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SLAVE RESISTANCE

"Rather die freemen than live to be slaves," the revolutionary slogan deployed by Henry Highland Garnet in his "An Address to the Slaves of the United States of America" of 1843, reveals that abolitionists conceived of the enslaved as central to their movement. The political significance of slave resistance in the making of abolition and the sectional conflict over slavery is understudied.[1] Slave resistance gave abolition its most enduring issue, the fugitive slave controversy, and provided the movement with its most dynamic exponents.

Slaves voted against slavery with their feet, giving rise not just to national but also international debates over the boundaries and legitimacy of slavery, a dress rehearsal for their momentous actions during the Civil War. From the early days of the Republic abolitionists assisted slaves who were seeking freedom. Slave resistance moved abolition into northern state- and courthouses and inspired grassroots militancy. Slave rebels and runaways put slavery on trial. The argument that most Americans saw slaves as complicit in their enslavement for not resisting it flies in the face of the history of slave resistance and its impact on national politics, international law, diplomacy, and popular sentiment.[2] Slave resistance revolutionized abolitionist discourse and practice.

FUGITIVE SLAVES AND THEIR ALLIES

Fugitive slaves offer a counternarrative of American history. For colonial slaves the land of freedom was not their home, but rather Spanish Florida or Indian territory, much as Canada, Mexico, Haiti, the British West Indies, and the northern states symbolized free spaces for their nineteenth-century descendants.[3] Enslaved "freedom seekers" contributed to the breakdown of comity

between southern and northern states and had a wide-ranging impact on the rise of sectional tensions.

Individual acts of slave resistance became the stuff of politics. The Fugitive Slave Act of 1793 had not only granted extraterritoriality to southern laws of slavery in the free North but also facilitated the kidnapping of free blacks into slavery. In the 1820s states like Pennsylvania and New York passed personal liberty laws to protect free blacks from kidnapping and gave some legal protections to suspected runaways. By the antebellum period the lines between illegal kidnapping and legal rendition of fugitive slaves became increasingly blurry as southern laws of slavery came into conflict with northern laws of freedom. Northern black communities contained fugitive slaves who intermarried with free African Americans and came to resemble Maroon communities of runaways determined to defend their freedom at all costs.[4]

Slaves ran away frequently and in so doing displayed considerable political sophistication in discerning the social geography of slavery and freedom. A majority were young men from the border slave states. Conservative estimates of 1,000 runaways per year based on the U.S. Census records of 1850 and 1860—an official account of an essentially illegal activity and the first completed under the proslavery propagandist J. D. B. DeBow—are an obvious undercount. Today, historians count the number of fugitive slaves in 1830–60 at 150,000, higher than Albert Bushnell Hart's original estimate of 60,000. According to a recent estimate that includes runaway slaves who remained in the South and absconded temporarily, around 50,000 slaves ran away each year. Marronage, or the formation of communities of runaway slaves, within the slave South, as in the Dismal Swamp, was also more common than previously thought. There are no figures for those who made good their escape to Mexico or by sea to the Caribbean and even England. The exact number of fugitive slaves, some of whom were recaptured, may never be known. So ubiquitous were runaways that Samuel Cartwright diagnosed slaves' tendency to run away as a disease, "draepetomania."[5]

Contrary to the self-serving claims of their masters, fugitive slaves voting with their feet inspired abolitionism rather than vice versa. Early abolitionist societies and black leaders laid the legal foundations for the defense of blacks kidnapped into slavery and to bring southern slaves under the purview of northern emancipation laws. Abolitionists launched a concerted effort to restrict the reach of slaveholders in the North, an endeavor that inspired antislavery attempts to restrict slavery's political and geographic reach.

Outstanding abolitionists such as the Quakers Isaac T. Hopper, Levi Coffin, and the Presbyterian minister John Rankin, whose careers bridge the two

waves of abolition, made assistance to fugitive slaves a quintessential form of abolitionist activism. Born in New Jersey, Hopper was a member of the PAS and particularly adept at confronting slaveholders, slave hunters, and kidnappers on the streets of Philadelphia, assisting hundreds of fugitive slaves and free blacks kidnapped into slavery. Working with the PAS and black leaders, he became widely known as "the friend and legal adviser of colored people upon all emergencies." In the life of Hopper compiled by Lydia Maria Child on his death in 1853, hundreds of these "tales of oppression" that had first appeared in the *NASS* acted as both inspiration and cautionary tales for latter-day activists. They not only revealed Hopper's street smarts but also portrayed black men like John Miller, who indented himself to buy the freedom of another, and Cyrus Field, whose struggle for freedom cost him his life, an enslaved woman who married a free man but was remanded as a fugitive, and the rescue of a young African boy, Wagelma. Nearly all of Hopper's stories can be verified from contemporary newspaper accounts and court records. Hopper moved to New York, where he worked with David Ruggles and his pioneering New York Committee of Vigilance.[6]

Like Hopper, two "migrants against slavery," Coffin, who moved from North Carolina to Indiana and eventually to Cincinnati, and Rankin, who left Tennessee by way of Kentucky to Ripley, Ohio, where his hilltop home became a beacon to slaves fleeing across the Ohio River, were founders of fugitive slave abolitionism. Both men had ties to short-lived abolition societies in the upper south. The Coffin family began helping free blacks kidnapped into slavery and fugitive slaves in North Carolina. Levi Coffin, who also ran a free produce store, was called the President of the Underground Railroad by his baffled opponents, and his reminiscences are dotted with the stories of many fugitives. He eventually "resigned" from the "presidency" of the UGRR and became active in freedmen's aid until his death in 1877. Coffin suffered a loss of business because of his activities, and Rankin's open assistance to fugitives resulted in the near burning of his house and barn. Rankin, whose letters inspired Garrison, became an agent of the AASS and a founding member of the Ohio and Ripley ASS.

Both men relied mainly on free blacks to operate the abolitionist underground for over thirty years. Coffin's expatriate North Carolina Quaker community adjoined that of free blacks emancipated by them in Indiana. When he moved to Cincinnati, its activist black community assisted him. Intrepid men like John Hudson, who ferried runaway slaves across the Ohio River, and the former slave John Parker, who always traveled armed, were part of Ripley's clandestine network, which included Parker's large family, free blacks, antislavery

politicians, and members of abolitionist societies and churches. Like Harriet Tubman, the relatively unknown Parker helped "run off" hundreds of slaves. The history of the UGRR, however, must rise above the story of heroic individuals or be dismissed as the stuff of myth and memory.[7] It must be placed in its proper historical context, the growth of the abolition movement.

Black abolitionists established the permanent, organizational apparatus of the abolitionist underground, the vigilance committees of the 1830s. A decade earlier African Americans in Philadelphia, Baltimore, and Boston had formed protection societies against kidnapping. In 1834 Elizur Wright published a series of essays, "Chronicles of Kidnapping in New York," detailing many instances of "legalized kidnapping" of free blacks and runaways into slavery. Ruggles, who helped found and became the secretary of the New York Committee of Vigilance in 1835, was the person most responsible for this tactical innovation. The committee had a predominantly black membership but included a few white abolitionists like William Johnson, its treasurer, and, later, Lewis Tappan. It embodied abolitionist defiance of slaveholding laws and prerogatives. Ruggles built on the strategies developed by Hopper, Barney Corse of the NYMS, and the antislavery lawyer Theodore Sedgwick, but the committee was his brainchild, and he ran it virtually single-handedly. He "outed" kidnappers and slave catchers, publishing the committee's first annual report in 1837. Calling themselves the friends of human rights, the Committee of Vigilance assisted fugitive slaves and rescued kidnapped southern and local free blacks, the enslaved in ships involved in the illegal international slave trade, and slaves in transit with their masters. Often denied trial by jury and legal rights by their enslavers and law enforcement officers in cahoots with them, the committee hired lawyers to represent African Americans caught between slavery and freedom. Its executive committee included Cornish, Wright, Johnson, Van Rensselaer, and the grocer J. W. Higgins. It galvanized grassroots black activism, its large, so-called Effective Committee ready to intimidate would-be enslavers. Black women not only raised funds for the vigilance committee but also took part in street action, to the dismay of Cornish.

In his years with the committee Ruggles assisted hundreds of black men and women, including Douglass. At personal risk he confronted slaveholders, slave catchers, and sea captains involved in slaving numerous times, matching wits with the "kidnapping club" consisting of city officials and policemen. Calling "self defense the first law of nature" and urging direct action against enslavement, Ruggles uncovered a plot to kidnap and sell him into slavery. In 1838 he started an antislavery reading library and published the *Mirror of Liberty*, a magazine devoted to "the restoration of Equal Liberty and the full enfran-

chisement of my down-trodden countrymen." The committee's second annual report concluded that a "want of funds" hampered its activities. Ruggles was bankrupted trying to retrieve William Dixon, a free black man kidnapped into slavery. The next year Ruggles resigned from the committee after a libel case and became involved in a fractious dispute with Wright, Johnson, Cornish, Bell, and Ray. He sued the committee for back pay and aired his grievances in a pamphlet. The editors of the *CA* denounced him and demanded that he be held liable for damages from the libel suit, which nearly destroyed their paper. Garrisonians rallied to Ruggles's defense against the black clergymen associated with the Tappans. Virtually blind after his incarceration in the Darg case (Arthur Tappan and Higgins bailed him out), Ruggles ceased publication of his paper in 1841 and joined the Northamption Association. Ruggles, like many other black abolitionists, supported the Free Soil Party on the eve of his death in 1849. Wright and Ray, aided by the AFASS, led the Committee of Vigilance. By 1847 Hopper headed a reorganized New York State Vigilance Committee, which linked the city with vigilance committees in upstate New York in an underground railroad. Smith became its president a year later.[8]

Ruggles's brand of practical abolitionism was replicated in Boston, where blacks took the lead in fugitive slave rescues. In 1836 a group of black women stormed the courtroom of Chief Justice Shaw to whisk two enslaved women, Eliza Small and Polly Ann Bates, to safety. The two had been freed on a writ of habeas corpus brought by the abolitionist lawyer Samuel Sewall and the BFASS after their master's agent had them apprehended aboard a ship. When the agent tried again to have them remanded under the provisions of the federal fugitive slave law, the women, on Sewall's signal, acted. The "abolition riot" involving the women and the alleged dereliction of duty of Sheriff C. P. Sumner, a man of antislavery convictions and Sumner's father, led northern conservatives to warn of a new phase in the abolitionist war against slavery.

The same year, in *Commonwealth v. Aves,* Shaw denied slaveholders the right of transit with their slaves, citing the *Somerset* decision. While Benjamin and Charles Curtis argued that the state should recognize Louisiana's law of slavery, the abolitionist Ellis Gray Loring, with his cocounsel Rufus Choate, called for applying the *Somerset* principle to Massachusetts, especially since the case involved not just the right to transit but also residence in a free state. Southern states evoked instead the legal precedent of *The Slave Grace.* The *Aves* case, also brought by the BFASS, involved a six-year-old slave girl named Med and, unlike the case of the fugitives Eliza and Polly, made for much criticism of abolitionist interference in separating the child from the absent slave mother. But Med's owners had first separated her from her mother by bringing her to

Massachusetts, and abolitionists did not treat her as an adult. Garrison, who published the arguments in the case, consistently referred to Med as a slave child. In 1832 the NEASS had brought a writ of habeas corpus to free a Cuban slave boy, Francisco, through Sewall, but Shaw remanded him to his mistress on ascertaining his wishes and on his mistress's assurance that she would no longer hold the boy as a slave. In another case involving a slave child in 1837, a free black couple, the Robinsons, were judged guilty of kidnapping and were forced to pay court costs.

Some, like John Darg's slave Thomas Hughes, who was assisted by Hopper, Corse, and Ruggles, and Catherine Linda in Massachusetts, rejected freedom for family. Ruggles was involved in the Linda case too. He probably inspired the abolitionist E. D. Hudson, who was imprisoned for allegedly luring Linda at her master's behest. As abolitionists maintained, talk of free will made little sense in cases involving even adult slaves like Hughes, whose master tricked him into returning to slavery and eventually sold off his wife. Abolitionists managed to secure his release a second time. Massachusetts and other northern states after *Aves* moved to deny slaveholders the "right" to transit with slaves. In 1837 a legislative report by the abolitionist James Alvord questioned the constitutionality of the Fugitive Slave Act of 1793, and Massachusetts restored the right of trial by jury to suspected fugitives.[9]

Abolitionist activism bore similar fruit in New York. Alvan Stewart, arguing for two black boys hauled in as fugitive slaves in Utica, used the writ of habeas corpus to hinder rendition. Legal and political controversy over fugitive slaves soon involved antislavery politicians and lawyers. In 1839 Governor Seward refused to extradite three free black seamen involved in a fugitive slave rescue to the state of Virginia. In his public letter to Gov. Thomas Gilmer of Virginia, in response to Gilmer's proclamation posting a reward for the three men, Stewart, the Liberty Party candidate for the governorship, wrote that New York would not let its citizens be dragged to Virginia and asked whether Virginia was willing to extradite kidnappers to New York. Stewart called for the overthrow of the fugitive slave law of 1793, arguing that it allowed black people to be "*judicially kidnapped*" into slavery. In overturning the act, the North would "place Canada on the Mason's Dixon line," and every slave could theoretically walk to freedom.

Abolitionists fought to establish the freedom principle in the North. Ruggles's Committee of Vigilance petitioned for a trial by jury for suspected fugitives and an end to slaveholders' right to transit with their slaves in New York. In 1840 New York granted fugitives the right of trial by jury as a result of abolitionist and the state black conventions' petition campaigns, and the next year it repealed the nine-month transit provision for slaveholders enacted in 1817. Three years

earlier Maine had turned down an extradition request from Georgia for two men accused of assisting runaway slaves. Georgia was threatening war, and the Maine ASS asked if Georgians planned to invade the state and "carry off the men by force." In 1845 Stewart represented two slaves in New Jersey who were born before 1804, when that state passed its gradual emancipation law freeing slaves born after that year, illustrating the porous lines between slavery and freedom in the North. The suit was brought at the instigation of the small New Jersey ASS, allied with the Liberty Party. Stewart stressed the unconstitutionality of slavery: it contradicted natural law, the state's constitution of 1844, which declared all men free and equal, the Constitution, and a republican form of government. Though he was unsuccessful, his eloquence held the court spellbound. Only the antislavery chief justice, Joseph Hornblower, who later joined the Republican Party, dissented.[10]

Confrontations over fugitive slaves instigated by abolitionists challenged federal and constitutional guarantees on rendition in the North. In 1837 the case of Basil Dorsey, who had escaped slavery with his brothers a year earlier, led black abolitionists to resurrect PAS efforts to help runaway slaves from the neighboring slave states of Maryland, Delaware, and Virginia. The abolitionist David Paul Brown argued the case. Dorsey, hustled out of the courtroom by Purvis when he was freed on a technicality, made his way north with the assistance of Leavitt and Ruggles in New York. He ended up in Northampton, where he became active in the UGRR himself. That year Purvis founded the Philadelphia Vigilant Committee, which included the PAS member Edward Needles, the Quaker abolitionist Edwin Coates as vice president, James Needham as treasurer, and the tailor Robert Ayres as secretary. Its standing committee included the black abolitionists Stephen H. Gloucester and Samuel Hastings, but its most active member was its agent, Jacob C. White, a barber. White kept a meticulous "Minute Book of the Vigilant Committee of Philadelphia" from 1839 to 1844, which still survives, though Purvis destroyed all his documents relating to fugitive slave rescues after the passage of the fugitive slave law of 1850.

White's record attests to the prominence of the black abolitionist network in Pennsylvania that facilitated slave escapes, with Whipper and Stephen Smith in Columbia, "a port of entry for flying fugitives," Purvis in Byberry, John and Lucy Ann Freeman in Woodbury, and Gloucester, McCrummell, the Vigilance Committee's first president, Charles Gardner, Daniel Payne, and Robert Forten in Philadelphia. The committee's purview extended beyond the state, as it prosecuted cases in New Jersey and regularly sent individual as well as groups of escaping slaves to New York and New England, White personally accompanying one group to Canada. In 1840 an acting committee led by Purvis replaced

White as agent. The PFASS funded the Vigilance Committee's activities as well as a black Female Vigilant Association of fifteen led by Elizabeth White, Sarah McCrummell, Mary Bustill, and Hetty Reckless. In 1847 McKim reorganized the Vigilance Committee. Five years later its name was changed to Philadelphia Vigilance Committee (PVC), and over the years it became famous. Its most active member, William Still, documented its history.[11]

Black vigilance committees inspired by Ruggles's committee arose all over the North. Detroit's Colored Vigilant Committee, founded in 1840 by William Lambert, a Quaker-educated black abolitionist from New Jersey, and George DeBaptiste, a free black man from Virginia, also acted as an abolition society and fought for the desegregation of the public school system. It operated as both a secret fraternal order and an emigration society. Black vigilance committees spread to Canada among fugitive slave communities in Toronto, Chatham, and Amherstburg. Black abolitionists such as Rev. Jermaine Loguen in Syracuse, Still in Philadelphia, Stephen and Harriet Myers in Albany, Thomas and Frances Brown in Pittsburgh, and Lewis Hayden in Boston founded local vigilance committees and led the shock troops involved in fugitive slave rescues. Many of them were fugitive slaves themselves. Loguen and DeBaptiste claimed to have helped thousands of runaway slaves. The homes of Pennington in Brooklyn, Douglass in Rochester, Garnet in Troy, Wells Brown in Buffalo, and John Jones in Chicago were well known as safe houses for fugitives. AME churches founded by the itinerant minister and later bishop William Paul Quinn in Pennsylvania, Illinois, and Indiana were havens for escaped slaves.[12] By the 1840s and 1850s organized abolitionist assistance to "freedom seekers," that is, the abolitionist underground, became popularly known as the UGRR.

In the borderlands between slavery and freedom, runaway slaves not only sparked abolitionist activism but also became a growing irritant in interstate relations between free and slave states. Ohio, bordering Kentucky and a center of abolitionism, was the site of important legal battles over fugitive slave rendition. In 1837 the case of Matilda Lawrence, who fled to freedom in Cincinnati with the help of a black barber and was employed by the Birney family, ended badly. She was captured by a slave hunter and sold into slavery in New Orleans. The state supreme court dropped the indictment against Birney for knowingly violating the state's law of 1804 against harboring a fugitive. Lawrence and Birney's lawyer was the young Salmon P. Chase, who joined the Liberty Party and founded the Free Soil and Republican parties. Chase adopted Birney's argument that the fugitive slave law was unconstitutional and repugnant to the Fourth and Fifth Amendments on unreasonable seizures and due process of

law and to northern state laws as well. The constitutional clause on recaption, he contended ingeniously, applied to servants and did not "recognize right of property in man." The presumption of freedom should guide all cases where a human being may be consigned to perpetual bondage.

Like other antislavery lawyers, Chase rested his defense of Lawrence on a vindication of habeas corpus, "the surest safeguard of personal liberty." He also evoked the *Aves* decision, the Northwest Ordinance, the birthright of all citizens of Ohio, and the state's antikidnapping law of 1831. Birney published Chase's arguments in a widely circulated pamphlet and wrote to Lewis Tappan that it had done "much for the cause," though Lawrence lost her dearly won freedom. Launching his career as the "attorney general for fugitive slaves," Chase fought many cases whose decisions effectively nullified slaveholders' right to transit in Ohio. In a case in 1845 of a Virginian runaway, Samuel Watson, Judge Read, who had argued on the side of the prosecution in *Matilda*, conceded Chase's argument on transit. To commemorate the decision, Cincinnati's black community presented Chase with a silver pitcher for his "eloquent advocacy of the rights of man." In his speech A. J. Gordon also commended Chase for his opposition to Ohio's black laws. Chase responded, "I arraign the whole policy of our legislation in relation to our colored population" and promised to fight "until the sun . . . shall not behold, in all our broad and glorious land, the foot print of a single slave."

In 1838 it took a resolution of the Ohio legislature, after being deluged with abolitionist petitions, to free a black woman, Eliza Jane Johnson, a member of the Ripley ASS, kidnapped into slavery in Kentucky. Commenting on her case, Thomas Morris argued that the federal fugitive slave law had produced a state of war between the states. The same year John B. Mahan of Sardinia, who was also part of Rankin's underground network in southern Ohio, was arrested, extradited, tried, and imprisoned for over two months in Kentucky. His case was widely reported in the abolitionist press. Even though Mahan was eventually freed, he died bankrupt and sick from tuberculosis contracted in prison. His epitaph read, "Victim of the Slave Power." Bucking the trend in most northern states, Ohio, at the request of state commissioners from Kentucky, passed a fugitive slave law in 1839 ordering sheriffs and state officials to assist in fugitive slave rendition and stipulating a fine of five hundred dollars and sixty days in prison for hindering recaption. A group of antislavery Whigs led by Benjamin F. Wade, who had presented petitions against the state's black laws and defended blacks' right to petition the legislature, vigorously opposed its passage. Wade made an abolitionist argument: "Every slave in the South has an unalienable right to his

liberty, and a right to defend that liberty against all aggression, if need be, even unto the death of the assailant." His radicalism cost him his seat. The law was widely reviled and often observed in the breach by abolitionists.[13]

Northern challenges to the fugitive slave clause of the Constitution and federal law reached the U.S. Supreme Court in the famous *Prigg v. Pennsylvania* case in 1842. In 1837 the slave catcher Edward Prigg captured Margaret, who had married a free man, and her three children and carried them back to Maryland without legal proceedings, as required by Pennsylvania's personal liberty law of 1826. Margaret's former master had freed most of his slaves, but his wife initiated the action on his death. Prigg and his associates were convicted of kidnapping by a grand jury, a conviction upheld by state courts. Prigg appealed his case all the way to the U.S. Supreme Court. Chief Justice Joseph Story's majority decision upheld the constitutionality of the Fugitive Slave Act of 1793 and declared all northern state laws that contravened it unconstitutional. To Garrison, the decision meant that "the slaveholding power could roam without molestation in the Northern states" and pushed him to advocate disunion. Stephen Myers pointed to the hypocrisy of southern constitutional claims while they continued to jail free black sailors in clear violation of the Constitution. While Story's proslavery decision in one fell swoop got rid of all the legal protections painstakingly won by abolitionists and their antislavery allies, it also made recaption a federal responsibility, leaving a wide loophole for northern noncooperation. Whether Story, a distinguished nationalist jurist from Massachusetts and Sumner's mentor, did this on purpose is debatable. But his decision outlawed not only personal liberty laws but also Ohio's notorious fugitive slave law, which was promptly repealed in 1843.

The Supreme Court's decision in *Jones v. Van Zandt* further upheld the federal fugitive slave law. In this Ohio case a poor elderly farmer named John Van Zandt was convicted of aiding the Kentucky slaveholder Wharton Jones's nine runaway slaves, one of whom, Abraham, managed to make good his escape. Jones sued Van Zandt for recovery costs and the "value" of Abraham. The case was argued by Chase and Morris initially and made its way to the Supreme Court in 1846, where Van Zandt was represented by Chase and Seward. Chief Justice Roger Taney predictably did not overturn Van Zandt's conviction. Chase pointed out not only that Van Zandt was not harboring or concealing a fugitive since Abraham had long since disappeared, a strict construction of the law of 1793, but also that the law itself was unconstitutional. Van Zandt died that year, telling Chase he would not utter a single word that would reenslave Abraham; his small estate was liable for all costs. He had gone, Chase noted, to "another bar where aid to the weak and suffering will not be imputed as a crime." In the

initial Van Zandt case in Ohio, the charge to the jury by Judge John McLean, notwithstanding his antislavery reputation and dissent in *Prigg*, upheld fugitive slave rendition but denied slaveholders the right to transit. Two years later, in the Indiana case *Vaughn v. Williams*, McLean freed in absentia a runaway family of three slaves belonging to the Missouri slaveholder Livingston Vaughn, as the slaves had resided in Illinois. McLean deplored the actions of the abolitionist Owen Williams, who had assisted them, but did not convict him.[14]

Abolitionists were not interested in parsing the legal differences between fugitive slave escapes and residence or transit in free states. *Kidnapping* was a term they applied to actual instances of kidnapping of free blacks as well as to the recapture of fugitive slaves. They did not end their crusade to make the fugitive law a dead letter in the North. The first fallout from *Prigg* occurred when George Latimer was apprehended in Boston in October 1842 by a Virginian slaveholder from Norfolk and lodged in jail to prevent a "hostile crowd" of blacks from rescuing him. Latimer and his wife, Rebecca, also a fugitive, had escaped earlier that year. She was kept hidden after his arrest, and once Latimer was freed her master gave up on the idea of recovering her. The timeworn abolitionist tactics of using habeas corpus and a writ of personal replevin served by Sewall to free Latimer did not work, but the presiding judge allowed for a delay in order to investigate Latimer's claim that his master had freed him. The delay allowed abolitionists to launch a massive protest campaign. A Latimer Committee formed by Henry I. Bowditch, William F. Channing, and Frederick Cabot started publishing the first fugitive slave abolitionist paper, the *Latimer Journal and North Star*, to give voice to "the moral feeling and strength of the community." Twenty thousand copies of the journal, the editors claimed, were circulated in Massachusetts. The paper featured an interview with the jailed Latimer, who told abolitionists stories of his mistreatment by his master and assured them he would be given the customary thirty-nine lashes and washed with "pickle" if he was remanded back to Virginia.

A group of black men, probably the New England Freedom Association (NEFA) formed by Nell and Remond in 1842, stood ready, Sewall informed Latimer, to spirit him away. Modeled after the mostly black vigilance committees, it was a successor to Boston's first vigilance committee, formed in 1841. Lasting for five years, well after the Latimer Committee had disbanded, and including women, the NEFA raised money, food, and clothing for fugitives. The *Liberator* reported on mass protest meetings led by black abolitionists in Boston and New Bedford. A runaway himself, Douglass wrote and spoke about Latimer's plight as a man, husband, and father. Nell singled out Bowditch for special praise, whose Latimer Committee threatened a petition drive to remove

the sheriff of Suffolk County if he did not order the release of Latimer. Abolitionist mobilization and popular pressure achieved what legal writs failed to do. Latimer was released to the custody of his claimant, who agreed to sell him. Black Bostonians raised the money to buy his freedom.

Unprecedented cooperation between Garrisonians and Liberty Party men in the Latimer case revealed how the fugitive slave issue united the movement and gained it new adherents. Abolitionists across the ideological spectrum, the Garrisonians Quincy, Phillips, Foster together with political abolitionists like Leavitt, Sewall, and Bowditch, spoke at a Latimer meeting held in Faneuil Hall, though racist rowdies refused to let Remond speak and disrupted the meeting. Its resolutions stated that Latimer embodied the rights and immunities of all citizens of Massachusetts and that his enslavement literally meant the enslavement of the state. Similar meetings in Lynn, Weymouth, Salem, and Sherburne challenged fugitive slave rendition.

Outraged that Latimer could be hunted as a slave in the Bay State, abolitionists there disseminated a petition through local post offices to prevent recaption under the federal law. Latimer himself became involved in the petition campaign. The Latimer, or Great Massachusetts, Petition, with over sixty-four thousand signatures demanding a law forbidding the use of state officials and jails in fugitive slave rendition and separating the people of Massachusetts from slavery, was sent to the General Court. Another with around fifty-one thousand signatures was sent to John Quincy Adams in Congress asking for the repeal of the federal law. Sewall and Phillips gave testimony before a Joint Special Committee calling for a new personal liberty law. Headed by Charles Francis Adams, the son of John Quincy, the committee issued a lengthy report recommending a personal liberty law along the lines suggested by abolitionist petitions and in conformity with *Prigg*. The so-called Latimer law forbidding the use of state facilities in fugitive slave rendition passed across partisan lines virtually unanimously in both houses with only a handful of negative votes. Years later, Latimer, who befriended the abolitionist Hutchinson family singers, dictated his story to them. He thanked Garrison and all "those who . . . aroused the North in an agitation that made freedom possible for me and mine." His son Lewis Latimer, born in freedom, became a famous inventor employed by Thomas Edison.

Abolitionists in Massachusetts united in action, yet philosophical differences remained. In 1846, when a slave stowaway, Joe, escaped from a ship in Boston, the ship's owners managed to recapture and send him back to New Orleans before anyone could be alerted to his plight. The city's leading abolitionists and antislavery men, Samuel Gridley Howe, Elizur Wright, John Andrew, and

Richard Hildreth, met at the home of Bowditch and called a meeting at Faneuil Hall. Sumner and Howe convinced Quincy Adams to attend. In his speech Howe protested the fact that the runaway had not benefited from laws for his protection and had been apprehended without a legal warrant. Anticipating the fugitive slave crisis of the 1850s, Phillips protested that all recaption, even those constitutionally sanctioned, should be prevented. Political abolitionists were careful to appeal to constitutional authority, while Garrisonians argued for conscientious objection to proslavery laws and the Constitution. The meeting led to the formation of an interracial forty-man Vigilance Committee consisting of, among others, Nell, Phillips, May, Francis Jackson, Robert Morris, Joshua B. Smith, Theodore Parker, Bowditch, Hildreth, Stanton, Andrew, and Sumner, to prevent such occurrences in the future. Its executive committee petitioned the legislature, recommended the formation of a Northern League, posted a one-hundred-dollar reward for information on fugitive slaves, and appointed Smith as its agent. The next year Pennsylvania followed suit at the height of the Wilmot Proviso controversy, passing a personal liberty law along the lines of the Massachusetts one.[15] Fugitive slaves fostered abolitionist organization and antislavery sentiment and laws.

JOHN BROWN'S FORERUNNERS

Some abolitionists did not just oppose the extraterritoriality of the laws of slavery in the North but invaded the slave South itself to run off slaves. This form of daring activism came at considerable cost and entailed personal loss and danger that often put those involved in close companionship with the enslaved. These abolitionists were indeed "John Brown's forerunners."[16]

Unprotected by law or public opinion, abolitionists who went south became subject to laws of slavery even as fugitives who made their way north benefited from laws of freedom. As the abolitionist Alanson Work, who was whipped in prison, put it, "I am a *prisoner* in a land, where to tell a man, made in the image of his Maker, that he has a right to *freedom*, is a crime of the deepest dye." In 1841 George Thompson, educated at Oberlin and in the Mission Institute in Quincy, Illinois, was arrested in Palmyra, Missouri, with Work and James Burr for planning the flight of slaves. Though not as active as the Ohio–Kentucky border, the Missouri–Illinois border witnessed the frequent flight of slaves, at times aided by sympathetic abolitionists in the Mission Institute. Rev. David Nelson headed the institute until a posse of Missourians burned it down in 1843. Thompson and his coconspirators were sentenced to twelve years of hard labor. They were pardoned after a few years, as their imprisonment generated

international sympathy and proved to be an embarrassment to the state of Missouri. Thompson, who affirmed that "helping the poor is *right*" and not a crime involving slaveholders' property, was the most defiant of the three and the last to leave prison. Work was banished and ordered to return to his home state of Connecticut but not before his daughter "grieved herself to death." Burr, who broke his right hand and was frequently sick, was released next. Radicalized by his imprisonment, during which he saw slaves sold and whipped, was threatened with plots to assassinate him, and was tortured, Thompson published his prison reflections, containing the letters, poems, prayers, and sermons of the three imprisoned abolitionists, in 1847. As he put it in a letter to his parents, "My spirit they cannot confine, my thoughts they cannot chain." It was reprinted in six editions in the next ten years and sold thousands of copies, Work and Thompson embarking on successful lecture tours.[17]

Eighteen forty-four was a banner year for abolitionists who ran off slaves. That year Jonathan Walker, a sea captain from Harwich, Massachusetts, was fined over six hundred dollars, pilloried, and imprisoned in Pensacola, Florida, for attempting to set sail with seven runaway slaves. His hand was branded SS for "slave stealer," but abolitionists rechristened him "slave savior." A working-class abolitionist, Walker and his wife, Jane, named their children after Garrison, Lydia Maria Child, and Wilberforce. He had befriended local blacks in Florida and planned the escape with a slave named Charles Johnson. Pensacola, with its diverse population, had long acted as a gateway to freedom for enslaved blacks. Though Walker tried to shield the slaves from responsibility, four of them were imprisoned and given fifty blows with a wooden paddle. Abolitionists held meetings and picnics in Massachusetts, from Lynn to Waltham, to raise money to pay Walker's fine, who was released after a year. Walker and his "branded hand," which inspired Whittier's abolitionist poem of that title, wrote about his experiences and became a sensation on the abolitionist lecture circuit as the hero of Pensacola. He eventually moved with his family to Wisconsin and Michigan and remained active in the UGRR. In 1854 Garrison reported his death owing to his "excessive labors."

In his narrative Walker described his treatment by "the tribunals of my own country." He had lived in Pensacola, a common destination and haven for enslaved runaways, for five to six years with his family and was called before the authorities twice for being on "good terms with colored people." After his arrest Walker was kept in irons in the filthy hold of a steamboat for six days before being delivered up to the magistrate. He described the even worse condition of his prison, being chained, ill, and given food fit for and shared by animals until he found a way to get decent food from a Danish grocer. But the most

gruesome experience Walker described was seeing the prison floor stained with the blood of a slave who had "committed suicide by cutting open his belly and throat with a razor." Like all imprisoned abolitionists, Walker was radicalized even further by his encounter with the enslaved while in prison. He could "see and feel the same chain attached to my leg" that was used to hold another slave and recorded the whipping of a slave woman in his journal.

Abolitionists imprisoned for slave stealing became international causes célèbres. Walker received letters of sympathy from Clarkson and Scoble. On behalf of the state of Massachusetts, John G. Palfrey protested to the Florida governor over the "illegal or unusual severity of his confinement." The Florida legislature justified Walker's treatment in the name of self-preservation. On his release Walker became an AASS agent and a regular contributor to the *Liberator*. In 1846 he wrote *A Brief View of American Chattelized Humanity*, arraigning northern ignorance and indifference on slavery. He stated that American citizens "partake" in the rights and wrongs of their government. Garrison also publicized less well known instances of imprisoned abolitionists, like John L. Brown of Maine, who was convicted the same year of helping a female slave escape in Charleston, South Carolina. His death sentence, commuted to a public whipping, drew the attention of British abolitionists as well.[18]

More famously, Rev. Charles T. Torrey was arrested for helping an enslaved woman and her children in Baltimore escape. Torrey had helped found the first Boston Vigilance Committee with Nell, which apprehended kidnappers and traced abducted free blacks in the South. In 1842 he worked with Rev. Abel Brown of the Eastern NYASS and the Albany Vigilance Committee in upstate New York. Brown, an evangelical abolitionist and supporter of women's rights and political action, was a regular contributor to the *Liberator*, writing exposés of the crimes of the Baptist church. Abolitionists like him defy easy categorization. When Brown formed the Eastern NYASS he invited not just Smith and Stanton but also Remond and Collins. He founded the *Tocsin of Liberty*, renamed the *Albany Patriot*, faced his share of violent anti-abolitionist mobs, had runaway slaves accompany him on his lecture tours, and preached in black churches. Brown died early at the age of thirty-four. In 1849 his wife published his memoir, which detailed how he had made the area a hotbed of underground activity. Thanks to abolitionists like him, Myers, Loguen, and Garnet, upstate New York became a frequent stop, or station, for fugitive slaves on their way to Canada. Brown's Vigilance Committee, his wife wrote, "often found themselves in personal contest with slaveholders and their abettors, on account of the infringement on the rights of colored citizens of Albany." The Albany committee mounted an effective offensive against kidnappers. According to its

first annual report, it aided 350 fugitives and spent over a thousand dollars. On Brown's death, the "colored citizens of Canandaigua" mourned, "We are bereft of one of the most efficient advocates of the cause of our countrymen, and the eloquent narrator of the story of our wrongs."

Torrey moved to Washington, D.C., where he joined the capital's interracial community of abolitionists and antislavery politicians. In 1839 Leonard Grimes, a free black man who operated a successful carriage business was an important member of the capital's abolitionist underground. He served two years of hard labor in a Richmond prison and paid a one-hundred-dollar fine for assisting a slave mother and children about to be sold away from her free husband. Grimes moved to New Bedford on his release and became pastor of the Twelfth Baptist Church in Boston, known as the Fugitive's Church, as his congregation consisted of many runaways. Torrey's life story reveals who composed the abolitionist underground in Washington, among them the former slave Thomas Smallwood and a boardinghouse keeper, Mrs. Padgett. Born a slave in Maryland, Smallwood criticized the "mask of philanthropy" of the ACS that freed slaves on condition of deportation. Once free, he rejected offers to migrate to Liberia and secreted "lots of fugitives who had been sold to the traders and fled to me so that I might effect their escape." They came to him, Smallwood wrote, by "the scores," and he was able to aid all except seven. He dated the start of the formal UGRR to the arrival of his "beloved friend" Torrey. Smallwood's narrative is dotted with their escapades with runaway slaves. He noted that to build a case against Torrey, slaveholders and their agents needed proof that would pass muster in a court of law, "but with regard to myself it was different, I was a colored man." Smallwood eventually escaped with his family to Toronto with "slaveholders . . . in hot pursuit of me." Torrey's UGRR operators were mostly African American: Jacob R. Gibbs in Baltimore, John Bush in Washington, who was also arrested, and James J. G. Bias of the PVC. John H. Fountain of Winchester, Virginia, was imprisoned for ten weeks for aiding Torrey. He also cooperated with the Quaker abolitionist Thomas Garrett of Wilmington and Brown in Albany, helping fugitive slaves from the border south travel to upstate New York and on to Canada.

Torrey was first arrested in 1842 while covering a slaveholders' convention at Annapolis as a correspondent for Brown's paper. Forgetting past quarrels, Garrison denounced his arrest. Torrey, too, was radicalized by his imprisonment, especially by his encounters with slaves, and decided on a "solemn re-consecration of myself to the work of freeing the slaves, until no slave shall be found in our land." Arrested again in 1844, he wrote that the states of Maryland and Virginia would be put on "TRIAL BEFORE THE TRIBUNAL OF MANKIND." Garrison raised money for Torrey and later his widow, as did Torrey's confidante Amos Phelps,

who visited him in prison. In a letter to Garrison, Torrey thanked him for his magnanimous actions and recalled Garrison's imprisonment in Baltimore, writing that "the death of the system was decreed" from that day. To McKim he wrote that differences between old and new organization did not matter and that all abolitionists should "act for the slave." The next year Garrison reported that Torrey was severely ill. Chase wrote to William H. Collins, a Baltimore lawyer, requesting his release on humanitarian grounds, saying, "Sympathy with him is deep and widespread" in America and Europe. Torrey appreciated a note written by Clarkson in a shaky hand and another from Scoble. After a failed escape attempt, Torrey died of tuberculosis contracted while in prison in 1846. Boston's black abolitionists had held fund-raising meetings for Walker, Fountain, and Torrey, with Ruggles holding one in Northampton, and they planned to erect a monument in his memory. A leading fund-raiser for Torrey was Lewis Washington, one of the first fugitives he had assisted. Joseph Lovejoy compiled Torrey's memoir and presided over his funeral services at Tremont Temple, which was addressed by abolitionists of all stripes. Condemnations of his death came from across the country and from the British and Foreign ASS. At an Oberlin meeting William Howard Day noted "the sufferings of a Work, a Burr and a Thompson . . . the branded hand of a Walker . . . the glorious martyr-death of a Torrey by Maryland law and in a Maryland prison."[19]

Rankin was wary of "slave running," which risked the lives of those involved and endangered long-standing underground operations. His misgivings were borne out when the abolitionist minister Calvin Fairbank and Delia Webster, a schoolteacher who had briefly studied at Oberlin, were arrested in Kentucky for helping the enslaved Hayden family escape to freedom in September 1844. Fairbank, whose encounter with fugitive slaves had radicalized him as a young boy growing up in New York, had been active along the Ohio–Kentucky border. Webster was from Vergennes, Vermont, where the Quaker Hoag, Robinson, and Stevens families sheltered fugitives. The Garrisonians Rowland and Rachel Robinson employed them on their farm, Rokeby. At the prompting of Rev. John Mifflin Brown in Cincinnati, Fairbank was sent to retrieve the family of an escaped slave, Gilson Berry, whom Webster had assisted. Unable to locate Berry, Fairbank, on Webster's suggestion, helped Lewis Hayden and his wife and child to escape. The two abolitionists were caught, but Hayden made his way to freedom in Boston, becoming known for his activism on behalf of fugitive slaves. An old slave, Israel, who drove the carriage in which the Haydens escaped, was also arrested and severely whipped.

When informed that Israel had implicated her and Fairbank, Webster retorted that he had been tortured. Tried separately, Fairbank was sentenced to

fifteen years and Webster to two years in prison, but she was pardoned within two months. In prison, Fairbank, in heavy irons, encountered slaves jailed "on suspicion for longing for freedom," one who broke the neck of his mistress, who had "abused him in ways too vile to be spoken of," and was handcuffed with a slave condemned to die. Gov. John J. Crittenden pardoned Fairbank in 1849 after Hayden raised money to buy himself on the condition that his rescuer be released. Fairbank's father, who gathered petitions for his release, died just before he was freed. But Fairbank returned to help a slave woman named Tamar escape, for which he was again arrested and sentenced to fifteen years in prison. He was pardoned only in 1864 in the midst of the war after suffering solitary confinement, a harsh labor regimen, and regular whippings. He was visited by his fiancée, the abolitionist Laura Haviland, famous herself for assisting fugitives.

Women involved in the abolitionist underground, including Catherine Coffin, Jane Rankin, Harriet Myers, Rachel Robinson, Harriet Purvis, and Rachel Mendinhall Garrett, were often the wives of abolitionists active in aiding runaways or, like Lucretia Mott, worked in female abolitionist societies that harbored, sewed clothes for, and provided food for fugitive slaves. The Quaker abolitionists Graceanna Lewis, the daughter of the AASS founder Evan Lewis, Elizabeth Buffum Chace, the daughter of Arnold Buffum, and Abigail Hopper Gibbons, the daughter of Hopper, were known to assist fugitive slaves. Webster's and Haviland's involvement in slave running took female activism in the UGRR a notch further. Haviland and her husband ran Raisin Institute, an interracial manual labor school in Michigan known for sheltering fugitive slaves, and she taught in Bibb's fugitive slave Canadian settlement. The state of Tennessee put a price of three thousand dollars on her head for foiling the recapture of a runaway female slave. After her husband's death, Haviland moved to Cincinnati and got involved in fugitive slave rescues through the city's interracial Vigilance Committee and the Coffins; she noted that abolitionist women met three times a month to sew clothes for fugitives. Like Webster, she traveled to Kentucky and Arkansas, apparently even staring down bloodhounds once, to spirit away slaves and escort runaways to Canada.

Women abolitionists involved in slave running, like their male counterparts, displayed considerable courage and bravado. Webster, on gaining her freedom, caused some confusion in abolitionist circles by avowing herself to be a Kentucky colonizationist and denouncing "*Negro Stealing.*" Rejecting charges of seducing as opposed to aiding slaves, she had purposefully formed a relationship with her infatuated jailor, who put his children in her care. With the Vermont abolitionist Rev. Norris Day, she purchased a farm in Kentucky, which

she touted as an experiment in free labor with German tenants and said was to be used for creating an Oberlin-like institution. Day and Webster were widely suspected by their neighbors and state authorities of helping slaves escape across the Ohio River, where the farm was strategically located. While Day left with his family, Webster was arrested again in 1854 on old charges of helping Berry and Lewis's wife, Harriet Hayden, escape. Though freed owing to a lack of evidence, she was pursued by her scorned jailor to Madison, Indiana. An antislavery lawyer successfully defended her, and the humiliated jailor narrowly escaped an irate crowd, returning home with a bullet in his body.[20]

Running off slaves was a risky business rather than the stuff of romance. The MASS started carrying a regular feature in its annual reports, "Northern prisoners in the South." In 1848 the young Quaker abolitionist Richard Dillingham from Ohio was arrested in Nashville after he journeyed there to assist enslaved relatives of blacks in Cincinnati who had solicited his services. Sentenced to three years' hard labor after delivering a moving courtroom address, Dillingham died of cholera in prison two years later. John Fairchild of Virginia, a "southern abolitionist" and "inveterate hater of slavery," was known to run off slaves pretending to be a slaveholder or slave trader. He was imprisoned a few times, settled in a free black community in Indiana briefly, and was probably killed in a slave insurrection scare in Tennessee on the eve of the Civil War.[21]

Fugitive slave escapes became more common in the late antebellum period, involving groups of runaway slaves, anticipating the flight of hundreds of slaves during the war. In 1847 a group of no fewer than forty-five fugitive slaves openly paraded and were housed and fed in Battle Creek, Michigan. Whipper wrote that between 1847 and 1850 he personally "passed hundreds to the land of freedom." At times these escapes resembled mini slave rebellions, with pitched battles between "freedom seekers" and their sympathizers, including free blacks, abolitionists, bystanders, and employers, and law enforcement authorities, slaveholders, and their agents. In 1848 around seventy slaves escaped to the Ohio River with E. J. "Patrick" Doyle, a student from Center College, Danville. They were apprehended by some hundred white men and became involved in a gun battle in which one black man and one white man died. Surrounded by a reinforcement of nearly four hundred white men, the slaves surrendered; fifty were tried, three executed, and Doyle was sentenced to twenty years in prison, where he died. Such incidents happened often enough to constitute a "border war" over slavery in the slave and free states that adjoined each other. A Maryland slaveholder and a black man lost their lives in a violent confrontation when two slaveholders tried to recapture three runaway slaves in a courtroom in Harrisburg, Pennsylvania, in 1847. Episodic clashes over fugitives periodically

disrupted the proslavery consensus based on commercial and political ties in slavery's borderlands.[22]

The UGRR consisted not so much of the elaborate routes mapped by its first historian, Wilbur Seibert, but of distinct sites of activist interracial abolitionism and antislavery politics, like parts of Ohio, the port towns of New Bedford and Boston, south-central Pennsylvania and Philadelphia, Detroit, western Illinois, upstate New York and New York City, black settlements in Canada, and the area around the District of Columbia. Free black communities, especially in the racially hostile northwestern states and border slave states, were essential to the political geography of fugitive slave resistance.[23] Acknowledging the interracial nature of the UGRR changes the terms of the tired dichotomy over whether one should concentrate on the heroism of self-emancipated slaves, as Garrison called them, or the abolitionists who assisted them. Fugitives set in motion a chain of events that had far-reaching political effects, and it is fair to conclude that they inspired abolitionist resistance to laws of the slaveholding republic.

In 1848 slaveholding authorities tried unsuccessfully to permanently disable one of these nodes of underground activism. They arrested and convicted the Quaker abolitionists John Hunn and Thomas Garrett in Wilmington, Delaware, for assisting fugitive slaves. Garrett had long worked with a network of free blacks, Joseph Walker, Harry Craig, Severn Johnson, and Joseph Holland, who undertook the risky business of hiding fugitives in their homes. Garrett assisted two famous fugitive slave abolitionists from Maryland, the family of Henry Highland Garnet and Harriet Tubman. Wilmington, a center of black abolitionism, was the home of Abraham Shadd and the former slave Peter Spencer of the African Union Methodist Church, both known to help runaway slaves. Born in Pennsylvania, Garrett dated his abolitionism to the kidnapping of a free black woman who worked in his home. He became a member of the PAS and later a confidante of Garrison. While Shadd moved to Pennsylvania and assisted fugitives there, Garrett moved to Delaware in 1822. After the death of his first wife, he married into the abolitionist Mendinhall family, who, along with other Quaker families and free blacks, some runaways themselves, helped make Chester County, Pennsylvania, a common destination of fugitive slaves. Garrett aided over two thousand freedom seekers, many of them from Maryland and Virginia.

Hunn and Garrett were arrested for facilitating the escape of the enslaved Hawkins family, whose owners sued both. Six separate cases were tried against them. Garrett was fined the crippling sum of over five thousand dollars, reduced to fifteen hundred. The trial judge who sentenced him was none other

than the ubiquitous Taney, riding the Supreme Court circuit. Garrett defiantly told the court to send more fugitives his way since he had nothing left to lose. Samuel D. Burris, a free black operator "of marked courage and daring" from Delaware, first brought the Hawkins family to Hunn and Garrett's attention. Burris moved to Philadelphia and, like Tubman, made several rescue missions to the South. He was eventually arrested and threatened with reenslavement in a public auction. Isaac Flint, an abolitionist under cover, bought his freedom with "abolition gold." Burris moved to San Francisco, where he became active in contraband relief efforts during the war, his "interest in the cause of freedom" never faltering until his death at the age of sixty. In the 1850s Garrett recuperated his losses and was an accomplice of Tubman and Still of the PVC. In 1860 Maryland put a bounty of ten thousand dollars on his head, but he lived to celebrate the Emancipation Proclamation with Wilmington's black community. All the pallbearers at his funeral were African American, bearing testimony, as Still put it, to "his practical devotion to the Slave."[24]

The same year as Garrett's trial, three seamen, Capt. Daniel Drayton, Chester English, and Edward Sayres aboard the *Pearl*, carrying seventy-seven black men, women, and children, were apprehended in Washington by a magistrate in a steamer in hot pursuit. These three working-class men were paid for the mass escape, though Drayton was a man of antislavery sympathies, the source of his conversion being the desperate runaways he encountered. His memoir, written with the help of Hildreth, opens a window into the waterborne UGRR. Like another sea captain involved in the abolitionist underground, Albert Fountain, Drayton's seafaring career in the Chesapeake Bay, he explained, had "brought me a good deal into contact with the slave population." The slaves, he wrote, were "pretty adroit" in determining if a ship originated from the North and would board them at night "in hopes of obtaining passage in her to a land of freedom." Drayton's views on slavery "had undergone a gradual change" as "his intercourse with the negroes" revealed that "they had the same desires, wishes, and hopes as myself." Especially horrible, he noted, was the idea of having one's children sold away, a common enough occurrence in that area. The proslavery idea that slaves were content would do well, he said, only "for those who know nothing of the matter personally." A year before the *Pearl* episode he helped a slave mother married to a free black man and her children escape. A few of the fugitives aboard the *Pearl* were free and married to slaves, most members of the city's black churches, and some, like the Bells and Edmundsons, were fleeing to protect enslaved family members from sale to the South. When they were apprehended Drayton reported, "The black men came to the cabin, and asked if they should fight." He discouraged them, as resistance was futile.

The escape took place at the instigation of the slaves and the interracial abolitionist network that stretched from the District of Columbia to Philadelphia. William Chaplin, who replaced Torrey, was involved in freedom suits and cases involving self-purchase as well as in assisting runaways. Daniel Bell, for instance, had scraped together money to buy his freedom; his wife, Mary, with Chaplin's assistance, was involved in a freedom suit against the widow of her deceased master, who had promised her freedom. Chaplin and his benefactor Gerrit Smith, who financed his activities, supported the idea of emancipation through purchase. He planned the *Pearl* escape with Charles Dexter Cleveland of the Philadelphia ASS. Chaplin and Cleveland hired Drayton, who in turn hired Sayres and his schooner *Pearl* along with English. After their arrest, the three were threatened with lynching by a proslavery mob led by local slave traders. Of the three, only English, who was briefly imprisoned, did not know the nature of their undertaking. The simultaneous disappearance of so many slaves, many of whom were the property of Washington's political elite, caused great consternation. Slaves from the District were either whipped to extract information about the escape or, like Thomas Ducket, whose family was on the *Pearl*, and Anthony Blow, who worked in the Navy Yard, sold. Blow escaped to Philadelphia six years later, but Ducket languished in Louisiana. Dolley Madison, the former first lady, sold her errant slave Ellen Steward to a Baltimore slave trader, but Steward, like a few others, was purchased and freed by abolitionists. Bell managed to purchase his wife and youngest child but lost his nine other children to slavery.

Tragically, most of the *Pearl* runaways were sold south. Their sale became a matter of controversy when Congressman John I. Slingerland from upstate New York witnessed their departure and the House chaplain, a Methodist minister, fraternizing with the slave trader, and wrote about it. The plight of the remarkable Edmundson family, half free and half slave, attracted the attention of abolitionists, who raised money for the purchase and education of Mary and Emily Edmundson. Paul, a free man who owned a farm, and his enslaved wife, Amelia, had twelve children, six of whom were free, five enslaved, and one sold for an attempted escape. Four brothers, one of whom was free, and Mary and Emily were on board the *Pearl*. Held in slave pens in Washington and Baltimore, they were sold in New Orleans, but the two sisters made it back to the North. They were freed after their father managed to raise enough money among abolitionists to buy them, a transaction in which Rev. Henry Ward Beecher of Plymouth Church played a crucial role. The girls' saga continued well into the 1850s. Financed by Henry's sister Harriet Beecher Stowe, both went on to study at Oberlin, staying with the abolitionist Cowles family. When Mary died of

tuberculosis, Stowe was convinced that her imprisonment following the *Pearl* affair had brought on her illness. Emily became an abolitionist lecturer and teacher and helped raise money to buy one of her brothers. Another managed to escape from New Orleans and ended up in Britain and Australia, while yet another remained in Louisiana.[25]

The *Pearl* became a matter of sectional controversy in Congress just as debate over the western expansion of slavery in the aftermath of the Mexican War was heating up. It helped to push the abolition of the slave trade in the District and a new fugitive slave law onto the national agenda. Giddings may have known about it, as one of the Edmundson brothers had approached him to secure the freedom of his sisters before the escape. Giddings was quick to offer his services to the imprisoned seamen and visited them even though threatened with violence. A proslavery mob of thousands stoned the office of the newly established national antislavery newspaper in the city, the *National Era*, despite the public disavowal of any involvement by Gamaliel Bailey, its editor. At his home, Bailey and his old father confronted the mob and its committee, refusing to give up the right of free speech and press on the subject of slavery. The arrest of the fugitives and attack on Bailey's paper provoked antislavery members of Congress such as Sen. John P. Hale, Giddings, and the newly elected Palfrey to move resolutions demanding information on the *Pearl* slaves and protection of the life and property of antislavery members of Congress from proslavery violence. Hale decried the loss of liberties, including the right to discussion.

Alexander Stephens accused Giddings of slave theft, Calhoun called it "piratical acts," and Jefferson Davis, slave stealing. Sen. Henry Foote outdid them all in calling for Hale to visit Mississippi, where a noose would be waiting for him, earning him the sobriquet Hangman Foote from the antislavery press. Slaveholders demanded a new fugitive slave law. In reply, Giddings drew attention to the wholesale bartering of men, women, and children in the capital. Palfrey, Mann, Giddings, and others involved in the debate over the *Pearl* escape were at the forefront of the fight to abolish the slave trade and slavery in the District of Columbia. As a freshman congressman from Illinois, Abraham Lincoln shared Mrs. Spring's antislavery boardinghouse with Giddings, Palfrey, and Daniel Gott, whose resolution abolishing the slave trade in the District passed the House in 1848. A year later Lincoln proposed a plan for gradual, compensated emancipation there.

Abolitionists and antislavery politicians rallied to the defense of the imprisoned seamen. The prosecutor in the case against Drayton and Sayres was Philip Barton Key, the son of Francis Scott Key, continuing the family tradition of prosecuting abolitionists. Mann, who occupied Quincy Adams's seat

in Congress, represented them, overcoming what Phillips called his "timid silence" on Boston's school desegregation struggle. A large abolitionist meeting across factional lines, attended by the Libertyites Sewall, Wright, Bowditch, the Garrisonians May and Jackson, and black abolitionists like Robert Morris, among others, collected funds for Drayton and Sayres's defense, a good chunk of the money coming from Gerrit Smith. Hildreth was deputized to go to Washington, and another lawyer, James Carlisle, was hired at considerable expense. Arguing for the defense, Mann noted threats of lynching against the prisoners, mob action against antislavery politicians, and the *Era*, which made a mockery of the law. He protested the exorbitant bail of seventy-six thousand dollars and the over three hundred counts of indictment brought against the three men. If convicted, they would be condemned to eight hundred years in prison, and Key would profit handsomely from each trial. Mann defended the slaves' right to flee, arguing that they were well aware of the ideals of the Declaration of Independence and the speeches praising the recent European revolutions for freedom by congressmen, who would then also be complicit. The defense tried to prove that the slaves had run away on their own and that Drayton and Sayres were guilty only of unknowingly transporting them.

While disavowing illegal interference in the institution of slavery, Bailey expressed his abhorrence at the severe charges and punishment of Drayton and Sayres. After a series of trials before an unsympathetic judge, Drayton was convicted and sentenced to twenty years in prison for larceny, or stealing slaves, and fined over ten thousand dollars for transporting them. Sayres was found guilty of transporting fugitive slaves and fined over seven thousand dollars. Unable to pay these enormous amounts, the two languished in jail. Bailey continued to "appeal for mercy" on their behalf. In prison Drayton saw a "good deal what slaves were exposed to." Both men were pardoned in 1852 because of the intervention of the newly elected Free Soil senator Charles Sumner. Sumner strategically spent his first year in the Senate working behind the scenes for their release and suffering criticism for his silence on the subject of slavery. Drayton concluded that while men like Hale, Sumner, Giddings, and Mann could deliver strong antislavery speeches, he would never be able to "make myself heard in Congress, or by the nation at large, except in the way of action." On his release he joined the abolitionist lecture circuit but was severely debilitated by his long imprisonment. He committed suicide in 1857 in New Bedford. The town paid for his funeral, and an admirer erected a monument to him inscribed with Sumner's words.[26]

Fugitive slaves and their abolitionist allies exposed the republican pretensions of slaveholding politicians. In the early Republic, Hopper had braved the wrath of the South Carolinian planter-politician Pierce Butler in order to aid

his runaway slave Ben. In the antebellum period they embarrassed slaveholders widely known for their statesmanship. The *NASS* published an article on President John Tyler's two runaway slaves, one who claimed to be his son. At least two of Henry Clay's slaves caused considerable embarrassment to him. One, Lewis Richardson, accused him of abuse, and the other, Lewis Hayden, of selling off his first wife, thereby instigating a war of words between Clay and abolitionists. In furious letters to Sydney Howard Gay, the editor of the *NASS*, Clay dismissed his former slaves as lying, worthless men. But to abolitionists like Abel Brown, Clay was nothing but a man stealer. In a public letter to Clay, Douglass systematically dismantled all his objections to immediate abolition and questioned the sincerity of his antislavery beliefs, as he was the "robber of nearly fifty human beings." He urged Clay to follow Washington's example and "emancipate your slaves" in the "winter" of his life. Clay freed ten of his slaves, including a personal manservant, and, according to his biographers, was a benevolent master. Douglass, referring to his disappointed presidential ambitions, quipped that Clay was the president of the ACS but of nothing else. In his last political act as the Great Pacificator, Clay recommended the abolition of the slave trade in the District and a stringent new fugitive slave law as part of the Compromise of 1850.[27]

That year Chaplin was arrested for aiding two runaway slaves who happened to belong to the Georgia Whig duo Sen. Robert Toombs and Representative Stephens. Besides his involvement with the *Pearl*, Chaplin had spent over six thousand dollars rescuing and purchasing slaves in the Washington area. He was arrested by John Goddard, the head of the city Night Watch, eager to earn the reward posted by the two slaveholding politicians. Bruised and bloodied in his attempt to elude capture, Chaplin served four months in Washington and Maryland prisons, where he encountered starving slave children and a man jailed for speaking out against slavery. Abolitionists, again across factional lines, set up a Chaplin Fund Committee in Boston. The committee included political abolitionists such as Smith, Whittier, and Samuel Fessenden of Maine, Garrisonians like May and Jackson, Douglass, William Harned of the New York State Vigilance Commmittee, and the radical antislavery politicians Chase, Giddings, and George Julian of Indiana. The committee successfully raised twenty-five thousand dollars to bail Chaplin out, who quickly left, forfeiting his bond. Chaplin, his defenders argued, had triumphed against "all legal and illegal tyranny." Chaplin asked abolitionists to set aside their differences and act upon their "professions."[28]

Washington's black community, enslaved and free, made the nation's capital a contested ground between slavery and freedom. As early as 1843 William

Jones, a free black man jailed and about to be sold into slavery, petitioned Congress with the help of David Hall, an antislavery lawyer known to assist fugitive slaves, for his freedom. His petition, introduced by Giddings, led to a fractious debate along sectional lines in the House. By 1850 the fugitive slave issue had made its way to the nation's highest court and to Congress many times, having an impact on national politics that paralleled the debate over slavery in the territories. It assumed international significance when British authorities repeatedly turned down American demands for an extradition treaty covering fugitive slaves.[29] Self-emancipated slaves and their allies compiled a formidable record of noncompliance, legal wrangling, and open defiance of slave laws as well as eliciting international law and sanction against the Slave Power of the United States.

SHIPBOARD REBELLIONS

Shipboard slave revolts in the age of abolition played out on a global political stage. Two famous rebellions, one by enslaved Africans and the other by American slaves, the *Amistad* (1839) and the *Creole* (1841), respectively, helped revolutionize the abolition movement. Enslaved rebels accrued the advantages of "liminal spaces" inhabited by slavers in the high seas, subject to differing national sovereignties and law. Already radicalized by their encounter with runaway slaves, all abolitionists and even antislavery politicians found themselves defending the slaves' right to rebel. The "trope of revolutionary struggle" employed by abolitionists did not rest simply on a mainstream American revolutionary model. It belonged to an abolitionist tradition of lauding the Haitian Revolution as well as domestic slave revolts, "an Atlantic geography" of slave resistance that extended to Africa.[30]

In June 1839 Cinque (Sengbe Pieh) and his comrades, part of a cargo of fifty-three Africans, forty-nine men and four children, being transported by Don José Ruíz and Don Pedro Montes on the schooner *La Amistad* from Havana to plantations in Puerto Principe, rose in revolt. The long journey of the mostly Mende slaves had begun on the west coast of Africa, where they had been bought by the Spanish slave trader Pedro Blanco and then housed in Havana's barracoons, or slave pens, before being sold to Ruíz and Montes. The cook aboard the ship taunted Cinque that their owners would cannibalize them, instigating the revolt. Seizing the sharp sugar cane knives and cutlasses on board, Cinque and his men, two of whom died during the revolt, made short work of the Spanish captain and the cook, and had Ruíz and Montes at their mercy. Two sailors disappeared, but the captain's Cuban slave, the sixteen-year-old

Antonio, was spared. The rebels demanded that Ruíz and Montes take them back to Africa, but the two steered west. As the ship ran short on supplies, eight Africans died before they landed in Long Island, New York. Apprehended by Lt. Thomas Gedney aboard a U.S. Navy ship, the Africans and the *Amistad* were claimed as salvage by Gedney and a group of men led by a Henry Green. The ship was towed to New London, Connecticut, and Cinque and the thirty-eight adult men were indicted for murder and piracy. Their arrival caused a sensation: hundreds paid to visit them in jail, artists sketched their portraits, and a play based on the rebellion soon opened in New York City.

The local abolitionist Dwight Janes, who argued that the Africans "had a perfect right to get their liberty by killing the crew and taking possession of the vessel," immediately alerted Lewis Tappan and Leavitt. Tappan, Leavitt, and Jocelyn organized the Amistad Committee to "receive donations, employ counsel and for the protection and relief of the African Captives." With the help of the Mende-speaking black sailors Charles Pratt and James Covey, who had spent time in a Portuguese slaver, Josiah Gibbs of Yale, a linguist, James Ferry, who could speak a West African language, Vai, and the pioneer in deaf education Rev. Thomas Hopkins Gallaudet, the abolitionists managed to communicate with the enslaved Africans and learn their story. The Africans' individual stories, names, and silhouettes, complete with a phrenologist's glowing analysis of Cinque's head, soon appeared in pamphlets. Abolitionists printed descriptions of African societies and culture given by the captives. Cinque and his chief lieutenant, Grabeau, gave details of their cruel treatment by the Spanish captors. The committee enlisted the help of an old colonizationist rival, Rev. Leonard Bacon, among others, for the "intellectual and religious instruction" of the Africans. Reminiscent of abolitionist actions against kidnappers, a countersuit against Ruíz and Montes in New York on behalf of the Africans charged them with assault, battery, and false imprisonment. The two men were arrested: Montes was released and went back to Cuba, while Ruíz refused bail and was imprisoned for four months.

The *Amistad* case also united abolitionists across factional lines, the appeals of the committee appearing regularly in Garrisonian newspapers. Garrison was unstinting in his praise of Tappan for his efforts on behalf of the Africans. The Amistad Committee became a model for abolitionist committees formed to free imprisoned abolitionists such as Torrey, Walker, Drayton, and Chaplin. The revolt, like the prominent fugitive slave cases, not only galvanized the abolition movement but also, because of the protracted legal proceedings, became a forum for abolitionists to make their case against the national recognition of slavery and to draw attention to the prolific illegal African slave trade. The

Amistad, after all, had been built in the shipyards of Baltimore, which, along with New York, outfitted hundreds of slavers used in the African slave trade to Cuba and Brazil, an industry specifically prohibited by American laws. The Amistad Committee hired lawyers of known abolitionist convictions: Theodore Sedgwick of New York, Seth Staples, and Roger Sherman Baldwin, the scion of a prominent Connecticut family who had defended fugitive slaves and stood up to the New Haven mob in 1831. The Africans' lawyers first tried the tactic used in fugitive slave cases to free them, presenting a writ of habeas corpus. They wanted to establish that the Africans were legally free and unlawfully detained and could not therefore be claimed either as salvage or as slaves by their Spanish captors.

Baldwin argued that the American government had no authority to hold the Africans even on a criminal charge for an incident that had occurred on the high seas. Next, Staples, evoking another legal precedent from the fugitive slave trials, pointed out that since the Africans had been brought "voluntarily" by their Spanish masters to free territory, they were free and not subject to the fugitive slave law. The defense lawyers did not just invoke the law, the prohibition of the African slave trade by the Spanish, and abolition in the northern states but also the slaves' right to revolution when deprived of their "natural liberty." The affidavit of one of the Africans, Bahoo (Bau), made it clear that the recaptives were from Africa and should be sent back to Africa as required by the law of 1819 against the African slave trade. In September Judge Smith Thompson denied the writ of habeas corpus, noting that even though the Constitution did not mention the word *slavery*, American laws recognized the institution.

The Van Buren administration, in a long opinion written by Attorney General Felix Grundy of Tennessee, supported the claims of the Spanish government to extradite the Africans and even sent a man-of-war to spirit them back to Cuba after they had been tried. Abolitionists too made plans to rescue the Africans if the decision went against them, Birney suggesting that they bail them out and then forfeit the bond. In April 1840 Judge Andrew Judson (of Prudence Crandall fame [see chapter 8]) in the district court granted the *Amistad* as salvage to Gedney but ruled in favor of the Africans, setting them free and not liable under American laws for crimes committed under Spanish jurisdiction. The testimony of the Irish abolitionist Richard Madden, who led a one-man battle against the illegal African slave trade in Havana, and that of Cinque, Grabeau, Fuliwa, and Kimbo on their journey from Africa proved to be decisive. A colonizationist, Judson was happy to recommend the transportation of the Africans back to Africa. The Van Buren administration appealed the decision of the district court to the circuit court presided over by Thompson and Judson,

who reiterated it pro forma. In an effort to appease the powerful southern wing of the Democratic Party, the administration adopted the Spanish position, and Spanish representatives quoted Calhoun's defense of slave property to make their case for extradition.[31]

When the *Amistad* case was tried in the Supreme Court in 1841 on appeal, Tappan retained the services of Quincy Adams as senior counsel. Adams had followed the case from the start, communicating his views to Loring. He visited the imprisoned Africans in New Haven and was moved by their plight. Some began corresponding with him, assuring him that they were from Africa. As Kale, one of the Mende captives, wrote, "All we want is make us free." In his brief Adams argued that the life and liberty of the Africans were at stake. He arraigned the administration for "sympathy with the white, antipathy to the black" and for tampering with official documents on the case. Adams was particularly critical of the secretary of state, the Georgian John Forsyth, for his deference to the Spanish government. The AFASS sought the intervention of the British government through the British and Foreign ASS as a counterweight. The British also demanded the prosecution of Ruíz and Montes in Cuba for participating in the African slave trade, outlawed by the Anglo–Spanish treaty of 1817. Adams went further, holding that slavery, or property in humans, had originated in a state of war and was not recognized by the founding document of the country, the Declaration that had established a natural right to life and liberty. Baldwin also defended the natural right of the Africans to self-emancipation. In the published version of his speech, parts of which he was unable to deliver in court, Adams dismantled the legal precedent of the 1825 case of the *Antelope*, part of whose cargo of enslaved Africans had been returned to the Spanish. The *Antelope* decision, Adams wrote, had "baffled, defeated, prostrated, nullified" the laws of the United States for the "suppression of the execrable slave trade." He noted the apologetic nature of the decision and Chief Justice John Marshall's opinion that the case established no legal precedent. The court had acknowledged that the African slave trade violated the "laws of nature" and in 1827 returned most of the recaptives to Africa. Since then Spain had abolished the slave trade, making the *Antelope* case irrelevant.

Chief Justice Story, who conveyed the court's decision, argued that the Africans were born free and therefore could not be returned to Spain under the provisions of the treaties of 1795 and 1821 signed between the two countries. But the Spanish continued to press for monetary compensation until the eve of the Civil War, when the *Amistad* claims became entangled with the politics of slavery and efforts by the United States to acquire Cuba. While southerners and their northern Democratic allies pressed the *Amistad* claims and issued two

reports, one in the House and, later, another one in the Senate, favoring them, antislavery politicians such as Adams and Giddings strongly resisted. As the presidential candidate of the Free Soil Party in 1848, Van Buren was forced to explain away his stance on the *Amistad* case. Story, accepting abolitionist reasoning, maintained that the Africans had been kidnapped and had a natural right to self-defense to claim their liberty. As Tappan argued, the *Amistad* case was about human rights that transcended national boundaries. Story, however, remanded Antonio back to slavery, making a distinction between the illegal African slave trade and legal slavery. Antonio, with the help of Tappan and the local Committee of Vigilance, fled to Montreal through the abolitionist underground. The *NASS* concluded that the *Amistad* Africans "*have but just escaped us.*"[32]

The Africans, Sturge reported during his visit to the United States, had proven to be "of immense service to the antislavery cause." The Amistad Committee printed thousands of copies of Baldwin's and Adam's speeches before the Supreme Court and emphasized their stature as descendants of revolutionary figures. Abolitionists, through a writ of habeas corpus, recovered the three young African girls living with the jailor, whom the Africans heartily disliked and accused of mistreatment, amidst a jeering crowd of Yale students. They soon joined the other captives in Farmington, a station in the UGRR, that is, safely abolitionist country. Cinque and some of his comrades addressed packed meetings, raising money for their return to Africa. Sturge recalled his fluency and his "animated and graceful" manner on hearing him. To Leavitt, who closely followed the Supreme Court proceedings, the *Amistad* decision had marked "the revival of the Common Law doctrines of the Revolution." In abolitionist print culture, Cinque was apotheosized as a black revolutionary hero, and flattering descriptions of him called him "a tall and stalwart African of commanding presence and stalwart spirit" who, in his own words, had fought against "the bondage of the white man." Commissioned by Purvis, his portrait (reprinted in this book) was memorably rendered by Nathaniel Jocelyn, the brother of Simeon Jocelyn. Abolitionists sought to counter racist depictions of the Africans, one accusing them of cannibalism—ironically, a fate the rebels had sought to avoid—and efforts to discredit Cinque as a slave trader begun by the prosecution, a fact that escaped historians who revived that untenable accusation. After Foone, one of the recaptives, drowned in a likely suicide, abolitionists redoubled their efforts to have the Africans sent home. The government refused to help, and British promises to supply a ship took too long. Tappan tirelessly raised private donations and funds from public meetings featuring the Mende Africans. The thirty-five survivors and three girls sailed back to Africa in

November, arriving there in January 1842. Five abolitionist missionaries, a black couple and three whites, accompanied the Africans, laying the foundations of the Mendi mission in Africa.

The *Amistad* case spurred abolitionist missionary work. In 1841 Pennington, who was also active in raising funds for the return of the Africans, and the British-educated Augustus Hanson had formed the mostly black Union Missionary Society (UMS) with forty-three delegates from six states and five Mende Africans, including Cinque, to begin the Christianization of Africa. Its officers included Pennington as president, Amos Beman from New Haven, George Hogarth and Amos Freeman from Brooklyn, Wright from Manhattan, and Garnet and Ward from upstate New York. The "Missionary Convention" supported "*the enterprize of African missions*" but disavowed colonization. Pennington warned against developing European and American colonies in Africa on the pretext of missionary work. Tappan and the UMS executive committee urged Pennington to go to Africa as a missionary, but he chose to stay in the United States. The UMS published the short-lived *Union Missionary Herald* until the Amistad Committee merged with it, with Pennington as president and Tappan as treasurer. The UMS and other organizations connected with the abolitionists' free missions movement against slaveholding in the American Board of Commissioners of Foreign Missions—namely, the Western Evangelical Missionary Society at Oberlin and Phelps's Committee for West Indian Missions, created to support missionary work among former slaves—formed the AMA, led by Tappan, in 1846.

The *Amistad* missionaries established a foothold in Africa, but the Mendeans preferred to rejoin the societies and cultures they had been forced to leave behind. Cinque, whose wife and children had been killed or sold as slaves, was caught between the world of the mission and that of the natives. The AMA recruited Thompson, whose imprisonment fostered a desire to live the life of an abolitionist missionary, to head the Mendi mission. Sarah Margru, one of the children aboard the *Amistad*, returned to study at Oberlin and became a teacher at the mission. Some African graduates of its school moved to the United States and joined the fight for black rights during Reconstruction, completing the circle of transnational abolitionism in which the Africans were active participants.[33]

At the very time the *Amistad* Africans were heading home, another shipboard rebellion, this one on the American brig *Creole* with 135 slaves, also had ramifications in national politics and international diplomacy, and it too inspired abolitionists to defend the slave's right to rebel. In November 1841 the fortuitously named Virginian slave Madison Washington, with Ben Blacksmith (also known

as Ben Johnstone), Elijah Morris, Doctor Ruffin, and George Portlock, took over command of the *Creole*, engaged in the waterborne interstate slave trade from Virginia to Louisiana. Washington, who had successfully escaped to Canada, returned to Virginia to free his enslaved wife and was captured and sold. During the uprising, he and Morris prevented others from wreaking vengeance on the whites. Only one man, John Hewell, was killed, while the captain was severely injured, and two others who were injured were treated by the rebels. One rebel was killed and another injured.

After being told that sailing to Liberia was impossible, the rebels made the crew steer the *Creole* to Nassau in the Bahamas. Commanded by a British officer, black soldiers, African recaptives from the illegal foreign slave trade, guarded the vessel. Circumventing an attempt to recapture the ship at the behest of the American consul, the British authorities freed the slaves and refused to extradite the nineteen rebels. Only four enslaved women and a child, hiding in the hold, returned to the United States, and the rest left for the shore in small boats ferried by the local black population. Around sixty soon boarded a ship to an anonymous freedom in Jamaica. The surviving seventeen rebels held for piracy—George Grundy succumbed to his wounds, and Adam Carnay died in prison—were freed in April 1842, much to the chagrin of the American government. Most of the slave owners and traders, represented by the future Confederate secretary of state Judah P. Benjamin, lost their case for compensation for their human property from insurance companies in the New Orleans courts since the loss had occurred because of a rebellion. Of the eight policies on the *Creole* slaves, only two had to pay up, as they covered losses owing to insurrection.

The *Creole* rebellion was indeed "a story of the revolutionary Black Atlantic." The revolt smacked of cosmopolitan political sophistication rather than of the elemental and natural, terms in which writers and historians have described it. A year before the rebellion, the British had freed slaves from the shipwrecked *Formosa* (also known as the *Hermosa*). Coincidentally, the Richmond slave trader Robert Lumpkin owned slaves on both brigs. However obtained, the *Creole* rebels had knowledge of the international geopolitics of slavery and freedom and the acumen to use it to their advantage. Canadian and British authorities had long refused the demands of Americans for an extradition treaty for fugitive slaves, except in the case of a crime. In the case of the *Creole*, the British had set the rebels free, disclaiming jurisdiction on the high seas. Washington had lived for a year in Canada and attended Hiram Wilson's manual labor school. On his way back to Virginia he met abolitionists, the Quaker Moore family of Rochester, Purvis, in whose home he saw Cinque's portrait, Garnet, and

the British Quaker abolitionist John Gurney. His "geo-political literacy" thus straddled the worlds not just of the slave trade and slavery but also of the interracial and transnational world of abolition. The nonresistant Garrison praised the "hero mutineers" of the *Creole*, especially Washington, arguing that slaves had a right to attain their freedom by any means possible, and published a call for a petition to hang a portrait of Washington in the Library of Congress.[34]

The *Creole* case was a source of ongoing friction between the United States and Britain. As a rule, the British freed slaves from American ships when they landed on British soil. In the 1830s three American slavers involved in the interstate trade, the *Comet*, the *Encomium*, and the *Enterprise*, were wrecked in the Bahamas and Bermuda. According to Calhoun, all three were involved in a legal slave trade and fell under American jurisdiction. The British government agreed to pay American claims for the slaves on the *Comet* and *Encomium* but not for those on the *Enterprise* because it had landed after the British had abolished slavery on August 1, 1834. Southerners led by the unyielding Calhoun and President Tyler demanded reparations for the *Creole* slaves, and northern conservatives like Secretary of State Daniel Webster insisted that, unlike the *Amistad* case, the *Creole* case involved slaves legally held by slaveholders and wanted for "murder and mutiny" by the United States. The British were eager to secure American cooperation against the African slave trade, as the Americans staunchly opposed Britain's right to search American ships suspected of participating in the illegal trade, and the British minister was loath to let the *Creole* case get in the way of a treaty. The Anglo-American claims commission, set up by the Webster–Ashburton treaty of 1842, awarded the American slaveholders just over $110,000 for the *Creole* slaves in 1853.

Abolitionists in Britain and the United States protested the recognition of slaveholders' claims in human property. According to the *NASS*, Webster had no authority to demand the return of the rebels or compensation for slave property. Slaveholders saved their ire for the eighth article, which stipulated the joint patrolling of the African coast against the Atlantic slave trade. In a public letter, Ruggles protested the tenth article of the treaty, which endangered fugitive slaves in Canada. It allowed for the extradition of criminals, but the clause was not applied to fugitive slaves or slave rebels. In one of the few cases that year, Nelson Hackett of Arkansas, who had been helped by Detroit's Colored Vigilant Committee, was extradited for theft of articles ranging from a horse to a coat and gold watch. Later, even fugitives accused of murder, like John Anderson, were not extradited because of abolitionists' protests. The normally sedentary Smith traveled to Canada West twice on his behalf. Anderson, who killed his pursuer in self-defense, had escaped after being sold away from his

family and eventually migrated to England and then Liberia.[35] By their actions, slave rebels precipitated a confrontation with the Slave Power in the court of international opinion, law, and diplomacy.

THE SLAVES' RIGHT TO REBELLION

The *Creole* and *Amistad* rebellions led abolitionists and antislavery politicians not only to question the proslavery position of the government but to defend the slaves' right to rebel. The Whig congressman from Ohio, Joshua R. Giddings, Adams's chief lieutenant in the fight against the Gag Rule, leaned toward abolition. He was of poor, obscure Puritan stock and largely self-taught. Giddings read law with the colonizationist Elisha Whittlesey and was elected to his seat in Congress in 1838. Appalled by his encounter with the slave trade in Washington, Giddings became part of the group of antislavery northern Whigs that included Slade and Gates, and he led the fight to abolish the slave trade in the capital. These men worked closely with abolitionists such as Leavitt and Weld, who shared their living quarters, and Bailey. Given their antislavery position, Chase tried to woo Adams, Seward, and Giddings to the Liberty Party, but he failed to convince them to join the abolitionist third party.

Giddings became notorious for endorsing slave rebellion. His first major antislavery speech on the Second Seminole War in 1841 accused the federal government and army of playing the role of slave catchers since the Seminole nation included hundreds of fugitive slaves and free blacks who had intermarried with the Creeks. It was the most threatening and influential of slave Maroon communities. Giddings condemned the "war upon human rights" which stole land from the Indians and reenslaved African Americans. It was essentially a war "against the *fugitive slaves* . . . who had fled from the oppression of professed Christians, and sought protection of savage barbarians. Against them the warlike energies of this mighty nation were brought to bear, for no other reason than their love of liberty." The Seminoles were relocated to Indian territory west of the Mississippi in Oklahoma at the end of the war. Giddings criticized the federal government and army for paying bounties for runaway slaves and hunting them down with bloodhounds brought from Cuba, thereby making the United States literally a nation of slave catchers. Asking for more copies of his speech, William Jay praised Giddings's "fearless exposure" of the proslavery nature of the Seminole war. Giddings later wrote an abolitionist history of the Seminole wars as a story of resistance by Native Americans and fugitive slaves. In it, he argued that the national government and army had been prostituted to slavery.

Giddings presented his famous resolutions on the *Creole* case in Congress on March 21, 1842. Formulated by Weld, the *Creole* resolutions asserted that slavery, being an "abridgement of the natural rights of man," could exist only in "municipal law." They further stated that the *Creole* rebels were not liable to the "slave laws" of Virginia and "in resuming their natural right to liberty" had not violated any U.S. law. Without giving him a chance to defend himself, horrified southerners quickly moved to censure Giddings for his support of "mutiny and murder." Giddings resigned his seat and was overwhelmingly reelected from his abolitionist Western Reserve district. His reelection, coming on the heels of the failed attempt to censure Adams, was a triumph of antislavery and portended the defeat of the Gag Rule. In a speech on the difficulties between Britain and the United States stemming from the *Creole* and the right to search, Giddings argued that he was not willing for a single American soldier to give up his life in defense of the slave trade. He criticized Webster, remarking that the domestic slave trade, like the foreign, was piracy and that the *Creole* rebels were not guilty of murder since they had acted in self-defense.

The next year Giddings gave a stronger philippic against the domestic slave trade, protesting a bill facilitating the payment of claims for the *Comet* and *Encomium* slaves. Calling slaves the "moral superiors" of slave traders, he protested that while the country called the slave trade piracy in Africa, it aided those committing the same crime in America. Threatened by a representative from Louisiana, Giddings remained undeterred. In 1844 his speech against a report and bill for compensating the Spanish in the *Amistad* case, or, as he put it, compensating "foreigners for their losses while dealing with human flesh," led to the tabling of both. The "heroic Africans," he stated, were the property of no man in fact or law. By the end of the decade Giddings was in close correspondence with abolitionists, expressing his admiration for Garrison and Phillips, and received invitations from the AASS and AFASS to address their meetings.[36]

Abolitionists and their antislavery allies also invoked international law against southern slavery. In one of his last pamphlets on slavery before his death, *The Duty of the Free States; Or, Remarks Suggested by the Case of the "Creole,"* William E. Channing wrote that he was not pleading the cause of the rebels, who had already won their freedom, but was concerned that the northern states were being forced into defending slavery as a "national interest." Using Webster's defense of slave property as a departure point, he bemoaned the influence of the "slave power" on the U.S. government and condemned the idea of human bondage in universal terms. Claims of slaveholders' kindness, he wrote, were not an effective defense of slavery because that could not mitigate robbing slaves

of their essential human rights. From this condemnation of slavery, Channing argued that slavery was a creature of local law, and because it violated natural rights and natural law it did not have a "[hair's] breadth of jurisdiction" beyond that. The American government, founded on principles of universal liberty, should not defend slaveholders' rights that were morally suspect. As for the charge that the British authorities had liberated the slaves, he retorted, "The slaves had liberated themselves." The British had, in fact, liberated the captive white crew and arrested the mutineers before releasing them.

In the lengthier second part of his pamphlet Channing went on to delineate the duty of the free states on slavery and differentiate his position from that of abolitionists. On the fugitive slave issue he argued that it was better to have a thousand fugitives escape slavery than to condemn one free colored citizen of the North to a fate similar to death. He defended the legal protections in place in the northern states to prevent kidnapping. And he came close to defending a higher law, which he believed should guide the actions of the northern states rather than southern laws of slavery, which violated human rights. Channing called for an amendment to the Constitution that would explicitly divorce slavery from "national concerns" and for the abolition of slavery and the slave trade in the District of Columbia. The federal government should not be obligated to defend slavery *"in its intercourse with foreign nations."* He opposed the annexation of Texas, which he predicted would lead to a war with Mexico, or any war fought on behalf of slavery. It was the duty of the North to actively cooperate with Britain in suppressing the "hideous traffic" in African slaves, which the laws of the United States had branded as piracy. At the same time, Channing distanced himself from abolitionists who actively ran off slaves, who justified the slaves' right to rebellion, or who, like the Garrisonians, recommended disunion.[37]

In his response to Webster's vindication of the American laws of slavery and slaveholders' property rights in the *Creole* case, Jay went further. He contended that municipal laws that violated natural human rights, like slavery, were not recognized in international law or entitled to the comity of nations. Slave law ceased to exist on the high seas, and slaves were entitled to their "natural freedom." Slaves had the right to resist their enslavement "even unto death," and they did not violate any law by resisting slavery. Slavery itself was against "Law and Right" since it violated "universal justice."[38] In defending the slave's right to rebel, abolitionist legal theory made human rights an essential attribute of domestic and international law.

On the eve of the Civil War, abolitionists' main constituency was neither slaveholders nor northern whites but the slaves themselves. This was exempli-

fied in their "addresses to the slaves." In 1842 Smith composed an address to the slaves of the United States of America on behalf of the NYASS insisting that abolitionists must communicate with slaves rather than with slaveholders. The inspiration for his address lay in the shipboard rebellions as well as in "the rapid multiplication of escapes from the house of bondage." Full of homilies and advice for slaves, Smith encouraged them to run away and steal whatever provisions they might require to sustain themselves. He asked all abolitionists to promote the escape of slaves from their "prison-house." To Smith, fugitive slaves rather than slave rebellion represented the best chance of success both in terms of slave resistance and abolitionist activism. The Presbyterian abolitionist Nathaniel Johnson, collaborating with Tappan, responded to Smith's address. The law of slavery, he contended, commanded "no moral obligation from the slave," who follows it only as a "matter of prudence," for it violated both natural and divine law. Slavery was a state of war, and the slave was in "an enemy's land" and therefore allowed to use violence if necessary. Defending Smith, Johnson noted it was not a sin to steal for the slave to effect a more desired "*peaceful escape.*" Even evangelical abolitionists challenged rigid doctrines of religious sin and justified slave resistance.

Garrison, often caricatured as a nonviolent moralist, issued his abolitionist address to the slaves the next year. Despite his personal commitment to radical pacifism Garrison had never hesitated to defend the Haitian Revolution and slave rebels, starting with Nat Turner. As early as 1832 Garrison had argued that in the absence of the Union, "scenes of St. Domingo" would be witnessed throughout the South. Slaveholders were hypocritical oppressors who celebrated the Declaration while calling slave rebels murderers and monsters. Garrison borrowed freely from black abolitionists' call to action: "Hereditary Bondmen! know ye not, Who would be free, themselves must strike the blow." He presented the range of opinion among abolitionists on the use of violence, from those who believed that even the oppressed should avoid shedding blood to those who thought "it is right for the oppressed to rise and take their liberty by violence." Both parties, though, agreed that no slave rebellion could contend with the "military power of the nation." Garrison advised against rebellion not because he was a nonresistant but because he thought it doomed to failure. The course of action he recommended was not the "appeals, warnings, rebukes, arguments and facts" that abolitionists had deployed so far but one inspired by the "twenty thousand of your number [who] have successfully runaway, many of whom are now residing in the North, but a very large proportion of whom are living in Canada." Flight would destabilize slavery even though, he cautioned, "many dangers yet lurk in the path of every fugitive, and should any of you be

caught, you know that your fate would be a terrible one." Like Smith, Garrison called for a fugitive slave rebellion. As "fellow-countrymen," he demanded "for you all that we claim for ourselves—liberty, equal rights, equal privileges." He concluded, "Your blood is the cement that binds the American Union together; your bodies are crushed between the massy weight of this Union; and its repeal or dissolution would ensure the downfall of slavery." The NEAS convention adopted his address without much debate.[39]

Black abolitionists were more radical. In 1843 Garnet delineated a revolutionary plan for the overthrow of slavery in an address to the slaves delivered at the national black convention in Buffalo. It attracted far more attention than Smith's and Garrison's speeches. At the convention, Garnet encountered the combined opposition of Douglass and Remond and, outside of it, of the formidable Maria Weston Chapman, who criticized his dual endorsement of ballots (that is, the Liberty Party) and bullets. Chapman responded to a report of the speech in the *Liberator* by E. A. Marsh, who called it eloquent despite its "inflammatory appeals" and suffused with Patrick Henry's revolutionary spirit. Garnet replied to her that he was born a slave and Chapman would make him into a slave by forcing him to think exactly like her. He pointed out that he was "the first colored man" to support the Liberty Party. He accused Chapman of not reading his address, which was influenced both by another black man and by his wife, "and if she did counsel me, it is no matter for 'we twain are one flesh.'" If Julia Garnet, an abolitionist in her own right, did participate in the writing of the address, as Garnet indicated, then the notion of appeals to slave resistance as a masculinist discourse must be rethought. Black women, it seems, were no less militant. According to McCune Smith, no other document brought before the black conventions elicited as much debate as Garnet's address, which lost by one vote. The national convention of 1847 in Troy, a roster of prominent black abolitionists, pointedly rejected bloodshed in its report on abolition.

When Garnet published his address along with David Walker's famous appeal in 1848 (apparently John Brown contributed to the cost of publication), he self-consciously situated it in a distinct black abolitionist tradition of protest. Garnet resurrected the memory of Walker by appending a life sketch of him in which he wrote that the appeal was "the boldest and most direct appeal in behalf of freedom, which was made in the early part of the Anti-Slavery Reformation." On the title page of his own address he added, "(REJECTED BY THE NATIONAL CONVENTION, 1843)." In his address Garnet evoked the special connection between slaves and black abolitionists: "While you have been oppressed, we have also been partakers with you; nor can we be free while you are enslaved," and, as a fugitive slave himself whose parents had stolen him from

slavery when he was but a child, he noted the ties of family that bound slave and free. They had no reason, Garnet made clear, to hope for emancipation from their enslavers, who he said were "not ignorant of the principles of Liberty" but who added "new links to our chains."

Unlike Smith and Garrison, he urged that slaves not run away from slavery to the North or to British dominions and Mexico, where slaveholders were trying to plant the "black flag" of slavery after expending much of the nation's "blood and treasure." Garnet also thought a slave revolt "INEXPEDIENT," as it was doomed to failure, and recommended instead a general strike: "Cease to labor for tyrants who will not remunerate you." But his address was understood as a call for slave rebellion with good reason. The speculation that he had initially advised rebellion and then substituted that with a call to refuse to labor when he published his address is untenable. His speech explicitly referred not just to Anglo-American revolutionaries like Hampden, Tell, Washington, and Lafayette but also to Louverture, Vesey, Turner, Cinque, and Madison Washington. He surely knew that some of the most spectacular slave rebellions, like those in Demerara and Jamaica, had begun as strikes, as Douglass in his rebuttal contended. Garnet's advice to the slaves implied rebellion: "To such DEGRADATION IT IS SINFUL IN THE EXTREME FOR YOU TO MAKE VOLUNTARY SUBMISSION" and "IT IS YOUR SOLEMN AND IMPERATIVE DUTY TO USE EVERY MEANS, BOTH MORAL, INTELLECTUAL, AND PHYSICAL THAT PROMISE SUCCESS." Most tellingly, he repeated twice in his short address, "RATHER DIE FREEMEN, THAN LIVE TO BE SLAVES" and "LIBERTY OR DEATH." He ended by saying, "Let your motto be RESISTANCE! RESISTANCE! RESISTANCE! No oppressed people have ever secured their liberty without resistance. What kind of resistance you had better make, you must decide. . . . Remember that you are three millions." Garrison, who was never shy about expressing his opinions, did not render one criticism of Garnet's address. In the 1960s, with the rise of a new black struggle for equality, the 1848 pamphlet was republished from an extant copy found in the personal papers of Garrison signed by his son, Francis Jackson Garrison.[40]

The abolitionist move toward active resistance to slavery was exemplified in the ideas of the relatively unknown Jabez Delano Hammond, an Ostego County judge in upstate New York. Hammond was known more for his Jeffersonian politics and political histories of the state—one of which included a biography of the Barnburner Democrat (northern Democrats who opposed the expansion of slavery) Silas Wright—than for his abolitionism. Hammond, who was born in Massachusetts, studied medicine and law, and died in 1855, was a correspondent of Smith, and his wife was an abolitionist. As early as 1839 he had written to Smith that slavery could be abolished only by force, and he

proposed forming two military academies in Canada and Mexico to train fugitive slaves to foment slave rebellion in the South. Hammond's remarkable plan anticipated John Brown and the military exploits of black Union troops, most of whom were former slaves. He also published a fictional slave narrative, *Life and Opinions of Julius Melbourne* (1847). Part narrative, part political tract, the book is an eclectic mixture of abolitionism, slave resistance, and political antislavery. It ends with Melbourne proclaiming his love for America despite its faults but predicting bloodshed in the "rich rice and cotton fields of the south" if emancipation does not come about peacefully.[41]

Long before the crisis decade of the 1850s, abolitionists justified the actions of slaves who stole themselves, fought back in self-defense, and rebelled. Slave resistance not only revolutionized the abolition movement but also impacted the national and international politics of slavery. The political significance of slave resistance complemented the simultaneous emergence of antislavery politics in the North, and fugitive slaves became abolition's most effective emissaries.