



SECRETARY OF STATE

August 31, 2015

POST OFFICE BOX 898
DOVER, DE 19903-0898
(302) 739-4111
FAX: (302) 739-3811

The Honorable Jack A. Markell
Office of the Governor
150 Martin Luther King, Jr. Blvd., South
2nd Floor
Dover, DE 19901

Dear Governor Markell:

I write as the President of The Board of Pardons to inform you that the Board considered your extraordinary request to recommend a pardon for Mr. Samuel Burris at its August 27, 2015, regular session.

As you know, Mr. Burris was a conductor on the Underground Railroad who was born a free man in Kent County, Delaware in 1801.

Samuel Burris assisted many runaway slaves on their journeys to freedom. In 1847, Burris was caught aiding a runaway and sent to jail in Dover. After months in prison, he was tried, found guilty and sentenced to be sold into slavery for seven years. The Pennsylvania Anti-Slavery Society raised money privately and had their own man at the auction on the day of the sale to purchase Burris and subsequently set him free.

Pursuant to the Delaware Constitution of 1897, after a full hearing and a majority of the members (4-0) voting in favor of granting this petition, the Board is informing you of its recommendation of a pardon for Mr. Burris for any and all actions deemed crimes against the State of Delaware. The Attorney General, Matt Denn, is in favor of our recommendation.

The Board recognizes the extraordinary nature of this petition and conveys as its rationale the tremendous contribution of Mr. Burris to the cause of freedom, and his steadfast courage in the face of great personal danger.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeffrey W. Bullock".

Jeffrey W. Bullock

1566 Centra Villa Drive
Atlanta, GA 30311
February 25, 2015

Honorable Jack Markell
Governor
State of Delaware
Dover, Delaware 19901

Dear Governor Markell:

On behalf of more than 100 descendants of Elizabeth Burris Crammer*, sister of **Samuel D. Burris**, I join and support of the efforts to **pardon Samuel D. Burris** from his convictions of aiding and enticing slaves to escape. We further believe the descendants of those he personally led to freedom stand with us as well.

As an educated, free man, **Samuel D. Burris** risked his life and the safety and well being of his wife and children each time he committed to helping someone enjoy the life they were denied and to which they were entitled. This was a “crime” only in the eyes of the oppressors. For **Samuel D. Burris** it was a matter of principle.

I am available and more than willing to assist in anyway to make this pardon possible. You and the State of Delaware—1st state in the Union—and my birth state--have an opportunity to correct a wrong by granting a **pardon** to **Samuel D. Burris** for taking a stand and making a difference, both in the face of great odds.

Respectfully submitted,



Ocea Bolden Thomas
oceathomas@yahoo.com

*Harrington, Magnolia, Dover, Frederica, Camden, New Castle, Wilmington

Illinois, Virginia, Pennsylvania, California, New York,
Washington D.C., Connecticut, Florida



City of Wilmington

Theopalis K. Gregory, Sr., City Council President
Maribel Seijo, City Clerk

Louis L. Redding City/County Building
800 N. French Street
Wilmington, Delaware 19801-3537

phone (302) 576-2140
fax (302) 571-4071
www.WilmingtonDE.gov

January 20, 2015

The Honorable Jack A. Markell
Governor of State of Delaware
Carvel State Office Building, 12th floor
820 North French Street
Wilmington, DE 19801

Dear Governor Markell:

On behalf of City Council Member Loretta Walsh, enclosed is a copy of Resolution No. 15-005, which was adopted by Wilmington City Council on January 15, 2015. This Resolution salutes the unwavering humanitarian efforts of all those who fought for the freedom of those enslaved, and further encourages you to grant pardons for Thomas Garrett, John Hunn and Samuel Burris, who put their lives on the line to champion the cause.

Should you have any questions, you may contact Councilwoman Walsh at (302) 576-2140 or lwalsh@wilmingtonde.gov. Thank you for your time, attention and consideration.

Sincerely,

A handwritten signature in blue ink that reads "Maribel Seijo".

Maribel Seijo
City Clerk

Enclosure

Cc: The Honorable Loretta Walsh, City Council Member At-Large

RES15-005

Wilmington, Delaware
January 15, 2015

#4015

Sponsors:

**Council
President
Gregory**

**Council
Members
Walsh
Chukwuocha**

**Congo
D. Brown
Shabazz**

**Prado
Dorsey Walker
Williams**

**Freel
M. Brown
Cabrera
Wright**

WHEREAS, on New Year's Eve, outgoing Illinois Governor Pat Quinn granted clemency to three abolitionists convicted of "crimes" for hiding and helping escaped slaves; and

WHEREAS, similar efforts have begun to pardon three notable Delawareans for criminal convictions connected with their endeavors in smuggling slaves to freedom; and

WHEREAS, among those being considered for a pardon are Thomas Garrett, John Hunn and Samuel Burris; and

WHEREAS, prominent Quaker abolitionist Thomas Garrett, who is credited with helping more than 2,700 slaves to freedom, worked closely with Harriet Tubman, abolitionist and leader of the Underground Railroad; and

WHEREAS, in addition to his abolitionist work, Garrett supported the City's black residents and generously provided the funding for land where Bishop Peter Spencer built the nation's first fully independent black church known as Mother African Union Church; and

WHEREAS, Odessa area farmer and abolitionist John Hunn was a member of the Camden Friends Meeting and was convicted with Garrett for aiding the Hawkins family, whose trail to freedom is documented at the New Castle Court House Museum; and

WHEREAS, a free black man and partner of Hunn's, Samuel Burris was heavily involved in helping slaves from Maryland and southern Delaware and was caught, jailed and convicted with the automatic sentence of being sold for slavery, but was ultimately released back to freedom by the highest bidder; and

WHEREAS, as eloquently stated by Governor Quinn "These early warriors for freedom put everything on the line to help their fellow man, and their civil disobedience paved the way for civil rights...[c]learing their criminal records shows how far we have come, but reminds us all that we should fight injustice wherever we find it."

NOW THEREFORE BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF WILMINGTON, that Council salutes the unwavering humanitarian efforts of those who fought for the freedom of the enslaved, and further encourages Governor Jack

Markell to grant pardons for Thomas Garrett, John Hunn and Samuel Burris, who put their lives on the line to champion the cause.

Passed by City Council,
January 15, 2015

Attest: Maribel Seijo
City Clerk

Approved as to form this 15th
day of January, 2015.

Darryl Chetani
Assistant City Solicitor

THE LAW OFFICES OF
BAYARD MARIN
ATTORNEYS AT LAW
521 N. WEST STREET
WILMINGTON, DELAWARE 19801-2196

(302) 658-4200

BAYARD MARIN (DE AND D.C.)
VALERIE M. CARR (DE)

FAX: (302) 658-9075
E-MAIL: bmarin@bayardmarinlaw.com
E-MAIL: vcarr@bayardmarinlaw.com

February 20, 2015

Office of the Governor - Wilmington
Attn: Governor Jack Markell
820 N. French St.
12th Floor
Wilmington, DE 19801

Dear Governor Markell,

We are delighted by the enthusiasm of many people for the pardons of Thomas Garrett, John Hunn, and Samuel Burris. We also recognize that the granting of such pardons at this time may be premature as further research must be done as to the historical, legal, and procedural correctness of such pardons. Nevertheless, these great Delaware heroes deserve the highest honor we may bestow upon them for their bravery in standing up against the greatest evil in American history – the enslavement of human beings. We, therefore, encourage you to issue a proclamation honoring all those, known and unknown, who not only fought the great evil, but who helped restore the honor of this country as the land of freedom and dignity for all people. Included in the proclamation should be an appropriate apology for the institution of slavery so that it is clear, not only in law, but in practice that discrimination in any form will not be tolerated.

We have taken the liberty to suggest the wording for this proclamation on the attachment:

**SUGGESTED LANGUAGE FOR PROCLAMATION
BY GOVERNOR MARKELL:**

WHEREAS, 19 Africans were brought to this country by Dutch Traders in 1619, and

WHEREAS, these Africans, initially classified as indentured servants, were subsequently enslaved, and

WHEREAS, for more than 200 years this country continued to enslave people of African descent against their will, and

WHEREAS, crimes, treacheries, and dehumanizing laws, in which the government was complicit, were inflicted upon the enslaved Africans as well as the abolitionists who worked for their freedom, and

WHEREAS, the abolitionists, who aided and abetted enslaved Africans in their pursuit of freedom, were subjected in Delaware to prosecution, incarceration, fines and judgments, and

WHEREAS, in December, 1865, the 13th Amendment to the United States Constitution, which abolished slavery and involuntary servitude, was ratified and adopted nationally, and

WHEREAS, the State of Delaware, ultimately ratified the 13th Amendment in February, 1901,

NOW, THEREFORE, As Governor of the State of Delaware, I apologize for the institution of slavery and bestow the highest honor upon all of those who bravely fought against this evil and its vestiges, thereby laying the foundation for this country and Delaware to truly become a land of freedom and dignity for all people.

This request and the suggested proclamation has been approved by the following organizations:

Afro - American Historical Society of Delaware, Harmon Carey, President
African American Heritage Center of Delaware
African American Maritime Heritage International
Slave Ship Replica Project
African American Arts Alliance
Wilmington Reclamation and Developmental Corp.
Quaker Hill Historic Preservation Foundation

Thank you for considering this matter, which I hope you will approve and announce at a specially called News Conference. We would consider it an honor to stand with you at this news conference, which we recommend be held at an appropriate location in Wilmington during Black History Month. If you have any questions, please call me at (302) 658-4200. Best personal regards.

Sincerely yours,

Bayard Marin, JD, PhD, President
Quaker Hill Historic Preservation Foundation

BM / ma

Cc: Drew Fennell

Dear Governor,
Bernard suggested
I drop this by your
office for your consid-
eration.

I am thankful
for your stand on
Civil Rights and the
Pardon of Samuel
Burris would be a
fine educational
and moral story for
citizens of all ages.
Blessings on you and
yours - Kay
Kay Wood Bailey

January 6,
2015

FW: RE: Pardon for Thomas Garrett, John Hunn and Samuel Burris

From: kwbailey@harringtonera.com

Sent: Mon, Jan 5, 2015 at 12:27 am

To: dick.carter@state.us.gov, bernard.brady@state.us.gov

The Governor would only have to "Pardon" , an African American, Samuel Burris. The other two men (white)were in Federal Court, and as Bob Seeley said, will need a Presidential Pardon. Richard and were in bed with the flu and I had not read Bob's explanation about the Federal Court part.

Bev Laing of Hist & Cultural Affairs can tell you the Samuel Burris story.

Robin Brown quoted me in the article, as you could read my words in the first e-mail- but she didn't attribute the quote, accept as from a friend.

Do you think it would help to drop off copies at Leg Hall Monday or let you guys handle it ?I'll phone Bernard before 11am.

Hugs,

Kay

-----Original Message-----

From: kwbailey@harringtonera.com

Sent: Sunday, January 4, 2015 11:41pm

To: seeley1022@aol.com

Cc:

Subject: RE: Pardon for Thomas Garrett, John Hunn and Samuel Burris

Yeah !

I'll take a copy of the article to Leg Hall tomorrow and pass it around .

Thanks, Bob, for getting this ball rolling.

I am more proud to be a Delawarean because of the actions of these three men and those who worked beside them-- when those actions were so personally costly and dangerous and despised by many.

Every school child and citizen of Delaware should be notified and enlightened as to why Gov. Markell pardons these three, should he decide to do so.

I appreciate your role as holding the spotlight on the Underground Railroad and its participants from the areas of Delmarva and Pennsylvania, over the years.

Fondly,
Kay Wood Bailey

--Original Message-----

From: seeley1022@aol.com

Sent: Sunday, January 4, 2015 9:38pm

To: ,

Subject: Pardon for Thomas Garrett, John Hunn and Samuel Burris

Nice article by Robin Brown !!!!!

<http://www.delawareonline.com/story/news/local/2015/01/04/delaware-backstory-pardons-aided-slaves/21270495/>

Delaware Backstory: Pardons for 3 who aided slaves?

robin brown, The News Journal 12:25 a.m. EST January 5, 2015



(Photo: COURTESY OF ROBERT E. SEELEY)

An effort has begun to pardon three notable Delawareans for criminal convictions connected to their work smuggling slaves to freedom.

It started last week with news from Illinois.

Outgoing Gov. Pat Quinn granted New Year's Eve clemency to 102 people, including three abolitionists convicted of "crimes" for hiding and helping escaping slaves, the Associated Press reported.

Those pardons – championed by historians and Lt. Gov. Sheila Simon – posthumously were granted to Underground Railroad conductor Richard Eells of Quincy, whose home was labeled by the National Park Service as one of the most important sites on the network to freedom, Julius Willard of Jacksonville and his son, Samuel, the news account said.

The news article moved one reader to action.

That's Robert E. Seeley.

He is a descendant of Pennsylvania-born Thomas Garrett, who moved to Wilmington at age 33 in 1822 and is credited with helping more than 2,700 slaves to freedom.

The prominent Quaker owned a successful store and worked closely with Harriet Tubman – as memorialized by a Wilmington park that bears both their names and has a statue depicting and honoring them. Garrett also supported the city's black residents.

He provided the funds for land where Bishop Peter Spencer built the Mother African Union Church at what is now Wilmington's Peter Spencer Plaza, long recognized as the nation's first fully independent black church without white supervision, required by law at the time. He also taught black city residents to read, write and teach others those skills.



Quaker abolitionist Thomas Garrett, memorialized in Wilmington's Tubman-Garrett Riverfront Park, was heavily fined after his conviction for helping people escape from slavery.
(Photo: UNCREDITED HISTORIC PHOTO)

And reading the article about Illinois abolitionists' pardons made Seeley think of Garrett.

On New Year's Day, Seeley asked Gov. Jack Markell – in the form of a Facebook post – to pardon him and two other Delaware abolitionists.

When Seeley shared the request with his friends, the response was fast and enthusiastic. One responded, "What a wonderful and appropriate action!"

"Good idea," responded Bayard Marin, urging him to bring it up at the next meeting of the Quaker Hill Historic Preservation Foundation, of which Marin is president.

And Wilmington City Councilmember Loretta Walsh lent her support, posting, "I am sending the Governor an email. Let us get this rolling."

Seeley – who lives near the Garrett family home in Pennsylvania, where a state historic marker honors him at Drexel Hill – also seeks pardons for John Hunn and Samuel Burris.

Hunn, born in Kent County, was a member of the Camden Friends Meeting, an Odessa-area farmer and abolitionist, convicted with Garrett in 1848 for aiding the Hawkins family, whose trail to freedom is documented at the New Castle Court House Museum – now part of Delaware's National Historical Park.

Burris, a free black man, was Hunn's partner, historians say.

Although he moved his family for safety to Philadelphia, he was heavily involved in helping slaves from Maryland and southern Delaware.

freed him.

Garrett, Hunn and Burris put their lives on the line in Delaware, a border state east of the Mason-Dixon Line, where people were enslaved for others' profit, others risked their own wealth and freedom to help free them, and still others kidnapped free blacks, freed slaves and escaping slaves to sell them back into slavery.

What Quinn said about the Illinois abolitionists he pardoned also could be said of Delaware's Garrett, Hunn and Burris.

"These early warriors for freedom put everything on the line to help their fellow man, and their civil disobedience paved the way for civil rights," Quinn said in a statement. "Clearing their criminal records 171 years later shows how far we have come, but reminds us all that we should fight injustice wherever we find it."

At the 2012 dedication of the statue at Tubman-Garrett Riverfront Park in Wilmington – where Seeley portrayed Garrett, complete with top hat, to help share his story with attending school children – city historic planner Deborah Martin spoke of the park namesakes and their "precious cargo."

Martin spoke of Wilmington as "a beacon to the enslaved and a supreme irritation of the enslavers," of the "faith-filled risk" of those who broke the law to fight slavery, and of "cooperation across racial lines in the name of justice."

She urged Delawareans to "take this history to heart.... It is the story of real people not told in history books."

Pardons seem like a no-brainer.

Do you have a Delaware Backstory? Tell robin brown at (302) 324-2856, rbrown@delawareonline.com, on Facebook, via Twitter @rbrowndelaware or The News Journal, Box 15505, Wilmington, DE 19850.

Read or Share this story: <http://delonline.us/1IdPRmw>

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MORE STORIES



Hartly, Delaware: Small town with a big problem

[\(/story/news/local/2015/01/02/hartly-delaware-small-town-big-problem/21209327/\)](http://delaware-small-town-big-problem/21209327/)

[\(/story/news/local/2015/01/02/hartly-delaware-small-town-big-problem/21209327/\)](http://delaware-small-town-big-problem/21209327/)

Jan. 2, 2015, 11:01 p.m.



SECRETARY OF STATE

August 31, 2015

POST OFFICE BOX 898
DOVER, DE 19908-0898
(302) 739-4111
FAX: (302) 739-3811

The Honorable Jack A. Markell
Office of the Governor
150 Martin Luther King, Jr. Blvd., South
2nd Floor
Dover, DE 19901

Dear Governor Markell:

I write as the President of The Board of Pardons to inform you that the Board considered your extraordinary request to recommend a pardon for Mr. Samuel Burris at its August 27, 2015, regular session.

As you know, Mr. Burris was a conductor on the Underground Railroad who was born a free man in Kent County, Delaware in 1801.

Samuel Burris assisted many runaway slaves on their journeys to freedom. In 1847, Burris was caught aiding a runaway and sent to jail in Dover. After months in prison, he was tried, found guilty and sentenced to be sold into slavery for seven years. The Pennsylvania Anti-Slavery Society raised money privately and had their own man at the auction on the day of the sale to purchase Burris and subsequently set him free.

Pursuant to the Delaware Constitution of 1897, after a full hearing and a majority of the members (4-0) voting in favor of granting this petition, the Board is informing you of its recommendation of a pardon for Mr. Burris for any and all actions deemed crimes against the State of Delaware. The Attorney General, Matt Denn, is in favor of our recommendation.

The Board recognizes the extraordinary nature of this petition and conveys as its rationale the tremendous contribution of Mr. Burris to the cause of freedom, and his steadfast courage in the face of great personal danger.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeffrey W. Bullock", with a large, stylized flourish extending from the end of the signature.

Jeffrey W. Bullock



STATE OF DELAWARE
OFFICE OF THE GOVERNOR
TATNALL BUILDING, SECOND FLOOR
MARTIN LUTHER KING, JR. BOULEVARD SOUTH
DOVER, DELAWARE 19901

JACK A. MARKELL
GOVERNOR

PHONE: 302-744-4101
FAX: 302-739-2775

July 21, 2015

Via Electronic Mail

Secretary Jeffrey Bullock
Secretary of State's Office
401 Federal Street
Townsend Building, Suite 3
Dover, DE 19901

Dear Secretary Bullock,

Delaware's history is replete with acts that make Delawareans proud, such as being the first state to enter the Union and (as tradition holds) the first state to have flown Betsy Ross's famous flag at the Battle of Cooch's Bridge. Yet, Delaware's history of slavery and treatment of free blacks is forever etched in our history. One act specifically affecting a Delawarean, was the criminal prosecution and conviction of Samuel D. Burris ("Mr. Burris") for the acts of "enticing, aiding and assisting a certain female slave to run away from her master." Today, we have an extraordinary opportunity to correct a moral and social wrong, as I ask you to consider the attached documents collectively as an application to posthumously pardon Samuel D. Burris (1813-1863).

Mr. Burris was a conductor on the Underground Railroad where he endangered his life and freedom to lead slaves from safe house to safe house throughout Delaware. On February 16, 1849, J.W.F. Jackson petitioned the Senate and House of Representatives and requested that stiffer laws be passed to "effectually stop" Mr. Burris, who was characterized as a "notorious character", who was "persuading and enticing slaves, servants to run away".¹ Although the petitioner opined that the departure of slaves from their "homes" was a "great disadvantage to the community" history has revealed the devastating effects that slavery had on African-American families and American History.

Referenced in the petition was the prosecution of Mr. Burris as it related to enticing and aiding slaves to run away. In the October Term of the Court of General Sessions of

¹ See, Appendix C.

1847, Mr. Burris was found guilty in two of three cases. Below you will find an excerpt of the cases where Mr. Burris was convicted and sentenced:

Case 12: State vs. Samuel D. Burris (Kent County)

Charge: Enticing Away Slaves (Robert McGonigle's Property)

Dates of Trial: November 1-2, 1847.

Verdict: Guilty

Sentence rendered on November 5, 1847: "Therefore it is considered by the Court that the said defendant shall forfeit and pay to the State of Delaware of the sum of ***two hundred and fifty dollars***: that he shall pay the costs of this prosecution; and that he shall be ***imprisoned for the term of six months*** commencing on this fifth day of November instant and ending on the fifth day of May, which will be in the year of our Lord One Thousand Eight Hundred and Forty Eight: and ***that at the expiration of the said term of imprisonment he shall be disposed of as a servant to the highest and best bidder for the period of seven years***. And he is now committed to the custody of the Sheriff of Kent County until this judgment of the Court be fully carried into execution."

Case 23: State vs. Samuel D. Burris (Kent County)

Charge: Enticing Away Slaves (John Clark's Property)

Date of Trial: November 1-2, 1847

Verdict: First count not guilty, Second count guilty.

Sentence rendered on November 5, 1847: "Therefore it is considered by the Court here that the said defendant shall forfeit and pay to the State of Delaware the sum of ***two hundred and fifty dollars***: that he shall pay the costs of this prosecution: and that he shall be ***imprisoned for the term of four months*** commencing on the sixth day of May which will be in the year of our Lord one thousand eight hundred and forty eight and ending on the sixth day of September then next ensuing: and that at the expiration of the said term of imprisonment he shall be disposed of ***as a servant to the highest and best bidder for the period of seven years***. And he is committed to the Custody of the Sheriff of Kent County until this judgment of the Court be fully carried into execution."

This posthumous application is based upon extensive review and documentary evidence provided by Robin L. Krawitz, Director of the Graduate Program in Historic Preservation at Delaware State University and the President of the Underground Railroad Coalition of Delaware.² This request is one of significant historical and cultural importance.

² An appendix is enclosed with this letter.

As Governor, in order for me to consider a posthumous pardon for Mr. Burris, the matter must be heard before the board and there must be a recommendation issued from the Board of Pardons. See, Article VII § 1 of the Delaware Constitution (1897). Therefore, I respectfully request that you accept the attached documents as an application for a pardon of Samuel D. Burris filed by his great-great niece Ocea Bolden Thomas ("applicant") and consider the application in accordance with the Delaware Constitution and Statutes.

Sincerely,



Jack A. Markell

APPENDIX

- A. Letter from Ocea Bolden Thomas dated May 1, 2015
- B. Letter from Robert E. Seeley dated April 14, 2015
- C. Excerpt from the book titled "The Southern Debate Over Slavery: Petitions to Southern legislatures, 1778-1864" by Loren Schweninger, Race and Slavery Petitions Project p.125.
- D. Letter from Robin L. Krawitz dated June 9, 2015

Exhibit 1: Indictments

- a. Maria Matthews Case
- b. Alexander and Isaac Case

Exhibit 2: Affidavit of Samuel D. Burris, Pages 1-3

Exhibit 3: Prosecution Bonds and Depositions

- a. Robert Hicks Deposition
- b. Ezekiel Cooper Bond
- c. Isaac Short Bond
- d. John Clark Bond
- e. Jonathan Green Bond

Exhibit 4: Recognizance Bonds- Supporting Burris

- a. Arrest Warrant for Samuel D. Burris
- b. Bail Pledge from John Hunn and Ezekiel Jenkins
- c. Bail Pledge from Gibbs, Brinkley, etc. Reverse included with approval for release hatched out

Exhibit 5: Change of Venue Request

- a. Ezekiel Cowgill Request for Change of Venue

Exhibit 6: Court of General Sessions Docket Entries

- a. Case 12 & 13
- b. Case 23

Exhibit 7: Kent County Sheriff's Income List with Burris' Sale Amount Hatched Out

Exhibit 8: Burris Letter Published in the Liberator in June 1848

- a. Transcription from Accessible Archives at www.accessible.com

Exhibit 9: Letter from Isaac Flint to Governor Tharp Requesting Pardon from Second Conviction Punishment

A

[See attached.]

1566 Centra Villa Drive
Atlanta, Georgia 30311
May 1, 2015

Honorable Jack Markell
Governor
State of Delaware
Dover, Delaware

Dear Governor Markell:

My name is Ocea Bolden Thomas. I am the great-great niece of Samuel D. Burris. I write to you on behalf of living descendants. We respectfully request the posthumous pardon of **Samuel D. Burris** who was found guilty in 1848 of two separate cases of Enticing Away Slaves, following a confinement of more than 14 months in the Dover Jail.

His documented activism is as follows:

- **June, 1847:** Samuel D. Burris caught assisting slave Maria Matthews to get on a steamship near Duck Creek to gain her escape. Warrants for his arrest were issued.
- **July 10, 1847.** Arrested and jailed in Dover. Bail was set at \$1600 and raised through pledges of community members, both black and white.

But, he was charged with additional crimes—the escape of two enslaved persons in the ownership of Robert McGonigle (January 1847) and another two count indictment for the escape of property of John Clark (March, 1847). Bail was raised to \$5,000, an amount too high to raise.

- **October 26, 1847:** Three cases set in Court of General Sessions: **Case 12** – State vs Samuel D. Burris – Indictment for Enticing Away Slaves (Robert McGonigle’s Property); **Case 13** – State vs Samuel D. Burris – Indictment for Enticing Away Slaves (Jonathan S Green’s Property) and **Case 23** – State vs. Samuel D. Burris – Indictment for Enticing Away Slaves (John Clark’s Property). Burris pleads non cul in all three cases.

A change of venue to the Court of New Castle County is requested by Burriss based on the general attitude against him in Kent County. Although his request was supported by a wealthy Quaker Farmer from Kent County, the request was denied.

- **November 1-2, 1847.** The trial of a free black man aiding in the escape of enslaved people was a unique event and drew many people to Dover to watch history unfold. A 12-man white jury was called for each of the 3 cases. After three days, the verdict was **Guilty as Charged** in Case 12 and 23 with **Case 13 dismissed**.
- **November 5, 1847.** Sentencing-Case 12: \$250 fine; cost of Prosecution; six months imprisonment Nov. 5-May 5, 1848 and sale to the highest and best bidder for a period of 7 years. Case 23: \$250 fine; cost of prosecution; four months imprisonment commencing May 6, 1848-September 6, 1848 and sale to the highest and best bidder for a period of 7 years.

Samuel D. Burriss is committed to the Custody of the Sheriff of Kent County.

- **March 29, 1848.** Samuel D. Burriss writes a letter to “my Christian brethren” in Nantucket Massachusetts, detailing his “*present condition...charged with being concerned in helping slaves to regain their freedom, which in the State of Delaware is a crime next to that of murder, if committed by a colored man.*” He believed he would not survive 7 years as a slave: “...without say expectations of ever seeing you again in this world...”

The entire letter was published June 30, 1848, in the Boston newspaper The Liberator under the title “LETTER FROM ANOTHER MARTYR IN THE CAUSE OF FREEDOM”.

- **May 5, 1848** – expiration of six months' imprisonment. Sold to Isaac Flint for \$500. Returned to jail to serve four months on second charge.
- **September 6, 1848 – Sale of Samuel D. Burris on the Courthouse Steps.** The educated and dignified Samuel D. Burris was examined from the soles of his feet to the crown of his head by traders and spectators. The sale proceeded as first one and then a second bidder dropped out. The winning bidder was Isaac Flint under an assumed name. The price---\$500 in gold. Once the bill of sale was in his hand, Flint whispered into the ear of Samuel D. Burris that he had been bought with abolitionist gold!

Following the sale, Samuel D. Burris was quickly returned to Philadelphia and reunited with his wife and children.

- **February 16, 1849 – Petition 10384903** – Twenty-nine residents of the Camden area seek a special legislative act to punish the “notorious Samuel D. Burris, well known to a large portion of the community whose conduct is high reprehensible...being a notorious character, who is going about the county they believe persuading enticing slaves Servants and Apprentices to run away and leave their Homes, to the great disadvantage of the Community.” The petitioners “request Your Honors to pass some Law to reach his Case and effectully (sp) stop such conduct.”

Legislation was later passed from this petition that provided for a harsher penalty for a second prosecution for this offense, including being barred from the state and public whipping of 60 lashes.

Governor Jack Markell
Page 4
May 10, 2015

The 1850 Census shows the Burris Family living in Philadelphia, Pennsylvania. I believe they moved to San Francisco in 1855, following the move of an older brother in 1852. Samuel D. Burris continued his activities in the State of California in support of the rights of people of color and raised funds for the Freedman's Association in Philadelphia. He died December 5, 1863:

"...my religion teaches me to believe, that as the condition of our heart is, when our mortal life leave us, so judgment will find our never-dying souls..."....Samuel D. Burris March 29, 1848

I am extremely proud to say that Samuel D. Burris, a man of conviction, was part of my family.

Governor Markell, we ask that you grant a pardon to this patron of Delaware history.

Sincerely,



Ocea Bolden Thomas (oceathomas@yahoo.com)
1566 Centra Villa Drive
Atlanta, GA 30311

B

[See attached.]

Robert E. Seeley

April 14, 2015

32 Waverly Road

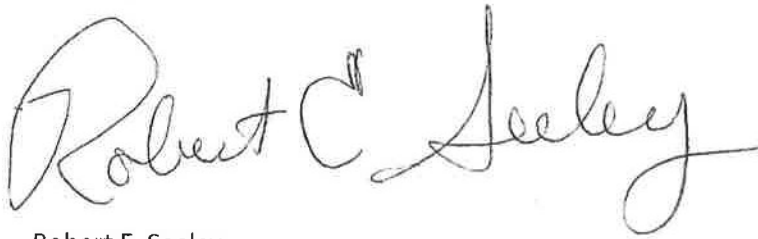
Havertown, Pa 19083

RE: State of Delaware Posthumous Pardon for Samuel D. Burris

Dear Governor Markell,

I am writing on behalf of my Garrett family to grant a posthumous pardon for Samuel Burris, who was convicted for helping Maria Mathews to freedom. Samuel D. Burris, a free black man, was apprehended in June of 1847 after helping a woman by the name of Maria Mathews escape from Dover Hundred. Immediately after being captured Burris was put in Dover jail for fourteen months while he awaited his trial. He was then convicted and automatically sentenced to be auctioned off into slavery. When Burris' friends, who were active abolitionists including Thomas Garrett, found he was about to be sold they acted to free him. One of them, Isaac Flint from Wilmington Friends Meeting, posed as a slave buyer. When Burris took his place on the auction block Isaac Flint examined him just as he had seen the other slave traders do. Flint performed perfectly, convincing even Burris that he was being sold into slavery. However he saved Burris from the horror of slavery by outbidding the other traders. After the bill of sale completed, Isaac Flint and Samuel Burris traveled quickly to Philadelphia.

Governor Markell, please grant a posthumous pardon to a hero in Delaware and on the Underground Railroad, Samuel D. Burris.

A handwritten signature in cursive script that reads "Robert E. Seeley". The signature is written in dark ink and is positioned above the printed name.

Robert E. Seeley

C

[See attached.]

125. J. W. F. Jackson et al. to Delaware Assembly, 1849

To the Honorable the Senate and House of Representatives of the State of Delaware in general assembly met,

We the undersigned Citizens of the State of Delaware, beg leave to represent That there is a Certain mulatto man by the name of Samuel D. Burris, well known to a large portion of the community who[se] Conduct is highly reprehensible indeed, being a notorious character, who is going about the country We beleve persuading and enticing Slaves Servants and apprentices to run away and leave their Homes, to the great disadvantage of the Community.

Last year this said Burris was accused, apprehended, tried and found Guilty agreeable to Law, after which he was sold sold as a servant, and bot by some man, who suffers him to go about amongst us and continue the same unjustifiable employment,

We therefore request Your Honors to pass some Law to reach his Case and effectully stop such conduct and you [sic] petitioners will as in duty bound ever pray &c

[signed]

J.W.F. Jackson

Thomas Martindale

Wm Slaughter

Joel Clements

John [undecipherable]

W. K. Lockwood

John P. Coombe

Thomas Purnell

James Lord

Thomas B. Lewis

[19 additional signatures]

SOURCE: Petition of J. W. F. Jackson et al. to the Senate and House of Representatives of Delaware, 16 February 1849, General Assembly, Legislative Papers, DSA. Granted. PAR #10384903.

D

[See attached.]



DELAWARE STATE UNIVERSITY
DEPARTMENT OF HISTORY, POLITICAL SCIENCE AND PHILOSOPHY

June 9, 2015

The Honorable Jack A. Markell
Carvel State Office Building
820 N. French Street, 12th Floor
Wilmington, DE 19801

Dear Governor Markell:

This letter is to support the pardon effort for Samuel D. Burris, (1813-1863), a free man of color from the Willow Grove area of western Kent County. Prosecuted to the full extent of the law for the crime of aiding fugitives to escape, Mr. Burris was the steadfast in his devotion to liberty and civil disobedience that highlighted the injustices of the system that kept African Americans enslaved, and severely prosecuted anyone who helped those escaping the cruel system along their journey. Described here is a narrative supported by documentation from the docket books and case files of the Delaware Court of General Sessions and Gaol Delivery from the May and October Terms in 1847 and 1848, and other relevant documents from the Delaware Public Archives and other research collections.

Samuel D. Burris was the son of George and Mary Burrows. He was literate and wrote a distinctive signature which always included his middle initial. Why he chose a different spelling of his surname is unknown but some court documents persisted in using his parent's spelling. For an occupation, Samuel D. Burris was described variously as a school teacher, laborer, and farmer in documents of the period. He was married to Catherine who was from Maryland, and they had six children. In 1845 he was living on a farm south west of Willow Grove as the tenant of Alexandria Fraisure. It was late in that year that Samuel D. Burris first surfaced in documentation as working as an Underground Railroad "Conductor."

In the parlance of the Abolition Movement at the time, railroad terminology was used to describe the provision of assistance to those escaping enslavement. A Conductor was the term for a person who would physically lead freedom seekers from safe place to safe place through the state. The agricultural lands in the Middletown area of New Castle County were among the most productive in the region and the landowners utilized slave labor as part of their workforce. But there were still people who were anti-slavery on the landscape as well. Samuel D. Burris's job was to navigate those in his charges through the slave-holding areas to the pockets of assistance, the safe houses along the way.

1200 N. Dupont Highway Dover, DE. 19901-2277 302.857.6621 Fax: 302.857.6623

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In early December, 1845, Samuel D. Burris guided a large party of those escaping to the north from Queen Anne's County in Maryland. Burris carried a letter of introduction from Ezekiel Jenkins, a Quaker who lived in Camden. Addressed to Middletown/Odessa area Quakers John Hunn, John Alston, and Daniel Corbit, Ezekiel Jenkins was familiar to all either as a relative or fellow Quaker. The group Burris guided included four adult men and Samuel and Emeline Hawkins with their six children. They had traveled all night through a snow storm and ended up at the farm of John Hunn, whose property was located near the site of what is now the Middletown High School. Emeline and her children were claimed as slaves of two individuals from Maryland and the notices of their escape had already reached Middletown. Spotted by neighbors, the ensuing activity resulted in the family being held in jail at New Castle. Through the assistance of Thomas Garrett, the Hawkins family was released and successfully made their way to freedom. The aid provided to the family on their journey resulted in the prosecution of John Hunn and Thomas Garrett for their roles in abetting the escape. Samuel Burris was not implicated in this prosecution but he appears in the narrative that John Hunn recounts in the 1872 book published by William Still called "The Underground Railroad."

The prosecution of Samuel D. Burris began in 1847 when he was caught assisting an enslaved woman named Maria Matthews, claimed as property by Jonathan S. Green, trying to get on a steamship. The ship was coming to Isaac Short's Tavern near the mouth of Duck Creek. The escape was not successful and warrants for his arrest were issued. He was put in jail in Dover and bail was set at \$1600. This very large sum was raised through pledges of community members, both black and white. But before he could be released, he was charged with additional crimes including: the escape of two enslaved people from the estate of Thomas Slaughter in the ownership of Robert McGonigle; and, a two count indictment was filed for the escape of the property of John Clark. The bail was raised to \$5000, which was well beyond what he could raise. Burris stayed in jail until trial in November.

Three cases in the October Term of the Court of General Sessions were set: Case 12- State vs. Samuel D. Burris- Indictment for Enticing Away Slaves (Robert McGonigle's Property); Case 13- State vs. Samuel D. Burris- Indictment for Enticing Away Slaves (Jonathan S. Green's Property); and Case 23- State vs. Samuel D. Burris- Indictment for Enticing Away Slaves (John Clark's Property). Burris plead non cul in all three cases.

Burris requested a change of venue, to the Court of New Castle County because of the general ill feeling toward him and the issue in Kent County and he felt he couldn't get a fair trial. His request was supported by Ezekiel Cowgill, a prominent Kent Countian and minister in the Methodist Church who was a well-known abolitionist. The request was denied. The trials are held as follows: Cases 13&23 was tried on November 1, 1847 and Case 12 was tried on November 2nd. The verdicts were: Case 12- guilty; Case 13- not guilty; Case 23- first count not guilty, second count guilty.

The sentencing phase was carried out on November 5th. Sentencing for Case 12: "Therefore it is considered by the Court that the said defendant shall forfeit and pay to the State of Delaware of the sum of two hundred and fifty dollars: that he shall pay the costs of this prosecution; and that he shall be imprisoned for the term of six months commencing on this fifth day of November instant and ending on the fifth day of May, which will be in the year of our Lord One Thousand Eight Hundred and Forty Eight: and that at the expiration of the said term of imprisonment he shall be disposed of as a servant to the highest and best bidder for the period of seven years. And he is now committed to the

custody of the Sheriff of Kent County until this judgment of the Court be fully carried into execution." Sentencing for Case 23: "Therefore it is considered by the Court here that the said defendant shall forfeit and pay to the State of Delaware the sum of two hundred and fifty dollars: that he shall pay the costs of this prosecution: and that he shall be imprisoned for the term of four months commencing on the sixth day of May which will be in the year of our Lord one thousand eight hundred and forty eight and ending on the sixth day of September then next ensuing: and that at the expiration of the said term of imprisonment he shall be disposed of as a servant to the highest and best bidder for the period of seven years. And he is committed to the Custody of the Sheriff of Kent County until this judgment of the Court be fully carried into execution."

He was put in jail to serve the first term of six months, after which he was to be sold. From his cell he wrote letters to friends mourning his plight, which he believed would lead him to be sold as a slave outside the State of Delaware, risking his status as a free person. One of these letters, dated March 29, 1848 was published by William Lloyd Garrison in "The Liberator," on June 30, 1848. He served the first jail term six months in jail and was sold for \$500 to Isaac Flint, an abolitionist who had funds provided by the Abolition community. Burriss was returned to jail to serve the next four months. On June 16, 1848 Isaac Flint sent a letter to Governor Tharp with what he stated was a petition with 180 signatures of Wilmingtonians who request a pardon for the remainder of his sentence and subsequent sale, due to ill health of Burriss in confinement. Flint promised to take Burriss out of the state once free. From the record, is not clear whether this was granted or not. But this is not the end of the story.

On February 16, 1849, a petition was filed with the Delaware General Assembly stating: Twenty-nine residents of the Camden area seek a special legislative act to punish the "notorious Samuel D. Burriss, well known to a large portion of the community whose conduct is highly reprehensible ... being a notorious character, who is going about the county they believe persuading and enticing slaves Servants and apprentices to run away and leave their Homes, to the great disadvantage of the Community." They point out that Burriss "was accused, apprehended, tried and found Guilty agreeable to Law, after which he was Sold as Servant, and bot [sic] by some men who suffered him to go about amongst as and continue the same unjustifiable employment." The petitioners "request Your Honors to pass some Law to reach his Case and effectully [sic] stop such conduct." The first ten petitioners included: William B. Clark, Joel Clements, John P. Coome, Alexander Greenwood, J.W. Jackson, William Lindale, W.K. Lockwood, Thomas Martindale, William Slaughter and Jacob Welch.

Previous research noted a law passed by the Legislature in 1849 indicating that anyone convicted of Enticing Away Slaves, was punished and then was caught doing it again was subject to 60 lashes well laid on. It is clearly a death sentence.

Samuel Burriss relocated his family out of the State of Delaware by 1849. In fact they may have been living in Camden, NJ by 1847 when the warrants for Burriss's arrest were issued noting that was his place of residence. The Burriss Family shows up in the 1850 census in Philadelphia and by the following federal census of 1860, the family moved to San Francisco, California. Samuel D. Burriss died there in 1863 at the age of 50.

Research on the life of the Burris family in California is currently underway. In 1872, at the publication of "The Underground Railroad," by William Still which recounts the events of the trial of Samuel D. Burris and his participation in the Hawkins family escape, an ad promoting the book was placed in the San Francisco newspaper for the African American community, *The Elevator*. The article reminded their readers of the connection of Samuel D. Burris to their community and honored the family members still living there.

The cause that Samuel D. Burris was prosecuted for and then legislated out of the state of Delaware has proven to be a just one. His acts in the face of the dire consequences to himself and his family justify a pardon for these acts of compassion and civil disobedience.

Thank you for championing a pardon for a true Delaware hero.

Sincerely,

Robin L. Krawitz

Robin L. Krawitz, Director
Graduate Program in Historic Preservation and
President, Underground Railroad Coalition of Delaware

Attachments:

- Exhibit 1: Indictments
 - a. Maria Matthews Case
 - b. Alexander and Isaac Case
- Exhibit 2: Affidavit of Samuel D. Burris, Pages 1-3
- Exhibit 3: Prosecution Bonds and Depositions
 - a. Robert Hicks Deposition
 - b. Ezekiel Cooper Bond
 - c. Isaac Short Bond
 - d. John Clark Bond
 - e. Jonathan Green Bond
- Exhibit 4: Recognizance Bonds- Supporting Burris
 - a. Arrest Warrant for Samuel D. Burris
 - b. Bail Pledge from John Hunn and Ezekiel Jenkins
 - c. Bail Pledge from Gibbs, Brinkley, etc. Reverse included with approval for release hatched out
- Exhibit 5: Change of Venue Request
 - a. Ezekiel Cowgill Request for Change of Venue
- Exhibit 6: Court of General Sessions Docket Entries

a. Case 12 & 13

b. Case 23

Exhibit 7: Kent County Sheriff's Income List with Burris' Sale Amount Hatched Out

Exhibit 8: Burris Letter Published in the Liberator in June 1848

a. Transcription from Accessible Archives at www.accessible.com

Exhibit 9: Letter from Isaac Flint to Governor Tharp Requesting Pardon from Second Conviction Punishment

EXHIBIT 1

Indictments

- a. Maria Matthews Case
- b. Alexander and Isaac Case

[See attached.]

October Term 1847.

Kent County Jo.

The Grand Inquest for the State of Delaware and the body of Kent County on their oath and affirmation respectively do present.

That Samuel D. Burris late of Mendenhall Hundred in the County aforesaid, free negro, on the second day of January in the year of our Lord one thousand eight hundred and forty seven with force and arms at the Hundred and County aforesaid two certain negro men slaves to wit Isaac and Alexander then and there being the proper slaves of one Robert McGonigal did knowingly entice, persuade, encourage, aid and abet to leave the service of him the said Robert McGonigal so being then and there the Master of the said Isaac and Alexander as aforesaid against the form of the Act of the General Assembly in such case made and provided and against the peace and dignity of the State.

And the Grand Inquest aforesaid on their oath and affirmation aforesaid do further present that Samuel D. Burris late of Mendenhall Hundred in the County aforesaid, free negro, on the second day of January in the year of our Lord one thousand eight hundred and forty seven with force and arms at the Hundred and County aforesaid one certain other negro man-slave named Isaac then and there being the proper slave of one Robert McGonigal and one certain other negro man-slave named Alexander then and there being the proper slave of the said Robert McGonigal did knowingly aid and assist in escaping from the service of the said Robert McGonigal so being then and there the Master of the said Isaac and of the said Alexander as aforesaid against the form of an act of the General Assembly in such case made and provided and against the peace and dignity of the State.

And the Grand Inquest aforesaid on their oath and affirmation aforesaid do further present that Samuel D. Burris late of Mendeville Hundred in the County aforesaid free negro on the second day of January in the year of our Lord one thousand eight hundred and forty seven with force and arms at the Hundred and County aforesaid one certain other negro man-slave named Alexander then and there being the proper slave of one Robert McGonigal (as administrator of all and singular the goods and chattels rights and credits which were of Thomas Slaughter deceased) and one certain other negro man-slave named Isaac then and there being the proper slave of the said Robert McGonigal (as administrator as aforesaid) did knowingly entice, persuade, encourage, aid and abet to leave the service of the said Robert McGonigal so being then and there the master of the said Alexander and of the said Isaac as aforesaid against the form of an Act of the General Assembly in such case made and provided and against the peace and dignity of the State

And the Grand Inquest aforesaid on their oath and affirmation aforesaid do further present, That Samuel D. Burris late of Mendeville Hundred in the County aforesaid free negro, on the second day of January in the year of our Lord one thousand eight hundred and forty seven with force and arms at the Hundred and County aforesaid one certain other negro man-slave named Isaac then and there being the proper slave of one Robert McGonigal (as administrator of all and singular the goods and chattels, rights and credits which were of Thomas Slaughter deceased) and one certain other negro man-slave named Alexander then and there being the proper slave of the said Robert McGonigal (as administrator as aforesaid) did knowingly aid and assist in escaping from the service of him the said Robert McGonigal so being then and there the master of the said Isaac and of the said Alexander as afore

said against the form of an Act of the General Assembly
in such Case made and provided and against the peace
and Dignity of the State.

E. W. Gilpin

Ctty Seal

P. E. Bradford

Deputy Ctty Seal

October Term 1847

Kent County Jr.

The Grand Jurors for the State of Delaware under the Oath of Kent County on their oath and affirmation respectively do present -

That Samuel D. Davis late of Down Hundred in the County aforesaid free negro on the fourteenth day of June in the year of our Lord one thousand eight hundred and forty seven with force and arms at the Hundred and County aforesaid a certain female negro slave named Maria then and there being the proper slave of one Jonathan S. Green did knowingly and unlawfully assist and abet to leave the service of him the said Jonathan S. Green so being then and there the master of the said female negro slave named as aforesaid against the form of the Act of the General Assembly in such case made and provided and against the peace and dignity of the State.

And the Grand Jurors aforesaid on their oath and affirmation aforesaid do further present That Samuel D. Davis late of Down Hundred in the County aforesaid free negro on the fourteenth day of June in the year of our Lord one thousand eight hundred and forty seven with force and arms at the Hundred and County aforesaid one certain other female negro slave named Maria then and there being the proper slave of one Jonathan S. Green did knowingly and unlawfully assist in escaping from the service of the said Jonathan S. Green so being then and there the master of the said female negro slave named as aforesaid against the form of the Act of the General Assembly in such case made and provided and against the peace and dignity of the State.

E. W. Gilpin

Atty. Genl

D. C. Bradford

Sydney Atty. Genl

No 1
October Term 1847
State

vs.
Richard D. Davis

Entering away a slave.

Wits. &

- Jonathan S. Davis per
- Walter Connolly per
- Wm. J. Corbett per
- Thomas L. Finkle per
- George Taylor per
- Shadrach Hunt per
- Levin H. Williams per
- Robert Nichols per

J. Chas. Tall
Jesse Raymond Foreman
Oct 26. 1847

EXHIBIT 2

Affidavit of Samuel D. Burris, Pages 1-3

[See attached.]

Kent County

State of Delaware
" "
Samuel B. Davis } District Court 1847
 } Indictment for entering
 } wrong slaves

... must I swear the above
named defendant, being sworn on the
Holy Evangelists of Almighty God
...
... that he has good and sufficient
grounds for believing and believing that
he may not and cannot have an impar-
tial trial on this cause in Kent County,
that there exists in said County much
public excitement and prejudice against
this defendant in regard to the charges
contained in said indictment, created
by confounded rumors and that several
of the slaves who are connected to the
personal term of this Court and are used
in attendance as slave drivers and
relatives and friends of slave holders,
and that from the fact of such excitement
and prejudice this defendant is not able
to procure the necessary aid in preparing
his defense, and that for a set amount
persons who come to town to advise
him for this defendant were afraid to
and would advise in the public high way
in the town of Dover, or defendant is ignorant
and believe, and this defendant further state

7
and believes it to be true
that he believes it is important, that
several persons in the County of New
York are actually engaged in an enterprise
to procure for concealment, and has
offered a considerable sum for that
purpose, and this Department has a good
opinion as to the merits in this case as
he is assisted by his Counsel and
believes that he can have an impor-
tant trial in the County of New York.

Samuel D. Burris

I Luther A. Houston Clerk certify that the
above affidavit was sworn to and subscribed
to in open Court

L. A. Houston Clerk of the Peace

Wm. Linn 1849
App. name of Wm. Linn

EXHIBIT 3

Prosecution Bonds and Depositions

- a. Robert Hicks Deposition
- b. Ezekiel Cooper Bond
- c. Isaac Short Bond
- d. John Clark Bond
- e. Jonathan Green Bond

[See attached.]

Deposition of Robert Hicks

The estate of Belaven } Charge on being away a certain female Slave or Servant.
to Samuel Burrows } Robert Hicks being duly sworn deposes and says

That on the 16th day of June last past I was down at the Steam Boat Kent when Thomas & Temple came and told me that Samuel Burrows was then on his way to the steam boat in company with female Slave or Servant belonging to Jonathan S Green and desired me to keep a look out for them just before sun down Samuel Burrows came down and went towards the Napoleon, in a short time he came back and went towards the Wood, about sunrise next morning I went to the Stables Burrows was then looking in and about the stage I spoke to him and he then left the stables and went towards the Steam boat and was followed immediately by Maria Matthews and when near the house Mr Short called to me, I went and the woman was standing by the Kitchen Mr Short said the reason that he talked me was that he was afraid that Burrows would attack him, we took the woman in charge and kept her until her Master called for her.

Sworn & Subscribed before me this 10th day
of July A.D. 1847 John W Smith

Robert Hicks

Kent County, ss. **THE STATE OF DELAWARE.**

Be it remembered, That *Ezekiel J Cooper*
of *Mandanville* hundred, in the county aforesaid, personally appeared before me,
J B Smith esquire, one of the justices of the peace for said county, and
acknowledged to owe the State of Delaware, the sum of *fifty*
dollars; and in like
~~manner appearing, did also acknowledge to owe the said state, the sum of~~
~~dollars, to be levied on their goods and chattels, lands and tenements,~~
respectively, for the use of the said state:—

Upon condition, That the above bounden *Ezekiel J Cooper*
be and appear before the next court of General Sessions of the Peace and Gaol Delivery, to be holden
at *Dover* in and for the county aforesaid, and then and there answer to ~~such~~
~~as a witness~~ ~~matters and things as shall be objected against him, and particularly touching a charge~~ *of enticing*
aiding and abetting slaves to run away

said to have been committed by ~~the said~~ *Samuel D Burris* *tr* at
hundred, in the said county, on ~~the~~ *or about the 2nd* day of
January 1847 and that he shall not depart the court without leave thereof, then this recog-
nizance to be void, otherwise to be and remain in full force and virtue.

Taken and acknowledged before me, this *14th* day of *July* } *Ezekiel J Cooper*
in the year of our Lord, one thousand eight hundred and *forty seven* }
J B Smith JP

County, ss. **THE STATE OF DELAWARE.**

Be it remembered, That *Isaac Short*
of ~~Duck Creek~~ *I B Smith* hundred, in the county aforesaid, personally appeared before me,
esquire, one of the justices of the peace for said county, and
acknowledged to owe the State of Delaware, the sum of *fifty*
dollars; ~~and~~ ~~in like~~
~~manner appearing, did also acknowledge to owe the said state, the sum of~~
~~dollars;~~ to be levied on ~~their~~ ^{his} goods and chattels, lands and tenements,
respectively, for the use of the said state:—

Upon condition, That the above bounden *Isaac Short*
be and appear before the next court of General Sessions of the Peace and Gaol Delivery, to be holden
at ~~Dover~~ *Dover for the state* in and for the county aforesaid, and then and there answer ~~to such~~ *as a*
~~matters and things as shall be objected against him,~~ and particularly touching a charge *of entering*
~~and a certain female servant~~ *away from his master*

said to have been committed by the said *Samuel O Burris (Jr)* at
Edm hundred, in the said county, on the *13th* day of
June 1847 and that he shall not depart the court without leave thereof, then this recog-
nizance to be void, otherwise to be and remain in full force and virtue.

Taken and acknowledged before me, this *12th* day of *July* *Isaac Short*
in the year of our Lord, one thousand eight hundred and *forty seven*
I B Smith JP

Kent County, ss. **THE STATE OF DELAWARE.**

Be it remembered, That *John Clark*
of *Mendenhall* hundred, in the county aforesaid, personally appeared before me,
J B Smith esquire, one of the justices of the peace for said county, and
acknowledged to owe the State of Delaware, the sum of *fifty*
dollars; ~~and~~ in like
~~manner appearing, did also acknowledge to owe the said state, the sum of~~
~~dollars,~~ to be levied on ~~their~~ ^{his} goods and chattels, lands and tenements,
respectively, for the use of the said state:—

Upon condition, That the above bounden *John Clark*
be and appear before the next court of General Sessions of the Peace and Gaol Delivery, to be holden
at *Fre* in and for the county aforesaid, and then and there answer ~~to such~~ ^{as a witness}
~~matters and things as shall be objected against him,~~ and particularly touching a charge ^{of aiding}
^{and assisting a certain female slave to run away (said to be the}
^{property of John Clark of Samuel)}

said to have been committed by ~~the said~~ *Samuel J B Lewis (n)* at
Mendenhall hundred, in the said county, on ~~the~~ ^{or about} *the 12th* day of
March 1846 and that he shall not depart the court without leave thereof, then this recog-
nizance to be void, otherwise to be and remain in full force and virtue.

Taken and acknowledged before me, this *nineteenth* day of *August* *John Clark*
in the year of our Lord, one thousand eight hundred and *forty seven*
J B Smith JP

County, ss. **THE STATE OF DELAWARE.**

Be it remembered, That *Jonathan S Green*
of *Marydel* hundred, in the county aforesaid, personally appeared before me,
J B S M M esquire, one of the justices of the peace for said county, and
acknowledged to owe the State of Delaware, the sum of *400*
dollars; and in like
~~manner appearing, did also acknowledge to owe the said state, the sum of~~
~~dollars; to be levied on their~~ goods and chattels, lands and tenements,
respectively, for the use of the said state:—

Upon condition, That the above bounden *Jonathan S Green*
be and appear before the next court of General Sessions of the Peace and Gaol Delivery, to be holden
at *Dover* in and for the county aforesaid, and then and there answer ~~to such~~ *as a*
~~matters and things as shall be objected against him,~~ and particularly touching a charge *of entering aiding*
and abetting a certain female servant or slave to run away from her Master.

said to have been committed by the said *Samuel S Blowers* at
Dover hundred, in the said county, on the *13th* day of
June 1846 and that he shall not depart the court without leave thereof, then this recog-
nizance to be void, otherwise to be and remain in full force and virtue.

Taken and acknowledged before me, this *12th* day of *July* *1846*
in the year of our Lord, one thousand eight hundred and *forty six*
J B S M M *J. J. Green*

EXHIBIT 4

Recognizance Bonds- Supporting Burris

- a. Arrest Warrant for Samuel D. Burris
- b. Bail Pledge from John Hunn and Ezekiel Jenkins
- c. Bail Pledge from Gibbs, Brinkley, etc. Reverse included with approval for release hatched out

[See attached.]

Recognizance
of
Saml. L. Burris
et al
Recog. \$ 500.00

The defendant having
given the required bail
is discharged

KENT COUNTY, SS.

THE STATE OF DELAWARE,

To the Sheriff of Kent County, Greeting:

We command you, that you take *Samuel S. Lucas*
 late of Kent County, if he be found within your bailiwick, and *him* safely keep, so that
 you may have *his* body before our Judges at Dover, at our Superior Court, there to be held on Mon-
 day the *twentieth* day of *October* next, to answer unto *Robert H. Moor*
of Samuel H. Moor of a plea *Verdict on the Cause*

and have you then there this writ. Witness the honorable James Booth, our Chief Justice, at Dover, the
third day of *May* in the year of our Lord one thousand eight hundred and *forty seven*

Issued *Aug. 7th 1847*

Atty. *G. P. ...*

Take bail in \$ *3000*, *Robert H. Moor* Pro.

Kent County, ss.

The State of Delaware.

Be it remembered, That *Samuel D. Barris* of or near *Camden N. J.* ~~hundred~~, in the county aforesaid, personally appeared before *Thomas Simpson* one of our justices of the peace for said county, and acknowledged to owe the State of Delaware, the sum of *Eight Hundred* dollars; and *John Hunter & Co. Rich. Sen King* in like manner appearing, did also acknowledge to owe the said State, the sum of *Eight Hundred* dollars; to be levied on their goods and chattels, lands and tenements respectively, for the use of the said State:—

Upon Condition, That the above bound *Samuel D. Barris* be and appear before the next Court of General Sessions of the Peace and Gail Delivery, to be held at Dover, in and for the county aforesaid, and then and there answer to such matters and things as shall be objected against him, and particularly touching a charge of *enticing riding and abetting Negro Slaves to run away,*

~~said to have been committed by the said~~ ~~hundred~~, in the said county, on the ~~_____~~ day of _____ and that he shall not depart the court without leave thereof, then this recognizance to be void, otherwise to be and remain in full force and virtue.

Taken and acknowledged before *Thomas Simpson* one of our justices of the peace for said county, at *Dover* this *Ninth* day of *August* in the year of our Lord one thousand eight hundred and _____

Thos Simpson
W. D. Simpson

Samuel D. Barris
Mo. Hunter
Eckiee Jenkins

State of Delaware

Kent County ss Be it remembered that on the 9th day of Samuel
Burris of or near Camden New Jersey, personally appeared before
Thomas Simpson one of the Justices of the peace for said Kent County
and acknowledged to owe the State of Delaware the sum of Eight
Hundred - Dollars; and in like manner Abel Gibb, George Gibb,
Nathan Gibb, Prince Caldwell Samuel Milly Thomas Kinnard
Nathaniel Brinkley Palm George the sum of Eight Hundred
- Dollars to be levied on their goods and chattels lands and tenements
respectively for the use of the said State.

Upon Condition that the above bound Samuel D. Burris be and
appear before the next Court of General Sessions of the peace and
Good delivery to be held at Dover in and for Kent County aforesaid
and then and there to answer to such matters and things as shall
be objected against him and particularly touching a charge of en-
tering, aiding, and abetting Negro Slaves to run away, and that
he shall not depart the Court without leave thereof; then these
recognizances to be void otherwise to be and remain in full force
and virtue.

To Have acknowledged before me ~~the 9th day of August~~ Thomas
Simpson one of the Justices of the peace for said County at Dover
the 9th day of August in the year of
our Lord Eighteen Hundred and Forty second

Wm. Simpson J.P.

- Samuel D. Burris
- George Gibb
- Abel Gibb
- Nathan Gibb
- Prince Caldwell
- Jama Milly
- Thomas Kinnard
- Nathaniel Brinkley
- Palm George

EXHIBIT 5

Change of Venue Request

a. Ezekiel Cowgill Request for Change of Venue

[See attached.]

State of Delaware }
" }
Samuel D. Brevitt }
} Indictment for entering
} away slaves -

New Castle

October Term 1857 -

Ezekiel Conzill, being duly sworn,
(he being conscientiously scrupulous of taking
an oath) deposes and saith that great
excitement and prejudice have been created
and now exist in said County of Kent
against the Defendant above named, ~~and~~
~~that an impartial~~ in relation to the charge
in this case for entering away slaves, and
that in his opinion and in his belief
an impartial trial cannot be had in
this case in said County of Kent.

Affirmed and sub. }
sworn this twenty seven }

J. Gougeon
Clerk

State of Delaware	}	Kent Count, October Term 1847
vs	}	Indictment for enticing away slaves
Samuel D Burris	}	

Samuel D. Burris the above named Defendant, being sworn on the Holy Evangels of Almighty God-

Deposeth and saith that he has good and sufficient grounds for knowing and believing that he may not and cannot have an impartial trial in this cause in Kent County that there exists in said County must pastlse? excitement and forsjandsive? against this deponent in response to the charges contained in said indictment created by confounded rumors and that several of the jurors who are said much as to those present known of this Court, and are [three words unintelligible] are slave owners and relatives and friends of slave holders, and that from the face of such excitement and prejudic this deponent is not able to proceure the necessary [] in preparing his defense, and that five or six colred

2nd page

that he is informed and believes it to be true that several persons in the County of Kent are ? employ in soliciting to procure his conviction and have offer and consiterable funds for that purpose and this Deponent has a good offence on the merits in this cause ? ? otherwise by him and believes that he can have an impartial trial in the County of New Castle.

Samuel D. Burris

I Lestor A. Houston hereby certify that the above affidavit was sworn to and Luberalterd? to in open Court. L. A. Houston, Clerk of the Peace

EXHIBIT 6

Court of General Sessions Docket Entries

- a. Case 12 & 13
- b. Case 23

[See attached.]

Aug. 13. 1847 After having a rule to
show cause of bail in this case
the sum in which the defendant is
required to give bail is fixed at
\$1400.00
Adm. Harrington

21 Oct. 7. 1847

Robert M. ^{Songor}
Adams of the
Slaughter des.
vs.

Samuel D. Purvis

Capin Case
vs
vs
& Com. vs. A. D. S. 1

Novell 75
B. M. 78
1. 73

X

EXHIBIT 7

Kent County Sheriff's Income List with Burris' Sale
Amount Hatched Out

[See attached.]

List of Fines and Forfeitures received by Ignatius Taylor
at the April Term 1847. as follows.

State vs Levin Fisher w/ Fine	\$ 5.00
" " Benjamin Dickerson	10.00
" " Richard Blackiston	14.00
" " James Smith	10.00
" " John W Layton	<u>50.00</u>
	89.00

List of Fines and Forfeitures received by Alexander
J. Taylor at the October Term 1847. as follows

State vs Richard H. Blackiston fine	14.00
" " Jonathan Jackson "	10.00
" " George Davis "	20.00
" " Prince Powell w/	8.00
" " Robert Collins	<u>3.00</u>
	55.00
Went down as J. Taylor's administrator	<u>89.00</u>
	Dolls. 144.00.

not to be
accepted

~~State vs Samuel D. Burrows w/ convicted at October Term
1847. and now in prison for entering away slaves, and now
in prison according to law. \$500.00.~~

State of Delaware }
Kent County, D. S. } J. Liston A. Houston Clerk of the Peace in
and for Kent County do hereby certify that
the above and foregoing is a true copy of all
the Fines and Forfeitures at the April and
October Terms. received by Ignatius Taylor
and Alexander J. Taylor Esquires Sheriffs of
Kent County: for the year 1847

In Testimony that the above and foregoing is a true copy from my State
Docket I have hereunto set my hand and affixed the seal of my office at
Dover this tenth day of January A.D. 1847. S. A. Houston C. P.

EXHIBIT 8

Burris Letter Published in the Liberator in June 1848

- a. Transcription from Accessible Archives at www.accessible.com

[See attached.]

Collection: The Liberator

Publication: THE LIBERATOR

Date: June 30, 1848

Title: THE LIBERATOR LETTER FROM ANOTHER MARTYR IN THE CAUSE OF FREEDOM.

Location: Boston

The following letter is from Samuel D. Burns, a worthy colored citizen of Wilmington, Delaware, who was sentenced some time since to a cruel imprisonment in the Penitentiary of that State, on charge and conviction of having remembered those in bonds as bound with them, by giving aid and counsel to certain wretched slaves, who attempted to make their escape to Canada. Hear this martyr!— [The letter was sent to a friend in Nantucket]

DOVER, (Delaware,) 3d mo. 29th, 1848 .

DEAR BROTHER:

I now write a few words to you from my loath some prison. I beg to be excused for not writing to you before; but as things have come so near to an awful crisis, I deem it my duty to inform all my Christian brethren of my present condition, which I suppose you have long since heard, that I was arrested on the 10th day of July last, charged with being concerned in helping slaves to regain their freedom, which in the State of Delaware m a crime next to that of murder, if committed by a colored man. I was also committed to prison, and there I remained, hand. cuffed and leg ironed, until near the middle of August, during which time I suffered, if possible, more than death. I then gave bail, in the sum of one thousand six hundred dollars, for my appearance at Court of Quarter Sessions, which was to commence on the 25th of October, 1847; but my adversaries being informed of the some, came forward and demanded special bail for damage in the sum of five thousand five hundred dollars more, which they knew I could not give, on account of which I was thrust back into. Prison—there to stay and suffer until court, and then go in to trial, unprepared, as the slaveholders intended that I should do. Court came on, and without sufficient preparation, I was forced in for trial; and as might have been expected, I was convicted on two indictments, and sentenced on both to pay five hundred dollars fine and cost, and prison charges, and be imprisoned ten months, and be sold as a slave for a period of fourteen years; to be exported, transferred or assigned over to slave-traders, or whatever else the inhuman purchaser may choose to do with me. Of course, I hare been here in prison ever since, looking forward, with an anxious mind, to the day in which the sale of my body in the first case will take place, which is the 5th of May next, 1849—after which, I am to be brought back to prison, to suffer four months longer, and then sold a second time, on the second case. Each case requires that I should be sold to the highest bidder or bidders, for a period of seven years—to serve as a slave to all intents and purposes, From this, you may imagine how much true Christianity exists in the State of Delaware, especially when we consider that the Church, which holds the balance of power in this State, in altogether responsible for the unjust punishments thus inflicted on us poor colored people. This day there was a slave-trader from Baltimore to see me, and to find out when the sale of my body was to take place. He staled that I need not think hard of him for wishing to buy me, for he intended, if he was the purchaser, to sell me to no man who he thought would not use me well, end that I ought not to have been convicted from the

evidence that the slaveholders produced against me; but so it was. He said also that the evidence adduced against me here would not have convicted me in Maryland, & This trader's name is Mass Fountain, who has shipped 165 human beings from Slaughter's slave prison in Baltimore at one time, to the great slave market of New Orleans. He visits the courts of Delaware regularly twice a year, in order to buy all the convicts which the State holds for sale, to be exported.

Now you may say that this trader is an inhuman tyrant, because he buys and sells human beings; but you will recollect that this man is only doing a lawful business, encouraged and protected by the laws of the State of Delaware—laws which were enacted by men protesting to be Christians—laws which are esteemed and called sacred by men, who say they are called by the Great Spirit to go forth and declare the word of truth and justice to a dying people—men who pretend to say that they are opposed to sin and unrighteousness of any and every kind; yet they uphold and applaud those slave traffickers, and those inhuman and unmerciful leeches, in their soul-damning conduct, by making the colored people legal subjects for their bloody principles to feast on; for whatever is lawful, of course ought to be right, and whatever is right is justice, although ignorance of the law excuses no one. I have suffered enough to know, that the constructions of an unjust law might to excuse any one. My dear brother, you will hear from me no more unlit after my first sale. I mean the sale of my body, the first time; and then you will hear through the Pennsylvania Freeman what my distresses are, and what has become of my body. I propose writing to all my friends and brethren before the day comes on which I am to be sold.

I hope you will not think hard of me for not writing to you before, as I did not wish to give my friends any uneasiness on account of my awful situation. I would be glad to hear from you, if you get this letter in time to mail one for me by the 15th of April; and if so, you will perhaps hear from me again by letter.

The notable slaves-trades mentioned above was simple enough to try to persuade me to have the last four months of my imprisonment taken off, so that he could buy me and take me immediately. He said it would be the best thing I could do—and if would, he would buy me and sell me to some good, man in Virginia, who would make an overseer of me, and give me a chance to get my wife and children & And although I did not tell him what I thought, yet I intended that he might keep all his happiness to himself—for liberty is the word with me, and I would not consent to be President upon any terms that be mentioned, for I consider the lowest condition in life, with freedom attending it, is better than the most exalted station under the restricts of slavery. I here felt the better effects of oppression, and though I have had one of the mildest men that ever was a slaveholder, fur sheriff of the prison in which I am confined, and have had the good fortune to have one of the tenderest and most Christian -hearted women in charge of the Jail, that ever was a mistress, yet I cannot forbear taking; all opportunities to express great abhorrence of servitude, and my passion for liberty, upon any terms whatsoever. I deem a state of slavery, with whatever seeming grandeur and happiness it may be attended, is yet so contrary to common honesty, and is no precarious a thing, that he must want sense, honor, courage, and every virtue, who can prefer it in his choice. A man who has so little sense of honor as to bear to be a slave, when it is in his power to prevent or redress it, would make no scruple to cut the throats of his fellow creatures, or do any other wickedness that the wanton and unbridled will of a tyrannical master should suggest.

I have now given you, my dear brother, a short sketch or outline of my sentiments, concerning the institution of slavery; and now I beg to close my remarks without say expectation of ever seeing you again in this world; and bet me further add, that my religion teaches me to believe, that as the condition or our heart is, when our mortal life leaves us, so judgment will find our never-dying souls; and if so, what will be the condition of those who lived and died in neglect of that golden rule, do on to others as you would that others should do unto you? Is there a slave-dealer who would be willing to be made a slave himself? I say, no.

I have said this much, and leave comments for you; while I remain your affectionate brother in the Lord until death,

SAMUEL D. BURRIS

EXHIBIT 9

Letter from Isaac Flint to Governor Tharp Requesting
Pardon from Second Conviction Punishment

[See attached.]

Washington June 16th 48
Mr. Sharpe Governor of Delaware
I am happy to say that you will
receive a petition for the pardon of Saml.
D. Burris. It has attached to it about 180 names
of some of whom are among the best men in
this city. It is the general impression here
that he has been persecuted enough, and
admitting the criminality of the act
of which there is great diversity of opin-
ion. When it is considered that he
has been persecuted for what he
conscientiously believed to be a sacred
duty, that regarding his imprisonment
as a martyrdom for conscience sake in
his own opinion, and in the opinion
of most of the world, which is as you
are aware opposed to slavery and all
laws for its support, and that his
health is suffering severely, so much
so, that unless released soon he will
probably be unable to support his family
and thus an additional burden thrown

Wilmington June 16th 48
Wm. Sharpe Governor of Delaware
Dear Sir, accompanying this note you will
receive a petition for the pardon of Saml.
D. Burris. It has attached to it about 180 names
some of whom are among the best men in
this city. It is the general impression here
that he has been punished enough, even
admitting the criminality of the act,
of which there is great diversity of opin-
ion. When it is considered that he
has been punished for what he
conscientiously believed to be a sacred
duty, that regarding this imprisonment
a Martyrdom of conscience, both in
his own opinion, and in the opinion
of most of the world, which is as you
are aware opposed to slavery and all
laws for its support. And that his
health is suffering severely, so much
so, that unless relieved soon he will
probably be unable to support his family
and thus an additional burden thrown
upon the community. And that at
his sale last May he was purchased
by his friends, and will immediately leave
the state when released. And that

Christianity teaches to undo the heavy
burdens and let the oppressed go free
The opening of prison doors and the breaking
of bonds, and that mercy is ^{the highest} attribute
of humanity. We have the strongest
possible appeal for pardon.
Burris is probably the best educated colored
man in Delaware. A man capable
of wielding a wide & strong influence.
His sufferings and imprisonment in
the discharge of what he considered a
duty are already widely known and sympathized
in, by the best men in both Europe
and America. Producing everywhere renewed
and more intense hatred of slavery and
its supporters. Your refusal to pardon
him, will be received by good men throug-
out the world, with sorrow as an indica-
tion that in the great battle of freedom
now raging, you are against the cause
of right. While his pardon will cause your
name to be spoken with delight by
the oppressed everywhere.
If you are disposed to grant the prayer
of the petition, please send it to me
at Wilmington, Del. Wm. S. Flint

Dear & Dear -

arrived by the
Gov: June 26.5

Wm. Thacker
Governor of Delaware
Wilmington Del.

CHAPTER CXXXV.

AN ACT to appropriate the monies in the treasury of this State.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met,* That the monies now in or hereafter to be paid into, the treasury of this State, shall be applied in the following manner, that is to say: so much thereof as may be necessary shall be applied to the payment of salaries due and to become due, to the governor, chancellor, judges of the Superior court, attorney general, secretary of State, auditor of accounts and State's treasurer, up to the first Tuesday of January, eighteen hundred and thirty-nine; and so much thereof as may be necessary shall be applied to the payment of the members of daily allowance to the members of the legislature, their clerks and other expenses, and for printing the laws, and the journals of the Senate and House of Representatives: and the residue thereof to the payment of any sums of money due to the citizens of the State, for which provision shall be made by law, and for the payment for Harrington's one hundred copies of "Harrington's reports," and for the repairing the tomb of Col. John Hazlett, and the procuring of the portraits of the signers of the declaration of independance, on the part of this State.

Appropriation for.
Salaries.
Allowance to members of legislature.
For printing laws, &c.
Claims of citizens.
Harrington's reports.
repairing of Col. Hazlett's tomb.
Portraits.

Passed at Dover, February 21, 1837.

—:00:—

CHAPTER CXXXVI.

Dig. 127. A SUPPLEMENT to the act entitled "*An Act providing for the punishment of certain crimes and misdemeanors.*"

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met,* That if any person or persons shall, knowingly entice, persuade, encourage, aid or abet any negro or mulatto slave or indented servant, to leave the service of his or her master or mistress, or shall, knowingly, aid or assist any negro or mulatto slaves or indented servants, in escaping from the service of his or her said master or mistress, every person so offending, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall forfeit and pay to the State, a fine of not less than one hundred dollars, nor more than five hundred dollars, and shall be imprisoned for a term of not less than three months, nor more than six months, and at the expiration of said imprisonment shall be disposed of, if a negro or mulatto, as a servant to the highest and best bidder, for the period of seven years.

For enticing, persuading, &c, a slave or servant to leave his master.
Penalty.

Passed at Dover, February 21, 1837.

of them, be and they are hereby authorized and empowered to erect such dam or dams across the said canal and gut, and to make such bank or banks as will prevent the tide-water from overflowing the said marsh or cripple, so as to enable the said owners or any of them, to reclaim and improve the same: *Provided*, that no dam shall be made or placed below the bridge over the said canal.

Passed at Dover, February 28, 1849.

CHAPTER CCCCX.

6 vol., 281. A SUPPLEMENT to an act entitled "*An act providing for the draining of certain marshes and low grounds in Slaughter Neck,*" passed the 1st day of February, 1823.

Managers, to change course of a certain ditch; SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met,* That Joshua G. Baker, Thomas Draper, jr., George Bennett, sen., Thomas Jefferson and Isaac Cerwithen, be and they are hereby appointed managers to change the course of a ditch, if they or a majority of them deem it necessary for the more effectual draining of the marshes and low grounds in Slaughter Neck, so that it may discharge its waters into Slaughter creek, at or near a place known as Wilson's landing, or to such other place on said creek as may be deemed by them most useful for the improvement of the navigation of said creek.

to be governed by original act. SEC. 2. *And be it further enacted,* That said managers shall be governed in their proceedings by the several sections of the act to which this is a supplement, not conflicting with this supplement.

Passed at Dover, February 28, 1849.

CHAPTER CCCCXI.

9 vol., 184. AN ACT to amend an act entitled "*A supplement to the act entitled 'An act providing for the punishment of certain crimes and misdemeanors.'*"

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Persons convicted of en- SECTION 1. That from and after the first day of April next, it shall not be lawful for any person who has been or hereafter may

be convicted of having enticed or aided a slave or indented servant to leave the service of his or her master or mistress, contrary to the provisions of the act entitled "A supplement to the act entitled 'An act providing for the punishment of certain crimes and misdemeanors,'" passed February 21, 1837, voluntarily to come into or remain within this State. ticing slaves, &c., not to remain in the State.

SEC. 2. If any white person who has been or may be convicted of the offence specified in the foregoing section, shall after the said first day of April next, voluntarily come into or remain within this State, it shall be the duty of any justice of the peace, by a warrant under his hand directed to the sheriff or any constable of the county, to cause such person to be arrested and forthwith taken before the associate judge of the Superior Court, resident in the county, who upon hearing the case in a summary manner, shall, if the person so arrested shall be found to have offended against the provisions of this act, commit him to the custody of the sheriff of the county, whose duty it shall be to remove such white person so committed to his custody without the limits of the State. Case of a white person offending against this act.

SEC. 3. If any white person after being removed from this State under the provisions of the second section of this act, shall a second time voluntarily come within the limits of this State, every person so offending, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall forfeit and pay to the State a fine of not less than one hundred, nor more than one thousand dollars, and shall be imprisoned in the common jail of the county wherein he is convicted for the term of six months. Second offence of white person.

SEC. 4. If any negro or mulatto who has been or may be convicted of the offence specified in the first section of this act, shall after the said first day of April next voluntarily come into or remain within this State, such negro or mulatto shall be arrested and taken before the resident judge of the county, in the same manner hereinbefore provided in the case of a white person committing the like offence: and the said judge upon hearing the case and determining that such negro or mulatto has offended against the provisions of this act, shall order him forthwith to leave the State; and in case he shall not depart and leave the State within twenty-four hours or shall after such order voluntarily return and come within this State, it shall be the duty of any judge or justice of the peace to cause him to be arrested and committed to the custody of the sheriff of the county, by whom the said negro or mulatto shall be forthwith publicly whipped with sixty lashes on the bare back well laid on, and shall then as soon as conveniently may be, be removed by the said sheriff without the limits of this State. Case of a negro or mulatto.

SEC. 5. For issuing a warrant under the provisions of this act a justice of the peace shall be entitled to receive fifty cents; for executing the same a constable or sheriff shall be entitled to receive one dollar and mileage at the rate of six cents per mile, going and returning; and for removing a white person or negro or mulatto, Fees of officers executing this act.

without the limits of the State under this act a sheriff shall be entitled to receive ten dollars: *Provided*, that the said costs when accruing for services performed in the execution of the provisions of this act against a white person, shall be allowed by the Levy Court of the county wherein the arrest of such white person is made, and paid as other county charges are paid.

Passed at Dover, February 28, 1849.

CHAPTER CCCCXII.

AN ACT [†]*in relation to idle and vagabond free negroes.*

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met;* That from and after the first day of May next ensuing the passage of this act, any justice of the peace in and for any of the counties of this State upon information given to him that any free negro or mulatto, male or female, is residing or staying within the county in which said justice of the peace shall or may reside without visible means of support, shall have power and is hereby required to issue process directed to the sheriff or any constable of said county, commanding him to bring before the said justice of the peace such free negro or mulatto, and thereupon the said justice of the peace shall enquire into the condition and habits of such negro or mulatto, and if upon examination the said justice of the peace shall be of the opinion that the said free negro or mulatto has not the necessary means of support and is not of good and industrious habits, then he shall issue an order in writing directed to the sheriff or any constable of the county, requiring the said sheriff or constable to proceed forthwith to hire the said negro or mulatto on the best terms that can be obtained, to some person residing in the county, to serve in the capacity of a servant until the first day of January next following, first giving ten days' public notice by advertisements posted in at least five of the most public places in the hundred in which the said justice of the peace may reside, and before whom such negro or mulatto shall be brought, that the said negro or mulatto is to be hired out: *Provided*, that every person so hiring any free negro or mulatto by virtue of this act, shall in addition to the price or wages agreed to be paid by him or her for such negro or mulatto, find him or her during the term for which the said person shall hire him or her, with good and sufficient food, lodging and clothing.

Justice of the peace to issue warrant for idle free negroes.

Hearing.

Order to hire. Duty of sheriff or constable.

Proviso.

STATE OF DELAWARE



OFFICE OF THE GOVERNOR

POSTHUMOUS PARDON OF **SAMUEL D. BURRIS (1813-1863)**

Whereas, in 1847 Samuel D. Burris ("Mr. Burris"), a free man of color, was arrested as he attempted to assist an enslaved woman board a steamship; and

Whereas, as a result, Mr. Burris was arrested on the charge of "Enticing Away a Slave" and jailed in Dover and bail was set at \$1,600; and

Whereas, while in jail, Mr. Burris was also charged with crimes related to the escape of slaves from the Estate of Thomas Slaughter in the ownership of Robert McGonigle and a two-count indictment was filed for the escape of the property of John Clark, and bail was raised to \$5,000; and

Whereas, there were three cases in the 1847 October Term of the Kent County Court of General Sessions that were set as follows: and

Case 12: State vs. Burris – Indictment for Enticing Away Slaves
(Robert McGonigle's Property)

Case 13: State vs. Burris – Indictment for Enticing Away Slaves
(Jonathan S. Green's Property)

Case 23: State vs. Burris – Indictment for Enticing Away Slaves (2 counts)
(John Clark's Property)

The trials in Cases 13 and 23 were held on November 1, 1847 and the trial in Case 12 was held on November 2, 1847; and

Whereas, Mr. Burris was found guilty of the charge in Case 12 and was sentenced to six months of imprisonment, a fine in the amount of \$250, and to be sold as a servant to the highest and best bidder for a period of seven years; and

Whereas, Mr. Burris was found guilty on the second count in Case 23 and was sentenced to four months of imprisonment, a fine in the amount of \$250, and to be sold as a servant to the highest and best bidder for a period of seven years; and

Whereas, Mr. Burris was found not guilty in Case 13 and on the first count in Case 23; and

Whereas, in Case 12, Mr. Burris served six months in jail and was sold for \$500 to Isaac Flint, an abolitionist who raised funds from the abolitionist community; and

Whereas, Mr. Burris left Delaware never to return; and

Whereas, Mr. Burris' family sought a posthumous pardon from Governor Jack A. Markell and the Board of Pardons for the above referenced offenses; and

Whereas, after a full hearing, a majority of the Board of Pardons voted to recommend granting the posthumous pardon, based upon the tremendous contribution of Mr. Burris to the cause of freedom, and his steadfast courage in the face of great personal danger; and

Whereas, the Attorney General of Delaware, Matthew Denn, is in favor of the Board of Pardons' recommendation; and

Whereas, based upon the recommendation of the Board of Pardons and the support of Attorney General Matthew Denn, this posthumous pardon is justified; and

Whereas, this posthumous pardon is an extraordinary act in recognition of a historic wrong that cannot be corrected by a single stroke of a pen, but recognizes Mr. Burris' acts not as a criminal acts, but as acts of freedom and bravery in the face of injustice; and

Whereas, in remembrance of the renunciation of slavery and the slave trade that divided America, and remains the original sin of our great nation, as stated by Mr. Burris "... liberty is the word with me, and I ... consider the lowest condition in life, with freedom attending it, is better than the most exalted station under the restraints of slavery."

NOW, THEREFORE, I, Jack A. Markell, Governor of the State of Delaware, by the authority vested in me by the Constitution of said State, do grant **SAMUEL D. BURRIS** a posthumous pardon for the convictions of ENTICING AWAY SLAVES.



IN WITNESS WHEREOF, I, Jack A. Markell, Governor of the State of Delaware, have set my Hand and caused the Great Seal of said State to be affixed this 2 day of November in the year of Our Lord Two Thousand Fifteen, and of the Independence of the United States of America Two Hundred Forty

Jack A. Markell

Governor

ATTESTED:

[Signature]
Secretary of State



"Anti-Slavery Bugle"



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Fri, Jan 20, 2023



Bass Otis portrait of Thomas Garrett, 1838

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Thomas Garrett of Wilmington

ONE snowy December morning in 1845, a free black man and four fugitive slaves trudged into Thomas Garrett's iron and hardware store with a letter from a friend. The free man, Samuel Burris, was a guide who had led the fugitives twenty-five miles during the night from an Underground station farther south. Garrett greeted the chilled and exhausted men, added four more marks to his tally of fugitives helped, and quickly sent them on. But the letter meant trouble.

It came from John Hunn, a younger man who was part of the Quaker network in northern Delaware. He was writing about a family of fugitives who had not come on with the four. Yet they had all arrived at his house the day before.

"On the morning of the 17th of 12th month, 1845, as I was washing my hands at the yard pump," he later recounted, "I looked down the lane, and saw a covered wagon slowly approaching my house. The sun had just risen, and was shining brightly...on the

snow which covered the ground to the depth of six inches... This seemed rather an early hour for visitors..."

The "visitors" were the Hawkins family from Queen Anne's County, Maryland: Sam Hawkins, a free man; his wife, Emeline, a slave; and their six children, ranging in age from eighteen months to sixteen years. For several years Sam Hawkins had tried to buy his wife's freedom, but her owner wouldn't sell, so they decided to flee. With the help of Burris, his wagon and horse, they had reached free blacks in Camden, Delaware.

There the four other men had joined the escape, and a Quaker gave them a letter of introduction in the next town. Traveling all night through a heavy snowstorm, the woman and children in the wagon and the men and boys walking twenty-seven miles, the thirteen had arrived in the morning.

"[T]he wanderers were gladly welcomed, and made as comfortable as possible until breakfast was ready for them," Hunn said. They had not planned to linger, but the deep snowfall made the roads difficult, so they all settled in the house and barn to rest for awhile.

Unfortunately the wagon had been seen. That afternoon the town constable dropped by with several strange men. In their hands was an advertisement that offered \$1,000 for the recovery of some runaway slaves. Could they be in Hunn's house? the men asked.

At that moment, Samuel Hawkins came out of a building near the barn, and seeing the men, he ran. They gave chase, but Hawkins changed his mind about running and doubled back to the house with a knife, prepared to fight. Stepping into the fray, Hunn per-

sued Hawkins to give up the knife and the constable to give up his pistol. Negotiations began.

The slavehunters wanted the two teenage sons who had been born to a slave mother, but their father, of course, didn't like that idea. Hawkins didn't want to turn over his younger children either; he argued that they should be free because they were born after he and his wife began living in a cabin of their own. Since the questions were complicated, Hunn suggested that all go to Middletown on his sleigh to see a judge.

There the slavehunters struck a deal. If Hawkins would give up the two older boys, the rest of the family would be allowed to continue. Although Hunn didn't trust the agreement, he had the mother and children brought to town. As he had feared, the whole family was sent to jail, eighteen miles away in New Castle.

Much distressed by the outcome, Hunn returned home where Burris and the four undiscovered fugitives were preparing to leave for Wilmington. Hunn sent along the letter: What should be done? From then on, the family's fate was in Thomas Garrett's experienced hands.

The call for help came as no surprise to the merchant; he had been helping fugitives for twenty years. The antislavery cause was his life's work, a cause he made part of his business, his religion, his family and friends.

Garrett's concern for justice had started early. His ancestors were Quakers who had emigrated from England in 1684, seeking religious liberty. The Garretts settled on land originally granted to William Penn in what became Pennsylvania.

As Thomas was growing up in the early 1800s, slavery was ille-

“DEAR FRIEND”

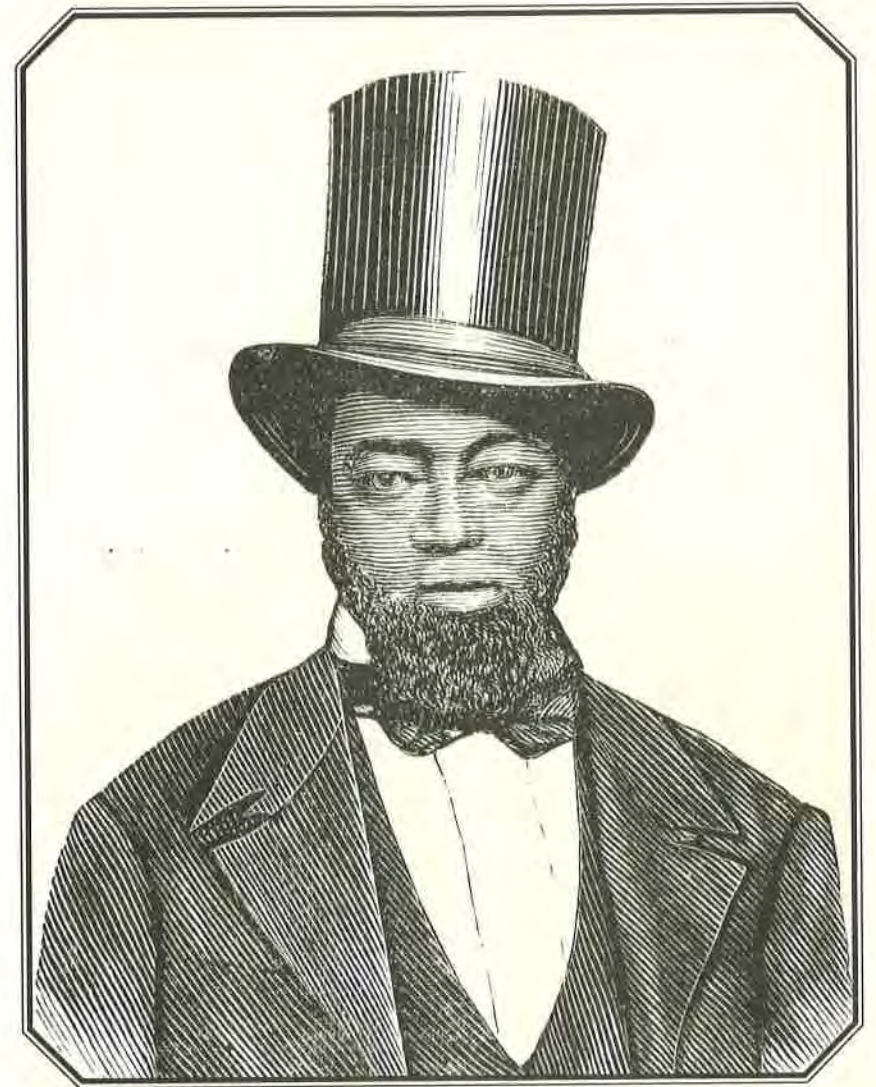
[freight] passes over this Road, But there has been but 3 conductors for some time.”

They needed a horse to pass fugitives on quickly; “one of our best men was nigh Cut [caught] By keeping of them too long, by not having means to convey them....”

Besides guides, the most daring workers on the Underground were the conductors who traveled into slaveholding areas where they would collect an escaping group of slaves and conduct them to freedom. If caught, the conductors, too, could be reenslaved, no matter how long they had been free.

Samuel Burris, the man who guided the Hawkins family, became a frequent conductor. He “piloted them himself, or was instrumental in directing hundreds of fugitives to me for shelter,” John Hunn related. Although Burris escaped notice when the Hawkins family was caught, a few years later, he was caught and thrown into jail in Dover, Delaware, for fourteen months. John Hunn and Thomas Garrett “were as faithful to him as brothers” during this period, Still asserted, but they could not prevent his conviction for helping fugitives. Burris was sentenced to be sold as a slave to labor for seven years.

The Underground Railroad quickly came to his rescue. Since Garrett and Hunn were well known to slaveholders because of their trial in the Hawkins case, a man named Isaac A. Flint was enlisted to go to the auction where Burris was to be sold. Pretending to be a slave dealer, Flint went through the motions of inspecting the feet, head, legs, arms, and body of the “property.” Outbidding dealers from Baltimore, Flint purchased Burris, signed the bill of sale, and then whispered to the conductor that he had been bought with “abolition gold.”



Samuel D. Burris



Harriet Tubman

Free once more and vastly relieved, Burris was also intimidated by the constant threat of becoming a slave again. Although he and his family lived in the free city of Philadelphia, they moved far away to the new free state of California in 1852. This man who helped “hundreds” to escape, perhaps more than any other conductor, never again returned to the South.

Nevertheless, a steady stream of guides, conductors, and fugitives continued to pass through the back countinghouse of Garrett’s store and the Anti-Slavery office in Philadelphia. Most famous of all was one indomitable black woman, Harriet Tubman. Still described her as a woman without equal in courage, shrewdness, and exertions to rescue her people.

Tubman had escaped by herself from a farm in Dorchester County on the Eastern Shore of Maryland in the 1840s. Lonely in freedom, she made frequent trips back to Maryland and freed well over one hundred slaves, including her brothers, sisters, and her parents. She passed through Garrett’s office at least eight times in the decade before the Civil War. He first wrote about her in an 1854 letter to the Anti-Slavery office:

Wilmington, 12th mo. 29th, 1854

We made arrangements last night, and sent away Harriet Tubman, with six men and one woman to Allen Agnews, to be forwarded across the country to the city. Harriet, and one of the men had worn their shoes off their feet, and I gave them two dollars to help fit them out, and directed a carriage to be hired at my expense....

Again in May, 1856, Garrett mentioned to Still that, “Those four I wrote thee about arrived safe up in the neighborhood of Longwood, and Harriet Tubman followed after in the stage yesterday.”

DEATHS.

In this city, Dec. 5th, Joel P. Williams, a native of Jessiman county, Kentucky, aged 42 years, 11 months and 4 days.
[Funeral at half-past 2 o'clock, to-morrow afternoon, from the residence of his son-in-law, John Q. Brown, H street, between Seventh and Eighth. Friends of the family are respectfully invited to attend.]

In this city, Dec. 4th, Ann K., wife of J. W. Spann, a native of Kentucky, aged 32 years.
[Funeral at half-past 3 o'clock, this afternoon, from I street, between Tenth and Eleventh. Friends of the family are respectfully invited to attend.]

In this city, Dec. 4th, Ellen Lynch, a native of Ireland, aged 25 years.
At Mormon Tavern, Sacramento and Placerville road, Nov. 30th, Clarence Lealand, son of H. M. and A. T. Johnson, aged 2 years and 23 days.

In San Francisco, Dec. 3d, Henrietta, daughter of John F. Berling, aged 8 years, 8 months and 9 days.

In San Francisco, Dec. 3d, Samuel Christy, a native of Philadelphia, Penn., aged 17 years.

In San Francisco, Dec. 3d, James A. Claughley, a native of New York city, in the 44th year of his age.

In San Francisco, Dec. 3d, Margaret Jane, youngest child of James Strachan, aged 1 year, 3 months and 24 days.

In San Francisco, Dec. 3d, William Thornton, a native of Philadelphia, Penn., aged 20 years.

In San Francisco, Dec. 2d, Mrs. Bridget Flynn, a native of Cork, Ireland, aged 64 years.

In San Francisco, Dec. 2d, Madame Henrietta Denery, wife of Alfred Van Crombrughe, a native of Paris, France, aged 28 years.

In San Francisco, Dec. 2d, William C., youngest son of David M. Peck, aged 1 year, 11 months and 16 days.

In San Francisco, Dec. 3d, John S. Challenger, a native of New Jersey, aged 30 years.

In San Francisco, Dec. 4th, Henry J. Grenell, aged 44 years.

In San Francisco, Dec. 3d, Mary Eliza, only daughter of J. F. Orimann, aged 2 months.

In San Francisco, Dec. 3d, Samuel D. Burris, a native of Delaware, aged 50 years, 1 month and 19 days.

In San Francisco, Dec. 4th, William Blair, a native of Pennsylvania, aged 45 years.

In San Francisco, Dec. 4th, Patrick Ryan, a native of Ireland, aged 26 years.

At Brooklyn, Alameda county, Dec. 3d, Angie M., daughter of George May, aged 8 months.

At Unionville, N. T., Nov. 18th, J. C. Leeds, aged 38 years.

On board ship Gaspee, bound from San Francisco to New York, Oct. 15th, Luman Smith, formerly of Folsom.

"Death Notice of Samuel D. Burris"



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DelawarePublicArchives

Fri, Jan 20, 2023

*Slavery and Freedom
in Delaware, 1639–1865*



William H. Williams

ed rewards for the capture of a group of fugitive slaves who ntly escaped from Maryland's Eastern Shore.⁸⁶ Leading the from the Eastern Shore in 1856 was Harriet Tubman, who born about 1820 or 1821 near Bucktown in Dorchester Maryland, about twenty miles west of the Sussex County line. he had escaped from her master and made her way north to hia. In subsequent years she made a number of trips back to l to guide many family members and other enslaved African- ns north to freedom. Evidently, on her return trips to Pennsyl- bman led escaping slaves northeastward along the Choptank o Kent County, Delaware, where her small bands of refugees ntemporary shelter at Underground Railroad stations located in amden, Dover, Blackbird, Odessa, Middletown, New Castle, ngton. There is no solid evidence, however, that Tubman led ware bondspeople north to freedom.⁸⁷

ok considerable courage for these free blacks to aid runaway cause, if caught, they were subject to harsher legal as well as retribution than were white abolitionists. In 1848 free black Burris observed that "helping slaves to regain freedom . . . in of Delaware is a crime next to that of murder, if committed red man."⁸⁸ He was speaking from personal experience. Burris born a free man in Delaware, but he subsequently moved to hia from where he sometimes ventured south of the Mason- ine to aid fugitive slaves. In January 1847 he was in Kent where he helped Isaac and Alexander make a successful es- June of that same year he was back in Kent trying to help atthews of Dover Hundred flee north via steamboat. Matthews, , was captured and returned to her master, and Burris was ar- nd jailed in Dover for aiding her aborted escape and the suc- scapes by Isaac and Alexander.⁸⁹

is was found guilty on both counts, fined five hundred dollars ts, kept in jail in Dover for ten months, and sentenced to be o slavery for fourteen years after his jail term expired. Aboli- from Pennsylvania and northern Delaware rallied to his cause ng some money that was turned over to Isaac Flint, a white abolitionist from Wilmington who was not well known in Kent. , after Burris had served his ten-month sentence, Flint pro- o Dover in the guise of a slave trader to be present when he ced on the auction block. Prior to the sale, Burris was exam- om the soles of his feet to the crown of his head" by traders. rversing their technique, Flint then gave Burris an equally care- mination to protect his own identity.⁹⁰ During the bidding that d, a Baltimore slave trader made the highest offer, only to be off by Flint. The disguised abolitionist then made the winning

bid while Burris girded himself for fourteen years of slavery in the Deep South. As soon as he was turned over to Flint, he was told that he was free and was then rushed away to his Philadelphia home, where his anxious wife and children waited. Burris never again ventured south of the Mason-Dixon Line.⁹¹

The Underground Railroad, an elusive but very real network of local havens and willing guides—Quakers, other whites, and free blacks—to aid fugitives in their flight to freedom, represented a series of "stations" and "conductors" that were solidly in place in Kent and New Castle counties by the midnineteenth century. Because of the need for secrecy (its purpose, after all, was illegal), the Underground Railroad in Delaware, as elsewhere in antebellum America, was an institution whose record is a slippery amalgam of fact and fiction. What is clear, however, is that most of the slaves who used it to escape to the North were not from Delaware but from Maryland and states farther south. The small number from Delaware simply reflected the state's very small slave population by the midnineteenth century.⁹²

White Quakers from Wilmington who played a significant role in the Underground Railroad included the previously mentioned Isaac Flint as well as Daniel Gibbins, Benjamin Webb, and his two sons Edward and William. Active Friends from southern New Castle County included John Hunn of Middletown and John Alston and Daniel Corbit of Odessa. In Kent County, Ezekiel Jenkins of Camden was the best-known Quaker supporter of the Underground Railroad. The most widely celebrated of all, however, was Thomas Garrett of Wilmington, who was probably the inspiration for the heroic Quaker Simeon Holliday in Harriet Beecher Stowe's *Uncle Tom's Cabin*.⁹³

Garrett was born into a Quaker family in Upper Darby, Pennsylvania, in 1789. When he was fourteen, an attempted kidnapping of a free black female who worked for his family sensitized him to the plight of African-Americans. In 1822, Garrett moved to Wilmington, where he became a merchant. By 1830 he was actively aiding runaway slaves. Although a member of the Wilmington Meeting at Fourth and West Streets, he joined with other strong abolitionists to form the Progressive Meeting at nearby Kennett Square, Pennsylvania, in 1853. (Sojourner Truth, a former slave and leading abolitionist, spoke and sang at their first session.) Although it was located just over the Pennsylvania border, the Progressive Meeting included a number of like-minded Delawareans who also were active in the Underground Railroad, which stretched south from the Pennsylvania line to the heart of Kent County.⁹⁴

In his final accounting after the Civil War, Garrett reported that he had helped twenty-seven hundred fugitive slaves escape to the North. Many, if not most, received food and shelter in his own home at

UNDERGROUND RAILROAD

in Delaware, Maryland,
and West Virginia



S98

William J. Switala



... in the Friends Cemetery in

... operation. Aiding him in this
 ... tors, both black and white. No
 ... all of these individuals. Wilbur
 ... the Wilmington area. It includes
 ... Webb, Thomas Webb, William
 ... Isaac Flint was the abolitionist
 ... auction in Wilmington. John
 ... a-Middletown area, where his
 ... Wilmington. Joseph G. Walker
 ... father was West Indian, and his
 ... one fall period, Walker led 130
 ... t. Marion Reed also has Joseph
 ... nt. In addition she lists Severn
 ... on as helping Garrett. Reed also
 ... lmer, as a Garrett assistant, but
 ... ally guided slaves to Garrett.²⁵
 ... free black men to the list found
 ... tt. They include Samuel Burris,
 ... on, Severn Johnson, and Abra-
 ... eading black businessman in the

William H. Williams, in his study of the Underground Railroad in Delaware, expands the list of agents and conductors under the direction of Thomas Garrett in Wilmington, adding to those names found in the lists of Siebert, Reed, and Blockson. His list includes Comegys Munson, Severn Johnson, and Joseph Walker, mulatto laborers; Henry Craig, a black brick-maker; Joseph Hamilton, whose home was a station; Abraham Shadd, a mulatto shoemaker and the leading black abolitionist in Delaware; and the white Quakers Isaac Flint, Daniel Gibbins (not to be confused with the famed Underground Railroad agent in southeastern Pennsylvania, Daniel Gibbons), and Benjamin Webb and his two sons, Edward and William.²⁷ A number of the names on Williams's list agree with those on the other three lists, but he identifies the black helpers more thoroughly.²⁸ Henry Craig was probably the Harry Craige mentioned by Thomas Garrett in a letter he wrote to William Still, describing the important role Craige played for him:



*One of Thomas
 Garrett's chief assis-
 tants was Samuel
 D. Burris. HISTORI-
 CAL SOCIETY OF
 DELAWARE*

2015030

Group gets guidance in searching the past

Program points out local resources

By **PATRICK JACKSON**
Dover Bureau reporter

DOVER

About 16 people spent their Saturday morning learning how to learn about their past.

While the program at the Visitors Center on Federal Street focused on getting people ready for Black History Month, the group learned how to take advantage of resources that are useful for any history buff, such as the Public Archives and the state's historical preservation office. The program featured five speakers.

"We did this before February so people who had Black History Month projects would know where to look," said Beverly Laing of the state's museums. "We're here to help anyone who has an interest."

To provide more help, the museums have a new Web site — www.de-statemuseums.org — that not only provides information about the museum system, but also links to other sites.

Rod Smith of Dover jotted notes on a legal pad during the presentations and was pleased by the turnout at the program.

"I didn't think there would be this many people here on a Saturday morning," he said. "I work with community development and we have a lot of old buildings . . . I thought it was an interesting presentation."

Some of the participants also were involved in Delaware State University's seminar on the Underground Railroad.

During a walking tour of the old Statehouse on the Green, members were told about the

"I didn't think there would be this many people here on a Saturday morning. I work with community development and we have a lot of old buildings . . . I thought it was an interesting presentation."

Rod Smith
of Dover

1847 trial of Samuel D. Burris, a free black man who was arrested in Kent County for helping slaves to freedom.

Under the laws at the time, Burris was jailed, fined and sold into slavery after being found guilty. However, abolitionists raised the money to buy Burris and returned him to his Philadelphia home.

Laing did the research on Burris' case and said she's still learning about the Kent County native, who eventually went to California.

"His story went on," Laing said. "But we're here and we're ready to help people learn those stories."

Reach Patrick Jackson at 678-4274 or pjackson@delawareonline.com.

"Group Gets Guidance in Searching the Past"



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SEVERE SENTENCE.

A colored man named Samuel D. Burris has been convicted in Delaware, of having enticed slaves away from their owners. He was convicted on three different counts. The sentence passed upon him is as follows:

“The prisoner was sentenced in each case of conviction, to pay a fine of \$250 and costs, to be imprisoned four months, and to be disposed of as a servant to the highest bidder for the term of seven years.”

"Severe Sentence"



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Fri, Jan 20, 2023

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the children with clothes. However, Garrett said that Mrs. Turner never contributed one dollar to their support, or came to see them.

Eventually Sam Hawkins decided to take his wife and all of his six children and strike out for freedom. He sought the services of Samuel D. Burris, a Negro conductor, to show them the way.

The first stop on the way to freedom was at the home of some Negro friends in Camden, Delaware. While in Camden they received assistance from Ezekiel Jenkins, a Quaker, who gave Burris a letter to present to either Daniel Corbit, or to John Alston or to his cousin, John Hunn, of Middletown, Delaware.

When they reached John Hunn's house on Friday, the 5th of December in 1845, Hunn reports that there were four other Negro men with them, making a party of thirteen in all. They had been traveling all night through a heavy snowstorm. Sam drove Em and the four younger children in 'a covered' wagon pulled by a single horse (which he owned), while the others walked.

After receiving the letter, John Hunn took them in and gave them breakfast. Hunn reports that this was his first acquaintance with assisting runaway slaves.⁵ If so, then his intention was probably to do no more than to provide the runaways with temporary food and shelter. In his letter to the *Blue Hen's Chicken*, right after the trial, he said: "In consequence of the deep fall of snow, they concluded to tarry with me until the roads should be open, and recruit both themselves and their horse." He then put up the woman and the four children in the house, and the rest of the fugitives in the barn.

About two o'clock of the day on which the fugitives arrived at his house, a neighbor drove up with his daughter in a sleigh, apparently on a friendly visit. Hunn says he noticed that the neighbor appeared restless, and was frequently looking out of the window fronting the road. But he did not know that the man had already seen the wagon and the fugitives walking with it from his house, and reported this fact in Middletown, and had now come to "spy out the land."

Later on that afternoon several men showed up at Hunn's house. The exact number cannot be given, as Hunn gives two different accounts of this. In his letter to *The Blue Hen's Chicken*, he names five men: Thomas Schee Merritt, Robert A. Cochran, and his son, Robert T. Cochran, Richard C. Hays, and William Chesney. Later, in his account to Still, Hunn mentions only three men: "a con-

stable of Middletown castle (whose name I do not know) in the county probably the same as the *Chicken*).

The men were located by Hunn if there were any. It comes up with two names, he says:

"... Robert A. ... in my house. I ... runaways. I ask ... ment for some, ... hension. I told ...

Later, in his account

"I met them at ... handed me an ... reward was offered ... therein described ... "The constable ... were not: He ... declined to allow ... for that purpose ...

Which of these stories is ever the case, while I caught sight of Sam. Sam, apparently realizing the hunters, began to flee wanting to leave his family. He decided to stand and fight. It had been much of a fight depending on which side would be no match for the hunters threatening to shoot ...

* This discrepancy by one, for Siebert, considered William Hardcastle of ...

thought he could go back and get them later . . . or that it would be better to have at least some of them if he could not have them all. Whatever his reasons, as Hunn was quick to point out, Samuel Hawkins' agreement with Hardcastle was nothing less than a bargain with the devil, and ". . . at his request," says Hunn, "I wrote to my wife for the delivery of the family of Samuel Hawkins to the constable. They were soon forthcoming, and on their arrival at the office, a commitment was made out for the whole party. Samuel and his two older sons were handcuffed, amidst many tears and lamentations, and they all went off under charge of the man-hunters, to New Castle jail, a distance of eighteen miles."

As they left for New Castle, John Hunn says he returned home, where he found S. D. Burris and the four other men. Hunn sent a letter by Burris to Thomas Garrett, detailing the arrest and commitment of the Hawkins family. Burris and the four men left for Wilmington about nine o'clock that night and arrived shortly before daylight the next morning (Saturday).

Meanwhile, the slave hunters and the Hawkins family arrived at the jail in New Castle around midnight, where they were joined by John Hunn. Sheriff Jacob Caulk was aroused and the commitment was shown to him. ". . . after reading it he asked Samuel if he was a slave? He said no, and showed his pass . . . the sheriff hereupon told the slave hunters that the commitment was not legal, and would not hold them lawfully." It was now Saturday and, as Hunn put it, ". . . the man hunters were in a quandary." What were they to do now? William Streets, the Magistrate of Middletown (and John Hunn's friend), had given them a commitment that was not legal, which meant that the runaways were free, and that the sheriff could not hold the slaves. The question is, did William Streets do this purposely, as a favor to his friend, John Hunn, in order to help Hunn gain the time needed to get legal help, or help from someone more experienced in assisting the runaway slave—such as Thomas Garrett? Although in his account of this to William Still—some 23 or 24 years later—John Hunn does not mention that there was collusion between himself and William Streets. It is possible there was. Perhaps while Hardcastle was busy betraying Samuel Hawkins' trust in order to get his family back into slavery, John Hunn and William Streets were making plans to see that they remained free.

Whatever the case, with nothing further that could be done, con-



graph by Author
s Grave
n, Delaware



graph by Author
n, Delaware

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line as soon as a carriage could be procured." However, this statement conflicts with Judge Booth's testimony that procuring the hack, and its arrival, all took place in his office.

Joseph Bartlett was the owner of the hack, and he testified that he transported the family to Wilmington (Garrett did not ride with them). They arrived the same day (Monday), and Bartlett deposited the Hawkins family at Garrett's store, and says, "they got out and went in there." For this he received one dollar and a half from Garrett.

Also in Wilmington at that time was Samuel D. Burris, the Negro conductor who originally brought the Hawkins family up from Queen Annes county. He now had the pleasure of seeing them all arrive safely in Wilmington.

Soon after the Hawkins family left the New Castle jail for Wilmington, constable Richard D. Hays returned with new commitments from William Streets, and presented them in due form to Sheriff Caulk. The Sheriff informed Hays that the slaves had been liberated by order of Judge Booth. Although John Hunn did not say so, apparently Hardcastle had gone to Philadelphia from New Castle, for he says that a few hours after Hays returned from Middletown Hardcastle returned from Philadelphia to take Sam Hawkins and his family back to Queen Annes county—back into slavery. "Judge of his disappointment," says Hunn, "at finding they were beyond his control—absolutely gone!"

"Hays and Hardcastle returned to Middletown in great anger," says Hunn, "and threatened to prosecute William Streets for his participation in the affair." We do not learn whether they ever did prosecute William Streets, nor does Hunn tell us specifically what they were going to charge him with. My guess is that Hays and Hardcastle believed, as I asserted earlier, that William Streets *purposefully* gave them commitments that were not legal.

Early Tuesday morning, Samuel D. Burris arrived back at John Hunn's house in Middletown with a letter from Garrett, giving a description of all that took place. "My joy on this occasion was great," says Hunn, "and I returned thanks to God for this wonderful escape of so many human beings from the charnel house of slavery."

As to the ultimate fate of Samuel Hawkins and his family, one

DELAWARE

witness—Zenor B. that "they were p count to William went from Wilmin the farm of Robe slavery Society. "S Hunn, "but their name of Hackett."

After the trial, the *Blue Hen's C* in that paper on received from an the Hawkins fami

Respected fr letter by mai to make a fe the family of been mulcted 'I see by the that thou ha of speeding t the cruel spo of our day s should do u inflict pains morality of slave-holding industrious, stituted aut noble act of the next ho for *moderat* all I wish m the spirit of the same li manner shi Resolving th thy proud wife and si

Resolved, That to the anti-slavery movement, more than to any other influence, is owing the quiet endurance with which the slaves of our Southern States have borne the many wrongs which are continually inflicted upon them; and that this opinion is corroborated by the fact that no attempt at insurrection has been made since the organization of the American Anti-Slavery Society, (though before that event such efforts were made,) as well as by the uniform testimony of fugitive slaves themselves, that the knowledge, imperfect though it be, which is extensively diffused among them, of our efforts for their deliverance, is one of the strongest motives which influence them to an unresisting endurance of their sufferings.

Resolved, That this Society sympathize deeply with those noble men Drayton and Sayres, of the Schooner Pearl, in their generous effort for the liberation of slaves held by laws sanctioned and sustained by the people of this nation at large; and that we view with utter detestation, the unflinching determination exhibited by their persecutors to consign them for life to the dungeons of the capital of this model republic.

On motion of Lucretia Mott, it was ordered to amend the above resolution by inserting a clause expressive of the deep sympathy of this Society with Samuel D. Burris, now undergoing the penalty of a similar offence in one of the jails of the State of Delaware.

The motion met the unanimous assent of the meeting.

"The Liberator"



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