

The McClintock Slave Riot of 1847

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In the late summer of 1847 when Professor John McClintock was tried before the Quarter Sessions Court of Cumberland County, the only white man among 34 other Carlisle Pennsylvanians, all black, charged with inciting a riot, he seems to have reached a turning point in his career. His first book had just been published by Harper Brothers in the fall of 1846;¹ he had been offered and had declined a munificent post as professor of modern languages at the University of Pennsylvania; his satisfactions with teaching at Dickinson College were great; and his almost accidental part in the stark drama of the slave riot set in the new courthouse in Carlisle climaxed a quickening of conscience against slavery on his own part.

John McClintock spent twelve long, difficult, though happy years in Carlisle, laboring at Dickinson. This all doubtless gave him a sense of belonging which was quickly dispelled in the riot on the square. In approaching our subject, we might ask then, "Can a college professor in a Pennsylvania town near the southern border in the 1840s, continue to find happiness and academic fulfillment, while writing and acting like an abolitionist in the eyes of most of his townsmen?"

It all started on a warm June Wednesday in 1847, when two Hagerstown slave owners, James Kennedy and his brother-in-law, Howard Hollingsworth, came North to Carlisle to retrieve three fugitive slaves. Lloyd Brown and his daughter Ann, a child of about ten, allegedly belonged to Hollingsworth's father, Colonel Jacob Hollingsworth. Kennedy was in Carlisle to claim the third slave, Hester, who was known to have been married to a Carlisle man. Two early June issues of the Hagerstown *Herald of Freedom* report that ten or twelve slaves of that place "have taken to their heels for Pennsylvania."² Their several owners were named, among them Kennedy and Hollingsworth, who captured their three fugitives near Shippensburg, from whence they were taken to Carlisle, where the riot then ensued.

On the morning of June 2 in Carlisle the owners appeared before the justice of the peace with the captured fugitives, made claims of ownership with what was considered sufficient proof, and then received a certificate delivering the Negroes into their custody. They found the local constabulary to be obliging allies who agreed to keep the three slaves in jail to serve the owners' convenience until their return to Maryland.

When the deputies were taking the prisoners into jail, George Norman, a Negro and the husband of the slave Hester, tried to snatch her away. At this point, Robert McCartney, the sheriff's assistant, knocked Norman back against the jail wall, and a group of blacks, mostly women, now milled around the jail in an angry mood while the prisoners were taken inside.

At about noon a writ of *habeas corpus* was obtained by Samuel Adair, a local Whig lawyer, acting for agents never named, and a hearing was set at 4:00 P.M. by Judge Samuel Hepburn. A crowd of blacks hung around the jail until its doors were opened and trouble seemed so imminent that a posse of five men was deputized to come to the aid of the sheriff. At the hearing, the judge quickly decided that the local justice had illegally given the fugitives into the custody of the sheriff, but he ruled at the same time that the slave owners could rightfully keep the certificate from the justice of the peace remanding the slaves to them. However, Kennedy and Hollingsworth had been arrested on a warrant from the justice of the peace for forcibly entering the house in which the slaves were found, possibly somewhere near Shippensburg;³ as they had left the court room to give bail they asked Sheriff Jacob Hoffer and McCartney to take charge of the fugitives in their absence. The willing officers stationed themselves close to the prisoners' box. The blacks in the crowd, becoming increasingly agitated and incensed, rushed the prisoners' box and attempted to rescue Hester. The sheriff's assistant McCartney, who had threatened the woman's husband earlier, drew his pistol and threatened to shoot anyone who attempted a rescue. The judge, fearing a riot before his eyes as he sat on the bench, ordered the room cleared, and the crowd was forced down the stairs outside, except for the slaves and their captors. So at this point two rescue attempts had been aborted, one at the jail and one at the courthouse.

At about 5:00 P.M. that day, Professor John McClintock, unaware of all that had been happening on the square, was taking his daily walk to the post office across from the court house, when George Sanderson, the postmaster, called from the courthouse steps to tell of the *habeas corpus* hearing for the fugitives. The judge had just ruled the fugitives' imprisonment illegal when McClintock entered the court room. He talked with the Reverend J.V.E. Thorne, who expressed doubt that the testimony given even proved that the woman and child were slaves. McClintock then took a seat in the bar with the counsel for



JOHN MCCLINTOCK. Oil Portrait. Courtesy of Dickinson College.

the Negroes and found upon inquiry that the judge as well as the lawyers were ignorant of a recently enacted law which made the procuring of slaves in Pennsylvania illegal. This act, passed on March 3, 1847, forbade any officer of the state to assist in carrying out the federal Fugitive Slave act of 1793 or to take cognizance of any case arising under that law. Judges, jail-keepers or sheriffs were to be penalized for aiding in the restoration of a run-away slave.⁴ McClintock, always interested in the law, seemed to have the only authorized copy of the bill, available in a newspaper, and he offered to return to the College for it.

From this point McClintock's diary continues the account:

About this time there was a melee in the courtroom, the nature of which I did not understand. I passed down to the door of the courtroom and saw a coloured man near the door, whom I had known as a decent man, apparently in danger. A man (Foulke) had a mace or long stick in his hand raised threateningly to the best of my recollection - he said to the Negro, "You ought to have your brains knocked out" or "your skull broke." The Negro asserted that he had done nothing, and I told him, in that case, "if he was struck or injured, to apply to me & I would see that justice was done him."⁵

He subsequently went back to his room to get a copy of the law for the judge and he continues in his journal:

After some conversation, we came out to the courthouse steps conversed there with several gentlemen, a few moments, when the coloured people were brought out to be led into the carriage which was drawn out immediately in front of the courthouse. I anticipated no outbreak & indeed was sure that the people would be taken off in the carriage. But as they were going in, either they attempted to escape, or others attempted to rescue them; blows were struck, as far as I could judge, by the white men first & a general riot with missiles ensued. I kept out of it, but after it was over, approached a crowd near the market house, where I heard that a man was hurt. Found it was Mr. Kennedy, the owner; asked Dr. Mahon if he was badly hurt, he replied not dangerously—I expressed regret and then passed on homewards.⁶

Kennedy had been chasing the Negroes, who were fleeing with slaves down Liberty Alley. He had apparently tripped and fallen and then was trampled in the crush. (Testimony at the trial was conflicting about how this actually occurred or what caused his injuries.) On McClintock's way home near the courthouse corner, he again intervened when two men were abusing an old Negro woman who claimed that she was only trying to get her old man out of the fray. In the eyes of the white rabble on the square, the professor was already guilty of two things: of knowing more about the law than the lawyers and the judge, and of intervening on behalf of two negroes who were threatened by whites in the

crowd. The inflammatory events of this warm summer afternoon on the square multiplied. Again from McClintock's diary:

After tea I heard that I was charged with exciting the riot, and that a writ was out against me. All sorts of stories were told and many of the students were very much excited. They held a meeting on the Chapel steps at 7 P.M. Emory [his friend who was then president of Dickinson College] went there and said a few words; when I heard of it, went out, and gave them the true account; told them to go down and ask any decent person they chose and they would find it confirmed. They behaved very well. It was stated in the evening that our house should be mobbed; the town was in great excitement and it was thought best for my family to sleep at Dr. Emory's.⁷

On June 3 President Emory stood bail of \$300 for McClintock and the trial was set for August 25 before the Quarter Sessions Court. Also indicted were 34 Negroes who had engaged in the riotous assembly around the courthouse. Of these, nine were women, six of them wives of men also listed as defendants.⁸

Although McClintock's letters to relatives and friends show only composure and calm at this juncture, his deep indignation and chagrin at the turn of events in his beloved Carlisle comes out in this emotional entry in his diary.

The truth of the case was that my human and Christian sympathies were openly exhibited on the side of the poor blacks and this gave mortal offence to the slaveholders and their confreres downtown. The sentiment of the aristocracy of the town . . . is all pro-slavery and in this they are hand in glove with the lowest rabble.⁹

Moncure Conway, who was a student at Dickinson at this time, gives his version of the students' reaction to news of the riot in his *Autobiography*:

There was probably not an abolitionist among the students, and most of us perhaps were from slave states. My brother and I, like others, packed our trunks to leave college. A meeting of all the students was held in the evening -in the college chapel at which President Emory spoke a few reassuring words; but we Southerners, wildly excited, appointed a meeting for next morning. At this meeting (June 3) we were all stormy until the door opened and the face of M'Clintock was seen, serene as if about to take his usual seat in his recitation-room. There was a sudden hush. Without excitement or gesture, without any accent of apology or of appeal, he related the simple facts, then descended from the pulpit and moved quickly along the aisle and out of the door.

When McClintock had disappeared there were consultations between those sitting side by side, and two or three Seniors drew up resolutions of entire confidence in the professor, which were signed by every one present (ninety) and sent to leading papers for publication.¹⁰

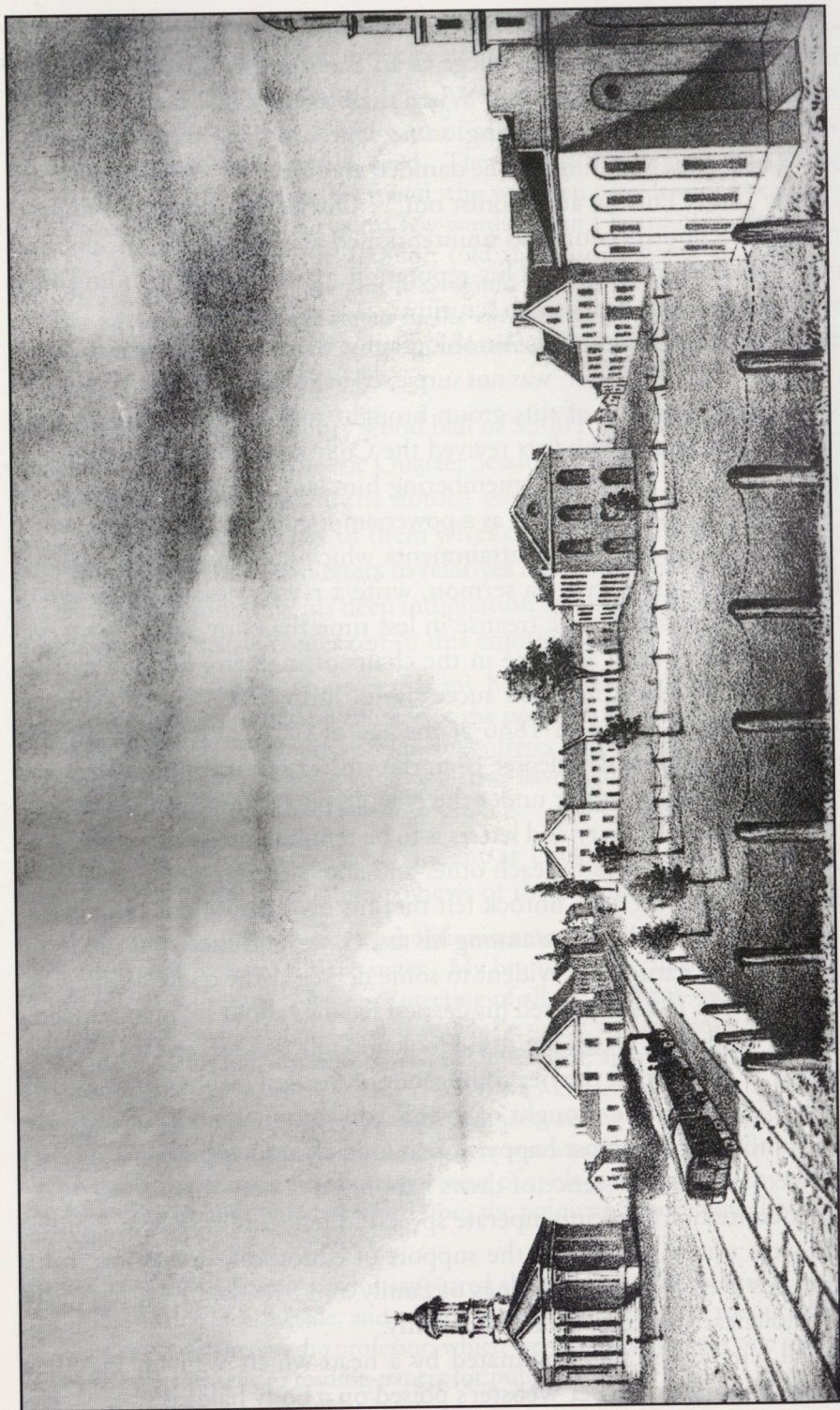
This prompt action by the students was important, no doubt, in preventing McClintock's dismissal from the college as an abolitionist. Many in the town felt that this was his real profession. When the professor had first entered the court room at the close of the hearing, some whites in the crowd muttered or shouted, "There goes McClintock-the damned abolitionist", "Three groans for McClintock", and "Put the abolitionist out!"¹¹ Obviously, though his appearance in Judge Hepburn's court was unintentioned and accidental, his political reputation had preceded him. This reputation as well as his standing with students and colleagues bears some scrutiny.

Moncure Conway, again in his Autobiography, writes that the faculty under whom he studied at Dickinson "was not surpassed in ability by any in America."¹² John McClintock was one of this group brought together by President John Price Durbin after the Methodists revived the College in 1833. His colleague William Henry Allen wrote, in remembering him later, "The youngest of our corps, he quickly made himself felt as a power among us, and gave early promise of the breadth and depth of attainments which subsequently made him eminent. . . . He could prepare a sermon, write a review, learn a language or master the details of a scientific treatise in less time than any man I have ever known."¹³ He was equally at home in the chairs of mathematics and ancient languages, both of which he filled successively during his 12-year tenure at Dickinson, which he began in 1836 at the age of 22. He came to his first teaching position there with a degree from the University of Pennsylvania, and a brief experience as a minister under the New Jersey Methodist Conference.

To read McClintock's diary and letters is to be reminded of an era when such men expressed their feelings for each other and about themselves unreservedly and with sensibility. Yet McClintock felt that his own emotional and volatile nature put him at a disadvantage among his associates, and there was no doubt that this side of his nature was evident to some degree at the courthouse. One entry in his diary in 1841 expressed his deepest feelings about his own temperament: "Men think me volatile because I look and talk as I feel without reserve or hypocrisy. . . . I find that the free indulgence of the best feelings of one's own nature is a thing not to be thought of in this conventional world of ours; the man that is most frigid is most happy. Great God-What happiness! Call they this negative, sleep-like existence of theirs happiness! I envy them not!"¹⁴

Whether contempt in an intemperate speech to fellow ministers at Conference who were unsympathetic to the support of education, or passion in his frequent "Laus Deo's" for the blessings of family and friends, he expressed his feelings wholeheartedly and often vehemently.

His small wiry frame was dominated by a head which William H. Allen recalled was "as large as Daniel Webster's poised on a body half his size."¹⁵ His



CARLISLE PUBLIC SQUARE, about 1847. Site of the McClintock Riot. Print after Sherman Day. Historical Collections of the State of Pennsylvania (1843), Cumberland County Historical Society

quick intelligence often lighted his somewhat florid but handsome features, and as Allen later was to testify about him at the trial, it was natural for him to express himself with frequent gesticulations.

His intense drive for work compounded his general weakness in health, with his working days starting with chapel at 6 A.M. and ending with recitations until 6 P.M. In addition to his college class work, he started a Sunday School in the church, a theological class for students on Sunday afternoons; he was librarian of the College, taught classes in Miss Paine's School for Girls, was secretary of the Board of Trustees for several years, and still found time to preach often, to travel among the Conference churches raising money for the College, and to write book reviews, articles, and letters for scholarly and Methodist journals. He wrote three books while he was at Dickinson. In 1848, when he left the College to become editor of the *Methodist Quarterly*, he was already well on the way to being America's foremost scholar of American Methodism.

The McClintocks lived on West Louthier Street within a block of the College. John and his first wife, Caroline Augusta, had four children, two of whom survived.¹⁶ They found their comfort and pleasure in the intimate society of the faculty, a few close town friends, and with students who were often in their home. The enrollment was under 200 in the mid-forties.

McClintock had a life-long interest in politics. In a letter to his brother-in-law he writes of the town's and his excitement over a coming Whig celebration that would attract all fellow Whigs of Pennsylvania for Henry Clay and the Tariff of 1842. As an ardent Whig, he vowed "to rebuke this abominable Texas iniquity with pen and tongue. The days of this republic are numbered, and by right ought to be, if by its means slavery is extended one inch or prolonged in its wretched existence one hour."¹⁷

The sharp abolitionist epithets which were applied to this sensitive and much loved professor in the courtroom come into some perspective as one sees his anti-slavery views develop, though as Conway says, "It would have not been easy at that date to find a professor in any American college willing to shield Negro slaves."¹⁸ It would seem that the events of history and the friendships he formed, combined with his own deeply religious commitment to human justice, led him to the inevitable involvement on the side of the slave and justice in 1847.

By 1841, he was deeply committed to an anti-slavery position as he writes to his dear friend Robert Emory, "It seems to me that the church can do only one thing in regard to so heinous a crime as slavery, namely to bear her testimony against it, and use all her influence for its extirpation. . . . And may God's curse come upon us if, either directly or indirectly, we sanction slavery! We have tampered with it long enough."¹⁹

The anti-slavery movement was essentially a religious one, as were most of the reform movements of the mid-nineteenth century, so that it seemed only natural for McClintock to see the abolition of slavery coming through reform of the church's attitude toward it. When he writes to his wife in March 1844 just before the Methodist General Conference, "It is said Bishop Andrews has married a wife with slaves and if it be true, he will have to resign his Bishopric at the General Conference," he was pinpointing the issue which split the Methodist Church into Northern and Southern Conferences in 1844.²⁰

John Price Durbin was one of those who tried in vain to effect a compromise after this happened. While affirming that the episcopacy of the Church "ought not to be trammelled with slavery," he sought for a plan of pacification.²¹ McClintock spoke out against Durbin's compromise in the November 27, 1844, *Christian Advocate*. The reaction of the Rev. James Sewell from East Baltimore records the antipathy of many old line Methodist ministers to professors with liberal views.

The position which you occupy as Professor of one of our literary institutions that receives much of its patronage from the South should have restrained you at this crisis [*sic*] of our Church affairs from the attack which you have made on one of the civil institutions of the land. You may rouse the prejudices of the mind but how could you hope to produce conviction by stepping out of your sphere as an instructor of our youth so far as to fight the battles of the Abolitionists . . . So you think my brother "that the question of Slavery is the great question of the age" and I suppose you think too that great men must come forth armed for the conflict.... This question is the nut upon which all the Drs. & Professors must try their long, polished and pointed teeth. I would just say that some of them will have need of a moral dentist by the time they have cracked it.²²

From all that we can learn from McClintock's papers, his anti-slavery sentiments found little sympathy in Carlisle. He writes in a letter on June 12, "There are not two men in this town bold enough to take a stand against slavery publicly."²³ There is no evidence of his having had any contact with whatever abolitionist sentiment there was in Carlisle, though there is some evidence that his acquaintance with the Negro community went beyond the sphere of his Negro maid Catherine.

We can only assume that he might have known of the activities of James Miller McKim, of Dickinson's class of 1828, who was involved in founding the Carlisle Anti-Slavery Society some time in 1834. This society was short-lived, but McKim's subsequent efforts as a Pennsylvania Anti-Slavery Society agent and abolitionist have been assessed as scarcely second in importance to that of his friend William Lloyd Garrison. In the summer of 1847 immediately following the riot, McKim wrote McClintock a long letter of sympathy and exhortation

from the Anti-Slavery office in Philadelphia. In this he writes, "Unless Carlisle has greatly changed for the better since I was one of its residents, your liberal views of truth and duty find but little sympathy from those around you. The dead formalism passing current there for religion has but little in common with practical-reformatory Christianity...Such views of Christian truth and duty as you have avowed, the church will not tolerate."²⁴

McClintock's reply to this letter is a classic statement of his own stand in relation to the slavery problem. "As for swerving from my course for fear of popular clamour, you need have no fears. That is no part of my religion. And, on the other hand, be charitable enough not to charge me with cowardice or moral obliquity because I cannot see & do exactly as you do. That I shall do all in my power, so long as I live to aid in the deliverance of the oppressed coloured race, North and South, you may rest assured."²⁵ It is understandable that McClintock should ask McKim to keep his remarks "private."

It had been only a few months before this that McClintock's views received a rebuff from the Church, which McKim found so wanting. The debate over slavery which had caused the division in his church was involving McClintock even more deeply in the controversy. In February 1847 he sent to the *Christian Advocate* the first of what he announced would be a series of articles on slavery. Four of these were printed, but in May the editor, Thomas Bond, announced that the McClintock series was to be discontinued because of wide objections to it from the readership.²⁶

McClintock's main concern throughout these pieces was to show that slavery was incompatible with Christianity, and he did it with force and passion. He, like McKim, thought it was the duty of the Christian church to extirpate the evil of slavery, not to find scriptural rationale for it, as many Southern churchmen did. He says that he could never be an abolitionist himself for he could never believe "that all slaveholders are sinners and should be cut off from the fellowship of Christianity."²⁷ Yet he points out that the great majority in the North by this time have become aroused against slavery and that this has come to pass because of the abolitionists. Apparently these views were too much for the Southern readers of the *Advocate* and its cautious editor, who canceled them.

With this prelude on McClintock's part, one can imagine with what strong feelings these same readers of the *Christian Advocate* greeted news of his involvement in a slave riot a month later. Small wonder that President Emory and the trustees of the College set about remedying this damage with a network of therapeutic correspondence to their friends in the South that carried the message that McClintock was not an abolitionist and that his intervention in the riot was purely accidental.

Robert Emory had the difficult task at this time of correcting representations about the riot and McClintock which would be detrimental to the College. At the same time he was trying to keep intact his own integrity as an anti-slavery sympathizer as well as his friendship with John McClintock. He took pains to point out that McClintock would never prevent slave-owners from obtaining their rightful property, and that he "did nothing unbecoming a Christian or law-loving citizen." In one letter he pointed out that the initial clamor raised against McClintock "was got up by certain lewd fellows of the baser sort" and that those against him in the matter were "a notorious gambler, a rum-seller, a professed negro-catcher, etc. while the witnesses for the professor are two ministers of the gospel (both of other churches) and some of our most pious and respectable citizens."²⁸

And letters came in to Emory from anxious friends, parents, and alumni. One itinerant minister wrote that the citizens of Accomac in Virginia had recently committed copies of the *Advocate* containing the McClintock slavery articles to flames in the county town square.²⁹

Most wrote admiringly and with disbelief about the professor as he was represented in many papers and all asked for public corrections in print, or visits from Emory to their areas to restrengthen frayed ties with the College. A few like Otho Norris from Frederick, Maryland, suggest that McClintock be speedily removed from the institution before vacation "when the students return home to the different states."³⁰

A glance at the Dickinson commencement exercises held on July 7 gives us some insight into what the day held for the beleaguered professor. Besides the tension-filled trustees meeting in the afternoon, where he perhaps squirmed uncomfortably as his friend Emory rationalized his position, McClintock had to fill in as a last-minute replacement for Charles Gibbons who was unable to deliver the Belles Lettres Literary Society address as scheduled. Though hastily written, McClintock's address, entitled "Devotion to Truth," was hailed as a signal success in the papers.

President Emory's task of counteracting the effect of the riot on the College's reputation was magnified by sensational and prejudicial newspaper reports. The story was circulated widely and the source for most papers was the local *Herald & Expositor* or, unfortunately for McClintock, the *Hagerstown Torchlight*. It was from the latter source that the *Philadelphia Public Ledger* reported that numbers of Dickinson College students rallied to the aid of the slave owners; that many of the Negroes were severely wounded, and "we are told that at every post and corner was someone to be seen, bloody, and bleeding, leaning for support;" that McClintock was conspicuous in urging the Negroes to the attack, and that the students were meeting to demand his removal or to withdraw themselves.³¹

The *Ledger* and the local *Herald*, among many newspapers, published the statement by Dickinson Southern students refuting point by point the above story from the *Hagerstown Torchlight*. Students, they said, could not have been involved in the riot since they were all attending a joint meeting of the literary societies at this time and knew nothing of the affair on the square; and on McClintock's behalf again they wrote:

The conduct of this gentleman towards the students has always been of such a nature as to call for our warmest commendation. So far are we, from desiring his removal from this institution, that we thus publicly express our high regard for him as a professor, a gentleman, and a Christian. Moreover, we sincerely hope that he may long remain with us as an instructor, for we are fully conscious that his withdrawal from the institution would be an irreparable loss both to ourselves and the college.³²

This statement of the students printed in the *Ledger* is the only one which prints all 90 Southern students' names, beginning with 55 students from Maryland and 21 from Virginia.

The righteous indignation of the Hagerstown papers on behalf of two of that town's leading citizens was understandable since the papers of this period carry frequent stories of group runaways of slaves such as the one of the twelve who escaped from Hagerstown. The *Herald of Freedom* asserts that the masses in Carlisle took no part in helping the owners capture their slaves: "According to the laws of our state and those of the United States, we have just as good a right to hold slaves as the Carlisle people have to hold horses. Suppose a hundred of their horses were stolen and brought back to Hagerstown. Would we not help them to retrieve their property even if attacked by a mob?"³³

The American Volunteer in Carlisle, upstaged by the *Herald's* earlier scoop on the riot, had only a brief account of the "disgraceful riot, which took place in our usually quiet borough on Wednesday of last week."³⁴ But when James Kennedy, the unfortunate slave owner, died suddenly on June 23, the Democratic *Volunteer* showed its true political stripes.

The Abolition fanatics can now witness the first and choice fruits of their maddened zeal. They have a beautiful spectacle before them - the workmanship of their own hands. They can now see the legitimate results of their course of conduct - a course which if persisted in will set this Union in ablaze from one end to the other.³⁵

They call for the abolition of the 1847 law saying,

It was passed surreptitiously, and we understand, is a literal copy of an act passed by old blue light Massachusetts in reference to the same question. Pennsylvania and Massachusetts seldom stand side by side on any question, and now they feel ill at ease in each other's company on this.

Pennsylvania has been duped by a few Abolition agents, and will right herself immediately. She is too honest to have any faith in wooden nutmegs or Yankee notions.³⁶

This same issue carried the story of the public meeting called on June 25 upon the announcement of the slave owner Kennedy's death. He had died unexpectedly from wounds not thought to be serious. After an assemblage of citizens gathered in procession for the removal of the body to Hagerstown, they met again in the evening at Education Hall, and chose officers, many prominent names among them. Frederick Watts helped to draw up resolutions of sympathy to the bereaved, and of castigation of the acts of a lawless mob. The meeting was adjourned after a speech by J. Ellis Bonham, who was later to be the prosecuting attorney in the August trial of the rioters.

A concluding paragraph in the *Volunteer* article on Kennedy's death must have fallen on many sympathetic Carlisle ears and brings us to the Negroes' part in the riot:

Another matter forces itself upon our attention, and now is the proper time to discuss it. It has long been a question whether it was a sound policy to permit blacks of all descriptions and characters such unrestricted liberty to come and settle among us. We appear to be the Botany Bay for the African race. Every runaway negro finds a home in Pennsylvania. Is not this evil becoming a crying one? Should it not be remedied? Will it not largely increase in magnitude, and that speedily? It is not to be denied that a large portion of the time of our Criminal Courts are taken up in trying worthless vagabond negroes, for almost every species of crime at a great expense to the public. They fill our poor houses and jails and this alarming evil is on the increase. Ought we not then, like our Sister State of Ohio, pass a law requiring every black man who takes up his residence in Pennsylvania, to give bond and security for good behavior? Would not such a policy stem the yearly tide of black population, which is pouring in upon us, and inundating the southern counties of this state?³⁷

What of these blacks who had been allowed to come and settle with such "unrestricted liberty?" It is as much a challenge to reconstruct the lives of at least a few of the 34 black men and women in the riot trial as it is to sort through the masses of McClintock papers to present only what seemed most pertinent to this event in his life. We know, of course, that George Norman was the husband of the fugitive Hester and this makes him unique, but who were John Clellans, Augustus Coates, or Achilles Vandergrift? We know that Ann Garver was helped by McClintock when one of the white men was threatening to take her "old man" prisoner. We know that Moses Jones, whom McClintock championed when he was threatened by Willis Foulke, was arrested later in 1850 and claimed as a fugitive by a Virginian after the Fugitive Slave Act was

passed.³⁸ He was discharged at that time. Mark Scott of Carlisle was a barber who was sent there by one of John Brown's men in 1859 to help to rescue another of Brown's men from the Carlisle jail.³⁹ Valentine Thomas was a waiter at Winrott's tavern, where the slave owner Kennedy was staying when he died so unexpectedly. College vouchers for 1847-48 show James Jones' bills for carrying wood and whitewashing.⁴⁰ John Hunter's name appears most often although it turned out that he was finally not prosecuted at the trial. He had lived with Jacob Rheem for three years and he was probably the Negro named Hunter listed as an underground railroad agent. A glance through the same Quarter Sessions docket which contained the riot trial shows that Anthony Boon, Hall Holmes, Eli Butler and Mealy or Amelia Butler, who were all among those indicted for riot, ran afoul of the law within a two-year period after the riot. Boon was charged with arson,⁴¹ Holmes was charged with larceny⁴² and the Butlers were charged with assault and battery and not keeping the peace with each other!⁴³ It should be added that several white witnesses for the Commonwealth are charged with crimes in the same docket. There are no records of wills or deeds for these black residents, so one can only imagine from the pitifully little we know of Negro institutions at that time and from McClintock's trial notes what they were like as individuals and how one can account for their audacity in storming the prisoners' box on behalf of their unfortunate fellows.

The Census for 1810 shows 307 slaves in Cumberland County; in 1820 there were 17, in 1830, 7, and in 1840, 24, and by 1850 none. Slavery was stronger in Cumberland County after 1800 than in any other part of Pennsylvania and the institution prevailed here longer than in any other county of the Commonwealth.⁴⁴ The Census for 1850 shows that 349 of the 4,581 residents of the borough were Negroes, a disproportionately high concentration of the county's total population of blacks.⁴⁵ These statistics help to explain why Cumberland County's attitude through these years and longer was not marked by benevolence toward Negroes.

One can surmise that some of the 300, some Negroes living in the county in 1840, arrived here via the Underground Railroad; perhaps this was the route by which the twelve fugitives came up from Hagerstown. There were stations at Chambersburg, 16 miles from the Maryland border and the next stops to be reached nightly were at Shippensburg and Boiling Springs. Boiling Springs was an ideal station, where Daniel Kaufman, an agent, kept fugitives sometimes for days in Island Grove, a dense thicket adjoining his farm. In his later life, he guessed that during his agency, he aided 60 to escape on to stations in Carlisle or Harrisburg on their way to freedom via the North Star.⁴⁵

Scanty evidence seems to show that the only ongoing efforts on behalf of freedom for slaves in Carlisle was carried on by the Negroes themselves. This

observation seems to have been borne out by James Miller McKim, who was an outstanding white exception to the rule. In 1833 when he was running his father's tannery on the LeTort and studying for the ministry under the Reverend George Duffield's inspiration, he became acquainted with John Peck, another Negro barber. In Peck's shop he first read Garrison's pamphlet *Thoughts on African Colonization* and learned from this articulate Negro that northern blacks were almost unanimous in their opposition to colonizing Negroes in Africa, a plan which was popular in the anti-slavery movement at this time.⁴⁶

McKim was probably responsible for starting the Carlisle Anti-Slavery Society which lasted from September 1834 to May of 1835, when he left Carlisle.⁴⁷ McKim in his diary indicates that all of the Carlisle abolitionists of this period were Negroes. His efforts were perhaps not in vain since the first free school for Negroes was opened in Carlisle in 1835 by McKim's close friend, Mary Knox.⁴⁸ Miss Sarah Bell was its first teacher and taught there for nearly 50 years. The students who entered then ranged in age from 5 to 80 and of these only three could read.⁴⁹ The school was located in the African Church on Pomfret Street.

According to the historian Conway P. Wing, the Wesley Chapel in 1839 separated from the above church and was built on Locust Alley between Bedford and East Streets.⁵⁰ In 1860 Jacob Rheem, a witness for the Negroes in the riot trial, sold a lot on Chapel Alley to the trustees of this church, one of whom was John Hunter, who barely escaped prosecution in the trial.⁵¹ The church today is A.M.E.Zion on South West Street.

Pitifully on the debit side by 1847 in education and opportunity, though in economic competition, the blacks had to withstand violent prejudice in Carlisle, especially between 1830 and 1850. However, leadership qualities among these free Negroes obviously existed and were there to be reckoned with. They hardly needed John McClintock as a catalyst for their actions. They acted under their own impulses and McClintock's happenstance at being there only dramatized their plight in the face of white injustice and ignorance of the law.

When Judge Hepburn looked down from the bench on that Monday morning of August 25 when the trial started, he could see on his right a sea of brown, black and mulatto faces, too many to be held in any prisoners' box, but they were closely guarded by the sheriff's men. The audience eyed them curiously and with some contempt, but those who were hostile focused their ire and attention on the professor, who sat near the Negroes with his own lawyers, William Biddle and William M. Meredith.

McClintock's friend, William Biddle, was at that time a college trustee and possibly through his influential Philadelphia connections helped McClintock to secure the services of William Meredith, one of the leading criminal lawyers in the state and later Secretary of the Treasury under Zachary Taylor. Half of

McClintock's trial costs of \$1000 went for Meredith's fee but McClintock felt he was well worth it. He had hoped to secure Thaddeus Stevens, the anti-slavery lawyer and politician with whom he corresponded about this possibility. Stevens' schedule ruled out the August trial in Carlisle but he had also written McClintock that he felt the College's position might be injured by his sharp anti-slavery views.⁵² McClintock for his own part wished that Meredith had "more anti-slavery tone."⁵³

McClintock's bail had been set for \$300, the same as for the other defendants, and although Robert Emory stood bail for him, he was preoccupied during the anxious summer with the impending cost of the trial. His salary was \$1000 for that year and he was to be dependent on generous family and friends to meet his commitments. His trial expenses probably also included the fees of the defense lawyers for the Negroes since there exist receipts to him for fees for S. Dunlap Adair, who had secured the *habeus corpus* writ for the Negroes before the riot.⁵⁴

The lawyers for the Commonwealth were headed by the young County Prosecutor J. Ellis Bonham, at 31 one of the youngest of all the lawyers at the bar. His tastes were literary and his oratory refined. He was no demagogue.⁵⁵

The grand jury returned a true bill on Wednesday the 27th after overruling McClintock's motion for a separate trial, so that proceedings continued with the empaneling of the jury. Three counts were read for the indictment; for simple riot and breach of the peace: for rescuing two slaves who were lawfully in the possession of their owner, and for assault and battery on James Kennedy and John Black, a bystander, who was injured..

The nearest record we have to a transcript of the trial seems to be McClintock's trial notes which he paid a reporter \$60 to take down.⁵⁶ Though somewhat sketchy, they are much fuller than contemporary newspaper accounts. The mass of testimony given therein by the witnesses for the state leads us as latter day jurors to the conclusion that their feelings of prejudice against the defendants and their action led them to embellish the truth about McClintock with exaggerated results.

Statements ascribed to McClintock and sworn to under cross examination, seem scarcely credible, even in view of McClintock's volatile nature. "Boys, stand your ground, I'll see you thro" or "Now's your time, boys," or "You have the ascendance, hold on." One witness for the state described McClintock as standing over the injured Kennedy in the alley declaring, "It serves him right."⁵⁷ Most who testified for the state transformed McClintock from the sensitive scholar into a vulgar agitator, rushing about among the Negroes rallying them to violence. One swore that the professor's face during the riot was "swollen to twice its natural size" with rage.⁵⁸

The witnesses for the state, about 36 in all, included Sheriff James Hoffer and his deputies, most notably the muscular and angry Robert McCartney, a tailor on Irvine Row, a watchmaker, a painter, a whiskey store keeper, as well as a prosecutor for the borough. One of the most colorful of these witnesses was Willis Foulke, a young doctor just starting his practice in his father's home and office just south of the courthouse directly opposite Winrotts' Hotel and the Second Presbyterian Church. It was Foulke who had threatened Moses Scott, and was then warned for it by McClintock. Foulke's testimony was lengthy and apparently impassioned against the defense. In some newspaper accounts it was the only testimony printed.

Several of the Negroes emerge more fully out of the trial testimony. John Hunter, already referred to as a possible Underground Railroad agent and a founder of the second oldest colored church in Carlisle, was obviously a respected citizen. Several witnesses took pains to say that though Hunter was present, he was not involved. His wife Susan was not so discreet. George Bratton testified that he had raised Hunter and was disturbed to find that on June 7 he and his wife Susan were still in jail, reportedly because Susan had been seen at the courthouse armed with stones in her hands.⁵⁹ By August 28, three days into the trial, Hunter was discharged as a defendant, but his wife was not so fortunate; we are left to wonder whether he and the other Negroes had spent the whole time between the riot in June and the trial in August in jail.

McClintock's lawyers tried to show that he was the victim of persecution and conspiracy. Their witnesses emphasized the name-calling to which he had been subjected and some quoted violent and prejudicial remarks made about McClintock during and after the trial by sheriff's men; one witness testified to overhearing two of them planning to make sure that McClintock stood trial even if he got the governor's pardon, as it was rumored he might.

Moncure Conway's report of the trial, which occurred before students came back from vacation, emphasizes a dramatic revelation in Jacob Rheem's testimony for the defense, which seemed to clinch proof of a conspiracy against McClintock.⁶⁰ None of the existing documentation on the trial seems to bear this out, though much of the defense testimony implies a conspiracy plot. However, a closer look at Rheem's testimony and his stature in the community leads one to think that his appearance and witness were decisive in the verdict of acquittal for McClintock and all but thirteen of the defendants, particularly in contrast to the sometimes excessive rantings of the sheriff's clique in testimony. He asserted that he was on the south side of the court house and could see that Kennedy was not knocked down; that no stones were thrown except by whites at the colored people, who had stones and sticks in hand but didn't throw them. Both the Reverend John V. E. Thorne, a former Episcopalian

rector at St. John's Church, and the Reverend James Lillie of the Second Presbyterian Church, had been present at the riot and testified that McClintock had been in perfect mastery of himself and spoke in a calm, reasoned manner. It seems probable that the truth about McClintock's involvement lay somewhere between the two extremes expressed in testimony.

President Emory was right in describing the witnesses on McClintock's side as a pious lot. Many were leading members of the Methodist Church in which McClintock and most of the college family were active members. Of these Jacob Rheem's' Methodism was no halfway commitment. He was usually leader for at least two classes and for twelve years one of these was the colored class in the church.⁶¹ As a record of his material worth in the community between 1837 and 1860, there were 94 deeds indicating transferral of lots to or from him, an indication that he was involved in buying and selling real estate.⁶² We know that he was president of the borough council in 1847 and later from 1859 until 1878 a trustee of the College. In view of his standing in the community, and his concern for Negroes in his church, it seems likely that his testimony was most persuasive to the jury on behalf of the defense. Perhaps he was even the unknown agent who prompted lawyer Adair to obtain the *habeas corpus* writ for the fugitives in the first place.

For three days testimony was taken and on the fourth came the lawyers' addresses to the jury. The case went to the jury at 9:30 P.M. Saturday night and the jury was sealed till 9:00 A.M. Monday morning, when a verdict of guilty was returned against thirteen of the defendants, with McClintock and the rest acquitted.⁶³

Judge Hepburn, a Democrat, who had, incidentally, barely been defeated by a Whig for Congress in the previous election, registered an angry protest to the verdict, declaring that had it been a civil case the court would have set such a verdict aside. McClintock wrote to a friend in Connecticut of his reaction to this; "The conduct of our judge has been as severely censured in Pennsylvania as it could be in N.England; the weightiest newspapers of both parties have spoken of his conduct in very much the same terms as those used in your letter. Several of them threaten him with impeachment, and some of the leading politicians of the state have proffered me their assistance in case I undertake it." After explaining that he cannot neglect his studies to undertake such a conflict, he adds that "the judge has but one more year to serve, and will not be reappointed. He is a young man, very ambitious of political distinction, but of very narrow mind, limited education, and vulgar feelings. His hatred of the College is intense, and he would do anything to break it down."⁶⁴

In the sentence handed down on September. 7 by Hepburn, eleven of the thirteen defendants found guilty were sentenced to three years in solitary confinement at the Eastern Penitentiary.⁶⁵ This savage penalty was reversed nearly a year later

by the state Supreme Court on McClintock's initiative. He contacted Charles Gibbons, the Philadelphia lawyer, whose place he had taken in July as Dickinson's commencement Belles Lettres speaker. The Supreme Court handed down a unanimous decision for reversal based on the error of imprisonment for riot in a penitentiary rather than a county jail and it discharged the prisoners, citing their having already served three quarters of a year of this unfair sentence.⁶⁶ This action plus a letter "To the Public" by McClintock in local papers surely did not improve Hepburn's feelings toward the College.⁶⁷

This chapter in Carlisle's history was not the ordeal of just one man but of an entire community, whose feelings on both sides were undoubtedly intensified by the events surrounding the riot and the trial. The College survived this first serious confrontation between town and gown. It opened in August after the trial with 25 more students and no noticeable defection of Southerners. During that year, which was McClintock's last in Carlisle, he was offered four college presidencies, including Dickinson's.⁶⁸ He declined the latter, feeling that he could not express himself freely on the great slavery question in such a position.⁶⁹ Perhaps those most affected in the long run were the students, some of whom admitted in later years to having been deeply influenced by McClintock's moral strength and integrity on the slavery question. And surely the Negroes themselves must have taken new heart in their struggle upward because of the actions of men like McClintock and Rheem, two civil rights champions, the likes of which Carlisle had never seen before, or perhaps since.

With the death in 1848 of his two close friends and colleagues, Robert Emory and Merritt Caldwell, and the failure of his own health, his world seemed to be falling around him, only to be reassembled by his election to the editorship of the *Methodist Quarterly Review*, a post which he held until 1856, and to which he brought scholarly excellence in Christian thought. His short term as the first president of Drew Seminary at the end of his life (1867-1870) brought his administrative and scholarly gifts to the fore. But perhaps most relevant to his lifelong conflict with slavery was his pastorate of the American Church in Paris from 1860-64. There with his second wife, Catherine, Robert Emory's widow, he played an influential part in interpreting America's Civil War to the American community abroad as well as to Europeans. It was said that Lincoln declared him well fitted for ambassador to France.⁷⁰

McClintock claimed a right for the scholar in politics and it was in Carlisle that he was able to test the right successfully and to go on with a life-long ministry based on this premise.

Nearly a quarter of a century after the riot on April 26, 1870, Carlisle celebrated the ratification of the Fifteenth Amendment "as a day set apart by our coloured citizens," so the *Carlisle Herald* wrote.⁷¹ One of the banners borne by

the Negroes rejoicing in their newly gained political freedom was draped in mourning for one just died and inscribed, "In Memory of Dr. McClintock, Persecuted for our sake."

A large number of students attended this parade although the faculty had denied them permission.⁷² The harsh penalties imposed on the students subsequently brought about their boycott of classes; they wore yellow badges of protest, and in spite of faculty-student meetings, 35 students went home in protest. "Young America," the *Herald* commented, "could not be squelched."⁷³

Their demands were met and they were called back from their homes though many never returned to college. This famous incident in Dickinson's history was long referred to as "The Rebellion." McClintock would not have countenanced such rebellion on the part of his students but he would have been gratified that Dickinson students of the generation which came after him were concerned with celebrating a new freedom for Negroes.

NOTES

1. John McClintock, *A First Book in Latin*, (New York: Harper & Brothers, 1846)
2. *Herald of Freedom*, June 8 & 10, 1847. The Dickinson College Archives includes several other newspaper accounts of the riot in the *Philadelphia Public Ledger*, *Philadelphia Bulletin*, *American Volunteer*, *Richmond Enquirer*, *U.S. Gazette*, *The Freedman*, *Carlisle Herald and Expositor*, *New York Commercial Advertiser*, *Christian Repository*, *New York Daily Tribune*, *Manufacturer's and Farmer's Journal*, *National Anti-Slavery Standard*.
3. John McClintock Diary (hereafter Diary), McClintock Papers, Emory University Special Collections.
4. PL 208. See George R. Crooks, *Life and Letters of the Reverend John McClintock*, (New York: Nelson & Phillips, 1876), 148-149.
5. *Ibid.*, 151.
6. *Ibid.*
7. *Ibid.*, 158.
8. *Ibid.*, 75. Although the list of those indicted varies by two or three names between the September 2, 1847 *American Volunteer* and McClintock's "Trial Notes" at Emory, these names were all listed: Anthony Bell, Anthony Boon, Elizabeth Boon, Robert Brisseton, Amelia Butler, Eli Butler, John Clellans, Augustus Coates, John Cox, Rachel Cox, Elizabeth Cribbs, Hannah Decker, George Fisher, William Fisher, Jr., Ann Garver, Jacob Garver, John E. Grey, William Hanson, Hall Holmes, John Hunter, Susan Hunter, Richard Johnston, Sophia Johnston, Clara Jones, Moses Jones, James Jones, John McClintock, Charles Marshall, Henry Myers, Hiram Myers, George Norman, Valentine Thomas, Charles Turner, Achilles Vandegrift, and Nicholas Williams
9. *Ibid.*, 158.
10. Moncure Daniel Conway, *Autobiography* (Boston & New York: Houghton, Mifflin & Co., 1904) I, 51.
11. Crooks, *Life and Letters*, 150.
12. Conway, *Autobiography*, 47.
13. Crooks, *Life and Letters*, 385-6.

14. Diary, July 25, 1841.
15. Crooks, *Life and Letters*, 386.
16. John Emory McClintock and Martha Augusta McClintock.
17. Crooks, *Life and Letters*, 23.
18. Conway, *Autobiography*, I, 51.
19. McClintock to Robert Emory, January 24, 1841, McClintock Papers, Emory University Special Collections, (hereafter McClintock Papers).
20. McClintock to Augusta McClintock, March, 1844, McClintock Papers.
21. *Christian Advocate*, November 27, 1844.
22. *Ibid.*, December 4, 1844.
23. McClintock to T. A. Mason, June 12, 1847, McClintock Papers.
24. Crooks, *Life and Letters*, 170.
25. John McClintock to James Miller McKim, June 10, 1847, Cornell University Library, Special Collections.
26. *Christian Advocate*, May 19, 1847.
27. Crooks, *Life and Letters*, 125.
28. Robert Emory to George Fechtig, June 6, 1847, Dickinson College Archives, (hereafter DCA.)
29. W. Spry to Robert Emory, June 8, 1847, DCA.
30. Otho Norris to Robert Emory, June 9, 1847, DCA.
31. *Philadelphia Public Ledger*, June 8, 1847.
32. *Ibid.*, June 12, 1847.
33. *Herald of Freedom*, June 9, 1847.
34. *The American Volunteer*, June 28, 1847,
35. *Ibid.*
36. *Ibid.*
37. *Ibid.*
38. *American Volunteer*, September 2, 1847.
39. *200 Years in Cumberland County*, (Hamilton Library and Historical Association of Cumberland County, 1951), 189.
40. Record of credit, disbursements & receipts, 1845-60, Treasurer's Papers, DCA.
41. Cumberland County Quarter Sessions Docket, v. 20 (1846-52), 144
42. *Ibid.*, 284.
43. *Ibid.*, 299, 311.
44. Conway P. Wing, *A History of Cumberland County* (Philadelphia: James D. Scott, 1879), 101.
45. *Ibid.*
46. The Zeamer Papers, Cumberland County Historical Society, a miscellaneous collection of newspaper clippings on slavery, this one from the *Philadelphia Press*, October 15, 1899.
47. William Cohen, *James Miller McKim: Pennsylvania Abolitionist* (Ph.D. diss., New York University, 1968), 1-2.
48. *Ibid.*, 90n.
49. *Ibid.*, 91n.
50. Wing, *History of Cumberland County*, 233.
51. Cumberland County Deeds; Jacob R. Rheem & wife conveyed property to A.M.E. Zion Church, January 11, 1860; present trustees, John Hunter, John Boyd, John Davis, Rev. J. Gassaway, minister, for \$125.

52. Crooks, *Life and Letters*, 168.
53. John McClintock to Merritt Caldwell, August 17, 1847, McClintock Papers.
54. Diary, September 1, 1847, 79 ("The trial will cost about \$1000-Meredith, \$500, Biddle \$100, Graham \$100, Adair \$70, reporter \$60, traveling expenses & expense of witnesses, the remainder.")
55. Wing, *History of Cumberland County*, 175-176.
56. Diary, August 30, 1847.
57. Crooks, *Life and Letters*, 160.
58. Ibid., 161.
59. *Herald of Freedom*, September 2, 1847. Also in McClintock's "Trial Notes" at Emory, he wrote that Susan Hunter said "that she would fight in blood up to her knees for her color."
60. Conway, *Autobiography*, 52.
61. Archives of the Allison Methodist Church.
62. Cumberland Courthouse, Registrar of Deeds.
63. 11 of the 13 defendants were sentenced to prison terms: John Clellans, Jacob Garver, Anthony Boon, Moses Jones, William Hanson, Augustus Coates, Charles Turner, Achilles Vandergrift, Valentine Thomas, Henry Myers, and George Norman.
64. Diary, October 12, 1847.
65. Crooks, *Life and Letters*, 166-167.
66. Ibid.
67. John McClintock to Stephen Olin, October 12, 1847, DCA.
68. Diary, November 2, 1847. He was sought for the presidencies of Newark Academy, Allegheny College, Dickinson College, and Wesleyan University.
69. John McClintock to Stephen Olin, May 2, 1842, McClintock Papers.
70. James M. Buckley, *A History of Methodists in the United States*, 1896, (American Church History Series), V, 528.
71. *Carlisle Herald*, April 26, 1870.
72. Dickinson College Faculty Minutes, April 26, 1870, DCA.
73. *Carlisle Herald*, April 28, 1870.