

Vermont Division for Historic Preservation – Roadside Historic Site Marker Program



Dinah Roadside Marker Application Review

- January 25, 2021 Application from Historic Windsor, Inc.
 - Revisions of proposed text
- October 7, 2021 Application approved final text
- October 10-21, 2021 Posted on Website for Public Review/Comment
- October 21, 2021 Advisory Council on Historic Preservation approves application (text and location)
- October 25, 2021 Dinah Marker Ordered
- Expected delivery February/March 2022
- Estimated Installation April/May 2022

Stephen Jacob's Time in Windsor, Vermont

- * Jacob advertised his services as an attorney in Windsor; in 1782, his name was associated as counsel for 46 of the 58 cases heard in the October term
- * When Vermont was admitted into the Union as the 14th state, President George Washington elected Jacob as the state's first district attorney, a position he held from 1791 until 1797

Friday - March the 4th 1791

In conformity to the Summons issued by the President of the United States on the first instant, the Senate met this day at their Chamber, and having given due notice thereof the following communications were made to them by the President of the United States:

United States March 2^d 1791

Gentlemen of the Senate

The Act for the admission of the State of Vermont into the Union having first on this as the day of its ratification, it was thought that this would also be the first day on which any Officer of the Union may be legally perform any act of authority relating to that State. Therefore requires your attention to receive communications of the several Officers necessary to the future government and justice in that State.

For this purpose I recommend

Nathaniel Chipman to be Judge of the District of Vermont.

Stephen Jacobs to be Attorney for the United States in the District of Vermont.

Jesse A. Morris to be Marshal of the District of Vermont. and

Stephen Hayes to be Collector of the District of all Tolls in the State of Vermont.

G. Washington.

Stephen Jacobs to be Attorney for the United States in the District of Vermont.

Jesse A. Morris

Letter from George Washington appointing Jacob as Vermont's state attorney. George Washington Papers at the Library of Congress, 1741-1799, Series 2 Letterbooks.



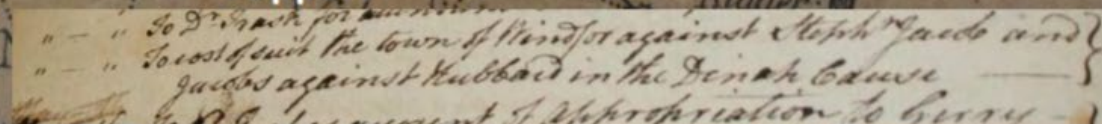
Stephen Jacob House, c. 1784

Slide from HWI/PEI

Selectmen of Windsor v. Stephen Jacob, Esq.

(heard by the Vermont Supreme Court in August term, 1802)

- * At the time of the case, Jacob was one of three Vermont Supreme Court Judges; since he was prohibited from sitting on the case, it was presided over by Judges Royall Tyler and Jonathan Robinson
- * The plaintiffs tried to enter the bill of sale for Dinah as evidence that Jacob was indeed holding her illegally, while the defense argued that Dinah left of her own free will, and since Jacob knew slavery was illegal in the State of Vermont, he made no effort to bring her back into his service
- * The ruling in this case, which can be argued to be the first of its kind in the United States, was both hopeful and disheartening:
 - * Vermont's anti-slavery constitution was upheld when the bill of sale was not allowed to be admitted as evidence, setting a firm stance and precedent that the laws of the state's Constitution were not to be taken lightly
 - * While Judge Tyler stated that a master had the responsibility to care for his slaves, he ruled that Dinah could not be viewed as a slave because slavery did not exist within the boundaries of Vermont, and therefore Jacob could not be held accountable for her support



" - " So Dr. [unclear] for [unclear]
" - " So cost of suit the town of Windsor against Steph Jacob and
guides against Hubbard in the Dinah Cause
[unclear] to [unclear] of Appropriation to [unclear]

Excerpt from Windsor town records showing the fees associated with the 1802 case.

Town of Windsor, Vermont, Records, 1786-1808, Windsor, Vermont (Vol. 1), 162.

Dinah's Remaining Years

- * Dinah continued to live in Windsor and be supported by town funds, despite being “warned out” of town on several occasions
- * In late February or early March, Dinah died in Windsor; the town paid for medical services during her last sickness, as well as her coffin and bell-tolling
- * Although Jacob never offered any compensation to the town for Dinah’s support in light of the 1802 Vermont Supreme Court case, town records show that although it was ruled that Dinah was never a slave, town officials felt Jacob had shirked his responsibilities; records of expenses allotted by the overseers of the poor are listed in association with “Judge Jacob’s Dinah”

DIED,
In Bridgewater, Doct. Joseph Slayton.
In this town, Dinah, a woman of color.

Notice of Dinah's death.

Spoooner's Vermont Journal, March 6, 1809 (Vol. XXVI, No. 1337), 3.

Dinah

Windsor, Vermont

Applicant: Historic Windsor, Inc.

Dinah
c. 1753–1809

Dinah was taken to Windsor in 1783, identified only as a *Negro woman slave about thirty years of age*, valued at £40. An ensuing court case would later make her the best known of those to have been enslaved in Vermont despite its 1777 Constitution - the first to prohibit adult slavery. In defiance of the law, lawyer Stephen Jacob purchased Dinah, obtaining a bill-of-sale from a future Vermont legislator that was witnessed by a town leader. Dinah served the Jacob family in the adjacent 18th-century house. When no longer in his service, she *fell into need* and requested town support, which was denied by a vote of the Windsor residents who urged their selectmen to charge Jacob legally for her care instead.

(continued on other side)

Vermont Division for Historic Preservation--2022

Dinah
c. 1753–1809

(continued from other side)

The lawsuit, *Selectmen of Windsor v Stephen Jacob*, was heard before the Vermont Supreme Court in 1802 when then-Justice Stephen Jacob recused himself. Remaining justices disavowed Dinah's slave status, ruling *no inhabitant of the state can hold a slave*, thus absolving Jacob of her care while affirming Vermont's prohibition of slavery. In total, Dinah lived in Windsor for nearly three decades, enslaved or free without manumission. Labeled as *Jacob's wench* or *African Dinah*, she was summoned by selectmen to leave town, assaulted by a deacon's son, and suffered repeated illnesses. Although Dinah died in poverty, she was identified in a published obituary as *a woman of color*. The location of her grave is unknown.

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Proposed Marker Location