

2015

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Recommended Citation

Westmoreland, Carl B. (2015) "Garner Courage," *Freedom Center Journal*: Vol. 2015: Iss. 1, Article 4.
Available at: <https://scholarship.law.uc.edu/fcj/vol2015/iss1/4>

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GARNER COURAGE

Carl B. Westmoreland[†]

Robert Garner was born into a slave family on the James Marshall plantation located in Richwood, Kentucky. From birth, Robert was subjected to the instability that defined life as a slave in America. Robert's father, Simon Garner, was sold to a Boone County planter named George Anderson in the nearby town of Florence, Kentucky before Robert was a year old. Simon remained there for 25 years. In 1849, at the age of 15, Robert married Margaret Kite Gaines, a slave from an adjoining plantation one-quarter of a mile southwest of the Marshall property.¹ The following year, Margaret gave birth to their first child, Thomas. In 1852, Margaret gave birth her second son, Samuel. Other children would follow – Mary in 1853, Priscilla (Cilla) in 1855, and a child whose name is not known in 1856. Each of Margaret's children was born only a few months after the birth of Elizabeth's children. Elizabeth was Archibald Gaines' wife. The 1850 U. S. Census records Thomas, Margaret's first son, as a "Black boy." However, the *Cincinnati Enquirer* listed Samuel as "Mulatto," Mary (the child whose throat Margaret would cut at the age of three) as "almost white," and Cilla as a "bright mulatto."² The varying descriptions of Margaret's children support the implication that Margaret was raped over and over again by Archibald Gaines.

Robert's work assignments often sent him away from Richwood. Sometimes, he was gone for as long as a year or more. Many times, he returned to discover that Margaret was pregnant again. Robert, like tens of thousands of enslaved Black men, suspected that Archibald Gaines was raping Margaret while Gaines' own wife was pregnant. Court testimony would eventually reveal that Robert contacted Elijah and Joseph Kite, Margaret's second cousins, whom lived in Cincinnati at the time³, seeking help to get his family to Canada.⁴ Robert knew that his mother, Mary, had

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¹ *Slave Marriages*, <http://spartacus-educational.com/USASmarriage.htm> (for more information on slave marriages and some of the reasons why owners allowed slaves to be married).

² STEVEN WEISENBURGER, *MODERN MEDEA* 44 (1999).

³ The Kites were Margaret's second cousins. They were her father's first cousins.

⁴ CINCINNATI DAILY GAZETTE, Feb. 11, 1856.

suffered the same sexual violence. She testified at some point that she had eight children during Robert's father's 25-year absence. James Marshall had sold each of Mary's children.⁵

Below is an excerpt, written by a slave named John Jacobs⁶, in which he describes the demons that haunted most Black men in America at that time:

To be a man, and not to be a man - a father without authority - a husband and no protector - is the darkest of fates. Such was the condition of my father, and such is the condition of every slave throughout the United States: he owns nothing, he can claim nothing. His wife is not his: his children are not his; they can be taken from him, and sold at any minute, as far away from each other as the human flesh monger may see fit to carry them. Slaves are recognized as property by the law, and can own nothing except by the consent of their masters. A slave's wife or daughter may be insulted before his eyes with impunity. He himself may be called on to torture them, and dare not refuse.⁷

Jacobs' statement, along with his sister's narrative *Incidents in the Life of a Slave Girl*, which was published in 1861, graphically describe the sexual violence Black women suffered.⁸ John Jacobs' observations reflect the sense of helplessness that Robert Garner must have felt knowing that his wife Margaret was defenseless against the sexual demands of Archibald Gaines, who not only owned her labor, but also, as a result of white male privilege, could and did take sexual advantage of her despite her marriage to Robert. At 25 years old, Robert would take control by executing a plan to free all eight members of his family.

⁵ Rev. P. C. Bassett, from the Fairmount Theological Seminary, interviewed Mary on February 12, 1856, while she was in confinement during the court hearing in Cincinnati.

⁶ *Harriet Jacobs*, <http://www.harrietjacobs.org/> (John Jacobs was Harriet Jacobs' younger brother. When she was 15 years old, Harriet Jacobs hid in her grandmother's attic in Edenton, North Carolina for 7 years).

⁷ John J. Jacob, *A True Tale of Slavery*, A FAMILY JOURNAL OF INSTRUCTION AND RECREATION 85 (1861).

⁸ HARRIET ANN JACOBS, *INCIDENTS IN THE LIFE OF A SLAVE GIRL* (1861).

In 1999, Jacob McCants, a visitor at the National Underground Railroad Freedom Center (NURFC), explained to me his unwillingness to visit the NURFC. Mr. McCants was in his 70's and a resident of Cincinnati's predominately black West End. He told me that he was the son of a sharecropper and had grown up in rural Georgia during the 1930's. He told me that being there during that time was just like being in slavery. They all picked cotton and hoed. He said that if you couldn't carry a bag, you drug it. On Sundays, he recalled, the white boss man, would drive up and tell his uncle to take them fishing – that he had come to see “his” woman, Mr. McCant's aunt. Mr. McCants' anger was palpable and still very fresh. As Mr. McCants walked away, I remember he said, “whites been doin' [it] to our women since slavery.”

Robert Garner was young and energetic. James Marshall trusted him to walk almost 25 miles one way to sell livestock and return with the proceeds. Robert would use this trusting relationship to his advantage in his plans to free his family. Garner would end up stealing one of Marshall's pistols, a horse, and a sled to aid in his escape.⁹ Having visited Cincinnati on several occasions, Garner knew that the tollbooths between Richwood, Kentucky and Cincinnati, Ohio were usually abandoned on Sunday evenings. If the tollbooths were occupied, Garner knew the occupant would be asleep after a certain hour.

It was colder than usual in the Ohio Valley on the night of Garner's escape – colder than it had been in decades. Garner led his wife, both of his parents, and children from a stable where he had hitched the sled, north to Covington, Kentucky. They crossed the frozen Ohio River and then walked another three miles to the West side of Cincinnati, Ohio. The enormity of responsibility for seven lives would likely lead many to bolt for their own freedom, especially with small children and elderly people in tow. Garner's story illustrates the most pure perseverance.¹⁰ Robert's journey was infused by the wisdom he gained from his mother and father and empowered by the spirit of thousands of men and women

⁹ In a March 18, 1870 interview, published by *The Cincinnati Chronicle*, Robert Garner detailed how he had masterminded the escape of his wife Margaret, their children, and both of his parents. CINCINNATI CHRONICLE, Mar. 11, 1870 (on site with author).

¹⁰ *Id.*

seeking their freedom from slavery in what is now considered the Tri-State area.¹¹

Robert led his family across the frozen Ohio River to Cincinnati. They made it safely to Joseph Kite's home.¹² Several hours later, Gaines and several Federal Marshalls stormed the house with warrants for the Garners' arrests.¹³ Margaret, determined not to return to slavery, sought to kill her children and then herself. She was able to kill her youngest daughter two year old Mary, by slitting her throat. The other children were wounded, but alive.¹⁴ The group members that remained alive were turned over to the U. S. Marshal of Cincinnati for violating the 1850 Fugitive Slave Act.

Knowledge of the Garners' story and their gruesome capture outraged the Black community in Cincinnati, OH. Many were inspired to gather in large numbers outside the Cincinnati Federal Courthouse where the Garner family was being tried for violating the Fugitive Slave Act of 1850. Commissioner Penderly refused to let Black people into the courtroom. Therefore, the streets outside were filled with black and white people who held opposing opinions about the case. The local authorities armed 400 members of Irish militia groups, the Sarsefield Guards, and Shield Guards to keep "order" outside of the Courthouse.¹⁵

Testimony during the hearing revealed the violence, sexual abuse, and complete domination that accompanied slavery. Lucy Stone, a nationally known abolition activist, stepped forward during a recess and directly accused Archibald Gaines of being responsible for subjecting Margaret Garner to sexual abuse, of being responsible for the scars on her face, and for forcing upon her several pregnancies.¹⁶ Lucy Stone referenced the complexion of the Garner children and she was quoted as having asked the audience to pay attention to their coloration. "The faded

¹¹ See William and Aimee Lee Cheek, JOHN MERCER LANGSTON AND THE FIGHT FOR BLACK FREEDOM, 1829-65 (1996) (adds to an extensive body of work by other scholars who have provided a look at America's sixth largest city, Cincinnati, Ohio - examining the reality of life as a Black Cincinnati).

¹² *Margaret Garner Incident (1856)* <http://www.blackpast.org/aah/margaret-garner-incident-1856>

¹³ *Id.*

¹⁴ *Id.*

¹⁵ WEISENBURGER, *supra* note 1, at 195.

¹⁶ *Id.* at 173, 242-243.

faces of the Negro children tell too plainly to what degradation the female slaves submit.”¹⁷ She had the undivided attention of the people in the courtroom. “Rather than give her little daughter to that life, she killed it. If in her deep maternal love she felt the impulse to send her child back to God to save it from coming woe, who shall say she had no right to do so.”¹⁸ Stone revealed to the crows that every time Archibald Gaines’ wife was pregnant, he leased Robert to another plantation. When Robert returned he found that Sam, Mary, and Cilia were “notably lighter than their brother Tom,” Robert and Margaret’s oldest child.¹⁹

The Garner trial became one of the longest fugitive slave trials in history. After two weeks of compelling arguments, Margaret and Robert’s please for freedom were denied and they were sent back to Gaines. Robert and his family were initially sent back to Kentucky but Gaines eventually sent them to New Orleans, selling them to his brother, LeGrand Gaines. Margaret had survived a boat crash on their down river journey from Cincinnati during which time she lost a second daughter, Cilia. Robert and Margaret were together with their sons when she died of typhoid fever in Mississippi in 1858.²⁰

In 1870, a reporter for the Chronicle met Mr. Garner in the office of a Cincinnati attorney, Col. F. M. Moore. Moore was filing a suit against the owners of the riverboat Robert Burns for injuries Mr. Garner received while working on the boat on the Ohio River sometime after the Civil War. The reporter described Robert Garner as being in his mid-forties and of surprising intelligence given his limited access to education. Mr. Garner explained that he was the principal planner of the 1856 escape attempt. In the opinion of this writer, Robert’s return to Cincinnati in 1870 was an act of defiance. It was a return from the jaws of death and humiliation, of knowing that he or any man of his standing and race could never fully be in control of anything, including himself, prior to the end of the Civil War. In his interview with The Cincinnati Chronicle, he proudly talked of the new life he had started to build. From been convicted in a federal hearing of violating the 1850 Fugitive Slave Act, surviving enslavement in Mississippi and the death of his wife, Margaret to joining the armed forces. He presented himself to the reporter as a man who had known

¹⁷ *Id.* at 173

¹⁸ *Id.* at 174.

¹⁹ MARK REINHARDT, WHO SPEAKS FOR MARGARET GARNER 14 (2010).

²⁰ *Id.* at 238-239, 281.

enslavement, yet he, like those who had influenced him, was not broken. He died in 1871 and is buried alongside many other Cincinnatians in Potter's Field.