



ELIZA WINSTON

and the

POLITICS OF FREEDOM IN MINNESOTA, 1854–60

WILLIAM D. GREEN

ON TUESDAY AFTERNOON, August 21, 1860, Minneapolis abolitionists William D. Babbitt and Ariel S. Bigelow swore out a complaint for a slave woman named Eliza Winston. Officially witnessing this event were William S. King, editor of the Republican Party-aligned *Minneapolis State Atlas*, and Francis R. E. Cornell, a prominent local attorney. According to affidavits later published in several newspapers, at this “hastily convened” hearing Judge Charles E. Vanderburgh of the fourth judicial district, a Republican, immediately issued a writ of habeas corpus, or order to bring Winston before him. Within minutes the sheriff, his deputy, and some 30 armed men—presumably anticipating trouble—rode off to a cottage on the shore of Lake Harriet to take Winston into custody. Because no one in the posse knew her personally, two acquaintances—Emily Goodridge Grey, a free black seamstress from St. Anthony, and her white friend Mrs. Gates—accompanied them.¹

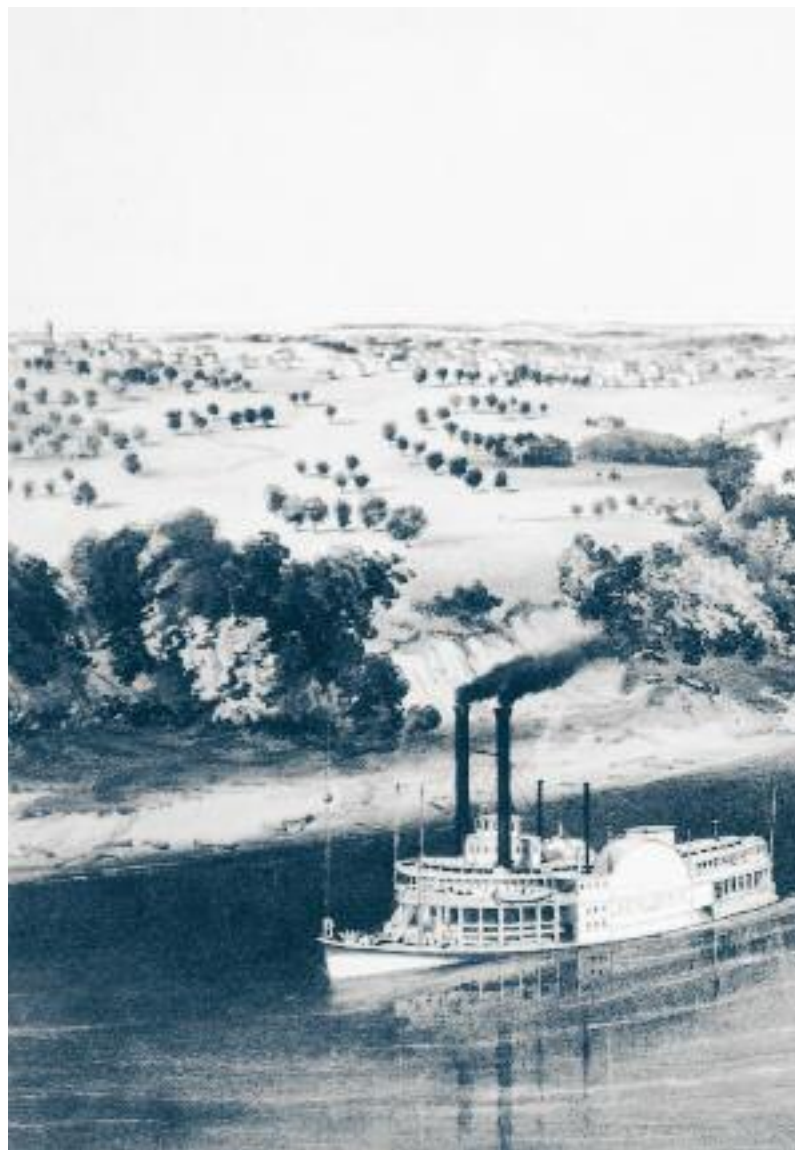
As the party reached the lake, Winston's sickly mistress, Mrs. Richard Christmas, ordered Winston to flee into the woods behind the cottage. Instead of hiding, however, she stood in the wooded path until Babbitt approached her. After confirming her name, he asked whether she wanted to be free or remain a slave. According to an affidavit, Winston responded, "I wish for my freedom, but don't tell my master or mistress that I said so." Next, the deputy approached and asked the same questions, to which she again responded. She then requested their protection and was taken into custody. After conferring with Mrs. Christmas, the men and three women returned to Minneapolis. At 5 P.M. they delivered Winston before Judge Vanderburgh, who was waiting to preside over the hearing.

From the second floor of Hennepin County's cream-colored brick courthouse at Fourth Street and Eighth Avenue South (later Chicago Avenue), curious bystanders could easily look beyond the Mississippi River to St. Anthony's fortress-like Winslow House, Minnesota's largest and most elegantly furnished building. Constructed in 1856–57, the five-story limestone hotel by the Falls of St. Anthony had hosted slaveholders from Mississippi, Alabama, Louisiana, Tennessee, and Missouri eager to escape the South's oppressive summer heat and disease.²

Packed inside the Minneapolis courtroom this August evening was a combustible assembly of spectators. Some strongly favored—or opposed—the emancipation of slaves. Some had an economic interest in St. Anthony's and Minneapolis's tourist trade with southerners. Many were hostile ruffians and laborers who worked for local businessmen. Violence seemed inevitable. In stark contrast to this volatile crowd sat the surprisingly calm Col. Richard Christmas, Eliza Winston's master. Judge Vanderburgh later wrote that when Christmas and his counsel, John D. Freeman, a former Mississippi attorney general who was also vacationing at the Winslow House, "discovered that it was to be a quiet and orderly judicial inquiry in which they were to be heard and treated fairly, they appeared quite satisfied."³

Winston's hearing lasted only a few minutes. Christmas's attorney argued that Winston was only temporary-

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ly living in the free state of Minnesota and was therefore not entitled to her freedom, according to the 1857 U.S. Supreme Court decision, *Dred Scott v. Sandford*. This controversial ruling had denied slaves the right to freedom based on their residency in nonslave territories or states. Equally controversially, it also provided slavery with comprehensive judicial reinforcement. According to the verdict, a southerner legally retained ownership of his slave regardless of the state and territory to which he traveled or whether he was taking up permanent residence or merely visiting the area. On Winston's behalf, Cornell simply read aloud the portion of article 1, section 2, of Minnesota's constitution, adopted in 1857: "There shall be neither slavery nor involuntary servitude in the state." At that, 29-year-old Judge Vanderburgh, who was Cornell's law partner, ruled in favor of the slave woman. She was free, the judge concluded, to go where and with whom she pleased.⁴



On hearing this, the Rev. David B. Knickerbacker, pastor of Minneapolis's Gethsemane Episcopal Church, jumped up and accused Vanderburgh of making "an unrighteous decision." The reverend condemned the provision in Minnesota's constitution that proclaimed a slave free on free soil, assured his sympathizers that the church approved the institution of slavery, and then incited the crowd to a fever pitch. In the furor, Babbitt began leading Winston from the courtroom, which sparked more agitation in the crowd. The colonel then approached her, his calm demeanor giving pause to those close enough to hear their exchange. According to published affidavits, he asked her one final time if she truly wanted to leave his family, and she responded that she did. At that, he handed her some money and wished her well, assuring her that she was welcome to return to his home whenever she pleased. He asked her if she would go with him to visit Mrs. Christmas,

Comfortable riverboats carried southern families with slaves up the Mississippi River to the Winslow House (large building on horizon line), shown in Edwin Whitefield's 1857 lithograph, *View of St. Anthony, Minneapolis and St. Anthony's Falls*. To the left of the Winslow House is the spire of the Universalist Church (later, Our Lady of Lourdes) and the twin towers of the suspension bridge from Nicollet Island to Minneapolis.

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Local Items.

Slave Case in Minneapolis!!

A CHATTEL ASKS FOR FREEDOM!

Is Brought Into Court!

Judge Vanderburgh Declares Her Free!

KIDNAPPERS FOILED.

Minnesota is a Free State.

On Tuesday last, petitions and affidavits setting forth that one Eliza Winston, a negro woman, was illegally restrained of her liberty, and claimed as a slave by one Christmas, who was then sojourning at Mrs. Thornton's, on Lake Calhoun, were presented to Judge Vanderburgh, whereupon a writ was issued to the Sheriff of this county, commanding him to bring the said Eliza before the Court, that the facts might be inquired into, and she dealt with according to law. About five o'clock P. M. the Sheriff made his return, and presented his prisoner before the court. No denial of the facts in the petition or affidavits was made. Judge Vanderburgh informed the prisoner that she was free to go where, and with whom she chose. Immediately upon the rendering of the decision, her former master approached her, and asked her if she would not return to Mississippi with him, to which she replied that she had rather stay in Minnesota. After some minutes conversation between them, he again said: "Well, Eliza, will you go with me, or with those persons?" when she again said, she preferred to be free, and not go with him; when he said, "very well, I have plenty more in Mississippi," and left her.

At this point the Court ordered the Sheriff to clear the room, which was partially done, the master of the woman, his Southern friends, and a crowd of sympathizing land-

but she responded, "No, not today. I will go with the ladies." Then, as Babbitt led her away, the crowd again grew unruly. "Say the word," exclaimed some of the men, offering to seize her for him, but the colonel firmly declined. His final gesture in the courtroom "made even the abolitionists describe him as a kind and courteous gentleman." His chief critic, 32-year-old William King, credited Christmas with "behav[ing] like a perfect gentleman all through the proceedings."⁵

Despite the confusion that engulfed the courtroom, Christmas had made no attempt to reclaim what federal law deemed to be his property. This was, after all, Minnesota, a new state governed by Republicans whose party was decidedly antislavery. This was also Minneapolis, which shared with its sister city, St. Anthony, the reputation of being the region's hotbed of abolitionism despite assurances to the contrary from businessman hungry for the southerners' trade. The confluence of these factors was not lost on the gracious Mississippian. "Well, Colonel," called out one man as Winston was being led from the courtroom, "You have lost your nigger." "Yes, I reckon so," he reportedly responded, "but I have plenty more of them and it's all right."⁶

At this point, the judge ordered the sheriff to clear the room, but many spectators remained to listen to Knickerbacker's urgings to restore the slave woman to her master. As Babbitt escorted Winston outside through the hostile crowd on the courthouse steps, men began to close in around them. Sensing danger, editor King addressed the crowd. Abolitionist Jane Grey Swisshelm later described his smoke-blowing rhetoric this way: "His stentorian voice poured forth such a torrent of denunciation on priest-craft, such a flood of solid swearing against the insolence and tyranny of ecclesiasticism, that people were surprised into inactivity, until Mr. Babbitt got the woman in his carriage and drove off." After taking a circuitous route through the streets of Minneapolis, the two arrived at Babbitt's home at Tenth and Russell Streets and prepared for a visit from the courthouse mob. Overhead, ominous rain clouds had formed, as if reflecting a heightened sense of foreboding.⁷

THE FREEING OF ELIZA WINSTON was an event fraught with revealing contradictions. Minnesota in 1860 was a state founded on democratic principles with a constitu-

Breathless report of Winston's surprise freeing from the Republican Party-affiliated *Minneapolis State Atlas*, August 22, 1860

tion that outlawed slavery. Yet many Minnesotans tolerated slavery in order to keep dollars flowing into their young economy from well-to-do southern tourists who rode comfortable steamboats upriver in the company of their slave valets, maids, and nurses. Minnesota was a state that was uncategorically loyal to the Union, yet in the Winston episode its court championed state law over federal law. It was a state newly under the control of the antislave Republican Party, yet many Republican leaders vilified the direct antislavery actions taken by its radical abolitionists.

Between 1857 and 1860, local courts throughout the North often ignored the *Dred Scott* decision and granted fugitive slaves their freedom. These courts, like the one in Minneapolis, seldom left records about the cases. This forces historians to rely on newspaper articles, journals, letters, and published recollections to build accounts of what happened in the tense years before the Civil War. As much as we can tell, the legal proceedings often were mere formalities designed to lend a gloss of legitimacy to the freeing of slaves in the absence of solid legal grounds. Since slaveholders often dispatched men to recover their “property,” freed slaves frequently had to be spirited away to Canada for their own safety. Timing was critical: like the matador’s cape, the courts served to forestall and misdirect owners who challenged their slaves’ claims to freedom. When slaveholders found themselves in hostile jurisdictions, as did Col. Christmas, they often saw no recourse and acquiesced for the sake of expediency.⁸

Before the Civil War, Minnesota in some ways seemed far removed from the strife that consumed the rest of the country. The 1857 census showed St. Paul having some 10,000 residents, St. Anthony, 4,700, and fledgling Minneapolis a mere 3,400. Less than 100 residents of these communities were black. In an area lacking a large black population that might compete with white laborers for jobs, the issue of emancipating slaves seemed mostly theoretical, founded on lofty principles that had little effect on the average Minnesotan. Yet, the threat that abolitionists posed to lucrative southern tourism amplified the state’s conflicting attitudes toward slavery.⁹

Unwilling to recognize these building tensions, however, newspapers such as the *Stillwater Democrat* assured Minnesota readers as late as May 1860 that there was really no danger from “the intermeddling propensities of abolition fanatics” because Minnesotans were “law-abiding people and, although there may now and then be an odious creature who would not scruple to invade the family circle,” southerners should “come North, bring their slaves, and enjoy themselves.”

Two days after the Winston hearing, the editor of the *St. Paul Pioneer and Democrat* similarly urged tolerance: “We don’t believe in Slavery, and rejoice that Minnesota is a free State, but when people come up here from the South, and, relying upon the honor and good faith of our people, bring along with them their servants, we don’t think it looks well, nor do we believe it right, for us to interfere or coax off these servants, and then raise the ‘hue and cry’ of Slavery in Minnesota.”¹⁰

Taking an opposing viewpoint was the militant abolitionist newspaper editor Jane Grey Swisshelm, who borrowed from the Old Testament when she wrote, “By this craft, we have wealth.” The nationally known Swisshelm had already written in her *St. Cloud Visiter* about a powerful Democratic political appointee, Sylvanus B. Lowry, a Tennessee plantation owner and Minnesota Territory’s former adjutant general, who “lived in a semi-barbaric splendor, in an imposing house on the bank of the Mississippi, where he kept slaves.” So unrelenting were her attacks on Lowry who disapproved of her role in advancing the Republican Party, that on the evening of March 24, 1858, he and three proslavery sympathizers broke into her newspaper office, destroyed the printing equipment, and threw the parts into the river.¹¹

Despite resistance to the establishment of slavery in the state, the word “abolitionist,” according to early Minnesota historian William W. Folwell, remained “a term of scorn among Democrats, and among Republicans it was one of reproach.” Two days after Winston was freed, the conservative editor of the *Minneapolis Plain Dealer* urged, “It is the duty of the people to put down the extremists everywhere. Let the conservative and true men of the South take care of the disunionists there, and the good and true men of the North take care of the Abolition fanatics here.” Even Republicans criticized abolitionists who helped Winston, as *The St. Anthony Falls Evening News* reported disapprovingly: “We have even heard some *strong, active, enthusiastic, intelligent, high-minded* Republicans talk of lynching those concerned in procuring the poor woman her freedom. Shame on such liberty-loving Christians.” Yet the editor also felt compelled to criticize the direct-action tactics of the abolitionists:

Whilst the Republican Party has no concealment to make upon the subject of slavery, regarding it as the giant evil of the age and uncompromisingly opposed to its extension into any territory or locality where it does not exist, still it has not undertaken, nor will not undertake to *force* freedom upon any human being, or to interfere in any way with the personal or

private affairs of those who deem fit to visit us here from the Southern States.¹²

Eliza Winston was the second slave to escape servitude in Minnesota in as many weeks, and a third incident would occur in Sauk Centre in early October 1860. In consequence, the number of southern tourists visiting Minnesota dropped severely, leaving the merchants of St. Anthony Falls with an increasingly uncertain future. The stakes were high for this community that envisioned itself replacing St. Paul as Minnesota's hub of commerce. Winston's emancipation brought to a head questions about Minnesota benefiting from southern tourism. Laying bare conflicts between radical Yankee abolitionists and less militant, frequently Democratic-leaning residents, the Winston case split apart the communities of Minneapolis and St. Anthony.¹³


ON THE EVENING OF AUGUST 21, 1860, just hours after Eliza Winston had been freed, mobs formed to attack the property of known abolitionists. One mob charged William Babbitt's house, attempting repeatedly to ram through his solid walnut front door until repelled by gunfire from inside. Leading the attackers was C. W. McLean, proprietor of the Winslow House. According to Swisshelm he "mounted the carriage-block and harangued his followers on the sacred duty of securing the financial prosperity of the two cities by restoring Eliza Winston to her owners." He then declared, "I came to this State with five thousand dollars; have but five hundred left, but will spend the last cent to see 'Bill' Babbitt's heart's blood!" Winston, however, was no longer there. Babbitt, wrote Swisshelm, used "his old training on the underground railroad to throw the blood-hounds off the scent" and secreted her in the home of a Professor Stone.¹⁴

Still, the mob assaulted the house, showering it with rocks before storming it again. One attacker forced the door open but was met by Mrs. Babbitt standing in the parlor pointing a

firearm at his head. Had her sister not intervened, the intruder would have been the evening's first casualty. The mob then retreated again amid howlings, gunshots, and threats to burn down the house.

Mrs. Babbitt, seven months pregnant, then sneaked out of the house to get help but was chased by some of the attackers. The first man she called on for help replied, "You have made your bed: lie in it." Other neighbors, however, went to the Babbitt house to help. One of them, Daniel Elliot, was immediately set upon and brutally beaten. Breaking free, he ran for his life as men in the mob fired guns at him. Meanwhile, another neighbor had helped Mrs. Babbitt escape and find the sheriff, who returned to the home "with two or three

Proprietor C. W. McLean claimed that St. Anthony's Winslow House surpassed "the watering places and fashionable summer resorts of the East." (*St. Paul Pioneer and Democrat*, Aug. 9, 1860)



WINSLOW HOUSE,
ST. ANTHONY, MINNESOTA,
C. W. McLEAN, PROPRIETOR.
J. F. DARROW, SUPERINTENDENT.

This is the largest and most elegantly furnished Hotel in the Northwest, and is now open for the accommodation of Guests. It is desirably located, being central to the business part of the City, and commanding a FULL VIEW OF THE FALLS OF SAINT ANTHONY. And the Observations and Excursions which the finest views that can be obtained of the Cities of St. Anthony and Minneapolis.

This House is built of stone, has one front of one hundred and fifty-seven feet, and two fronts of ninety feet each and contains two hundred rooms.

TRANSIENT BOARD, \$2 PER DAY.

The Tables are furnished with the greatest variety, and the choicest the market affords, and no attention is wanting to make the guests of the Winslow House comfortable. On arrival of boats at St. Paul, Hurbank & Co.'s splendid four horse coaches are always in readiness to convey passengers direct to the Falls.

This House is just completed, at a cost of \$1,100,000, and furnished in ornate style at an additional expense of \$500,000.

Lake Calhoun, Lake Harriet, Lake Johnson and Lake Minnetonka are all located within a few miles of the Winslow House. These lakes are plentifully supplied with all kinds of fish, and the grounds and surrounding woods abound with game.

As a place for summer resort, abounding in all the requisites desirable to pleasure seekers and tourists, Saint Anthony's Falls excels the watering places and fashionable summer resorts of the West.

The celebrated Falls of Minnetonka (Laughing Water) are located about four miles distant from the Winslow House, in a westerly direction.

They are approached by an excellent road from the Hotel, and as an object of pre-eminence beauty and romantic interest, they never fail to excite the admiration of the tourist.

Within a few rods of the Winslow are also delicious springs of sulphur and chalybeate, which render the place as a resort, for invalids, the most desirable in the nation.

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men” and persuaded the mob to disperse. Only a few lingered to shout more threats to Babbitt’s life. At the same time that evening, a second mob in St. Anthony forced its way into the home of Emily Grey and her husband Ralph T. Grey, a barber, to search for Eliza Winston. Meanwhile, at the *State Atlas* newspaper office, William King and a small group of well-armed men stood guard over his presses.¹⁵

In the days that followed, the sides harassed and volleyed insults at each other. Babbitt’s cattle were routinely released to roam freely in his garden, and his farm implements were sabotaged. The *Minneapolis Plain Dealer* assailed the “abolitionist Republicans” for taking the “decrippped [*sic*] old Negro woman” away from “her friends and protector” and for “running around town trying to borrow pistols. The skim milk cowards who armed themselves with guns to make a bogus service of the writ of habeas corpus are becoming frightened.” In response to this taunt, editor King wrote on August 29:

Those of our citizens whose dwellings have been attacked and injured and whose persons are threatened with violence have, we are glad to know, prepared to give their assailants a proper reception in the future. The “skim milk cowards” who gather about the Nicollet House [a Minneapolis hotel frequented by Democrats], and threaten to tar and feather peaceable citizens, and throw printing presses into the river, are the last men in the world who dare undertake to carry out their villainous threats when they understand people are prepared to give them a proper reception.¹⁶

For months, Swisshelm later recalled, the citizens of both cities lived in an uneasy calm. Babbitt was “hooted at in the streets of Minneapolis as ‘nigger thief,’ and called ‘Eliza.’ No arrests were made, and he always felt it fortunate,” Swisshelm continued, that he was prevented from shooting anyone in the mob that had attacked his house because “in the state of public sentiment, the man firing the shot would have been hanged for murder by any Hennepin jury, and his home razed to the ground or burned.”¹⁷

IT SEEMS REMARKABLE TODAY that these incidents occurred in a state whose constitution prohibited slavery. Voters who had ratified the constitution three years earlier—Republicans and Democrats alike—did not find the antislavery clause controversial, although its language was clear: “There shall be neither slavery nor involuntary servitude in the State, otherwise than in the punishment of a crime, whereof the party shall have

been duly convicted.” The conservative *Pioneer and Democrat* had pronounced the new constitution a “States Right National Democratic Constitution,” free of any “fanatical dogmas of the Black Republican Party.” The antislavery clause, then, seemingly belonged as much to Minnesota Democrats as to Minnesota Republicans.¹⁸

Yet, reactions to the Winston hearing showed citizens in conflict over the clause. As lawyers coolly offered sanitized legal arguments on whether a slave could be freed against the will of her master, citizens were fighting for their interpretations in the streets of Minneapolis and St. Anthony.

For Democrats, the Winston incident was an issue of respecting the private property of tourists. For Republican party leaders who also decried her freeing, the clause was, apparently, a statement of principle rather than a legal directive. For abolitionists, however, Winston’s freedom was a moral imperative, an end in itself. Paradoxically, *Dred Scott*, the legal authority on the matter, went unmentioned. The ultimate paradox was that Minnesota’s antislavery clause flew in the face of that federal ruling. It was a solid example of states’ rights, a doctrine thought to be thoroughly southern. But in Minnesota, Eliza Winston was a spark, southern tourism a fuse, and *Dred Scott* a powder keg.¹⁹

MINNESOTA HAD BEGUN PROMOTING itself as a destination for southern tourists in earnest three years earlier when the Supreme Court handed down the *Dred Scott* decision. The verdict that no Negro whose ancestors were brought to this country as slaves could be a citizen of the nation or a state and that Congress had no authority to exclude slavery from the federal territories meant that, theoretically, slavery could spread into Minnesota (still a territory in 1857).²⁰

Soon after the decision, the abolitionist St. Anthony paper, the *Minnesota Republican*, had sounded an alarm about slavery insidiously moving into the North: *Dred Scott* “will bring among us, a great many of our Southern friends, *with their slaves*, to sojourn temporarily; *to spend their money amongst us*.”²¹

Meanwhile, in St. Anthony, the very concept of bringing chattel to Minnesota forced the small abolition community to confront an unprecedented dilemma: it was one thing to aid fugitive slaves fleeing masters in the distant South, as some like Babbitt had done in New York; it was quite another when slaves brought by visiting planters whispered their desire for freedom. Freeing slaves in Minnesota would have economic consequences on many jobs and businesses, including the barbershop and seamstress trade of black abolition sympathizers such as the well-liked Ralph and Emily Grey.²²

While prominent St. Anthony merchants were advertising the inviting qualities of the falls, including its medicinally soothing “chalybeate springs” that could be seen in resort-like comfort from the Winslow House, the sight of “slaves brought along as part of their retinue” was inflammatory to some. “Let the free people of this country keep their ears open and take heed to the result, whatever it may be. Eternal vigilance is the price of freedom,” warned Rev. Charles G. Ames, the *Minnesota Republican’s* abolitionist editor.²³

The methods of vigilance chosen by St. Anthony abolitionists were far from endearing to many in their community, Republicans and Democrats alike. According to one later account, abolitionists

in little groups . . . would meet arriving steamboats at the St. Paul levee, booing and hissing southerners who stepped onto the dock with black retainers, bearing mountains of luggage. They would vilify and insult southern visitors as they stepped into the four-horse stage coach to be whisked to the Winslow House.

At the hotel the lobby and halls were stealthily patrolled by small squadrons of the righteous emancipators, who set themselves up as ex-officio house detectives. . . . [They] had made such pests of themselves.²⁴

Omnibuses like this one photographed in front of Minneapolis’s Nicollet House, about 1865, carried visitors around the three communities of Minneapolis, St. Anthony, and St. Paul.



Frustrated that their actions for a year and a half did little to dampen tourism, the so-called “pests” decided to form an organization. Commemorating the execution of John Brown, a group gathered on December 2, 1859, at Woodman’s Hall in St. Anthony to form the Hennepin County Antislavery Society. The society appointed two committees to lobby the newly elected Republican-dominated legislature. One worked for an amendment that would extend suffrage rights to black males. The second sought a personal-liberty bill that “made it a penal offense punishable with fines and imprisonment for anyone to claim and attempt to exercise ownership over any human being within the bounds of this state.” In other words, the society wanted legislative actions that would turn *Dred Scott* on its head.²⁵

But neither initiative was successful. On March 7, 1860, almost six months before Eliza Winston would be freed, a Republican-dominated house committee tabled the suffrage measure in an unrecorded vote in the name of expediency. Republican Speaker Amos Coggsell of Steele County said bluntly that he “hoped the bill would be indefinitely postponed. It was too late in the session to occupy the time of members with the nigger question.” On that same day the personal liberty bill was rejected by a 21-to-13 vote. Two days earlier the state senate had declined by a large margin to act on a curious petition. Submitted by Senator Charles Mackubin of St. Paul and signed by 900 residents of St. Paul, St. Anthony, and Stillwater, it “pray[ed] for passage of a law” that secured the right of slaveholding by southern tourists in Minnesota “for a period not to exceed a term of six months.” Clearly the legislature was determined to steer a middle course that favored neither abolitionism nor tourism.²⁶

Unimpressed with the legislature’s course of moderation, abolitionists felt betrayed by their fellow Republicans who now controlled state government. On March 13, the antislavery society passed a resolution condemning Republican legislators for being “false to their professions of their abhorrence of the Dred Scott decision” and “false to their own chosen principles of states rights.” The abolitionists had seen it before: in the spirit of moderation, expediency, and compromise, northern politicians had similarly acquiesced to southern slave interests prior to the birth of the Republican Party.²⁷

FORTY YEARS BEFORE the Christmas family brought Eliza Winston to Minnesota, the Missouri Compromise had firmly insulated the area from the expansion of slavery. By the early 1850s, settlers streamed into the territory believing that they would not have to compete

with the plantation economic system. But with passage of the Kansas-Nebraska Act of 1854—which opened Kansas Territory to slavery and allowed Nebraska Territory (which stretched to the Canadian border) to follow suit—the barrier had been breached. The peculiar institution could theoretically be established at Minnesota’s border.²⁸

In November 1854, a rumor that Virginia slaveholders were moving to Minnesota circulated through St. Anthony, and residents criticized politicians for doing nothing to oppose them. The editor of St. Anthony Falls’s *Minnesota Republican* warned: “The southern sentiment triumphs in the north; the poor will be virtually sold at auction; labourers everywhere will be depressed and despised; power will glide into the hands of the few; a system of nabobery will supplant practical democracy; there will be no longer any ‘people,’ there will remain only the despots and their serfs.”²⁹

These concerns were made more real when groups of southern planters apparently arrived in Minnesota to survey the land for new plantations. In 1856 one

party found a site where the Bois de Sioux and Otter Tail Rivers join to form the Red River of the North. In 1857 it platted the town site of Breckenridge, named after Col. John C. Breckenridge of Kentucky, vice-president from 1857 to 1861. Originally it was part of Toombs County, named after a prominent Georgian who became a leading disunionist. In the Lake DeMontreville area near North St. Paul, irate local residents attacked slaveholders who had planned on settling there and drove them from the region.³⁰

During the months following passage of the Kansas-Nebraska Act, groups throughout the North met to protest federal policy that seemed to favor proslavery interests. On March 29, 1854, a small group of Hennepin County’s prominent citizens met at Central Hall in St. Anthony to draft resolutions against the act.³¹

Larger meetings followed, and a new newspaper, the *Minnesota Republican*, was founded. Edited by Charles G. Ames, a recent arrival from Massachusetts, the paper began a steady attack against Whig Party cooperation with slaveholding interests and articulated

New homes and commercial buildings spreading across Nicollet Island (foreground) and St. Anthony (background), where the imposing Winslow House commands notice, 1862



a platform that would soon serve as the founding principle of the new Republican Party of Minnesota. It was also during this period that the architects of Eliza Winston's rescue—Babbitt, King, Cornell, and Vanderburgh—settled in St. Anthony, each relocating from upstate New York where prominent abolitionists such as Gerrit Smith and William Lloyd Garrison held considerable influence. The four men brought to Minnesota the Garrisonian spirit of accountability: "If the South depends on you to protect slavery, then who but you are the real slaveholders?" In a town where Irish and French immigrant laborers tended to side with their Democratic employers, the Protestant, northeastern-born social reformers recommitted themselves to standing vigilant against the threat of slavery spreading into the territory. The community at St. Anthony Falls had become the territory's hotbed of abolitionism.³²

On March 23, 1855, the nascent Republicans met once again to draft core resolutions that would become the foundation for the Republican Party of Minnesota. In this new party, established around three central issues—the abolition of slavery, temperance, and the commitment to stand up to southern hegemony—abolitionists felt that they had created an instrument of political and spiritual redemption that would replace the compromised Whig Party. However, by the spring of 1860, only five years later, the abolitionists of St. Anthony found themselves once again frustrated by their legislators' reluctance to discourage planters from bringing slaves to Minnesota. As southern tourists increasingly visited their town with slaves in tow, antislavery society members had escalated their campaign from "vigilance" and harassment to more drastic measures such as "slave napping."³³

COL. RICHARD CHRISTMAS, the wealthy planter from Issaquena County, Mississippi, arrived in St. Anthony in August 1860. He had never brought slaves on his

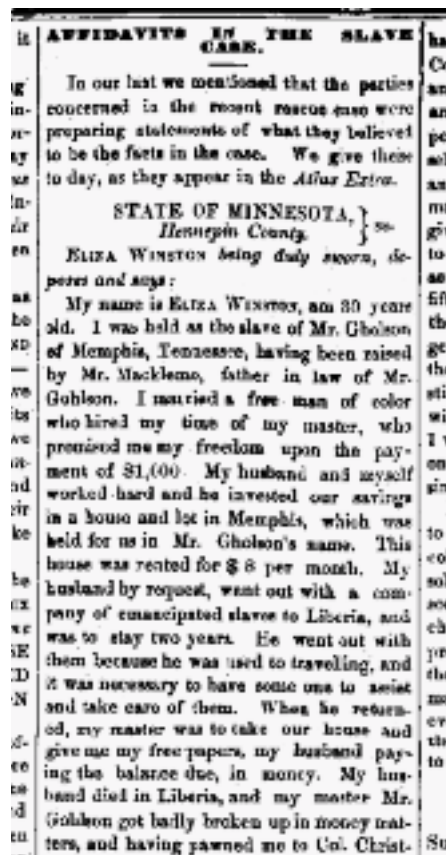
vacations in the North because of what he had heard about abolition activities, but in the summer of 1860 his wife was too ill to travel without her slave's assistance. Thus Eliza Winston accompanied them. Working from unidentified sources, reporter Harry Remington wrote this sentimental profile of her in a lengthy 1934 newspaper article:

A round, full black face had Eliza. But she was not the musical comedy type of Negress, full of bubbling good humor. There were signs of care on her face, although she was only thirty. Eliza was an inoffensive soul, except that sometimes she cussed. She cussed because she was above the average in intelligence.

And she realized that life had been unusually rough on her. . . . [She] stood it, stood it because she had to, of course, but principally because she had dreams.³⁴

Winston had originally belonged to a Mr. McLemore, who later sold her to his son-in-law, a Mr. Gholson of Memphis, leading to a situation hard to comprehend today. While with him, she married Jim Winston, a free black man who paid the slave owner for the time Eliza spent as a wife. Eliza and Jim eventually saved enough money to invest in a house in Memphis, where they intended to live once her freedom had been purchased. They needed \$1,000. Before paying off Gholson, however, Jim Winston "accepted an offer to lead a colony of freed slaves to Liberia, there to establish a Negro colony." He apparently planned to earn enough money to buy her freedom so they could settle in Africa, but he fell ill and died.³⁵

Then Gholson fell into debt, "pawned" Eliza to Christmas for \$800, and himself died before he could redeem her. The colonel and his wife now assumed ownership of Winston. "I was never sold," she said in an affidavit published in August 1860 in several local newspapers. "They have often



Newspapers reproduced Eliza Winston's complete sworn statement, along with those of other principals in the case, including abolitionists William Babbitt and Ariel S. Bigelow and Deputy Sheriff Joseph H. Canney. (*Falls Evening News*, Aug. 28, 1860)

told me I should have my freedom, and they at last promised me that I should have my free papers when their child was seven years old. This time came soon after we left home to come to Minnesota.” Because Winston had no confidence that Christmas would keep the promise but believed she could be free simply by coming north, she made plans to collect money and enough clothing in her trunk “sufficient to last [her] two years and of a kind suitable to what [she] supposed this climate would be.”

While in St. Anthony Winston met Emily Grey, the free black woman who began the chain of events leading to Winston’s freedom. As the abolitionists prepared to act—gathering men to escort the sheriff, filing the writ of habeas corpus, coordinating plans for escape—Christmas apparently suspected that he was about to become the next victim of slavenapping. Winston reported: “I fixed upon the coming Sunday when I would leave my master, but before the time came Colonel Christmas and his family went out to Mrs. Thornton’s [a boardinghouse at Lake Harriet] and as I understood were not coming back to the Winslow House to stay anymore, I thought someone of the servants had made my master suspicious and that he went on that account.”³⁶

There at the cabin on Lake Harriet, her master’s family settled in, apparently feeling secure from meddling abolitionists. On August 21, Christmas went into Minneapolis, leaving his invalid wife, child, and slave unprotected—and not suspecting that it was Winston who wanted to leave them. For her part, Winston was uncertain that Emily Grey could help her so far outside of St. Anthony. It was not until the sheriff and his men rode up to the cabin that Winston knew her life was about to change.

What Grey had set into motion was a tactic employed in some other northern states. After her abolitionist friends contacted Judge Vanderburgh, he issued a writ of habeas corpus—an order to bring Winston before his court—for a hearing. This legal proceeding characterized Hennepin County abolitionism, influenced perhaps by the number of lawyers and friends of lawyers who were involved. In Democratic-controlled towns like St. Paul, Stillwater, and Sauk Centre during the summer of 1860, slaves sought their freedom simply by running away. But in Republican-controlled Minneapolis they had a sympathetic judge in Charles Vanderburgh. As early as 1857, in the aftermath of the *Dred Scott* decision, Hennepin County abolitionists had called on the legislature to empower the Minnesota judiciary to extend the privilege of the writ of habeas corpus to slaves.

The legislature did not act, but with Vanderburgh presiding in Minneapolis, new laws were not needed. The principle of states’ rights was strongly embraced by Minnesota Democrats and Republicans alike. The fourth judicial district was far from the practical reach of federal preemption established in the supremacy clause of the U.S. Constitution.³⁷ Consequently, Vanderburgh could simply ignore *Dred Scott*.

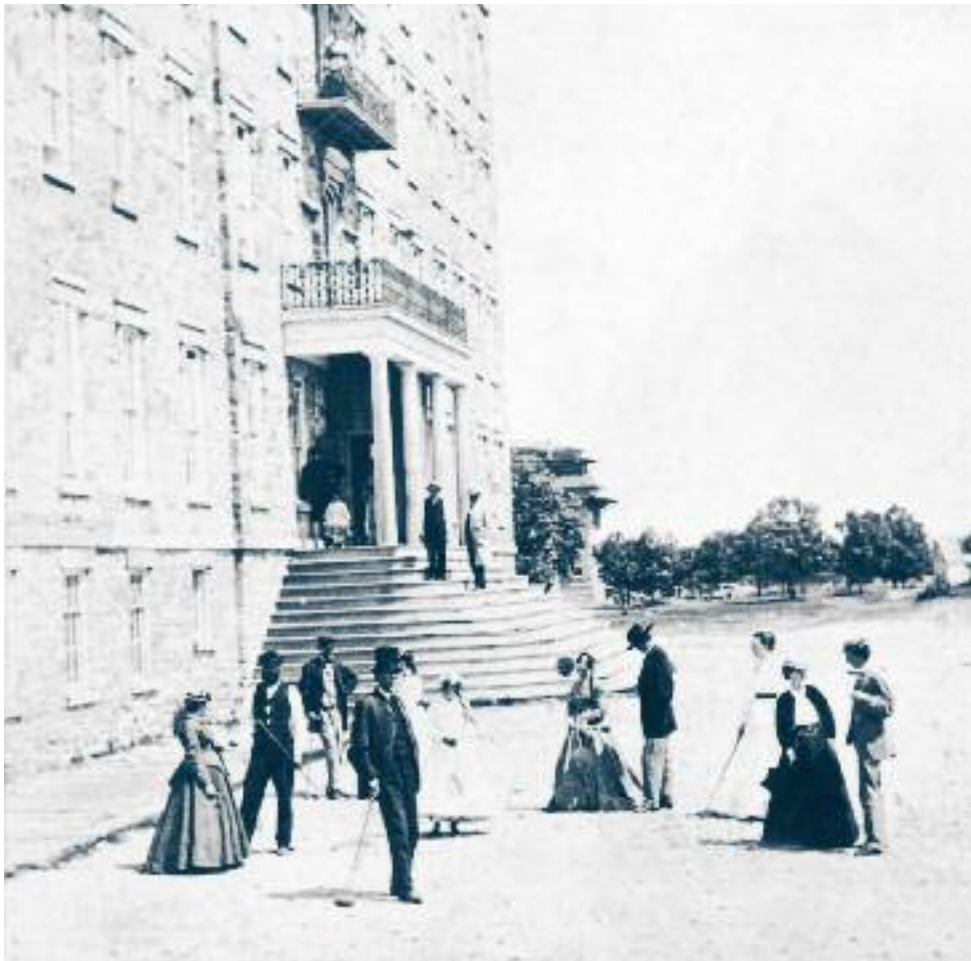
Adhering to the formality of due process allowed the Hennepin County abolitionists to feel that they were law abiding and that the constitution that mattered was the one created by Minnesotans, for Minnesotans. States’ rights was one belief upon which Minnesotans and southerners seemed to agree.

To further underscore that they were law abiding, Hennepin County abolitionists took pains to assert that Winston’s escape from slavery was her choice, not the result of coercion. Babbitt, Bigelow, and Mrs. Gates, a white friend sometimes identified as a seamstress who had met Winston at Emily Grey’s house, each attested that the slave “had not been tampered with, but had expressed her own earnest desire for her freedom.”³⁸ This certainty placed their action on solid legal and moral grounds and distinguished them from slave catchers who kidnapped fugitive slaves and free blacks alike and sent them South. Congress’s enactment of the Fugitive Slave Act of 1850 had made slave-catching common during the antebellum period, and the practice became more frequent between 1850 and 1860.

To ensure a speedier return of runaway slaves, the act entitled any claimant who could establish proof of ownership before a special federal commissioner to take possession of an alleged fugitive. The captive had no recourse to common legal safeguards such as a jury trial or a judicial hearing. Federal officers could call upon citizens to help enforce the act and impose fines, imprisonment, and civil damages for concealing or rescuing a fugitive.

Not surprisingly this law exacerbated the antifederal sentiment of abolitionists. Furthermore, it posed a real threat to free blacks who might be taken south as fugitives.³⁹ It also emboldened slave catchers to cut corners by avoiding due process altogether.

Just such an incident had occurred in St. Paul a month before the Winston hearing. Henry Sparks, a free black man who worked for the wife of John Prince, the popular Democratic mayor of St. Paul, was kidnapped and sent into slavery. In response, Republican Governor Alexander Ramsey had posted a \$250 reward for the apprehension of Sparks’ kidnappers, who had carried him off “without any legal forms or any warrants.” While abolitionists praised Ramsey, Democrats



Visitors staying at the Winslow House enjoyed leisurely games such as croquet.

cast him as a dupe for the abolition movement and maintained that “Black Republicans” induced Sparks “to abandon his mistress.” To many Democrats, every black person in Minnesota was a runaway slave.⁴⁰

For free black Minnesotans like Ralph and Emily Grey, the Sparks abduction must have illustrated that frontier justice was a double-edged sword. Direct action subordinated the law to inconsequential status, and after 1850 every black was vulnerable. In other northern communities some free blacks fled to Canada or England to avoid being captured and enslaved, but the Greys chose to live with risk in St. Anthony.⁴¹

The Greys occupied two rooms in the comfortable Jarrett House on Main Street in the shadow of the Winslow House. Ralph had established his barbering business there in 1857 and Emily began a seamstress business. In a town where well-dressed tourists contrasted with residents in frontier homespun, their livelihoods depended on customers with disposable income. Thus, the Greys’ business interests conflicted with slave emancipation. On the other hand, Emily Grey was known to have connections with abolitionists. After she

agreed to help Winston, Grey asked Mrs. Gates to meet the woman and then contact Babbitt. During the violent night after Winston’s hearing, mobs stormed the houses of known abolitionists; the Greys were the only black people singled out for this attention.⁴²

Emily Grey, however, was neither a member of the Hennepin County Antislavery Society nor did she attend its meetings. Neither she nor her husband had signed the black suffrage and personal liberty petitions of the previous spring. Although she belonged to the First Congregational Church, whose pastor, Charles Secombe, was an outspoken advocate for black rights, she was never identified as someone who lobbied lawmakers, gave antislavery speeches, or wrote articles for local abolitionist newspa-

pers. While she surely knew the small number of blacks residing in St. Anthony and Minneapolis, her friends were mainly white homemakers. In fact, her memoir suggests a woman well-liked by her white neighbors and a fixture in middle-class St. Anthony society. Born free in Pennsylvania in 1834, educated in a Presbyterian school, and speaking like a learned northerner, she easily fit into this community. The only known outward indication of racial pride that she had shown prior to assisting Winston was in naming her baby son, the first black newborn of St. Anthony, Toussaint L’Ouverture Grey, after the black general who led Haiti’s 1802 slave revolt. Nonetheless, her memoir depicts a person who passionately supported abolitionism, as indicated in her admiration for Rev. Secombe: “His mouth was not muzzled in the pulpit when occasion required he should speak against the national crime of American slavery.”⁴³

While no account explains why Grey did not participate in the antislavery group, one need realize that she did not share the financial security that fortified most leading abolitionists against economic reprisals from

people who benefited from southern tourism. William Babbitt, for instance, frequently referred to as “pioneer citizen,” “Judge” Babbitt, and “a gentleman,” was also a real estate broker with substantial property and servants who lived with his household. William King owned and edited the *State Atlas* and later served in President Abraham Lincoln’s war cabinet. Attorney F. R. E. Cornell was elected to the legislature and eventually joined Judge Vanderburgh on the state supreme court. Ralph and Emily Grey, although relatively successful, were not as financially insulated and thus chose to be discreet.⁴⁴

Another reason why the Greys did not participate in the antislavery society might have been the group’s own attitudes. Throughout the North, white abolitionists had misgivings about admitting blacks into their societies. In some instances, they felt that enrolling black members would incite violent acts against society members. Abolitionists also sometimes drew the line between emancipating slaves and mixing socially. Some abolitionists, in fact, shared the same racist attitudes that many Americans held about Negro inferiority. Professor Mamie Locke has noted that African American women, in particular, were seldom permitted into the inner sanctums of abolitionist societies.⁴⁵

Yet Emily Grey left no records suggesting that she experienced either overt racism or subtle paternalism from Babbitt and his abolitionist colleagues. Indeed, at a time when people commonly used racial distinctions, Babbitt called Grey “one of the ladies” instead of “a colored lady.” Years later she wrote, “There has not been a moment in my life when I regretted that my feet had touched the soil of Minnesota.” Although it is unlikely she had forgotten the mob storming her home after Winston’s emancipation, she seemed nonetheless content with her associations with the abolitionists of St. Anthony. “Oh! The good neighborly fellowship, you can never forget!”⁴⁶

While some abolition societies did admit black people, whites often felt that the central function of blacks was to make speeches against slavery. “The public have itching ears to have a colored man speak, and particularly a slave,” one abolitionist wrote to William Lloyd Garrison. “Multitudes will flock to hear one of this class speak.” But it was a limiting role, especially when abolitionists insisted that freed-slave lecturers “sound” authentic. For example, as Frederick Douglass acquired confidence and skill speaking to groups, some complained that he seemed “too learned.” “People won’t believe that you ever were a slave, Frederick, if you keep on this way. Better have a little of the plantation speech than not,” wrote one abolitionist.⁴⁷

Whether any of these dynamics existed between Hennepin County abolitionists and Eliza Winston is unclear. In the 1930s journalist Remington characterized her sponsors as fully intending “to keep [Winston] around as a kind of museum piece. She would be of vast assistance to the cause in the lecture hall.” Perhaps the abolitionists felt Winston owed them an appearance. On October 19, 1850, two months after she was freed, she did speak at a society meeting. William King, who heard her that evening, described her as a strong woman who was forceful in her speech, grateful for her freedom, and determined to make the most of her new life.

She expressed herself in good and intelligent language. She declared herself satisfied with her present condition. She had been promised her freedom every year for several years, by Col. Christmas, and had determined to take it at the first opportunity. . . .

Her appearance and statements were all in her favor, and even those who were at first disposed to interest themselves for the owner, find their sympathy for Mr. Christmas oozing out and drying up, as facts become more fully known.⁴⁸

No accounts definitively indicate what happened to Eliza Winston between her hearing on August 21 and her antislavery society appearance on October 19, 1860—or afterward. Remington wrote that she was “eager to get away from a place where her every appearance provoked stares and a buzz of excited conversation.” Other sources reported that she was quickly spirited out of Minneapolis and, via the Underground Railroad, passed through LaCrosse, Chicago, and Detroit to Windsor, Ontario. Today it seems unlikely that she traveled as far as Canada and back in two months. First, no records suggest that the Underground Railroad could readily move someone from Minneapolis to Detroit. Second, the round-trip distance made such a trip improbable, especially if the only reason to return would be to speak to abolitionists. More likely, she stayed in the state, probably in a safe location in the countryside. On October 11 the *St. Cloud Democrat* reported that Winston remained in the state to show that Minnesota “could give shelter to the oppressed who appealed to her hospitality in conformity to her laws.”⁴⁹

Other accounts say that a month after her August 1860 hearing, Winston sent letters to Babbitt and others requesting her “free papers” and enough money to get to Memphis so that she could take possession of the house she and her husband had bought. According to these reports, her letters mentioned her intention to work for a white family or perhaps go back to the Christmas family, expressing, as she had in her court

affidavit, her attachment to the Christmas's daughter whom she had raised from infancy. Decades later, historians Return I. Holcombe and Hiram F. Stevens, who both criticized the abolitionists' activities, claimed that upon receiving the letters, her "disgusted" Minneapolis friends refused to send her money.⁵⁰

On the other hand, contemporary newspaper reports, both pro- and anti-abolitionist, indicate that efforts were underway to raise money to support Winston. The *Plain Dealer* called it "abolition begging," the *State Atlas*, "an act of humanity and Christian duty to supply her wants."⁵¹

The existence of such correspondence from Winston seems plausible. It is reasonable to conclude that her sudden and dramatic transition from being a house slave to a free woman, with only the few dollars from Christmas in her pocket, was disorienting. She needed help, and the only people to whom she could turn were Babbitt and his colleagues. Most likely she was lonely, and she may have found solace in memories of relative warmth and security with the Christmas family compared to the isolation of her newfound freedom in a strange place. She believed she owned property that she wanted to reclaim in Memphis, a place more familiar to her than her new northern residence.

It was not unusual, in fact, for freed slaves who lived in the North to feel rootless. Historian Lawrence Friedman has written, "Free blacks had nowhere to go. Northern states did not greet them with open arms, to put it mildly." Moreover, as historian Leon Litwack has observed, across the North black leaders "complained that white abolitionists devoted so much time to fiery condemnations of southern slavery that they tended to overlook the plight of northern Negroes."⁵²

Unfortunately, there is not enough evidence to determine whether this was what Winston experienced. Even the abolitionists' "disgusted" reactions to Win-

ston's plan, if true, may not be as heartless as later critical commentators like Stevens, Holcombe, and Remington saw them to be. After what these people had risked in freeing her and the commotion that Minneapolis and St. Anthony had experienced, it is understandable that Babbitt and friends would be irritated with such musings. Earlier, Babbitt had insisted in his affidavit that Winston was free to return to the Christmas family "whenever she chose" but that "she still reiterates her determination never again to be a slave."

Unlike Emily Grey, who described life in St. Anthony rosily in her memoir, Eliza Winston left no record. Her assessment of Minnesota, as well as the subsequent events of her life, remain unknown. However, in a larger sense, her story is less about herself than it is about the community she affected. By her single act she accelerated the inevitable collision between powerful and conflicting passions motivated by opportunity and morality. Her circumstances illuminated the underlying tensions in an antislave community that profited from slave money and, in doing so, forced the community to see itself for what it was. Only the Civil War, declared six months after Winston's freedom, enabled the community to heal itself.

In time, St. Anthony Falls' fabled chalybeate springs, which had attracted tourists for their medicinal properties, were discovered to be mere drainage from a nearby marsh. Tourism ended, and within months the furnishings of the Winslow House were sold and the building stood empty. In 1863 the hotel burned. Lawmakers later considered turning it into an insane asylum, but the citizens of St. Anthony lobbied to keep the building empty, a monument to lost dreams. In time, most recollections of the freeing of Eliza Winston on August 21, 1860, like the smoke from the Winslow House fire, drifted away with the wind.⁵³ □

NOTES

1. Here and below, Eliza Winston, William Babbitt, and Deputy Sheriff Joseph H. Canney affidavits, recorded in *Minneapolis State Atlas* (hereinafter *State Atlas*), Aug. 29, 1860, p. 2–3, Aug. 22, 1860, p. 2; *St. Anthony Falls Evening News* (hereinafter *Falls Evening News*), Aug. 23, 1860, p. 2; Hiram F. Stevens, *History of the Bench and Bar of Minnesota* (Minneapolis and St. Paul: Legal Publishing and Engraving Co., 1904), 1: 33, 78; Return I. Holcombe and William H. Bingham, *Compendium of History and Biography of Carver and Hennepin Counties, Minnesota* (Chicago: Henry Taylor, 1915), 130.

2. Lucile M. Kane and Alan Ominsky, *Twin Cities: A Pictorial*

History of Saint Paul and Minneapolis (St. Paul: Minnesota Historical Society Press, 1983), 30; Larry Millett, *Lost Twin Cities* (St. Paul: Minnesota Historical Society Press, 1992), 43; Stevens, *Bench and Bar*, 1: 31.

3. Joseph W. Zalusky, "Eliza Winston, Slave Woman in Minnesota," *Hennepin County History* 24 (Summer 1964): 17–18; *Falls Evening News*, Aug. 23, 1860, p. 2; Stevens, *Bench and Bar*, 1: 34; Holcombe, *Compendium*, 130; Harry Remington, "In the Days of Abolitionism . . . How Eliza Winston was Freed in Minneapolis," *Minneapolis Sunday Tribune*, Nov. 18, 1934, p. 54–55; Charles E. Vanderburgh, "Twenty-Two Years at the Old

Court House (1859–1881),” in Stevens, *Bench and Bar*, 1: 72–84; Winslow House register, p. 104, Hennepin County Historical Society, Minneapolis.

4. Remington, “Winston,” 55; Stevens, *Bench and Bar*, 1: 34, 77–80, 84; Earl Spangler, *The Negro in Minnesota* (Minneapolis: Dennison, 1961), 30. Scott could not claim his freedom because he resided at Fort Snelling in the 1830s with his master, Col. Sanford. A recording error resulted in the misspelled name, Sandford.

5. Winston affidavit, *State Atlas*, Aug. 29, 1860, p. 2; *Falls Evening News*, Aug. 28, 1860, p. 2; Zalusky, “Winston,” 18; Remington, “Winston,” 55. See also, *State Atlas*, Aug. 22, 1860, p. 2.

6. *Falls Evening News*, Aug. 25, 1860, p. 2, Aug. 28, 1860, p. 2; *Stillwater Democrat*, May 19, 1860, p. 3; *St. Paul Pioneer and Democrat*, Aug. 23, 1860, p. 2; *Minneapolis Lake Area*, Jan. 1988, p. 24; Holcombe, *Compendium*, 131.

7. Zalusky, “Winston,” 17; Jane Grey Swisshelm, *Half a Century* (Chicago: Jansen McClurg, 1880), 175. See also *State Atlas*, Aug. 22, 1860, p. 2.

8. *Dred Scott v. Sandford*, 60 U.S. 393 (1857); Paul Finkelman, *Slavery in the Courtroom* (Washington, D.C.: Library of Congress, 1985), 8; John Hope Franklin, *From Slavery to Freedom: A History of Negro Americans* (New York: McGraw-Hill, 1994), 191–92. For an example of a similar case in New York City, see *State Atlas*, Aug. 29, 1860, p. 1. There is no official court record of the case. All that is known is found in newspaper accounts, memoirs, and histories of Minneapolis and St. Anthony.

9. Millett, *Lost Twin Cities*, 38; David Vassar Taylor, “The Blacks,” in *They Chose Minnesota: A Survey of the State’s Ethnic Groups*, ed. June D. Holmquist (St. Paul: Minnesota Historical Society Press, 1981), 74.

10. *Stillwater Democrat*, May 19, 1860, p. 3; *St. Paul Pioneer and Democrat*, Aug. 23, 1860, p. 2. Both papers were aligned with Democratic Party interests.

11. Swisshelm, *Half a Century*, 171, 174; Holcombe, *Compendium*, 131; Theodore C. Blegen, *Minnesota: A History of the State* (Minneapolis: University of Minnesota Press, 1975), 237; William W. Folwell, *A History of Minnesota* (1921; rev. ed., St. Paul: Minnesota Historical Society, 1961), 1: 419–20. For a fuller account of Swisshelm’s activities, see Frank Klement, “The Abolition Movement in Minnesota,” *Minnesota History* 32 (Spring 1951): 15–33.

12. Folwell, *Minnesota*, 1: 69; *Minneapolis Plain Dealer*, Aug. 25, 1860, p. 1; *Falls Evening News*, Aug. 23, 1860, p. 2, Aug. 25, 1860, p. 2 (emphasis in original).

13. *St. Paul Pioneer and Democrat*, Aug. 23, 1860, p. 2; *Falls Evening News*, Oct. 9, 1860, p. 2; *State Atlas*, Sept. 12, 1860, p. 2; *Minneapolis Lake Area*, Jan. 1988, p. 25; Lucile M. Kane, *The Falls of St. Anthony: The Waterfall That Built Minneapolis* (1966; reprint, St. Paul: Minnesota Historical Society, 1987), 42–53.

14. Here and below, Swisshelm, *Half a Century*, 175–76.

15. Swisshelm, *Half a Century*, 175–77; *State Atlas*, Aug. 22, 1860, p. 2; *Falls Evening News*, Aug. 28, 1860, p. 2; Stevens, *Bench and Bar*, 1: 35; Isaac Atwater and John H. Stevens, eds.,

History of Minneapolis and Hennepin County, Minnesota (New York: Munsell Publishing Co., 1895), 1: 100.

16. *State Atlas*, Aug. 29, 1860, p. 3, Sept. 26, 1860, p. 2.

17. Swisshelm, *Half a Century*, 177; *Minneapolis Plain Dealer*, Aug. 25, 1860, p. 3.

18. Folwell, *Minnesota*, 1: 415, 421; William Anderson, *A History of the Constitution of Minnesota* (Minneapolis: University of Minnesota Press, 1921), 92, 115; *St. Paul Pioneer and Democrat*, Sept. 3, 1857, p. 4.

19. *St. Paul Pioneer and Democrat*, Aug. 23, 1860, p. 2.

Although Republicans embraced the antislavery plank of their party platform, they tended, for the sake of moderation and expediency, to vote against initiatives that addressed black suffrage and personal liberty.

20. Don Fehrenbacher, *Slavery, Law and Politics: The Dred Scott Case in Historical Perspective* (New York: Oxford University Press, 1981), 3–6, 206–07.

21. *Minnesota Republican*, Apr. 30, 1857, p. 2 (emphasis in original).

22. For the discussion on the Greys, see Patricia C. Harpole, ed., “The Black Community in Territorial St. Anthony: A Memoir,” *Minnesota History* 49 (Summer 1984): 42–53.

23. *Minneapolis Lake Area*, Jan. 1988, p. 24; *Minnesota Republican*, Jan. 15, 1857, p. 2.

24. Remington, “Winston,” 55.

25. Hennepin County Antislavery Society, minutes, Jan. 10, 1860, p. 12, Jan. 17, 1860, p. 13, in Mortimer Robinson Family Papers (1859–60), Minnesota Historical Society, St. Paul.

26. *Minnesota, Journal of the House*, 1860, 677–78; *Falls Evening News*, Mar. 6, 1860, p. 2, Mar. 8, 1860, p. 2; *Minnesota State News* (St. Anthony), Mar. 10, 1860, p. 4; *State Atlas*, Aug. 15, 1860, p. 2; *Minnesota, Journal of the Senate*, 1859–60, 599–601.

27. Antislavery Society, minutes, Mar. 13, 1860, Robinson papers; resolution published in *Minnesota State News*, Mar. 24, 1860, p. 2.

28. *Weekly Minnesotian*, Feb. 18, 1854, p. 2.

29. *Minnesota Republican*, Oct. 19, 1854, p. 2, Nov. 16, 1854, p. 2.

30. Marjorie Fryckberg, “When Slaves were Held in Minnesota,” *St. Paul Pioneer Press*, Feb. 13, 1944, sec. 3, p. 13; Calvin L. Brown, “Some Changes in Local Boundaries and Names in Minnesota,” *Minnesota History Bulletin* 4 (Feb.–May 1922): 245–47. In 1862 the name of Toombs County was changed to Andy Johnson County, but after the vice-president was impeached, the county in 1868 was renamed Wilkin, after Alexander Wilkin, killed in the Civil War.

31. *Weekly Minnesotian*, Apr. 8, 1854, p. 2.

32. Charles G. Ames, *Charles Gordon Ames: A Spiritual Autobiography* (Boston: Houghton Mifflin Co., 1913), 64–65; Carleton C. Qualey, “John Wesley North and the Minnesota Frontier,” *Minnesota History* 35 (Sept. 1956): 102; Aileen Kraditor, *Means and Ends in American Abolitionism: Garrison and His Critics on Strategy and Tactics, 1834–1850* (New York: Pantheon Books, 1967), 198; see also, Stevens, *Bench and Bar*, 1: 77–78, 117; Isaac Atwater, ed., *History of the City of Minneapolis, Minnesota* (New York: Munsell, 1893), 1: 44; Charles E.

Flandrau, *Encyclopedia of Biography of Minnesota* (Chicago: Century Publishing and Engraving, 1900), 432–33. Louis Filler, *The Crusade Against Slavery, 1830–1860* (New York: Harper and Row, 1960), 234, observed that Minnesota abolitionists had been “exposed to Garrison” and “reflected [his] views.”

33. *Minnesota Republican*, Mar. 29, 1855, p. 3; Anderson, *Minnesota Constitution*, 38; Leon Litwack, *North of Slavery: The Negro in the Free States, 1790–1860* (Chicago: University of Chicago Press, 1961), 220. The temperance orientation of this embryonic political organization was reflected in the call for a law prohibiting the sale of intoxicating drinks. For more on the beginnings of the Republican Party in Minnesota, see William D. Green, “Minnesota’s Long Road to Black Suffrage, 1849–68,” *Minnesota History* 56 (Summer 1998): 68–84.

34. Folwell, *Minnesota*, 2: 69; Holcombe, *Compendium*, 130; Remington, “Winston,” 54.

35. Here and below, Remington, “Winston,” 54–55. Curiously, there is no record that the Christmas couple noticed the bundle of clothes Winston brought to St. Anthony.

36. The chain of introductions is unclear. In some accounts, Grey introduced Winston to Mrs. Gates, a white abolitionist; *Falls Evening News*, Aug. 23, 1860, p. 2, Aug. 28, 1860, p. 2; Stevens, *Bench and Bar*, 1: 33. However, Emily Grey’s memoir states that she informed her pastor, Rev. Secombe, who then, presumably, made plans with Babbitt to begin legal proceedings to free the slave woman; Harpole, ed., “Memoir,” 52.

37. The supremacy clause reads, in part: “This Constitution, and the Laws of the United States . . . shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding”; Article VI, U.S. Constitution.

38. See Winston, Babbitt, and Bigelow affidavits, *State Atlas*, Aug. 29, 1860, p. 2–3.

39. Litwack, *North of Slavery*, 248–49; Finkelman, *Slavery in the Courtroom*, 5–6; Jane H. and William H. Pease, *The Fugitive Slave Law and Anthony Burns: A Problem in Law Enforcement* (Philadelphia: J. B. Lippincott, 1975), 11–12. For examples of free northern blacks who were kidnapped, see Litwack, *North of Slavery*, 249, and Herbert Aptheker, ed., *A Documentary History of the Negro People in the United States* (New York: Citadel Press, 1961), 1: 73–74, 78–79, 153, 159–60, 161–63, 245–46, 299–309, 323–24, 334–36.

40. Spangler, *Negro*, 28; *State Atlas*, Aug. 1, 1860, p. 2; *St. Paul Pioneer and Democrat*, Aug. 2, 1860, p. 4; *Minneapolis Lake Area*, Jan. 1988, p. 24; Klement, “Abolition Movement,” 20; John North to Alexander Ramsey, July 31, 1860, Alexander

Ramsey Papers, roll 11, Minnesota Historical Society.

41. Litwack, *North of Slavery*, 249.

42. *Minneapolis Lake Area*, Jan. 1988, p. 24; Harpole, ed., “Memoir,” 48, 52.

43. Harpole, ed., “Memoir,” 52.

44. On Babbitt, see Holcombe, *Compendium*, 130; Zalusky, “Winston,” 17; *Minneapolis City Directory*, 1859–1860. On King, see Flandrau, *Encyclopedia of Biography*, 434. On Cornell, see Stevens, *Bench and Bar*, 1: 84.

45. Litwack, *North of Slavery*, 216–30; Mamie E. Locke, “From Three-fifths to Zero,” in *We Specialize in the Wholly Impossible: A Reader in Black Women’s History*, ed. Darlene Clark Hine, Wilma King, and Linda Reed (Brooklyn: Carleton Publishing, 1995), 227.

46. Babbitt affidavit, *State Atlas*, Aug. 29, 1860, p. 2; Harpole, ed., “Memoir,” 53.

47. Litwack, *North of Slavery*, 225; August Meier and Elliot Rudwick, “The Role of Blacks in the Abolition Movement,” in *Blacks in the Abolition Movement*, ed. John Bracey, August Meier, and Elliot Rudwick (Belmont, CA: Wadsworth Publishing Co., 1971), 117; William S. McFeely, *Frederick Douglass* (New York: W. W. Norton, 1991), 95; William and Jane Pease, “Antislavery Ambivalence: Immediatism, Expedience, Race,” in *Blacks in the Abolition Movement*, 98.

48. Remington, “Winston,” 55; *Falls Evening News*, Oct. 16, 1860, p. 3; *Minneapolis Plain Dealer*, Oct. 20, 1860, p. 3; *State Atlas*, Oct. 24, 1860, p. 2.

49. Remington, “Winston,” 55; Swisshelm, *Half a Century*, 175–77; Holcombe, *Compendium*, 131; *St. Cloud Democrat*, Oct. 11, 1860, p. 2.

50. Zalusky, “Winston,” 18; Holcombe, *Compendium*, 131; Stevens, *Bench and Bar*, 1: 36; Spangler, *Negro*, 31; *Falls Evening News*, Aug. 28, 1860, p. 2.

51. Babbitt affidavit, *State Atlas*, Aug. 29, 1860, p. 3, Sept. 26, 1860, p. 2. Stevens, Holcombe, and Remington characterized the abolitionists as self-righteous and rancorous. Stevens wrote, for example, that during Winston’s rescue the “self-appointed posse” made an “ostentatious and ridiculous display of their zeal”; *Bench and Bar*, 1: 33. None of their accounts seem to consider that the abolitionists may have feared facing armed Christmas supporters at the cottage.

52. Winston affidavit, *State Atlas*, Aug. 29, 1860, p. 2; Lawrence M. Friedman, *The History of American Law* (New York: Touchstone/Simon & Schuster, 1985), 220; Litwack, *North of Slavery*, 227.

53. *Minneapolis Lake Area*, Jan. 1988, p. 25.

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