University of Dayton
eCommons

Graduate Theses and Dissertations | Theses and Dissertations

1968

# The negro and Mercer County

Alma May
*University of Dayton*

Follow this and additional works at: https://ecommons.udayton.edu/graduate_theses

Recommended Citation
May, Alma, "The negro and Mercer County" (1968). *Graduate Theses and Dissertations*. 4246.
https://ecommons.udayton.edu/graduate_theses/4246

This Thesis is brought to you for free and open access by the Theses and Dissertations at eCommons. It has been accepted for inclusion in Graduate Theses and Dissertations by an authorized administrator of eCommons. For more information, please contact mschlangen1@udayton.edu, ecommons@udayton.edu.

# THE NEGRO AND MERCER COUNTY

Thesis

Submitted to

The Graduate School of Arts and Science

University of Dayton

In Partial Fulfillment of the Requirements for

The Degree

Master of Arts in History

by

Alma May

Graduate School of Arts and Science

University of Dayton

Dayton, Ohio

July, 1968

U.A. COLLECTION

252882

THESIS

Approved by:

[redacted]
Official Advisor

[redacted]
Official Reader

[redacted]
Official Reader

## ACKNOWLEDGMENTS

I would like to express my appreciation to all who helped in the research and writing of this thesis, in particular, Dr. Joakim Isaacs, who made me aware of the topic, who was of constant assistance throughout my research and who has given me a deep love for history in general; to local historians: Rev. Paul Knapke, C.PP.S. and Rev. Edmund Binsfeld, C.PP.S. who assisted me in the research of the Carthagena area, and to Leonard Hill whose knowledge of the Randolph Negroes was invaluable; to Dwight Laffin clerk of Mercer County Courts who made available the various court cases; to Rev. Robert Putnick whose probings help to give the paper its form; to the staffs of many libraries, in particular, Cincinnati Historical Society, St. Charles Seminary, Ohio Historical Society, Albert Emanuel, Dayton Public, and Cincinnati Public.

TABLE OF CONTENTS


Page

ACKNOWLEDGMENTS . . . . . iii

Chapter

I. INTRODUCTION. . . . . 1

II. LEGAL DISADVANTAGES OF THE NEGRO IN OHIO BEFORE 1850 . . . . . 18

III. THE EMLEN INSTITUTE . . . . . 23

IV. THE RANDOLPH NEGROES. . . . . 31

V. EPILOGUE. . . . . 49

BIBLIOGRAPHY. . . . . 57

APPENDIX A. . . . . 61

APPENDIX B. . . . . 62

APPENDIX C. . . . . 63

# CHAPTER I

## INTRODUCTION

Colonial Americans in 1619 could not have realized the immense problem that would result from the innocent delivery of twenty Negro indentured servants by a Dutch ship to Jamestown. As it turned out this was only the first of many shipments. Originally, the white and the Negro indentured servant were treated alike--receiving their freedom after having served their owner for a certain period of time which varied among the different areas. The status of the Negro eventually changed from that of indentured servant to that of slave for at least two distinct reasons. Finding a labor supply large enough to meet the demands of the colonies was a tremendous problem. The assurance that the white labor supply would be adequate was lacking, and the laborers had to be periodically replenished under the indentured servant system. But the supply of Negroes seemed inexhaustible and by placing them in the permanent state of servitude, the replacement problem was eradicated.[1] Secondly, as the free Negro population increased, there was some fear that the Negro would rule the white

---

[1] John Hope Franklin, From Slavery to Freedom (New York: Alfred A. Knopf, 1948), p. 71.

race by force of their numbers. To prevent this, the colonies began to pass laws making slavery a legal institution.[2] The problem of slavery would plague the Nation for two centuries. Only a war would solve it. The problem of two races living side by side equally on all levels has been a great challenge for over a century with no solution in sight.

The reaction against slavery began just prior to the Revolutionary War. In 1774 the Continental Congress passed a resolution forbidding the importation of any more slaves.[3] This reaction was continued after the war by individual colonies passing laws prohibiting the importation of slaves, Maryland in 1783, North Carolina in 1787, South Carolina raised the duty on the importation of slaves in 1776.[4] It was carried even further when individual states enacted legislation providing that any Negroes who served for the cause of independence would be granted their freedom.[5] Many individual slave owners took it upon themselves to grant their slaves freedom through wills.[6]

Through national legislation and the Constitution, the leaders of the nation showed an apathy and maybe a

---

[2]Franklin, op. cit., p. 71.

[3]Ibid., p. 128.

[4]Ibid., p. 139.

[5]Ibid., p. 138.

[6]Francis Bulter Simkins, A History of the South (New York: Alfred A. Knopf, 1953), p. 117.

little embarrassment toward slavery. The Northwest Ordinance prohibited slavery in the Northwest Territory.[7] The Southern congressmen who should have been interested in the spread of slavery did not oppose this act.[8] In the Constitution of the United States, the terms slave and slavery are excluded.[9] Article IV, Section 3 presents a graphic example of this.

> No person held in service or labor in one state under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

With the nation so sympathetic toward manumission, only a major factor of economics prevented the abolition of slavery before the turn of the nineteenth century. In England the wheels of the industrial revolution were turning more rapidly resulting in a great demand for raw cotton. But the production of cotton was an expensive process since the seeds had to be removed by hand--it was a slow and tedious task. This problem was solved with Eli Whitney's invention of the cotton gin, thereby making slavery a profitable enterprise.

---

[7]The Northwest Territory consisted of the land west of the Appalachian Mountains, north of the Ohio River, and east of the Mississippi River.

[8]Simkins, op. cit., p. 117.

[9]Clement Eaton, A History of the Old South (New York: Macmillan Company, 1949), p. 138.

In the first half of the nineteenth century, many philanthrophical movements were afoot. Even with slavery being the core of the Southern culture, it was the object of a movement taking three distinct forms: the colonization of the Negro in a foreign land, the antislavery movement evolving into a crusade for total abolition, and the formation of Negro communities.

Many Americans believed the free Negro would not be able to adjust to American society and should therefore be exported to another country. In 1777, a plan for gradual emancipation and exportation was put forth by a committee of the Virginia legislature.[10] In 1817 The American Colonization Society was formed in Washington, D. C. by a group of Southern leaders with the expressed purpose of exporting the free Negro to Africa. The liberals felt it would strengthen slavery by exporting all of the trouble-making freed Negroes from the South.[11] Of the 12,000 Negroes exported to Africa half of these had been manumitted by their masters for this purpose.[12] The Negroes did not want to go to Africa which was an unknown land to them since they were accustomed to American food, climate, and civilization.[13]

---

[10]Franklin, op. cit., p. 235.

[11]Eaton, op. cit., p. 376.

[12]Larry Gara, The Liberty Line (Lexington: University of Kentucky Press, 1961), p. 31.

[13]Eaton, op. cit., p. 377.

The Society was a complete failure because it was not economically feasible to sendsuch large numbers to Africa and the Federal government refused to give it any aid. Also, the members were of such a diversified interest that they could not agree upon policy that would be satisfactory to all.[14]

Other groups besides the American Colonization Society tried to encourage the exportation of Negroes to countries other than Africa. Southern newspapers tried to persuade the Negroes to migrate to foreign lands for this would be the solution to all Negro problems. Suggested countries were Haiti, Canada, Mexico, South America, But the number that emigrated to these lands was only a trickle in comparison to that of Africa.

The antislavery movement dates from the early American leaders. Washington and Jefferson both spoke against slavery and advocated manumission by freeing their own slaves. Originally, the South furnished the leadership to the antislavery movement, and in 1820 the South had more antislavery societies than did the North. But with increased sectionalism, loyalty to the South meant a support for all of the Southern institutions. By 1837 the South did not have a single antislavery society.[15]

---

[14]Franklin, op. cit., p. 236.

[15]George Brown Tindall (ed.), The Pursuit of Southern History (Baton Rouge, 1964), p. 291.

After 1815 the antislavery sentiment increased as Northern leaders began to speak out against the institution of slavery. The crusade was able to spread its ideas through the many antislavery newspapers that began publication between 1815 and 1835. Two publishers suffered because they refused to stop publication--James G. Birney's press was thrown into the Ohio River and Elijah Lovejoy was a martyr for the cause.

By 1831 the North had developed a militant, religiously orientated antislavery movement. It would continue with the cry for universal emancipation down to the Civil War. The crusade against slavery turned into a denunciation of Southerners and of the Southern way of life.[16] Instead of giving a true picture, the abolitionists presented only sterotypes of slavery and of the Southern Society.

William Lloyd Garrison with his publication of The Liberator in 1831 gave the necessary thrust to the movement. He was the most ardent spokesman for the cause and consistently demanded the immediate abolition of slavery without compensation to the owners. In 1833 the American Antislavery movement was organized. In time the Society was so dominated by Garrison that any declaration of sentiments had his views incorporated into it.[17]

---

[16] Tindall, op. cit., p. 87.

[17] Franklin, op. cit., p. 243.

After 1815 the antislavery sentiment increased as Northern leaders began to speak out against the institution of slavery. The crusade was able to spread its ideas through the many antislavery newspapers that began publication between 1815 and 1835. Two publishers suffered because they refused to stop publication--James G. Birney's press was thrown into the Ohio River and Elijah Lovejoy was a martyr for the cause.

By 1831 the North had developed a militant, religiously orientated antislavery movement. It would continue with the cry for universal emancipation down to the Civil War. The crusade against slavery turned into a denunciation of Southerners and of the Southern way of life.[16] Instead of giving a true picture, the abolitionists presented only sterotypes of slavery and of the Southern Society.

William Lloyd Garrison with his publication of The Liberator in 1831 gave the necessary thrust to the movement. He was the most ardent spokesman for the cause and consistently demanded the immediate abolition of slavery without compensation to the owners. In 1833 the American Antislavery movement was organized. In time the Society was so dominated by Garrison that any declaration of sentiments had his views incorporated into it.[17]

---

[16] Tindall, op. cit., p. 87.

[17] Franklin, op. cit., p. 243.

In 1835 the antislavery crusade wanted to flood the nation with literature by use of the Federal mail. Fearing that this literature could start another slave insurrection, the South objected vehemently. A mob in Charleston, South Carolina, went into the post office and destroyed a number of sacks of this literature. Other Southern cities did likewise. When the cities were not punished for their actions, postmasters removed the literature themselves.[18]

The abolitionists used a number of other means in an effort to accomplish their goals. In the North, lectures became very prominent. A major attraction was the presence of a Negro lecturer who told of his horrible experience of being a slave on a Southern plantation. Another means of receiving publicity was the petitioning of Congress to abolish slavery in the District of Columbia. But from 1836 to 1845 the gag rule provided that these petitions would just be tabled. Finally in 1839 some of the abolitionists formed the Liberty party in order to work through political channels. A major plank of the party's platform was the exclusion of slavery from federal territories.

The abolitionists gave four reasons why slavery was an evil and should be abolished. First, it was contrary to Christianity since Christ preached brotherhood and

---

[18]Franklin, op. cit., p. 260.

equality. Second, slavery was a violation of the fundamental principles of the American way of life, for the Declaration of Independence stated that all men were created with the rights of liberty and the pursuit of happiness. Third, slavery was economically unsound because its workers could not be expected to be efficient. Finally, slavery was a menace to peace and safety of the country, because the South lived in constant fear of slave uprising.[19]

In the final stages of the antislavery movement, the abolitionists wanted complete emancipation. But yet they discouraged anything that would entice the slave into running away.[20] They preferred to resort to legal means, even to the point of obeying the laws that supported slavery. Their effort was concentrated upon protecting the rights of Negroes and preventing the kidnapping of the free Negro.[21] Those abolitionists who actively participated in the underground railroad preferred not to place emphasis on that phase of their service. Many abolitionists missed the major problem of slavery. They wanted it to be abolished, but they did not present any plans for helping the Negro adjust to his environment of freedom.

---

[19]Franklin, op. cit., p. 243.

[20]Gara, op. cit., p. 81.

[21]Ibid., p. 71.

In 1860, the free Negro population in the South was 250,000, of which the vast majority resided in the border states. They had acquired their freedom by at least three different means. Some were permitted to buy their freedom. This could be accomplished by the masters giving the Negro free time and permitting them to use it as they wished. In other cases, the master would let the slave hire himself out demanding only a portion of his salary. Masters granted freedom for special service performed, such as saving the master's life. Finally, many masters granted freedom by will or deed. Some did this out of pure generosity, others because their conscience bothered them for having exploited the labors of the negroes, and still others because they believed slavery to be innately evil.

The legal status of the Negro during the colonial period was very good and improved during the revolutionary period. Manumission was easy under the law until the turn of the nineteenth century. But with increased numbers, a bitter resentment began to grow toward the free Negro. Most of the free Negroes lived in the cities and were employed as domestics. However, a large number were skilled artisans and mechanics and were a source of competition to the white laborer. Not only were the free Negroes disliked because of job competition but also because they were suspect as potential leaders of insurrections. (The South was plagued with conspiracies and revolts down to 1865.) As a

result, manumission laws began to evolve which made it almost impossible for a slave owner to free his slaves. Many states required that the Negro be removed from the state within a year after manumission or he would be sold back into slavery. This stipulation was difficult to carry out because economically the cost of exportation was extremely high and the northern states began to prohibit the immigration of the free Negro. Some states required permission for emancipation from the county court. One state went so far as to require an act of the state legislature to free slaves.

With the Nat Turner rebellion of 1831, the Southern states began to deprive the free Negroes of civil rights. In some states their legal status had diminished to the point that it was difficult to determine the difference between the slave and the free Negro. The laws regulating the free Negroes varied from state to state. The first two major areas of discrimination consisted in depriving them of their right to vote and in not permitting them to testify in court. One argument said that this was not so bad for the Negro as for the white. For if a Negro saw someone steal something from a white person, he would not be permitted to testify in behalf of that person. The free Negro in some states was required to have a white guardian; in others he needed a good friend who would help in matters regarding the law. Otherwise, he might be forced back into slavery by kidnapping or some legal trick.

If he was charged with being a fugitive, he was not permitted to testify in his own behalf. Just by ignorance of the law he could be replaced into slavery. But keeping up with the law was very difficult since they were not permitted to learn to read or write. Job opportunities were limited by laws prohibiting them from holding skilled positions. Freedom of assembly without white supervision was denied for fear that they might plot a conspiracy. A nightly curfew was enforced in many cities. Restriction of movement laws made it illegal to migrate from state to state or county to county.[22] Some courts maintained that the life of the free Negro was so difficult that he should be permitted to choose a master and reenslave himself.

Conditions in the North were not quite so bad as those in the South, but they were not exactly rosy. Runaways and free slaves did migrate to the North for a new start. Northern communities were willing to accept their own Negroes, but resented the mass immigration of the crude rough type which came from the South. Sometimes they made their objections known in the form of violence--from the killing of individual Negroes to mass riots by white ruffians. From 1829 to 1842 the major cities of Cincinnati, New York, Philadelphia, and Pittsburgh were plagued with

---

[22]Eaton, op. cit., p. 271.

riots. The legal status of the Negro varied from being excluded by clauses in state constitution, being classified as citizens, and being given the right to vote.[23] In some areas education was provided, but it was usually segregated. The economic discrimination against the Negro was universal. They were given only the menial jobs. They were barred from skilled jobs either by law, employer policy, or lack of education. Their wages were lower than a white person doing the same job. If they tried to climb the economic ladder, physical harm would probably have happened to them.[24]

The African Colonization Society tried to export their problem of the free Negro. The abolitionists wanted an immediate end to slavery but provided no plan for assimilating the Negro into a free society. The system of slavery did not provide any means of training the Negro for this adjustment; therefore, some plan for assimilation was necessary. The planned Negro communities seemed to be the ideal answer to this problem. A large number of these communities were planned--few if any could be called successful. Also, very few of the well-known antislavery leaders and none of the major antislavery societies ever sponsored such a community.[25] The motivation for the

---

[23] Gara, op. cit., p. 63.

[24] William H. Pease and Jane H. Pease, Black Utopia (Madison: The State Historical Society, 1963), p. 19.

[25] Ibid., p. 13.

early communities was either that of pure philanthropy or sprang from a guilty conscience. They were often conceived without vision or a long range plan.[26]

The communities were in most instances pre-planned. All were self-contained, self-governing units with a set of rules to be followed by all. The Negroes were rejected on all levels of free society. By being self-contained, the Negroes as a group could face the hostile environment around them. The communities offered a plan of equality for all Negroes.[27] Economically, they were trained to be self-sufficient farmers or skilled workers. The units were operated on the basis of profit making capitalism. The members were also to be trained in the virtues of self-reliance, individualism, and independence. The leadership of the units was diversified--some Negroes and some whites.

The organized communities were most numerous in Canada. Many of the Negroes who participated in these communities were fugitive slaves. In the United States they were not safe because the slave hunters were always searching the free states for runaways. Even though there was discrimination in Canada, it was not as great as in the United States. The free Negro was permitted to have many civil rights--the most important being permitted to testify

---

[26] Pease, op. cit., p. 28.

[27] Ibid., p. 3.

in court. The three most well known communities in Canada were Wilberforce near Lucan, Ontario; Dawn near Dresden, Canada West; and Elgin near Chatham, Ontario.

The Wilberforce settlement was founded in 1829, but by 1835 one could hardly recognize it as a community. Its failure can be attributed to two major factors: the Negroes had been urban dwellers, thus were ill-equipped for farming, and the community lacked adequate leadership. In fact the leaders turned out to be real scoundrels. Two of them were delegated to raise money for the community. Isreal Lewis took this opportunity to use the colony as a means of making money for himself.[28] He was involved in so many scandalous activities that the antislavery forces disowned him. Nathaniel Paul was sent to Europe to collect money. In his extended stay of four years he collected eight thousand dollars, but the cost of his trip was seven thousand dollars plus fifty dollars a month salary.[29]

Dawn was founded in 1842 and was discontinued in 1868. The educational center was known as the British American Institute. Its function was to train Negroes as individuals and to provide guidance for other Negroes by training teachers. It failed because its leadership lacked

---

[28] Pease, op. cit., p. 53.

[29] Ibid., p. 60.

ability and it was plagued with the financial problem of always being in debt.[30]

Elgin was founded in 1849 by William King. If any of the communities came close to being a success, Elgin did. This was due to the fact that King was well trained for the job. The planning and organization could be matched by no other community. It was one of the communities that was religiously oriented. King did not make the mistake of trying to make polished scholars of the Negroes but rather gave them the fundamentals of a primary education.[31] The community did not have people begging for financial support, but rather every settler had to make his own way. The community failed because of bad agents, over extention, poor management, and outside attack. King was honest but he lacked good judgment. Elgin had alot of trouble with politicians and it was constantly under attack by those who opposed the Negro being in Canada.[32] The Civil War was the reason for the ending of Elgin.

In the United States four of the many communities are worthy of note: Brown and Mercer[33] counties in Ohio, Nashoba in Tennessee, and Port Royal on the South Carolina Sea Islands.

---

[30] Pease, op. cit., p. 67.

[31] Ibid., p. 101

[32] Ibid., p. 107.

[33] The community in Mercer County will be discussed in great depth in Chapters three, four and five.

Samuel Gist freed his slaves by will. Lands were purchased for their settlement in Brown County in 1819. The Negroes were just dumped there with no guidance at all. As a result it was a total failure.

Frances Wright founded the Nashoba community in 1825. She believed the Negro was inferior and she hoped to elevate the Negro and liberate the human mind. In the beginning by being completely isolated, the community reflected the ideas of the American Colonization Society. Later she opened her school to whites and Negroes in which each person had to work or pay to be a part. The Negro had to work and therefore was treated as an inferior. When she left the community in the hands of trustees, they could not carry on. In 1830 Frances Wright took her Negroes and sent them to Haiti. The community had been poorly planned and administered and was a complete failure.

Probably the most interesting of all the American communities which was born out of pure necessity was Port Royal. During the Civil War the island was attacked and the whites fled leaving behind all of their slaves. Other Negroes came to the island and it turned out to be something like a refugee camp. Economics caused the army to operate the island and to employ the Negroes. A bumper crop just had to be harvested. A group of philanthropists came to the island to teach the Negroes. A dispute broke out about authority between the army and the philanthropists. In spite of this, goals were accomplished.

However, ultimately Port Royal succeeded no better than any other Negro community in training the Negro for freedom.[34]

These various communities had a very good idea, but in reality it was impossible to carry out. The major reasons for their failures were poor leadership, lack of organization, financial instability, and outside pressure. None of the communities could really claim success in their major objective of training the Negro for his assimilation into a free white society.

One community in Ohio did prosper for a short time. But to understand the forces that caused it to be formed and to collapse, one must first take a look at the conditions of the free Negro in Ohio.

---

[34] Pease, op. cit., p. 159.

## CHAPTER II

## LEGAL DISADVANTAGES OF THE NEGRO IN OHIO BEFORE 1850

The Northwest Ordinance of 1787 prohibited slavery in the territory of the present day state of Ohio. With only a river between free and slave soil, the free Negro and the runaway slave alike found in Ohio a haven. Of the urban areas, Cincinnati was hardest hit by the resulting problems. In order to protect white superiority and to keep peace with their neighboring state, Kentucky, both Ohio and Cincinnati passed laws and ordinances unfavorable to the black man.

The framers of the 1802 constitution established the precedent for the future legal status of the Negro in Ohio. In relation to the government the framers placed the Negroes in the same category with the Indian and the unnaturalized citizen. They were entitled to live in the state and to have the protection of the laws. Civic duties and the privileges of citizenship were denied to them.[1]

The members of Ohio's General Assembly quickly took up where the Constitution left off. On January 5, 1804,

---

[1]Charles T. Hickok, The Negro in Ohio (Cleveland: Western Reserve University, 1896), p. 39.

they passed the first of a series of acts regulating the Negroes already in the state and those coming into it. All Negroes residing in the state would have to enter their names in the clerk's office in their county by June 1, 1804. Negroes coming into the state after that date would have to have recorded their certificate of freedom as issued by a southern court. Members of either of these two groups were not to be hired by a white man, unless they could produce their certificate of freedom. If hired without this, the employer was subject to fines.[2]

The Black Code of 1807 attempted to discourage the future migration of Negroes into the state. Under this law, the Negro, within twenty days of entrance into the state, would have to post a bond of five hundred dollars. To put the Negro at a definite disadvantage in court, the law stated that, in a criminal or civil case involving a white, the Negro could not testify.[3] The Code of 1831 went so far as to deny the Negro a legal residence in the state. The act, entitled "The Relief of the Poor," stated: "That nothing in this act should be construed as to enable any black or mulatto person to gain a legal settlement in this state."[4]

---

[2] Statutes of Ohio, Vol. II, pp. 63-64.

[3] Ibid., V. p. 53.

[4] Ibid., XXII, p. 338.

Acts dealing with Negro education originally stated that Negroes were not permitted to attend public schools, but their property was not to be taxed for public education either. Schools for Negro education at public expense would first be provided for in 1848. This act stated that it would be legal for colored students to receive schooling provided for by public funds. If there were twenty or more colored students in one district, they were to have their own school. If there were fewer than twenty colored students and the whites objected to the colored students attending the white school, then the property of these people was not to be taxed for educational purposes.[5] An 1849 law provided for the establishment of separate school districts for white and colored children. The major value of this law was that it repealed all of the Black Codes except those relating to juries and the relief of the poor.[6]

The specific problems of the Negro in Ohio are reflected primarily in the city of Cincinnati. By reason of its location, a free city in a free state, but pointing into slave territory, Cincinnati's attitude toward the Negor was more confused than that of the rest of the state of Ohio.

---

[5] Statutes of Ohio, Vol. XLVI, p. 82.

[6] Ibid., XLVII, pp. 17-18.

Cincinnati's first problem of race riots and quarrels resulted from slaves crossing the Ohio River on errands for their masters. For the security and peace of the city, the ordinance of March, 1804, forbade slaves being in the city unaccompanied by their master at night; at daytime they were required to carry a license. There was always, however, friction between the colored and the white population.[7]

In 1829, the city of Cincinnati decided to enforce the registration law of 1807. The colored population sent a committee to Canada to explore the possibility of their migration to that county. Before the committee could return with a report, a mob of whites began an attack upon the Negroes. As a consequence of this riot, more than half of the colored of Cincinnati made new homes for themselves in Canada. Only those who were too poor to move remained behind.[8]

The city was again plagued with riots in 1836. The cause of the April 11th riot of that year was a quarrel between a white and a colored boy. The colored boy won and there was an immediate cry, "Down with the nigger!" The riot was so bad that the police could only watch the

---

[7] Charles T. Greve, Centennial History of Cincinnati and Representative Citizens (Chicago: Biographical Publishing Company, 1904), p. 443.

[8] Ibid., p. 583.

Negroes be killed in cold blood. Order was restored only after the governor declared martial law in the city.[9]

The riot of July 30th was caused by the proslavery whites opposing James Birney's publishing the abolitionist newspaper, the Philanthropist. They advised him to stop publication, and he refused to oblige them. So on the date of the riot, they dismantled and destroyed his press. They made two major assaults upon the homes and property of the Negroes before they retired to their respectable homes.[10]

Besides his life and property always being in danger, the Negro found it difficult to obtain good jobs. One reason for this was that there was no public education provided for him in Cincinnati. Some of the churches began to organize schools, but the public did nothing. One group of religious young men came from the Lane Seminary. Among these was Augustus Wattles, who in his concern for the colored of Cincinnati, would establish schools of his own, one of which would be in Mercer County.

---

[9] Greve, op. cit., p. 597.

[10] Ibid., p. 599.

## CHAPTER III

## THE EMLEN INSTITUTE

Augustus Wattles,[1] a philanthropist from Lebanon, Connecticut, was very much interested in the Negro of Ohio. In 1833, he began his work of setting up private schools for the Negro children. From 1835 to 1838, he was a lecturing agent for the American Anti-Slavery Society. As he visited the various Negro communities, he came to the conclusion that the urban environment was not conducive to Negro education. Therefore, in 1835 he suggested that the Negroes migrate to a rural community, in particular Mercer County.[2]

The area of Mercer County was sparsely settled and the nearest market was forty miles.[3] The Negroes who

---

[1]Augustus Wattles was born in August, 1807, the son of Erastus Wattles and Sarah Thomas at Lebanon, Connecticut. He graduated from Oneida Institute and entered Lane Seminary in 1833. He was president of Oneida's auxiliary of the American Colonization Society. Travelling to Ohio he discovered that the Society was not the answer to the Negroes problem. In 1835, he became a lecturing agent for the American Anti-Slavery Society. In 1836, he married one of the eastern teachers of the Negro children. He concluded his lecturing in 1838, due to ill health.

[2]For location of Mercer County, see Appendix A.

[3]John O. Wattles, Annual Report on the Educational Condition of the Colored People of Cincinnati Including the Sentiment in Mercer County, Ohio (Cincinnati: John White, 1847), p. 5.

migrated on the advice of Wattles settled primarily in Franklin, Marion and Granville townships. Wattles purchased 160[4] acres of land, upon which he planned to build a manual labor school. The impediment to this project was the lack of needed funds.

A letter of May 22 in the Philanthropist announced Wattles' purchase of one hundred and sixty acres of land and intention to operate a farm and manufactory in connection with the school. He was hoping that the friends of the Negroes would aid in erecting suitable building.[5] By August the Philanthropist was still proposing ways of raising the two thousand dollars necessary for the construction of buildings on Wattles' land and for the propagation of mulberry trees for the production of silk.[6]

---

[4] In Wattles writings there exists a discrepancy in the number of acres of land that he purchased for himself in 1835. The area in question is the northwest quarter of section 18 of Marion township. In the Original Entries No. 1 of Mercer County, it is recorded that Augustus Wattles purchased this section containing 160 acres on August 20, 1835. But the deed as recorded in Deed Record G, page, 28, states that Wattles purchased this quarter section containing 189.84 acres from the United States government on March 15, 1837. A plausible explanation for the discrepancy is that a regular quarter section contains 160 acres. Wattles believing he had purchased a regular quarter section stated that he had purchased 160 acres. But when the quarter section was surveyed, Wattles had purchased a section containing 190 acres instead of 160.

[5] "Letter to the Editor," Philanthropist, May 22, 1838, p. 1.

[6] Philanthropist, August 14, 1838, p. 1.

School was being held, even though the buildings had not yet been constructed. Things were looking very bright for the community as a whole, which can be seen from a letter of Mrs. Wattles.

> Our settlement is progressing finely. we expect at least 250 additional men settlers this year. I presume there have been provisions enough raised by those already here to supply the whole community. One man, who came to this new land fourteen months ago, expects to have 200 bushels of corn to sell. Another who has been here about two years has twenty-three acres in corn, which he expects will yield 1000 bushels. This man owns 320 acres of land, and formerly bought his wife and children, for whom he paid $2,300. But the neatest farmer is our friend B_____. He has also a large quantity of corn on hand. My doubts are all over now about barbers and others who have never been farmers, being able to make their living on land. We have two here who get along the best of any. Some of them have boarders, who attend our school, and in a year or two we shall be able to accommodate all that come. At present we have two teachers, and a very flourishing school. Our school varies from 16 to 30 as they can be spared from the work on the farm. There are over fifty who attend at different times. I have received not quite $300 in money and some building materials. In the whole, about one-fifth of what will be necessary to put up such a building as I proposed.
>
> Several of our friends have contributed toward the erection of a schoolhouse, and we did hope we should make out enough to build a small house this fall, but we could not do it; and deeply as we regret, we must still go on saying no, to many applicants. The twenty-one emancipated slaves, who came here last June, are very industrious and steady in all their habits.[7]

The community had developed to such an extent that on December 28, 1840, Charles Moore, a Negro, planned the

---

[7]Philanthropist, July 21, 1840, p. 1.

village of Carthagena which consisted of sixty-four lots.[8] In that same year, some of the Negroes were being employed in Celina. A Mr. Riley was trying to build a brick hotel. He tried for some time, without success, to hire white personnel to mould the brick. Finally a group of Negroes located near Montezuma agreed to work for him. At this point, the whites, who had established homes around the Negro community and had refused to work for Mr. Riley, attempted to run the Negroes out of the area for being paupers. But the attempt failed, when the whites discovered the Negroes to be householders and carrying out a valuable contract. After that, the Negroes were able to carry on their work unmolested.[9]

Even though the Negroes were prospering in their new occupations, Mr. Wattles was still having difficulty in raising the needed money for his school. But good fortune came his way, when in 1841, he met the trustees of the Emlen Estate. Samuel Emlen,[10] a Quaker, had concluded that

---

[8]Edmund Binsfeld, "The Negro Cemetery at Carthagena," Northwest Ohio Quarterly, XXXII (Winter, 1959-1960), p. 30.

[9]Souvenir of the Golden Jubilee of the Dedication of St. Aloysius Church: 1878-1928 (Cincinnati: S. Rosenthal and Co., 1928), p. 15.

[10]Samuel Emlen Jr. was born in 1765 in Philadelphia. He was very active as a minister in the movement called "Meetings for Sufferings to care for sufferers for conscience sake." The movement was well known for its attacks upon social evils, in particular slavery. Emlen and his wife did not have any children therefore he left his estate for the underprivileged.

both the Negro and the Indian needed a good education particularly in agriculture. When he passed away in 1837, he left $20,000 to the trustees of his estate

> for the education, maintenance and instruction in school learning, and in Agriculture and Mechanic trades or arts, of free male orphan children of African or Indian descent, or such male children of these races or castes whose parents if living, may be willing to surrender them to the Institution, as near as may be in the manner of the Manual Labor School of Emmanuel von Fellenberg of Hofwyl in Switzerland.[11]

These students were to be carefully instructed in the fundamental Doctrines of the Christian Religion. The students were not to be educated in just one religious sect, but rather when the children reached maturity, they were to decide for themselves their own denomination.[12]

The location of the institution as fixed by the will was to be in one of the non slave-holding states or in Canada.[13] The trustees began making inquiries into the different localities and it was a great coincidence that they met Mr. Wattles when they did. They immediately began to check out the qualifications of Wattles and of his activities in Mercer County. Dan'l Smith knew that James G. Birney would be travelling in the vicinity of Mercer County

---

[11] "The Emlen Institution for the Benefit of Children of African and Indian Descent," The Friend, a Religious and Literary Journal, Vol. XLVIII (March 10, 1875), p. 271.

[12] Ibid. p. 271.

[13] Ibid. p. 271.

in the Spring of 1841. On behalf of the trustees of Samuel Emlen he requested Birney to enquire

> into the circumstances of the people of colour in that county, the eligibility of establishing a manual school in that vicinity, the probability of obtaining suitable trustees, the reputation and character of A. Wattles both as to moral and religious standing and as to his qualifications for conducting such an institution, what he has already done--in short. . .obtain all the information necessary to enable us to form a judgement.[14]

The trustees did decide that the Mercer County settlement of Wattles would be the ideal community in which to establish their institute. On May 26, 1843, they purchased the Wattles' farm for $1,000.[15] Wattles continued on as the superintendent of the school and of the farm at a salary that would provide for his necessities.[16] The newly constructed school was known as the Emlen Institute.

In one of his letters, Wattles summarizes all of his activities relating to the Mercer County settlement.

> My early education, as you well know, would naturally lead me to look upon learning and good morals as of infinite importance in a land of liberty. In the winter of 1833-4 I providentially became acquainted with the colored population of Cincinnati and found about 4000 totally ignorant of everything calculated to make good citizens. Most

---

[14] Dwight Dumon (ed.)., Letters of James Gillespie Birney: 1831-1857, Vol I (New York: D. Appleton-Century Co., 1938), p. 628-29.

[15] "The Emlen Institute for the Benefit of Children of the African and Indian Descent," p. 271.

[16] Ibid.

of them had been slaves, shut out from every avenue of moral and mental improvement, I started a school for them and kept it up with two hundred pupils for two years. I then proposed to the colored people to move into the country and purchase land, and remove from these contaminating influences which had so long crushed them in our cities and villages. They promised to do so, provided I would accompany them and teach school. I travelled through Canada, Michigan and Indiana looking for a suitable location, and finally settled here, thinking this place contained more natural advantages than any other unoccupied country within my knowledge. In 1835 I made the first purchase for colored people in this country. In about three years they owned not far from 30,000 acres. I had travelled into almost every neighborhood of colored people in the State and laid before them the benefits of a permanent home for themselves and of education for their children. In my first journey through the State I established, by the assistance and cooperation of abolitionists, twenty-five schools for colored children. I collected of the colored people such money as they had to spare and entered land for them. Many, who had no money, afterwards succeeded in raising some and brought it to me. With this I bought land for them.

I purchased for myself one hundred and ninety acres of land to establish a manual labor school for colored boys. I had sustained a school on it, at my own expense, till the 11th of November, 1842. Being in Philadelphia the winter before I became acquainted with the trustees of the late Samuel Emlen, of New Jersey, a Friend. He left by his will $20,000 for the "support and education in school learning and the mechanic arts and agriculture such colored boys, of African and Indian descent, whose parents would give them up to the institute." We united our means and they purchased my farm and appointed me the superintendent of the establishment, which they called the Emlen Institute.[17]

---

[17]Henry Howe, Historical Collection of Ohio, Vol. II (Cincinnati: C.J. Krehbiel and Co., 1902), p. 241.

The tranquility of the Negro settlement, however, was to be short lived. White settlers began to settle on all sides of the Negroes. Complaints were constantly made that the residents of Carthagena were sheltering refugees from justice. If this were true, the refugees would probably have been runaway slaves. The whites were probably just a trifle envious at the beautiful land being so inefficiently farmed, for the Negroes were not progressive, but were only interested in sustaining themselves.[18]

John Wattles stated in 1847 that there had been recent white mob--violence in an attempt to disturb the Negroes in their quiet homes. A representation of their condition was made to the governor. His immediate reply was that "they might quiet their fears, and remain at their homes, for while they continued to abide by the law, the law should continue to protect them."[19]

But the pressure on the Negro population to leave the area was to increase considerably, with the migration and attempted settlement of a group of freedmen from Roanoke, Virginia.

---

[18]Ulrich F. Mueller, Red, Black, White, (Carthagena: St. Charles Seminary, 1935), p. 67.

[19]Wattles, op. cit., p. 6.

## CHAPTER IV

## THE RANDOLPH NEGROES

A free Negro in the South during the Age of Young America was a threat to the major southern institution--SLAVERY. Therefore, Southern states began to pass laws to protect this institution. In the state of Virginia, for example, slaves could be manumitted by deed or will under the condition that the manumitted slave had to leave the state within a year, unless granted permission to the contrary by a county or corporation court.[1] Masters could free their slaves, but they would have to provide a means of exodus to these freedmen.

During this era of history, there were some benevolent slave owners, who during their own lifetime provided very well for their slaves and then, at the time of the owner's death, would grant their slaves freedom through a will. Among these was John Randolph[2] of Virginia. Proof of the

---

[1]Kenneth Stampp, The Peculiar Institution, (New York: Random House, 1956), p. 232.

[2]John Randolph was born on June 2, 1773, on a plantation in Prince George County, Virginia. He attended William and Mary College and Princeton but his instability caused him to leave without completing his studies. At the age of twenty-six he was elected to the House of Representative. Within two years he was chosen chairman of the Ways and Means Committee which made him a leader

physical well being of his slaves on his Roanoke plantation can be found in the list of his emancipated Negroes as recorded in the county court of Charlotte County, Virginia on May 4, 1846. The freedmen were listed by their name, complexion, height, age and "flesh marks". Of the three-hundred sixty-two listed, only seven of these had any flesh marks, and none of these were the result of physical mal-treatment.[3] The Negroes themselves were proud of the fact that they had been a part of Randolph's plantation, as can be seen from an incident that took place in Dayton, Ohio. On July 7, 1846, the boats carrying the Randolph Negroes were in dock at Dayton. A Mr. Cardwell who was in charge pointed out Randolph's former body-servant. "The 'boy' highly flattered acknowledged the compliment by making three low bows to the persons on the shore, to whom the announcement was made."[4]

Randolph was not exactly fond of the institution of slavery or of slave traders. Once a slave trader dining with Randolph inquired the price of the servant in

---

of the Republicans in the House. His debating ability and his sarcasm made him a feared opponent. He was a forerunner to Calhoun in his stand on state sovereignty. He vigorously opposed national banks, protective tariffs, federal internal improvements, and interference with the institution of slavery, though he disapproved of slavery.

[3]County Court of Charlotte County, Virginia. List of Freed Negroes of John Randolph. Filed May 4, 1846.

[4]Dayton Journal and Advertiser, July 7, 1846, p. 1.

attendance and at the same time informed Randolph of being a slave trader. The slave in question happened to be Randolph's favorite servant. Randolph sprung from the table and shook his skeleton finger furiously at the "soul-driver". "Leave my house, sir!--leave it instantly sir! Am I to be insulted at my own table?" The slave driver seeing there was no time to be lost fled from the house and mounted his horse. Randolph seizing his pistols mounted his horse and chased after the slave trader. Screaming "Off my grounds, you rascal!" Randolph leveled his pistol full at the head of his frightened guest. The slave trader spurred his horse, and rode for his life until he was completely out of the land of Roanoke.[5]

The above incident shows something of the eccentric character of Randolph. It can also be seen in his wills and his deathbed scene, which are contradictory in nature. As a result of this contradiction, there was a great delay in the actual carrying out of his will.

In his lifetime, Randolph wrote three distinct wills. The earliest of these was in 1819. In regard to his slaves, it read:

> I give to my slaves their freedom, to which my conscience tells me they are justly entitled. It has a long time been matter of the deepest regret to me, that the circumstances under which I inherited them, and the obstacles thrown in the way by the laws of the land,

---

[5]The Liberator, August 13, 1836, p. 132.

> have prevented my emancipating them in my lifetime, which it is my full intention to do, in case I can accomplish it.[6]

Money in the form of a trust was to be provided for two to four thousand acres of lands to be apportioned among the slaves. The money was also to be used "to pay the expense of their removal, and furnishing them with necessary cabins, clothes, and utensils."[7]

The will of 1821 was similar in content with that of 1819. The first item was "I give and bequeath to all of my slaves their freedom, heartily regretting that I have ever been the owner of one." The second item provided $8000 "to transport and settle said slaves to and in some other state or territory in the United States, giving to all above the age of 40 not less than ten acres of land each." Also he gave land and estates to be reduced to money for the benefit of his former slaves.[8] He added codicils to this will in 1826, 1828, 1831; but none of these changed the general content of the will. The codicil

---

[6] Hugh A. Garland, The Life of John Randolph of Roanoke, Vol. II, (New York: D. Appleton and Co., 1854), p. 150.

[7] Ibid.

[8] Joseph Moton and York Ryal et. al. v. Gerhard Kessens, Court of Appeals, Mercer County, Ohio, (1914), Plaintiffs Brief, p. 16. This will and all of the proceedings connected with it, were burned on April 3, 1865, with the evacuation of Richmond during the Civil War. The best evidence of the will is filed in the Circuit Superior Court in Petersburg, Virginia.

of 1826 stated: "I do hereby confirm the bequest to or for the benefit of each and every of my slaves, whether by name or otherwise."[9]

On January 1, 1832, Randolph wrote a third will, which was the last one before his death. The content of this will contradicted all of Randolph's previous wills.

> "I do hereby appoint my friends, Wm. Leigh of Halifax, and my brother Henry St. George Tucker, President of the Court of Appeals, Executors of this my Last Will and Testament, requiring them to sell all the slaves and other personal or perishable property, and vest the proceeds in the stock of the Bank of the United States and in default of there being no such bank (which may God grant, for the safety of our liberties), in the English three per cent . . . . And my will and desire is, that my said Executors may select from among my slaves a number, not exceeding one hundred, for the use of the heir, the remainder to be sold.[10]

On his deathbed, Randolph remembered the contradictory nature of his wills. Therefore, he remarked to the attending doctor in an earnest manner, "I confirm every disposition in my will, especially that respecting my slaves, whom I have manumitted and for whom I have made provision." He then ordered the door locked to prevent the doctor's leaving.

> Our laws are extremely particular on the subject of slaves--a Will may manumit them, but provision for their subsequent support, requires that a declaration be made in the presence of

---

[9]Garland, op. cit., p. 150.

[10]Liberator, August 8, 1835, p. 128.

> a white witness, after hearing the declaration, should continue with the party, and never lose sight of him, until he is gone or dead.[11]

With Randolph's death on May 24, 1833, a dispute would arise as to which will was the authentic will. In May, 1836, Judge Carr declared that on the 1st of January, 1832, "John Randolph of Roanoke, was of unsound mind, and therefore the paper purporting to be his last will and testament is void."[12] This decision of the Common Pleas Court was contested, but it was finally sustained in May, 1844, and William Leigh was duly recognized as the executor of Randolph's estate.[13]

Through the various court cases, the funds decided upon for the purpose of resettling the freedmen amounted to a sum of $30,000. Besides this, another $8,000 came from the sale of certain lands near Charlotte County, Virginia.[14] During the thirteen years of litigation about the will of Randolph, his slaves were kept in bondage and hired out by William Leigh for a set stipend.[15] These slaves were officially manumitted on May 4, 1846.[16]

---

[11] Garland, op. cit., pp. 372-73.

[12] The Liberator, May 14, 1836, p. 79.

[13] Moton v. Kessens, op. cit., p. 18

[14] Ibid., p. 19.

[15] Ibid., p. 19.

[16] Ibid., p. 20.

William Leigh began his task of finding an ideal area for the settlement of the freedmen. In Mercer County, Ohio, he discovered a settlement of Negroes that seemed to be prospering. In 1845 Leigh purchased in a trust 3,200 acres of land, all in Mercer County.[17] In June, 1846, the ex-slaves began their exodus from Virginia to Ohio. In 1913, Clem Clay[18] recalled,

> about going to the court house in Virginia, heard talk about them and telling them to pack their clothing, to go to Ohio, Had tents along, bought eatables along the road, sang songs in the evening, came on boat to Cincinnati from Kanawa, when they came to New Bremen they would not let them through the (canal)--We camped at Bremen that first night the next morning the mob came - said we should not settle there--- The agent made a lecture there, he said they shouldent [sic] hurt us, he stood on a stump, he wanted to take us to the land we had there ---we all felt disappointed, The agent said we would go back to Piqua. I could not understand the mob, York Ryal was also in the crowd, I saw Cardell [sic] every day during the trip he was Randolphs [sic] agent. Often thought of this since that time.[19]

On July 1st the group of Negroes had arrived in Cincinnati. The various newspaper accounts express very well the sentiment of some of the people in the area. The July 2nd edition of the Cincinnati Gazette contained an article

---

[17] Howe, Historical Collection of Ohio, p. 504.

[18] Clem Clay was one of the plaintiffs in the case Moton v. Kessens. He was an engineer since 1854 and passed his examination for stationary engineer in 1888.

[19] Moton v. Kessens, op. cit., pp. 16-17, In the entire court case, the spelling and punctuation are very poor.

stating that the Randolph Negroes as they marched along bored testimony to slavery.

> Their master had enjoyed the benefit of their services while he lived. For him they toiled. They worked daily, year in and year out; but the sweat of their face was spent for another, and not for themselves. Was this just? Death drew nigh: he felt its approach; and when told he must pass away, he summoned all his energy, as he remembered his slaves, and the various contradictory wills he had made with regard to them, and, also, what they had done for him, and said to the Physician by his side, "Remember, they are free." He would be just to them ere he met his God. He dared not die with the iniquity of human bondage resting upon his soul.
>
> Well--they are free! The boon of mankind is theirs. But are they prepared to enjoy it? Their old master had means enough out of their labor to prepare them all for this step. He could travel in foreign lands; sport and spend freely on the race course; scatter profusely, or hold closely the money made by them, as fitful gleams of generosity, or hard grippings of avarice, seized and controlled him. For self, he would do as whim or caprice directed; but for them, in the way of enlightenment, he did nothing. And it was not till life's doings were spread out before him, and all of the past was concentrated in the brief hour of death, that he had the courage to declare orally that they should enjoy, untaught and unprepared as they were, what God meant should be common to all his creatures--freedom!
>
> And now the poor creatures are among us! --Why should this be? We have nothing to do with Slavery, and it is neither our interest, nor our duty, to add to the ignorance of our State, in any way. Let us recall, in part, this remark.--This emigration of John Randolph's Negroes proves we have something to do with slavery. And evidently, the people of Virginia think so too.--For whenever their eyes get opened, because they hear the call of death, or know it is nigh, the first step is to free their slaves, that they may lull the unquiet knowings of conscience--the next to send them to Ohio,

> that they may be free! We have already several colored settlements among us.--and pray why does not Virginia and Kentucky retain their free black? What right do they have to be pouring upon us their helpless, new made free? We very much fear that the common objection made in the Slave States, that we, Free States, have nothing to do with Slavery, will turn out, on examination, to be eminently untrue, in more respects than one.[20]

On July 7, 1846, the canal boats carrying the liberated slave passed through Dayton. In that issue of the Dayton Journal and Advertiser, one can see another aspect of the feelings of the people.

> How unfortunate that these poor blacks had not been sent to Liberia! There they would have enjoyed those privileges of "liberty and equality", which it is not their lot to meet with, save in the lands of their fathers.[21]

In the African Repository, the Ohio colonizationists stated,

> Had Judge Leigh taken the Randolph Negroes there [Africa], they might have fared as well as they had done in Ohio, and certainly he could have gotten the land much cheaper! After

---

[20] Cincinnati Gazette, July 2, 1846, p. 1. This article verifies the view as did the Cincinnati riots of 1829 that the whites of Ohio objected to the influx of free Negroes. As is usually true, those who did not object were not heard. Therefore, it is difficult to determine what portion of the people were objecting.

[21] Dayton Journal and Advertiser, July 7, 1846, p. 1.

> all, there is no place like home! And there is no home, sweet home, for the colored man, but in Liberia![22]

Things in Mercer County, where the property had been purchased for these ex-slaves, were not exactly quiet. The whites of both Mercer and Auglaize counties began to organize. Silas Young and Samuel Grunden of Mercer County were made captain and vice captain respectively; Judge Benjamin Linzee of Wapakoneta in Auglaize county was secretary. This was the group that met the Negroes at New Bremen, as mentioned by Clem Clay.[23] One member of the mob, John Hess, a brother of the Society of the Precious Blood, is recorded as saying that "he was among the whites that went to Bremen with rifles and shotguns to prevent the landing of more Negroes."[24] This organized group of white settlers passed the following resolutions:

> (1) Resolved: That they will not live among negroes; as we have settled here first we have fully determined that we will resist the settlement of blacks and mulattoes in this county to the full extent of our means, the bayonet not excepted. (2) Resolved: That the blacks of this county be and are hereby respectfully

---

[22] "Transplanting Free Negroes to Ohio from 1815 to 1858," The Journal of Negro History, I (July, 1916), p. 513. By being published in this magazine, the article would be bias because the editors strongly advocated the exportation of Negroes to Africa. The importance of the article is that it did reflect the view of some Ohioans.

[23] Nevin O. Winters, A. History of Northwest Ohio, Vol. I (Chicago: The Lewis Publishing Co., 1917), p. 513.

[24] Edmund Binsfeld, "St. Charles Seminary," Celina Standard (August and September, 1934).

> requested to leave the county on or before the first day of March, 1847, and in case of their neglect or refusal to comply with this request, we pledge ourselves to remove them "peaceably if we can, forcibly if we must." (3) Resolved: That we who are here assembled pledge ourselves not to employ or trade with any black or mulatto person, in any manner whatever or permit them to have any grinding done at our mills after the first day of March next.[25]

The best account of the background to and of the incident itself at Bremen is recorded in the St. Mary's (Ohio) Sentinel.

> Judge Leigh, the executor of John Randolph, late of Roanoke, Virginia, employed Mr. Samuel Jay, of Miami County, in this State, to select and purchase lands for the blacks manumitted by Randolph. Jay came into the county several weeks since, and commenced the purchase of lands in the south part of the county, in the neighborhood of a considerable settlement of blacks already there.--On learning this fact, the citizens of Butler, Franklin, and Marion townships called a meeting, and resolved to enforce the law requiring blacks and mulattoes to give bond, with security, for their good behavior and maintenance, before settling in this State.... A subsequent meeting was also held, at which strong resolutions were passed against the settlement in this county of blacks and particularly the manumitted slaves of Randolph.
>
> On Sunday morning last, before day, the manumitted slaves of Randolph, three hundred and eighty-five in number, of whom a large proportion are children, and some very old persons, arrived at Bremin, [sic] a village on the canal in this county, in charge of a Mr. Cardwell, a gentleman who had contracted to deliver them at thatplace.

---

[25]David Carl Shilling, "The Relation of Southern Ohio to the South During the Decade Preceeding the Civil War," Historical and Philosophical Society of Ohio Quarterly, VIII (January-March, 1913), p. 9.

The news of their arrival spread very rapidly through the county, and by twelve o'clock on Sunday, a large number of the citizens of the county had collected and resolved that the contractor should remove them by 10 o'clock on Monday morning.

Mr. Cardwell asked to be allowed to remain with them at their encampment three days, and offered to place a thousand dollars in the hands of any person the meeting might select, as security for the good behavior of the blacks during that time, and that he would remove them at the end of the three days, in case Judge Leigh did not arrive and take charge of them at that time.

This proposition was declined by the citizens, and a fear was expressed that he would go away and leave the blacks on their hands. Mr. Cardwell then proposed to be locked up in the jail of the county for three days. This proposition was also rejected, and the removal of the blacks insisted upon the time first fixed upon, unless security was given according to the provisions of the statute. Mr. Cardwell did not seem disposed to comply with this proposition, and we are told that he was advised by some abolitionists to adhere to his determination not to remove the blacks, and he would thus be able to overcome the opposition of the inhabitants. It seems that Judge Leigh had agreed to meet Mr. Cardwell at Bremin, [sic] and in case of his inability to do so, he had made arrangements with Mr. Jay to meet him there, and take charge of the blacks. Mr. Jay was accordingly sent for, and arrived on Monday morning, but declined receiving them, or having anything to do with them, on the ground that he had no written authority to do so from Judge Leigh, and that he had found the opposition of the people to their settlement in the neighborhood so strong that he had desisted from making any further purchase of land.

On Sunday evening, the citizens in large numbers made their appearance at the camp of the blacks, armed with muskets and bayonets, and placed a strong chain of sentinels around the camp, and took Mr. Cardwell into custody. On Monday morning they required him to charter

> boats and make immediate arrangements for the departure of the blacks according to the resolution of the previous afternoon. Mr. Cardwell had discovered by this time that the people were in earnest, and determined to carry out with firmness their resolves. He therefore chartered two boats, and put the blacks on board, and at about twelve o'clock they moved off, under the escort of the armed citizens as far as the Mercer County line, where they left him in full possession of his sable cargo, and in the enjoyment of his liberty.
>
> The foregoing is a full and correct history of this transaction, as far as the same has come to our knowledge.
>
> Every reflecting man must see that the establishment of an extensive colony of blacks in our county must be destructive of the dearest interests and withering to the brightest hopes of an honest and industrious people, who have endured the privations and hardships of opening farms and establishing for themselves homes in an unbroken wilderness. Such men will not quietly submit to have their farms and hard earnings of the best portion of their lives to be rendered worthless by the settling down amongst them of a colony of manumitted slaves, thus blighting their interests as thoroughly as the settling of a cloud of locusts upon the fair fields of Egypt. It is useless for Virginians or abolitionists to attempt to brave public opinion here. No more blacks will be permitted to settle among our people.[26]

There were some newspapers who would not condone the actions of the people of Mercer County. The Richmond Whig states:

---

[26]The Liberator, August 7, 1846. The Liberator as published by William Lloyd Garrison was an abolition newspaper containing much bias. However, it seems to be quite accurate in quoting from other newspapers. St. Mary's is located in Auglaize County. Being published in the locality in question, the St. Mary's Sentinel should have reflected the views of the people being directly affected.

> These facts furnish a beautiful commentary upon the sympathy of the Abolitionists for the African race. No doubt, if these slaves had been runaways, the Ohio fanatics would have sheltered them without hesitation, and even have resisted any attempt to restore them to their masters: but, as they were free, their sympathies were all at once congealed! What, pray, would they do, if they could succeed in their chimerical effort to emancipate the entire race, and the South should pour the whole tide upon them as, in the happening of that event, it would assuredly do? Well may the victims of their philanthropy pray to be delivered from the neighborhood of men whose "tender mercies" are thus cruel.[27]

The Liberator stated:

> While we deplore the coldblooded prejudice of the people of Mercer county, we abhor the abominably selfish and inhuman policy of Virginia ....The Question however recurs--will the people of Ohio drive back these harmless women and children, these unoffending strangers, to the dark prison-house of eternal slavery? Such cases are extremely rare. It is not probable that there will ever be so large an immigration of the kind again. What serious damage then can follow from the settlement of this small company among a people numbering already two million--especially when we remember, that land has been purchased for the immigrants, and that all of them perhaps will become agriculturists![28]

The Sidney Aurora directly condemned the people of Mercer county for their action.

> They should have made their objections known before the land was purchased, and not waited until they had drawn the last cent they could expect out of the pockets of the blacks--some $32,000---and then raise an armed force and refuse to let them take possession of their property, as they have done. We look upon the

---

[27] The Liberator, August 7, 1846.

[28] Ibid.

> whole proceeding as outrageous in the extreme, and the participators should be severly punished. What makes the thing worse, is the fact that a number of those who were fiercest in their opposition to the blacks, loudest in their threats to shoot, were the very men who sold them land, received wages for constructing the buildings, and actually pocketed a large amount for provisions, not two weeks before the arrival of the poor creatures, whom they have so unjustly treated.[29]

After leaving Bremen, the group of Negroes set up a site at Piqua. On the evening of July 13, many ladies and gentlemen of Piqua visited the camp of Negroes and were entertained by the songs and dances of the Negroes.[30]

Meanwhile, Judge Leigh had arrived. He discovered that the opposition was too great in Mercer County for any kind of Negro settlement to be made. He then decided upon Shelby County, but was met by threats of violence. About one third of the Negroes remained at Sidney[31] intending to find homes wherever they could. The others continued to Piqua[32] where they remained on boats in the warf. The intention was to leave them wherever places could be found. It was presumed that all would remain in Ohio finding places between Piqua and Cincinnati.[33]

---

[29] Cincinnati Gazette, July 15, 1846, p. 2.

[30] Dayton Journal and Advertiser, July 14, 1846, p. 1.

[31] See Appendix A.

[32] See Appendix A.

[33] The Piqua Register, July 25, 1846, p. 2.

The August 4th edition of the Dayton Journal and Advertiser stated that Judge Leigh had returned to Virginia. The Negroes had been disposed by letting farmers who would give the Negroes food and clothing in return for their labor.[34]

This same edition continues to explain why the plan of colonization would have failed anyway.

> The project of colonizing these blacks in their present condition... is no doubt futile. They have just emerged from a state of slavery and dependence, and of course are without intelligence and experience which would be required in their position. Even with the best management, it is doubted by some who have seen the Mercer county lands whether they could have succeeded in establishing the colony.[35]

The Piqua Register reported that the people of Miami County were dissatisfied with the Randolph Negroes and were still hoping that Judge Leigh would take the Negroes to Liberia. But they would not permit any maltreatment of the Negroes.

> As we have heretofore remarked, in speaking of of these people, we are opposed to an influx of this description of population among us. We regard it as detrimental to the interest of the whites and blacks and especially the latter. We desire to see the South taught that our state is not to be used for the purpose of colonizing their emancipated slaves. But we are decidely opposed to any and every movement by whomsoever made for the maltreating or molesting those already here for any

---

[34] Dayton Journal and Advertiser, August 5, 1846, p.2.

[35] Ibid., p. 2.

> other cause than the violation of law and we think every good citizen of the same opinion.[36]

Leigh left the Negroes to fend for themselves. On October 26, 1846, he arranged for the sale of the Mercer County lands. Without a court order or any power given to him in the will of John Randolph, he gave the power of attorney to Joseph Plunkett.

> That I, William Leigh of the State of Virginia, executor of John Randolph, deceased, do hereby constitute and appoint Joseph Plunkett my attorney for me and in my name to bargain, sell and convey in fee simply the whole or any part of the lands purchased by me as executor as aforesaid, situated in the County of Mercer and the State of Ohio.[37]

"From February 11, 1847 to January 10, 1853, the records show forty-two tracts, totaling 2,740 acres were sold at a total of $7,738.25."[38]

It is not exactly clear what happened to this money. However, The Liberator stated that security had been given for the Randolph Negroes. Judge Hall the guardian and trustee of the slaves had given security, that the Negroes would not become a public charge, and that hopefully this would satisfy the people of Mercer County.[39] The necessary security would have been over $15,000, but this security did not provide employment for the Negroes.

---

[36] Dayton Journal and Advertiser, September 1, 1846, p.2.

[37] Moton v. Kessens, op. cit., p. 185.

[38] Leonard U. Hill, "John Randolph's Freed Slaves Settle in Western Ohio," The Cincinnati Historical Society, XXIII (July, 1965), p. 185.

[39] The Liberator, August 7, 1846.

Even though the Negroes had been left to fend for themselves, they did adjust to their new situation. Originally they became farmers and farmhands. As industry began to move into the area, many became employed by the factories. Some did move into other areas. In 1903, they began to hold annual reunions in various places of Miami County.[40] Many other Negroes have moved into the area (some from Mercer County) in recent years, but even today, Negroes in the area of Troy and Piqua can trace their heritage to the Negroes of the Roanoke Plantation.

---

[40]Hill, op. cit., p.187.

## CHAPTER V

## EPILOGUE

In the 1830's, Mercer County had been a haven for the free Negro. Even with the uprising resulting from the attempted settlement of the Randolph Negroes, the Negro population continued to grow for a short time, which can be seen from the United Census from 1840 to 1930.

| Year | Number of Negroes in Mercer County |
|---|---|
| 1840 | 199 |
| 1850 | 399 |
| 1860 | 606 |
| 1870 | 444 |
| 1880 | 405 |
| 1890 | 217 |
| 1900 | 142 |
| 1910 | 115 |
| 1920 | 75 |
| 1930 | 55* |

The location these Negroes were primarily in Butler, Granville, and Marion townships, which would have been in

---

*U.S. Bureau of the Census. Fourth to Fifteenth Census of the United States: 1840-1930. Population.

the vicinity of the Wattles' settlement.[1] One possible explanation for the increase is that some of the Randolph Negroes were able to procure settlement in the area. The 1850 Census indicates that fifty-three of the Negroes were from Virginia.[2] Also a letter published by Wattles indicates that this settlement might have been possible.

> With the permission of the Editor I should be glad to make public through the columns of the Sentinel some facts connected with the settlement of the Randolph people in this County.
>
> Their agent Samuel Jay, I am told, purchased 2,000 acres of land for them in Granville township, about 300 acres in Butler township, near Celina, about the same amount or a little more in Franklin township, and about 600 acres in Marion township, amounting in all to 3,200. I was told after the people left for Piqua, by both the Justices of the Peace of Granville township, that there had been, and there would be no opposition to these people occupying their land in that township, provided they complied with the law. Two of the Supervisors told me they wished them to come on that they had delayed working on the roads in expectation of getting more help. Not one person from this township was in the mob so I am told, it being from 10 to 15 miles distant. The land is mostly wild and unsettled, there being not more than 20 to 30 voters, that I know of in the township. I live in Marion township adjoining Granville and never heard but four families speak in opposition to their settling on their lands in this township.
>
> Three of these told the agent, before the excitement that they would not oppose the blacks settling here if he would purchase their

---

[1] See Appendix B.

[2] It is impossible to compare the names of the 1850 Census with those on the list of freed Negroes as issued by the county court of Charlotte County, Virginia, because the latter list uses only first names.

> property. They told me the same. In Butler and Franklin townships the people were more opposed. They were unwilling to have little patches of land bought in amongst them and settled with blacks and thus break up neighborhoods. In the other two townships it could make no difference in this respect, as all are now neighbors to colored people who would be if the Randolph people had settled here.
>
> When Judge Leigh came and found how the wishes of the people had been disregarded in this respect, he offered to give up the lands in Butler and Franklin townships, and not settle his people on them, and also to buy out such white families in the other two townships as had expressed a wish to sell, provided by doing so his people could be settled quietly.
>
> Under these circumstances, I believe with many others, that a vote of the inhabitants of these two townships would give them the privilege of residing here.[3]

After 1846, Mr. Wattles was repeatedly threatened with tar and feathers, because he refused to remove his Negroes.[4] Due to failing health, Wattles did resign his position as superintendent of the Emlen Institute in 1848.[5] Under the pressure of white hostility, the Negroes began to sell their homes to the ever expanding white population of the neighborhood.[6] The property of the Emlen Institute was sold on July 20, 1857, for $4500 to a Mr. John C.

---

[3] Dayton Journal and Advertiser, September 15, 1846, p. 2.

[4] Mueller, op. cit., p. 67.

[5] In 1848, Wattles moved to a farm on the Ohio River. In 1854, he moved to Kansas and played an active role in preventing Kansas from becoming a slave state. At his home in Mound City, Kansas, he died in 1876.

[6] Souvenir of the Golden Jubilee of the Dedication of St. Aloysius Church, op. cit., p. 15.

Schmidt of Greenville. On March 14, 1865, the Society of the Precious Blood purchased the land and renamed it St. Charles Borromeo Theological Seminary.[7] Two reasons have been given for the moving of the Emlen Institute from Mercer County to Solebury township, Bucks County, Pennsylvania: the "ugly prejudice" of the whites;[8] and "the distance of the location from those interested in its management interfered with the success of the project.[9]

The prejudice of the white population can be seen in a Democractic newspaper of the County.

REMEMBER, GERMAN VOTERS

> Every vote cast for a single candidate on the Republican ticket is that much in favor of civil and religious proscription. The Black Republicans design to deprieve you of your present liberties, and place the negro above you in civil rights.[10]

Part of the white's later prejudice might have been due in part to their unsuccessful effort to convert the Negroes to Catholicism. Since the German population of Mercer County was predominantly Catholic, there was a major drive to convert these Negroes to Catholicism, which

---

[7] Centenary Celebration: Saint Charles Seminary: 1861-1961 (Carthagena: St. Charles Seminary, 1961), p. 39.

[8] Sounvenir of the Golden Jubilee of the Dedication of St. Aloysius Church, op. cit., p. 15.

[9] "The Emlen Institution for the Benefit of Children of African and Indian Descent," op. cit., p. 271.

[10] The Western Standard, October 16, 1856, p. 1.

can be seen in the letters of Father Hennebery to Archbishop Purcell.

On October 8, 1857, Father Hennebery wrote that the Negroes of Mercer County were coming over to Catholicism. A Rev. John Van den Broeck had baptized twenty-four Negro children and adults ranging from six months to sixteen years of age. Several other children were under instruction for baptism and their parents were likewise desiring to become Catholics.[11]

In his letter of November 26, 1858, Father Hennebery states that he would be visiting St. Philothea[12] in Mercer County twice a month to teach the Negro people the Catechism. The Negroes were doing pretty well for themselves. A Negro school for both boys and girls was to commence with a Mr. George Coons as the teacher.[13]

The account of Archbishop Purcell's episcopal visitation and confirmation in Mercer County summarizes very well the Catholic effort. In St. Philothea fifteen Negroes all intelligent and well instructed were confirmed by the Archbishop. Altogether sixty Negroes had been baptized by the Rev. John Van den Broeck--six of which were deceased. One of the deceased was a young girl of seventeen who had

---

[11]Letter of Patrick Hennebery, a Precious Blood missionary, to Archbishop Purcell, October 8, 1857, aca (r. 133) & acr40,41.

[12]See Appendix B.

[13]Hennebery, op. cit., November 26, 1858, aca (r.136) & acr49-50.

lived with the Sisters of the Precious Blood and was intending to join the community. She became ill and had to return to her parents. She constantly wanted to return to the convent but her disease would not permit this. Since she could not live among the Sisters, she requested to be buried in their cemetery. Her request was granted, and after her death her parents joined the Church.

There were five hundred families very favorably disposed towards Catholicism in the Mercer County area. Every means was applied in preaching to these Negroes the right of private judgment and the need of conforming to a sense of duty, the dictates of conscience and the grace of God.[14]

Eventually, there was a decline of interest in Catholicism by the Negroes. The Leben und Wirken advanced three reasons for the decline in conversions: first, a great number of them were too lazy; second, as adherents of the Methodist, the Baptist, and other sects, they were vigorously advised against joining Catholicism; third, the primary reason, was the difficulty of assuming the obligations and commitments of Catholicism.[15]

After 1860, the Negro population of Mercer County began to decrease. A number of reasons could be advanced for this decline. In July, 1866, a group was supposed to

---

[14]Catholic Telegraph, October 16, 1858, p. 4.

[15]Leben und Wirken (1882), pp. 150-51.

have migrated to Liberia.[16] Also, the Catholics were not very tolerant of anyone who was not a Catholic; with the Negroes not showing an interest in Catholicism, the white pressure might have increased. Finally, they might have moved out of the area to find work or for other personal reasons. The latter is put forth by present-day residents of the area. The Negroes indicate that there was no white pressure but they just simply could not find jobs. But when questioned in any depth, they seemed not to remember very well.

The residents were again to have reasons to be excited on March 9, 1907, when some of the heirs of the Randolph Negroes would file suit against fifty-four white residents, who were living on the land once purchased by Judge Leigh. The two test cases were Joseph..Moton et al. vs. Gerhard Kessens and Joseph..Moton et al. vs. Bernard Dewell et al. The Supreme Court of the State of Ohio upheld the decision of the Court of Common Pleas of Mercer County on March 20, 1917. The decision was in favor of the white German settlers. The Court held that Leigh did have the authority to sell the land, since the whites of the area had prevented the settlement of the Negroes in the area. Moreover, that the Negroes had waited too long to make an attempt to try to claim this land.[17] The unanswerable

---

[16]Winters, op. cit., p. 513.

[17]For complete text of this decision, see Appendix C.

question still remained: did the Negroes ever directly benefit in material goods by the will of John Randolph.

Through the various court cases centered on Randolph's will, the funds decided upon for the purpose of resettling the freedmen was a sum of $30,000. Besides this, another $8,000 came from the sale of certain lands near Charlotte County, Virginia.[18] Although Leigh did invest money in the Mercer County lands, he probably made a profit on them, because the land had been improved and with more settlers in the area, the price of land was bound to increase. If Leigh did post the necessary security required by the state of Ohio for freedmen, this would have been in the area of $15,000. This would leave approximately $23,000 unaccounted for. In Moton vs. Kessens, neither the briefs of the lawyers involved nor the decisions of the judges give any hint as to what happened to this money. No mention is ever made to the effect that Negroes did benefit.

In our day the whole nation is being torn by racial problems, but Mercer County is very quiet because very few Negroes still live in the County. The last of the Negroes of Carthagena moved to Lima, Ohio in January, 1965 because he wanted to be closer to his family. Many of the younger residents of the area are unaware that once their very area was torn by racial strife, for many are unaware that Negroes once lived on the very land that they are now living on.

---

[18] Moton v. Kessens, op. cit., p. 19.

# BIBLIOGRAPHY

## Public Documents

County Court of Charlotte County, Virginia. List of Freed Negroes of John Randolph. Filed May 4, 1846.

Court of Appeals, Mercer County, Ohio. Joseph Moton and York Ryal for themselves and others v. Gerhard Kessens. No. 15398. Filed May 23, 1914.

Statutes of Ohio. Vol. II, XXII, XXIX, XLVI, XLVII.

Supreme Court of the State of Ohio. Joseph Moton et al. vs. Gerhard Kessens. Filed April 4, 1917.

U.S. Bureau of the Census. Fourth to Fifteenth Census of the United States: 1840-1930. Population.

## Books

Bennett, Lerone. Before the Mayflower: A History of the Negro in America 1619-1964. Baltimore: Johnson Publishing Company, Inc., 1966.

Centenary Celebration-Saint Charles Seminary, 1861-1961. Carthagena: St. Charles Seminary, 1961.

Chase, Salmon P. (ed.) The Statutes of Ohio and the Northwestern Territory. 3 vols. Cincinnati: Corey and Fairbank, 1833.

Cist, Charles. Cincinnati in 1859. Cincinnati: Moore, Keys and Co., 1859.

Dumond, Dwight L. (ed.) Letters of James Gillespie Birney, 1831-1857. 2 vols. New York: D. Appleton-Century Co., 1938.

Eaton, Clement. A History of the Old South. New York: The Macmillan Company, 1949.

Franklin, John Hope. From Slavery to Freedom. New York: Alfred A. Knopf, 1948.

_____. The Militant South. Cambridge: Belknap Press, 1956.

Gara, Larry. The Liberty Line. Lexington: University of Kentucky Press, 1961.

Garland, Hugh A. The Life of John Randolph of Roanoke, New York: D. Appleton and Co., 1855.

Greve, Charles T. Centennial History of Cincinnati and Representative Citizens. Vol. I. Chicago: Biographical Publishing Co., 1904.

Hickok, Charles T. The Negro in Ohio. Cleveland: Western Reserve University, 1896.

Howe, Henry. Historical Collections of Ohio. Vol. II. Cincinnati: C.J. Krehbiel and Co., 1902.

Leben und Wirken, 1882.

Lovett, O.A. Black Laws of Ohio. Columbus: Ohio State University, 1929.

McGinnis, Frederick A. The Education of Negroes in Ohio. Blanchester: Curless Printing Co., 1962.

Mueller, Ulrich. Red, Black, White. Carthagena: St. Charles Seminary, 1935.

Pease, William and Jane. Black Utopia. Madison: State Historical Society of Wisconsin, 1963.

Simkins, Francis Bulter. A History of the South. New York: Alfred A. Knopf, 1953.

Souvenir of the Golden Jubilee of the Dedication of St. Aloysius Church: 1878-1928. Cincinnati: S. Rosenthal and Co., 1928.

Stampp, Kenneth. The Peculiar Institution. New York: Random House, 1956.

Tindall, George Brown (ed.) The Pursuit of Southern History. Baton Rouge: Louisiana State University Press, 1964.

Winters, Nevin O. A History of Northwest Ohio. Vol. I. Chicago: The Lewis Publishing Co., 1917.

## Articles and Periodicals

"Address to the Citizens of the State of Ohio concerning what are called The Black Laws," Society of Friends of Indiana. Cincinnati: A. Pugh Printer, 1848.

Binsfeld, Edmund. "The Negro Cemetery at Carthagena," Northwest Quarterly, XXXII (Winter, 1959-60),pp. 30-37.

_____. "St. Charles Seminary," Celina Standard, (August and September, 1934).

"The Emlen Institute for the Benefit of Children of African and Indian Descent," The Friend, A Religious and Literary Journal, XLVIII (March 10, 1875), p. 271.

Evans, Albert G. "Randolph of Roanoke and His People," New England Magazine, V (September-February, 1892), pp. 442-48.

Hill, Leonard. "John Randolph's Freed Slaves Settle in Western Ohio," The Cincinnati Historical Society, XXIII (July, 1965), pp. 179-87.

Meyers, John L. "American Antislavery Society Agents and the Free Negro, 1833-1838," The Journal of Negro History, LII (July, 1967), pp. 210-15.

_____. "Antislavery Activities of Five Lane Seminary Boys in 1835-36," Historical and Philosphical Society of Ohio, XXI, 1963, pp. 94-111.

Morse, O.E. "Sketch of the Life and Work of Augustus Wattles," Collections: Kansas State Historical Society, XVII, 1928, pp. 290-99.

Sherwood, Henry Noble. "The Settlement of John Randolph's Slaves in Ohio," Mississippi Valley HistoricalAssociation Proceedings, V, 1911-12, pp. 39-59.

Shilling, David Carl. "Relations of Southern Ohio to the South During the Decade Preceding the Civil War," Historical and Philosophical Society of Ohio, VIII (January-March, 1913), pp. 3-28.

"Transplanting Free Negroes to Ohio from 1815-1858," The Journal of Negro History, I (July, 1916), pp. 302-17.

Wattles, John O. Annual Report on the Educational Condition of the Colored People of Cincinnati, Including the Sentiment in Mercer County, Ohio. Cincinnati: John White, 1847.

## Newspapers

Ashtabula Sentinel, August 3, 1846.

Cincinnati Gazette, July, 1846.

Catholic Telegraph, October 16, 1858.

Clermont Courier, July 10, 1846.

The Cross and the Journal, July 17, 24, 1846.

Dayton Journal and Advertiser, July 7, 14, 28, August 4, September 1, 15, 1846.

The Liberator, May 9, August 8, 1835; May 14, August 13, 1836; May 10, 1839; January 1, 1841; December 12, 1845; August 7, December 4, 1846.

Philanthropist, June 10, 17, 1836; May 22, July 31, August 14, 1838; July 21, 1840.

Piqua Register, July 25, 1846.

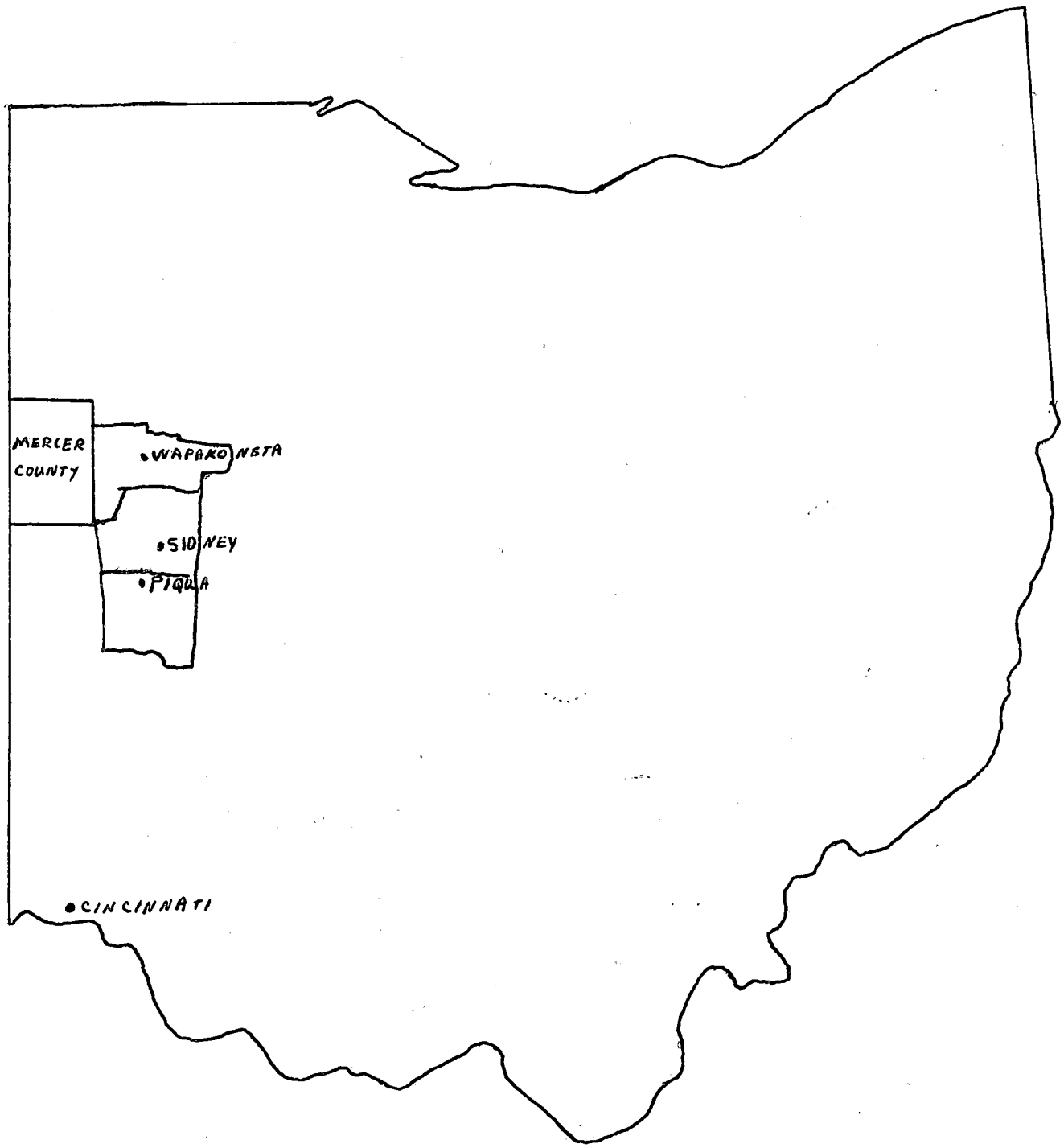
Western Standard, October 16, 1856.

## Unpublished Material

Letter of Patrick Hennebery, a Precious Blood missionary, to Archbishop Purcell, October 8, 1857. aca (archives Cincinnati archdiocese)(r. 133) & acr40,41 (archives Cincinnati rescripts).

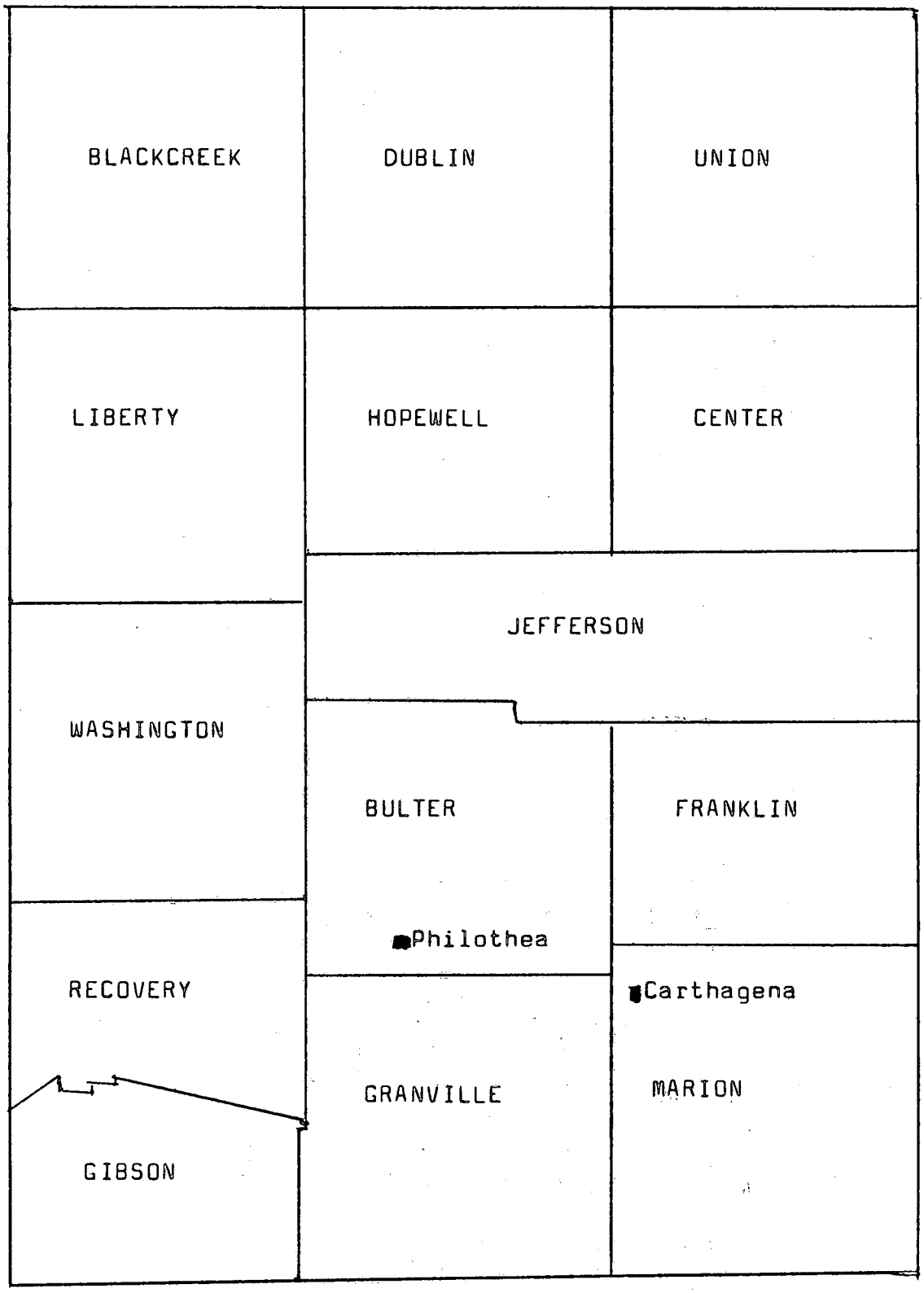
Letter of Father Hennebery to Archbishop Purcell, November 26, 1859, aca (r. 136) & acr49-52.

APPENDIX A



APPENDIX B

TOWNSHIP MAP OF MERCER COUNTY



## APPENDIX C

## SUPREME COURT OF THE STATE OF OHIO

## MARCH 20, 1917

## JOSEPH MOTON ET AL. VS. GERHARD KESSENS

This cause came on to be heard upon the transcript of the record of the Court of Appeals of Mercer County, and was argued by counsel. On consideration whereof, it is ordered and adjudged by this court, that the judgment of the said Court of Appeals be, and the same is hereby affirmed; for the reasons:

1st. That the will of John Randolph, deceased, vested in William Leigh, as executor, full power, authority and discretion to determine the location, plans, methods and means of transporting and settling the manumitted slaves, of John Randolph in some state or territory of the United States, other than the State of Virginia, in which state the testator resided at the time of his death, all of which not only appears by the direct terms of the will, but by the further provision therein, that, - "no inventory or appraisement be made of my estate and no security shall be required of my said executor for the faithful discharge of the trust imposed in him, - his own character, being the best security, and when that is wanting, all other is unavailing." That in the exercise of the absolute and unlimited discretion so vested in him, the said William Leigh, as such executor, purchased after the death of John Randolph, the lands described in the petition, together with a large amount of other land adjoining and surrounding the same, for the evident purpose of settling the manumitted slaves of John Randolph upon this land, and in pursuance of such purpose undertook to transport them and settle them upon it, but that the people then living in the locality of these lands, with force and arms and by menaces and threats of violence, interrupted the transportation of these former slaves while enroute to these lands and before they had reached the same, and compelled the said William Leigh, as executor, in the interest and safety of these people to abandon these lands for the purpose for which he had purchased the same, and seek another locality, in which they might be settled in peace and safety. That the said William Leigh, executor, in the exercise of the

discretion vested in him by the will of John Randolph, deceased, had the right and authority at any time before putting these former slaves in possession of these lands, for reasons which might be satisfactory to him, abandon this location and select another in which to settle these former slaves, and that the conditions that confronted him at that time and the necessity of making such change in location were so apparent, that he not only exercised a sound discretion in doing so, but in the interest of the peace and safety of these former slaves, he was absolutely compelled to make such change in his original plans, and seek another location for their homes. That the lands he had so purchased, and taken the title in his own name, having thereby become absolutely useless to him for the purposes for which he has purchased the same, he had full power and authority to sell and dispose of these lands, and apply the proceeds arising from such sale, to the cost of transporting and settling these former slaves in homes in other localities, and that in the absence of proof to the contrary, the presumption obtains that the funds were properly expended in accordance with the terms and provisions of the will, in so far as the amount received therefrom was sufficient for these purposes, and that these beneficiaries of the will of John Randolph received in full the benefits of all the funds arising from the sale of these lands.

2nd. That said manumitted slaves of John Randolph never were put in possession or occupation of these lands, nor were the same or any part thereof ever allotted to any individual in such manner as to vest in any one of these individuals, any right, title or interest in any specific part or parcel of this land. That but few of these manumitted slaves were entitled under the will of John Randolph to receive land, and they could acquire no right or title in law or equity to any particular land until the same was specifically aparted or allotted to them. That the rights of those entitled to land were not rights in common, but individual and specific right to particular lands after the same had been allotted to each in severalty, and after such allotment their rights thereto either at law or in equity must be established in a separate and individual action and not as a class.

3rd. That John Randolph was never seized of these lands in his lifetime; that the title was taken in the name of William Leigh, executor, who was vested with full right and authority by the will of John Randolph, to dispose of the same before putting these manumitted slaves in occupation thereof and devote the proceeds of such sale to the same purposes for which he had acquired the land, and that if any trust arose in these lands by reason of the purchase of the same with trust funds, that trust was divested by their sale occasioned by the necessity of the

conditions that confronted the trustee in his efforts to administer this trust properly and effectively, and attached to the purchase money received therefor.

4th. That if under the laws of Virginia, it was necessary for William Leigh, executor, to obtain the consent and order of a court of competent jurisdiction to sell lands of which his testator had not died seized, but were purchased by the executor after the death of his testator in pursuance of the authority and discrection vested in him by the will, the presumption obtains that such order and direction of a court of competent jurisdiction was obtained prior to the sale and conveyance of the lands, and that he fully accounted for the proceeds of the sale; that no evidence was offered to the contrary, and that by reason of the fact that the records of the proceedings of the executor and the settlements made by him were destroyed by fire when the court house at Richmond, Va., was burned almost fifty years before the commencement of this action, the burden is upon the plaintiff to prove by preponderance of the evidence, that no such order was obtained and that no record thereof was ever made.

5th. That no evidence was offered tending to prove, that William Leigh, executor, had not fully, properly and honestly administered his trust, according to intent and purpose of the testator and according to the terms and directions contained in the will of John Randolph, or that the beneficiaries of the trust created by this will have not received the full benefit of the entire trust fund including the part invested in these lands and restored to the trust funds from the proceeds of their sale.

6th. That it appears from the evidence, that these manumitted slaves were fully advised of their destination and of the fact that these lands had been purchased for their use in Mercer County, and if William Leigh as executor had no power or authority to sell said lands and apply the proceeds of the sale to their uses in other localities, that his act in so doing was an open, notorious violation of his trust, known to them and acquiesced in by them at the time, and this action is barred by the statute of limitations.

And it appearing to the court that there were reasonable grounds for proceeding in error, it is ordered that no penalty be assessed herein.

It is further ordered that the defendant in error recover from the plaintiff in error his costs herein expended taxed at $_____.

E3054

R00365855