

# Jesse and Mary Emily Highgate Hyselman

Patricia Henry

In 1953, a 38-star flag was donated to the Tredyffrin Easttown Historical Society. It was found in the attic of a home once owned by Jesse Hyselman, and is presumed to have been made during the period that Jesse Hyselman and his wife, Mary Emily, lived in the house. It is reasonable to assume that the flag was made by Mary Emily. But who were Mary Emily and Jesse Hyselman?

Jesse Hyselman was a successful farmer and businessman. He was a leader within his family and community. Mary Emily was thoughtful and caring, and, it seems, also a seamstress. They were the children and grandchildren of slaves in Tredyffrin and Haverford Townships.

Telling the story of individual African Americans in this area in the 18th and 19th centuries poses inherent problems. There is, of course, a paucity of information, which makes it difficult to know the answer to many questions about personalities and paths taken. This is true for most individuals, as few people have left us journals or letters which are essential for “knowing” people we have never met. Also, understanding and interpreting the documentary evidence within the context of individuals and their neighbors needs to be done within the context of the larger social and economic movements of the time. Still, on a local level, we begin to understand the social context through the collective stories of the area’s people. It is a circular process, with each new story giving new nuances of meaning to our understanding.



The 38-star flag from the TEHS Archive. The fragile original wool flag material is attached to a white fabric backing. Normally, the blue field of stars is displayed on the upper left when the flag is hung vertically, but that is not possible in this case, with the backing attached. The 38-star flag was in official use from July 4, 1877 until July 3, 1890, when five more stars were added for the western states Idaho, Montana, North Dakota, South Dakota, Washington newly admitted to the Union. The flag is described in an article by Molly A. TenBroeck entitled “The Thirty-eight Star American Flag” that was published in the *History Quarterly* in October 1966 (Vol. 14 No. 2, pages 32–39). 2017 photo courtesy of © John O. Senior

This story of Jesse and Mary Emily Hyselman is an attempt to bring the stories of more African Americans of an earlier Tredyffrin-Easttown area forward so that their stories can be folded into a deeper understanding of these townships and their history.

## Grandparents of Jesse Hyselman

Charles Humphrey, a member of the 1776 Continental Congress from Haverford, along with two of his sisters, Elizabeth and Rebecca, registered nine slaves in the 1780 registry required by the Act for the Abolition of Slavery in Pennsylvania. Although he was no longer a member in good standing in the Quaker Meeting, Humphrey's roots were Quaker and he likely continued to attend Friends Meetings (common among Friends who were barred from official membership because of life choices such as owning slaves) along with his slaves who continued a multigenerational association with Friends. Humphrey and his sisters were buried in the Old Haverford Friends Meeting burial grounds.

The Humphrey slaves registered in 1780 were Nanny age 70, Cezar age 36, Tom age 34, Nancy age 44, Judy age 25, Dolly age 20, Alice age 10, Tommy age 8, and Fanny age 13 months. Of these individuals, Nancy, Dolly and possibly Alice, were slaves who belonged to Charles' sisters, both unmarried and living with him. When Charles Humphrey wrote his will November 8, 1785, he included several instructions with respect to his slaves and their children born after the 1780 registration, but before his death. Humphrey owned seven acres in Radnor, with a good house built of sawed logs and a stone chimney to be paid for out of his estate, that were willed to Tom and Judy together. Based on this bequest, one might assume that Tom and Judy were married. They were, but not to one another.

As author Katherine Cummin tells us, Tom Craill and his wife, Effie, lived in Philadelphia at the time Tom sold his interest in the property. Through a series of events and deeds, James and Judy Miller came into single ownership of these seven acres and house. Charles Humphrey also wrote in his will: "And I do hereby manumit and set free the said Cezar, Tom, and Judy, in six months after my decease, I also will that all Judy's children as if named shall be set free *the girls severally* as they arive [sic] to the age of Twenty years" [emphasis added]. The wording regarding Judy's children implies that she had more than one child in 1785, a mix of boys and girls, and that she had several daughters at that time. In addition to the freedom of her family, land and house, an old walnut dressing table and a pair of silver shoe buckles were also left to Judy. She was the only slave given specific household or personal items in the will.

We have no early record of Judy's husband, James Miller. It is possible that he was free at the time of his wife's manumission, but his status is unknown. He was clearly a free man when the 1790 census record shows him in Germantown with a family of five free non-white

individuals. Next to him is Cezar Waters with a family of three. This is the same Cezar who was also a slave of Charles Humphrey, manumitted in Humphrey's will, and left three acres adjoining that left to Tom and Judy, as well as the two acres that Cezar already owned with a house on it. Why they appear in the Germantown census is a mystery, especially since both James and Cezar owned property with a dwelling in Radnor. As a woman, Judy could not own property at that time, so the property willed to her by Charles Humphrey now belonged to her husband.

James Miller appears in the 1798 assessment list for Radnor with seven acres and a dwelling valued at \$30 but he was not taxed on it. "Casar" Waters is shown with just over five acres and house valued at \$50, and also is not taxed. Why were they not taxed? According to many authorities, it was common practice in many of Pennsylvania's counties during this period to avoid taxing non-white property owners to deprive them of the right to vote.

The Pennsylvania Constitution at that time gave the right to vote to all property owners. There was no racial restriction. However, since that right was expressed in terms of taxes having been assessed and paid, individuals who did not pay taxes as set by the local tax assessor could not vote. Tredyffrin Township appears to have confirmed the right to vote of its single African American landowner, Anthony Freeman, under the 1790 constitution as a tax was levied on the assessed value of his property.

James Miller continues to appear on various assessment lists at least through 1814, and was in the census records, through 1820. The Millers' land in Radnor bordered Montgomery County and Haverford Township and seems to have caused some confusion as to which jurisdiction the Miller residence was located.

Judy and James Miller had at least six children, and probably more. Their known children include sons Anthony and Jesse, and daughters Francis (Fanny), Mary, Rebecca, and Hannah. These children are known from deeds, census, estate and burial records. They may also have had a son Tommy and daughters Alice (from the 1780 list), Eliza, and Margaret. Their daughters Francis and Mary are of particular interest in respect to Jesse and Mary Emily Hyselman.

## Parents of Jesse Hyselman

Francis was born in 1779 and was listed as 13 months old in the 1780 register of slaves by Charles Humphrey. By the terms of his will, she was to be free at the age of 20. The "advantage" of this, if there was one, was that the estate of Charles Humphrey was required to assure the needs of Francis were met until she became 20 years of age. It also meant that any earnings she might have from work



performed belonged to the estate, and she could not marry without the permission of the executor of the estate before age 20.

On March 13, 1800, Francis Miller, now 21 years of age and a free woman, and Charles Hyselman, both of Radnor, were married by Edward Hunter, Justice of the Peace in Newtown Township. Charles Hyselman/Hyselman was probably of German heritage, possibly the son of Henry George Heyselman, who arrived in Philadelphia in early October 1753 from Rotterdam.



African American family and their cabin in the Wayne area, c.1889. *Courtesy of Radnor Historical Society*

Charles rented, from Levi Lewis, a 60-acre farm in Radnor township where the family thrived. In 1805, he was taxed on a frame house, a frame barn, a log shop, two horses and four cattle. In 1811, his name again appears on the tax list and he was now also taxed with a spring house. The couple had six children: Hannah, Phineas, George, Charles, Mary, and Jesse, the latter born in March 1812. In February 1813, Charles Hyselman died, leaving Fannie with six children under the age of 14.

Andrew Steel of Radnor was appointed guardian for the children. When Andrew Steel died four years later, Hannah and Phineas had turned 14, and petitioned the court to appoint Benjamin Davis as guardian for them. The petition was granted and Davis was also appointed guardian for the younger children, including Jesse. Some years later Benjamin Davis died and his guardianship of the Hyselman children and their property passed to his son, Ralph Davis, and Edward Siter. They filed their final accounting as guardians on April 27, 1834, taking into account assets received through April 1833, the month after the youngest child, Jesse, became 21 years of age.

Jesse came of age during a time of conflicted racial conditions in Pennsylvania. It was fifty years after “the abolition of slavery”. There was still a strong anti-slavery movement alive in Pennsylvania alongside a growing move to restrict the rights of African Americans. Fugitives from slavery came into free Pennsylvania across its long border with neighboring slave states. In the 20-year period 1820–1839, about 115 African Americans were claimed as fugitive slaves in Chester County, most from Maryland. How many fugitives might have found safety in or near Tredyffrin and Easttown Townships is unknown, as they lived hidden lives, not reflected in census, tax, or other public records.

### Parents of Mary Emily Highgate Hyselman

Mary Emily was the daughter of Amos Highgate and Mary Miller Highgate, and sister of Francis Miller Hyselman. Mary Miller was born in 1785. Although she was not born a slave, she was a “bound servant” to the age of 20 because her mother, Judy, was still a slave at the time Mary was born.

Amos Highgate was the son of Phillis, who first appears in Tredyffrin Township in 1765 as a slave of John Gronow. Phillis received her freedom in July 1776 by the will of John Gronow, so Amos was born free in late 1776 or 1777. Lewis Gronow (son of John) included Amos, age 3, when he registered his slaves in November 1780. By the time Lewis wrote his will this error seems to have become apparent to him as there is no reference to Amos in Lewis’ will even though specific instructions are given in respect to Amos’ enslaved brothers, Aaron, Moses and Simon. The identity of Amos’ father is unknown.

No record of the marriage of Amos Highgate and Mary Miller has been found, but it probably occurred between 1805 and 1809. In 1820, Amos and Mary were living in Willistown where the census records them with three boys and three girls, all under the age of 10. If these numbers for the children are correct, some of them must have died young. From there, they moved to Radnor where Amos died sometime before 1840. In the years after Amos’ death, Mary moved to Marple Township where she lived with her sons. Amos and Mary had seven known children: Ezekiel, Mary Emily, George, William, Amos Jr., Edwin (aka Edward), and Joseph, all born between 1810 and 1829. Based on her death certificate, we know that their daughter Mary Emily was born April 8, 1817.

### Marriage of Jesse and Mary Emily

No record of Jesse and Mary Emily’s marriage has been found, but they were married by 1850 and living in Radnor when the census was taken that year. The early

1850s were traumatic times in the life of Mary Emily. Her brother Ezekiel married in 1852 and moved to western Pennsylvania. Her brother Amos, Jr. died March 23, 1854; her mother died in 1855 or early 1856; on March 20, 1856 her brother Edwin died in Marple; and three months later her brother Joseph died in Tredyffrin on May 20. Mary Miller Highgate and at least four of her children (Mary Emily, Amos Jr., Joseph and William) are buried in the Newtown Square Friends Meeting's burial ground.

Mary Emily's brother Edwin wrote a short will the day before he died, leaving all he had to his wife Susan and naming his brother-in-law, Jesse Hyselman, as executor. It is unclear if his son, James, had yet been born when Edwin died. The evidence suggests that he had not. What became of Susan is unclear. She may have died at the time of her son's birth or soon thereafter. Edwin and Susan's son, James L. Highgate, was raised by Jesse and Mary Emily Hyselman.

This was also a time of intense tension in racial relations in the area. The 1850 Fugitive Slave law brought greater apprehension for African Americans throughout Pennsylvania. On September 11, 1851 the effects of that law were laid bare in nearby Christiana when a Maryland slaveowner attempted to claim several African-Americans as fugitive slaves which resulted in his death and the charge of treason levied against 37 people involved in preventing the return of those he claimed to own. In early 1852, a bill was proposed in the Pennsylvania legislature to prohibit the settlement of African Americans within the State. In March 1853, Franklin Pierce was inaugurated, declaring slavery as it then existed accepted law and the issue of slavery over. Locally, African Americans from the area around Christiana were moving toward more populated and protected areas—Norristown and Philadelphia—and northward to Canada. It was a time of great unsettledness for the African American community, north and south.

Jesse operated a farm in Radnor near the current location of the Wayne train station, a convenient location for taking farm products into Philadelphia where he sold them in stall 64 of the Western Market located at 16th and Market Streets, near the site of Philadelphia's Suburban Station today. In 1851, he was awarded \$750 recompense for the destruction of grain and hay from sparks from a locomotive engine. Hiram Cleaver, Jesse's neighbor, was awarded \$700 for the destruction of his barn as part of the same Congressional action. Jesse may have been storing grain and hay in Hiram's barn. Within the next five years Hiram had moved to Easttown and Jesse to Tredyffrin.

## The Move to Tredyffrin

Precisely when Jesse and Mary Emily moved to Tredyffrin Township is not clear. They were in Tredyffrin

in 1856 when the Pennsylvania Septennial Census was taken and in the 1860 census they are shown as living on a farm in Tredyffrin where Jesse Heyselman was the head of household. The deed to Jesse's purchase of a 24-acre farm on Old State Road, next to that of Abram Latch, from Charles Thompson for \$4,400 is dated April 2, 1868. Although no record of it has been found, this probably reflects the date the final payment on the property was made on an earlier mortgage or agreement with Charles Thompson, or John Keesey of Norristown, who had sold the property to Charles Thompson in 1859.

A deeper look at the population and land ownership within Tredyffrin Township at the time Jesse purchased this land gives some indication of the significance of this accomplishment. In 1850, there were four Black landowners in Tredyffrin with an average real estate value of \$350. By 1860, this had increased to seven non-white owners with an average real estate value of \$715. In 1870, the census for Tredyffrin lists 178 individuals who owned real estate, of whom seven are recorded as non-white. The median value of all properties shown is \$9500 with a range of \$200-\$70,000; the median value of all non-white properties is \$1500 with a range of \$200-\$4500.

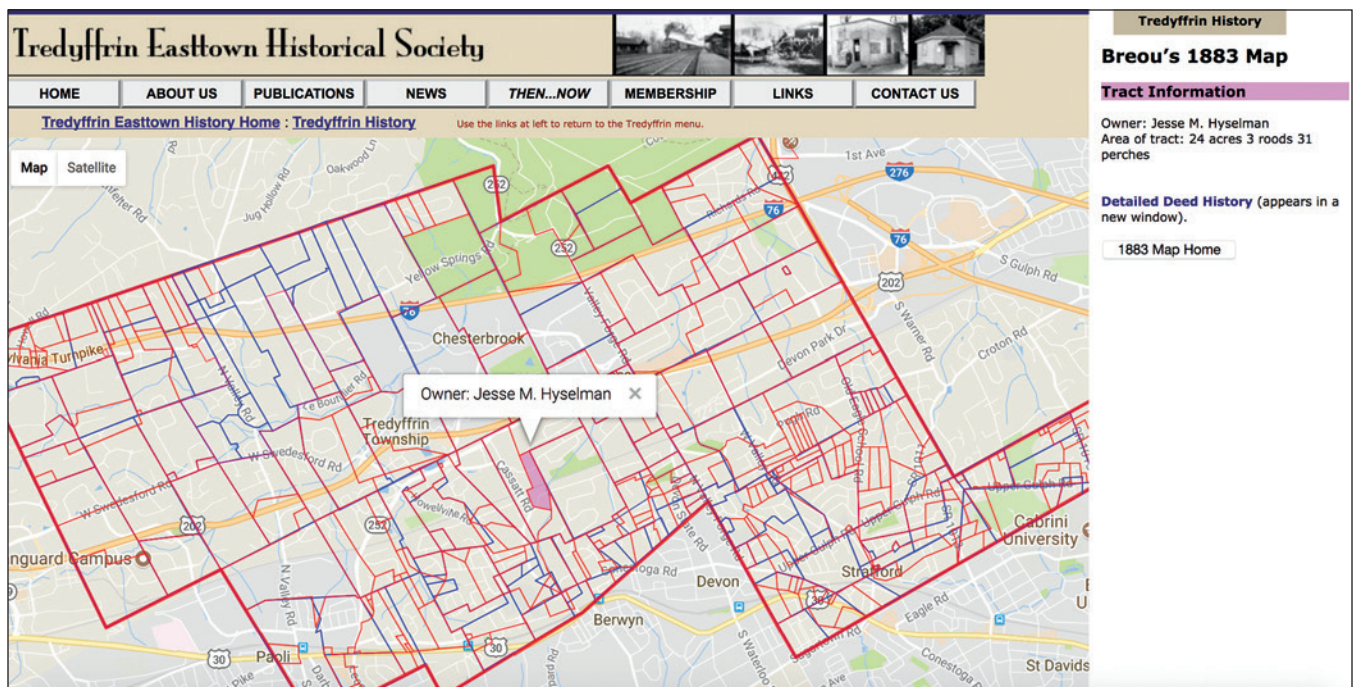
Looked at another way, the value of the real estate of 85 landowners in Tredyffrin in 1870 was less than that of Jesse Heyselman's property value, and 90 were valued higher. From an economic perspective, he was clearly in the "middle class." Jesse Hyselman was not the only child of a slave to improve his economic condition in such a marked way, and he was helped by the status and fortunes of his father, but it remains a testament to his own industriousness and natural abilities.



The Western Market building on the northeast corner of 16th and Market Streets in Philadelphia, c.1859.  
*Free Library of Philadelphia, Philadelphia, PA*

Jesse continued to take his farm produce to market in Philadelphia. When the United States instituted a federal tax to support the war effort in the 1860s, Jesse, like his neighbors, was taxed on various items. In Philadelphia,





Section of interactive 1883 map showing the location of the Hyselman property in Tredyffrin Township. *Courtesy of TEHS.*

he was taxed as a retail dealer in the Western Market, and in Tredyffrin, he was taxed on livestock he owned. Jesse's neighbors recognized and respected his judgement as shown by his name appearing as witness and administrator for both family and neighbors' estates.

Despite this abundant evidence of his competency and "citizenship," when Jesse Hyselman purchased his farm in 1868, then 56 years of age, it would be another two years before he would have the right to vote. While the 1790 Pennsylvania Constitution would have given him the right to vote as a property owner and tax payer, that right was explicitly rescinded with Pennsylvania's 1838 Constitution, which gave the right to vote to white men exclusively. Non-white individuals in Pennsylvania would not again have the right to vote until after the conclusion of the Civil War and the 1870 passage of the 15th Amendment to the United States Constitution.

Jesse died in 1889 with a moderate estate. In addition to his farm, he held stock in the Farmers' Market in Philadelphia, at 12th and Market Streets, which would later become known as the Reading Terminal Market. He also held a life insurance policy. Most of his assets were left to his wife, Mary Emily, either outright or in semiannual interest payments. He made bequests to individuals unrelated to him, and the balance of his estate was to go, upon the death of his wife, to James L. Highgate, nephew of Mary Emily, and to Jesse Hyselman's nephew and nieces, children of his brother Charles.

Jesse Hyselman is buried in the Newtown Square Friends

Meeting burial ground along with his mother and two of his brothers, George and Phineas.

After Jesse's death, Mary Emily Hyselman lived in a house she rented in Easttown on Walnut Avenue. Her name is shown in the 1900 census as "Jane", but all other identifying information indicates this record refers to her. Mary Emily Hyselman died in Malvern at the age of 90 on January 11, 1907.

In her will, Mary Emily left bequests to the wife and children of her brother, Ezekiel, who had moved to western Pennsylvania over fifty years earlier. She left bequests to unrelated individuals, and to James, Walter and Baldwin Highgate, the sons of her brothers Edward and George. Her death certificate indicates that she was buried in the Great Valley Presbyterian Church, which may suggest she attended that church, but there is no record of her in the cemetery there. Her burial in the Newtown Square Friends Meeting's burial ground is recorded in the Meeting's records.

James L. Highgate, Mary Emily's nephew whom she and Jesse Hyselman raised, married Georgianna Trite in 1892. In 1900, James was farming in Charlestown. Within ten years, they moved to West Vincent Township where Georgianna had lived before their marriage. Ten years later, they were back in Charlestown. Georgianna died in Phoenixville on May 1, 1923 and James Highgate died five months later, on September 30, 1923. Neither Jessie and Mary Emily Hyselman nor James Highgate left descendants.

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