



The Tarring and Feathering  
of Thomas Paul Smith:  
Common Schools, Revolutionary Memory,  
and the Crisis of Black Citizenship  
in Antebellum Boston

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ON 7 May 1851, Thomas Paul Smith, a twenty-four-year-old black Bostonian, closed the door of his used clothing shop and set out for home. His journey took him from the city's center to its westerly edge, where tightly packed tenements pressed against the banks of the Charles River. As Smith strolled along Second Street, "some half-dozen" men grabbed, bound, and gagged him before he could cry out. They "beat and bruised" him and covered his mouth with a "plaster made of tar and other substances." Before night's end, Smith would be battered so severely that, according to one witness, his antagonists must have wanted to kill him. Smith apparently reached the same conclusion. As the hands of the clock neared midnight, he broke free of his captors and sprinted down Second Street shouting "murder!"<sup>1</sup>

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<sup>1</sup>*Commonwealth of Massachusetts vs. Julian McCrea, Benjamin F. Roberts, and William J. Watkins, Assault and Battery, False Imprisonment, etc.*, and Benjamin

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This dramatic incident is detailed in the case files of the Boston Municipal Court, but it was never reported in the *Liberator* or in other white antislavery publications. The event was not recounted, one can surmise, because it would have failed to further the abolitionists' agenda. Smith's foes, as he identified them, were all African Americans. Indeed, the black-on-black violence did not end on the night of 7 May. The next morning, Elijah Smith confronted the leader of his brother's assailants. Armed with a "small axe," Elijah seized the man at the corner of Franklin Avenue and Brattle Street, just blocks from Thomas's store. "Flourish[ing]" the hatchet above his rival's head, Elijah declared, "You are the d\_\_\_\_\_d villain who attempted to kill my brother!" According to a city watchman, Thomas's attacker quickly overpowered Elijah, snatched the axe from his hand, and threatened "to blow his brains out."<sup>2</sup>

That evening, presumably in retribution for his brother's act of revenge, a band of black men again accosted Thomas. At 8:45 P.M., men he thought to be acquaintances summoned Thomas from his shop and forced him into Market Square. They struck him, then "felled" him "to the ground." As he had the night before, Thomas cried "murder," scattering his adversaries into the night. By the end of this second evening of violence, the Boston Watch had detained six black men, including Elijah, and charged them with criminal assault. The sudden spate of intra-racial violence deeply disturbed members of the city's African American community, and the next night they organized a vigil at Belknap Street Church.<sup>3</sup>

The attacks, it soon became clear, were not random. Three years earlier, in 1848, Thomas Paul Smith had gained notoriety

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F. Roberts, "Letter to the Editor," unidentified newspaper clipping, both in Boston Municipal Court Records, Loose Papers No. 992 (1851), Massachusetts State Archives, Boston, Mass.

<sup>2</sup>"The Trouble among Colored Persons," *Boston Daily Atlas*, 10 May 1851; *Commonwealth on Complaint of Benjamin F. Roberts vs. Elijah Smith, Assault and Battery*, Loose Papers No. 994 (1851), Mass. Archives.

<sup>3</sup>"Daring Assault," *Boston Daily Atlas*, 9 May 1851; "Meeting of Friends of Separate Colored Schools," *Boston Courier*, 19 May 1851; "A Meeting of Colored Persons," *Boston Evening Transcript*, 19 May 1851.

for his outspoken opposition to school desegregation. That year, Benjamin F. Roberts had become the first school desegregation plaintiff in the nation when he sued the Boston school committee on behalf of his five-year-old daughter, Sarah, who had been forced to attend a segregated school. The resulting case, *Roberts v. Boston*, came before Massachusetts' Supreme Judicial Court in December 1849. It concluded unfavorably for Roberts one year later, a year before the assault on Thomas Paul Smith.

Among Smith's accused attackers was black Bostonian William J. Watkins, one of the city's most vocal proponents of school integration. Watkins, the son of a black Baltimore educator of the same name, knew Smith well. Only one building stood between their residences on Second Street. In 1849, the two men debated the merits of school desegregation, and by all accounts that public dialogue, as well as their personal relationship, was fraught with tension. Less than six months prior to the 7 May assault, Smith had derided the school integrationists, including Watkins, calling them "disappointed office-seekers, brainless enthusiasts, fourth-class lawyers and broken-down clergymen." Just six weeks before the hostility, Watkins had publicly blamed Smith for the failure of the school desegregation campaign. Moreover, at least according to local authorities, Smith's assailants had been commanded by another prominent black Bostonian, none other than Benjamin F. Roberts.<sup>4</sup>

No doubt, Roberts and Watkins wanted to punish Smith for his years-long, vitriolic defense of separate schools. But the specifics of the assault imply that their motivations were

<sup>4</sup>Arrested alongside Watkins, hairdresser Julian McCrea was less involved in the school integration dispute. He would later sue the city in 1856 to outlaw segregation in places of "public entertainment." W. C. N., "Equal School Rights," *Liberator*, 8 February 1850; *Commonwealth vs. Wm. J. Watkins, Recog. of Accused; Commonwealth of Massachusetts vs. McCrea, Benjamin F. Roberts, and William J. Watkins, Assault and Battery, False Imprisonment, etc.*; Thomas P. Smith, "Vindication," *Liberator*, 5 October 1849; Bettye J. Gardner, "William Watkins: Antebellum Black Teacher and Anti-Slavery Writer," *Negro History Bulletin* 39 (1976): 623-24. Watkins resided at 8 Second Street, Smith at number 9 (see *The Directory of the City of Boston* [Boston, 1851]).

more sophisticated and complex than mere revenge. Smith's assailants did not just beat him. They covered his mouth with a "plaster made of tar and other substances." Such a detail suggests that Roberts and Watkins were tapping into a quintessentially American form of ritualistic violence: tarring and feathering. In their attack upon Smith, designed symbolically and literally to silence him, Roberts and Watkins were constructing a way to reaffirm blacks' status as Americans and to lay claim to the most Americanizing of all institutions: public schools. Against the backdrop of Boston, the epicenter of Revolutionary agitation, they sought to parody black exclusion from the body politic and to define Smith, along with his crusade for separate schools, as hostile to freedom. They also assumed that reclaiming their Revolutionary heritage in such a manner would excuse their "non-respectable" behavior. The message of the assault was clear: school integrationists were the true Sons of Liberty. Smith, on the other hand, was no better than a tea-drinking, tax-enforcing king worshiper, and no more American than his crusade for separate schools.<sup>5</sup>

The "tar and feathers scrape," as Roberts later dubbed the incident, exemplifies how deeply the school desegregation movement had splintered Boston's black community.<sup>6</sup> It suggests, as well, a larger conflict among black leaders over how best to achieve their goals. Both Roberts and Watkins had come of age when moral suasion trumped political militancy in the black activist tradition. But by the 1850s, the persistence of Southern slavery and Northern oppression tested blacks' faith in Garrisonian nonresistance. In the wake of the 1850 Fugitive Slave Law, which had denied accused black fugitives due process, a rising number of African Americans, including Roberts and Watkins, believed that the costs of an ideology of uplift were too great and the gains too meager. They rejected both the moral suasion of the 1830s, which demanded patience and eschewed violence, and the budding militancy of the 1840s

<sup>5</sup>*Commonwealth on Complaint of Jona B. Wheelock vs. Julian B. McCrea et al.* Roberts's version of the events is culled from his "Letter to the Editor," 10 May 1851.

<sup>6</sup>Roberts, "Letter to the Editor," 10 May 1851.

and early 1850s, which urged blacks to sever their ties to their country. In contrast to such contemporaries as Henry Highland Garnet and Martin Delany, Roberts and Watkins argued that blacks should look not to Africa but to America for liberation. Blacks could agitate for civil liberties, they maintained, and still remain loyal to their nation. By “tarring and feathering” their separatist rival, Roberts and Watkins were, then, committing the ultimate act of integration—ostracizing a member of their “race” to lay claim to what they deemed to be their rightful status within the United States.



In early-nineteenth-century Massachusetts, common schools were established to provide a shared, or uniform, education to the students of the commonwealth. As Robert L. Osgood has argued, at the same time such schools also delivered a standardized “political and social ideology” to the pupils they served. The children attending common schools came from a variety of socioeconomic backgrounds, and so the shared values they were to be taught would, it was expected, unite all classes by fostering a collective understanding of the rights and responsibilities of citizenship.<sup>7</sup>

White antebellum school reformers extended this idea to include not just class but also religion and ethnicity. The schoolhouse, they asserted, was an agent of Americanization, an institution whose central purpose was to create a loyal and homogeneous citizenry. As immigrants flooded the new nation’s ports of entry, schooling for citizenship assumed an even greater urgency. Nowhere was this crisis more acute than in Boston. In 1845, even before immigration’s strongest swells, nearly 40,000 foreigners and their children lived in Boston, amounting to a third of the city’s population. Five years later, more than 60,000 immigrants and their offspring resided in the

<sup>7</sup>Robert L. Osgood, “Undermining the Common School Ideal: Intermediate Schools and Ungraded Classes in Boston, 1838–1900,” *History of Education Quarterly* 37 (Winter 1997): 376.

city proper; nearly one in two Bostonians, in other words, was foreign born.<sup>8</sup>

Boston's native white Protestants, who often associated these new arrivals with the forces of urban disorder and social decay, looked uneasily toward the day when immigrants' children would become citizens. School reformers, in turn, capitalized on this xenophobia to gain broader support for public education. Maintaining that common schools would encourage these future citizens to transfer their loyalties from the Pope to the Constitution, reformers envisioned public schooling as a potent means by which immigrants' ethnic identities might be erased. Still, one significant obstruction to that vision stubbornly persisted: the stigma of slavery. That obstacle was becoming increasingly apparent as the defining characteristic of citizenship, political participation, grew increasingly dependent upon white identity.<sup>9</sup>

In contrast to their southern counterparts, free blacks in the antebellum North possessed some important civil liberties: the right to own property; to establish churches; to enter into contracts; and to testify in court. Still, despite such privileges, their place in the body politic grew increasingly precarious as the nineteenth century progressed. In the eighteenth century, northern suffrage had been contingent upon gender or property holdings, but it was not dependent upon race. As the nineteenth century opened, however, many northern states began to define voting privileges along racial lines. While Massachusetts did not deny blacks suffrage, its neighboring states, including New York and Connecticut, moved to do so when they expanded voting privileges for white men. New Jersey, for example, enacted universal male suffrage in 1807 but excluded African Americans at the same time. Connecticut ratified a similar policy in 1818 when it introduced the word "white" into

<sup>8</sup>Lemuel Shattuck, *Report to the Committee of the City Council . . . Census of Boston for the Year 1845* (Boston, 1846), p. 37; Josiah Curtis, *Report of the Joint Special Committee on the Census of Boston, May 1855* (Boston, 1856), p. 3.

<sup>9</sup>"Address of Hon. Horace Mann at the National Common School Convention," *Boston Evening Transcript*, 26 October 1849.

the constitutional clause detailing voting privileges; prior to that point, blacks and whites possessed the same rights of suffrage. Likewise, in 1821 New York made a black man's right to vote contingent upon proof that he held two hundred fifty dollars worth of property, while at the same time it granted suffrage to all white men regardless of their financial solvency. The effort to bar African Americans from attending common schools, whether by means of segregation or violent intimidation, was part and parcel of this larger effort to deny blacks full and equal membership in the body politic.<sup>10</sup>

In the aftermath of the 1850 Fugitive Slave Law, many black Bostonians became increasingly convinced that their continued liberty depended upon their ability to assert an American identity. They understood that to realize their basic rights—to life, liberty, and now to education—they must be recognized as full and equal members of society, with all the “privileges and immunities” guaranteed to their white counterparts.<sup>11</sup> In his fight to integrate Boston's public schools, Benjamin F. Roberts demonstrated this concern with the rights and responsibilities of citizenship as well as an appreciation of the concept of the common school as an Americanizing agent. As he asserted in 1849, “It is with feelings of amazement that we witness Englishmen, Frenchmen, Irishmen, Germans, Scotchmen, and others, in our community, who enjoy all the local privileges, and are not ignorant of the fact that we are shut out from the institutions of learning in the land of our nativity.” That exclusion, he contended, was especially galling given African Americans' participation in and many sacrifices during

<sup>10</sup>Paul Finkleman, “Prelude to the Fourteenth Amendment: Black Legal Rights in the Antebellum North,” *Rutgers Law Journal* 17 (1986): 415–82. For more on white attempts to define American identity in racial terms during the early national period, see Joanne Pope Melish, *Disowning Slavery: Gradual Emancipation and “Race” in New England, 1780–1860* (Ithaca: Cornell University Press, 1998); David Roediger, *The Wages of Whiteness: Race and the Making of the American Working Class* (New York: Verso, 1991); George M. Frederickson, *The Black Image in the White Mind: The Debate on Afro-American Character and Destiny, 1817–1914* (New York: Harper and Row, 1971); Noel Ignatiev, *How the Irish Became White* (New York: Routledge, 1995).

<sup>11</sup>Linda Kerber, “The Meanings of Citizenship,” *Journal of American History* 84 (December 1997): 833–54.

the Revolutionary War. Roberts concluded his appeal with a statement of loyalty. Blacks “have ever been ready to support the institutions of our city,” he insisted. “We are not in the background in relation to reform in the community. We have endeavored to gain for ourselves the appellation of good citizens.”<sup>12</sup>



Boston’s tradition of separate schooling can be traced back to the 1780s, when free blacks, under the leadership of Prince Hall, petitioned the city for a separate institution for their children, who, they insisted, “receive[d] no benefit from the free schools.” When the town rejected their appeal, they opened a private school in Hall’s residence the following year. In 1803, they transferred the institution from Hall’s home to a small carpenter’s shop on Belknap Street, in the Beacon Hill section of town. The school remained there until 1808, when it was relocated to the new Belknap Street Church. With private donations, African Americans sustained their school for a decade—a burden that carried the benefit of autonomy. The school’s earliest instructors were predominantly men of color.<sup>13</sup>

In 1812, the school committee began to subsidize the institution. Then in 1815, white benefactor Abiel Smith donated a sizable endowment to the school, after which it became known as the Smith School in honor of his bequest. Likely enticed by the school’s ability to finance itself, the school committee elected to assume control of the institution in 1816. When the black institution joined the public school system, African American control diminished. As voluntary separation hardened into de facto segregation, black families registered their concerns. The school committee was now appointing white teachers instead of black; accordingly, black parents claimed, the instructors were

<sup>12</sup>“Meeting of Colored Citizens,” *Liberator*, 10 August 1849.

<sup>13</sup>“Petition of George Middleton referred to Sub-Committee,” 20 March 1800, Boston School Committee Minutes (1792–1854).

indifferent. Moreover, the Smith's facilities were inferior to those of other schools in the Boston system.<sup>14</sup>

The city's policy for its school system reflected residential patterns. Boston was one of antebellum America's most segregated cities. By 1850, Boston's free black community (2,085 individuals) comprised just 1.6 percent of the city's total population (133,788). Of that small subset, over 80 percent lived in the city's four "blackest" wards, and 60 percent lived in a single ward, ward 6. Within that area, most African Americans lived on a handful of streets. Of the ward's thirty-seven roads, eighteen had no black inhabitants. Just a few streets housed a disproportionate number of people of color.<sup>15</sup>

By most measures, the Smith School offered black students a sub-par education. In the mid 1840s, the Annual Examining Committee of the Boston Grammar and Writing Schools, charged with evaluating Boston's school system, administered a standardized exam to students, black and white, among the most advanced group of each of the city's schools. On every portion of the assessment, Smith School students finished last. On the definitions section, for example, only six black scholars completed the test, and not one managed to answer a single

<sup>14</sup>"Extracts from the Majority Report on the Caste Schools," *Liberator*, 21 August 1846; George A. Levesque, "Before Integration: The Forgotten Years of Jim Crow Education in Boston," *Journal of Negro Education* 48 (Spring 1979): 122; School Committee, Minutes, 15 October 1833; "Petition of Prince Hall, 17 October 1787," reprinted in *Equal Protection and the African American Constitutional Experience: A Documentary History*, ed. Robert P. Green Jr. (Westport, Conn.: Greenwood Press, 2000), pp. 38–39; Mary Ann Connolly, "Boston Schools in the New Republic, 1776–1840" (Ph.D. diss., Harvard University, Graduate School of Education, 1963), pp. 141–45.

<sup>15</sup>According to Peter Knights and Leo Schnore, for blacks to have been dispersed evenly throughout the city in 1830, 44 percent would have needed to relocate to another ward. Three decades later, 62.3 percent of blacks would have had to reposition themselves to eliminate all segregation. From these indices, Knights and Schnore concluded that it was not the size of Boston's black population but rather the stigma of its color that caused segregation to tighten. See "Residence and Social Structure: Boston in the Antebellum Period," in *Nineteenth-Century Cities: Essays in the New Urban History*, ed. Stephan Thernstrom and Richard Sennett (New Haven: Yale University Press, 1969), pp. 245–57; *Boston Evening Transcript*, 21 October 1846; George Adams, ed., *Report and Tabular Statement of the Censors . . . State Census of Boston, May 1850*, Boston City Documents No. 42 (Boston: J. H. Eastburn, 1850), p. 23; Curtis, *Report of the Joint Special Committee on the Census of Boston*, p. 3.

question correctly. Although one might legitimately argue that the test was biased against black children, the extent of Smith students' failure suggests that, on the whole, they were not learning as much as their white counterparts.<sup>16</sup>

In 1844, in response to a series of complaints about the Smith School's inferiority, black Bostonians—spurred in part by African Americans' success in other parts of Massachusetts, specifically Nantucket and Salem—launched a movement to desegregate the city's schools. After a series of petitions failed to move the school committee, integrationists concluded that the Smith School was impeding their campaign. Its very existence, they recognized, offered a viable alternative to desegregation. Fostering this view, the school committee rehabilitated the building's facilities and hired new instructors, which allowed it to appear sensitive to African Americans' concerns while stymieing integration. Integrationists, black and white, implored black parents and children to boycott the separate institution, and they established an ad hoc system of "protest schools" in its stead. In 1849, they labeled the Smith School a "Great Public Nuisance" and demanded it be "annihilated."<sup>17</sup>

But in 1848, just as the integrationists were gaining ground in their campaign to close the Smith School, the soon-to-be assaulted Thomas Paul Smith initiated a movement to save it. Smith had experienced both separate and integrated education firsthand. Born in 1827, he had attended the Smith School as a child. As a teenager, he had completed two terms at an elite white institution, Phillips Academy, in Andover, Massachusetts. The historical record does not indicate that he ever spoke publicly about his stint at Andover, but it is possible that he suffered prejudice while matriculating there and that that experience had prompted him to oppose wholesale desegregation. Despite Roberts and Watkins's claims to the contrary, Smith insisted that he did not object to integration but simply argued that blacks should retain control over their neighborhood schools.

<sup>16</sup>"Boston Grammar and Writing Schools (Cont.)," *Common School Journal* 7, no. 21 (1845): 321–37.

<sup>17</sup>"Meeting of Colored Citizens," *Liberator*, 10 August 1849.

That tension, between enforced integration and local control, would reverberate in the twentieth century, as black communities grappled with the consequences of desegregation.<sup>18</sup>

In 1848, Thomas Paul Smith petitioned the school committee to appoint his black uncle, Thomas Paul, headmaster of the Smith School. Like his nephew, Thomas Paul had attended the Smith School (from age eight to fifteen). He was also son of the minister of the Belknap Street Church and bore his name. Graduating from Dartmouth College in 1841, Paul became one of the nation's first black collegians. By the time Thomas Paul Smith remonstrated for his appointment, Thomas Paul had served as principal in the only black grammar school in Providence, Rhode Island.<sup>19</sup>

Integrationists publicly charged Smith with privileging family over community. Privately, they understood that Paul's appointment would severely damage, or even defeat, their efforts. The success of their campaign depended upon their ability to demonstrate that segregation was inherently unequal *and* that black Bostonians universally opposed it. The Smith School's former white headmasters, while usually qualified, had drawn the ire of black parents, who believed that the men treated their children with cruelty and indifference. Integrationists feared that an African American teacher as respected as Paul would entice black parents to return their children to the Smith School. The boycott they had mounted would collapse, and they would lose whatever leverage they expected to gain from forcing the school committee to choose between a school with no students or one meeting their demands. Integrationists thus interpreted Smith's decision to

<sup>18</sup>Thomas P. Smith, "City Intelligence," n.d., School Committee, Loose Papers, Boston Public Library.

<sup>19</sup>"Dartmouth College—A Noble Example," *Colored American*, 29 April 1837; "Thomas Paul," *Liberator*, 29 November 1839; "Speech of Thomas Paul, a Colored Student of Dartmouth College, Delivered before the Massachusetts Anti-Slavery Society, January 27th, 1841, in the Representatives' Hall, Boston," *Liberator*, 19 February 1841; Report of the Examining Committee of Candidacy for the Instructorship of the Smith School, 12 September 1849, School Committee, Loose Papers. For a brief discussion of the Paul family in Boston, see J. Marcus Mitchell, "The Paul Family," *Old Time New England* 63 (1975): 73–77.

lobby for Paul's installation as a direct attempt to perpetuate segregation. And so, they cast him out as an "enemy" of the race. To one integrationist, Smith was a "young, ambitious bigot." To another, he was, quite simply, an "ass."<sup>20</sup>



Given Benjamin Roberts's family history, it is not surprising that he found the policy of separating children according to their skin color maddening. As historians James Brewer Stewart and George Price have documented, Roberts's lineage—English, African, and Native American—confounded the racial classification that "Euro-Americans enforced so ruthlessly" on people of color. Roberts and his relatives opposed all attempts to categorize people by skin tone. Instead, his elders held up one promise of the Revolution: universal equality. Roberts's maternal grandfather, James Easton, served several years in the colonial militia, and James's son Hosea took his father's record as proof that the nation had failed to make good on one of its founding principles.<sup>21</sup>

<sup>20</sup>J. J. De Bois and Benjamin F. Roberts, "Proceedings of a Meeting of Colored Citizens for the Purpose of Expressing an Opinion in Relation to the Petition Asking That Thomas Paul Be Appointed Principal in the Smith School," 5 August 1848, School Committee, Loose Papers; Thomas P. Smith, "Letter to the Editor," *Boston Chronotype*, 29 December 1849; William C. Nell to Charles Sumner, 12 January 1850, *Black Abolitionist Papers*, microfilm collection, ed. George E. Carter et al., 17 reels, 6:0348; John Robinson, "Petition of John Robinson et al. to have Thos. Paul be considered a candidate for the master of the Smith School," 2 August 1848, School Committee, Loose Papers; Scott Hancock, "The Elusive Boundaries of Blackness: Identity Formation in Antebellum Boston," *Journal of Negro History* 84 (Spring 1999): 115–29; George A. Levesque, "White Bureaucracy, Black Community: The Contest over Local Control of Education in Antebellum Boston," *Journal of Educational Thought* 11 (August 1977): 140–55; Arthur O. White, "Antebellum School Reform in Boston: Integrationists and Separatists," *Phylon* 34 (2nd Quarter 1973): 203–17; Donald M. Jacobs, "The Nineteenth-Century Struggle over Segregated Education in the Boston Schools," *Journal of Negro Education* 39 (January 1970): 76–85; Carleton Mabee, "A Negro Boycott to Integrate Schools," *New England Quarterly* 41 (July 1968): 341–61.

<sup>21</sup>Many thanks to James Brewer Stewart for his generous explanations of the Roberts tradition. See George R. Price and James Brewer Stewart, "The Roberts Case, the Easton Family, and the Dynamics of the Abolitionist Movement in Massachusetts, 1776–1870," *Massachusetts Historical Review* 4 (2002): 98–101. On Hosea Easton, see also Easton's *To Heal the Scourge of Prejudice*, ed. James B. Stewart (Amherst: University of Massachusetts Press, 1999).

Roberts's family instructed him that he had a personal responsibility to resist segregation and promote education. In 1800, for example, galled by its decision to initiate segregated seating, grandfather Easton had refused to purchase a "Negro Pew" in Bridgewater's Fourth Church of Christ; instead, he procured seats in the "white" section of the gallery. The church's white congregants tarred the pew and then ejected him and his family. In 1815, he opened a school for "colored youth" in Bridgewater, Massachusetts. The twenty young men under Easton's care split their time between classical study and vocational instruction. The school survived for more than a decade. Hosea Easton, Benjamin's uncle, and Robert Roberts, Benjamin's father, displayed the same devotion to educational opportunity. In 1831, they both lobbied on behalf of a failed movement to open a black college in New Haven.<sup>22</sup>

The Roberts family's devotion to activism, education, and integration influenced Benjamin's political formulations. At the early age of nineteen, in an 1834 *Liberator* editorial, Roberts expounded on the question "Are Africans Americans?" Without hesitation, he proclaimed, "We are Americans!" He went on to defend blacks' claim to citizenship as he enumerated his ancestors' sacrifices and contributions. His forefathers, Roberts contended, had paid for his rights with their bodies and their blood. He affirmed, "This is the land of our birth; this is the land that our fathers fought, bled and died, to obtain the liberty and independence that our brethren now enjoy." He concluded his discussion by railing against all Americans, white and black, who fell prey to America's obsession with racial categorization.

<sup>22</sup>B. F. Roberts, "Our Progress in the Bay State," *New Era*, 30 March 1870; Robert Roberts, *The House Servant's Directory, or a Monitor for Private Families: Comprising Hints on the Arrangement and Performance of Servants Work*, ed. Graham Russell Hodges (Armonk, N.Y.: M. E. Sharpe, 1998); Price and Stewart, "The Roberts Case"; Tunde Adeleke, "Afro-Americans and Moral Suasion: The Debate in the 1830's," *Journal of Negro History* 83 (Spring 1998): 127-42; Howard H. Bell, "National Negro Conventions of the Middle 1840's: Moral Suasion vs. Political Action," *Journal of Negro History* 42 (October 1957): 247-60; William J. Watkins, *Philanthropist*, 4 November 1836; Easton, *To Heal the Scourge of Prejudice*. James Easton's school also appears in the Records of the New England Anti-Slavery Society, vol. 1, 30 April 1832, Boston Public Library.

He took particular offense at blacks, like Smith, who sustained this fixation by advocating separate “schools” and “associations.” Thus, as early as 1834, Roberts rejected separate schooling on the grounds that it underwrote America’s nefarious fascination with racial classification.<sup>23</sup>

Following along the path blazed by his grandfather, Roberts also sought to expand access to vocational education by teaching young black men the business of printing. In 1837, he launched the *Anti-Slavery Herald*, which abolitionist Amos Phelps described as “a small anti-slavery paper, edited and published entirely by colored men.” Less than a month later, the endeavor collapsed, and Roberts found himself embroiled in a messy dispute with Phelps, who had been a patron. For a time at least, Roberts believed that the *Anti-Slavery Herald* had failed because white abolitionists were reluctant to support him and, by extension, black education. He accused Phelps and his associates of attempting to “muzzle” black “advancement.” In the wake of the dispute, Roberts withdrew from Boston’s white abolitionist community; he revived some of his connections in 1847, when he publicly entered Boston’s movement for school desegregation.<sup>24</sup>

Like many young black Bostonians, Benjamin Roberts’s daughter walked many blocks, past several schools, from her home in the city’s West End before she reached the segregated Smith School. In September 1847, Benjamin Roberts petitioned the primary school board to allow Sarah to enroll in the all-white Otis School. It did not take the board long to deny the application on the grounds of Sarah’s skin color. Undeterred, Roberts sent his daughter to the primary school closest to their Andover Street residence in February 1848. The school’s white instructor refused her admission. Under the terms of an 1845 statute that empowered pupils barred from city schools to request remuneration, Roberts sued the city for

<sup>23</sup>B. F. R., “Are Africans Americans?” *Liberator*, 22 February 1834.

<sup>24</sup>Amos Phelps to “Whom it May Concern,” 16 May 1838, and Benjamin Roberts to Amos Phelps, 19 June 1838, Anti-Slavery Collection, Boston Public Library; B. F. R., “Meetings of the Colored Citizens,” *Boston Daily Atlas*, 8 October 1844.

one thousand dollars in damages. The Court of Common Pleas ruled against him. Roberts then contacted African American attorney Robert Morris to file an appeal on Sarah's behalf. In October 1848, Morris submitted the document to the court and asked Charles Sumner to assist him at the trial.<sup>25</sup>

Sumner organized his closing arguments around the assertion that African Americans were citizens and, therefore, the school committee lacked the authority to exclude them from public institutions. Yet contrary to Sumner's intentions, rather than reaffirming the rights African Americans believed they had earned, the *Roberts* verdict circumscribed their civil liberties for a century. Ruling against Roberts, Chief Justice Lemuel Shaw dismissed Sumner's declaration that "all men, without distinction of color or race, are equal before the law" and settled on what would become the defining doctrine of Jim Crow segregation: separate but equal. In denying African Americans' right to equal protection in favor of the city's authority to assign pupils to public schools, Shaw's ruling gave birth to the precedent that segregation in all arenas of public life—transportation, housing, and, most important, public schooling—did not contradict the Constitution. Five decades later, Shaw's concept of separate but equal reemerged in Henry Brown's ruling in *Plessy v. Ferguson* (1896). Indeed, Shaw's verdict in *Roberts* proved so tenacious that Thurgood Marshall was battling it a half-century later in *Brown v. Board of Education* (1954).<sup>26</sup>



The justice system acted swiftly in the case of Roberts and Watkins. In June 1851, just three weeks after Smith's attack,

<sup>25</sup>On the Sarah Roberts case, see Gerald Nelson Davis, "Massachusetts Blacks and the Quest for Education: 1638–1860" (Ed.D. diss., University of Massachusetts, 1977), pp. 183–84; George Dargo, "The Sarah Roberts Case in Historical Perspective," *Massachusetts Legal History* 3 (1997): 37–51; and Stephen Kendrick and Paul Kendrick, *Sarah's Long Walk: The Free Blacks of Boston and How Their Struggle for Equality Changed America* (Boston: Beacon Press, 2004).

<sup>26</sup>*Argument of Charles Sumner, Esq. against the Constitutionality of Separated Schools, in the Case of Sarah C. Roberts vs. The City of Boston before the Supreme Court of Mass., Dec. 4, 1849* (Boston, 1849). Secondary discussions linking *Roberts* and

their trial for “Assault and Battery” and “False imprisonment” opened in Boston’s Municipal Court. Watkins advanced his own defense, while white attorney John C. Park appeared for Roberts. Park had long been sympathetic to the integrationists, and this was not the first time he had spoken on their behalf. In 1844, he had represented African American parents in their efforts to remove the white Smith schoolmaster Abner Forbes, whom they charged had inflicted “severe and unusual modes of punishment” on their children. The following year, as he testified before the primary school committee, Park argued that the city lacked the legal authority to separate “colored children” from their white peers. In light of the role that the desegregation debate had ostensibly played in Smith’s attack, Park seemed a natural choice to lead the defense.<sup>27</sup>

As the trial proceeded, a number of witnesses were called to the stand. Watchman Jonathan B. Wheelock testified that Roberts and Watkins “did make an assault with great violence,” seizing and holding “the said Smith with intent . . . to kill and murder.” But perhaps no one damned the defense more than Roberts. He denied that he had been the primary architect of Smith’s attack, yet he acknowledged that he had known for some time that it was in the offing. As he explained, “For a number of days previous, it was hinted among several colored persons that on Wednesday evening . . . a party would furnish themselves with a bucket of tar and a few

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*Plessy* are numerous. See, e.g., Douglas J. Ficker, “From Roberts to Plessy: Educational Segregation and the ‘Separate but Equal Doctrine,’” *Journal of Negro History* 84 (Autumn 1999): 301–14; Leonard W. Levy and Harlan B. Phillips, “The Roberts Case: Source of the ‘Separate but Equal’ Doctrine,” *American Historical Review* 56 (April 1951): 510–18; Derrick Bell, *Race, Racism and American Law* (Boston: Little, Brown, and Co., 1973), pp. 442–43; and Roderick T. Baltimore and Robert F. Williams, “The State Constitutional Roots of the Separate but Equal Doctrine: *Roberts v. City of Boston*,” *Rutgers Law Journal* 17 (1986): 537–52.

<sup>27</sup>Charges against a Schoolmaster,” *Liberator*, 31 May 1844; “The Smith School,” *Liberator*, 28 June 1844; “Meeting of the Colored Citizens of Boston,” *Boston Evening Transcript*, 28 June 1844; “Meeting of the Primary School Committee,” *Liberator*, 27 June 1845; H. I. Bowditch, “Intolerance of the Primary School Committee,” *Liberator*, 27 June 1845.

feathers, and repair to a convenient location to *frighten* Thomas P. Smith.” Having recently appeared before the state legislature to testify against integration, Roberts reported, Smith had “made himself extremely obnoxious to every respectable colored man, woman and child in this city.” “It is bad enough, we think,” Roberts went on, “for a white man to make statements like the above, but when a *black one* will voluntarily declare, in opposition to the feelings of an injured people, that these are the sentiments of a majority of them, he is utterly destitute of the principle of a man.” And so, explained Roberts, a plan was devised. “The determination was not to *kill or feloniously assault* the said Smith, but to frighten him by a threat of tar and feathers.” And although Roberts contended that he was “some 150 or 200 feet” away from Smith at the time of the incident, he acknowledged that the attack was successful. Smith had, in fact, been “frightened out of his wits.”<sup>28</sup>

The particular form of the assault Roberts describes should not be ignored. In an act both performative and commemorative, Roberts and Watkins, who had both come of age in an era when black elites embraced virtues like respectability and order, inflicted a ritual of public humiliation while casting themselves as true patriots and marking Smith as a traitor to his race and nation. During the Revolutionary period, colonists—including free blacks—had seized upon the practice of tarring and feathering as a means of asserting their incipient identity as Americans. Although the practice declined in popularity after Independence, it still occasionally emerged in the nineteenth century, largely as a means of defining a community’s moral boundaries. Southern whites, for example, tarred and feathered accused black criminals and suspected abolitionists; in the North, anti-abolition mobs tried to tar and feather anti-slavery advocates, including William Lloyd Garrison. It is especially noteworthy that in 1835, black ministers in Baltimore

<sup>28</sup>*Commonwealth on Complaint of Jona B. Wheelock vs. Julian B. McCrea et al.*; Roberts, “Letter to the Editor,” 10 May 1851.

threatened Watkins's father, William Watkins, "with a coat of tar and feathers" because he had spoken out in opposition to colonization schemes.<sup>29</sup>



From the late eighteenth century, people of color had struggled to participate in the public memory of the Revolution and, by proxy, to lay claim to their role in their nation's creation. As historian David Waldstreicher demonstrates, beginning in the late 1790s, anti-slavery whites and free blacks used Fourth of July and other patriotic celebrations to excoriate slavery and, in some northern communities, to commemorate its conclusion. Such gestures were intended to recast the "peculiar institution" as an American problem at odds with the country's founding principles. Such nationalist celebrations, Waldstreicher writes, also "became principal venues for political participation and for debates concerning what American identity was and what it meant." Accordingly, those whites who were uneasy with blacks' efforts to secure the democratic promises of the Revolution for themselves "hustled" people of color from these nationalist spaces.<sup>30</sup>

It was no coincidence that some of the most vicious attacks by whites against free people of color occurred on the

<sup>29</sup>B. F. Roberts, "Our Progress in the Bay State," *New Era*, 30 March 1870; William Watkins to William Lloyd Garrison, 30 September 1835, Anti-Slavery Collection, Boston Public Library. Benjamin Irvin, "Tar, Feathers, and the Enemies of American Liberties, 1768–1776," *New England Quarterly* 76 (June 2003): 197–232; Betram Wyatt Brown, *Honor and Violence in the Old South* (New York: Oxford University Press, 1986), pp. 190–95; Alfred F. Young, *The Shoemaker and the Tea Party* (Boston: Beacon Press, 1999), pp. 46–51; Richard Maxwell Brown, "Violence and the American Revolution," in *Essays in the American Revolution*, ed. Stephen G. Kurtz and James H. Hutson (Chapel Hill: University of North Carolina Press, 1973), pp. 81–120.

<sup>30</sup>Waldstreicher, *Perpetual Fetes*, pp. 312, 325–28; Shane White, "'It Was a Proud Day': African Americans, Festivals, and Parades in the North, 1741–1834," *Journal of American History* 81 (June 1994): 13–50; Melish, *Disowning Slavery*, pp. 163–65; Leonard I. Sweet, "The Fourth of July and Black Americans in the Nineteenth Century: Northern Leadership Opinion within the Context of the Black Experience," *Journal of Negro History* 61 (1976): 260; Len Travers, *Celebrating the Fourth: Independence Day and the Rites of Nationalism in the Early Republic* (Amherst: University of Massachusetts Press, 1997); Benjamin Quarles, "Antebellum Free Blacks and the Spirit of '76," *Journal of Negro History* (July 1976): 229–42.

nation's anniversary. On 4 July 1834, for example, whites in New York City assailed an integrated celebration at Charles Finney's Chatham Street Church. Violence then spilled over to the St. Phillip's African Episcopal Church, which white rioters burned to the ground. One year later, on 4 July 1835, a white mob attacked an integrated school in Canaan, New Hampshire, tearing the building down to its foundation. Some blacks responded to this intimidation by diverting their energies to racially focused observances: January First, the anniversary of Haitian Independence, or August First, West Indian emancipation. Others, however, took Independence Day as an occasion for drawing attention to the hypocrisies inherent in American conceptions of freedom. Frederick Douglass, who delivered the stirring 1852 address "What to the American Slave is your Fourth of July?" in Rochester, New York, was prominent among them.<sup>31</sup>

Black Bostonian William C. Nell, one of the leaders in the movement for school integration, saw the advantages of aligning African Americans' struggle for equality with Boston's pivotal role in the events of the American Revolution. On 5 March 1851, just two months before Smith's assault and on the anniversary of the Boston Massacre, Nell organized a campaign to persuade the city to erect a monument to Crispus Attucks, "the first martyr" of the Revolution. That year, Nell also released his pamphlet *Service of Colored Americans in the Wars of 1776 and 1812*, a prelude to his more extensive *Colored Patriots of the American Revolution* (1855). Such activities, one may surmise, contributed to Roberts and Watkins's decision to assault Smith in the particular way that they did.<sup>32</sup>

<sup>31</sup>Sweet, "The Fourth of July and Black Americans," p. 263; "A New Plan for July Fourth 1831," *Liberator*, 26 March 1831; "Anniversary of British Emancipation," *Liberator*, 14 August 1840; "The Fourth of July," *North Star*, 7 July 1848; James A. Colaiaco, *Frederick Douglass and the Fourth of July* (New York: Palgrave Macmillan, 2006).

<sup>32</sup>*Boston Post Boy*, 12 March 1770; "Response to the above Petition: House . . . No. 100, Commonwealth of Massachusetts," reprinted in *William Cooper Nell: Selected Writings, 1832-1874*, ed. Dorothy Porter, (Baltimore: Black Classic Press, 2002), pp. 283-85; William C. Nell, *Service of Colored Americans in the Wars of 1776 and 1812* (Boston, 1851); William Nell, "Petition to the House of Representatives for an

We know far less than we should about why the Revolution assumed a noticeable role in the civic culture of black Bostonians around the time of the “tar and feathers scrape.” Several factors may have played a part: the seventy-fifth anniversary of American independence; whites’ desire to reclaim national unity in the midst of increasing sectional tensions; and abolitionists’ attempts, in the aftermath of the Fugitive Slave Law, to recast the Revolution as an epic conflict between liberty and slavery. In Boston, speeches denouncing the legislative measure compared slave-catchers and the law’s defenders with Tories while characterizing fugitives and their anti-slavery allies as freedom-loving patriots. In October 1850, for example, soon after the law had been passed, free black Bostonians affirmed, “The example of the Revolutionary Fathers in resisting British oppression, and throwing the tea overboard in Boston Harbor, rather than submit to a three-penny tax, is a most significant one to us, when MAN is likely to be deprived of his God-given liberty.” Four months later, as he called on Bostonians to resist the Fugitive Slave Law, Charles Sumner read excerpts from John Adams’s 1765 diary that reflected on popular resistance to the Stamp Act. Having fired up the crowd, Sumner then advised them to “tar and feather” marshals, judges, and other officials who by their actions or decisions assisted in the heinous deed of capturing escaped slaves.<sup>33</sup>

It is, indeed, impossible to overstate the trauma that the Fugitive Slave Law had inflicted upon Boston’s black community. Although we do not know precisely how many people of color fled the city because of it, the *Boston Evening Transcript*

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Appropriation of \$1500 to Erect a Monument to Crispus Attucks, February 22, 1851,” reprinted in William Nell, *The Colored Patriots of the American Revolution* (Boston: Robert F. Wallcut, 1855), p. 14; William C. Nell, “Colored Patriots of the American Revolution,” *Liberator*, 25 May 1855.

<sup>33</sup>Robert Gross, “Commemorating Concord,” *Common-Place* 4 (October 2003), <http://www.common-place.org/vol-04/no-01/gross/>; “Fourth of July, 1851: Seventy-Fifth Anniversary of the Independence of the United States,” *Pittsfield Sun*, 3 July 1851; “Declaration of Sentiments of the Colored Citizens of Boston, on the Fugitive Slave Bill,” *Liberator*, 11 October 1850; “From the Boston Post,” *Pittsfield Sun*, 27 February 1851; “Extract from Charles Sumner’s Speech on Resisting the Fugitive Law,” *Pittsfield Sun*, 27 February 1851.

reported that “quite a number of families . . . where either the father or mother are fugitives have been broken up, and the furniture sold off, with a view of leaving for safer quarters in Nova Scotia or Canada.” The furor surrounding the law likely convinced many black Bostonians, including Roberts and Watkins, that desperate measures were necessary to secure their claim to citizenship and, by extension, to American identity. Roberts’s personal loss in his 1850 desegregation lawsuit no doubt intensified that belief.<sup>34</sup>

In April 1851, just weeks before the “tar and feathers scrape,” unrest over the Fugitive Slave Law personally affected individuals on both sides of the school desegregation dispute. Two months earlier, in February 1851, abolitionists had succeeded in rescuing accused fugitive Shadrack Minkins and spirited him to safety in Canada. Roberts, a printer by trade, distributed over one thousand broadsides throughout the city warning free blacks to remain vigilant. Vigilance did little to protect fugitive slave Thomas Sims, who was arrested during the first week of April and shipped south just two weeks later. Both Robert Morris, the black attorney who had argued Roberts’s school desegregation case, and the separatist Smith were arrested and charged in the failed attempt to rescue Sims. The first Boston fugitive to have been captured and returned to slavery under the terms of the new law, Sims became a haunting symbol of African Americans’ continued vulnerability and exacerbated black Bostonians’ anxieties over their inability to secure the full rights of citizenship.<sup>35</sup>



The jury hearing the case against Roberts found it difficult to believe that he had just happened to be standing two hundred

<sup>34</sup>“Flight of Fugitive Slaves from Boston,” *Boston Evening Transcript*, 8 October 1850.

<sup>35</sup>Jack Tager, *Boston Riots: Three Centuries of Social Violence* (Boston: Northeastern University Press, 2001), p. 95; Leonard W. Levy, “Sims’ Case: The Fugitive Slave Law in Boston in 1851,” *Journal of Negro History* 35 (1950): 39–74; “Embarkation of Sims, the Fugitive Slave,” *Pittsfield Sun*, 17 April 1851; “The Examination of T. P. Smith (Colored),” *Boston Evening Transcript*, 1 March 1851; “Ninth Arrest for the Slave Rescue,” *Boston Evening Transcript*, 1 March 1851.

feet away while his long-time rival was assailed by “some half-a-dozen” unidentified persons. And so, Roberts’s peers found him “guilty of assaulting and beating Thomas P. Smith with intent to imprison him by force.” At the same time, they rejected Roberts’s attempt to elevate the attack to the level of Revolutionary protest and denied his tar and feathers defense. In treating the episode as just another case of assault and battery, the jury dismissed the symbolic importance that Roberts and Watkins had sought to bring to their intra-racial attack. Although the colonists’ battle for rights against their fellow Englishmen was viewed as heroic, Roberts and Watkins’s similarly internecine struggle was treated as no more than an act of street violence, devoid of effect and devoid of principle.

The jury acquitted both Smith’s brother, Elijah, whom Roberts accused of accosting him with an axe, and Watkins, about whose involvement they could not agree. The court then fined Roberts twenty-five dollars, plus costs, and ordered him to surrender a bond of two hundred dollars to be returned after one year’s “good behavior.” If he violated either penalty, he could be “confined to Hard Labor in the House of Corrections” for up to three months.<sup>36</sup>

The “tar and feathers scrape” exposes the degree to which violence, symbolic and actual, had saturated Boston’s black community in 1851. More than a century before white Bostonians resisted court-ordered desegregation of their public schools in the 1970s, the school desegregation movement had splintered the city’s black community. This was not just an honest dispute among well-meaning men; it was bitter. And at least in May 1851, when Thomas Paul Smith returned home beaten and bruised and his brother chased down Benjamin Roberts with an axe, it was ugly—perhaps more ugly than generations of historians have realized.<sup>37</sup>

<sup>36</sup>*Commonwealth of Massachusetts vs. Mc Crea et al.*, Boston Municipal Court Records (1851), bound vol., pp. 2104–5, Mass. State Archives; “The Colored Assault Cases,” *Boston Evening Transcript*, 14 June 1851; “Criminal Proceedings,” *Boston Daily Atlas*, 17 June 1851.

<sup>37</sup>On violence in the antislavery movement see, e.g., John R. McKivigan and Stanley Harrold, eds., *Antislavery Violence: Sectional, Racial, and Cultural Conflict in Antebellum America* (Knoxville: University of Tennessee Press, 1999); James and Lois

Given its absence from the African American and abolitionist press, it is not clear how Boston's black community responded to or remembered the "tar and feathers scrape." But given the rhetorical ambiguity (or, in more positive terms, flexibility) of the American Revolution as a symbol of division *and* unity among the free black community, it is not entirely surprising that those who lined up on either side of the incident rallied together under the Revolutionary banner seven years later. In yet another strange twist in a strange set of events, on 5 March 1858, as part of a public commemoration of the eightieth anniversary of the Boston Massacre organized to protest the Dred Scott decision, Benjamin Roberts and Thomas Paul Smith's brother Elijah shared the stage at Faneuil Hall. Together they sang "Parody on 'Red, White, and Blue,'" written by Charlotte Forten:

Oh, when shall each child of our Father,  
 Whatever his nation or hue,  
 Be protected throughout thy dominions,  
 'Neath the folds of the red, white and blue.  
 'Neath the folds of the red, white and blue.

What happened in the intervening years to bring Benjamin Roberts and Elijah Smith to the same political platform is a matter of speculation. Yet their verses that evening suggest that in the wake of the Dred Scott decision, they had found common cause, as William Nell had suggested: to protest "the annihilation of the citizenship of Colored Americans."<sup>38</sup> Three years earlier, in 1855, Boston had desegregated its public schools, but with Chief Justice Roger B. Taney's controversial ruling that African Americans were not—nor would they ever

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E. Horton, "Violence, Protest, and Identity: Black Manhood in Antebellum America," in *Free People of Color: Inside the African American Community*, ed. James O. Horton (Washington D.C.: Smithsonian Institution Press, 1993), pp. 80–97; William H. and Jane Pease, "Confrontation and Abolition in the 1850s," *Journal of American History* 58 (March 1972): 923–37; and John Demos, "The Antislavery Movement and the Problem of Violent Means," *New England Quarterly* 37 (December 1964): 501–26.

<sup>38</sup>William C. Nell, "Faneuil Hall Commemorative Festival, Protest Against the Dred Scott Decision," 5 March 1858, Broad-sides, American Antiquarian Society, Worcester, Mass.

be—full and equal members of the nation, the constraints upon black citizenship seemed to be tightening each year. In the face of such an assault on their “race,” perhaps both Elijah Smith and Benjamin Roberts had independently concluded that, with an enemy in common, they could—indeed, they must—unite.<sup>39</sup>

<sup>39</sup>“The Northern Vocalists,” *Liberator*, 26 February 1858; “Commemorative Meeting in Faneuil Hall,” *Liberator*, 19 February 1858; Eldrid Herrington, “Research Note: Poems by Charlotte Forten and Frances Watkins Harper Found in AAS Collections,” *The Book* (November 2004): 5–6. Many thanks to Susan Cifaldi for this last reference.

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