
The Emancipation of Slaves by Henry Clay

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THE EMANCIPATION OF SLAVES BY HENRY CLAY

Although Henry Clay opposed slavery as an institution, he accepted the evil as a matter of practical business in the operation of his five hundred acre estate called "Ashland", located a mile and an half east of Lexington, Kentucky. Possessing on the average about fifty hands, the Kentuckian established himself as one of the largest slaveholders in his section of the Bluegrass.¹ Clay was a kind owner. Extensive research reveals that he respected the personality of his slaves² and permitted his body servants considerable freedom.³ The emancipation of slaves from "Ashland" was not a rare occurrence. The Fayette County Deed Books and Order Books show that as early as 1808 Clay freed a slave named Daniel at the request of his brother, James Johnson of New Orleans.⁴ Alice and her infant daughter, Sarah Elizabeth, were emancipated in 1830.⁵ Four years later a Negro girl Mary, about nine years old, received her freedom.⁶ She was the daughter of a woman named Alice, possibly the slave freed in 1830. In 1844 Charles Dupuy gained his freedom for his faithful service as Clay's valet for many years in Washington.⁷

¹ Fayette County Tax Lists, 1831-1846, microfilm copies at the Kentucky Historical Society, Frankfort, Kentucky.

² James F. Hopkins (ed.), "Henry Clay, Farmer and Stockman," Notes and Documents, *Journal of Southern History*, XV (February, 1949), 90. This article contains a set of instructions dated September 20, 1833, drawn up by Clay for his overseer, William Martin. Clay directs that, "If Mess[rs.] Bruce & Gratz will give \$120 for Abraham, and he is willing to go, you may hire him to them." No choice would have been offered to a slave by a severe master.

³ Letter of Henry Clay to his wife, December 28, 1849, Henry Clay Papers, Library of Congress Collection, Microfilm copy in the University of Kentucky Library by courtesy of the project now editing the papers of Henry Clay. In this letter Clay writes, "I find James a very good servant. He has left me for a few days to go to Virginia to see his relations."

⁴ Fayette County Order Book, 2, 20, MS at the Fayette County Court House, Lexington, Kentucky.

⁵ Fayette County Deed Book, 6, 375, MS at the Fayette County Court House, Lexington, Kentucky.

⁶ *Ibid.*, 11, 393.

⁷ Fayette County Order Book, 11, 432, *op. cit.*

The emancipation of Charlotte, or Lottie, 1840 writes the final chapter to a famous court trial that greatly embarrassed Henry Clay. Lottie had accompanied her owner to Washington in 1825 as a domestic servant when the Kentuckian became secretary of state under John Quincy Adams. In 1829, just before Clay departed from the Capital for Kentucky, Lottie brought suit against him for her freedom and the freedom of her two children. Naturally Clay objected, claiming that he had purchased Lottie twenty-three years previously from James Condon who owned her as a slave. Further, he had paid the high price of four hundred and fifty dollars for her in order that his body servant, Aaron, might have a wife. The two had been married prior to the purchase. A bill of sale had been given to Clay by Condon, which he was willing to produce in court. Clay argued that he was unaware that Lottie had any title to her freedom; in fact, thirteen years earlier she had accompanied her owner to Washington and for several weeks visited her relatives in Maryland. In 1827 she again visited them for a longer period of time. To Clay this meant that she had not the least pretention to her freedom or she would have attempted to gain it on these occasions. He felt the whole proceeding was instigated by his political opponents to embarrass him.⁸ The Kentuckian won his case, but only after litigation had dragged on for over a year. On September 10, 1830, he wrote to P. R. Fendall, his lawyer, approving of the Washington attorney's order to the marshal to imprison Lottie until she could be sent along with other slaves to Kentucky.⁹ Apparently the owner harbored no ill-feelings for Lottie after her return to "Ashland", for on October 12, 1840, Lottie and her

⁸ Answer of Henry Clay to the Petition exhibited in the Circuit Court of the District of Columbia, Duke University Library Collection, Microfilm copy at the University of Kentucky.

⁹ Letter of Henry Clay to P. R. Fendall, September 10, 1830, Duke University Library Collection, microfilm copy at the University of Kentucky.

daughter, Mary Anne, were emancipated. The deed of emancipation follows:

Fayette County Deed Book, 18, 130.

October 12, 1840.

Know all men by these presents that I Henry Clay, of Ashland, in the County of Fayette and State of Kentucky, for and in Consideration of the long and faithful Service of my slave Charlotte and of her having nursed most of my children, and several of my grand Children, have set free and Emancipated, and do hereby set free and Emancipate the said Charlotte, discharging her from all obligations whatever to serve me. And I do further more hereby set free and Emancipate Mary Anne, the daughter of the said Charlotte, also discharging her from all obligations whatever to serve me. But this deed is not Construed to Emancipate any of the Children of the said Charlotte and Mary Anne or either of them born prior to the execution thereof, the said Children so born before the present date remaining subject to me. In testimony whereof I have hereunto put my hand and affixed my seal this 12th day of October 1840.

H. Clay (seal)

Fayette County towit October Court 1840

This Deed of Emancipation from Henry Clay Sr. to Charlotte and her daughter Mary Anne was produced in Court and acknowledged by the said Henry Clay Sr. to be his act and deed and ordered to be recorded which is done in my office.

Att. J. C. Rodes Clk.

University of Kentucky

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