

THE RANDOLPH SLAVES

A WILL WITH NO WAY

The first 18 years of my life were spent growing up in Piqua, Ohio, one of a daisy-chain of small towns along I-75 north of Dayton. As kids in the 30's, 40's, and 50's the town was our universe and decidedly "Mayberry". Two years ago I was reading a book about our Congressman during those years, William McCulloch, and noticed a brief mention of a group of former slaves who had established the small community of Rossville, just across the Great Miami River from Piqua. I had never heard of them. Rossville was just a rather poor settlement on the highway going north out of Piqua. To my knowledge I hadn't met, or gone to school with any of the descendants of the group. But, with a little digging, I found their story to be very compelling. I wish to share it with you this evening.

July 1, 1846 was a hot day in Cincinnati when a steamer from Charleston tied up at the public landing. On board were 383 newly freed slaves from the Randolph Plantation in Roanoke, Virginia, making their way to a new home in Mercer County, Ohio. Their former owner, John Randolph had made provision in his will that, upon his death, all of his slaves would be freed, and land in the free state of Ohio would be provided to them to build a new community, making a new life for themselves

and their families. Now, stepping onto the free soil of Cincinnati's waterfront, they were on the last 100 mile leg of their journey to Mercer County in western Ohio, where 3200 acres had been purchased by Randolph for their resettlement.

The July 2 edition of the *Cincinnati Gazette* reported their arrival and the paper's opinion of Randolph's will and action. Excerpts from that editorial, found in the Shelby County Ohio Historical Society's publication of the event, indicate the attitude toward such migrations to Ohio and Cincinnati.

"John Randolph, by will, gave freedom to his slaves, and provided the means for their settlement in Ohio. Yesterday they passed through our city on their way to the settlement purchased for them in the interior. The troop was a large one. There appeared to be some 300 in it. It is composed of people of all ages and all sizes, and attracted no little attention." The editor went on. He felt Ohio had nothing to do with slavery and it was not in the interest of the State nor its duty to accept these freedmen and women. "This emigration of John Randolph's Negroes proves that we have something to do with slavery. And evidently the people of Virginia think so too. For whenever their eyes get opened, because they hear the call of death, or know it is nigh, the first step is to free their slaves that they may lull the unquiet knowings of conscience --- the next to send them to Ohio that they may be free!

We have already several colored settlements among us. And pray, why does not Virginia and Kentucky retain their freed blacks? We have very much fear that the common objection made in the slave states that we as free states, having nothing to do with slavery, will turn out on examination to be eminently untrue in more respects than one.”

This opinion would be the harbinger of things to come. The fear of the “Other” has been a part of every migration story, then and now.

But, who was this man, John Randolph, and why would he even think of doing such a thing?

Randolph was the son of a wealthy Roanoke, Virginia tobacco planter. He was usually referred to as John Randolph of Roanoke to differentiate him from his father and other members of the Randolph family, so prominent in the early history of Virginia and the United States. He was born in 1773 to John Randolph and Frances Bland. He studied under private tutors at Walter Maury’s private school, then attended the College of New Jersey, and Columbia College in New York. He studied law in Philadelphia, but never practiced. Randolph was raised and remained a member of the Episcopal Church throughout his life.

His father died when John was very young and his mother married St. George Tucker in 1778 bringing two half-brothers into the family. John suffered from tuberculosis early in life which left him beardless and with a pre-pubescent soprano voice in adulthood. He remained a lifelong bachelor.

As John Randolph's heir he inherited the tobacco plantation of 8000 acres and about 400 slaves. This allowed him to continue a life of privilege and pursue a career in politics. In 1799, at the young age of 26, Randolph was first elected to Congress as a member of the Democratic – Republican Party from the Seventh District of Virginia. He served four more terms in the House. Historian Russell Kirk described him as “a radical man yet a political conservative” with “alternating ferocity and compassion...his duels...his beautiful letters...his fits of madness...his brandy and opium...his passionate Christianity...his lonely plantation life...and his quixotic opposition to the great political and economic powers of the day.” With regard to his duels, he once fought a duel with Henry Clay. After the first volley the only damage was to Randolph's jacket. After reloading, Randolph announced that he had no interest in making Mrs. Clay a widow, and both men left the field unharmed.

Federalist William Plumer of New Hampshire wrote in 1803 of his striking presence: “Mr. Randolph goes about the House booted and spurred, with his whip in hand, in imitation, it is said, of members of the British Parliament. (Some said he would bring his dog too until the Speaker of the House put a stop to it.) He is a slight man but of the common stature. At a little distance, he does not appear older than you are; but upon a nearer approach, you perceive his wrinkles and grey hairs. He is, I believe, about thirty. His talents are certainly far above mediocrity”. Plumer added: “As a popular speaker, he is not inferior to any man in the House. I admire his ingenuity and address; but I dislike his politics.”

In 1825-1827 Randolph served in the Senate to fill a vacancy, and later was appointed the 8th United States Minister to Russia from May through September, 1830, but resigned as Minister due to ill health. He returned to the House again in 1832 and served until his death in May, 1833.

In spite of an active political career, ill health from tuberculosis afflicted him throughout his life. Perhaps this constant reminder of his mortality, and his brother’s death from TB, caused him to think about the future of his estate. In 1819, years before his death, Randolph wrote his first will which contained a provision for the manumission of his slaves upon his death. He wrote, “I give and bequeath

to all my slaves their freedom, heartily regretting that I have ever been the owner of one.” In 1821, a second will was written which provided money to transport and settle the freed slaves on land purchased in the free state of Ohio. In 1832, however, for reasons unclear to us, a third will was written specifying that the slaves were to be sold. Then, on his deathbed in 1833, with his doctor locked in his bedroom, as a white witness was required by Virginia law in manumission cases, he repudiated the third will and again specified that the slaves be freed and transported.

The family however, didn't see it this way. Lawsuits were brought to test the validity of the wills, a process that lasted for 13 years until the Virginia courts, in the case of *Coulter's Executors et. al. v. Bryan and Wife*, decided that the third will was invalid by reason of Randolph's insanity, thus validating the second will. This decision also affirmed William Leigh, Randolph's close friend, as his Executor. The slaves, who had been kept in bondage and hired out during this long period of litigation, were officially manumitted on May 4, 1846.

Leigh had been preparing for this day. He had access now to about \$38,000 dollars in cash and real estate. The year before, he had commissioned an Ohio lawyer, Samuel Jay, to purchase 3200 acres in Mercer County, Ohio, to be held in trust for

Randolph's beneficiaries for their resettlement in a free state. The land was to be divided so that all above the age of 40 would receive not less than 10 acres each.

Leigh's selection of Mercer County was not an illogical choice. The area was lightly settled and in 1835 it had become the site of Carthagenā, a black settlement. Augustus Wattles, a student at Cincinnati's Lane Seminary had purchased 190 acres there and started a school for boys of color. He taught manual training, farming, and the undertaking of silk culture. Wattles' work attracted the attention of the trustees of the Samuel Emlen Jr. estate, a New Jersey Quaker who had willed money for the education of "boys of African and Indian decent". With his bequest, the school and farm were purchased creating the Emlen Institute. With this impetus, a black farming community grew rapidly nearby, and the village of Carthagenā was platted in 1840.

With the land secured near this settlement, the next step was to arrange for the transportation of 383 men, women, and children, hundreds of miles from the plantation to their new home near Carthagenā. The party ranged in age from an infant to Granny Hannah who was said to be over 100. A Mr. Cardwell was hired to see to getting the group to their destination. The trek started in June, 1846. With them, they carried a certificate from the Clerk of the Court of Charlotte County,

Virginia which listed the first names and description of all of the freed slaves. Can you imagine the feeling of joy, expectation, and relief that those people experienced on that early spring morning when they saw the wagons in the road, and the transportation contractor getting ready to take them to Ohio? They were finally on their way to real freedom and a new life in a place of their own.

After a journey of almost 500 miles by wagons, the group arrived near Charleston on June 18. There they boarded a steamer and sailed down the Kanawha River to the Ohio River and on to Cincinnati.

Upon arrival at the Cincinnati Public Landing, the group made an orderly walk up Main Street to the new Miami and Erie Canal (now Central Parkway) where they boarded barges for the continuation of their journey to their Promised Land, now just 100 miles away. And it must be said that this was no ordinary group. Randolph had seen to it that they were educated. Among them were skilled craftsmen. Many could read and write. The group had the capability to succeed in their new life.

As they glided northward on the canal, signs of racism followed them. Rumors picked up along the way indicated that the residents in Mercer County were not enthusiastic about their impending arrival.

The local paper in Dayton reported that the preparations for their settlement had caused a great deal of anxiety among the white residents. They, who themselves were recent migrants from Germany to the United States escaping the social and economic upheaval in the German States during that period. The news of the landing of nearly 400 Negroes in Cincinnati excited fears of black dominance.

For several years the Wattles community at Carthagenia had been subjected to white physical harassment to such a degree that the Ohio Governor had to assure them that the law would protect them. Now, the balance of power could shift with the new arrivals.

The tension was felt as the Randolph group made their way through Tippecanoe, and Troy, and especially in Piqua, where the town Marshall refused to allow them off the barges to get water citing a water shortage. Moving on, they did get water a mile or so up the canal at Col. Johnston's farm.

The little fleet then moved on through the locks at Lockport (now Lockington) and on to Ft Loramie, where again they were not allowed to land, and finally to the

docks at New Bremen in Mercer County.

It was noon on that July Sunday when the boats docked in New

Bremen, but there was no brass band, no dignitaries with welcoming gifts and

speeches, no banquet. Instead, a crowd of armed and very angry whites gathered

around the canal boats to enforce three resolutions they had drafted while the

Randolph group was enroute. The resolutions were:

Resolved: That we will not live among Negroes; as we have settled here first, and we have fully determined that we will resist the settlement of blacks and mulattoes in this county to the full extent of our means, the bayonet not excepted.

Resolved: That the blacks of this county be, and they are hereby respectfully requested to leave the county on or before the first day of March, 1847; and in the case of their neglect or refusal to comply with this request, we pledge ourselves to remove them peacefully if we can, forcibly if we must.

Resolved: That we who are assembled, pledge ourselves not to employ or trade with any black or mulatto person, in any manner whatever, or to permit

them to have any grinding done at our mills, after the first day of January, next.”

Is it not surprising how this attitude towards migrants and “Others” has persisted for over a century and a half.

Perhaps the disadvantages of locating in Mercer County had not been given sufficient weight in the decision. Ohio’s Black Laws that were in force from 1804 until repeal in 1849, meant that Ohio’s Negroes had no more political or legal rights than Indians or unnaturalized foreigners. Indeed, our own Literarian, Charles T. Greve wrote in his Centennial History of Cincinnati and Representative Citizens, “In short, considering the open hostility of many Ohioans, the state’s anti-black laws, and Cincinnati’s race riots of 1829, 1836, and 1841, one must wonder why the executor chose the Buckeye State rather than some less tumultuous area.”

The Executor, William Leigh, was not due to arrive for three days and might have gotten things sorted out, however, the townspeople demanded that Mr. Cardwell, the transportation contractor, arrange to be gone with his group by 10:00 the next

morning. Cardwell pleaded with them to allow a three day extension. The answer was a definitive NO! He offered a \$1000 bond and to spend the time in jail as a guarantee that he would not skip out and leave the former slaves behind. The answer again was NO! He did get them to send for Samuel Jay, Leigh's land agent, to perhaps aid in the situation. After an uneasy night, Jay arrived on Monday morning and immediately refused to receive the Randolph group. He claimed he had no authority from Leigh to take such action, and further pointed out that the hostility of the surrounding landowners would have a negative impact on anything he might do. Now, out of options, Cardwell chartered two boats and loaded the group for the trip back down the canal and out of Mercer County. An armed escort followed them to the County line. One of the old men in the Randolph group was said to declare after seeing the hostility that maybe his former Master in Virginia was his best friend after all.

Imagine the despair and bewilderment of the group as they moved southward

through Shelby County to Lockport where they stopped for a few days. Rumor had it that several members of the party had slipped away while still in Mercer County and made their way to Carthagen. Others now wished to depart and join a settlement of blacks at Rumley near Sidney. Again they were met with hostility until several local citizens appealed to the charity of their fellow townspeople and convened a meeting to debate what to do. It was decided that about a third of their number could stay in Sidney and these individuals were given work in the homes and farms in the area. The rest continued on another few miles south to Piqua. It was about this time that Leigh caught up with the party.

Leigh quickly understood that the hostility his charges faced made the original intent of Randolph's will impossible. He decided to find places for the group to settle anywhere possible in the region between Piqua and Cincinnati. Fortunately, an area just across the Great Miami River from Piqua known as the Knowles Addition had recently been platted but not developed. Leigh arranged for the purchase of the land, and it became the village of Rossville, home for about 75 of the Randolph group. Other groups moved farther south creating settlements called Marshalltown near Troy and Hanktown near West Milton. Having found a solution

to the settlement question, and appointing Joseph John, a prominent Troy citizen as temporary guardian, Judge Leigh returned to Virginia in August, 1846.

While the Rossville community didn't appear to thrive, it did survive. In the 1850 Census, 74 freedmen were counted as residents and four were listed with a combined land ownership of \$950. This compared favorably with white ownership worth \$1,100. By the 1860 Census, there were 71 residents, showing property and cash valued at \$3,530 among the now 14 property owners. Most were employed as laborers and farmers, but one became an engineer, and one was a stone mason whose work is seen in several churches and homes in Piqua.

In 1860, the clouds of war were beginning to form and the little village was not to be untouched by the coming conflict. With the Emancipation Proclamation came the ability of Negroes to serve in the armed services of the United States, something that had been denied them up to then. In the spring of 1863, word spread that a recruiter would be passing through the communities of the Upper Valley to recruit Negroes to fight for the Union. A signing bonus of \$100 was paid to each volunteer and each would receive \$10.00 per month in pay, including \$3 for clothing. White soldiers were paid \$13.00. Nine men from Rossville signed up

and were soon on their way to Boston to join the two regiments of colored troops being formed, the Fifty Fourth and Fifty Fifth Massachusetts Volunteer Infantry. These units were made up of all black soldiers commanded by white officers. The men were cheered along their way to Boston and were formally enlisted into the 54th Massachusetts in May, 1863. The Confederates, hearing that black soldiers would soon be entering the fray, let it be known that any black soldier captured would be returned to slavery, and any white officer would be executed.

The Regiment moved by ship to South Carolina in June 1863 and took part in action at Darien, GA. Morris Island SC, Hilton Head, Beaufort, and Charleston. In July, 1863 at the urging of their commander, Col. Robert Shaw, the 54th was selected to lead the charge against Ft Wagner near Charleston. This was a celebrated battle depicted in the movie "Glory", and demonstrated the valor and willingness to fight for the Union cause by black troops. The 600 men of the 54th faced overwhelming odds in the attack on Ft Wagner not only from the Confederate cannon, but 1,300 protected riflemen defending their position. Losses were heavy and reinforcements did not arrive in time forcing the regiment to withdraw, leaving 256 dead including Col. Shaw. The attention of the North was drawn to this battle as it changed the attitude towards the black soldier and accorded him the respect as an effective fighting man. In fact, Sgt. William Carney became the first black soldier to

win the Medal of Honor as a result of his bravery at Ft. Wagner. Months later, Ft Wagner was abandoned by the Confederates as Union forces closed in on Charleston.

The cycle of life continued for the little Rossville community in the post war years, and as communications and travel became more accessible, the Randolph group and their descendants began to have periodic reunions. At these gatherings stories were told of the “old days” and the land that was supposed to be theirs. One of the more interesting stories of what happened to the land and the money centered on Joseph Plunkett, Judge Leigh’s trusted representative who was to see to the former slaves’ interests. He began to sell the 3200 acres in December 1846 as unclaimed land. Over a seven year period Plunkett sold all of the land for a total of \$7,700. It was alleged that Plunkett had forged William Leigh’s name on the sale documents. Other opinions included selling the land for taxes. Still others thought the money had gone to pay for Bonds that each freed slave was required to have under Ohio’s Black Laws of the period. And other lands, such as Rossville, had been purchased for re-settlement. Regardless, the Randolph group remained unsatisfied.

In 1907, York Rial of Rossville, and Joseph Moton, both Randolph heirs, spearheaded an effort to enlist the aid of the courts to recover cash or land they

felt was due the Randolph group. This eventually led to 27 court cases where 170 of the remaining heirs brought suit.

The first test case, Joseph Moton et.al. v. Gerhard Kessens, brought before the Mercer County Court of Common Pleas, was decided in favor of the defendant. The case was appealed to the Ohio Supreme Court and was decided in favor of the defendant again citing the statute of limitations (21 years) had run out. Further, the court found there was no evidence to the contrary to show that William Leigh did not have a Virginia court order to sell the land, nor that he had not fully accounted for the proceeds of the sale. All such records if they existed were burned in the Richmond Courthouse fire during the Civil War.

The litigation continued for 10 more years until the final decision was rendered in 1917 by the United States Supreme Court. The heirs held that Leigh did not execute nor cause the will to be executed. Therefore, a “chain” of wrongdoing started in 1848 when Leigh, without a Virginia court order nor authority from Randolph’s will unlawfully gave Plunkett the power of attorney to sell the heirs land. It was argued that no person could thereafter buy these lands in innocence for a title search would reveal the rights of third persons, the heir’s first title. Those who ignored this were guilty of adding another “link” in the chain of wrongdoing. Attorneys for the

heirs hoped to connect the past with the present, thus avoiding the statute of limitations. The defense continued with the statute of limitations argument .The Court was made up of five Republicans, four Democrats; two were Southerners, and two were from Ohio. Well known members of the Court were Chief Justice Edward White, Justice Louis Brandeis, and Justice Oliver Wendell Holmes. The Court decided in favor of the existing land owners on the grounds that the statute of limitations had indeed run out. With this decision the Randolph heirs did not pursue the matter any further. After 84 years and dozens of court cases the fight was over.

Joseph Moton, one of the pair that brought the original suit to regain the land, died of a heart attack before the final ruling was handed down. Some say his death was caused by the strain of litigation. York Rial, the other original litigant, died of typhoid fever after drinking contaminated water during the 1913 Miami River flood. Their descendants carried on the court case to its conclusion.

Rossville is the only Randolph community that exists today, and is listed on the Ohio Register of Historic Places. It's there, just across the Miami River bridge at the north end of Piqua, on what was once US 25, The Dixie Highway. There is a small historic district including York Rial's house, and the Jackson Cemetery where the Civil War

veterans are buried. York Rial's niece, who died in 2010, was the last person I know of, who was connected to the Randolph group, and lived in Rossville. She was instrumental in getting the village and cemetery the historic designation. The cemetery holds 120 graves including George Rial's. His gravestone simply reads "Born a Slave Died Free "

Let's drink to that.

Presented to The Literary Club

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By William Killen

Source Material

Ohio History Central

John Randolph

Carthegena

JSTOR (Library of Academic Journals) The Thwarting of a Will

Prof. Frank Mathias Univ. of Dayton

Roots Web Connie Ponder Mar.1979 Troy Daily News

Tamcor.hubpages

Born a Slave Died Free

Shelby County Ohio Historical Society Randolph Slaves Come to Ohio

Black Soldiers

Randolph Slave Settlement

Piqua's Military Sites

Jackson Cemetery Marker

Dalton Journal

John Randolph's Slaves

Cincinnati Civil War Roundtable

Soldiers Pay

Northeastern Reporter

Moton v. Kessens Pg. 1083 and Pg. 1084

Piqua Public Library

Piqua , Ohio