Shared Stories of the Civil War
Reader's Theater Project

John Doy's Escape

In this reader's theater, the story of John Doy — beginning with his capture by pro-slavery forces in January 1859, and ending with his escape from prison six months later — illustrates the escalating tensions along the Missouri-Kansas border. Many believed that Doy's transport of enslaved individuals was a violation of the federal law, but others believed that the institution of slavery was a far graver misdeed. Simply put, both sides believed that the law was on their side.

Please Note: Regional historians have reviewed the source materials used, the script, and the list of citations for accuracy.

John Doy's Escape is part of the Shared Stories of the Civil War Reader's Theater project, a partnership between the **Freedom's Frontier National Heritage Area** and the **Kansas Humanities Council**.

FFNHA is a partnership of 41 counties in eastern Kansas and western Missouri dedicated to connecting the stories of settlement, the Border War and the Enduring Struggle for Freedom in this area. KHC is a non-profit organization promoting understanding of the history and ideas that shape our lives and strengthen our sense of community.

For More Information:

Freedom's Frontier National Heritage Area www.freedomsfrontier.org
Kansas Humanities Council www.kansashumanities.org

Introduction

Instructions: The facilitator can either read the entire introduction out loud or summarize key points.

In the early 19th century, threats of black insurrection increased as those enslaved, including Nat Turner, led violent revolts in North and South Carolina, Virginia, and Georgia. Abolitionists mounted new campaigns against the institution of slavery too. William Lloyd Garrison began publishing *The Liberator*, a periodical that advocated abolitionism in the Northern states and anti-slavery crusaders began leading raids to free those enslaved.

In 1837, a law enacted by the Missouri General Assembly prohibited the publication, circulation, or promulgation of abolition doctrines. Furthermore, white citizens were prohibited from teaching any black person to read and write, and black religious services were disallowed unless a "sheriff, constable, marshal, police officer, or justice of the peace was present during all the time of such meeting or assemblage in order to prevent all seditious speeches and disorderly and unlawful conduct." Offenders would face a fine up to $500 and imprisonment up to six months. Between 1837 and 1862, 42 abolitionists in Missouri were sentenced to prison. By 1850, the population of enslaved individuals in Missouri had grown to 87,422 (the number was 25,091 twenty years earlier).

In 1850, Congress passed the Fugitive Slave Act, which mandated that fugitive slaves be returned to their masters, even if they were living in the North. The act also forced citizens to assist in the recovery of fugitive slaves. Consequently, for those seeking freedom, Canada, which had abolished slavery in 1800, became an ideal destination. In 1860, one Missouri newspaper estimated that 24,000 slaves had made it to Canada. But for fugitives unable to cross the national border, the Kansas Territory served as a temporary respite between slavery and freedom.

In 1854, Stephen Douglas introduced the Kansas-Nebraska Act. The act reversed Congress' power to determine whether a territory could have slavery or freedom, and instead granted citizens the power to decide. Both free state and slave state advocates saw that popular sovereignty would decide whether or not slavery's expansion westward would be halted or extended. Both parties came to the territory with hopes of settling the land in their favor.

In this reader's theater, the story of John Doy — beginning with his capture by pro-slavery forces in January 1859, and ending with his escape from prison six months later — illustrates the escalating tensions along the Kansas-Missouri border. Many believed that Doy's transport of enslaved individuals was a violation of the federal law, but others believed that the institution of slavery was a far graver misdeed. Simply put, both sides believed that the law was on their side.

Group Discussion Questions

Instructions: The facilitator should pose one or more of these questions in advance of the reading of the script. At the conclusion of the reading, participants will return to the questions for consideration.

1. What role does the law play in our actions and beliefs? Should any law ever be broken if it is considered "wrong?"

2. John Doy believed that breaking the law was justified because the treatment of those enslaved was in violation of natural law and basic human decency. Is it a citizen's right to fight against a law by breaking it? Or should a citizen obey the law until an opportunity arises to legally change it? Do you agree with Henry David Thoreau's assertion that "a wise man will not leave the right to the mercy of chance, nor wish it to prevail through the power of the majority?" How does this relate to the concept of popular sovereignty?

Script

Instructions: Each part will be read out loud by an assigned reader. Readers should stand and speak into a microphone when it's their turn. The source of the quote should also be read out loud (this is the information bolded beneath each quote).

Episode One: Anti-slavery Movement in the 1850s

NARRATOR *In 1854, President Franklin Pierce signed the Kansas-Nebraska Act, which allowed citizens (white males) of these new territories to decide the fate of slavery. This decision created turmoil in the Kansas Territory, especially along the eastern border shared with Missouri. Many prominent Missouri politicians, such as David Rice Atchison and Claiborne Fox Jackson, believed that slavery in Missouri would not survive if Kansas was admitted into the Union as a free state. Anti-slavery forces from the North were eager to vocalize their sentiments, and did so by sending settlers to the territory to sway popular opinion in favor of abolishing the expansion of slavery.*

English-born Dr. John Doy,[i] *a physician and abolitionist, arrived in Lawrence on August 1, 1854, as part of the first Emigrant Aid Company, an organization formed by citizens in the Northern states to promote free state emigration to the Kansas Territory.*

READER 1 Letter from Kansas

I wish to inform you that I am in the best country I ever heard or read of. We arrive here on the 1st of August as the Pioneer party of the Massachusetts Emigrant Aid Company, for whom I have acted as Agent. Many of our men throw down their blanket at night and awake in the morning, feeling remarkably light, and well in body and spirit; we have the most pure air I ever breathed . . . We expect to establish a city here; we have a fine site, an excellent landing on the Kansas river, which is navigable by boats drawing 18 inches water all the season.

Yours truly,

John Doy

***Albany [New York] Country Gentleman,* September 7, 1854.**[ii]

NARRATOR *As abolitionists moved into the territory, it wasn't long before they were accused, and guilty, of crossing over into Missouri, raiding farms and plantations, and assisting those in captivity to escape to Kansas en route to freedom in Canada. This was a crime, as outlined by the 1850 Fugitive Slave Act.*

READER 2 [The fear of being sold to planters in the South prompted Missouri slaves] to secure their freedom before the difficulties were increased and the opportunities were gone, and so it is not at all strange that hardly a week passed that some way-worn bondman did not find his way into Lawrence…

James B. Abbott, *The Rescue of Dr. John W. Doy,*1889.[iii]

READER 3 It [slave abduction] threatens to subvert the institution in this state and unless effectively checked, will certainly do so. There is no doubt that ten slaves are now stolen from Missouri to everyone [sic] that was spirited off before the Douglas Bill [The Kansas-Nebraska Act].

***[Joplin, Missouri] Independent*, January 18, 1855.[iv]**

Episode Two: Capture and Imprisonment

NARRATOR *By the winter of 1858, the Kansas Territory was under the control of free-state settlers. However, the Fugitive Slave Act was still federal law, and the act continued to cause controversy for those in the Kansas Territory and the nation as a whole. The Fugitive Slave Act was seen as intolerable among many Northerners. And, violations of the Fugitive Slave Act, were seen as intolerable among slave owners.*

In January 1859, abolitionist John Doy was chosen to assist in the transportation of a group of thirteen African-Americans — eight men, three women, and two children — north to Holton, Kansas Territory, a prominent stop along the "railroad." Although all but two had papers asserting their status as free citizens, they had at one time been considered the property of various Missouri landowners. From Holton, the party would be transported further north to Nebraska and Iowa, with Canada as the final destination. John Brown, a fellow abolitionist, had led his last raid into Missouri a month earlier, in December 1858.

READER 4 When I agreed to take charge of the colored people, it was understood between the old hero John Brown and me, that my wagons were to accompany his, he being about to start for Canada with twelve fugitives from Missouri, and we were to have a guard of ten men, which was considered sufficient to secure the safety of both parties.

Circumstances prevented the carrying out of this arrangement, and old John went in another direction, taking with him the whole of the escort, notwithstanding my earnest remonstrances. I labored with him a whole evening, and told him that one or both of us would surely regret it if he left us defenseless, but I could not prevail. His party of colored people,

being slaves who had been taken from Missouri in open defiance, were thought by him to need protection much more than mine . . .

John Doy, *The Narrative of John Doy,* 1860.[v]

NARRATOR *Despite his reservations, Doy traveled with his 25-year-old son, Charles, and six other abolitionists north from Lawrence toward the Nebraska border. Having left in the early hours of the morning of January 25, 1859, Doy hoped that the unprotected company would not be seen until they reached their escort in Oskaloosa, some 20 miles north. Doy's fear — of being seen and captured by the pro-slavery militia — soon became startlingly real.*

READER 5 We started early in the morning of the 25th of January, I being on horseback, and the men walking behind the wagons, which contained the stores with the women and children; crossed the Kansas river at Lawrence, and traveled through the Delaware Reservation towards Oscaloosa [sic]. When about twelve miles from Lawrence, and eight from Oscaloosa [sic], having ascertained, as I supposed that the road was clear, I requested the men to get into the wagons . . . which were covered and thus effectually prevented them from seeing what occurred immediately afterwards, and from defending themselves.

John Doy, *The Narrative of John Doy,* 1860.[vi]

READER 1 The colored people were put across the river some four miles above this place [Lawrence, K.T.] about 2 o'clock in the morning. The teams crossed the ferry about two hours later and took the river road. After taking in the passengers, they took the road toward Oscaloosa [sic] and about an hour after entering a sort of defile between the bluffs and "the timber," found themselves surrounded by a party of armed and mounted men. They surrendered without a blow and were taken over to Missouri.

Letter from Ephraim Nute to Unidentified Recipient, February 14, 1859.[vii]

READER 2 [Our captors] consented that Charles and I should go unbound, provided we would go quietly, urging at the same time the necessity of keeping us till they were beyond the reach of pursuit . . . They kept a sentinel on the road, and every time we spoke above a whisper, would threaten to shoot us. Charles and I spoke out aloud several times, nevertheless, in hopes of attracting the attention of any passers-by, or of creating a disturbance which might lead to our discovery and rescue . . .

John Doy, *The Narrative of John Doy,* 1860.[viii]

NARRATOR *Having been captured, Doy and his group were taken to Weston, Missouri, only a mile past the Kansas-Missouri border. There, the captives turned over the party of abolitionists and African-Americans to local authorities.*

READER 3 As we landed, we were greeted by the most unearthly conceivable yelling and swearing. The firing of guns and pistols, the ringing of bells, and the hideous combination of other noises, made it appear as if all the evil spirits had been let loose at once. I doubt if they could exhibit more malignity in gloating over their victims, than did those howling ruffians in the streets of Weston, over the captives who had fallen into their power.

John Doy, *The Narrative of John Doy,* 1860.[ix]

READER 4 Wholesale Capture of Slaves from Abolition Negro Stealers

The most gallant achievement and effective vindication of our rights ever made since the war upon slave property has been inaugurated, it is our pleasing duty to chronicle, which we do through an Extra, in order that the country may have all the facts just as they are, before the howling misrepresentations of abolitionists may poison the northern atmosphere.

Several valuable negroes having been stolen a few days ago from this county, [and] a party followed them . . . About 10 o'clock in the morning the assault was made upon the two wagons. The negroes were well armed, and would have made a deathly resistance had not the white men surrendered after the first fire.

***Weston [Missouri] Argus*, January 27, 1859.**[x]

NARRATOR *John Doy and his son were arraigned by the Justice of the Peace. The mayor of Weston, Benjamin Wood, also accused Doy of stealing one of his own slaves, a 35-year-old man named Dick. Doy was refused representation by the court.*

On the evening of January 27, Doy and his son were transported to the eight by eight foot jail cell in Platte City, seven miles east of Weston. Bail was set at $5,000. There, they would await their trial in court on the charge of abducting slaves from Missouri – a crime punishable, in some extreme cases, by death. Doy's abolitionist allies in Lawrence, including Ephraim Nute and James Abbott, soon received word of the Doys' precarious circumstances.

READER 5

Eight men soon rode up on horseback and ordered the driver to move on. As we left the crowd, our mounted escort was advised to keep a sharp look-out, for the damned Yankees would try to rescue us . . . After a drive of about seven miles, over impassable roads cut through the timber, we reached Platte City, a village of some eight hundred inhabitants, where we were received by another excited crowd, who repeated the insults.

They followed us to the jail, a gloomy-looking log building, two stories high and about 24 feet square, with walls two feet thick . . . We seized the first opportunity to examine our cell, and found ourselves entombed in a metallic coffin. The walls, floor and ceiling were all of boiler-plate iron, without any other opening than the door, which was also of iron, grated with a hole about 12 inches from the floor, through which our food was passed in to us.

John Doy, *The Narrative of John Doy,* 1860.[xi]

READER 1

The colored people, both free and slaves, have been shipped for the New Orleans market. One of the white men was released and returned to Lawrence, [while] the others, [including] Dr. John Doy and son, are now in close confinement in Platte City Jail, awaiting their trial in [the] charge of stealing a slave from Weston.

Letter from Ephraim Nute to Unidentified Recipient, February 14, 1859.[xii]

READER 2

Lawrence, Kansas Territory

Dr. Doy and son are yet in jail at Platte City, locked up in an iron cell eight feet square without fire, light, or pure air. We are now making every effort in our power for their defense. The money which you sent me has gone for that cause, being spent to get Mrs. Doy, their daughter, and other witnesses from this place to Platte City. You need not be surprised if you hear of an invasion into Missouri and a forcible delivery of our kidnapped citizens out of that vile iron box – about the time that this reaches you . . .

The end is not yet. Yours for the Right. E.N.

Letter from Ephraim Nute to Unidentified Recipient, February 24, 1859.[xiii]

NARRATOR *The account of the Doys' capture and impending trial soon caught the attention of newspapers from across the nation, and became a lightning rod for abolitionist and pro-slavery groups alike. In Lawrence, citizens held an "Anti-Kidnapping Meeting" to denounce the pro-slavery capturers.*

READER 3 [Doy] is a man whose Anti-Slavery zeal would lead him into difficulty almost inevitably, if any occasion offered. But this is neither justification nor excuse for the outrages committed upon him and his boy. If the people of Western Missouri are either just or wise they will see to it that the trial at St. Joseph shall result in the liberation of the Doys, and also that they be made good for their loss of time and property. Are the Border Ruffian outrages never to cease?

***New York Times*, March 18, 1859.**[xiv]

READER 4 Kansas Citizens Outraged in Missouri!

The assertion that Doy was subjected to [indignities] . . . is to our own mind exceedingly doubtful and hemmed in with huge improbabilities . . . That he was made secure against the possibility of escape, we may infer, is certain; to prevent him eluding the officers, if it became necessary, he may have been handcuffed – that is a common occurrence to felons; but that he was chained down in a filthy dungeon, denied sufficient food, such as jail-birds are presumed to require, his person assaulted by a rabble, and a decision rendered to burn him at the stake appears to us fabulous and grossly exaggerated! The humane citizens of Missouri are not wont to torture fellow-beings.

***Leavenworth Herald*, March 1859.**[xv]

NARRATOR *One St. Joseph newspaper, however, claimed that the Platte City jail was stormed by 300 angry Ruffians who hanged both Doys from a tree two miles from town. Although the story was false, it emphasized the concern of many that the accused men would not be found guilty if charged in a court of law, and that justice needed to be taken into their own hands.*

John and Charles Doy's first trial took place March 20. Four attorneys were hired for the prosecution, including Missouri Congressman James Craig. The Kansas Territorial Legislature appropriated $1,000 to employ the Doys' counsel, hiring former Governor Wilson Shannon and Kansas Attorney General Alson C. Davis. Upon their prominent attorneys' advice, the Doys requested to Circuit Judge Elijah Hise Norton a change of venue to St. Joseph, a city of 11,000 inhabitants, believing they would not obtain a fair trial as a result of the "excitement" of the Platte City locals – euphemistic language used to infer the threat of lynching of some other civil disturbance.

READER 5 We determined to obtain a change of venue to St. Joseph, if possible . . . we believed we could not have a fair trial in Platte City, on account of the excitement . . . The motion was argued pro and con, and finally, much to the chagrin of the jury and crowd, the judge granted what we asked for. A low murmur ran through the crowd, and the jury looked daggers at us and at each other, gritting their teeth, as beasts of prey might do when they saw their expected victims escape them.

John Doy, *The Narrative of John Doy,* 1860.[xvi]

NARRATOR *A mistrial was declared and the case against Charles Doy was dropped. John Doy, however, was transported to a jail in St. Joseph. Two months later, on June 20, the high-profile trial began. Would Doy be found guilty of stealing Benjamin Wood's property? The enslaved person in question, Dick, was not allowed to testify because under Missouri law, blacks and mulattos were not considered competent witnesses for or against whites.*

READER 1 The main features were the same. Mayor Wood was present, and testified that he had given the man Dick, with whose abduction I was charged, a pass to go into Kansas . . . We proved, as before, that I had nothing to do with Dick's alleged abduction, and that I never saw him till he had been some time in Lawrence, which was the fact. But the judge charged in substance that the jury might infer guilt from circumstance; otherwise, his decisions were fair and impartial.

John Doy, *The Narrative of John Doy,* 1860.[xvii]

READER 2 We stand here as the representatives of an outraged people. Dr. Doy belongs to a class which has a mortal hatred to every man who dares to call himself a Southron [*sic*], which believes we have no property in niggers. I would select a man blindfolded in this courtroom and take his testimony sooner than that of a thousand Kansas witnesses.

W. H. Miller, Prosecuting Attorney.[xviii]

READER 3 Allusion has been made to the sufferings of Dr. Doy's family. What may not our families suffer? If we allow our negroes to be stolen with impunity, our fair-skinned daughters will be reduced to performing the contemptible drudgery of the kitchen.

Colonel John Doniphan, Prosecuting Attorney.[xix]

READER 4 If the jury believe from the evidence that Doy aided in decoying Dick from Platte Country with the intent to effect his freedom, they must find him guilty although they may believe that said prisoner was never within the limits of the state of Missouri.

Judge Elijah Hise Norton.[xx]

READER 5 After being out a day and a night . . . the jury found me guilty, contrary to law and evidence, and assessed my sentence at five years' imprisonment, at hard labor, in the penitentiary. My council filed a bill of exceptions, and asked for an appeal to the Supreme Court, which was granted . . .

At this time the prosecution had twelve other indictments ready for me – one for each of the other colored persons kidnapped in my company, and were prepared to take verdicts on them all; Dick's being a test-case – so that they expected to get me sentenced for 65 years; otherwise, for life.

John Doy, *The Narrative of John Doy,* 1860.[xxi]

NARRATOR *Doy was again sentenced to jail, provoking both outrage and cheers, along the border.*

READER 1 This is the first conviction for Negro-stealing that has fallen under our observation in this quarter of Missouri, and we trust it will have a wholesome influence.

***St. Joseph Gazette*, July 1, 1859.**[xxii]

READER 2 The question uppermost in the minds of the justice-loving people of Lawrence and vicinity was, what ought to be done in the case of Dr. Doy, all legal means having been tried and failed? They believed with the fathers that all men were created equal and endowed with the right of liberty . . . that he who finds himself deprived of this right without just cause has . . . the moral right . . . to make an effort to regain it, and to ask and demand of his friends that they shall help make his effort a success. Dr. Doy when asked for help had responded, and done the best he could. In so doing he had lost his own liberty, but not his right to liberty; and so the general verdict of the people was, Dr. Doy ought to be rescued and brought home to his family.

James B. Abbott, "The Rescue of Dr. John W. Doy," 1889.[xxiii]

Episode Three: The Rescue of John Doy

NARRATOR *The verdict made headlines across the country. Reactions were varied.*

READER 3 The Doy trial is closed, and Dr. John Doy found guilty and sentenced to five years in the Penitentiary. To say that such a finding of the jury is an outrage, and in open violation of the evidence in the case, is only a mild expression of the feelings of every unprejudiced and right-minded man who attended the former of the present trial . . .

The citizens of Kansas feel justly indignant, and if Doy goes to Jefferson City, slavery property on the border will be more unsafe than ever. This trial, if averse in its results, will breed more Underground Railroads than the mere sight of Slavery could in ten years.

***St. Louis Democrat*, June 24, 1859.**[xxiv]

READER 4 He believed he was serving both the laws of God and his country when engaged in assisting slaves in making their escape from their masters, and . . . if acquitted he would engage in it again with more energy than ever . . . [This] was considered too strong evidence for the jury to find a verdict of acquittal. We learn, however, that a lapse of thirty days will take place before the sentence will be put into execution during which time the prisoner will probably make an attempt to have the decision reversed by the Supreme Court.

***St. Joseph Journal*, June 23, 1859.**[xxv]

READER 5 Lawrence, Kansas Territory

Dear Friend,

Dr. Doy has been convicted by a packed jury, of abducting slaves from Missouri and sentenced to Five Years in the penitentiary . . . We are all cowards, or there would soon be a marching en masse towards St. Joe. And a smashing of doors, a release, and Doy would again walk our streets. But I fear that he will be compelled to serve out his time, and suffer a long imprisonment at Jefferson City.

Such things [as Doy's imprisonment] will hasten the day of revolution, redemption, and disunion, and the sooner the better. Old John Brown "still lives" and may his shadow never be less, but increase until it frightens the slave power out of their boots, and emancipate the slaves.

Yours in haste,

Sam F. Tappan

Letter, Samuel F. Tappan to Thomas W. Higginson, June 27, 1859.[xxvi]

NARRATOR *On Wednesday, July 20, 1859 — five days before the Missouri Supreme Court was scheduled to make a ruling on Doy's appeal — abolitionists Charles Stearns and Reverend Ephraim Nute approached James B. Abbott about organizing a rescue of Doy.*

READER 1 It is generally known that it was through our instrumentality that Dr. Doy was placed in charge of the colored people who were kidnapped. His friends and his attorneys believe if he is not rescued before, that next Monday [July 25] will see Dr. Doy on his way to the penitentiary, there to remain at least five years, if he should live so long; and we feel especially called upon to make an earnest endeavor to secure his release before it is too late. We have carefully looked over the field, and have come to the conclusion to place the matter in your hands, and urge you to make up such an organization as you may deem suitable, to effect the Doctor's rescue, take charge of the expedition, and be on your way as soon as possible.

Charles Stearns to James B. Abbott, July 20, 1859.

READER 2 I will try to find nine good men, and that *I know to be good*, to join the party, and no man shall know the object of the organization except those that go and yourselves . . . We will go to St. Joseph and carefully look the chances over, and if we find good grounds to believe that a rescue

can be made without too great a loss, we will make an attempt . . . Whatever the result may be, I think now I can tell what the verdict of the people will be. If we come home without making an attempt, it will be said that we were cowards. If we attempt and are destroyed, it will be said that we were fools. If we attempt and succeed, it will be said, well done…

James B. Abbott to Charles Stearns and Ephraim Nute, July 20, 1859. [xxvii]

NARRATOR *Abbott's mission was top secret. He assembled nine men, including Charles Doy, in two horse-drawn wagons armed with three sporting rifles, 15 revolvers, and five knives. On July 22, they left Lawrence at 5 p.m. and headed east to Elwood, located across the river from St. Joseph. Posing as penniless gold scavengers from Colorado, the men rode the ferry across the Missouri River into St. Joseph on the morning of July 23. They separated. Abbott introduced himself to Dr. Edwin H. Grant, the editor of the only anti-slavery paper in St. Joseph, the* Free Democrat*, and inquired about John Doy's state.*

READER 3 [Grant] told us further, that he was in the habit of visiting Doy in his cell as often as once a week, to take him papers from among his exchanges. When I became satisfied of Grant's reliability, I told him the object of our visit, and made known to him our plans . . .

NARRATOR *Abbott told Dr. Grant that at eleven o'clock at night, the rescuers would pretend to be transporting a horse thief to the jail, and once let inside, would free Dr. Doy from his cell. Dr. Grant then arranged for the procurement of boats, which the rescuers would take across the Missouri River to safety. As Abbott and Dr. Grant prepared a safe escape route through St. Joseph after the capture, Silas Soule investigated the jail that housed Dr. Doy*.

READER 3 [Soule] informed the jailer that he had a verbal message from Mrs. Doy to her husband, Dr. John Doy, who he understood was a prisoner in the building. The jailer, Mr. Brown, immediately led the way to the door of the room where the Doctor was confined, and threw open the outside or heavy oaken door, leaving the iron-gated door between the Doctor and Soule. After the usual greetings, Soule informed the Doctor that . . . Mrs. Doy wished him to say to the Doctor that his friends had given up all hopes of obtaining his release through the courts, and that undoubtedly in a few days he would be sent to the penitentiary in accordance with the sentence of the court . . .

After Soule had given his message, he succeeded in prolonging his time by giving bits of news, scandal, etc., until he had made a tolerable good survey of the premises, and succeeded in turning the attention of the jailer away from him long enough to pass to Doy, through the grates, a ball of twine and a paper, on which it was written: "To-night, at twelve o'clock." He then bade the doctor good-bye, and thanking the jailer for his courtesy, hurried back to make his report, which was, that with the best implements that we could get, it would take at least two hours of unmolested hard work to get through the doors into the room where Doy was confined.

James B. Abbott, "The Rescue of Dr. John W. Doy," 1889.[xxviii]

NARRATOR *In spite of Soule's doubts, the group was not discouraged. By 9 p.m. that evening, a violent rainstorm began, and the streets of St. Joseph were deserted. Around midnight, S. J. Willis — disguised as a sheriff — knocked loudly on the door of the jail, and the jailer emerged from the second floor window in a nightshirt.*

READER 4 Who's there? What do you want?

READER 5 We're from Andrew County, and we've got a prisoner we want to put into jail for safe keeping. Come down quick.

READER 4 Who is he?

READER 5 A notorious horse-thief.

READER 4 Have you got a warrant?

READER 5 No, but it's all right.

READER 4 I can't take a man in without authority.

READER 5 If you don't, it'll be too bad; for he's a desperate character, and we've had hard work to catch him. We'll satisfy you in the morning that's all right.

John Doy, *The Narrative of John Doy,* 1860.[xxix]

READER 1 At this the jailer suggested that "he guessed they had the right man," and agreed to lock him up. Tom Simmons played the role of the thief (having his hands securely bound with the cord of a sling shot, holding the lead ball of the deadly weapon in one hand) while Joseph Gardener and S.J. Willis were his guards. The trio passed inside where the jailer unlocked the grated door and stood aside for the prisoner to walk in. He objected to entering, saying that he would not occupy the same cell with Negroes. He was assured that the "niggers" were all kept in another room, at the same time in order to reassure him the jailer stepped inside the door himself. At that instant he was confronted on one side by a big knife and revolver on the other.

Theodore Gardner, "An Episode of Kansas History: The Doy Rescue," 1928.[xxx]

READER 5 Have you got old Doy, the abolitionist, in here?

READER 4 Doctor Doy is here.

READER 5 That's the man we have come for. Friend, we have deceived thee until now, but it was necessary for our purpose. We have not come to put a man into prison, but to take out of it one who is unjustly confined.

John Doy, *The Narrative of John Doy,* 1860.[xxxi]

READER 2 Mr. Brown made an effort to close the door and shut Doy in, but when he saw three powerful men with deadly weapons in their hands and determination on their faces, he saw that resistance was useless, and he permitted Doy to come out, and the remainder of the prisoners were coming too, had they not been forced back at the muzzle of a revolver – for Doy, at the risk of his own life and of his friends', had been true to his failing (indiscretion), and told his fellow-prisoners that he was sure of being released that night, and they had their bundles ready to depart with him.

James B. Abbott, "The Rescue of Dr. John W. Doy," 1889.[xxxii]

READER 1 When we reached the street, I fell, unable to stand, from weakness and disease, occasioned by my long confinement. Two of the men took me under the arms and bore me on. It was so dark I could see nothing . . .

At last, keeping together as well as we could, we reached the river bank . . . But, in the thick darkness, we missed the place where the boats had been left, and knew not exactly where to look for them, when two of the night police, probably hearing our voices and perceiving a number of persons together, came towards us with large lanterns, which they held up in the air, that they might better see what we were about. By their light we saw our boats a little higher up the stream; hastened to them, jumped in and untied them . . . By dint of hard pulling, for the current of the Missouri is very strong there, we soon landed on the Kansas bank, which I had often gazed at longingly from the window of my cell. I was helped into a covered wagon, and laid on some hay in the bottom, when two pistol-shots were fired, as agreed upon, to give notice to our Kansas friends in St. Joseph, that I was safe and prepared to travel.

John Doy, *The Narrative of John Doy,* 1860.[xxxiii]

READER 2

We soon hauled our borrowed boats high and dry on the sandbar on the Kansas side, and (in our hearts) thanking the owners for their use, we hitched up our teams, and, with Dr. [John E.] Stewart for our guide, at about twelve o'clock were on our winding way for Lawrence . . .

About ten o'clock in the morning we observed six horsemen coming about a mile in our rear . . . When we stopped for dinner at one o'clock they stopped also. Soon we observed a footman leaving said party, and when he arrived we interviewed him and satisfied ourselves that was sent to ascertain if Doy was with us, as well as the strength of our party . . . We pressed him hard to ride with us, that he could not refuse, and he continued with us till dark, when he was seated by the road-side, and one of our horsemen remained with him for a half-hour, and as he left, advised the gentlemen not to follow our party. I suppose he acted upon the advice, as we never saw him afterwards.

James B. Abbott, "The Rescue of Dr. John W. Doy," 1889.[xxxiv]

NARRATOR

By the time a sufficient force had been assembled in St. Joseph for the recapture of Doy, the Doctor and his rescue party were gone. The Doy rescue party – later dubbed "The Immortal Ten" – reached Lawrence on the afternoon of Monday, July 25. Supporters lined the street, cheering.

Residents of St. Joseph were furious, and Edwin Grant, editor of the Free Democrat*, was asked to leave for his own safety. A reward was offered by the Buchanan County, Missouri, Sherriff's Office for the re-arrest of Doy.*

READER 1 As we entered the city a treble salute was fired, and the noble Ten were loudly cheered and welcomed, as having brought to a successful issue the boldest attempt at rescue ever planned and carried into effect, and as having effaced the stain of at least one of the insults offered to Kansas by her more powerful neighbor . . . I, though crippled and diseased by ill usage and long imprisonment, [was] once more a free man, restored to my home, to my family and friends, and to the soil I love so well.

John Doy, *The Narrative of John Doy,* 1860.[xxxv]

READER 3 <u>$1000 For the Arrest of John Doy!</u>

John Doy is an Englishman, and apparently from 45 to 50 years old, is low in stature, rather heavy set, has black hair and eyes, heavy black whiskers and dark complexion. He was convicted of negro stealing and sentenced to confinement in the State Prison for five years. He was confined in jail awaiting the decision of the Supreme Court upon the appeal that had been taken in his case. He was rescued from the jail, and no doubt crossed the river into Kansas Territory, about 12 o'clock on Saturday night.

Advertisement, Posted by the Sherriff of Buchanan County, Missouri, July 21, 1859.[xxxvi]

READER 2 This is an outrage and . . . most unfortunate for the peace of the border between Kansas and Missouri. If the laws are to be thus disregarded, it will not be strange if in the future persons charged with Negro theft should be hung up to the nearest tree, without the benefit of a trial . . . Nothing has ever occurred in our city which has created so much indignation.

***St. Joseph Gazette*, July 28, 1859.**[xxxvii]

<u>Episode Four: Aftermath</u>

NARRATOR *Despite differences of opinions toward slavery's expansion, the John Doy trial and rescue elicited similar questions for both Kansans and Missourians, free and slave, at the dawn of the Civil War: Which laws could be broken in defense of doing what one believed to be the right thing, and to what lengths would citizens go to defend their rights?*

READER 3 The rescue of Doy was an illegal act. It was so construed in the border territory of Missouri. The rescue had been affected by the men of Lawrence and the smouldering [sic] hatred for the town was kindled into flame. There was less wild passion than before, less call for armed invasion and immediate revenge; it was a slow flame which burned in the hearts of the border men, but it was one which gave no sign of quickly dying out. "Our day will come," declared the Ruffians and guerrillas, and they waited for the day impatiently.

Allen Crafton, *Free State Fortress: The First Ten Years of the History of Lawrence, Kansas*, 1954.[xxxviii]

READER 1 A wise man will not leave the right to the mercy of chance, nor wish it to prevail through the power of the majority. There is but little virtue in the action of masses of men. When the majority shall at length vote for the abolition of slavery, it will be because they are indifferent to slavery, or because there is but little slavery left to be abolished by their vote. They will then be the only slaves. Only his vote can hasten the abolition of slavery who asserts his own freedom by his vote.

Henry David Thoreau, *Civil Disobedience*, 1849.[xxxix]

Footnotes

[i] John Doy (1812-1869) was born and raised in England. He lived in Yorkshire with his wife, Jane Dunn, and their nine children, including his oldest son, Charles. By the late 1840s, the Doys had emigrated to America and lived in Rochester, New York, home of abolitionists Susan B. Anthony and Frederick Douglass. In June 1854, Doy served as a delegate of the New England Emigrant Aid Company, and was a member of the first party to reach Kansas Territory. Dr. Doy served as a conductor on the Underground Railroad before being asked, in 1859, to accompany 13 African-Americans north to Canada. After his trial and rescue he published an account of his experience — *The Narrative of John Doy of Lawrence, Kansas* — and began a speaking tour in the East. In 1860, Charles Doy was killed in an ambush in Linn County, Kansas, and Dr. Doy soon relocated to Battle Creek, Michigan, home of Sojourner Truth and other prominent abolitionists. There, he practiced homeopathic medicine. In 1869, Doy was charged with illegally performing an abortion, and committed suicide before the sentence could be carried out.

[ii] *Albany [New York] Country Gentleman*, (7 Sept 1854), Vol. IV, No. 10: 9.

[iii] James Abbott, "The Rescue of John W. Doy," Address by James B. Abbott, (15 Jan 1859). Published in *Fifth and Sixth Biennial Report*, Topeka, KS: Kansas State Historical Society, 1890: 312. James Abbott (1818-1897) was an anti-slavery activist and congressman. Born in Hampton, Connecticut, Abbott was a teacher and manufacturer before joining the New England Emigrant Aid company in 1854, and settling in Lawrence, Kansas Territory. He procured over 100 Sharpe's rifles and a howitzer for the free state cause. He served as Shawnee Indian Agent from 1861 to 1866, and held seats in both the Kansas House of Representatives and Kansas Senate. Abbott remained active in civic affairs until his death in 1897.

[iv] *Joplin [Missouri] Independent*, (18 Jan 1855).

[v] John Doy, *The Narrative of John Doy of Lawrence, Kansas,* New York: Thomas Holman, 1860: 123. John Brown (1800-1859) was a radical abolitionist who believed in armed insurrection as a means to abolish slavery. He lived in Kansas during separate periods from 1855 to 1859. In May of 1856, Brown led a band of abolitionists in the killing of five settlers north of the Pottawatomie Creek in Franklin County, Kansas (the Pottawatomie Massacre). Three years later, he led an unsuccessful raid on the arsenal at Harpers Ferry, West Virginia, for which he was eventually tried and hanged on December 2, 1859.

[vi] Doy, 25.

[vii] Letter, Ephraim Nute to Unidentified Recipient, (14 Feb. 1859). Ephraim Nute (1819-1897) served as the minister of the Lawrence Unitarian Church. Born in Boston to a Universalist merchant, Nute studied at Harvard Divinity School, and married Lucy Ann Fessenden in 1841. Since childhood, Nute was a fierce opponent of slavery, and in 1855, during the height of "Bleeding Kansas," accepted a call to a mission post in Lawrence, carrying a shipment of "Beecher's Bibles" – rifles which had been clandestinely brought by Boston Unitarians to the region. Upon the outbreak of the Civil War, Nute joined the First Kansas Regiment as chaplain. After the war, he served in various positions, including translator, editor, and newspaper correspondent.

[viii] Doy, 28-30.

[ix] Doy, 34.

[x] *Weston [Missouri] Argus*, Reprinted in *The Border Star* (11 Feb. 1859).

[xi] Doy, 34.

[xii] Letter, Ephraim Nute to Unidentified Recipient, (14 Feb 1859), *Territorial Kansas Online*.

[xiii] Letter, Ephraim Nute to Unidentified Recipient, (24 Feb 1859), *Kansas Memory*.

[xiv] "Doctor Doy of Kansas," *New York Times*, (18 March 1859).

[xv] Doy, 126-127.

[xvi] Doy, 77.

[xvii] Doy, 105-106.

[xviii] Harriet C. Frazier, *Runaway and Freed Missouri Slaves and Those Who Helped Them, 1763-1865*, Jefferson, NC: McFarland & Company, Inc., (2004): 157-158. W. H. Miller was an attorney and public administrator from Platte County, Missouri.

[xix] Frazier, 157-158. Colonel John Doniphan (1826-1901) was born in Brown, Ohio, and temporarily settled in Clay County, Missouri, in 1846. After receiving a degree at the University of Louisville, he practiced law in Platte and Buchanan Counties. A proponent of slavery, he was elected to the state legislature in 1854 where he was active in Kansas-Missouri affairs. After the Civil War commenced in 1861, Doniphan joined a militia attempting to prevent further violence between Jayhawkers and Bushwhackers. He was reelected to the state legislature after the Civil War, and later served as the attorney for the Weston and St. Joseph Railroad before his death in 1901.

[xx] Frazier, 157-158. Elijah Hise Norton (1821-1914) was born Kentucky, and moved to Platte County, Missouri, in 1842. In 1852, Norton was elected circuit court judge at the age of 31. He was elected as a Democrat to U.S. Congress in 1860, and publicly opposed Missouri's secession from the Union. As a result, he lost his bid for reelection in 1862, but later served as a delegate to the Missouri Constitutional Convention, and in 1876, was appointed a judge on the Missouri Supreme Court. He retired in 1888, but continued to practice law until his death in 1914.

[xxi] Doy, 106-107.

[xxii] Frazier, 158.

[xxiii] Abbott, 314-315.

[xxiv] *St. Louis Democrat* reprinted in "From Kansas. Particulars of the Trial of Dr. Doy," *New York Times*, 1 July 1859.

[xxv] *St. Joseph Journal* reprinted in "From Kansas. Particulars of the Trial of Dr. Doy," *New York Times*, 1 July 1859.

[xxvi] Letter, Samuel F. Tappan to Thomas W. Higginson, (27 June 1859), *Kansas Memory*. Samuel F. Tappan (1831-1913) was a journalist, military officer, and abolitionist who settled in Kansas in 1854 from Massachusetts. He served as a correspondent for the *New York Tribune* and wrote of the border conflict. He served as a clerk of the Kansas House of Representatives in 1856 and later as secretary of the Leavenworth Constitutional Convention in 1858. He left Kansas for Denver, Colorado, in 1858. Thomas Wentworth Higginson (1823-1911) was a Unitarian minister and abolitionist. Originally from Massachusetts and a graduate of Harvard, Higginson helped organize the New England Emigrant Aid Company and spent time in Kansas distributing supplies to settlers. He served in the Civil War as colonel of the First South Carolina Volunteers, the first authorized regiment recruited from freedmen for Federal service. After the Civil War, Higginson wrote essays and became mentor to Emily Dickinson until his death in 1911.

[xxvii]Abbott, 315-316. Charles Stearns was an abolitionist and prominent shopkeeper in Lawrence. He is believed to have built the first house in Lawrence in 1855 at 620 Massachusetts Street.

[xxviii] Abbott, 318-319. Silas Soule (1838-1865) was the youngest member of the "Immortal Ten" that recaptured John Doy. Born in Bath, Maine, Silas and his family emigrated to Kansas Territory. After the John Doy rescue, Soule unsuccessfully attempted to break John Brown free from jail near Harpers Ferry. He later joined the Colorado Infantry. Soule was later killed, under suspicious circumstances, by a member of the Colorado Cavalry in April 1865.

[xxix] Doy, 110.

[xxx] "An Episode of Kansas History: The Doy Rescue," Kansas Historical Collection, 1926-1928, Vol. 17 (1928): 853. Theodore Gardner (1844 - ?) was born in Indiana to Joseph Gardner and Eliza Weaver. He moved to Kansas in 1857 and married Lyman M. Sawyer in May 1864. He enlisted in the First Kansas Battery in 1862 and served the length of the Civil War.

[xxxi] Doy, 111.

[xxxii] Abbott, 321.

[xxxiii] Doy, 113-114.

[xxxiv] Abbott, 322.

[xxxv] Doy, 115.

[xxxvi] Doy, xxiii.

[xxxvii] Republished in the *New York Times*, (1 Aug 1859).

[xxxviii] Allen Crafton, *Free State Fortress: The First Ten Years of the History of Lawrence, Kansas*, Lawrence, KS: The World Company, 1954: 163. Allen Crafton (1890-1980) was a professor and Department Chairman of Speech and Drama at the University of Kansas. His book *Free State Fortress: The First Ten Years of the History of Lawrence, Kansas*, was published in daily installments from May 18 to June 21, 1954, in the *Lawrence Daily Journal-World* to commemorate Kansas' territorial centennial year.

[xxxix] Henry David Thoreau, "On the Duty of Civil Disobedience," from *Walden, or Life in the Woods*, New York: Signet Classics, (1999): 270. Henry David Thoreau (1817-1862) was a Transcendentalist essayist, poet, and abolitionist advocate. Born in Concord, Massachusetts, Thoreau studied at Harvard and taught grammar school in Concord, where he was urged by his friend, Ralph Waldo Emerson, to contribute essays and poems to periodicals. Thoreau famously avoided paying taxes as a result of his opposition to the Mexican-American War and slavery, and spent a night in prison; this incident inspired Thoreau to write one of his most famous essays, "Resistance to Civil Government" (later called "Civil Disobedience").