

# Timothy Rogers Junior: Quaker to Slave Master

Timothy Rogers Jr (1788 - 1850) and his wife Phebe Royster (17??-1848)

His half-sister Martha Rogers (1817 - 1902)  
and the “slaves emancipated to Liberia”

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**Synopsis:** *Timothy Rogers Jr was a disowned Quaker from Newmarket, Upper Canada (now Ontario) and he eventually settled in Bedford County, VA. He and his wife purchased a plantation and owned slaves. They were joined by Timothy's sister Martha. Timothy's will directed that the slaves be emancipated to Liberia. The multiple lawsuits involving his will and the emancipation of the slaves to Liberia are central to this story.*

[Note: There are many quotes of contemporary documents and the original spelling and grammar has been transcribed as written.]

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Timothy Rogers Sr (1756-1834) was the key person in the founding of the Yonge St Meeting in Newmarket, ON, Canada, in 1804. This Quaker meeting and its original meeting house continue to this day. In 1809 he settled Pickering and developed mill sites there. Timothy and his two wives had nineteen children and they are listed in his Journal.<sup>i</sup>

Timothy Rogers Jr, the seventh child, was born in 1788 in Ferrisburg, Vermont, and came to Upper Canada with his parents as a teenager. He was first mentioned in the Yonge St minutes in 7 month 1806 when he was put in charge of books for a school at Yonge St and a committee was formed “to have the oversight of the school that is now or may be put under the care of Timothy Rogers Jnr.” Two months later the minutes record that, “Timothy's quarter being expired and that under present circumstances it would be best for this meeting not to place him as a teacher in the school.”<sup>ii</sup> Timothy Jnr was 18 years old at the time and appears to have not been a satisfactory teacher.

In 12 mo 1807, more trouble arose when Timothy Jnr was reported at the Monthly Meeting to have “accepted an office” in the militia. He must have been well aware that this action was a disownable offence.<sup>iii</sup> A committee was formed and within three months he was disowned.<sup>iv</sup>

In 1 month 1812, Sarah Wilde, the wife of Timothy Rogers Sr died. Timothy Sr wrote in his Journal, “And now I was left to move in my new house, with four children, two oldest sons settled at Yonge Street, and Timothy [Jr] disowned and gone to the States.”<sup>v</sup> Timothy Sr married his second wife, Anna Harned, in 10 month 1813.

Therefore, sometime between 1808 and late 1811, Timothy Junior moved to the United States as a disowned Quaker. It is not known if he knew anyone there to help him settle. Perhaps he first returned to Vermont and moved to Virginia later. Or possibly he moved first to Woodbridge, NJ, the location from

where his step mother came before marrying Timothy Sr. It is also possible he moved directly to Virginia. Settlers usually moved to a new location where they had connections to friends or family. It is not known when he arrived in Virginia.

No record has been found of Timothy being married in Upper Canada. The surviving Yonge St registers do not record a marriage for Timothy Jnr. This is not surprising given that he was disowned in 1807 and thus not a member of the meeting.

Martha Rogers was born in 9 month 1817 in Pickering, Upper Canada [now Ontario], to Timothy Sr and Anna, Timothy's second wife. Timothy Jnr was therefore about 25 years older than Martha; his paternal half-sister. Martha would have grown up in Canada not knowing her brother who lived in Virginia.

Wing Rogers (b. 1798) was another son of Timothy Sr and Sarah Rogers. He wrote a Journal in 1866 and stated that he moved into his father's home in 1821 in Pickering to "take care of his house, farm, Children, stock & all they had, whilst father & mother went on a long journey to Virginnia, to see my brother Timothy, & this was in the year 1821. Also, they made a verry memorable visit to my dear stepmothers friends & relatives in the state of Newjersey, which prooved to be the last visit they ever made in these parts."<sup>vi</sup> The year 1821 is either a transcription error or an error in Wing's recall of the year. The Yonge St minutes confirm the year-long visit to be in 1830 and 1831.

#### **Chancery Court Records, Bedford County, VA**

Something needs to be said about the source of much of the information that is to follow. There are six Chancery Court case files in Bedford County, VA, involving Timothy Rogers. One dates from 1828 regarding the purchase of his plantation in 1823. Four are lawsuits against the two executors of the estate of Timothy Rogers after 1850 and the fifth is a lawsuit by the executors against Daniel, a slave of Timothy Rogers Jr. There are over 400 pages of handwritten documents in these files and they are rich in information about Timothy, his wife, his sister Martha and the issues surrounding the slaves that are part of the estate. These files are online at the Library of Virginia website. The citations will state "Library of Virginia, Chancery Court, Index number, case number and image number."<sup>vii</sup>

There is one hint in the court records about what Timothy was doing before he married and settled on a plantation near Liberty (now Bedford), VA. In an 1857 deposition, Micajah Davis, an acquaintance of Timothy's for over twenty years, stated that, "He was a fine scribe. I have heard him frequently in conversation. He conversed fluently and spoke properly as far as I am capable of judging. He had evidently seen a great deal of the world. He used to teach a writing school in Lynchburg a great many years ago."<sup>viii</sup> Lynchburg is in Campbell County which is adjacent to Bedford County.

An examination of the Virginia annual Personal Tax records in the counties that are part of this story did not show Timothy residing there from as early as 1815. The deed for purchasing his plantation in Bedford County in 1824 states that he was from "Richmond, Virginia" which likely means the city as opposed to the county. He does show up paying personal taxes in Bedford in 1824 as expected.<sup>ix</sup>

The statement that Timothy had seen "a great deal of the world" may mean that he moved about quite extensively and arrived in Virginia close to 1823. Or maybe he was in Virginia all the time and as a single man with few possessions, was adept at escaping the tax man.

The first record of Timothy in Virginia is the marriage between Timothy Rogers [Jnr] and Phebe Royster on July 22, 1823 at the house of her brother, Joseph R. Royster, in Goochland, Goochland Co., Virginia.<sup>x</sup> Goochland is near Richmond and this matches the land record saying that Timothy was from Richmond.

### **Phebe's marriage and the issue of her inherited slaves.**

Timothy's wife, Phebe Royster, was to inherit slaves from her father. The details of this inheritance are in a later lawsuit by her brother, David Royster in 1853. The lawsuit states that in 1818, Phebe's father, John Royster, made the following bequest to his daughter. "... nine negroes, as follows, to wit: London, Big Dick, Gilbert, Clairacy and her children Maria, Robert, Sally, Frank and Thomas ... the said bequest to take effect at the death of [John Royster's] wife ... on 10<sup>th</sup> January 1820 ... published a codicil ... gave to his wife the girl Maria... in lieu thereof a negro girl named Aberilla ... and further ... that the negroes willed to his daughter Phebe should she die without issue should return to his family - but that she should have the privilege of willing them provided she shall will them to one or both of her brothers named in the will [Joseph Royall Royster and David Royster] ... should she die without a will then ... The negroes ... be equally divided between my two sons." The father, John Royster, died later in 1820.<sup>xi</sup>

With the wedding imminent and the father's estate settled in May 1823, Phebe's two brothers, David and Joseph R. Royster, feared that if the slaves ended up in Phebe's possession, she would lose them to Timothy. A month before the wedding, on 18 Jun 1823, Joseph R. Royster writes a conveyance transferring some of the slaves to Phebe. This conveyance was registered.<sup>xii</sup>

Then two days after the marriage on 24 July 1823, Joseph again proposed a legal conveyance "for four other slaves Nancy, Mary, Francis and Daniel which were her own property and held by her and continue in her possession." And on the same day another conveyance was put in front of Phebe with the provision that after her marriage she shall hold all above slaves separately and distinct from her husband, "he having the use of them, but that she shall retain the power of disposing of them should she die without issue by will ..."<sup>xiii</sup>

The testimony continues to state that Phebe was "unwilling to execute the conveyance[s]" at that time. It is clear that Timothy was pressuring to have ownership of the slaves. There was a legal question whether or not Phebe could transfer ownership to Timothy and the answer was that Phebe needed to convey ownership to a third person in trust. So nine months later, on 24 March 1824, a conveyance is made whereby Phebe conveys the title to James C Steptoe in trust.<sup>xiv</sup>

On the same day, 29 March 1824, James C. Steptoe "have sold and delivered unto Timothy Rogers the slaves aforesaid." Timothy makes sure that this deed is properly witnessed and "duly recorded in the clerk's office."<sup>xv</sup>

It is hard to imagine that David and Joseph R. Royster were happy about all this. Thirty years later David Royster sues Timothy's estate for the slaves and the nub of the law suit was about which of the claims to the slaves, John Royster's will or Phebe's and Timothy's conveyances took precedence.

### **Timothy and Phebe settle in Bedford County, VA**

Six months after marrying Phebe Royster, on 12 Nov 1823, Timothy purchased his plantation. It comprised 309 acres of land bordering Wolf Creek which is a few miles west of the town of Liberty, now Bedford. He paid \$3090, much of it was mortgaged. In 1828, Timothy Rogers Jr sued the previous owner, Burkett Gray, claiming there were 5 acres to which he should have title. Testimony by the witnesses is lengthy. It comes to light that Timothy was having trouble paying his mortgage and offered to pay one

bond holder in both present and future tobacco from the plantation. A survey was done in 1827 and showed that plantation to be 314 ½ acres. A map is included in the file. No resolution to the case is within the file but it is assumed Timothy paid his debts and kept the plantation.<sup>xvi</sup>

On May 10, 1827, Martha Ann Harrison, age 16, daughter of Jacob Harrison, dies at “Monte Nuevo, Bedford County, the residence of Mr. Timothy Rogers.” Perhaps Monte Neuvo is the name of Timothy’s plantation. The plantation has not yet been found.<sup>xvii</sup>

### **The 1830/31 visit of Timothy’s father and step mother and sister Martha.**

In 7 and 8 months of 1830, Timothy Sr and Anna Rogers planned to visit Timothy Jnr in Virginia and take their son John W Rogers and daughter Martha Rogers with them. Permission was given to them in the form of minutes from the Yonge St Monthly meeting.<sup>xviii</sup> John was 11 and Martha would turn 13 the following month.

Timothy and Anna returned these minutes to Yonge St. in 8 month 1831.<sup>xix</sup> Timothy stated that “they left their minor Daughter Martha under the care of his son Timothy Rogers, a slave holder.” Martha was about 13 years and 11 months old when Timothy and Anna returned to Upper Canada. It is not known if the son John W. Rogers made the trip as planned.

Yonge St Monthly Meeting was under the New York Yearly Meeting and thus subject to the 1810 Discipline which was still in force. Slave holding was a disownable offence.<sup>xx</sup>

A committee was established and reported the next month, that “respecting leaving their Daughter Martha Rogers with a Slave holder have had a solid oppertunity with them, and it appears to us by the information received from the parents that the Child was detained without their consent and entirely against their wills.”<sup>xxi</sup> There is no further comment about this matter in the minutes.

It is hard to know what to make of Martha staying in Virginia. One would think that if a young teenage girl wanted to return to Canada with her parents there would be no stopping her. Possibly Martha wanted to stay in Virginia with her half-brother’s support and her parents were strongly against her decision.

On the 1<sup>st</sup> month 1832, Yonge St Meeting sent a minute to South River Monthly Meeting, Bedford County, VA.<sup>xxii</sup> It expressed the fact that Yonge St had been “informed that Martha Rogers a minor Daughter of Timothy and Anna Rogers is placed within the compass of your meeting” and stated that Martha was in good standing. This removal certificate was received and recorded in the South River records.<sup>xxiii</sup> Most likely South River would create a committee to seek out Martha and see if she wished to be a member of the meeting. The South River meeting minute books for the period have survived and are currently unavailable due to renovations. At some point they could be checked to see if a visit to Martha is mentioned. It is pretty clear from further information that Martha did not continue as a Quaker. South River Meeting was laid down in 1847 but the meeting house still survives.<sup>xxiv</sup>

The court cases shed a little light on the question of Martha’s arrival in Virginia. In 1855 Martha and her siblings sued the executors of the estate for what they felt was their share. In 1857, a Charles W. Gill made a deposition and responded to questions about what he knew about Martha coming to live with her half-brother.

*[71] Question by [court official]: Do you know the fact that the Plaintiff [Martha] in this suit was brought from her father to Mr Timothy Rogers when a child, at the particular request of Mr Rogers & swore a pledge on his part that if she would remain with him that he would make her his? devisee?*

*Ans: I heard Rogers say that he intended to educate her, and be very liberal towards her in the distribution of his estate. I do not know that he had her brought to his home.*

*Question by same: Do you not know that the Plaintiff in this suit was always obedient to the will of Mr Rogers & attentive to his interests & wishes up to the time she left him.*

*Ans: I never heard any thing to contrary - Tho' of my own knowledge I know nothing.*

*Ques by Rogers exors - Where has the plaintiff [lived] since the death of Timothy Rogers*

*Ans: I do not know. I have heard she lived in Roanoke, an adjoining County.*

*By the same: Do you know why Timothy Rogers did not do the part by her that he promised*

*Ans: I do not.<sup>xxv</sup>*

The questioner obviously had heard stories, probably from Martha, that are framed in the questions. The questions suggest that Timothy requested that Martha accompany his parents and stay on after they leave with the promise that he would take good care of her.

### **Timothy expands his plantation.**

In 1836 Timothy purchased 157 acres that bordered on Little Otter Creek and Wolf Creek in Bedford County. Little Otter Creek flows from the west and north of Liberty and then east to the south. The Wolf and Little Otter Creek are close together west of Liberty according to an 1859 map<sup>xxvi</sup>. This land is the subject of an 1860 lawsuit by the executors of the estate suing the purchaser and bond holders to complete the sale.<sup>xxvii</sup>

Census data for 1830 for Bedford County, VA, shows Timothy Rogers as a male head of household 30-40 years of age, a female also 30-40 and another female is 15-20. In 1840 Timothy Rogers is recorded as 50-60 and a female 40-50 and another female 20-30. This fits with Martha being single and a member of the household.

### **Martha marries Daniel McDermed.**

On Aug. 5, 1840 Martha Rogers married Daniel McDermed [sometimes McDermid. Daniel and his father William, signed McDermed in their depositions.] "with the consent of Tim Rogers, brother of Martha." In 1852 Martha gave a deposition stated that she lived in Botecourt County [Virginia] after Timothy's death. This is in the Roanoke area and fits with the census information below<sup>xxviii</sup>

The 1850 census for Botecourt Co., VA confirms that Daniel and Martha were residing there. The census records Daniel McDermid, age 33, merchant; Martha 33, b. Canada; Phebe A., 9 and Mary J, 2 - along with Edward McDermid, 27, and Oliver H.T. McDermid, 20, both merchants. All born in Virginia except Martha.<sup>xxix</sup>

Daniel McDermed was the son of William McDermed (b. 1792) and Anna Stoner (b. 1796, Carroll Co., MD) and they were married 4 Dec 1813 in Botecourt Co., VA. Daniel and Martha had a daughter named Phebe Ann McDermid (b. 27 Jul 1841) and Mary "Mollie" McDermed (b. 15 Sep 1849).<sup>xxx</sup>

### **What kind of a relationship did Phebe and Timothy have?**

Martha's lawsuit against the estate of her brother Timothy is based on her claim that her brother was insane when he crossed out a portion of the will providing an inheritance for her and her daughter,

Phebe Ann. There were 28 depositions and 25 of them were in support of the executors who claimed that Timothy was not insane. They were all made in January 1857.

The depositions below don't suggest a loving relationship.

Deposition of John Crenshaw:

"Some years ago, probably before 1840, I received several messages to come to his [Timothy's] house. I did not go for the first or second but finally I concluded to go and see what he wanted. When I got there he told me he wanted to whip an old negro woman by the name of Clarissa and if he undertook to whip her, unless there was someone present, his wife would alarm the neighbours.

Question ... Has not Mrs Rogers frequently come to your house to claim protection from the cruelty of her husband

Ans. She came to my house saying that Rogers was drunk & she could not stay at home in peace. ... As far as I ever heard, her [Mrs Rogers] character in the neighborhood was that of a good woman. I think she lived and died a very consistent member of the Baptist Church."

Deposition of William Harris, minister:

"... I was acquainted with him for at least twenty years ... He was a member of the Baptist Church under my ministry. I have no recollection of his having been charged with immoral conduct before the session of the church and excused on the ground of insanity. ... I was frequently at Roger's house during the lifetime of his wife. While he was drinking he was coarse & harsh towards his wife, and did not treat her, as a husband should treat his wife.

... He was a professor of religion, and when I have been at his house, I have known him in his sprees to profess great zeal in religious matters. ... He profess to have religion after the death of his wife."

Deposition of Adam J Boyer

"... I was acquainted with him for some twenty years

... I talked to him about our contract about blacksmith work - about buying pork - etc - religion etc. He and his wife frequently came to my house & I went to his - He sent for me the night his wife died and we had a conversation in relation to her situation - He talked about religion generally on the sabbath day, when I was there - I visited him in his last illness & his conversation was then rational."

### **What about the character of Timothy Rogers?**

Interestingly nearly all the depositions state the same thing. Timothy was often drunk, some calling him intemperate or a drunkard, took laudanum, eccentric, industrious and shrewd in his business dealings – but not insane. One gets the feeling the deponents talked to each other before testifying. His Doctor said, "He drank two or three weeks at a time – and then would have sober spells." <sup>xxx</sup>

One lengthy story stands out and it gives a vivid picture of Timothy Rogers, the man.

Deposition of John Crenshaw, 15 Jan 1857

"I was acquainted with him from about the commencement of 1824 to the time of his death ...

... in his lifetime I never heard him suspected of insanity ...

... he was a very close penurious man - very cautious on making bargains & in his dealings & as far I knew never made contract without reducing it to writing and whenever I saw sober, he seemed to be rational in his conversation."

"... I considered him a peculiar, irritable man - I did not refuse to visit him - but the main reason why I was not on terms of greater intimacy with him, was I considered him a bad man.

"... I had good cause to believe that his negroes stole a good deal of my stock & I could never get him to take any steps to prevent it"

"... In April 1830 fire got out from Roger's plantation & got into my fence - a messenger came to me from Rogers that I must come out & help put out of the fire - that it was almost at my fence. I sent hands & followed pretty soon myself. When I got there the fire was in my fence, but the hands I sent stopped it from spreading - Rogers negroes were at that time on a hill about 100 yards off laughing & not pretending to touch it."

"A short time afterwards, Timothy Rogers rode up apparently from his own house & said he was very sorry the fire had got out & damaged me. I told him I did not think so, or his negroes would not be standing over there laughing & to clear himself or I would knock his head off his shoulders with a rock."

"He undertook to reason with me & convince me that it was no fault of his that the fire got out. I again ordered him away. I told him I did not want to hear any thing more from him, and his reply was, you are a damned rascal & rode off in a gallop. As he rode off a limb knocked his hat off & he called to one of his negroes to hand it to him & ? rode off - some distance - keeping up his abuse & then went home."

"That evening I received note from him informing me he would challenge me to a duel. I afterward sent him word that I should accept his challenge. When it should be sent & should choose wagon whips as weapons & would cut him all to pieces. I heard no more of the challenge."

"On the evening of the fire he was as rational as any man I ever saw. After all this, when we met we spoke. There had been some efforts at reconciliation by another man & I had received a message that he would speak to me if I would to him."

"On the evening before the kitchen was said to be burnt [a second later fire at Roger's house] - Rogers rode up into my yard very bloody - as if he had taken some pains to put it on - I asked him to get down - he said no - I then asked him to let me have some water brought to wash the blood off & refused. He then rode off, saying no I will go take care of the castle, no body cares for me. He said his wife had held him and made his negroes whip him."

"After he went away; myself & William Dickenson went over to Rogers. When we got there, we did not find his wife, but he was at home. We heard that Mrs Rogers was at James Ruckes? and Dickenson & myself agreed that Dickenson should go to Ruckes & see Mrs Rogers while I remained with Rogers -"

"He told me that his wife had held him while she made the negroes whip him - But he shortly went out of the house - and pretty soon a negroe woman came in & carried out a bottle of liquor which seemed to be full. After Rogers had been out some time, he returned - and the negroe woman with the bottle, having apparently a good deal less liquor than when it was carried out - Rogers observed to me, I shall not ask you to take a drink any thing I hardly ever drink any thing myself except in cases of desperation and then to ?? a drink. Pretty soon Dickenson returned and then Dickenson & myself left Rogers. What happened afterwards I do not know. Rogers was drunk when he came to my house"<sup>xxxii</sup>

#### **William McDermed's deposition, 1852.**

William McDermed was the father of Daniel McDermed and he made a lengthy and very informative deposition in the Royster lawsuit about the making of Phebe's will. His account exposes the tension

between Timothy and Phebe over the ownership of the slaves. William stated that he first came to know Timothy and Phebe Rogers in 1840 when his son Daniel married Martha, half-sister to Timothy. He stated that Phebe asked him if he knew about wills and he helped her get started. Quoted below are excerpts from what he said.

“... sometime in 1845 she came to my home and stayed about two days in which a time she showed me the same will I had written for her. With the blanks all filled up and with the names of the Negroes bequeathed, and the bequest was for one or more of David Royster’s children. The filling up was in Mrs Rogers handwriting. On that occasion she gave me a history of her fathers will. ... The family consisted of herself and two brothers. That David Royster had become poor by some misfortune and that her other brother was rich and moreover had but one child, who had married a man she despised. And during the conversation, she informed me that all correspondence had been cut off between herself and her brother David, in consequence of the prejudices of her husband Timothy Rogers against her brother David.”

“And that the letters that had come from her brother to herself at Liberty [now Bedford], had been taken out by her husband, and she had never seen them. She requested me to mail in the County of Roanoke where I live, a letter addressed by her to her brother David, which I did. And shortly after I received a letter from David Royster, enclosing one to Mrs Rogers which I gave her, and the correspondence was kept up between them to the time of her death by means of letters addressed to him and her sent in the same way. ...”

“Before Mrs Rogers left my house I requested her to transcribe the will that it all might be in her handwriting. This I desire because of the relation existing between the families. My son having married Mr. Roger’s sister. From the relation existing between the families I did not wish any part of the will to appear in my handwriting and she promised to transcribe it in her own hand writing.”<sup>xxxiii</sup>

#### **Phebe’s will.**

There is no doubt that Phebe Rogers did not trust her husband and it was her desire to complete a will regarding her slaves. Phebe’s will was dated 10 Apr 1846. In a copy that is in the court file and in her handwriting she states, “I give & bequeath to George C Watkins of Little Rock, state of Arkansas the following negro slaves to wit: Robert, Frank, Phill, Thomas, London (a boy), ~~Gilbert, Mariah~~, Aby and her three children Harry, David & Mariah, Sally and her four children, Clarisa, Sarah, Evelina & Amy and my two old negroes, London & Dick with a special injunction & request that they be well taken care of & provided for in their old age and the future increase of the said slaves from this time forward – In trust ... & permit Elizabeth Royster wife of my Brother David Royster of Pulaski County state of [Virginia] to have the sole & exclusive use & benefit of said slaves and their increase & in lieu thereof pay over from time to time to her and according to her directions, the hire & profits of the same as she may elect to use the said slaves or have the same hired out for and during the time of her natural life and after her death my will is that the said slaves and their increase aforesaid do go and belong absolutely to my nephew Thos Meux Royster [Thomas Meaux Royster] son of my said Brother David Royster & his heirs forever. ... I do hereby appoint & ordain my esteemed Brother David Royster aforesaid my Executor of this my last will & testament ... .”<sup>xxxiv</sup>

Recall that Phebe’s father had wished that if she had no children that she should bequeath the slaves to her two brothers. In violation of this wish, Phebe is bequeathing the slaves to David’s wife, Elizabeth Royster in trust by her trustee, George C. Watkins. After the passing of Elizabeth Royster the slaves are



to go to Thomas Meaux Royster who is the son of David and Elizabeth in trust to his guardian, James Campbell. Her brother Joseph R. Royster and his heirs are cut out of her will. Joseph Royster and his wife predeceased Phebe. They had a daughter who married Isaac A. Tinsley and she too predeceased Phebe. Their daughter, Sarah Tinsley was included as a defendant in the case as she hoped to receive her grandfather's share. Sarah may have been left out of the will because Phebe "despised" her father, Isaac A. Tinsley.<sup>xxxv</sup>

### **Who is George C. Watkins of Little Rock, Arkansas?**

George C. Watkins was a Little Rock attorney and Arkansas Supreme Court judge. David was living in Arkansas in 1848 when Phebe wrote her will. Phebe named George C. Watkins as the trustee for David's wife Elizabeth to hold the slaves in trust for her. This is a sure sign that David had a role in the creation of Phebe's will.<sup>xxxvi</sup>

### **Timothy Rogers announcing the death of his wife.**

Included in the documents is a letter to David Royster from Timothy Rogers announcing the death of Martha. It reads:

*Bedford Co, VA, 7 Nov 1848*

*Dear Sir*

*I write with a trembling hand & aching heart to inform you that your sister, my Dear Wife, died on the 4<sup>th</sup> instant with a bright hope of a blessed immortality & was interred last evening at 2 Oc P.M.. I am sick in bed & not able to say more.*

*Sincerely Yours*

*[signed] Tim Rogers*

*P.S. Should I ever get able I will give you any information or answer any inquiries that you may make in relation to any claim that you may suppose you have to my wife's Negroes, either by virtue of any will of your father's or by her Will. I have taken the best Counsel in the State & am fully prepared to meet the case. The Negroes are all here & will remain here I hope!!! If I can give you information to save you from trouble & unnecessary expense I shall do it with the kindest feelings.*<sup>xxxvii</sup>

### **Timothy dies 17 months later in 1850**

Timothy Rogers, after the death of his wife, "claimed the slaves by virtue of his marital rights."

In all the court documents there are frequent references to Timothy's death in the year 1850 but no exact date was stated. In a later letter by his executor it is stated that Timothy Rogers died in April 1850. Timothy's will was dated 10 March 1848 and proved on 22 April 1850.<sup>xxxviii</sup> His will was complicated and lengthy, and the reader needs to see the full will to understand the issues in the lawsuits that flow from this will. There are a number of copies of the will in the court documents but the one below includes the full version that includes a portion that was crossed-out.

### **The will of Timothy Rogers in full.**<sup>xxxix</sup>

[Minor paragraphing has been done to ease reading and the spelling is unchanged.]

In the name of God Amen I Timothy Rogers of Bedford County State of Virg<sup>a</sup>. - Do make this my last will & Testament –

Being myself in bad health (my wife also very infirm - 1<sup>st</sup> Should my wife survive me - I give & bequeath to my Dear wife Phebe a life estate or interest, in all my lands, Slaves, property & estate both

real & personal lying & being in the State of Virginia or else-where - And it is my will that she have and enjoy all of the same during her natural life -

At the death of my wife, it is my will & I direct, that all my servants, (slaves) of both sex & all ages, & the children of the females that may hereafter be born, shall be Emancipated & set free - and sent to the African Colony at Liberia under these provisions[.]

However; if any of said slaves should before they are sent to Liberia, commit any heinous act or crime, such as shall in the opinion of my Executors render them unworthy of being set free, then & in that case, it is my will that such guilty slave or slaves, shall be sold by my Executors & the proceeds of said sale be appropriated for the use & benefit of the balance of said slaves (old & young) who prove worthy.)

Of the crime which is to render any of said slaves unworthy of being set free, my Executors must be the sole Judges. It must be flagrant & aggravated -

I request my Executors & enjoin it on them as a solemn duty, to apply to the American Colonization Society, or other like benevolent & humane institution for funds & aid to send said emancipated slaves to Liberia[.]

While waiting for such aid, it is my will that all said slaves shall be hired out, (the women & children especially) to good & kind employers, to form a sort of joint stock fund for their common benefit - And in default of other aid or in case of partial aid only to bear the expences of the whole family (ie. all the servants) to Liberia - The most helpless are to share in the money so raised as fully as the most able, according to their Several necessities[.]

All are to be hired out as aforesaid, till their Joint wages shall amount to a sufficient sum of money to pay the expences of all & every individual to that Country. Or till the necessary means shall be supplied from some other source; Or till their hire added to the means supplied by some benevolent society shall amount to a sufficient sum to bear their expenses to Liberia[.]

And if any thing shall remain after paying the expenses of both the voyage &c it shall be divided among the most necessitous & needy (or among all) on their arrival at Liberia, at the discretion of my Executors, or of Agences appointed by them for that purpose[.]

My Executors are requested if necessary to appoint Agents to aid them in carrying into effect the provisions of this will, Provided however sufficient funds cannot be raised from any or all of these means, before the time limited by law for the removal of said slaves out of the State, or the forfeiture of their right of freedom then & in that case only it is my will that the expenses of all of them or so much of it as my be wanting to send them to Liberia shall be paid out of my estate & in the event of that necessity this claim shall stand before all the other Legacies or bequests -

At the death of my wife it is my will & I order & direct, that all my estate Land & property real & personal goods chattels & effects, shall be sold (except the slaves who are to be set free) after a reasonable time for necessary arrangements, advertising &c - If expedient I allow the land to be sold on such time of payment as my executors in their discretion may think best, provided the payments are secured in the most effectual way that the law has devised -

~~Out of the money & proceeds of the said sales of land & properties as above directed, I give & bequeath to my faithful servant David the sum of . [sic] It is my will & I direct that the sum of Two Thousand \$2000 dollars, be put on interest, duly secured, which said interest is to be paid annually & I direct the same, to be paid, to my sister, Martha McDermed, for her own separate & distinct use in dependant of her husband, until her daughter Phebe Ann, (My niece) shall arrive at twenty one years of age. At which time the principle ?? two thousand dollars placed at interest, as above directed, shall be equally divided between my sister Martha McDermed & my niece Phebe Ann.~~

I give & bequeath to my faithful servant Daniel the sum of one hundred dollars - I also give & bequeath to Mary (his Sister) the Sum of One hundred & fifty dols (\$150). I give & bequeath to Frances

(their Sister) the sum of two hundred dols (in consequence of her children) which sums I direct to be paid to these servants severally on their arrival at Liberia[.]

I also direct that the sums herein after specified shall be given to the following named servants on their arrival at Liberia - To my old servant Dick fifty dols - To Sally fifty dols & to each of her children one dollar & - To Aba fifty dollars.

I also give & bequeath (out of the proceeds of sales as aforesaid) the several sums named & specified to the several institutions societies or Corporations herein after named to wit: -

To Columbian College, District of Columbia U.S.A. I give one hundred Dollars.

To Richmond College, Virginia, - I give One hundred dollars

To the Virginian & Foreign Baptist Bible Society - I give One hundred dollars. -

To the Valley Union Seminary at Botecourt Springs Virg<sup>a</sup> I give One hundred dollars.

And to the American Tract Society instituted in the City of New York & to sustain colporteurs connected with it[.]

I give & bequeath all the balance of proceeds of sale (as before directed) and all the balance residue & remainder of my estate & property - Except such portions of the same as is herein otherwise bequeathed & disposed of - And the slaves who are set free - I give all said remainder (be the same more or less to the American Tract Society to be applied to the charitable uses & purposes of said Society from conviction of its general & extensive usefulness in my native Land, where God has granted to all men, the inestimable blessings of religious & political freedom -

My debts are inconsiderable & will be paid out of my crops, or other property at the discretion of my Executors

And lastly - I appoint the Rev<sup>d</sup> James Leftwich - Mr. W<sup>m</sup>. Witt & John F. Sale Esq<sup>f</sup>. of Bedford County Virg<sup>a</sup>, the executors of this my last will & testament - Revoking all others heretofore made by me - In witness whereof I have hereunto set my hand & seal this Tenth day of March 1848.

Signed Sealed & published, declared & confirmed in presence of God, Amen Tim. Rogers

I have with my own hand erased all from the 23<sup>rd</sup> to the 35<sup>th</sup> line on page 2<sup>nd</sup> of the above will - And I do this day cancel & revoke this portion of said will - Witness my hand & seal this 1<sup>st</sup> day of Decr. 1848.

Tim. Rogers

### **A comment about Timothy's will.**

In 1819, Virginia passed "An act reducing into one, the several acts concerning slaves, free negroes and Mulattoes." Because of this act it was standard for slaves (even those freed by the will) to remain in slavery, owned by the estate, until the estate closed, and the final account settlement was made, and distributions settled with heirs. This was the case so that slaves could be sold to satisfy debts of the estate, even though they may have been granted freedom in the will. During the time before estate settlement, the slaves were always hired out, usually on a yearly basis, payable on 1 Jan for the previous year.<sup>xi</sup>

However, Timothy Rogers was clear that he wanted the proceeds from hiring out to go towards sending the slaves to Liberia, etc. Rogers was careful in the wording of his will where he notes that issue of the female slaves were included in his granting freedom. This protected the children born after he wrote his will from being left in slavery while their mother was freed.

### **An overview of what is to follow.**

Right after the death of Timothy the executors, John F. Sale and William Witt got to work to settle the estate. James Leftwich was named by Timothy Rogers as one of his executors, but he died before August 1852.<sup>xii</sup> They had the estate appraised and the slaves were claimed to be worth \$10 055 [see Appendix C and D]. The slaves were hired out as instructed. It will be shown that Sale and Witt began the steps to

emancipate the slaves to Liberia starting in 1850. This was put on hold in 1852 when David Royster, Phebe's brother, sued the executors claiming ownership of the slaves. This case was settled in 1854 in the estates favour and immediately Martha McDermid, Timothy's sister, sued to have the will made null and void claiming Timothy was insane when he crossed out the wording to her rightful inheritance. This was settled in the estates favour in 1858 and Sale and Witt once again followed the emancipation procedures and a portion of the former slaves were emancipated to Liberia in May 1859. Right after the ship sailed, Daniel, one of Timothy's slaves, sued the executors and this was settled in time for the remaining slaves to be emancipated in November 1859.

Wills that emancipated slaves were frequently challenged. Slaves were very valuable property and beneficiaries often took exception to the proposed loss of their inheritance.

### **Lawsuit of David Royster, her brother.**

The court records state that regarding the slaves, Timothy "held possession of them till his own death" which occurred in the year 1850. Timothy's will directed that the slaves be emancipated to Liberia. This conflicted with Phebe's father's will and codicil of 1818 and 1820 and Phebe's own will bequeathing the slaves to David's wife and son. Once Timothy died, the ownership of the slaves was the subject of the lawsuit by David Royster, brother of Phebe. There was a delay of two years, but David sued the executors of Timothy's estate in 1852. It was a complicated case.

Phebe's father, John Royster, was concerned about a lawsuit by his sister, Judith Pugh, that he might have to forfeit a portion of his estate. So, he deeded his holdings, in trust, to his son David on 19 Sept 1819.<sup>xiii</sup> John Royster made a small change in a codicil to his will in Jan 1820 and died later that year.

The court documents state that upon the death of John Royster in 1820, David Royster claimed that his father died without a will (intestate). The court accepted this as true and appointed David Royster as the administrator. See Appendices A and B for the list of slaves during this period. Under David's guidance the estate of John Royster was settled and recorded as such on 12 May 1823.<sup>xiii</sup>

In David's statement to the court he reported that the will of his father was kept by his brother, Joseph R. Royster, who lived in Little Rock, Arkansas, and that he had never seen the will till 1845 when it was sent to him by his sister Phebe.<sup>xiv</sup>

One item in the court folder is very revealing. It is a memorandum dated 25 Nov 1820, after the death of the father, John Royster, stating that David Royster "is bound unto Jo<sup>s</sup> R Royster and Phebe Royster in the just and full sum of ten thousand dollars." It goes on to state that a conveyance of his father's estate was made to David and that his father's "will should not be recorded until some satisfactory arrangement could be made with regard to that suit [by Judith Pugh] but held in the family so that the property may be disposed ..." according to his father's wishes. It is impossible to believe that David did not know about the contents of his father's will at the time of his father's death.<sup>xiv</sup>

It is obvious that David lied to the courts when he claimed that his father died intestate back in 1820. Now that Timothy had died, 30 years later, David had his father's will proved and recorded in 1850. Somehow, David expects the court to honor his father's will and overlook the fact that his father's estate had already been settled way back in May 1823.

The lengthy defense for the executors made the point that David Royster's recording of his father's will in 1850 was a fraud. David Royster untruthfully claimed he did not know about his father's will and only

learned of it in 1845 when his sister Phebe sent it to him. He did not record the will with the courts until 1850, 27 years after his father's estate had been legally settled. The court must have agreed with this line of argument as David lost his case and the executors now had full control of the slaves.<sup>xlvi</sup>

### **David Royster lost his case.**

The judgement in this case is found in the lawsuit of John Sale and William Witt, the executors of the estate vs Daniel, a slave. The statement reads, "a suit was instituted in this Honorable Court against your orators [Sale and Witt] by one David Royster denying the right of freedom to a portion of said slaves & claiming that portion of them as his own ... Sept 1854 the said suit was decided adversely to the plaintiff."<sup>xlvii</sup>

William McDermed stated in his deposition that David had financial problems and the expense of this case must have been a burden to him. Perhaps he hoped to get title to the slaves and then sell them.

### **And what about the slaves during all this turmoil?**

The death of a master was an unsettling time for slaves. In this particular case, the slaves likely knew from Timothy and Phebe that they were to be either emancipated to Liberia or bequeathed to David. For eight years, they were hired out by Sale and Witt and the profits kept in a fund to pay for the eventual emancipation. The Virginia law of 1819 stipulated that emancipated slaves were not emancipated until the estate was settled in case slaves had to be sold to pay off the debts of the estate. The prospect of emancipation must have been an unsettling possibility for the slaves.

If the courts decided that the slaves were to be given to David Royster and thus not emancipated, then the slaves would naturally fear that they might be sold, and their families split apart. It was common at this time for slaves in Virginia to be sold into the cotton fields of the deep south. More will be said about the slaves later.

Clarissa, "a slave belonging to the estate of Timothy Rogers" got in trouble in February 1855. She was charged with a felony "committed by her ... on 11<sup>th</sup> day of February in the day time of that day ... feloniously burn the dwelling house of Lindsay Shumaker ... pled not guilty. She was tried as a free negro and sentenced to be "imprisoned in the public jail and penitentiary house for five years."<sup>xlviii</sup> This Clarissa is likely the daughter of Sally who is 20 on the 1859 list of free negroes. That would make her 16 when the fire occurred. She sailed for Liberia in May 1859 so the courts must have shown leniency.

### **Martha's lawsuit.**

Following the Royster lawsuit, Martha sued in 1855 claiming her brother Timothy was insane and hoped to have the courts nullify the will. This would have meant that she, her daughter and her siblings would become the beneficiaries of the will. The two surviving executors, John F. Sale and William Witt, took the position that sister and niece, Martha and Phebe Ann McDermed, had been intentionally crossed-out from the will. There are 201 pages in the court file for this case. As mentioned before there were many depositions about the sanity and character of Timothy Rogers and these have been referred to earlier and will not be repeated.

### **Insanity within the Rogers family.**

There is one deposition in this case by Martha's full brother, John Harned Rogers, that tries to paint a picture of insanity within the Rogers family. This testimony is given to suggest that Timothy may share some of the same traits of insanity. It is worth presenting here.

Deposition of J.H. Rogers, 29 Aug 1856

“At the court room of the Court House in the County of Oxford at Woodstock in the Province of Canada ... to be read at the trial of a Chancery suit pending in the Circuit Court of Bedford County ...”

“I am acquainted with the relation of Timothy Rogers late of Bedford County Virginia deceased. I also know that several of his relations are and have been insane, namely Stephen Rogers the youngest brother of the whole blood of the said Timothy Rogers became insane in the year 1832 and continues so up to the present period. He was kept in close confinement by his relatives and friends for many years and has been allowed part of the time since the year 1832 to go at large. Sometimes his madness assumed a violent form, and at times he was disponding but more frequently violent.”

“Also Clara Rogers eldest daughter of Obadiah Rogers, which said Obadiah Rogers was a full brother of Timothy Rogers. She became insane in the year 1835 her insanity was of a very violent character. She was kept in close confinement without any intermission (so far as I am aware of) by her relatives until she was sent to the Provincial Lunatic Asylum at Toronto in the Province of Canada where she continued until her death.”

“Augustus Rogers a nephew of the said Timothy Rogers became insane in the year 1847. His madness was of a violent character and whilst so, I assisted his relatives to take charge of him after a short time his insanity appeared to leave him and he resumed his usual avocation but has on several subsequent occasions been affected with insanity, but those attacks have not continued more than a week or so at a time, neither were they so violent as the first, his last attack was I am aware of was during the present summer.”

“Sarah Purdy a daughter of Asa Rogers which said Asa Rogers was full brother of the said Timothy Rogers married very young and very shortly after her marriage she became insane. Her madness was of a melancholy character. Her husband sent her back to her brother who took care of her; her insanity continued for several years and she was insane when her father about 15 years ago removed his family to the State of Michigan, since which period I have heard she was partially recovered from her insanity.”

“Obidiah Rogers, Eldest brother of the said Timothy Rogers and Father of the above named Clara Rogers, was a very eccentric man and by many was considered insane. Tho he always transacted his own business.”

“... I have no interest in this suit having disposed of my interest therein to my sister Martha McDermed by a deed of Release ... J. H. Rogers”<sup>xlix</sup>

#### **Martha loses her case.**

On 28 Sept 1858 a judgement was rendered, “By consent of the parties by their counsel it is ordered that this cause be dismissed.” Martha lost her case. This meant the Sale and Witt could now act upon Timothy’s wish that the slaves, “shall be Emancipated & set free - and sent to the African Colony at Liberia ...”

As an aside, a guardian was appointed for the “infant defendand Phebe Ann McDermed” in 1855. Since the teenager Phebe Ann had been mentioned in the crossed-out portion of the will she was also part of the proceedings. In another part of the court records involving the slaves, the word “infant” is defined as under the age of twenty one, so identifying Phebe Ann as an infant is legally acceptable. Mary, Martha’s younger child, was born in 1849; too late to be mentioned in Timothy’s will.<sup>1</sup>

### **Martha's marriage to Moses B. Lloyd.**

As a further aside to the above case is a small legal note stating, "1858 May 6<sup>th</sup>, The Plaintiff Martha McDermed having intermarried with Moses B. Loyd [sic] it is ordered that the same be suggested upon the record and on their motion it is ordered that this suit be henceforth proceeded in the names of the said Moses B. Loyd and the said Martha his wife."<sup>ii</sup>

Clearly Daniel McDermed had died, and Martha had remarried. Daniel McDermed made a deposition on 12 Aug 1852 in the David Royster case, so his death was between 1852 and 1858. There is a Daniel McDermed, b. 11 Jan 1818 and d. 29 Sep 1853 that is very likely the same man. His age matches the 1850 census referred to earlier. He is buried in Old Dominion Memorial Gardens, Cloverdale, Botecourt Co., VA.<sup>iii</sup>

In 1860 the Lloyd family is living in Pulaski, VA. The census records Moses B Lloyd, age 56, b. NY; Martha, 43, Canada; Joseph Lloyd, 17, VA; Mary McDermed, 10, VA; Joseph L Hyden, 24, VA; Eleanor Lloyd, 86, NJ and Hannah Hyden, 58, NY.<sup>iiii</sup>

### **American Colonization Society (ACS)**

The ACS formed in 1816 and from then till the Civil War colonized 11,000 African Americans to Liberia with Virginia and Maryland providing almost half of the emigrants. The ACS was founded on the assumption that "domestic tranquility required resolution to the 'problem' of free African Americans." A minority of the founders hoped to rid the nation of the destabilizing influence of free blacks and protect slave property. For most though, the ACS was seen as the continuation of previous emancipation and colonization plans such as the colonization of free Loyalist blacks from Nova Scotia to Sierra Leone in the 1790's. Its major support came from local auxiliaries in each state.<sup>liv</sup>

ACS records are a key source for some of the information to follow. John F. Sale and William Witt were the two surviving executors of Timothy Rogers estate and as early as 1852 they contacted the ACS about sending the slaves to Liberia. It was not until May and November of 1859 that they were successful at sending two groups of Roger's slaves to Liberia. The correspondence from Sale to the ACS is on line at Fold3.com. In the citations, the source will be referred to as ACS, incoming personal letters, date range, letter number and image number.<sup>lv</sup>

### **John F. Sale and the American Colonization Society (ACS)**

Timothy's will emancipates his slaves upon arrival in Liberia, on the west coast of Africa. Free blacks had been growing in number since the American Revolution. They were seen as a threat by supporters of slavery by arguing that free blacks were inferior and incapable of real improvement. They also posited that free blacks threatened the jobs of whites working in the north. The American Colonization Society formed in 1816 to send free blacks to west Africa. The motives were mixed between abolitionists believing that free blacks would be better off in Africa where they could form their own society and slaveholders believing that free blacks were a threat to slavery in the south. It is a complicated story.<sup>lvi</sup>

In Sale's first letter in August 1852 to Rev. William McLain, the secretary of the ACS, Sale states that, "A few months after his [Timothy Rogers] death, a gentleman in New York, I have been informed, subscribed \$1800 to the American Colonization Society for the specific purpose of defraying the expenses of these emancipated slaves to Liberia and the executors of Rogers began to make arrangements to send them off."<sup>lvii</sup>

It is interesting that in 1850 in a Quaker monthly journal titled, *The Friend*, it was reported that, "The Secretary of the American Colonization Society, states that Timothy Rogers, of Bedford County, Va., who died recently, emancipated all his slaves, (about thirty) on condition that the Am. C. Society send them to Liberia. ... One of the New York papers informs that the \$1800 have been raised in that city to meet the cost of transportation of the above 30 liberated persons."<sup>lviii</sup>

How did the Quakers hear about Timothy's will so quickly? Quakers are well known to have been leaders in the antislavery movement. No letter from the Sale or Witt to William McLain has been found in late 1850. However there is a list of Roger's slaves titled *Applicants for a Passage to Liberia* from 1850 so clearly contact had been made at this early date. Perhaps this kind of information was "news" and would travel via McLain to other channels. McLain would have been in close contact with the Quaker community.<sup>lix</sup>

Sale and Witt claim in the law suit against Daniel, one of the slaves, that "a short time after" the death of Timothy Rogers they prepared to raise the money to send the slaves to Liberia. This is supported by the above 1850 document wherein 12 slaves of Timothy Rogers are named. They are Daniel, Mary and her two children and Frances and her 7 children. The application is signed by Sale. Daniel, age 27, who "can read", is named and a note stated that, "Among the number is one a young honest and industrious & sober man who married a woman of Mr Robert Mitchells of the same Co[unty]. The boy says unless he can convey his wife with him, he will remain a slave."<sup>lx</sup> This was referring to Daniel as will become evident in his testimony later.

In early 1852, Sale and Witt began the emancipation of the slaves with the ACS. During proceedings the emancipation process is stopped by the lawsuit initiated by David Royster in 1852. Therefore, none of the slaves actually left for Liberia in 1852. This case is settled in 1854 and is quickly followed by the lawsuit of Martha McDermed which is finally settled in 1858.

Sale writes to McLain in January 1859 after six years of no correspondence. He starts off with a reference to the money raised back in 1850, "You may recollect that about eight or nine years ago, Timothy Rogers, of this county (Bedford) died, and by his will, emancipated his slaves, and directed that, they should be sent to the colony of Liberia, but made no provisions to defray their expenses. Through the interest of the Rev. J.D. Mitchel, and other friends of the slaves the sum of \$1800 was subscribed in the city of New York, and paid, as I understand, into the treasury of the colonization society, to pay the passage of the said slaves, to the Liberian colony. I think this subscription was made in the summer of 1850."<sup>lxi</sup> The legacy administered by the American Tract Society mentioned above was actually for \$1790.60.<sup>lxii</sup> McLain reports that the money is still held by ACS after all these years.

In the same January letter, Sale states that the latest law suit, "has just been decided and his will [Rogers], has not been disturbed and no impediment now exists to the transportation of the slaves to Liberia." Sale writes 10 letters to McLain from January to late October 1859 arranging all the details on getting the slaves to Liberia. McLain informs Sale that the ship Mary Caroline Stevens sails each 4<sup>th</sup> May and 4<sup>th</sup> of November for Liberia. McLain needs lists of the names and particulars about the slaves and these provide most of what is known about the slaves. An analysis of this information is presented later. Sale is told that a Rev. William Starr of Petersburg, will come to Liberty to direct the slaves to Norfolk from where they will depart. Sale is concerned about the "necessaries" and asks McLain, "to furnish me a list of such articles, as the Negroes might want, in Liberia. Such as tools, cooking utensils and household furniture? Some of these people are mechanical, they have all here lived up on a plantation,



except some of the women, who have been occupied for several years, in household work, and can do plain, rough, housework, but are not seamstresses.”<sup>lxiii</sup>

### **Deed of Emancipation**

Another issue was to have the necessary documentation to prove that Sale and Witt had legal authority to send the slaves to Baltimore for embarkation to Liberia. This Deed of Emancipation was recorded on 30 March 1859 in the Bedford County Court. It lists the names of 32 of Timothy’s former slaves who are now emancipated free blacks. Sale states to McLain that, “I sent you last spring a copy of the will and of the deed of the Ex[ecut]or’s assenting to their freedom, and also a power of attorney making the colonization society our agent to receive and pay out money.”<sup>lxiv</sup> This Deed and also a surviving partial copy of the slave names, includes a description of skin color, age, height and any scars. Two examples are: “Daniel, age 38, bright black, 5 feet 11 inches high, scar caused by a burn on the inside of the left thigh; and Francis, age 40, color light brown, 5 feet 4 ½ inches, small scar on the left cheek under the eye.” By registering, this provided papers for proof of freedom when they traveled from Bedford Co. to the vessel for emigration. And by having these papers, if they left Liberia and returned to Virginia, they would not be re-enslaved.<sup>lxv</sup> These lists of names are transcribed in full in Appendices F and G.

Recall that Timothy’s will directed that the slaves be hired out, “to form a sort of joint stock fund for their common benefit ... The most helpless are to share in the money so raised as fully as the most able, according to their Several necessities.” The slaves had been hired out for nearly 8 years, so the fund had become considerable.

Regarding the payout to the slaves, Sale states, “it is my purpose to pay to them but I am sorry to say, it cannot be in proportion to their necessities, because the hires of the women and children (who are the most needy) have been very small, and it is supposed that each of the Negroes will be entitled to his or her own hire after deducting expenses.”<sup>lxvi</sup> This is not consistent with the wording of the will and it might be that Sale was dealing with a strong challenge from the male slaves.

Sale reports, “I wish them to carry as much of their money to Liberia as possible. They will be entitled at present to about \$4000 and I think something upwards of \$1000 will be sent to them next fall.”<sup>lxvii</sup>

Sale makes good on the promise to send \$1000 “next fall.” McLain wrote to Sale in October 1860 stating, “You will please send me the \$1000 which you want to send to the Rogers people. I will place the gold in charge of the Captain, take his receipt for it ...”<sup>lxviii</sup>

A legal question was raised by Sale as to when the slaves should be given the money that was owing to them. He writes in January, 1859, “I am not advised whether, the residency legatees will claim their hires or not, my opinion is, that the slaves will be entitled to their hires but I do not intend to pay it to them, before they leave this country, and I do not wish them to receive it until they reach Liberia.”<sup>lxix</sup> This may be to protect the slaves from being swindled but also it encourages the slaves to actually go to Liberia and not disappear at the docks of Baltimore.<sup>lxx</sup>

Sale informs McLain in an April 1859 letter that, “I understand that one of the eight men, (Daniel by name,) is hesitating whether or not he will go to Liberia, preferring a state of slavery in Virginia.”<sup>lxxi</sup> Sale and Witt were concerned that Daniel could cause problems by encouraging others to not go to Liberia. Daniel on the other hand wanted his share of the money from the hires even if he stayed behind. After all the preparation, only 12 of the group embark in May from Baltimore for Liberia. The other 19 refuse to go. See Appendix E.

### **The lawsuit by the executors, Sale and Witt, vs Daniel, a slave.**

In September 1859, the executors of Timothy's will sued Daniel for his refusal to go to Liberia and his claim to his freedom and the share of his "hires."

This case opened by stating that both David Royster and Martha McDermed, now Lloyd, had lost their cases in 1854 and 1858 respectively. Therefore, the executors, Sale and Witt, were now in charge of the former slaves, now free black, and their emancipation to Liberia. Daniel's reluctance to go had become a problem for Sale and Witt.

The lawyer for Sale and Witt went on to state that, "... [arrangements were made in 1859] to have the said Negroes sent to the said Colony of Liberia that they appointed the American Colonization Society ... agent to carry into effect the provisions of [Timothy Rogers] will ... to convey the said Negroes to the City of Baltimore ... [to] embark for the Colony of Liberia & that twelve of the Said Negroes accepted the offer ... on the 12th day of May 1859 they embarked ... for ... Liberia ... nineteen of the said slaves rejected the said offer... [to go] to the said Colony of Liberia ... among the said Negroes who refused to go was one named Daniel ... that the cause of the said Eighteen slaves remaining behind was the refusal of the said slave Daniel to go to Liberia - for they had at one time Consented to go ... and had made all the arrangements to do so, but when they heard of the refusal of the said Daniel & that he had had the Justices of the County of Bedford Summoned to make his application to remain in the County, they were induced to believe thereby that they had the sound right to remain [just as much] as the said Daniel."

In fact, in April, before the ship sailed, Daniel had made application to the Bedford Court to remain in Virginia and the Bedford Court put the request in the order book for the next term of the court in November. In December, the court, "after examining sundry witnesses on behalf of the applicant doth refuse to grant him such permission" to remain in Virginia.<sup>lxxii</sup>

Back to the court case, the counsel continues stating that Sale & Witt, "therefore pray that your Honor will construe the said will as to the said slave Daniel and as to whether the said Daniel is entitled to his freedom ... [since he didn't go to Liberia] and as to whether he is entitled to any portion of his hires [joint stock fund, the money over and above the expense of transporting the 12 slaves back to Liberia]. Sept 1859."

It was Daniel's turn to respond. James F. Johnson, the lawyer for Daniel, stated that "... the Respondent [Daniel] insists by the terms of the will ... he is entitled to his freedom ... he is advised that going to Liberia is not made a condition of his freedom ... he has a wife and children who are slaves the property of Robert C Mitchell Esqr to whom this respondent [Daniel] is very much attached ... [that] he made application to the justice of the County Court of this County for permission to remain in the State of Virginia but on being informed that a question would be raised as to the right of this respondent [Daniel] to freedom unless he went to Liberia and that that question would be submitted to this Court he withdrew his application with the intention of renewing it after this Court had adjudicated this question ... [Daniel] denies that he ever held out any inducements to any of the other slaves emancipated ... to prevent them from going to Liberia. Your respondent claims that he is entitled to receive the legacy bequeathed to him by the said Testator [Timothy Rogers] and also to receive the hires that was accrued from his own labor and Services, especially if there is a sum Sufficient from the hires of the others for the purpose of taking them to Liberia."<sup>lxxiii</sup>

### **Daniel's emancipation and self-enslavement.**

On 5 Oct 1859 the Court serves judgement stating, "by the Court that the said Daniel and the other slaves mentioned in the said Bill and proceedings be and they are hereby emancipated and set free from control and authority of the said Executors and that the said Executors pay to them the specific legacies given to them by the said Testator [Timothy Rogers] when they shall emigrate to and arrive in Liberia and if they shall fail so to emigrate within twelve months, that then the said executors, pay and dispose of the same as directed by the said testator [Timothy Rogers] in relation to the residium of his estate and that the plaintiffs pay the Costs of this suit out of the estate of their Testator."<sup>lxxiv</sup>

Recall that back in March, Sale and Witt had a Deed or Emancipation recorded which in effect freed the slaves at that time. The court in this recent law suit confirmed that the slaves were emancipated. However, if they did not go to Liberia they would be sold back into slavery after twelve months as stipulated in the will. This 12 month rule applied to all those who were emancipated after 1 May 1806. This law continued in effect until the Civil War was over. Those born free after that date in 1806 were not affected. Timothy's will mirrored this law by stating that the slaves had to emigrate within twelve months.

Keeping the sequence in mind, on October 5 the court ruled Daniel and the others were free and they must go to Liberia to collect their portion of the hires. Less than a month later, on November 1, the remaining fifteen embarked for Liberia but Daniel, Bob, Phil and London refused to go. See Appendix E for the details of who sailed and at what date.

Six months later on 29 May 1860, Daniel, Bob, Phil and London were indicted for remaining in the State more than 12 months without lawful permission. This is 14 months after the slaves were granted a Deed of Emancipation.

In the 25 June 1860 session of the Bedford Court all four men plead not guilty. In the November court, Daniel's case is continued. The jury found Bob guilty and the judge "ordered that the defendant Bob Rogers forfeit his freedom and that he be sold as a slave by the sheriff of this county. The verdict for London and Phil has not been found."<sup>lxv</sup>

Daniel's case is put before the 25 Feb 1861 court but the order book just states "continued." Later that year on 28 Sept 1861, Daniel petitions to the court that he is an emancipated servant and the executors have assented to his freedom, and that he "desires to avail himself of the laws of this state allowing him to choose a master and to become a slave." He further states that he is over 30 years of age, lived in county all his life, has a wife and five children who are slaves of Robert C. Mitchell and he "hereby selects the said Robert C. Mitchell as his master and owner." His attorney is James F. Johnson. Eight months later, on 25 April 1862, the court ordered Robert C. Mitchell to be bound to Virginia for \$500 and in return the state "grants the said application" on the condition that will not become chargeable to any county or the state. Four days later, on 29 April 1862, The Bedford Court dismisses the case against Daniel for remaining in the state longer than twelve months. Daniel must have been under a lot of pressure in making this choice given that the Civil War had begun the previous year. He would be free after 1865.<sup>lxvi</sup>

There is an interesting reference from a note on a document in Liberia naming recently arrived settlers of Timothy Rogers. It states that "Willie, brother of one of the new arrivals," elected to remain a slave in America until he and his wife and daughter could gain their freedom together. The only William on any

of the lists of slaves is 12 years old when he sails to Liberia in May 1859. This could be an error and referring to Daniel.<sup>lxxvii</sup>

### **How did Timothy's freed slaves get to Liberia?**

The ship *Mary Caroline Stevens* made two voyages to Liberia each year, one in May and the other in November. Because of the challenges by Daniel and some of the other slaves to not go to Liberia, Sale and Witt were forced to send them in two sailings in 1859.

On the 7 May 1859, Sale's anxiety shows through in letter to McLain, "I would be glad if you would let me know when the ship will probably leave Baltimore, as the Negroes are now out of employment and are becoming very troublesome to me, besides some of them are girls and will form bad habits from this want of employment. Please let me know as near as you can the time when they will start."<sup>lxxviii</sup>

### **12 May 1859 – First sailing on the *Mary Caroline Stevens* from Baltimore.**

The *African Repository* was a monthly publication by the American Colonization Society and reported this sailing of the ship which was owned by the ACS.

"On the 12<sup>th</sup> May 1859, 99 free born and slaves were carried to Liberia. Among them are 12 free persons from Liberty, Bedford Co., VA; emigrated by the will of Timothy Rogers." Destined for Sinou. See Appendix E.<sup>lxxix</sup>

There is one small comment back from Liberia about the May group where Sale writes that, "In a letter from one of the people in Africa he stated that they did not get all the articles that were purchased for them in Baltimore." Stories like these did not create confidence in the slaves.<sup>lxxx</sup>

Some of the details of the problems in May 1859 are mentioned in this 6 Oct 1859 letter from Sale to McLain. "All preparations were made last spring to send the people emancipated by the last will and testament of Timothy Rogers died, to Liberia. But for some mysterious cause eighteen of the number refused to go. I understand that they will be willing to go this fall. Of those who remained are Francis who is about 40 years of age and her 10 children as follows Nancy 23 years of age, John 18, Martha 15, Jesse 12, Mary 10, Pleasant 7, Laura 5, Daniel 4, Betty 2 and Sophia an infant and Mary who is about 45 years of age and her four children whose ages and names are as follows Francis 12, Jesse 10, Ellen 8, Phebe 5, and four men Bob, Daniel, Phil and London. ... I shall make another effort to send them to Liberia & I would be glad if you would send me another printed form such as you furnished me with last spring so that I may send you their ages etc."<sup>lxxxi</sup>

As the emigrants arrived in Baltimore (or Norfolk), the agents for ACS or the auxiliaries were responsible for housing, checking supplies and storing luggage. They were also mindful for making sure the emigrants were not persuaded to change their minds or slip away from boarding the ship. Other stories of missing people reveal that they ran away from the party taking them to the vessel, or that abolitionists boarded the vessel at port to convince people not to go to Liberia. In the 1850s, and before, word was getting back from Liberia that many were dying of disease, etc, which made many people reluctant to go. There were also rumors that the ACS sailings were a ruse - that the ACS vessels were meeting slavers off the coast and people were being transported to southern ports for sale. Another story that indicates the distrust involved Rev. William Starr, mentioned earlier as a possible agent for the Rogers group. Representing a different group, Starr caused a stir in Norfolk when he confiscated the emigrant papers that identified them as free, claiming he was just sending them to

Richmond for certifying. Because of the protests, he was forced to return them to the emigrants waiting for departure.<sup>lxxxii</sup>

Sale mentions in his letters to McLain that he doesn't want his people to have their money until the ship docks in Liberia -- a ploy to make sure they didn't run before the ship left port. Old London was probably deceased, but Old Dick may have been alive and is not on the emigration lists. ACS was very reluctant to take older people to Liberia for fear they would not survive the trip across the Atlantic or that they would not survive malaria when they got to Africa.

Sometimes the agents orchestrated a scene to create good sentiment upon departure with speeches, songs and prayer. Just such a departure is reported for the May 1859 sailing with speeches from a number of ministers. One passage reads, "Today it is an interesting sight to see these ... colonists settle in that land with the Word of God in their hands."<sup>lxxxiii</sup>

The letters from Sale noted that women were traveling with children but without their husbands because the husband was enslaved by someone else. Then he noted that all the men were traveling as single, without wives. In these sorts of cases, sometimes the husbands will follow later after they have been freed or purchased their freedom. It was very common in Virginia for a husband and wife to be enslaved by different people. It may be hard to recognize the husbands who went later in this case because for some reason all the Rogers slaves were using (or forced to use) the Rogers surname. The husbands will not be using the Rogers surname, and the Rogers women may have changed to their surname once they arrived in Liberia.<sup>lxxxiv</sup>

### **1 Nov 1859 – Second sailing on the Mary Caroline Stevens from Baltimore.**

On 1 Nov 1859 from Kerr's Wharf [Baltimore], these 15 slaves of Timothy and Phebe Rogers are recorded as having sailed for Sinou, Liberia. There were 63 "Emigrants" on this trip. A note states that these 63 "make a total of 10,237 emigrants sent to Liberia by the American Colonization Society and its Auxiliaries." See Appendix E below for the full list of names.<sup>lxxxv</sup>

### **The "four men Bob, Daniel, Phil and London."**

Note that these four men are not named on the two lists and did not go to Liberia. As mentioned earlier, they were indicted on 27 Nov 1859 for staying illegally as free blacks in Virginia. This just a few weeks after the ship left for Liberia.

### **Did Timothy's Quaker childhood have any influence on the emancipation of his slaves?**

Quakers were among the first to fight for abolition of slavery. However restrictive state laws made it hard to know what to do about the plight of free blacks. Paul Cuffe, born to a native American mother and black father was sold into slavery as a child. His Quaker master emancipated Paul and he remained a Quaker. He became a wealthy ship Captain and was involved in the colonization of Sierra Leone. Colonization troubled many as a solution to the open wound of slavery. Cuffe died in 1817 and his example may have been an influence on Quaker thinking. Regardless, Colonization was a natural fit for Quakers who guarded their ways of living by separating themselves from society. Paul Cuffe was buried in a distant corner of the Quaker cemetery away from the white Quakers. One could be a free black but that did not mean one was a social equal. In 1816, North Carolina Quakers established the Manumission Society of North Carolina.<sup>lxxxvi</sup>

Timothy was raised by a Quaker family in a very strong Quaker community and disowned in 1807 at the age of 19. In 1831 he was visited by his Quaker father and step mother and would have been

admonished for his owning of slaves. He was probably asked why he has not emancipated his slaves and made an acknowledgment of the errors of his ways and joined the local Quaker community. If he was a drinker at the time, he would have been chastised for that as well. It is no wonder then, that when a complaint against Timothy Sr and his wife for leaving Martha with a slave owner was made, they declared, “the Child was detained without their consent and entirely against their wills.”

For sure, Timothy never returned to a Quaker life. And yet in David Royster’s lawsuit, David states that “Timothy Rogers was a man of peculiar temperament ... the said Timothy was well aware of the real title to the Negroes and of his wife’s desire at her death to will them to your orator or his family; a desire, which was [in] every way distasteful to him – militating, as it did, against his own cherished wish to emancipate them. ...<sup>lxxxvii</sup>

It is impossible to fully know why it was Timothy’s “cherished wish to emancipate them.” Did he simply dislike the Royster brothers and not want them to have the slaves? Or, in a more Quakerly way, did he wish to emancipate them because he felt deep down that slavery was evil?

Why would Timothy emancipate them on the condition they go to Liberia? If he set them free in Virginia he may have felt they would be in danger of being taken advantage of by the slave holding majority. If they were given money from the estate, they might lose it to unscrupulous people. Legally they would be under pressure to leave Virginia within 12 months. He may have believed they would have better prospects in Liberia.

### **What do we know about the slaves?**

The voice of the slaves is very silent in all the records available for this story. See the charts in the Appendices below of the various lists of the names of slaves. It is possible to construct some of the family groupings from these records.

Dick was the one constant name from the earliest list in 1818 to Timothy’s will in 1848 where he was referred to as old Dick and to be given \$50.

Gilbert is named in 1818 and in 1823 he is purchased by Timothy Rogers for \$300. He is not mentioned after that but is written in and crossed out of Phebe’s will in 1846 so probably still alive and owned by Timothy at that time.

London was also present in the first list and in Phebe’s will as old London in 1846. It appears he died before 1848. His wife was named as Clarissa and their children were named in the 10 Sep 1820 list as Mariah or Maria, Robert, Sally, Frank and Thomas; always in that order. Mariah probably died young as she ceased to be named in 1823. Aberilla was born later. The mother, Clarissa was named in 1824 but not in Phebe’s 1846 will so she likely had died by then.

Clarissa was named in John Crenshaw’s deposition that was presented earlier, “When I got there he [Timothy] told me he wanted to whip an old negro woman by the name of Clarissa and if he undertook to whip her, unless there was someone present, his wife would alarm the neighbours.” Crenshaw did not specify a year for the event.

Aberilla was swapped for Maria in the 1820 codicil. This Maria was not the daughter of Clarissa as her daughter of that name continues to be listed. Aberilla or Aby continued and was named in Timothy’s

1848 will and to be given \$50. Aberilla is named as the youngest child of Claracy (Clarissa) in the codicil of John Royster's will in 1820.<sup>lxxxviii</sup> In 1846, Aberilla's children are named as Harry, David and Mariah.

Sally, a daughter of Clarissa, has her children listed in 1846 as Clarissa, Sarah, Evelina and Amy. Sally was named in Timothy's will to be given \$50 and \$1 for each of her children. William was named as the youngest child in the 1859 lists.

Mary, Nancy, Frances and Daniel first appeared in 1823. In the 1848 will, Mary, Daniel and Frances are named as siblings. Their parents were not identified. Daniel was to receive \$100, Mary \$150 and Frances \$200 "in consequence of her children." The money was to be paid on their arrival in Liberia.

Nancy had a child named James in 1824. Nancy was probably not a sibling of Mary, Frances and Daniel and she and her child are not listed after 1824.

London [a second man of that name] and Phill were first named in 1846.

In the *Applicants to Liberia* list of Oct 1853, Daniel was said to be 27 years of age giving him a birth year of 1824. This corresponds closely to Daniel first being named in 1823 when he would have been the youngest of the three siblings. Frances is also on the list at 32 years of age.

The 1853 *Liberia* list named Mary (28) below Daniel's name and her children were Fanny (5) and Jesse (2). This Mary and her children are not the wife and children of Daniel because his wife and children were slaves of Robert Mitchell. This Mary is probably Daniel's sister.

Mary's children are Fanny [Frances?], Jesse, Ellen and Phebe as named on the 1859 lists.

Frances's children were named as Nancy, John, Martha, Jesse, Mary, Pleasant Laura, Daniel and Betty on the 1859 lists.

The slaves named on the 1853 list did not go to Liberia at that time. We know that in 1859, Daniel with his wife and 5 children had remained in Virginia as free people. Daniel, London, Phil and Bob [Robert] Rogers were charged in 1859 with staying in the State illegally and London, Phil and Bob were found guilty and to be sold back into slavery.

### **Was Timothy the father of any of his younger slaves?**

In 1823 Mary, Frances, Nancy, Sally and Aberilla were all named as slaves inherited by Phebe. The 1859 lists record a number of the people described as "light brown" or "mulatto." Is it possible that Timothy is the father of some of these people? Timothy's will gives an indication of who he deemed to be his favourite slaves. See Appendix H for a chart of information that helps visualize who are possible children of Timothy. Any children fathered by Timothy would be nine years of age or older by 1859 given that Timothy died in 1850.

Old Dick and Aberilla were given \$50 upon their arrival in Liberia. Daniel was given \$100 outright and was clearly Timothy's favoured male.

Sally and Aberilla were each bequeathed \$50 upon arrival in Liberia and they each had one child that was light brown and 17 and 12 years old respectively.

Mary and Frances are also candidates to having been the mother of children fathered by Timothy. Mary is granted \$150 outright and three of her children; Frances, Ellen and Phebe are bright brown or mulatto though “under 12.”

Frances was bequeathed “\$200 in consequence of her children.” Her daughter Martha is light brown and 15 years of age in 1859. Frances’s seven other children are under 12 and their skin colour is not identified.

It is easy to conclude that Timothy is very likely the father of some of the children of his slaves, especially the two who are named Phebe and Martha. Who else was there in the household to be the white father prior to Timothy’s death? Both the 1830 and 1840 census show one white male and two white females (wife Phebe and sister Martha) in the household. Slaves were considered property and thus not counted as household members. The chart in Appendix H identifies possible children who may have been fathered by Timothy. Modern Y-DNA analysis has found that one in three African American males carries the Y-DNA signature inherited from a direct white male ancestor which attests to the frequency of slave masters fathering children of their female slaves.<sup>lxxxix</sup>

### **What happened to Moses and Martha Lloyd and her daughters Phebe Ann and Mary?**

Moses B. Lloyd died 14 Jun 1869 at Pulaski, VA, age 60, according to his death certificate. He was born in New York. His parents were J. S. and Ellen Lloyd and his wife Martha Lloyd was still living.<sup>xc</sup>

“Phoebe Ann McDermed, married Dr. Stearnes, a native of Roanoke County, where his family had resided for many years, and where he was a prominent merchant in ante-bellum days. Her mother, Martha (Rogers) McDermed. was a native of Ontario, Canada. To Mr. and Mrs. McDermed were born two daughters. Phoebe Ann, now Mrs. Stearnes and with her husband, a resident of Salem, Virginia; and Mary, who married Dr. John Barbour Baskerville and is living at the home of her son-in-law, J. Howe Kent, Esq of near Dublin, VA. Dr and Mrs Stearnes had eight children ... [all named] ...<sup>xc</sup>

The 1900 census records Martha living in Pulaski, VA, with her son-in-law’s family. Martha is 83, b. Sep 1817 in Canada Eng and the mother of 3 children. Her parents are both stated to be born in NY. The household includes Dr. J B Baskerville, 54, VA; May T Baskerville, 51, VA; May Baskerville, dau, 26, VA; Martha Lloyd, mother-in-law and J. Howe Kint [sic – Kent], son-in-law, 31, VA.<sup>xcii</sup> Mary’s death certificate states that she was born 15 Sep 1849 in Bedford and died 9 Apr 1926, a widow, in Dublin, Pulaski.<sup>xciii</sup>

Martha Rogers passed away in 1902. According her grave stone, Martha Rogers Lloyd was born 24 May 1819 and died 31 Mar 1902 in Dublin, Pulaski, VA, and was buried in the New Dublin Presbyterian Church Cemetery.<sup>xciv</sup> Her father’s Journal records the dates of all the children’s birthdays and Martha’s is recorded as 3 9 mo [Sep] 1819. Probably Timothy Rogers Sr had it right; likely taken from his Family Bible.

### **Who of the freedmen and women were in Bedford County after the Civil War?**

Did Frank, Thomas and Frances and Mary with their children return from Liberia? After the Civil War, Daniel, Bob, London and Phil would now be free again. If they had wives before the war, they could now join them. Marriages by slaves before emancipation were not recognized by the law. In 1866 Virginia law validated slave marriages and the Freedmen's Bureau wanted to help former slaves have their marriages recognized and the children of that marriage have legitimacy according to the law. The Freedmen's Bureau made lists of these couples that they referred to as cohabitants. The Library of Virginia has these 'Cohabitation Records' on line but Bedford is not there and may not have survived.<sup>xcv</sup>



Daniel, Phil, Frank, Frances and Mary have not been found in the 1870 Census for Virginia with the surname Rogers, Rodgers and Mitchell.

**Bob** was “about” 50 in 1859 and thus about 60 in 1870. The 1870 census has a Robert Rodgers living in Liberty Township, District 1, Bedford Co, VA. Robert Rodgers, age 60, Farm laborer, is the head of the household. His wife Claracy, 58, b. 1811-12, keeping house, are living with Fanny Nelson, 30, no occupation; Lewis R. Nelson, 9, ~~working in tobacco factory~~; Mary Francis Nelson, 6 and Elijah Grant Nelson, 4. All black and born in VA.<sup>xcvi</sup>

**Thomas** was “about” 37 in 1859 and thus about 48 in 1870. He emigrated to Liberia in 1859. **London** Rodgers is living in the household of Thomas Hurt, 45, in Liberty according to the 1870 census. Thomas Hurt could this be Tom Rogers who emigrated to Liberia using a new surname. It is possible. Thomas Hurt has a wife, Jemima, 45; children Eliza S, 16; Alice, 8; Charles, 5 and Nannie, 3. All are black and born in Virginia.

As mentioned, living with Thomas Hurt is **London Rodgers** and his family. London was “about” 33 in 1859 and thus about 44 in 1870. The 1870 census records London Rodgers, age 41, Farm laborer, his wife Millie, 36 is keeping house and the children are Kittie, 19, working in a tobacco factory; Wm D., 16; Robert W.; Anson J, 12; Frank T., 4; Ann M., 2/12. All black and born in VA.<sup>xcvii</sup>

On 23 May 1871, London Rogers and Daniel Quarles are indicted by a Grand Jury for “housebreaking.” Three days later, London pled not guilty. Then on 27 May, London now pled guilty and he was sentenced to 6 months in the county jail.<sup>xcviii</sup> A Daniel Quarles age 35 is living in Liberty as recorded in the 1870 census but based on age would not be Daniel Rogers with a new surname.

### **Did any of the freed people return from Liberia?**

Liberian records are scarce and no concerted effort was made to see if some of the Liberian emigrants returned to America and Bedford County in particular. As noted above, perhaps Thomas returned and assumed a different surname. If Frances and Mary returned with their children they may have returned to the father of their children with a different surname.

### **Acknowledgments**

This story may never have come to light without the transcription of the Yonge St Minute Books done by Carm Foster and Doug Smith. The tiny statement that a complaint against Timothy Rogers Sr for leaving his daughter with a slave owner started the whole hunt. Thanks to the following. Karen Rowlett, Deputy Clerk, Bedford Court Circuit who first responded to the author’s posting on the Bedford Rootsweb mailing list and offered her assistance. Douglas Burnett of Satellite Beach, FL, who directed the author to the online Chancery Court records. Carm Foster who found the connection to Timothy Rogers Jr in Bedford Co., VA and helped in a significant way in the transcribing of excerpts from the many court documents. Deborah Lee of the [Virginia Emigrants to Liberia Project](#) for her direction. Jane Ailes of Virginia who directed me to the ACS letters and provided insight into the experiences of Liberian emigrants. Uncovering a story like this always requires a team effort. My sincerest thanks.

### **Highly recommended books.**

*The War Before the War, Fugitive Slaves and the Struggle for America’s Soul from the Revolution to the Civil War*, Andrew Delbanco, Penguin, 2018.

*Denmark Vesey's Garden: slavery and memory in the cradle of the Confederacy*, Ethan Kyle and Blain Roberts, New Press, 2018.

*Family Bonds, Free Blacks and Re-enslavement Law in Antebellum Virginia*, Ted- Maris Wolf, Univ. North Carolina, 2015.

**Appendix A: 1822 sale of the slaves of John Royster at auction.**

Below is a portion of the account done by David Royster as the administrator for the settlement of his father's estate in 1823.

Library of Virginia, Chancery Court, Index No. 1854-032, case 618, image 77.

"The Estate of John Royster dec<sup>d</sup> In acct with David Royster admr"

1822 Jany 15	Cr[edit]	
	By Cash received for the following Negroes sold By Auction	
	For Peter	150
	Dick	300
	Phill	200
	Reubin	250
	Eliza & child Henry	200
	London Clarisy & their Family Frank, Sally, Thomas, Aberilla & Amy	800
	Mariah	200
	Judith	200
	Gilbert	300
	By Cash received for 4 cows	31

**Appendix B: Slave lists 1818 to 1824**

Desc.	John Royster	John Royster	David Royster	Joseph Royster	Joseph Royster	D & J Royster	James C Steptoe
	Will	Codicil	to Phebe	sell Phebe, \$1500	sell Phebe, \$2000	sell to Tim R, \$300	conveyance
Date	14 Oct 1818	10 Jan 1820	10 Sep 1822	18 Jun 1823	21 Jul 1823	29 Dec 1823	29 Mar 1824
Index; case	1854-032; 618	1854-032; 618	1854-032; 618	1854-032; 618	1854-032; 618	1854-032; 618	1854-032; 618
Image	4	4	101	105	96	107	111-112, 116- 119
	London		London	London	London		London
	Clairacy		wife Clarissa	Clarissa	Clarissa		Clarissa
	ch: Maria	Maria	ch: Mariah		-	-	-
	ch: Robert		ch: Robert	Robert	Robert		Robert
	ch: Sally		ch: Sally	Sally	Sally		Sally
	ch: Frank		ch: Frank	Frank	Frank		Frank
	ch: Thomas		ch: Thomas	Thomas	Thomas		Thomas
	Big Dick		Dick	Dick	Dick		
	Gilbert		Gilbert			Gilbert	
		Aberilla	Aberilla	Aberilla	Aberilla		Aberilla
					Nancy		Nancy
							Ch: James
					Mary		Mary
					Frances		Frances
					Daniel		Daniel

### Appendix C: 24 April 1850

This inventory was taken shortly after Timothy Rogers died by his executors.  
Library of Virginia, Chancery Court, Index No. 1854-032, case 618, image 68.

“An appraisement of the estate of Timothy Rogers Dec’d taken on the 24 day of April 1850”

1 negro man Robert	530
1 “ “ Frank	500
1 “ “ Daniel	700
1 “ “ London	650
1 Boy Harvey	550
1 “ Davey	450
1 woman Mary	300
1 “ Francis & infant child Mary	700
1 Girl Maria	350
1 Woman Sally	300
1 Girl Lucinda	450
1 “ Clarisa	350
1 “ Angelian	300
1 “ Fanny	200
1 “ Anny	175
1 “ Martha	225
1 Boy John	350
1 “ Jesse	250
1 “ William	200

“The following slaves were hired out & were not present: from our knowledge of them we suppose them to be worth the following prices viz”

1 Man Lorn	600
1 “ Phil	700
1 woman Aba	400
1 Girl Nancy	475
1 “ Sarah	350
[Total]	10,055

## Appendix D: Slave lists 1846 to 1853

<b>Phebe Rogers</b>	<b>Tim Rogers</b>	<b>Applicants to</b>	<b>Applicants to</b>
<b>Will</b>	<b>Will</b>	<b>Liberia</b>	<b>Liberia</b>
<b>10 Apr 1846</b>	<b>1 Dec 1848</b>	<b>Nov 1850</b>	<b>May 1853</b>
<b>1854-032; 618</b>	<b>1855-45; 6030</b>	<b>ACS, Ed. Lib.</b>	<b>ACS, Ed. Lib.</b>
<b>114</b>	<b>127-129</b>	<b>Emig. 188</b>	<b>Emig. 192</b>
old London		Robert, 41	Daniel 27
old Dick	old Dick \$50	Sally, 39	Mary, 28
Robert	Daniel \$100	Frank, 37	ch: Fanny, 5
Frank	Mary, Daniel's	Mary, 35	ch: Jesse, 2
Phill	sister, \$150	Jim, 34	
Thomas	Frances, their	Frances, 30	Frances, 32
London	sister \$200 -	Abarella, 29	ch: Nancy, 16
<del>Gilbert</del>	her children	Daniel, 28	ch: Jim, 12
<del>Mariah</del>		Philip, 24	ch: Martha, 8
Aby	Aby \$50	London, 21	ch: Jesse, 6
ch: Harry		Nancy, 15	ch: Mary, 4
ch: David		Harvey, 13	ch: Sophia, 2
ch: Mariah		Lucinda, 13	ch: Jesse, 6mo
		Clarissa, 11	
Sally	Sally \$50	David, 11	12
ch: Clarissa	ch: each \$1	John, 10	
ch: Sarah		Sarah, 10	
ch: Evelina		Mariah, 8	
ch: Amy		Evalina, 8	
		Martha, 6	
		Amy, 5	
		Jepthai?, 4	
		Fanny, 3	
		William, 3	
		Mary, 3	
		Sophia, 2 wks	

## Appendix E: Slave lists 1859

List of slaves	Deed of Emancipation	Sailed to Liberia [+]	Sailed to Liberia [++]
Estate of Tim R.	30 March 1859	12 May 1859	1 Nov 1859
Undated [prob. 1859]	Bedford Co, Deed Bk	Afr. Reposit.	Afr. Reposit.
LVA, Free Negro	40/338-339	V35, 172-3	V35, 389
Miscellaneous	Bob [refused to go]		Mary, 45
	Frank +		Fanny, 12 [Frances?]
Bob, 50	Daniel [refused to go]	Frank, 46	Jesse, 10
Sally, 50	Tom +		Ellen, 8
Frank, 46	Phil [refused to go]	Tom, 37	Phebe, 5
Mary, 45	London [refused to go]		Frances, 40
Tom, 37	Sally +	Aberilla, 42	Nancy, 23
Frances, 40	Clarissa +	ch: Harvey, 20	John, 18
Aberilla, 42	Sarah +	ch: Davy, 18	Martha, 15
Daniel, 38	Emeline +	ch: Maria, 16	Jesse, 17
Phill, 35	Amy +		Mary, 10
London, 33	William +		Pleasant, 7
Nancy, 23	Mary ++		Laura, 5
Harvy, 20	Frances ++, dau of Mary		Daniel, 4
	Jesse ++, son of Mary	Sally, 50	Bettie, 2
Clarissa, 20	Aberitta + [sic]	ch: Clarissa, 20	
Davy, 20	Harvey +	ch: Sarah, 17	
John, 18	Maria +	ch: Emeline, 15	
Sarah, 17	Davy +	ch: Amy, 14	
Maria, 16	Frances ++	ch: William, 12	
Emeline, 15	Nancy ++	[total 12]	[total 15]
Martha, 15	John ++		
Amy, 14	Martha ++		
Jesse, 12	Jesse, son of Frances		
Francs, 12	Mary, dau of Frances		
William, 12	Below born after will made.		
	Ch. of Frances above		
	Pleasant ++		
	Laura ++		
	Daniel ++		
	Betty ++		
	Sophia [died bet'n Mar & Nov?]		
	Ch. of Mary above		
	Ellen ++		
	Phebe ++ [total 32]	[12+4 refuse=16]	[15+1 death=16]

## Appendix F: 28 Mar 1859.

Register of Free Negroes, 1820-1860, Bedford County, VA, LVA, film 120a, entry dated 28 March 1859 at the same time as the Deed of Emancipation was recorded by the Bedford Court. Information was listed beside each name. Presented here in chart form.

Name	Age	Color	Height	Notes
Daniel	38	Bright Black	5' 11"	Scar caused by a burn on the inside of the left thigh.
John	18	Black	5' 10 1/2"	No scars visible.
London	33	Black	5' 9"	No scars visible.
Davy	20	Black	5'5 1/2"	Small scar under the chin on the left side.
Phil	35	Black	5' 7 1/2"	Small scar on the right temple opposite the right eye.
Bob	50	Black	5' 10 1/2"	Small scar under the left eye.
Harvey	20	Black	5' 9"	Small scar in the forehead.
Tom	37	Black	5' 6 1/2"	Small scar in the forehead.
Frank	46	Black	5' 3 3/4"	No scars visible.
Sally	50	Black	5' 4 5/8"	No scars visible.
Sarah	17	Light brown	5' 2 3/4"	Small scar over the left eye& scar on the left wrist caused by a burn.
Nancy	23	Dark brown	5' 1/2"	Scar of the left arm near the elbow on the inside the arm.
Mariah	16	Dark brown	5' 1/2"	Four scars on the left arm caused by burns.
Aberilla	42	Black	5' 1 1/2"	Scar under right eye.
Amy	14	Dark brown	5'	Small scar on the forehead near the hair as if caused by a burn.
Jesse	12	Light brown	4' 10"	Scar on the forehead left side. Also a scar on the left arm above the elbow as if caused by something.
Bob [sic]	50	Black	5' 10 1/2"	Small scar under the left eye.
Emiline	15	Dark brown	5'	Scar on the forehead near the hair.
Mary	45	Bright Black	5' 5 5/8"	A scar under the left ear extending towards the cheek bone.
Frances	under 12	Bright Brown		child of Mary
Ellen	under 12	Mulatto		child of Mary
Phebe	under 12	Mulatto		child of Mary
Frances	40	Light brown	5' 4 1/2"	Small scar on the left cheek under the eye.
Jesse	under 12			child of Frances
Mary	under 12			child of Frances
Pleasant	under 12			child of Frances
Laura	under 12			child of Frances
Daniel	under 12			child of Frances
Betty	under 12			child of Frances
Sophia	under 12			child of Frances
Martha	15	Light brown	5' 2 1/2"	Scar of left side of neck & scar on right hand & a scar on the left shoulder caused by a burn
Clarissa	20	Very black	4' 10 1/2"	No scars visible



**Appendix G: Undated, probably 1859.** Free Negro and Slave Records, 1764-1860, Bedford County, Library of Virginia, folder 4, Misc., "List of the slaves belonging to the Estate of Timothy Rogers", barcode 1138015. Information was listed beside each name. Presented here in chart form. This list is obviously a partial copy of the list in the previous Appendix.

Sheet	Name	Age	Color	Height	Scars
1	Aberilla	42	Black	5' 5 1/2"	Scar under right eye.
	London	33	Black	5' 9"	No scars visible.
	Davy	20	Black	5'5 1/2"	Small scar under the chin on the left side.
	Phill	35	Black	5' 7 1/2"	Small scar on the right temple opposite the right eye.
	Amy	14	Dark brown	5'	Small scar on the fore[head] near the hair as if caused by a burn.
	Francis	40	Light brown	5' 4 1/2"	Small scar on the left cheek under the eye.
	Jesse	12	Light brown	4' 10"	Scar on the forehead left side. Also a scar on the left arm above the elbow as if caused by something.
	Bob	50	Black	5' 10 1/2"	Small scar under the left eye.
2	Mary	45	Bright Black	5' 5 5/8"	A scar under the left ear intending towards the cheek bone.
	Sally	50	Black	5' 4 5/8"	No scar visible.
	Daniel	38	Bright Black	5' 11"	Scar caused by a burn on the inside of the left thigh.
	John	18	Black	5' 10 1/2"	No scar visible.
	Sarah	17	Light brown	5' 2 3/4"	Small scar over the left eye& scar on the left rist caused by a burn.
	Nancy	23	Dark brown	5' 1/2"	Scar of the left arm near the elbow on the inside the arm.
	Mariah	16	Dark brown	5' 1 1/2"	Four scars on the left arm caused by burns.
3	Harvey	20	Black	5' 9"	Small scar in the forehead.
	Tom	37	Black	5' 6 1/2"	Small scar in the forehead.
	Frank	46	Black	5' 3 3/4"	No scars visible.
	Emiline	15	Dark brown	5'	Scar on the forehead near the hair.

**Appendix H:** Timothy may have been the father of some of those named below.

See Appendix F above for the source of this information.

Name	child	Age in 1859	colour	1848 Inheritance
Old Dick				\$50 upon arrival in Liberia
Daniel			Bright black	\$100
Mary		45	Bright black	\$150
	<b>Frances</b>	under 12	Bright brown	
	<b>Ellen</b>	under 12	Mulatto	
	<b>Phebe</b>	under 12	Mulatto	
Frances		40	Bright brown	\$200, (in consequence of her children)
	<b>Martha</b>	15	Light brown	
	7 children	under 12	colour not stated	
Sally		50	Black	\$50, \$1 per child upon arrival in Liberia
	<b>Sarah</b>	17	Light brown	
Aberilla		42	Black	\$50 upon arrival in Liberia
	<b>Jesse</b>	12	Light brown	

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<sup>i</sup> TIMOTHY ROGERS, 22 5 mo. 1756 - 23 11 mo. 1834 Married (1st), 07 1 mo. 1776 SARAH WILDE, 3 1 mo. 1759 - 13 1 mo. 1812  
CHILDREN OF TIMOTHY AND SARAH WILDE ROGERS

1. Obadiah Rogers, 31 12 mo. 1776-
2. Hannah Rogers, 9 9 mo. 1778- 27 7 mo. 1809
3. James Rogers, 7 3 mo. 1780-
4. Mary Rogers, 22 5 mo. 1782- 13 7 mo. 1809
5. Lydia Rogers, 4 6 mo. 1784- 19 8 mo. 1809
6. Sarah Rogers Jr., 26 8 mo. 1786-
7. Timothy Rogers Jr., 6 6 mo. 1788- [disowned 7/12/1807]
8. Elizabeth Rogers, 13 5 mo. 1790-
9. John Rogers, 3 5 mo. 1793- 1 12 mo. 1809
10. Asa Rogers, 16 2 mo. 1795-
11. Matilda Rogers, 21 2 mo. 1797-
12. Wing Rogers, 23 10 mo. 1798-
13. Elmsley Rogers, 12 9 mo. 1800- 3 12 mo. 1809
14. Stephen Rogers, 25 11 mo. 1802-

Married (2nd) 28 10 mo. 1813, at Woodbridge, N.J. ANNA HARNED, 12 12 mo. 1780- 16 12 mo. 1846  
CHILDREN OF TIMOTHY AND ANNA HARNED ROGERS

15. Jonathon Harned Rogers, 30 6 mo. 1814- 16 1 mo. 1888
16. Sarah Rogers, 5 10 mo. 1815- 16 6 mo. 1847
17. Martha Rogers, 3 9 mo. 1817-
18. John Wilde Rogers, 13 2 mo. 1819-
19. David Timothy Rogers, 8 12 mo. 1820-

Source: The Journal of Timothy Rogers, at cfha.info, page vii, <http://www.cfha.info/journalrogers.pdf>

<sup>ii</sup> See Yonge St transcriptions at Canadian Friends Hist. Assoc. <http://www.cfha.info/transcriptions.html>

**At Yonge Street preparative meeting held the 17th of the 7th month 1806. (O-11-1)**

Timothy Rogers produced to this meeting two blank Books for the meetings use.

Also a letter from friends of Philadelphia containing a number of Books, paper etc with directions to deliver one book of each sort to Timothy Rogers Jur. the said books paper etc being for the use of the School, under the direction of this meeting. Amos Armitage, Charles Chapman, Abraham Webster, Samuel Lundy, Isaac Phillips, Nathaniel Pearson & Asa Rogers are appointed to take charge of the said Books etc and also to have the oversight of the school that is now or may be put under the care of Timothy Rogers Jnr. and report their care as occasion may require.

**At yonge street Preparative Meeting held the 17th day of the 7th Month. 1806. (O-11-6 Monthly Meeting Minutes)**

Timothy Rogers produced to this Meeting 2 blank book for the Meetings use, Also a letter from friends of Philadelphia Containing a number of books paper &c. with directions to deliver one book of eac[h] sort to Timothy Rogers Jun.r the said books paper &c, being for the use of A school. under Under the direction of this Meeting. - therefore the Meeting Appoints Amos Armitage. Charles Chapman. Abraham Webster. Samuel Lundy. Isaac Phillips. Nathaniel Pearson and Asa Rogers, to take charge of the said books paper &c.

**At Yonge Street preparative meeting held the 18th of 9th month 1806. (O-11-1)**

The committee appointed to have the care of the school report that they have attended to the service and have took charge of the Books and delivered one of each sort agreeable to directions and Timothy's quarter being expired and that under present circumstances it would be best for this meeting not to place him as a teacher in the school for the time mentioned in the letter from the friends of Philadelphia. The meeting after a time of deliberation thereon unites with the report and the clerk is desired to transmit a copy of the Above report to the authors of the said letter.

For a fuller history of the Yonge Street Monthly Meeting school, see Newlands, David "The Yonge Street Friends School 1806-1828", York Pioneer 1976 Vol. 71, No. 2: 12-16.

<sup>iii</sup> See Yonge St transcriptions at Canadian Friends Hist. Assoc. <http://www.cfha.info/transcriptions.html>

**At Yonge Street preparative meeting held the 10th of 12th month 1807. (O-11-1)**

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The overseers Inform, that Timothy Rogers Junr hath Joined the Military and accepted an office therein, which is directed to the monthly meeting.

**At Yonge street Monthly Meeting held the 17th Day of the 12th Month 1807.**

... Timothy Rogers Jur hath Joined the Military by accepting an Office therein the Meeting Appoints Israel Lundy & John Doan to visit him and Report their sense in his case to Next Meeting.

<sup>iv</sup> See Yonge St transcriptions at Canadian Friends Hist. Assoc. <http://www.cfha.info/transcriptions.html>

**At Yonge street Monthly Meeting held the 17th Day of the Third Month 1808.**

One of the Committee in the Case of Timothy Rogers Jur Infomd, that he in company with another friend, had An opportunity with him but he appearing Dispos'd to Make No acknowledgement for his Error - The Meeting appoints Theodore Winn & Charles Chapman to prepare an Essay of A testimony against him for the Approbation of Next Meeting and inform him of the Result of this.

**At Yonge Street Monthly Meeting held the 14th Day of the 4th Month 1808.**

The friends Appointed to prepare A Testimony against Timothy Rogers Jur : and Inform him of the Result of last Meeting on his case Reported; that they have Attended to the Servise - And produced one which was read approved and Signed Israel Lundy and Nathaniel Pearson are appointed to Deliver him a copy thereof and Inform him of his right to Appeal; & Report to Next Meeting.

<sup>v</sup> Timothy Rogers Journal, 113

<sup>vi</sup> The Journal of Wing Rogers, Appendix 2 to the Journal of Timothy Rogers, page 145, <http://www.cfha.info/journalrogers.pdf>

<sup>vii</sup> Google "Virginia Memory Chancery Index." Scroll down and select Bedford as the county and under surname, one name per search, Rogers then Rodgers as the plaintiff and Rogers as the defendant. The images come up as individual pdfs which can be downloaded as a group then later merged for easier study. <http://www.virginiamemory.com/collections/chancery/>

<sup>viii</sup> Library of Virginia, Chancery Court, Index No. 1855-45, case 6030, images 60, 61.

<sup>ix</sup> Personal Tax records, LVA, various counties. Goochland Co, 1821-25, reel 137; Bedford Co, 1817-24, reel 36; Campbell Co, 1815-23, reel 67; City of Lynchburg, 1817-24, reel 356; Richmond Co, 1820-23, reel 297; Botecourt Co, 1823-24, reel 49; City of Richmond, 1816-19, reel 364. Tax Land Books, City of Richmond, 1820-23, reel 366. Bedford Co Deed Bk #18, p. 171, film 8.

<sup>x</sup> See also, Rogers Family, compiled by Kathy Miklovic, 1990, p.3. No citation of the marriage record is given. Copy online at City of Pickering web site.

<https://corporate.pickering.ca/PLHCWebLink/0/edoc/170671/544.pdf>

See also: Virginia Marriages, 1785-1940." Database at FamilySearch.org

See also: Library of Virginia, Chancery Court, Index No. 1854-032, case 618, image 7.

<sup>xi</sup> Library of Virginia, Chancery Court, Index No. 1854-032, case 618, image 4.

<sup>xii</sup> Bedford County Court, Deed Book #18, 287-288, LVA, film 8

<sup>xiii</sup> Library of Virginia, Chancery Court, Index No. 1854-032, case 618, images 105, 116-119. Also, LVA, Bedford Co. Deed Book #18, p. 287-288, reel 8.

<sup>xiv</sup> Bedford County Court, Deed Book #18, 290-291, LVA, film 8.

<sup>xv</sup> Library of Virginia, Chancery Court, Index No. 1854-032, case 618, images 22, 111.

<sup>xvi</sup> Library of Virginia, Chancery Court, Index No. 1828-031, images 36, 8, 23, 29

<sup>xvii</sup> Richmond Enquirer, 1815, semiweekly, 22 May 1827, from the obituaries compiled by Bernard J. Henley. LVA film 23a. Obituary on line at LVA. [http://lva-linux-temp.hosted.exlibrisgroup.com:8991/F/1M7IF4TRCG3T17VI2E18LS84MVJI88ELJVLV5LBMEHF2U9FK96-40362?func=full-set-set&set\\_number=000545&set\\_entry=000002&format=999](http://lva-linux-temp.hosted.exlibrisgroup.com:8991/F/1M7IF4TRCG3T17VI2E18LS84MVJI88ELJVLV5LBMEHF2U9FK96-40362?func=full-set-set&set_number=000545&set_entry=000002&format=999)

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<sup>xviii</sup> See Yonge St transcriptions at Canadian Friends Hist. Assoc. <http://www.cfha.info/transcriptions.html>

**Yonge Street Monthly meeting held the 17<sup>th</sup>. of 6<sup>th</sup>. m<sup>o</sup>. 1830 (O-11-4)**

Timothy Rogers informed this meeting that he and Anna his wife has a prospect of visiting his son who resides in the State of Virginia, and to take their minor son John W. Rogers with them, and requests a minute of their right of membership which being considered and having the unity of the womens meeting it was concluded to furnish them with such a minute signed by the Clerks

**Yonge Street Monthly meeting held the 15<sup>th</sup>. of 7<sup>th</sup>. m<sup>o</sup>. 1830 (O-11-4)**

The Clerk is directed to sign a minute of the right of membership of Martha Rogers, a minor Daughter of Timothy and Anna Rogers, they having concluded to take her with them on their proposed visit to Virginia ~

<sup>xix</sup> **Yonge Street Monthly meeting held the 18<sup>th</sup>. of 8<sup>th</sup>. m<sup>o</sup>. 1831 (O-11-4)**

Timothy Rogers and Ann his Wife returned the minutes which they obtained from this meeting in the 6<sup>th</sup>. and 7<sup>th</sup>. months 1830, and Timothy informed that they left their minor Daughter Martha under the care of his son Timothy Rogers, a slave holder - the subject being deliberately considered the meeting united in appointing a Committee to join a Committee of women friends to make inquiry of the friends and endeavour to ascertain the cause and their motives for leaving their said Daughter in such a situation and report to next meeting ~ to which service the following friends are appointed (Viz) John A. Haight - Henry Widdifield - Asa Randall and Thomas Linvill

<sup>xx</sup> New York Yearly Meeting, Book of Discipline, 371-2, as reported by Gord Thompson, Chair, Cdn Friends Hist. Assoc.

<sup>xxi</sup> **Yonge Street Monthly meeting held the 15<sup>th</sup>. of 9<sup>th</sup>. M<sup>o</sup> 1831 (O-11-4)**

Six of the joint Committee appointed to inquire of Timothy and Anna Rogers concerning leaving their minor Daughter Martha Rogers in the care of a Slave holder make the following report ~

We of the Committee appointed to inquire of Timothy and Anna Rogers respecting leaving their Daughter Martha Rogers with a Slave holder have had a solid oppertunity with them, and it appears to us by the information received from the parents that the Child was detained without their consent and entirely against their wills

<sup>xxii</sup> **Yonge Street Monthly meeting held the 12<sup>th</sup>. of 1<sup>st</sup>. m<sup>o</sup>. 1832 (O-11-4)**

An essay of a Certificate recommending Martha Rogers a minor Daughter of Timothy and Anna Rogers as a member, to South River Monthly Meeting State of Virginia, being produced from the womens meeting, was read approved and signed, and directed to be recorded and sent to that meeting.

**Yonge St Monthly Meeting, Removal Certificates 1806 – 1879 (O-12-4)**

[Dated 12th Day of the 1st month 1832]

To South River Monthly meeting, Campbell County State of Virginia [Campbell County was created out of Bedford County. These counties share a border and surround the city of Lynchburg, VA.]

Dear Friends This meeting being informed that Martha Rogers a minor Daughter of Timothy and Anna Rogers is placed within the compass of your meeting; these may certify that she is a member of our religious Society, as such we recommend her to your Christian care and oversight and are your friends Signed in and on behalf of Yonge Street monthly meeting of friends upper Canada, held the 12th Day of the 1st month 1832 By Thomas Linvill Clk and Correspondent Margaret Wright Clerk

<sup>xxiii</sup> Our Quaker Friends of ye olden time; being in part a transcript of the minute books of Cedar Creek meeting, Hanover County, and the South River meeting, Campbell County, Va, JP Bell, 1905, Certificates of Removal, page 124, online at [archive.org <https://archive.org/stream/ourquakerfriends00bell/page/124>](https://archive.org/stream/ourquakerfriends00bell/page/124)

<sup>xxiv</sup> South River Meeting House

<http://www.qmpc.org/srmh.htm>

South River minutes

[https://archives.tricolib.brynmawr.edu/repositories/9/resources/5008#!#add\\_desc](https://archives.tricolib.brynmawr.edu/repositories/9/resources/5008#!#add_desc)

<sup>xxv</sup> Library of Virginia, Chancery Court, Index No. 1855-45, case 6030, image 71.

<sup>xxvi</sup> Library of Congress, 1859 Map of Virginia, G3880 1859 .B6. <http://hdl.loc.gov/loc.gmd/g3880.ct001518>

<sup>xxvii</sup> Library of Virginia, Chancery Court, Index No. 1860-034, case 872, image 28.

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<sup>xxviii</sup> Library of Virginia, Chancery Court, Index No. 1854-032, case 618, image 54

<sup>xxix</sup> 1850 census, Botecourt Co, VA. <http://files.usgwarchives.net/va/botetourt/census/1850/pg0061a.txt>

United States Census, 1850," database with images, FamilySearch (<https://familysearch.org/ark:/61903/1:1:M885-5GR> : Daniel Mcdermid, Botetourt county, Botetourt, Virginia, United States; citing family 414, NARA microfilm publication M432 (Washington, D.C.: National Archives and Records Administration, n.d.).

<sup>xxx</sup> WorldConnect database, <https://wc.rootsweb.com/cgi-bin/igm.cgi?op=Search&includedb=&lang=en&ti=&surname=mcdermed&stype=Exact&given=daniel&bplace=&byear=&brange=0&dplace=&dyear=&drange=0&mplace=&myear=&mrage=0&father=&mother=&spouse=martha&skipdb=&period=All&submit.x=Search>

<sup>xxxi</sup> Library of Virginia, Chancery Court, Index No. 1855-45, case 6030, images 57-8, 89&91, 110-111.

<sup>xxxii</sup> Library of Virginia, Chancery Court, Index No. 1855-45, case 6030, images 51-57.

<sup>xxxiii</sup> Library of Virginia, Chancery Court, Index No. 1854-032, case 618, images 42-47.

<sup>xxxiv</sup> Library of Virginia, Chancery Court, Index No. 1854-032, case 618, images 6-8, will is on 114.

<sup>xxxv</sup> Library of Virginia, Chancery Court, Index No. 1854-032, case 618, images 8 and 9.

<sup>xxxvi</sup> Library of Virginia, Chancery Court, Index No. 1854-032, case 618, images 6, 7, 12. George C. Watkins ledger books, 1835-1862, Central Arkansas Library System, <https://arstudies.contentdm.oclc.org/digital/collection/findingaids/id/4055/>

<sup>xxxvii</sup> Library of Virginia, Chancery Court, Index No. 1854-032, case 618, image 92.

<sup>xxxviii</sup> Library of Virginia, Chancery Court, Index No. 1855-45, case 6030, image 5. ACS, incoming letters, domestic, 1 Jul-15 Nov 1852, 216 ½, 371, on line Fold3.com

<sup>xxxix</sup> Library of Virginia, Chancery Court, Index No. 1855-45, case 6030, images 127-129.

<sup>xl</sup> The Revised Code of the Laws of Virginia: Being a Collection of ..., Volume 1, page 421 and emancipation is covered on 433-434. Thanks to Jane Ailes for providing this information. [https://books.google.ca/books?redir\\_esc=y&id=JxdEAAAAYAAJ&q=421#v=snippet&q=421&f=false](https://books.google.ca/books?redir_esc=y&id=JxdEAAAAYAAJ&q=421#v=snippet&q=421&f=false)

<sup>xli</sup> James Leftwich appears to be alive on a document dated 22 Apr 1850 and stated to be deceased on a document dated 10 Aug 1852. Library of Virginia, Chancery Court, Index No. 1854-032, case 618, images 33, 109.

<sup>xlii</sup> Library of Virginia, Chancery Court, Index No. 1854-032, case 618, images 72-75

<sup>xliiii</sup> Library of Virginia, Chancery Court, Index No. 1854-032, case 618, image 82

<sup>xliiv</sup> Library of Virginia, Chancery Court, Index No. 1854-032, case 618, image 6.

<sup>xlv</sup> Library of Virginia, Chancery Court, Index No. 1854-032, case 618, image 127.

<sup>xlvi</sup> Library of Virginia, Chancery Court, Index No. 1854-032, case 618, images 80-91.

<sup>xlvii</sup> Library of Virginia, Chancery Court, Index No. 1859-036, case 835, image 9.

<sup>xlviii</sup> Bedford County, Circuit Court, Order Book 32, p. 13, LVA, film 49.

<sup>xlix</sup> Library of Virginia, Chancery Court, Index No. 1855-45, case 6030, images 117-120.

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<sup>i</sup> Library of Virginia, Chancery Court, Index No. 1855-45, case 6030, images 188.

<sup>ii</sup> Library of Virginia, Chancery Court, Index No. 1855-45, case 6030, images 190.

<sup>iii</sup> Find A Grave, database and images (<https://www.findagrave.com> : accessed 17 December 2018), memorial page for Daniel McDermed (11 Jan 1818–29 Sep 1853), Find A Grave Memorial no. 136839866, citing Old Dominion Memorial Gardens, Cloverdale, Botetourt County, Virginia, <https://www.findagrave.com/memorial/136839866/daniel-mcdermed#source>

<sup>iiii</sup> United States Census, 1860", database with images, FamilySearch (<https://familysearch.org/ark:/61903/1:1:M41Y-8VN> : Moses B Lloyd, 1860.

<sup>liv</sup> An African Republic: Black & White Virginians in the Making of Liberia, Marie Tyler-McGraw, Univ. of North Carolina Press, 2007, 2-7

<sup>lv</sup> American Colonization Society letters. At Fold3.com, create free account, enter American Colonization Society, select ACS publication, then browse, incoming correspondence, domestic letters. Items cited will have the date range, letter number and image number.  
<https://www.fold3.com/>

<sup>lvi</sup> American Colonization Society, Wikipedia.

<sup>lvii</sup> ACS, incoming letters, domestic, 1 Jul-15 Nov 1852, #216 ½, 371, on line Fold3.com

<sup>lviii</sup> "The Secretary of the American Colonization Society, states that Timothy Rogers, of Bedford County, Va., who died recently, emancipated all his slaves, (about thirty) on condition that the Am. C. Society send them to Liberia. He also left a liberal sum to be distributed among them on their arrival at Liberia, and liberal legacies to several benevolent institutions here, making the American Tract Society his residuary legatee. The executors ask if the society will send them to Liberia, and the Secretary appeals to the benevolent before making answer. He says: 'We have sent this year already 393 emigrants, and we are now upwards of \$26 000 in debt. Dare we say we will take them? Who will first give us the money to pay for those already sent, and then to send this family? We have already engaged to send quite a number in the packet in July. To bring this family from where they are, and colonize them, will require at least \$1800. If any eighteen persons will pledge us \$100 each, we will engage to send them.' One of the New York papers informs that the \$1800 have been raised in that city to meet the cost of transportation of the above 30 liberated persons." Source: The Friend, Vol 23, 1850, online Google Books, [page 298-299](#)

<sup>lix</sup> ACS, education in Liberia, 1950, emigration, 1921, 188, on line Fold3.com

<sup>lx</sup> The American Colonization Society (ACS) required potential emigrants to complete a form as part of their application for settlement in Liberia. This example lists twelve slaves whose master, Timothy Rogers of Bedford County, Virginia, freed them in his will under the condition that they go to Liberia. A note reveals that one of the group preferred to remain a slave if he were unable to free his wife, the property of another owner, to go with him. Forms like this provide a wealth of demographic and genealogical information about emigrants to Liberia.

Applicants for Passage to Liberia, Timothy Rogers, ca. 1852. American Colonization Society Papers, Manuscript Division, Library of Congress (21), <http://www.loc.gov/exhibits/african/afam004.html#obj3>

Applicants for a passage to Liberia, 1 Oct 1853, ACS, Emigration, List of Applicants for passage to Liberia, 1850-93, Library of Congress. As cited in Family Bonds: Free Blacks and Re-enslavement Law in Antebellum Virginia, Ted Maris-Wolf, 2015, 253.

<sup>lxi</sup> ACS, incoming letters, domestic, 1 Oct 1858 - 31 Mar 1859, #78, 666, on line Fold3.com

<sup>lxii</sup> Legacy: Timothy Rogers, Liberty, Bedford Co., Virginia, \$1790.60. Twenty Ninth Report of the American Tract Society, 1854, [page 182](#)

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- <sup>lxiii</sup> ACS, incoming letters, domestic, 1 Oct 1858 – 31 Mar 1859, #128, 745, on line Fold3.com
- <sup>lxiv</sup> ACS, incoming letters, domestic, 1 Jul – 31 Dec 1859, #29, 522-23, on line Fold3.com. Bedford County Court, Deed book 40, 338-339, LVA, Bedford County microfilm, 17. Register of Free Negroes 1820-1860, Bedford Co., Court, LVA, reel 120a.
- <sup>lxv</sup> Register of Free Negroes, Bedford County, 1820-1864, LVA, reel 120a. Free Negro and Slave Records, 1764-1860, Bedford County, Library of Virginia, folder 4, Misc., "List of the slaves belonging to the Estate of Timothy Rogers", barcode 1138015.
- <sup>lxvi</sup> ACS, incoming letters, domestic, 1 Oct 1858 – 31 Mar 1859, #128, 745, on line Fold3.com
- <sup>lxvii</sup> ACS, incoming letters, domestic, 1 Apr – 30 Jun 1859, #109, 204-6, on line Fold3.com
- <sup>lxviii</sup> ACS, outgoing letters, McLain, 13 Jul 1858-17 Dec 1860, 356, 1111, on line Fold3.com
- <sup>lxix</sup> ACS, incoming letters, domestic, 1 Oct 1858 - 31 Mar 1859, #78, 666-668, on line Fold3.com
- <sup>lxx</sup> ACS, incoming letters, domestic, 1 Oct 1858 - 31 Mar 1859, #78, 666-668, on line Fold3.com
- <sup>lxxi</sup> ACS, incoming letters, domestic, 1 Apr – 30 Jun 1859, #109, 204-6, on line Fold3.com
- <sup>lxxii</sup> Library of Virginia, Chancery Court, Index No. 1859-036, case 835, images 9-13. Bedford County Court, Order book 33/220, 320, 336, LVA, Bedford County microfilm, 49.
- <sup>lxxiii</sup> Library of Virginia, Chancery Court, Index No. 1859-036, case 835, images 16-17.
- <sup>lxxiv</sup> Library of Virginia, Chancery Court, Index No. 1859-036, case 835, image 27.
- <sup>lxxv</sup> Bedford County Court, Order book 33/417,480, LVA, Bedford County microfilm, 49.  
Bedford County CoCt OB 33, 1858-1861/400, LVA microfilm; Comm v London Rogers, 27 Nov 1860, Bedford County Criminal, 1860-1869, folder 1, Bedford County Courthouse, Bedford, VA; Comm v Phil Rogers, *ibid*; Comm v Bob Rogers, *ibid*. As cited in Family Bonds: Free Blacks and Re-enslavement Law in Antebellum Virginia, Ted Maris-Wolf, 2015, 139, 253.
- <sup>lxxvi</sup> Daniel Rogers petition to become a slave to Robert C Mitchell, 25 Apr 1862, Bedford County Free Negro and Slave Records, 1862, Library Virginia mss, Richmond, 1862, Bedford County Courthouse, Bedford VA, (Daniel Rogers). On Daniel's initial petition to remain in the State, Bedford County CirCourt, OB 33, 1858-61/220 and also OB 13, 1859-1866/202, Library Virginia film. As cited in Family Bonds: Free Blacks and Re-enslavement Law in Antebellum Virginia, Ted Maris-Wolf, 2015, 140, 253/4. Bedford County Court, Order book 34/117, LVA, Bedford County microfilm, 49.
- <sup>lxxvii</sup> August 19, 1824 [sic], Christiana, Liberia  
Jehudi Ashmun ... was reviewing the application forms of the new settlers recently arrived from America. Timothy Rogers of Bedford County, Virginia, had freed 12 of his slaves under the agreement that they accept transfer to Liberia. A small footnote on one of the forms stated that "Willie", the brother of one of the new arrivals, had decided to not accept the terms of his freedom because he was unable to negotiate the freedom of his wife and two daughters who lived on another plantation. Willie had therefore elected to remain a slave so that he could be near his family, in hopes that someday they might all gain their freedom together.  
Source: Black Pawn, Michael Gerhardt, 2011, [page 117](#)
- <sup>lxxviii</sup> ACS, incoming letters, domestic, 1 Apr – 30 Jun 1859, #185, 360, on line Fold3.com
- <sup>lxxix</sup> The African Repository, American Colonization Society, V 35, No. 6, June 1859, 389, on line at archive.org <http://www.archive.org/stream/africanreposito36socigoog#page/n182/mode/2up>



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<sup>lxxx</sup> ACS, incoming letters, domestic, 1 Apr – 30 Jun 1859, #185, 360, on line Fold3.com and ACS, incoming letters, domestic, 1 Jul – 31 Dec 1859, #88, 610-11, on line Fold3.com

<sup>lxxx</sup><sub>i</sub> ACS, incoming letters, domestic, 1 Jul – 31 Dec 1859, #29, 522-23, on line Fold3.com

<sup>lxxx</sup><sub>ii</sub> An African Republic: Black & White Virginians in the Making of Liberia, Marie Tyler-McGraw, Univ. of North Carolina Press, 2007, 77-78. Thanks to Jane Ailes for suggesting this reference.

<sup>lxxx</sup><sub>iii</sub> The African Repository, American Colonization Society, V 35, 169-171, on line at archive.org.  
<http://www.archive.org/stream/africanreposito36socigoog#page/n180/mode/2up>

<sup>lxxx</sup><sub>iv</sub> Analysis by Jane Ailes, email, 6 Jan 2019.

<sup>lxxx</sup><sub>v</sub> The African Repository, American Colonization Society, V 35, No. 12, Dec 1859, 389, on line at archive.org.  
<http://www.archive.org/stream/africanreposito36socigoog#page/n388/mode/2up>

<sup>lxxx</sup><sub>vi</sub> The Price of Liberty: African Americans and the Making of Liberia, Claude Clegg III, Univ. NC Press, 2004, 25-26.

<sup>lxxx</sup><sub>vii</sub> Library of Virginia, Chancery Court, Index No. 1854-032, case 618, image 7.

<sup>lxxx</sup><sub>viii</sub> Library of Virginia, Chancery Court, Index No. 1854-032, case 618, images 36, 51

<sup>lxxx</sup><sub>ix</sub> *Stony The Road*, Henry Louis Gates Jr., Penguin, 2019, 146.

<sup>xc</sup> Virginia Deaths and Burials, 1853-1912," database, FamilySearch (<https://familysearch.org/ark:/61903/1:1:XR97-NPB> : Moses B. Lloyd, 14 Jun 1869; citing Pulaski, Virginia, reference item 4 e 11; FHL microfilm 2,048,582.

<sup>xc</sup><sub>i</sub> *Encyclopedia of Virginia Biography*, Vo; IV, 1915, p. 39, online archive.org,  
<https://archive.org/details/encyclopediaofvi04tyle/page/39>

<sup>xc</sup><sub>ii</sub> United States Census, 1900," database with images, FamilySearch <https://familysearch.org/ark:/61903/1:1:MMNH-B3Z>, Martha Lloyd in household of Dr. J B Baskerville, Dublin District (west part), Pulaski, Virginia, United States; citing enumeration district (ED) 42, sheet 1A, family 6, NARA microfilm publication T623 (Washington, D.C.: National Archives and Records Administration, 1972.); FHL microfilm 1,241,724.

<sup>xc</sup><sub>iii</sub> An image of Mary [McDermed] Baskerville's death certificate is available on Ancestry.com. Citation not recorded.

<sup>xc</sup><sub>iv</sub> FamilySearch <https://familysearch.org/ark:/61903/1:1:QVKN-P5LG> : 11 July 2016), Martha Rogers Lloyd, 1902; Burial, Dublin, Pulaski, Virginia, United States of America, New Dublin Presbyterian Church Cemetery; citing record ID 38044217, There is no photo of the headstone on Find a Grave, <http://www.findagrave.com>.

<sup>xc</sup><sub>v</sub> [http://www.virginiamemory.com/blogs/out\\_of\\_the\\_box/2011/12/09/cohabitation-registers-added-to-digital-collection/](http://www.virginiamemory.com/blogs/out_of_the_box/2011/12/09/cohabitation-registers-added-to-digital-collection/). Thank you to Jane Ailes for this information.

<sup>xc</sup><sub>vi</sub> United States Census, 1870," database with images, *FamilySearch*(<https://familysearch.org/ark:/61903/1:1:MFLN-9FK> : 12 April 2016), Claracy Rodgers in household of Robert Rodgers, Virginia, United States; citing p. 15, family 128, NARA microfilm publication M593 (Washington D.C.: National Archives and Records Administration, n.d.); FHL microfilm 553,134

<sup>xc</sup><sub>vii</sub> United States Census, 1870, database with images, *FamilySearch*(<https://familysearch.org/ark:/61903/1:1:MFLN-S3D> : 12 April 2016), Thomas Hurt, Virginia, United States; citing p. 4, family 26, NARA microfilm publication M593 (Washington D.C.: National Archives and Records Administration, n.d.); FHL microfilm 553,134.

<sup>xc</sup><sub>viii</sub> Bedford County, Circuit Court, Order Book 37, pages 37, 48, 53, LVA, film 81