



APPENDIX

Warranting Violence

Brittany Farr*

The *Stanford Law Review* is publishing this Appendix to support Brittany Farr, *Warranting Violence*, 78 STAN.L.REV. 533 (2026). This Appendix has been lightly edited for formatting and style, but the *Stanford Law Review* has not independently confirmed all factual information herein.

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Table 1.
State Information

State	Year formed	Primary cash crops ¹	Population ²				
			Year	Total	Enslaved	White	Free, non-white ³
Virginia	original colony	tobacco, wheat	1800	880,200	39.3%	58.4%	2.3%
			1850	1,421,661	33.2%	62.9%	3.8%
South Carolina	original colony	rice, indigo, cotton	1800	345,591	42.3%	56.8%	0.9%
			1850	668,507	57.6%	41.1%	1.3%
Tennessee	1796	cotton, tobacco, corn	1800	105,602	12.9%	86.8%	0.3%
			1850	1,002,717	23.9%	75.5%	0.6%
Mississippi	1817	cotton, tobacco	1800	8,850	39.4%	58.5%	2.1%
			1850	606,526	51.1%	48.8%	0.2%
Texas	1845	cotton	1800	--	--	--	--
			1850	212,592	27.4%	72.5%	0.2%

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1. A substantial body of literature documents antebellum crop production in the five states examined here. See RANDOLPH B. CAMPBELL, *AN EMPIRE FOR SLAVERY: THE PECULIAR INSTITUTION IN TEXAS, 1821-1865*, at 78 (12th prtg. 2011) (describing crops grown in Texas); JUSTENE HILL EDWARDS, *UNFREE MARKETS: THE SLAVES' ECONOMY AND THE RISE OF CAPITALISM IN SOUTH CAROLINA* 70 (2021) (describing crops grown in South Carolina); DAVID J. LIBBY, *SLAVERY AND FRONTIER MISSISSIPPI, 1720-1835*, at 35-36 (2004) (describing crops grown in Mississippi); Chase C. Mooney, *Some Institutional and Statistical Aspects of Slavery in Tennessee*, 1 TENN. HIST. Q. 195, 225 (1942) (describing crops grown in Tennessee); Gavin Wright, *Slavery and American Agricultural History*, 77 AGRIC. HIST. 527, 536, 541 (2003) (describing crops grown in Virginia). The order in which the crops are listed in the table above roughly corresponds to their primacy and chronological usage within the state.
 2. Population data for the years 1800 and 1850 were taken from the following report issued by the federal government: SUPERINTENDENT OF THE U.S. CENSUS, *THE SEVENTH CENSUS OF THE UNITED STATES: 1850*, at ix tbl.I (1853).
 3. Racial categorization changed often between different decennial censuses. In 1800, the categories used were: "free white males," "free white females," "All other free, except Indians not taxed," and "slaves." *Id.* at x. In 1850, the categories were: "free inhabitants," separated by "white, black, or mulatto," and "slaves." *Id.* at xii. Because the terms used to describe free populations who were neither white nor Native American were different in the 1800 and 1850 censuses, I have used the term "free non-white" in the table above to refer to both categories. For more on the relationship between racial formation and the census, see, for example, Naomi Mezey, *Erasure and Recognition: The Census, Race and the National Imagination*, 97 NW. U. L. REV. 1701, 1703 (2003).

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Table 2.
Published Appellate Cases by State

Mississippi					
Case Name	Persons(s) Warranted	Sex	Status	Loss Claimed	Cause
Texada v. Camp, Walker 150 (Miss. 1824)	Malinda	Female	Deceased	Total	“[D]ied with the venereal disease”
McLeod v. Tutt, 1 Howard 288 (Miss. Err. & App.1836)	Amy	Female	---	---	Unsoundness, unspecified
Williams v. Harris, 2 Howard 627 (Miss. Err. & App.1837)	---	---	---	Total	“[D]isease”
Ingraham v. Russell, 3 Howard 304 (Miss. Err. & App.1839)	Hinson	Male	Living	Partial	“[F]ound him laboring under an attack of small pox.”
	Anderson	Male	Living	Partial	“[H]e was evidently idiotic ... subject to fits, though he had the appearance of being ordinarily healthy.”
Tutt v. McLeod, 3 Howard 223 (Miss. Err. & App.1839) ⁴	Amy	Female	---	---	Unsoundness, unspecified
Kinley v. Fitzpatrick, 4 Howard 59 (Miss. Err. & App.1839)	Sam	Male	---	---	“Sam was not sound, but on the contrary unhealthy and diseased.”
Rentfrow v. Shaw, 4 Howard 651 (Miss. Err. & App.1840)	Scott	Male	Living	Total	“[H]e was consumptive ... said disease incurable, and [] Scott was of little or no value.”
Glidewell v. Hite, 4 Howard 651 (Miss. Err. & App.1840)	---	---	---	--	Unsoundness, unspecified

4. This case is based on the same sale of the enslaved woman named Amy as *McLeod v. Tutt*, 2 Miss. (1 Howard) 288, 288 (1836).

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Brown v. Smith, 5 Howard 387 (Miss. Err. & App.1841)	---	---	---	Total	“Five of said slaves . . . were afflicted with divers diseases . . . by means whereof they were rendered useless to the purchaser.”
Munn v. Perkins, 1 Smedes & M. 412 (Miss. Err. & App.1843)	Lucinda	Female	Deceased	Total	“Lucinda, afterwards died of consumption.”
Houston v. Burney, 2 Smedes & M. 583 (Miss. Err. & App.1844)	---	---	---	---	Unsoundness, unspecified
Collins v. McCargo, 6 Smedes & M. 128 (Miss. Err. & App.1846)	---	---	Living	Total	Unsoundness, unspecified
Adams v. Rowan, 8 Smedes & M. 624 (Miss. Err. & App.1847)	---	---	Deceased	Total	“Seven of them died in two or three months after the purchase, of diseases under which they were laboring at the time of sale.”
Ott v. Alderson, 10 Smedes & M. 476 (Miss. Err. & App.1848)	Enoch	Male	Living	Total	“[T]he boy was constitutionally diseased with scrofula . . . ; he did not think the boy of any value.”
Keirn v. Carson, 12 Smedes & M. 431 (Miss. Err. & App.1849)	Harry	Male	Deceased	Total	“Harry was laboring under pulmonary disease, lungs full of pus, right lobe a diseased pass.”
	Ann	Female	Deceased	Total	“Ann presented traces of disease of long standing; . . . the muscles of the abdomen, [] had been ruptured to a

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	Anne (<i>continued</i>)				considerable extent, so as to admit the bowels to pass in a manner that formed ventral hernia.”
James v. Herring, 12 Smedes & M. 336 (Miss. Err. & App.1849)	Egerton	Male	Deceased	Total	“The diarrhoea and fever, with occasional interruptions, continued with other symptoms, showing a gradual decline until his death.”
Simmons v. Cutreer, 12 Smedes & M. 584 (Miss. Err. & App.1849)	Aby	Female	Living	Total	“[T]he Negro was an idiot and of no value.”
Rasberry v. Moye, 1 Cushm. 320 (Miss. Err. & App.1852)	---	---	---	Partial	Unsoundness, unspecified
Harmon v. Fleming, 3 Cushm. 135 (Miss. Err. & App.1852)	---	---	Deceased	Total	“[T]he slaves thus hired died during the year.”
Westmoreland v. Walker, 3 Cushm. 76 (Miss. Err. & App.1853)	---	Male	Living	Total	“The evidence . . . shows him to be unsound in body, and to possess a weak mind. The slave is represented in the bill of sale to be 27 years old. The proof shows him to be 38 or 40 years old.”
Joslin v. Caughlin, 4 Cushm. 134 (Miss. Err. & App.1853)	---	Female	---	Total	“[S]aid slave, ‘at the time of the said sale was unsound and of little value.’”
Merrill v. Melchior, 1 George 516 (Miss. Err. & App.1855)	---	---	---	---	Unsoundness, unspecified
George v. Bean, 1 George 147 (1855)	Mary	Female	---	Partial	“[P]hysician . . . found her affected with some disease of the womb;

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	Mary (continued)				thought it was chronic inflammation.”
Hutchins v. Brooks, 2 George 430 (1856)	---	Female	Living	Total	“[S]lave was at the time unsound and badly diseased, and utterly worthless.”
Shewalter v. Ford, 5 George 417 (1857)	---	Female	Deceased	Total	“[S]he [] had a cough and looked unhealthy, which . . . progressed to a deep-toned cough, of which she was evidently sick, and that this continued until it terminated in pneumonia, of which she died.”
Lindsey v. Lindsey, 5 George 432 (1857)	Prince	Male	Deceased	Total	“[W]as afflicted with a disease of which he died.”
Patterson v. Kirkland, 5 George 423 (1857)	---	Female	Living	Total	“[S]he sometimes had fits; . . . she was taken, “all of a sudden, in a strange way,” and witness thought she was crazy. She was dangerous.” “The evidence shows that the woman soon became worthless, and died.”
Fondren v. Durfee, 10 George 324 (1860)	Calvin	Male	Deceased	Total	“[T]he incipient stage of consumption, of which he subsequently died, supervened.”
Mizell v. Sims, 10 George 331 (1860)	---	Male	Living	Total	“[A] vicious and worthless slave, and a habitual and dangerous runaway”
Herndon v. Bryant, 10 George 335 (1860)	---	Male	---	---	“The disease under which the slave was alleged to have been

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	--- <i>(continued)</i>				laboring at the time of sale was internal and secret, not palpable to the observation.”
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Texas					
Case Name	Persons(s) Warranted	Sex	Status	Loss Claimed	Cause
Mercer v. Hall, 2 Tex. 284 (1847)	---	Male	Deceased	Total	“[I]t was that of consumption of which he died.”
Ables v. Donley, 8 Tex. 331 (1852)	---	Female	Deceased	Total	“[A] few days after the purchase the negro showed symptoms of disease. In about two weeks she had chills and fever, and in about two months she died. A physician who had seen the negro testified to the effect that he supposed her to have had ‘typhoid fever.’”
Anderson v. Duffield, 8 Tex. 237 (1852)	---	Female	Living	Total	Unsoundness, unspecified
McKinney v. Fort, 10 Tex. 220 (1853)	Washington	Male	Deceased	Total	“[F]rom the symptoms described in the deposition of another witness, [] the disease was winter fever or pneumonia.”
Murphy v. Crain, 12 Tex. 297 (1854)	Catherine	Female	Deceased	Total	“[Physician] found her laboring under a violent attack of pleurisy; she partially recovered, relapsed and died.”
Able v. Chandler, 12 Tex. 88 (1854)	---	Male	Living	Partial	“[H]e was evilly disposed, untrustworthy, and dishonest, and [] he was unsound in body.”

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Van Bibber v. Geer, 12 Tex. 15 (1854)	---	Male	Living	Total	Unsoundness, unspecified
Scranton v. Tilley, 16 Tex. 183 (1856)	Friday	Male	Deceased	Total	“[U]nsoundness arose from a disease commonly called epilepsy or convulsions.” “[S]lave died ... from said disease.”
Kesler v. Robson, 16 Tex. 119 (1856)	---	Male	Living	Total	“[H]e was diseased and valueless.”
Nations v. Jones, 20 Tex. 300 (1857)	Henry	Male	Living	---	“[T]he boy had but little mental development; [] his mind was of a low grade, not an idiot, but between uncommon stupidity and idiocy; [] he had but little intellect.”
Wade v. De Witt, 20 Tex. 398 (1857)	Jack	Male	Deceased	Total	“[Some physicians] found the heart obstructed by a fibro- adipose substance within the cavity,... which had produced inflammation and obstruction to the arterial circulation, the proximate cause of the death.”
Williams v. Ingram, 21 Tex. 300 (1858)	---	---	Deceased	Total	“[D]isease of which the negro died.”
Hubby v. Stokes, 22 Tex. 217 (1858)	---	Female	Deceased	Total	“[D]iseased state of her body, of which she died in a few months.”
Blythe v. Speake, 23 Tex. 429 (1859)	Sam	Male	Living	Total	“[H]e had been afflicted with a disease... causing prostration, sickness affecting the stomach, shortness of

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	Sam (<i>continued</i>)				breath, swelling of the body, palpitation of the heart and difficult respiration, so that he was unable to perform any kind of service, and was confined to his bed in a sick and languishing condition.”
McFall v. Walker, 25 Tex. 327 (1860)	Lucy	Female	Deceased	Total	“[S]lave had been afflicted with a great variety of diseases, to wit: consumption, bronchitis, chills and fever, fits, a disease of the womb and other permanent diseases unknown to them.” “[F]rom the diseases . . . she died.”

Tennessee					
Case Name	Persons(s) Warranted	Sex	Status	Loss Claimed	Cause
Sample v. Looney, 1 Tenn. 85 (1804)	Milly	Female	Living	Partial	“[T]he girl was subject to convulsion fits.”
McFarlane v. Moore, 1 Tenn. 174 (1805)	---	Female	Deceased	Total	“[Doctor] found her in such a state occasioned by the improper administration of mercury, that he thought her incurable, . . . the woman afterwards died.”
Westmoreland v. Dixon & Shelton, 5 Tenn. 223 (1817)	Peter	Male	---	Total	“[H]e had fits, frequently of a dangerous kind, subjecting him to fall into the fire and be burned.” “[H]e did not

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	Peter (<i>continued</i>)				keep his corn row but would work out of it, in half a dozen hills, into another row.”
Crabtree v. Cheatham, 10 Tenn. 138 (1826)	---	Female	---	Total	“[T]he woman swelled with the dropsy, and had been told . . . that she was too far gone to be recovered”
Hogan’s Ex’r v. Carland, 13 Tenn. 283 (1833)	Rebecca	Female	---	---	Unsoundness, unspecified
	Betsey	Female	Living	Partial	“[S]he was forty-five”
Jordan v. Trice, 14 Tenn. 479 (1834)	Mollie	Female	---	---	Unsoundness, unspecified
Long v. Hicks, 21 Tenn. 305 (1841)	Wesley	Male	Living	Total	“Wesley was affected from his birth with a disease of the spine.”
Allen v. Anderson, 22 Tenn. 581 (1842)	---	---	Living	Partial	Unsoundness, unspecified
Belew v. Clark, 23 Tenn. 506 (1844)	Martha	Female	Living	Total	“[S]he was absolutely an idiot, and of no value”
Williams v. McCormack, 26 Tenn. 308 (1846)	Eliza	Female	Deceased	Total	“[T]he girl died, having been under the influence of a fatal disease from a period previous to the sale.”
Sypert v. Sawyer, 26 Tenn. 413 (1846)	Eda	Female	---	---	“The slave was afflicted with scrofula at the time of the sale.”
Farnsworth v. Earnest, 26 Tenn. 24 (1846)	---	Male	Living	Partial	“[T]he boy is ignorant and dull of comprehension.”
Henning v. Vanhook, 27 Tenn. 678 (1848)	---	Female	Deceased	Total	Unsoundness, unspecified
Lawrence v. Vick, 29 Tenn. 285 (1849)	Emily	Female	Living	Total	“[S]aid girl was afflicted with a chronic disease.”

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Jones v. White, 30 Tenn. 268 (1850)	---	Male	---	---	“[D]isease with which he was afflicted.”
Burke v. Clarke, 42 Tenn. 310 (1852)	---	---	---	Total	“[U]nsound mind”
Morgan v. Winston, 32 Tenn. 472 (1894)	---	Female	Deceased	Total	“A short time before her death her flesh wasted away very rapidly ... she had such symptoms ... persons generally have who die of secondary syphilis.”
McGavock v. Wood, 33 Tenn. 181 (1853)	Mariah	Female	---	---	Unsoundness, unspecified
Franklin v. Ezell, 33 Tenn. 497 (1853)	Harriet	Female	Living	Total	“[L]aboring under <i>umbilical hernia</i> in a most aggravated form, and to such extent ... to be incurable, and to render the slave almost, if not altogether, valueless.”
Ezell v. Franklin, 34 Tenn. 236 (1854)	Harriet	Female	Living	Total	See above.
Cobb v. O’Neal, 34 Tenn. 438 (1854)	Priscilla	Female	Living	Total	“[S]he was laboring under consumption, and that from the indications, the disease must have been of several months standing, and that the slave was of no value.”
Pearson v. Johnson, 34 Tenn. 580 (1855)	George	Male	Living	Partial	“He had a protracted sickness ... He was not all the time confined, but his malady continued, and he was feeble and languid. Dr. [] considered it a case of liver disease and indigestion, which caused a general disorder of the system.”

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Rosson v. Hancock, 35 Tenn. 434 (1856)	---	Female	Living	---	“[O]ne of her arms had been broken, or out of place, and she was otherwise unsound and disordered, and had a dangerous and violent temper and disposition; was ungovernable, lazy, and totally unfit for a house servant.”
Lowe v. Morris, 36 Tenn. 69 (1856)	---	Female	Living	Partial	“[S]aid slave was near twenty years older than represented in the bill of sale; was at the time laboring under various diseases.”
Dickinson v. Cruise, 1 Head 258 (1858)	John	Male	Deceased	Total	“[D]ied of typhoid fever.”
McKenzie v. Kerr, 37 Tenn. 539 (1858)	---	Female	Deceased	Total	“The disease of which she died, appears to have been dropsy.”
Cameron v. Ottinger, 38 Tenn. 27 (1858)	Eliza	Female	Deceased	Total	Unspecified
Conner v. Crunk, 39 Tenn. 246 (1858)	Lucretia	Female	Deceased	Total	Disease
Ford v. Thompson, 38 Tenn. 265 (1858)	---	Female	---	---	“[D]iseased and unsound.”
Kearly v. Duncan, 38 Tenn. 397 (1858)	Arzilla	Female	Living	Total	Unsoundness, unspecified
Whitson v. Gray, 40 Tenn. 441 (1859)	---	Female	Living	Partial	“False representation that the slave was twenty-five years old, when in fact she was twenty-nine and a half.”
Nored v. Adams, 39 Tenn. 449 (1859)	Minerva	Female	Living	---	“[S]he was diseased.”
Smith v. Cozart, 39 Tenn. 526 (1859)	Maria	Female	Deceased	Total	“[T]he girl had consumption.”

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Norton v. Moore, 40 Tenn. 480 (1859)	Caroline	Female	---	---	“[V]ery much diseased;... very much prostrated... her bowels were considerably swollen and very sore, and her bloodvessels [sic] were considerably distended and unnaturally full.”
	Clarissa	Female	Living	---	“[A]lmost, if not quite an idiot”

South Carolina					
Case Name	Persons(s) Warranted	Sex	Status	Loss Claimed	Cause
Timrod v. Shoolbred, 1 S.C.L. 324 (1793)	Stepney	Male	Deceased	Total	“[B]roke out with the small pox the day after the sale, and died.”
Vaughan v. Campbell, 4 S.C.L. 53 (S.C. Const. App. 1806)	George	Male	Deceased	Total	“George was sick; swelled...; was forty or fifty years of age; unable to work; died soon after.”
Furman v. Miller, 4 S.C.L. 127 (S.C. Const. App. 1807)	---	Female	Deceased	Total	“[S]he continued sick, was swelled, and appeared to labor under a fatal disease [dropsy].”
Limehouse v. Gray, 5 S.C.L. 231 (S.C. Const. App. 1812)	---	Female	Deceased	Total	“[S]he was sick of a disorder which... was the cause of her death.”
Houston v. Gilbert, 5 S.C.L. 63 (S.C. Const. App. 1812)	---	Male	Living	Partial	“[N]otorious runaway; [] his bad qualities were concealed from the plaintiff at the time of the sale.”
Byers v. Bostwick, 9 S.C.L. 75 (S.C. Const. App. 1818)	---	Male	Living	---	“[H]ad run away”

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Mathews v. Sims, 9 S.C.L. 103, 286 (S.C. Const. App. 1818)	Sawney	Male	Living	Total	“[A] runaway and thief; that his temper was malicious and vindictive, and that withal that he had been castrated before his being brought from Virginia into this State.”
	Anetta / Sarah	Female	Deceased	Total	“[C]ruelly murdered by some person, and that Sawney had been suspected as the author of this murder.”
Davis v. Murray, 9 S.C.L. 143 (S.C. Const. App. 1818)	---	Male	Living	Total	“[A]fflicted with the dropsy”
Crawford v. Wilson, 9 S.C.L. 353 (S.C. Const. App. 1818)	---	Female	Living	---	“[T]he girl had broke out all over in ulcers, and was in a short time declared to be incurable.”
Eastland v. Longshorn, 10 S.C.L. 194 (S.C. Const. App. 1818)	---	Female	Deceased	Total	“[D]iseased of a dropsy, of which she shortly afterwards died.”
Caldwell v. Barkley, 9 S.C.L. 452 (S.C. Const. App. 1818)	---	Male	Living	Partial	“[O]ne of his eyes weak, one worse than the other; that they were affected with a disorder, called by medical men a milky cataract; and that hard labor, and laboring in the sun, would each be injurious, and united, might, in time, destroy his sight altogether.”
Brown v. Frazier, 9 S.C.L. 413 (S.C. Const. App. 1818)	---	Female	---	---	Unsoundness, unspecified
Wallace v. Frazier, 11 S.C.L. 516 (S.C. Const. App. 1820)	---	Male	Living	Partial	“[T]he negro had a sore on his leg.”

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Smith v. McCall, 12 S.C.L. 220 (S.C. Const. App. 1821)	---	Male	Living	Partial	"[T]he negro had an inveterate habit of running away, which so much impaired his value."
Wells v. Spears, 12 S.C.L. 421 (S.C. Const. App. 1821)	---	Female	Deceased	Total	"[She was] afflicted, and had been for a length of time, with some incurable disease, of which she died in a short space of time."
Richardson v. Whitfield, 12 S.C.L. 403 (S.C. Const. App. 1821)	---	Male	---	Total	Unsoundness, unspecified
Garrett v. Stuart, 12 S.C.L. 514 (S.C. Const. App. 1821)	Spencer	Male	---	---	Unsoundness, unspecified
Hughes v. Banks, 12 S.C.L. 537 (S.C. Const. App. 1822)	Rachael	Female	Deceased	Total	"[The doctor] examined her, and was under the impression that she died with the <i>lues veneria</i> . His attention was directed to that disease from hearing the family say that she formerly had it; otherwise he confessed <i>he might not have formed an opinion of what disease she did die.</i> "
Read v. Duncan, 13 S.C.L. 167 (S.C. Const. App. 1822)	Tom	Male	---	Total	Unsoundness, unspecified
Lightner v. Martin, 13 S.C.L. 214 (S.C. Const. App. 1822)	Rose	Female	Living	---	"[H]ad the venereal disease." "[A]fter having gone through a course of medicine, she appeared to have got quite well."

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Ashley v. Reeves, 13 S.C.L. 432 (S.C. Const. App. 1823)	---	Male	Living	Total	“[H]e appeared disordered in the breast.” “[H]e appeared to have some defect in the arms.”
Grey v. Young, 16 S.C.L. 38 (S.C. Const. App. 1823)	---	Female	Living	Total ⁵	“[H]ernia of an unusually large extent, which constantly endangers her life.”
Stinson v. Piper, 14 S.C.L. 251 (S.C. App. L. & Eq. 1825) ⁶	---	Female	---	---	“Unsoundness of the mind.”
Colcock v. Goode, 14 S.C.L. 513, 514 (S.C. App. L. & Eq. 1826)	Cavannah	Male	Living	---	“[H]e was often unable to work. He appeared to be ruptured. His hire was worth but little. Nothing of consequence.”
Hough v. Evans, 15 S.C.L. 169 (S.C. App. L. & Eq. 1827)	James	Male	Deceased	Total	“He had a chronic consumption attended with a bad cough.”
Young v. Plumeau, 16 S.C.L. 543 (S.C. App. L. & Eq. 1827)	Violet	Female	Deceased	Total	“[C]onsumption, of which disease she died.”
Smith v. Rice, 17 S.C.L. 648 (S.C. App. L. & Eq. 1830)	---	Female	Living	Total	“[S]he was discovered to be diseased with gonorrhoea.”
Motley v. Montgomery, 18 S.C.L. 11 (S.C. App. L. & Eq. 1830)	---	Female	Deceased	Total	Unsoundness, unspecified

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5. The court’s opinion in *Grey* stated that the buyer was claiming damages in the amount of \$10,000. This is very likely a transcription error as it is significantly higher than any one enslaved person would have sold for at the time. Other information provided in the opinion suggests, however, that the woman’s sale price was likely in the single thousands of dollars. If this is correct, then the buyer was most likely suing to recover the entirety of her purchase price. *See generally* *Grey v. Young*, 16 S.C.L. (Harp.) 38, 39 (1823).
6. *Stinson* was joined with *Hogan v. Bowlware* because the “cases both depend upon the same principle.” *Stinson v. Piper*, 14 S.C.L. (3 McCord) 251, 251 (1825).

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Hart's Ex'rs v. Edwards, 18 S.C.L. 306 (S.C. App. L. & Eq. 1831)	---	Male	Deceased	Total	"[A] fever superinduced by the [venereal] disease, or by an improper treatment of it."
O'Neill v. Abney, 18 S.C.L. 317 (S.C. App. L. & Eq. 1831)	---	---	---	Total	Unsoundness, unspecified
Matlock v. Gibson, 42 S.C.L. 437 (S.C. App. L. & Eq. 1832)	---	Female	Living	Total	"[D]iseased and worthless."
McLaughlin v. Horton, 19 S.C.L. 383 (S.C. App. L. & Eq. 1833)	---	---	Living	Total	Unsoundness, unspecified
Lance v. Barrett, 19 S.C.L. 204, 204 (S.C. App. L. & Eq. 1833)	---	---	Deceased	Total	"Four of the negroes died soon after [sale], as it appeared, of diseases existing at the time of purchase."
Johnson v. Brockelbank, 20 S.C.L. 353 (S.C. App. L. & Eq. 1834)	---	Male	Deceased	Total	"[D]ied of the disease"
Towles v. Turner, 21 S.C.L. 178 (S.C. App. L. 1836)	---	Female	Living	Total	Unsoundness, unspecified
Williams v. Vance, 23 S.C.L. 97 (S.C. App. L. 1837)	Robin	Male	Deceased	Total	"Measles"
Smith v. Bank of State of S.C., 12 S.C. Eq. 113 (S.C. App. Eq. 1837)	---	---	Deceased	Total	"[H]ad the fever and ague, at the time of the sale, and continued ill for six or seven months, and then died of dropsy."
Bennett v. Carter, 23 S.C.L. 142 (S.C. App. L. 1838)	Maria	Female	---	Total	"[D]iseased and valueless"

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M'Clintock v. Hunter, 23 S.C.L. 327, 327 (S.C. App. L. 1838)	Ben	Male	Living	---	"[T]he disease which he had (a rupture)"
Parkerson v. Dinkins, 24 S.C.L. 185, 186 (S.C. App. L. 1839)	---	Female	Living	---	"[S]he had a limp in her gait, produced from an enlargement of the tendons of her ankle."
Roseman v. Hughey, 24 S.C.L. 437 (S.C. App. L. 1839)	George	Male	---	---	Unsoundness, unspecified
Venning v. Gantt, 25 S.C.L. 87, 88 (S.C. App. L. 1840)	Philander	Male	Deceased	Total	"[C]omplication of diseased lungs and dropsy"
Stucky v. Clyburn, 25 S.C.L. 186, 189 (S.C. App. L. 1840)	Ned	Male	Deceased	Total	"[R]upture, or what is called hernia"
Wilson v. Ferguson, 25 S.C.L. 190, 191 (S.C. App. L. 1840)	---	Female	Living	Partial	"[E]nlargement of the abdomen"
Seibles v. Blackwell, 26 S.C.L. 56 (S.C. App. L. 1840)	---	Female	Deceased	Total	Unsoundness, unspecified
M'Lean v. Ex'rs of Green, 27 S.C.L. 17 (S.C. App. L. 1841)	Edinburgh	Male	---	---	Unsoundness, unspecified
Porcher v. Caldwell, 27 S.C.L. 329, 329, 333 (S.C. App. 1842)	Lucia	Female	Living	Total	"[T]he commencement of cancer"; "the disease was chronic"
Rodrigues v. Habersham, 28 S.C.L. 314, 315 (S.C. App. L. 1843)	Hannah	Female	Deceased	Total	"Hannah was seriously diseased in the ovaria and uterus, having <i>schirrous</i> tumors in these parts of the size of the double fists."
City Council of Charleston v. Cohen, 29 S.C.L. 408, 408 (S.C. App. L. 1844)	Bella	Female	Living	Total	"[She was] dangerous to the neighborhood, by a habit she had of throwing pieces of fire

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	Bella (<i>continued</i>)				about her room, and that she was a public nuisance, whom [the mayor] thought the good of the community required should be committed for safety”
Farr v. Gist, 30 S.C.L. 68, 68 (S.C. App. L. 1844)	Linder	Female	Deceased	Total	“[D]ied of a disease, the remote cause of which was dirt eating”
Miller v. Yarborough, 30 S.C.L. 48, 48 (S.C. App. L. 1844)	---	Male	Deceased	Total	“The boy died a few days after with lock-jaw, produced by the wound in the foot.”
Watson v. Boatwright, 30 S.C.L. 402, 402 (S.C. App. L. 1845)	Harriet	Female	Deceased	Total	“[S]he was laboring under an incurable disease of the heart”
Carter v. Walker, 31 S.C.L. 40, 41 (S.C. App. L. 1845)	Dorcas	Female	Living	Total	“[A] lump in the bottom of the foot of the size of half an acorn. She said it came with a pain”
Boinest v. Leignez, 31 S.C.L. 464, 465, 468 (S.C. App. L. 1846)	Judy	Female	Living	Partial	“[F]ound her leg much swollen; ulcerated; seemed of long standing If Judy were put to work as a cook, she would suffer very much from the sore.”
	Pembroke	Male	Living	Partial	“[H]e had a rheumatism in one of his shoulders; . . . a tumour [sic] in one of his arms; could not be cured without an operation; the tumour [sic] is an inconvenience.”

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Wood v. Ashe, 32 S.C.L. 407, 411 (S.C. App. L. 1847)	---	Female	Deceased	Total	“[D]iseased”
Stephens v. Chappell, 34 S.C.L. 80, 80 (S.C. App. L. 1848)	Clarissa	Female	Deceased	Total	“[T]yphoid fever, in its incipient stage, when sold”
Hiller v. Eng., 35 S.C.L. 486 (S.C. App. L. 1848)	Lizzy	Female	Living	---	“Disease”; “fall by which she had been injured”
Verdier v. Trowell, 40 S.C.L. 166 (S.C. App. L. 1853)	Henderson	Male	Living	Partial	“[H]e had tumors on his back, several of which were discharging matter, and were the effect of burns. He was bodily unsound”
John Crouch & Co. v. Culbreath, 45 S.C.L. 9, 10 (S.C. App. L. 1857)	Vincent	Male	Living	Partial	“[P]ains, stiffness of joints, and apparently a slight swelling of one ankle, and that these proceeded from chronic rheumatism under which he suffered.”
Comm’r in Equity v. Smith, 43 S.C.L. 515 (S.C. Err. 1855)	---	Female	Living	Partial	Unsoundness, unspecified
Campbell v. Kinlock, 43 S.C.L. 300 (S.C. App. L. 1856)	Joe	Male	Deceased	Total	“[A] fatal disease called and known as consumption of the lungs”
Welch v. Brooks, 44 S.C.L. 123 (S.C. App. L. 1856)	Cato	Male	Deceased	Total	“[D]ied of a disease”
Gadsden v. Raysor, 43 S.C.L. 276 (S.C. App. L. 1856)	Peter	Male	Deceased	Total	“[C]hronic affections of the liver, its adhesion to the diaphragm, effusion of the pericardium of the heart, the heart surrounded by a false membrane.”

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Claussen v. Salinas, 46 S.C.L. 124 (S.C. App. L. 1859)	Ned	Male	Deceased	Total	"[H]e died of the softening of the brain."
Parker v. Partlow, 46 S.C.L. 679 (S.C. Ct. App. 1860)	Lewis	Male	Deceased	Total	"[D]ropsy of the heart"
Scarborough v. Reynolds, 47 S.C.L. 98 (S.C. Ct. App. 1860)	---	Female	Living	Partial	"[A]rm dislocated in infancy, and which was badly set, rending the arm crooked."

Virginia					
Case Name	Persons(s) Warranted	Sex	Status	Loss Claimed	Cause
Waddill v. Chaberlayne, 2 Va. Colonial Dec. B45 (Va. Gen. Ct. Apr. 1735)	---	---	---	Total	"[F]or a long Time before Laboured under an incurable disease"
Wilson v. Shackleford, 25 Va. 5 (1826)	---	Female	Deceased	Total	"[L]abouring under an inveterate dropsy"
Pleasants v. Clements, 29 Va. 474 (1831)	---	Male	Living	Total	"[I]ncurably afflicted with scrofula and unable to endure the lightest labour"
Howell v. Cowles, 47 Va. 393 (1849)	Tom	Male	Living	Total	"[W]holly unfit for the purposes for which he was hired ['the boat business']"
Trice v. Cockran, 49 Va. 442 (1852)	---	Male	Deceased	Total	"[U]nsound, and died of the diease then upon him"
Boyle v. Overby, 52 Va. 202 (1854)	---	Female	---	---	Consumption
Graham v. Bardin, 1 Pat. & H. 206 (Va. 1855)	Frank	Male	Living	---	Unsoundness, unspecified

Table 3.
Common Claims of Unsoundness

Communicable Diseases				
Case Name	Persons(s) Warranted	Gender	Type	Historical Diagnosis
Mcfall v. Walker, 25 Tex. 327, 328 (1860)	Lucy	Female	Tuberculosis	Consumption
Fondren v. Durfee, 39 Miss. 324, 327 (Miss. Err. & App. 1860)	Calvin	Male	Tuberculosis	Consumption
Smith v. Cozart, 39 Tenn. 526, 529 (1859)	Maria	Female	Tuberculosis	Consumption
Dickinson v. Cruise, 1 Head 258 (Tenn. 1858)	John	Male	Contagious, non-respiratory	Typhoid fever
Lindsey v. Lindsey, 34 Miss. 432 (Miss. Err. & App 1857)	Prince	Male	Respiratory (non-TB)	Lungs very much diseased
Shewalter v. Ford, 34 Miss. 417 (Miss. Err. & App 1857)	---	Female	Respiratory (non-TB)	Pneumonia
Wade v. DeWitt, 20 Tex. 398 (1857)	Jack	Male	Respiratory (non-TB)	Peritonitis and pleuritis
Campbell v. Kinlock, 43 S.C.L. 300 (S.C. App. L. 1856)	Joe	Male	Tuberculosis	Consumption
Cobb v. O'Neal, 34 Tenn. 438, 440 (1854)	Priscilla	Female	Tuberculosis	Consumption
Boyle v. Overby, 52 Va. 202 (1854)	---	Female	Tuberculosis	Consumption
Murphy v. Crain, 12 Tex. 297 (1854)	Catherine	Female	Respiratory (non-TB)	Pleurisy
McKinney v. Fort, 10 Tex. 220 (1853)	Washington	Male	Respiratory (non-TB)	Pneumonia / Winter fever

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Morgan v. Winston, 32 Tenn. 472 (1852)	---	Female	Venereal disease	Secondary syphilis
Ables v. Donley, 8 Tex. 331 (1852)	---	Female	Contagious, non-respiratory	Typhoid fever
James v. Herring, 20 Miss. 336, 336 (Miss. Err. & App. 1849)	Egerton	Male	Tuberculosis	Scrofula
Keirn v. Carson, 20 Miss. 431(Miss. Err. & App. 1849)	Harry	Male	Respiratory (non-TB)	Pulmonary disease
Ottis v. Alderson, 18 Miss. 476, 478 (Miss. Err. & App. 1848)	Enoch	Male	Tuberculosis	Scrofula
Stephens v. Chappell, 34 S.C.L. 80, 80 (S.C. App.L. 1848)	Clarissa	Female	Contagious, non-respiratory	Typhoid fever
Mercer v. Hall, 2 Tex. 284, 285 (1847)	---	Male	Tuberculosis	Consumption
Sypert v. Sawyer, 26 Tenn. 413, 413 (1846)	Eda	Female	Tuberculosis	Scrofula
Munn v. Perkins, 9 Miss. 412, 415 (Miss. Err. & App. 1843)	Lucinda	Female	Tuberculosis	Consumption
Rentfrow v. Shaw, 5 Miss. 651, 652 (Miss. Err. & App. 1840)	Scott	Male	Tuberculosis	Consumption
Ingraham v. Russell, 4 Miss. 304 (Miss. Err. & App. 1839)	Hinson	Male	Contagious, non-respiratory	Smallpox
Williams v. Vance, 23 S.C.L. 97 (S.C. App. L. 1837)	Robin	Male	Respiratory (non-TB)	Measles
Hart's Ex'rs v. Edwards, 18 S.C.L. 306 (S.C. App. L. & Eq. 1831)	---	Male	Venereal disease	Venereal disease

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Pleasant's v. Clements, 29 Va. 474 (1831)	---	Male	Tuberculosis	Consumption
Smith v. Rice, 17 S.C.L. 648 (S.C. App. L. & Eq. 1830)	---	Female	Venereal disease	Gonorrhea
Young v. Plumeau, 16 S.C.L. 543 (S.C. App. L. & Eq. 1827)	Violet	Female	Tuberculosis	Consumption
Hough v. Evans, 15 S.C.L. 169, 169 (S.C. App. L. & Eq. 1827)	James	Male	Tuberculosis	Consumption
Texada v. Camp, 1 Miss. 150 (1824)	Malinda	Female	Venereal disease	Venereal disease
Lightner v. Martin, 13 S.C.L. 214 (S.C. Const. App. 1822)	Rose	Female	Venereal disease	Venereal disease
Hughes v. Banks, 12 S.C.L. 537 (S.C. Const. App. 1822)	Rachael	Female	Venereal disease	Gonorrhea and Lues Veneria (syphilis)
Wallace v. Frazier, 11 S.C.L. 516 (S.C. Const. App. 1820)	---	Male	Tuberculosis	Consumption
McFarlane v. Moore, 1 Tenn. 174 (1805)	---	Female	Venereal disease	Improper administration of mercury (a syphilis treatment)
Timrod v. Shoolbred, 1 S.C.L. 324 (S.C. Com. Pl. Gen. Sess. 1793)	Stepney	Male	Contagious, non-respiratory	Smallpox

Physical Conditions, Non-Contagious				
Case Name	Persons(s) Warranted	Gender	Type	Historical Diagnosis
Parker v. Partlow, 46 S.C.L. 679 (S.C. Ct. App. 1860)	Lewis	Male	Edema	Dropsy of the heart

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McFall v. Walker, 25 Tex. 327, 328 (1860)	Lucy	Female	Reproductive	“Disease of the womb”
McKenzie v. Kerr, 37 Tenn. 539 (1858)	---	Female	Edema	Dropsy
Patterson v. Kirkland, 5 George 423 (Miss. Err. & App. 1857)	---	Female	Epilepsy	Fits
John Crouch & Co. v. Culbreath, 45 S.C.L. 9, 10 (S.C. App. L. 1857)	Vincent	Male	Joint pain ⁷	Chronic rheumatism
Scranton v. Tilley, 16 Tex. 183 (1856)	Friday	Male	Epilepsy	“Epilepsy or fits”
George v. Bean, 1 George 147, 149 (Miss. 1855)	Mary	Female	Reproductive	“Disease of the womb”
Franklin v. Ezell, 33 Tenn. 497 (1853)	Harriet	Female	Hernia	Umbilical hernia
Keirn v. Carson, 20 Miss. 431 (Miss. Err. & App. 1849)	Ann	Female	Hernia	Rupture / Ventral hernia
Boinest v. Leignez, 31 S.C.L. 464 (S.C. App. L. 1846)	Pembroke	Male	Joint pain	Rheumatism
Carter v. Walker, 31 S.C.L. 40, 41 (S.C. Ct. App. 1845)	Dorcas	Female	Joint pain, Cancer	Rheumatism; “a cancer in the foot”
Rodrigues v. Habersham, 28 S.C.L. 314, 315 (S.C. App. L. 1843)	Hannah	Female	Reproductive, Joint pain, Cancer	Disease of “ovaria and uterus,” rheumatism, tumors “of a

7. See generally DEA H. BOSTER, *AFRICAN AMERICAN SLAVERY AND DISABILITY: BODIES, PROPERTY, AND POWER IN THE ANTEBELLUM SOUTH, 1800-1860*, at 39 (2013) (“[R]heumatism—a more expansive disease category in the nineteenth century that could arise from infections or arthritis— . . . appears frequently in descriptions of slave health problems and often incapacitated its victims.”); TODD L. SAVITT, *MEDICINE AND SLAVERY: THE DISEASES AND HEALTH CARE OF BLACKS IN ANTEBELLUM VIRGINIA* 135 (1st paperback ed. 1981) (“Many [slaves] suffered from rheumatism and arthritis . . .”).

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	Hannah <i>(continued)</i>			cancerous kind”
Porcher v. Caldwell, 27 S.C.L. 329, 329 (S.C. App. 1842)	Lucia	Female	Cancer	“[T]he commencement of cancer”
Stucky v. Clyburn, 25 S.C.L. 186, 189 (S.C. App. L. 1840)	Ned	Male	Hernia	Rupture
Venning v. Gantt, 25 S.C.L. 87 (S.C. App. L. 1840)	Philander	Male	Edema	Dropsy
Rentfrow v. Shaw, 5 Miss. 651, 653 (Miss. Err. & App. 1840)	Scott	Male	Asthma	Asthma
Ingraham v. Russel, 4 Miss. 304 (Miss. Err. & App. 1839)	Anderson	Male	Epilepsy	Fits
Parkerson v. Dinkins, 24 S.C.L. 185 (S.C. App. L. 1839)	Dorcas	Female	Joint pain	Chronic rheumatism
M’Clintock v. Hunter, 23 S.C.L. 327 (S.C. App. L. 1838)	Ben	Male	Hernia	Rupture
Smith v. Bank of State of S.C., 12 S.C. Eq. 113 (S.C. App. Eq. 1837)	---	Female	Edema	Dropsy
Shenault v. Eaton, 12 Tenn. 98, 102 (1833)	Jemima	Female	Reproductive	Disease of the “liver and womb”
Young v. Plumeau, 16 S.C.L. 543 (S.C. App. L. & Eq. 1827) ⁸	Violet	Female	Joint pain	Rheumatism
Colcock v. Goode, 14 S.C.L. 513 (S.C. App. L. &	Cavannah	Male	Hernia	Rupture

8. Violet was also diagnosed with tuberculosis, then referred to as “consumption.” As such, her case is also listed on the table listing cases involving communicable diseases. Young v. Plumeau, 16 S.C.L. (Harp.) 543, 547 (1827).

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Eq. 1826)				
Wilson v. Shackelford, 25 Va. 5 (1826)	---	Female	Edema	Dropsy
Grey v. Young, 16 S.C.L. 38 (S.C. Const. App. 1823)	---	Female	Hernia	Hernia
Eastland v. Longshorn, 10 S.C.L. 194 (S.C. Const. App. 1818)	---	Female	Edema	Dropsy
Westmoreland v. Dixon, 5 Tenn. 223 (1817)	Peter	Male	Epilepsy	Fits
Vaughan v. Campbell, 4 S.C.L. 53 (S.C. Const. App. 1806)	George	Male	Edema	“Swelled”
Sample v. Looney, 1 Tenn. 85 (1804)	Milly	Female	Epilepsy	Convulsion Fits

Mental Conditions				
Case Name	Persons(s) Warranted	Gender	Type	Description
Stinson v. Piper, 14 S.C.L. 251, 252 (S.C. App. L. & Eq. 1825)	---	Female	Unspecified	“[U]nsoundness of the mind”
Wilder v. Richardson, 23 S.C.L. 323, 323 (S.C. App. L. 1838)	---	Male	Moral	Runaway
Ingraham v. Russell, 4 Miss. 304, 305 (Miss. Err. & App. 1839)	Anderson	Male	Cognitive	“[I]diotic”
City Council of Charleston v. Cohen, 29 S.C.L. 408, 408 (S.C. App. L. 1844)	Bella	Female	Mental Illness	“[A] maniac, dangerous to the neighborhood”
Belew v. Clark, 23 Tenn. 506, 507 (1844)	Martha	Female	Cognitive	“[A]bsolutely an idiot”

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Farnsworth v. Earnest, 26 Tenn. 24, 24 (1846)	---	Male	Cognitive	"[O]f weak mind ... An idiot"
Simmons v. Cutreer, 20 Miss. 584 (Miss. Err. & App. 1849)	Aby	Female	Cognitive	"[A]n idiot"
Westmoreland v. Walker, 25 Miss. 76, 77 (Miss. Err. & App. 1853)	---	Male	Cognitive	"[W]eak mind"
Able v. Chandler, 12 Tex. 88, 89 (1854)	---	Male	Moral	"[E]villy disposed"
Rosson v. Hancock, 35 Tenn. 434, 435 (1856)	---	Female	Moral	"[D]angerous and violent temper ... Ungovernable, lazy"
Nations v. Jones, 20 Tex. 300, 301 (1857)	Henry	Male	Cognitive	"[A]n idiot"
Patterson v. Kirkland, 34 Miss. 423, 424 (Miss. Err. & App. 1857)	---	Female	Mental Illness	"[C]razy"
Norton v. Moore, 40 Tenn. 480, 484 (1859)	Clarissa	Female	Cognitive	"[A]lmost, if not quite an idiot"
Mizell v. Sims, 39 Miss. 331, 333 (Miss. Err. & App. 1860)	---	Male	Moral	"[V]icious ... habitual and dangerous runaway"