

The Alston Freed Slaves

by

Sharon L. Lytle

Although Africa, once known as East Orange by its early inhabitants, no longer exists, its story can still be found within the history of Delaware County [Ohio]. The renaming of East Orange to Africa may have been due to the large number of slaves who escaped through the underground railroad and coming to the stop at Samuel Patterson's farm, settled in the area. Samuel's Patterson's grandson, Dr. William Hunt, included in his account of Africa's history the tale of the Austin Freed Slaves, who being granted their freedom, came to settle in Delaware County. The story has been recorded in various media, each with a slightly different account. The original story goes as follows:

"Located in North Carolina in 1858, a plantation owner died, leaving his estate to his wife. The wife, not believing in the institution of slavery, freed the slaves, gave them their papers, as well as wagons and provisions, and sent them on their way to Ohio. Upon reaching the northern side of the Ohio River, this group of 36 men, women, and children, fell into the hands of members of the Underground Railroad. It was explained remaining so close to the boarder would be dangerous, as they ran the risk of being captured by raiding parties from Kentucky and sold back into slavery. They subsequently followed the railroad northward, until they came to the stop on the Patterson farm in Delaware County. They arrived during harvest season and the local farmers enticed them to stay and work on the farms. Many settled in the area which became known as Africa, while others went into Worthington, Westerville, and the outlying townships of Franklin County. Shortly after the end of the war, they began to scatter, going into such counties as Paulding and Van Wert. Sometime in the 1870s, Mr. Patterson visited North Carolina, where he had an opportunity to meet the woman who freed the slaves. These slaves took the name of their master, Austin. The names of these men and women have been lost or forgotten and only their story lives on."

Other accounts, although they cited Dr. Hunt's work, showed the Austins being freed in 1854, or that they were freed upon the death of their mistress, not the master. The facts that remained the same were the name Austin, the time period of the 1850s, and their origin being North Carolina.

This search started out as an attempted to identify these slaves, that their names could be remembered along with their story. What resulted was the discovery of an amazing woman, whose courage allowed her to defy not only her husband's wishes, but the accepted views of her time, as well; an act of incredible trust; and a journey whose dangers and hazards we can't even begin to imagine.

On February 8, 1780², in Orange County, North Carolina, Oroondates Davis Alston was born to William and Sarah Yeargan Alston, the Alstons being one of the largest slave owning families in the county. At the age of 9, Oroon inherited the family plantation on Seller's Creek, in accordance to his father's will. The first record of Oroon is in the 1800 census, where he is shown living on the plantation, which is now in Chatham County - formed from part of Orange. He holds 8 slaves at the time. By the time of his death, on May 15, 1851², Oroon had increased that number to at least 80. A tax list was found among Oroon's estate papers giving not only the names of his slaves, but ages as well; information which was vital in identifying the Africa Slaves.

Oroon's will was probated in August of 1851. He left all his real and personal property to his wife Miriam P. Alston. Upon her death, his estate, including the slaves, was to be divided among four of his nephews - Oran A. Palmer and Joseph Palmer, sons of Oroon's sister Nancy "Anne"; and William A. Rives and Robert E. Rives, sons of his sister Mary Ann.

Although, no marriage record has been found for Oroon and Miriam, it is fairly certain they married in Chatham County, probably after 1810, based on Oroon's census information. The 1830 and 1850 census shows Oroon and Miriam living alone, so it would be safe to surmise that they had no children. With Miriam's birthdate being May, 3, 1787³, and given the probable marriage date, it is also possible this was her second marriage. At that time, it would be highly improbable that a woman remain unmarried into her mid twenties.

With no record of birth, and no marriage license, Miriam's maiden name, thus her heritage, remains a mystery. Miriam's actions regarding her slaves would suggest she was a Quaker; yet its been said that the Alstons, being Methodist, would never have married a Quaker. Whatever theories have been formed regarding Miriam's identity, the truth may lie within her will.

On September 22, 1855, Miriam P. Alston made out her last will and testament. [seen here as page 6] Despite her husband's wishes, despite the temperament of those around her regarding slavery, Miriam willed her slaves their freedom. She died the following day.

The time being 1855, with tensions steadily intensifying between abolitionists and pro-slavers, it would seem impossible that so many slaves could remain free in North Carolina. Removing them to a free state would be the logical answer. Now the question becomes, how does such a large group, including small children, make the journey, without one or more being captured and sold back into slavery, a practice that was becoming an increasingly lucrative business.

Miriam was not formally educated, not being able to read or write, as evident from "her mark" on the will. However, she must have been a woman of high intelligence, for she knew exactly how to ensure her slaves safety. In her wisdom, Miriam did not free these slaves but instead willed them to her executor, Jesse Marley, in trust, until such a time as he could set them free.

"...It is my will that all the rest of my Slaves shall be free, and I therefore give all my slaves (Abner excepted) to my Executor hereinafter named, in trust that he will remove them as soon after my death as he can lawfully do so to some free state to be there emancipated..."

Her will made it clear that until Jesse could remove the slaves to a free state, he was to find them the best possible employment. The monies they earned was to be combined with \$300 taken from her estate for their traveling expenses, a fair compensation for his time, and the hiring of a companion to make the trip. Any monies remaining were to be used in whatever way best benefited the slaves. Whether Miriam or her lawyer devised this course of action, the fact remains the very laws made to deter slaves from escaping would ensure this group their safety. "The Fugitive Slave Act" not only gave owners the right to go anywhere in the United States to retrieve runaway slaves, it also subjected those caught aiding an escape to fines and jail time. Since they were still "legally" slaves, and they were accompanied by their "master", they would not be considered runaways. Therefore anyone caught with one of these slaves in their possession could in fact be subject to the penalties mentioned above.

The remainder of Miriam's estate was to be divided equally among her three nieces, daughters of her deceased sister, Sophia. The identity of these nieces just may hold the key to finding Miriam's maiden name. Unfortunately she does not list their names within her will. Whether or not her estate papers contain that information remains to be seen.

The slave Abner, was left to James Woody, whose connection to Miriam is unknown. James' wife, Sophia Dixon, died in 1852, which would indicate he was Miriam's brother-in-law. Quaker records show that Sophia had a sister named Miriam, however, her birth is recorded as 1794. Records also show she married George Rubottom, moved to Indiana, died there in 1824. Why Abner was not given his freedom, can only be surmised. If this was the Abner first on Oroon's tax list, he would have been 68 years of age, or older. Perhaps she felt he would not be able to make the trip, and not wanting to leave him "unprotected", willed him to someone she trusted to care for him the rest of his days.

Miriam exhibited an incredible amount of trust in both Jesse Marley and James Woody. She, herself, had completely voided the terms of Oroon's will, so what was to stop Jesse from doing the same after she died. Her faith was well founded, as evident in a power-of-attorney filed in Randolph County, North Carolina, on April 23, 1859, by Jesse Marley. Whether it was the rumor of impending war, fear for the safety of these slaves, his fading health, or perhaps the earliest opportunity, Jesse decided it was time for him to fulfill the last of Miriam's wishes.

"...And whereas the said Jesse Marley the duly appointed Executor in said Will, and who qualified, and has acted as such, being in a feeble state of health, and not in a situation to go in person, and convey said slaves to a non-slave holding state, but having settled all said Estate according to law, and being desirous to execute the trust, confided to him in said Will by his said Testatrix, has employed his son Henry B. Marley of Randolph County, to take all said slaves into possession and custody and convey them safely to the State of Ohio, where they may enjoy all the rights of free persons of color..."

Jesse's power-of-attorney went on to list the names, ages and complexion of the slaves to be given freedom. Interestingly, Oroon's tax list contained 80 names; 28 names appeared on Jesse's power-of-attorney; 7 of these 28 were born after Oroon's death; 2 of the 7 being born after Miriam's. If Abner is included, this would mean Miriam had 27 slaves at the time of her death, only 22 of which belonged to Oroon. What happened to the other 58 slaves shown on the tax list? Given Miriam's views on slavery, it seems unlikely that she sold them prior to her death. It also doesn't make sense that the remainder would have elected to stay within North Carolina, especially with the threat of war becoming a reality. Did Miriam give the remainder of these slaves to Oroon's nephews? Perhaps it was her way of appeasing them so they would not contest her will. Even more mysterious, is the fact that several of these slaves show up in the Franklin/Delaware Co, Ohio area, some as early as 1870. Was there some communication between those in Ohio and those left behind? Or was just accidental that those not given their freedom would later settle in the same place?

Jesse's power-of-attorney also gives Henry specific instructions on carrying out this task.

"...and to take with him two - 2 horse wagons and a Rockaway carriage and to employ some other young man to travel with him for that purpose - And to take said slaves to any part of Ohio which he may deem proper for their benefit - there to remain, and when so removed in my name and as my agent and attorney in fact, to give to them, or to some other person residing there for them, a Deed or Deeds of Emancipation, thereby investing them, and each and every of them, with all the rights and privileges of Free persons of color - according to the Laws and Constitution of the State of Ohio...."

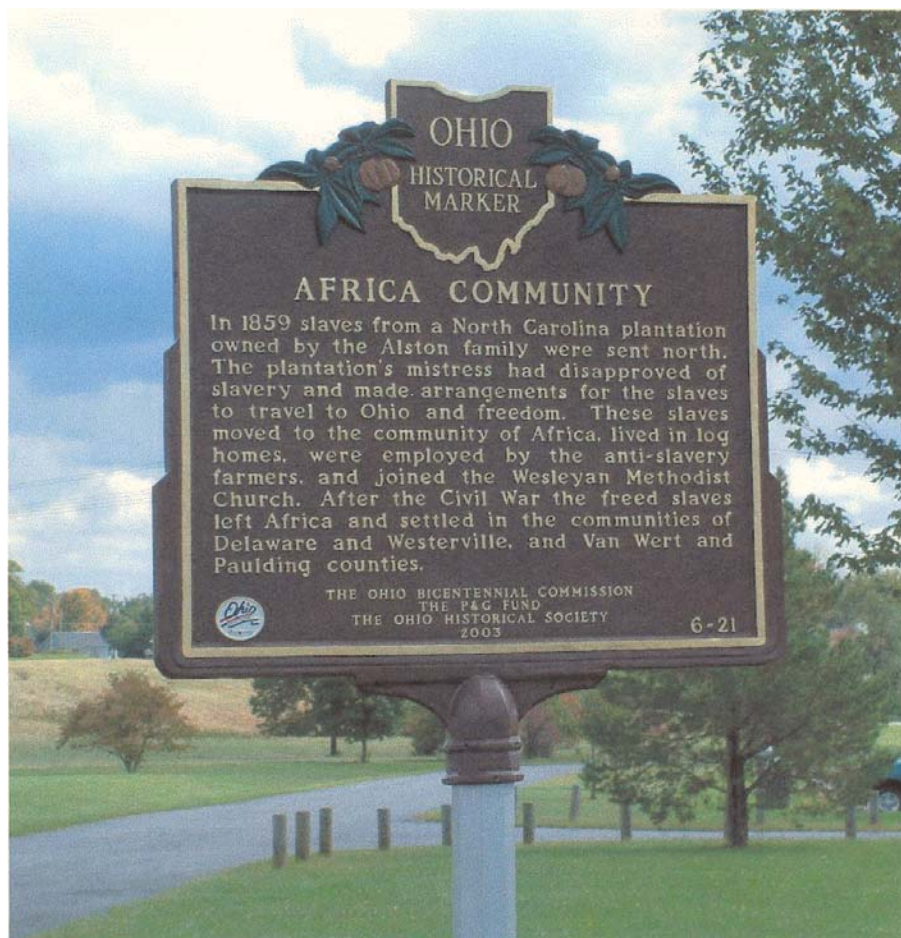
Jesse gave his power-of-attorney to Isaac Foust, to enter into the Court of Pleas and Quarter Sessions, which was done on April 25, 1859. He had now settled Miriam's estate, including the trust, in full, actions which will forever attest to his admirable character. Jesse Marley died October 14, 1859.

Sometime after April 26, 1859, Henry Marley headed to Ohio, with this group of 28 men, women and children. Although this is not the 36 given in Patterson's account, he may have been correct. There is evidence indicating there may have been others who traveled with this group.

Peter Alston's obit says they arrived at Portsmouth, Ohio on May 15, 1859. Henry made out the "Deed of Emancipation" on May 21, 1859 in Westerville, OH. The document contained the signatures of William Slaughter and Peter Tabler, United Brethren Ministers, living in Westerville in 1860. Peter's marriage record shows him being married by Rev. William Hanby on May 26, 1859.

In just 25 days, using only 2 wagons and a carriage, this group managed to travel across half the state of North Carolina, over the mountains of West Virginia (then Virginia), and the expanse of the Ohio River, a distance of over 360 miles.

This is all that is known of the journey north for these slaves. The route they took, the difficulties they encountered, all this is lost. One thing is certain – it must have been a remarkable journey.



Many questions still remain unanswered, but at least now the names of the “*Alston Freed Slaves*” will live on:

Viney Alston	b. cir. 1787	d. Mar 1, 1870
Peter Alston	b. Jan 5, 1812	d. Jul 19, 1896
David Alston	b. Mar 16, 1837	d. Dec 7, 1915
Anthony Alston	b. cir 1824	d. Mar 10, 1895
Mary Alston Gains	b. cir 1833	d. Feb 1896
Agatha (Agness) Alston Dickson	b. cir 1816	d. bef. 1867
Andrew Alston	b. cir 1823	d. Aug 29, 1883
Sarah Alston	b. cir 1822	d. Feb 22, 1917
Mary Frances Alston Austin	b. Apr 6, 1856	d. Jan 17, 1951
Wesley Alston	b. Oct 25, 1821	d. Nov 10, 1895
Fields (Felix) Alston	b. cir 1830	d. Jun 20, 1884
Priscella Alston Harris	b. Feb 14, 1845	d. Mar 24, 1924
Peggy Alston	b. cir 1829	d. bef 1860
John Alston	b. cir 1845	d. Undetermined ⁴
Orin D. Alston	b. Oct 14, 1850	d. May 1, 1916
Judy Alston	b. cir 1851	d. Undetermined ⁴
Lucy Alston	b. cir 1854	d. Undetermined ⁴
Benjamin Alston	b. cir 1822	d. Oct 23, 1882
Adeline Alston	b. cir 1837	d. cir 1861
Daniel Alston	b. cir 1843	d. Unknown
Sophia J. Alston McField	b. cir 1845	d. Jul 26, 1892
Rhoda Alston	b. cir 1847	d. Jun 1, 1885
Andrew J. Alston	b. Jan 18, 1848	d. Mar 18, 1879
William Howard Alston	b. Aug 1853	d. Aug 8, 1932
Mary Alston	b. cir 1855	d. Unknown
Sally (Sarah) Alston	b. cir 1856	d. Jan 10, 1872
Susannah Alston	b. cir 1840	d. Dec 2, 1873
Maggie Alston	b. cir 1858	d. Undetermined ⁴

1 “History of Africa” by Dr. William Hunt

2 Alston Family Cemetery Reading – Randolph Co, NC Genealogical Society

3 Alston Family Cemetery Reading – Randolph Co, NC Genealogical Society

4 Possibility exists these children were adopted, further research necessary before a plausible conclusion can be formed.

Acknowledgement

This story could never have been told without the help of Sue Ashby (NC), Bill Kivett (SC), Beth Weinhart and Michael Sekeres (Local History, Westerville Library), Marilyn Gale (Westerville Historical Society), Marilyn Cryder (Delaware Co Historical Society), and the wonderful employees at the Delaware County Archives Dept. My deepest gratitude and thanks goes to each of these people for all their assistances in researching this story.

But Wait, There’s Another Part of This Story

Go back and click on the [Ohio Cemetery Mystery Button](#)

On this the 22 day of September 1855. I Miriam P
Alston do make public and declare the following in my last will and
testament.

I give and bequeath to James Woody my negro Slave Almer.

It is my will that all the rest of my slaves shall be free, and I therefore
give all my slaves (Almer excepted) to my Executor hereinafter named, in trust
that he will remove them as soon after my death, as he can lawfully do, to
some free state to be there emancipated - and until he can so remove them,
that he hire them at private hiring, on the best terms he can, to such persons
as he may deem suitable.

I will to my Executor three hundred dollars to defray the expenses of the removal
of my slaves to a free state as provided for in the preceding clause.

I will that my Executor retain out of the hires of my negroes and the foregoing
bequest of three hundred dollars a year compensation for his trouble and services
in moving said slaves to a free state, and that he dispose of the residue of
said \$300. and hires for the benefit of said emancipated slaves in such a
manner as he may think will be most beneficial to them.

I will all the residue of my Estate both real and personal to my three nieces
daughters of my deceased Sister Sophia - If either of them should be dead
leaving a child or children living, I wish said child or children to receive
the portion to which the deceased mother would be entitled if living
and should one or more of them be dead leaving no issue, then I wish
the survivor or survivors to receive the portion to which the deceased
would have been entitled if living, - and to enable my Executor to
make this distribution among my said nieces, I authorize them to sell any
part of my real and personal Estate not herein before disposed of.

I nominate my Governor James Manly, as my true and lawful
Executor of this my last will and
testament.

Signed by the Testator in presence of
us, who in her presence and at her
request attest the same

A. Horton
Levina Alston

her
Miriam P x Alston
made