### **PROLOGUE**

SAN

May 1857, Cincinnati lawyer John Jolliffe rode a ferry across the Ohio River to Kentucky. After a morning's work at his office, he was going to meet his wife for a midday dinner at the home of a Covington Presbyterian minister, Charles Sage, a fellow abolitionist. Also on Jolliffe's mind that day, perhaps as he walked up from the steamboat landing, past Covington's red-brick dry-goods shops and livery stables, was a recently concluded lawsuit against three Cincinnati election officials (Ward Judges) who refused the ballot of Jesse Beckley, Jr., "because he was a colored man." During the trial, defense witnesses testified that Beckley's mother was white and his natural father half Indian, half Portuguese. The boy's father died when his son was an infant, and several years later his mother married Jesse Beckley, a free black cabinetmaker who gave the boy his name and paid young Jesse's fees at Cincinnati's black secondary school, Hiram Gilmore High.

Judge Richard Spencer explained to the all-white jury that color should be determined either by pedigree (Ohio's constitution, he said, "used the term 'white' in contradistinction to the Indian or African races") or by inspection ("the word 'white,' when speaking in reference to color, means a color pure and unadulterated"). Anyone else was legally black or mulatto and automatically excluded from the polling

booths, as Ohio law enfranchised only "white male citizens over twentyone." Spencer told jurors how any evidence that Jesse Beckley was colored required a finding against the plaintiff and for those three Ward
Judges. His instructions all but demanded such a verdict, for defense
testimony had carefully detailed Beckley's pedigree, with its "Indian"
tincture. Moreover, jurors could plainly see Beckley's relatively darker
complexion and some may also have known he was active in the Convention of Colored Freemen of Ohio. They nevertheless deadlocked for
ten hours before an astounded and frustrated Judge Spencer gave up
and slated a retrial for Monday, the first of June, two days after the
Jolliffes' dinner with the Reverend Sage.1

A quarter century's agitation against slavery and prejudice had schooled the conscientious white men who stood in solidarity with Cincinnati blacks and hung the Beckley jury. That Saturday, Jolliffe was hoping Monday's retrial would bring a more decisive victory against Ohio's exclusionary laws. As Jolliffe turned the corner of Third and Madison streets in Covington, a thin, bearded Kentucky planter called out to him by name. At first Jolliffe couldn't place the man, but then the planter strode up and bellowed: "My name is Gaines! I know you damned well, you damned rascal, you nigger thief! You came over here to steal our niggers!" A jeering crowd quickly gathered outside the Madison House hotel as Gaines continued cursing and pushing Jolliffe backward, obviously hoping the man would fight back. Instead, Jolliffe, who was raised a Quaker, ducked into a dry-goods store and asked owner William Timberlake for help.<sup>2</sup>

An unfortunate choice, Timberlake. For the last decade he'd been hiring out slaves from owners in Archibald Gaines's neighborhood, eighteen miles south at Richwood Station, Kentucky. Worse, Timberlake had been forced to use hirelings because in 1847 a number of his own slaves ran away to Michigan, where abolitionist lawyers just like John Jolliffe won the fugitives their freedom in a dramatic trial. William Timberlake had never forgiven that loss, and that Saturday afternoon he "made some show of dissuading Gaines" but pushed Jolliffe back into the street.

Now risen to "a great passion," Gaines punched Jolliffe in the ribs and resumed working the crowd. "Here's a damned nigger thief," Gaines shouted, "and all those interested in niggers had better look out, for he's come over to steal their slaves!" Jolliffe also appealed to the crowd—for safe escort back to the ferry dock. He disavowed any intention of stealing slaves and promised never to return to Kentucky. One man in the crowd told Jolliffe to "Go to hell!" Another called out for someone to "Get a cowhide and let's cowhide him!" A few others suggested lynching. Finally help arrived. A deputy U.S. marshal drew his six-shooter, warned off the crowd, and guided Jolliffe back down Madison Street to the riverfront. An anonymous German man took Jolliffe's other flank. Following right behind was Archibald Gaines, himself now calling to onlookers for a cowhide whip. When somebody threw him one Gaines "struck Mr. Jolliffe with it over the shoulders." Another deputy marshal arrested Gaines and the crowd began dispersing.

Two days later Jolliffe lost the retrial of Jesse Beckley's lawsuit. Two days after that, the Mayor's Court of Covington tried Archibald Kinkead Gaines for assault. His attorney, longtime family friend John Menzies, admitted that Gaines punched and whipped Jolliffe (who did not attend) but also offered "as extenuation of the charge" facts "everyone well knew." Menzies was referring to the longest, most expensive and dramatic fugitive slave trial in United States history, a courtroom drama that had pitted Jolliffe against Gaines.

Sixteen months earlier, during the coldest Ohio Valley winter in recorded history, a twenty-two-year-old Kentucky slave named Margaret Garner gathered up her four children and fled Maplewood, Archibald Gaines's plantation. Leading the party was Margaret's husband, Robert, who brought along his parents, Simon and Mary, all three the slaves of Gaines's neighbor James Marshall. In a daring and well-planned escape, Robert drove a stolen horse-drawn sleigh eighteen miles up the turnpike to Covington. Abandoning the sleigh on a city street, the Garners walked across the frozen Ohio River and took sanctuary in the Cincinnati cabin of Margaret's free black cousin. Gaines tracked them to that place and soon had the cabin surrounded by deputy U.S. marshals from Covington and Cincinnati. Thinking all was lost, Margaret Garner seized a butcher knife and nearly decapitated her two-year-old daughter, Mary. She was turning on her other three children when slave catchers burst in and subdued her.

Margaret Garner's child-murder electrified the United States. "AR-REST OF FUGITIVE SLAVES—A Slave Mother Murders her Child rather than see it Returned to Slavery!" cried Northern newspapers. The Garners' trial on a federal fugitive slave warrant lasted an unheard-of four weeks. It put Cincinnati at center stage in the national debate over slavery. Defending the Garners, John Jolliffe had orated to packed court-rooms and transformed the legal process into high political drama. Out-side, crowds of pro- and antislavery partisans clashed and authorities met escalating threats of violence with four hundred federally authorized special deputies.

The ensuing public opinion battle raged for months, as Margaret Garner's story was told in churches and rented theaters by sympathetic preachers and outraged abolitionists. To them, no case more incisively revealed the pathology of slavery, and no deeds better symbolized the slave's tragic heroism. To proslavery writers her deeds demonstrated that slaves were subhuman. Only a beast would kill its offspring, they reasoned, so Margaret's child-murder proved the bond servant's need for Southern slavery's kindly paternal authority.

Both sides agreed that the Margaret Garner case posed crucial questions that divided the Union. For example, was the 1850 Fugitive Slave Act, which demanded that citizens assent to and assist with capturing fugitive blacks, constitutional? Then came key states' rights questions. How could the state of Ohio, having indicted the adult Garners for murder, accept the federal intervention that set aside the murder charge for Kentuckians' claims to their runaway chattels, a mere property suit? How could property outweigh persons in the scales of Justice? Finally, though, it all boiled down to slavery: Could Southerners count on national support for it? How much slavery must Northerners finally stomach? Could Southerners rely on Northerners to return their "property" when it ran away? Could Northerners be forced to assist Southerners, when helping was morally, spiritually repugnant? Both sides punctuated their rhetoric with images of fraternal strife and saw in their differences over Margaret Garner's case the roots of civil war.

During the June 1857 trial of Archibald Gaines on assault charges, John Menzies also recalled the Garner trial as an occasion when "lawyer Jolliffe grossly insulted and injured" the reputation of his client Archibald Gaines. The "abuse to Gaines and his family" included insinuations that Gaines was "inhuman" to Margaret Garner in ways too horrible to name before the court. One of Menzies's witnesses testified that, "in Kentucky, some of [Jolliffe's] remarks were thought a gross outrage" to any gentleman, and therefore required settlement "on the

field of honor." Menzies claimed the chance meeting of 30 May 1857 had given Squire Gaines his first opportunity to do just that. Some Kentuckians on the twelve-man jury must have agreed that Archibald Gaines was only redressing a legitimate and long-standing assault on his honor and was therefore innocent. They deadlocked the jury's deliberations until the judge, refusing them any break for dinner, demanded a verdict of the twelve white men, five of whom owned slaves. Emerging from the jury room an hour later, the twelve Kentuckians reluctantly agreed to a guilty verdict but fined Gaines just twenty-two dollars and fifty cents. Menzies claimed a victory. Cincinnati papers claimed that Gaines's conduct and the paltry fine were an outrage to Ohio, another wedge gaveled into the rift between North and South.

The "Gaines-Jolliffe Affair" was only one among hundreds of interrelated clashes over slavery that erupted all through the states during the last antebellum decade. These were years when Southern demands that Northern jurisdictions return runaway slaves became an "acid test" of Union. When Boston abolitionists "rescued" a fugitive named Shadrach before he could be remanded to the South. And when Boston Commons, hallowed ground where revolutionists joyously burned King George's coat of arms in 1776, in 1854 became the parade grounds where antislavery forces stood powerlessly, mournfully by as federal marshals marched fugitive Anthony Burns back to slavery. The Burns case was memorialized in the writings of Frederick Douglass, Walt Whitman, and Ralph Waldo Emerson, and it is still widely recounted in histories of the period. In that decade, however, no antebellum fugitive case achieved the signal importance of Margaret Garner's.

Before Confederate troops fired on Fort Sumter, writers represented her infanticide in a spate of essays and poems, as well as two antislavery novels. One narrative appeared so soon afterward that modern publishers' swift "novelizations" of popular tragedies seem nothing new. During the Civil War, prominent politicians still squabbled over their handling of the Garner case. During Reconstruction, some of the principals in the Garner drama still debated their roles, and Margaret Garner took on mythic status. Kentucky artist Thomas Noble painted Margaret Garner as a heroic, defiant mother confronting slave catchers over the out-

stretched bodies of her children, and the renowned Mathew Brady produced a lithograph of Noble's infanticidal tableau, an image published in popular magazines such as *Harper's Weekly*.

Noble called his painting "The Modern Medea," a title with deeply troubling inferences. In Euripides' drama, a Medea already suspected of practicing the "black arts" of witchcraft kills her two children to spite their father, Jason. Jason had cut Medea to the heart by rejecting her for a racially "purer" wife; she countered by cutting off his royal lineage. Noble's title therefore implies that Margaret Garner destroyed Archibald Gaines's property—and the child of their illicit union—out of jealous rage. "The Modern Medea" thus plays on themes of miscegenation, sexual bondage, and the black woman as alluring and dangerous Other, themes nineteenth-century Americans typically spoke about in code.

Margaret Garner's translation into myth marked the beginning of a long amnesia. After Reconstruction and until 1987 she all but vanished from American cultural memory. But how could this have happened? Had the poems, fictions, and paintings—the whole range of artifacts meant to memorialize the Garner case—somehow failed to do their work? The lapse becomes doubly difficult for us to fathom because in its own epoch the Garner case became the most significant and controversial of all the antebellum fugitive stories. In fact, if sheer mass of reference and representation count for anything, then Margaret Garner was as compelling, perhaps even more compelling a figure of slavery than perennially famous fugitive slaves like Anthony Burns, Thomas Sims, and Dred Scott. But none of them ever disappeared from the histories.6

How then was the Garner case so different? Dred Scott came to symbolize the grand story of the clash over slavery's political and legal status under the Constitution. But even though it was never argued before the Supreme Court, the Garner case also turned on crucial issues in constitutional law. Therefore the difference must lie elsewhere. Gender was crucial. Margaret Garner's infanticide spotlighted the plight of women slaves and symbolized slavery's awful, violent power over and within slave families—issues once at the very heart of anti- and proslavery arguments but waylaid for generations in the grand narratives about slavery's constitutional challenges leading to disunion. The current generation of historians has returned to slavery's domestic drama, of the



Margaret Garner
DETAIL FROM THOMAS SATTERWHITE NOBLE, "THE MODERN MEDEA" (1867)

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Prologue

tense relations inside and around the "Big House" and the dissonant choruses of coercion, resistance, and violence echoing from it.

For over a century the Garner case surfaced only in the odd historical footnote. Then Toni Morrison's award-winning 1987 novel, Beloved, once more brought it before the public eye. Articles and interviews touted the novel's historical origins. Still, Morrison herself has always said that Margaret Garner's infanticide only provided the seed for Beloved, and that her sole nineteenth-century source was a reprinted journalistic article containing the "important things," such as the number and sex of Margaret's children and the barest facts about her childmurder. After that, Morrison deliberately avoided any further research. "The rest," she told reporters in 1987, "was novel writing."

Morrison begins her story during Reconstruction, eighteen years after the infanticide, and unfolds her heroine's deeds in the briefest flash-backs. Few of the novel's events coincide with historical facts, though it is uncanny how once again—as it did for many nineteenth-century Americans—the Garner case symbolizes slavery's horror. But now in Morrison's novel the long-repressed memory of child-murder becomes a crisis that they and even a whole people must work through. In still broader terms Beloved insists that slavery as a whole constituted a historical trauma whose forgetting has put a people's collective sanity in chronic peril.

Among Beloved's many gifts is the power to take what other generations could only regard as a tragedy and imagine out of it a fragile but happy ending. Another and equally powerful gift is that Beloved returns to us a slave mother who was always not only the subject of others' obscurely coded stories about her, but far more significantly herself a feeling and thinking subject. In Morrison's novel that long-forgotten past returns to trouble daily life in the form of a haint, or ghost, called "Beloved." Ghostly yet physically hungry beyond satisfaction, haunting but herself haunted by slavery's disremembered horrors, the figure called Beloved well symbolizes the century-long amnesia about slaves' lived experiences. Perhaps Beloved also represents everything that cannot be recaptured through historical analysis, everything that cannot be summarized so that we can claim it as "our" history.

Perhaps, but I think Morrison's fictional return to this long-repressed historical subject challenges us with a host of questions. Who was the actual Margaret Garner? What brought her to draw a butcher knife

across the throat of her two-year-old daughter? What happened to the Garner family and to other key players in the drama? How did the Garner infanticide become a story, and what kinds of social and cultural work did its tellers expect that story to do? Why, until 1987, did their stories mostly fail to inscribe Margaret Garner's deeds and desires in the nation's memory about slavery?

The following chapters tell the historical narrative that Toni Morrison's novelistic genius set aside. Being bound by rules of evidence, my book does not have her novel's imaginative freedom and keeps to the Garners' story, with its dramatic fugitive slave trial, their return to the South, and tragic finale. Unlike *Beloved*, these chapters do not lead to happy endings.

This is a story of slavery and child-murder, and it begins in northern Kentucky. There is a certain ease in reading (or writing) sentences like that. Sequenced in a narration, they wind meanings around a sense of determinable causes and effects. The Garner infanticide is, however, a historical instance that will always frustrate our need for unambiguous, finalized meanings. Margaret Garner was the slave of powerful and prominent Kentuckians, one of whom was a United States congressman and the second governor of Oregon Territory, the other a wealthy but star-crossed northern Kentucky "squire." We can know far more about these white people than we may ever know about Margaret. The sum of her own speech transcribed onto paper would fill little more than a page. Newspapermen's descriptions of her are discouragingly brief and sketchy.

Nonetheless, this project took shape as a book when my work in the archives uncovered historical evidence about Margaret Garner's white and black northern Kentucky families, evidence needed to reconstruct her experience in slavery. Evidence about conditions at Maplewood, her master's plantation, and at Margaret's Richwood Station neighborhood enabled me to piece together her life and struggles leading up to events of early 1856. As the Margaret Garner story thus emerged from archived letters, old newspapers, official records and documents, I understood that my first responsibility was to compose a work of narrative history about the Garner case. The first job was to tell Margaret Garner's story.

Inevitably, telling her story takes one away from the Garners. For me

it compelled research into the lives of white people who owned the slaves, who fought in Cincinnati courts for their liberty, and who—in some instances—found their lives forever marked by Margaret Garner's child-murder, the tragedy's defining act. After that bloody deed, the Garners became captives, defendants, and then (once more) slaves. Throughout these closing acts in their drama all seven surviving Garners looked on impassively as whites struggled to decide their fate. In the following chapters these people, blacks and whites, must all take turns at center stage even while the story revolves around the main mystery: Why did Margaret take her daughter Mary's life? This book began as a search for answers to that ultimately unanswerable question.

Where does the Margaret Gamer story begin? Perhaps with an abiding landscape. Today travelers driving south from Cincinnati on Interstate 75 speed past the Richwood Flea Market's tan warehouse. To the right, one mile farther west, beyond the green-and-yellow BP station at Exit 175, down State Route 338 and past the recently subdivided, gated country club community named Triple Crown, stands the same quaintly spired Presbyterian church where Margaret Garner's owners, their neighbors, and many neighborhood slaves (including Margaret) attended Sunday services.

As one turns right at the stop sign and bears west at Richwood Presbyterian Church, the America of interstates and eighteen-wheelers seems to tumble away. Here on the road's north side stretches the same estate Margaret's masters once farmed in gentlemanly style. There on the road's southwest side stretches the same estate of the Gaines family's best friend, Benjamin Franklin Bedinger. There, back down the road by the church, is where Margaret's husband and in-laws toiled for planter James Marshall. Subdivisions encroach on these lands from all sides but these old estates are still intact, still in the hands of Gaines and Bedinger and Marshall descendants. Mud Lick Creek still runs through this beautiful landscape as it did in Margaret's time, but now it is partly banked with expensive-looking stone masonry. A magnificent new mansion with high Palladian windows graces an eastern corner of the old Bedinger place, Forrest Home, though Maplewood has changed remarkably little in a century and a half. Atop a knoll sits the same house that Archibald Gaines built after a November 1850 fire leveled the original dwelling. From

the road one can see the rooms where Margaret Garner and her children did domestic labor and suffered whatever indignities or threats or assaults finally compelled her to run.

In Beloved, Toni Morrison calls this place "Sweet Home." Uncannily, here is the same land described in her novel as "rolling, rolling, rolling out before [one's] eyes . . . in shameless beauty," with its "lacy groves" of "the most beautiful sycamores in the world." The sycamores still stand with clumps of tall oaks and squatting locusts. Outside Maplewood's front gate the Commonwealth of Kentucky has placed a historical marker commemorating it as the former residence of Major John Pollard Gaines, hero of the Mexican War and second territorial governor of Oregon.

Headstones of Gaines and Marshall family members dot Richwood Station graveyards, and their descendants still people this landscape because social and legal institutions privileged and protected their property. As for the Garners, who attempted to steal their selves in a daring resistance to antebellum slave law, the whereabouts of their graves or of any who descended from them were lost in the great diaspora of American slavery and Reconstruction. No markers or headstones for their kind in this place.

If one subscribes to an "organic" idea of character—that what one becomes follows from where one grows up—then the Margaret Garner story begins with this remarkable and haunted land. Here masters and slaves lived in tense relations that both confirm and disrupt myths about slavery. Theirs are human faces, enigmatic yet partly realizable from old, microfilmed newspapers and almost illegible, archived documents. Such pages can be just as vocal, or inscrutable, as this shamelessly beautiful land.

I begin here.

This book tells the story of Margaret Garner's journeys from this place.

## NOTES

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#### Prologue

 Details on the Beckley suit are from the Cincinnati Gazette and the Cincinnati Enquirer of Thursday, 14 May, and Friday, 15 May 1857.

2. The following reconstruction of Archibald Gaines's 30 May 1857 assault on John Jolliffe draws principally from accounts in the Gazette and the Enquirer, who covered the story in their editions of Monday and Tuesday, 1 and 2 June 1857. Further details were drawn from their coverages of Gaines's trial, in editions of Thursday, 4 June 1857. The Covington Journal of Saturday, 6 June 1857 provides "a south-side view" of the case.

 On Timberlake's loss of slaves and his hiring of slaves from Archibald Gaines's Richwood Station neighborhood, see below in Chapter 1, "Fugitive."

The phrase is Paul Finkelman's, in his study An Imperfect Union: Slavery, Federalism, and Comity (Chapel Hill: University of North Carolina Press, 1981), 8.

5. Emerson's 21 January 1855 "Lecture on Slavery," delivered at Boston's Tremont Temple, denounced the federal government's role in the Burns case of May 1854; see Emerson's Antislavery Writings, ed. Len Gougeon and Joel Myerson (New Haven: Yale University Press, 1995), 91–106. Published initially in the 1855 edition of Leaves of Grass, Whitman's poem "A Boston Ballad" imagines the fracas over Anthony Burns summoning from their graves disgusted Revolutionary War "phantoms"; see Leaves of Grass: A Textual Variorum of the Printed Poems, Vol. 1, ed. Sculley Bradley et al. (New York: New York University Press, 1980), 146–48. Douglass related his outrage at the Burns case in My Bondage and My Freedom (1855) and in several speeches during the months after Burns was remanded to the South. One such address, delivered at Rochester on 22 May 1856, names Margaret Garner and Burns in a long list of martyrs and resisters; see The Frederick Douglass Papers,

Series One, Vol. 3; Speeches, Debates, and Interviews, ed. John W. Blasingame (New Haven: Yale University Press, 1985), 114-33. For modern-day treatments of the

Burns case, see note 6, below.

6. On the Anthony Burns case, see, for example, The Boston Slave Riot and Trial of Anthony Burns (Boston: Fetridge and Co., 1854); Charles Emery Stevens, Anthony Burns: A History (Williamstown, MA: Corner House, 1973); Jane H. Pease, The Fugitive Slave Law and Anthony Burns: A Problem in Law Enforcement (Philadelphia: J. B. Lippincott, 1975); as well as a book written for juveniles by Virginia Hamilton, Anthony Burns: The Defeat and Triumph of a Fugitive Slave (New York: Alfred A. Knopf, 1988). On the Dred Scott case, see, for example, Vincent C. Hopkins, Dred Scott's Case (New York: Russell and Russell, 1967); Stanley Kutler, ed., The Dred Scott Decision: Law or Politics (Boston: Houghton Mifflin, 1967); Donald E. Fehrenbacher, The Dred Scott Case: Its Significance in American Law and Politics (New York: Oxford University Press, 1978); Walter Ehrlich, They Have No Rights: Dred Scott's Struggle for Freedom (Westport, CT: Greenwood Press, 1979). The literature on Scott even includes a biography of his attorney, Roswell M. Field; see Kenneth C. Kaufman, Dred Scott's Advocate (Columbia: University of Missouri Press, 1996). Still the matchless study of these and other fugitive cases is Stanley W. Campbell's The Slave Catchers: Enforcement of the Fugitive Slave Law, 1850-1860 (Chapel Hill: University of North Carolina Press, 1970).

7. From an interview reported in "Toni Morrison's Beloved inspired by a slave who chose to kill her child," New York Times, 26 August 1987, III, 17. Evidently Morrison first learned of the Garner case in the early seventies, when she was editing two projects for Random House publishers. Gerda Lerner's anthology Black Women in White America: A Documentary History (New York: Random House, 1972) contains Brady's photolithographed image of Noble's "The Modern Medea" along with an article about the case reprinted from an 1856 Baptist magazine. M. A. Harris's

The Black Book (New York: Random House, 1974) reuses these two texts.

8. See Toni Morrison, Beloved (New York: Alfred A. Knopf, 1987). A voluminous and rapidly burgeoning scholarship has grown up around Morrison's novel, and among the most useful on Beloved's historical claims on readers are the following: Bernard Bell, "Beloved: A Womanist Neo-Slave Narrative; or, Multivocal Remembrances of Things Past," African American Review 26.1 (1992): 7-15; Elizabeth B. House, "Toni Morrison's Ghost: The Beloved Who Is Not Beloved," Studies in American Fiction 18.1 (1990): 17-26; Linda Krumholz, "The Ghosts of Slavery: Historical Recovery in Toni Morrison's Beloved," African American Review 26.3 (1992): 395-408; Andrew Levy, "Telling Beloved," Texas Studies in Literature and Language 33.1 (1991): 114-23; Caroline Rody, "Toni Morrison's Beloved: History, 'Rememory,' and the 'Clamor for a Kiss,' " American Literary History 7.1 (1995): 92-119; Charles Scruggs, "The Beloved Community in Toni Morrison's Beloved," in Sweet Home: Invisible Cities in the Afro-American Novel (Baltimore: Johns Hopkins University Press, 1993), 167-204. An extensive treatment of the Garner case, based on Levi Coffin's memoir, Julius Yanuck's historical essay, and 1850s newspaper accounts also appears in Chapter 4 of Avery Gordon's Ghostly Matters: Haunting and the Sociological Imagination (Minneapolis: University of Minnesota Press, restricted to the attention of the party of the party 1997), 137-192.

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# **MODERN MEDEA**

A Family Story of Slavery and Child-Murder from the Old South



## STEVEN WEISENBURGER





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