

“To the Public of Charleston,”

By Lauren VanDyke*

A pamphlet titled “To the Public of Charleston,” by Associate Justice William Johnson (1804-1834) was recently acquired by the Curator’s Office with the assistance of the Supreme Court Historical Society. Johnson’s letter to his fellow Charlestonians illuminates an important chapter in Charleston and antebellum history, while providing insight into the elusive Justice’s thoughts on major political issues of the day.



Collection of the Supreme Court

William Johnson, Associate Justice 1804-1834. Artist unknown, oil on canvas, early 19th Century.

On June 16, 1822, news broke in Charleston of a slave rebellion plot, what would become known as the Vesey Plot. The suspected insurrection, planned for the following month, involved thousands of free and enslaved blacks who lived in and around Charleston. The city’s recent suppression of the African Methodist Episcopal Church, whose membership was nearly 3,000 in 1820, provided the catalyst for the revolt. Denmark Vesey, a local Methodist leader and free man, was later identified as the leader of the “diabolical plot...to trample on all laws, human and divine; to riot in blood, outrage, rapine...and conflagration, and to introduce anarchy and confusion in their most horrid forms.” (Official Report of the Court of Magistrates and Freeholders, 1822)

In an atmosphere rife with fear of slave revolts, panic quickly flared. Police arrested slaves as armed guards surrounded the city. Justice William Johnson quickly learned of these actions. Concerned, he penned an anonymous letter titled “Melancholy Effect of Popular Excitement,” that was

published by a local newspaper and warned against the public’s rush to judgment.

The letter cautioned against a rash action and recalled a story from a suspected slave insurrection in Georgia a decade prior. There, following rumors of a plot, military troops had patrolled the area for signs of a rebellion. During the patrol, a horn was sounded by a drunken cavalry member causing confusion among the troops that a call to rebellion had been sounded. A frenzied search began for the slave trumpeter who had sounded the call, and a slave named Billy was subsequently found to be sleeping with a horn nearby and was arrested. Johnson wrote, “The Court of Magistrates and Freeholders was selected from men of the first respectability in the neighborhood; yet in fact, although no evidence was given whatever as a motive for sounding the horn, and the horn was actually found covered in cobwebs, they condemned that man to die the next day!”

Johnson’s letter appeared in print on June 21, shortly after Charleston had convened its own Court of Magistrates and Freeholders to begin trying suspected conspirators in closed sessions. The timing of the publication, though unintended by Johnson, seemed to invite comparison between the court referenced in Johnson’s tale and the one now formed in Charleston. This coincidence sparked a storm of controversy and Johnson was identified as the author of the letter. He was attacked in the press and ridiculed for insinuating that the Freeholders Court was committing what was tantamount to murder by rashly condemning the imprisoned slaves.

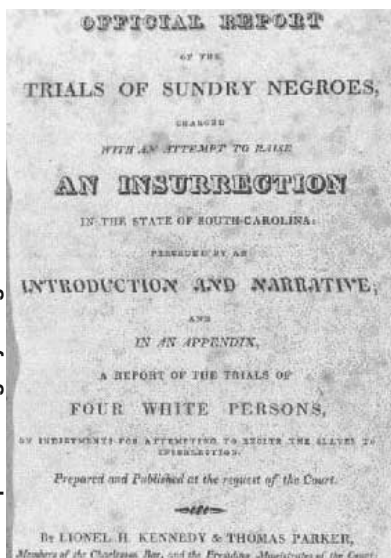
These accusations severely tarnished Johnson’s reputation. Rumors swirled through Charleston regarding his attitude towards slaves and the conspirators. Members of the Freeholders Court demanded an apology from Johnson, repeating their request almost daily. Ultimately Johnson felt his reputation had been so damaged that he needed to make a public statement clarifying his actions. On July 6, 1822, therefore, he issued his pamphlet, “To the Public of Charleston,” to review the entire course of events. He explained his actions and motivations in publishing his cautionary tale, saying “I could not see what offence could be given by a piece which at its utmost, could only be construed to call upon the reader to ‘pause and reflect.’” He claimed he did not intend to interfere with the activities of the Court; his hope was only that the letter “might have a good effect in deterring men from propagating false reports, and sporting with the fears of the people.”

Despite his efforts to assuage the public’s concerns and promote judicial restraint, Johnson’s cautionary tale fell on deaf ears. The controversy served to only further enflame public support for the Court, despite the fact that few people knew much about its activities. Members of the Court were urged to continue their work, and enjoyed much encouragement from the public. Johnson, in turn,

never fully repaired his damaged reputation. Private correspondence from Charlestonians illuminates their sentiments. One gentleman was disappointed that Johnson “had been drawn in to an unpleasant controversy” and that although his letters were well-intentioned, they were also “indiscrete.” Another writer found Johnson’s reply to the court “very lame” and thought the Justice should find himself “humbled” by the situation.

After over a month of closed-door trials, the Court of Magistrates and Freeholders adjourned. Approximately 130 black men had been arrested, with nearly 40 transported away from the county and 35, including Vesey, executed. Johnson’s actions in the aftermath of the Vesey Plot presaged his ultimate disassociation with Charleston. Through successive court cases and

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Denmark Vesey, planned a slave revolt in the Charleston area. It did not happen, but frightened and enraged citizens instigated repressive measures in reprisal as illustrated by this poster.

political controversies over the next decade, Johnson found himself so at odds with his native city that he chose to depart and ultimately died far away in New York. Johnson’s published letter “To the Public of Charleston” remains a testament to his devotion to justice and to his native city.

For more information on these events in the life of Justice Johnson, see “Divided Loyalties: Justice William Johnson and the Rise of Disunion in South Carolina, 1822-1834” by Timothy S. Huebener. *The Journal of Supreme Court History*, 1995, p. 19-30. For additional information on the Vesey Plot and attitudes toward slavery in the antebellum South, see *Deliver Us From Evil: The Slavery Question in the Old South*, by Lacey K. Ford (2009).

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The Supreme Court Historical Society Co-Hosts The Supreme Court Fellows Program’s Annual Lecture and Dinner

When the Supreme Court Historical Society and the Supreme Court Fellows Program join together to host programs and share fellowship, the outcome is always memorable. This was particularly true on March 5, 2015, an especially snowy day in Washington, when nearly nine inches of snow kept most residents inside. But the snow was no match for supporters of the Fellows Program and the Society.

On that day, the annual Supreme Court Fellows Program Lecture and Dinner, which the Society cosponsored, lit up both the Newseum and the Supreme Court with an engaging program on legal interpretation and a warm celebration honoring the 2014-2015 Supreme Court Fellows.

Over 150 guests attended a public program at the Newseum entitled, “Reading Law: The Interpretation of Legal Texts.” Justice Antonin Scalia and Bryan Garner, who co-authored the book for which the program was named, shared an informative and delightful discussion about time-honored and sometimes conflicting principles for interpreting constitutional provisions, statutes, and contracts. Their lively presentation, which drew upon illustrations from a wide array of sources, revealed how the selection of

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The 2014-2015 Supreme Court Fellows, from left to right: Derek Webb, Matthew Axtell, Zachary Kaufman, and Isra Bhatti.

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