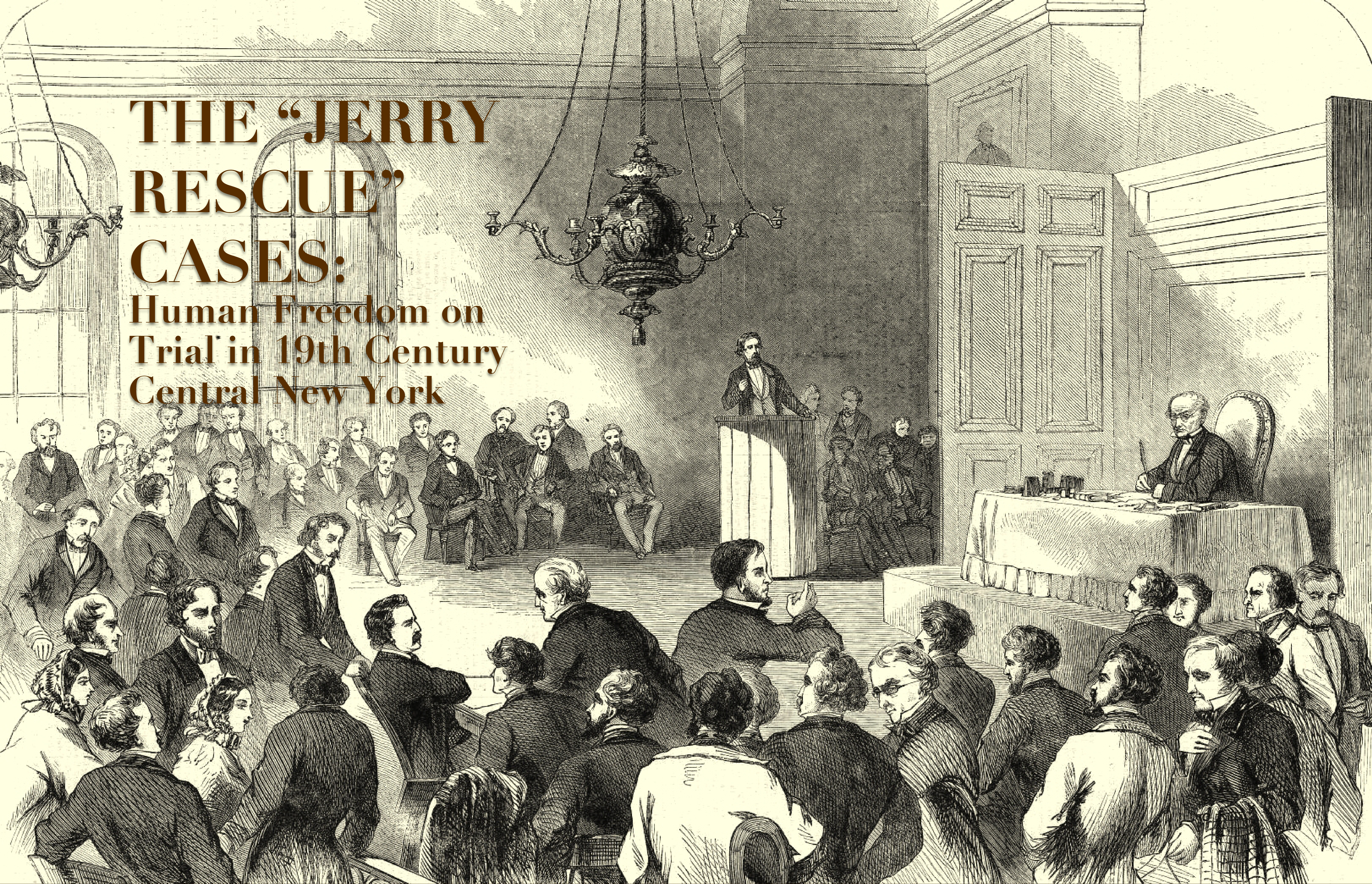


THE “JERRY RESCUE” CASES: Human Freedom on Trial in 19th Century Central New York



Courtroom Scene-1850s,
OHA Collection

In 1851, several Syracuse area men voluntarily put their own freedom in jeopardy. In open violation of federal law, they helped rescue another man, one facing slavery, and guaranteed his liberty. Those men, in turn, were arrested, indicted and faced imprisonment themselves. This is their story.

THE “JERRY RESCUE”

October 1, 1851

A Serious Act of Civil Disobedience

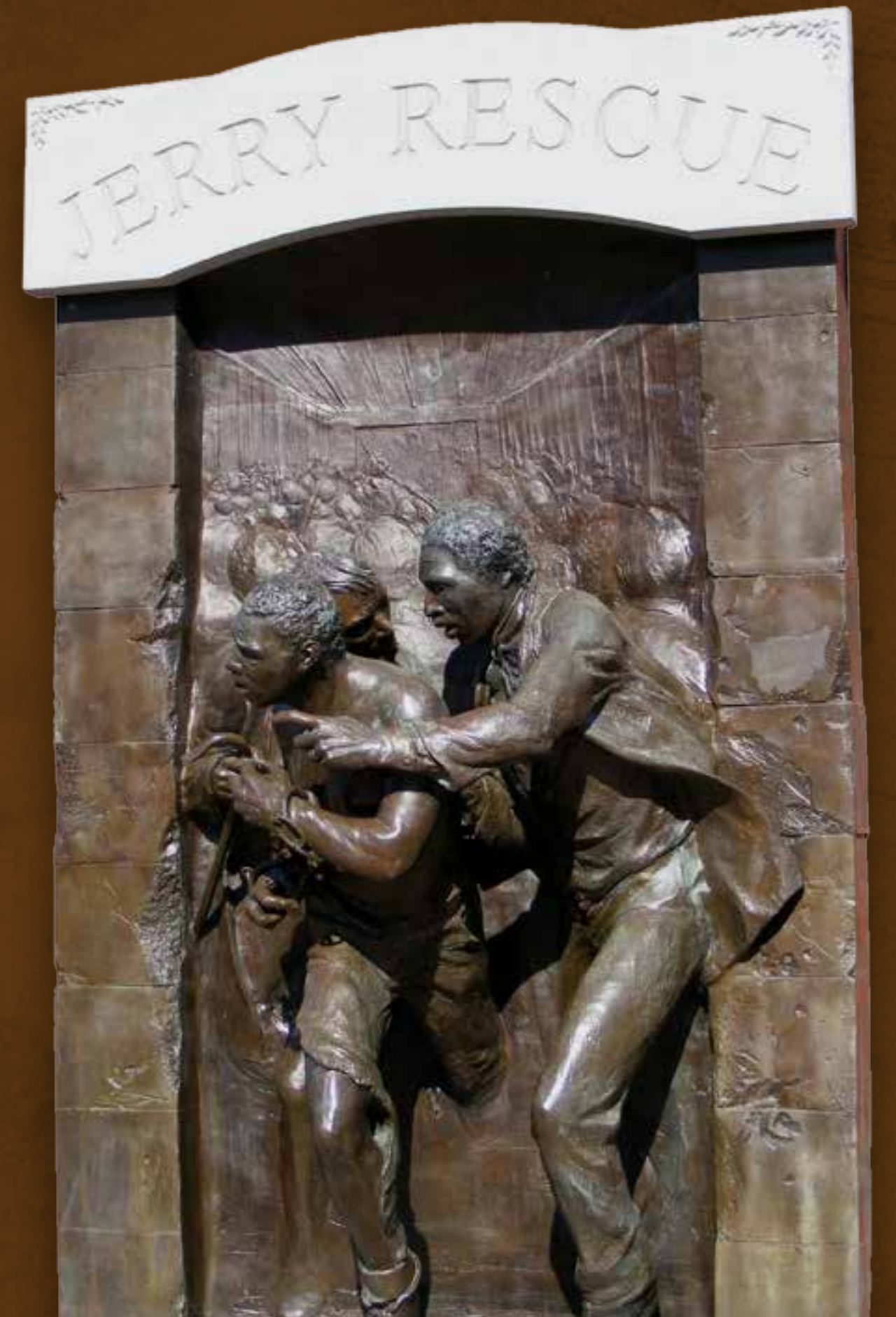
Fugitive Slaves
ATTENTION.
The Slave-hunter is among us!
BE ON YOUR GUARD!
AN ARREST IS PLANNED FOR TO-NIGHT.
BE READY TO RECEIVE THEM,
WHENEVER THEY COME!

Fugitive Slave Act Broadside, c1850

Rauner Special Collections Library – Dartmouth University

The Federal Fugitive Slave Law of 1850 was passed to encourage the capture of fugitive slaves and to direct severe punishments on anyone caught helping them escape through the Underground Railroad. It led to the arrest in 1851 of William “Jerry” Henry, a former slave from Missouri working in Syracuse as a cooper.

A hearing began in a building on Clinton Square to determine if Henry should be returned to slavery. An angry crowd gathered outside, protesting the arrest. The commissioner conducting the hearing temporarily adjourned the proceedings. That evening a crowd of supporters, organized by local anti-slavery leaders and including both black and white citizens, broke into the offices. They confronted federal marshals, freed Henry and later spirited him away to freedom in Canada.



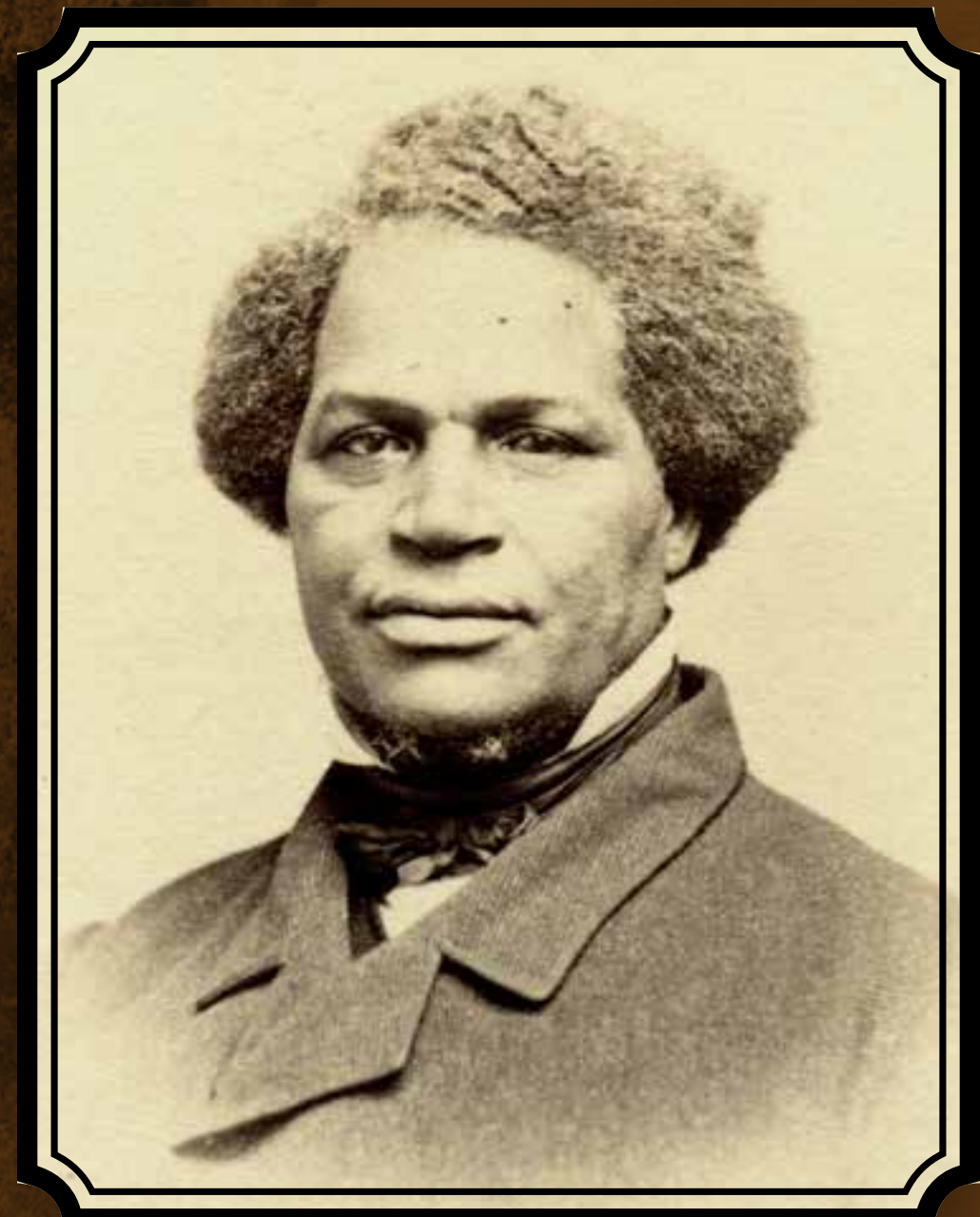
The Monument to the Jerry Rescue in Syracuse's Clinton Square

The sculpture symbolically depicts the moment that William Henry was led from the jail. Guiding him are representations of Jermain Loguen (R) and Samuel May (C). Both were leaders in Syracuse's anti-slavery efforts.
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Rev. Samuel May

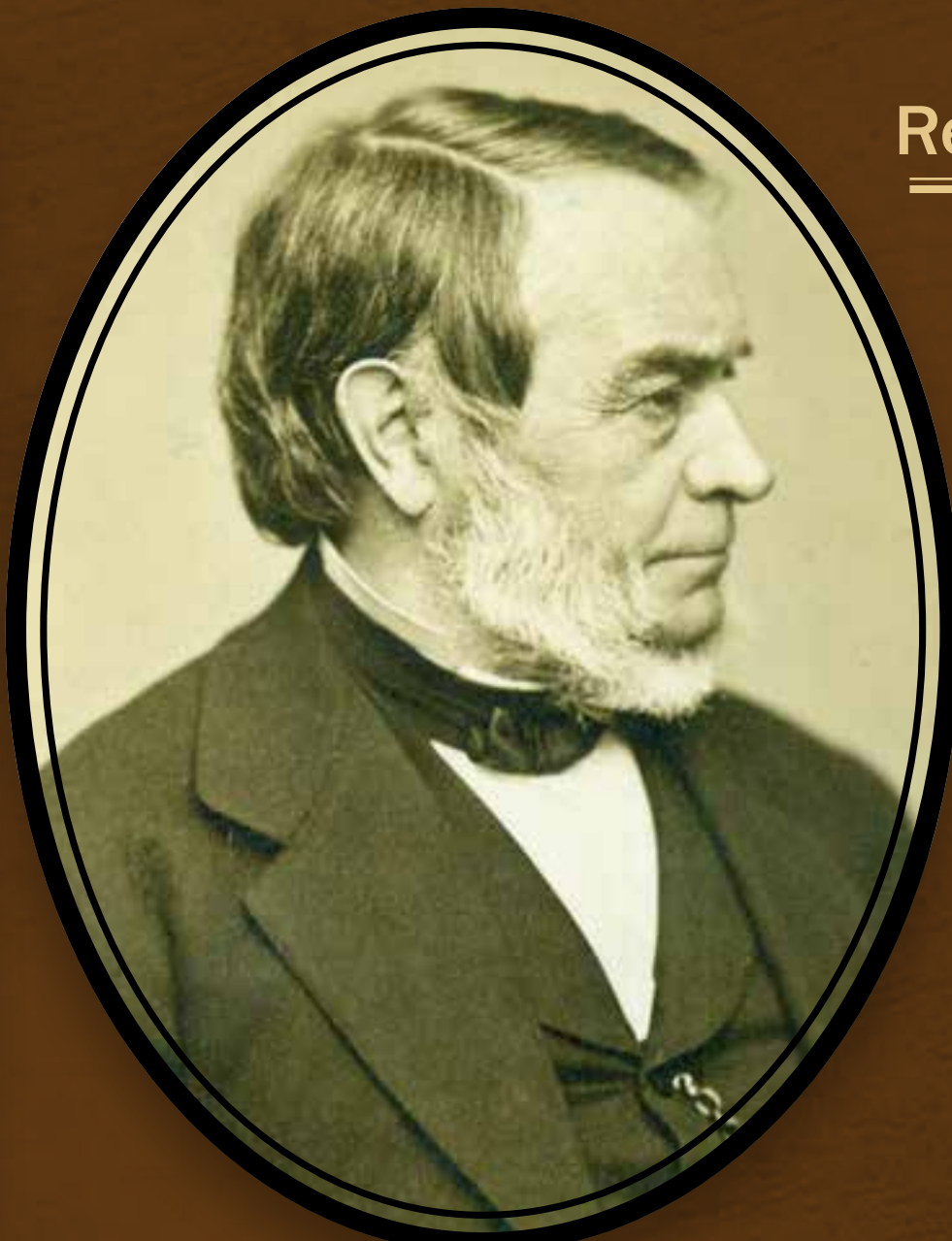
May was a Unitarian minister in Syracuse and a vocal advocate for the abolition of slavery. Syracuse's May Memorial Unitarian Church is named in his honor.
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It was a blatant act of civil disobedience that drew outrage from the federal administration of President Millard Fillmore. Arrests of conspirators were ordered from the White House in Washington. If guilty, fines and imprisonment would be severe.



Rev. Jermain Loguen

Loguen, a former slave himself, was a leader in Syracuse's Underground Railroad. He was subject to arrest under the law both as a fugitive and as a conspirator in the rescue.
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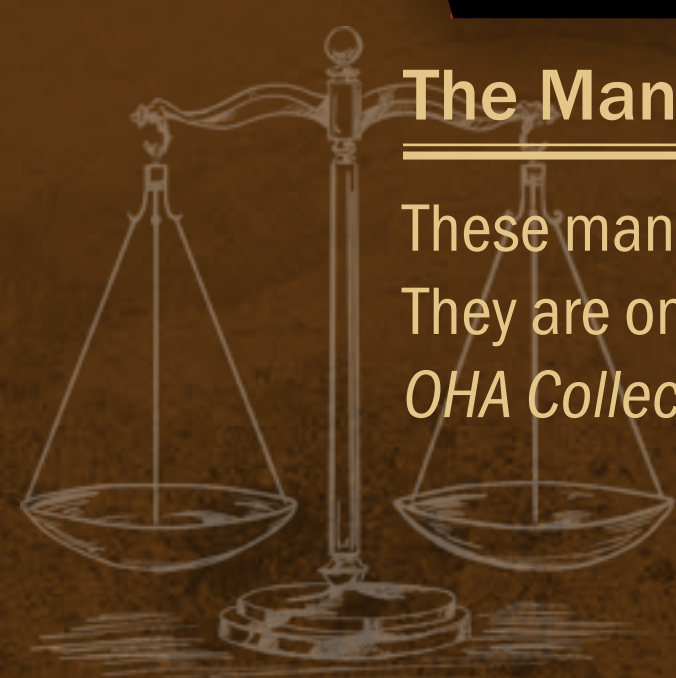
U. S. President Millard Fillmore

Although from Upstate New York, Fillmore signed and actively enforced the Fugitive Slave Law. It was not because he supported slavery, but he hoped it would satisfy Southern states and keep the Union together; as part of the Compromise of 1850.
Library of Congress



The Manacles That Shackled “Jerry” and the Key to His Cell

These manacles had to be cut from William Henry following the escape. They are on display at the Onondaga Historical Museum in Syracuse.
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THE ARRESTS AND INDICTEMENTS

Fears of Jail, Flights for Safety and Fighting to Resist

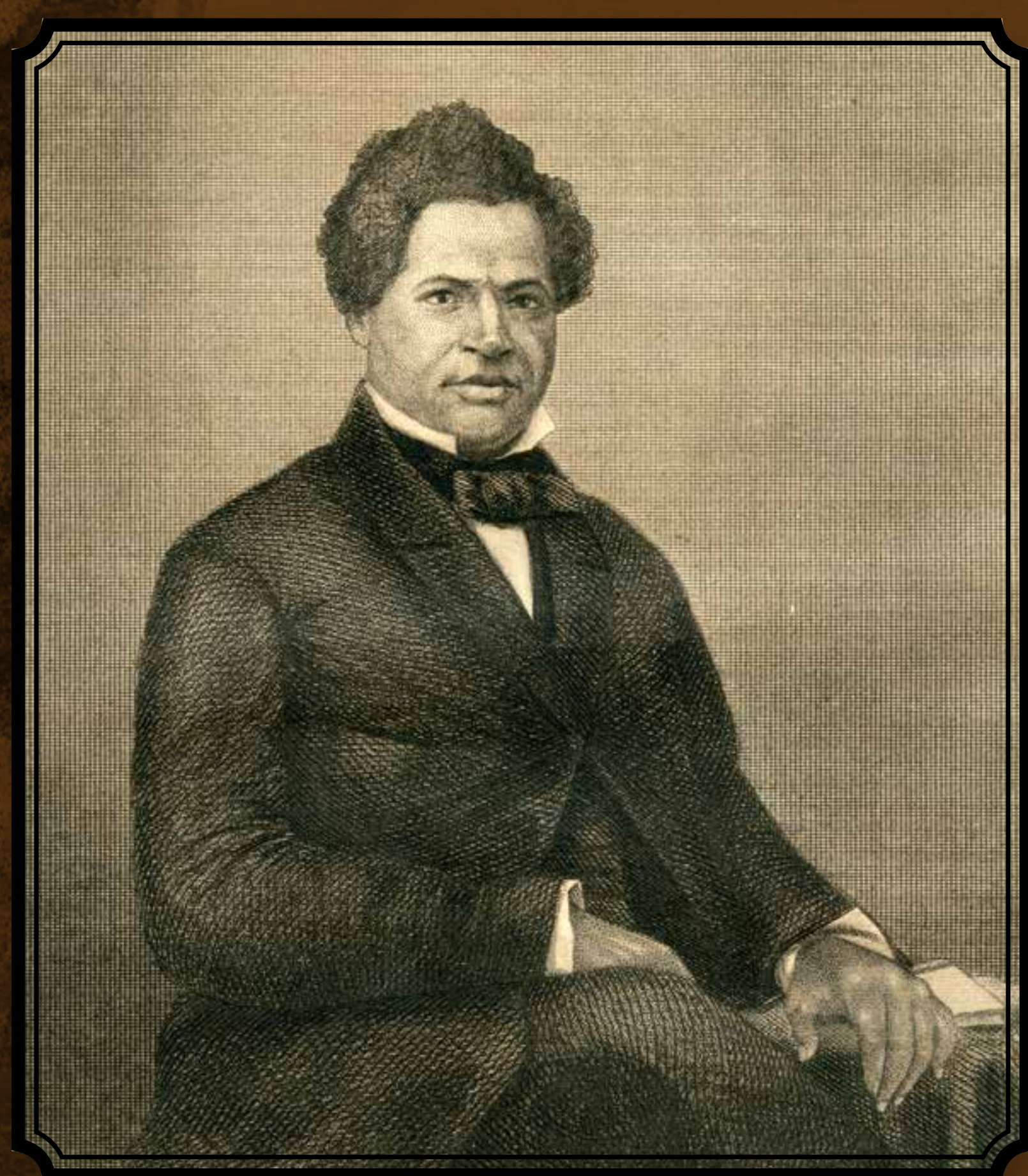
Arrests in Syracuse.
Correspondence of the N. Y. Tribune.
AUBURN, Friday, Oct. 17, 1851.

The examination of the seven persons arrested at Syracuse on the charge of being concerned in the rescue of "Jerry," proceeds tediously and heavily. Yesterday, at 3 P.M., the Court adjourned until this morning, on account of the District Attorney, Lawrence, not being prepared to go on. This morning the same trouble arises. The witnesses he has subpoenaed dislike to appear, and manifest great tardiness, both in coming to the stand and in giving evidence. The course pursued by the District Attorney is universally censured. It is certain that he has obtained other warrants, and intends to make other arrests. Judge Conklin presides with great

Report of Arrests-New York Tribune, October 17, 1851

The Jerry Rescue cases were followed by newspapers across the nation, including the widely read and influential New York Tribune, published by Horace Greeley. Greeley's anti-slavery posture is evident in this article.

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Jermain Loguen, c1850

Loguen was advised to flee to Canada to prevent his own arrest. He did, but soon returned. Others involved found their lives disrupted for months.

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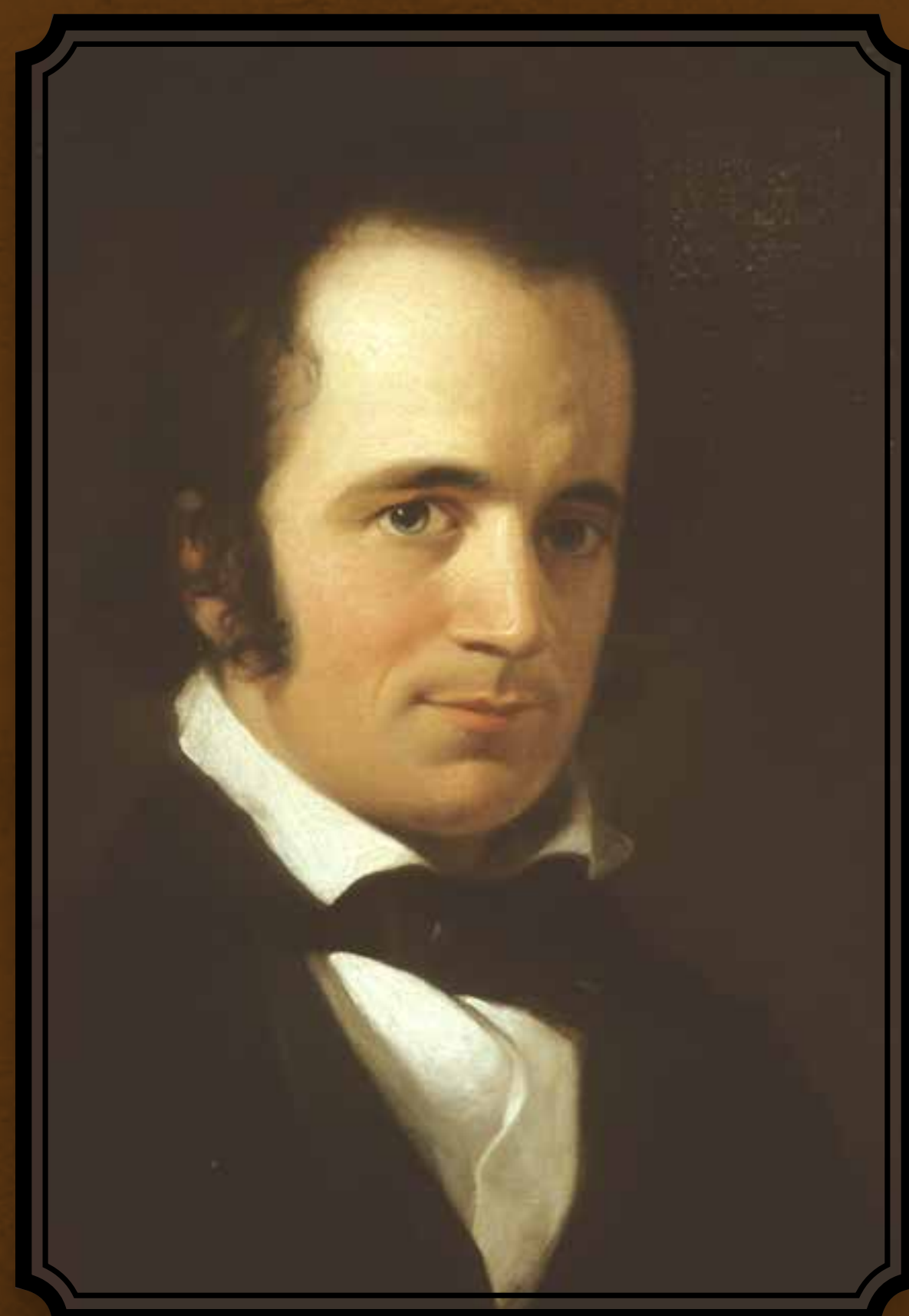
The Cayuga County Courthouse

This 1836 building, which still stands in Auburn, was the site of the first legal proceedings in the case of the "Jerry" defendants.

The rescue was electrifying news across the country, cheered by abolitionists but condemned in the South. President Fillmore's administration strongly believed Jerry's rescue broke federal law under the controversial Fugitive Slave Act. The U. S. Attorney General, John Crittenden, wrote to the local prosecutor for the cases, James Lawrence, reporting the President, "expects that no effort will be spared. . . to bring the guilty offenders to justice," no matter the "hazard, and at any sacrifice."

Within days, Lawrence had federal marshals arresting several Syracusans. Other citizens, either involved directly in the rescue (or fugitives themselves who had settled in Syracuse) fled north to Canada, leaving family, homes and jobs. Those arrested were brought before Judge Alfred Conklin in Auburn to be formally charged. Bail was posted by several anti-slavery advocates including Auburn resident and U. S. Senator William H. Seward. Eventually 19 were indicted.

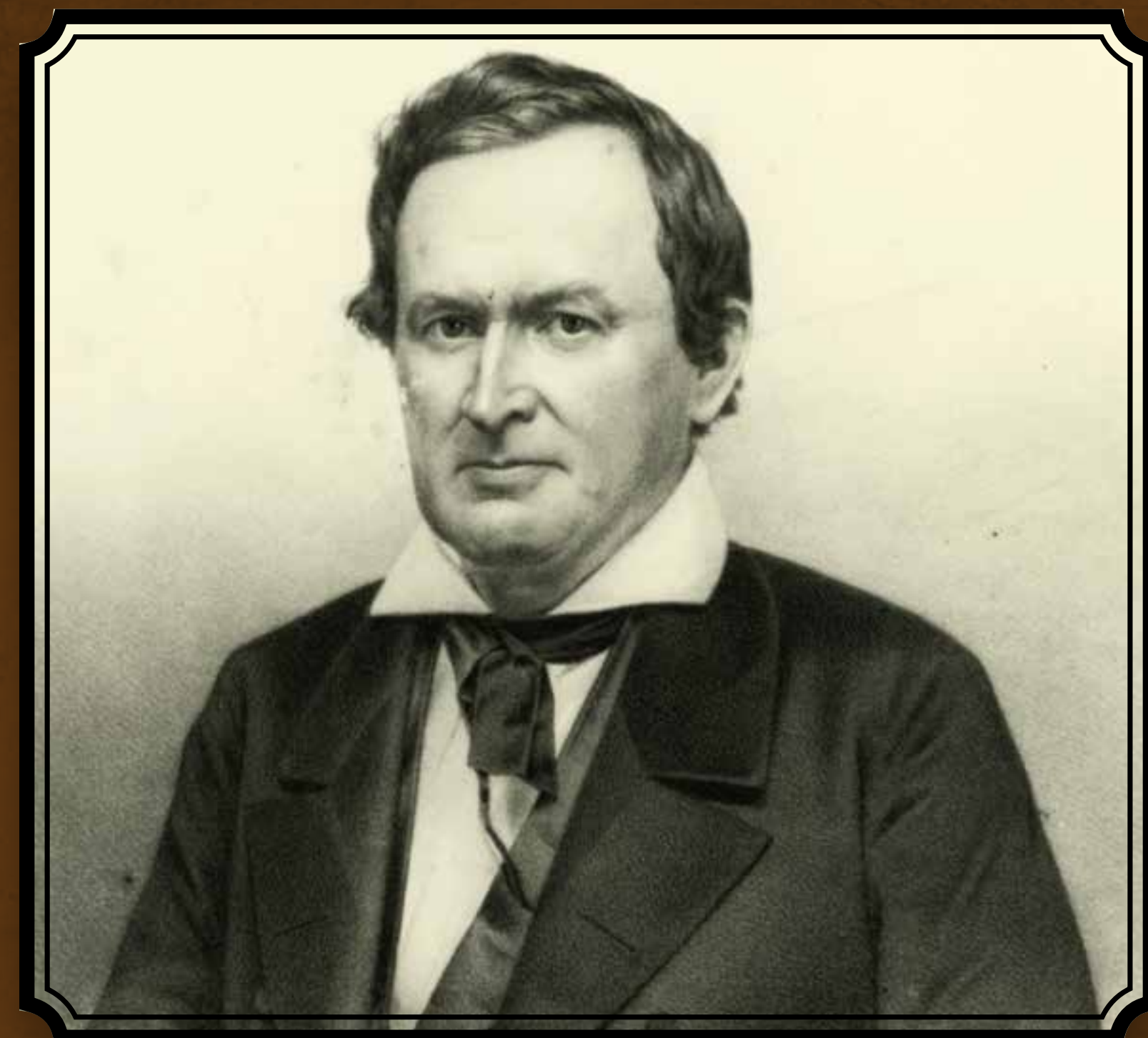
Others rallied to organize a defense for the accused, considered heroes by many for standing up to an unjust law. A "Rescue Committee" launched a fundraising effort and a legal defense team was assembled. Actual trials were regularly postponed by the court, until early 1853, when the first four got underway in Albany.



Charles B. Sedgwick, 1843

Sedgwick, a 35-year old Syracuse attorney and later U. S. Congressman (1859-1863), led the defense team.

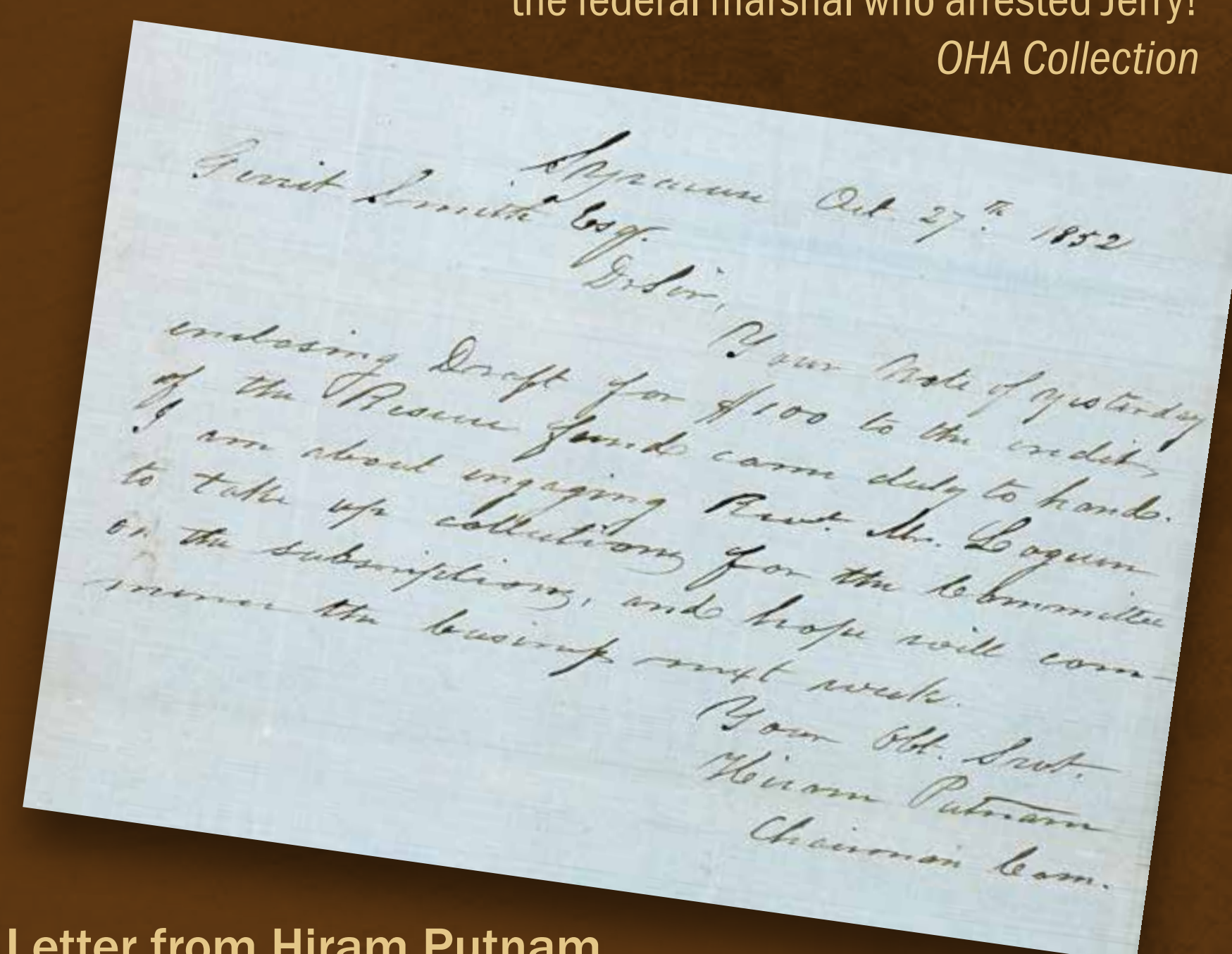
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Gerrit Smith, c1854

Smith was an outspoken opponent of slavery and active in the Underground Railroad. Although not a lawyer, he was deeply involved in the defense of the rescuers. He contributed funds and sat with the defense team. Smith even tried bringing kidnapping charges against Henry Allen, the federal marshal who arrested Jerry!

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Letter from Hiram Putnam to Gerrit Smith, October 27, 1852

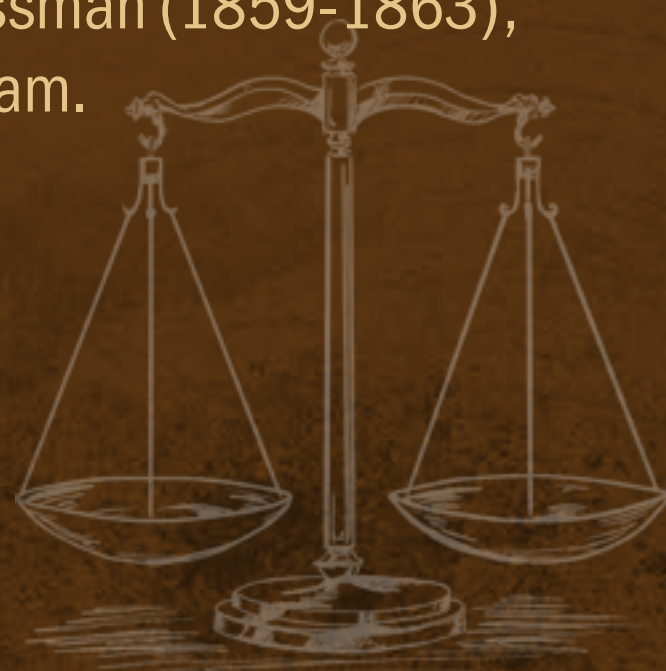
The letter reads: "Your note of yesterday enclosing Draft for \$100 to the credit of the Rescue fund came duly to hand. I am about engaging Rev. Mr. Loguen to take up collections for the Committee on the subscriptions, and hope will commence the business next week." (\$100 in 1852 was worth over \$3,000 today) Syracuse University Libraries-Special Collections



Hiram Putnam, 1852

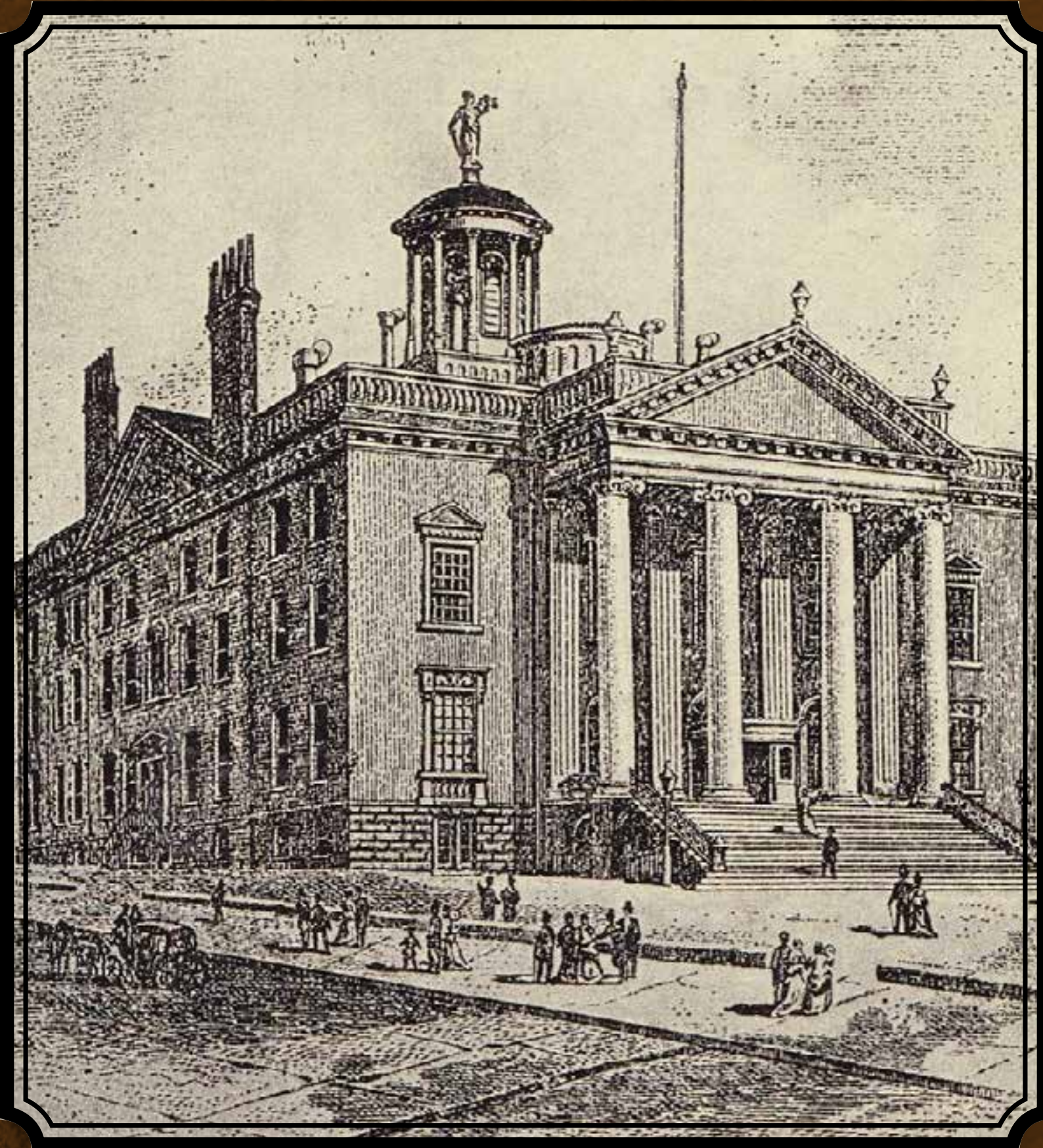
Putnam was a retired sea captain living in Syracuse with several business interests. He chaired the committee charged with raising funds to defend those accused.

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THE 1853 TRIALS

Numerous Witnesses, Conflicting Testimony, Heated Accusations, Three Acquittals, & One Guilty Verdict



Old State Capitol in Albany, c1850

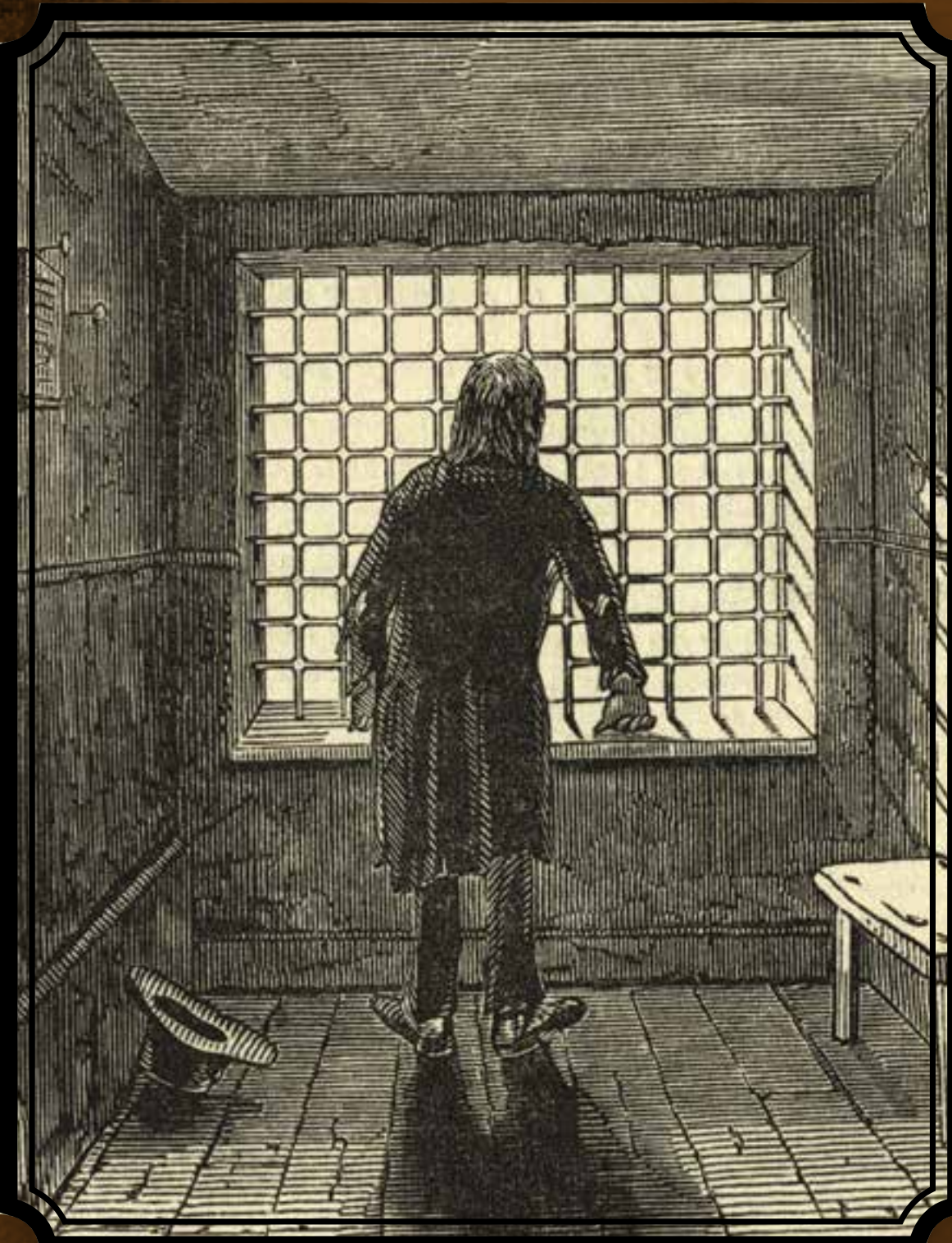
The federal district court covered much of upstate New York so judges presided in various locations at different times. The “Jerry Rescue” trials took place in Albany, likely in a courtroom in the old State Capitol.

Although many were arrested and charged, it took several months for actual trials to begin for the first four: Enoch Reed, a canal boatman; Ira Cobb, a hardware merchant; John Brigham, a teacher and William Salmon.

The defense team included some talented Syracuse lawyers along with the passionate abolitionist Gerrit Smith. The lawyers cleverly attacked the reliability of the prosecution’s witnesses with their own. They also raised technicalities, questioning how anyone could have broken the Fugitive Slave Law if “Jerry” had not yet been proved an escaped slave. Both tactics planted doubts among the juries.

James W. Nye

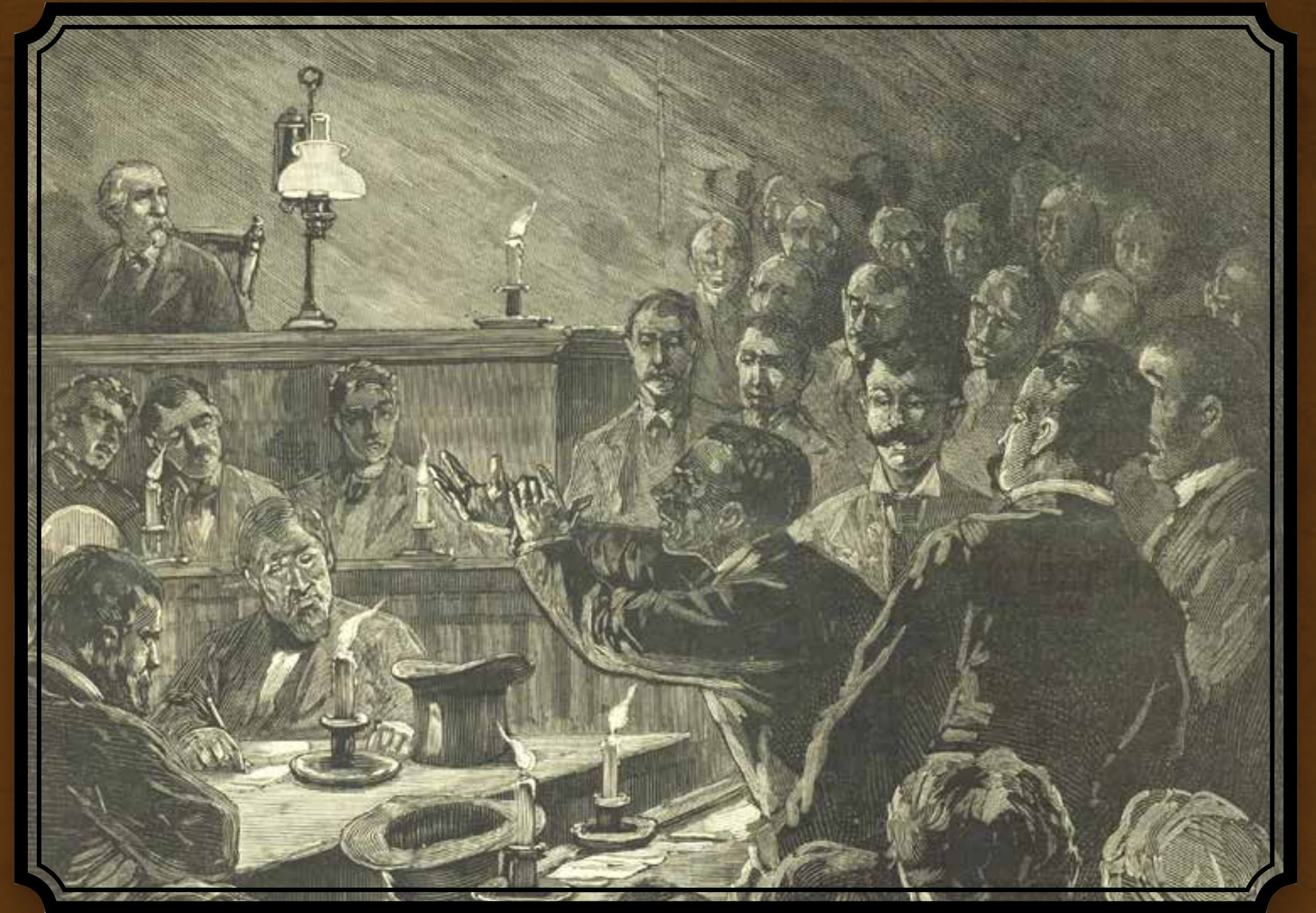
Nye was a prominent Syracuse lawyer on the defense team. Active in anti-slavery politics, he would later be appointed by President Lincoln as Territorial Governor of Nevada in 1861 to help insure that future state stayed loyal to the Union.
Library of Congress



Mid - 19th Century Prison

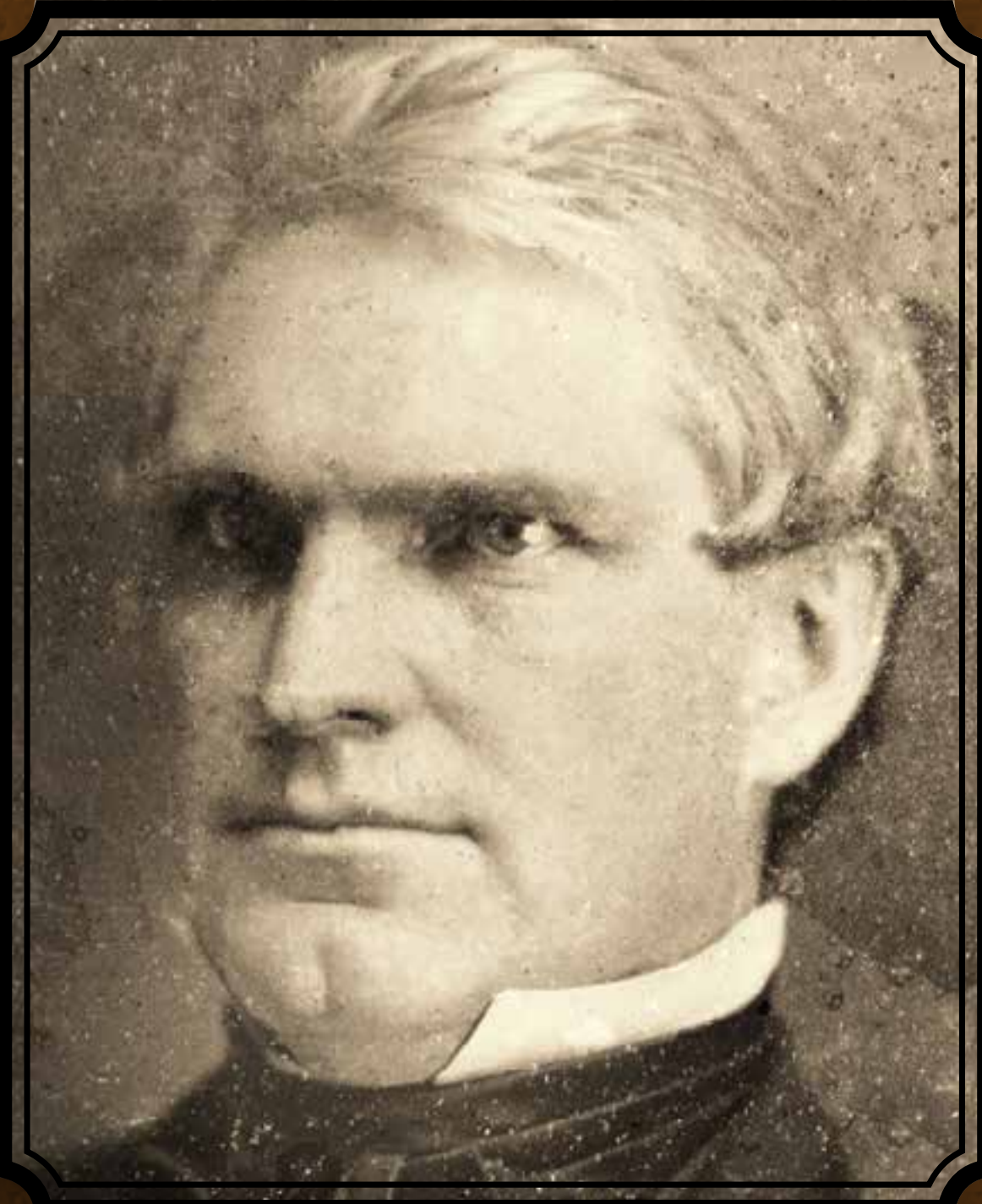
If found guilty, the accused could face six months imprisonment and a \$500 fine, equal to an average year’s income in 1850.

Mid-19th Century Courtroom Scene *OHA Collection*



James Lawrence

Lawrence was a well-known Syracuse lawyer and politician. He was confirmed as U. S. Attorney for New York’s Northern District in 1850. Although not personally a supporter of slavery, he prosecuted the cases as was his sworn duty.
OHA Collection



Judge Nathan K. Hall

A native of Marcellus, New York, Hall was a close friend of President Fillmore and served in his cabinet before becoming a federal judge in 1852. He likely would have preferred to see more guilty verdicts from these cases, which Fillmore had so desired.
Library of Congress

Reed was convicted on a much older and weaker fugitive law, the legality of which could be challenged on appeal. Salmon was acquitted. The trials of Cobb and Brigham resulted in hung juries and their cases were dismissed. Brigham’s non-verdict resulted from a single vote for acquittal, maintained by an Albany juror who would not change his mind, no matter how much Judge Hall pressed for a unanimous guilty decision.

Frustrated by years of delays which resulted in no clear convictions under the 1850 Fugitive Slave Act, a new administration eventually dropped the cases for the remaining indictments. Anti-slavery advocates declared victory and the fugitive law was never again prosecuted in Syracuse.

ENOCH REED

A Man Who Sacrificed His Freedom for Another



Painting Detail, 1853

No image of Enoch Reed survives. Said to be a man of "Herculean frame and strength," he reportedly helped carry the manacled Jerry to safety. This 1853 painting of an anonymous man offers some idea of Reed's possible appearance.

Private Collection

Despite the months of arrests, indictments, judicial maneuvers and raw emotions that came after the 1851 Jerry Rescue, only Enoch Reed, an African-American, was ever found guilty. His sentencing at Albany was delayed while an appeal was pending. Bail was posted on his behalf. Reed returned to Syracuse, where he had been employed as a canal boatman, and awaited his fate.

Reed was born a free black in New England. Before coming to Syracuse, he had worked on a New Bedford whaling ship. Records show his voyage on the whaler *Acushnet* during 1841-42. A crew mate was none other than Herman Melville, later author of the novel *Moby Dick*, published in 1851. Melville drew heavily on the experiences of that earlier whaling voyage.

Painting of a Whaling Hunt, 1835

Reed would have been familiar with such life and death action and the hard life of a whaler. Records show he was a man not to be trifled with; the local press attributing it to his "sailor habits." He had some scrapes with the law and once was charged in 1852 with murder. The case was later determined self-defense as Reed had been attacked and beaten by three men.

Reed's Arrest Notice, December 10, 1851

The local press regularly followed the aftermath of the Jerry Rescue for months, including detailed accounts of the trial proceedings.

OHA Collection

"Go it Jerry."
Enoch Reed, a colored man, who has been boating on the Erie Canal during the latter part of the season, was arrested yesterday afternoon, by the Marshal, on an indictment charging him with being one of the rescuers of "Jerry." Enoch was greatly surprised that any such charge should be preferred against him, and promptly gave bail for his appearance at Albany.

We observe that several papers inform their readers that Reed, the colored man, was convicted under the Fugitive Slave law, for participating in the rescue of "Jerry." This is all a mistake. He was convicted under the provisions of the law of 1790. The eulogies, therefore, which have been pronounced upon the efficacy of the Fugitive Slave law because of this conviction, must be somewhat modified by *The Courier and Inquirer*, *New-York Mirror*, &c. [Alb. Eve. Jour.]

Reed's Conviction Notice, 1853

The defense successfully argued that Reed could not be found guilty of violating the Fugitive Slave Act of 1850 because William "Jerry" Henry was freed before the hearing actually established that he was an escaped slave! The prosecution convicted Reed on an older fugitive law related to obstructing federal authorities.

OHA Collection



While waiting for his appeal, Reed was offered a position as second mate by his former whaling captain. Reed declined, however, not wishing to dishonor those who had advanced his bail. But by the spring of 1853, Reed's health was also failing. He died on June 8, 1853 of "consumption" (tuberculosis), before his case was re-tried. Reed was only 38 and likely was buried in Syracuse's Rose Hill Cemetery, where he had laid his 7-year old child to rest four years earlier.

Erie Canal Boats

Loading Stone at Syracuse, 1850s

This scene would have been well-known to Enoch Reed as he worked on canal boats during this era.

OHA Collection

