

WISDOM

THE HANDMAID OF PEACE

U. S. Court of Appeals.
REPORT

OF THE

SLAVE CASE:

BUXTON OFFERS UP SOME 'LEMON AID'

NEW YORK:
HORACE GREELEY & CO.
1860.

Price, 25 Cents; \$1 for Five Copies; \$2 per Dozen; \$16 per Hundred.

TO THE
The undersigned, believe will result to the public from the efficacy of the Prize Aguio, prepared by J. W. Lancaster, Pennsylvania, and humanity requires it at our hands fully certify, that we have, indeed its successful operation in the ses annexed to our respective in no instance, within our knowledge failed to cure in a single day, by the use of the contents of a single bottle.
Dated Lancaster, September 4, 1838.
(Signed.)

REUBEN MULLISON, Contractor, Sections Nos. 1 and 2, Susquehanna Canal; 2 cases.
JOHN WILLIAMS, Contractor, Sections

... aware. That I have long since given him my plighted vows, I will not deny, and"—
"Away with your 'plighted vows.' I too, have a vow—an oath registered in Heaven, that never while you are a daughter of mine shall Henderson receive you as a wedded wife. This I long since determined. I hate him as well as 'all his rebel associates; and although I never received injury from his hands, yet it is enough for me to know that he wields the sword of violence against his lawful king. You now know my determination;—and accordingly, and you shall have no cause to repeat obeying your father's commands. I am not wont," said he in a softened tone, "to require any thing of my daughter which is difficult to perform."

"No, my dear father, never. You have always been too indulgent towards your wayward child, and in very thing I will try to outdo you. I will not, however, once more lay aside these martial trappings and be restored to domestic quiet. But now I am going to perform my duty. I have been to the camp of my superior officer, while he discourses to and wretched Isabella enters the house.
It was now about 3 o'clock, P. M. Hasty preparations were made for the departure of the company destined for the expedition. They started an hour and a half before sun-set, and their greatest hilarity was exhibited on the route on account of the supposed easy conquest they were about to obtain over the enemy, little dreaming of the real termination of all their high expectations. A little before dark they arrived within about three-fourths of a mile of the above mentioned ferry, where a halt was ordered and spies sent out to reconnoitre. In an hour they returned stating that the ground was occupied by the baggage of the rebel forces, but not a soul was to be seen.

The Captain's brow darkened. Full well he knew the watchful and untiring spirit of the vigilantes, and he had no doubt that they would be successful in their pursuit of the fugitives. He had no doubt that they would be successful in their pursuit of the fugitives.

of the dispute between England and her revolted colonies.
The day at length arrived, the anxiously expected day, which was to decide the fate of the accused. The hour approached and yet the witnesses for the defendant did not arrive. At last one came. The other but the day before, was killed by the falling of a tree. Thus did it seem as if the last ray of hope was shut out from the wretched parent—wretched only in view of the orphan state of his daughter.
The witnesses were examined. Those against the accused testified as Carns had before done. They were two in number. He for the defendant stated clearly and distinctly what the reader has already been made acquainted with; yet, the amount of evidence in support of the accusation was such that the court martial pronounced the sentence of death upon the accused.

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Wretched, indeed, was the parent, as the hour of execution approached. She in whose life his own seemed bound up was absent, and he was about to die without one last embrace from Isabella. The muffled drum proclaimed that the period had arrived when Capt. Morton was about to launch into that "undiscovered country whence there is no return." The soldiers were arranged in order, and their deeply sorrowful countenances showed the sincere commiseration they felt for the condemned; and the malignant and revengeful glances every where cast upon the accuser and his accomplices, showed how justly he was being punished.

erson. It recalled, the oath of the war,—w months from the events w Maj. Henderson, the survivor of a than all "Major Henderson was not capacity. Legislature and constituents was spared licity of his Isabella was the dutiful and devoted simply as t

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As the United States creaked its inevitable way toward the Civil War, a much-publicized incident there would ultimately reach Buxton.

The story begins in Bath County, Virginia back in 1837 when William 'Billy' Douglas died, leaving behind at least a dozen illegitimate children with three different women. He also left some 2,000 acres of land and 29 slaves, one of whom was emancipated under the terms of his will.

To his married daughter Juliet Stewart, Douglas left two slaves; Emeline, 7 and Nancy, 5. Her younger sister Mary Douglas, then 14, also received a pair of young slaves - James and Levi - through the will.

A few years later, Juliet's husband died, and she then married Jonathan Lemon, bringing Emeline and Nancy with her.

Meanwhile, in 1848, Mary Douglas wed Jacob Simmons, a man that James and Levi had advised their mistress against marrying as they anticipated he would be a cruel master. After she disregarded their advice, the two young men found themselves being sold two years later and made a break for freedom from the slave trader.

Fortunately, the men had arranged to meet in Malden, Ontario, should they become separated during their escape, as



Juliet Lemon.

that's precisely what happened, according to this dramatic telling of the tale reported in *The Danville Advertiser* on Feb. 12, 1853:

“Levi and (James) Wright planned their escape so as most effectually to baffle the pursuit of Witheroe and his party. Having taken such a hasty leave of such fellow slaves as were near, they set out, with apparent cheerfulness, with the negro trader, but they had not been more than half an hour on the road, when, as they had preconcerted, they suddenly leaped over a fence, and being active young men, were soon buried in the depths of the adjacent wood, whither their pursuers in vain strove to follow them. They felt the importance of hastening their steps, and traveled as fast as they were able, a distance of sixty miles. At the end of their journey they obtained shelter and refreshment among some slaves whom they had formerly known in their own neighbourhood. As soon as they had sufficiently rested, they started for Ohio, but, by some mishap, were seen and pursued by a party of twenty-five men.

They exerted themselves to the utmost to escape, but Wright only was able to effect it. Levi was taken and put in jail, where he was duly advertised as a runaway. There he was confined five weeks, awaiting the arrival of his owner. In the meantime, being an excellent dancer, he managed to get into the good graces of his jailor, who invited white people to come and see

his feats. They often gave him pieces of money, and finding that his keeper was fond of whisky, he liberally supplied him with it out of the proceeds.

Having made arrangements for his escape from this prison-house, he seized his opportunity, when his keeper was in a state of complete intoxication – and he had no one to oppose his progress but the keeper's wife. Having easily overcome her resistance he fled a second time for Ohio, where after incredible fatigue, and almost famished for want of food, he safely arrived (using the name Richard Johnson).

There he fell in with the managers of the "Underground Railroad," and was soon placed by them in a position of comparative safety. After laboring some time in the country, he removed to Cleveland, and there he became a waiter in one of the hotels, where for a while we must leave him and return to his fellow fugitive, James Wright. He succeeded, after great exertion, in reaching Ohio, and by the aid cheerfully rendered by the friends of the flying slave, was safely forwarded to Canada, where he now follows the occupation of a farmer, and can sit under the shelter of his own roof, "none daring to molest or make him afraid."

Levi having engaged with Wright, that in case they should be separated in their flight, and afterwards be fortunate enough



Jonathan Lemon.

to reach Canada, they would meet at Malden – he, in August last year, went there to make inquiries. At that time he knew not whether Wright was dead or alive, a free-man or a slave, and scarcely ventured to hope that he should meet him again. However, on his arrival at Malden, he found that Wright was cultivating a small farm on shares, a few miles off, and was doing well.

He soon had the satisfaction of meeting him, and their joy was unbounded, when they grasped each other's hands in a land of freedom. Levi had the additional gratification of meeting two of his cousins in Malden, who had previously escaped from "the house of bondage."

Finding some of his relations and friends in this town and neighbourhood, and not judging himself quite secure from the operation of the "Fugitive Slave Law" in Cleveland, he purchased out of his earning, a small lot of land, determining to settle in Malden as soon as he conveniently could. With this prospect in view, he returned to Cleveland, and there resumed his occupation as a waiter."

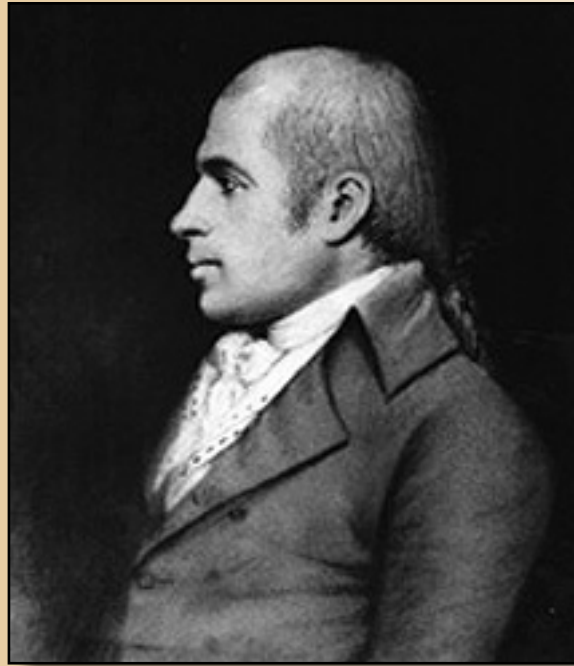
Meanwhile, back in Virginia, Jonathan Lemon was preparing to move his large family, which included Juliet's son Douglas and the couple's children Nancy, Joseph, James, Caroline and Juliet, along with his eight young slaves, to Texas.

In November of 1852, Lemon and his group boarded a steamer that took them to New York, where they would – or so he thought – catch another steamer to take them on to New Orleans from where they would travel to Texas.

However, fate was smiling upon the young group of slaves, who included the now 23-year-old Emeline, her brothers Lewis Wright, 16 and Edward (Edmund) Wright, 13 and her daughter Amanda, 2. The remainder of the slave group consisted of Nancy Johnson, 20, her twin sons Lewis and Edward, 7 and five-year-old Ann.

While all of the slaves were closely related, it is impossible to determine the precise relationship between Emeline and Nancy as conflicting information has been reported. As well, Levi was in all likelihood the brother of Emeline, Lewis and Edward, although no last name is recorded for him until he takes the fugitive name of Richard Johnson. The relationship between Levi and James remains uncertain also.

After being taken to a boarding house a few streets away from the Hudson River, the group were spotted by a free black man, Louis Napoleon. The following day, Napoleon presented a writ of habeas corpus on behalf of the slaves to one of the Justices of the Superior Court of New York City, the Hon. Elijah Paine. Napoleon presented the writ based on an 1817



The Hon. Elijah Paine.

New York law stating: *“No person held as a slave shall be imported, introduced, or brought into this State on any pretense whatever. Every such person shall be free.”*

News that they could lose their slaves came as a huge shock to both Jonathan and Juliet Lemon, with Jonathan Lemon, weeping, “like a baby.”

Juliet Lemon walked over to address the slaves, asking: “Have I ever ill-treated you? Have you not drank from the same cup and eat from the same bowl with myself... Did I not give up all I possessed in my native land, in order that you and I might go to another, where we could be more comfortable and happy?”

The case made headlines around the country and beyond, and caught the attention of the fugitive slave Richard Johnson. According to the Danville Advertiser:

“One morning, while the case of the Lemmon slaves was under adjudication at New-York, he heard read the particulars, and at once discovered in them near and dear relations. – He immediately put himself in communication with a friend in Cleveland who telegraphed the fact to one of the Committee in New-York, when, after due caution, it was determined that he should proceed thither, without delay; this he did, and we had the satisfaction of knowing that in Nancy he found a sister,*

in Emeline an aunt, in her children nephews and cousins, and in the two youths who were with them, brothers.

But this was not all; he announced James Wright to be the husband of Nancy and the father of her children. Thus by a wonderful interposition of Providence, have these poor people been brought together again under happy circumstances. Instead of having to wear out a miserable existence on the slave plantations of Alabama and Texas.”

* While Jonathan Lemon’s name was spelled with one ‘m’ the newspapers of the day added an extra letter, which was adopted in the official report on the case.

The New York attorneys arguing in support of the slaves’ right to freedom also pointed out that the Fugitive Slave Act did not pertain in this instance as the Lemon slaves were not fugitives, but had been taken to New York by their owners.

Paine’s final opinion was that, “slavery can subsist only by the laws of the State,” and that it was well established that “a State may rightfully pass laws, if it chooses to do so, forbidding the entrance or bringing of slaves into its territory.”



Richard Johnson.

He stated that the 1841 law prohibiting slavery in New York was crystal clear and ruled that, “the eight colored persons mentioned in the writ, be discharged.” The news was greeted enthusiastically by a large group of blacks and whites. The newly-free group were escorted from the courtroom by Louis Napoleon and driven off in carriages “amid great cheering and waving of handkerchiefs.”

However, not everyone in New York was sympathetic to the slaves’ plight. The New York Journal of Commerce allied itself with the Lemon family and the South, and reported that:

“Mr. Lemmon is past the middle age of life, and his dress and appearance bespeak him to be a man who has been and is still struggling with poverty. His wife, who, was she dressed in a fashionable attire, would be considered a splendid woman, also bears in her dress the same marks of comparative poverty as does her husband, but not in her manners, which are very lady-like... they (the Lemons) naturally feel indignant at what seems to them an utter breach of the national compact.”

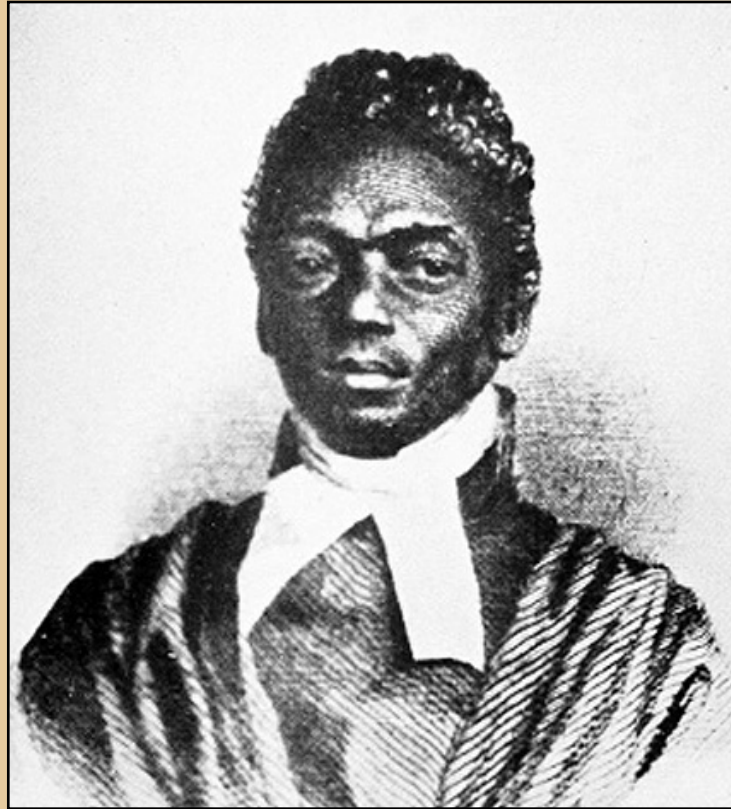
Now free, the former Lemon slaves were in the hands of New

York's abolitionist network who had raised approximately \$800 for their support which was being held for them by Judge John Jay.

Rev. James Pennington and his wife had taken them to Hartford, Connecticut where they were put in the care of black families for a number of weeks. In a December meeting which included Richard Johnson, Louis Napoleon, Charles Bennet Ray of the New York State Vigilance Society and Pennington, it was agreed that Johnson would accompany the group from Connecticut to Canada with plans being made to purchase 100 acres of land for them at the Elgin Settlement.

Soon after arriving in Buxton, Johnson married Elizabeth Burns from the settlement and within a few years had moved to Michigan.

A letter dated March 3, 1853 from Pennington to Jay reads: *"I have just received a letter from Richard Johnson, the relative a protector of your late clients, the Lemmon freed people at Buxton C.(anada) W.(est) in which he requests me to communicate with those who have charge of his funds & to say he is desirous to have the arrangement agreed upon carried out with as little further delay as possible. They have (been) in Canada*



Rev. James Pennington.

over three months. They took only \$45 with them. Their expenses are rapidly increasing. I should think it is desirable for him to have a small amount at once. He mentions the name of Rev. Mr. King of the Elgin Settlement, who I believe is a responsible man, and to whom money may be sent for him.

*Respectfully Yours &c,
J.W.C. Pennington*

Meanwhile, Jonathan and Juliet Lemon were also the recipients of some New York benevolence thanks to the efforts of the New York Tribune:

"Here is a case which appeals directly to the gizzard of Cotton. If Mr. Lemon is not compensated for his lost chattels, there can be no rational hope that New York will hereafter enjoy any portion of the carrying trade in slaves between the slave-breeding and slave-consuming states – a trade already considerable and certain to be largely increased by the annexation of Cuba." The newspaper then urged its readers to contribute to a fund to compensate the Lemons for their loss, which Jonathan Lemon had estimated as, "at least \$5,000."

By November 23, \$5,000 had been raised for the cause, and the following March, the Lemons paid \$4,000 for a tract of

land back in Virginia.

The Danville Advertiser on Feb. 12, 1853:

“The case of Emeline is distinguished from that of Nancy, in one or two particulars. Her first husband, Tom Reynolds, was sold by his master, a man of the name of Wood, to a planter of the name of Cobb Reynolds, residing somewhere on James’s River. He was thus separated from his wife and children, and they from him. Finding it was not probable that he would ever see his wife again, or be able to do anything for her, he sent her word to that effect, and released her from her obligations to him. She subsequently formed a new connection with another slave, the father of one or two of her younger children, from whom she is now separated. Whether her first husband is still alive, or where her second husband now is, Levi, from whose lips we received the foregoing particulars, could not say, and Emeline having left New-York, could not be consulted. The mother of Levi is still in slavery, with eight of her children, and these are in the hands of four different slaveholders. The eldest of her children in slavery is 25 years old, the youngest an infant, born since Levi’s escape.

A letter from Rev. William King of Buxton illustrates that the former Lemon slaves were still at the settlement by the end of 1853:

John Jay Esq., 48 Bukman St.
New York, U. States
Buxton, Dec 22nd, 1853

My Dear Sir,

As one year has nearly expired since the Lemon Freeman were placed under my charge, I wish to know what is to be done with them during the next year; The sooner all who are able to work are made self-supporting the better. Nancy Johnson has supported herself since April, Edmund Wright since July. Lewis Wright, Nancy and all the children have been on the place which was purchased for them last winter, working in common. There has not been much cleared, nor will there be a great deal done by May of improvement till each person is placed on his own proportion of the land; where the proceeds of his labour will go to his own individual support; As the women cannot support themselves and their children, and the men do not seem inclined to support any but themselves. It would be necessary to make some arrangements to keep the children at school while the parents who are willing to go out and support themselves; They are all willing who are able to work to support themselves and save what money is coming to them till they begin housekeeping regularly; I have not provided for them any winter clothes nor made any provision beyond the first of January, nor will I do anything more till I hear from you; unless give them provisions. I will send you their account on the first of January. I have read this letter to the women who think the best thing all of them can do is to work for themselves. (Nancy is at home spending the Christmas Holidays) They desire to be kindly remembered to you and the rest of the committee.

I remain,
Yours truly, Wm. King

Later in his autobiography, King recounted the story:

“A planter named Lemon from Virginia was going to Texas with some of his slaves and came to New York with them for the purpose of getting a boat to go by water to Texas. During the few days that Lemon was waiting for the boat, the slaves were spirited away by the Abolitionists and sent to me in Canada. As the slaves were now beyond hope of recovery, there was no law by which they could be brought back from Canada, Lemon held the city of New York responsible for the loss of his slaves and brought an action against the city to recover their value. But the case went against him in the court and the principle was laid down, that the Constitution of the free states did not admit of holding slaves, and that when brought in by the will of their masters they could not be held in bondage; they were free. This decision was galling to the south. The planters and their families who were in the habit of spending their summers in the north and bringing their own servants with them, could now no longer do so, as they would be sure to lose their servants. The planters still held, however, that they could carry their slaves into the territories and hold them there. The north denied the right and thus the irrepressible conflict in Kansas



which ended in the rebellion of the south.”

But the story didn't end with the former slaves coming to Buxton. In fact, the legal battle itself would continue to rage between the states of Virginia and New York until March of 1860 when the original decision was upheld and no further appeal was made.

Whatever became of the former Lemon slaves and their descendants remains a mystery as the last known official statement of any of the group came when The Toledo Blade of Jan. 17, 1901 carried an interview with the elderly Richard Johnson who reflected back on the famous Lemmon Trial and his role in it. Johnson was also a veteran of the Civil War, having served as a member of the 102nd USCT.

Two of the Lemon sons also fought in the Civil War, on the side of the Confederacy. And, in what must surely have been another blow to him, Jonathan Lemon would lose the five new slaves he had acquired by 1860, this time as a result of the Civil War.