academicresearchJournals

Vol. 6(6), pp. 169-191, August 2018
DOI: 10.14662/IJPSD2018.045

ISSN: 2360-784X
http://www.academicresearchjournals.org/IJPSD/Index.html

International Journal of Political Science and Development

Full Length Research

Institutional and Agency Effects on the Status of Free Blacks: Synthesizing Asymmetrical Laws and Social Conditions with Asymmetrical Economic Outcomes, International

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Accepted 31 August 2018

Leon Litwick (1961) and Ira Berlin (1974) provide the most comprehensive historical accounts of free blacks in the north and south, respectively. This paper attempts to build upon their successes by presenting a national study that combines the legal, demographic and economic experiences of free blacks, with an extended analysis of antebellum wealth inequality. In doing so, I propose the asymmetry hypothesis, which is an investigation of the link between the social conditions and economic outcomes of free blacks relative to whites. For the empirical portion of the study, I employ cross-sectional variables from the IPUMS samples. This paper finds that economic differences between free blacks and whites were intertwined with asymmetrical social constraints. While the legal and social status of free blacks was significantly better than slaves, their status did not equal that of whites. Yet free blacks did attempt to overcome the social conditions by structuring their households to provide a basic foundation for *the pursuit of happiness*.

Key words: Constitution, government, free blacks, wealth inequality, economic discrimination, discrimination theory.

JEL Codes: H5 H7 C44 N4 N3 J7 B15 D31 D91 E21 H54 H73 I2 I3 J15 J18 J31 J71 K00 N11 N31 N41 N47 P16 Q10 R23 Z10

Cite this article as: James Curtis Jr* (2018). Institutional and Agency Effects on the Status of Free Blacks: Synthesizing Asymmetrical Laws and Social Conditions with Asymmetrical Economic Outcomes, International. Int. J. Polit. Sci. Develop. 6(6) 169-191

INTRODUCTION

The day after a slave is emancipated from an intergenerational experience of enslavement, what does that ex-slave do? What are his or her goals? Does the slave have a contemporaneous objective to supply labor and consume necessary commodities in a manner that highly discounts the future in order to survive on a day to day basis at the expense of future consumption, or does the slave have an intertemporal objective to store

material possessions in a manner that minimizes current consumption, possibly below subsistence, in order to provide a better experience for his or her children? Prior to southern emancipation, some blacks were able to ponder on the same decisions.

The experience of blacks in America can be divided into three separate discussions, the experience of: (*i*) free blacks prior to the Civil War, (*ii*) slaves prior to emancipation and (*iii*) the experiences of all blacks after the Civil War. But the socioeconomic experiences of the latter two are linked to that of the former:

> "In learning to deal with free blacks before the Civil War, …whites developed institutions, standards of personal relations, and patterns of thought which they applied to all blacks after Emancipation. Segregation, black codes, the convict-lease system, and the various forms of peonage usually associated with post-bellum South all victimized the antebellum free Negro caste. When the Emancipation Proclamation and the Thirteenth Amendment freed all blacks, whites applied the panoply of attitudes and institutions they had long used to control the free Negro caste. In many instances, the magnitude of the Emancipation and the libertarian spirit that accompanied it forbade immediate reinstatement of the forms of white domination. But within a generation the web of constraints that had dominated the lives of antebellum free Negroes had been imposed on all Negroes. In many ways, freedom—not slavery—was the taproot of postwar…race relations" (Berlin, p. xiv)

Therefore, this paper focuses on the plight of the average antebellum free black American, which, in hindsight, illuminated the path of the average black American after emancipation.

Outline

The structure of the paper is as follows: In the first section, I review the literature on the progression of free black rights and protection under the Constitution and the multiple levels of government dating back to the Colonial period. In the second section, I review of the literature and present new analyses on the demographic dispersion of the free black population. In the third section, I analyze free black-white wealth differences to measure the relative differences in economic performances. Finally, in the last section, I present my conclusions, charts, references and appendices A through H, which includes an analysis the sample dataset and descriptive statistics. Through these analyses, I intend to uncover the portion of the free black experience explained institutional barriers and the portion of their experience explained by available socioeconomic choices (or lack of choices). While a previous paper provides a decomposition of these aggregate differences, this paper will provide a synthesized analysis of the legal, demographic, and economic geographic experiences of free blacks/ex-slaves and whites in the United States of America.

THE FEDERAL AND STATE LAWS IN THE LAWS IN THE UNITED STATES OF AMERICA, COLONIAL THROUGH THE CONSTITUTIONAL ERAS

The Definition of a Free Black Citizen before the Emancipation Proclamation

The free black was legally defined by his or her physical traits and source of social freedoms. Foremost, several states took the time and effort to write laws that provided a definition of a free black based on their family tree and physical traits, which were informally adopted nationally:

> "Who was a Negro? During the Colonial era, only Virginia and North Carolina had bothered to define legally what made a person black. Both colonies carried the search for African ancestry back three generations, and at times, North Carolina legislators pecked into the fourth generation removed. Any free person with African parent, grandparent, great grandparent, and sometimes a great-great grandparent—that is, up to one-eighth or one sixteenth Negro—was deemed black and subject to laws regulating free Negroes. In rummaging through family trees to the third and fourth generation, Virginia and North Carolina gave legal force to the commonplace colonial notion that anyone who displayed the physical attributes of an African past…was to be considered black as a full-blooded Negro. Other colonies seemed to follow this rule, although none chose to write it into law" (Berlin, 1974, pp.97-98)

The source of social freedoms for free blacks was quite different than that of whites. Whites functioned in American society based on natural rights protected by clauses in the Constitution. However, the free black existed based on manumission:

> "Manumission, or some related form of legal declaration of freedom, was conferred on favored individuals of meritorious services or because of sentimental or moral reason.... Slaves who were permitted to hire themselves out as laborers were sometimes able to save sufficient money to purchase their freedom from their masters. A significant number gained their freedom by escaping their owners and isolating themselves in remote localities in the South or by fleeing to free soil in the North or

> in Canada.... Free Negroes...were immigrants from foreign lands.... Offspring not only of members of the free Negro community but also from unions between free Negroes and non-Negroes (expanded the free Negro community)" (Zelinsky, 1950, pp.386-87).

The controversy on the citizenship status of free blacks in America can be traced back to the formation of America. Many federal and states decisions often conflicted on the protections of the free black American under the laws of governments. The legal turmoil around the status of free blacks can be best understood by dividing up the discussion into the early Colonial period and the Constitutional era. The latter can be further partitioned into an analysis of federal and state laws on free black citizenship.

The Colonial Era of Free Black Citizenship in the United States of America

The experiences of free blacks in America date back to the Colonial Period. The initial absence of early Colonial laws that limited the rights of free blacks produced a temporary environment that welcomed free black social gains:

> "Between the arrival of the first free blacks and the codification of slavery in 1660's, colonial lawmakers hardly recognized them all. During these first forty years, some free Negroes enjoyed the full fruit of the new rich land. They earned money, accumulated property, and occasionally held minor offices….But as whites secured the bonds of racial slavery, the status of those blacks who remained free suffered. In the 1660's, when slavery was given legal sanction, (for instance) Virginia legislators made a lasting judgment: free Negroes 'ought not in all respects…be admitted to a full fruition of the exemptions and impunities of the English' " (Berlin, pp.4-5)

Upon the inception of Colonial state laws that articulated free black protections, levels of freedom differed depending on what state free blacks resided in:

> "Colonial blacks codes were laced with inconsistencies. Although they (whites) often treated free blacks roughly, they left large areas where blacks enjoyed legal equalities with whites. For example, Virginia barred free Negroes from holding office, yet no other colony so acted. Maryland prohibited free Negroes from mustering with the militia, but no other Southern colony issued a similar ban, and some actually required Negro freemen to attend. South Carolina and Virginia sought to ensure white dominance by whipping blacks, 'free or bond,' who dared to raise a hand to strike a white, but they remained alone in this action….The black codes were a jumble whose haphazard construction reflected refusal, inability, or disinclination of whites to fix the free Negro's status. This confusion gave free Negroes room to maneuver in a society that often was hostile to their very existence" (Berlin, pp.8-9).

The Era of the United States Constitution and the Bill of Rights

The status of free blacks in America, as with any American, is directly linked to his or her rights and protections as articulated in the Constitution, as interpreted by the courts, and as enforced by agents of federal, state and local governments. Article four, Section two and Paragraph one of the Constitution of the United States, adopted in 1787, provided the basis for citizenship of an American: "The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states" (McKee, 1934, p.2). However, the literal interpretation of this clause could only be articulated, with sufficient enforcement powers, when individuals contested the actions of others based on this clause. McKee reports that such contests did occur and led to essentially two different interpretations, one based on property rights and another based on state-defined laws.

Foremost, the judge (Chase) in the 1797 Maryland case of Campbell vs. Morris first articulated the property-holding definition of citizenship:

> "One of the great objects must occur to every person, which was enabling the citizens of several states to acquire and hold real property in any of the states, and deemed necessary, as each state was a sovereign, independent state, and the state had confederated only for the purpose of general defense and security, and to the general welfare….The court of the opinion it means that citizens have the peculiar advantage of acquiring and holding real as well as personal property, and that such property shall be protected and secured by the laws of the state is protected" (McKee, p.4).

Since free blacks were not denied the right to own property, this interpretation led to an inclusion of free blacks in the rights and protections of US citizens: "The free Negro's only right that escaped unscathed was his ability to hold property—a striking commentary on the American idea of liberty" (Berlin, p.97). But "the words of Judge Chase are rarely encountered in judicial opinions and his concepts even less frequently in the arguments upon the operation of the clause of free Negroes in the period prior to 1860" (McKee, p.3). Instead, the state-defined laws on citizenship became dominant during this

period. The judge (Washington) in the Federal Case, Corfield vs. Coryell, first articulated this definition of citizenship.

> The judge states that citizenship rights "belong, of right, to the citizens of all free governments; and which have, at all times, been enjoyed by the citizens of the several states which compose this Union, from the time of their becoming free, independent, and sovereign…tedious…the enumerate…all comprehended under the following general heads: Protection by the government; the enjoyment of life and liberty, with right to acquire and possess property of every kind, and to pursue and obtain happiness and safety; subject nevertheless to such restraints as government may justly prescribe for the general purpose of the whole. The right of one citizen of one state to pass through, or to reside in any other state, for purposes of trade, agriculture, professional pursuits, or otherwise; to claim the benefit of the writ of habeas corpus; to institute and maintain actions of any kind in the courts of the state; to take, hold and dispose of property, either real or personal; and an exemption from higher taxes or impositions than are paid by the other citizens of the state; may be mentioned as of the particular privileges and immunities of citizens, which are clearly embraced by the general description of privileges deemed to be fundamental; to which may be added the elective franchise, as regulated and established by the laws or constitution of the state in which it is exercised" (McKee, p.5).

Essentially, "it only admitted those men who were citizens of right" (McKee, p.6). Therefore, it was left up to each state to define the citizenship status of free blacks.

The Era of the Federal Government in United States of America

The federal government also weighed in on the issue of free black citizenship and their rights and privileges under the Constitution. The following summarizes key federal legislation, federal executive branch decisions and Supreme Court decisions.

Foremost, the United States Congress was actively involved in questions about the legal status of free blacks. Table 1a shows that Congress presented legislation often restricted or debated the restriction of free black citizenship rights on military and public service.

The only exception of significance was that free blacks were allowed to serve as seamen in 1803. But federal legislation, such as the 1850 Fugitive Slave Act which "provided more severe penalties for those abetting fugitive slaves than the previous act of 1793 and made government officials responsible for the arrest of suspected slaves" (Wilkie, 1976, p.318), consistently inhibited free black rights as US citizens and led many to migrate to Canada, Africa and Central America. But Congress also displayed glimpses of opportunity for free black rights. For instance, the federal executive branch, through the Attorney General and Secretary of State offices, also participated in the debate over the rights of free blacks. For instance, early Attorney Generals contributed to the debate on the rights of free blacks to citizenship. Table 1b shows the varying opinions of Attorney Generals with regard to free black citizenship.

At a minimum, free blacks were citizens of their states throughout the period. In 1821, the Attorney General stated that the "free Negroes 'cannot be regarded, when beyond the Jurisdiction of the Government, as entitled to full rights of citizens'" (p.272). However, citizenship was defined as "'those who enjoyed the full and equal privileges of white citizens in the State of their residence,' (which) implied that Negroes could be so considered" (p.273). The ability of the free blacks to access federal land programs also commented on the citizenship status of free blacks. The decisions of Attorney Generals tended vary on land grant opportunities for free blacks until the interpretations of the Dred Scott decision close the door:

> "Attorney-General H. S. Legare replied to an interrogation from the Secretary of the Treasury that free Negroes were qualified to secure land under the preemption law in 1841. That enactment provided that only citizens of the United States or aliens who had filed their declarations of intention to become a citizen could take land…He then proceeded to show that free Negroes were not aliens, and ended by proving them to be citizens. To avoid giving them full protection of the Constitution he classified them as denizens…Later Galeb Cushing, Attorney-General under President Pierce…allowed 'that the better option is the colored persons are not' citizens of the United State…(Furthermore) the general land office, after the Scott decision, cancelled some of the claims of free Negroes to the public land under the preemption law of 1841. It maintained that as free Negroes had been adjusted not to be citizens of the United States, they could legally acquire title under the 1841 set" (McKee, pp. 211-13)

The debate continued across federal administration among Secretaries of State over the passport eligibility of free blacks. Passports were symbolic of citizenship and protections from the US government. Table 2 shows that early United States Secretaries of State took different positions on the rights of free blacks to own passports.

There is evidence, threaded throughout the different tenures of the United States Secretaries of States, that free blacks received passports in 1834, 1836, 1849 and 1854 (p. 271). At a minimum, most Secretaries allowed

Table 1a. Congressional Deliberations over the Status of Free Blacks in the US, 1790-1870

Year	US Congressional Actions
1790	Restricted naturalization to whites
1792	Restricted participation in military to white males
1803	Allowed free blacks to serve as seamen
1810	Restricted postal mail carriers to whites
1820	Restricted new authorization of local control in Washington, DC to whites
1821-	Debated legal rights of free blacks
1840-	Debated reports of high 'idiot and insane' rates among Northern free blacks
1840-	Debated the expansion of slavery
1841	Deleted provisions that excluded free blacks from the federal land policies
1850-	Attached amendments to federal land policies the restricted free blacks from participation
1870	Adopted the 14th Amendment which recognized the rights of free blacks

Source: Information collected and compiled by James Curtis Jr (2002) from Litwick (1958, pp. 261-75)

Table 1b. Opinions on the Legal Status of Free Blacks by US Attorney Generals, 1821-1862

Year	US Attorney General Opinions
1821	No free black rights to citizenship under the US Constitution
	Free black rights to citizenship were defined by state of residence
1822	SC state police powers that imprisoned foreign black seaman violated Constitution
1823	Free blacks were entitled to receive land payments for service in 1812 war
	No free black rights to serve in military
1829	SC state police powers that imprisoned foreign black seaman were lawful
1831	No free black rights to citizenship under the US Constitution
1843	Free black rights to citizenship were between the definition of alien and citizen
	Free blacks were entitled to benefit from federal land policies
1856	No free blacks entitlements to benefit from federal land policies
	No free black rights to citizenship under the US Constitution
1862	Free black rights to citizenship, vote and hold office

Source: Information collected and compiled by James Curtis Jr (2002) from Litwick (1958, pp. 273-75)

free blacks to receive some documentation of birth and residence in the United States. These documents stated that free blacks "were born in the United States, are free, and that the government thereof would regard it to be its duty to protect them if wronged by a foreign service government, while within its jurisdiction for a legal and proper purpose" (p.272).

The federal courts made the final statement of the rights of free blacks before the Civil War. The majority opinion of the famous 1857 US Supreme Court decision, *Dred Scott vs. Sanford*, known as the Dred Scott decision, stated that there were no rights of free blacks that whites had to honor.

Paraphrasing what Chief Justice Roger Taney wrote: "'The African race in the United States even when free,' he wrote, 'are everywhere a degraded class, and exercise no political influence. The privileges they are allowed to enjoy, are accorded to them as a matter of kindness and benevolence rather than right...And where they are normally admitted by law to privileges of citizenship, they have no effectual power to defend them, and are permitted to be citizens by the sufferance of the white population and hold whatever rights they enjoy at their mercy.' Negroes are 'a separate and degraded people to whom the sovereignty of each state might accord or

Table 2. Free Black Passport Policies by US Secretaries of State , 1839-1861

Year	US Secretaries of State Passport Policies
1839	Rejected passport application from Philadelphia free black
1847	Allowed free blacks to attain alternative certificates to passports
1849	Allowed free blacks who served as foreign diplomats to attain passports
1856	Rejected passports to eleven free blacks
	Allowed free blacks to attain alternative certificates to passports
1857	Declared no foundation for passports to free blacks
1861	Allowed free blacks to obtain passports

Source: Information collected and compiled by James Curtis Jr (2002) from Litwick (1958, pp. 271-73)

withhold such privileges as they deemed proper.' Consequently, the framers of the Constitution had not regarded them as citizens and they 'were evidently not supposed to be included by the term citizens'" (p.274).

The dissent argued that at the time the founding documents were be written, several states gave free blacks the right the vote and, thus, were included in the interpretation of the 'people of the United States' who had certain protections under the law.

Paraphrasing what dissenting Justice Benjamin R. Curtis wrote: "At the time of the ratification of the Articles of Confederation, he pointed out, free Negroes were not only citizens in five states--New Hampshire, Massachusetts, New York, New Jersey, and North Carolina--but actually exercised the right of suffrage on equal terms with whites...Negroes, he concluded, 'were not only included in the body of *the people of the United States*, by whom the Constitution was ordained and established, but in at least five of the States they had the power to act, and doubtless did act, by their suffrages, upon the question of its adoption'" (p.277)

Nevertheless, the majority opinion led to immediate action by slaveholding states:

"The United States Supreme Court in the Dred Scott decision had eliminated the slender protection of constitutional guarantees by stripping free Negroes of their citizenship. Dred Scott new life into the expulsion movement…Under pressure from governor, the state's leading newspaper, white workingmen, and petitions from various public meetings, the legislature hastily ordered Negro freemen to leave the state by 1 January 1860…News from Arkansas shot through the South and sparked still another waive of assaults on the freemen's liberty" (Berlin, pp. 372-84).

State Laws in the United States of America

Litwick (1958) found that "in the absence of any clear constitutional or judicial directive, the federal government and the individual states separately defined the legal status of ante-bellum free Negroes" (p.261). Restrictive federal decisions often had to be executed with resistance from northern states. This most evident in a case in Massachusetts where the state defied the 1850 Fugitive Slave Law:

"Shadrack, a Negro employee in a Boston coffee house, was arrested in February 15, 1851, on the charge of having escaped from slavery in the previous May. As the commissioner before whom he was brought was not ready to proceed, the case was adjourned for three days. As Massachusetts had forbidden the use of her jails in fugitive cases Shadrack was detained in the United States courtroom at the courthouse. A mob of people broke into the building, rescued the prisoner and he escaped to Canada. The rescue caused great excitement in Washington and five of the rescuers were restricted and tried but the jury disagreed. The incident showed that the new law would be enforced with difficulty in Massachusetts" (Landon, pp.29-30).

Additionally, after the Dred Scott decision in 1857 and reciprocal to the actions of Arkansas, Massachusetts took the opportunity to enhance free black passport rights. "The Massachusetts Legislature decided that since the Dred Scott decision 'virtually denationalized' the state's Negro citizens, it would authorize its own Secretary of State to grant passports to any citizen of the Commonwealth 'what ever the color may be'" (Litwick, 1958, p.273).

Since the dominant interpretation of the United States Constitution left free black citizenship rights up to the individual states, it would be informative to measure the degree to which free black rights and privileges were

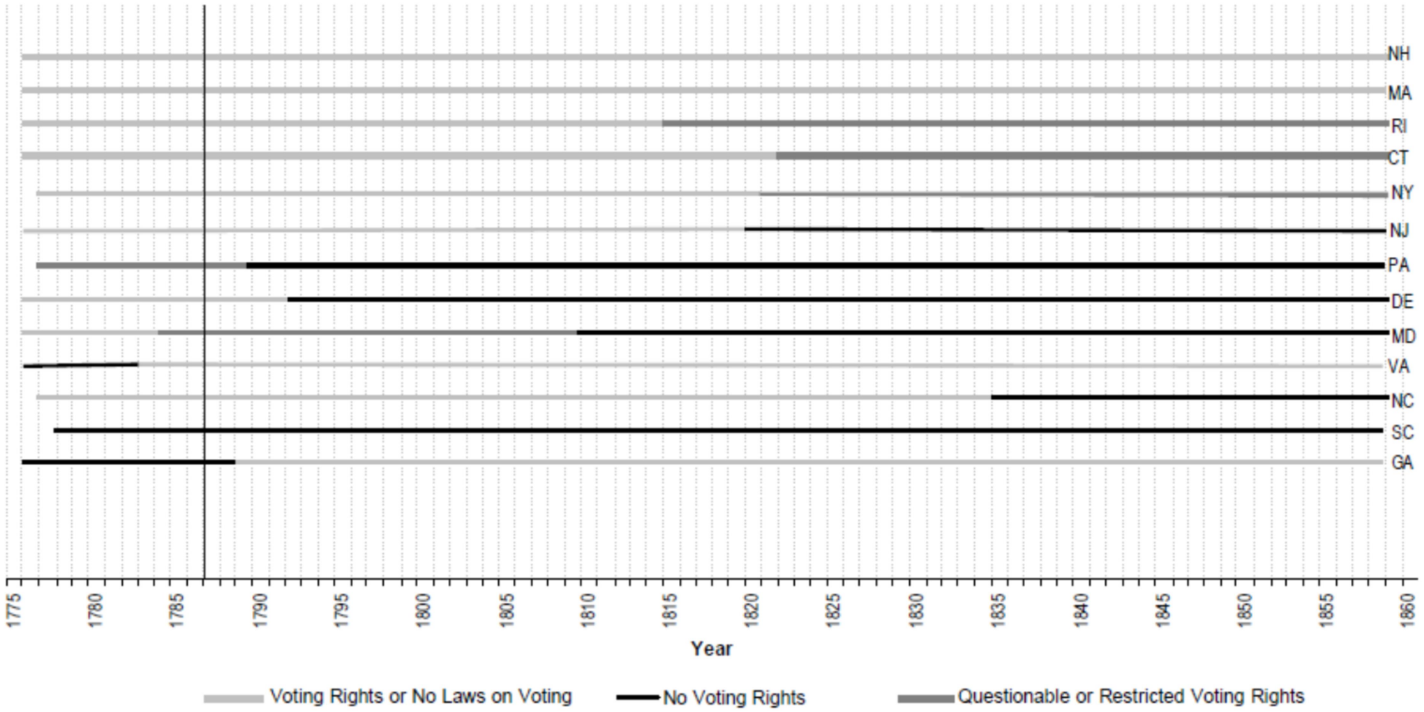

Figure 1a. State Voting Rights as a Measure of US Citizenship for Free Blacks in the Original Thirteen States, 1776-1858
Source: Information collected and compiled by James Curtis Jr (2002) from McKee (1934)

protected. As a measure of citizenship rights, researchers often analyzed the voting rights of and entrance restrictions legally placed on free blacks.

Foremost, upon the adoption of the Constitution, the right to vote was not guaranteed in all states for free blacks. Figure 1a shows that much of the northeast never adopted laws that prohibited the right of free blacks to vote.

However, Connecticut (1814) and Rhode Island (1822) restricted the rights of free blacks to vote in manner that was reciprocal to northeastern gradual emancipation laws: free black adult exemptions from restrictions on voting rights did not carry over to their children. The mid-Atlantic states of New York (1777), New Jersey (1776) and Pennsylvania (1776) unanimously agreed to extend free black voting privileges prior to the adoption of the constitution. But a few years later, Pennsylvania (1790) and New Jersey (1820) reversed their laws while New York added documentation of freedom requirements in 1814 and additional property holding requirements in 1822 (McKee, p.4). The restrictions on voting privileges in the south varied near the adoption of the Constitution and become almost uniform directly before the Civil War. Georgia (1723), South Carolina (1778), Virginia (1723), and Delaware (1792) all prohibited free black suffrage. Figure 1a shows that Georgia (1789 and 1798) was the only one of these states to change their mind. North Carolina, which allowed free blacks the right to vote in 1776, later reversed their law in 1835.

Similarly, Maryland, which allowed free blacks to vote in 1776, initiated a gradual suffrage law in 1783 that allowed free black adults to maintain their voting rights but prohibited their children from doing the same. But by 1810, any remaining free black voting rights in Maryland were completely eliminated. McKee argued that this was evidence of contradictions between Constitutional entitlements and state legislation on free black privileges as citizens: "Vermont (1790), Kentucky (1792) and Tennessee (1796) made no provision in their constitutions excluding Negroes from the suffrage. With Maine (1819), they were the only states which entered the Union, prior to Nebraska in 1867, which did not restrict the suffrage to whites…Kentucky and Tennessee subsequently enacted such a restriction" (Litwick, 1958, p262).

McKee (1934) argued that an examination of entrance laws was more compelling. He suggested that there exists a conflict between the dominant court interpretation of the United States Constitution and the state laws on free black restrictions to migrate or enter into other states. No northeastern states enacted entrance laws except Massachusetts (1788) and Connecticut (1833), which required some form of documentation of freedom. Similarly, in the mid-Atlantic, New Jersey (1798) also

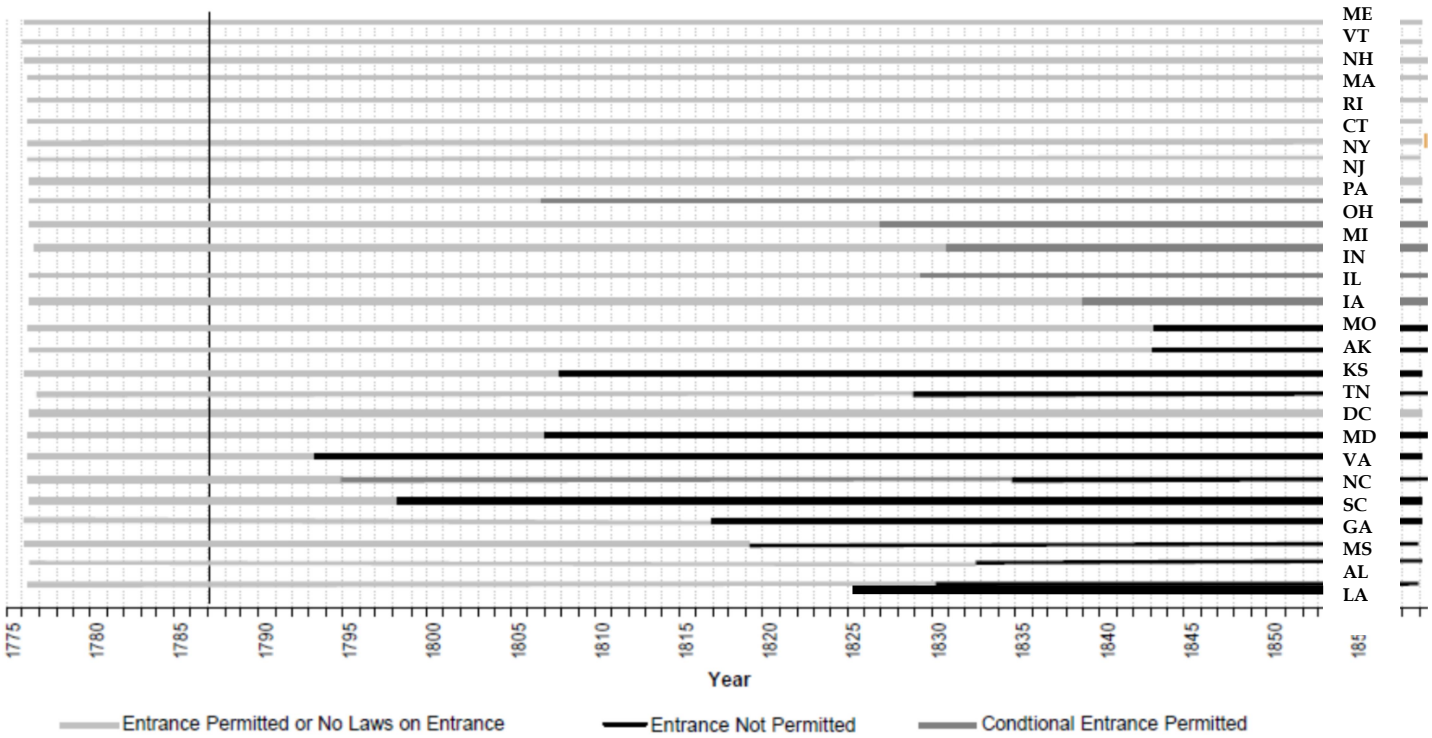

Figure 1b. State Entrance Laws as a Measure of US Citizenship for Free Blacks, 1776-1858
Source: Information collected and compiled by James Curtis Jr (2002) from McKee (1934)

required some form of documentation; otherwise free blacks from any state free enter the region. But Figure 1b shows that the situation changed slightly for the Midwest.

Ohio (1807), Illinois (1829), Michigan (1827), Indiana (1831) and Iowa (1839) required bonds for free blacks born in other states to enter their state. But Delaware (1807), which required some proof of freedom, was the only southern state that admitted free blacks from other states. North Carolina (1798), which initially allowed free blacks to enter with a bond, prohibited entrance in 1826, along with South Caroline (1800), Maryland (1807), Kentucky (1808), Georgia (1818), Mississippi (1819), Louisiana (1830), Tennessee (1831), Alabama (1832), Arkansas (1843) and Missouri (1843).

Summary of the Federal and State Laws in the United States of America

Federal-level decisions tended to vary based upon the individuals in office, but state government, as the dominant interpretation of the Constitution uplifted, tended to have control over the degree to which free blacks had legally enforceable freedoms. Ultimately, the degree of restrictions on free blacks citizenship depended on the location and distance of a state from the least restrictive upper Northeast to the often most restrictive southern-most part of the south. Yet, citizenship restrictions tended not to interfere the property-holding rights of free blacks in any state.

THE DEMOGRAPHY OF FREE BLACK AMERICANS, COMPARED TO EX-SLAVES AND WHITE AMERICANS IN THE UNITED STATES OF AMERICA AND FREE BLACKS IN FOREIGN COUNTRIES THROUGH 1870

After accounting for the relatively exogenous legal factors, we can more clearly analyze the relatively endogenous factors that impact the demography and economy of antebellum free blacks. The following analysis of the free black demography is partitioned into a discussion of the free black population, geography, and the local density of Free Blacks. The discussion of the geography of Free Blacks includes a discussion of the aggregate density of Free Blacks; the migration of Free Blacks in the United States of America; the emigration of Free Blacks from the United States of America to Canada, Central America, and Africa, including Liberia; the geography of non-US Free Blacks with international citizenship in Europe, Central and South America (including the organization of the migration of Free Blacks to Liberia, and the organization of the state of Liberia), and the urban-rural ‘choices’ of non-US Free Black residencies.

Table 3. US Population by Racial and Freedom Status, 1790-1870

	1790	1800	1810	1820	1830	1840	1850	1860	1870
Free Blacks	**59,466**	**108,395**	**186,446**	**233,524**	**319,599**	**386,303**	**434,495**	**488,070**	-
Percent of Total	*1.5%*	*2.0%*	*2.6%*	*2.4%*	*2.5%*	*2.3%*	*1.9%*	*1.6%*	-
Changes over the Decade									
Change in Number of Free Blacks		48,929	78,051	47,078	86,075	66,704	48,192	53,575	
Change in Percent of Free Blacks		*82.3%*	*72.0%*	*25.3%*	*36.9%*	*20.9%*	*12.5%*	*12.3%*	
Change in Percent of Total		*0.5%*	*0.5%*	*-0.2%*	*0.1%*	*-0.2%*	*-0.4%*	*-0.3%*	
Annualized Changes over the Decade									
Change in Number of Free Blacks		4,893	7,805	4,708	8,608	6,670	4,819	5,358	
Change in Percent of Free Blacks		*8.2%*	*7.2%*	*2.5%*	*3.7%*	*2.1%*	*1.2%*	*1.2%*	
Slaves	**697,897**	**893,041**	**1,191,364**	**1,538,038**	**2,009,043**	**2,487,455**	**3,204,313**	**3,953,760**	-
Percent of Total	*17.8%*	*16.8%*	*16.5%*	*16.0%*	*15.6%*	*14.6%*	*13.8%*	*12.6%*	-
Change in Number of Slaves		195,144	298,323	346,674	471,005	478,412	716,858	749,447	
Change in Percent of Slaves		*28.0%*	*33.4%*	*29.1%*	*30.6%*	*23.8%*	*28.8%*	*23.4%*	
Change in Percent of Total		*-0.9%*	*-0.4%*	*-0.5%*	*-0.3%*	*-1.0%*	*-0.8%*	*-1.2%*	
Annualized Changes over the Decade									
Change in Number of Slaves		19,514	29,832	34,667	47,101	47,841	71,686	74,945	
Change in Percent of Slaves		*2.8%*	*3.3%*	*2.9%*	*3.1%*	*2.4%*	*2.9%*	*2.3%*	
Tota Blacks	**757,363**	**1,001,436**	**1,377,810**	**1,771,562**	**2,328,642**	**2,873,758**	**3,638,808**	**4,441,830**	**4,835,562**
Percent of Total	*19.3%*	*18.9%*	*19.0%*	*18.4%*	*18.1%*	*16.8%*	*15.7%*	*14.1%*	*12.7%*
Whites	**3,172,464**	**4,304,489**	**5,862,004**	**7,861,931**	**10,537,378**	**14,195,695**	**19,553,068**	**26,957,471**	**33,242,349**
Percent of Total	*80.7%*	*81.1%*	*81.0%*	*81.6%*	*81.9%*	*83.2%*	*84.3%*	*85.7%*	*87.1%*
Changes over the Decade									
Change in Number of Slaves		1,132,025	1,557,515	1,999,927	2,675,447	3,658,317	5,357,373	7,404,403	
Change in Percent of Whites		*35.7%*	*36.2%*	*34.1%*	*34.0%*	*34.7%*	*37.7%*	*37.9%*	
Change in Percent of Total		*0.4%*	*-0.2%*	*0.6%*	*0.3%*	*1.3%*	*1.1%*	*1.4%*	
Annualized Changes over the Decade									
Change in Number of Slaves		113,203	155,752	199,993	267,545	365,832	535,737	740,440	
Change in Percent of Whites		*3.6%*	*3.6%*	*3.4%*	*3.4%*	*3.5%*	*3.8%*	*3.8%*	
Total	**3,929,827**	**5,305,925**	**7,239,814**	**9,638,131**	**12,866,020**	**17,069,453**	**23,191,876**	**31,443,321**	**38,155,505**
Ratio of free blacks to slaves	*7.9%*	*10.8%*	*13.5%*	*13.2%*	*13.7%*	*13.4%*	*11.9%*	*11.0%*	-

Source: Level statistics from Cramer (1997), ICPSR; and growth statistics calculations by James Curtis Jr (2002)

The Population of Free Blacks in the United States of America and Foreign Countries

Foremost, the enumerated free black population was smaller than the enumerated slave and white population in the US census. Table 4 shows that there was approximately one free black for every ten slaves and one free black for every fifty whites enumerated between 1790 and 1860. But the enumerated population of free blacks in the United States still grew eight fold from the adoption of the Constitution to the Civil War: Table 4 shows that approximately 60,000 free blacks were

Table 4a. Southeastern Population of Free Blacks, 1790-1860

Year:	1790	1800	1810	1820	1830	1840	1850	1860
Alabama	-	-	-	571	1,572	2,039	2,265	2,690
Percent of Total Population	-	-	-	*0.2%*	*0.5%*	*0.5%*	*0.5%*	*0.6%*
Annualized Change in Percent of Free Blacks	-	-	-	-	*17.5%*	*3.0%*	*1.1%*	*1.9%*
District of Columbia	-	783	2,549	4,048	6,152	8,361	10,059	11,131
Percent of Total Population	-	*0.7%*	*1.4%*	*1.7%*	*1.9%*	*2.2%*	*2.3%*	*2.3%*
Annualized Change in Percent of Free Blacks	-	-	*22.6%*	*5.9%*	*5.2%*	*3.6%*	*2.0%*	*1.1%*
Deleware	3,899	8,268	13,136	12,958	15,855	16,919	18,073	19,829
Percent of Total Population	*6.6%*	*7.6%*	*7.0%*	*5.5%*	*5.0%*	*4.4%*	*4.2%*	*4.1%*
Annualized Change in Percent of Free Blacks	-	*11.2%*	*5.9%*	*-0.1%*	*2.2%*	*0.7%*	*0.7%*	*1.0%*
Florida	-	-	-	-	844	817	932	932
Percent of Total Population	-	-	-	-	*0.3%*	*0.2%*	*0.2%*	*0.2%*
Annualized Change in Percent of Free Blacks	-	-	-	-	-	*-0.3%*	*1.4%*	*0.0%*
Georgia	398	1,019	1,801	1,763	2,486	2,753	2,931	3,500
Percent of Total Population	*0.7%*	*0.9%*	*1.0%*	*0.8%*	*0.8%*	*0.7%*	*0.7%*	*0.7%*
Annualized Change in Percent of Free Blacks	-	*15.6%*	*7.7%*	*-0.2%*	*4.1%*	*1.1%*	*0.6%*	*1.9%*
Kentucky	114	741	1,713	2,759	4,917	7,317	10,011	10,684
Percent of Total Population	*0.2%*	*0.7%*	*0.9%*	*1.2%*	*1.5%*	*1.9%*	*2.3%*	*2.2%*
Annualized Change in Percent of Free Blacks	-	*55.0%*	*13.1%*	*6.1%*	*7.8%*	*4.9%*	*3.7%*	*0.7%*
Maryland	8,043	19,587	33,927	39,730	52,938	62,078	74,723	83,942
Percent of Total Population	*13.5%*	*18.1%*	*18.2%*	*17.0%*	*16.6%*	*16.1%*	*17.2%*	*17.2%*
Annualized Change in Percent of Free Blacks	-	*14.4%*	*7.3%*	*1.7%*	*3.3%*	*1.7%*	*2.0%*	*1.2%*
Mississippi	-	182	240	458	519	1,366	930	773
Percent of Total Population	-	*0.2%*	*0.1%*	*0.2%*	*0.2%*	*0.4%*	*0.2%*	*0.2%*
Annualized Change in Percent of Free Blacks	-	-	*3.2%*	*9.1%*	*1.3%*	*16.3%*	*-3.2%*	*-1.7%*
North Carolina	4,975	7,043	10,266	14,612	19,543	22,732	27,463	30,463
Percent of Total Population	*8.4%*	*6.5%*	*5.5%*	*6.3%*	*6.1%*	*5.9%*	*6.3%*	*6.2%*
Annualized Change in Percent of Free Blacks	-	*4.2%*	*4.6%*	*4.2%*	*3.4%*	*1.6%*	*2.1%*	*1.1%*
South Carolina	1,801	3,185	4,554	6,826	7,921	8,276	8,960	9,914
Percent of Total Population	*3.0%*	*2.9%*	*2.4%*	*2.9%*	*2.5%*	*2.1%*	*2.1%*	*2.0%*
Annualized Change in Percent of Free Blacks	-	*7.7%*	*4.3%*	*5.0%*	*1.6%*	*0.4%*	*0.8%*	*1.1%*
Tennessee	361	309	1,317	2,727	4,555	5,524	6,422	7,300
Percent of Total Population	*0.6%*	*0.3%*	*0.7%*	*1.2%*	*1.4%*	*1.4%*	*1.5%*	*1.5%*
Annualized Change in Percent of Free Blacks	-	*-1.4%*	*32.6%*	*10.7%*	*6.7%*	*2.1%*	*1.6%*	*1.4%*
Virginia	12,766	20,124	30,570	36,889	47,348	49,852	54,333	58,042
Percent of Total Population	*21.5%*	*18.6%*	*16.4%*	*15.8%*	*14.8%*	*12.9%*	*12.5%*	*11.9%*
Annualized Change in Percent of Free Blacks	-	*5.8%*	*5.2%*	*2.1%*	*2.8%*	*0.5%*	*0.9%*	*0.7%*
SoutheastTotal	32,357	61,241	100,073	123,341	164,650	188,034	217,102	239,200
Percent of Total Population	***54.4%***	***56.5%***	***53.7%***	***52.8%***	***51.5%***	***48.7%***	***50.0%***	***49.0%***
Annualized Change in Percent of Free Blacks	-	***8.9%***	***6.3%***	***2.3%***	***3.3%***	***1.4%***	***1.5%***	***1.0%***

Source: Level statistics from Cramer (1997), ICPSR; and change statistics calculations by James Curtis Jr (2002)

Table 4b. Midwestern and Southwestern Population of Free Blacks, 1790-1860

Year:	1790	1800	1810	1820	1830	1840	1850	1860
Iowa	-	-	-	-	-	172	333	1,069
Percent of Total Population	-	-	-	-	-	*0.0%*	*0.1%*	*0.2%*
Annualized Change in Percent of Free Blacks	-	-	-	-	-	-	*9.4%*	*22.1%*
Illinois	-	-	***613***	***457***	***1,637***	***3,598***	***5,436***	***7,628***
Percent of Total Population	-	-	*0.3%*	*0.2%*	*0.5%*	*0.9%*	*1.3%*	*1.6%*
Annualized Change in Percent of Free Blacks	-	-	-	*-2.5%*	*25.8%*	*12.0%*	*5.1%*	*4.0%*
Indiana	-	163	393	1,230	3,629	7,165	11,262	11,428
Percent of Total Population	-	*0.2%*	*0.2%*	*0.5%*	*1.1%*	*1.9%*	*2.6%*	*2.3%*
Annualized Change in Percent of Free Blacks	-	-	*14.1%*	*21.3%*	*19.5%*	*9.7%*	*5.7%*	*0.1%*
Michigan	-	-	120	174	261	707	2,583	6,799
Percent of Total Population	-	-	*0.1%*	*0.1%*	*0.1%*	*0.2%*	*0.6%*	*1.4%*
Annualized Change in Percent of Free Blacks	-	-	-	*4.5%*	*5.0%*	*17.1%*	*26.5%*	*16.3%*
Minnesota	-	-	-	-	-	-	39	259
Percent of Total Population	-	-	-	-	-	-	*0.0%*	*0.1%*
Annualized Change in Percent of Free Blacks	-	-	-	-	-	-	-	*56.4%*
Ohio	-	337	1,899	4,723	9,568	17,342	25,279	36,673
Percent of Total Population	-	*0.3%*	*1.0%*	*2.0%*	*3.0%*	*4.5%*	*5.8%*	*7.5%*
Annualized Change in Percent of Free Blacks	-	-	*46.4%*	*14.9%*	*10.3%*	*8.1%*	*4.6%*	*4.5%*
Wisconson	-	-	-	-	-	-	635	1,171
Percent of Total Population	-	-	-	-	-	-	0.1%	0.2%
Annualized Change in Percent of Free Blacks	-	-	-	-	-	-	-	*8.4%*
MidwestTotal	-	500	3,025	6,584	15,095	28,984	45,567	65,027
Percent of Total Population	-	***0.5%***	***1.6%***	***2.8%***	***4.7%***	***7.5%***	***10.5%***	***13.3%***
Annualized Change in Percent of Free Blacks	-	-	***50.5%***	***11.8%***	***12.9%***	***9.2%***	***5.7%***	***4.3%***
Arkansas	-	-	-	59	141	465	608	144
Percent of Total Population	-	-	-	*0.0%*	*0.0%*	*0.1%*	*0.1%*	*0.0%*
Annualized Change in Percent of Free Blacks	-	-	-	-	*13.9%*	*23.0%*	*3.1%*	*-7.6%*
Louisiana	-	-	7,585	10,476	16,710	25,502	17,462	18,647
Percent of Total Population	-	-	*4.1%*	*4.5%*	*5.2%*	*6.6%*	*4.0%*	*3.8%*
Annualized Change in Percent of Free Blacks	-	-	-	*3.8%*	*6.0%*	*5.3%*	*-3.2%*	*0.7%*
Texas	-	-	-	-	-	-	397	355
Percent of Total Population	-	-	-	-	-	-	0.1%	0.1%
Annualized Change in Percent of Free Blacks	-	-	-	-	-	-	-	*-1.1%*
SouthwestTotal	-	-	7,585	10,535	16,851	25,967	18,467	19,146
Percent of Total Population	-	-	***4.1%***	***4.5%***	***5.3%***	***6.7%***	***4.3%***	***3.9%***
Annualized Change in Percent of Free Blacks	-	-	-	***3.9%***	***6.0%***	***5.4%***	***-2.9%***	***0.4%***

Source: Level statistics from Cramer (1997), ICPSR; and change statistics calculations by James Curtis Jr (2002)

Table 4c. Northeastern and Mid-Atlantic Population of Free Blacks, 1790-1860

Year:	1790	1800	1810	1820	1830	1840	1850	1860
Connecticut	2,801	5,330	6,453	7,844	8,047	8,105	7,693	8,627
Percent of Total Population	*4.7%*	*4.9%*	*3.5%*	*3.4%*	*2.5%*	*2.1%*	*1.8%*	*1.8%*
Annualized Change in Percent of Free Blacks	-	*9.0%*	*2.1%*	*2.2%*	*0.3%*	*0.1%*	*-0.5%*	*1.2%*
Massachusetts	5,463	6,452	6,737	6,740	7,048	8,669	9,064	9,602
Percent of Total Population	*9.2%*	*6.0%*	*3.6%*	*2.9%*	*2.2%*	*2.2%*	*2.1%*	*2.0%*
Annualized Change in Percent of Free Blacks	-	*1.8%*	*0.4%*	*0.0%*	*0.5%*	*2.3%*	*0.5%*	*0.6%*
Maine	538	818	969	929	1,190	1,355	1,356	1,327
Percent of Total Population	*0.9%*	*0.8%*	*0.5%*	*0.4%*	*0.4%*	*0.4%*	*0.3%*	*0.3%*
Annualized Change in Percent of Free Blacks	-	*5.2%*	*1.8%*	*-0.4%*	*2.8%*	*1.4%*	*0.0%*	*-0.2%*
New Hampshire	630	856	970	786	604	537	520	494
Percent of Total Population	*1.1%*	*0.8%*	*0.5%*	*0.3%*	*0.2%*	*0.1%*	*0.1%*	*0.1%*
Annualized Change in Percent of Free Blacks	-	*3.6%*	*1.3%*	*-1.9%*	*-2.3%*	*-1.1%*	*-0.3%*	*-0.5%*
Rhode Island	3,469	3,304	3,609	3,554	3,561	3,238	3,670	3,952
Percent of Total Population	*5.8%*	*3.0%*	*1.9%*	*1.5%*	*1.1%*	*0.8%*	*0.8%*	*0.8%*
Annualized Change in Percent of Free Blacks	-	*-0.5%*	*0.9%*	*-0.2%*	*0.0%*	*-0.9%*	*1.3%*	*0.8%*
Vermont	255	557	750	903	881	730	718	709
Percent of Total Population	0.4%	0.5%	0.4%	0.4%	0.3%	0.2%	0.2%	0.1%
Annualized Change in Percent of Free Blacks	-	*11.8%*	*3.5%*	*2.0%*	*-0.2%*	*-1.7%*	*-0.2%*	*-0.1%*
NortheastTotal	13,156	17,317	19,488	20,756	21,331	22,634	23,021	24,711
Percent of Total Population	***22.1%***	***16.0%***	***10.5%***	***8.9%***	***6.7%***	***5.9%***	***5.3%***	***5.1%***
Annualized Change in Percent of Free Blacks	-	***3.2%***	***1.3%***	***0.7%***	***0.3%***	***0.6%***	***0.2%***	***0.7%***
New Jersey	2,762	4,402	7,813	12,460	18,303	21,044	23,810	25,318
Percent of Total Population	*4.6%*	*4.1%*	*4.2%*	*5.3%*	*5.7%*	*5.4%*	*5.5%*	*5.2%*
Annualized Change in Percent of Free Blacks	-	*5.9%*	*7.7%*	*5.9%*	*4.7%*	*1.5%*	*1.3%*	*0.6%*
New York	4,654	10,374	25,333	29,279	44,870	50,027	49,069	49,005
Percent of Total Population	*7.8%*	*9.6%*	*13.6%*	*12.5%*	*14.0%*	*13.0%*	*11.3%*	*10.0%*
Annualized Change in Percent of Free Blacks	-	*12.3%*	*14.4%*	*1.6%*	*5.3%*	*1.1%*	*-0.2%*	*0.0%*
Pennsylvania	6,537	14,561	22,492	30,202	37,930	47,854	53,626	56,949
Percent of Total Population	*11.0%*	*13.4%*	*12.1%*	*12.9%*	*11.9%*	*12.4%*	*12.3%*	*11.7%*
Annualized Change in Percent of Free Blacks	-	*12.3%*	*5.4%*	*3.4%*	*2.6%*	*2.6%*	*1.2%*	*0.6%*
MidAtlanticTotal	13,953	29,337	55,638	71,941	101,103	118,925	126,505	131,272
Percent of Total Population	***23.5%***	***27.1%***	***29.8%***	***30.8%***	***31.6%***	***30.8%***	***29.1%***	***26.9%***
Annualized Change in Percent of Free Blacks	-	***11.0%***	***9.0%***	***2.9%***	***4.1%***	***1.8%***	***0.6%***	***0.4%***

Source: Level statistics from Cramer (1997), ICPSR; and change statistics calculations by James Curtis Jr (2002)

Table 4d. Western Population of Free Blacks, 1790-1860

Year:	1790	1800	1810	1820	1830	1840	1850	1860
California	-	-	-	-	-	-	962	4,086
Percent of Total Population	-	-	-	-	-	-	*0.2%*	*0.8%*
Annualized Change in Percent of Free Blacks	-	-	-	-	-	-	-	*32.5%*
Colorado	-	-	-	-	-	-	-	46
Percent of Total Population	-	-	-	-	-	-	-	*0.0%*
Annualized Change in Percent of Free Blacks	-	-	-	-	-	-	-	-
Dakota	-	-	-	-	-	-	-	-
Percent of Total Population	-	-	-	-	-	-	-	-
Annualized Change in Percent of Free Blacks	-	-	-	-	-	-	-	-
Kansas	-	-	-	-	-	-	-	625
Percent of Total Population	-	-	-	-	-	-	-	*0.1%*
Annualized Change in Percent of Free Blacks	-	-	-	-	-	-	-	-
Nebraska	-	-	-	-	-	-	-	67
Percent of Total Population	-	-	-	-	-	-	-	*0.0%*
Annualized Change in Percent of Free Blacks	-	-	-	-	-	-	-	-
Missouri	-	-	607	347	569	1,574	2,618	3,572
Percent of Total Population	-	-	*0.3%*	*0.1%*	*0.2%*	*0.4%*	*0.6%*	*0.7%*
Annualized Change in Percent of Free Blacks	-	-	-	*-4.3%*	*6.4%*	*17.7%*	*6.6%*	*3.6%*
New Mexico	-	-	-	-	-	-	-	85
Percent of Total Population	-	-	-	-	-	-	-	*0.0%*
Annualized Change in Percent of Free Blacks	-	-	-	-	-	-	-	-
Nevada	-	-	-	-	-	-	-	45
Percent of Total Population	-	-	-	-	-	-	-	*0.0%*
Annualized Change in Percent of Free Blacks	-	-	-	-	-	-	-	-
Oregon	-	-	-	-	-	-	207	128
Percent of Total Population	-	-	-	-	-	-	*0.0%*	*0.0%*
Annualized Change in Percent of Free Blacks	-	-	-	-	-	-	-	*-3.8%*
Utah	-	-	-	-	-	-	-	30
Percent of Total Population	-	-	-	-	-	-	-	0.0%
Annualized Change in Percent of Free Blacks	-	-	-	-	-	-	-	-
Washington	-	-	-	-	-	-	-	30
Percent of Total Population	-	-	-	-	-	-	-	0.0%
Annualized Change in Percent of Free Blacks	-	-	-	-	-	-	-	-
WestTotal	-	-	607	347	569	1,574	3,787	8,714
Percent of Total Population	-	-	***0.3%***	***0.1%***	***0.2%***	***0.4%***	***0.9%***	***1.8%***
Annualized Change in Percent of Free Blacks	-	-	-	***-4.3%***	***6.4%***	***17.7%***	***14.1%***	***13.0%***

Source: Level statistics from Cramer (1997), ICPSR; and change statistics calculations by James Curtis Jr (2002)

enumerated in 1790—which constituted fewer than two percent of the enumerated population—and this figure grew to just under 500,0000 by 1860— which was still fewer than two percent of the population.

While proportion of enumerated free blacks remained constant between 1790 and 1860, the proportion of slaves enumerated fell while the proportion of whites enumerated grew. Foremost, the enumerated slave population grew approximately six fold during this period: Table 4 shows that approximately 700,000 slaves were enumerated in 1790—which was about 18 percent of the population—and this figure grew to just under four million slaves in 1860—which was fewer than 13 percent of the population. Second, the enumerated white population

grew nine fold during this time period: Table 3 shows that the census enumerated approximately three million whites in 1790—which was 80 percent of the population—and these figures grew to approximately 27 million whites and 86 percent of the total population by 1860.

This analysis confirms the findings of Berlin (1974): " The rapid growth of the free Negro population which followed the Revolution abruptly ended during the early years of the nineteenth century….The proportion of free Negroes in the black and free population slowly slipped backward" (p. 135).

Berlin (1974) presents an informative list of the levels and changes in the state population by decade (pp. 136-37) but we can further speculate on the fertility, mortality, and emigration patterns of these populations by observing the annual growth rates of these populations. Note that since the source of the free black population was slaves, then changes in the laws on slavery also led to changes in the free black population. Table 3 shows that the annualized growth rates of the enumerated free black population fell from approximate 8 percent in 1790 to about 1 percent in 1860 while the annualized growth rates of the enumerated slave and white population remained constant between 2-3 percent, and 3-4 percent, respectively. Holding fertility and mortality (momentarily) constant, the declining annual growth rate in the free black population is likely due to the reduction in state laws that abolished slavery, emigration flows and the unstable localized legal environment in which the average free black attempted to socially and economically function.

The Geographic 'Choices' of Free Blacks in of United States of America and Foreign Countries

The Emigration of Free Blacks from the United States of America through 1860

The analysis of the geography of free blacks in the United States would be incomplete without investigating the number and characteristics of free blacks that chose to migrate abroad:

> "Many blacks saw little to distinguish the racism of the North from that of the South. Wealth blacks who sent their children north for an education often discovered that their well-qualified off-spring could not find employment in the free states. Without steady work, the benefits of Northern freedom dissolved into empty bitterness….After having seen 'the legal slavery of the South and the social savery of the North' observed a Liberia-bound black, he knew he could 'never be a free man in this country'" (Berlin, p168).

The characteristics of free black emigrants, if different from those who did not emigrate, also directly impact the analysis of the domestic free black experiences. Therefore, the following analysis will be divided up into free blacks that emigrated to Canada, Central America, and Africa. See Appendix A for a complete analysis of the geographic choices of free blacks within countries abroad.

Canada. The signing of the Fugitive Slave Act alone sent about 3,000 of the new black population to Canada in the first three months. "The Liberator of December 13, 1850, says: 'Probably not less than 3,000 have taken refuge in this country since the first of September. Only for the attitude of the north there would have been thousands more' (p.23).

Canada experienced a 25-50 percent growth in its black population during this period. "It is estimated that fifteen to twenty thousand Negroes entered Canada between 1850 and 1860, increasing the Negro population of the British provinces from about 40,000 to nearly 60,000. The greater part of the refugee population settled in southwestern part of the present province of Ontario" (Landon, p.22).

Free black migration patterns to the Midwest were consistent with the lines of the Underground Railroad that ended in Canada (Zelinsky, 1950). "States showing gains were bordering on Canada where the runaway slave or the free man of color in danger could flee when threatened" (Landon, p.22). Qualitative evidence shows that a large portion of free black emigrants to Canada previously resided in the north and Mid-Atlantic. On June 17, 1852, Henry Bibb, owner of The Voice of the Fugitive, reported "Numbers of free persons of color are arriving from Pennsylvania and the District of Columbia, Ohio and Indiana" (pp.23-24).

The economic experiences of the free black Canadian immigrants were diverse: Some were unskilled and poor while others were wealthy. "Two weeks after President Fillmore had signed the Fugitive Slave Bill a Pittsburgh dispatch to The Liberator stated that 'nearly all the waiters in the hotels have fled to Canada"(p.24). Then, on July 1, 1852, The Voice of the Fugitive reported "twenty-two from Indiana passed through to Amherstburg, with four fine covered wagons and eight horses. A few weeks ago six or eight such teams came from the same state into Canada. The Fugitive Slave Law is driving out brains and money" (p.28).

Central America. There is evidence that free blacks may have emigrated to Puerto Rico. Table 5 shows a large portion of the foreign-born population in Puerto Rico was black.

This could be due to a small foreign-born white population, a large foreign-born slave population, or large foreign-born free black population. The previous analysis described the impact of the Fugitive Slave Act on Canada but an unanswered puzzle is the impact of the Fugitive

Slave Act on the free black population on Puerto Rico.

Africa. Some free blacks opted to return to the birth land of their ancestors. Mechlinger (1916) reported that only 7,836, or less than two percent of the free black population in 1850, migrated to Africa up through 1852. The report of the Colonization Society shows that from 1820 to 1833 only 2,885 colored persons had been sent out by the Society. Of the 7,836 sent out of the United States up to 1852, 2,720 were born free, 204 purchased their freedom, 3,868 were emancipated in view of removing them to Liberia, and 1,044 were liberated Africans sent out by the United States Government (p.301). McPherson (1891) studied the organization of Liberia, a nation in Africa founded by free blacks in the United States.

Liberia. But by 1867, almost 19,000 US free blacks became citizens of Liberia. This accounts for less than four percent of the US black population in 1850. "11,909 emigrants had been sent over, 147 vessels; of these 4,541 were born free, 344 purchased freedom, and 5,957 were emancipated for the purpose of going to Liberia. Besides these 1,227 had been settled by the Maryland (Colonization) Society, and 5,722 recaptured Africans had been sent back by the United States Government" (p.44).

The Geography of non-US Free Blacks with International Citizenship

The geographical 'choices' of free blacks in the United States were consistent with free blacks abroad. Zelinsky (1949) found that slaves and free blacks were mainly located in the Antilles and Brazil. "The two most prominent clusters of Negro population have been in the American Mediterranean area and in Brazil; less obvious but still of great importance has been the concentration along the western side of South America which merges with former somewhere in Columbia. In the Guianas, Mexico, and around the Rio de la Plata we have lesser centers which have fluctuated in importance" (p.191). Zelinsky (1949) observed a concentration of blacks in Latin America similar to patterns plotted for US free blacks in Zelinsky (1950). Zelinsky (1949) finds evidence of a free black population in Latin America, though its magnitude was difficult to measure with precision.

> He combined strong and weak datasets from port records, commercial accounts, bills of lading and plantation records to plot maps of the black slave and free population in Latin America from1570 to 1940. "The data have been grouped, in order of preference, into five categories: good censuses, good estimates, poor censuses and estimates, informed guesses, and pure conjecture....The value of these maps has been vitiated by the necessity of ignoring the distinctions between Negro and mulatto or zambo and between slaves and freeman" (pp.186-87) The only extensive reports that distinguishes free blacks from slaves were from Cuba and Puerto Rico.
>
> A key problem when observe data on race from the western hemisphere is that the definition of black is different in the northern and southern parts of the hemisphere. Being a descendent of black person is defined as black in the US while being a descendent of white person can be defined as white in places like Brazil: "Popular practice varies from the United States where one drop of Negro blood places an individual irrevocably in the Negro community to the Brazilian custom of allowing anyone with the extreme difficulty--even for the physical anthropologist--in the detection of Negro ancestry in a large proportion of cases, argues the acceptability of defining the Negro as a person considered by his society as belonging to a distinctly Negroid group. Although the physical criteria upon which this purely social formulation is base varies radically from one country to another, it is the social concept with which we wish to reckon rather than anthropometric category, and the universal adoption by census-takers of the social definition leaves but little choice" (p. 173).

Europe. He suggested that black Africans in the western hemisphere date back to the slave trade beginning with Portugal and Spain.

> "The great involuntary movement of Negroes westward across the Atlantic to a labor market was begun by Portuguese traders supplying their own and the Spanish colonies and was continued by the French, Dutch, English, Bretons, Basques, Prussians, Danes, Swedes (and) New Englanders....By the time the transfer was concluded in the 19th Century the number involved made it easily the second largest of all recorded migrations, the first being, of course, the movement from Europe to Anglo-America. Two characteristics make this migration quite singular among important movements of population: (1) the fact that it was involuntary and almost wholly irreversible, and (2) the purely economic motivation of the movement. The exceptions to the phenomenon of irreversibility are quite minor and practically all included in the few thousands of people who were resettled in Liberia, the Bahian Negroes who returned to West Africa, and the Jamaica Maroons shipped back to Africa by the British via Nova Scotia" (p.157-158).

Table 5. Slave and Free Black Population in Cuba and Puerto Rico, 1774-1899

Year	Slave and Free Black Population	Percent of Total	Percent of Total Foreign Born
1774	74,088	42.9	
1792	139,133	33.8	
1817	313,204	56.6	
1827	393,434	55.8	
1841	593,419	58.8	
1856	?	50.7	
1877	480,116	33.4	
1899	479,843	34.6	
1860	282,775	48.5	52.8
1877	319,936	43.7	56.2
1887	323,623	40.5	44.4
1899	363,817	38.2	17.7

Source: Information collected and compiled by James Curtis Jr (2002) from Zelinsky (1949, pp.210-11)

Central and South America. Additionally, since the enslavement of the native population failed, except in Mexico, Ecuador, Peru and Bolivia, Zelinsky (1949) used spatial, population and human capital arguments to suggest that Africa was the next best choice. "Africans were the most obvious source of labor: the trip to America was relatively short, the numbers of Negroes were apparently inexhaustible and the Negro slave had already demonstrated his proficiency in Portugal and Spain" (p.157).

He found that blacks in Central and South America were the concentrated on the east, diluted and moved west.

> "The routes by which the Negroes arrived can be easily inferred from the maps. The Antilles, and secondarily the Mexican, Columbian, and Venezuelan ports were the receiving points for shipment of slaves. Each of the major Brazilian ports saw a large influx of slave many of whom were sent directly into the back country after coastal sections had been filled up. The west coast population represents contributions from two sources: first and undoubtedly more important was the transport of slaves across the Isthmus and down the coast from the Caribbean and secondly, those who came down from the Rio de la Plata and across the continent to the coast, along which they traveled generally northward" (pp.195-96).

"The asymmetrical distribution of Negroes, with a vast preponderance on the Atlantic side of the region and relatively small number on the Pacific side, is only partly to be explained by an inequality in the natural endowments of these two divisions" (Zelinsky, 1949, p.205). However, free blacks were concentrated in the southwest and southeastern parts of Puerto Rico.

> "The mystery of southwestern Puerto Rico becomes even more interesting, for it appears that the municipalities of this segment of the country contained what was by far the largest concentration of free colored persons in the land. Evidently there was some factor in the land tenure system or in the economic complexion of this area that made it particularly attractive for freed slaves" (p.211). "In addition to the great cluster in the Southwest, we find notable numbers of these people in the Cagus Valley and along the southeastern coast and the coast to the west of San Juan, which city, incidentally, seems to have been a primary goal of colored migrants even in this early date (p. 214).

Overall, the distribution of slaves and free blacks differed in Cuba and Puerto Rico. He suggested an economic motivation the migration pattern of blacks, where blacks voluntarily and involuntarily moved in the direction of economic opportunity.

> "The distribution of Negroes would appear to be nothing more occult than the product of a forced transfer in response to certain economic situations plus the demographic career of the Negroes so introduced. The movement of slaves and free Negroes might be compared to the flow of a system of a stream down the slopes of an economic terrain" (p.197).

The motivations, which influenced migratory patterns of whites, also influenced the decisions made by free blacks.

> "In Puerto Rico the discrepancy between the distributional pattern of slaves and that of free colored individuals was even more pronounced than in Cuba. The slaves were quite neatly concentrated around five major urban centers which were the capitals of the principal areas of plantation agriculture. There was also a distinctly minor cluster in the Caguas Valley, and the bulk of the remainder lived along the coast. The free colored population, on the other hand, shows little inclination to remain in the areas of former servitude....The set of factors--usually economic--determining the location of free colored persons was entirely different from that used in deciding where to employ slaves....These factors were much the same as those affecting white persons of similar economic status except insofar as they were modified by somewhat different social and legal status of former slaves" (p.214).

The Organization of the Migration to Liberia. Mechlinger (1916) found evidence that a few free blacks favored migration to Africa while many opposed such plans. "The Colonization movement was a failure. Although it did interest finally interest a number of free Negroes their concern in it did not materialize on account of the outbreak of the Civil War occurring soon thereafter. On the whole, the movement never appealed to a large number of intelligent free people of color" (p.301).

Table 6a shows that free blacks organized many efforts to support and oppose migration to Africa. Free blacks, who supported migration to Africa, suggested that it was a better alternative to the lack of rights in the United States.

Organizers in Baltimore in the 1820's suggested that "they were strangers, not citizens and that because of the difference in color and servitude of most of their race, they could not hope to enjoy the immunities of freemen" (p.279). Supporters saw migration to African as a solution to the hostility free blacks experienced from state laws that threatened the few state rights they possessed.

Augustus Washington of Hartford "urged the free colored people to emigrate from the crowded cities to less populous parts of the United States, the Great West or to Africa, or to any place where they might secure an equality of rights and liberties with a mind unfettered and space in which to rise" (p.297). Organizers of the National Council in 1853 also supported mass migration of free blacks, but were also divided on the final destination.

> "In (the convention) appeared three parties, one led by Doctor Delaney who desired to go to the Niger Valley in Africa, another by Whitfield, who interests seemed to be in Central America, and a third by Holly who showed a preference for Haiti...Delaney proceeded on his mission to Niger Valley in Africa. There he concluded a treaty with eight African kings, offering inducements to Negroes to emigrate. In the meantime James Redpath had gone to Haiti and accomplished some things that Holly failed to achieve...They (Redpath and Holly) succeeded in sending to Haiti as many as two thousand emigrants, the first sailing in 1861" (pp.300-01).

Note that Tables 6a and 6b shows that individual efforts changed to group efforts to organize black migration to Africa after the signing of the Fugitive Slave Act in 1850.

Free blacks opposed migration to Africa due to their historical attachment to the land, lack of accountability for slavery by slaveholders, and inconsistencies with the founding documents of the country.

> "Because their ancestors not of their own accord were the first successful cultivators of the wilds of America, they felt themselves entitled to participate in the blessings of its 'luxuriant soil,' which their blood and sweat had moistened. They viewed with deep abhorrence the unmerited stigma attempted to be cast upon the reputation of the free people of color, 'that they are dangerous and useless part of the community,' when in the state of disfranchisement in which they lived, in the hour of danger, they 'ceased to remember their wrongs and rallied around the standard of their country.' They were determined never to separate themselves from the population of this country as they were brethren by 'ties of consanguinity of suffering, and of wrong'" (pp.277-78)

Several free blacks were skeptical of the goals of the philanthropists associated with efforts such American Colonization Society.

The meeting in Columbia, Pennsylvania, the leaders of which were Stephen Smith and James Richard, expressed the opinion that African colonization was a scheme of the Southern planters and wicked device of slaveholders who was desirous of riveting more firmly, and perpetuating more certainly, the fetters of slavery by ridding themselves of a population whose presence, influence and example had a tendency (as they supposed) to produce discontent among the slaves, and to furnish them with inducements to rebellion" (p287).

The efforts of free black groups to inform free blacks in America of their opposition to migration to Africa led minimal voluntary participation.

Organization of the State of Liberia. Liberia was

Table 6a. Free Blacks Organization For and Against the African Colonization Movement, 1826 through 1856

			Against		
Year	Organizer(s)	Locality/State	Year	Organizer(s)	Locality/State
-1826	Group meeting	Baltimore, MD	1830	1st Annual Convention	Philadelphia PA?
1832	Individual	Savannah, GA	1831	2nd Annual Convention	Philadelphia PA?
	Individual	Charleston, SC		group meeting	Baltimore, MD
	Individual	Tuscaloosa, AL		group meeting	Washington, DC
1834	Individual	New York City, NY		group meeting	Wilmington, DE
1848	Individual	New York City, NY		group meeting	Boston, MA
	group meeting	Dayton, OH		group meeting	Brooklyn, NY
1850	group meeting	Cincinnati, OH		group meeting	Hartford, CT
	Emigration Society	New York, NY		group meeting	New Haven, CT
1852	group meeting	Baltimore, MD		group meeting	Lyme, CT
1853	Individual	Hartford, CT		group meeting	Columbia, PA
	National Council			group meeting	Nantucket, RI
1854	Convention	Cleveland, OH	1832	group meeting	Lewiston, PA
1856	Convention	Chatham, Canada	1833	3rd Annual Convention	Philadelphia PA
			1839	group meeting	New York City, NY
			?	group meeting	Cincinnati, OH
			1845-46	group meeting	Cleveland, OH
			1847	group meeting	Boston, MA
			1849	group meeting	Columbus, OH
			1851	group meeting	Columbus, OH
				State Convention	Albany, NY
			1852	group meeting	Albany, NY
				State Convention	Cincinnati, OH
				group meeting	Rochester, NY
				group meeting	New Bedford, MA
				group meeting	Providence, RI
			1853	State Convention	Cincinnati, OH
				group meeting	Rochester, NY

Source: Information collected and compiled by James Curtis Jr (2002) from Mechlinger (1916, pp. 276-300)

Table 6b. The First Five Presidents of Liberia, 1848 through 1870

Year	Name of President	Birthplace	Birth Year
1848	Joseph Jenkins Roberts	Norfolk, VA	1809
1856	Steven A. Benson	(raised in Liberia)	
1864	Daniel B. Warner	Baltimore, MD	1812
1868	James S. Payne	Richmond, VA	1819
1870	Edward James Roye	Newark, OH	1815

Source: Information collected and compiled by James Curtis Jr (2002) from McPherson (1891, pp. 29-45)

organized with the assistance of the Colonization Society in America. Their efforts were similar to the first of such efforts in 1787 to relocate early blacks in England to Sierra Leone.

> "After the celebrated decision of Lord Mansfield in the Somerset (1772), many slaves escaped to England, where they congregated in the dens of London....A movement in behalf of the oppressed race asserted itself at the University of Cambridge, in which Clarkson, Wilberforce, Granville Sharp and others took part. As a result of these efforts some four hundred Negroes sixty whites were landed at Sierra Leone in May, 1787 (p.15).

Other efforts were made transport free blacks from Massachusetts and Rhode Island to Sierra Leone in 1787 and 1815, respectively (pp.15-16). Liberia was successfully organized after efforts were led by the Colonization Society. The Colonization Society was

organized on January 1, 1817 under the leadership of Dr. Robert Finley, a Presbyterian minister from New Jersey, and Col. Charles Marsh. Members of the Society traveled to Africa to locate a place to colonize free blacks. During this period, important legislation was passed in the US that barred illegal slave smuggling.

> "The importation of slaves had been strictly prohibited by the Act of Congress of March 2, 1807." However, after discovery of advertisements of "recaptured Africans" in Georgia, additional federal legislation, which barred such activities, was passed on March 3, 1819. "Provision was made for more stringent suppression of the slave trade: new cruisers were ordered and bounties awarded for captures; but the clause which proved so important to the embryo colony was that dealing with the captured cargoes: 'The President of the United States is hereby authorized to make such regulations and arrangements as he may deem expedient for the safe-keeping, support, and removal beyond the limits of the United States, of all such negroes, mulatoes, or persons of color as may be so delivered and brought within their jurisdiction; and to appoint a proper person or persons residing upon the coast of Africa as agent or agents for receiving the negroes, mulattoes, or persons of color, delivered from on board vessels seized in the prosecution of the slave trade by commanders of the United States armed vessels'....for years the resources of the Government were employed 'to colonize recaptured Africans, to build homes for them, to furnish them with farming utensils, to pay instructors to teach them, to purchase ships for their convenience, to build forts for their protection, to supply them with arms and munitions of war, to enlist troops to guard them, and to employ the army and navy in their defense'" (pp.22-23)

While members of the Society were tapped to lead efforts to locate places to transport illegally imported slaves back to Africa, they took advantage of this opportunity to locate places for potential free black colonization. "It is true...that the Government agency was separate from the colony....yet as a matter of fact the agency and colony were practically identical" (p.22).

The first trip to comply with the new act of Congress and, simultaneously, initiate the colonization activities of the Society took place in February of 1820.

> US President James Monroe "proceeded to appoint two agents, the Rev. Samuel Bacon, already in the service of the Colonization Society, and John P. Bankson, as assistant and to charter the ship Elizabeth....For the expenses of the expedition $33,000 was placed in the hands of Mr. Bacon. Dr. Samuel A. Crozier was appointed by the Society as its agent and representative; and eighty-six negroes from various states --thirty-three men, eighteen women, and the rest children, were embarked. On the 6th of February, 1820, the Mayflower of Liberia weighed anchor in New York harbor." They arrived in Sierra Leone on March 9, 1820 (pp.22-23).

Liberia declared itself as an independent nation in 1847.

Prior to its independence, it was organized as the Commonwealth of Liberia, made up of several united settlements initiated by state colonization societies.

> "The decade after 1832 is marked by the independent action of different State colonization societies....The Maryland Society first started an important settlement at Cape Palmas....Bassa Cove was settled by the joint action of the New York and Pennsylvania Societies; Greenville, on the Sinou river, by emigrants from Mississippi; and the Louisiana Society engaged in a similar enterprise...A plan was at length agreed upon by all except Maryland, by which colonies were united into the Commonwealth of Liberia whose government was controlled by a Board of Directors composed of Delegates from the State societies." Thomas Buchanan, a white man, and Joseph Jenkins Roberts, a black man, were the first Governors, respectively. (pp.28-29).

However, international trade laws made by Liberia were not enforceable until Liberia was either under the control of the US or itself. The latter occurred in 1847:

> "Declaration of their full sovereignty...was adopted in Liberia by a popular vote, and a convention met on July 26, 1847, adopted a Declaration of Independence and new Constitution, closely modeled on the corresponding documents of the United States. In September the Constitution was ratified by vote of the people. Governor Roberts was elected to the office of President, upon which he entered January 3, 1848" (p.30).
>
> "The form of government was, as has been seen, closely copied from that of the United States. There is the same tripartie division--executive, legislative and judicial. The President is elected every two years, on the first Tuesday in May. He is commander-in-chief of the army and navy; makes treaties with concurrence of two-thirds of the Senate, with whose advice he also appoints al public offers not otherwise provided by law. The legislative authority consists of a Senate and two members from each county, elected four years, and a House of Representatives holding office for two years; four members being apportioned

> to Montserado county, three to Bassa, one to each other county, with one additional representative for each 10,000 inhabitants. The judicial powers was vested in a Supreme Court with original jurisdiction in all cases affecting ambassadors and consuls and where the Republic is a party, and appellate jurisdiction in all other cases; and in subordinate courts to be established by the legislature (pp.37-38).

Note that the settlement initiated by the Maryland Society was annexed in 1857. "The Liberian Legislature by an Act of April 1857, formally received the colony into the Republic as 'Maryland County" (p.36).

The sovereignty of Liberia was recognized by England, France Belgium, Prussia, Brazil, US, Holland, Sweden, Norway, Hayti, Portugal, Denmark and Austria. Table 6b lists the first five presidents of Liberia. They faced numerous challenges as former free blacks in America converted to heads of state in Africa. For instance, they could not control their population since it was created for exported 'recaptured Africans,' they had border disputes, and the fifth President, Roye, face financial difficulty and was impeached.

McPherson acknowledged the different views on the creation of Liberia, including those who opposed it, as discussed by Mechlinger (1916).

> Free blacks often opposed migration to Africa because they thought it was a way to remove free blacks who challenged the institution of slavery. These views confirmed by some members of Maryland and Virginia delegations. "John Randolph and of Roanoke (Virginia) and Robert Wright of Maryland, dwelt upon the desirability of removing the turbulent free-negro element and enhancing the value of property in slaves" (p.19).

But he supported the creation of Liberia as a better alternative to America for free blacks. "It is absurd to declaim about 'expatriation' and to declare such a movement. The whole course history reveals men leaving their homes under pressure of one cause or another, and striking out into new fields. The western course of migration has reached its uttermost limit, and the tide must turn in other directions" (p.60). He suggested the free blacks should "follow the line of least resistance and turn their steps to the home of their forefathers" (p.61).

The Local Residency 'Choices' of Free Blacks. A significant difference between the United States of America and South America was that South American blacks were more urban than US blacks: "The evidence...favors the belief that they are perhaps less rural than their cousins in the United States" (Zelinsky, 1949, p.207). The study of Cuba and Puerto Rico was complicated by "the British seizure of Habana in 1763, the civil wars that devastated Cuba in the 1860's and various hurricanes" (p.218). He found that slaves and free blacks in Cuba were more urban than other blacks in Central and South America.

> Although the largest agglomerations of Negroes have been in and around Habanna and Santiago de Cuba, there does not appear to be that strikingly littoral distributional pattern that obtains for Latin America as a whole....There has been a strikingly irregularity in the distribution of free as compared with slave Negroes in the 19th Century: there were relatively few free individuals in the Occidente, a moderate number in the Centro, and an excessively large number in the Oriente, especially in the Manzanillo area, which is difficult to account for" (pp.208-09).

He also suggests that the relatively smaller size of Puerto Rico may have resulted in a distribution of the black population where black Puerto Ricans were not quite as urban as black Cubans.

> "Negroes and mulattoes do not appear to participate to any usual extent in the notable city ward migrations. Because of the small size of the island it is difficult to find significant regional variations in its racial composition...there is one region where the change is particularly striking. In the southwestern corner of the Island, especially in the municipalities of San German and Sabana, the colored population has decreased both absolutely and relatively from its condition in 1867, or as early as 1828, when it was dominant in this area and when this was one of the principal concentrations of colored population" (pp.210-211).

Summary of the Emigration of Free Blacks in the United States of America

In sum, approximately one in ten 1850 US free blacks emigrated between 1850 and 1860: About four to five percent emigrated to Canada, another four percent of free blacks emigrated to Africa, and some even emigrated to Central America. The economic position of free blacks that emigrated to Canada varied as much as those that did not emigrate. If the Canadian experience is consistent with free blacks emigrants to other countries, concerns about selection bias in the study of domestic free backs should be minimized and the role of federal and state laws on emigration patterns should be examined more closely than any other decade in the period. Table 7b shows that perishable output and shelter were the primary components of the gain. But the

residual increased significantly. The residual was “the portion output beyond apparent basic necessities…this was the output needed for industrialization, and of course provided as well the discretionary items that are the fruits of economic progress. In this light, Americans were advancing in style” (Galman, p.30).

CONCLUSIONS

Free black constraints to generating wealth were observed when analyzing differences in the returns to all of the optimal wealth-generating choices. Changing states and regions, was one of the crucial steps for free blacks to accumulate significant amounts of wealth. Yet entrance laws and barriers, in the form of bond requirements, prevented free blacks from having a full range of residential and, as a result, economic opportunities. In sum, asymmetrical legal and social constraints, rooted by a contradiction between the dominant interpretation of the Constitution and state laws, led to asymmetrical economic experiences among free blacks and whites during the antebellum period. Furthermore, the intertemporal expectation of converging wealth experiences is severely dampened, not only by initial wealth deficits in the free black community, but also by intertemporal social and legal constraints on economic choices to overcome these deficits.

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