

in the probate court, but Williams recorded the sale in probate court four years later.

The Utah State Archives holds slave registrations for Shepherd, Daniel, Jerry, Caroline, Tampian, and Lucy. (See Appendix 2.) The registrations refer to a book called *Probate Register of Servants*, but it does not appear to exist anymore. None of the registrations indicate that Judge Elias Smith questioned any of the six about their desire to remain in servitude.⁴¹

Due to its attempt to treat slavery as contracted labor, the Act accounted for few of the situations normally encountered in Southern slavery. It was not a cohesive slave code with principles familiar to Southern enslavers, and they and the probate court mostly ignored the Act and its provisions. Although John Brown was a member of the first territorial legislature, there is no record that he or Elizabeth Crosby

1857

J. S. City March 1. 1852
 Thomas S. Williams
 To. A. O. Smoot Sr

One Negro Girl named Lucinda \$400.00

Witnesses
 H. Sutherland } Recd. Payment
 Margaret T. Smoot
 I approve of the above sale or transfer

Mr. A. O. Smoot
 Dear Sir

I have this day received the above amount of Mr. Thomas S. Williams in full Payment for one Negro Girl Lucinda as above described

Witnesses
 H. Sutherland } Margaret T. Smoot

E. Smith Probate Judge
 Salt Lake County

Figure 1.3. In 1852, Margaret T. Smoot sold Lucy or Lucinda to Thomas S. Williams. Williams recorded the sale in probate court in 1856. Utah State Archives.

1858

Territory of Utah
 Great Salt Lake County &

Personally appeared before ^{me} James H.
 Cummins clerk of the Third Judicial District Court for
 said Territory. Duritha Lewis who being duly sworn
 states on oath that she is the true and lawful
 owner of three persons of African blood. Their names
 and ages are follows to wit Jerry, Caroline & Tampian
 aged 38, 18, and 19. That she the said Duritha Lewis
 inherited them from her father Solomon Trail according
 to the laws of the state of Kentucky. That by virtue of
 such inheritance. She is entitled to the services of
 the said Jerry, Caroline, and Tampian during their
 lives according to the laws of the said Territory. and
 for a term not. That she makes for the affidavit
 that they may be registered as slaves according to
 the requirements of the laws of said Territory for life
 sworn and subscribed to before
 on this 4th day of Aug. A.D. 1858 }
 J. H. Cummins Clerk U.S. 3rd }
 Dist. Court. Utah Territory }
 p John C. Lynch Deputy }

Duritha Lewis

Figure I.4. In 1858, Duritha Trail Lewis registered Jerry, Caroline, and Tampian in the probate court before selling Caroline and Tampian to Thomas S. Williams. Utah State Archives.

Brown registered Betsy in the probate court, and the price he listed for Betsy in 1857 of \$1,000 was a high price for a chattel slave of her age and sex and did not take into consideration any limitations on his ownership of her and her future children.⁴² All known valuations or sales documents—including an 1857 price for Nancy Lines Smith of \$500; the prices for Jerry, Caroline, and Tampian in the David Lewis estate; and the 1859 sale of Daniel Camp for \$800—echo prices seen in chattel slavery elsewhere and do not indicate that enslavers valued their slave