

The Old Jail and the Underground Railroad in St. Mary's County

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In 1776, the Continental Congress declared that all men are created equal and are endowed with certain unalienable rights including life, liberty, and the pursuit of happiness. The US Constitution, drafted in 1787, and the Bill of Rights, added in 1791, upheld these beliefs.¹ The newly created United States was being built out of the ashes of revolution, but on the backs of those who were excluded from said unalienable rights. Black men, women, and children were captured, enslaved, sold, tortured, and forced to work on large plantations from a time even before the birth of the nation. While slaveholders throughout the United States fought tooth and nail against the abolishment of slavery, freedom seekers risked their lives to gain their freedom alongside accomplices who aided in their flight.

Safe houses, woods, graveyards, and waterways along the northern route known as the Underground Railroad, provided a way for self-liberators to escape the bonds of slavery. The initiative and risks taken by these brave men and women were great. Scholar Jenny Masur explains that the flight to freedom can be considered a two-way journey, as captured freedom seekers were often returned to slavery and sold back into bondage.² This was largely made possible by the Fugitive Slave Act of 1850 which gave southern slaveholders legal weapons to capture freedom seekers that had escaped to free states.³

Another common occurrence was the arrest and jailing of freedom seekers and their accomplices. Many of these instances occurred in the southern-sympathizing St. Mary's County at the Old Jail of Leonardtown, a two story, segregated three cell jail house positioned near the town square. The jail's history includes many freedom seekers and free black men who were arrested and imprisoned, as well as the stories of accomplices who were arrested for harbouring, concealing, or detaining a freedom seeker. It is a site that epitomizes opposition to freedom where freedom seekers and their accomplices lost their struggles for freedom.

¹ Jenny Masur and Stanley Harrold, *Heroes of the Underground Railroad around Washington, D.C.* (Charleston, SC: The History Press, 2019), 11.

² Jenny Masur and Stanley Harrold, *Heroes of the Underground Railroad around Washington, D.C.* (Charleston, SC: The History Press, 2019), 28.

³ Catherine A. Paul, "Fugitive Slave Act of 1850," Social Welfare History Project, VCU Libraries, 2016, accessed August 23, 2020. <https://socialwelfare.library.vcu.edu/>.

In order to understand the risks facing freedom seekers and their accomplices, understanding the position of border states like Maryland before and during the Civil War is crucial. It is the case that confederate sympathies ran deep throughout Maryland, but especially in St. Mary's County. Many in the county not only sympathized with the Southern cause, but were definitively pro-south to the point of committing resources, crossing the Potomac to join the confederate troops in Virginia, and holding town halls to pass resolutions that expressed "sympathies with the cause and people of the States which have seceded from the Union."⁴ Additionally, military companies were formed of confederate sympathizers in the county and confederate styled flags were made with eight stars, one for each seceded state, and a position for a ninth star for Maryland.⁵

As the summer of 1861 approached, the county was occupied by Federal forces and instances of political arrests were fairly common. Many of the men arrested were taken prisoner to Point Lookout where the Union Prisoner of War Camp for Confederate Soldiers was located. Even the local newspaper, the St. Mary's Beacon, would be suspended during the war.⁶ In such a place where obvious and unwavering allegiance to the confederacy was not only commonplace, but encouraged through local meetings and press, enslaved black men, women, and children continued to be forced to work local plantations and households owned by men like H. G. S. Key and Dr. Henry A. Ford.⁷ These men, working alongside local sheriffs including Thomas L. Davis (1862) and Philip H. Dorsey (1864), would distribute ads in local newspapers for the capture of freedom seekers with sums of money promised upon their return.⁸

A total of nine people were recorded as being arrested for crimes relating to slavery in St. Mary's County, including five freedom seekers, two free black men, one free black woman who served time for "harboring a slave", and one white woman who was arrested on the same account but was pardoned. There were many different uses of the Jail. Often it was used as a place to detain freedom seekers until slaveholders stepped forward to reclaim them. Other times, in the

⁴ Regina Combs Hammett, *History of St. Mary's County, Maryland, 1634-1990* (Ridge, MD: 1991), 124.

⁵ Regina Combs Hammett, *History of St. Mary's County, Maryland, 1634-1990* (Ridge, MD: 1991), 125.

⁶ Regina Combs Hammett, *History of St. Mary's County, Maryland, 1634-1990* (Ridge, MD: 1991), 126.

⁷ "Committed to Jail", *The St. Mary's Beacon* v 16:30 p. 2, c.1, August 2, 1860.

"\$25 Reward", *St. Mary's Gazette* v. 16:47, p.2, c.5, January 28, 1864.

⁸ "Notice of Committal to Jail", *St. Mary's Beacon* v 18:20 p.2, c.6, May 15, 1862.

"\$25 Reward", *St. Mary's Gazette* v. 16:47, p.2, c.5, January 28, 1864.

case of free black men especially, suspects were charged with crimes that allowed the county to keep them in jail for longer periods of time. And in the instance of accomplices, many served out their sentences for the suspected crimes they committed, although instances of pardons in the case of white citizens were not unheard of.

In April of 1858, the *St. Mary's Beacon* reported an escape from the jail of a “runaway negro belonging to William B. Hill, Esq of Prince George’s County” by the name of either Rimus or George. Although much of the article is unintelligible, what is clear is that Rimus was a freedom seeker who was held at the Old Jail but had escaped. At the time of the publication, he had not yet been recaptured. A liberal reward was offered for his capture.⁹

On August 2, 1860, the *St. Mary's Beacon* detailed the plight of a second freedom seeker named Alonzo who was committed to jail. It states that Alonzo belonged to the slaveholder H. G. S. Key of Leonardtown, but that Alonzo had been fleeing Southern Maryland and heading north. He hailed Captain Tucker’s vessel as the boat was headed up the Patuxent River and stated that he wished to go to Philadelphia. Tucker asked Alonzo if he was a free man and he replied that he was. Alonzo was asked to show his papers. Free black men and women often carried paperwork like manumission papers if they were voluntarily freed by their slaveholder during the decade before the 1862 Emancipation Act, emancipation papers if they were freed because of the 1862 Act, or affidavits or certificates of freedom, which were the official records of proof certifying the status of free black men and women.¹⁰ Alonzo replied that his papers were at home so he could not provide them to the Captain. Captain Tucker did not believe that Alonzo was the free man he claimed to be and arrested him. The article states that Alonzo had been residing in a cave near the residence of Joseph Simms, Esq of Patuxent District. It is likely that upon escaping from Mr. Key in Leonardtown, Alonzo made the daring decision to flee north and wait until he found a vessel he thought could guarantee him safe passage to Pennsylvania. Alonzo’s case was printed in the *Baltimore Sun* as well.¹¹

⁹ “Escape”, *The St. Mary's Beacon* v 13:13 p. 2, c. 1, April 1, 1858.

¹⁰ Damani Davis, “Slavery and Emancipation in the Nation's Capital, Using Federal Records to Explore the Lives of African American Ancestors”, *Prologue Magazine*, Spring 2010, Vol. 42, No. 1 | Genealogy Notes, National Archives, accessed August 22, 2020, <https://www.archives.gov/>.

¹¹ “Committed to Jail”, *The St. Mary's Beacon* v 16:30 p. 2, c.1, August 2, 1860.
“Committed to Jail”, *The Baltimore Sun*, p. 1, c. 2, August 4, 1860.

On August 22, 1861, the *St. Mary's Beacon* reported the account of a freedom seeker named George Scriber who was around the age of 25 or 30 years old who was lodged in the jail. George had escaped from Mr. John A. Burroughs of Charles County. It was first believed that he was arrested at Piney Point by Captain Bray, of the Federal schooner *Bailey*, but an update in the weekly paper states that he was actually arrested by R. J. Marshall.¹²

In May of 1862, the *St. Mary's Beacon* reported on the committal of a freedom seeker named John to the Old Jail in Leonardtown. He was about 21 years old and had escaped from J. W. Raley and Margaret E. Raley of Washington City, D.C, although he was originally enslaved in St. George's. In this case, The sheriff of St. Mary's County at the time, Thomas L. Davis's name was listed as a point of contact for the slaveholder of John to come forward and "pay charges and take him away."¹³

The fifth freedom seeker known to have been held in the Old Jail was a man named Tom who escaped from Dr. Henry A. Ford, of Leonardtown. He was about 34 years old, six feet tall, well built, and weighed about 160 pounds. The *St. Mary's Gazette* also detailed that he had an imperfect thumb on his right hand. Another man arrested in St. Mary's County was a free black man named Randolph Taylor, who was about five feet, ten inches tall, well built, also about 160 pounds. Randolph claimed he had come with the military and was a native of the state of Maine. In 1864, both men were charged with the crime of stealing a horse and cart belonging to the estate of the late George C. Morgan, and with "enticing away a negro woman and children belonging to said estate." However, on January 28, 1864, the *Gazette* reported that on the Sunday night last, the men escaped from the jail. Like the case of the freedom seeker named John, the sheriff at the time, Philip H. Dorsey, was directly involved in the search for Tom and Randolph. In the newspaper Philip promised an award of \$25 would be awarded to the person who arrested and delivered both men to him, and half the amount for the apprehension and delivery of either.¹⁴

The second free black man accounted for by the *St. Mary's Gazette* was named Randolph Aaron. He was lodged in the county jail on January 7, 1864, for the same crime as Tom and Randolph. He was charged with stealing a horse and cart and enticing an enslaved woman away

¹² "Lodged in Jail", *St. Mary's Beacon* v 17:33 p. 2, c.3, August 22, 1861.

¹³ "Lodged in Jail", *St. Mary's Beacon* v 17:34 p.2, c.1, August 30, 1861.

¹³ "Notice of Committal to Jail", *St. Mary's Beacon* v 18:20 p.2, c.6, May 15, 1862.

¹⁴ "\$25 Reward", *St. Mary's Gazette* v. 16:47, p.2, c.5, January 28, 1864.

from the same plantation belonging to George C. Morgan. Like Randolph Taylor, Aaron came to the area with the military and claimed to be a native of the State of Maine.¹⁵

In the case of accomplices in St. Mary's County, there are two documented examples of women who were convicted of the crime of harboring a runaway slave. The first woman convicted was named Sarah McHanon, a white woman charged during the November term of 1860. However, she was pardoned on December 22, 1860.¹⁶ The second instance was of a woman named Milly Cooper who was a free black woman at the time of her arrest. She was charged with harboring a runaway slave, convicted on September 1, 1828, and served four years at the Old Jail in Leonardtown. Her prisoner number was 2005.¹⁷

Milly Cooper was born approximately 1784 and grew up in St. Mary's County.¹⁸ While she was enslaved in her youth, she did gain her freedom, although when and how she was set free is a bit of a mystery. The most probable case that can be made for how she gained her freedom was through the last will and testament of Eleanor Cooper of St. Mary's County on November 9, 1812. The J. Enoch J. Millard Register of Wills for St. Mary's County details that Milly was granted her freedom in 1812 upon the death of Eleanor Cooper, but filed and was granted a certificate of freedom on July 29, 1828.¹⁹ This would mean that Milly was only free by law for one month before being arrested and sentenced to four years in jail.

However, a runaway ad for a black woman aged 38 or 39 years old named Milly was published in January of 1816.²⁰ The ad details that Milly escaped from a farm on the South river in Anne-Arundel county in April of 1815 and that she had a brother named Josh who was enslaved by Judge Chase, but was in the possession of Mr. Philip Thomas near Annapolis. A Mr. Joseph Howard listed the ad for Milly and a reward of \$50 for her capture and return. Due to where her brother was located, Joseph believed that Milly would be located in Prince George's

¹⁵ "Committed to Jail", *St. Mary's Gazette* v. 1:15 p.2, c.2, January 7, 1864.

¹⁶ St. Mary's County, Pardon Records, Sarah McMahan. Beneath the Underground database, Legacy of Slavery in Maryland: Case Studies, Maryland State Archives, accessed August 20, 2020. <http://slavery2.msa.maryland.gov>.

¹⁷ St. Mary's County, Prisoner Records, Milly Cooper. Beneath the Underground database, Legacy of Slavery in Maryland: Case Studies, Maryland State Archives, accessed August 20, 2020. <http://slavery2.msa.maryland.gov>.

¹⁸ 1860 United States Federal Census, District 3, St. Mary's, Maryland, digital image s.v. "Milly Cooper", [Ancestry.com](https://www.ancestry.com).

¹⁹ "A Registry of Certificates granted to Negroes set Free by Will", February 17, 1827 - September 13, 1852, Milly Cooper, Page 8. St. Mary's County Register of Wills (Certificates of Freedom), 1806-1852, Maryland State Archives, accessed August 10, 2020. <https://msa.maryland.gov/>.

²⁰ "Forty Dollars Reward", *The Maryland Gazette*, p.3, c.5, January 18, 1816.

County. It is possible that this Milly and the Milly Cooper who gained her freedom by will are the same person, as it wasn't uncommon for free black men and women to be sold back into slavery. However, what is clear is that Milly Cooper served time in the Old Jail from 1828-1832. Afterwards, she lived on her own, and by 1850 was working as a cook in a household consisting of herself and three black children of different last names.²¹

Milly Cooper's story is truly incredible as not only did she obtain her freedom, but she also aided in the flight of freedom seekers within St. Mary's County, even at the risk of her own safety and security. Even after her time in jail, she continued to live as a free black woman prior to the Civil War in a very southern-sympathizing state and county. The stories of freedom seekers and the accomplices that aided them often unfortunately ended like those detained at the Old Jail in Leonardtown. Although the Old Jail's history epitomizes opposition to freedom, the stories and bravery of those who attempted to escape the bonds of slavery in St. Mary's County and Southern Maryland, those who attempted to aid in the escape of women and children from local plantations and put their own freedom at risk, and the accomplices who sacrificed their own safety to aid others, must be remembered and celebrated.

²¹1850 United States Federal Census, District 3, St. Mary's, Maryland, digital image s.v. "Milly Cooper", [Ancestry.com](https://www.ancestry.com).