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"We Were Free People"

Bristol, the English Courts, and the Question of Slavery

When the *Greyhound* arrived in Bristol, O'Neil left Ancona and Little Ephraim on board and promised to transfer them to an outbound ship for the trip to Africa. He did have them transferred to another ship, the *Brickdale*, commanded by William Wood and owned by Henry Lippincott, but it was not bound for Africa. Instead, the ship was headed back to Virginia. They quickly realized that they had been tricked again by an unscrupulous captain who planned to sell them back into slavery. Little Ephraim described their "great surprise & horror" when they discovered that they had been duped once more. He and Ancona were devastated "when the[y] came to put on the Irons[,] we then with tears and

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trembling began to pray to God to help us in this Deplorable condition." The *Brickdale* was lying at Kingroad, an anchorage near the mouth of the Avon used by ships, especially those in the colonial trade, too large to sail upriver to Bristol.¹

Once again, though their situation looked bleak, the Robin Johns were lucky, extremely fortunate that the *Greyhound* had brought them to Bristol, a hub of the eighteenth-century Atlantic World and one of the most important slave-trading ports in England, where their status as scions of an elite slave-trading family of Old Calabar proved to be their salvation. The *Greyhound* would probably have tied up at the Quay, about a mile long, a bustling, noisy center of commerce surrounded by ships, merchants' countinghouses, shops and warehouses, refineries, and the indispensable taverns and coffeehouses that served the sailors and captains. All the vast commerce of England's colonial empire arrived at the Quay; ships unloaded their New World cargoes of sugar, rum, tobacco, iron, fish, and other products, and from Europe and the Mediterranean came wine, brandy, cloth, timber, and other goods. Bristol's Atlantic trade more than doubled in the eighteenth century. Its narrow, crowded, dirty streets bustled with activity; its citizens were "all in a hurry, running up and down with cloudy looks and busy faces, loading, carrying, and unloading goods and merchandises of all sorts . . . for the trade of

many nations is drawn hither." Even the clergy, it was said, "talk of nothing but trade and how to turn a penny."²

The eighteenth century was Bristol's golden age, the height of the city's wealth and influence as a major Atlantic port, a status gained in large part through the profits of the slave trade. Bristol merchants moved into the trade after the Royal African Company lost its monopoly in 1698. From that date until the abolition of the trade in 1807, at least 2,114 slave ships left Bristol, almost 20 percent of all British voyages. Bristol merchants invested approximately £150,000 annually in the slave trade at its peak (or over \$10,500,000 in today's dollars). Contemporaries noted the enormous importance of the trade to the city; in the words of one writer, there was "not a brick in the city but what is cemented with the blood of a slave." By the 1740s Bristol had ceded its position as the leading slave port to Liverpool, but the trade remained important. Slaving ventures were expensive, and Bristol merchants such as Thomas Jones and Ambrose Lace usually formed ad hoc partnerships to finance individual voyages. The number of partners on a venture might range from two to ten, but the reliance on these networks among a relatively small and highly specialized number of slave traders meant that the personal ties between them were unusually close.³

The fact that this small, closely knit group of English slave traders had formed close personal relationships

with their Efik counterparts in Old Calabar enabled the Robin Johns to find a most unlikely savior. Rallying from their shock, they searched for a solution to their latest dilemma. After almost two weeks locked in the "wretched [wretched] transport," Little Ephraim wrote Thomas Jones, a veteran slave trader with a long association with the Robin Johns at Old Town, the same man to whom Grandy King George and Orrock Robin John had written immediately after Little Ephraim and Anona were abducted. Jones, who began his career as a crewman on Guineamen, had been trading for slaves at Old Town since the 1750s. Jones was a propitious choice; one of the most prominent slavers in the city, he, along with his partner James Jones, controlled about 40 percent of the tonnage of African vessels leaving Bristol by late 1700s.⁴ Here again their experience as slave traders and the personal ties they had established in Old Calabar served them well. In 1760 and 1763 Jones had made slave-trading voyages to Old Town, where he had met Little Ephraim and Anona, "they having been several times on board" his ship "delivering messages for, and other times accompanying one Grandee Ephraim Robin John upon commercial transactions."⁵ The fact that they were able to write Jones is strong evidence that the Robin Johns had won friends among the crewmen on the ship where they were being held; how else could they have gotten writing materials and had their letters mailed or delivered to Jones?

Jones did not respond to their first letter, which "made Anconas heart fill," but Little Ephraim wrote a second time. Again, Jones did not answer and the *Brickdale* was about to set sail, "but the Lord was good [and] stayed the wind which prevented our sail then I write agin to Mr. Jones wch moved him to pity." Attempting to find more information about the men, Jones first turned to his fellow slave trader Ambrose Lace, one of the captains involved in the Massacre of 1767. Lace had brought another young member of the Old Town elite, "young Ep[raim]" (Robin John Otto Ephraim), to Liverpool after the massacre in 1767. Lace schooled the boy in England for two years before returning him to Old Town, in hopes of establishing good relations in the future. The stratagem worked, and Lace maintained a long and mutually profitable relationship with Robin John Otto Ephraim after he returned to Old Calabar and became a prominent slave trader in his own right. Jones wrote Lace to try to persuade him to submit an affidavit in support of his effort to free the men. In his response, Lace reviewed the genealogy of the Robin family in some detail. As he reported, "I have several times had the pedigree of all the familys from Abashey [another prominent trader in Old Calabar]." He expressed doubts that Little Ephraim and Ancona were who they claimed to be; "but to prove the two men to be Epms. [Ephraim's] brothers I don't know how you will do it, I assure you I don't think they are." Lace explained that "Old Robin took Rob.

Rob. Jno. mother for a wife when Robin Rob. Jno. was a boy of 6 or eight years old, and as to Rob. Rob. Jno. he never had a son that I heard of. You know very well the custom of that place whatever Man or Woman gos to live in any family they take the Name of the first man in the family and call him Father, how little Epm. came into the family I cant tell, and as to what ship they came off the coast in I know no more than you, therefore can't make Affidavit." He also heaped scorn on Grandy King George; "as to Grandy Epm.," he wrote, "you know very well [he] has been Guilty of many bad Act[i]ons, no man can say anything in his favour, a History of his life would exceed any of our Pirates, the whole sett at Old Town you know as well as me." Lace added, "if you think to send a vessell to Old Town it might ansr [answer] for you to purchas[e] the two men."⁶

Lace knew far more about Little Ephraim and Ancona than he was willing to admit. Grandy King George wrote Lace in 1773 and listed many members of his family, including two of his sons and the sons of "Robbin" and "the King of Qua," who had been abducted. It is likely that Little Ephraim and Ancona were the sons of "Robbin" alluded to in the letter. There can also be little doubt that Lace knew of their capture by Captain Bivins; it was common knowledge among the slave traders and certainly among those involved in the Massacre of 1767. The arrival of the Robin Johns in England and Jones's efforts to free them raised the troubling issue of the mas-

sacre, something that Lace was eager to avoid. He was aware that Jones had already located a sailor named William Floyd, chief mate on the *Indian Queen* during the massacre, who gave an extremely detailed and damning affidavit about the bloody event and Lace's role in it. Lace dismissed Floyd's testimony as a pack of lies and charged that "he says more then I ever knew or heard of . . . a man should be careful when on Oath . . .," a warning that Lace himself would have cause to remember as Jones prepared to bring the entire matter to trial.⁷

The Robin Johns' case was an important one in the legal history of slavery in England, coming as it did on the heels of the famous *Somerset* case. In 1772 Chief Justice Lord Mansfield ruled that James Somerset, who had been brought to England as a slave but had escaped from his master, could not be reenslaved and returned to Jamaica. Somerset's case was similar to the Robin Johns' in several respects.⁸ Somerset was owned by Charles Stewart, who had purchased him in Virginia and brought him to London. After two years, Somerset ran away from his master, but he was recaptured and imprisoned on a ship outbound for Jamaica, where Stewart planned to sell his rebellious servant. Somerset's friends quickly gathered affidavits about his case and presented them to Lord Mansfield, who granted a writ of habeas corpus against the captain of the ship where Somerset was being held. The writ ordered the captain to bring Somerset before Mansfield at his London chambers. Mansfield attempted

to settle the matter out of court, but when that failed, he ordered the case to trial. The trial opened in February 1772 and aroused considerable attention; every meeting of the court was crowded with onlookers, including a black delegation. Mansfield handed down his ruling in June 1772. The Chief Justice of the King's Bench ruled that "the state of slavery is of such a nature, that it is incapable of being . . . introduced . . . upon mere reasoning, . . . natural or political; it must take its rise from . . . *positive law* long after all traces of the occasions, reasons, authority, and *time of its introduction*, are lost, and in a case so odious . . . We cannot say, the cause set forth by this return is allowed or approved by the laws of this kingdom, and therefore the man must be discharged."⁹

Almost immediately the English press reported that Mansfield's ruling outlawed slavery in England, a misconception that has persisted to the present. In fact, the conservative justice did not intend to hand down such a sweeping decision. Widely regarded as a champion of commercial law, Mansfield was greatly concerned about the effects of his ruling on property rights. He commented that "the setting of 14,000 or 15,000 men [the estimated number of enslaved blacks in England at the time] at once loose by a solemn opinion, is very disagreeable in the effects it threatens." Mansfield had first-hand knowledge of the presence of blacks in England; his mulatto grand-niece, Dido Elizabeth Lindsay, lived with him as part of the family. He confirmed her free-

dom in his will and left her a substantial settlement. Despite the presence of a black woman in his own family, Mansfield hesitated to issue a ruling that questioned the legality of slavery and crafted as narrow a ruling as he could. For Mansfield, the case hinged on questions of work discipline, property, and personal rights and obligations. He focused solely on the question of whether or not a master could forcibly send his slave outside the country against the slave's will. In a carefully constructed decision, Mansfield turned to a 1679 law that forbade the deportation of subjects and residents of the kingdom (aside from those deported in criminal cases) against their will, and on that basis ruled that Somerset could not be forced to leave England. The case did not settle the larger questions surrounding the legality of slavery in England. Mansfield himself stressed that point a few years later when he wrote that "there had been no determination that they [slaves] were free, the judgement went no further than to determine the Master had no right to compel the slave to go into a foreign country." The justice's hesitancy was not lost on contemporaries, including Benjamin Franklin, then in London, who heaped scorn "on the hypocrisy of this country, which encourages such a detestable commerce by laws for promoting the Guinea trade; while it piqued itself on its virtue, love of liberty, and the equity of its courts, in setting free a single negro." Subsequent events proved that Franklin's skepticism was well founded.¹⁰

As narrow as the *Somerset* case was, it could easily be applied to the case of the Robin Johns. Still, Henry Lippincott, owner of the *Brickdale*, and William Jones, the agent for the Virginia owners, refused to release them unless they were paid £80 for each of them. Thomas Jones clearly appealed to the *Somerset* ruling in his attempt to free the Robin Johns by writ of habeas corpus. Jones argued that the Robin Johns were being held prisoner "in order to be conveyed out of this Kingdom to Virginia against their consent and in order to be made Slaves." The court apparently agreed and handed down the writ, and the Robin Johns left the *Brickdale*, but their ordeal was far from over. They were provided with a carriage, which drove them the five miles from Kingroad to Bristol and pulled up in front of Henry Lippincott's door. When the Robin Johns stepped out of the carriage, they were confronted by a bailiff and one or two other men waiting for them at the door. The bailiff arrested the bewildered men and carried them first to a "Lock-up House and afterwards to the House of Correction." In yet another twist in the complex case, Captain Terence O'Neil, the captain who had brought them from Virginia to England, had the Robin Johns arrested for "a pretended Debt for their said passage to England!"¹¹

Little Ephraim again took matters into his own hands and wrote Lord Mansfield, who, in Little Ephraim's words, "send to fetch us to London where we was examined then Discharged." Mansfield wanted to examine the

princes in person, just as he had James Somerset.¹² Little Ephraim's literacy and his clever manipulation of the English legal system exemplify the importance of the Atlantic creoles' remarkable skills and understanding of the wider Atlantic World. Little Ephraim's grasp of the significance of Mansfield's ruling raises the possibility that he had heard of it before leaving Virginia. In a 1773 advertisement, a Virginia slaveowner who was searching for runaways from his plantation said, "I have some Reason to believe they will endeavor to get out of the Colony, particularly to Britain, where they imagine they will be free (a Notion now too prevalent among the Negroes, greatly to the Vexation and Prejudice of the Masters) I hereby forewarn Masters of Vessels from carrying them off at their Peril." The news of the *Somerset* case raised such hopes. And news that kept alive hopes of freedom would quickly have spread through the extensive communication networks among blacks in the Atlantic World, and especially via "maritime maroons" such as the Robin Johns, who played an important role in conveying information from one port to another.¹³

Little Ephraim's gamble paid off, but the arrival of his letter perplexed Lord Mansfield. Despite the similarities in the *Somerset* and Robin John cases, there were significant differences. There was no question that *Somerset* was a slave, but with the Robin Johns the matter was not so clear. Indeed, the Robin Johns argued in their deposition to Mansfield that they were freemen:

when we first went on board Captain Bevan's [*sic*] ship, we were free people, and no ways subject to the people of New Town; nor had they any right or power over us; nor were we conquered in fight or battle, or taken prisoners by them; nor had they any right to sell us . . . we had not done anything to forfeit our liberty; or had the people of New Town any right or power over us; nor had the English captains (as we understood and verily believe) any right to assist the people of New Town, if they and the people of Old Town had actually engaged in fight or battle, whilst the English captains were present. But there was no war between the people of New Town and the people of Old Town, but only a quarrel or dispute about trade, which never occasioned any fighting.¹⁴

Here we have the remarkable case of African slaves arguing to the Lord Chief Justice of England that their enslavement violated the rules governing the Efik slave trade and English law as well. As we have already seen, when Dick Ebro asked Isaac Parker to go on a slave-raiding expedition with him, he said, "Parker, will you go to war with me?" Efik traders kept up the pretense that even their most blatant slave raids were actually engagements in warfare, and they were carried out against their traditional enemies. The Massacre of 1767 was not a war, and the Robin Johns rightly argued that they had

never been defeated in battle or taken prisoner by the men from New Town. They had been taken prisoner by Captain Bivins, who had no more right to capture them than had the residents of New Town. It was the same argument their father made to Thomas Jones in his 1767 letter when he identified them as "free Men," a status that was every bit as important in Old Calabar as in any slave-holding society. As princes of Old Town, they certainly had never been sold by anyone who could reasonably claim to be their owner. After the massacre was over, the English captains involved in it held several "meetings and consultations," in which they decided to make token payments of a few coppers to the traders from New Town for the Old Town captives they intended to enslave. By making these payments, far below the market value of slaves at the time, the captains hoped "to give the Transaction some sort of Colour or Appearance of an fair Trade, in case they should, on their return to England, be called to an account for having violated the Acts of Parliament for regulation the Trade to Africa." When it came to parsing law, the Robin Johns proved themselves almost as expert as the Lord Chief Justice himself, who agreed that the case hinged on the issues they presented: Had they been legitimately enslaved? Mansfield also noted that "the whole transaction was beyond sea"—outside England and its dominion—which complicated the matter of jurisdiction in the case.¹⁵

An additional complication involved the chain of

ownership of the Robin Johns. Even if they had been legally enslaved and sold in Dominica, they had run away, or rather they had been stolen by Captain William Sharp, and sold illegally to Captain Thompson in Virginia. While Mansfield noted that Thompson had made "a fair purchase," it was equally clear that Sharp did not have legal title. Here again, Mansfield had heard an earlier case that bore directly on this question. In *Lewis v. Stapylton*, Robert Stapylton was tried for kidnaping Thomas Lewis, whom he claimed as his slave. Stapylton had owned Lewis, but the slave had been captured by the crew of a Spanish ship, had thereafter lived as a freeman, and had worked for wages in various colonies. Lewis was living as a freeman in Chelsea when Stapylton and two other men "in a dark night seized the person of Lewis, and, after a struggle, dragged him . . . into a boat lying in the Thames, where, having first tied his legs, they endeavour[ed] to gag him, by thrusting a stick into his mouth; and then rowing down to a ship bound for Jamaica, whose commander was previously engaged in the wicked conspiracy, they put him on board, to be sold for a slave on his arrival in the island." The ship's departure was delayed by unfavorable winds, and that delay allowed time for a writ of habeas corpus to be served. The case came before Lord Mansfield and a jury in February 1771. Reluctant to make any rulings about the law in general, Mansfield asked the jury to decide if Lewis was indeed Stapylton's property. He left the possibility open

that masters might well prove such ownership since "whether they have this kind of property or not, in England, has never been solemnly determined." Mansfield told the jury that if they found that Lewis was indeed Stapylton's property they should arrive at a special verdict which would open up "a more solemn discussion concerning the right of such property in England." Mansfield breathed an obvious sigh of relief when the jury found that since Lewis had been captured by a Spanish privateer and removed from Stapylton's control, the chain of ownership had been broken, that Lewis was not Stapylton's property, and could not be reenslaved. Mansfield ended the proceedings by observing, "I don't know what the consequences may be, if the masters were to lose their property by accidentally bringing their slaves to England. I hope it never will be finally discussed; for I would have all masters think them free, and all Negroes think they were not, because then they would both behave better." Certainly that case presented another possible argument for freeing the Robin Johns. No more eager to make a clear ruling on the legitimacy of slavery in England than he had been before, the Chief Justice confronted a real conundrum and confessed that he "thought the case was not without difficulty."¹⁶

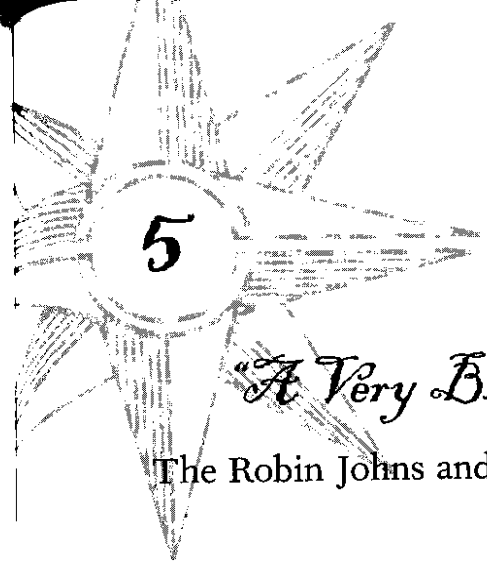
Even as Mansfield was scratching his powdered wig over the complexities of the case, negotiations were under way in Bristol between the various parties. On November 6, 1773, the defendants asked for a ten-day delay,

and a week later they announced a compromise. Recall that Ambrose Lace had suggested to Jones that he should consider purchasing the two men, and apparently the agent for the Virginia claimants was also willing to consider such an arrangement. That may have offered the easiest resolution, but it was not one that Jones was willing to pursue. Perhaps he felt he had the stronger case, or perhaps he thought the illegal enslavement of the brothers was worthy of notice. It does not appear that the Robin Johns were the reluctant parties; they offered to exchange ten slaves for their freedom. Their family members made similar offers for their return. The Efik slave traders often gave such compensation to the English captains who retrieved their lost family members, not as any form of purchase but rather to offset the trouble and expense involved in returning them.¹⁷

In a surprising turn of events, it was James Bivins, the captain who had captured the Robin Johns in Old Calabar, who was forced to pay £120 to the alleged owners in Virginia as "purchase money or value of the said two Africans." Additionally, Captain O'Neil gave up his transparent claim that the men should be held for debt. The compromise was not simply a private matter; the details of the agreement were submitted to the court and formally accepted.¹⁸ That fact raises the likelihood that Mansfield himself had played some part in those negotiations; if so, that could explain why Bivins agreed to pay after six years. Mansfield usually tried to get such cases

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settled out of court. Clearly, Bivins was unwilling to face the Robin Johns in Mansfield's court, where the bloody details of the Massacre of 1767 would be laid before the bench and the public. It may also be that the closely knit slave traders in Bristol, who had their own reasons for not wanting to have the case heard given the actions of the captains in the massacre, brought pressure to bear on him. The intriguing possibilities behind the compromise aside, Little Ephraim and Ancona walked out of jail in Bristol as the freemen they so adamantly claimed to be.



"A Very Blessed Time"

The Robin Johns and English Methodism

When Little Ephraim and Ancona found themselves locked in irons on board the *Brickdale* contemplating a return to enslavement in Virginia, "with tears and trembling" they "began to pray to God to help us in this Deplorable condition." But to what God did they pray? According to Little Ephraim, he and Ancona asked Thomas Jones for religious instruction after they were released from prison. They had heard of Charles Wesley, the famed Methodist hymnodist, and asked specifically to be brought to him "that we may soon come to have some knowledge of God." Their interest in Christianity raises intriguing questions about their motivation. They could well have simulated this sudden piety to facilitate their return home, but features of Efik religion and culture made the Efik unusually receptive to other