

Photo of New York State Court of Appeals Cover of Lemmon Slave Case Report

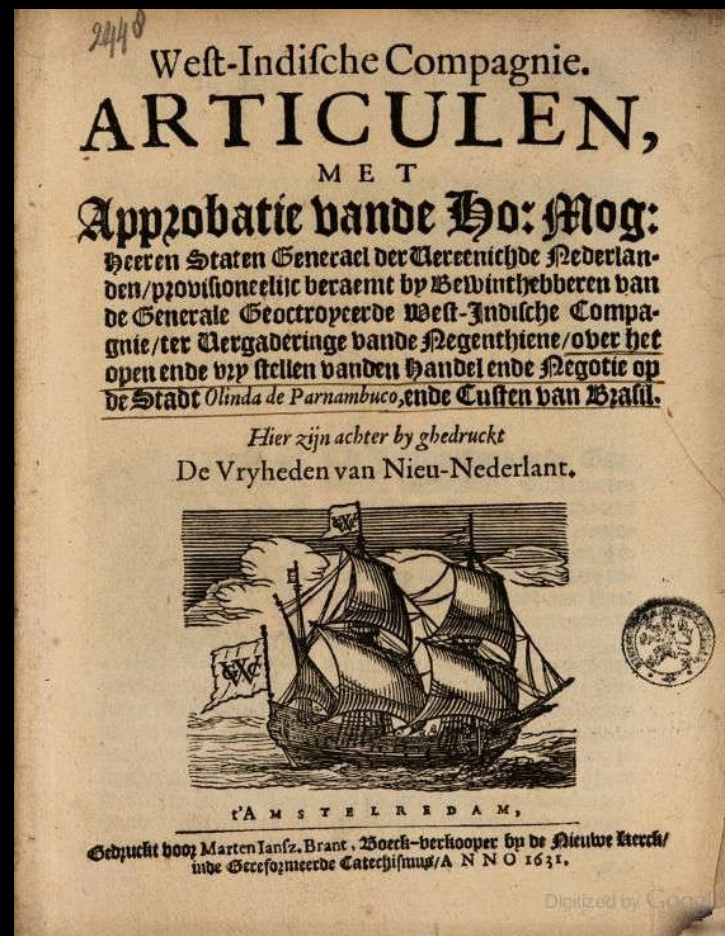


HISTORICAL SOCIETY
of the NEW YORK COURTS

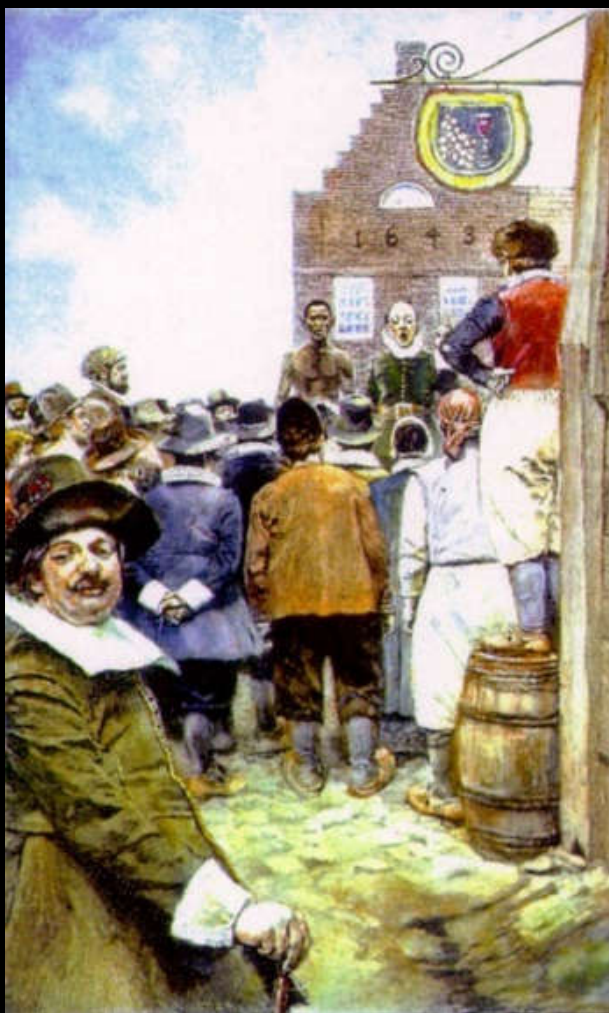
Presents

The Evolution of Slavery, Abolition in NY, and the NY Courts **THE LEMMON SLAVE CASE**

Slide Presentation by Hon. Albert M. Rosenblatt



The Dutch West India company inviting settlers to the New World (New Netherland, later to be New York). The first slaves arrived in the 1620s.



Depiction of a slave auction under the Dutch, circa 1655



Transition from Dutch New York to English Colony, 1664



City of New-York, ss.

A L A W

For Regulating Negroes and Slaves in the Night Time.

BE It Ordained by the Mayor, Recorder, Aldermen and Assistants of the City of New-York, convened in Common-Council, and it is hereby Ordained by the Authority of the same, That from hence-forth no Negro, Mulatto or Indian Slave, above the Age of Fourteen Years, do presume to be or appear in any of the Streets of this City, on the South-side of the Fresh-Water, in the Night time, above an hour after Sun-set; And that if any such Negro, Mulatto or Indian Slave or Slaves, as aforesaid, shall be found in any of the Streets of this City, or in any other Place, on the South side of the Fresh-Water, in the Night-time, above one hour after Sun-set, without a Lanthorn and lighted Candle in it, so as the light thereof may be plainly seen (and not in company with his, her or their Master or Mistress, or some White Person or White Servant belonging to the Family whose Slave he or she is, or in whose Service he or she then are) That then and in such case it shall and may be lawful for any of his Majesty's Subjects within the said City to apprehend such Slave or Slaves, not having such Lanthorn and Candle, and forth-with carry him, her or them before the Mayor or Recorder, or any one of the Aldermen of the said City (if at a seasonable hour) and if at an unseasonable hour, to the Watch-house, there to be confined until the next Morning) who are hereby authorized, upon Proof of the Offence, to commit such Slave or Slaves to the common Goal, for such his, her or their Contempt, and there to remain until the Master, Mistress or Owner of every such Slave or Slaves, shall pay to the Person or Persons who apprehended and committed every such Slave or Slaves, the Sum of *Four Shillings* current Money of New-York, for his, her or their pains and Trouble therein, with Reasonable Charges of Prosecution.

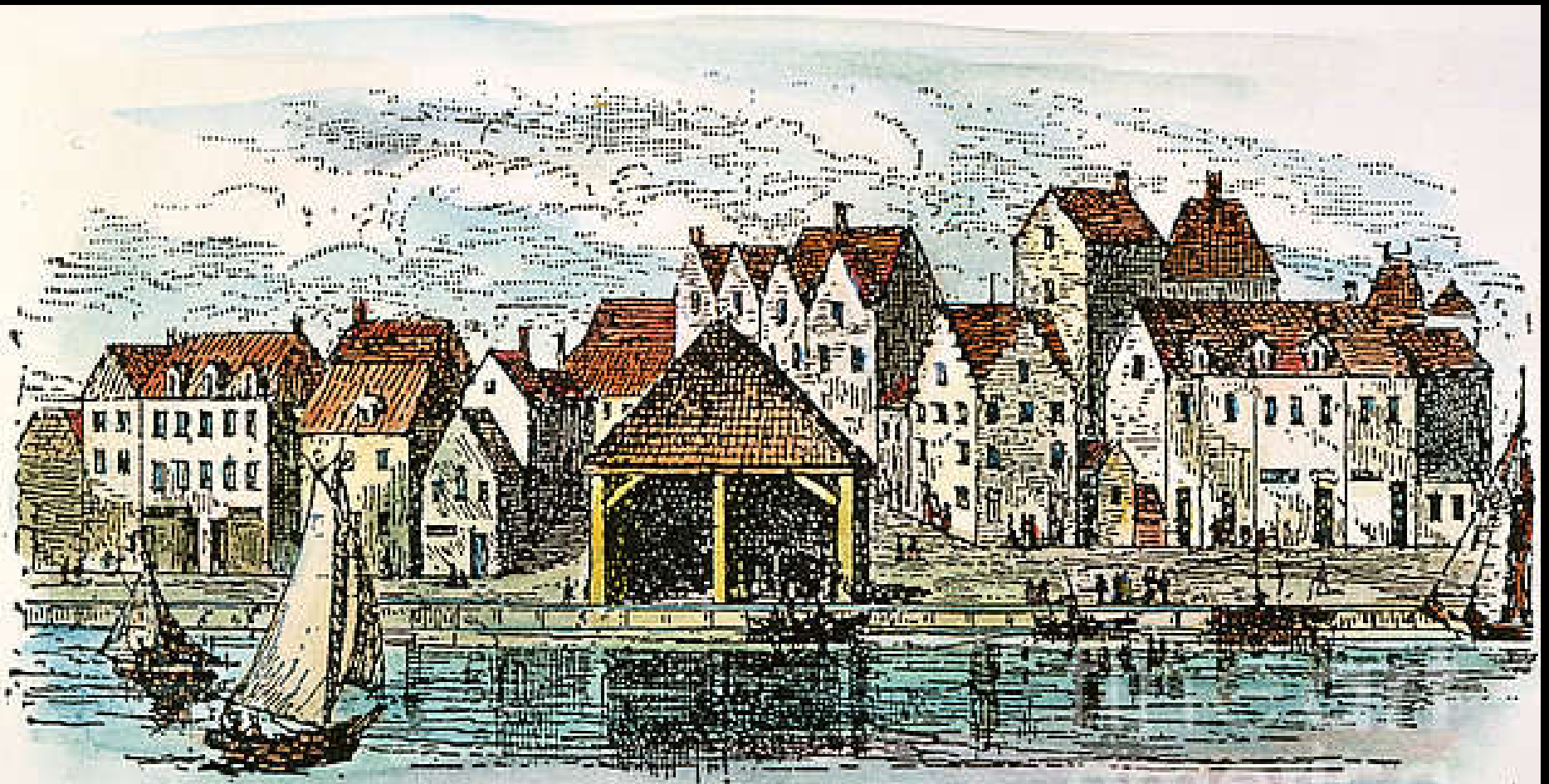
And be it further Ordained by the Authority aforesaid, That every Slave or Slaves that shall be convicted of the Offence aforesaid, before he, she or they be discharged out of Custody, shall be Whipped at the Publick Whipping-Post (not exceeding *Forty Lashes*) if desired by the Master or Owner of such Slave or Slaves.

Provided always, and it is the intent hereof, That if two or more Slaves (Not exceeding the Number of Three) be together in any lawful Employ or Labour for the Service of their Master or Mistress (and not otherwise) and only one of them have and carry such Lanthorn with a lighted Candle therein, the other Slaves in such Company not carrying a Lanthorn and lighted Candle, shall not be construed and intended to be within the meaning and Penalty of this Law, any thing in this Law contained to the contrary hereof in any wise notwithstanding. Dated at the City-Hall this *Two and Twentieth* Day of April, in the fourth year of His Majesty's Reign, Annoq, Domini 1731.

By Order of Common Council,

Will. Sharpas, Cl.

A New York law regulating Negroes, 1781



SLAVE MARKET, FOOT OF WALL STREET.



An illustration of the New York Slavery Conspiracy of 1741 — Alchetron

A
JOURNAL
OF THE
PROCEEDINGS
In the Detection of the
CONSPIRACY

Formed by some White People, in conjunction with
Negro and other Slaves, for burning the City of
NEW-YORK in AMERICA and murdering
the Inhabitants.

Which conspiracy was partly put in execution, by burning his
Majesty's house in fort George, within the said city, on Wed-
nesday the 18th of *March*, 1741, and setting fire to several
dwelling and other houses there, within a few days succeeding.
And by another attempt made in prosecution of the same in-
fernal scheme, by putting fire between two other dwelling-
houses within the said city, on the 15th day of *February*, 1742; which
was accidentally and timely discovered and extinguished.

CONTAINING,

- I. A narrative of the trials, condemnations, executions, and be-
haviour of the several criminals, at the gallows and stake, with
their speeches and confessions; with notes, observations and
reflections occasionally interspersed throughout the whole.
- II. An appendix, wherein is set forth some additional evidence
concerning the said conspiracy and conspirators, which has
come to light since their trials and executions.
- III. Lists of the several persons (whites and blacks) committed
on account of the conspiracy; and of the several criminals
executed; and of those transported, with the places whereto.

By the Recorder of the City of NEW-YORK.

Quid facient Domini, audent cum talia Fures? Virg. Ecl.

Printed at NEW-YORK:
LONDON, Reprinted and Sold by JOHN CLARKE
under the Royal Exchange, Cornhill. MDCCLXVII.

The full Horsmanden 392-page report is available at
<https://www.loc.gov/resource/gcmisc.lst0063/?st=gallery>



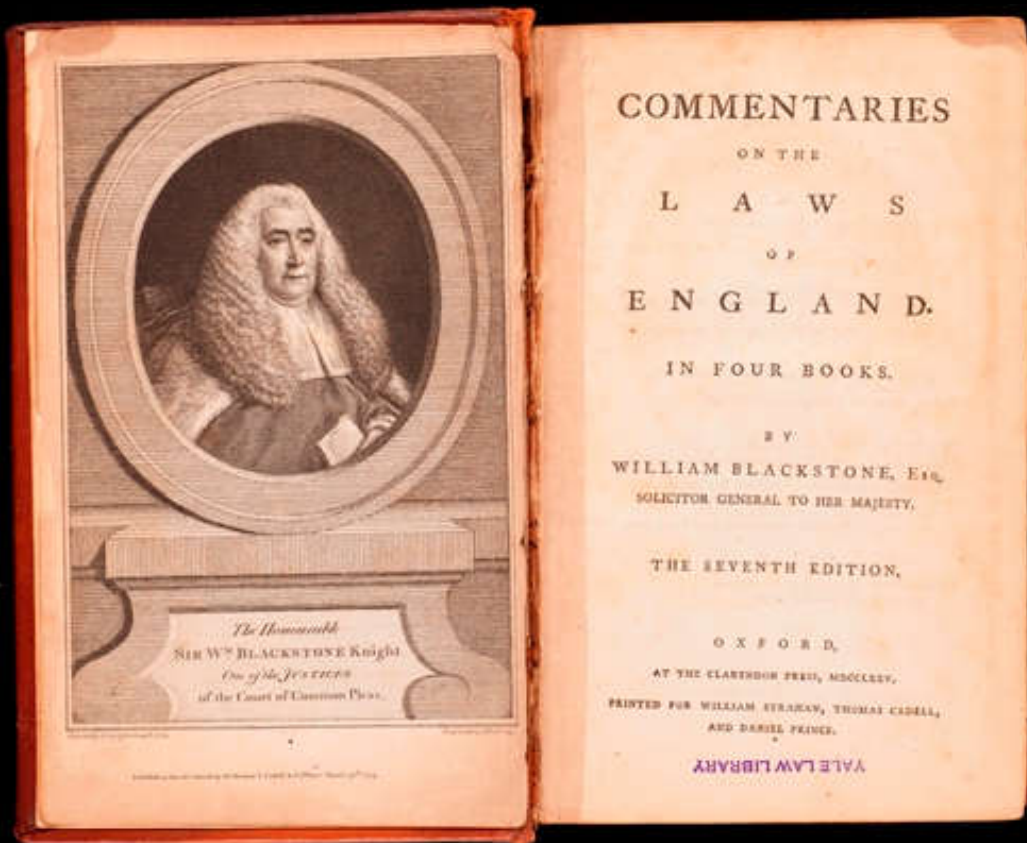
SLAVES IN COURT, 1741

**Three slaves sentenced by Chief Justice Daniel Horsmanden, to
be hanged for complicity in a robbery New York City, 1741.**

Engraving, 19th century. Granger collection 0103046

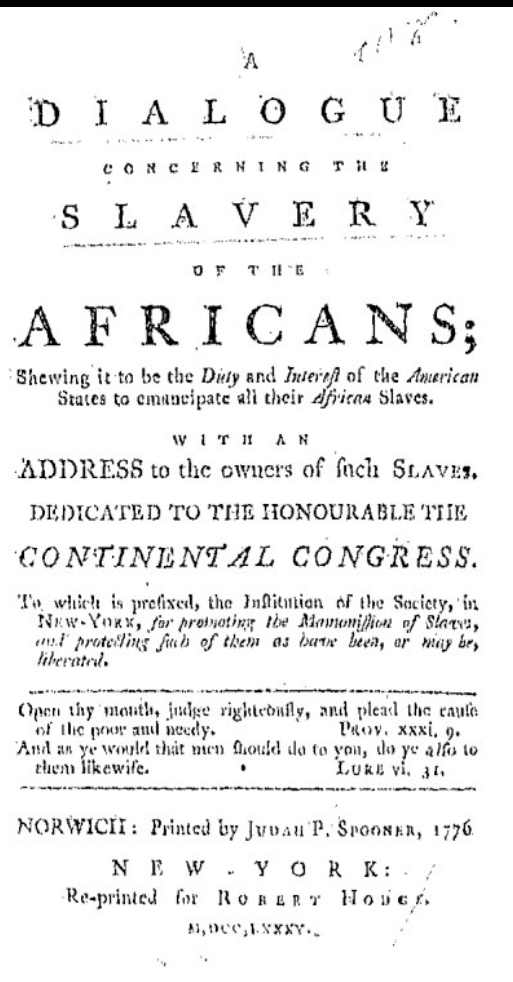


Hanging and burning of Negroes, 1741

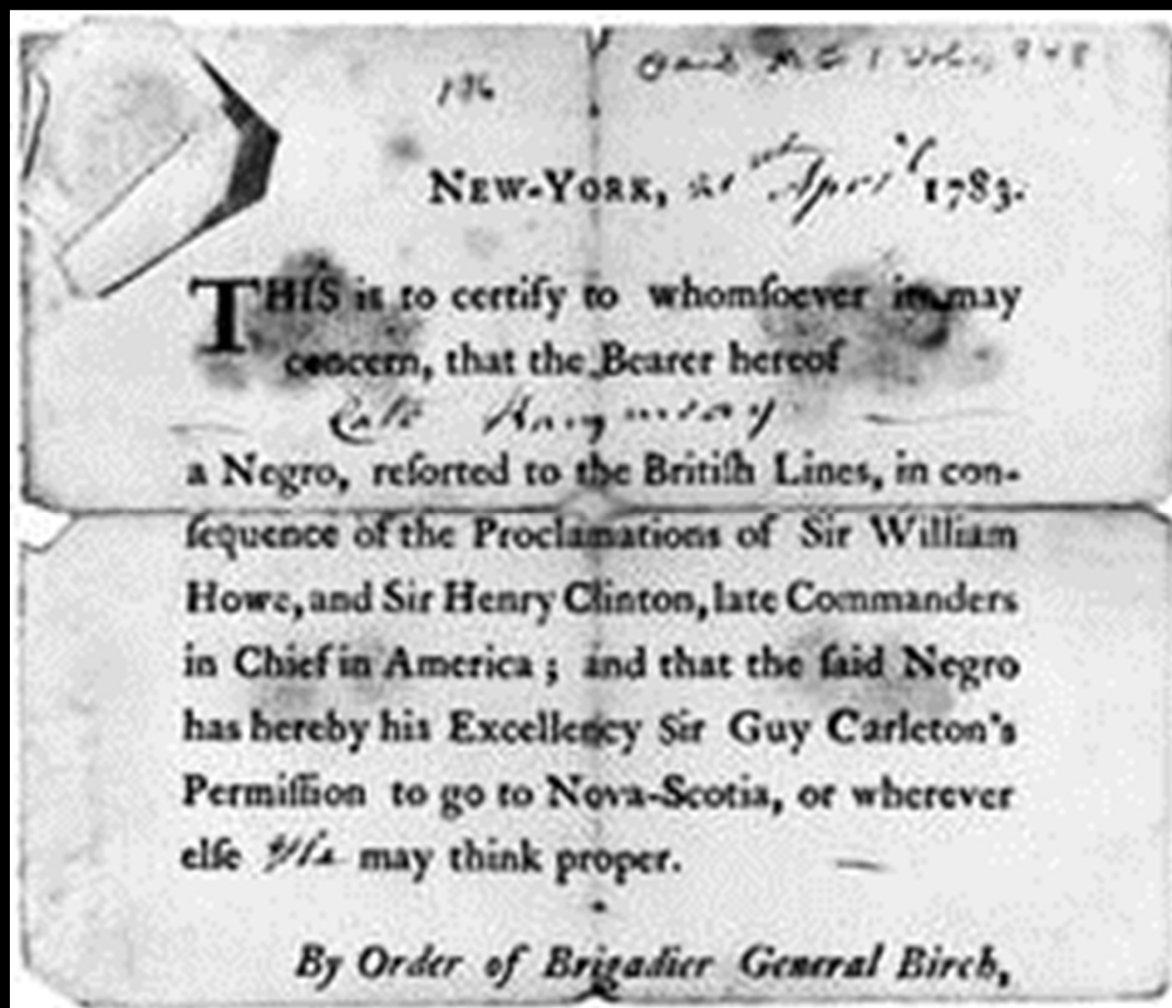


“[T]his spirit of liberty is so deeply implanted in our constitution, and rooted even in our very soil, that a slave or a negro, the moment he lands in England, falls under the protection of the laws, and with regard to all natural rights becomes eo instant a freeman”
1765

England's Blackstone used words that planted the seeds for a claim of liberty in the Lemmon case some 87 years later



**1776, following on the Declaration of Independence.
The Lemmon case, 75 years later**



A slave's reward, freedom, for joining the British, 1783

Owner of a slave delivered to serve in the said troops, entitled to a grant of one right, and discharged from maintaining such slave.

Such slave after service to be a free man.

VI. *And be it further enacted by the authority aforesaid,* That any person who shall deliver one or more of his or her able-bodied male slaves, to any warrant officer as aforesaid, to serve in either of the said regiments or independent corps, and produce a certificate thereof, signed by any officer or person authorised to muster and receive the men, to be raised by virtue of this act, and produce such certificate to the surveyor-general, shall, for every male slave so entered or mustered as aforesaid, be entitled to the location and grant of one right, in manner as in and by this act is directed; and shall be, and hereby is discharged from any future maintenance of such slave; any law to the contrary notwithstanding: And such slave, so entered as aforesaid, who shall serve for the term of three years, or until regularly discharged, shall, immediately after such service or discharge, be, and is hereby declared to be a free man of this state.

**Journal of the New York State General Assembly, March 20, 1781,
freeing slaves who served in the Revolutionary War**

Eight Dollars Reward.

RUN-AWAY from the Subscriber, on the 18th instant, a Negro Man named JOHN, or JAN, about 25 years of age, speaks both Dutch and English, is well built, of a middle size, wants the use of his right eye, and on inspecting it narrowly, a cut right over the middle will be discovered: he had on when he went away, a brown broad cloth coat, white vest and trowsers, a large felt hat with a black ribband, and white cotton stockings. Whoever secures said Negro, so that his master may have him again, shall receive the above reward, and all reasonable charges.

BENJAMIN LOW.

Kingston, Ulster County,

Sept. 28^d, 1785.

8-10

A slavery advertisement in New York in 1785 when slavery still existed



New York Manumission Society Pitcher

The Society was formed by Alexander Hamilton, John Jay, and Melancton Smith ca. 1785.



NEW-YORK AFRICAN FREE-SCHOOL, No. 2.
Engraved from a drawing taken by P. Reason, a pupil, aged 13 years.

Among the Society's major achievements was founding the African Free-School in 1787, devoted to the education of black children as preparation for life as free citizens. The school played a significant role in producing new leadership from within the New York black community, before the Manumission Society turned it over to the New York public school system in 1834.

No Person held to Service or Labour in one State,
under the Laws thereof, escaping into another,
shall, in Consequence of any Law or Regulation
therein, be discharged from such Service or
Labour, but shall be delivered up on Claim of the
Party to whom such Service or Labour may be due.

1787 Fugitive Slave Clause
United States Constitution, Article IV, Section 2



Anti-slavery Influences from England



William Wilberforce (1759-1833)
England's leading abolitionist, whose views influenced Americans

English philanthropist and abolitionist. Steel engraving, 19th century, after a painting by George Richmond.
Granger Collection on line 0085351.

FOR SALE,
A NEGRO WENCH, about 19 years of
age, healthy, sober and honest—and her child,
about one month old (sold for want of employ.) En
quire of
Feb. 19

JAMES TAYLOR,
104 Maiden-Lane.



FOR SALE,
(If applied for within eight days.)
The fast sailing coppered and
copper fastened ship **CERES**, with
all her tackle, apparel, guns, ammunition, &c. bu

In the New York Evening Post February 19, 1805 an owner advertised the sale of a young woman, just above an advertisement for the sale of a boat

FOR SALE, for a term of years, a healthy,
active and very capable negro wench—
will be disposed of cheap, as it is her own de-
sire—Enquire at No. 23 North Moore-street.
Feb 2 tf

**In the midst of New York's gradual abolition of slavery from 1799-1827
advertisements like this appeared on March 3, 1818 New York Evening Post**



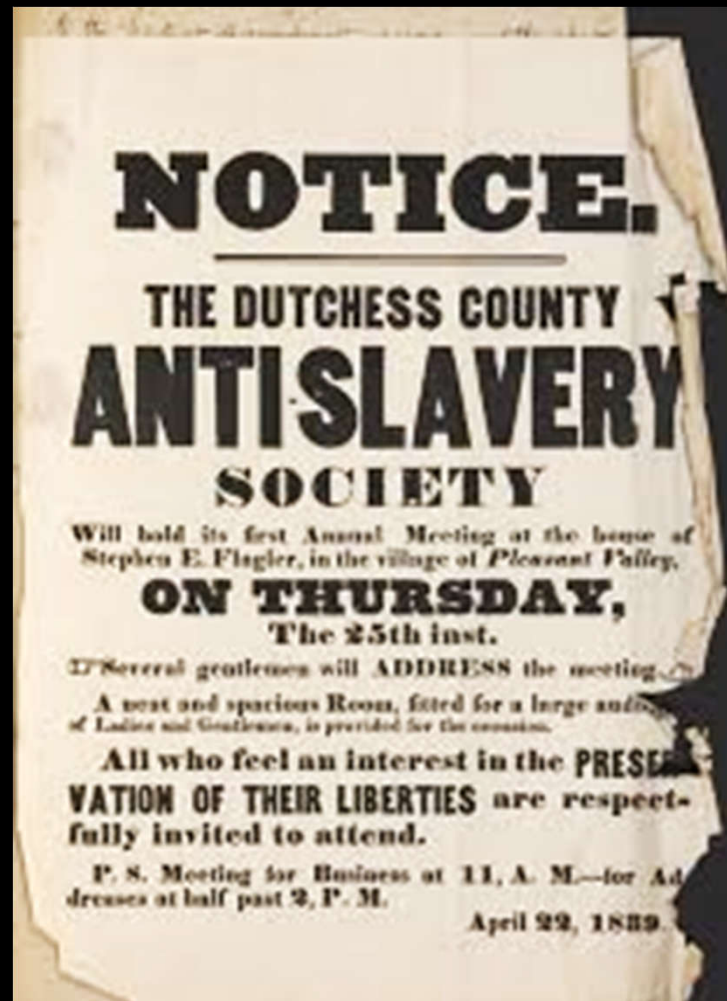
British Abolitionist Commemorative Medal

Unsigned illustration for *The Anti-Slavery Record*, Vol. I, Appendix: p. 162 (New York: Published by R. G. Williams, for the American Anti-Slavery Society, 1835) Alderman Library, University of Virginia.



Daniel Tompkins (1774-1825)

As Governor he was influential in the final abolition of slavery in New York (1799-1827). He went on to become Vice-President of the United States in 1817 during the presidency of James Monroe.



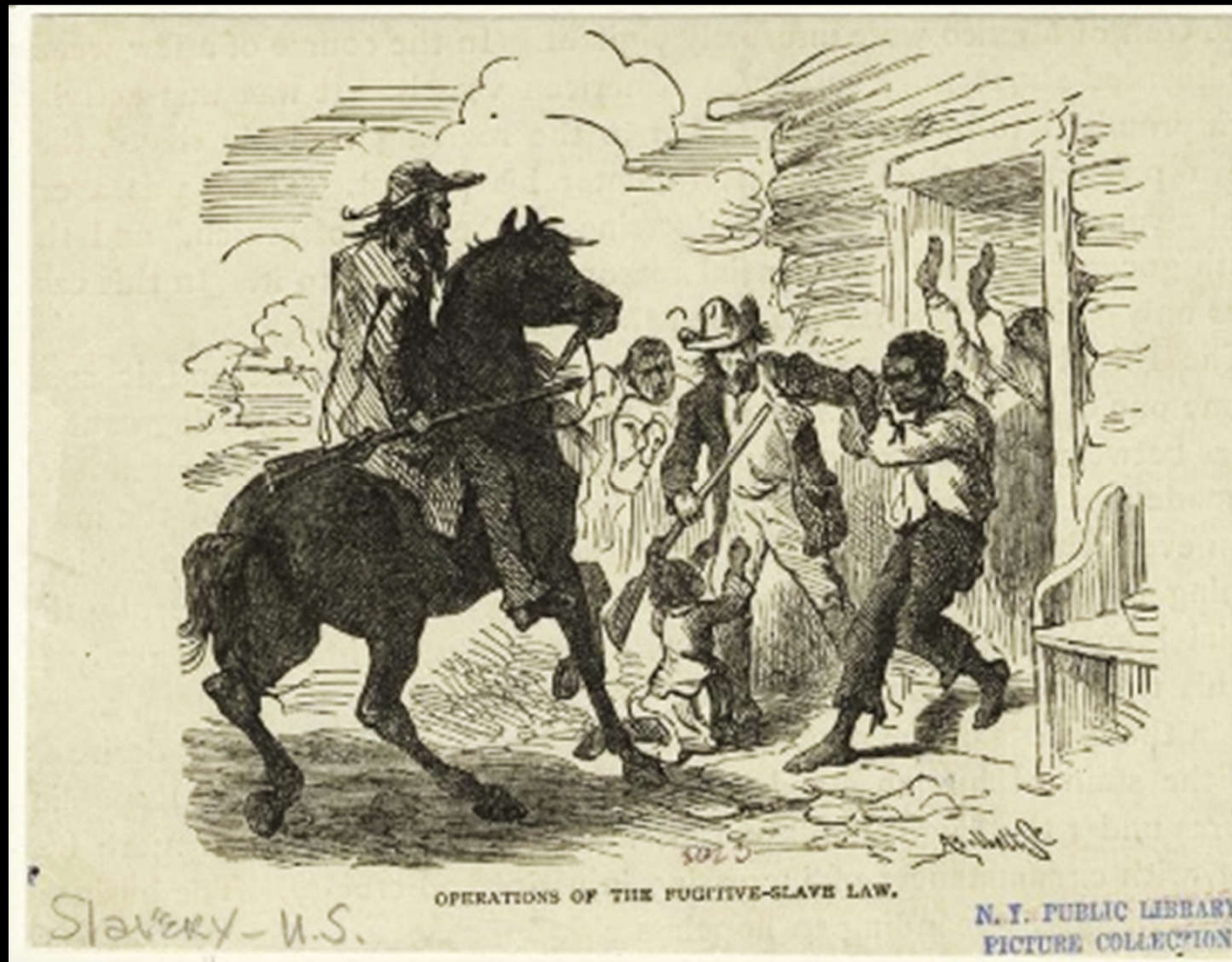
Anti-slavery societies were springing up all over the North. This one from Dutchess county in 1839.

The District Attorney as advocate for the slave

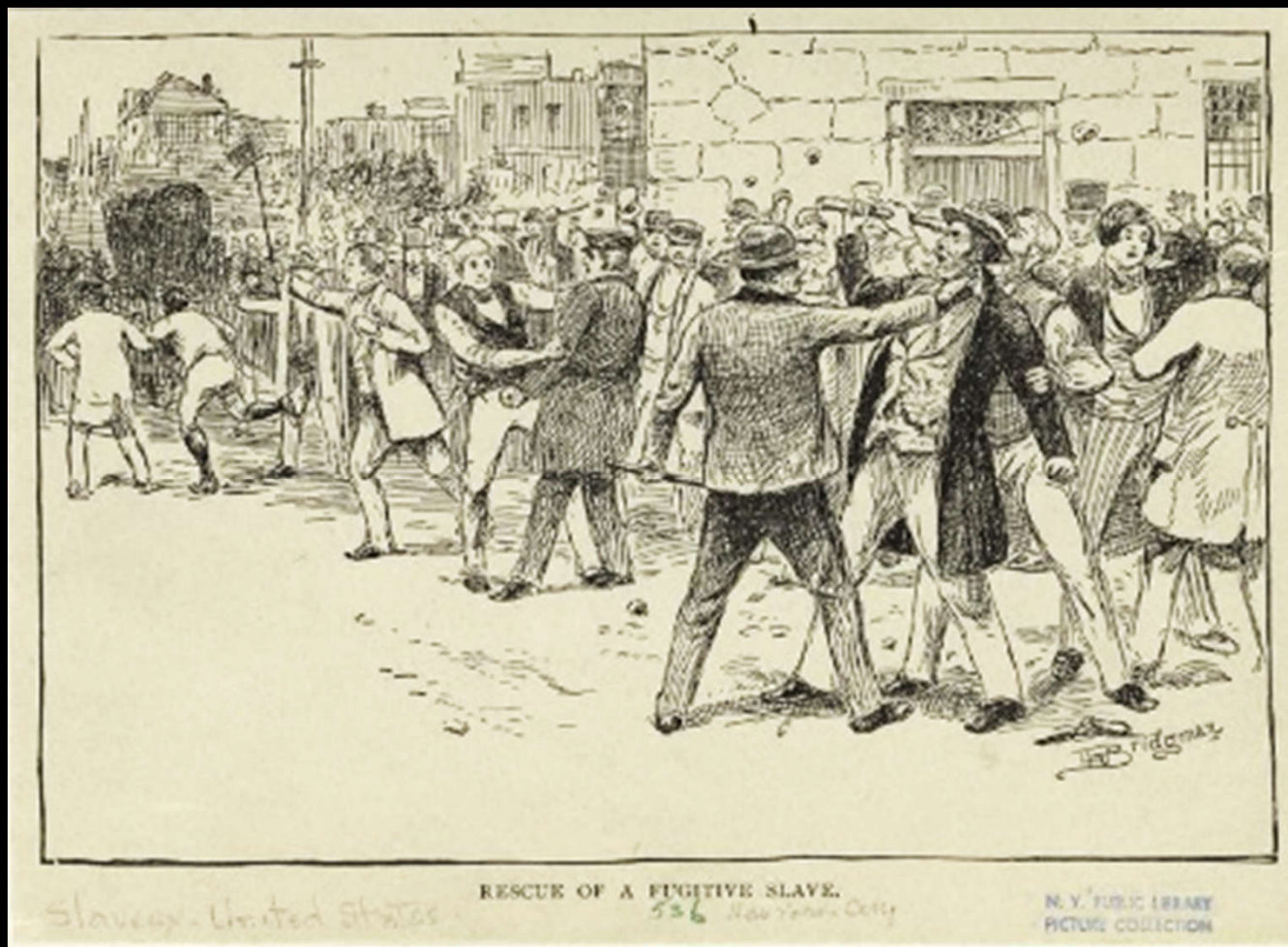
In 1840 New York Legislature added another layer of difficulty for slaveowners. Questions of ownership and identity in fugitive cases had been traditionally determined by judges. The lawmakers changed the law, granting a jury trial to alleged fugitives facing recaption.

In that statute the legislature included a remarkable provision that placed New York squarely in support of the fugitives: At the recaption trial the alleged fugitive was to be represented by the District Attorney. It is hard to conceive of a firmer symbolic stance, not to mention the potency of actual representation by a public official paid at public expense as an officer of the court.

That same year New York went further, amending its 1828 statute “to more effectually protect the life of free citizens of this state from being kidnapped or reduced to slavery. It authorized the Governor to appoint agents to help restore liberty to persons kidnapped and to help return them to New York State.



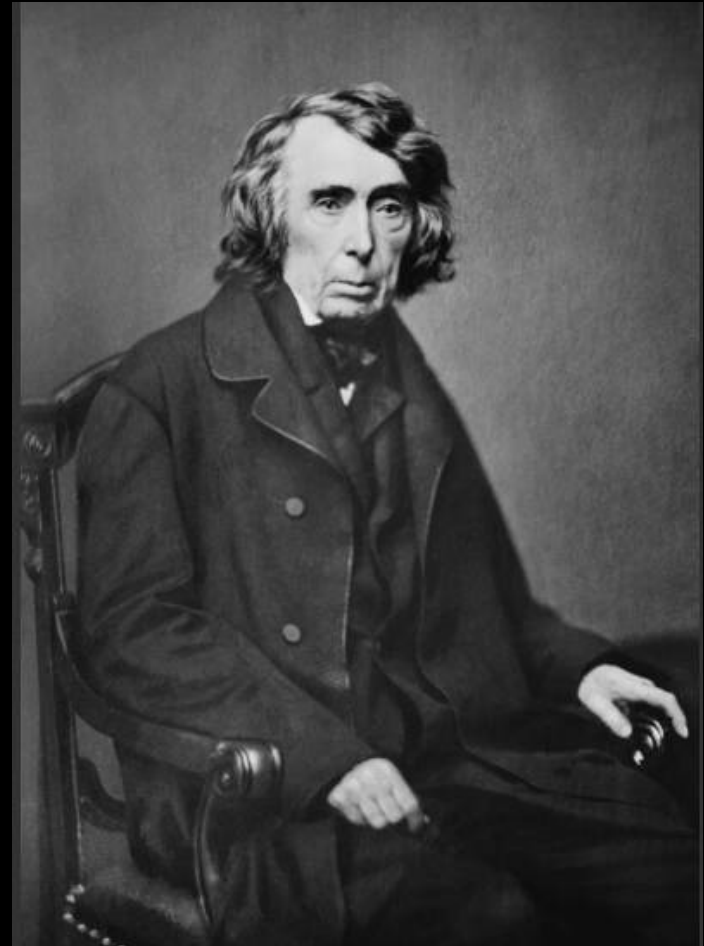
The Federal Fugitive Slave Law of 1850



Rescue of a Fugitive Slave. Schomberg Image ID807845.
Rescues following the Fugitive Slave law of 1850.



Federal authorities escorting Anthony Burns into slavery, 1854
Schomburg Image ID485699



Dred Scott v. John F. A. Sanford



W. Still

THE UNDERGROUND RAIL ROAD.

A RECORD

OF

FACTS, AUTHENTIC NARRATIVES, LETTERS, &c.,

Narrating the Hardships Hair-breadth Escapes and Death Struggles

OF THE

Slaves in their efforts for Freedom,

AS RELATED

BY THEMSELVES AND OTHERS, OR WITNESSED BY THE AUTHOR;

TOGETHER WITH

SKETCHES OF SOME OF THE LARGEST STOCKHOLDERS, AND
MOST LIBERAL AIDERS AND ADVISERS,
OF THE ROAD.

BY

WILLIAM STILL,

For many years connected with the Anti-Slavery Office in Philadelphia, and Chairman
of the Acting Vigilant Committee of the Philadelphia Branch of
the Underground Rail Road.

Illustrated with 70 fine Engravings by Benson, Schell and others, and
Portraits from Photographs from Life.

Thou shalt not deliver unto his master the servant that has escaped from his master unto thee.—Deut. xxiii. 15.

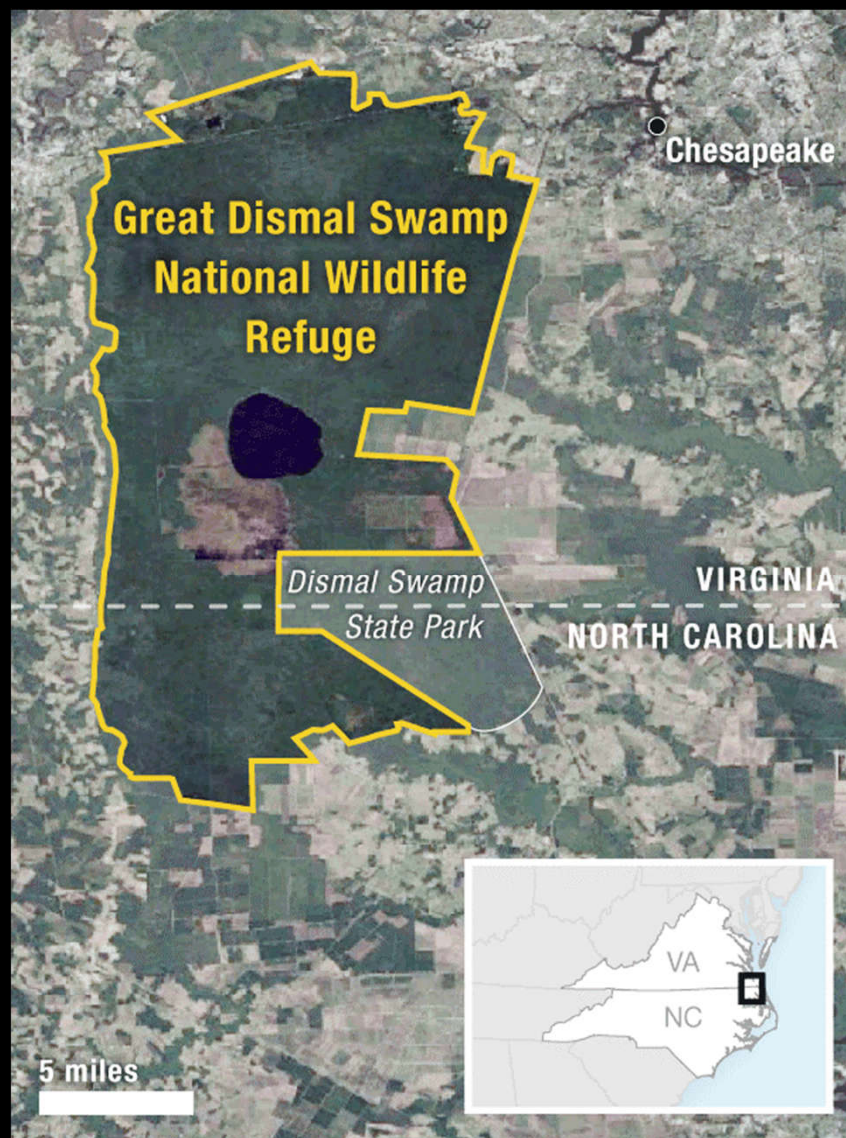
SOLD ONLY BY SUBSCRIPTION.

PHILADELPHIA:
PORTER & COATES,
322, CHESTNUT STREET.
1872.



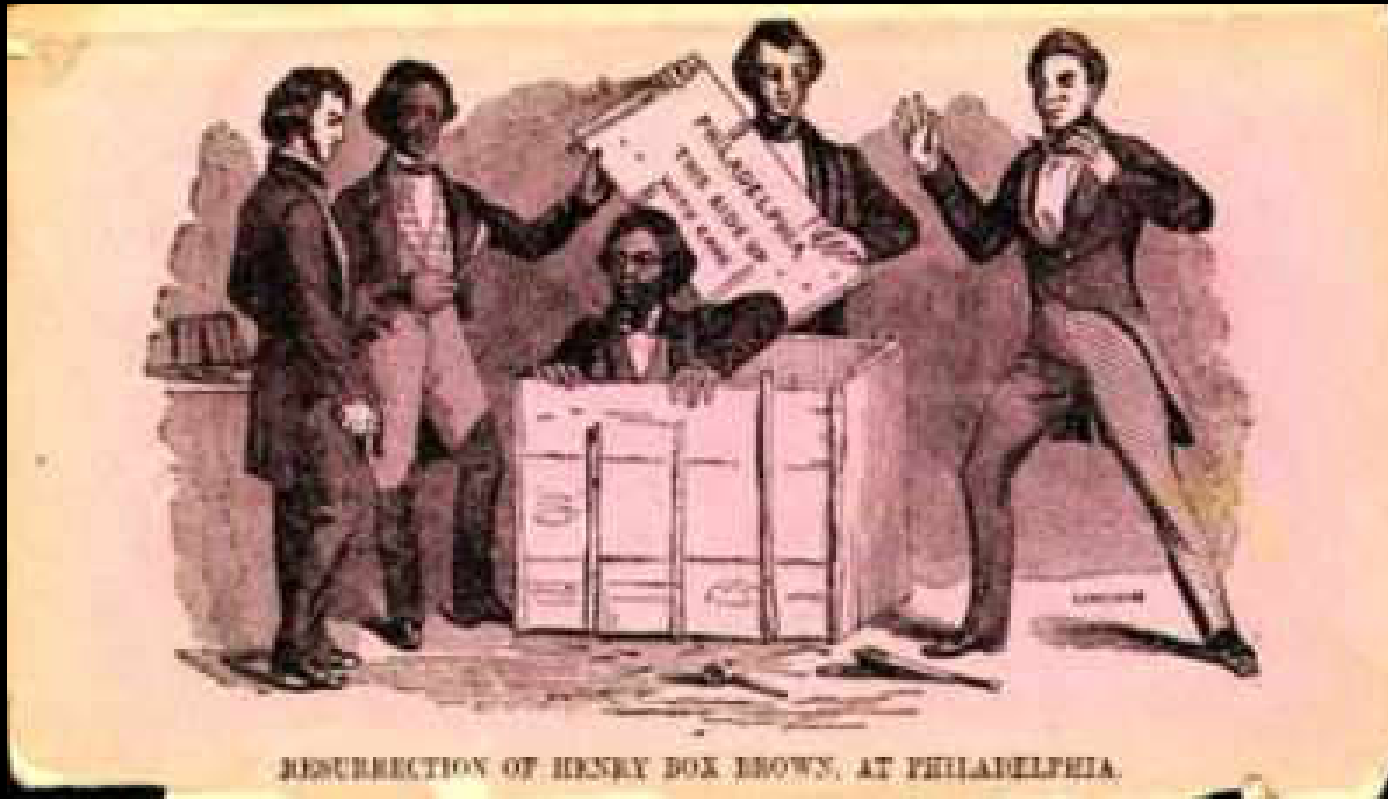
742
THE ROAD TO LIBERTY; A STATION ON THE UNDERGROUND RAILROAD.

The Road to Liberty, a station on the Underground Railroad
Schomburg Center Image ID1708351





Fugitive Slaves in the Dismal Swamp, Virginia
David Edward Cronin
1888, New-York Historical Society



Resurrection of Henry Box Brown, at Philadelphia

Price 25 Cents.

NARRATIVE

OF

HENRY BOX BROWN,

WHO

ESCAPED FROM SLAVERY, ENCLOSED IN A
BOX THREE FEET LONG, TWO WIDE,
AND TWO AND A HALF HIGH.

WRITTEN FROM A

STATEMENT OF FACTS MADE BY HIMSELF

WITH REMARKS UPON THE REMEDY FOR SLAVERY.

BY CHARLES STEARNS.

BOSTON:

PUBLISHED BY BROWN & STEARNS.

FOR SALE BY BELA MARSH, 25 CORNHILL.

1849.

livery at Clagett's Brewery, near Lombard St. bridge.
m27-St*1

WILLIAM CLAGETT.

\$150 REWARD.—Ran away from the subscriber, on Sunday night, 24th instant, my **NEGRO GIRL**, Lear Green, about 18 years of age, black complexion, round featured, good looking and of ordinary size; had on and with her when she left, a tan-colored silk bonnet, a dark plaid silk dress, a light mouselin de laine, also, one watered silk cape and one tan colored cape. I have reasons to be confident that she was persuaded off by a negro man named Wm. Adams, black, quick spoken, 5 feet 10 inches high, a large scar on one side of his face running down in a ridge by the corner of his mouth, about four inches long, barber by trade but works mostly about taverns, opening oysters, &c. He has been missing about a week; he had been heard to say he was going to marry the above girl and ship to New York, where it is said his mother resides. The above reward will be paid if said girl is taken out of the State of Maryland and delivered to me; or fifty dollars if taken in the State of Maryland.

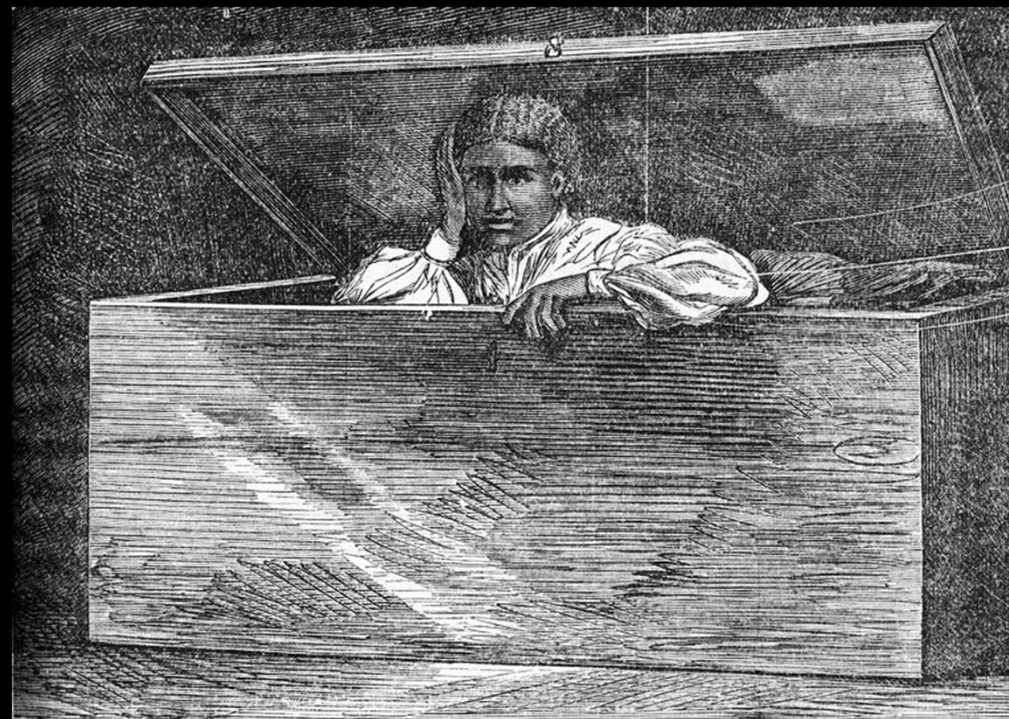
JAMES NOBLE,

m26 St*§

No. 153 Broadway, Baltimore.

THREE HUNDRED DOLLARS REWARD.—

Ran away from the subscriber, on Thursday, April



Lear Green escaping in a chest.

Schomburg Image ID1222673.

She reached Philadelphia and then settled in Elmira, NY.

THE "JERRY RESCUE"

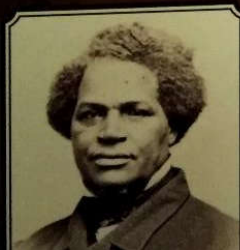
October 1, 1851

A Serious Act of Civil Disobedience

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

Fugitive Slave Act Broadside, c1850

Rauner Special Collections Library - Dartmouth University



Rev. Samuel May

May was a Unitarian minister in Syracuse and a vocal advocate for the abolition of slavery. Syracuse's May Memorial Unitarian Church is named in his honor.
 OHA Collection

It was a blatant act of civil disobedience that drew outrage from the federal administration of President Millard Fillmore. Arrests of

led from the White House

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

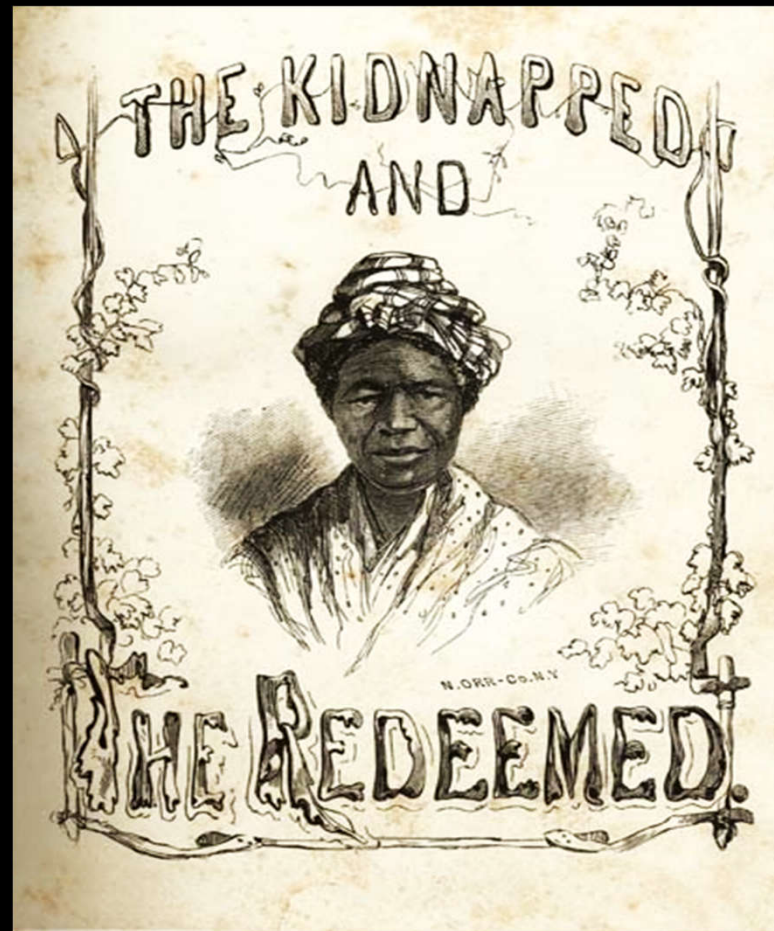
A hearing began in a building on Clinton Square to determine if Henry should be returned to slavery. An angry crowd gathered outside, protesting the arrest. The commissioner conducting the hearing temporarily adjourned the proceedings. That evening a crowd of supporters, organized by local anti-slavery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



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

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

Syracuse, 1850 — a prelude to Lemmon



Cover of the book *The Kidnapped and the Ransomed*, being the personal recollections of Peter Still and his wife "Vina," after forty years of slavery. By Mrs. Kate E. R. Pickard (1856)



Juliet Lemon

Photograph taken from www.findagrave.com. Courtesy of Shirley Craft.



Jonathan Lemon

Photograph taken from www.findagrave.com. Courtesy of Shirley Craft.

1-26-1, 1903) DEPARTMENT OF HEALTH

Certificate of Death.

5494
03494

Full Name, Louis Napoleon

Age, 80 years, 11 months, 27 days.

Sex, Male, Female, White, Colored, X

Single, Married, Widowed, Widowed

Birthplace, New York City

For foreign birth, how long in the U. S. Since birth years.

Father's Birthplace, United States

Place of Death, No. 380 South 4th St Brooklyn, Ward 16

Number of Families in House, Three

14.—On what Floor, Basement

I HEREBY CERTIFY that I attended the deceased from March 18th 1881, to March 28th 1881;

that I last saw him alive on the 28th day of March 1881; that he died on the 28 day of March 1881, about 10 $\frac{1}{2}$ o'clock ~~AM~~ or P. M., and that the following was the

Cause of Death, I. Hernia Crural

II. Senectus

Time from attack till death, Twenty four 1/4 hrs

Certificate delivered to Chapman at 2 P. M. March 27 1881

by Peter M. M. M. M. D., No. 374 So 2nd Street or Address

See other side for explanations and directions. Medical Attendant.

Death Certificate of Louis Napoleon



Erastus D. Culver (1803-1889)
Attorney for the Lemmon slaves, 1852.
With thanks to his great-great-grandson Henry D. Ryder

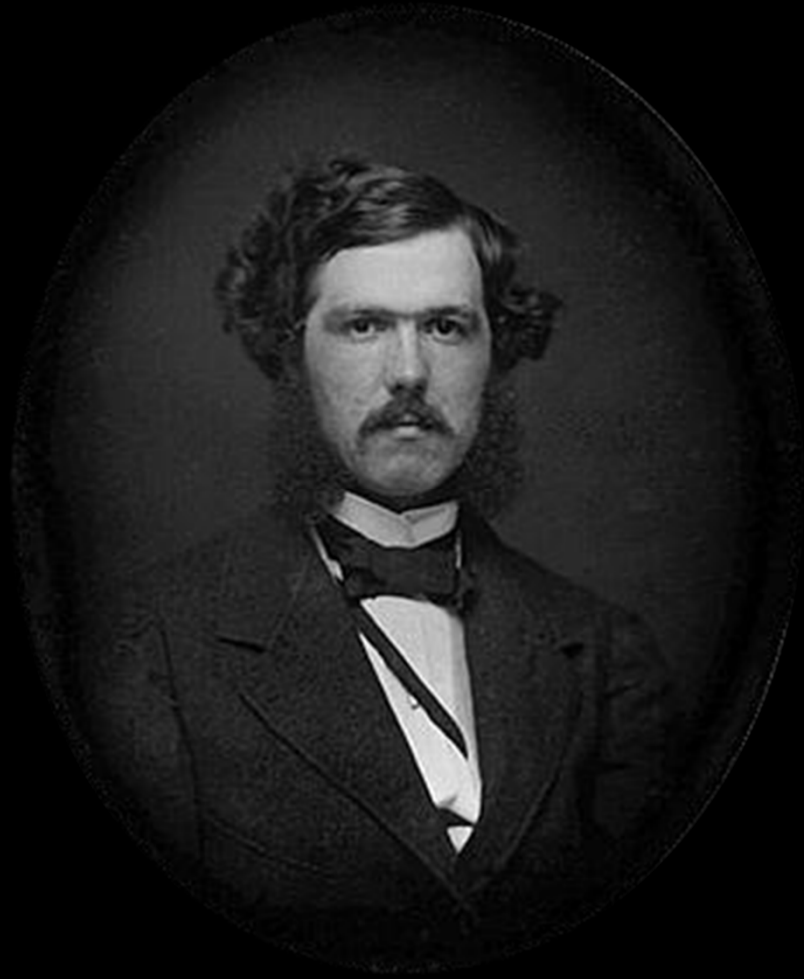


John Jay II (1817-1894) attorney for the Lemmon slaves



Elijah Paine, Jr.

Portrait undated, photographed by Mark Hemhauser, 2017,
and courtesy of Margaret Paine Hasselman, Albany, CA.



Chester Alan Arthur
21st President of the United States



William B. Wright
New York State Court of Appeals Judge



**Otis Kidwell Burger (left) and Angela Terrell
Burger is the great-great-granddaughter of Sidney Howard Gay, the abolitionist
newspaper editor.**

Photo by Don Papson (2016) on line at
<https://www.amny.com/news/underground-railroads-spirit-keeps-on-chugging-downtown/>