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The Case of John L. Brown: Slavery, Sex, South Carolina,  
and the Whispering Gallery of Transatlantic Abolitionism<sup>1</sup>

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In February 1844, English readers from London to Leeds and Bristol opened their newspapers to discover a brief but startling item: an American man named John L. Brown had just been sentenced to hang in the state of South Carolina “under a conviction of aiding a slave to run away !!!” That news alone was appalling enough to elicit barbed comments from several editors about the “hellish” crimes of Southern slaveholders and the hypocrisy of slaveholding republicans in the United States. But outrage about the case only grew as more information about it arrived from across the Atlantic. In its February 21 issue, the *Anti-Slavery Reporter* – official journal of the British and Foreign Anti-Slavery Society (BFASS) – became the first of many British journals to reprint, from American sources, a sentencing speech delivered by the South Carolina judge who had condemned Brown to death. Judge John Bolton O’Neill’s melodramatic speech urged Brown to “commence the work of reformation” and “remember

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<sup>1</sup> This essay is very much a work in its earliest stages. Its conclusions are highly provisional, and I’m grateful for any feedback. I would also like to thank Zachary Dresser for his invaluable research assistance in the production of this essay, and Randal Hall for his comments on the rough draft.

your Creator” before dying and implied that Brown’s crime made him “the vilest sinner,” sparking new denunciations in the British press and the organization of a petition from British churches protesting the sentence. Thomas Clarkson, venerated leader of the British antislavery movement, condemned O’Neill’s speech; on the floor of Parliament, Lord Henry Brougham, also a veteran abolitionist, expressed his “fervent hope” that Brown would be pardoned; and several public meetings were soon held in Birmingham, Edinburgh, Glasgow, and elsewhere to call for an immediate stay of Brown’s execution, which was scheduled for April 26. By the time that date arrived, numerous petitions had reached South Carolina from the North and from abroad regarding the case.<sup>2</sup>

Though seldom remembered today, the multiple British protests inspired by this case reveal the concrete results of cooperation between American and British abolitionists in the 1840s. It thus opens a useful porthole onto the story of multiple Atlantic crossings by antebellum abolitionists, who tried and often succeeded in placing the debate over American slavery on an international stage. One key event in that larger story occurred only a few years before the Brown case with the 1838 founding of the BFASS. The new Society, led by Quaker abolitionist Joseph Sturge, signaled British abolitionists’ growing interest in forging links to antislavery movements elsewhere, and in 1840, BFASS leaders hosted an international

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<sup>2</sup> “The Land of the Free,” *Bristol Mercury*, February 17, 1844; “The Land of the Free,” *The Northern Star and Leeds General Advertiser*, February 17, 1844. Both articles reprinted an earlier article from the *Morning Chronicle*, which received the report from an unnamed New York paper dated February 10; the *Northern Star* added a lengthy editorial comment denouncing “the cart-whip scoundrels of South Carolina who desecrate the name of Republican.” See also *Newcastle Courant*, March 1, 1844. For the first printing of the sentencing speech, see “Sentence of Death for Aiding a Slave to Escape,” *London Anti-Slavery Reporter*, February 21, 1844, 32. For the reaction to the speech see *Anti-Slavery Reporter*, March 6, 1844; “On the Ill Treatment of the People of Colour in the United States, on Account of the Colour of their Skin: A Letter to a Friend, by Thomas Clarkson,” *Anti-Slavery Reporter*, March 20, 1844; “The American Crime,” *Glasgow Herald*, March 8, 1844; “Slavery at New Orleans – Atrocious Case,” *Dublin Freeman’s Journal*, February 29, 1844; “The Reproach of American Freemen,” *Manchester Times and Gazette*, March 23, 1844; “Public Meeting – Sentence of Death for Aiding the Escape of a Slave,” *Edinburgh Caledonian Mercury*, March 30, 1844; *Anti-Slavery Reporter*, April 3, 1844, 58; “Slavery – The Legal Murder Case in America,” *Belfast News-Letter*, April 12, 1844.

conference on slavery in London attended by almost fifty American abolitionists. Despite the internal dissensions that marred that meeting's unity, the 1840 BFASS convention thickened ties between American and British abolitionists, many of whom gathered again in London in 1843. Throughout the decade, Anglo-American abolitionists continued to visit each other on errands across the Atlantic; they sent and received a nearly constant stream of newspapers, letters, and information; and in the 1840s several African American abolitionists made a series of popular British lecturing tours, supported by white allies on both sides of the ocean. Through these and other means, British and American abolitionists in the 1840s built what historian Richard Blackett has called "a well-oiled and pretty efficient propaganda machine" designed to expose the horrors of slavery to international audiences.<sup>3</sup>

The protests over the case of John L. Brown were relatively small products of this transatlantic "propaganda machine," but they occurred at a crucial moment that ensured them an unusual measure of significance. Apart from its timing, the case might have had as little impact as the numerous other stories of Southern atrocities or oppressive laws that pervaded abolitionist publications. But in early 1844, anti-abolitionists in the United States were already on high alert for signals about the state of British public opinion about American slavery, thanks to the still simmering tensions over the liberation of slaves aboard the *Creole* by British officials; the growing pressure on South Carolina from abolitionists and British diplomats to repeal its Negro Seamen's Acts; and new revelations and rumors about British intentions to interfere with

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<sup>3</sup> R. J. M. Blackett, *Building an Antislavery Wall: Black Americans in the Atlantic Abolitionist Movement, 1830-1860* (Baton Rouge: Louisiana State University Press, 1983), 13. On the developments briefly summarized in this paragraph, see also Howard Temperley, *British Antislavery, 1833-1870* (London: Longman, 1972); David Turley, *The Culture of English Antislavery, 1780-1860* (London: Routledge, 1991), 196-226; Betty Fladeland, *Men and Brothers: Anglo-American Antislavery Cooperation* (Urbana: University of Illinois Press, 1972); Van Gosse, "'As a Nation, the English Are Our Friends': The Emergence of African American Politics in the British Atlantic World, 1772-1861," *American Historical Review* 113, no. 4 (October 2008); William Caleb McDaniel, "Our Country is the World: Radical American Abolitionists Abroad" (Ph.D. diss., The Johns Hopkins University, 2006), available online at <http://scholarship.rice.edu/handle/1911/27492>.

closeted negotiations then underway for the annexation of Texas to the Union. Anglophobia among anti-abolitionists was also gathering strength thanks to recent signs of transatlantic abolitionist cooperation provided by the BFASS conventions of 1840 and 1843, as well as by the address from abolitionist Daniel O'Connell to Irish immigrants that Garrisonian abolitionists had received in 1842 and used to spearhead a new campaign for "abolition or disunion."<sup>4</sup>

Abolitionists, meanwhile, were still looking for the best ways to exploit their ties to British reformers in the wake of the founding of the BFASS and a series of schisms within the British and American movements. For them, the case of John L. Brown provided precedents that laid groundwork for better known movements like the "Send Back the Money" campaign that began later in 1844, in which American and British abolitionists collaborated to pressure the Free Church of Scotland to refuse contributions from American slaveholders. The international protests sparked by Brown's conviction and sentencing also provided rhetorical touchstones for subsequent abolitionist campaigns surrounding the cases of Jonathan Walker and Charles Torrey, who later in 1844 used the Brown case to frame his own experience of being jailed in a

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<sup>4</sup> The Negro Seamen Acts had caused conflicts between British diplomats and South Carolina officials since its origins in 1823, but the issue was aggravated by an application of the law in the year immediately before the Brown case. See Edlie Wong, *Neither Fugitive nor Free: Atlantic Slavery, Freedom Suits, and the Legal Culture of Travel* (New York: New York University Press, 2009), 200. On the Creole and Texas annexation debates and growing Anglophobia directed at abolitionists, see Don E. Fehrenbacher, *The Slaveholding Republic: An Account of the United States Government's Relations to Slavery* (New York: Oxford University Press, 2001), 104-111, 120-126; Edward Bartlett Rugemer, *The Problem of Emancipation: The Caribbean Roots of the American Civil War* (Baton Rouge: Louisiana State University, 2008), 180-221; Steven Heath Mitton, "The Free World Confronted: The Problem of Slavery and Progress in American Foreign Relations" (Ph.D. diss., Louisiana State University, 2005); Sam W. Haynes, *Unfinished Revolution: The Early American Republic in a British World* (Charlottesville: University of Virginia Press, 2010), 177-250. On O'Connell's Irish Address and disunionism, see W. Caleb McDaniel, "Repealing Unions: American Abolitionists, Irish Repeal, and the Origins of Garrisonian Disunionism," *Journal of the Early Republic* 28, no. 2 (2008), 243-269; Angela F. Murphy, *American Slavery, Irish Freedom: Abolition, Immigrant Citizenship, and the Transatlantic Movement for Irish Repeal* (Baton Rouge: Louisiana State University Press, 2010).

Southern state for direct actions against slavery and to appeal to a transatlantic abolitionist audience for sympathy.<sup>5</sup>

John L. Brown is less familiar to historians now than any of these other episodes in the transatlantic story of the coming of the Civil War – from debates over Texas annexation and the Negro Seamen Acts to the Irish Address, the Free Church campaign and the trials of Charles Torrey. But his case occurred at a crucial moment in the spring of 1844 when all of these other narratives converged, providing a case study for abolitionists and their enemies in the potential outcomes of transatlantic antislavery activism as well as an impetus to future clashes between sectional Southerners and what they regarded, in the words of Virginian Henry A. Wise, as an international conspiracy by an “Abolition-English-American party” to destroy the Union.<sup>6</sup>

One important effect of the Brown case, moreover, was its underappreciated role in prompting more direct confrontations between proslavery Southerners and their overseas critics. Though some conservatives from the United States had initially shown a willingness to defend their positions in direct, open debates with British immediatists in the 1830s, as when American Robert J. Breckinridge traveled to Glasgow for a five-day debate on slavery and colonizationism with British abolitionist George Thompson. But in the years immediately preceding the Brown case, the preferred strategy of anti-abolitionists in the North and the South had been to enforce public silence on the whole issue, as evidenced, for example, by Southern suppression of abolitionist publications in the mails after 1835. When Henry Wise denounced the “Abolition-English-American party,” it was in a Congressional debate over challenges to the “gag rule” that existed in the House of Representatives between 1836 and 1844 to prevent the reading of petitions on slavery, a “gag” supported by all of the South’s leading politicians.

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<sup>5</sup> On Torrey and Walker, see Stanley Harrold, *The Rise of Aggressive Abolitionism: Addresses to the Slaves* (Lexington: University Press of Kentucky, 2004), 109-110; Harrold, *Border War: Fighting Over Slavery before the Civil War* (Chapel Hill: University of North Carolina Press, 2010), 123-126.

<sup>6</sup> Wise quoted in McDaniel, “Repealing Unions,” 266.

When considered with this recent history in mind, Southern responses to the transatlantic furor over the John L. Brown case represented something of a departure. Judge O'Neill and sitting South Carolina governor James Henry Hammond, whose last public foray into the debate over slavery had been to defend the "gag rule," were so piqued by the interference of British abolitionists in the Brown case that they both published responses. Hammond's lengthy reply to the Brown petitions was published in pamphlet form in December 1844 as the *Letter of His Excellency Governor Hammond, to the Free Church of Glasgow, on the Subject of Slavery*, a book that soon became a "proslavery classic," in the words of Drew Gilpin Faust.<sup>7</sup>

Hammond's book also opened the gates of publication for a new more militant group of proslavery authors in the South who defended slavery as a "positive good." The next year, emboldened by the praise heaped on his first pamphlet by fellow Southerners, Hammond also published a longer and even more influential proslavery tract as two letters to Thomas Clarkson, further engaging abolitionists in debate. A telling indication of the subtle change in the posture of Southerners like Hammond and O'Neill was the decision of both men, in the aftermath of the Brown protests, to open brief correspondences with Northern and British abolitionists. And after ending his gubernatorial term in Charleston, the city where abolitionist newspapers and tracts had been burned in a bonfire in 1835, Hammond actually purchased subscriptions to two major abolitionist newspapers, the New York *Emancipator* and the London *Anti-Slavery Reporter*, and had them sent to him at his home in Silver Bluff.<sup>8</sup>

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<sup>7</sup> Drew Gilpin Faust, *James Henry Hammond and the Old South: A Design for Mastery* (Baton Rouge: Louisiana State University Press, 1982), 246. On Breckinridge, see Ronald M. Gifford, "George Thompson and Trans-Atlantic Antislavery, 1831-1865" (Ph.D. diss., Indiana University, 1999), 176-179; Luke E. Harlow, "From Border South to Solid South: Religion, Race, and the Making of Confederate Kentucky, 1830-1880" (Ph.D. diss., Rice University, 2009), 52-56. On the "gag rule," see William Lee Miller, *Arguing about Slavery: John Quincy Adams and the Great Battle in the United States Congress* (New York: Vintage, 1995)

<sup>8</sup> See Faust, *James Henry Hammond and the Old South*, 278-279; Bertram Wyatt-Brown, *Lewis Tappan and the Evangelical War against Slavery* (1969; Baton Rouge: Louisiana State University Press, 1997), 291-

Few of the arguments Hammond adduced in defense of slavery were actually new; each had been honed over the previous decade as Southerners developed rhetorical responses to the rise of the abolitionist movement and the shock of British West Indian emancipation. Yet their having the arguments ready and their actually using them at particular moments are separable historical phenomena that each need explanation. It was the Brown case that provided the immediate cause that triggered Hammond to enter the public sphere to do battle with abolitionists, instead of simply trying to keep them gagged and silent. Conversely, as abolitionists studied writings like Hammond's and O'Neill's they found ready vindication of their belief that their transatlantic "propaganda machine" was an effective way to prod and provoke Southerners. In the Brown case they thus found renewed motives for transatlantic campaigns like the "Send Back the Money" crusade. As the former slave and abolitionist orator Frederick Douglass explained when he arrived in Britain in 1845 to help lead the charge against the Free Church, abolitionists believed that Americans were "sensitive in the extreme to the opinions entertained of them in European countries, particularly in England and Scotland and Ireland." For Atlantic-crossing abolitionists like Douglass, the John L. Brown case helped bolster that key strategic assumption.<sup>9</sup>

Having briefly sketched the context for the case of John L. Brown and suggested some of its consequences, my primary aim in this paper is to reconstruct a complete narrative of the case and the protests it engendered. One difficulty that has stood in the way of telling John L.

Brown's story is the fact that numerous newspapers on both sides of the Atlantic published

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292; Fladeland, *Men and Brothers*, 294-5. Hammond's letters to Clarkson were also replies to a specific article by the British abolitionist published in the Boston *Liberty Bell*, offering further proof of Hammond's close study of abolitionist materials in the aftermath of the protests over John L. Brown.

<sup>9</sup> "Irish Christians and Non-Fellowship with Man-Stealers: An Address delivered in Dublin, Ireland, on 1 October 1845," in John W. Blassingame, ed., *The Frederick Douglass Papers: Series One: Speeches, Debates, and Interviews*, vol. 1: 1841-1846 (New Haven: Yale University Press, 1979), 35. On the emergence of the proslavery arguments that were synthesized and newly publicized in Hammond's reply to the Glasgow Free Church, see Edward B. Rugemer, "The Southern Response to British Abolitionism: The Maturation of Proslavery Apologetics," *Journal of Southern History* 70, no. 2 (May 2004), 221-248.

conflicting reports about the facts, which themselves changed more rapidly than distant newspaper editors could assimilate them into their stories. As a result, the handful of historians who have touched on the Brown case have all reproduced in their own narratives at least one of the errors, sometimes small but sometimes significant, that were present in the initial newspaper reports. Newspaper reports also occasionally added details about the case that I have not been able, at the date of this writing, to corroborate or trace to their source. My first task, therefore, has been to figure out what happened to whom, when and where, and to track what abolitionists outside South Carolina knew – or thought they knew – about the case and when.<sup>10</sup>

Yet in the course of reconstructing the case of John L. Brown, I also want to suggest that it provides a useful point of departure for thinking about the larger question of how historians should interpret transatlantic abolitionist campaigns in the 1840s. One possible way to interpret those campaigns is the one that was offered by abolitionists themselves. To them, the lesson taught by episodes like the Brown case was obvious: it showed that their strategy of spreading information about American slavery abroad was effective. Indeed, abolitionists claimed that their protests in this case ultimately saved Brown's life, for on March 29, Hammond pardoned

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<sup>10</sup> Thus far my research has been confined to sources available to me in Houston, and archival trips may answer some of the questions raised below. I would be grateful for suggestions about manuscript collections to consult. For past treatments of the Brown case, see Elizabeth Merritt, *James Henry Hammond: 1807-1864* (Baltimore: The Johns Hopkins Press, 1923), 72-77; Wyatt-Brown, *Lewis Tappan*, 291; Fladeland, *Men and Brothers*, 295-296; Bertram Wyatt-Brown, *Southern Honor: Ethics and Behavior in the Old South* (New York: Oxford University Press, 1982), 297-298; Seymour Drescher, "Servile Insurrection and John Brown's Body in Europe," in *His Soul Goes Marching On: Responses to John Brown and the Harpers Ferry Raid*, ed. Paul Finkelman (Charlottesville: University of Virginia Press, 1995), 278-279. The main outlines of the case are accurately represented in each of these very brief accounts; errors will be noted in subsequent footnotes. The most recent treatment of the Brown case is in Betty DeRamus, *Freedom By Any Means: Con Games, Voodoo Schemes, True Love and Lawsuits on the Underground Railroad* (New York: Atria Books, 2009), 51-68. Though useful as a starting point, DeRamus romanticizes Brown as an abolitionist rebel and star-crossed Romeo, and her account is marred by uncritical readings of the primary sources in the case.



and released Brown without punishment, reversing an earlier decision he had already made to commute his sentence from death to public whipping.

Rapturous abolitionists concluded that Hammond had yielded to transatlantic pressure, and for many subsequent years the John L. Brown case would be cited by abolitionists as proof that “moral suasion,” and especially shaming from abroad, worked. In an 1846 speech urging the Free Church to “send back the money” its agents had collected in the South, Douglass cited Brown’s pardon to prove to his Scottish audience “their influence on American slavery.”

Likewise, in an 1863 book on the abolitionist movement, Scottish abolitionist Eliza Wigham cited the case as proof that “British public opinion prevailed even with the governor of South Carolina,” offering a “striking” proof of “the influence” British abolitionists could have on the United States even then, at the height of the Civil War. In these accounts, abolitionists depicted their propaganda machine as a seemingly complex but ultimately simple contraption. Like a Rube Goldberg machine in which gears, levers and bells are set in motion by dropping a marble in a cup at the top, the abolitionists’ propaganda machine was, in their eyes, part of a straightforward causal chain: Southerners committed some barbarity; abolitionists brought it to light; they and their British allies learned the news and mobilized in protest; Southerners relented. Pull, whirl, roll, ding, and the domino falls. Or, as Douglass put it in England in 1846, “Expose slavery, and it dies.”<sup>11</sup>

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<sup>11</sup> “British Influence on the Abolition Movement in America: An Address Delivered in Paisley, Scotland, on 17 April 1846,” in Blassingame, ed., *FDP*, 1:223-224; Eliza Wigham, *The Anti-Slavery Cause in America and its Martyrs* (London: A. W. Bennett, 1863), 61; “Reception Speech at Finsbury Chapel, Moorfields, England, May 12, 1846,” in *My Bondage and My Freedom*, ed. John David Smith (New York: Penguin, 2003), 313. See also “I Am Here to Spread Light on American Slavery: An Address Delivered in Cork, Ireland, on 14 October 1845,” in Blassingame, ed., *FDP*, 1:40. Douglass’s speech in Belfast in December 1845, *FDP*, 1:117, also claimed that “the voice of Great Britain” had prevented Brown’s sentence “from being carried into effect.” See also John Bishop Estlin, *A Brief Notice of American Slavery, and the Abolition Movement* (Bristol: H. C. Evans, 1846), 34; James William Massie, *America: The Origin of Her Present Conflict; Her Prospect for the Slave, and Her Claim for Anti-Slavery Sympathy* (London: John Snow, 1864), 81; Parker Pillsbury, *Acts of the Anti-Slavery Apostles* (Rochester, N.Y.: Clague, Wegman, Schlicht, & Co., Printers, 1883), 58-61.

Only a moment's reflection on the slow death of slavery reveals this portrait of transatlantic abolitionist strategy to be over-rosy as a generalization, and in the specific case of John L. Brown, abolitionists' claims that the South had bowed to British protests were implausible, though not impossible, given the timing. Hammond pardoned Brown on March 29, probably before the extent of the British protests over the case could have reached him even by transatlantic steam, a mode of ocean transportation that was relatively new at the time.<sup>12</sup>

Yet before writing off the abolitionists' interpretation of the Brown case as self-serving and oversimplified, we should notice several useful features of their own interpretation. First, their retrospective discussions of Brown's liberation reveal that abolitionists, even those committed to "moral suasion," thought pragmatically about their transatlantic campaigns. They were interested in results, a useful corrective to the idea that their selection of issues to protest was willy-nilly or guided more by dogmatism and internecine quarrels than strategic thinking. Their Rube-Goldberg picture of their propaganda machine also has the virtue of connecting abolitionist publicity with real changes wrought in the South by the abolitionists' actions. That British abolitionists' protests did *something* seems clear, even if it was not the something abolitionists claimed or did not happen in precisely the way they imagined. Their claims for the efficacy of their protests also accord with the conclusions of more recent political scientists and theorists of transnational social movements. Drawing on data provided by numerous examples of international campaigns in the century and half since the abolitionists and their steamships, many scholars of social movements now emphasize the power of political pressure from abroad

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<sup>12</sup> Some historians have leaned towards acceptance of the abolitionists' claims that their protests "influenced" Hammond. See Fladeland, *Men and Brothers*, 295. I need to do further research on the specific timing of the letters and petitions that reached Hammond to determine whether such influence was possible. The timing suggests, at the very least, that the commutation of Brown's sentence to whipping occurred before protests would have reached South Carolina. O'Neill and Hammond, of course, claimed that he had not acted under the influence of abolitionists, though their self-interested reasons for that claim do not necessarily make them wrong.

to change policies in the targeted state, especially in cases where activists in that state are “gagged” or faced with coercive repression as abolitionists in the United States often were. Indeed, some scholars of contemporary transnational activism in the age of globalization now point to abolitionists as precursors to the efficacious public pressure movements of more recent times. According to political scientists Margaret Keck and Kathryn Sikkink, the abolitionists’ diffusion of information across national borders presaged the “information politics” of modern “transnational advocacy networks.” Abolitionists set precedents for what “human rights activists a century and a half later would call the human rights methodology: ‘promoting change by reporting facts.’”<sup>13</sup>

Yet a closer look at episodes like the case of John L. Brown suggests the need for at least two corrections to this picture of transatlantic abolitionist work, which more or less comports with abolitionists’ own self-descriptions. First, while abolitionists believed their reportage of facts mobilized British “public opinion,” which in turn pressured American actors, abolitionists and British “public opinion” were in fact never monoliths that mechanically filled the roles allotted to them by the abolitionists’ strategic plans. For that reason, issues unrelated to pressuring American actors often interfered with the smooth operation of the abolitionists’ propaganda machine. In Brown’s case, for example, reports that the slave whose escape he had assisted may have been his “kept mistress” introduced a kink in the series of pulleys and belts that stretched from “reporting facts” to “promoting change” by raising two questions about which abolitionists themselves disagreed: Was this actually a fact? And if so, should it be reported – at all? How? Where? Though the timing of the allegations about Brown’s sex life

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<sup>13</sup> Margaret Keck and Kathryn Sikkink, *Activists Beyond Borders: Advocacy Networks in International Politics* (Ithaca, N.Y.: Cornell University Press, 1998), 45. On “information politics,” see pp. 18-22. See also Sidney Tarrow, *The New Transnational Activism* (New York: Cambridge University Press, 2005), 3; Huw T. David, “Transnational Advocacy in the Eighteenth Century: Transatlantic Activism and the Anti-Slavery Movement,” *Global Networks* 7, no. 3 (2007), 367-382.

make it difficult to determine precisely how abolitionists answered these questions, it may not be coincidence that British “public opinion” moved its searchlight away from the Brown case to other issues, like the Free Church campaign, once Brown’s questionable morals came to light. The fact that Southerners like O’Neill and Hammond were also ultimately most responsible for framing Brown as a “dissolute” young man who was motivated only by lust also suggests the possibilities afforded to the targeted actors by the power of suggestion. Never simply the recipients of pressure at the bottom of the abolitionists’ Rube Goldberg machine, Southerners were reporters too, and their reports had the power to “expose” things that abolitionists, intent on exposing slavery to light, would have preferred to have left in the dark. The domino could push back, in other words, using the same machinery of “moral suasion” that the abolitionists themselves prized.

A more significant problem for the picture of transatlantic abolitionism as a process linking fact-reportage to change-promotion, or exposure of slavery to slavery’s death, is this: in the media landscape of the mid-nineteenth Atlantic World, the line between “facts” and unsubstantiated rumors constantly blurred. From the beginning, the “facts” about the John L. Brown case reported in British and American newspapers were confused, contradictory, sometimes inaccurate, but more often simply incomplete. Instead of receiving a single stream of “information” or news about the case, British abolitionists confronted constantly shifting waves of reports that did not always agree, that sometimes perpetuated errors about the details of the case, and that sometimes reached their shores after events or the state of the news in the United States had already changed.

To be clear, the errors in reports about Brown were not, as Southerners alleged, proof that abolitionists willfully distorted facts or were heedless of the truth. On the contrary, the abolitionists’ felt duty to “expose slavery” made them very mindful of the need to amass

credible proof for their reports about what happened in the South, as famous publications like Theodore Dwight Weld's *American Slavery as it Is* or Harriet Beecher Stowe's *Key to Uncle Tom's Cabin* make clear. But vindicating the abolitionists' integrity and the truthfulness of their depictions of slavery should not prevent us from noticing that sometimes, abolitionists had facts wrong or not completely right. That reality does not indicate a moral failing of abolitionists or undermine the remarkable accuracy of their reports as a whole. Neither does it weaken claims about the political efficacy of their reports to say that their reportage in the John L. Brown case mingled fact, rumor, uncorrected reprints of earlier errors, misreadings of accurately reported facts, and even simple typographical errors that changed significant details about the case. On the contrary, sometimes it was the very fact that abolitionists were reporting non-facts that most piqued Southerners into responding; in such cases, it was not just the *pressure* exerted by the *exposure* of facts that prompted change; it was the unintentional, non-deliberate distortions of fact – however small – that pulled Southerners into a fray that some otherwise preferred to keep silent and under wraps.

For historians of transatlantic abolitionism attempting to take these considerations into account, one body of scholarship that may provide helpful resources is the growing historiography on “rumor” and its use as a tool of resistance and politics among enslaved people and subalterns in the United States and elsewhere. This literature – which often stresses the political impacts that rumors of distant abolitionists and emancipations could have when circulated by slaves along the “grapevine telegraph” or on the “common wind” of the circum-Caribbean Atlantic world – has not typically been seen as having much in common the story of abolitionists' transatlantic propaganda machine. Perhaps this is partly because for understandable and worthy reasons abolitionists and their historians have both been deeply invested in stressing the factual truth of their reports about slavery, and “rumor” still carries a

connotation of untruth that is not always essential to the word's meaning. My point here is not to contest abolitionists' reliability but instead to note, using the case of John L. Brown as a suggestive example, that even the culture of information exchange used by abolitionists—a culture constructed by printing presses, public meetings, and steamships, instead of by oral expression, clandestine meetings, and "grapevine" networks—sometimes also possessed some of the characteristic features of rumor, like anonymous or obscure sources, openness to "improvisation" and "embellishment," and expressions of "anxieties and aspirations" that are not usually "openly expressed."<sup>14</sup> The case of John L. Brown created not just a set of "facts" that were reported as news and then put to use by abolitionists. Instead, his sentencing set in motion swirling, discrepant reports that moved unevenly over time and space. The circulation of these reports was in some respects less like the mechanical metaphors that abolitionist and their historians typically use to understand their tactics and more like the metaphorical image that Frederick Douglass once used in 1848 after returning from England. As "steam, skill, and lightning, have brought the ends of the earth together," Douglass said, the "wide 'world has become a whispering gallery.'" Douglass meant the metaphor to underline the collapsing of space and time by technology, so that abolitionists in one corner of the world could be immediately heard in another corner. But his image of the Atlantic crisscrossed by steam and lightning as an arena of whispers—a form of communication more readily associated with the hushed tones of slave resistance and rumors than with the propaganda machine of transatlantic

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<sup>14</sup> For a small sampling of this literature see Steven Hahn, "'Extravagant Expectations' of Freedom: Rumour, Political Struggle, and the Christmas Insurrection Scare of 1865 in the American South," *Past and Present* No. 157 (November 1997), 122-158, quoted on p. 124; Michael P. Johnson, "Denmark Vesey and His Co-Conspirators," *William and Mary Quarterly*, 3d series, 58, no. 4 (October 2001), 915-976. Both of these works contain extensive bibliographic citations to other works on rumor and slavery. See also Rugemer, *Problem of Emancipation*, 53-65, 108-113.

abolitionism – offers a useful symbol under which to explore the understudied case of John L. Brown.<sup>15</sup>

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The published reports of *Cases at Law, Argued and Determined in the Court of Appeals of South Carolina* (1844) suggest implicitly that the case of John L. Brown began with rumors. According to the evidence presented against him in his first trial, in the fall of 1843 Brown – a young man employed by one John Taylor until “a short time” before his indictment – had often been seen associating with “the slave Hetty,” a woman owned by Taylor’s sister, Charlotte Hinton of Columbia. Hetty had been hired out by Hinton for about nine years, the last three of which she spent in the employ of Taylor near Fairfield. Then, in November, Hetty ran away to Columbia, sometimes walking and sometimes riding in a cart belonging to a local resident named Mr. Bailey, driven by “a negro,” and accompanied by John L. Brown. When Taylor pursued Hetty to Columbia, he discovered her bed and clothes in the back store of a Mr. Crawford.<sup>16</sup>

After Taylor returned home without having apprehended Hetty herself, John L. Brown also returned immediately to Fairfield. “On being interrogated by Taylor, [he] told him he put [Hetty’s] things on the wagon, and obtained leave from Crawford to put them in his back room, but declared he had no intention to steal her,” believing that Hetty was going back to Hinton’s by Taylor’s leave. According to Brown he had planned to go to Columbia to look for overseer work and only accompanied Hetty, without even knowing that she was running away. But suspicion about Brown deepened when a local neighbor reported that Brown had approached him earlier to inquire “whether he was going to take Hetty to Columbia,” prompting an

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<sup>15</sup> “The Revolution of 1848,” in Philip S. Foner, ed. *The Life and Writings of Frederick Douglass*, vol. 1: *Early Years* (New York: International Publishers, 1950), 323.

<sup>16</sup> The appeals case is reported in R. H. Speers, *Cases at Law, Argued and Determined in the Court of Appeals of South Carolina, Volume 2, from November, 1843, to May, 1844, both Inclusive* (Columbia, S.C.: A. S. Johnston, 1844), 129-137, on Google Books: <http://books.google.com/books?id=Z6sKAAAAYAAJ>

indignant reply from the neighbor that “he would not for \$500, take old Hetty out of John Taylor’s possession.” Bailey also reported that Brown had asked his overseer if he could be “permitted to put some things on the wagon” of Mr. Bailey’s that was going to Columbia, suggesting his intent to steal Hetty, who was soon captured and held in jail for Taylor. As suspicion settled on Brown, he may not have helped his case when he declared his intention “to leave the country ... probably never to return,” and attempted to borrow a horse. At any rate, he failed to escape and was soon arrested, indicted, tried, and sentenced to death under a law passed in South Carolina in 1754 for the felonious offence of “aiding a slave in running away and departing from his master’s service.”<sup>17</sup>

The lawyer who argued for Brown’s case on appeal in December 1843 urged the court to grant an arrest of judgment and a new trial, but his strategy focused narrowly on defects in the indictment. They argued that the law of 1754 applied only to male slaves, for instance, and also that the indictment did not charge Brown with having known that Hetty was a slave or having known that she was running away, without both of which there could not be felonious intent. The appeals judges rebuffed these arguments, however, by arguing that all that was required for the verdict was for Hetty to have run away and Brown to have aided her. They paid little attention to Brown’s attorney’s argument “that from the facts stated in evidence, the prisoner was not guilty.” Though the state reporter did not summarize those arguments at all, some of the points in favor of Brown’s innocence do seem compelling – like the fact that he returned to Taylor before Hetty was even found, and the fact that Hetty’s past record, “for twelve or thirteen years of hiring herself, and going and coming at her own pleasure,” made it plausible that Brown really did think he was only aiding Hetty in changing “her residence.” Certainly nothing in the evidence suggests conclusively that Brown was an abolitionist or wished to help

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<sup>17</sup> *Cases at Law*, 130-131.



Hetty escape across state lines; there is little reason to doubt his undisputed testimony that he sought new employment as an overseer.<sup>18</sup>

At any rate, the likelihood that John L. Brown's appeal would have been granted was probably small. The district judge who had presided over his initial case, John Bolton O'Neill, was one of the state's most respected jurists and was also seated on the appeals court who heard his case again. Brown, on the other hand, was a low-status man looking for overseer work, recently fired from his job, and at the very least guilty of consorting with Hetty, and his case was likely hurt by the imposing testimony of Taylor and his neighbors. With little argument and no dissent the appeals court, composed of six judges, let Brown's conviction and sentence stand; O'Neill voted with three other judges to uphold his own decision.<sup>19</sup>

Most of these nuances and details were lost in the brief early reports of the case that reached readers outside of South Carolina. Early reports also mangled some of the facts. On January 23, 1844, the Philadelphia *North American*, one of the first Northern newspapers to report on the case, printed nothing more than one brief sentence pocked with spelling errors: "Judge O'Neill [sic] sentenced a man, named John L. Brown, on the 21st ult., at Columbus [sic], to be hung on the 26th April next, under a conviction for aiding *a slave to run away*." Where the *North American* got its information is unknown, but within a week or two, a public meeting of citizens in Pittsburgh had passed resolutions censuring O'Neill and raising the possibility of sending a delegation to South Carolina to seek Brown's release. The basic news, similarly reduced to the essentials and sometimes also misspelling Columbia as Columbus or

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<sup>18</sup> *Cases at Law*, 132-133.

<sup>19</sup> On the composition of the court and O'Neill's extremely respected position as a jurist in South Carolina, see A. E. Keir Nash, "Negro Rights, Unionism, and Greatness on the South Carolina Court of Appeals: The Extraordinary Chief Justice John Belton O'Neill," *South Carolina Law Review* 21 (1969), 141-190. Rough count of dissenting votes determined by searching for "dissenting" in the Google Books edition of the state report of the appeals cases cited in note 15. On the role status might have played in the case, see Wyatt-Brown, *Southern Honor*, 297-98.

misidentifying the victim as “John C. Brown” or “John B. Brown,” had already reached New York City before then, perhaps as early as January 10.<sup>20</sup>

Northern newspaper editors do not seem to have immediately obtained a copy of O’Neill’s final sentencing speech denying Brown’s appeal, urging him to repent of his sins, and declaring melodramatically, “You are to die! – Die a shameful, ignominious death, the death upon the gallows.” But the Cincinnati *Weekly Herald* reprinted this speech from an unnamed New Orleans newspaper on February 14 under the headline “Judicial Murder!” Two weeks later, William Lloyd Garrison reprinted that article from Cincinnati in the *Liberator*, bringing the case to the attention of more northeastern abolitionists.<sup>21</sup> As news of the case now spread rapidly, however, new details became attached to the case that were unverified and even of doubtful truth – reports more akin to rumor than to news. A public meeting of Garrisonian abolitionists in Hallowell, Maine, followed Pittsburgh’s precedent by forming a committee of twelve charged with going to South Carolina to remonstrate with the Governor, but departed from any earlier precedent by claiming that John L. Brown was actually “a free citizen of Maine” originally born in Bath.<sup>22</sup>

Other reports, meanwhile, embellished the original story by reporting that Brown was “a slave in South Carolina” who was trying to help a fellow slave escape. Most interestingly,

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<sup>20</sup> “Capital Punishment in South Carolina,” *North American* (Philadelphia), January 23, 1844. In a letter to the New York *Tribune*, African American abolitionist James McCune Smith quoted from a brief clipping in the January 18 issue of the New York *Sun* that repeated the basic news, but without O’Neill’s name and with Brown’s name rendered as “John C. Brown.” See the reprinted letter from Smith in “Freedom and Slavery for Afric-Americans,” *Emancipator* (New York), February 29, 1844.

<sup>21</sup> “Judicial Murder!,” *Weekly Herald and Philanthropist* (Cincinnati); “Judicial Murder!,” *Liberator* (Boston), March 1, 1844. The Pittsburgh public meeting is referred to in several articles about the Brown case, but the details are murky. One of the fullest reports of events in Pittsburgh is in “The Case of John L. Brown,” *Emancipator and Weekly Chronicle* (Boston), March 27, 1844.

<sup>22</sup> “Case of John L. Brown,” *Liberator*, March 24, 1844; “Case of John L. Brown,” *Recorder* (Boston), April 25, 1844. Some later writers have repeated this rare identification of Brown as a native of Maine; see DeRamus, *Freedom by Any Means*, 54; Drescher, “Servile Insurrection and John Brown’s Body in Europe,” 278; Fladeland, *Men and Brothers*, 295.

Northern newspapers also began to insert details about the female slave – who was never named in any of the newspaper reports I examined – that had not been included in earlier reports, including descriptions of her complexion. Though described only as a “negro woman” or a female slave in the published records of the South Carolina Court of Appeals and subsequent statements in the press by O’Neill and Hammond, by mid-March some Northern newspapers were describing her as a “quadroon slave” of “fair” complexion “who was in fact as *white* as most white people.”<sup>23</sup> Though sometimes corrected in later issues, these embellishments indicate that the newspapers were not simply vehicles for factual news. And in the time lag between error and printed correction, misinformation could still do its work at stirring up outrage on the basis of the supposed “facts” of the case, as in the case of the Maine public meeting.

Meanwhile, by the time that Northern newspapers were reprinting O’Neill’s sentencing speech from their unnamed New Orleans source, the more minimal reports of the case were just reaching Great Britain. But O’Neill’s offensive speech followed these early reports shortly and more rapidly than the early reports, thanks to personal correspondence between abolitionists. The speech was thus first reported in antislavery newspapers; the London *Anti-Slavery Reporter* printed the “revolting” document on February 21, having received it from “our private correspondent.”<sup>24</sup> A fortnight later the case had been mentioned in the House of Lords, and a month later it received a censure from Thomas Clarkson himself in a public letter in the

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<sup>23</sup> These three quotes are taken from “Court of Common Pleas,” *Evening Transcript* (Boston); “Case of John L. Brown,” *Emancipator and Weekly Chronicle* (Boston), March 27, 1844; “Case of John L. Brown,” *Recorder* (Boston), 25 April 1844. The phrase “quadroon slave” is also used in “A Scamp,” *Public Ledger* (Philadelphia), 27 April 1844; “John L. Brown,” *The Age* (Augusta, Me.), May 3, 1844. Hetty’s color was a substantive issue in the appeals hearing because Brown’s attorneys argued that the indictment had not charged him with knowing she was a slave. The court dismissed the arguments by arguing that her color should have made Brown presume she was a slave. No modern historical treatment seems to identify Brown as a slave, though some claim or remain open to the possibility that he was a “free negro.” See DeRamus, *Freedom By Any Means*, 53; Wyatt-Brown, *Lewis Tappan*, 291.

<sup>24</sup> *Anti-Slavery Reporter*, February 21, 1844

*Reporter*.<sup>25</sup> Throughout March, British newspaper editors continued to criticize the case severely, and many of their editorials had rebounded back to American newspapers within a month of the first mention of the case by the *Anti-Slavery Reporter*. It was also in the middle and final weeks of March that public meetings were held in Birmingham and Glasgow to protest Brown's sentence, and a memorial from British churches was also prepared and forwarded to the United States, with 1,300 signatures, according to abolitionist reports.<sup>26</sup>

American abolitionists and Northern newspapers put these British expressions of sentiment to immediate use. They argued that the application of Southern slave law had now provoked criticism of American democracy from Europeans, thus injuring the influence of the model republic abroad. And their point gained strength from the fact that the resolutions passed about the Brown case in Birmingham were adopted at an April 3 meeting of the Complete Suffrage Union, a group seeking democratic reforms of Parliament and led by abolitionist Joseph Sturge.<sup>27</sup> In a lengthy article on the case published on April 26, the day Brown was sentenced to be punished, Garrison printed numerous reports of British protest that had arrived on the Cunard steamship the *Acadia*, which reached Boston the Sunday before. Garrison also declared that "since the anti-slavery agitation began in this country no single event has transpired – not the mob in Boston, not the burning of Pennsylvania Hall, not even the murder of Lovejoy – that has so powerfully affected the public mind in Great Britain" as the Brown case. On the same day, at an antislavery convention in Lynn, Massachusetts, chaired by

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<sup>25</sup> See *Anti-Slavery Reporter*, March 6, 1844, and March 20, 1844.

<sup>26</sup> See "Case of John L. Brown," *Boston Recorder*, April 25, 1844; "Case of John L. Brown – Immense Sensation in England, Scotland and Ireland," *Liberator*, April 26, 1844; "From our Correspondent at Birmingham," *Emancipator and Weekly Chronicle* (Boston), May 1, 1844; "Case of John L. Brown," *Liberator*, May 17, 1844; "Man to Be Hanged in America," *Liberator*, May 17, 1844; "Meeting of the Glasgow Emancipation Society," *Liberator*, May 17, 1844.

<sup>27</sup> See "American Slavery. – Case of John L. Brown," *Anti-Slavery Reporter*, April 17, 1844; "From Our Correspondent at Birmingham," *Emancipator and Weekly Chronicle* (Boston), May 1, 1844.

Frederick Douglass and attended by Garrison, Charles Lenox Remond, and other local abolitionists, resolutions were passed also noting “with a satisfaction which we lack words to express, the proceedings of the friends of humanity in Great Britain” protesting the “horrible fact that, in the nineteenth century of the Christian era, in a democratic republic,” Brown had been sentenced to die “for compassionating the mournful case of a helpless female captive.”<sup>28</sup>

Yet by the time that the case had created a sensation in Britain that was then conveyed by steam to American abolitionist allies, the state of information about the case in the United States had already dramatically changed. By then American abolitionists already knew that Brown’s sentence had been commuted to public whipping, thanks to revelations that began to be made in Northern newspapers by late March, including a public letter from Judge O’Neill responding to a newspaper clipping that had been sent him from Pittsburgh.<sup>29</sup> News of this commutation followed to British newspapers quickly and was included in the *Anti-Slavery Reporter* of April 17, but not before the public meetings, memorials, and editorials focusing on the barbarity of the sentence of capital punishment had already taken place and been reported on the other side of the Atlantic.<sup>30</sup> Even when steamships like the *Acadia* made two-week crossings of the Atlantic possible, news of overseas responses to the latest information about events could sometimes lag twice that long behind the information possessed by readers in one of the two countries. There was still time lag, too, in domestic information networks – American

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<sup>28</sup> “Case of John L. Brown – Immense Sensation in England, Scotland and Ireland,” *Liberator*, April 26, 1844; “Convention at Lynn,” *Liberator*, May 10, 1844.

<sup>29</sup> See “Court of Common Pleas”; “The Case of John B. Brown,” *Emancipator and Weekly Chronicle* (Boston), March 27, 1844.

<sup>30</sup> “Safety of John L. Brown,” *Anti-Slavery Reporter*, April 17, 1844. News of the commutation also appeared earlier – see “The United States,” *Caledonian Mercury* (Edinburgh), April 11, 1844, which cited an undated report from “the *Aurora*.” The May 1, 1844, issue of the *Anti-Slavery Reporter* also cited an American correspondent who claimed that the commutation had likely been given “because the South Carolinians ‘did not dare to hang him,’ in the face of the indignant feeling which such an atrocity would have aroused throughout the Union.” Other British papers credited European indignation with the reversal in Brown’s fate; see “Atrocious Judicial Murder in the Land of Liberty,” *Aberdeen Journal*, 1 May 1844.

abolitionists and Northern newspapers do not appear to have learned about Brown's full pardon, made by Hammond on March 29, until after April 26, on which date many of them assumed that he had still been at least flogged, perhaps still with the intention of killing him. Some actually reported that he was publicly whipped, again introducing an error into the public record that some readers may never have seen corrected.<sup>31</sup>

There were also similar errors mixed in during the transatlantic passage of the news about Brown's case, ranging from minor misspellings of his name (Clarkson called him "Browne") to more significant errors. Because the *Anti-Slavery Reporter* first learned of the case from an American reprint of a New Orleans article, it initially reported, in two separate issues, that the case had occurred and been tried in Louisiana. This meant that when Lord Henry Brougham brought up the case in the House of Lords, he also located it in Louisiana.<sup>32</sup> Just as one American report described Brown as a native of Bath, Maine, one rumor circulating in Britain said that Brown may even have been a British subject, a claim made by another member of the House of Lords who claimed to have somehow gotten that impression from Joseph Sturge and then passed it on to Aberdeen, the foreign secretary, who was "eager to interfere in [Brown's] behalf."<sup>33</sup>

As in the case of erroneous American reports that Brown was a slave himself, many of these mistakes were corrected in later reportage, but the effects of the initial misinformation or incomplete information could still linger on. One British public letter identifying New Orleans

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<sup>31</sup> The first reports of Brown's pardon seem to have reached the North in May via reprintings of an article and a letter from O'Neill printed in an April 30 issue of the *Charleston Mercury*. See "The Case of John L. Brown," *Emancipator and Weekly Chronicle* (Boston), May 8, 1844. For reports assuming or actually reporting that he was flogged as planned, see "John L. Brown," *The Age*; "Case of John L. Brown—Immense Sensation in England, Scotland and Ireland," *Liberator*.

<sup>32</sup> See *Anti-Slavery Reporter*, February 21, 1844, March 6, 1844.

<sup>33</sup> "The Case of John L. Brown," *Anti-Slavery Reporter*, April 17, 1844.

as the place appeared in an American newspaper as late as May 16.<sup>34</sup> The passage of time also enabled new errors or embellishments to appear in reportage on Brown. When Douglass spoke of the case two years after the fact in Paisley, Scotland, reports of his speech identified the slave Brown had attempted to free as his “sister” and provided details not mentioned in earlier reports, like the claim that Brown “wrote her a pass and promised to render her whatever other assistance was in his power.”<sup>35</sup>

These discrepancies show that memories or impressions of the Brown case were not bound to the paper trail in the press. And even small errors and discrepancies were potentially significant. First, they could interfere with the actual application of direct pressure; around the time when British state officials like Brougham and Aberdeen were interested in the case, they believed it had happened in Louisiana, and if they had acted to protest to American consuls or officials, they would have contacted the wrong state. The larger impact of errors is harder to gauge, given that we don’t know how many readers of one article on the case also read subsequent revisions to the story. A British reader dipping into one moment in the stream of shifting information about the Brown case might walk away with impressions formed by something as small as a typo, or the implication that Brown was a British citizen. One Scottish newspaper report on the case in March 1844 declared that the slave population of the United States had grown from 300,000 in 1776 to 22,000,000 in 1838. It was an obvious typographical mistake, but it was not insignificant if some unknown readers walked away with the mind-boggling idea that there were 22 million American slaves.<sup>36</sup>

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<sup>34</sup> “Slavery in America,” *Christian Reflector*, May 16, 1844.

<sup>35</sup> “British Influence on the Abolition Movement,” *FDP* 1:223.

<sup>36</sup> “Public Meeting—Sentence of Death for Aiding the Escape of a Slave,” *Edinburgh Caledonian Mercury*, March 30, 1844.

Such errors suggest that when considering the case of John L. Brown, it might be useful to follow the example of some recent historians of slavery and, as historian Steven Hahn puts it, to “interrogate the distinction between ‘rumour’ and ‘news.’” In recent years, Hahn and several other prominent historians of slave societies have shown how slaves, free people of color, and freedpeople used reports about changes in the formal political arenas occupied exclusively by whites to forge oppositional narratives that mobilized their engagement in grassroots politics. The “news” circulated by slaves and freedpeople often amounted to “rumors” – unverified reports that were embellished, improvised, interpreted, and reinterpreted as they passed along the “grapevine telegraph” of everyday communication among slaves and ex-slaves. Whereas previous historians might have dismissed such rumors as devoid of meaningful political content, historians like Hahn have argued that rumors had “substantial political bearing” and could be “instruments for political debate and mobilization.” For example, in the immediate aftermath of the Civil War, Hahn has shown how freedpeople used rumors of an imminent, mass redistribution of Confederate land by the federal government to formulate a set of robust political demands in their struggle with former masters and government agents. Rumors about what the federal government would do, as much as news reports conveying information about actual policy, “provided important leverage in contests for local power.”<sup>37</sup>

Similar arguments have been made by historians of slave resistance in the Caribbean during the age of imperial abolition and emancipation. As slaves on New World plantations overheard or received smatterings of information about the operations of abolitionists on the other side of the Atlantic, “news” often sparked “rumors” about an impending or already arrived act of emancipation that sometimes helped galvanize slave rebels and their allies. Conversely, their acts of resistance returned across the Atlantic in the form of news or rumors

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<sup>37</sup> Hahn, “‘Extravagant Expectations’ of Freedom,” 124-125



that helped influence and lent urgency to formal political debates about emancipation. “Political struggles in the colonies” were, as historian Laurent Dubois puts it, “often based on conjectures about the state of things” in the metropolis.<sup>38</sup>

An evaluation of the specific arguments in the varied recent works on “rumor” and slave resistance would be out of place here. It may be worth noting that historians who have identified the dynamic role of “rumor” in the politics of slaves and ex-slaves have tended to emphasize the ways that rumor spurred armed or collective resistance instead of the possibility that rumor might provide some insight into why resistance on slave plantations did not take these forms more often than they did. No less an authority than Frederick Douglass actually suggested in one of his first public speeches as an abolitionist that while news of abolitionist activity in the North “delight[ed] the hearts of the slaves” the “vague idea that somebody is doing something” actually often “hold[s] the slave in check.” “When they get together, they talk over what they have heard,” Douglass reported in answer to a question about how much slaves knew about Northern abolitionists’ petitions to Congress on their behalf. News of such petitions had “prevented many an assassination, many an insurrection,” though as more slaves learned to read and write, the time was “fast coming, when they will act in concert.” For the purposes of this paper, however, the usefulness of recent literature on rumor and slave resistance does not depend on any claim that rumor always produced particular outcomes. More important is the increasing realization that distant rumors and the circulation of unverified, selected, or embellished reports through the “grapevine telegraph” could affect the political calculations of

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<sup>38</sup> Laurent Dubois, *A Colony of Citizens: Revolution and Slave Emancipation in the French Caribbean, 1787-1804* (Chapel Hill: University of North Carolina Press, 2004), 89-92, 134-142, quoted on p. 92. From a large and growing literature on this theme, see also Rugemer, *Problem of Emancipation*; Gelien Matthews, *Caribbean Slave Revolts and the British Abolitionist Movement* (Baton Rouge: Louisiana State University Press, 2006); Emilia Viotti da Costa, *Crowns of Glory, Tears of Blood: the Demerara Slave Rebellion of 1823* (New York: Oxford University Press, 1994); Laurent Dubois, *Avengers of the New World: The Story of the Haitian Revolution* (Cambridge, Mass.: Harvard University Press, 2004), 76-80.

various groups on the ground and alter the nature of grassroots and formal political struggles over slavery. I've been wondering about whether something similar was happening in the case of John L. Brown, and I've been hinting that the answer may be "yes."<sup>39</sup>

At first glance, to be sure, the story of how the Brown case circulated on both sides of the Atlantic may appear strikingly different from the story of slaves' informal politics and the operations of the "grapevine telegraph." The historiographical streams concerned with rumor have also tended for various reasons not to cross the historiographical streams concerned with nineteenth-century transatlantic abolitionism. First, much of the work alluded to above examines how reports of events outside of slave societies – like the American South or the French Caribbean – impact events within those societies, where they become sources of rumor; the direction of dissemination in the John L. Brown case ran in the different direction, with an actual event within the American South powering the circulation of news in the North and across the Atlantic.

Second, in the John L. Brown case the circulation of news, at least as I have traced it so far, took place almost entirely through the media of print and written correspondence, whereas the episodes examined by historians of rumor and slave resistance tend to focus on the periods before print culture was as pervasive as it was by the 1840s, and have also argued that rumor thrived in conditions of uneven literacy where the oral transmission of information was essential. The category of "rumor" may seem less appropriate when applied to an information landscape where technologies like print and steam-powered transportation were gaining ground in societies once defined by low rates of literacy and high lag-time between reports. Indeed, as historians calling for more "transatlantic," "global," or "transnational" histories of the Civil War era we often invoke broad changes in the history of communications technology – the rise of

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<sup>39</sup> "The Union, Slavery, and Abolitionist Petitions: Addresses Delivered in Hingham, Massachusetts, on 4 November 1841," *FDP*, 1:8.

steam-powered ocean transportation, for example, or the expansion of an international market for printed text—to argue that the societies of the Atlantic World of the mid-nineteenth century were more closely connected than ever before. But in doing so we may unnecessarily suggest that these technologies tied the Atlantic world together in a fundamentally different way than it had been tied together in the centuries when information circulated via sail and oral networks, and thereby miss the ways that nineteenth-century newspapers and even actual telegraphs often worked, just like “grapevine telegraphs,” to spread misinformation and rumor. As we have also seen in the John L. Brown case, the unevenness of information distribution along “grapevine telegraphs”—in which reports might reach particular readers or hearers long after the news that prompted the reports had changed, and in which some readers or hearers might only ever receive or pass on the erroneous initial reports—was not characteristic only of oral cultures prior to steam.<sup>40</sup>

The most significant difference between the John L. Brown case and the sorts of episodes previously studied by historians of rumor is the fact that most of the abolitionists involved in publicizing the case were not slaves or illiterate peasants—the usual characters in scholarly work focusing on rumor and grapevine telegraphs; they were literate, white, free persons who had ready access to a transatlantic public sphere. Hahn and others, drawing on interdisciplinary work by theorists like James Scott, have typically used rumor as a way to recover the politics of dominated subaltern groups whose collective aspirations could not always be “openly expressed” and whose position in relation to the formal political and communications arenas of their time were quite different from the position of white Anglo-American abolitionists. As a

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<sup>40</sup> Recent investigations of the role of rumor and misinformation in the circulation of news among Confederates in the Civil War South has made this point too: see Jason Phillips, “The Grape Vine Telegraph: Rumors and Confederate Persistence,” *Journal of Southern History* 72, no. 4 (November 2006), 753-788; Yael A. Sternhell, “Communicating War: The Culture of Information in Richmond during the American Civil War,” *Past and Present* no. 202 (February 2009), 175-205.

result, historians of rumor have often stressed that it had “much to offer subalterns” in particular “as a discursive and political practice,” due to the fact that “its source is cloaked in anonymity; it normally flows through the channels of everyday life; and it is open to continuous improvisation and embellishment.”<sup>41</sup>

By focusing on the political resources that rumor offered to subaltern groups, however, we may miss the political leverage and political changes that rumor offered to other groups. While initially motivated by a desire to restore political agency to groups outside formal political arenas, the literature on rumor may more deeply inscribe the boundaries around those arenas by locating “rumor” as an instrument primarily of those outside of formal politics—where, implicitly, “news” of a different, more empirical, more certain and more stable kind prevails. A full interrogation of the distinction between “rumor” and “news,” however, would reveal that the culture of information at work in a case like John L. Brown’s was incidentally instead of categorically or absolutely different from the culture of information inhabited by subaltern groups. Information exchanges about Brown flowed, not through the channels of everyday life in face-to-face communication, but through the channels of print and text, and “news” about his case was not circulated primarily by subaltern groups, as far as I can tell. But it was often characterized by some of the same features as “grapevine” rumors—discrepant reports, anonymous or unclear sources, improvisation, embellishment, and the mixture of hearsay, conjecture, and inference with other forms of evidentiary proof. In this case, to reverse Laurent Dubois’s formulation in the case of revolutionary French Caribbean, political events and struggles in Britain over American slavery were “often based on conjectures about the state of things” in the United States—conjectures that Brown’s sentence was a settled matter or that he actually had been whipped to death on April 29, for example, or conjectures that Brown was

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<sup>41</sup> Hahn, “‘Extravagant Expectations’ of Freedom,” 124.

motivated by humane compassion for the plight of slaves. And sometimes their interpretations of what was always a limited and immediately out-of-date set of newspaper reports from the United States proved to be incomplete or in error, just as the interpretations that slaves in the American South or the Caribbean made of scattered news reports about emancipatory edicts in distant capitols sometimes proved to be faulty.

This is not to say that all or even most of the things that British abolitionists said about American slavery were conjectural in a pejorative sense. But attention to those episodes in which the “news” about American slavery and abolition was most like “rumor” is important partly because those were the cases that helped draw the abolitionists’ targets for pressure—Southern slaveholders—into direct struggle and confrontation with them. The very fact of small errors in British reportage emboldened Southerners like Hammond to reply by giving them something to refute. For example, O’Neill and Hammond clearly relished being able to report that a full pardon had been granted before news of British public meetings had even arrived in the United States. In his 1845 letters to Clarkson, Hammond said that “you have read and assisted to circulate a great deal about affrays, duels and murders occurring here, and all attributed to the terrible demoralization of slavery. Not a single event of this sort takes place among us, but is caught up by the Abolitionists and paraded over the world with endless comments, variations and exaggerations. You should not take what reaches you as a mere sample, and infer that there is a vast deal more you never hear. You hear all, and more than all the truth.” A conceptual reframing of transatlantic abolitionism as a “whispering gallery” in which news and rumor combined or stood in tension, instead of simply as a case of “promoting change” by “reporting facts,” may help us better understand the changes that transatlantic abolitionists did actually provoke, like the shift of proslavery Southerners like Hammond from their “defensive offensive” against abolitionist speech to their more offensive defenses of

slavery – changes triggered in Hammond’s particular case by the foothold afforded by being in the right about Brown’s ultimate fate.<sup>42</sup>

The fact that even print “news” culture was as susceptible to improvisation and embellishment as “grapevine telegraphs” is also important because “rumor” provided powerful Southerners like Hammond, no less than dominated subaltern groups like his slaves, with instruments of political leverage in the struggle against abolitionist critics. In the remainder of this essay, a careful look at the rapid winding down of the transatlantic furor over John L. Brown will suggest that rumors from the South about Brown’s sexual relationship to Hetty complicated the storyline preferred by abolitionists and made Brown less desirable as a rallying point for abolitionist protest than were other issues.

The furor over the John L. Brown had mostly died down by the summer of 1844. As a result, the transatlantic abolitionist effort to draw attention to Brown’s conviction and sentencing was not nearly as sustained or well-organized as the various campaigns that soon followed: the protests against Texas annexation, the protests over other victims of draconian Southern laws who immediately followed Brown, like Torrey or Jonathan Walker and his famous “branded hand,” or the Free Church “Send Back the Money” campaign – a campaign that was launched at the very same Glasgow meeting that passed resolutions condemning the sentencing of Brown. One reason for this, no doubt, was simply the fact that John L. Brown, unlike a later, more famous John Brown, escaped his execution. The moment that John L. Brown walked out of prison, his release assured that his soul would not go marching on like the later, martyred Brown. Indeed, even the rapid commutation of Brown’s sentence quickly undercut

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<sup>42</sup> James Henry Hammond, *Selections from the Letters and Speeches of the Hon. James H. Hammond, of South Carolina* (New York: John F. Trow & Co., 1866), 130. The phrase “defensive offensive” as a way of characterizing slaveholders’ political strategy prior to the rise of radical abolitionism – and to some extent continuing with the “gag rule” and the response to the mailing campaigns – is borrowed from Matthew Mason, *Slavery and Politics in the Early American Republic* (Chapel Hill: University of North Carolina Press, 2006), 24.

the political opportunities available to abolitionists who wished to protest his sentence. For example, the public meeting held in Maine on Brown's behalf had delegated a committee of twelve to make plans to travel to South Carolina and petition for his life, but that committee was disbanded when the news reached Maine, on the day following the meeting, that Brown was not going to be executed after all.

While abolitionists were inclined to see this and the later pardon of Brown as evidence of their influence over the state of South Carolina, the story of the Brown case can also be read as a case study in the power of states to influence the pace, longevity, and shape of contentious politics. As recent theorists of social movements like political scientist Sidney Tarrow have argued, representative political institutions have the power to "take the sting out of movements" by changing policy slightly or acquiescing in the moderate demands of protesters, stopping or slowing their momentum almost as surely as if direct repression had been employed.<sup>43</sup> The challenge for activists trying to topple systems as complex and entrenched as antebellum American slavery is always to select and build campaigns around issues that can mobilize protest but cannot be easily defused by a quick, limited response from the entity being challenged. One way to explain the evanescence of the campaign surrounding John L. Brown is simply to say that abolitionists soon found issues that met these criteria more effectively than the Brown case.

These considerations surely played some role, but other features of the Brown case also made it a liability for abolitionists. Among the most important was a troublesome rumor, which grew in volume as news of Brown's case spread, that the "crime" which initiated the trial was really all about sex. In building their case for Brown's guilt, prosecutors in the case had implied, without ever saying overtly, that Brown had been involved in a sexual relationship with the

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<sup>43</sup> Sidney Tarrow, *Power in Movement: Social Movements and Contentious Politics*, sec. ed. (New York: Cambridge University Press, 1998), 80.

slave whose escape he allegedly assisted. No accusations about sex were included in the indictment itself, but the evidence against Brown included testimony that “he was frequently seen in the morning, just before day, slipping out of the kitchen where the woman lodged.”<sup>44</sup> And the implication of this testimony also explains why, in the sentencing speech widely reprinted in the Northern press, O’Neill described Brown as a “dissolute” young man who had been “snared” by “the ‘strange woman,’” an allusion to the biblical warnings of the Book of Proverbs against the temptations of lust. “She ‘flattered with her words,’” O’Neill told Brown, “and you became her victim ... led on by a desire to serve her.”

Abolitionist newspapers on both sides of the Atlantic printed these lines from O’Neill’s speech without drawing any attention to them; indeed, all newspaper reports about the case initially ignored them or missed their implication until mid-March, when a letter from O’Neill to a Pittsburgh newspaper made their implication clear. O’Neill wrote the Northern paper in response to a clipping denouncing his sentence that had been sent to him in the mail; in his defense the Judge wrote that “the proof [for Brown’s conviction] created a strong belief that the woman had been his kept mistress for some time.” In a concluding jab that pandered to prejudices about interracial sex that most white Northerners and Southerners shared, O’Neill also invited the Pittsburgh editor who had attacked him to come to South Carolina after Brown had been whipped, so that he could escort him back to the West, “where he can soothe and cherish him as one of ‘the young and ardent men’ who *loved negro women.*” In another letter addressed to his critics in Cincinnati sent around the same time or shortly thereafter, O’Neill made a more elaborate accusation that Brown “did not seek by aiding the woman to run away, to enable her to go to a free State, and there to be free; but his object either was to prolong an

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<sup>44</sup> *Cases at Law*, 130.



adulterous intercourse with the woman, or, taking advantage of the power which he thus had, to carry her off and sell her."<sup>45</sup>

Following these now explicit allegations about sex, some Northern newspapers began to report that Brown was "enamored" of the slave in question, and it may not be coincidental that it was around the very same time that the same papers began to depict Hetty as a fairly white "quadroon." Some Northern newspapers flatly accepted O'Neall's claim and used it to write off Brown as "a scamp." "It is now proven," said one Maine paper on May 3, that Brown "attempted to sell the being who reposed confidence in him, he having satisfied the only passion he felt – one of lust."<sup>46</sup>

These were politically potent and damaging rumors for abolitionists to deal with, not only because they cast a shadow over Brown's motives but also because they attached Brown's names to illicit sexual practices that many evangelical abolitionists themselves were uncomfortable about. Abolitionist editors therefore pursued at least three strategies to mitigate the rumors that Brown was nothing but "a scamp." Some noted, correctly, that the only publicly available evidence for the relationship between Brown and Hetty was O'Neall's assertion that such a relationship existed. As the Boston Liberty Party organ the *Emancipator and Weekly Chronicle* pointed out, "even Judge O'Neall does not say it was *proved* that she was a kept mistress." A second tack available to Brown's antislavery sympathizers was to redirect attention to the prevalence of licentiousness and sexual violence on Southern plantations. The

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<sup>45</sup> See O'Neall's letters in "The Case of John B. Brown"; "Judge O'Neall and John L. Brown," *Cincinnati Weekly Herald and Philanthropist*, May 15, 1844. O'Neall further embellished these charges when he replied to the petition he received from the Free Church of Scotland, writing that Brown's intention was "either to conceal her in South Carolina, and still keep her as his mistress, or to carry her to some of the other slave States, and *then*, after his lust was satiated, to sell her. He is still in the world, and if he were today charged with being an abolitionist, he would regard it as a greater reproach than to be called a negro thief."

<sup>46</sup> For the linked reports about Brown being "enamored" with a now "quadroon slave," see "Court of Common Pleas."

*Emancipator and Weekly Chronicle*, for example, claimed, with as little proof as O'Neall had for his claims, that the "fair" Hetty was "the daughter of a southern planter." The paper also distinguished the union that had supposedly produced Hetty from her union with Brown by reporting that "we have understood that she was [Brown's] betrothed friend, and that they ran away to be lawfully married." The idea that Brown and Hetty actually did marry later became part of the abolitionist memory of the case, as indicated by the preamble to a poem written by John Greenleaf Whittier about the trial.<sup>47</sup>

The rumor that Hetty was the daughter of a planter and the rumor that she and Brown had married or planned to marry were examples of the openness of rumor to improvisation and embellishment. Just as historians like Hahn have shown how freedpeople in the Civil War South adapted stories they heard about land redistribution to their own expectations about land and its use formed even before their emancipation, abolitionists in these cases were attempting to make their perceptions about Brown compatible with their own preexisting convictions about the proper relationship between the aided slave and the white rescuer, as well as about the proper relationship between men and women, both within and across color lines. The majority of the abolitionists who were actively involved in the protests about the Brown case were evangelicals who were outraged primarily by the initial sentence of death and O'Neall's offensive invocations of God's judgment; their particular religious convictions made them less likely to want to speak publicly about sex and may have made Brown's case a less attractive rallying point for transatlantic abolitionists once the possibility of lust as a motive for his actions came to light. The year after the case, Frederick Douglass would experience that reality when British abolitionist patrons encouraged the revising of British editions of his *Narrative* so as to

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<sup>47</sup> "The Case of John B. Brown"; "The Sentence of John L. Brown," *The Works of John Greenleaf Whittier*, vol. 3 (Boston: Houghton, Mifflin, 1892), 89. See also "Judge O'Neall and John L. Brown," which stressed the lack of credible proof for O'Neall's claims, and "Case of John L. Brown," *Boston Recorder*, April 25, 1844, which repeated the claim that "Brown was wishing to marry the female slave."

exclude “unnecessary and disgusting” passages alluding to the practice of slave “breeding” on Southern plantations. Like these emendations to Douglass’s text, the rumors about Brown’s plans to sacralize his relationship with Hetty through marriage reflect the abolitionists’ collective aspirations and ideas no less than the rumors passed along grapevine telegraphs on Southern plantations offer insight into the political culture of freedpeople in and out of slavery.<sup>48</sup>

Yet in the final analysis the inability of abolitionists to verify the truth of O’Neill’s assertions about Brown and Hetty – they could only say “we have understood that” they planned to be married – exposed their own vulnerability to the power of rumor when wielded by their opponents. The final option available to an antislavery editor, and the one chosen for the most part by Garrison’s *Liberator*, was therefore studied silence on the whole question of Brown’s sexual relationship with Hetty. Though Garrison printed all the correspondence from O’Neill, including his letter describing her as Brown’s “kept mistress” and a later letter from O’Neill to Glasgow abolitionists making more lurid charges, the *Liberator* never appears to have followed other antislavery editors even so far as to say Brown was “enamored” of Hetty or intended to marry her. In a brief one-line dismissal of O’Neill’s charges published in the same July 12 issue as the judge’s letter to Glasgow, Garrison simply said, “See Judge O’Neill’s Letter. Believe nothing he says against John L. Brown.”<sup>49</sup>

Such statements could not contain the force of the rumor, however, which may have contributed to the rapid dialing down of British sympathy for Brown. British antislavery readers learned of O’Neill’s allegations quickly when the *Anti-Slavery Reporter* picked up his letter to Pittsburgh from the Boston *Emancipator and Weekly Chronicle* and printed it on April

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<sup>48</sup> See Audrey Fisch, *American Slaves in Victorian England: Abolitionist Politics in Popular Literature and Culture* (Cambridge, Eng.: Cambridge University Press, 2000), 1-10.

<sup>49</sup> “Case of John L. Brown,” *Liberator*, July 12, 1844. See also the articles related to Brown in the May 17, 1844 issue.

17 – after the major public meetings for Brown in Birmingham, Glasgow, and Edinburgh had already taken place. It is thus impossible to answer the counterfactual question of how British abolitionists would have reacted to the case if they had known about the sexual innuendo before. It is telling, however, that reportage in the *Anti-Slavery Reporter* about the case dropped off precipitously after April. The case came up in only one other major British meeting after the April 17 arrival of O’Neill’s “kept mistress” letter, when Daniel O’Connell lambasted Judge O’Neill and expressed shame about his Irish name at a meeting of the BFASS in May, but no mention was made of a sexual or romantic relationship between Brown and the runaway slave. When the Annual Report of the BFASS provided a retrospective summary of the case, it opted to say only that Brown had tried to aid a slave to whom he was “attached,” a more platonic and neutral term that might have signaled discomfort with the discussion of a different sort of relationship. That may also explain why, when Douglass referred to Brown the following year during his lecture tour, he implied that the slave had been Brown’s “sister” – a new improvisational embellishment of the initial rumors – or otherwise simply did not comment on their relationship.<sup>50</sup>

If sex did play a role in the evanescence of the case, it indicates partly that abolitionists did not simply select issues on the basis of rational, consensus decisions about what was most strategically sound.<sup>51</sup> Their own ideas helped structure which “facts” they chose to report, and some abolitionists may even have lost some sympathy for Brown when O’Neill made his

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<sup>50</sup> See “Safety of John L. Brown,” *Anti-Slavery Reporter*, April 17, 1844; and “British and Foreign Anti-Slavery Society” and “Report of the Committee of the British and Foreign Anti-Slavery Society,” in *Anti-Slavery Reporter*, May 29, 1844. Other than these two articles in this issue, the *Anti-Slavery Reporter* devoted only two other small items to the Brown case until September of that year, neither one under a headline and one of them in an inconspicuous corner of the back page.

<sup>51</sup> A similar point is made by Carol Lasser, “Voyeuristic Abolitionism: Sex, Gender, and the Transformation of Antislavery Rhetoric,” *Journal of the Early Republic* 28, no. 1 (2008), 83-114. Her chronology showing the gradual retreat of abolitionists from the “voyeuristic,” sexually charged rhetoric of the 1830s also comports broadly with the timing of the John L. Brown case.

charges. Lewis Tappan claimed that the Send Back the Money campaign against the Free Church of Scotland was a cause that deserved far greater excitement than “the atrocious conviction & sentencing of John L. Brown to death in an attempt to aid a female slave to escape from slavery,” suggesting – perhaps – his and other evangelical abolitionists’ preference for keeping campaigns focused on appeals to a united evangelical front against slavery.<sup>52</sup>

Even more clearly, the adjustments abolitionists made in response to rumors about Brown’s sexual life suggest how the unstable nature of information exchange in the Atlantic World – even at the genesis of new transnational social movements, transnational print networks, and steam-powered transportation – gave rumor, misinformation, and incomplete or unverifiable information continued power, both to abolitionists seeking to provoke a response from slaveholders who had once been content to silence abolitionist argument instead of engaging with it, as well as to slaveholders as they sought to devise a more offensive strategy for dealing with abolitionists. While both sides put into motion “propaganda machines” that foreshadowed the techniques of later transnational activists and took advantage of the thick ties connecting the United States to the rest of the world, scholars examining how those machines worked must also take into account the echoes and distortions that their operation created and amplified in the “whispering gallery” of transatlantic abolitionism. The John L. Brown case suggests, at least, that those echoes, rumors, and whispers – as much as the exposure of “facts” or “news” – had political ramifications that affected the shape of the transatlantic debate over slavery before the American Civil War era.

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<sup>52</sup> See Annie Heloise Abel and Frank J. Klingberg, *A Side-Light on Anglo-American Relations, 1839-1858* (1927; New York: Augustus M. Kelley, 1970), 184-185.