay. Free people of color did enjoy access to the courts, but that access was limited by restrictions on their testimony. In criminal proceedings they could testify against Whites only in cases in which a free person of color was the victim or the accused, and in civil proceedings could serve as a "competent witness" only in cases "to which only negroes or Indians are parties."¹²

In 1843, though, the restrictions most relevant to Zacharia Carr's immediate situation were those governing his migration and registration. Virginia law required all free people of color in the commonwealth to register regularly with officials in the county or town in which they lived. At a minimum, this meant presenting themselves every five years to the clerk of their county or corporation court. The clerk would then enter a physical description of the individual and the basis for his or her freedom in a "Book of Free Negroes" and provide the individual—at a cost of twenty-five cents—a copy of the registration to carry with him or her. People of color who gained their freedom through manumission were obliged to go through an additional step just to be eligible to register. Within a year of their manumission, they had to ask their county or corporation court for permission to remain in Virginia, had to post an announcement of their request on the courthouse door for at least two months to ensure that any objections to their petition might be heard, and had to demonstrate to the court that they were "of good character, sober, peaceable, orderly, and industrious." If permission were

granted, they could register; if not, they were obliged to leave the state. And any free person of color, free born or manumitted, who wished to move from the jurisdiction in which he or she was registered to any other county or town in Virginia had to secure permission from the county or corporation court of his or her intended destination.¹³

Scholars have long recognized that the enforcement of such laws was far from rigorous, though they have sometimes disagreed about why they were not enforced more strictly and how to interpret White Virginians' frequent failure or refusal to enforce the laws they had enacted and continued to renew. Recent studies by Melvin Ely, Kirt von Daacke, and Ellen Eslinger have suggested that the paradox of enacting laws that threatened to deal harshly with a *group* of people while exempting particular *individuals* within the group from the action of those laws fit perfectly the psychological and practical needs of antebellum, White Virginians. Most White Virginians at the time believed that African Americans, including free people of color, were generally lazy, immoral, predisposed to criminal behavior, and a danger to the commonwealth. They needed to know there were legal mechanisms available to protect them from such dangerous people. At the same time, however, they knew, respected, liked, and sometimes depended on individual free people of color and had no wish to do without them or to make their lives more unpleasant than seemed strictly necessary. Knowing there were laws in place they could use to control dangerous people of color if it became necessary gave White Virginians the confidence to use those laws selectively.¹⁴

This was certainly true in antebellum Montgomery County. Local officials there, for example, seem to have paid much more attention to enslaved individuals who were manumitted in the county than they did to free people of color who moved in from elsewhere. As described above, most of the slaves manumitted in Montgomery County seem to have left the county because their former owners provided for or required their removal. In considering the cases of those who remained, though, the court seems to have acted on each case independently and did not simply approve or reject them all after *pro forma* hearings. This is evident, for example, in the cases of William Moon and a man known only as Granville. Both had been slaves in Montgomery County until manumitted by their owners: Granville, in 1834, through the will of Elijah McClanahan and Moon through an 1837 deed of manumission from Jacob Price. Neither man sought permission to remain in the county within the year required by law, and no evidence has yet come to light explaining why they did eventually petition the court when they did. For reasons that remain unknown, both appeared in court on November 4, 1839, asking to remain in the county. Four months later, on March 2,

1840, the court delivered its verdicts in both cases. Granville's petition was rejected on the grounds that "the applicant is not of the character and discription [sic] required by the act of the assembly." Moon, on the other hand, was allowed to remain in the county because, as the court declared, he was "a person of good character peaceable, orderly and industrious, and not addicted to drunkenness, gaming, or any other vice."¹⁵

Nothing in the surviving record suggests that free people of color migrating into Montgomery County went through anything like the process that Granville and William Moon did. In a number of cases, the court did register the arrival of a free person of color, note that he or she had previously been registered elsewhere, and grant them permission to settle in Montgomery County. And in some of these cases the court also declared that the individual in question had demonstrated to the court's satisfaction that he or she was, in fact, free. No case has emerged, however, in which the court sought to judge the character of an immigrant. Moreover, it is clear that a significant number of free people of color moved into Montgomery County without county officials taking any formal notice of their arrival—including Zacharia Carr. There is no record that Carr ever secured permission to settle in Montgomery County or even registered there as a free person of color, despite the fact that he lived in the county for twenty years under laws that required him to renew his registration every five years.¹⁶

And Zacharia Carr was not alone; it seems that most of the free people of color living in Montgomery County failed to register. The county's 1850 census shows that thirty-six free people of color over the age of twelve were living in the county at the time, all of whom should have been registered. Variations in names confuse the picture slightly, but at most sixteen of the thirty-six (44 percent) are known to have registered. By 1860, the situation was even worse. The census that year included ninety-two free people of color older than twelve, but just twenty-six of them (28 percent) ever seem to have registered. And few of those who did register kept their registrations current. William Campbell, for example, had registered in 1823 and remained in the county until his death in 1865 but never seems to have renewed his registration. George Briggs was even worse. He apparently registered in Montgomery County just once, in 1825. After that he lived in the county until the 1840s without renewing his registration, then moved to Roanoke County for a time, and then returned to Montgomery County sometime after 1850 without securing permission to do so, and lived there until after the Civil War without ever re-registering with county officials.¹⁷

As they did elsewhere in Virginia, White officials in Montgomery County often saw local free people of color as unique individuals and judged

pattern. In 1850, seven of sixteen free men of color aged fifteen years or older fell into the category of laborer, while in 1860, twenty-eight out of forty-five did. Neither tax records nor the censuses explain what sort of labor these men did, but it was probably relatively unskilled, manual labor. Many were probably farm workers since they lived with farmers at the time and identified themselves as farmers after their emancipation. Others worked for the Virginia and Tennessee Railroad. Four free Black “laborers” in the 1860 census lived with Boling Stanley, who was identified as a “section master” for the railroad, and two free men of color worked as brakemen on the Virginia and Tennessee.²²

There were also several free men of color who operated farms on their own, though none of them owned the land they farmed. William Moon told the Southern Claims Commission that before the Civil War he had farmed land belonging to the Preston family just west of Blacksburg. Tax records show that Moon owned horses or mules, pigs, and a cow but provide no evidence of what he produced on his farm. Jackson Shilling seems to have raised corn and wheat in the county’s Brush Creek neighborhood. It is unclear whose land he farmed, but when he died, in 1862, Shilling owned a horse, some hogs, and “a lot of things such as a person would have to farm with”—including a plow, hoes, and a grain cradle. Thomas Key was also identified as a farmer in the 1860 census, but no details of his activities have yet emerged.²³

One free man of color in Montgomery County even managed to operate his own store for several years. During the 1830s, tax records identified William C. Campbell as a barber and a painter. In the 1850 census, though, he appeared as a “grocer,” which at that time meant a general merchant. Court records indicate that Campbell bought his stock from suppliers in Lynchburg, Richmond, and Baltimore and sold a variety of goods at retail from a shop in Christiansburg. His grocery was not a large one; a local correspondent for R. G. Dun & Company described it as a “little store” and suggested that Campbell’s business was quite modest. Nor does it seem to have lasted for very long. It is not clear when Campbell opened his shop. He appeared as a grocer on the 1850 census, but Dun’s correspondent took no notice of him until 1851. And by 1854 he was out of business. He seems to have over-extended himself and could not sell enough to cover what he owed his suppliers. His creditors then brought suit, and by the summer of 1854 he was a “broken” man and “not good for a \$.”²⁴

Free women of color also worked in antebellum Montgomery County, though the range of jobs they held was narrower than that of their male counterparts. In tax records, the single largest group of free women of color were those identified as “spinsters,” but it is unclear what that meant. There

is little evidence of weavers in the county, so it seems unlikely that spinster was these women’s occupation. Nor does it seem to have reflected their marital status since it was applied to both married and unmarried women. It may simply have meant housekeepers in their own homes. Census records are equally unhelpful as they show no occupation at all for most free women of color. Of those who were shown with occupations, most were domestic workers—cooks, washerwomen, or servants—working in their own homes, those of their White neighbors, or hotels in Christiansburg or Lovely Mount (in today’s Radford). Two of those with no occupation listed may actually have been prostitutes. In 1856, Benjamin Brown was disciplined by the Quarterly Session of the Methodist Station in Christiansburg for “visiting a house of *ill fame*.” In the course of the proceedings, Nancy and Julia Campbell were identified as having been in the house at the time, and while neither was specifically identified as a prostitute, the implication was clear.²⁵

Whatever their occupation or gender, few of Montgomery County’s free people of color amassed much wealth. Tax, land, and census data indicate that fewer than half the free people of color in the county aged twenty-one years or older owned either real estate or taxable personal property. Ownership of real estate was especially rare. Just eleven free people of color are known to have owned land in Montgomery County before 1865. Ten of these are identified as landowners on either the 1850 or 1860 census, though in four of their cases it has proven impossible to confirm their status as landowners through real estate, tax, or court records. An eleventh individual, Catharine Shaver, bought land in 1857 but does not appear on the 1860 census, and it is unclear what had become of her. Personal property was considerably more widespread, but still not the norm. Among fifty-eight free adults of color on the 1860 census, just twenty-three (40 percent) were credited with personal property. For tax purposes, the number was even lower. Virginia levied a personal property tax on livestock, carriages, watches and clocks, pianos, household furniture, and a variety of financial instruments. During the 1850s, tax rolls for Montgomery County included very few free men of color. In 1856, for example, just two of twenty free men of color on the county’s personal property roll had any taxable property, and the following year just two of thirty-one did.²⁶

Nor did most of those free people of color who did own property own very much. Fully a quarter of those who owned property in 1860 owned less than \$50 worth—real and personal combined—and the median wealth among free people of color was just \$175. Looking at the entire population—those without property as well as those with—free people of color in Montgomery County held property worth \$5,530 dollars in 1860, about \$36 per capita. White residents, on the other hand, owned over \$400

per capita that year. Just four free people of color were worth that much, and the wealthiest among them, John Campbell, owned property valued at \$1,200. Campbell was a carpenter living in Big Spring. He had personal property worth \$200 and real estate, half an acre of land next to the train station on which he had a home and shop, worth \$1,000. Campbell shows that it was possible for a free person of color to reach middling status in antebellum Montgomery County, but it was exceedingly rare.²⁷

Zacharia Carr's relationship with Jacob Kent did more than simply enhance Carr's employment opportunities. It also allowed him to have something closer to a stable family life with Rebecca and their children than many free men of color in his situation enjoyed. Family experiences among free people of color varied widely with the status of the partners. Couples in which both parties were free enjoyed the most control over their lives and those of their children. Virginia law was silent about the question of marriage among free people of color. Such unions were neither expressly forbidden nor explicitly permitted. Separate legislation declared unions between Black and White "absolutely void," but the statute governing marriage simply laid out the steps to be followed by "any person intending to marry." This left it to county officials to decide whether or not to allow or require free people of color to follow the legal procedures connected to marriage. Some counties did license and register marriages between free people of color, but Montgomery County did not. No marriage license was granted to a free couple of color in the county, and no probate or divorce case from the antebellum era provides any evidence of how county officials or residents regarded such marriages. The indentures of free children of color, however, suggest that county officials granted at least some recognition to the marriages of their parents. Hercules and Lydia Marrs were a free Black couple living in Montgomery County for more than a decade before the Civil War. In 1854, Hercules was granted permission by county officials to bind the couple's son, Andrew, to Elizabeth and Whitley Taber, and in 1860 the county court registered an agreement by which Marrs bound his son, Chapman, to Edwin Linkous. In each case, the court described the boy as "his son," indicating that it recognized the parental rights of Hercules Marrs and considered his children legitimate.²⁸

For free people of color with an enslaved partner the situation was quite different. Their marriages lacked even the quasi-legitimacy granted to couples like the Marrses. Slaves married to free people of color were still slaves, and their unions had no legal status. Enslaved spouses remained their owners' property and could be rented, sold, passed to an heir, or lost to a creditor without regard for the slave's free spouse or children. Even

if such couples were not permanently separated, they might not be able to live together with their children. Legally, the owner of the enslaved partner controlled where the couple lived. Owners might permit mixed couples to live on their property or might permit the enslaved partner to live with the free spouse, but there was no guarantee they would do so. Moreover, allowing a slave to live with a free partner off the premises might expose the slave's owner to criminal charges.

If the wife in a mixed-status couple was a free woman of color, she and her children might be forced to live on their own in a female-headed household. Such households have often become emblematic of family life among slaves in the antebellum South, but they were not confined to the slave community. Suzanne Lebsock found that more than half of the households of free people of color in Petersburg were headed by women and that more than half of the free children of color in town lived in such households. In Montgomery County, these rates were lower than Lebsock found in Petersburg but are still noteworthy. On both the 1850 and 1860 censuses, 21 percent of households in the county belonging to free people of color were headed by a woman, and about half of all children of color under the age of fifteen lived in households headed by women (57 percent in 1850 and 48 percent in 1860). At least some of these women were actually married to slaves who may or may not have lived with their families, but it seems likely that a significant percentage of free children of color in the county lived in households in which no adult male was regularly present.²⁹

If the wife was enslaved, as Rebecca Carr was, her family's situation could be just as problematic. Free men of color married to enslaved women had none of the rights that White men exercised over their wives and children. Without the consent of their wives' owners, they had no right even to visit their families, much less to live with them. They had no exclusive claim to their wives' bodies and no legal recourse if their wives were raped by their owners. Nor did they exercise any legal control over their wives' actions, their property, or the fruits of their labor. Their children, too, were the property of their wives' owners, so these fathers had no authority to direct those children's upbringing. They had no right to shape their education or religious affiliation or to influence the selection of the occupations they pursued or the partners with whom they began their own families. Free men of color married to enslaved women had no authority to discipline either their wives or their children and no legal means of preventing other men from disciplining them. Under the worst of circumstances, free men of color might even see their wives and children sold and shipped to distant destinations without their consent, or even their knowledge.

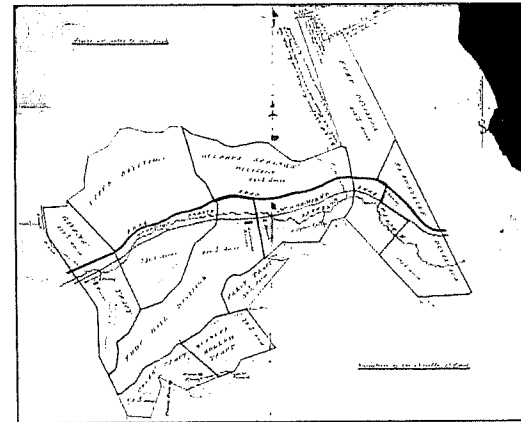
Given what their experience *could* have been, Zacharia and Rebecca Carr were relatively fortunate. Jacob Kent permitted Zacharia to live at Edge Hill, so he and Rebecca probably lived together and, within the confines of slavery, could raise their family together. While living at Edge Hill, that family grew as the couple had at least four more children: Mary Lou (b. 1845), George (b. 1848), Joseph (b. 1851), and Zacharia (b. 1858). They also regained part of the extended family they had enjoyed in Albemarle County. In 1846, Isaac White appointed a trustee to distribute some of his enslaved workers among his children. This sent Rebecca's sister, Susan Williamson, and her father, Reuben, to live at Edge Hill and may also have sent her mother and several other siblings, though their presence in Montgomery County cannot be confirmed.³⁰

The Carrs were still caught in the web of slavery, though, and continued to receive periodic reminders that the relatively stable family life they enjoyed was never guaranteed. Joseph Henry Kent died in 1849, and his death threatened to disrupt the Carr family. In antebellum Virginia the death of a slaveowner often led to the division of his or her estate in order to satisfy debts or distribute the property among various heirs. Enslaved families were often wrenched apart in this process, and the Carrs must have wondered what the death of Rebecca's owner would mean for them. Would Zacharia and Rebecca's immediate family be broken up? Would their extended family, which had just been restored, be scattered again? Who would be sold? Would they be sold locally or to one of the interstate traders carrying Black Virginians to the cotton South? Fortunately for the Carrs, Joseph Henry Kent's estate seems to have passed entirely to his widow, Bettie White Kent, and she chose to remain at Edge Hill. She was still young and had lived in Montgomery County for just five years, so it would not have been surprising if she had gone to live with her own father, who had recently moved to Lewis County, Virginia (later West Virginia). She elected to remain at Edge Hill, though, and seems to have retained all of the enslaved individuals she inherited from her husband. She did, however, begin renting out some of those individuals, including at least one of Zacharia and Rebecca Carr's sons.³¹

Renting slaves was a common practice in antebellum Virginia. Natural population growth and the shift from tobacco to wheat created a situation in which many plantation-owners found themselves with more workers than they could profitably employ. Some of these owners saw leasing as a convenient alternative to selling because they retained the option of reclaiming their workers if their labor was needed again. Renting was also a welcome option to those who had to support enslaved workers they were

forbidden to sell pending the outcome of legal proceedings, the settlement of an estate, or the coming of age of a minor heir. And there was always a demand for slave rentals. Many individuals or businesses needed workers but could not afford to buy them. Others sought workers for temporary or dangerous jobs and preferred to rent laborers rather than buy them. With the death of her husband, Bettie Kent found herself the owner of more than a dozen enslaved workers for whom she, apparently, had no immediate need, so she began renting some of them to others in the neighborhood. It is impossible to say which ones or even how many she rented out, but Wilson Carr was definitely among them. In 1859, when Wilson was fifteen years old, he was rented for the year to Jubal Early, a neighbor of the Kents. It is unlikely, of course, that Zacharia or Rebecca had any say in this decision or received any part of the fifty dollars that Early paid for Wilson's services. Wilson was the Carrs' son, but he was Bettie Kent's property.³²

Further threats to the life that Zacharia and Rebecca Carr had managed to build arose in 1858–1859, when Jacob Kent died and Bettie Kent remarried. With the death of Jacob Kent, in April 1858, Zacharia Carr lost both an employer and a mentor with whom he had enjoyed a successful relationship for fifteen years. He also lost the plantation-owner who had permitted his family to live together. After Kent's death, Edge Hill passed



This plat of Edge Hill was drawn in 1858 after George Anderson acquired the plantation. By then, Zacharia Carr seems to have been living on the Quarter Hollow Tract (bottom center). The adjacent land—Coles' Tract—was occupied by a William Coles, an elderly slave of the Kents who had settled on the land after he had grown too old to work for them.

to George Anderson, one of Kent's sons-in-law, and there was no guarantee that Anderson would employ Zacharia or permit him to continue living at Edge Hill. Jacob Kent's death also led to the division of his enslaved workers among his heirs. Initially, the Carrs may have worried that they or their children might be separated, but shortly after Jacob Kent died, his children acknowledged in a deed that Rebecca and her children were the property of Bettie White. They might, therefore, have stayed at Edge Hill if Bettie had stayed, but in December 1859 she married Egbert R. Watson, a Charlottesville attorney, and moved back to Albemarle County. It was, of course, Bettie's first marriage that brought Rebecca Carr to Montgomery County and led Zacharia to follow. Her second marriage could easily have taken Rebecca and her children back to Albemarle County and forced Zacharia to follow them again or give up his family. That did not happen, though. The Watsons had no immediate use for Bettie's enslaved workers in Charlottesville and were able to continue renting them in Montgomery County, and the Carrs, by then, were settled in a new situation.³³

Following the death of Jacob Kent, it was arranged that Zacharia and Rebecca Carr would live on their own on a piece of land adjacent to Edge Hill, and given his occupation, it seems likely they occupied a cabin that Zacharia built himself. In 1864, after he was charged with "permit[ting] his negro woman Rebecca, a slave under his control, to go at large and trade as a free woman & hire herself out for her own benefit," Egbert Watson explained to county officials why he had accepted the arrangement:

The woman belonged to my wife, and at the time of my marriage was living in Montgomery County with her husband, who is a free colored man. I have not taken her away for several reasons. In the first place, I cared very little about exercising my marital rights in regard to her, and secondly, I was unwilling to separate her from her husband, which would probably result from her removal hither [to Charlottesville]—as it would be a violation of the rule of our county court to allow a free negro from another county to register here. These considerations, added to the fact that the woman with her husband and several children were supporting themselves on a small piece of land kindly furnished them rent free by a connection of my wife, have induced me not to interfere with them.

This might sound altruistic on Watson's part, but it also made sound economic sense for him to leave the Carrs where they were. If he ever *did* want to exercise his marital rights over property obtained through his marriage to Bettie Kent, he knew exactly where Rebecca Carr was and

was likely to remain because her children were there, and some of those children were probably still being rented to neighbors or family members near Edge Hill. In the meantime, Rebecca's upkeep cost Watson nothing because she and Zacharia were supporting themselves.³⁴

For the next six years, Zacharia and Rebecca Carr both seem to have lived as *de facto* free people of color. Zacharia continued to support the family working as a carpenter in the neighborhood, and the indictment against Egbert Watson suggests that Rebecca was also working for wages, most likely a domestic worker of some kind. In addition, the family probably farmed some of the land on which they were living in order to raise food for themselves. Their two youngest children—Joseph and Zacharia—seem to have lived with them, but it is likely the couple's older children—James, Wilson, Mary Lou, and perhaps George—were rented out during those years and living with their employers. Indeed, by 1865 James, Wilson, and Mary Lou were adults, and both James and Mary Lou were married.

These years of *de facto* freedom also included the years of the Civil War, but the war seems to have had relatively little direct impact on the Carrs.³⁵ Like everyone else in the county, they faced rising prices and shortages of food, clothing, shoes, and other items during the war. Prices were already rising by 1862. By 1863 county residents reported problems finding flour and other foodstuffs, and by late 1864 buying wheat was "impossible" in the county.³⁶ Zacharia Carr also faced the risk of conscription. Free men of color were never drafted to bear arms for the Confederacy, but soon after the war began, Virginia did authorize their impressment into state service "erecting batteries, entrenchments, or other necessities of the military service."³⁷ At least two free men of color in Montgomery County were impressed during the war, but there is no evidence that Zacharia Carr was. Most importantly, perhaps, the war years in Montgomery County saw a modest increase in White residents' concern about the threat to public safety posed by free people of color. This was, however, largely confined to the spring and early summer of 1861 and was never very pronounced. In spite of the fact that most White residents of the county supported the Confederacy, there is little evidence that they considered free people of color in their midst a significant threat to their safety or did much to further restrict their lives. Not until April of 1863, for example, did a grand jury present charges against Egbert Watson for allowing Rebecca Carr "to go at large," and it then took another eighteen months for the matter to come to trial. Ultimately, Watson pled guilty, paid a fine of ten dollars, and promised "[to] take immediate steps to remove my liability to a renewal of the presentment." It remains a mystery whether or not he actually did anything about the situation, but no further

charges were ever brought against him.³⁸ As for the Carrs, they seem to have continued living on their own until the war's end brought them new challenges and a new version of freedom.

Free people of color occupied a tenuous position in antebellum Montgomery County. They were clearly not slaves. They enjoyed basic property rights, their marriages—except those involving slaves—were accorded a sort of common law status, their parental rights were recognized, and they could use the legal system to defend these rights. But, just as clearly, they were not fully free. They enjoyed no right to vote, to serve on juries, to hold public office, or to serve in the militia, and they had no legal access to educational opportunities. Even the rights they did enjoy were often circumscribed. They were still forbidden to own certain property or to follow certain callings; their marriages lacked *de jure* standing; their freedom to travel or to migrate was conditional on the consent of White public officials; and in any court proceeding, they stood before White judges and jurors and were often limited in the evidence they could offer. Despite the obstacles they faced, free people of color forged working relationships with the White community around them and made places for themselves in antebellum Montgomery County. That, too, was extraordinary.

Notes

1. John Henderson Russell, *The Free Negro in Virginia, 1619–1865*, (Baltimore, MD: The Johns Hopkins Press, 1913); Ira Berlin, *Slaves Without Masters: The Free Negro in the Antebellum South* (New York: Vintage Books, 1974); Paul Heinegg, *Free African Americans of North Carolina, Virginia, and South Carolina from the colonial period to about 1820* (Baltimore, MD: Clearfield, 2001); Melvin Patrick Ely, *Israel on the Appomattox: A Southern Experiment in Black Freedom from the 1790s Through the Civil War* (New York: Alfred A. Knopf, 2004); Kirt von Daacke, *Freedom Has a Face: Race, Identity, and Community in Jefferson's Virginia* (Charlottesville: University of Virginia Press, 2012); Warren E. Milteer Jr., *North Carolina's Free People of Color, 1715–1885* (Baton Rouge: Louisiana State University Press, 2020).
2. Alden T. Vaughn, "Blacks in Virginia: A Note on the First Decade," *William and Mary Quarterly*, 3rd series, 29 (1972): 469–478; William Thorndale, "The Virginia Census of 1619," *Magazine of Virginia Genealogy* 33 (summer 1995): 155–170; Engel Sluiter, "New Light on the '20. and Odd Negroes' Arriving in Virginia, August 1619," *William and Mary Quarterly*, 3rd series, 54 (1997): 395–398; John Thornton, "The African Experience of the '20. and Odd Negroes' Arriving in Virginia in 1619," *William and Mary Quarterly*, 3rd series, 55 (1998): 419–434; Heinegg, *Free African Americans of North Carolina, Virginia, and South Carolina*, 1–8.
3. Robert McColley, *Slavery and Jeffersonian Virginia*, 2nd ed. (Urbana: University of Illinois Press, 1973), 71–75; Russell, *The Free Negro in Virginia*, 9–16 and 42–87; Berlin, *Slaves Without Masters*, 139n and 140–41; Ely, *Israel on the Appomattox*, 35, 37–38. Chap. 111, sec 62 in *The Revised Code of the Laws of Virginia* (1820) shows this change and says it was passed in March 1819, while Ellen Enslinger says the change came in 1815 (Enslinger, "Free Black Residency in Two Antebellum Counties: How the Laws Functioned," *Journal of Southern History* 59, no. 2 (May 2013): 261–298 [especially 271]).
4. Court Order Books, 10:130, 11:16, 155, and 238–39, Montgomery County Clerk of the Circuit

- Court's Office, Christiansburg, Virginia (hereinafter MCCH); "Book of Free Negroes," MCCH; 1850 census.
5. Russell, *The Free Negro in Virginia*, 74–82; Berlin, *Slaves Without Masters*, 140–41; private manumissions, both by will and by deed, are generally found in Will Books 1–9, MCCH. See also, Richard B. Dickenson, "Entitled": *Free Papers in Appalachia Concerning Antebellum Freeborn Negroes and Emancipated Blacks, Montgomery County, Virginia*: (Washington: National Genealogical Society, June 1, 1988), 16–44; Mary B. Kegley, *Free People of Colour: Free Negroes, Indians, Portuguese, and Freed Slaves* (Wytheville, VA: Kegley Books, 2003), 91–92; Eric Burrin, "A Manumission in the Mountains: Slavery and the African Colonization Movement in Southwestern Virginia," *Appalachian Journal* 33 (winter 2006): 164–186; *Mary Vaughn v. R. Carrington Vaughn*, Chancery 1902–030 (originally 1952), MCCH.
 6. Personal communication, Lois Carter Teele; 1870 and 1880 censuses; "Census Returns of Colored Population of Montgomery County State of Virginia," [1867], Records of the Field Offices for the State of Virginia, Bureau of Refugees, Freedmen, and Abandoned Lands, 1865–1872, National Archives and Records Administration, Microfilm Publication M1913 (hereinafter NARA, M1913), reel 68.
 7. Joseph J. Ellis, "Jefferson: Post-DNA," *William and Mary Quarterly*, 3rd Series, 57 (2000): 125–138; Annette Gordon-Reed, *The Hemingses of Monticello: An American Family* (New York: W.W. Norton & Company, 2008), 120–21 and 247.
 8. Personal communication, Lois Carter Teele; Bryan Clark Green, "At the Edge of Custom: The Training of Thomas R. Blackburn, Architect in Antebellum Virginia," *Perspectives in Vernacular Architecture* 10 (2005): 199–213; "Hotel A Photograph Gallery," Jefferson's University... the early life, <http://juel.iath.virginia.edu/node/905>; "OLDHAM, Captain James," Oldham Family History, <https://oldham.onename.net/getperson.php?personID=I36201&tree=oldham>.
 9. Eugene D. Genovese, *Roll, Jordan, Roll: The World the Slaves Made* (New York: Pantheon Books, 1972), 463–64; Herbert G. Gutman, *The Black Family in Slavery and Freedom, 1750–1925* (New York: Pantheon Books, 1976), 75–80; Lorena S. Walsh, *From Calabar to Carter's Grove: The History of a Virginia Slave Community* (Charlottesville: University of Virginia Press, 1997), 83–85.
 10. Edward Younger, "A Yankee Reports on Virginia, 1842–1843: Letters of John Adam Kasson," *Virginia Magazine of History and Biography* 56 (1948): 408–30; "Register of Colored Persons of Montgomery County, State of Virginia, Cohabiting Together on 27th February, 1866" (hereinafter Cohabitation Register), MCCH.
 11. Younger, "A Yankee Reports on Virginia" (quotations from 428–29). Some uncertainty surrounds the date of the Carrs' move to Edge Hill. In a later deposition (*Joseph Kent v. Heirs of Jacob Kent's / Joseph Kent v. George Anderson etc.*, Chancery 1874–042 [originally 754], MCCH), Zacharia declared that he had worked for Jacob Kent, who died in 1858, for fifteen years, meaning he began in 1843. Two of his children, however, were reportedly born in Albemarle County in 1844 and Prince Edward County in 1845 (Cohabitation Register, MCCH).
 12. Berlin, *Slaves Without Masters*, 92–99; Emily West, *Family or Freedom: People of Color in the Antebellum South* (Lexington: University of Kentucky Press, 2012), 33–34; Ely, *Israel on the Appomattox*; von Daacke, *Freedom Has a Face*; Eslinger, "Free Black Residency"; Eva Sheppard Wolf, *Almost Free: A Story About Family and Race in Antebellum Virginia* (Athens: University of Georgia Press, 2012); Russell, *Free Negro in Virginia*, 112–22; Tipton Ray Snively, *The Taxation of Negroes in Virginia*, Publications of the University of Virginia, Phelps-Stokes Fellowship Papers (1916), 13–14; *Code of Virginia* (1849), Ch. 107 and 176.
 13. Details of the registration process changed several times during the 18th and 19th centuries; this summary reflects the law as it stood in 1850 (*Code of Virginia*, 1849, Chapter 107). See also, Russell, *Free Negro in Virginia*, 101 and 107; Ely, *Israel on the Appomattox*, 251–52; Enslinger, "Free Black Residency," 271–72 and 297. Montgomery County's "Register of Free Negroes and Mulattoes" has been transcribed and published as Richard B. Dickenson, "Entitled": *Free*

- Papers in Appalachia Antebellum Freeborn Negroes and Emancipated Blacks, Montgomery County, Virginia* (n.p., n.d.); I have used the original and the court order books, however, to gain fuller information than Dickinson published and to correct minor errors in his transcriptions.
14. Russell, *Free Negro in Virginia*, 107–108; Berlin, *Slaves Without Masters*, 331–32; Ely, *Israel on the Appomattox*, 251–61; von Daacke, *Freedom Has a Face*, 76–80; Enslinger, “Free Black Residency,” 295–98.
 15. Will Books 5: 196 and 6: 19, MCCH; Court Order Book 29: 73, 93–94, MCCH; von Daacke, *Freedom Has a Face*, 55, 77–81, and 204. Enslinger seems to have found a similar pattern among Rockbridge and Augusta County manumissions (“Free Black Residency,” 270–81).
 16. Court Order Books 16: 45, MCCH; “Order Book Co. Court Com. Law & Chancy. 1859–1868,” Sept. 2, 1861, MCCH. The by-laws of Christiansburg also required that free people of color moving there from another county secure permission from the town’s board of trustees, but no record has survived of the board acting on any such request (“By-Laws of the Corporation of Christiansburg,” [1856], which is glued into “Town of Christiansburg Minutes Book 1854,” MCCH).
 17. Based on a comparison of free people of color reported in the “Book of Free Negroes” and the Montgomery County Court Order Books, with the censuses of 1850 and 1860; George Briggs appears in Montgomery County in the 1840 and 1860 censuses and in Roanoke County in the 1850 census. Campbell’s death is reported in the “Register of Christiansburg Station,” St. Paul Methodist Church, Christiansburg, VA; Briggs’s presence in the county until at least 1867 is confirmed in “Census Returns of Blacks in Montgomery County,” [1867], NARA, M1913, reel 68.
 18. Donald Poole and Frances Poole, eds., *Voices From Eastern Montgomery County by Those Who Lived There* (Blacksburg, VA: Pocahontas Press, 2012), 423–28; “Map of George Anderson Land,” Oversize Folder 1, Tyler-Ellis-Marye Family Collection, Ms2010-067, Special Collections, Virginia Tech; 1850 census (slave schedule); [deposition of Jack Carr] Dec. 11, 1872, in *Joseph Kent v. Heirs of Jacob Kent’s / Joseph Kent v. George Anderson etc.*, Chancery 1874–042 (originally 754), MCCH.
 19. [Deposition of Jack Carr] Dec. 11, 1872; 1850 census (schedule of agriculture).
 20. [Deposition of Jack Carr] Dec. 11, 1872; [record of payment to “Jack Carr for making coffin for negro woman Elvira”], 1852, *Watts v. Noell & Edmundson*, Common Law A–4386, MCCH.
 21. 1850 and 1860 censuses; [account book of David Edmundson], Edmundson Family Papers, sec. 24, Ms1 Ed598 a 962, Virginia Historical Society; *Joseph Kent v. Heirs of Jacob Kent’s / Joseph Kent v. George Anderson etc.*, Chancery 1874–042 (originally 754), MCCH. Caswell Raford was working as a carpenter at the start of the decade but seems to have left or died sometime between 1853 and 1860 (census of 1850; *Raford v. Hubbard & Jordan*, Chancery 1853–003 [originally 76], MCCH).
 22. Personal Property Tax Books, Library of Virginia; 1850 and 1860 censuses.
 23. *Paris Lawrence v. Thos. D. Childress Admin.*, Common Law A–6840, MCCH; File of William Moore/Moon, M2094, Southern Claims Commission Approved Claims, 1871–1880: Virginia, accessed through Fold3.com; [1863 property tax], Personal Property Tax Books, Library of Virginia; *Shilling Adm. v. Beckdeheimer*, Chancery 1892–057 (originally 1305), MCCH; 1860 census.
 24. 1850 census; [report on Wm. Campbell], p. 527, Virginia, Vol. 28, R. G. Dun & Co. Collection, Baker Library Historical Collections, Harvard Business School; *Campbell v. Brosman*, Common Law A–2450, MCCH; *Crenshaw v. Campbell*, Dec. Term 1853, filed in box labeled #18 and filled with miscellaneous papers, MCCH; *Fickey v. Campbell*, Common Law A–2873, MCCH; *McDaniel & Hurt v. Campbell*, Common Law A–4855, MCCH.
 25. Census of 1860; *Campbell v. Whalen*, 1856, Summons, Envelope No. 120, MCCH; [meeting of the Quarterly Session], July 21, 1856 [Records of Quarterly Meetings], April 21, 1855, to Jan. 16, 1888, St. Paul Methodist Church, Christiansburg.
 26. 1850 and 1860 censuses; Deed Book O: 633, MCCH; (“Assessment of Real estate in Christiansburg Virginia,” n.d., filed loose in C’burg Memo and Minute Book, 1854–1861,

- MCCH); [1856 and 1857 property taxes], Personal Property Tax Books, Library of Virginia. Mary Shaver, Susan Bice, James Moore, and Rachel Bice all appear as landowners on the 1860 census, but their status cannot be confirmed through any other source.
27. Census of 1860; Deed Book P: 429, MCCH; Land Book, 1859, MCCH. Per capita holdings calculated from data formerly available through the University of Virginia’s Historical Census Browser, <http://mapserver.lib.virginia.edu/index.html>.
 28. *The Code of Virginia* (Richmond: William F. Ritchie, 1849), Chap. 107 (“Of Free Negroes”) and Chap. 108 (“Of Marriage”); Court Order Book 32: 291 and Will Book 9: 345, MCCH; Lebsock, *Free Women of Petersburg*, 100–10; Ely, *Israel on the Appomattox*, 65–68; von Daacke, *Freedom Has a Face*, 41.
 29. Lebsock, *Free Women of Petersburg*, 100–01; censuses of 1850 and 1860.
 30. Younger, “A Yankee Reports on Virginia,” 427; Will Book 9: 174, MCCH; Cohabitation Register, MCCH; “Census Returns of Colored Population of Montgomery County State of Virginia” [1867], NARA, M1913, reel 68; 1870 census.
 31. Gravestone of Joseph Henry Kent, White Cemetery, Shawsville, VA; [deposition of Bettie Kent], *Watson, E. R. et al v. Joseph Kent’s Admin.*, Common Law, A–6961, MCCH; Younger, “A Yankee Reports on Virginia,” 427.
 32. John J. Zaborny, *Slaves for Hire: Renting Enslaved Laborers in Antebellum Virginia* (Baton Rouge: Louisiana State University Press, 2012); [deposition of Bettie Kent], *Watson, E. R. et al v. Joseph Kent’s Admin.*
 33. Gravestone of Jacob Kent, White Cemetery, Shawsville, VA; Poole and Poole, eds., *Voices From Eastern Montgomery County*, 423; *J. R. Kent’s Admin. et al v. Geo. W. Anderson*, Chancery 1880–028 (originally 650), MCCH; *Nannie Kent et al v. E. Gibbonery Exor.*, Chancery 1886–033 (originally 947), MCCH; Will Book 9: 174, MCCH; E. R. Watson to “My Dear Children,” Dec. 11, 1859, Papers of Mary Kelly Watson Smith, 1814–1884, Accession #1624, Small Special Collections, University of Virginia; [deposition of Archer C. White], *Watson, E. R. et al v. Joseph Kent’s Admin.*, Common Law, A–6961, MCCH; 1860 census (slave schedule).
 34. E. R. Watson to “Dear Sir,” Sept. 3, 1864, in *Commonwealth v. Watson*, Criminal A–696, MCCH; [deposition of Archer C. White], A–6961, MCCH.
 35. For more on the experience of Montgomery County’s free people of color during the war years, see Daniel B. Thorp, “Soldiers, Servants, and Very Interested Bystanders: Montgomery County’s African American Community During the Civil War,” *Virginia Magazine of History and Biography* 126 (2018): 379–421.
 36. David Earhart to Mary Earhart, Oct. 11, 1862, Box 1, Folder 17, David G. Earhart Collection, Ms2002–017, Virginia Tech; Harvey Black to Mollie Black, Nov. 25, 1863, and Mollie Black to Harvey Black, Nov. 29 and Dec. 18, 1863, Glenn L. McMullen, ed., *The Civil War Letters of Dr. Harvey Black: A Surgeon with Stonewall Jackson* (Baltimore: Butternut and Blue, 1995), 69–70 and 75–78; Alexander Wall to Waddy T. James, Nov. 15, 1864, Alexander Floyd Wall Correspondence, Ms 82–007, Virginia Tech.
 37. [Ordinance 84 of the Virginia Convention], *Acts of the General Assembly of the State of Virginia Passed in 1861* (Richmond: William F. Ritchie, 1861), Appendix, 67–68.
 38. *Commonwealth v. Watson*, Criminal A–696, MCCH; Sept. 12, 1864, Order Book Cir. Court, 4: 393, MCCH.

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