



SHSI (IOWA CITY)

by Lowell Soike

Above: Salem lies in Henry County (yellow on this 1849 map). In the 1840s, runaways from the slave state of Missouri entered southeastern Iowa, seeking refuge in antislavery communities.

Salem's Radical Quakers

SALEM, IOWA, lay only 20 or so miles from the slave state of Missouri, and in the 1840s, fugitives were escaping into southern Iowa, as well into Illinois.

In response, northeastern Missourians formed local anti-abolition societies and stepped up patrols of the Des Moines River near the border with Iowa. Reportedly, once when Salem Quaker Elihu Frazier traveled to Missouri, he was captured by the patrol. Tortured to reveal his plans, Frazier said nothing and eventually was released and sent on his way home. Another time, \$500 rewards were offered for the capture of Salem area residents Ely Jessup and Joel Garretson.

Missouri slaveholders felt themselves in an especially precarious position when their slave "property" lit out for Iowa and Illinois, and by the 1840s, lawmakers from Missouri and other Southern border states were calling for tighter, stricter measures by the federal government to ensure the return of slaveholders' "human property."

Salem was becoming especially notorious to fearful Missouri slaveholders as a hotbed of radicalism. And to many Iowans—wary of interfering with Missouri slavery—Salem and the surrounding Henry County were home to fanatics.

Salem was an antislavery community like others of the Society of Friends (Quakers), but it was something more as well. It numbered among the minority of Friends settlements where numerous members (though not all) were willing to take direct action against the institution of slavery.

This was not coincidental. A core of settlers had come from the strongly abolitionist and underground railroad area of Indiana, the Cherry Grove Monthly Meeting in Randolph and northern Wayne counties. This Quaker section of eastern Indiana was also home to radical Quaker abolitionists, among them Levi Coffin—a famed underground railroad leader whose sister lived near Salem. The large Orthodox Indiana Yearly Meeting embraced settlements from Ohio to Iowa.

As Northern sentiment against slavery increased, the issue especially strained relations between conservative and all-out abolitionist Quakers in Indiana. In the minds of the conservative majority, Quaker members should not go outside the Society of Friends in their antislavery work by joining "public" abolition and colonization societies; such direct political action contrasted with the more typical quiet work of pacifism uncontaminated by evangelical zeal. Orthodox Quakers tended toward written appeals against slavery and gradual colonization of African Americans.

A strong minority, however, argued that moral sua-

sion was not enough; one could be true to one's principles only by joining such outside organizations. These radical Quakers spoke out for immediate abolition and against "black laws" passed by midwestern states to prevent black migration into their area. They engaged in aiding fugitive slaves, and even joined work to rescue enslaved persons from captivity.

In eastern states Quakers had commonly avoided political activity other than voting, but on the frontier they became active in politics as Whigs serving in state legislatures and constitutional conventions. With western Quakers participating in political life, internal strains split Quakers in states represented by the Orthodox Indiana Yearly Meeting over how directly to engage in broader antislavery controversy.

Finally, in 1842, the Indiana majority had had enough. The executive committee of the Orthodox Indiana Yearly Meeting purged eight leading abolitionist troublemakers, including Thomas Frazier in Salem, Iowa.

In turn, the purged leaders and other abolitionist Quakers formed 12 antislavery bodies of the church. Ultimately the schism cost the parent body about 2,000 members out of some 25,000 Orthodox Friends in the Indiana Meeting.

One of the antislavery bodies was in Salem, called the Society of Anti-Slavery Friends. Salem's breakaway body comprised at least 50 members. They bought a five-acre plot for their own burying ground separate from the other Friends cemetery in Salem, and had a separate meeting house, near the home of the society's chairman, Henderson Lewelling.

This radical contingent in Salem was willing to take personal risks for racial justice. They were determined that black arrivals receive a due process hearing, which would declare them to be free blacks unless proven to be slaves. This commitment would be tested in 1848.

A HALF-CENTURY EARLIER, Congress had passed the Fugitive Slave Law of 1793. Intending to give teeth to provisions of the Constitution that protected slavery, Congress made it a federal crime to assist an escaping slave. The law set forth a procedure for seizing the slave, bringing the slave before a magistrate, and returning the slave to its owner.

The Fugitive Slave Law of 1793 affirmed the slaveholder's right to capture runaway slaves across state lines, and it fined persons who knowingly concealed a fugitive, obstructed a runaway's arrest, or aided in the

fugitive's rescue. It left the task of interstate capture to the slaveholder, controlled only by the slave hunter convincing a magistrate to certify that his captive was in fact a runaway.

In the following decades, shortcomings in the law became apparent for both sides of the slavery issue. Slaveholders argued that there was no mechanism to enforce the law in places where people were hostile to a ruling favorable to a slaveholder; the law could not protect a slaveholder who wanted to retrieve his property or be compensated for the loss.

On the other hand, the law did not protect free blacks from being kidnapped and sold as slaves.

In response to these shortcomings, two informal extralegal systems came into being to balance personal property rights and personal liberty: slave catchers and the underground railroad.

BY 1848, SLAVEHOLDER Ruel Daggs and his wife, Nancy, were in their mid-70s. They had moved from Virginia 13 years earlier, and now farmed in Clark County, Missouri, in the extreme northeastern corner of the state. Daggs was getting older and the difficulty in keeping slaves was likely wearing on him. His slaves had heard rumors that he was considering selling them south.

Late on Thursday, June 1, 1848, John Walker and eight other of Daggs's slaves slipped away and began their trek north. Walker knew where he was headed. In April he had fled Daggs's farm and taken refuge some 30 miles northwest, in or near Salem, Iowa. In late May, Walker had returned to Daggs's farm to gather up his family and friends.

Besides John Walker (age 22 or 23), the group included his wife, Mary; Julia (18); Sam Fulcher (40-45) and his wife, Dorcas; and four children under 10—Martha, William, an infant, and another child (whose name has gone unrecorded).

On the night of June 1, in heavy rain, the nine fugitives reached the home of Richard Leggen in Iowa. Leggen had sympathy for runaways, and his household included several free blacks brought with him from Kentucky.

The following night, the runaways rafted across the swollen Des Moines River near Farmington. There they apparently hid for the day and then continued towards Salem on Saturday night.

Ruel Daggs had realized that his slaves were missing on Friday morning. His son George searched the immediate vicinity. His older son, William, and neighbor James McClure traced the runaways north to a river crossing

near Farmington. They met up with Samuel Slaughter, who farmed nearby; apparently William offered him a reward for helping to capture the slaves.

William Daggs returned to Missouri, while McClure and Slaughter continued north towards Salem, following fresh wagon tracks. When they spotted the wagon, Slaughter sped up to investigate. A half-mile south of Salem, it pulled off the road into the brush. Slaughter found three young men with the wagon who claimed to be returning from a fishing trip. Seeing no blacks in the wagon or nearby, Slaughter accompanied it into Salem. McClure arrived later.

The slave catchers were joined by two local men, Henry Brown and Jesse Cook, but they had no luck searching for the fugitives about town. The next day Slaughter and McClure searched the brush near where the wagon had pulled off the road. They found nine blacks (two men, three women, and four children). While McClure guarded them—only John Walker showed any resistance—Slaughter rode into Salem to get Cook and Brown. Returning, he found a number of Salem men gathered around.

One yelled out that he would "wade in Missouri blood before the Negroes should be taken." Another said that Slaughter had to appear before a justice of the peace to prove that the nine were actually fugitives. Outnumbered, Slaughter agreed.

Sometime upon arriving at Salem, John Walker disappeared into the crowd, as did his wife, Mary, and the infant. Dorcas, Julia, and two of the children stopped to rest south of Salem, with Slaughter's permission. This left only Sam Fulcher and his son, William, proceeding into town with Slaughter and the crowd. The crowd had grown to 50 or 100, "with a good deal of confusion. A great deal of sympathy [was] expressed, principally by the women present." On the edge of Salem stood a stone house where Justice of the Peace Nelson Gibbs kept his office. The hearing started there, but because the crowd was growing, the proceedings were moved to the antislavery meeting house a block away. Aaron Street Jr. and Albert Button stepped forward to act as the blacks' defense lawyers.

Justice of the Peace Gibbs first inquired whether the slave catchers had "a certificate from the clerk of the court in Missouri with his seal to prove the property."

Slaughter answered no, but that he could prove their identity through the testimony of McClure, who was staying in the background and soon left the hearing.

Gibbs then asked if the slave catchers had written authority to pursue the slaves. Slaughter said no, only verbal authority.



The Henderson and Elizabeth Lewelling House represents both antislavery events and horticulture. This is where the crowd first gathered for the hearing. In addition, Henderson Lewelling sold fruit trees from his Salem nursery until 1847, when the family moved to Oregon with 700 saplings. He sold the first grafted fruit stock on the West Coast. The house is now a history museum.

The justice of the peace concluded to release the fugitives. "He said he had no jurisdiction, and they were free as himself, for all he knew."

The crowd moved out of the meeting house, including the two accused fugitives. Thomas Clarkson Frazier reportedly told Slaughter that he could leave Salem unharmed, but without the fugitive slaves. McClure had already left town, likely picking up the four blacks left on the road south of Salem, for they were returned to Daggs about a week after their disappearance.

Sam Fulcher and young William hid near the Quaker settlement of New Garden, and then in the little Congregational village of Denmark; both were stops on the underground railroad. Allegedly they traveled east through Yellow Springs near the Mississippi, on to Chicago, and then to Canada—as did John, Mary, and the infant.

MORE WAS IN STORE for Salem. Stories of the incident had angered and excited the people in Daggs's county in Missouri. With blank warrants from a justice of the peace, a heavily armed mob appeared in Salem, numbering between 60 to 100, according to various accounts. The mob sealed off roads out of town and proceeded to search every house for the fugitive slaves.

By evening, they had arrested 19 Salem men and held them overnight at the hotel. Meanwhile, two

Quakers slipped through the roadblock, one headed to Mount Pleasant, ten miles away, for the sheriff; the other, twice the distance to Denmark for reinforcements.

Accounts vary over the next day's chain of events. The sheriff arrived and concluded that the Missourians had no legal authority for their action. He ordered them to release the 19 prisoners and disperse. Reportedly, the mob went to nearby Washington, got drunk, threatened to burn down Salem—and then quietly returned to Missouri. By this time about 40 men from Denmark had arrived in Salem.

The events in Salem signaled a turning point in northeastern Missouri. As the editor of the *Hannibal Journal* ranted: "These enthusiasts, these Fanatics, as they are called by some, but who deserve no softer ap-

pellation than Thieves, have commenced their operations in a new quarter. Heretofore our only danger has been from Illinois, in which direction we had some safeguard in the fact that the Mississippi river intervened. Now a more dangerous outlet is opened in the north in the facilities of getting to Salem in Iowa, which is said to be the headquarters of these depredators and in which direction there is no similar barrier, the River Desmoin almost at all times being easily crossed by an individual without assistance from others."

In Iowa, the *Keokuk Register* commented that surely the stories about the events were exaggerated, for Salem was known for its morality and obedience to law. Other papers agreed that it was a scandalous, criminal affair, of which Iowans should be ashamed. A *Burlington Hawk-Eye* story remarked that people may be ignorant of the guarantee of slaveholders to recover escaped slaves through the Fugitive Slave Act of 1793.

On August 3, 1848, Ruel Daggs filed suit against 19 Salem men. He claimed \$10,000 in damages for the wrongful taking of personal property and compensations for lost services of his nine escaped slaves. He valued John Walker and Sam Fulcher at \$900–\$1,000 each; Mary, Dorcas, and Julia at \$600–\$700 each; Martha at \$250–\$300; William at \$200. No value was placed on the infant and smallest child. For lost services he claimed \$100 per year for the men and \$50 per year for the women.

In January 1849, U.S. District Court Judge John J. Dyer heard the case in the state capitol in Iowa City. The case lingered on into June; pleas were amended, lawyers replaced, demurrers filed, and more depositions taken. On the morning of June 6, the case went to trial.

At the conclusion of the proceedings, the judge turned the case over to the jury. He cautioned the jurors, "It is a case well calculated, at this time, to create some degree of interest in this community. For, while our whole country is agitated upon the subject of Slavery—while towns, counties and States, have been and are arrayed against each other in an almost warlike attitude, . . . and the fears of citizens in various portions of the Union are exciting and inflaming their minds, and driving them to acts, which, it is feared, will have soon, if they have not already, brought us to the very verge of Destruction—I repeat, it is not strange that there should be some interest manifested in the result of this case."

The judge explained that the jury's role was to decide whether the 19 defendants "had notice" that the blacks owed "service or labor, according to the laws of the State from which they fled, to the person" who claimed them. Were the slave catchers actually agents of Daggs's, and did the defendants know this at the time? And did the slave catchers' statements amount to sufficient notice for Salem residents to know not to take steps that "defeat the means of the claimant to secure the fugitives"?

With evidence in the case being largely circumstantial, it took the jury but an hour or two to return with a verdict, finding six of the defendants guilty and assessing the damages at a total of \$2,900. The jury concluded that the other 13 defendants were not guilty.

For most state editors, the verdict spoke for itself, underscoring the consequences Iowans could face for defying the federal law. As the *Keokuk Valley Whig and Register* noted, "The verdict will be a warning to meddlers."

The *Burlington Hawk-Eye* presented the case factually and noted, "The court room [was] fully occupied with anxious listeners until its termination, perhaps owing as much to the discussions and excitement now existing in Congress upon this identical subject. . . . The jury was an excellent one, and, we cannot doubt did full and impartial justice to the parties."

Another article in the *Hawk-Eye*, however, commented that the verdict "certainly shows a disposition to give to the South all they can possibly claim; and all this clamor about the necessity of more stringent laws to catch runaway slaves, as far as Iowa is concerned, is all a humbug."

THOUGH THE COURT found that Ruel Daggs was entitled to \$2,900, he never collected even a portion of it. The defendants in Salem had earlier taken steps to transfer or sell off property that might be attached.

The federal court case surrounding the events at Salem, Iowa, became one of the last major cases tried under the Fugitive Slave Act of 1793, and perhaps the only one west of the Mississippi.

The case revealed the final inability of this 55-year-old law to cope with changing realities. Sectional conflict was gaining power in what was then the frontier West. Border slave states increasingly urged a new fugitive slave law upon Congress—a law that would bring greater federal protection for recovering escaped slaves. ♦

Historian Lowell Soike is currently writing a book on antislavery and underground railroad activities in Iowa.

