

Slavery and the Law

As Lord Chief Justice, Lord Mansfield presided over cases concerning commercial interests in the slave trade, and the legal status of slaves in England. By the 1760s, Britain's slave trade was at its height, with great wealth built upon the labour of enslaved Africans in her Caribbean and American colonies. With profits at stake, slavery in the distant colonies was easy to ignore for many people in England.

Slavery on the streets of London was another matter, but legal protection for black people here was uncertain.

Public opinion in England had been turning slowly against the inhumane trade in people as property, known as 'chattel slavery'. Mansfield's own conduct, opinions and rulings suggest a man in two minds, torn between revulsion against slavery, and yet a deep reluctance to set



Above
View of the Deck of the Slave Ship Albanoz, by Lieutenant Francis Meynell, 1846. Conditions during the voyage across the Atlantic, or 'Middle Passage', were brutal. National Maritime Museum, London

Mansfield's Legacy The Case of James Somerset

'... shaking each other by the hand [they] congratulated themselves upon the recovery of the rights of human nature and their happy lot that permitted them to breathe the free air of England'

Newspaper account of the reaction of black spectators at the Somerset trial, 1772

The James Somerset trial was Lord Mansfield's most famous case, and the most important legal test of slavery in England prior to the abolition of the slave trade. Despite an ambiguous summing up, Mansfield went much further than any judge before in undermining the legality of slavery.

James Somerset was for twenty years an enslaved servant to customs officer Charles Stewart. Eventually brought to England, Somerset ran for freedom in 1771. He was soon recaptured and imprisoned on a ship bound for Jamaica.

Somerset appealed to Granville Sharp, renowned anti-slavery activist, who employed lawyers for him. Sharp saw the

best opportunity in years to test the principle of whether a person could be made into property in England.

Mansfield let the trial drag on over five months. Perhaps this indicated a personal struggle between his caution as a law lord and his closeness to Dido. When he finally delivered his verdict, on 22 June 1772, it sent shockwaves through and beyond the courtroom.

That Mansfield freed Somerset is not in question. What Mansfield said more generally about slavery in summing up is the subject of debate. He described slavery as 'odious', but did not clearly declare it illegal. One version has him saying:

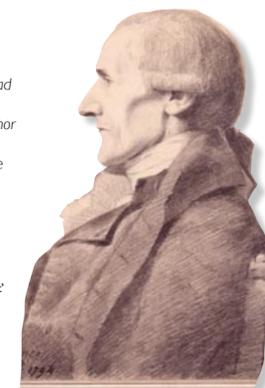
'Slavery is so odious that it must be construed strictly. No master was allowed here to send his servant abroad because he absented himself from his service or for any other cause. No authority can be found for it in the laws of this country and therefore we are all of the opinion that James Somerset must be discharged.'

On Monday near 400 Blacks, with their Ladies, had an Entertainment at a Public-house in Westminster, to celebrate the Triumph which their Brother Somerset had obtained over Mr. Stuart his Master. Lord Mansfield's Health was echoed round the Room, and the Evening was concluded with a Ball. The Tickets for Admittance to this black Assembly were 5s. each.

Left
An account of a ball held to celebrate Somerset's release, from the Public Advertiser, 27 June 1772. The Bodleian Library, University of Oxford



Left
Pendant by Josiah Wedgwood, depicting an enslaved man in chains and bearing the words, 'Am I not a Man and Brother'. The iconic image of a passive slave begging for help suited the propaganda needs of the abolition cause and became its symbol. In fact, enslaved people were often very active in demanding and pursuing their own freedom. English Heritage, Kenwood



Granville Sharp, leading anti-slavery activist at Gallery, Kenwood

James Somerset, an adult Negro about 30 years of age, Baldwin's Gardens, 1772

Record of Somerset's baptism as 'James Summersett', 20 February 1771 at St. Andrew's, Holborn. Many enslaved people believed that baptism as a Christian could guarantee their freedom. Guildhall Library, City of London, MS 6667/12



Above
Term Time, or The Lawyers all Alive in Westminster Hall, 1785 by Robert Dighton. Mansfield presides (top, centre) in the Court of King's Bench, where the Somerset case was heard. The Honourable C.A. Lennox-Boyd

Further reading:
James Oldham, *The Mansfield Manuscripts* (North Carolina, 1992)
Gretchen Gerzina, *Black London: Life Before Emancipation* (New Jersey, 1995)
James Walvin, *Black Ivory: A History of British Slavery* (London, 1992)
Simon Schama, *Rough Crossings: Britain, the Slaves and the American Revolution* (London, 2005)

Dido's Legacy

Lord Mansfield died in March 1793 leaving Dido an annual allowance. In December that year, Dido married John Davinier at St. George's Church, Hanover Square. Davinier had arrived in England about ten years earlier, but we do not know where from, nor how and why he had come here.

The couple lived in Ranelagh Street (later renamed Ebury Street) in Pimlico, then on the edge of London's urban centre. They had twin boys, Charles and John, in 1795 and another son, William Thomas, in 1800.

Dido's domestic life must have been comfortable but not luxurious – a dif-

Right
St. George's Hanover Square Church, 1809
City of Westminster Archives Centre

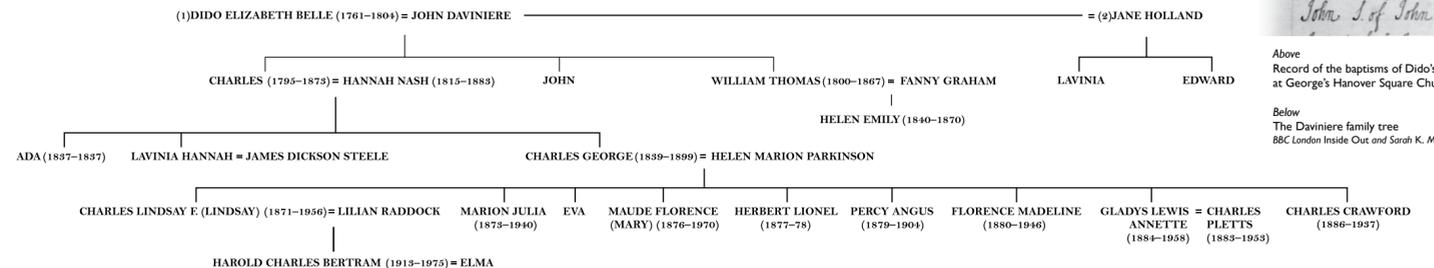


Far right
The marriage register signatures of Dido Elizabeth Belle and John Davinier, 1793
City of Westminster Archives Centre

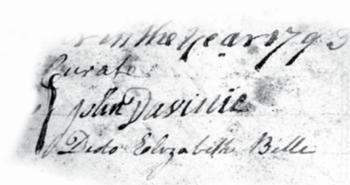
ferent world from her upbringing at Kenwood. John Davinier was a senior servant, a gentleman's Steward, but with Dido's allowance from Lord Mansfield, they could afford staff of their own. It seems they also paid for Charles to attend nearby Belgravia House School.

Dido died in July 1804, at the early age of 43. She was buried at St George's Church burial ground in Tyburn. The cemetery was redeveloped in the 1960s and the graves removed.

Although Dido's memorial has been erased, her descendants have now been traced, revealing a family integrated into London society, mainly living around

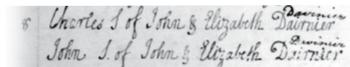


With grateful thanks to BBC London Inside Out and Sarah K. Minney, Genealogist and Record Agent, for the research provided on Dido Elizabeth Belle and her descendants



Notting Hill and Kensington. One of Dido's nine great-grandchildren was called Lindsay Davinier, raising the intriguing possibility that he was named after Dido's father.

Lindsay Davinier's son, Harold, became Dido's last descendant, born in South Africa, a former British slave colony. It is a final irony that he should die there in 1975 – white and free – in a racially segregated society, whose black population still struggled for justice.



Above
Record of the baptisms of Dido's twin sons, Charles and John, at George's Hanover Square Church, 8 May 1795

Below
The Davinier family tree
BBC London Inside Out and Sarah K. Minney, Genealogist and Record Agent

Slavery and Justice

THE LEGACIES OF DIDO BELLE AND LORD MANSFIELD



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