

The Recapture and Trial of Harrison Williams according to the press of Fredonia, New York.

By Douglas H. Shepard, 2015

The following is a transcription of the three accounts which appeared in two newspapers in Fredonia, New York following the 1851 recapture of Harrison **Williams**, who was also sometimes known William **Harrison**.

In the *Fredonia Advertiser's* weekly edition of 3 October 1851, the following item appeared:

We learn that officer **Best**, of Buffalo, who had a warrant for the arrest of four or five fugitive Slaves, succeeded on Tuesday last, in arresting one of them (a young man named Harrison) in the town of Busti, in this county, and took his prisoner to that city for examination.

P.S. From the Buffalo papers of yesterday, we learn that Harrison was examined before Commissioner **Smith** on Wednesday afternoon, and proof deemed sufficient having been adduced, the usual certificate was given.

In *The Fredonia Censor's* weekly edition of 7 October 1851, the following appeared, in which the last two paragraphs are an editorial by the *Censor*:

“From the Jamestown Journal.”

“Seizure of a Negro Boy – A Hard Case

“On Tuesday morning last our citizens were thrown into a state of considerable excitement by the passage through the village of three carriages containing a strong guard of armed men and an alleged fugitive from Slavery in the State of Virginia. The facts as we learn them were that the person in custody was a colored boy by the name of Harrison, about 17 years of age, who arrived in the adjoining town of Busti about seven or eight months since. For most if not all of this time he has been at work for Mr. Lewis **Clark** of that town, and proved an honest and industrious boy. Early on Tuesday morning, as he was engaged in milking, the party of men above named drove up, pounced upon him without process, bound him with chains, and drove off. The whole transaction was conducted with so much rapidity, that no opportunity was given for alarm, and the party proceeded without molestation. No halt was made here, and we learn that they proceeded to Dunkirk, and from thence by boat to Buffalo. Who the claimant or agent is, or by whose warrant the boy was seized, or before whom he is to be ‘examined,’ we have been unable to learn. Certain humane gentlemen followed the captors to see that if the boy should be remanded into slavery, it be done legally, and these are all the

particulars of the affair that we possess. For an observance of legal forms, trust must be placed in the captors.

“Whether we look upon this seizure as a successful operation of the Fugitive Slave Act, or as an instance of the loyalty of the people in submitting to its execution, it is a hard case. To see a young boy isolated from kindred and without paternal home, endeavoring to earn his bread by honest industry, roughly seized without process by a party of armed men, manacled and smuggled away before a foreign tribunal, with no right to establish his freedom if he is free, nor to offer any evidence in self-defence [*sic*], appears to our Republican senses as a sad falling off from the practice of human justice, and a perversion of the Common Law. The proceeding was doubtless conducted according to the provisions of the Act, and as ‘nominated in the bond,’ and those who were its instruments, in the eyes of the law, ‘all, all honorable men;’ but, if there is one stain upon our national fame more foul than another, that Act is the one; and if there is a degradation lower than man in his frailty ordinarily sinks, the persons, the things, who for money voluntarily become agents in the seizure and enslavement of persons having every natural right to be Free, are the ones who find it. We are glad to state that none of our officers aided in the above seizure, and that one who was applied to, very promptly declined.

“We claim to be, and are, law-abiding citizens, and shall probably loyally observe all enactments that are by the constitutional authorities declared to be constitutional; but we reserve to ourselves the right to think and speak of them according to the dictates of our sympathies and our judgments. Thus we have done, thus we shall always do.

“We learn from the *Buffalo Express* that the Negro above referred to was taken before Commissioner H. K. **Smith**, on Wednesday succeeding the arrest. Mr. James M. **Smith**, partner of Hon. S. G. **Haven**, appeared for the claimant, and H. S. **Love**, B. F. **Green**, and S. C. **Hawley** appeared for the defendant.

“The counsel for the defendant asked that the claimant should elect whether he would proceed under the 6th section or the 10th section of the Fugitive Slave Act, the former requiring oral proof, and the latter a written record from the Virginia Court, setting forth that the claimant was owner of a slave answering the description of the defendant, who had escaped into another State. The Commissioner singularly decided that the testimony might be taken under either or both sections.

“Testimony was introduced to prove the identity of the prisoner, and the following record was read:

“State of Virginia, to wit:

“At a court summoned and held for the county of Hardy, at the Court House thereof, on the 20th day of September 1851, pursuant to the provisions of the Act

of the General Assembly of Virginia, passed the 21st day March, 1851, to hear proofs of the escape of Harrison, a slave, the property of Dr. Nathaniel D. **Parren** of said county, and that the said Harrison owed service and labor as a slave, to the said **Parron**:

“Present—Thomas **Massalon** and Joel W. **Halen**, Gentlemen Justices.

“The Court order it to be entered on record, that satisfactory proof on oath has been made before them that said Harrison escaped from his owner, the said Nathaniel D. **Parron**, on the 12th or 13th day of January last, and that he owed service or labor as a slave to his said owner; that said slave was about 19 years of age , mulatto color, with a scar on his left cheek, curly head, his front teeth some distance from each other; about 5 feet 6 inches high, heavy set and having large feet.

“Ordered that the Court adjourn.

“Thomas **Martin**

“J. W. **Hatton**.

“I, James C. **Gamble**, Clerk of the County Court of said County of Hardy, in the State of Virginia., certify that the foregoing is a true transcript of the records of said Court.

“In witness whereof I have hereunto set my hand and affixed the seal of the said Court the 22nd day of September, 1851, and of the 76th year of the Commonwealth.

“James C. **Gamble**.

“I, John **Hopewell**, presiding magistrate of the County Court of Hardy County, in the State of Virginia, certify that James C. **Gambel**, who has given the above certificate, is the Clerk of the said Court, and this attestation is in due form.

“Given under my hand and seal the 22d day of September, 1851.

“John **Hopewell**, Justice.

“The counsel for the defence [*sic*] argued that the paper thus read did not bear sufficient evidence that it was issued from a Court of Record; that it was not properly exemplified; that it did not show that the man described in it, owed service and labor to the claimant, nor that he had escaped from a State where he owed such service into another; and that without those points were established by the Record, it was a mere piece of waste paper without legal effect, and therefore all oral testimony of identity was irrelevant and inadmissible.

“The Commissioner overruled these objections and decided the testimony sufficient to establish the defendant as the slave in question. The certificate was accordingly made out and the prisoner conducted to jail. Affidavit was made that a rescue was apprehended, which saddles the expense of transporting the Negro back upon the U. S. Government.

“Thus ended the first case in which the operation of the law has extended to Chautauque. We think the circumstances attending the capture will not tend much

to increase the favor with which the law is received in this section, and with regard to the trial, it is evident that the chances of escape for an innocent mouse from the jaws of a hungry grimalkin who has him in her clutches, are favorable compared with those of a negro who is brought before Commissioner **Smith** on suspicion of being a fugitive.

“We rejoice, however, that no resistance was offered to the arrest, which could give the advocates of the law a pretext for making charges of disloyalty, and render necessary a new crusade in behalf of the Union.”

In the *Fredonia Advertiser's* of 10 October 1851, the following appeared, in which the last paragraph is an editorial by the *Advertiser*:

“The Fugitive Slave Case.

“From the *Buffalo Commercial*.

“The fugitive slave case, which we noticed yesterday afternoon, was terminated, after a full hearing, by remanding the slave Harrison to his master, the fact of his having “escaped from service” in Virginia, being established by the record produced, and by oral testimony. Although there was much interest manifested, and the Court House was crowded, yet there was no excitement, and no attempt made to interfere with the regular operation of law.

“The following are the testimony and the record:

“The examination was commenced by the introduction on the part of Dr. Nathaniel P. **Parron**, the claimant, of George S. **Neff**, who being duly sworn, testified as follows: I reside in Virginia, Hardy county. I have resided there 28 years and upwards. I am a farmer. I know Dr. N. P. **Parron**. He resides on the south fork of the Potomac River, in Hardy county, State of Virginia. He is a neighbor of mine — is a physician by profession. I know the mulatto boy Harrison—I have known him since he was two years of age. I have hired him to work for me—I hired him of Dr. **Parron**. I have known him to be living with the Doctor 16 or 17 years.

“Question by Counsel—‘Is he a slave?’

“Objected to by Counsel for defendant, on the ground that it involves a question of conclusion of law, and is the very question which this Court must determine as matter of law, when it shall have heard the proofs and facts to be adduced in the case. Court overruled the objection, whereupon the witness answered— Yes. He is a slave, and owned by Dr. **Parron**. I have known the Doctor to hire him out.

“Harrison escaped in January last, about the 12th or 13th. I have not seen him since until I saw him at Busti, in Chautauque county, N.Y. the place where he was arrested.

“Question by the Court- Have you known Dr. **Parron** to exercise acts of ownership and control over Harrison?

“Answer—I have.

“Question by Counsel for claimant—Have you any doubt but that this negro Harrison is the slave of Dr. **Parron**? Question was objected to by Counsel for the defendant. Objection overruled, and witness answered. ‘I have none. I have known Dr. **Parron** to claim Harrison as his slave in the presence of Harrison, and to control him as such without objection on the part of Harrison. The boy admitted to me that he was the slave of Dr. **Parron**.’

“The Counsel for claimant then offered in evidence under an objection of the Counsel for defendant, a record in the words and figures following, to wit:

“State of Virginia to wit [*sic*].

“At a court summoned and held for the county of Hardy, at the Court House thereof, on the 20th day of September 1851, pursuant to the provisions of the Act of the General Assembly of Virginia, passed the 31st day March, 1851, to hear proof of the escape of Harrison, a slave, the property of Dr. Nathaniel D. **Parron** of said county, and that said Harrison owes service and labor as a slave, to the said **Parron**:

“Present—Thomas **Martin** and J.W. **Hatton**, Gentlemen Justices.

“The Court ordered it to be entered of record that satisfactory proof hath been made before them that said Harrison escaped from his owner, the said Nathaniel D. **Parron**, on the 12th or 13th day of January last, and that he owes service or labor as a slave was about 10 years of age, mulatto color, with a scar on his left cheek, curly head, his front teeth some distance from each other; about 5 feet 6 inches high, thick set and having large feet.

“Ordered that the Court be adjourned.

“Thomas **Martin**

“J. W. **Hatton**.

“I, James Carr **Gamble**, Clerk of the County Court of said County of Hardy, in the State of Va., do certify that the foregoing is a true transcript from the record of said Court.

“In testimony whereof I have hereto set my hand and affixed the seal of the said Court the 23rd [*sic*] day of September, 1851, and in the 76th year of the Commonwealth.

“James Carr **Gamble**.

“I, John **Hopewell**, presiding magistrate of the County Court of Hardy County, in the State of Virginia, certify that James C. **Gamble**, who has given the above certificate is the Clerk of the said Court and that his attestation is in due form.

“Given under my hand and seal the 22d day of September, 1851.

“Jno. **Hopewell**, Justice.

“To the introduction of this record, the Counsel for the fugitive objected on the ground—

“1st. That it did not appear to be issued from a Court of record.

“2d. That it was not in conformity with the requirement of the act of Congress, because it did not show from what place the fugitive escaped.

“Both objections were overruled by the Commissioner.

“The case was then summed up by Mr. **Hawley**. The Commissioner said that on this proof, there could be no doubt on the subject, and the fugitive was proved to be the slave of Dr. **Parron**, both by the record, and by the testimony of Mr. **Neff**, which alone was sufficient to warrant the return of the fugitive without resort to the record. He should therefore make the order that Harrison be remanded to his master. An affidavit of the owner stating that resistance was expected was made.

“Harrison is a mulatto boy, nineteen years of age, and escaped last January. He was arrested in the town of Busti, Chautauque county. The Marshal started this morning, on the eastern cars for Virginia, with him in custody.

“It is evident that the operation of the fugitive slave law, does anything but reconcile the people of the North to slavery. While they acquiesce in the necessity of sustaining the laws of the country, living in all good faith with their political brethren, and maintaining the guarantees of Constitution, their hatred for the ‘peculiar institution’ is increased by every recapture of a fugitive in their midst.”

At the time, the editor of the *Fredonia Advertiser* was Levi L. **Pratt** (1818 – 1905), and the editor of the *Fredonia Censor* was Willard **McKinstry** (1815 – 1899). The political leaning of the editorials of both newspapers was generally Whig, at least at the outset of the *Advertiser*, which had begun publication only a few months before the Harrison **Williams** case. However, as may be seen in the following excerpts from other publications, the *Advertiser* eventually became a Democratic newspaper, and the *Censor* a Republican.

According to *Selections of Editorial Miscellanies and Letters*, by Willard **McKinstry** (1894), “Fifty years ago half of the States in the Union were slave States, and the half devoted to Freedom were the common hunting ground for fugitive slaves, and in our own Chautauqua the slave hunters had free access and the fugitive slave law required our own free citizens to assist in the capture of the fleeing fugitives. Now, thanks to the Proclamation of Abraham **Lincoln**, this horrible crime against liberty has been abolished, and no slave now breathes under the folds of the stars and stripes.”

According to “The Press of Chautauqua County” by **McKinstry**’s son Louis (*The Centennial History of Chautauqua County*, Chautauqua History Company,

Jamestown NY, 1904), Willard **McKinstry** was a Whig and “was a steadfast Republican.... He was anti-slavery from youth and was always strongly Union throughout his life.”

Also according to Louis **McKinstry**, Williard **McKinstry**'s cousin Beman **Brockway** had been an apprentice along with Willard **McKinstry** and **Pratt** on the *Northampton (MA) Courier*. “These three apprentice boys remained intimately associated all their lives.” **Brockway** “had gone with the Barnburners faction of the Democratic party to organize the new Republican Party for free speech and free soil.... He drafted the resolution to submit to the people whether or not the colored people of the state should be allowed the elective franchise.”

Also according to Louis **McKinstry**, when **Brockway** “became proprietor of the *Mayville Sentinel*, the leading Democratic organ in the county, the *Fredonia Censor* was the leading Whig organ and his most bitter rival. For his personal comfort he desired that it should be in friendly hands, and so when the **Winchester Brothers** offered it for sale, he induced his fellow apprentice, Willard **McKinstry**, ... to come to Chautauqua County and buy it, which was done. Mr. **McKinstry** being a Democrat, as was Mr. **Brockway**, it was not thought expedient, in the heated partisanship of that day, for a Democrat to edit a Whig paper, so the third apprentice of *Northampton Courier* days, Levi L. Pratt, who was a pronounced Whig, was brought on to do the editorial work on the *Censor*.

According to “The Press of Chautauqua County” by Frederick P. **Hall** & Edward L. **Allen** (*History of Chautauqua County New York*, American Historical Society, Boston MA, 1921), “Levi L. **Pratt** was brought on to do the editorial work on ‘The *Censor*.’ He was editor of that paper seven years, then relinquished his position to accept appointment by President **Taylor** as postmaster of Fredonia. When the Whig party divided on the Slavery question, ‘The *Censor*’ espoused the Free Soil cause, and in 1851 the ‘*Fredonia Advertiser*’ was started as the organ of the **Fillmore** administration. Mr. **Pratt** was the editor of that paper for thirteen years.”

The following is an excerpt from Levi L. **Pratt**'s obituary, which appeared in the *Fredonia Censor* of 11 January 1905:

“We take the following from the Watertown Journal of January 3rd.
“Levi L. **Pratt** was the third son of Thomas and Eunice **Pratt** of Northampton, Mass., where he was born March 18, 1818. His family was one of consequence and importance in colonial and revolutionary days, and his father was an architect and builder and at one time a member of the Massachusetts state legislature. After

receiving an education in the common and select schools of the day, at the early age of 14 he entered the office of the *Northampton Courier* as an apprentice to learn the printers' trade.

“The senior apprentice and virtual foreman of the office was the late Beman **Brockway**, and between him and Mr. **Pratt** sprang up a friendship that lasted as long as life. Another apprentice in the same office was Willard **McKinstry**, the late editor of the *Fredonia Censor* in Chautauqua county, and he and Mr. **Pratt** also became warm friends. After an apprenticeship of five years, during most of which time he was senior apprentice and foreman, and sometimes editor and proofreader as well, he was called to be foreman of the famous old *Worcester Spy*, one of the most prosperous and influential papers in New England.

“After holding this position for a short time his brother undertook the management of a silk-growing project in Jamaica in the West Indies, a scheme projected by one Samuel **Whitmarsh**, a Northampton capitalist. Mr. **Pratt** was induced to join in this venture, but a few months convinced every one interested that the project was a failure. Mr. **Pratt** returned to Northampton and there met Beman **Brockway**, then publisher of the sentinel at Mayville, N.Y., the leading democratic paper of Chautauqua county. Mr. **Pratt** promptly accepted the offer of a position with his old friend and went with him to Mayville.

“The next year the *Fredonia Censor*, a Whig paper, was offered for sale, and passed under the control of Willard **McKinstry** and Mr. **Pratt**, the former acting as business manager and the latter as editor. Mr. **Pratt** edited the paper for seven years and then resigned to accept an office as postmaster under Zachary **Taylor**.

“Mr. **Pratt** was one of the substantial, prominent and honored men of the village, and besides serving as postmaster was for several years village trustee, and was a member of the board under whose supervision the splendid state normal school at Fredonia was erected in 1869. While he was postmaster at Fredonia he took from the wire on the old-fashioned tape telegraph recorder the first president's message ever sent to any newspaper in the country by telegraph.

“In 1851 a new paper, the *Fredonia Advertiser*, was founded to support President **Fillmore's** faction of the Whig party, which was hopelessly divided. Mr. **Pratt** became its editor and continued in this position for 13 years, the paper supporting the Whig party until its disruption; then the American party and, finally, the Democratic party.

“It was in 1871, over 33 years ago, that Mr. **Pratt** came to Watertown and took a position on the editorial staff of the *Times* under Beman **Brockway**. From that time until the beginning of his last illness he was a zealous and constant worker for the good and the improvement of the paper....”