

“‘REBELS AGAINST A REBELLION’: SOUTHERN UNIONISTS IN SECESSION, WAR
AND REMEMBRANCE”

by

BARTON A. MYERS

(Under the Direction of John C. Inscoe)

ABSTRACT

“‘Rebels Against a Rebellion’” reconstructs the lost world of white-and-black uncompromising unionists who lived in North Carolina during the four years of the American Civil War. Here I use the phrase “lost world” because the history of this minority of the southern population was largely eradicated by the Lost Cause mythology of the Civil War, which asserted that the South and Confederacy were one and the same and that all southerners were either steadfast Confederates or loyal slaves. This project examines the life and death struggle of more than 360 North Carolina unionists who asserted their individual unionist identities while challenging the establishment of a Confederate government, state and the imposition of Confederate identity on all members of the southern population. This story is not one of triumph by the unionists but one of resistance, bravery and ultimately defeat as they were violently persecuted by a police state and then largely written out of the South’s Civil War history in the post-war years.

INDEX WORDS: Southern Unionists, Civil War North Carolina, Irregular Warfare, Guerrilla Conflict, Military Occupation, Dissent

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BARTON A. MYERS

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M.A., The University of Georgia, 2005

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Major Professor: John C. Inscoe

Committee: James C. Cobb
Paul S. Sutter
Stephen Mihm
Stephen Berry

Electronic Version Approved:
Maureen Grasso
Dean of the Graduate School
The University of Georgia
May 2009

DEDICATION

For my parents

Joseph Alan Myers (1957-1993)

and

Wendy R. Myers

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Almost every morning I worked on this project, I got up, rolled out of bed, and walked to the history department at the University of Georgia (UGA). Along my path to work, I strolled through Civil War history--the T.R.R. Cobb House, home of the scholar and Confederate general who wrote a legal treatise defending slavery and died in 1862 at the Battle of Fredericksburg, and then past the Ladies Memorial Association Monument in the center of Broad Street, which commemorated fallen Confederate soldiers of “the war.” I next walked through the UGA Arch, symbol of America’s oldest state chartered institution of higher education, and then by the site of the famed Robert Toombs Oak tree, where the future Confederate statesmen allegedly delivered an antebellum speech so eloquent that it drew crowds away from a UGA graduation ceremony nearby. Athens and UGA have been a delightful place to live and think about America’s greatest conflict during the past five years.

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The UGA history department has been a fantastic place to learn the craft of history and build a career. I’m so deeply indebted to my committee’s advice and friendship that indeed I’m bankrupt without any chance of ever repaying their kindness. I will never be able to reimburse John C. Inscoe, my mentor and friend for his sage guidance. While John is widely respected

among southern historians as the Dean of Appalachian history, what is less known is his tireless work on behalf of his graduate students. Simply put, John's consistent support and brilliant critiques of my work, including advising the master's thesis that became my first book *Executing Daniel Bright*, have made me the historian that I am today. Indeed, John's mentorship example has become the standard in the field of both Appalachian and southern history. James C. Cobb's work is respected among southern historians for its thoughtful argument, irreverent wit and engaging prose, but what is less widely known is how dedicated he is to training so many fine young graduate students at UGA. I've been truly blessed to have him as a committee member throughout my graduate career. As I developed the initial proposal for this project, UGA was fortunate enough to hire the talented cultural historian Stephen Berry, who has not only been a great friend but whose clear vision for the future of the American Civil War field has shaped my work and will shape the work of many to come. Paul Sutter, a leading historian of environmental history with a dazzling intellect, was gracious enough to provide excellent criticisms of my work from the time I first entered a graduate course. I would have been a much more intellectually impoverished historian if I had not made his acquaintance. I'm also very honored that Stephen Mihm, whose work on early America is impressive and wide ranging, agreed to serve on my committee and provide commentary on this dissertation.

This work has benefited from so many archivists and librarians at a wide variety of institutions that I will doubtless never get a chance to thank them all personally. I would especially like to acknowledge the archivists at UGA's interlibrary loan department, the North Carolina State Archives, the University of North Carolina at Chapel Hill's Southern Historical Collection and North Caroliniana Collection, the Perkins' Library at Duke University, and the National Archives in Washington, D.C. and College Park, M.D.

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My family has sacrificed far more than I in order for me to write this and pursue a doctorate in history. My mother, brother, and grandmother have never failed to support my every move, even when it meant sending me across the country to do research or write for months on end. My dearest friend and partner throughout this process has been my dedicated, charming and radiant wife Molly. Without her love and affection, I would never have been capable of telling this story.

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Introduction

“The future historian will award the highest praise to those who hold out longest against the efforts of madmen to destroy this great country.” *Carolina Watchman* (Salisbury, N.C.), 12 March 1861

On 28 July 1862 Colonel Solomon William’s Second North Carolina Cavalry were doing the tedious and unexciting work of picket duty in coastal Jones County, North Carolina when they destroyed a family. In their zealous effort to interrupt the flow of information from local inhabitants to the U.S. Army then occupying New Berne only a dozen miles to the east, they arrested Moses Taylor, a white farmer in his early fifties. As Moses’ wife Eliza later explained, “My husband was a Union man,” and Confederates “accused him of carrying news to the Yankees.” While it is impossible to know what information, if any, Moses may have passed to the Union troops, it is clear that his alleged activities were viewed as dangerous and disloyal by the Confederates. “It [was] well understood and known in the neighborhood by all there acquainted with the family, that they were all considered loyal to the U.S. government,” one of the Taylors’ unionist neighbors later stated. Moses wasn’t alone. Eliza had two other brothers sent away with her husband to the Confederate military prison at Salisbury, North Carolina and another brother who “forsook his home and went to the Union Army at Newbern N.C. and rendered service to it.” While she did receive at least one letter from Moses after his incarceration, Eliza never saw her beloved Moses again after his arrest. Moses Taylor died of smallpox at Salisbury Confederate Prison in February 1864. The American Civil War shattered this unionist family.¹

¹ Estate of Moses Taylor, (Jones, no. 2198), Southern Claims Commission Case Files, 1877-1883, Records of the Government Accounting Office, Records of the Third Auditor’s Office, RG 217, National Archives, College Park, MD (hereafter cited as Southern Claims); Roger H. Harrell, *The Second North Carolina Cavalry* (Jefferson, NC:

In March 2008 after some gumshoe historical detective work, I made the trek to the Confederate military prison cemetery at Salisbury hoping to find the grave of Moses Taylor. Taylor, a peaceable farmer, now rests in grave plot #76 below a headstone that states simply, “Moses Taylor U.S. Soldier,” a misidentification of his wartime occupation but one that is easily understood given his incarceration alongside 11,700 U.S. soldiers buried at the prison and the hasty record keeping of U.S. officials as they reinterred the dead in orderly rows post-war. Taylor’s grave is less than thirty feet from a monument to U.S. soldiers that reads “To Live in Hearts We Leave Behind is Not to Die” and “Neither Hunger Thirst Nor Offered Bribes Affected Their Loyalty” and another monument that reads “They Died That Their Country Might Live.” These monuments highlight the irony of Moses Taylor’s story since few southerners, indeed few Americans, today remember the lives of southern unionists living in the region during the four years of the Civil War.²

When Pulitzer Prize-winning reporter Tony Horwitz visited North Carolina in the late 1990s while researching his bestselling book *Confederates in the Attic: Dispatches from the Unfinished Civil War*, he was surprised to find a military prison and national cemetery in the little town of Salisbury filled not just with Yankee P.O.W.s but with “Southern deserters, Carolina Quakers jailed for being conscientious objectors, and convicts imprisoned for petty theft, drunkenness, or ‘trading with the Yankees and inducing Negroes to go to Washington D.C.’” “Like most Civil War buffs,” Horwitz reflected, “I’d always focused on the grim but glorious history of battle.” But even though Horwitz took notice of these “odd” additions to the

McFarland Co., 2004), 37-38; On the operations of the Second North Carolina Cavalry during this period, see Charles D. Sanford Report, 28 July 1862, U.S. War Department, *War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies*, 128 vols. (Washington: Government Printing Office, 1880-1901), Ser. 1, Vol. 9, 349 (hereafter cited as *Official Records*).

² Salisbury National Cemetery, Salisbury, Rowan County, North Carolina, n.d.
http://www.interment.net/data/us/nc/rowan/salisnat/salisbury_soto.htm (15 September 2008).

Salisbury military prison cemetery, he did not mention others who were imprisoned there during the war: the uncompromising, stalwart southern unionists. Upon reading this chapter of Horwitz's fascinating tour of the former Confederacy, I puzzled over how despite his well-meaning and dedicated attempts to come to grips with America's Civil War, he had not found even one person in Salisbury or North Carolina familiar with or willing to talk about North Carolina's minority unionist population. Indeed, Horwitz did not find one person in the entire South who mentioned this group of southerners. This is both frustrating and fascinating at the same time. The piedmont region of North Carolina where Salisbury prison is located had been home to many of these unionists during the war and at least two inflexible unionists Enoch Jones and Moses Taylor and possibly more died at Salisbury. Certainly Horwitz's experience did much to prove the claim of another Pulitzer Prize winner, historian Douglass Southall Freeman, who asserted in his 1939 work *The South to Posterity* that Lost Cause authors were rewriting the history of the war with their own vision of the conflict and passing down the story of a united Confederate South to their children.³

This claim is highlighted by another event of that year, the debut of the Academy Award-winning film *Gone With the Wind*. Producer David O. Selznick's adaptation of Margaret Mitchell's novel created a Civil War popular culture icon in the southern belle Scarlett O'Hara and the movie went as far as any to imbue the nation with a Lost Cause vision of a united white Confederate South fighting "the damn Yankees." Only within the last ten years has popular culture turned back toward the darker side of the Civil War's home front irregular war in North Carolina with Charles Frazier's novel and later movie *Cold Mountain*. Yet, even in the movie *Cold Mountain*, only deserters and home guards are brought to the fore; stalwart unionists are

³ Tony Horwitz, *Confederates in the Attic: Dispatches From the Unfinished Civil War* (New York: Pantheon, 1998), 21; Douglas Southall Freeman, *The South to Posterity: An Introduction to the Writing of Confederate History* (New York: Charles Scribner Sons, 1939), introduction.

still absent. For the 144 years since the American Civil War ended, the bulk of fictional and non-fictional books, movies, and popular culture works on the conflict have conveniently left out the Moses and Eliza Taylors of the Civil War South.⁴

Who were these southern unionists that no one mentioned or discussed with Tony Horwitz in the 1990s and that were left out of the films *Gone With the Wind* and *Cold Mountain*? Where had the story of the unionists gone? Had someone suppressed it? Had some collective of authors written their lives out of existence? If so, why had they done it? These were the questions that first prompted me to research and write this narrative. But a host of other questions emerged as unionists' stories unfolded before me in distant archives amidst dusty old papers. How did the Confederate military treat this group of individuals? What role did Confederate military policies like conscription, impressments, the tax-in-kind, and the Partisan Ranger Act play in their lives? For that matter, how did the local Confederate military forces deal with the white and black unionists whenever they were occupied in their home communities? Why and how had unionists become involved in militant resistance to the Confederate government? What were the origins of the irregular wars that developed? Were these local conflicts all the product of unionists or did something else cause local conflict? This narrative seeks to answer these questions.

Moses and Eliza were not famous leaders of the Confederate or Union cause during the American Civil War. Neither of them fought on any major battlefield of the conflict. In fact, they spent their war experience on the Confederate home front in an Upper South slave state. But these people experienced the horrors of the conflict in ways that few civilians who supported the Federal government in the North ever would. What separated these southerners, members of

⁴ Margaret Mitchell, *Gone With the Wind* (New York: MacMillan, 1936); *Gone With the Wind*, prod. David O. Selznick, 4 hours, MGM/United Artists, 1939, videocassette; Charles Frazier, *Cold Mountain* (New York: Atlantic Monthly Press, 1997); *Cold Mountain*, prod. Sidney Pollack, William Horberg, Albert Berger, and Ron Yerxa, 154 mins., Miramax Films, 2003, DVD.

their families and neighborhoods, and many like them across North Carolina and the Confederacy were their political proclivities in support of the antebellum Union of states. When push came to shove in 1861, these people were forced to make a choice, and it was their respective decisions and the consequences of those actions that this dissertation will explain. While a great deal has been written about the major battlefield leaders and conflicts of the American Civil War, military policy and its role on the home front and especially its impact on the dissenting population living in the Confederacy has not received the same careful attention.

Only recently have scholars begun to reevaluate the wartime role of southern unionists who resisted the Confederate government. North Carolina, while the subject of considerable scholarship on dissent at the local level, has oddly never been the subject of a statewide study looking at its unionist population or that population's uneasy relationship with the Confederate and Union armies. Furthermore, no scholar has explored the origins of irregular warfare in North Carolina in a statewide study. At its center, this project will explore the relationship between southern unionists and the military policies of the Confederate and Union authorities operating in North Carolina and subsequently the emergence of militant resistance (and in particular irregular warfare) on the home front. This work blends the techniques of social, political and military history to train a high-powered lens on the home front of the Old North State—a state that evolved during four years of war from a political and economic struggle to a battlefield for southern unionists.⁵

⁵ For authors who have addressed southern unionism, see Georgia Lee Tatum, *Disloyalty in the Confederacy* (Chapel Hill: Univ. of North Carolina Press, 1934); Carl N. Degler, *The Other South: Southern Dissenters in the Nineteenth Century* (New York: Harper and Row, 1974); Wayne K. Durrill, *War of a Another Kind: A Southern Community in the Great Rebellion* (New York: Oxford Univ. Press, 1989); Noel C. Fisher, *War at Every Door: Partisan Politics and Guerrilla Violence in East Tennessee* (Chapel Hill: Univ. of North Carolina Press, 1997); Thomas G. Dyer, *Secret Yankees: The Unionist Circle in Confederate Atlanta* (Baltimore: Johns Hopkins Univ. Press, 1999); Daniel E. Sutherland ed., *Guerrillas, Unionists, and Violence on the Confederate Home Front* (Fayetteville: Univ. of Arkansas Press, 1999); John C. Inscoe and Gordon B. McKinney, *The Heart of Confederate Appalachia: Western North Carolina During the Civil War* (Chapel Hill: Univ. of North Carolina Press, 2000); John

The stories of these “rebels against a rebellion” the white-and-black, men-and-women who remained loyal to the U.S. government in North Carolina confront in the starkest manner the Lost Cause mythology of an overwhelmingly united white Confederacy, where blacks were only loyal slaves when mentioned at all, a myth that fundamentally denied and continues to deny the very existence of southerners like Moses and Eliza. The goal of this narrative is to recover the lost, stolen, and forgotten stories of North Carolina’s loyal, unconditional unionist population and provide a small dose but long needed inoculation against that myth as it relates to the state of North Carolina. By rebuilding their world, scholars can not only learn about the world unionists lived in but also more about the world Confederates created around them.⁶

Only a handful of book-length studies and dissertations on North Carolina have addressed the question of unconditional unionism, and these studies have focused primarily on white unionists at the county and regional level. Among the most important local studies in North Carolina that have offered invaluable contributions include the work of Phillip Shaw Paludan in his *Victims* on the Shelton Laurel Massacre in Madison County, Wayne Durrill’s *War of Another Kind* on Washington County, Martin Crawford on Ashe County, and John C. Inscoe and Gordon McKinney’s *The Heart of Confederate Appalachia* on western North Carolina’s mountain war. The work of Judkin Browning in his dissertation “Wearing the Mask of Nationality Lightly” and Barton Myers in *Executing Daniel Bright* have studied unionism on the coast of North Carolina

C. Inscoe and Robert Kenzer ed., *Enemies of the Country: New Perspectives on Unionists in the Civil War South* (Athens: Univ. of Georgia Press, 2001); Catherine Clinton ed., *Southern Families at War: Loyalty and Conflict in the Civil War South* (New York: Oxford Univ. Press, 2000); William W. Freehling, *The South vs. The South: How Anti-Confederate Southerners Shaped the Course of the Civil War* (New York: Oxford Univ. Press, 2001); David Williams, Teresa Crisp Williams, and David Carlson, *Plain Folk in a Rich Man’s War: Class and Dissent in Confederate Georgia* (Gainesville: Univ. Press of Florida, 2002); Margaret Storey, *Loyalty and Loss: Alabama’s Unionists in Civil War and Reconstruction* (Baton Rouge: Louisiana State Univ. Press, 2004); Brian D. McKnight, *Contested Borderlands: The Civil War in Appalachian Kentucky and Virginia* (Lexington: Univ. Press of Kentucky, 2006).

⁶ James W. Savage, *Loyal Element of North Carolina During the War* (Omaha, NB: Nebraska Commandery of the Military Order of the Loyal Legion of the United States, 1886), Pamphlet Collection, North Caroliniana Collection, Wilson Library, University of North Carolina at Chapel Hill. Savage used the phrase “rebels against a rebellion” in his speech to describe North Carolina unionists.

in New Berne and the Great Dismal Swamp region respectively offering important insights on irregular warfare and military occupation. Few scholars have contributed more to the study of North Carolina during the war than Paul D. Escott, whose works *Many Excellent People* and *After Secession* used North Carolina to confront scholarship on Confederate nationalism that argued for intense commitment among a broad cross-section of the white southern population. Historian Victoria Bynum's work *Unruly Women* likewise opened a new avenue for scholars of the war by addressing dissident white and black women of the North Carolina piedmont. William Auman's dissertation and articles on the central counties of North Carolina also offered valuable work on the intersection of unionism, clandestine political networks, and irregular war in the piedmont region. Without this earlier work, this study would have been much more difficult.⁷

Where this dissertation diverges from these earlier important studies is both the scope and depth of analysis on the topic of North Carolina unionism as well as the attempt to address new questions about the treatment of unionists both during and after the war by Confederates and ex-Confederates. At the center of this study are four overarching questions. Who were the unconditional unionists of North Carolina that remained loyal to the United States government? How did they view the Confederacy? How did Confederate citizens and officials treat them? What happened to them after the war? In order to answer these questions, the narrative explores the political backgrounds and motivations of unionists during the secession crisis of 1860 and

⁷ Philip Shaw Paludan, *Victims: A True Story of the Civil War* (Knoxville: Univ. of Tenn. Press, 1981); Durrill, *War of Another Kind*; Martin Crawford, *Ashe County's Civil War: Community and Society in the Appalachian South* (Charlottesville: Univ. of Virginia, 2001); Inscoc and McKinney, *The Heart of Confederate Appalachia*; Judkin Browning, "Wearing the Mask of Nationality Lightly: The Effects of Union Military Occupation During the Civil War," Ph.D. Dissertation, University of Georgia, 2006; Barton A. Myers, *Executing Daniel Bright: Race, Loyalty, and Guerrilla Violence in a Coastal Carolina Community, 1861-1865* (Baton Rouge: Louisiana State Univ. Press, forthcoming 2009); Paul D. Escott, *Many Excellent People: Power and Privilege in North Carolina, 1850-1900* (Chapel Hill: Univ. of North Carolina Press, 1985); Paul D. Escott, *After Secession: Jefferson Davis and the Failure of Confederate Nationalism* (Baton Rouge: Louisiana State Univ. Press, 1978); Victoria E. Bynum *Unruly Women: The Politics of Social and Sexual Control in the Old South* (Chapel Hill: Univ. of North Carolina Press, 1992); William T. Auman, "Neighbor Against Neighbor: The Inner Civil War in the Central Counties of North Carolina," (Ph.D. Dissertation, Univ. of North Carolina at Chapel Hill, 1988).

early 1861, the experience of Confederate military occupation, the origins of political, social, and militant resistance to this new Confederate police state, the participation of unionists in the irregular wars that erupted across North Carolina from 1862 through 1865, and finally the role of ex-Confederates and Lost Cause mythologizers in suppressing the history of southern unionism in North Carolina.

The single most important source for analyzing southern unionism in the Civil War South is the records of the Southern Claims Commission (SCC). The SCC was a body set up by the U.S. Congress in 1871 to adjudicate the validity of southerners' assertions of wartime unionism and remunerate the claimants for property taken by the U.S. Army while operating in the South. Each consists of an average of thirty pages of court deposition from unionists and supporting witnesses in response to a list of eighty standardized questions (See Appendix C). In order to receive reimbursement, one had to make a convincing case for his or her sustained commitment to the Union throughout the war. The commission eventually heard 22,298 separate claims from white and black southerners during its nine years of service of which 7,092 survived the rigorous tests for loyalty and property loss administered by the commission.⁸

While this study is primarily concerned with determining the cultural nuances of unionism and the self-identification of political dissenters and not primarily about quantifying dissent, it does offer a systematic analysis of the most reliable source on unionism. The foundation for this dissertation includes an analysis of all 362 extant approved SCC claims from the state of North Carolina. I also evaluated the entire collection of disallowed claims to

⁸ For a listing of claimants, see Gary B. Mills, *Southern Loyalists in the Civil War: The Southern Claims Commission* (Baltimore, MD: Genealogical Publishing Co., 1994); Also, see Frank W. Klingberg, *The Southern Claims Commission* (Berkeley: Univ. of California Press, 1955), which undertook a quantitative analysis of the small number of claims filed for over \$10,000; Sarah Larson, "Records of the Southern Claims Commission," *Prologue: The Journal of the National Archives* 12 (1980): 207-218; The SCC officially ended its consideration of claims in March 1880.

determine the accuracy of the commission's evaluation of claimants (See Appendix B for how these claims were analyzed). Nevertheless, for a wide variety of reasons, these claims do not reflect or represent the total number of uncompromising unionists. Many allowed claims were destroyed, and a large number of other unionists emerged from the shadows of time to testify on behalf of others but never filed claims themselves. Property issues also limited the number of claimants. Some black unionists had been slaves or free blacks that owned no property, many unionists doubtless could not afford the process of filing a claim, other unionists could not prove their property was taken by the U.S. Army during the war, and still more unionists simply had no property taken for which to file a claim.⁹

Both to the unionists themselves and the SCC commissioners, unconditional fidelity meant doing enough for the Union to overcome anything done under coercion. The bar for overcoming anything disloyal was quite high; in order to overcome the deep suspicion of disloyalty, the aid to the Union claimants asserted had to be convincing to very skeptical commissioners. Unionists themselves understood the world of fear and coercion in which they had lived during the war. For example, paying taxes was not tacit recognition of the Confederacy or acceptance of Confederate identity; it was coercion in which they sometimes had to acquiesce in order to resist in covert ways—an alternative to direct confrontation, which could have meant imprisonment, violence or death. In his seminal work *Inside War*, Michael Fellman introduced the concept of “survival lying” for understanding the mental reservations of many unionists caught in a guerrilla war in Missouri. It is clear that unionists from all walks of life and in many home front situations not just guerrilla wars were frequently forced to lie in order to remain safely at home while still finding ways to support the Union cause. Clearly, however, in order to

⁹ For the disallowed SCC claims, see Records of the Southern Claims Commission, 1871-1880, Disallowed Claims, RG 233, NARA, Washington, D.C (hereafter cited as Southern Claims Disallowed).

be considered a principled unionist by the SCC commissioners and for this study, one had to demonstrate through thought, speech and action that one had remained loyal throughout the war.¹⁰

In addition to the SCC testimony, which is at the base of the quantitative analysis, this dissertation also draws from the three book length primary sources written by unionists. W. H. Younce's *Adventures of a Conscript*, a post-war memoir that addresses Younce's political beliefs and wartime experience, offers important insight into the experiences of mountain unionists. Alexander Hamilton Jones' memoir *Knocking at the Door* also addresses these issues from the perspective of a politically influential local figure in the mountains. The diary of Basil Armstrong Thomasson also presents a unionists perspective from the piedmont.¹¹

The background and motivations behind unionism have provoked an intense scholarly debate among Civil War scholars during the last decade. What emerges in this narrative is the multi-faceted nature of southern unionism and the diverse backgrounds of those who subscribed to it. These unionists rebelled against what they viewed as a false southern, Confederate identity. Though white unionists did not all completely agree on the purpose of the antebellum Union or on the future of slavery as an institution in the United States, they did all believe that by 1860 the Union should be forever indivisible. For white unionists, their loyalty stripped them of many of the antebellum protections that their race afforded them. White unionists faced constant suspicion, threats of violence, treason charges, torture and sometimes death. In many cases, for

¹⁰ Michael Fellman, *Inside War: The Guerrilla Conflict in Missouri During the Civil War* (New York: Oxford Univ. Press, 1989), 49-52.

¹¹ W.H. Younce, *Adventures of a Conscript* (Cincinnati: The Editor Publishing Co., 1901); Alexander H. Jones, *Knocking at the Door: Alex H. Jones, Member-Elect to Congress: His Course Before the war, During the War, and After the War. Adventures and Escapes* (Washington: McGill & Witherow, Printers and Stereotypes, 1866); Paul D. Escott, ed., *North Carolina Yeoman: The Diary of Basil Armstrong Thomasson, 1853-1862* (Athens, GA: Univ. of Georgia Press, 1996); also of value are the North Carolina's Federal Writer's Project Slave Narratives that illustrate the black unionist experience; see, "Born in Slavery: Slave Narratives from the Federal Writers' Project, 1936-1938," (23 March 2001) <http://lcweb2.loc.gov/ammem/snhtml/snhome.html> (15 August 2008). The Works Progress Administration collected 180 narratives of North Carolina slaves during the 1930s.

blacks--whether free or enslaved--their loyalty to the Union and acting upon that loyalty placed them in even greater danger than they had experienced before the war. This project adds to the work of historian Steven Hahn, who has recently argued that southern blacks had clearly defined politics and political networks during the Civil War, by examining the lines of the political fissures within the black community. Blacks were not only politically engaged, but as I argue, they actually made up two distinctive political coalitions, one anti-Confederate and one actively unionist.¹²

Chapter One of this dissertation explores the question of who unionists were at the time of secession. In addition to examining the transition of many conditional unionists to Confederates during the early months of 1861, this chapter explores the background of who remained loyal after the fall of Fort Sumter and the secession of North Carolina. While many scholars including Paul Escott and David Williams have highlighted class as a clear division between those who remained loyal and those who did not, this study complicates that picture. While roughly two-thirds of unionists were farmers of modest means, roughly 20 percent of the unionists in this study fall into commercial, professional and artisan occupations that made up a southern middle class by 1860. Of the 19.6 percent of white unionists who owned slaves, they owned on average only 8.2 slaves per person. A handful of unionists did express anti-slavery views and an even smaller number were abolitionists, but their status as non-slaveholders was more commonly a phenomenon of poor economic standing not progressive racial beliefs. The ambivalence among many white unionists who owned slaves is closer to what Frank Bryne in *Becoming Bourgeois* has found among southern merchants. This study also confirms the continued strength of the antebellum Whig Party among white male unionists. White unionists

¹² Steven Hahn, *A Nation Under Our Feet: Black Political Struggles in the Rural South from Slavery to the Great Migration* (Cambridge, MA: Harvard Univ. Press, 2003), chapter three.

were more likely to mention Whig Party membership and policies than any other single political reason for continued support of the Union. Unionists as a group offered no grand, coherent vision of the future republic, and they frequently identified with history and historical leaders to ground their political world view.¹³

The new Confederate government in North Carolina was instituted by force. For unionists this military force became a military occupation that restricted their dearly held civil liberties and replaced them with fear and violence. Chapter Two examines this world of Confederate military occupation. The new police state in North Carolina was repressive and kept unionists in a near constant state of fear. While unionists did not all react the same way to this new Confederate occupation in their home neighborhoods and communities, they all recognized the rapid and devastating change that had occurred in their lives. Historian Mark Neely and Paul Escott have addressed how dissident southerners were frequently denied civil liberties by the Jefferson Davis government. This study goes further than their studies to examine the role that local Confederate military forces in North Carolina played in constructing a military occupation on the southern home front where unionists lived. Confederates constructed a police state around unionists by systematically denying them civil liberties: freedom of political speech, religion, assembly and frequently, the right to a fair trial by jury.

While violence toward civilians did not reach the scale of full blown total war, it did, however, intimidate many unionists into remaining silent, hiding out, terrifying them and forcing many into secret, underground resistance. This dissertation contends that the harshest military effort directed at any civilian population during the war was Confederate military policy toward its own black and white unionist minority. Wholesale round-ups of deserters and unionists in

¹³ Frank Byrne, *Becoming Bourgeois: Merchant Culture in the South, 1820–1865* (Lexington, KY: University Press of Kentucky, 2006), Introduction.

some regions of the state, restriction on the mobility of unionists, the placement of Confederate troops at the polls in 1864, arbitrary arrests and imprisonment, confiscation and destruction of unionist property, and violent, personal threats directed at least one-third of all the unionists in this study created a Confederate police state in North Carolina.¹⁴

This dissertation asserts that unionist resistance had clear political significance. White unionists resisted in order to prevent the imposition of Confederate political identity on themselves, loyal family members, and their communities. Early in the war, black unionists believed that the Abraham Lincoln administration represented the hope of emancipation and after the Emancipation Proclamation in 1863 the promise of slavery's destruction. Chapter Three of the project investigates the meaning of the many forms that this resistance took. The important blows unionists struck within the South included: providing aid to Confederate enemies; engaging in subversive activity with the Heroes of America, a clandestine unionist organization; denigrating Confederate leaders and symbols, including currency and the flag; attempting escape from the state; joining the U.S. Army; and ultimately promoting militant resistance on the home front.

Chapter Four focuses specifically on the impact of irregular warfare on unionists and North Carolina. Militant resistance by unionists stretched across all parts of the state by 1865, and unionists played key roles in it all, whether as irregulars, regular soldiers, or persecuted victims of Confederate guerrillas. Unionists lived a war on the home front, a violent brutal one. In fact, the closest the Civil War ever came to being a truly total war in terms of destruction, violence, intimidation and death aimed at southern civilians resulted from the Confederate

¹⁴ On Confederate military policy toward southern civilians, see Paul D. Escott, *Military Necessity: Civil-Military Relations in the Confederacy* (Westport, CT: Praeger Security International, 2006); on the definition of total war, see Mark Grimsley, *The Hard Hand of War: Union Military Policy Toward Southern Civilians* (New York: Cambridge Univ. Press, 1995), Introduction.

government's own military policy and counter-dissent efforts against inflexible unionists, disaffected citizens and deserters. This home front conflict in North Carolina was a chaotic war that both U.S. and Confederate military officials tried to control. Ultimately, this study does not argue that unionists were the most important reason for the Confederacy's collapse, but it does assert that the story of the southern unionists illustrates the fundamental problems the Confederate government created for itself internally that eventually wrought increased resistance among southern whites as the war progressed. While the police state collapsed into chaos in some communities in North Carolina by late 1864, other areas would remain under its firm control until the U.S. Army arrived in early 1865.¹⁵

By 1864 more than thirty counties in North Carolina (one-third of the state) were embroiled in one of three different forms of irregular warfare. This challenges the work of scholars who have argued that irregular warfare only raged in western North Carolina or a handful of counties in the central piedmont and illustrates the spatial, geographic collapse of the Confederate military's command and control of the South by 1864. This study argues that North Carolina had three distinctive types of irregular warfare: raiding, people's war, and partisan ranger conflict. At the root of each type of irregular war in North Carolina was Confederate military policy. In the people's war of self-constituted bands of unionists, deserters and conscript evaders that erupted in the mountains and piedmont, Confederate conscription sparked violence. While in the coastal war, the Confederacy's own Partisan Ranger Act of 1862 caused the initial formation of units that could not be controlled and eventually wrought a U.S. Army counter-

¹⁵ For a selection of the scholarship on local irregular conflict within North Carolina, see Paludan, *Victims*; Inscoc and McKinney, *The Heart of Confederate Appalachia*; Auman, "Neighbor Against Neighbor: The Inner Civil War in the Central Counties of North Carolina"; Durrill, *War of Another Kind*; Bynum, *Unruly Women*; Crawford, *Ashe County's Civil War*; Myers, *Executing Daniel Bright*; on the importance of irregular warfare to the Civil War South, see Daniel E. Sutherland, *A Savage Conflict: The Decisive Role of Guerrillas in the American Civil War* (Chapel Hill: Univ. of North Carolina Press, 2009); Daniel E. Sutherland, "Guerrilla Warfare, Democracy, and the Fate of the Confederacy," *Journal of Southern History* 68 (2002): 259-292; Daniel E. Sutherland, "Sideshow No Longer: A Historiographical Review of the Guerrilla War," *Civil War History* 46 (2000): 5-23.

guerilla effort there that frequently resembled the raiding warfare present in the East Tennessee-Western North Carolina border region. Conscription, impressment of property, and the full-pressure of the police state drove many men into the U.S. Army in East Tennessee, and these units played the principal role in the cross-border raiding warfare of the state's western region. Regular troops on lightning raids or skirmishing with Confederate soldiers produced this distinctive type of conflict layered on top of the existing people's war.¹⁶

The war ended in different ways for unionists in 1865. Many saw liberation at the hands of the U.S. Army, but in the aftermath of Confederate surrender, their private wars did not end in a southern unionist victory. The final chapter of this dissertation engages the question of how North Carolina unionists were erased from the national memory of the Civil War and specifically North Carolina's own version of the Lost Cause mythology. Ex-Confederates and Lost Cause writers constructed a specific version of Civil War history for the state of North Carolina. Governor Zebulon Vance, who was the most important of these Lost Cause writers, did so during a period when North Carolina and other former Confederate states were competing with Virginia for dominance over what that mythology would be. In order to compete with the pantheon of Virginia notables like Generals Robert E. Lee, Stonewall Jackson, and J.E.B. Stuart, North Carolina's writers minimized all forms of political dissent on the home front including inflexible unionism and irregular warfare in North Carolina.¹⁷

¹⁶ Robert R. Mackey, *The UnCivil War: Irregular Warfare in the Upper South, 1861-1865* (Norman: Univ. of Oklahoma Press, 2004), introduction; Mackey outlines three distinctive types of irregular warfare but oddly did not examine North Carolina because he asserted that there was not enough U.S. Army military activity in the state to offer substantive analysis. This study differs from Mackey by asserting that all three major types of irregular conflict he outlined raiding, people's, partisan-were present in North Carolina. Mackey saw these as largely exclusive forms of conflict with limited impact on North Carolina.

¹⁷ For scholars who have focused on North Carolina's Civil War memory, see John C. Inscoe, "'To Do Justice to North Carolina': The War's End according to Cornelia Phillips Spencer, Zebulon B. Vance, and David L. Swain," and Steven E. Nash, "The Immortal Vance: The Political Commemoration of North Carolina's War Governor" in Paul D. Escott, ed. *North Carolinians in the Era of the Civil War and Reconstruction* (Chapel Hill: Univ. of North Carolina Press, 2008); Gordon B. McKinney, *Zeb Vance: North Carolina's Civil War Governor and Gilded Age*

The tales of inflexible unionists living in the Confederacy remain some of the most compelling untold stories of the Civil War period. This dissertation explores the lives of North Carolina's unionists with a hope of restoring these people to their place in the history of the conflict. Their stories not only complicate our view of the war we thought we knew, but may lead scholars to an entirely new understanding of what Confederates attempted to do.

Political Leader (Chapel Hill: Univ. of North Carolina Press, 2004), especially chapters twenty and twenty-six; Joe Mobley, *"War Governor of the South": North Carolina's Zeb Vance in the Confederacy* (Gainesville, FL: Univ. Press of Florida, 2005).

CHAPTER ONE

Secession

“It Was Perfect Madness”

“Rebel, n. A proponent of a new misrule who has failed to establish it.”

“Vote, n. The instrument and symbol of a freeman’s power to make a fool of himself and a wreck of his country.”

Ambrose Bierce, *The Devil’s Dictionary*

In the spring of 1861, forty-nine year old Roland Gooch, a white farmer who resided in Wake County, North Carolina, experienced what must have been some of the most terrifying hours of his life. Several months earlier during the Presidential election of November 1860 Gooch went to the polls and optimistically cast his ballot for Constitutional Union Party Presidential candidate John Bell of Tennessee. Bell was the man Gooch believed could stop already boiling sectional tensions between the northern and southern states from spilling out of a political cauldron and onto the battlefield. But Republican anti-slavery candidate Abraham Lincoln won that election and in response South Carolina and six of her sister states seceded. Later that next February, as seceding states met in Montgomery, Alabama to found the Confederate States of America, Gooch followed up his earlier vote with one against a North Carolina secession convention, an initiative that failed to pass in a statewide referendum. But after President Lincoln called for 75,000 troops to put down a rebellion in the seceding states following the fall of Fort Sumter in Charleston, South Carolina Harbor that April, many North Carolinians had had enough of what they perceived as northern coercion. Secessionists living in North Carolina were agitated and their numbers were rapidly growing. In May, secessionists got what they wanted when a hastily assembled North Carolina convention adopted an ordinance of

secession and took the state out of the Union. Men and women like Roland Gooch were left in a precarious position in their home communities.

“I was arrested by a Vigilance Committee of my neighborhood because I cursed the war,” Gooch later recounted, “because I was a Union[ist].” Gooch explained how men from his neighborhood--Willie Thompson, Peter Rogers, and Simeon Allen--arrested him, took him to nearby Oak Grove, and that while there a Mr. Watts “said to my face that I ought to be hung.” Gooch had to have wondered whether he was going to make it out of this situation alive after the local vigilance committee, which was fast approaching a mob, inquired about his thoughts on Abraham Lincoln. “I was asked if I thought Mr. Lincoln ought to take his seat,” Gooch related. When Gooch responded to the question by affirming that he thought “Mr. Lincoln was a good man, from history....and...he ought to serve out his term,” local Joe Rogers became so enraged that he “jumped on me and beat me.” In the tense moments that followed, Gooch knew his life literally hung in the balance of what this group of secessionist citizens wanted to do. The southern unionist believed that his life was only saved from a savage lynching at the hands of an unruly mob by an influential, local man named Mr. Thompson who “told them to turn me loose because I was against war.” After this seemingly miraculous intercession, Gooch simply stated: “They turned me loose.”¹

While Roland Gooch was fortunate to survive this local test of loyalty, he would not be the last unionist in North Carolina to face the threat of eminent death during the tense and frightening early days of southern secession. Young men anxious for war were not about to wait on old procrastinators like Gooch. Nearby in Carteret County along the coast of the state, white farmer James B. Roberts recounted how in 1861 local Confederates “threatened to take my father

¹ Roland Gooch (Wake, no. 12,241), Southern Claims; U.S. Bureau of the Census, *Population Schedule of the Eighth Census of the United States*, 1860, North Carolina.

Richard Roberts, myself, and three other brothers and tie us to a stake and burn us.” Fortunately for the Roberts family they managed to survive any secessionist attempts to employ this medieval form of punishment for their political views.²

The central question on the minds of Roland Gooch, James B. Roberts, and thousands of other unwavering unionists across the South during the secession crisis was both obvious and heart wrenching. How, in what they viewed as the greatest republic the world had ever seen, did it come to this: rumors and threats of being burned at the stake, tortured through hanging, arrested and imprisoned, tarred and feathered, or having one’s property sabotaged--all because of their deep and unbending affection for the United States of America. Surely these were events from a history of medieval England or Revolutionary France but certainly not mid-nineteenth century America. During the winter and spring of 1861, southern unionists faced a daily personal struggle first to hold the Union together in their local neighborhoods and then to survive the initial mobilization for the Confederate war that came afterward. Loyalty was proven and tested locally through daily personal interactions both public and private with ardent secessionist citizens, zealous Confederate volunteers and other unionists in one’s own community. These daily tests of loyalty and their response to them during this period of intense political and social upheaval not only demonstrated the multi-faceted nature of unionism but proved the existence of widespread, sustained political commitment to the United States in the South in the face of incredible hardship.

This chapter addresses the political ideology and identity of the unconditional unionists of North Carolina from the late antebellum period when their political views on the Union took shape through the first summer of the American Civil War when North Carolina and other southern states began churning-out troops for the new Confederate armies and building a new

² James B. Roberts (Carteret, no. 12,135), Southern Claims.

local state. The chapter also focuses on the alliance of unionists that fell apart between the fall of 1860 and the summer of 1861 in North Carolina, the alliance of conditional and unconditional unionists. By first defining the nature of southern unionism in North Carolina and addressing where North Carolina's unconditional unionists fit in the historiography of political culture and southern political identity, this chapter adds to work of scholars who have revised the notion of a united white Confederate South. In addition to narrating the events of that period, it focuses particular attention on the issues that influenced the political ideology and political culture of southern unionists in the state explaining how conditional unionists joined secessionists in the aftermath of events at Fort Sumter, South Carolina in April 1861 and explaining why other unwavering unionists remained loyal following that moment. This chapter ends by showing the initial stages of animosity and violence directed at this political minority by North Carolina's newly minted Confederates. The chapter challenges not only the notion of a united white Confederate South as many scholars of dissent have done, but offers better understanding of this group across regional and local boundaries by examining them from a variety of perspectives social, cultural, and political and presents for the first time a systematic statewide analysis of the people that made up North Carolina's unconditionally loyal unionist population during the secession crisis.

The political culture of loyalty in North Carolina was the structure or framework of the debate about loyalty among southern citizens. Metaphorically, the political culture of Civil War loyalty can be thought of best as a spectrum or pendulum where peoples' loyalties fell at any given moment of time, with unwavering unionists on one end of the spectrum, neutral citizens at the center, and committed devotees of Confederate nationalism on the other end of the continuum. During the secession winter, conditional unionists, who one scholar has aptly

referred to as “reluctant Confederates,” were the broad group of conservative voters, who supported the Union of the United States of America before President Abraham Lincoln’s call for troops in April 1861 and opposed secession largely on the belief that Lincoln should not and would not use force to coerce the seven southern states that had seceded by the time of his inauguration. Following secession, these conditional unionists “went with their state,” as the language of the period commonly described, making the dominant majority of North Carolinians Confederates during the early war. Many of these conditional unionists were prominent political leaders, and when they became secessionists, unwavering unionists faced the devastating blow of having the political head of their movement chopped off.³

Understanding the views and experiences of the unconditional unionists of North Carolina during the late antebellum period through 1860-1861 when North Carolinians rejected a call for a secession convention and then subsequently the state legislature withdrew from the Union, is fundamental not only for understanding the political culture of the state during war but for appreciating how and why political dissent manifested itself in the American South and how it endured in the face of violent attempts to suppress it. Unionists were a much broader group in

³ Daniel W. Crofts, *Reluctant Confederates: Upper South Unionists in the Secession Crisis* (Chapel Hill: Univ. of North Carolina Press, 1989), chapter one; on the creation of a separate Confederate identity, see Drew Gilpin Faust *The Creation of Confederate Nationalism: Ideology and Identity in the Civil War South* (Baton Rouge: Louisiana State Univ. Press, 1990) and Emory Thomas *The Confederate Nation* (New York: Harper Collins, 1979); for literature that supports the view that white Southerners overwhelmingly remained committed to Confederate nationalism, see Gary W. Gallagher, *The Confederate War: How Popular Will, Nationalism, and Military Strategy Could Not Stave Off Defeat* (Cambridge, MA: Harvard Univ. Press, 1997); William Blair, *Virginia’s Private War: Feeding Body and Soul in the Confederacy* (New York: Oxford Univ. Press, 1998); Anne S. Rubin, *A Shattered Nation: The Rise and Fall of the Confederacy, 1861-1868* (Chapel Hill: Univ. of North Carolina Press, 2005); Aaron Sheehan-Dean, *Why Confederates Fought: Family and Nation in Civil War Virginia* (Chapel Hill: Univ. of North Carolina Press, 2007); much of this commitment-to-Confederate-nationalism scholarship has focused on Virginia or been deeply rooted in Virginia source material, neglecting other areas of the American South where dissent was rife. Gallagher’s work and that of his many students has largely been a response to the writings of Richard E. Beringer, Herman Hattaway, Archer Jones and William N. Still Jr. in their classic *Why the South Lost the Civil War* (Athens: University of Georgia Press, 1986), which argues that a weak sense of Confederate nationalism and popular will led to the collapse of the Confederacy. An innovative response to Gallagher and Blair appeared in William Freehling, *The South vs. The South*, which focused on the 450,000 white, black and border-state southerners who fought in some capacity for the Union cause.

the fall of 1860 than they would become by the summer of 1861, and the contraction of that body of unionists is key to understanding the plight of the enduring loyal population. In order to see this contraction, light needs to be cast on the political culture of the state during the last months of 1860 and first months of 1861.

Defining unionist ideology on the eve of the Civil War is vital to understanding southern unconditional unionists. Historian Paul C. Nagel challenges the notion that unionist ideology in the antebellum republic was static, monolithic and uniform throughout the country. Unionist ideology was not a stable unchanging ideology but a fluid construct evolving as the country grew, expanded and went through a transportation and technological revolution that began to unite more Americans over great distances. Americans were clearly in conflict over the identity of the Union during the antebellum years. Nagel asserts that Americans who supported the unionist ideology transformed their views on the Union over the first seven decades after the founders drafted the U.S. Constitution. For the majority of Americans, the Union was first an experiment then it became a polity in which all Americans were united under one government with the U.S. Constitution as the binding force and then some Americans began to view the Union as a mystical spirit among the people that had to be preserved and finally many Americans, including Abraham Lincoln, Henry Clay and Daniel Webster saw it as an absolute and an unchanging bond among the people that was part of a holy trinity that many Americans worshipped, the trinity of flag, Union and constitution. These concepts of unionism were not mutually exclusive and the notions coexisted throughout much of the antebellum period. By the late 1850s, however, Americans support for the “Absolute Union” became the dominant conceptualization. Disunion became treason for this majority of Americans. Throughout much of the antebellum period, talk of disunion had not been clearly a treasonous offense. Disunionists,

skeptics, and those uncomfortable with an absolute Union committed themselves to the Union idea as an experiment, a burden, or a chain around the neck of states, or in the case of John C. Calhoun as a hydra that threatened the liberty of southern Americans, when they attacked the Union. Nevertheless, on the eve of the secession crisis, North Carolina's white unconditional unionists shared this belief that the Union was an absolute construct and continued in this belief in spite of the pressure secession and later war would place on them. They clearly came from different backgrounds and were influenced by a wide variety of factors but the absolute, indivisible Union was a notion that all white unconditional unionists subscribed to as a core of their beliefs.⁴

At its base the story of secession for unionists was a contest over the definition of southern political identity as Confederate identity. Unionists both white and black consistently asserted individual versions of southern identity that were frequently contingent upon their own local circumstances and not a completely coherent, unified vision or alternative to Confederate loyalty. While white inflexible unionists shared the belief in an absolute Union in North Carolina, they did not all share the same beliefs on the direction that Union should take beyond that central idea. In order to more closely pinpoint their beliefs, scholars have sought to define the limits or parameters of unionism to understand their identity better. Historian Robert McKenzie has argued based on unparalleled analysis of the life of inflexible unionist Parson William G. Brownlow, and the foremost unionist stronghold in the Confederacy, Knoxville, Tennessee that committed unionists were distinguished by three major beliefs:

“‘uncompromising devotion’ to the Union, ‘unmitigated hostility’ to those who would destroy it, and a willingness to risk life and property ‘in defense of the glorious Stars and Stripes.’” Ideas

⁴ Paul C. Nagel, *One Nation Indivisible: The Union in American Thought, 1787-1861* (New York: Oxford Univ. Press, 1964), 112-115, 287.

that were complimentary to the notion of a Union as unchanging. While historian John C. Inscoe, in perhaps the most perceptive collection of essays to address the topic of southern unionism, has concluded from analysis of a diverse group of unionists conditional and unconditional that the central commonality of the broad group of unionists in the South was that “they defy generalizations in terms of their identities, their motives, and their experiences.”⁵

If southern unionists, defy generalization then how are we to gain a better understanding of their lives and political beliefs? Even though southern white unionists shared a commitment to the American Union as indivisible as a root for their loyalty, they were not a homogeneous group. What emerges from this analysis of who unconditional unionists were during the late antebellum years, the secession crisis and through Confederate mobilization is a realization that the group did not share one common system of belief beyond attachment to Nagel’s “Absolute Union.” There was not one unconditional unionist identity but a coalition of people from a wide variety of backgrounds who shared a few common beliefs but had many different characteristics that made up their own individual political ideology and worldview. Unconditional unionists did not share one grand vision of the South’s future nor did they completely understand antebellum American history in the same way. What is clear is that inflexible unionists were frequently influenced by many factors from antebellum political party affiliation with the Whig Party to prewar U.S. Army military service. Some were influenced by anti-slavery political arguments and even abolitionist feelings, while others simply saw the Union as the best protection for their slave property. Class played a role for many yeomen non-slaveholders, who resented slaveholders, while other unionists’ occupations as small business owners and merchants influenced their decisions to remain loyal out of commitment for economic integration, internal

⁵ Robert C. McKenzie, “Prudent Silence and Strict Neutrality: The Parameters of Unionism in Parson Brownlow’s Knoxville, 1861-1863,” and John C. Inscoe, “Introduction,” in John C. Inscoe and Robert Kenzer eds., *Enemies of the Country*, 74 and 7.

improvements, and market expansion. This has made defining unionism difficult for scholars because of the conflicting strains of unionist thought on many issues. What is clear, however, is that the large minority of southern whites who viewed the Union as indivisible by 1860 was a diverse contingent.

For free blacks and slaves, who could not vote, but who were politically engaged and watched as North Carolina considered secession, there were also two broad coalitions of politically concerned individuals. Black unconditional unionists saw the Union as a positive good because of Abraham Lincoln's election and his anti-slavery Republican views. They therefore viewed the Union as a hope of freedom and later a promise of it after he issued the Emancipation Proclamation in 1863. Another group of politically engaged blacks distrusted the antebellum slave-republic and were anti-Confederate out of a desire to see slavery abolished but who should not be described as supporters of the Union out of any firm attachment to it as an idea. While unionists struggled to have their positions heard in the South during 1860 and 1861, secessionists simultaneously tried to cast unionists as submissionists and then deviant, sub-human, or simply not southern at all for their continued support of the United States.

While white male unionists were influenced by their participation in the political process of voting, women and blacks were also observers and active political participants even though they were incapable of casting ballots. Voting is far too narrow a definition of political activity to understand southern unionism's depth and complexity since many who could not vote still held strong political views. If scholars are to come closer to understanding southern unionists as a group and how they coped with their circumstances, they should employ a broader definition of political activity that includes not only voting but also speech, thought and action, both public and private. The entire range of what black men and women and white men and women thought

and felt about the 1860 Presidential election, the secession of South Carolina, and the subsequent political events leading to North Carolina's secession, inform this picture of what committed unionists believed during the late antebellum period and first months of North Carolina's Confederate experiment.

The Antebellum Origins of Unwavering Unionism in North Carolina

The roots of unconditional unionism in North Carolina can be traced back to several important antebellum constituencies. The coalition of steadfast, unconditional unionists grew out of a range of antebellum factors and influences, including their involvement in party politics, antebellum military service, beliefs about the institution of slavery, and religious fervor. No single explanation can give us the answer to why there was an "Other South" in Civil War North Carolina to use historian Carl Degler's famous phrase for nineteenth century southern political dissenters. No silver bullet issue determined why one person remained loyal to the U.S. government while his or her neighbor supported secession and the Confederacy. By evaluating who these people were and what views they held on secession, it is possible to gain a clearer picture of the constellation of motivating factors that constituted the political loyalty of loyal Tarheels. What is obvious from their stories is that antebellum allegiances and specifically events in the 1850s clearly had a resonance in the minds of southern unionists as they made their decision to stay loyal to the United States during the secession winter.⁶

Secession shifted the political ground under all Americans, but for some of those who had been around a little longer, it did not shake all of their beliefs. Mature age clearly played a role in why some unionists remained so strongly attached to their beliefs. Of the 275 North

⁶ Degler, *The Other South*.

Carolina SCC claimants whose ages could be positively identified in the 1860 census, 165 or sixty percent were over forty years of age. In the SCC sample, the average age of all the unionists who could be identified was forty-two years old, making a large number of the white male inflexible unionists old enough to have voted in every antebellum Presidential and Gubernatorial election in the state in the last twenty years, if they held enough property to qualify for the vote. SCC claimants alone should not be taken as evidence of all unionists' ages since many younger unionists did not own property and therefore did not file claims post-war. Nevertheless, the SCC claims identify that many unionists had been grounded in the democratic political system and held well thought-out beliefs by 1860.⁷

Among some of the older white men who expressed unconditional commitment to the Union, antebellum military service in the U.S. Army was also a factor in shaping their political ideology. Sixty-nine year old Elijah Pate, who lived in Richmond County near the border with South Carolina in 1860, served six months at Fort Johnson at the mouth of the Cape Fear River near Wilmington, North Carolina during the War of 1812. Unionist John Quincy Adams of Cumberland County, not only bore the name of the Massachusetts-born sixth President of the United States, but he was made nearly deaf on account of his service in Company A of the Fourth Regiment of U.S. Regular Artillery at the 1847 siege of Vera Cruz during the Mexican-American War. But his five years of U.S. military service strongly influenced his political loyalty during the secession crisis.⁸

⁷ Data on unionists' ages in 1860 was accumulated and tabulated from Southern Claims; U.S. Bureau of the Census, *Population Schedule of the Eighth Census of the United States*, 1860, North Carolina.

⁸ Elijah Pate (Richmond, no. 668) and John Quincy Adams (Cumberland, no. 5,719), Southern Claims; the story of John Quincy Adam's service in the U.S. Army came out at the claims hearing in the 1870s primarily due to his disability. In what must have been a heartbreaking but humorous exchange, Pate was so deaf at the time of his testimony that when claims commissioners interrogated him they were barely able to make their questions understood. Even Pate's status as an elderly veteran did not protect him, local secessionists repeatedly harassed him "on account of his Union sentiments." Shortly after the Battle of Bull Run in July 1861, Pate was "in conversation with an acquaintance when a man came up and said I ought to be hung for being a Union man."

Among the most important members of the unconditional unionist coalition in North Carolina were the white men and women who consistently supported the policies of the Whig Party during the 1840s and 1850s and proclaimed their membership or a male relative's membership as evidence of their continued commitment to the Union. Clearly not all former Whigs remained unconditionally loyal to the Union cause after secession, but a sizable number of inflexible unionists proclaimed their allegiance to the antebellum conservative Whig party. "I never voted for but one Democrat in my life and that was for a sheriff of my county who held the office for 15 years," John Julian "a strong Whig" from Rowan County claimed. "My feelings and language [were] for the Union all the time. The secession ordinance was not submitted to the people. I did not go with the state after it was declared out of the Union by the rebels." "I was an old time Whig," proclaimed Bennett Fields of eastern Greene County, who believed "they should have let Mr. Lincoln alone let him take his seat and weight [sic] until he had done some act to condemn him before they turned against him."⁹

By-and-large committed unionists who had been members of the Whig party were members of antebellum American society who were comfortable with what historian Lawrence Frederick Kohl has called "rational self-interested personal relations" coupled with "an intense desire for order." While antebellum Democrats wanted personal independence in a society of communal relationship, Whigs felt more comfortable in an anonymous world of trade beyond the boundaries of neighborhood and community. More than 75 percent of white and black

⁹ John Julian (Rowan, no. 2,114), Southern Claims. When a young man named Peter Beaver asked Julian for advice on whether he should volunteer for Confederate service, Julian tried to dissuade him, but when the young man ultimately volunteered he told his recruiting officer W.H. Crawford. Subsequently Crawford came to Julian and threatened him with arrest if he advised young men not to join the service ever again; Bennett Fields (Greene, no. 1,160), Southern Claims. Fields, who had three sons who ultimately served the Confederacy, even told "his sons that if he were in their places he would go into the Federal Army rather than the Confederate." At one point during the war, a Confederate soldier came to his property seeking dinner but he refused and threatened to shoot the soldier if he did not leave his property. Describing his encounter with Confederates, Fields explained that "he wasn't going to be plagued with him--that he was in the war and that those who were in favor of it might feed him."

committed unionists were farmers or involved in farm related employment, but a significant number (roughly 20 percent) were concentrated in what could be called the business class—artisan, commercial and professional occupations. These people were self-employed workers plying a particular trade and included: millers, mechanics, blacksmiths, coopers, physicians, fishermen/mariners, and shoemakers. These professional pursuits point toward a group of people who had contact with a wide circle of citizens, some who were even involved in trade with northern cities, which may have given them a more nationalistic outlook when it came to the role the U.S. federal government could play in fostering internal improvements and economic growth in the region. While profession does not solely explain why all unionists held their political beliefs, it does offer an important understanding of why many may have supported the Whig party during the antebellum period and subsequently remained committed to the United States. Professions associated with the expansion of commerce within or beyond the boundaries of one's community played an important role in shaping the political loyalty of some Civil War unionists. If as historian Jonathan Daniel Wells has cogently argued, there was an established class-conscious middle class living across the American South by the 1850s, many unionists clearly fell in that category. Some unionists were clearly part of a middle class in the South and held a nationalistic economic ideology driven by a combination of influences including their advanced age, commercial profession, prewar Whig party membership and middling economic standing.¹⁰

¹⁰ Lawrence Frederick Kohl, *The Politics of Individualism* (New York: Oxford Univ. Press, 1991), 6, 63-65 argues that Whigs were “Inner-directed” people comfortable with the new individualistic social order and Democrats were “tradition-directed” and preferred being bound to people in personal relationships; on Whig support for improvements by region, see Thomas E. Jeffrey, “Internal Improvements and Political Parties in Antebellum North Carolina, 1836-1860” *NCHR* 55 (1978): 111-150 western North Carolina Whigs typically sought railroads and turnpikes while eastern Whigs wanted commercial centers and canal improvements. See, Appendix A: Table 1: “Occupations of Unionists in 1860” for breakdown of occupation data; for economic data on unionists, see Appendix A: Table 3: “Unionists’ Real Estate Value in 1860” and Table 4: “Unionists’ Personal Property Value in 1860”; On the existence of vibrant middle class in the region, see Jonathan Daniel Wells, *The Origins of the Southern Middle Class* (Chapel Hill: Univ. of North Carolina Press, 2004), 6-7.

Class was as much about social and cultural outlook shaped by profession and position within one's community as it was about economic status rooted in how much money in real or personal property someone had. White and black unconditional unionists were a cross-class alliance, not all were in the middle class and not all were desperately poor, even a few were very wealthy planters. Clearly, however, a substantial number of North Carolina unionists were members of a poorer farming class (roughly 50 percent of committed unionists owned less than \$1000 in real property and almost 70 percent owned less than \$1000 in personal property). This group of unionists was Whiggish and deeply distrustful of any government but the one they already knew. Until 1857, a fifty-acre property requirement kept about half of the white men from voting for the upper-house of the legislature in North Carolina, and most local government positions except sheriff were appointed by the governor. While class and economic self-interest was clearly not the only factor driving unconditional unionists, some yeomen clearly saw the secession movement dominated by wealthy planters as a clear choice between democracy and the threat of autocracy. For many of these yeomen unionists, the more aristocratic, hierarchical and weakened democratic system of North Carolina in the late antebellum period must have pushed many to see a southern Confederacy dominated by antebellum Democratic leaders as an even worse alternative.¹¹

While many Whig-unionists clearly had the party's economic vision at heart, others could point to a specific connection to the party's founder Henry Clay of Kentucky. Sarah Dalton, a slaveholder from central Yadkin County, pointed to a specific Whig policy. "Often did I sing

¹¹ Appendix A: Table 3: "Unionists' Real Estate Value in 1860" and Table 4: "Unionists' Personal Property Value in 1860"; on the importance of property qualifications for suffrage as a political issue in North Carolina during the late antebellum period, see Thomas E. Jeffrey, "Beyond 'Free Suffrage' North Carolina Parties and the Convention Movement of the 1850s," *NCHR* 62 (1985): 387-419 on the importance of yeomen and class conflict in North Carolina, see Paul D. Escott, "The Moral Economy of the Crowd in Confederate North Carolina," *The Maryland Historian* 11 (Spring-Summer, 1982): 1-17; Paul D. Escott and Jeffrey J. Crow, "The Social Order and Violent Disorder: An Analysis of North Carolina in the Revolution and the Civil War," *The Journal of Southern History* 52, no. 3 (1986): 373-402.

the lines composed upon the death of George Washington and I shed many a tear for his memory and the cause of the Union,” Dalton recalled. “I was always opposed to slavery. I wanted it abolished under the Henry Clay plan.” Dalton referred to a specific strategy for the gradual elimination of slavery forwarded by Henry Clay in an 1845 letter to the Kentucky Convention in her opposition to slavery and secession.¹²

James C. Johnston, the largest slaveholder in Chowan County in the northeastern region of the state, could even point to a personal relationship with Henry Clay and the founding fathers of the American Republic as the root of his wartime fidelity to the Union. “My father was the strongest most influential man in bringing this state into the Union and I could never reconcile myself to repudiate his act and deed,” Johnston avowed. If Johnston needed any reinforcement in his unionism, he received it when secessionists rode to death a horse personally given to him by Henry Clay and his son James B. Clay. Johnston opposed the South Carolina doctrine of nullification and secession as political principles, but he also held strong family and political party affiliations that bolstered his support for the Union.¹³

Like James C. Johnston, Joseph A. Hendrix also pointed toward his family’s allegiance to the patriot cause during the Revolution as a reason for his continued support for the Union. “My grandfather Isaac Hendricks was a Union man, my grandfather Joseph Davis was a union man and received a pension as long as he lived for 7 years service in the Revolutionary war,” Hendrix recalled, “I could never desert their cause.”¹⁴

¹² Sarah Dalton (Yadkin, no. 3,487), Southern Claims.

¹³ James C. Johnston, 18 August 1863, Records of the United States Army Continental Commands, RG 393, E5063, Dept. of Virginia and North Carolina, 1861-1870, NARA, Washington, D.C.; Johnston, who deeply admired Clay, was a significant financial contributor to the American Colonization Society (ACS), an organization Henry Clay had helped found; John Hope Franklin, *Free Negro in North Carolina, 1790-1860* (Chapel Hill: Univ. of North Carolina Press, 1943), 245 for data on Johnston’s ACS financial support.

¹⁴ Joseph Hendrix (Davie, no. 11,192), Southern Claims.

Borrowing the language used by American Revolutionaries for colonists that remained loyal to the British Crown during the War for Independence, secessionists often used the term “Tory” to describe the unionists in their communities. Only rarely, however, did secessionists point to a direct connection between Tory loyalty during the American Revolution and unionist loyalty eight decades later. Secessionists in James Mine, a community in the central piedmont region, identified Blacksmith Gilbert Miller as a unionist “a dangerous man” and blamed his and his entire family’s unionist proclivities on Miller’s Grandfather “Old Dick” Miller. According to one local Confederate, Miller’s “father and all his Uncles, Ants [sic] cousins nephews and nieces are true representative descendants of their Grandfather Old Dick Miller of Tory notoriety in the revolution.” More common, however, were casual uses of the term as in the case of unionist William Van Dyke of western Watauga County, who secessionists called “an ‘old Union devil’-- and tory.” The same went for both Jeremiah Cole of southwestern Buncombe County and Samuel Honeycutt of highland Yancey County, who secessionists called a “Lincolnite” and a “Tory.” “Tory” became one of the most common epithets spewed by secessionists at unionist neighbors, along with their charges of disloyalty to the South.¹⁵

For some white southern unionists like James C. Johnston, Joseph A. Hendrix, and Gilbert Miller, Civil War allegiance to the Union grew out of an older patriotism of blood and sacrifice during the founding years of the United States. But the overwhelming majority of unionist “Tories” were simply enduring an aspersion cast by secessionists seeking to explain why many of their neighbors were not shifting their own loyalty to support the cause of disunion. Secessionists sought historical legitimacy by harkening back to Revolutionary ancestors; simultaneously disunionists wanted to disinherit any white southern unionists of Patriot ancestry

¹⁵ A. Fuller to J. Hoover Esq., 14 September 1863, Marmaduke S. Robins Papers, Southern Historical Collection, Wilson Library, University of North Carolina at Chapel Hill; William Van Dyke (Watauga, no. 10,400), Jeremiah Cole (Buncombe, no. 21,289), and Samuel Honeycutt (Yancey, no. 12,071), Southern Claims.

during the American Revolution by placing them in an enemy camp during a war eight decades prior. Secessionists believed that they were the rightful heir to the Revolutionary legacy and that those who supported the Union must have been somehow defective in their American heritage.¹⁶

Secessionists frequently blamed anti-slavery feeling that existed in some parts of antebellum North Carolina for unionism. Whether or not a unionist owned slaves on the eve of secession is fundamental to understanding unionists' views on the crisis. Of the 275 unionists that could be identified in the 1860 census only fifty-four or 19.6 percent owned slaves. The total number of slaves owned by these unconditional unionist slaveholders was 443 with the average unionist slaveholder owning 8.2 slaves. Two-thirds of the unionist slaveholders owned fewer than ten slaves. This data might at first lead some to the conclusion that all white unionists were somehow more progressive in their attitudes toward black southerners, and indeed a small number appear to have been open to immediate abolition of the institution of slavery and were morally opposed to the institution. But this data more importantly points to the limited economic resources of many of the unionists, not widespread progressive racial beliefs among unconditional unionists. Secessionists sometimes conflated unionism with anti-slavery principles and blamed the anti-slavery feelings of some North Carolinians on the influence of several antebellum figures who prominently opposed slavery. Some unionists, especially those living in the Quaker belt of the central piedmont were clearly influenced by some of these anti-slavery zealots, but other unconditional unionists only confronted their own anti-slavery thoughts

¹⁶ James M. McPherson, *For Cause and Comrades: Why Men Fought in the Civil War* (New York: Oxford Univ. Press, 1997), chapter eight, discusses how both Union and Confederate soldiers asserted the American Revolution as a motivation for going to war; Emory M. Thomas, *The Confederacy as a Revolutionary Experience*, (Englewood Cliffs, N.J.: Prentice Hall, Inc., 1971), 44-46, also asserts the conscious use of the American Revolution by the Confederate population as justification for their cause.

because of the threat of a war over defending the institution, which they did not see as either a moral good or economically vital if it threatened to destroy the Union.¹⁷

One of those antebellum North Carolina anti-slavery figures was Benjamin S. Hedrick. In 1856, Hedrick, a youthful professor of agricultural chemistry at the University of North Carolina at Chapel Hill, was fired from the school for stating his support for the anti-slavery policy of the Republican Party. Although Hedrick was eventually dismissed by the trustees of the university, his views did cause a minor uproar in the state. Editor Edward Jones Hale of the *Fayetteville Observer* spewed vociferously that “every citizen of the State must feel astonished and indignant that a man entertaining such political views should hold any place, even that of a boot black, in the University of North Carolina.” Under violent attack in the press, Hedrick subsequently fled North Carolina.¹⁸

Without doubt the cardinal sinner in the pantheon of North Carolinian anti-slavery heretics demonized by secessionists was Rowan County native Hinton Rowan Helper. Helper’s book *The Impending Crisis of the South: How to Meet It* published in 1857 asserted that the South lagged behind the North in economic growth and industrial development due to slavery and forcefully argued for its abolition either peacefully or through a white revolution of arms.

¹⁷ See, Appendix A: Table 2: “Unionists’ Slave Ownership in 1860”; On how the merchant class viewed slavery as part of its economic ideology, see Frank J. Byrne, *Becoming Bourgeois: Merchant Culture in the South, 1820–1865* (Lexington, KY: Univ. Press of Kentucky, 2006), 6-7, 198-199, and Wells, *Origins of the Southern Middle Class*, 13-15. Jonathan Daniel Wells asserts that members of the professional and commercial occupations generally made up the middle class of the antebellum South and were largely in support of industrial growth and even “considered slavery an integral part of the region’s plan to industrialize.” While many white unionists were part of an emerging middle class, as a group they were far more ambivalent about the institution of slavery than this larger southern middle class, even those committed unionists who owned slaves. White wartime unionists of all occupations and backgrounds conformed much more closely to the views of the more narrow group of merchants that Frank Byrne has argued were also ambivalent on slavery’s status in the South’s economic future. Byrne, however, argues that his more select group of business merchants were not more unionist as a group than other southerners during the war.

¹⁸ Edward Jones Hale, 13 October 1856, *Fayetteville Observer* quoted in William C. Harris, *North Carolina and the Coming of the Civil War* (Raleigh: NCDAH, 1988), 24; on Benjamin Hedrick’s wartime activities and his brother’s career in eastern North Carolina working with the Union army, see Judkin Browning and Michael Thomas Smith ed., *Letters from a North Carolina Unionist: John A. Hedrick to Benjamin S. Hedrick, 1862-1865* (Raleigh: NCDAH, 2001).

Helper's most vitriolic statements were leveled at the planter class, who he believed were preventing economic diversification in the South and holding the large majority of white non-slaveholders in "galling poverty and ignorance." The racist Helper did not suggest armed black revolution to end the institution, but nonetheless, his class-based argument for ending the peculiar institution stirred violent emotions among the planter class, especially after John Brown's 1859 raid on the Harper's Ferry U.S. Arsenal and the discovery that Helper's book was being distributed in the central piedmont counties.¹⁹

In 1859 Daniel Worth, a native of the central piedmont and Wesleyan Methodist clergyman, began distributing Helper's anti-slavery work to citizens living in Guilford and Randolph counties. This did not sit well with slaveholders after Brown's October raid, and some slaveholders including the newly elected Democratic Governor John Ellis fearing the potential threat of slave insurrection had Worth arrested in 1860 for disseminating what they believed was an incendiary book. Worth was subsequently tried and convicted but jumped bail and eventually like Benjamin Hedrick fled the state.²⁰

Less well known but just as incendiary from the perspective of southern slaveholders was the work of North Carolinian Daniel Reeves Goodloe. Goodloe, a close friend of Hinton Helper, issued his own straightforward, if dryly titled *Inquiry into the Causes Which Have Retarded the Accumulation of Wealth and Increase of Population in the Southern States: In Which the Question of Slavery is Considered in a Political-Economical Point of View*, which appeared in

¹⁹ Harris, *North Carolina and the Coming of the Civil War*, 27-29; on Hinton Helper and his work, see David Brown, *Southern Outcast: Hinton Rowan Helper and The Impending Crisis of the South* (Baton Rouge: Louisiana State University Press, 2006), 22-23, 202 and 93, chapter five. Hinton Rowan Helper's brother Hardie Hogan Helper, who had served in the U.S. Department of the Navy and in the U.S. Eighth Illinois Cavalry, testified on behalf of Rowan County Unionist John Carson's approved SCC claim, evidence that even the brother of the famed anti-slavery author was a powerful endorsement of a person's Unionist loyalty; see John Carson (Rowan, no. 3,483), Southern Claims.

²⁰ Nobel J. Tolbert, "Daniel Worth: Tar Heel Abolitionist," *NCHR* 39 (July 1962): 284-304; Degler, *The Other South*, 87-88; on secessionists fears of Daniel Worth's influence, see B.V. Whith to Ralph Gorrell, 4 May 1861, Ralph Gorrell Papers, Southern Historical Collection, Wilson Library, University of North Carolina at Chapel Hill.

1846 more than a decade before Helper's work. The book made a statistical comparison of New York and Virginia arguing that slavery had a detrimental impact on the size of the Old Dominion's population. Goodloe, who had begun writing anti-slavery tracts and pamphlets in the early 1840s, but only claimed his early writings publicly after he moved North in the late 1850s, became the editor of the moderate anti-slavery publication the *National Era*, and eventually joined the conservative wing of the Republican Party. Unlike some anti-slavery writers, he did not endorse colonization or deportation of blacks after emancipation and was closer in perspective to Abraham Lincoln's pre-Emancipation Proclamation wartime thoughts on compensated emancipation. This history of anti-slavery writers living in North Carolina contributed to the beliefs of some unconditional unionists who opposed slavery.²¹

Many unionists did hold anti-slavery beliefs and a few might be properly termed abolitionists. "A [Stephen] Douglas man before the war," Starling Proctor of central Orange County was a "hard shell Baptist and always said that Slavery was the cause of the war and that the South would be whipt [sic] certain for they committed a Sin in holding slaves and God would certainly punish them for it...[Proctor] always said the North done right to whip them back into the Union." Proctor even told his children "it was not right to hold slaves." While John Carson, a slaveholder living in Rowan County did not exhibit the same religious anti-slavery feeling as Proctor, he did declare openly to other unionists that "he would be glad to see every slave in the land set free if that would bring peace and the state back into the Union." Given the yeomen character of much of North Carolina and the southern unionist population, it is not surprising that some unionists believed in the tenets of the free labor ideology, especially the belief in the value of working hard to scrape out a living for oneself and family. Drawing a distinction between

²¹ For a copy of Goodloe's autobiography in his own hand, see Daniel R. Goodloe Papers, Southern Historical Collection, Wilson Library, University of North Carolina at Chapel Hill; for more on Goodloe, see Degler, *The Other South*, 49-53.

allegedly hard working yeomen and lazy planters, unionist Eliza Sutherland of eastern Jones County, asserted that she and her husband Moses “did not own any slaves...all that we had we had worked for and made ourselves.”²²

Not all of the unionist slaveholders were unequivocally committed to the institution, either. Ambivalence about the institution was common among this group of unionists. Sixty-two year old Yadkin County resident Ruth Boone Spilman, a direct descendant of Daniel Boone, held slaves in 1860, but seemed tentative about the institution, especially if it threatened to cause a war. Spilman told her unionist neighbor Theodore Griffith “that if the South brought on the war on account of the Negroes they might take mine.” She desired peace over the ownership of her eight slaves. Spilman opposed the enlistment of one of her sons and supported the other who paid his way out of the service for a period until conscripted. Spilman’s political principles grew out of a direct connection to a family heritage of supporting the American Union but also out of an immediate desire to prevent her sons from being pulled into a war over slave property.²³

Chatham County widow Elizabeth Mason felt the same way as Spilman. Unionist William Markham described how he often heard Elizabeth Mason “say that she had rather give up what she had than to have the war--and she had several negroes and a tract of land. There was no woman that was in any greater trouble than she was about the war.” Mason also told Markham, “she thought we were a happy people, and if we were torn up we would be ruined for ever.” Clearly Mason was not only baffled by the idea that many southern people wanted to secede, but she also saw the new secessionist government as illegitimate and un-American. Amazingly, some unionists even forecast emancipation and the military defeat of the South to their slaves. According to Caesar McSween, a slave of unionist Sarah M. McSween, his master

²² Starling Proctor (Orange, no. 12,504), John Carson (Rowan, no. 3,483), Estate of Moses Taylor (Jones, no. 2198), Southern Claims.

²³ Ruth Spilman (Yadkin, no. 3,515), Southern Claims.

told her slaves “that the war would be soon over and when it would be over the Union forces would whip and we would be free.”²⁴

Not all Quakers in North Carolina were committed unionists, but a substantial number of this pacifist sect were loyal. Many members of the Society of Friends, who lived in the central counties of North Carolina, were committed to anti-slavery and pacifistic principles. As one scholar has recently argued, Quakers and abolitionists were not “synonymous,” many Quakers remained deeply skeptical of what they saw as radical abolitionists’ immediatist plans during the 1830s through the early Civil War years. Therefore, many Quakers remained aloof during the secession crisis and war hoping to pass the time in peace. Regardless of how Quakers themselves viewed abolitionism, secessionists always viewed these pacifistic, anti-slavery communities of central North Carolina with deep skepticism, skepticism that often led to violence.²⁵

Henry Ledbetter of Guilford County lived in a Quaker neighborhood where “all were opposed to war and slavery.” “I voted against secession and was bitterly opposed to it. I voted against a convention to take the state out of the Union, and done all that I could to prevent a dissolution of the Union,” Ledbetter argued. “I could do nothing but talk and done all that I could in that way...I was out spoken, and bitterly opposed to Secession and all Secessionist and war men.” According to P.H. Bilbo, Ledbetter left his Protestant Methodist Church to become a Quaker “because his Preacher was a Secessionist” and Ledbetter “could not and would not belong to a Church where the Preacher would preach secession doctrine.” “In public conversations he would express his Union sentiments as far as it was prudent to do so for his

²⁴ Elizabeth Mason (Chatham, no. 9,897), *Southern Claims*; William Markham dodged Confederate service during the first part of the war by serving as an attendant at the North Carolina state Asylum at Raleigh; Sarah M. McSween (Richmond, no. 2195), *Southern Claims*.

²⁵ Ryan Jordan, “The Dilemma of Quaker Pacifism in a Slaveholding Republic, 1833-1865,” *Civil War History* 53 (2007): 5-28. And as the Confederate government took shape, the Confederate military policy of conscription came into direct conflict with Quaker pacifism. As a result even some Quakers who initially tried to stay out of the way during the secession crisis became more active in their opposition to the Confederacy.

own safety of person and property,” Bilbo continued. “The reasons for our not being able to express our sentiments publicly is that if we had done it the secessionists would cause us all to be arrested and put in prison or caused some punishment to be inflicted up on us[.] we all had to keep our mouths shut up or be arrested.” Ledbetter’s conversion to Quakerism during the secession crisis was probably not common, but it was a powerful indication of how committed some unionists were to the Union that they were willing to leave their churches over the issue.²⁶

Quaker Maria Franck “was as strong for the union as a person could be and opposed to the war, as much so as any one in the state.” Franck, whose first husband had been a Quaker who moved to Indiana and freed all his slaves there, returned to North Carolina after his death. When she returned to North Carolina and married John Franck, a Universalist from Onslow County, she and her new husband remained loyal to the Union when the war broke out. Even though her second husband owned slaves she remained opposed to slavery, and her second husband, who was also a strong unionist, “used to abuse the Confederates openly right at his house.”²⁷

One Quaker family could even point to personal connection with a high ranking Republican Party official in the North as a testament to their unionist proclivities. Cecilia and James Stanton of eastern Lenoir County were members of the Society of Friends who remained loyal to the United States during the war. Cecilia asserted that “My husband was a Quaker and opposed to the war religiously and as an individual. I know my husband before and during the war and up to the day of his death was a loyal man to the United States Gov.” Cecilia and James

²⁶ Henry Ledbetter (Guilford, no. 10,394), *Southern Claims*; even Confederate J.J. Ray supported Ledbetter’s claims of unionist loyalty, “He was known by all the people of Guilford County, and all the soldiers and citizens as a strong Union man...I, myself, was a strong supporter of the Confederate cause, during the whole war and the claimant knew me to be a strong war man.” “We had a great many strong controversy on the subject but we never had any hard thoughts of each other, and always good friends although we differed in our principles as regarded the war.” Nevertheless, Ray observed that even though he had the respect of many in the community during the war Ledbetter’s “family had to bear the ignominy of all the war party.”

²⁷ Maria Franck (Onslow, no. 10,205), *Southern Claims*.

had an even stronger claim to loyalty as James was a cousin of Edwin M. Stanton, a member of Abraham Lincoln's wartime administration and his second Secretary of War.²⁸

Some unionists were forthright about their antebellum support for both anti-slavery and Whig Party principles. W.H. Younce of Ashe County in the western mountains of the state, a region that long supported the market oriented and transportation improvement agenda of the Whigs, revealed a more complete ideological framework, including a moral repugnance for the institution of slavery. In his postwar memoir *Adventures of a Conscript*, Younce attested "In politics I had been trained in the old Whig school, and although, on account of my youth, I had taken but little interest in affairs of Government, living in the midst of slavery, and daily observing the evils of the whole system, I had become thoroughly imbued with the anti-slavery doctrine, and every day was more and more convinced in my own mind that it was wrong." While Younce's anti-slavery views may not have been common among all unionists, and they were not specific beyond ethical opposition to the institution, he did hold them. Whether out of personal or spiritual abhorrence of the institution as a moral stain on American society, out of opposition because it degraded free labor in the South, or possibly because they believed it created an economically stagnant region as Hinton Helper had argued, a significant number of unconditional unionists volunteered anti-slavery principles as part of their reason for supporting the Union.²⁹

Buncombe County native Alexander Hamilton Jones touched on many of the same important antebellum influences on unionist political ideology in his memoir *Knocking at the Door*. Among his many reasons for remaining loyal were his military service in the U.S. Army

²⁸ Cecelia Stanton, (Carteret, no. 12,742), *Southern Claims*; Cecelia Stanton lived in Lenoir County during the war. Due to his sympathies, James Stanton was "assaulted and beaten" by secessionists John Humphreys and James King in Goldsboro, North Carolina in 1862.

²⁹ W.H. Younce, *Adventures of a Conscript* (Cincinnati: The Editor Publishing Co., 1901), 2.

under General Winfield Scott during the Mexican-American War and his veneration of George Washington and Francis Marion, heroes of the American Revolution whose biographies he had devoured with intense interest. His economic motivation as a newspaper editor and mercantile businessman and prominence as a Whig Party leader in western North Carolina also were important. But he may have demonstrated some of his strongest attachment when he hinted at how his family and religious belief were connected to a mystical idea of the Union. “I was taught to love the Union next to my God,” Jones remembered. While it impossible to create a hierarchy of what was most important to Jones in his unionist political ideology, it is clear that for Jones, like so many other unconditional unionists, it was not simply one reason but a combination of factors that kept him loyal.³⁰

Slavery and internal improvements had been important political issues for decades prior to secession in North Carolina, and on the eve of secession, they again boiled to the surface. The importance of slave taxation and state funding for internal improvements to roads, canals, and railroads in North Carolina, emerged as hot-button issues in the state gubernatorial race of 1860, further demonstrating the importance of these issues to unionists and the fissures among North Carolina’s white voters. The electorate of North Carolina revealed both a deep resentment over the issue of slavery as well as the continued strength of the Whig Party’s membership. The Whig Party collapsed nationally in 1854 but had reformed under the Opposition Party banner at the state level in North Carolina where it continued to run candidates for office. During the gubernatorial election, when former Whig John Pool of Pasquotank County ran as the Opposition Party candidate on a platform supporting the ad valorem taxation of slaves, an issue many former Whigs believed would draw yeomen to their party over the support of the Democratic Party, Pool

³⁰ Alexander H. Jones, *Knocking at the Door: Alex H. Jones, Member-Elect to Congress: His Course Before the war, During the War, and After the War. Adventures and Escapes* (Washington: McGill & Witherow, Printers and Stereotypes, 1866), 3.

garnered impressive support. Many yeomen Whigs viewed Democrats as protecting the entrenched interest of the wealthy slaveholding class. The ad valorem tax would have increased the tax base within the state by placing greater burden on slaveholders and might have allowed for increased funding of the internal improvements and in turn expanded market access that Whigs like Younce and Jones supported. While John Pool lost the election to Democrat John W. Ellis, it was by only a razor thin margin statewide. The lingering resentments over this class-based issue would reverberate in the years to come as increased economic stress was placed on the yeomen class.³¹

The 1860 Presidential Election, the Secession Crisis and the End of Conditional Unionism

In the state of North Carolina, the November 1860 Presidential election included three major political party candidates: Southern Democrat, John C. Breckinridge, a Kentuckian and former Vice President of the United States; Northern Democrat, Stephen Douglas, the popular Illinois Senator, who advocated the blessings of the popular sovereignty doctrine of expanding slavery based on popular acceptance or rejection in each new state; and Constitutional Union Party Candidate, John Bell of Tennessee, the heir to the Whig Party mantle, who campaigned on only a vague promise to uphold the U.S. Constitution. The Republican Party candidate Abraham Lincoln was not on the ballot in North Carolina when white men went to the polls in early November 1860 to elect a new president in one of the most contentious election climates in American history, but his party supported an anti-slavery policy that would restrict the

³¹ On the 1860 Gubernatorial race and the importance of ad valorem, see Donald C. Butts, "The 'Irrepressible Conflict': Slave Taxation and North Carolina's Gubernatorial Election of 1860," *NCHR* 58 (1981): 44-66; On the strength of former Whig Party membership in the Confederacy, see Thomas B. Alexander, "Persistent Whiggery in the Confederate South, 1860-1877" *Journal of Southern History* 27 no. 3 (1961): 305-329.

institution's expansion into the new western territories. The fervor for the Bell-Everett ticket in the state was plain. In mid-October 1860 only a few weeks before the election, six thousand Whig-unionists representing thirty counties across the state, men who were of both a conditional and unconditional stripe, traveled to Salisbury in support of "the glorious old Whig and Union spirit of 1840." "They came from the sea-shore to the mountains, from the pine barrens of the old Cape Fear to the verdure clad hills of the Alleghenies," reported J.J. Bruner the conditional unionist editor of the pro-Whig *Carolina Watchman*, "They came in their might—a people roused to a sense of danger firm in a determination to perpetuate to the their children the blessings of the Union as they have been transmitted by their fathers." Many in North Carolina saw a clear threat to the Union and desired to preserve it.³²

The outcome of the vote in November demonstrated the conservative Whig impulse of many in the electorate just as the gubernatorial race in the state had. When the votes were tallied in North Carolina, Breckenridge had secured 50.5 percent of the total, Bell was a close second with 46.7 percent and Douglas was a distant third with only 2.8 percent. While the southern Democratic Party nominee John C. Breckenridge won a narrow popular vote in North Carolina, this did not mean that the majority of North Carolinians actually supported secession in 1860. Bell polled 45,492 votes to Breckenridge's tally of 49,447, while the northern Democratic Party candidate Stephen Douglas received a meager 2,740 votes, hardly a rousing endorsement of extreme southern rights ideology. Furthermore, Breckenridge had not campaigned on a secessionist platform in the state, even though many of his most ardent supporters were original secessionists.

Nationally, however, the Electoral College total vaulted the Republican candidate Abraham Lincoln into the Presidency, and with Lincoln's election, the southern slaveholders

³² *Carolina Watchman*, 16 October 1860.

who thundered acerbically from the legislature in South Carolina saw a direct threat to slavery and its expansion. Lincoln and the Republican Party's platform had never advocated immediate abolition of slavery during the late 1850s or during the Presidential election, but Lincoln's prewar advocacy of a no-slavery-expansion-in-the-western-territories policy was viewed as a powerful threat to the economic institution that was the lifeblood of the southern states' agricultural economy. While clearly not happy that John Bell had lost the election, conditional unionist editor J.J. Bruner urged his readers to accept Abraham Lincoln as President even though he was a sectional candidate because conservative southern men would have both of the other branches of the federal government to protect their rights. "What has the South for protection?" Bruner asked in a post-election editorial column. "1. The Supreme Court of the United States. 2. We still have the United States Senate; and 3. We shall have the United States House of Representatives." A simple, powerful argument Bruner believed.³³

The majority of North Carolinians actually supported unionist principles during the November Presidential contest and continued to do so in the immediate aftermath of the election. This became clearer after South Carolina seceded and the lower South formed the Confederacy. But there were limits to the unionism of many North Carolinians, and the limits of loyalty for conditional unionists became apparent in the months between November 1860 and May 1861.

A common sentiment among unconditional unionists during the months following the 1860 Presidential election was a seething hatred for the state of South Carolina. For many unionists seeking to place blame for the war on some group other than the northern Republican Party, they found the citizens of the Palmetto state guilty as the original perpetrators of what they viewed as a heinous crime. When South Carolina became the first state to pass an ordinance of

³³ Thomas E. Jeffrey, *State Parties and National Politics: North Carolina, 1815-1861* (Athens, GA: Univ. of Georgia Press, 1989), 301-302; Crofts, *Reluctant Confederates*, 82; *Carolina Watchman*, 20 November 1860.

secession in December 1860 and leave the union, North Carolinians like many Northerners blamed radicals in that state for causing the war. Even though John R. Thompson owned eight slaves and 1300 acres in 1860, “he spoke very bitterly of the action of South Carolina—‘that she should be whipped into submission as old [Andrew] Jackson had done [during the nullification crisis of 1832-1833].’” Eliza Ann Land, who lived in the Yadkin Valley of Caldwell County, even told her neighbors that if she were a man she would join the U.S. Army “to put South C. in the proper place” or “lay in the mountains until she got as mossy as an old log before she would fight in the Rebel service.” If South Carolina was the embodiment of what committed unionists hated most about secessionists, so was the state’s rights doctrine proudly proclaimed by South Carolina’s legislature when it passed the state’s ordinance of secession in December 1860. Robert Reeves of Duplin County explained his opposition to the doctrine. “I have always been a Union man and opposed to the ‘States rights’ doctrine,” Reeves observed.³⁴

Since it was ultimately the perceived threat to the institution of slavery posed by the election of Republican Abraham Lincoln that caused southern states to withdraw from the Union, whether or not unconditional unionists thought slavery was the cause of secession is also a key to understanding their continued commitment to the Union. Regardless of an inflexible unionist’s position on the institution of slavery, a significant number of unionists saw slavery as the clear cause of South Carolina’s secession. Percival D. Sykes, a white unionist who lived in the northeastern Albemarle region argued “the secessionists brought on the war--that they were

³⁴ John R. Thompson (Wayne, no. 16,249) and Eliza Ann Land (Caldwell, no. 12,689), *Southern Claims*. After the war, Land proved her loyalty further by marrying a former Union soldier; Robert Reeves (Duplin, no. 10,822), *Southern Claims*. Reeves three sons A. Reeves, Stephen Reeves, and Jesse Reeves were later conscripted “carried off from my house under rebel guards and placed in the Confederate army where they all died.” William Estill, a Confederate who lived near Reeves during the war, recounted how “On one occasion we had hot words on the subject; this was some time during the first two years of the war. He was opposed to the war and I was in favor of the South...He was a very quiet man and said but little. If he had not been he could not have lived in the country.” Jesse Hollowell later recounted how Reeves told him that “he would fall a martyr to the Union cause before the war ended.” Many unionists were well aware of their historical position and what was at stake if the new Confederate government was victorious.

fighting for their negroes and damn them they might fight it out [but] that he would never help them.” The poor twenty-five year old mariner commented “that he was a Union man and if he went in[to] either army it would be in the Federal-that he always loved the Stars and Stripes and expected to and continued to do so.” Similarly, John R. Thompson, a wealthy thirty-five year old white planter, slaveholder and physician who lived in Wayne County in 1860, “believed that president Lincoln would make a good president. That the North had done nothing to drive the people into revolt” and that the South’s “action would have a tendency to destroy their favored institution of slavery.” Unionists overwhelmingly identified slavery not the abstract state’s rights doctrine as the cause of the war.³⁵

During the months immediately following the Presidential election, many moderate politicians across the United States worked hard to find common ground, and North Carolina had its share of compromise supporters. The position of conditional unionists during this period also illuminates the reasons and motivations under-girding the tectonic shift that sent many North Carolinians into the secessionist camp during the first half of 1861. The debate that occurred in the North Carolina legislature about how to handle the 1860 election results began on November 19 and subsequently the legislature remained in session throughout December while the secession of South Carolina increased tension over the issue. The legislative debate clearly demonstrated the reticence of many North Carolinian leaders on the issue of secession; North Carolina was far from being in the same mood as South Carolina following Lincoln’s election. In December 1860, conservative Democrats, who supported the abstract right of secession but were not yet willing to wield it, were aligned with conditional, old-line Whig unionists and unconditional unionists in a wait-and-see strategy. Many legislators hoped that peace

³⁵ Percival Sykes (Pasquotank, no. 21,050) and John R. Thompson (Wayne, no. 16,249), *Southern Claims*; as a result of these sentiments, local Confederates threatened Percival Sykes with arrest and torching his vessel; he was ultimately evacuated by the U.S. Navy in 1862.

negotiations and compromise in Washington would succeed in preventing the crisis from getting worse. The state legislative debate in December deadlocked, not passing a single resolution or act. Simultaneously, Governor Ellis used every lever of power at his command to push Democrats toward immediate secession, while publicly calling for North Carolina to reorganize the state militia for defense.³⁶

North Carolinians did not make one uniform decision to leave the Union in 1861. Many conditional unionists came over gradually to the idea of secession, and in order to understand unconditional unionists, it is important to ask the question why did conditional unionists—who along with the inflexible unionists made up the majority of the electorate in the state that winter—eventually decide to support secession. For some prominent political leaders like old-line Whig Zebulon Vance, who served as a U.S. Congressman from western North Carolina in the early months of 1861 and did not shift his political sentiments in support of a new Confederacy until after Lincoln's call for troops, conditional unionism meant finding a way to keep North Carolina out of war. Vance like some other prominent politicians even supported the idea of a "great middle Confederation" that would serve a neutral role between what he saw as extremists in both New England and the cotton states of the deep South. In agreement with the idea of a central confederation, Vance's friend and fellow conditional unionist Walter Lenoir of Caldwell County asked: "If such sentiments shall find a ready echo in the hearts of the people of the border slave states, why may they not write and form the nucleus of a great central conservative party which will isolate the advocates of New England nullification and disobedience, on the one hand, and of South Carolina secession on the other?"³⁷

³⁶ J. Carlyle Sitterson, *The Secession Movement in North Carolina* (Chapel Hill: Univ. of North Carolina, 1939), 181-183.

³⁷ Zebulon Vance to W.W. Lenoir, 26 December 1860, Lenoir Family Papers, SHC, Chapel Hill; W.W. Lenoir to Zebulon Vance, 7 January 1861, Frontis W. Johnson ed. *The Papers of Zebulon Baird Vance*, vol. 1, 1843-1862

Other North Carolinians also sincerely hoped for compromise. J.C.L. Gudger, a constituent of Vance's from his home county of Buncombe, wrote his Congressman in late January 1861 "I am confident that if our Legislature has given us a convention that your district will almost unanimously vote against immediate secession. I hope Mr. Vance that you will do the best that can be done for us and that you will exhaust all Measures of compromise before you cease fighting in behalf of the Constitution, the Union, & the Enforcement of the laws."³⁸

Within the state legislature a heated debate took place most of January 1861 over what to do about South Carolina and the rest of the seceding cotton states. The debate, which was dominated by unionists, eventually chose to hold a statewide referendum on the issue of a constitutional convention to debate the issue of secession. This bill passed the state legislature in late January and scheduled the referendum for February 28. The referendum first allowed North Carolinians to support or reject the call for a convention, and second, to cast a ballot for who would represent their county in that convention if it passed—a unionist or a Secessionist. After the passage of the convention bill, unionists—conditional and unconditional--commenced a vigorous campaign to put down the secession movement.³⁹

Conditional unionist John Motley Morehead, the elderly former Whig Governor of North Carolina from 1841 to 1845, who was called the "Father of Modern North Carolina" because of his support for improvements to railroads, waterways, and the public school system, was riding a train through North Carolina during the early part of the secession winter of 1861 when at nearly every railway station there were young men with secession cockades in their hats. At one rail stop on 17 January 1861 only weeks before the convention vote, the frustrated former Governor,

(Raleigh, NC: NCDAH, 1963); hereafter cited as *The Papers of Zebulon Baird Vance*, vol. 1; on Walter Lenoir's transition from conditional unionist to Confederate, see William L. Barney, *The Making of a Confederate: Walter Lenoir's Civil War* (New York: Oxford Univ. Press, 2008).

³⁸ J.C. L. Gudger 27 January 1861, *The Papers of Zebulon Baird Vance*, vol. 1.

³⁹ Sitterson, *The Secession Movement in North Carolina*, 206-208.

who one bystander described as “a frank, plain-spoken old patriot,” denounced the secessionist cause, describing secession as a “crime” and calling all secessionists “fools.” Finally at one railway stop “where the shouting was unusually loud, and the symbols of disloyalty quite numerous, the old governor could keep his patience no longer.” Morehead went to the rear platform of the train car and “advised the shouters in terse, nervous and forcible Anglo-Saxon words, by no means above the comprehension of the crowd, to take the rebel cockades from the hats, and replace them on more ignoble, even if quite as conspicuous, portions of their bodies.” Even with such forceful denunciations of secession by prominent political figures the February 1861 convention vote was a close race statewide, 47,338 opposed the convention to 46,671 in favor of the convention. Interpreting these numbers is more complicated than it might seem on the surface, however, since some conditional and unconditional unionists voted for a convention in the hopes that the unionist delegate they nominated would help turn back a secessionist effort. After strenuous personal efforts to negotiate a solution at a Washington peace conference in February 1861, Morehead became a secessionist following Lincoln’s call for troops and was eventually elected to serve as a delegate to the Provisional Confederate Congress. Morehead’s story is indicative of many prominent conditional unionists during 1860-1861. By the late spring politically prominent unionists were difficult to find in the state, and the minority of white committed unionists were left as a collection of people without politically prominent leaders to follow.⁴⁰

A large number of committed unionists pointed to their vote against the February 1861 call for a secession convention as evidence of their commitment to the Union. Jacob Grice of

⁴⁰ James W. Savage, *Loyal Element of North Carolina During the War* (Omaha, NB: 1886), Pamphlet Collection, North Caroliniana Collection, Wilson Library, University of North Carolina at Chapel Hill; one the secession convention vote tally, see Marc W. Kruman, *Parties and Politics in North Carolina, 1836-1865* (Baton Rouge: Louisiana State Univ. Press, 1983), 273-278; Burton Alva Konkle, *John Motley Morehead and the Development of North Carolina, 1796-1866* (Philadelphia: William J. Campbell Pub., 1922), 386-421.

eastern Sampson County remembered how he “voted against the call for a convention to put my state out of the Union” as did Joshua Winkler of western Watauga County who was regularly harassed by Confederate home guards during the war “for my being a tory...a damned old Lincolnite.” Witnesses in front of the SCC testified that Joseph Ivey of central Orange County was one of only three men in his community to have voted against the secession convention. Ivey’s unionist friend William Lloyd, Sr. “heard him say that he wished the Yankees would come to the south and whip the last man in it...that if he had a million votes he would cast them all against secession.” “It was considerable of a secession corner down where I lived,” testified Lloyd, but Ivey “thought they had no right to bring about a war and tear up the old Government. He always contended that it could not be bettered.”⁴¹

Among the other inflexible unionists who voted against the call was Nelson Walls, a farmer who lived in the central piedmont counties of Randolph and Cumberland during the early 1860s. Robert Mitchel of Fayetteville met with him periodically and believed that Walls “always talked against the war said there was not cause for it on the part of the South that it was perfect madness...soon after the close of the war he came to me with tears in his eyes said thank God I am once more under the stars and stripes and I can now express my sentiments without fear of being molested.” After secession, Walls who “considered himself in danger of his life from threats made against him” experienced the same treatment as many other supporters of the United States government who lived in the region.⁴²

⁴¹ Jacob Grice, (Cumberland, no. 10,954), Grice lived in Sampson County during the war, and Joshua Winkler (Watauga, no. 20,074).

⁴² Nelson Walls, (Randolph, no. 15,623), *Southern Claims*; in 1862, Confederate soldiers seized five bushels of corn from his farm and local Confederates near his home Isiak Presnal and Noah Lathem frequently threatened his life on account of his political beliefs. And even though Walls had a nephew in the Confederate army killed at Petersburg in 1864, he remained committed to the belief that “there was no cause for the war only the slaveholders wanted more negroes and more territory.”

Piedmont Democrat and unconditional unionist Basil Armstrong Thomasson voted for John C. Breckenridge during the 1860 Presidential election but remained an unconditional unionist who voted against the February 1861 call for a secession convention. He continued to oppose secession following the May vote and remained committed to the Union. Thomasson like some other unionists recognized Breckenridge, who had publicly disavowed any connection with secessionists during the election, but who, as the standard-bearer of the southern-wing of the Democratic Party, a party that had represented the yeoman during the Presidency of Andrew Jackson, was still thought to represent that group. Thomasson's view on slavery were not in lock-step with the Democrats but were more in line with Abraham Lincoln's Whig Party views during the 1850s, anti-slavery from a moral stand point but opposed to social equality between blacks and whites. Like other committed unionists in March 1861, Thomasson fretted in his diary "Is this union to be utterly and forever destroyed? This glorious union—the price of the blood of our fathers—it is to be abandoned as a thing of no worth? No. 'Never give up the ship.' Never! Never!" As many other men desired to volunteer and head off to war, Thomasson refused to even consider disunion.⁴³

During the secession spring, it was worth your life in North Carolina to support Abraham Lincoln publicly. Yet a number of unionists did just that. Some inflexible unionists pointed toward their belief that Abraham Lincoln would make a good President if only given a chance to take his seat. While others openly proclaimed their desire to vote for him or expressed deep admiration for Lincoln as a person. Sheffey T. Lindsay of Orange County, who was called a "traitor to the South" by one of his neighbors, wanted to vote for the Republican ticket even

⁴³ Paul D. Escott ed., *North Carolina Yeoman: The Diary of Basil Armstrong Thomasson, 1853-1862*. (Athens, GA: Univ. of Georgia Press, 1996), 1-1ii; Thomasson continued to oppose secession after the May 1861 convention took North Carolina out of the Union; on Thomasson and the relationship between work, religion and loyalty, see Carl R. Osthaus, "The Work Ethic of the Plain Folk: Labor and Religion in the Old South," *Journal of Southern History* 70 (2004): 745-782.

though it was not on the ballot in North Carolina. Lindsay “thought that a great many talked that did not know what they were talking about[,] saying that Lincoln ought to be killed when they knew nothing about him.” “I was willing to take Lincoln for President,” Lindsay argued, “[President James] Buchanan was the man that ought to have put down the rebellion.” “A real old good whig and Union man,” Wiley Barrow of Greene County also “thought Lincoln would make a good President--and that he was very willing for him to take his seat--and that he would vote for Abraham Lincoln as long as he lived if he could.” Joseph A. Hendrix of Davie County even believed that Lincoln “would make as good a President as we had had since Washington.” While coastal Pasquotank County citizens, Nancy Lister and her husband William named their newborn son after Abraham Lincoln.⁴⁴

Even though women were unable to cast ballots in the 1860 Presidential or February 1861 secession convention votes, they proclaimed their fidelity to the Union as loudly as many men and occasionally--because of the protection that their gender gave them in some quarters--they could do it more forcefully. Indeed, in many cases it was the women who actually spoke up in defense of the Union publicly whenever their male family members were forced to remain silent. Many women specifically identified with their husbands’ or other male family member’s political beliefs. Using a male family member’s fidelity to the Union became a common way to also identify oneself as a unionist. “Because my husband and myself expressed our Union

⁴⁴ Sheffy T. Lindsay (Orange, no. 6365), Wiley Barrow (Greene, no. 5718), Joseph Hendrix (Davie, Claim No. 11,192) and Nancy L. Lister (Pasquotank, no. 12,046), Southern Claims; this happened before William Lister was brutally murdered by Confederate troops at his home in 1862 for his Union sentiments; a few white unconditional unionists even claimed to have voted for Lincoln during the war. See, Blount Cherry (Carteret, no. 11,628), Sidney McLean (Madison, Claim No. 19,048), Southern Claims. Blount Cherry, a turpentine seller, grocer and boat pilot for the U.S. Army during the occupation of coastal Morehead City in 1862, claimed to have voted for Abraham Lincoln during the conflict. During U.S. Army occupation of the coast, he took the oath of loyalty and aided Union soldiers. “I said that I did not see any cause for the war, that I did not wish to see it carried out and would take no part in it,” Berry claimed, “I voted for Lincoln.” Likewise, Sidney McLean a South Carolina-born miller living in the highlands of Madison County, joined Co. G. of the Third North Carolina Mounted (Union) Infantry during the war. While serving as first lieutenant of the company in Tennessee and North Carolina during 1863, 1864, and 1865, he voted for Abraham Lincoln’s re-election.

sentiments we were several times...threatened by our neighbors,” Polly Johnson of Wake County recounted. “They threatened to hang him upon a tree in his own yard...I was with my husband in sentiment. I believed he was right then and I believe so now.” Johnson recounted that her husband “was with the Union entirely, and he said if he had his way he would hang every man that had anything to do with throwing North Carolina out of the Union. When the state went out and he heard of it he came home and shed tears about it. He was so much moved he could not eat.” Johnson’s husband even told a local man “the secessionists say they are fighting for liberty; Great God! They are fighting themselves into slavery.”⁴⁵

“An uneducated German lady of good hard sense and judgment,” Margaret E. Hauser of Panther Creek in Yadkin County was an excellent example of how even the inarticulate might still strike a blow for the Union in their local community. Hauser, who according to local miller George Carver, “expressed her feelings and sentiments in favor of the Union cause and against the Confederacy more freely than most women of her education,” disagreed with the whole idea of southern secession. “I told my neighbors that I wanted justice to take place and that I believed that the North would whip the south and that the secesh ought to be whipped out.” As directly as she could, Hauser explained “I never believed in the secesh party. I didn’t think it was right. I don’t know anything about politics, but I never believed in the war. I thought war would ruin the country.”⁴⁶

Black unionists provide yet another window into the political culture of southern unionism. Since neither free blacks nor slaves could vote in 1860-1861, these individuals could

⁴⁵ Polly Johnson (Wake, no. 4959), Southern Claims.

⁴⁶ Margaret E. Hauser (Yadkin, no. 3,497), Southern Claims. Hauser had direct confrontation with her Confederate neighbors over her sentiments. “Because I had said that I didn’t care how soon the Yankees would come along, that when they did come they would give us peace and better times,” Hauser’s Confederate neighbor Michael Norman told her “the Yankees would burn me out before they burnt anybody else.” After the Confederates conscripted her disabled Unionist son James Lawrence and her seventeen-year-old son Benjamin Dallas, a disgusted Hauser expressed to other members of her neighborhood that “the Confederacy would take the women and babies next.”

not point to pre-war political party affiliation, support for political policies, or votes during the secession crisis to prove their loyalty. During the period 1860-1861, North Carolina's free blacks and slaves had little recourse for demonstrating their unionism publicly. The U.S. Army had not yet arrived on the shores of North Carolina and free blacks had not held the vote in North Carolina since a constitutional convention denied them that right in 1835. Nonetheless, many did find ways to demonstrate their loyalty in important ways and assert black unionism, rooted in their opposition to slavery and hope that war or Abraham Lincoln represented a departure from the antebellum Union's support for slavery. Historian William Freehling has used the term anti-Confederate to describe all blacks who fought against the Confederacy. By doing this, he has lumped the small group of politically engaged black unionists in with a larger group of blacks that hated both the Union and the Confederacy because of slavery. This second group of blacks might be more accurately termed anti-slavery and by extension anti-Confederate, but they were not committed unionists who saw the Union abstractly as an agent of freedom. For many of these anti-slavery blacks, it would take the U.S. Army arriving in their communities to convince them that the Union represented freedom. In short, black unionists were a distinct group of free and enslaved blacks who held unionist political views from secession and did interact with each other and network with white unionists, demonstrating their unionism in thought and action. Of the 362 SCC applications in this study whose racial backgrounds were evident in the claim, fifty-one were black: thirty-six free, nine enslaved, and six whose status in 1860 could not be determined.⁴⁷

⁴⁷ William Freehling, *The South vs. The South* uses the term "anti-Confederate" more forcefully than any historian to drive home an important point about the internal political and social fissures that caused Confederate defeat: the vital role of the large black population in the South that eventually ended up in the Union Army and the white Border South population that did not support the Confederacy. Nevertheless, the term anti-Confederate is slippery because it lacks a rigorous specificity and requires amplification since the term itself does not do justice to the wide variety of people that Freehling lumps under this category. Committed white unionists living in the seceding states are almost entirely left out of Freehling's work and clearly they also would fall under this category. Each anti-

“As a colored citizen of the state, I was not allowed to vote,” explained George Clark, a free blacksmith living in Davidson County. “But if I had been allowed a vote I would have voted against Secession and for the Union all the time, as I was a Union man.” Clark, whose race was listed as mulatto in the 1860 census, recounted how his blacksmith shop was a meeting place for Union loyalists and that his business was “only favored by the Union men of this County...my Smith Shop and my customers were mostly Union men.” As a unionist businessman, both black and white men gathered at his shop to discuss politics. Clark’s shop provided a safe haven for white and black unionists in Davidson to communicate about their loyalty.⁴⁸

Lewis Dunn, a free black man living in Cumberland County, claimed to have been the last slave manumitted by the North Carolina legislature. “I bought myself finished paying for myself [in the early 1850s]” Dunn recounted. He also demonstrated that many black southerners understood what was at stake in the war and that slavery ultimately caused the conflict. Unionist William S. Bryant explained how Dunn told him “the war was brought on, on account of slavery and he looked for and prayed for and expected to see the time when all his race would be free.”

Confederate white and black had his or her own set of motivations, visions for the future and dreams of what America should become, and these people deserve investigation; data on black Unionists accumulated from Southern Claims; U.S. Bureau of the Census, *Population Schedule of the Eighth Census of the United States*, 1860, North Carolina; on 1835 North Carolina decision to disenfranchise free blacks, see Franklin, *Free Negro in North Carolina*, 113-115.

⁴⁸ George Clark (Davidson, no. 2,708) and Charles Long (Davidson, no. 2,707); while George Clark personally did not serve in the Union ranks, he pointed to family connections to prove his loyalty; his brother Josiah Clark had moved to Ohio and served in the Union Army during the war. Clark’s white neighbor Philip Ball also attested to his unionism during the war, and even provided government commissioners during his SCC testimony with the loyalty oath which both men took when they joined the Heroes of America, a clandestine unionist organization that formed in parts of the Upper South during the war to resist the Confederacy. George Clark, Philip Ball, and their black and white unionist neighbors in Davidson County formed a wartime inter-racial alliance to survive the establishment of the Confederacy. Across the piedmont of North Carolina, white and black unionists did cooperate to survive the Confederate war, and their networking through private speech was not abstract patriotism but something concrete that black unionists clearly contributed to the Union cause; on black political activity during the war, see Steven Hahn, *A Nation Under Our Feet: Black Political Struggles in the Rural South from Slavery to the Great Migration* (Cambridge, MA: Harvard Univ. Press, 2003), chapter two.

Butcher Thomas Drake also remembered how Dunn “appeared to be the most interested man in my neighborhood in the cause and success of the union.”⁴⁹

“I sympathized with the union cause I thought it the most properest,” declared Ferry Daniel, an Orange County slave owned by John Carlton. “I always felt as if I wanted the Yankees to come through...I had no vote at all then if I had had a vote I would have voted for the union. I was against secession business altogether.” A local black man, Eldridge Parrish, who was free, also confirmed Daniel’s loyalty and mentioned how free and slaves communicated about political events and their beliefs among themselves. “We did not dare to talk but we have talked between ourselves....he was reared by the white folks as being a smart respectable colored man. he is called a sober man a man of good principle.” Clearly some free blacks and slaves communicated regularly about the fortunes of the Union.⁵⁰

Another way secessionists attempted to salve their wounds about the number of committed white southern unionists in their midst was to cast them as outsiders by arguing that unwavering unionists were actually born outside the South. This claim was patently false. Only a small handful were born or raised in the Northern states. Among this small number born in the North was Henry Covert, a white New York-born ship carpenter who lived and worked in New Bern in coastal Craven County when the secession crisis brought tension to his community. Covert, who voted against the February 1861 call for a secession convention, owned two flatboats named *Tippecanoe* and *Jackson* suggesting his own personal attachment to American

⁴⁹ Lewis Dunn (Cumberland, no. 17,583), Southern Claims. Dunn’s testimony was taken in 1873. Because he was free, Dunn was later conscripted and sent to work at the Confederate arsenal at Fayetteville for twelve months during the war.

⁵⁰ Ferry Daniel (Orange, no. 11,661), Southern Claims. Daniels later joined the Republican Party during the post-war period. Eldridge Parrish was later forced to work on the fortifications at Weldon, North Carolina by the Confederates.

Presidents William Henry Harrison and Andrew Jackson. The ship carpenter referred to the secessionist leaders who he believed started the war as “the biggest fools in the world.”⁵¹

It is difficult to overemphasize the groundswell of popular animosity that Lincoln’s call for troops to put down the rebellion caused among North Carolina’s conditional unionists.

The key point for conditional unionists like ex-Governor Morehead and editor J.J. Bruner was the issue of coercion. If Lincoln did nothing to militarily coerce a southern state, then they remained loyal supporters of the Union. But if the power of the federal government in Washington was turned on the state of South Carolina and her seceding sister states then men like Moorhead and Bruner could no longer remaining on the sidelines as cheerleaders for the Union if the federal government put down the rebellion with force. Following Lincoln’s inaugural address in March 1861, Bruner praised Lincoln “his pledge to support the Constitution and enforce the laws, all of which he had just sworn to do is condemned by the disunionists. We cannot see what else he could have said, after just taking the oath to office, unless he intended to do the very opposite of what he had sworn to do...he is without money and without friends sufficient to warrant the belief that he can accomplish any good by force and, therefore, we do not believe he will attempt it.” From the perspective of conditional unionists, it would be Lincoln’s actions in the coming weeks that would drive the mass of conditional unionists into the arms of the secessionists they had despised.⁵²

⁵¹ Of the 273 SCC applicants whose place of birth could be positively identified in the 1860 census 271 or 99.3 percent were born in states that seceded from the Union. Of those people 259 were born in North Carolina, seven were born in Virginia, and five were born in South Carolina. Only two were born outside the South, one in New York and the other in England. In addition to these individuals, a small number of SCC applicants referred to northern birth but could not be positively identified in the 1860 census; U.S. Bureau of the Census, *Population Schedule of the Eighth Census of the United States*, 1860, North Carolina; Henry Covert (Craven, no. 10,416), Southern Claims; in the fall of 1861, Covert’s public statements opposing the war led to his being threatened by a mob with imprisonment at the Confederate prison in Salisbury, North Carolina and even being tarred and feathered. The threat of violence was a constant in lives of these unconditional unionists.

⁵² *Carolina Watchman*, 12 March 1861.

The rumbling guns in Charleston Harbor and South Carolina's defiance of U.S. government authority to resupply a Federal installation was lost on a conservative population of North Carolinians that only saw the brazen wielding of Federal power against other southerners. By the late spring of 1861, North Carolina was in an uproar over what was viewed as a betrayal by Lincoln. During March and early April the state had not drifted toward secession, most conditional unionists continued to support a leave-the-seceding-states-alone policy that would prevent the crisis from growing worse. But after Lincoln's call for 75,000 troops on April 15, more and more formerly conservative old-line Whig-unionists and conservative Democrats came over to support the idea of North Carolina's secession. Lincoln's call for 75,000 troops to put down the rebellion in the seceding states after the firing on Fort Sumter was clear evidence of the coercion that conditional unionists had argued would never happen. When it did, many unionists reluctantly sided with secessionists. Local peer pressure in some neighborhoods doubtless led to some of these conversions, but in other communities, a group of unconditional unionists remained committed. Some chose public proclamation while others still hoped to quietly ride out the crisis. They would be sorely disappointed.⁵³

The rapid shift among conditional unionists can also be seen in the popular culture of 1861. The *Greensborough Patriot*, a newspaper that supported unionism in early April rapidly converted to a secession organ by late April. On 4 April 1861 it printed the following song lyrics from a song entitled "The Flag of the Union" that was to the tune of "Dixie":

Come, brothers, join the Union chorus,

While the storm cloud lowers o'er us,

Look away, look away, look away, see the flag!

By faction torn, but storm defying,

⁵³ Kruman, *Parties and Politics in North Carolina, 1836-1865*, 220.

Brothers, look, the flag is flying!

Look away, look away, look away, see the flag!

Shall traitors dim its glory! Never! Never!

A gallant band around it stand to live and die for the Union.

Hurrah, hurrah, hurrah for the flag of Union!

Twenty-six days later it printed the song lyrics to “North-Carolina Call to Arms” to the tune of “The Old North State”:

Ye sons of Carolina! Awake from your dreaming!

The minions of Lincoln upon us are streaming!

Oh! Wait not for argument, call or persuasion,

To meet at the onset this treacherous invasion!

Defend, defend, the old North State forever.

Defend, defend, the good old North State.⁵⁴

In a letter to Zebulon Vance shortly after Lincoln’s call, W.N.H. Smith, a Yale educated old-line Whig and American Party member of the U.S. Congress from Hertford County, summed up the transition of most conditional unionists succinctly. “The Union feeling was strong up to the recent proclamation. This War Manifesto Extinguishes it, and resistance is now on every mans lips and throbs in every bosom. We regard the government as overthrown—a military usurpation in its place—a sense of common danger unites us in a common cause,” Smith declaimed. “The North is mustering its legions—to intimidate, and we see with pain the defection of professed friends—but our security is to be found in the Concentration of our Entire strength to repel the first invasion.” Signaling the momentous shift of citizens, Smith, who was

⁵⁴ *Greensborough Patriot*, 4 April 1861 and 30 April 1861.

an ardent unionist before the call for troops and a citizen from the overwhelmingly Whiggish region of northeastern North Carolina, eventually became a member of the Confederate Congress. Vance agreed with Smith describing his own conversion to secession by dramatically recalling how he was arguing for unionism when news arrived of Lincoln's proclamation interrupting his speech. "When my hand came down from that impassioned gesticulation it fell slowly and sadly by the side a secessionist." And it fell quickly. During the first week of May before North Carolina officially seceded, Vance organized his own company of "Rough and Ready Guards" to repel any invasion.⁵⁵

North Carolina's Secession, Confederate Military Mobilization and the Early Treatment of Inflexible Unionists

The view from the ground as North Carolina transitioned toward secession was not only unsettling it was terrifying for unconditional unionists. Alexander Hamilton Jones described the violent transition toward secession and a police state from his home in Hendersonville in Buncombe County during the spring of 1861. Following the February vote and the firing on Fort Sumter, secessionists moved quickly. "I had to proceed with much caution, for some were constantly going over and affiliating with the rebels, and it seemed to me the very moment they went over their hearts became corrupted," remembered Jones. "After which armies were raised; vigilance committees appointed throughout the country; a system of espionage kept up; the post offices and mails usurped; some barn, stable, or other old house has been fired; the howl is raised," Jones recalled, "some poor, friendless Union man perhaps arraigned, and rumors of the

⁵⁵ W.N.H. Smith to Zebulon Vance, 26 April 1861, *The Papers of Zebulon Baird Vance*, vol. 1; Zebulon Vance to Harriet Vance, 18 May 1861, *The Papers of Zebulon Baird Vance*, vol. 1; Clement Dowd, *Life of Vance* (Charlotte, NC: Observer Printing and Publishing House, 1897), 441.

most startling character on the wing. In the meantime certain characters were going through the country preaching that cotton was king; that the Yankees were a nation of thieves, and would seize our lands, ravish our wives and daughters.”⁵⁶

North Carolina’s Governor John Ellis pushed hard for secession in the wake of Lincoln’s call for troops and when North Carolina was asked to fill the quota of two regiments by the U.S. Secretary of War, Ellis not only balked, he mobilized for resistance to the order. By April 17 he was already offering the Confederate President his full support and use of arsenals, forts and men for the Confederate cause. While he did this, the legislature quickly gathered in Raleigh and passed an ordinance calling for election of convention delegates on May 13. By this point the overwhelming majority of citizens and legislators were in favor of separation and there were only a handful of uncompromising unionists standing publicly in the way.

Among those men was Alexander Hamilton Jones. During the brief few days of campaigning prior to the May election, Jones recalled how “I had not proceeded far with my speech until I was invited from the stump and threatened with a ride on one of Lincoln’s rails...Clerks were at the ballot-boxes with pencil and paper in hand, taking down all the names of those who voted for me, (“the Lincoln” candidate,) with threats that all such would be hung or shot. At some precincts the polls were guarded, and those who dare to vote for me were mobbed.” An outraged Jones swore “Never were such scenes enacted in the mountains of western North Carolina on any previous occasion; guns, pistols, knives, stones, and every means possible, were used to prevent the people of western North Carolina from showing by their votes

⁵⁶ Alexander H. Jones, *Knocking at the Door: Alex H. Jones, Member-Elect to Congress: His Course Before the war, During the War, and After the War. Adventures and Escapes* (Washington: McGill & Witherow, Printers and Stereotypes, 1866), 5, 10.

that they were a loyal and Union-loving people. On the one side boys not more than fifteen and sixteen years of age were allowed a vote, whilst Union men stood aghast.”⁵⁷

Given the intense threat of violence and massive change in popular opinion, the political leadership of unionists had largely evaporated in April and May. Most of the short debate during this election was over whether the convention should argue for the legal right of secession or the right of revolution, few continued to openly advocate Union like Jones. The tide had shifted and carried a majority of North Carolinians with it. One-hundred and twenty delegates convened in Raleigh on May 20 and passed an ordinance of secession severing ties with the United States. The next day Confederate President Jefferson Davis issued a proclamation accepting North Carolina into the Confederate States of America.⁵⁸

Many of the inflexible unionists were incredibly angry with their own state officials for not submitting the ordinance of secession passed by the state legislature in May to the entire state’s electorate for ratification. Joseph Fisher of Rowan County put it tersely “my feelings and language was all in favor of the old stars and stripes. I voted against [the] secession [convention]. I talked against secession. Nobody could [vote] against the ordinance of secession for the reason that that ordinance was not submitted to the vote of the people.” Wilson R. Sutton of coastal Dare County agreed. “The ordinance of secession was never voted upon. I would have voted against it. I believe a large majority of the people of North Carolina would have voted against it.”⁵⁹

⁵⁷ Ibid., 5.

⁵⁸ John W. Ellis to Simon Cameron, 15 April 1861 and John W. Ellis to Jefferson Davis, 17 April 1861, Noble J. Tolbert ed. *The Papers of John Willis Ellis, 1860-1861*, vol. 2 (Raleigh, NC: NCDAH, 1964), 612, 623; Sitterson, *The Secessionist Movement in North Carolina*, 239, 245, 248.

⁵⁹ In the years after the Civil War, many of the unionists, who were often in their fifties, sixties, and seventies, were confused by the February 1861 vote thinking that they were voting against an ordinance when they were actually only voting over whether or not to hold a convention and who to send as a delegate if the convention passed statewide referendum; see for example, George Bond (Chowan, no. 20,623), *Southern Claims*, which demonstrates that some unionists were confused thinking they had voted against an ordinance of secession in February 1861.

Benjamin Rose, a white unionist who lived near Jonesville in north central Yadkin County “took the Union side all the time, I went against the call of a convention the purpose of which was to carry the state out of the Union and always voted for candidates who said they wanted the Union fully restored...the ordinance of secession was never submitted to the voters of the state.” White unionist James Blythe of Cherokee County in the southwestern corner of the state agreed with Rose and was so upset over the issue of secession that in 1861 he and his unionist friend John Simms and his nephew Jonathan McDonald joined together as “friends of the Union” to sign a self-protection resolution that pledged “to sustain the Union & [work together] for our own protection.” “My language, so far as I could speak without danger to life and property was in favor of the Union cause,” cautioned Barker Ward of coastal Perquimans County, and “My votes were cast in that side, as long as there was a Union ticket to be voted for. I did not vote in the election for President of the Confederate (so called states). The Ordinance of Secession was not allowed to be passed on by the people.”⁶⁰

During the spring and summer of 1861, vigilance committees pressured unwavering unionists in local communities in an effort to eradicate support for the United States. Vigilance committees were the civilian population’s way of mobilizing to support Confederate principles in their own neighborhoods. Disciplining and monitoring individual loyalty was seen as a local community responsibility by secessionists, a problem that had to be dealt with quickly in the early days of secession to stamp out a home front unionist threat. Vigilance committees and ad hoc mobs frequently became a community’s mechanism for enforcing loyalty to the new Confederacy, and these groups vigorously went about assessing suspected disloyalty. These committees had been successful in monitoring and interdicting the dissemination of abolitionist

⁶⁰ Benjamin Rose (Yadkin and Wilkes, no. 3,514); James Blythe (Cherokee, no. 19,962); Barker Ward (Perquimans, no. 11,487), Southern Claims.

thought during the antebellum years, and their aggressiveness on monitoring loyalty in the early months of North Carolina's Confederate experiment was equally zealous.

In Wayne County, John Robinson, who was later appointed as a special commissioner to the Southern Claims Commission for North Carolina, described how his local unionist friend Annie Scott rushed to warn him in a "deeply agitated" state that a vigilance committee was preparing "to ride me on a rail." Aaron Mitchum of Lincoln County "was threatened to be whipped" by a local vigilance committee after voting for the Union ticket. Neither man abandoned his principles due to the threats.

While these committees clearly did not succeed in forcing a change in loyalty for every unionist, the Stanly County vigilance committee in the piedmont, which met at the Stanly Hotel during May and June of 1861, did have success in at least one case. The committee brought Elijah Hudson to assess his loyalty "under the charge of using language against the interest of the South." Hudson recanted his earlier statement in front of the committee and was released. While the Stanly Hotel group monitored unionists they also regulated the activities of local free blacks, demonstrating the dual role of maintaining Confederate loyalty and racial hierarchy. Jeremiah Poplins apparently ran afoul of the committee when he allowed free blacks and slaves to congregate at his property and permitted slaves to come and go at his place "without passes from owners and overseers." By June the ardent committee members "devoting their whole energies to ferreting out the enemies of the country and bringing to light their treasonable acts" even proposed to create a list of all male inhabitants in each district of the county over the age of twenty-one and inquire "as to the sentiments of each in regard to the South and its Institutions." "All who refuse to answer," the committee proposed should "be considered adverse to the South and reported to the general committee. All who make treasonable answers [should] be arrested

and handed over to the civil authorities.” At least at the beginning of the conflict, before Confederate regiments were raised and sent into southern communities where unionists, deserters and disaffected citizens were active, these local groups presented a powerful threat of potentially wiping out unionists and forced many into a calculated silence that emerged later when the opportunity to aid the Union cause presented itself. Even after many of the young men serving in the vigilance committees were drawn away by the war, the Confederacy had an extremely powerful loyalty monitoring system at the local level.⁶¹

On numerous occasions, even gender was not enough to prevent some female unionists from being seriously threatened and forced to watch while their loved ones as they were tortured by violent secessionists that summer. Mary Herring of Wake County recounted how she “was threatened with paddling” at the same time her husband James was tormented by secessionists. James “was ridden on a rail by a mob of secessionists, was hung by the neck until nearly dead and his health permanently injured by this cruel and inhuman treatment.” Ultimately James was taken to Fort Macon in Carteret County and then later returned to jail in his home county for his unionist sentiments.⁶²

One clear example of the danger unionists faced as North Carolina Confederates mobilized in 1861 emerged in the pages of the *Greensborough Patriot* shortly after North Carolina withdrew from the Union. The Confederate vigilance committee in Guilford County met on Saturday morning 1 June 1861 with the expressed intention of controlling any deviant

⁶¹ Annie Scott (Wayne, no. 3672) and Aaron Mitchum, (Lincoln, no. 4232), Southern Claims; Mitchum also ran afoul of Confederates when he told his sons to lay out and avoid Confederate service; Stanly Hotel Register, NCDAH, Raleigh, North Carolina.

⁶² James Herring (Wayne, no. 2377), Southern Claims; on brutality toward women, see Michael Fellman, “Women and Guerrilla Warfare,” in Catherine Clinton and Nina Silber ed., *Divided Houses: Gender and the Civil War* (New York: Oxford Univ. Press, 1992), 150; on treatment of women perceived as “deviant” more generally, see LeeAnn Whites, “The Civil War as Crisis in Gender” and “Home Guards and Home Traitors: Loyalty and Prostitution in Civil War St. Louis,” in *Gender Matters: Civil War, Reconstruction, and the Making of the New South*. (New York: Palgrave Macmillan, 2005).

citizens that continued to disagree with the Confederacy and North Carolina's support of it. The resolutions of the meeting reflect the degree to which Confederate citizens were ready to go in monitoring and bringing unionists under control. The *Greensborough Patriot* reprinted not only the resolutions of the committee but also the names of more than 130 men in the four districts of the county who were appointed to carry out the vigilance committee's plans.⁶³

"Whereas, believing as we do, that there are a number of the citizens of Guilford County who are bitterly opposed to Southern measures and institutions by avowals and practice, and should they be permitted to remain in quietude amongst us during the present distressing crisis," the committee continued. "We have not evidence that we can deduce from their former demeanor and practice, to cause us to believe that they will maintain a neutral position in respect to the belligerent sections of the country, if the invading army should unfortunately get into the interior of the Southern States and assume a formidable position." The Committee continued by arguing "The time has come...that the citizens of the Southern States are compelled to be one thing or the other; they must all be for the South and her institutions, or they must be against them; the two extremes of policy cannot remain in the same territory."⁶⁴

"Therefore, to protect ourselves and our property, we a portion of the citizens of Guilford in public meeting assembled, do hereby resolve that it is expedient to appoint a general Committee of Vigilance in this county, to be composed of at least thirty of our most reliable and prudent citizens in each quarter-section of the county," the committee continued, "any five of whom shall be authorized to hold meetings in populous neighborhoods, captains beats or school-districts, in connection with other reliable citizens, the object of which meetings shall be to obtain the sentiments of each individuals in this county declaratory of the position that they may or do now maintain in reference to the unfortunate difficulties now existing in the South." The

⁶³ *Greensborough Patriot*, 7 June 1861; for contention and disunity over flag presentation rituals in the early days of mobilization, see Wayne K. Durrill, "Ritual, Community and War: Local Flag Presentation Ceremonies and Disunity in the Early Confederacy," *Journal of Social History* 39, no. 4 (2006), 1105-1122.

⁶⁴ *Greensborough Patriot*, 7 June 1861

committee then presented a clearly defined plan for constructing a police state in Guilford County around unionists:

“Where any of the citizens of any community in Guilford county, after due notice being given, do not attend the meetings, it shall be the duty of the Committees holding such meetings, to wait upon them at their homes and obtain their sentiments either for or against Southern measures and institutions, and in the event that they refuse to make known their sentiments when waited upon by the Committee, or show any resistance, it will be taken as evidence that they are in favor of the Lincoln policy, with al their programme of abolitionist, coercion and subjugation.”⁶⁵

The vigilance committee, however, did not stop at just assessing the loyalty of the community. And if any five of the committee believed that expressions of sentiments by a person were “treasonable” the committee resolved that “it shall be their duty to arrest or have them arrested and taken before the civil authorities, so that they may be dealt with in accordance with the law made and provided for the punishment of treason.” In addition, the vigilance committee members were “required to see that all persons who are in favor of...laws of the Confederate States of America...subscribe to them by signing their names on a sheet of paper attached to the resolutions.” Those who did not sign risked being found “treasonable.” If guilty, the punishment for treason was execution.⁶⁶

With committees of vigilance springing up all over North Carolina and the mobilization of new volunteer North Carolina regiments, as well as a state home guard that would eventually total some 10,000 men, unionists were now faced not just with the political crisis of secession in the halls of government, where debate was peaceable. The unionists now faced a military force that threatened their political identity and beliefs in their own communities. The confrontation

⁶⁵ Ibid.

⁶⁶ Ibid.

between these new military authorities and the unionists came swiftly that first summer after secession.⁶⁷

Thomas Hall, a wealthy white unionist who lived in Carteret County, spent most of 1860 and early 1861 in New York but when he returned to Morehead City, North Carolina he purchased the spacious Macon House Hotel. Shortly after purchasing the hotel he took down the Confederate flag that the previous owner had been flying atop the building—a cardinal sin in the eyes of secessionists. The local Confederate response to Hall’s actions was unquenchable hatred and outrage. During the summer of 1861, Hall was threatened with imprisonment at nearby Fort Macon by numerous prominent North Carolina secessionists for saying “the Union was good enough for me.” Harriette Espy Vance, the wife of Zebulon Baird Vance, at that point the prominent colonel of the Twenty-sixth North Carolina Volunteer Infantry and later war governor of North Carolina, called Hall “a puppy and a whitewashed yankee” right before she threatened to have him arrested. According to Hall, Henry King Burgwyn, Sr., the father of the famed Lt. Col. Henry King Burgwyn, Jr., later known throughout the South as the boy Colonel of the Confederacy and a member of Vance’s regiment, “many times told me I ought to be arrested.” While stationed near Morehead City, Vance’s famed soldiers, who were nearly decimated during the final charge at Gettysburg two years later, not only burned Hall’s boat, part of his fence and robbed his kitchen, but in the presence of a Captain Clayton and his wife, Hall recounted how one soldier even “threatened to take my life ‘with a drawn knife.’” Hall recalled that one of the most dangerous moments for him that first summer of the war came when “Rev. Mr. Branson was raising a company of militia and it was rumored they would tar and feather me because I would not join,” and the militia then “drilled in front of my place.” “Generally, I was very much

⁶⁷ *Greensborough Patriot*, 27 October 1864 reported the home guard included 10,000 men that ultimately became members of this force statewide.

annoyed on account of my Union sentiments especially by being called a ‘whitewashed yankee,’” Hall contemptuously observed.⁶⁸

Josiah Simmons found that it was only his southern heritage that saved him in 1861 when he sailed into the cradle of secession, Charleston harbor. Simmons, a mariner from Pasquotank County on the northeastern coast of North Carolina, dared to fly the United States flag in Charleston Harbor only weeks after the South Carolina State Troops had angrily evicted U.S. troops from Fort Sumter with their blazing cannon. Simmons vessel was eventually fired upon, brought to heel, and he was detained by South Carolina soldiers until he proved his southern birth. When he returned home to North Carolina, Simmons situation continued to deteriorate. He forcefully spoke out in favor of the Union cause and Confederates “threatened to burn his vessel for carrying the U.S. Flag after N. Carolina had seceded.” Simmons “spoke so strongly in its favor that I was threatened with arrest by the Rebel vigilance committee.”⁶⁹

The rapid conversion from conditional unionist to ardent Confederate was demonstrated by *Carolina Watchman* editor J.J. Bruner, who published regular reports on patrols and vigilance committee activities in Rowan County during the summer of 1861 as Confederates worried about traitors. “Let us be watchful—narrowly observing every stranger; for there are many spies traversing South; and there are persons in almost every community ready to betray our cause. There are always traitors, spies and deserters in every war, just as there are always rogues and rascals in every community.” Bruner charged every new Confederate with what he viewed as a vital task. “Our Vigilance Committees should be vigilant indeed; and every good citizen should

⁶⁸ Thomas Hall (Carteret, no. 12,263), *Southern Claims*. Given his treatment at the hands of local Confederates, it is not surprising that when Union forces took Morehead City later in the war, Hall was not only the first person to meet with Union General Ambrose Burnside the commander of the U.S. expedition. But he subsequently gave intelligence about the Confederate fort, aided sick and wounded Union soldiers at his hotel, and ultimately received “a certificate of loyalty by [North Carolina Union Military] Governor Edward Stanly and safeguard by General [John G.] Foster.”

⁶⁹ Josiah Simmons (Pasquotank, no. 9560), *Southern Claims*.

consider himself a committeeman to report every suspicious fact that comes under his observation.” Bruner was not just promoting that his readers support North Carolina’s secession and the new Confederacy. Bruner now wanted every North Carolinian to be an active agent in a new Confederate local state that would monitor the loyalty of its citizens.⁷⁰

As soon as the first regiments were mobilized in North Carolina, the Confederate military launched a counter-unionist policy designed to destroy the internal threat. In July of 1861, Confederate J.F. Shaffner was part of company of 160 Confederate volunteers sent to Davidson County to put down suspected disloyalty to the Confederacy in the region. “It appears some of the good citizens of our adjoining county Davidson have not forgotten their once great love for the Union of all the States, and have taken to especial devotion to that prince of baboons--Abe Lincoln,” Shaffner declaimed. “They have endeavored to resist the laws of the state, and even permitted themselves to proceed in their rebellious course until the Sheriff had to call for assistance. It was for this purpose we were detached; to aid the strong arm of the law to ‘suppress this rebellion.” Having been informed that the party of unionists was seventy-five strong and that public opinion in “the entire neighborhood” supported resistance, he and his fellow Confederates expected “a lively time.” Shaffner, however, was disappointed to learn that there would be no confrontation since the “ring leaders” of the rebellion “were safely lodged in the county jail” shortly after their expedition was dispatched. This would be one of the first of many such expeditions by Confederate military forces in the state to unionist communities with intent of suppressing internal conflict.⁷¹

⁷⁰ *Carolina Watchman*, 4 July 1861.

⁷¹ J.F. Shaffner to Miss Carrie L. Fries, 22 October 1861; “F.” J.F. Shaffner, 1 November 1863, Shaffner Diary and Papers, NCDAH, Raleigh, N.C.; on Moravians in central North Carolina, see Michael Shirley, “The Market and Community Culture in Antebellum Salem, North Carolina,” *Journal of the Early Republic* 11 (Summer 1991), 219-248. Moravians in central North Carolina’s Forsyth County were also suspected of “disloyalty” to the Confederacy. Confederate Moravians J.F. Shaffner and Carrie Fries carried on an intense conversation throughout the war about the unionists and “tories” living in the central counties of the state during the war. In particular they were concerned

North Carolina began the Presidential election cycle in 1860 with a broader alliance of southern unionists than what remained after May 1861. But the inflexible unionists who remained were not a homogeneous group. While the coalition of inflexible unionists came from a wide variety of backgrounds, a number of important factors played a key role in determining who remained loyal. For white Unionists pre-war affiliation with the Whig party played key roles in shaping wartime political loyalty on the North Carolina home front. White unionists views on slavery were also diverse, from slaveholders who believed the Union was the best government to protect their property to ambivalent yeomen to anti-slavery Whigs who were morally and economically opposed to the institution. For black unionists their opposition to slavery and desire to become part of the democratic process through voting kept them committed. Steadfast unionists represented a cross-class alliance as well. Most unionists were poor farmers, but a considerable number owned a significant amount of property and were concentrated in a small number of professional, commercial and artisan occupations that made up a southern middle class. Age played a role as well keeping many long-time participants in the political process loyal to the antebellum American Union of states.

There was not one white southern political identity in North Carolina or the Civil War South at the beginning of the conflict. In 1860 and 1861 there was an internal struggle between committed unionists and secessionists going on within North Carolina, with each group vying to control towns and neighborhoods. At the same time the southern states were separating from the Union, unconditional unionists were battling to assert their own politics and that internal battle

about the leader of one Moravian flock in the county. Shaffner told Fries that he “always believed, even from the beginning, that our clergy were and would be unsound in this contest, and of the man in question still hold a similar opinion. Until better men assume control of the Moravian Church I hold myself aloof, ad determination sometime aimed at.” This clergyman was likely the same Mr. Holland the pastor of their Moravian Church who fled the county in 1863 with his family. Using Biblical language to describe the North, Holland had angered many Confederate parishioners by alluding to “his Canaan” where “all his sympathies” lie in his regular sermons from the pulpit.

for the right to assert their unionism was about to get much more difficult. Confederate citizens and military personnel did not wholly silence southern unionists after secession either; they continued to struggle through the first months of the war. In the late summer and early fall of 1861, two armies emerged in North Carolina, one wearing blue and speaking a strange accent arrived on the coast and the other speaking a familiar accent and wearing butter-nut and gray sprung up across the hills and plains of the Old North State. Both created a new and uncertain world for southern unionists to navigate, the world of military occupation.

CHAPTER TWO

Confederate Occupation

“Such a Monarchical or Tyrannical Government”

“We believe in humanity to the prisoners of the enemy taken in battle, but would show no quarter to Southern traitors; we would have them swung up without Judge, Jury, or benefit of Clergy.”
New Bern Weekly Progress, 5 August 1861.

On the evening of 10 April 1862, Calvin G. Perkins was at home in Wayne County when an armed party of Confederate soldiers arrived at his doorstep without a warrant. The soldiers quickly seized Calvin and carried him off to the local jail in Goldsboro, North Carolina where he sat for several days until removed nearly two hundred miles to the “Confederate States Bastile” at Salisbury. Perkins, who was suspected of making pro-Union statements and taking the oath of allegiance to the United States, was left helpless, in legal limbo, amidst a Confederate police state and judicial system prepared to monitor the allegiance of its citizens and incarcerate them on suspicion of treason with little concrete evidence. When Perkins’ relative, Needham T. Perkins, set out to employ two attorneys to seek his release he was astonished to find that one of the attorneys he thought he had secured to represent Calvin became the Confederate States attorney in charge of prosecuting the case. In vain, Needham sought the release of Calvin from Salisbury Prison for months while the Confederate judge in the case refused to do so, even though there was thin evidence against the Wayne County man. Whenever testimony was finally brought in the case, two witnesses testified that they heard Perkins say he “owed his allegiance to the United States and not to the Confederate States.” Perkins, who refused to swear allegiance to the Confederacy at his hearing, was given the option of posting a bond for good behavior, which his attorney quickly agreed to in order to secure his release. After detention of nearly a year for

alleged treason against the Confederacy, Perkins was only freed after a habeas corpus hearing forced him to post a bond. “Here is an avowed enemy of the Confederate States, and one who proclaims that he owes allegiance to the Yankee Government, turned loose in our midst at a time when a savage and wicked foe is invading the State, inciting negroes to insurrection, murdering our citizens, and stealing and burning property,” excoriated the editor of the *Charlotte Western Democrat*. “We are in favor of setting at liberty the innocent who may have been suspected, but the guilty ought to be hung or banished from the country. What is to become of our soldiers and country if tories are to go at large?”¹

While incarceration at the disease-ridden prison at Salisbury was the unfortunate lot of many white political dissidents suspected of treason in North Carolina, Timothy Hainey and James Griffin were not as fortunate as Perkins and other unionists who were imprisoned by Confederate authorities. In May 1861, Hainey, who according to the Confederate *New Bern Weekly Progress* was “a man of a white face but nigger by nature,” doubtless a comment on his politics, was seized by a mob of Confederate citizens in the Cleveland County community of Shelby and hanged. It is unclear exactly what alleged crime Hainey had committed to deserve this treatment at the hands of locals, but the reference to his racial sympathies suggests that he may have been involved in either freeing slaves or providing aid to the Union cause. That very next month Griffin a citizen of Jones County was seized “for unsound sentiments and incendiary words and conduct, and tarred, feathered and rode on a rail.” “The same man was recently severely beaten and driven from the neighborhood for tampering with negroes and cautioned

¹ *Raleigh Standard*, 6 August 1862; *Charlotte Western Democrat*, 17 March 1863; Sally W. Perkins (Wayne, no. 7763), Southern Claims. The claim of Sally Perkins discusses the unionist activities of herself and her husband Needham T. Perkins, both Quakers living in Wayne County. The Needham T. Perkins in the SCC claim and the Needham T. Perkins discussed in the *Raleigh Standard* are almost certainly the same man, which suggests that Calvin Perkins may have also been a Quaker. Needham and Sally were active in supplying capture U.S. troops imprisoned at Goldsboro with food during the war and aiding unionist refugees and Confederate deserters.

never to return,” noted one Confederate journalist. Griffin was eventually turned over to the Confederate volunteers at New Bern where his ultimate fate is unknown. When another unionist named Hilton was arrested at Thomasville in Davidson County after wounding a Confederate soldier during his arrest, the Confederate editor of the *Progress* responded with words that illustrated the feelings of ardent Confederates across North Carolina toward committed unionists. “We contend that these and all such traitorous scoundrels should not be fed by the county or State a day, and that they have not right or claim to the delay of a trial,” the merciless Confederate editor declaimed in August. “Take them wherever found and hang them to the nearest tree...Swing them then, for not only do they deserve it but the moral effect that would be produced by hanging a few would be most salutary.” For Civil War unionists political loyalty and patriotism was not an abstraction or a flag pin worn on the lapel of finely pressed suit but frequently a target worn across the chest.²

In July 1862, two unnamed black unionists living on the coast were hanged after being charged with fleeing to the U.S. Army, “communicating intelligence to them,” and then “inducing” other slaves to escape. Confederates did not deem it necessary to even offer the names of these two men, only that one had been part of the estate of Craven County resident Rev. W.P. Biddle and the other to Mr. E. Coward of Greene County. While it is impossible to determine how often executions took place for unionist activities within the South during the war, it is clear that many unionists were closely monitored and then persecuted, tortured, and sometimes even killed for their activities in North Carolina. Confederate citizens and military authorities regularly and systematically used threats of violence, incarceration and property

² *New Bern Weekly Progress*, 27 May 1861, 4 June 1861 and 5 August 1861.

destruction to send a message of control and dominance to a politically dissident minority population.³

If Calvin Perkins' case demonstrates the precarious nature in which many peaceable white unionists lived during the four years of Confederate occupation on the southern home front, with the legal system controlled by Confederate citizens suspicious of their fellow neighbors' loyalties, it is easy to understand why few unionists would have trusted their fate willingly to the Confederate judicial system or authorities in any matter. And as the cases of the two unnamed black unionists lays bare, some Confederates were prepared to make sure that many unionists were never given even the luxury of an eleven-month imprisonment for their allegiance to the United States and their efforts to aid the U.S. Army's military occupation of the North Carolina coast.

When war came to the communities of North Carolina in the late spring and early summer of 1861, unionists faced a dangerous and deadly dilemma over how to assert their political identity and maintain their safety. Violence came first to the shores and mountains of North Carolina not in Union blue but in Confederate gray. Depending on where a unionist lived in the state their war experience could be drastically different. Confederate controlled North Carolina quickly contracted in the fall of 1861 and 1862 when the U.S. Army occupied a handful of counties on the coast of the state and set up permanent garrisons. As a result, the military forces and government officials of both governments cut the state into three broad regions and three distinct cultures of conflict: U.S. Army garrisoned communities on the coast, the piedmont and mountain counties of the Confederate occupied interior, and a no-man's-land in between these two areas where neither army maintained permanent control.

³ *Raleigh Standard*, 30 July 1862.

For the state's loyal unionists, military occupation of North Carolina was not merely the garrisoned communities where U.S. Army troops were stationed along the North Carolina coast after the fall of Hatteras Island in August 1861 and later the coastal cities of Beaufort, Washington City, New Bern, and Plymouth in the spring of 1862, although unionists certainly dealt with this sustained interaction with the U.S. Army. Unionists also faced a precarious intermittent occupation in the band of counties separating U.S. Army garrisoned towns from Confederate controlled interior counties, a culture of conflict scholars including Stephen Ash have come to call the no-man's-land. No-man's-land counties including the northeastern corner of North Carolina faced the problem of being subject to "two ever changing masters" with neither army in permanent control and where the majority Confederate population was unable to simply exert its will without violent backlash from unionists and U.S. Army raiding forces. In this no-man's-land, sometimes there were no sanctioned military forces of either army in control. Yet, the most important form of civil and military occupation for the vast majority of North Carolina's unionists who lived in the Confederate interior of the state (which was more than 95 percent of the counties in August 1861 and contracted to roughly 85 percent of the state's counties after the spring of 1862) was the occupation rule of the aggressive majority of local Confederate citizens and military forces who occupied unconditional unionists in their own towns and communities. When the government of the state seceded and the majority of citizens, constables, sheriffs, justices of the peace, militia officers, vigilance committees, home guard and regular army units became enthusiastic Confederate loyalists, unionists faced a Confederate occupation, a functioning police state in the interior counties of North Carolina. In short, depending on where a unionist lived, they faced a very different type of war within North Carolina, one of three cultures of conflict.⁴

⁴ The approximate percentages used here are based on the number of counties occupied at different points during the

This chapter addresses the culture of conflict and military occupation in the Confederate controlled counties, the communities where Confederate military and civil officials created a police state during the four years of the war. By exploring this new Confederate world where inflexible unionists lived and struggled to survive, historians can gain a fuller understanding of what it was like for unionists to reside in Confederate North Carolina and by extension a better understanding of how the Confederacy dealt with its own citizens.

It is difficult to imagine what it would have been like to be a southern unionist working in a blacksmith's shop, threshing wheat in a field, grinding corn at a local mill, or selling wares at a dry goods store when suddenly a new local government came into being around you, a government that unionists had never supported, believed was wholly illegitimate, and one they refused to support. But it was also a local Confederate government that now had the backing of an ardent, majority population of many of their neighbors. Neighbors who frequently knew unionists political sentiments. Many of these Confederate neighbors were whipped into a frenzy and angry about infringement upon some collective set of rights that most unionists believed came down to threats to slavery and slave property by a legitimately elected Republican

fall of 1861 and spring of 1862 when the U.S. Army's operations rapidly changed the number of counties under Confederate military occupation and control. The historiography of occupation on the Confederate home front has reached a renaissance during the past two decades. Stephen V. Ash, *When the Yankees Came: Conflict and Chaos in the Occupied South* (Chapel Hill, Univ. of North Carolina Press, 1995) offered an important insight into the spatial framework for occupation. Stephen V. Ash, *When the Yankee's Came*, chapter three uses the concept of the no-man's-land and this study builds on his perceptive spatial examination of the occupied South. Other scholars working locally and regionally have sought to explain the dynamics of military occupation; Mark Grimsley, *The Hard Hand of War*, also investigated occupation from the perspective of U.S. military policies evolution in the South offering an important chronological framework for the evolution of that policy; These local and regional studies include: Wayne K. Durrill, *War of Another Kind*, examined occupation in Washington County, North Carolina; Judkin Browning "Wearing the Mask of Nationality Lightly: The Effects of Union Military Occupation During the Civil War," (Ph.D. Dissertation, University of Georgia, 2006); Victoria E. Bynum, "Occupied at Home," a paper presented at the Southern Historical Association Meeting in Richmond, VA, October 2007; This project breaks from these by viewing Confederate controlled zones in the South as a police state from the perspective of unconditional unionists; The no man's land experience is closely examined in Myers, *Executing Daniel Bright*; Five counties remained under U.S. Army control from a substantial period of the war, including Carteret, Craven, Beaufort, Hyde, and Washington; Chowan, Gates, Camden, Pasquotank, Currituck, and Perquimans were no man's land counties. There were eighty-six North Carolina counties in 1860; Edward A. Wild Report, 28 December 1863, Edward Augustus Wild Papers, Southern Historical Collection, Wilson Library, Univ. of North Carolina at Chapel Hill.

president who consistently assured people he was no threat to that institution where it existed in 1861. But the change in government was not just a shift in political principle. From a strictly institutional level of analysis, the new local Confederate state was often dysfunctional--with some local Confederate officials occasionally accepting bribes or simply not being competent bureaucrats capable of enforcing Confederate policy at the local level. The Confederate occupation regime, however, was backed by a zealous and determined group of citizens and military officials that meant to eradicate political dissent and make every person in the South an ardent Confederate or a very uncomfortable traitor. Many of these loyal Confederates were well aware of the political loyalty of their unionist neighbors and prepared to persuade them to change their politics in whatever way they deemed necessary including using violence, imprisonment and occasionally killing them.

Civil War historians have focused little on the way southern-born unionists viewed the local Confederacy. So little, in fact, that they have overlooked how the local state functioned to restrict the lives of this passionate minority of political dissenters. In North Carolina, the state government never constructed the one-party state of a totalitarian regime like the one described by Winston Smith, the primary character in George Orwell's *1984*, in Stalinist era Russia, Nazi Germany, Romania under Nicolae Ceaușescu, or East Germany under the Stazi during the 1970s and 1980s. Nevertheless, the Confederacy did come very close to this totalitarian mindset. At the federal level, the Confederacy was essentially a one-party state but within North Carolina a second party did emerge late in the war, and though it was on the ballot during the 1864 election, in some counties Confederate troops were placed at the polls to ensure that unionists, disaffected

citizens, and deserters could not vote, which had the effect of deterring supporters of the Peace party.⁵

From a strictly institutional perspective, historian Richard Bensell has argued that with roughly 80 percent of the Confederate government bureaucracy part of the War Department, including a large percentage of that devoted to the operation of the Conscription Bureau, “mobilization of men and material [was] as complete and as centrally directed as any in American history” and ultimately “the Confederate state was a much more pervasive and encompassing presence in the daily life of southern society than the Union government was in the North.” Clearly, Bensell asserts that the Confederate state became a powerful factor in the daily lives of its citizens. But how did that local state treat its weakest political minority, the white and black unconditional unionists? One need not have a one-party state, an efficient bureaucracy or even all-encompassing manpower to make a regular person feel like they are living within a police state. In short, a state need not have a totalitarian form of government to effect a police state at the local level.⁶

Since definitions of a police state frequently assume a totalitarian one-party government, it is important to consider the definition forwarded here. This study defines police state in the same manner that is used by a common dictionary “a political unit characterized by repressive governmental control of political, economic, and social life usually by an arbitrary exercise of

⁵ On the centralization of government authority and monitoring of political dissidents, see George Orwell, *1984* (New York: Harcourt, Brace and Jovanovich, 1949); Stephen Kotkin, *The Magnetic Mountain: Stalinism as a Civilization* (Los Angeles: Univ. of California Press, 1995); Mark Mazower, *Dark Continent: Europe's Twentieth Century* (New York: A.A. Knopf, 1998), chapter eleven; AG 52, 25 and 27 July 1864, Adjutant Generals Papers, Home Guard Letter Book, 1863-1865, North Carolina Department of Archives and History, Raleigh, N.C.; AG 55, 27 July 1864, Adjutant Generals Papers, Adjutant General Letter Book, 1864-1865, North Carolina Department of Archives and History, Raleigh, N.C.; Capt. Pearson, 29 July 1864, C.S.A. Conscript Papers, Southern Historical Collection, Wilson Library, University of North Carolina at Chapel Hill.

⁶ On centralization of government authority in the Confederacy, see Richard Bensell, “Southern Leviathan: The Development of Central State Authority in the Confederate States of America” in *Studies in American Political Development: An Annual*, vol. 2 (New Haven: Yale Univ. Press, 1987), 134, 109.

power by police and especially secret police in place of regular operation of administrative and judicial organs of the government according to publicly known legal procedures.” The term police state predated the American Civil War with the first known usage referring to the Austrian administration of its local affairs in 1851. This definition distinguishes between a totalitarian government of one-party rule and the local functioning of a state in practice. The experience of twentieth century history (Stalinist Russia and Nazi Germany for example) has subsequently conflated the terms totalitarian and police state because many examples of police states have been the products of totalitarian governments.⁷

Historian Paul D. Escott has argued that only in the Trans-Mississippi Theater did the Confederate military come close to a totalitarian state. Unfortunately, Escott uses the terms police state and totalitarian state interchangeably, which does not accurately portray the level of control Confederates exerted over unionists lives as a group. The primary difference between Escott’s analysis and my own is the level of perspective. This study asks the question from the perspective of the political dissidents, while Escott asks the question how centralized was institutional authority at the federal and state levels. As Bensell has argued, on the question of centralization of power the Confederacy was probably the highest in American History. Nevertheless, a police state need not have the full-blown bureaucracy of a totalitarian regime with a secret police force, formal intelligence service, or even the high level of central authority vested in one supreme leader. The Confederacy did indeed have a home guard, militia officers and regular citizens who monitored loyalty through vigilance committees in a similar way to a Gestapo. But a police state should be defined first and foremost by the treatment and monitoring

⁷ *Merriam-Webster’s Collegiate Dictionary* (Springfield, MA: Merriam-Webster, Inc., 1997), 901. The online version of this dictionary dates the word etymology to 1851.

of its citizens' political activities, and by this standard, Confederate North Carolina clearly became a police state in the counties under Confederate military control.⁸

For unionists, Confederate officials and enthusiastic citizens created a police state that worked hard to eradicate disloyalty and created a culture of fear and intolerance that was omnipresent in the daily lives of unionists. Even the limited manpower of the Confederacy did not prevent officials from instituting this constant fear. Confederate officials could not occupy every neighborhood, but it was unnecessary for them to do so given the level of citizen support and the Confederate citizenry's zealous participation in monitoring unionists in their communities. But in a handful of communities like Salisbury in Rowan County the Confederacy did actually garrison large numbers of troops alongside its civilian population.

From the perspective of inflexible unionists, the Confederacy created the most intrusive and oppressive apparatus for controlling a dissident political minority that had ever been seen in the United States up to that time. Even though treason was in the eyes of the beholder in the Confederacy with no stable definition, Confederate officials and soldiers had the power to define what treason was on the ground and that proved to be a very formidable power indeed. While Confederate control slowly eroded as militant dissent grew on the home front in late 1862, 1863, and 1864, so did their ability to control the lives of unionists through military force and local intimidation and by extension the police state eroded and then fractured into areas of Confederate control and areas of chaotic irregular warfare where violence increased and monitoring of unionists and political dissidents continued but was less effective than earlier in the conflict.

In order to understand the hardship that inflexible supporters of the U.S. government endured in Confederate occupied North Carolina, it is vital to consider the important freedoms denied unionists on the southern home front and set their experience on a continuum. On one end

⁸ Escott, *Military Necessity*, 177.

of that continuum was the antebellum United States with its constitutional freedoms and Bill of Rights intact and on the other end a constant, omnipresent state military presence in a community, no elections, and a bureaucracy designed to enforce the restriction of dissent. What existed in the middle of that continuum was what unionists felt, saw and lived in North Carolina. This was not simply a Confederate form of vigilante justice but the construction of a police state where a majority of regular Confederate citizens (the aggressive majority) backed by local home guards and state forces could intimidate and terrify unionists keeping them in a near constant state of fear and anxiety over their and their families' safety and security. In effect, civilians were a quasi-police force for Confederate loyalty in North Carolina capable of calling down on unionists an intrusive, if sometimes inept, local state apparatus of civil and military officials whenever needed.

This was clearly not the way a loyal Confederate would have described the Confederate local state. Members of a ruling party in an oppressive state rarely see their oppression of political minorities in the same way as those minorities, and Confederates clearly saw their violence, threats and intimidation as patriotism and persecution of treasonous citizens. It was this aggressive Confederate majority of the population that acted as a quasi-police force for loyalty, an extension of the state itself, to monitor loyalty in communities across North Carolina. For unionists looking toward the future of the Confederacy, they must have seen only a bleak tomorrow of restriction, imprisonment and possibly death. Unionists experienced a life in Confederate controlled North Carolina during the four years of civil war where citizens and officials were harsh, repressive and capable of constant threats, imprisonment, denial of civil liberties, and brutal violence. In short, one might describe this police state as a war of southern aggression against unionist rebels who opposed the Confederate rebellion.

Furthermore, it was not just the state apparatus but the Confederate citizens that played the principal role in maintaining this police state. The Confederate military did not have the manpower to be at every unionist's door everyday, and it did not have to be. Its own citizens functioned as an intelligence service for the local military and state officials that created an atmosphere of fear around anyone willing to assert their political identity as a unionist. The threat of Confederate local authorities was always present at the dinner table, secretly whispered about by unionists. The police state Confederate citizens and local authorities created in North Carolina around unconditional unionists was something done to preserve Confederate nationalism (while in formation). It was something that was not consistently ordered from Montgomery, Richmond, or even Raleigh, but was maintained by a moral economy of the Confederate crowd, and it profoundly terrified many loyal unionists.⁹

The police state included first and most importantly the denial of unionism as a legitimate political identity to anyone white, black, man or woman brave enough to assert it. Threats of violence and imprisonment directed at unionists were so frequent that it was mentioned in a large percentage of the SCC claims post-war; even the rumor of violence was enough to frighten many. A second key to the construction of this police state around unionists was the denial of constitutional civil liberties guaranteed in both the U.S. and Confederate Bill of Rights. There was no first amendment freedom of speech for a southern unionist in North Carolina, white or black. Public pronouncement of support for the U.S. government was quickly followed by incarceration, threat of death, or death itself. Property rights were also denied unionists who

⁹ On the strength of Confederate nationalism and the role of Robert E. Lee's Army of North Virginia in sustaining it, see Gallagher, *The Confederate War*; Blair, *Virginia's Private War*; Aaron Sheehan-Dean, *Why Confederates Fought*; on the formation and creation of Confederate nationalism, see Drew Gilpin Faust, *The Creation of Confederate Nationalism*; on the moral economy in North Carolina, see Paul D. Escott, "The Moral Economy of the Crowd in Civil War North Carolina," *The Maryland Historian* 12 (spring-summer, 1982), 1-17; on the "moral economy," see E.P. Thompson, *Customs in Common: Studies in Traditional Popular Culture* (New York: The Free Press, 1993), chapter four.

avowed their politics openly. In the South, a society intensely concerned with personal property, unionists faced threats of being burned out of their homes and having their property confiscated and sold for the benefit of the Confederacy.

Confederates also curtailed religious freedom for unionists and pacifists. Quakers faced the denial of constitutional protection of their religious freedom when many asserted pacifism and unionism as an extension of their sect's religious teachings. Confederates did pass an amendment to the conscription law in October 1862 that permitted Quakers, Nazarenes, Dunkards, and Mennonites to pay a \$500 commutation fee or furnish a substitute to avoid military service, but even after many paid a commutation fee to avoid the Confederate Army, they were still threatened. Freedom of mobility was also restricted beyond and within the state of North Carolina by a rigid pass system administered by Confederate officers. And when a pass system did not prevent escape from Confederates, bloodhounds often did.¹⁰

Buncombe County unionist Alexander Hamilton Jones described the paranoid atmosphere in Confederate North Carolina during the spring and summer of 1861 this way:

“Armies were raised; vigilance committees appointed throughout the country; a system of espionage kept up; the post offices and mails usurped; some barn, stable, or other old house has been fired; the howl is raised; some poor, friendless Union man perhaps arraigned, and rumors of the most startling character on the wing. In the meantime certain characters were going through the country preaching that cotton was king; that the Yankees were a nation of thieves, and would seize our lands, ravish our wives and daughters.”¹¹

The enforcement of this police state came not only in the form of citizens pressuring unionists in their own communities, but also through the direct enforcement of military policy by Confederate troops, especially impressment, the tax-in-kind and conscription. In effect,

¹⁰ Albert Burton Moore, *Conscription and Conflict in the Confederacy* (New York: MacMillan Co., 1924), 68; David Williams, *A People's History of the Civil War: Struggles for the Meaning of Freedom* (New York: New Press, 2005), 293.

¹¹ Jones, *Knocking at the Door*, 10.

enforcement of Confederate military policy made converting southern-born unionists an unspoken Confederate war aim. For those unwilling to convert, violence, imprisonment and sometimes death resulted. Both blacks and whites faced these policies, which in concert, gave the local Confederate state its biting teeth—the terrifying power to go into out-of-the-way neighborhoods and control the lives of both loyal Confederates as well as inflexible unionists.

While some counties in North Carolina instituted local drafts prior to the Confederacy's national conscription law of April 1862, it was the federal law that produced the most powerful disruption for unionists. The law sanctioned the arrest or conscription of men and carried them away from their homes to prisons, training camps, and battlefields across North Carolina and the upper South, subsequently creating a most devastating mechanism of social control. Of the 360 unconditional unionists in this study 79 or nearly one-quarter mentioned having been arrested at one time during the course of the war by Confederate authorities, an astonishing percentage given the advanced age of many of the male unionists in the 1860s. Many of these were imprisoned briefly only to escape, while others hired sympathetic lawyers to help secure their release during the period when habeas corpus was in effect in North Carolina. Other unionists were forced into the Confederate service only to escape when circumstances allowed. Many other unionists mentioned that they knew men who were arrested by Confederates. Confederates also attested to the number of men that they themselves arrested in both hunts for deserters, draft evaders and unionists. After national conscription went into effect, the difference between arrest for political dissidence and conscription into the military became largely semantic since anyone accused of unionism was almost always first taken to a training camp where they were monitored

and hazed under guard. So, when a unionist used the term “arrest,” it was sometimes conscription.¹²

Historian Mark Neely’s *Confederate Bastille* addresses the question of how draconian the Jefferson Davis government was in suppressing political dissent by curtailing civil liberties. Neely’s study found no fewer than 2,672 civilian arrests by Confederate military authorities. Neely, however, acknowledges the difficulty in reconstructing a picture of how many civilians suffered this fate because “the records appear to be even more incomplete than those kept in the North.” Nevertheless, Neely argued that “there seems to be no difference in the arrest rate in those periods when the Confederate Congress refuse to authorize suspension of the writ of habeas corpus and those periods when suspension was authorized.” In fact, Neely asserts that “civilian prisoners trickled into Confederate military prisons whether the writ of habeas corpus was suspended or not.” North Carolina unionists in the SCC records confirm that arrests of civilian dissidents were steady throughout the war regardless of when and where the Confederacy chose to suspend habeas corpus.¹³

Throughout the state conscription remained the most unpopular Confederate military policy, and it was often during the local enforcement of this policy that unionists faced the greatest possibility of arrest and imprisonment for their sentiments or activities on behalf of the Union. Historian Albert Burton Moore discovered that at least 21,348 men were conscripted in North Carolina between April 1862 and February 1865. Among those men were the sons of unionist Peter Bolton Sr. Bolton Sr., a white man from eastern Cumberland County who

¹² The arrest statistic is taken from the author’s SCC database; Paul Escott ed., *North Carolina Yeoman: The Diary of Basil Armstrong Thomasson, 1853-1862* (Athens, GA: Univ. of Georgia Press, 1996) discusses local Confederate county drafts prior to national conscription; Albert Burton Moore, *Conscription and Conflict in the Confederacy* also credits Confederate conscription with a high degree of effectiveness, but I differ here with Moore by considering the role of not only policy and military officials but also an aggressive majority of Confederate citizens in the maintenance of a police state.

¹³ Mark E. Neely, *Confederate Bastille: Jefferson Davis and Civil Liberties* (Milwaukee, WI: Marquette Univ. Press, 1993), 10-12.

“sympathized with the Union cause,” was arrested three separate times and imprisoned at the town Guard House for his public statements in opposition to the Confederate war effort. “On account of my expression of opinions adverse to the Confederate Gov. and against secessionists in 1862 in the town of Fayetteville N.C. I was arrested by George Hornnine constable of said town, acting under the orders of Archibald McLean, Mayor of said town, and was by him, imprisoned,” recalled Bolton. “I was kept so imprisoned, one night and part of the day and was released on payment of costs and after receiving replemand from the Mayor.” Again in 1863, Bolton ran afowl of Confederate authorities for his proclamations on two different occasions. Even the constable who arrested Bolton, Daniel J. Underwood, corroborated his unionism and treatment at the hands of Confederates.¹⁴

But it was in 1863 when a company of conscripts was brought in front of the Fayetteville Hotel for enrollment when Bolton faced the most difficulties. At that point Bolton, who had two sons in the conscript company “commenced denouncing the rebellion and said he would take his sons home with him and they should not be carried off to the army.” According to Constable Underwood, “He talked so much and made so much noise that the Conscript officer ordered him [Underwood]...to arrest...Bolton and carry him away.” Bolton’s story demonstrates how unionists were often at risk not only from military officers enforcing conscription but from local

¹⁴ Moore, *Conscription and Conflict in the Confederacy*, 107; Peter Bolton, Sr. (Cumberland, no. 5429), Southern Claims; the intersection of conscription and dissent has been one of the most important areas of scholarship on the North Carolina home front, see A. Sellew Roberts, “The Peace Movement in North Carolina,” *The Mississippi Valley Historical Review* 11 (1924): 190-199; Michael K. Honey, “The War Within the Confederacy: White Unionists of North Carolina,” *Prologue: The Journal of the National Archives* 18 no. 2 (1986): 75-93; Frank L. Owsley, “Defeatism in the Confederacy,” *NCHR* 3 (1926): 446-456; Frank L. Owsley, “Local Defense and the Overthrow of the Confederacy: A Study in State Rights,” *The Mississippi Valley Historical Review* 11 (1925): 490-525; Paul D. Escott, “Southern Yeomen and the Confederacy,” *South Atlantic Quarterly* 77 no. 2 (1978): 146-158; Marc W. Kruman, “Dissent in the Confederacy: The North Carolina Experience,” *Civil War History* 27 (1981): 293-313; Archie K. Davis, “‘She Disdains to Pluck One Laurel From a Sister’s Brow’: Disloyalty to the Confederacy in North Carolina,” *Virginia Magazine of History and Biography* 88 (1980): 131-147; Paul D. Escott and Jeffrey J. Crow, “The Social Order and Violent Disorder: An Analysis of North Carolina in the Revolution and the Civil War,” *Journal of Southern History* 52 (1986): 373-402; Memory F. Mitchell, *Legal Aspects of Conscription and Exemption in North Carolina, 1861-1865* (Chapel Hill: Univ. of North Carolina Press, 1965).

civil officials like constables, sheriffs, judges, and mayors. Bolton, whose sons later deserted and were hidden by him, was frequently threatened with hanging and his sons threatened with death, but he was fortunate that his public proclamations of unionism only cost him a financial penalty. The Bolton family's experience does suggest that there were limits to how effective intimidation and fear propagated by the police state could be with some unionists. But each person reacted differently to a threat, and it was the consistency of the threats from Confederates that maintained the culture of fear in the police state.¹⁵

Little was different in the mountains of western North Carolina when it came to treatment of unionists. Levi Moore was fifty-eight years old in 1860 and quietly working as a blacksmith in Cherokee County. But his unionist political sentiments were about to put his business and his very life in jeopardy. Moore's two sons volunteered in the Confederate Army early in the war, but he refused to aid them. In fact, he consistently tried to persuade them to leave the Confederate forces and enroll in the U.S. Army. Through a father's powers of persuasion, Moore managed to convince one of his boys to join the Union cause. While his Confederate sons fought in the army, this southern unionist father experienced the hostility of Confederate soldiers toward such "tories." Moore was arrested by the local home guard troops commanded by Jacob Welch, who subsequently imprisoned him in the county jail at Murphy. Moore then employed two lawyers and "through thin influence" was released--only to have Confederates burn his grist mill, saw mill, home and stables in 1864 and 1865. Throughout the war, Confederate soldiers compelled Moore to shoe their horses at his blacksmith shop. "The rebel soldiers often

¹⁵ Peter Bolton, Sr. (Cumberland, no. 5429), Southern Claims.

threatened to kill me for my Union sentiments,” Moore later stated of these periodic visits to his shop, “They cocked their pistols at me perhaps 50 times.”¹⁶

Unionists dealt with attempted arrests in a variety of ways. Jeremiah King, a white farmer from Henderson County, was arrested and jailed three weeks in Asheville by Captain B.T. Morris in 1864 for his unionist proclivities. His son Jason, who had been conscripted into the Confederate Army, deserted only to join the U.S. Army. John O. McRae of Richmond County escaped arrest twice during the war as Confederates attempted to conscript him. The first time in March 1863 he was put in jail for more than a week at Rockingham and determined that when he made it home he would not be arrested again. During his second arrest, McRae went with a Confederate officer about three miles. “I selected the best place I could and gave him the slip he fired on me but did not hurt me.” John Cordell hid in a cave for roughly two years in Wilkes County in the highlands until January 1864 when Confederate home guards finally caught up with him, tied him and sent him to “the Guard House” in Raleigh, and then sent him to Lynchburg, Virginia where he fled custody. Cordell made his way back home and hid in the bushes until the close of the war.¹⁷

If a unionist did manage to avoid arrest or escape conscription, it often only led to increased efforts to find, arrest, and/or kill the person. Isaiah Simmons, a white man from Cumberland County, faced arrest two different times during the war. In 1863 Confederate home guards arrested Simmons for giving information to deserters they had been hunting. They also threatened him with “being put in the army for my union sentiments.” He was held for only one day before being released, but in 1865 he was arrested, again, simply because as Confederates

¹⁶ Levi Moore, (no. 1,956), Southern Claims; U.S. Bureau of the Census, *Population Schedule of the 8th Census of the United States*, 1860, Cherokee County, NC.

¹⁷ Jeremiah King, (Henderson, no. 16,134), Southern Claims; John O. McRae (Richmond, no. 8,653), Southern Claims; John Cordell (Surry, no. 10,391), Southern Claims.

told him, “I was a damn union rascal.” Simmons was able to make his escape after only one night in detention, but Confederates hunted him for two weeks following this incident and “said they intended to kill me.”¹⁸

“I was arrested by a Confederate states conscript enrolling officer named Wells in the town of Concord in Feb. or March 1865. I was kept under arrest part of one day,” related John Fink of Cabarrus County. Fink, who was charged with encouraging William Earnhart of the county to desert the Confederate Army, was another man who fell in between the legal categories of arrest for political dissent and military conscription. He was released while the matter was referred to the grand jury not in session. But fortunately for Fink, Robert E. Lee’s Army of Northern Virginia surrendered before the Confederate District Court grand jury could meet to hear his case.¹⁹

Unionist W.H. Younce described in his aptly titled memoir *Adventures of a Conscript* how after being captured at his home in Ashe County, he was incarcerated at Rogersville, Tennessee before eventually making his escape and later joining the U.S. Army. Without attribution, Younce described his hungry time in the cold, dank jail by quoting Edgar Allan Poe’s famous poem “The Raven”:

“Deep into that darkness peering long I stood there wondering, fearing;

Doubting, dreaming dreams no mortal ever dared to dream before.”²⁰

Confederates often used the threat of conscription for older unionist men as a way of intimidating them. Unionists often did not distinguish between arrest for political dissent and conscription because both were so closely linked in their minds. Many men were arrested with little evidence to charge them with treason, even if suspected of unionism. It became

¹⁸ Isaiah Simmons (Cumberland, no. 10,953), Southern Claims.

¹⁹ John Fink (Cabarrus, no. 10,651), Southern Claims.

²⁰ Younce, *Adventures of a Conscript*, 24-26.

unnecessary to charge unionists with treason once conscription went into effect because conscription law gave Confederate soldiers the power to arrest unionists on the spot who fell within the age guidelines. Those who did not fall within the age restrictions could be pressed into the home guard. Simmons' experience highlights that conscription was in itself a form of imprisonment for unionists, and Confederates enforcing the law understood this. Since conscription took unionists miles from their home under guard and kept them under guard even at a training camp or in the army, it was difficult for many to make their escape--sometimes for weeks or months.²¹

The papers documenting Confederate conscription efforts in North Carolina were largely destroyed at the end of the war, making systematic analysis of these efforts all but impossible in many local areas of North Carolina or the Confederacy, however, one of the most important collections of these papers to survive came out of the Seventh North Carolina Confederate Congressional District, which encompassed many of the central piedmont counties—known as the “Quaker Belt.” Since many unionist arrests were a direct result of the intrusive policy of Confederate conscription, this policy became a catalyst for militant resistance. Historian Emory Thomas has asserted that regardless of their loyalty for many poor, uneducated white southerners “Conscription Bureau officers too often resembled kidnappers or at least ‘press gangs’ in their efforts to enforce the draft.” The inefficiency of many of these officers and of other civil officials who “arrested” unionists clearly demonstrates the problems at the base of the Confederate police state control.²²

Unionists did have an important ally as they resisted. The records of the Seventh Congressional District demonstrate one clear problem with the local Confederate state: the

²¹ Isaiah Simmons (Cumberland, no. 10,953), Southern Claims.

²² Bynum, *Unruly Women*, 135; Thomas, *The Confederate Nation*, 154.

dysfunctional nature of conscription at the local level. Local officials, home guards and conscript enrolling officers were often inept and sometimes corrupt. Peter Mallett the Commandant of Conscripts for North Carolina was even forced to use wounded Confederates to chase down conscript evaders. The loyalty of the manpower in charge of conscription was also often suspect. Many home guardsmen (often because they too were conscripts) could not be relied upon to do their “duty” hunting for conscript evaders, deserters and union men.²³

M.M. Sneed of Cherokee County who worked at a Confederate iron forge remembered another example of a dysfunctional arrest where unionists were involved. “The Forge hands, and I among the number were once forced out to arrest 2 Union men. They were arrested in my presence, but I did not assist in their arrest; but on the contrary forewarned one man that he would be arrested, and so he escaped,” remembered Sneed. “The two men who were arrested were allowed to escape the very night of their arrest. No one attempted to prevent the escape of these 2 men, that I know of. I was only with ‘the crowd that went out to take up Union men’ for one or two hours and did nothing.” Likewise, thirty-eight year old farmer James Shermer of Yadkin County “Was arrested in 1863 when I was conscripted but only staid [sic] under guard a few hours where I made my escape...I was threatened with being shot if I was caught. The rebels had down the names of 25 or 30 of us who were to be shot if we were ever found.”²⁴

Home Guard records for the state of North Carolina are another way of discerning treatment of dissidents within the Confederacy. These records rarely differentiate between conscript evaders, deserters, disaffected Confederates, conditional unionists, and unconditional

²³ Peter Mallett, 20 April 1863, 4 September 1863, 11 July 1864, 18 July 1864, C.S.A. Conscript Papers, Southern Historical Collection, Wilson Library, University of North Carolina at Chapel Hill; on the range of problems that faced conscript enrolling officers also, see Peter Mallett Papers, Southern Historical Collection, Wilson Library, University of North Carolina at Chapel Hill; on the strife in the Quaker belt counties, see William T. Auman, “Neighbor Against Neighbor: The Inner Civil War in the Central Counties of North Carolina,” (Ph.D. Dissertation, Univ. of North Carolina at Chapel Hill, 1988).

²⁴ Miles Sneed (Cherokee, no. 8,648), Southern Claims; James Shermer (Yadkin, no. 15,459), Southern Claims.

unionists, but they do offer an important insight into the thinking of Confederate military officials who dealt with these people. They demonstrate that they rarely felt the need to discern between dissidents because Confederates almost always treated them uniformly.²⁵

Demonstrating that threats toward unionists came from the very top echelons of the North Carolina state government, unionist S.D. Pope of Greene County was threatened with arrest. At Goldsboro in 1862, Richard Caswell Gatlin, the Adjutant General and commander of Home Guards for the entire state of North Carolina and the soldier briefly responsible for all of North Carolina's coastal defenses in 1861 and 1862, threatened to arrest Pope for telling conscripts to go through the Confederate military lines. Pope also drew the ire of another Confederate commander when a Colonel Baum who commanded at Kinston later in the war also threatened him with detention. While Pope's run-in with Gatlin was a chance encounter with a high-ranking Confederate military official, it illustrates that intimidation could come from the highest levels not just regular soldiers and home guardsmen.²⁶

Unionists could avoid Confederate prison or forced military service on occasion through a sympathetic judge and/or lawyer's help, but it was far more common for a unionist to simply wait until nightfall or until they were at a conveniently wooded location and slip away from their captors. In the case of judges, no one was more important to unionists and conscript evaders and deserters than North Carolina Supreme Court Chief Justice Richmond Pearson. The Confederacy lacked a Supreme Court at the federal level, state courts contended with the Attorney General's office and the Jefferson Davis administration for the right to pass on the constitutionality of laws. And when the Confederate Congress first gave Davis the power to suspend habeas corpus in January 1862, Justice Pearson ruled that the suspension of the writ of habeas corpus was

²⁵ AG 35, 3 October 1863, 13 August 1864, 20 August 1864, Adjutant General Papers. General and Special Orders [to the Home Guard], August, 1863-April, 1865, North Carolina Department of Archives and History, Raleigh, N.C.

²⁶ S.D. Pope (Greene, no. 1157), Southern Claims.

unconstitutional in North Carolina and claimed the power to issue such writs that would bring forward incarcerated individuals for a hearing on their status. Pearson issued dozens of writs during the war. This offered a small window for some conscripts, deserters, and unionists to slip through. It was the very fortunate few, however, who were granted writs of habeas corpus and released. Many people did not have the influential friends or financial reserves to secure this help or were simply unable to secure legal council. While this limited access to habeas corpus points toward a limited powers of the Confederate police state in North Carolina, the existing records for the habeas corpus writs that Pearson issued suggest that the writs were limited to counties near where Pearson himself lived at Richmond Hill in Yadkin County.²⁷

It was unnecessary for Confederate officials to arrest every unionist, since the mere threat of arrest and imprisonment was often enough to silence many poor, powerless people. “I was threatened by a man by the name Lemot he came to my place hunting deserters and told me if I did not quit harboring and feeding deserters that he would arrest me and send me to Richmond,” remembered Duncan McPherson of Rockingham in Richmond County. Elizabeth Jollay of Alexander County convinced her seventeen-year-old son to desert after he had volunteered in the Confederate Army. She then sent him and his younger brother on the precarious journey through the Confederate lines to Tennessee. Confederates threatened to arrest her several times and the Raleigh Guard, which was sent out to arrest deserters during the final two years of the war, threatened to shoot her if she aided any more deserters. While they may have been effective in

²⁷ Richmond Munford Pearson Papers, Southern Historical Collection, Wilson Library, Univ. of North Carolina at Chapel Hill; The Pearson papers include many of the writs of habeas corpus granted to men trying to avoid conscription. A systematic analysis of these individuals remains an uncharted area of research; on the suspension of the writ of habeas corpus, see Neely, *Confederate Bastille*. On the debate within North Carolina specifically over unionism and habeas corpus the literature is limited, but an early article to touch on this issue is Mary Shannon Smith, “Union Sentiment in North Carolina During the Civil War,” *Meredith College Quarterly Bulletin* 9 no. 1 (1915): 3-21.

silencing her political speech, she continued to aid escaped prisoners by secreting them in the mountains en route to east Tennessee.²⁸

Many unionists were so committed to the cause that Confederates occasionally arrested the same person multiple times during the war. After his arrest and court-martial by a Captain White of the Confederate Army, Exum Holland of Johnston County was sentenced to stand in a water closet, a foul punishment and a vivid illustration of what Confederates thought of southern unionists. He was also threatened with being ridden on a rail for helping deserters. Holland recounted seventeen different men who threatened him for his political sentiments, including men under the command of General Montgomery Dent Course who arrested and court-martialed him, despite his status as a civilian.²⁹

For black unionists, arrest and imprisonment was less likely than threats of enslavement. Isaac Griffin of Rosedale in Pasquotank County on the coast lived quietly on his sixteen acres of land as a free black farmer until Confederates came to his property to impress fodder for their army. While there, the soldiers threatened to carry him off to the interior as they often did slaves to prevent them from running to the Union lines on the coast of the state after mid-1862. But since Griffin was a free man, this would have meant at the very least conscription into the Confederate service as a laborer and possibly enslavement at the hands of Confederates anxious to hold on to as many blacks as possible. Freeborn black Thomas Morgan of Johnston County also recounted how there were general threats “made toward free blacks for putting them in the army or making them work for the army.” Ultimately, Confederates forced a large number of

²⁸ Duncan McPherson (Richmond, no. 12,198), Southern Claims; Elizabeth Jollay (Alexander, no. 824), Southern Claims.

²⁹ Exum Holland (Johnston, no. 16,581), Southern Claims.

free blacks in the region surrounding the Cape Fear River to work on the Confederate fortifications near Wilmington.³⁰

While in Confederate custody, some white unionists were put through a form of racial shaming by Confederate soldiers hoping to haze them into loyalty. Grocery store owner Henry A. Howell of Wayne County went through what he and Confederates viewed as degrading treatment for his unionism and refusal to do service in the Confederate Army. Howell, who had brothers in the First North Carolina Union Infantry, eventually joined the Second North Carolina Union Volunteers himself “to avoid hanging” at the hands of “Dick Adkinson, Blount King, and Ollen Coor.” Howell had a terrible case of rheumatism in his right hand that prevented him from doing much military service in either army, but his political sentiments, which Confederate soldiers referred to as “abolitionist,” caused him to refuse to serve the Confederacy. And when Confederates conscripted him, he refused to do any duty. So Confederate soldiers marched him on a parapet at Fort Macon and would not allow him to eat unless he ate in the company of blacks working at the fort, or as Howell put it he was “degraded to eat with negroes.” While at the fort, Howell even refused to do duty over another man who had been punished by being forced to “tote” a stick at night, a form of punishment that simulated guard duty. Howell told the wayward soldier that he could carry the stick or not carry it but that he was going to bed.³¹

But individual arrests and conscriptions were not the only example of the Confederate police state. Confederates sometimes left behind records that recounted wholesale round-ups of deserters, conscript evaders and unionists. These records often do not distinguish between the

³⁰ Isaac Griffin (Pasquotank, no. 20,625), Southern Claims; Thomas Morgan (Johnston, no. 504), Southern Claims; W. McKee Evans, *To Die Game: The Story of the Lowry Band, Indian Guerrillas of Reconstruction* (Baton Rouge: Louisiana State Univ. Press, 1971), 4-5, 40-41, 48, and 133 argues that slaves, free blacks and Lumbee Indians were all conscripted and impressed to work as laborers near Wilmington causing increased resistance to the Confederate government among the Lumbee in Robeson County.

³¹ Henry A. Howell (Wayne, no. 3666), Southern Claims.

groups as Confederates lumped them all together as traitors in their own minds. In August 1864, the *Charlotte Western Democrat* even printed the names of some of the forty-one men from Yadkin, Wilkes and Watauga counties “tories and deserters” who had “recently banded together” but were captured and who were later incarcerated at the prison at Salisbury. Confederates also arrested unionists from the same neighborhood on the coast. Chowan County resident John Thompson’s father and brother were both arrested for unionism and sent to Salisbury Prison where they died. Thompson’s neighbor George W. White was also arrested and sent to Castle Thunder in Richmond, where he remained five months until released. While the round-ups varied in size from a few individuals to a few dozen, they occurred statewide whenever Confederates identified pockets of dissent.³²

Although Confederates lacked the manpower to completely seal the borders of North Carolina to quell dissent, they were able to highly restrict movement. Due to the difficult mountainous terrain of western North Carolina, it was impossible to bottle-up every pass and footpath between North Carolina and eastern Tennessee. The long distance through Confederate Virginia made the direct route to the North treacherous as well. For that reason, most unionists when they attempted escape walked through the Appalachian Mountains. Confederates restricted unionists’ freedom of mobility both within and outside the state in a number of ways. Specifically, Confederates administered a strict pass system along the major road arteries leading to Virginia that required all citizens to take an oath of loyalty to the Confederacy before they could receive a pass to go through military lines. Few unionists were willing to lie about their loyalty just to move through the lines and many refused to even approach the military for a pass

³² *Charlotte Western Democrat*, 2 August 1864; John Thompson (Chowan, no. 19,133), Southern Claims; Despite a search of both online burial records and the cemetery headstones themselves, I was unable to find the graves of John Thompson’s family in Salisbury, North Carolina. It is likely that they were buried among the thousands of unknown dead in the cemetery. See “Salisbury National Cemetery, Salisbury, Rowan County, North Carolina,” n.d., http://www.interment.net/data/us/nc/rowan/salisnat/salisbury_soto.htm (15 September 2008).

as a result. But even unionists who remained close to home during much of the war and who had limited contact with the Confederate military or its local home guard were restricted by Confederate neighbors who were well acquainted with the political identities of those in their communities. Many unionists faced this restriction on their movement from their own neighbors, and many more resisted this restriction as pressure on unionists intensified in communities following the adoption of the Confederate Conscription Act when the Confederate military began vigorously hunting men who evaded military service.

George M. Meisenheimer, a white farmer from Cabarrus County, was not only forced into silence, but Confederates also restricted him to his own home during much of the war. “I was injured socially to the extent that I was compelled to keep as much at home as possible and avoid all public gatherings where men would get excited on the subject of the war and where I would run great risk of personal danger. I was thus often prevented from going where my interest called me.”³³

Perhaps the starkest evidence of the harshness of Confederate occupation in North Carolina was the denial of political speech to unionists. Whether in the mountains, the piedmont or the eastern Confederate controlled counties, the first amendment to the U.S. Constitution evaporated into thin air with the arrival of the Confederate Constitution. John M. Carson, a white resident of Taylorsville in Alexander County was a well-known physician and unionist who was elected as a union candidate to the state legislature in 1861 where he voted against secession. But during the war, he was forced into public silence because he was threatened with arrest for making union speeches. He later returned home during the war only to continue his aid to the Union cause in clandestine ways. Another white unionist, John Carson from Rowan County, described how once the war commenced “I could not express my union sentiments for fear of

³³ George M. Meisenheimer (Cabarrus, no. 16,527), Southern Claims.

molestation, except to my intimate friends.” A friend of Carson, Dr. James G. Ramsay, a peace candidate for the Confederate Congress in 1863, who was “denounced” in the local Confederate press but supported by union men, asserted that “The union men of this county were, on account of the Confederate prison in Salisbury very quiet during the war. They could not with safety proclaim their adherence to the Union cause with the same degree of safety as those who lived more remote from said prison.” It is clear that close proximity to the prison at Salisbury made life in the region near Rowan County quite difficult for unionists.³⁴

Person County unionist Thomas Woody remembered that “On one occasion four or 5 men citizens, went to my brother’s [home] to arrest him for his Union principles, and I understand they were going to hang him or send him to Castle Thunder at Richmond. After that I said but little, went along and did the best I could for myself.” The threat of being sent to Castle Thunder probably seemed like a viable one, given Person County’s location on the border with Virginia--less than 150 miles from Richmond. Woody, however, highlighted an important difference between some unconditional unionists who avoided confrontation with Confederate authorities and others. “My brother and I were of the same sentiments, but he was more free to speak and argue with the ‘secesh’ than I...I did nothing but talk a little and after a while times got so rigid that I was afraid to talk. I did not think it was safe for a union man to express his sentiments and I quit it. I don’t feel safe now.” Thomas Woody’s brother may have just been braver than his he was or perhaps he lived in a unionist neighborhood or he may have lived in a more remote location in the county than Thomas, but it is clear that not all unionists reacted the same way when threatened with imprisonment.³⁵

³⁴ John M. Carson (Alexander, no. 20,185), Southern Claims; John Carson (Rowan, no. 3,483), Southern Claims.

³⁵ Thomas Woody (Person, no. 2,081), Southern Claims.

Farmer and miller Abner Fields Jordan, a white unionist from Yadkin County, attended a public meeting at Huntsville in 1861 where he stated his support “for the Union world without end.” At the same meeting, Confederate Joseph Bithing then told the crowd that “such men ought to be hung with a grapevine.” These statements became increasingly terrifying to unionists as it became clearer that Confederates meant to carry out such threats. It only took a handful of executions and murders in Confederate occupied North Carolina to convince unionists of the danger they were exposed to if they spoke out. When troops were being raised in 1861 at Washington in Beaufort County, Joshua T. Foreman learned quickly that Confederates would not tolerate free political speech in favor of the union. Foreman, imperiled twice with arrest by Captain William Jones a Confederate recruiter, ultimately took the oath at Washington City and joined the U.S. Navy in 1862. In Southeastern Duplin County, unionist and anti-slavery man Samuel Sullivan’s age was probably what saved him. His friend and fellow unionist Kinsey Jones believed “Such was the feeling of the fire eaters, that it was not safe for a man to open his mouth...Mr. Sullivan was in feeble health which saved him, perhaps, from personal violence, but he, as well as every Union man was threatened, and for sake of their own safety were compelled to keep their mouths shut.”³⁶

In North Carolina, unconditional unionists of all backgrounds--white, black, men and women--experienced threats of violence, death and even torture when Confederates were in the majority and running the local civil and military government. Of the 360 unionists in this study, 134 or more than one-third mentioned a specific incident when they or a unionist member of their family was threatened with violence by a Confederate citizen or a member of the Confederate military. Frequently these threats came in the form of precarious face-to-face

³⁶ Abner Fields Jordan (Yadkin, no. 3500), Southern Claims; Joshua T. Foreman (Carteret, no. 20,995), Southern Claims; Samuel Sullivan (Duplin, no. 21,701), Southern Claims.

encounters with Confederate military personnel while they enforced the Conscription Act or impressed crops and “critters.” Other threats came in the form of local rumor expressed to unionists by friendly neighbors concerned for their safety. While the body count of unionists was not high enough to call this a total war, clearly a police state of terror existed on the home front.³⁷

Unionists often became so frustrated with their plight that they would confide in other unionists about how bad their situation had become. Elizabeth Mason of Chatham County who had several close relatives who were secessionists often became so angry with them in conversations about the war that she wanted to fight. She was opposed to secession and the war throughout and often commented to unionist William Markham, who managed to avoid military service by working at the state insane asylum that “She was surprised that people should try to break up such a government and try to establish another--and such a monarchical or tyrannical government.”³⁸

“I was told often that if the South was successful that I would be tried for treason,” remembered Robert Reeves of Duplin County. “I heard I was threatened with a mob. The threats were made by rebel citizens. This last threat was about the second year of the war.” Confederate William Estill recalled that “On one occasion we had hot words on the subject; this was some time during the first two years of the war. He was opposed to the war and I was in favor of the South...He was a very quiet man and said but little. If he had not been he could not have lived in the country.” Sometimes the threats of a mob or trial for treason for unionist sentiments came

³⁷ On the question of whether the Civil War was a “total war” my research supports the work of other scholars that have not found a high enough body count on the home front to term the war “total.” This study, however, argues that the the Confederate government’s policy toward its own dissident population was clearly an example of the harshest policy measures taken against civilians during the war by either side. See, Mark Neely, “Was the Civil War at Total War?” *Civil War History* 37 (1991): 5-28; Grimsley, *The Hard Hand of War*.

³⁸ Elizabeth Mason (Chatham, no. 9,897), Southern Claims.

from individual Confederates in discussion with unionists; on other occasions, unionists encountered companies and small groups of Confederate soldiers. As a general rule, the more Confederates a unionist encountered and the more agitated they were on the question of treason, the more likely it was that violence would follow.³⁹

A local rumor of violence in Orange County was equally powerful in keeping unionists from speaking out. Charles Long, a white farmer was threatened for refusing to help Confederate soldiers retrieve shoes. “I told him I would not do it and he said he could make me and drawing his gun threatened to shoot me.” Confederate neighbor Wesley Gattis and others told Charles Long’s fellow unionists Andrew J. King and John T. Hogan that Long spoke out too freely for the union because he was over the conscript age and that he “ought to be hung...ought to be rode on a rail [and] sent to Castle Thunder.” King added that he thought Long “was as good a union man during the war as Thaddeus Stephens of Pennsylvania or Henry Wilson of Massachusetts.”⁴⁰

In 1863 Susan Virginia Whitehead’s husband died, leaving her in control of an eighteen hundred acre plantation in Pitt County, North Carolina that “ran twenty two plows.” But Susan Whitehead was not a typical plantation mistress. She remained a loyal unionist who opposed the war. Whitehead like many other unionists had a family that was divided on the issue of the war, and she also viewed the antebellum Union as a family. “I never had any sympathy with the

³⁹ Robert Reeves (Duplin, no. 10,822), Southern Claims; for a small sampling of similar violent threats to white and black unionists from across North Carolina, see Keziah Drake (Henderson, 3399), Southern Claims; Betty Hamilton (Henderson, no. 16,666), Southern Claims; Mordecai Parrish (Wake, no. 5922), Southern Claims; Aaron Thomas (Harnett, no. 8048), Southern Claims; Bennet Field (Greene, 1160), Southern Claims; Sylvester McGowan (Hyde, no. 17,769), Southern Claims; Kedar Winslow (Gates, no. 14,709), Southern Claims; Joseph A. Hendrix (Davie, 11,192), Southern Claims; James Dale (Duplin, no. 21,702), Southern Claims; Nathan Shannon (Dare, no. 17,728), Southern Claims; Charles M. Foster (Dare, no. 17,977), Southern Claims; William H. Haitcock (Cumberland, no. 21,604), Southern Claims; Edward Osteen (Henderson, no. 19,052), Southern Claims; V.C.V. Hamilton (Henderson, no. 16,429), Southern Claims; Adolphus Gudger (Buncombe, nos. 11,934 and 16,302), Southern Claims; Newton E. Jones (Pasquotank, no. 18,894), Southern Claims; William W. McCanless (Stokes, no. 11,063), Southern Claims; John Tilley (Surry, no. 10,390), Southern Claims.

⁴⁰ Charles Long (Orange, no. 20,593), Southern Claims; on the power of rumor in the Confederacy, see Jason Phillips, *Diehard Rebels: The Confederate Culture of Invincibility* (Athens, GA: Univ. of Georgia Press, 2007), chapter four.

rebellion...I did not believe in dividing the family,” she recounted. “I considered the United States as a family. It was a piece of recklessness gotten up by a few fanatics and the whole South made to suffer in consequence of it.” When her first son went off to join the Confederate army and then died three months later, she lamented not stopping him. But when Confederates tried to take a second son she used every legal and extra-legal maneuver she could think of to keep him out of the service. First she hired a substitute and then kept him out under the infamous “twenty negro law,” which gave planters with over twenty slaves an exemption from service, and finally sent him all the way to West Virginia to try to get him on a train to the North. The son failed to make it out of the Confederacy, but when he returned home General Sherman’s army had invaded the state in March 1865 and prevented Confederate conscription from taking this son away. All of this would have made Whitehead like many other disaffected southern women if she had not taken matters into her own hands. When Confederate troops came to her farm and attempted to seize fodder and supplies, she asked for her overseer’s pistol and threatened to shoot any soldier that took her property. According to her overseer, William Harrell, “When she hired me that was the first question she asked me. I told her I was opposed to the war and did not want to go into it.” When soldiers began roaming around her house, “Mrs. Whitehead asked me for my pistol,” Harrell remembered. “I handed it to her and she told the soldiers if they burst open her barn she would shoot them, they told her if she fired on them they would shoot her. I spoke to the soldiers and told them they ought not to talk so to a lady and they went off without any forage.” Harrell had only been able to stay out of the service after a time by going down to the headquarters of the conscript official and filling his brandy bottles up, a fine example of the corruption and dysfunctional nature of the Confederate local state. While Susan Whitehead’s wealth and status as a “lady” kept her from physical violence, her story clearly exemplifies the

dangerous plight that unionists consistently endured during four years of Confederate occupation in the interior of the state.⁴¹

While not as harmful as being threatened with violence, threats of property destruction and confiscation were powerful incentives to flee the state or remain silent about one's political sentiments. Many unionists of all economic backgrounds faced this threat. When Confederates were stationed on Roanoke Island in 1862, Frederick S. Proctor became the subject of their scorn. Since Proctor was wealthy, they targeted his fine library, which they burned along with \$2500 worth of his property. In Carteret County, unionist Elijah Bell had a canoe and flatboat destroyed by Confederates prior to that city's fall to U.S. forces in March 1862. Confederates even threatened Alexander County native Caleb Sloop with hanging, shooting, and burning his house to the ground before he was arrested by the home guard and carried off to the army in Virginia. Sloop eventually escaped and made his way to Indiana.⁴²

William C. Brown of Buncombe County only wanted to help the wives of local union men who were starving and wanted to grind corn at a distant mill. So, he allowed the women to borrow some of his horses. For this, Confederates in Capt. Parker's command threatened to seize all of his horses and impress them for Confederate military service. "I have been injured by the rebels refusing to let me have land to live on and cultivate because I was a Union man," claimed Nicholas Jenkins of Caldwell County. He was also threatened with having his home burned to the ground and property seized.⁴³

⁴¹ Susan Whitehead (Greene, no. 844), Southern Claims; On women running plantations and growth of dissent, see Drew Gilpin Faust, *Mothers of Invention: Women of the Slaveholding South in the American Civil War* (Chapel Hill: Univ. of North Carolina Press, 1996); Amy E. Murrell, "Of Necessity and Public Benefit": Southern Families and Their Appeals for Protection," Catherine Clinton ed. *Southern Families at War: Loyalty and Conflict in the Civil War South* (New York: Oxford Univ. Press, 2000), 77-99.

⁴² Frederick S. Proctor (Pasquotank, no. 20,010), Southern Claims; Elijah Bell (Carteret, no. 20,026), Southern Claims; Caleb Sloop (Alexander, no. 4,189), Southern Claims.

⁴³ William C. Brown (Buncombe, no. 21,288), Southern Claims.

When Abigail Eldridge fed and aided union men and deserters to hide in Johnston County, her barn mysteriously was burned to the ground. She never saw who committed the act but neighbors believed that it had been done because of her unionist political beliefs. Christian Smith of Robeson County made it clear that all men in his neighborhood who were unionists were threatened with property confiscation. “The officers that was hunting deserters would threaten to take every thing that I had if I did not stop harboring deserters.” Hotel Keeper James C. Balance of Swan Quarter in coastal Hyde County was also threatened with having his house burned down.⁴⁴

Violence in the counties under Confederate control committed against the unionist population came in a variety of forms. Neighbors attacking neighbors, military officials hanging and executing unionists for their political sentiments, women attacked for protecting unionist relatives, and even massacres of North Carolina Union troops at the hands of vengeful Confederates, all worked together to create an atmosphere of intimidation and fear among unwavering unionists. While it is clear that unionists were beaten and killed in North Carolina, Confederates usually resorted to violence when intimidation, threats, arrest and conscription had all failed. These local acts of intimidation, threats and arrest were less sensational to southern newspapers and rarely made it into the papers, but they were by far the most common method of control used to keep unionists in check. To be sure, by 1864 many counties of North Carolina that had been controlled by Confederate authorities had fallen into the dark and dangerous realm of guerrilla conflict, but even outside of these conflicts, Confederates continued to direct wanton acts of violence toward unionists.

⁴⁴ Abigail Eldridge (Johnston, no. 4227), Southern Claims; Christian Smith (Robeson, no. 12,197), Southern Claims; James C. Balance (Hyde, no. 17,501), Southern Claims Disallowed.

Old Douglass Democrat and anti-slavery unionist, Starling Proctor of Orange County was so obnoxious in his political pronouncements on behalf of the Union that a he experienced virtually the entire gamut of Confederate threats and intimidation. Proctor first had a violent confrontation with a Lt. Clinton of the Confederate service. Clinton, who referred to Proctor as “a darned old union son of a bitch,” told him that he ought to be hung and then “knocked him down with a hoe.” Confederate Billy Pratt followed this up with a threat to confiscate all of Proctor’s property and Confederate soldiers at Durham forbid him to come to the city because of his political declarations there. Proctor repeatedly told Confederates that “if there was one drop of secession blood in me to take it out.”⁴⁵

“I refused to give lodging to a couple of confederate cavalry one night, and they threatened to blow my brains out,” remembered Henry Rains of Johnston County. “On another occasion I refused to let cooking be done for a squad of rebel soldiers. They abused me and punched me about.”⁴⁶

The three most notorious incidents where Confederates targeted unionists with violence occurred as Confederates attempted to reassert authority over communities of people where they had clearly lost control. In the mountain community of Shelton Laurel in Madison County, thirteen unionists-men and boys-were captured, marched out into the winter snow and shot. The incident a Shelton Laurel is interesting in that it occurred during a guerrilla conflict when Confederates flooded this county with troops to monitor, intimidate and eradicate unionists waging irregular warfare against the state. It also demonstrated that Confederate men from the

⁴⁵ Starling Proctor (Orange, no. 12,504), Southern Claims.

⁴⁶ Henry Rains (Johnston, no. 22,024), Southern Claims.

same community as the persecuted unionists could commit violent atrocities against their own neighbors without restraint.⁴⁷

At Kinston in Lenoir County, twenty-two men were hanged in the aftermath of an engagement at Beech Grove near New Bern in February 1864. After being captured by men under the commander of General George E. Pickett, Pickett learned that these men had deserted the Confederate army and joined the U.S. Army. While not all of the men were unconditionally loyal, a handful of the men were, including William Haddock of Lenoir County. This hanging was the only mass execution in North Carolina that occurred in an area that could accurately be called under Confederate control. Yet, according to a Virginia soldier stationed there, the area around Kinston was “considerably under the influence of [1864 Gubernatorial Candidate and Peace Movement leader] Holden and consequently quite disloyal.” It was frequently the loss of control or the attempt to reestablish police state type control that led to the most striking instances of violence. When Confederates were comfortable with the level of intimidation and their ability to maintain order, violence was less likely often directed toward specific individuals and even more frequently only resulted in threats or arrest.⁴⁸

Finally, the massacre of North Carolina white and black U.S. soldiers and civilians at Plymouth in Washington County when that city fell to Confederates on 24 April 1864 was probably the worse case of targeted violence. Historians Weymouth T. Jordan and Gerald W. Thomas estimated that at a minimum fifty individuals were massacred, many as they fled Confederates and tried to escape into the swamps surrounding the town. Many blacks and whites

⁴⁷ Phillip Shaw Paludan, *Victims: A True Story of the Civil War* (Knoxville: Univ. of Tenn. Press, 1981); John C. Inscoe and Gordon B. McKinney, *The Heart of Confederate Appalachia: Western North Carolina in the Civil War* (Chapel Hill: Univ. of North Carolina Press, 2000), 117-120; Shawn Michael O'Brien, *Mountain Partisans: Guerrilla Warfare in the Southern Appalachians, 1861-1865* (Westport, CT: Praeger, 1999), 119-120.

⁴⁸ John H. Haddock (Lenoir, no. 15,076), Southern Claims; Virginia soldier quoted in Lesley Gordon, “‘In Time of War’: Unionists, Hanged in Kinston, North Carolina, February 1864,” in Daniel E. Sutherland, *Guerrillas, Unionists and Violence on the Confederate Home Front* (Fayetteville, AR: Univ. of Arkansas Press, 1999); Lesley Gordon, *General George E. Pickett in Life and Legend* (Chapel Hill: Univ. of North Carolina Press, 1998), 130-134.

were gunned down while trying to surrender to Confederate troops. This incident occurred in an area where Confederates were attempting to reestablish control and rates as one of the worst racial atrocities of the war.⁴⁹

Not even the suffrage rights of white men went unscathed. Further evidence for the denial of unionist political freedoms came in the Confederate guards placed at the polls during the 1864 elections that were meant to prevent whites unionists, conscript evaders and deserters from voting. Even Democrat and *Raleigh Standard* editor turned critic of the Confederate government, William Holden was threatened for suspicion of unionism and was forced to take measures to protect his life, and he was far from being unconditionally loyal to the Union. No unionist political opposition party could have survived openly in the South, even though a clandestine political organization the Heroes of America did exist. When the existence of this organization was uncovered in the summer of 1864, Confederate editors quickly indicted it as treasonous as well. These restrictions were how unconditional unionists saw the Confederate occupied interior of North Carolina, through the prism of an antebellum Bill of Rights restrained and denied.⁵⁰

By restricting the suffrage to loyal Confederate citizens in some areas of North Carolina, Confederates ensured that Governor Zebulon Vance would win a landslide victory over William Holden in 1864. While Vance would have almost certainly won this election even without voter intimidation and Confederate soldiers stationed at the polls in some counties, this is another clear example of the lengths to which Confederates were willing to go to prevent unionists from exerting any influence. Confederate Adjutant General's records demonstrate definitively that the

⁴⁹ Weymouth T. Jordan and Gerald W. Thomas, "Massacre at Plymouth, April 20, 1864," in Gregory J.W. Urwin, *Black Flag Over Dixie: Racial Atrocities and Reprisals in the Civil War* (Carbondale, IL: Southern Illinois Univ. Press, 2004), 153-202.

⁵⁰ AG 52, 25 and 27 July 1864, Adjutant Generals Papers, Home Guard Letter Book, 1863-1865, North Carolina Department of Archives and History, Raleigh, N.C.; AG 55, 27 July 1864, Adjutant Generals Papers, Adjutant General Letter Book, 1864-1865, North Carolina Department of Archives and History, Raleigh, N.C.; Capt. Pearson, 29 July 1864, C.S.A. Conscript Papers, Southern Historical Collection, Wilson Library, University of North Carolina at Chapel Hill; on the Heroes of America in the piedmont counties, also see Bynum, *Unruly Women*, 137.

Sixty-eighth North Carolina Regiment was sent to the polls to guard against deserters and conscript evaders and tories from voting in Yadkin County in the western piedmont during the election, while other soldiers were sent to guard in adjacent Wilkes County. A Captain Pearson of the Confederate Conscript Office even sent out a Special Order to Enrolling Officers to call out Senior Reserves in their counties for election day: "Enrolling officers will call out the Senior Reserves in their respective counties to report to them on the day before the election and distribute them at the precincts in their respective counties where they may have cause for thinking the deserters intend voting-Discretion should be used so that it may not be said that the polls have been controlled by an armed force-They will accompany any these detachments themselves and see that this order is effectively carried out." Confederates were conscious of the dangerous military control and departure from free and fair elections when they did this.⁵¹

Nor were Quaker pacifists safe from Confederate threats, if they expressed unionist sentiments. Quakers in the piedmont of North Carolina were forced to verify membership at their local meeting before they were allowed to even be considered for exemption status under the \$500 Quaker exemption. One example from the Holly Springs meeting in Randolph County demonstrates a possible reason for Confederate frustration with Quakers. On September 1863, Gideon Cox, the Assistant Clerk of the Holly Springs meeting, filed an affidavit on behalf of a new member of their meeting. "David Wrightman was not a member of the Society of Friends 11th of 10th month/62, but now is at Holly Springs meeting and professes to be conscientiously bound against bearing arms, believing him sincere we recommend his case to the favorable

⁵¹ AG 52, 25 and 27 July 1864, Adjutant Generals Papers, Home Guard Letter Book, 1863-1865, North Carolina Department of Archives and History, Raleigh, N.C.; AG 55, 27 July 1864, Adjutant Generals Papers, Adjutant General Letter Book, 1864-1865, North Carolina Department of Archives and History, Raleigh, N.C.; Capt. Pearson, 29 July 1864, C.S.A. Conscript Papers, Southern Historical Collection, Wilson Library, University of North Carolina at Chapel Hill.

consideration of the authorities hoping he may be allowed exemption or payment of the Tax on noncombatants.”⁵²

Suspicion of Quakers was intense. The *Asheville News* angrily protest the commutation fee when it was first adopted at the state level by the North Carolina legislature. The Asheville editor complained that if a religious sect like the Quakers, which was obviously in “sympathy with the North” because of its abolitionist tendencies, could be exempted through a commutation fee, then why not Baptists, Presbyterians, and Methodists. Warning of the problem came from as far away as the Confederate capitol. After a conversation with General John Henry Winder, in January 1863 the provost marshal of Richmond, Confederate George Davis, wrote to Edward Jones Hale, the editor of the *Fayetteville Observer*, that General Winder, who was for a time given broad police powers to arrest deserters and incarcerate them in the prisons surrounding the city, believed all Quakers were “traitors.”⁵³

Guilford County had a substantial population of Quakers, which included many unionists and pacifists. Among the unionists living in the Guilford Quaker settlement was Henry Ledbetter. Fellow unionist P.H. Bilbro explained that Ledbetter “left the Church which he belonged to because his Preacher was a Secessionist and [Ledbetter] could not and would not belong to a Church where the Preacher would preach secession doctrine. The church that he belong to was the Protestant Methodist Church.” “In public conversations he would express his Union sentiments as far as it was prudent to do so for his own safety of person and property, Bilbro continued, “the reasons for our not being able to express our sentiments publically is that

⁵² Gideon Cox, 21 September 1863, Marmaduke S. Robins Papers, Southern Historical Collection, Wilson Library, University of North Carolina at Chapel Hill; The Robins papers are filled with applications on behalf of Quakers to pay the commutation fee. Also see in this collection the applications of John M. Fesmire, Harmon Cox, Ruben F. Cox, James Fesmire, Orlando E. Gardner, and Joseph Allen.

⁵³ *Asheville News*, 5 June 1862; George Davis to E.J. Hale, 16 January 1863, Edward Jones Hale Papers, North Carolina Department of Archives and History, Raleigh, N.C; Ezra J. Warner, *Generals in Gray: Lives of the Confederate Commanders* (Baton Rouge: Louisiana State Univ. Press, 1987), 341.

if we had done it the secessionist would cause us all to be arrested and put in prison or caused some punishment to be inflicted up on us we all had to keep our mouths shutup or be arrested.”⁵⁴

The Confederate occupation that unionists encountered during the Civil War was clearly a new world that presented daily challenges for survival. Unionists, however, were resourceful and found a wide range of ways to combat the repression of Confederate officials and policy. While the Confederate government’s policy toward unionists in North Carolina demonstrates that southern unionists experienced some of the harshest military policy and military force against a civilian population during the conflict, the methods of resistance employed by unionists under Confederate occupation offer an important window into how they coped with daily life in the Confederacy.

⁵⁴ Henry Ledbetter (Guilford, no. 10,394), Southern Claims.

CHAPTER THREE

Resistance

“I never wanted any other flag to wave over my head”

“Pacifist, n. A dead Quaker.”

“Arrest, n. Formally to detain one accused of unusualness.”

Ambrose Bierce, *The Devil's Dictionary*.

“Behold, when we come into the land, thou shalt bind this line of scarlet thread in the window which thou didst let us down by: and thou shalt bring thy father, and thy mother, and thy brethren, and all thy father's household, home unto thee.”
Joshua 2:18

Sixteen-year-old Wiley Bailey of Wake County was fortunate to have a twin sister that was just about his size. Following the adoption of the Confederate conscription act in April 1862, Bailey's step-mother Sarah who was afraid that he would soon be arrested even though he was not quite within conscription age “dressed him in womans clothes” and “traveled all night about 30 miles” round trip to the southern part of the county to help him find a hiding place that would save him from the Confederate draft. But when the two reached the hide out destination on the other end of the county, they found Confederate authorities hunting deserters so vigorously that Sarah thought it unsafe to leave Wiley and brought him home. The Bailey's, however, did not give up their efforts to avoid Confederate military service. Wiley hid in a cave near his home and was aided by his step-mother, who also fed roughly twenty other deserters including three of Wiley's uncles. Nevertheless, Wiley sometimes came back to his home and when he did “he was dressed in woman's clothes so they [Confederates] could not detect [him]...He had a twin sister and dressed in her clothes when about the house.” This charade worked for more than a year until Wiley was conscripted “about the last year of the war.” Sarah, who worked so diligently to

protect her family even asserted in 1874 that she “would have fed them until now if the war had been kept up.” While the Baileys were clever and creative in their methods, their goal of resisting the Confederate war effort was far from unique among wartime unionists.¹

As Confederate citizens and local authorities imposed a police state on the minority unionist population in 1861 and 1862, resistance to the Confederacy by North Carolina unionists emerged almost immediately. The struggle that unconditional unionists and other black and white southern dissidents waged has been variously called “the war within the Confederacy,” “neighbor against neighbor,” “the inside war” or simply “the South vs. the South.” The four years of direct struggle against the Confederate government by unionists included a wide range of methods that unionists and a growing number of disaffected North Carolinians threw at the local Confederate authorities. Resistance to Confederate policies such as conscription, impressment, tithes and the tax in kind were the most striking forms of home front resistance. Providing aid to Confederate deserters, Union escaped prisoners and using one’s labor on behalf of the U.S. Army were other ways of withdrawing support for the Confederacy and using one’s blood, sweat and tears in favor of the Union cause. Enlisting in the U.S. army, joining the clandestine organization the Heroes of America, or even using guerrilla tactics were other alternatives. Even refusing to accept or denigrating Confederate currency and creating local networks for privately discussing information among unionists became important ways of not succumbing to the will of the Confederate majority. As the war entered its latter phase in 1863 and 1864 and resistance became increasingly difficult for Confederates to control, unionists also became involved in the growing peace movement in North Carolina and many at least attempted to vote for peace candidate William Holden in the 1864 gubernatorial race despite Confederate soldiers at many polling places. These forms of resistance to the Confederacy were not mutually

¹ Sarah A. Bailey (Wake, no. 1859), Southern Claims.

exclusive either. Some unionists used every alternative at their hands to bring down the Confederacy from within, often aiding deserters and escaped U.S. Army prisoners while simultaneously helping others avoid conscription.²

Unionists were doing more than just attacking Confederate military policies when they resisted. They were challenging the cultural hegemony of Confederate identity at the same time they defied the laws of the state. Italian theorist Antonio Gramsci has defined cultural hegemony as “the ‘spontaneous’ consent given by the great masses of the population to the general direction imposed on social life by the dominant fundamental group; this consent is ‘historically’ caused by prestige (and consequent confidence) which the dominant group enjoys because of its position and function in the world of production.” T.J. Jackson Lears, however, has argued that Gramsci’s “concept of hegemony has little meaning unless paired with the notion of domination.” Confederates were this dominant fundamental group that used coercion to maintain cultural hegemony and their state. Unionists were living in a police state where asserting their own individual versions of southern identity meant at the very least imprisonment and the threat of death and on occasion even led to torture. This chapter explores the range of resistance to this cultural hegemony and domination that Confederates imposed upon unionists as a group. While resisting military policy, uncompromising unionists resisted the imposition of a Confederate identity on themselves. When conscript enrolling officials, home guards, militia officers and regular troops attempted to enforce policy, they were compelling loyalty to the Confederate

² Honey, “The War Within the Confederacy,” 75-91; Auman, “Neighbor Against Neighbor,” introduction; Michael Fellman, *Inside War*; Freehling, *The South vs. The South*.

cause and unionists found this unacceptable and the Raleigh and Richmond governments illegitimate.³

Southern unionists had one powerful weapon in their fight against the imposition of a Confederate identity--each other. Social networking was the key means by which unionists survived the Confederate ordeal at the local level. Unionists needed strong local networks to sustain their political identities. These networks were often made up of family or neighbors and often crossed-racial, class and gender-lines and were absolutely vital to sustaining unionism in the face of a determined Confederate majority.

Resistance to Confederate Military Policy

Confederate military policy was the concrete manifestation of the Richmond and Raleigh governments in the lives of most southerners. When soldiers came to your door demanded your son, brother or husband's service, a tenth of your crop or your favorite "critter," the war and the meaning of the Confederacy became real for many North Carolinians. While these policies were at the root of increased dissent over the course of the war, the responses of the uncompromising unionists to them tell us much about how commitment to the United States was sustained and continued through the war years. Beginning in the spring and summer of 1861, inflexible unionists used a wide variety of means to resist the Confederate state at the local level. The Confederate state at the local level in North Carolina was oppressive for unionists, but policy enforcement was often weak, ineffective and dysfunctional. Confederate nationalism may or may not have been strong as an ideology among the majority population, but even the constant

³ On the concept of cultural hegemony, see T.J. Jackson Lears, "The Concept of Cultural Hegemony: Problem and Possibilities," *American Historical Review* 90 (1985): 567-593; Antonio Gramsci, *The Prison Notebooks: Selections*, trans. and ed. Quintin Hoare and Geoffrey Nowell Smith (New York: International Publishers, 1971).

monitoring of a repressive police state was too weak to crack the hard shell of unconditional unionism. The Confederate police state was strong enough to constrain the unionists daily lives but did not succeed in stamping out either this core group or in preventing increasing amounts of resistance among a disaffected and anti-Confederate government group that was not unionist. If it had not been for the commitment of the majority of Confederates in North Carolina supporting the war effort so steadfastly, they would not have been able to limit the activities of unconditional unionists with only home guard, local law enforcement, Partisan Rangers and operations by regular Confederate troops.⁴

Without a doubt, the Confederate Conscription Act of April 1862 that instituted the first national conscription in American history was the single most damaging military policy instituted during the war for southern unionists. While local drafts and coercion had operated in many southern communities in 1861 through early 1862 to levee southern troops, the Confederate Congress's law gave the full weight of federal and state authority to coercion. It not only threatened the economic livelihood of the family as impressments and the tax-in-kind did, but it seized male members of the family and carried them off to battlefields where many were killed. Whites, blacks, and even North Carolina's small Indian population of Lumbee and Cherokee were conscripted to serve as soldiers and laborers. Those who could not pay their way out with a commutation fee or after the passage of the "twenty negro" law did not own enough slaves and fell within the age limits were compelled to serve. Between April 1862 and 1865 the

⁴ Michael Fellman, Lesley J. Gordon, and Daniel Sutherland, *This Terrible War: The Civil War and Its Aftermath* (New York: Pearson Education, Inc., 2003), 208-209 briefly explore the subtle levels of dissent in the Confederacy and the difference between this antigovernment Confederate element and unconditional unionists; In the preface to Georgia Lee Tatum, *Disloyalty in the Confederacy*, a seminal work in the field, she outlined three basic kinds of dissent in the Confederacy: unionism, disloyalty and disaffection. Tatum defined disloyalty as "persons living in the confederacy, who not only refused to support the Confederate government but who also appeared to be actively working against it." Disaffection, on the other hand, "is used more broadly to characterize those who, though opposed to the Confederacy, were, on the whole, passive." The term unionist was reserved for "those who, like many of the East Tennesseans, were from the first strong advocates of the Union." David William's elegant introduction to the 2000 Univ. of Nebraska Press reprint of Tatum is enlightening on Tatum's analysis of loyalty.

age limits were extended from eighteen to thirty-five and ultimately to seventeen to fifty. The reality of Confederate conscription was absolutely devastating for the lives many unionists.⁵

Being conscripted by the Confederate government was not a pleasant experience for anyone in the Civil War South. Even if a man sympathized with the Confederate cause, local pressure for men to volunteer before being conscripted was intense, and conscription was viewed by many as a stain on a man's reputation. For many peaceable citizens who wanted to do nothing more than stay out of the Civil War, Confederate military policy made that altogether impossible. Conscription was the most horrifying because it brought the power of the state to the front door step, demanding a loved ones immediate service. Indeed for many people who would not have fought otherwise, Confederate military enforcement in local communities created dissent where none existed, adding to the already intransigent unconditional unionist population like Sarah and Wiley Bailey. For unionists the threat of conscription was an added weight. Unionists could no longer freely express their political sentiments publicly for fear of violence or imprisonment. Conscription threatened to compel loyalty to a cause with which they firmly disagreed.

Both before and after Confederate conscription became law, unionists refused the social pressure to enter Confederate service. In Madison County local unionists began meeting at night in the woods at Bull Creek Mills in the summer of 1861 and planned to make their way to the Union lines in East Tennessee to avoid Confederate service. At the meeting, Sidney McLean told fellow Madison County unionists, "I would lie in the woods until the moss grewed on my back as long as Henry Grooms hair before I would join the Confederate forces. (said Grooms having

⁵ For major studies that focus on conscription in North Carolina, see Moore, *Conscription and Conflict in the Confederacy*; Mitchell, *Legal Aspects of Conscription and Exemption in North Carolina, 1861-1865*; Barrett, *Civil War in North Carolina*; on conscription and Native Americans, see Evans, *To Die Game*; on the intersection of conscription and desertion, see Richard Bardolph, "Inconstant Rebels: Desertion of North Carolina Troops in the Civil War," *NCHR* 41 (1964): 163-189; Richard Reid, "A Test Case of the 'Crying Evil': Desertion among North Carolina Troops during the Civil War," *NCHR* 58 (1981): 234-262; Peter S. Bearman, "Desertion as Localism: Army Unit Solidarity and Group Norms in the U.S. Civil War," *Social Forces* 70 (1991): 321-342.

very long hair).” McLean, George McDuffie, W.W. Rollins and other local unionists frequently met “at night in the woods” to discuss their politics and find a way to protect themselves and their families. But in 1862, McLean was conscripted and forced into the Twenty-ninth regiment of North Carolina volunteers. McLean, however, never performed any service during the eight months he was a conscript “as I was sick all the time.” Shortly, thereafter, McLean was discharged for sickness at Cumberland Gap and made his way home, only to be threatened by local Confederate Colonel J.A. Keith. According to McLean, during this second encounter with the Confederate authorities, he “was arrested and brought to Marshall N.C. to be enrolled as a conscript but made my escape, and after lying out for sometime went through the lines and joined the Federal Army.” McLean, became a member of Co. G. Third North Carolina Mounted Infantry (U.S.) and served first as a recruiting sergeant and eventually first lieutenant from 1863 through 1865. The language used by McLean and many other unionists consistently referred to conscription as being “arrested.” Southern unionists did not view conscription as service owed a legitimate government but as an illegitimate attempt to force Confederate identity upon them.⁶

McLean may or may not have been feigning illness while in the Confederate Army, but clearly some unionists who were conscripted did just that to avoid service. Ransom H. Jinks of Wake County was conscripted in March 1863 by Captain Ruffin Castlebury. Castlebury and Jinks had already fought during the second year of the conflict over Jinks’ union sentiments, and Castlebury intended to make Jinks serve in the Confederate Army. Jinks remembered how after being conscripted he “staid in the army or in Hospital together about six months when I deserted and went home where until the end of the war I played the fool on them made believe I was crazy and in that way avoided arrest and kept out of the army.” Shortly after he went home again in the summer of 1864, Castlebury tried to conscript him into the service. This time he was held

⁶ Sidney McLean (Madison, no. 19,048), Southern Claims.

only one day because “they thought I was [a] perfectly deranged man, they sent me back home. I took no oath, they didn’t think I had sense enough to know what an oath was.” The story of Ransom Jinks illustrates that conscription at the point of the bayonet was clearly not evidence of firm commitment to the Confederacy. Sometimes unconditional unionists had no choice but to enter Confederate service and then wait for a time to quietly abscond.⁷

In late 1862 John A. Crisp of Cherokee County in the far southwestern corner of North Carolina was conscripted into the Confederate army but after six months in the army he “escaped as soon as I could do so” and prepared to join the U.S. Army in East Tennessee. “When I escaped from the Rebel army, I was sent word that if I did not return they would carry my family south, and search every cove and hollow till they found me.” But on his way to the U.S. Army he was arrested by Confederates and jailed for sixteen days in Franklin, North Carolina after which the conscript officers started to carry Crisp to Richmond for a desertion court-martial. He escaped once again and ran to the Union lines where he joined a U.S. home guard unit in East Tennessee and then eventually became a recruiting officer for the Second Tennessee Cavalry (U.S.), which he served as both a guide and recruiter from 1863 through 1865. Crisp’s story further demonstrates that location close to U.S. Army occupying forces whether in East Tennessee or on the coast of North Carolina increased opportunities for conscription resistance. But conscription resistance by inflexible unionists did not always take the same form.⁸

Simply hiding in the forest, a mountain cave or some other remote location to avoid conscription and the Confederate government became known during the war as “laying out.” Laying out was one of the most common ways unconditional unionists and other disaffected men tried to avoid confrontation with the long, dysfunctional arm of North Carolina’s Confederate

⁷ Ransom H. Jinks (Wake, no. 5918), Southern Claims.

⁸ John A. Crisp (Cherokee, no. 9,003), Southern Claims.

officials. The more difficult the terrain—whether it was mountains or swamps or even densely forested areas--the more difficult it became for enrollment officers and home guards to enforce conscription on unionists, but this did not prevent Confederate officials from keeping up the effort and threatening unionists. John M. Crisp, the son of John A. Crisp, was one of the men forced “to lie out to save myself...I was not injured in any manner except by a sickness consequent upon my lying out in the war and cold through fear of the threats the rebels had made against me on account on my Union sentiments.” In July 1864, he joined Co. C of the Third Tennessee Mounted Infantry (U.S.). Harrison Bryan of Northampton County in the northeastern corner of the state had a similar experience. When Confederate enrolling officers conscripted him, they held him for ten days and then sent him home on sick leave. After that Bryan “staid in the woods and kept out of the way” while Confederates threatened to burn him out and take his property and sell it for the benefit of the Confederacy. Unionist James Shermer of Yadkin County was another man who laid out to avoid service. Sometime in 1863 Shermer was conscripted “but only staid under guard a few hours where I made my escape.” Shermer then became yet another of a large community of local men who were “in the bushes all the time.” “I was threatened with being shot if I was caught. The rebels had down the names of 25 or 30 of us who were to be shot if we were ever found,” Shermer recounted. John Shores, Daniel Wilson Miller, and Isaac Sherman were also among the Yadkin County unionists living in the bushes. According to Sherman, “There were general threats of confiscation against all that would not support the Confederacy[.] There were orders to shoot all that were in the bushes in our neighborhood.” John Shores stated that he hid in the coves of Yadkin for thirty-one months. Unionists found aid and comfort in home communities among like minded individuals also being threatened with having property burned and land confiscated for their loyalty. Refusal to

recognize Confederate conscription was a powerful localized way for a unionist to reject Confederate identity and encourage others to do the same.⁹

As the Confederacy grew more desperate for men, it expanded the conscription age from eighteen to thirty then seventeen to forty-five and finally seventeen to fifty. Marshal Leviner, who lived in the south-central sections of Richmond County, was in his late thirties during the first phase of conscription and therefore was not threatened until the Confederate government instituted its more draconian expansions of the law. During the war four different Confederates all threatened the life of Marshal Leviner for his unionism. "I was often threatened with being arrested and sent to the front or killed," he recalled. Leviner's unionist neighbor G.W. McKinnon remembered how he "conversed with him on the subject of the war alone and in the presence of other union men," and believed that "at one time it was dangerous for him to travel the public highways on account of his union sentiments." In order to avoid conscription or worse, Leviner was forced to "keep out of the way."¹⁰

Unionist women frequently played the gatekeeper role in protecting their male relatives who resisted conscription. If a woman persisted in harboring her unionist husband, son, father, brother or uncle, it was sometimes a deep demonstration of her own fidelity to the Union cause. It also demonstrated her commitment to protecting male family members, but it is not always easy to separate those two reasons because many shared the beliefs of their relatives. As the Confederacy's manpower shortage steadily worsened between 1862 and 1865, the pressure on unionist women grew. Mary Allred, a white unionist in her mid-twenties who resided in Yadkin

⁹ John M. Crisp (Cherokee, no. 8,833); Harrison Bryan (Northampton, no. 8,853); James Shermer (Yadkin, no. 15,459), *Southern Claims*. Shermer demonstrated his unionism when he divided his food with escaped U.S. soldiers from Salisbury Prison while he was hiding out; other examples of laying out include John Shores (Yadkin, no.15,460) and Eli C. Copeland (Northampton, no. 22,177), *Southern Claims*. Copeland was a Quaker threatened with arrest for refusing to muster with local militia; Douglas R. Porter, "Defying the 'Destructives': Confederate Disaffection and Disloyalty in North Carolina's Northwestern Foothills, 1861-1865," (MA Thesis, North Carolina State University, 2007) addresses the activities of dissenters in this sub-region of western North Carolina.

¹⁰ Marshall Leviner (Richmond, no. 8,653), *Southern Claims*.

County, experienced a common series of events for the wives of unionist men trying to avoid conscription. Both her father Benjamin Martin and husband Jacob Allred were deeply opposed to the war. She even told her eighteen year old brother W.P. Martin to “lay out” prior to his conscription into the Confederate Army, where he died at Petersburg, Virginia two months later. But she successfully concealed her own husband’s whereabouts in the face of serious personal threat. “There were a squad of men that came to my house and said if I did not produce my husband Mr. Jacob Allred. [sic] They would come back and burn up my house--they came to my house after night to watch for my husband who was then laying out to avoid going with the Rebel army.” Women like Mary Allred were the linchpins and supply lines to unionist husbands avoiding conscription and therefore a vital part of the unionist social networks that enabled resistance to the imposition of Confederate identity.¹¹

Mary Stanley, a white woman from Guilford County in the central piedmont of the state, aided four of her sons and a son-in-law in resisting conscription when they left for the Union lines. Stanley “filled them up to go” on their long journey, and she did the same for her youngest son who was injured by Confederate soldiers and subsequently sent through to the Union lines. Stanley’s commitment to the Union cause went further than her own family. “I also fed the union boys who were hiding out to keep out of the army.” But Stanley’s aid did not go unnoticed or unpunished by local Confederate soldiers who subsequently ordered her out of her house and then “shot through my bee gums and very much abused me.”¹²

¹¹ Mary Allred (Yadkin, no. 20,520), Southern Claims; Mary’s husband Jacob Allred eventually made his way to the Union lines and joined Capt. J. N. Davis’s Co. B. of Col. Bartlett’s Second North Carolina Mounted Infantry (U.S.); the literature on women as protectors includes, Bynum, *Unruly Women*, chapter six; Fellman, “Women and Guerrilla Warfare,” 147-165; Whites, *Gender Matters*; John C. Inscoe and Gordon B. McKinney, “Highland Households Divided: Family Deceptions, Diversions, and Divisions in Southern Appalachia’s Inner Civil War,” in John C. Inscoe and Robert C. Kenzer eds. *Enemies of the Country*, 54-72.

¹² Mary Stanley (Guilford, no. 3,653); Mary McBee (McDowell, no. 1,634), Southern Claims was

Sometimes unionist women offered advice on what they would do if they were a man subject to compulsory military service. Eliza Ann Land of Caldwell County was a single woman who projected herself in the role of a conscript evader. Neighbor David Horton “heard her say once that if she was a man that she would die before she would fight for the Confederacy.” Land told another neighbor that “if she was a man she would volunteer if at all to put South C[arolina] in the proper place, and also said that if she was a man she would lay in the mountains until she got as mossy as an old log before she would fight in the Rebel service.” Often these statements were a powerful agent in pushing a male family member or local man to resist conscription. Unionist women’s political shaming of local men worked in the same manner as Confederate women who encouraged their husbands or brothers to enlist in the Army of Northern Virginia.¹³

Quakers were often the target of Confederate conscription efforts in the piedmont region where a large number of them lived. Early in the war, the Confederate Congress specifically addressed the issue of Quaker pacifism and permitted Quakers to pay a five-hundred dollar commutation fee to avoid service.¹⁴ Quakers William L. Cox and his son William T. Cox of Wayne County paid the commutation fee to get out of Confederate service but aided others in their resistance of conscription. Some Quakers like the Coxes, however, were not only pacifistic; they actually supported the Union, found ways to avoid Confederate service, and provided aid to non-Quakers who did not want to serve. William Cox “told one Confederate officer they might hang him or do what they pleased but he should still stick to the Union.” And when local James Britt was conscripted, he asked Cox what to do. “James I wouldn’t do anything,” Cox responded.

another Union woman who aided local men not related to her in avoiding conscription. Mary McBee of McDowell County in the mountains of western Carolina also resisted conscription by aiding men who were not related to her. McBee helped Enoch C. Stroud, a boot and shoe maker in his early thirties avoid the draft.

¹³ Eliza Ann Land, Caldwell, Claim No. 12,689. After the war, Land further demonstrated her unionism by marrying a former U.S. soldier. Her husband enlisted on 11 April 1865 and was discharged 15 September 1865 from Co. H of the Seventh Illinois Cavalry.

¹⁴ Moore, *Conscription and Conflict in the Confederacy*, 68.

“Go into the woods and as long as I eat you shall eat-I will take it to you.” Britt then laid out in the woods and Cox continued to feed him. When William L. Cox’s son was conscripted and taken to Robert E. Lee’s army, the elder Cox was forced to pay the commutation fee. On another occasion, He got a pass to go to Richmond to secure “the release” of friends imprisoned there. “They wanted me to swear allegiance to the Confederate Government before giving me the pass, but I refused to do so,” Cox recalled.¹⁵

Some Quakers were treated so harshly by the Confederate conscription officials that they felt it necessary to go beyond passive unionism to active resistance. In early 1863, Jackson M. Jones and his brother Andrew of Davidson County were conscripted and sent to Camp Holmes in Raleigh where both men refused to answer roll call or serve in the Confederate Army. According to Andrew, his brother was thrashed repeatedly with the butt of a musket. Andrew remembered how his brother, “told them that he would not take up arms against the government of the U.S. He told them that he was a Union man and would not fight against the govt... He always spoke his sentiments boldly and openly, no matter who was present.” Eventually the Quaker brothers were tied “hand and foot and shipped like freight” to General Robert E. Lee’s Army of Northern Virginia then stationed at Orange Court House, Virginia. While under guard for two months in the Confederate camp, the treatment of the two men grew increasingly worse. Again Confederate soldiers bucked and gagged the men and then imprisoned them three days without food or water. As Jackson “steadily refused to fight,” Confederates angrily sought ways to force him to serve. Resorting to drastic measures reminiscent of treatment for an unruly slave, Confederates “pierced his thigh and side with a bayonet, and cut off one of his ears.” As Andrew Jones recounted, “They came very nearly killing him. He was sick and almost died from the treatment he received--he was sick for a long time.” Ultimately the Confederate Secretary of War released

¹⁵ William Cox, (Wayne, no. 7750) and William T. Cox, (Wayne, no. 7751), Southern Claims.

the Quakers from service and allowed them to return home, where Jones remained active in resistance through membership in the Heroes of America. The Jones brothers' close brush with death was over, but others were not so fortunate.¹⁶

Free black unionists were also not safe from Confederate enrollment officers. Hugh and Solomon Oxendine belonged to the free black community that lived in Robeson County, which was also home to the small population of Lumbee Indians. Both men were conscripted and taken to Fort Fisher at Wilmington to work on the breastworks that would guard one of the Confederacy's most important blockade-running ports. While the free black and Lumbee population was not outspokenly unionist early in the war, some unionists like the Oxendines joined with disaffected elements when conscription of free blacks and Lumbee in southeastern North Carolina became violent. This political sentiment coupled with harsh enforcement of Confederate military policy directed toward prominent members of the community ultimately led to the outbreak of guerrilla conflict in Robeson County in the final years of the war.¹⁷

For free black unionists, sometimes conscription could only be resisted in half-measures. Cumberland County free black unionist Abel Payne bought his freedom in 1839 and through diligence as a carpenter and builder by the Civil War had purchased his entire family and even a lot in Fayetteville. After some of the "hay presses" he built for the Confederate government did not live up to the expectations of officials, Payne was consistently threatened with being sent to work on the breastworks at the local Fayetteville arsenal. "I was arrested one time by an officer for the arsenal to work on Govt. works at the arsenal, but I was released on account of my age,"

¹⁶ Jackson M. Jones (Davidson, no. 2797), *Southern Claims*; J. G. de Roulhac Hamilton, "The Heroes of America," in Colyer Meriwether ed. *Publications of the Southern History Association* 11 (Washington, DC, 1907); on the Heroes of American in North Carolina, see William T. Auman and David D. Scarboro, "The Heroes of America in Civil War North Carolina," *NCHR* 58 (1981): 327-362.

¹⁷ Hugh Oxendine (Robeson, no. 21,330) and Solomon Oxendine (Robeson, no. 21,329), *Southern Claims*; for more on the war and post-war in Robeson County and the Cape Fear region, see Evans, *To Die Game*, and William McKee Evans, *Ballots and Fence Rails: Reconstruction on the Lower Cape Fear* (Chapel Hill: Univ. of North Carolina Press, 1966).

Payne explained. Whether or not Payne's work was shoddy because he was specifically trying to sabotage the Confederate war effort, officials clearly thought him suspect and threatened to use the levers of state power to compel him to do his best work or be further conscripted into hard labor on the fortifications in the region. Abel Payne's position demonstrated that for some committed unionists doing shoddy work for the Confederacy could be a way of striking a blow for the Union.¹⁸

Like Payne, unionist Nicholas Brown, a young free black man, was conscripted by the Confederate army in 1864 to work at the Fayetteville Confederate arsenal making wagons. While at the arsenal, Brown resisted in one of the few ways available to him. He talked about the cause of the war with other blacks forced to work there. One black worker recounted how Brown told him that "the southern people brought on the war [because] they were afraid that their slaves would be freed at some day." J.W. Welsh, his boss at the shop, overheard Brown state that "he did not think the South could succeed, that the North was too strong for them." Perhaps Brown's age protected him from retribution; Welsh said "he was only a boy at the time." This subversive political speech, however, was yet another way unionists resisted the Confederate military policy of conscription.¹⁹

L.W. Levy Sr.'s experience with Confederate conscription provides a window into how light skinned black unionists posed a challenge to Confederate racial beliefs and Confederate military policy simultaneously. Levy's father was a white man named Jacob Levy from Fayetteville, North Carolina but his free Indian mother had immigrated to North Carolina in

¹⁸ Abel Payne (Cumberland, no. 21,703), Southern Claims; U.S. soldiers eventually posted a guard at his property when they arrived in Cumberland County in 1865 to protect a man they clearly believed was loyal.

¹⁹ Nicholas Brown (Cumberland, no. 17,581), Southern Claims; Brown further demonstrated his unionism when General William Tecumseh Sherman's army came to Cumberland County in 1865, and he used the opportunity to safely flee conscription and accompany the army to Wilmington. Brown then went by a government steamer to Washington City (probably Washington, Beaufort County, NC) not returning home until June 1865. This action of a free black fleeing Confederate conscription was dangerous but possible for younger free blacks who had no children at the mercy of Confederate military officials.

1794 from French Guadeloupe and “was nearly white.” According to George S. Simmons, a local black man, Levy “said the war was brought on by secessionists not being willing to be governed by republican principles He always talked in favour of the union.” Edinboro Scarlock, another Cumberland County native, remembered that Levy “always talked against the war and in favour of the union said the war was brought on by the secessionists firing on the United States Flag. He was very bitter against the secessionists wanted them all hung”; Scarlock even “heard some say during the war that he ought to be hung for his sympathies for the union cause and I heard some of his white friends say that if he did not mind he would be hung for talking so plainly in favour of the union.” Being “nearly white” and also “unusually well off in property for a colored man—much above the average of colored people” made him a target for conscription officers in Cumberland County. “Confederates arrested him and tried to force him into their army, but the surgeon discharged him on the ground of physical inability.” It is not clear whether Levy, who was sick with “Gravie and Piles” during part of the war, was disqualified for his health or whether the surgeon discovered his racial background and decided to disqualify him from the army because he was of mixed race descent.

Regardless, in 1862 Levy was conscripted to work at the Fayetteville Confederate arsenal where he continued to vex Confederate officials. While there, he discussed the Union cause with other workers. At one point, Levy recounted “one of the hands moved a little paper U.S. Flag over my head. I said that I never wanted any other flag to wave over my head but that some one of the hands reported me, I heard of it, and went to the commanding officer who was sick at the time he sent me back to my work.” The Confederate officer told Levy that he should tell the other workers that he had settled the matter and if they had questions to come see him. Immediately following the meeting, however, Levy remembered, “as I came out [of] his Quarters

I was arrested by soldiers with arms. Capt. Bows acting Comdr. told them to let me go to my work that the matter was settled by Capt. Booth.” Clearly, Levy’s skills were in high demand; otherwise his life might have been in serious danger. Another officer at the arsenal was not happy with the incident, however. Capt. T.J. Robinson, another officer at the arsenal, proclaimed that Levy “ought to be rammed down the big cannon and shot over the River.” Levy’s status must have been an uncomfortable one for Confederates not just because he was a free black unionist, but because he could traverse the sacrosanct, racial color line at the same time resisting Confederate government and Confederate identity.²⁰

Resistance to the Confederacy could also mean more than just resistance to policy and Confederate law. In the precarious realm of Confederate racial ideology with its demand for a Jeffersonian vision of race purity, Ann Revels was another unionist who resisted the color line of the Confederate South. Revels, another free Cumberland County native, who was classed as both “a very bright yellow woman” and “slightly tinged with negro blood,” lived with a white man with whom she had six children. She had one son named George Washington who had moved to Texas in 1852 and served in the Confederate Army; she had a second son named Andrew Jackson who moved to Ohio and joined the U.S. army. Local black David Bryant recounted her loyalty by simply asserting her thoughts on slavery: “She thought the war was brought on, on account of slavery and she believed it would result in the Freedom of all cold. [colored] people.”²¹

Not all free black unionists were able to resist conscription. Henry Sampson and Nancy Sampson, free blacks in Robeson County, were also subject to the destructive conscription policy. The Sampsons had ten children, three of whom were conscripted to build the Confederate

²⁰ L.W. Levy Sr. (Cumberland, no. 16,083), Southern Claims.

²¹ Ann Revels (Cumberland, no. 20,191), Southern Claims.

fortifications in the southeastern part of the state. According to Nancy, “we were always free but had no privlidge [sic].” The Sampsons demonstrate a common problem for free black unionists. They were free enough to potentially escape to the U.S. Army lines, but Confederate conscription and their large family restricted any potential mobility. They were even forced to pay their “tithes” to the Confederate government. But in this case, the sheer number of children they had restricted their ability to resist the Confederate government openly.²²

Sometimes the history of unionist resistance was a history of failure. Not all unionists were able to resist every time the Confederate government came to their door. The world of a Civil War unionist was fraught with contradictions in order to survive the Confederate ordeal. One could maintain unconditional unionism through secret activities while paying the tax-in-kind or tithes under coercion. Sometimes it was a choice between life as a unionist who remained quiet but aided the Union in other ways and death, which would accomplish nothing. Coercion did not mean that these unionists gave up their loyalty to the Union. It simply meant they had no other choice at times but to keep up a charade of acquiescence in order to secretly resist in other ways. With the army at a unionists’ doorstep, sometimes the best way to maintain fidelity to the Union was to survive and covertly support the Union in other ways than direct resistance to every policy.²³

²² Henry Sampson, (Robeson, no. 3770), *Southern Claims*; the Sampson’s demonstrated their unionism through direct material aid to General W.T. Sherman’s army in 1865.

²³ Both to the unionists themselves and the SCC commissioners, unconditional fidelity meant doing enough for the Union to overcome anything done under coercion. The bar for overcoming anything disloyal was quite high and in order to overcome the deep suspicion of disloyalty the aid to the Union had to be convincing to very skeptical commissioners. Unionists themselves understood the world of fear and coercion in which they lived during the war. Paying taxes was not tacit recognition of Confederacy or acceptance of Confederate identity; it was coercion that sometimes had to be acquiesced in in order to resist in covert ways—an alternative to direct confrontation when that would have meant imprisonment, violence or death; Fellman, *Inside War*, 49-52 introduced the concept of “survival lying” in his study of the Missouri guerrilla conflict. It is clear that unionists from all walks of life and in many home front situations not just guerrilla wars were frequently forced to lie with a mental reservations in order to remain on the home front and find ways to support the Union cause.

The Confederate military policy of impressment, which went far beyond the tax-in-kind that by law gave Confederate officials the power to seize ten percent of crops grown by a resident within the Confederacy, was sometimes even more difficult for unionists to resist than conscription. In order to sustain their compatriots hidden in the woods, unionists sometimes paid the price of permitting impressment of crops by Confederate officials. Elderly free black David Bryant of Cumberland County recounted how “on the 9th of March 1865. I was pressed to haul stores for the Confederate Army for about two hours...the soldiers came to my stable and asked me whose place it was I told them it was mine; he thus told me he wanted my corn and rice which I had at my stable. I told him to take it and he did so about 20 bushels of corn and 5 bus of rice” Bryant was indicative of many blacks who were forced into cooperation as a way of surviving in the Confederacy. Open militancy would have been suicidal for a lone free black unionist facing local impressments officials.²⁴

Unionists Absconding to Safety: Escapees, Deserters and Refugees

Avoiding conscription, property confiscation and violence often meant that white and black unionists had to flee for their lives. Refusal to simply accept Confederate identity and aid the Confederate cause led many southern unionists to leave their homes, neighborhoods, and even their families before giving up their commitment to the Union. For black unionists, escape to U.S. Army-occupied regions, was often their most important political act in favor of the Union and against the Confederacy. Not all slaves were unionists. Some escaped simply to gain their personal freedom or because of personal vendetta without expressing unionist political

²⁴ David A. Bryant (Cumberland, no. 1709), Southern Claims gave the Union army supplies when it arrived in 1865 and was deemed as loyal unionist by blacks in the community and later by the SCC commissioners.

sentiments. But many clearly were politically active as unionists while in bondage and demonstrated their unionism during the conflict in ways that damaged the Confederacy. Unionist slaves and free blacks, like whites watched as the war impacted the traditional relationship between master and slave, loosening the tight bonds of the antebellum period while simultaneously creating other dangerous situations. For both white and black unionists, escaped to the Union lines in East Tennessee, northern Virginia or to U.S. Army occupied North Carolina was the closest route to safety, but some people even braved the long trek to a northern state.²⁵

Tennessee was the destination of many unionists because of the occupation of Knoxville and parts of East Tennessee by the U.S. Army in 1863 and 1864 and the presence of a large Union sympathizing population in East Tennessee.²⁶ During the war, John Hyde lived on five hundred acres of “mountain lands” and was part of a local network of white Union men in Cherokee County who worked together “piloting men from each other’s houses to Tennessee.” White Unionist Smith P. Green of Watauga County also aided Union men in their escape “through the lines to Tennessee by telling them the best rout to go.” Eli G. Burton of Davidson County even provided false documentation for Union men impersonating Confederate soldiers on their way to Tennessee. According to Burton “furnished provisions to the deserters while in the woods and harbored and protected them, also he gave them letters and certificates of information how to pass through the Confederate lines, but no one knew it but a few of his Union friends.” John A. Clodfelter who spent two years of the war laying out to avoid conscription,

²⁵ The literature on both the Confederate refugee and fugitive unionist experience in North Carolina is explored in a number of articles which include Mary Elizabeth Massey “The Confederate Refugees in North Carolina,” *NCHR* 40 (1963): 158-182, and John C. Inscoe, “Moving Through Deserter Country’: Fugitive Accounts of the Inner Civil War in Southern Appalachia,” in Kenneth W. Noe and Shannon H. Wilson eds., *The Civil War in Appalachia: Collected Essays* (Knoxville: Univ. of Tennessee, 1997), 158-186.

²⁶ On East Tennessee’s unionists, see Robert Tracy McKenzie, *Lincolmites and Rebels: A Divided Town in the American Civil War* (New York: Oxford Univ. Press, 2006); Noel Fisher, *War At Every Door*; John C. Inscoe, “The Secession Crisis and Regional Self-Image: The Contrasting Cases of Western North Carolina and East Tennessee,” in John C. Inscoe, *Race, War, and Remembrance in the Appalachian South* (Lexington, KY: Univ. Press of Kentucky, 2008).

corroborated the story about Burton: “Tennessee and gave them letters to his friends to aid through the lines as he directed them and they all got through safe.”²⁷

Many slaves gained a measure of freedom during the war through owning property and working one’s land more autonomously. Masters were often forced to reshape the dynamics of slavery in the Confederacy as a result of limited manpower and the ease of running away, but even the loosened bonds were not enough to convince some committed black unionists to remain in North Carolina when freedom was possible. “My masters gave me a better chance the last two years of the war than ever before to keep me from going away,” Isaac Garrison of Buncombe County in western North Carolina believed. “I was a slave at the beginning of the war. I went through the lines on the first of March 1865 and worked part of the time on a railroad in Tennessee and part of the time as a striker in a blacksmith shop in Knoxville.” Isaac who was the slave of Jefferson Garrison of Flat Creek, along with his brother Sam, were given enough time to work rented land during the war. During the war he aided the families of white union men who crossed the lines into East Tennessee. In fact, Isaac Garrison’s owner and Rachel White, the owner of his wife were so concerned that the unionist slave would runaway to the Union forces that they moved his wife twenty miles away from him “for fear that Garrison would runaway with her to the Yankees.” Eventually Garrison, who bought his brother’s portion of the farm before he ran away to Tennessee in 1865, cultivated a farm about ten miles from Asheville that was four hundred acres, 150 of which was cultivated.²⁸

Escape to the North and border South was also common among North Carolina unionists trying to survive the Confederacy. Joseph B. Leonard was arrested twice by conscription officers. Leonard, a white unionist who lived in Davidson County in the piedmont region, was

²⁷ John Hyde (Swain and Cherokee, no. 8,835), Smith P. Green (Watauga, no. 15,276), Eli G. Burton (Davidson, no. 10,734), Southern Claims.

²⁸ Isaac Garrison (Buncombe, no. 11,910), Southern Claims.

conscripted in 1863 and after making his first escape to his home, the Confederates “hunted me in the woods” for nearly a year. Finally in early 1864, Confederates recaptured Leonard, lodged him in the county jail and then tied him and sent him to Richmond, Virginia with the intent of putting him in the army. At the first opportunity, Leonard “ran away in the night and went thro’ the Federal lines” and on to Fountaine County, Indiana.²⁹

After being threatened with hanging, shooting and having his home burned to the ground for his Union sentiments, Caleb Sloop, a farmer from Alexander County in western North Carolina, also was conscripted and then subsequently fled North Carolina to Indiana. Bazil H. Wright, another white unionist from Cleveland County which border South Carolina was conscripted into the Forty-eighth North Carolina Volunteer Infantry but told his family that he did not intend on fighting for the Confederacy and “intended to go North.” From September 1862 until November 1865, Wright worked as volunteer nurse in Philadelphia and then for two years in Washington, D.C. Joseph A. Scott of Wayne County even made his way all the way to Maryland where he joined Co. H. Third Maryland Cavalry (U.S.)³⁰

For many white and black unionists, U.S. occupied counties on the coast of North Carolina were the closest safe haven for them during the war. George Deanes, a white unionist from Wayne County, was also conscripted into the Confederate army but deserted after a short period. The Confederate militia hunted for him and later recaptured him only for Deanes to escape again and this time make his way to the Union lines at New Berne. “I was a slave at the beginning of the war and became free during the war, in the year 1863, by leaving my owner and

²⁹ Joseph B. Leonard (Davidson, no. 1,975), Southern Claims; Leonard also took the oath of allegiance to the U.S. while in Washington, D.C. en-route to Indiana.

³⁰ Caleb Sloop (Alexander, no. 4189), Southern Claims; in addition to his vote for John Bell in 1860, Sloop also had testimony from Union army veteran Jere Smith of the Thirteenth Tennessee Cavalry (U.S.) attesting to his wartime unionism. Bazil H. Wright (Cleveland, no. 4790); in addition to having fled the South, Wright was given a circular by General O.O. Howard for a half-fare ticket on the train home in November 1865, which was recognition of his union loyalty during the war. Bryant A. Scott (Wayne, no. 3669), Southern Claims.

going to the town of New Berne with the Federal troops and commencing work for the Union army, on the fortifications near the said town of New Berne,” recounted Alexander Rhodes, a slave in coastal Duplin County. Rhodes actually purchased a horse later seized by the U.S. Army from his master Edward Armstrong of Hullsville while still enslaved. “About two years previous to my freedom, I bought it from my owner, and paid him for it, I got the means to pay for it from raising pork, and as boatman, by conveying articles for various parties, outside of what was required by my owner, and with his consent.”³¹

The white and black unionists escapees tended to be men who were within the age of Confederate conscription or were young male slaves who were unable to remain at home due to threats of violence or impressments in the Confederate service. In their study of runaway slaves in the antebellum South, John Hope Franklin and Loren Schweninger found this pattern among antebellum slaves who fled plantations. Between 1838 and 1860, Franklin and Schweninger found 132 runaways of whom 86 percent were male; of those three-quarters were between the ages of thirteen and twenty-nine. They argued that it was primarily because young men often had fewer family ties and were therefore more capable of leaving without fear of retribution to family members left behind. On the Civil War home front, white and black women often could not move because of children or because they acted as protectors for other men on the home front. Unless the women were in close proximity to Union occupied counties in North Carolina it was rare for them to leave their homes in search of safety. cursory evidence suggests that black

³¹ George Deanes (Wayne, no. 2375), Southern Claims was in the Confederate service from September 1862 to May 1863 under coercion believing that slavery had caused the war. Deanes act of going to the Union lines and hiding out proved his loyalty to the commissioners. Thomas S. Hassell (Washington, no. 22,166), Southern Claims made his way all the way to Union occupied Roanoke Island, where the U.S. Army had established a large freedmen’s colony. Alexander Rhodes (Jones, no. 16,820), Southern Claims.

women may have had greater ability to do this than white women only because the potential gains of seeking protection under the Union army were greater for them.³²

Resistance to Symbols of the Confederacy

Confederate symbols were another target of unionist defiance. Flags were among the most important of these national symbols used in this struggle to assert political identity, but a handful of unionists also attempted to resist the Confederate currency, which struck a direct blow at not just at Confederate nationalism but also at the economic viability of the Confederate war effort. Political speech was a dangerous game in any part of North Carolina's Confederate police state but it didn't prevent some unionists from speaking out despite death threats.

Refusing to fly a Confederate flag or flying Old Glory were important personal ways unionists defined their own political identity. Among the first of these flag raising incidents occurred in November 1861 when white unionist Marble Nash Taylor held a meeting on Hatteras Island to establish a restored Union government. While Taylor's efforts would not reap him a recognized U.S. Military Governorship, he did organize a handful of unionists on the island into a small union controlled government of several hundred people. On 18 November a meeting held on the island repealed secession and then raised both the U.S. Flag and the North Carolina flag and attempted to set up a provisional government for the restored commonwealth.³³

For some unionists, displays of the U.S. flag led to incarceration and trials for treason. "I was arrested on or about 5 March 1862 by order of the chairman of the county court for Treason and conspiracy...against the Confederacy," remembered Joshua Godwin of Sampson County.

³² John Hope Franklin and Loren Schweninger, *Runaway Slaves: Rebels on the Plantation* (New York: Oxford Univ. Press, 1999), 209-211.

³³ Marble Nash Taylor, 22 January 1862, RG 393 E5063, Dept. of Virginia and North Carolina, 1861-1870.

“The treason was hoisting the national flag on my own premises. The sheriff came with 64 armed men took down my Flag in my presence. Said I ought to be hung.” Godwin was then taken to the county seat at Clinton where he was imprisoned for five days while his fourteen-year-old son was arrested and carried off as a witness against him. Godwin recalled how he was then “taken before 15 magistrates and tried for Treason and conspiracy acquitted by paying the cost for not finding me guilty.” Even raising the U.S. Flag on one’s own property could be a dangerous undertaking in Confederate controlled areas.³⁴

John A. Cherry, a white unionist of Williamstown in Martin County was disabled, but it did not prevent him from resisting the Confederacy by using a U.S. flag that he had in his possession as ensign of the local militia force. Twice during the war, he displayed the U.S. flag at great personal risk to himself. “In 1862 when the Federal Gun Boats first came to this place, it was generally reported and believed that he went down to the wharf, unfolded the flag and invited the Federals to come ashore, understood that on another occasion he had the flag hoisted on his house,” asserted William J. Riddick, another local unionists. Later in 1863, he ran the same flag up the pole on his house until he was forced to take it down by Confederate cavalry that came to his house. He was threatened repeatedly for this action by local Confederates who also stole brandy from him. Only his disability was likely what saved him further harm.³⁵

Sea captains frequently had U.S. flags available that could be used to define their political identity. Hyde County unionist Abner Howard volunteered for the U.S. Army to pilot the gunboats *Underrider* and *Louisiana*, which he served faithfully until near the end of the war. Howard “had the Stars and Stripes on his Schooner and would carry no other flag and was

³⁴ Joshua Godwin (Sampson, no. 2344), Southern Claims.

³⁵ Nancy Cherry (Martin, no. 11,449), Southern Claims; flags had powerful meaning for determining the loyalty of a claimant; SCC commissioners disqualified the claim of Warren W. Ruff, (Beaufort, no. 20,114), Southern Claims Disallowed because he owned a Confederate flag.

willing and ready to serve on a Govt. vessel as a Pilot in the U.S service...being acquainted with the inland waters of Eastern North Carolina.” Howard even courted a young woman in Washington, North Carolina for part of the war but refused to marry her because of her staunch adherence to the Confederate cause. Both a flag and a man’s heart could be the locus of his political identity.³⁶

Similar incidents occurred across the state with alarming frequency for local Confederates. In the highlands by fall of 1863, Confederates were considerably worried about the growing disaffection and evidence of unionism in many counties across the state. Confederate James Gwyn recorded in his diary in September a Union meeting of three hundred individuals from Trap Hill, Mulberry and Red River Country at Wilkesboro who “march[ed] into town and rode in together (some of the Company being mounted) sent out pickets upon all the roads leading to Town--and then raised the Union flag, a very large fine one, besides other smaller ones of the same kin[d], made Union or peace speeches.” Larger meetings were rare between spring 1861 and mid-1863 due to the threat of violence. As Confederate control eroded throughout the summer and fall of 1863 following devastating defeats at Gettysburg, Vicksburg and food shortages in parts of North Carolina, unionists joined with other disaffected citizens in open opposition to the Confederate state, which would ultimately lead to guerrilla conflicts in many local communities.³⁷

³⁶ Abner B. Howard (Hyde, no. 19,245), *Southern Claims*; another example of sea captain refusing to remove the U.S. Flag from his vessel is found in the claim of Josiah Simmons (Pasquotank, no. 9560), *Southern Claims*.

³⁷ On the substantial food and supply shortages on the North Carolina home front, see Mary Elizabeth Massey, “The Food and Drink Shortage on the Confederate Home Front,” *NCHR* 26 (1949): 306-334; Mary Elizabeth Massey, *Ersatz in the Confederacy* (Columbia: Univ. of South Carolina Press, 1952); W. Buck Years and John G. Barrett eds., *North Carolina Civil War Documentary* (Chapel Hill: Univ. of North Carolina Press, 1980), 184-215; Escott, *After Secession*, 105-107, 122-123; Paul D. Escott, “Poverty and Governmental Aid for the Poor in Confederate North Carolina,” *NCHR* 41 (1984): 462-480; Richard E. Yates, *The Confederacy and Zeb Vance* (Tuscaloosa: Confederate Publishing Co., 1958), 68-84.

Refusing to accept the Confederate currency could also be a powerful way of asserting one's commitment to the Union. "I was arrested twice in the spring of 1862 upon the charge of refusing to receive in payment of debts Confederate money and making remarks calculated to injure the credit of the so-called Confederate States," Richard W. King of Lenoir County testified. "I was arrested on both occasions in Kinston by Provost Marshal a portion of a day each time. I was released without condition but was reprimanded." The reason behind King's refusal to take Confederate money was simple: "I always considered any allegiance due to the United States." In addition to his strong unionism, King had very good reason to refuse Confederate currency since Confederate troops occupied his farm in 1862 during their retreat after the Battle of New Bern that March and while their the soldiers destroyed the fence on his property making it impossible for him to farm.³⁸

King is also an example of how some unionists used their local position to evade Confederate service. During the antebellum years, King had served as a local justice of the peace, but when the Confederate authorities forced justices of the peace to serve in the local home guard, King used his position as Register of Deeds to keep out of the war as well aid others in staying out of the conflict. King even managed to evade taking "any oath to the Confederates states," and while Union prisoners of war were held at Goldsboro, North Carolina, he passed clothing to the prisoners who were in a deplorable state. Even William Woods Holden, peace candidate for governor in 1864, attested to the wartime loyalty of King. Holden argued that in the statewide gubernatorial election of 1864 King was the only man at Kinston to vote for him "and in so doing he put his life in peril." "I was threatened to be hung in 1864 for voting the Union ticket," King observed, and "threatened on account of my Union sentiments on many cases."

³⁸ Richard W. King (Lenoir, no. 7669), Southern Claims.

After the war, King would go on to serve in the state senate where he became strong advocate of Congressional Reconstruction policies.³⁹

Many other unionists also resisted Confederate currency and made that a key part of their post-war evidence of loyalty. Anderson T. Goodwin, a white farmer from Wake County, “refused to take Confederate money” only to be threatened with arrest. Ruth Spilman, a white woman from Yadkin County, refused payment in Confederate script for some of her corn believing that the money “was worthless and never would be [of] any account.” Likewise, white unionist Sarah Dalton, a wealthy slaveholding plantation mistress who lived on her three hundred acre farm in Yadkin for fifty years, told her neighbor that she refused “to take Confederate money for debt, so little faith had she in either the money or the cause of the Confederacy.” According to John Carson, a wealthy white farmer from Rowan County, “I was threatened with imprisonment if I refused to take Confederate money.”⁴⁰

Historian Steven Mihm has argued that Confederate currency “could be refused in business transactions without any penalty” since the script was not legal tender. While Mihm is accurate that Confederate citizens could refuse the currency during normal business transactions, southern unionists could only refuse this currency at their peril. Many unionists were forced to take the script in payment being threatened with violence if they did not. This was especially true during the early phase of the war when impressments were still being paid for in Confederate

³⁹ Ibid.

⁴⁰ Anderson T. Goodwin (Wake, no. 1870), Southern Claims made a strong claim to unconditionally fidelity not only because of threats and refusal of currency but because he approached William Holden about running as a peace candidate for Governor in 1864; Ruth B. Spilman (Yadkin, no. 3,515), Southern Claims demonstrated clear opposition to the war and anti-slavery principles, despite her ownership of slaves in her testimony; Sarah Dalton (Yadkin, no. 3,487), Southern Claims was one of the most politically astute and engaged female unionists found in the SCC records; Dalton’s sympathies for the Whig Party, Henry Clay, and agreement with anti-slavery principles made her case for loyalty very strong; few women or men as wealthy as Dalton could make such a convincing case for unconditional loyalty; John Carson (Rowan, no. 3,483), Southern Claims had deep political connections with other unionists and peace advocates during the war; the testimony of Dr. James G. Ramsey and Hardie Hogan Helper, the brother of anti-slavery writer Hinton Rowan Helper, made his claim to unconditional loyalty strong.

money and not simply seized. Only a handful of unionists were able to resist the Confederate currency and even those individuals were sometimes arrested or threatened with bodily harm.⁴¹

Just as many unionists were forced to pay their tithes and taxes under coercion, it was the rare unionist who could refuse taking Confederate currency. Confederate money was the symbol of the economic viability of the Confederacy, and if people were permitted to refuse it, they were not fully recognizing the Confederate government. Most local Confederates who encountered this form of resistance were unwilling to permit this. Confederate script embodied the idea of the white southern regime and officers who came to the property of unionists to buy goods during the first two years of the war (before impressments and repayment for property became rare) were obstinate, often threatening those who refused the script. Such refusal was a direct blow at the credit and solvency of the Confederate war effort.⁴²

When the Union disintegrated in 1861, so did the U.S. Constitution in the American South. The first amendment to the U.S. Constitution protected freedom of political speech as a fundamental civil liberty for all Americans, and the Confederate Constitution adopted similar language protecting freedom of religion, speech, and assembly in Article 1, Section 9, Paragraph 12. “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble and petition the government for a redress of grievances.” While the Confederate Constitution purported to protect freedom of speech, unionists lost this basic

⁴¹ Steven Mihn, *A Nation of Counterfeiters: Capitalists, Con Men, and the Making of the United States* (Cambridge, Harvard Univ. Press, 2007), 321.

⁴² On the Confederate treasury and finance, see Richard C. Todd, *Confederate Finance* (Athens, GA: Univ. of Georgia Press, 1954); Douglas B. Ball, *Financial Failure and Confederate Defeat* (Urbana: Univ. of Illinois Press, 1991).

American right in the police state of North Carolina. Threats of imprisonment, violence and death accompanied any public pronouncement in favor of the United States government.⁴³

Reasons for celebration were rare for unionists on the southern home front but military setbacks for the Confederate armed forces in the field and the death of their leaders provided solace to unionists who were attempting to maintain their own political identity. Likewise, Confederate victories depressed unionists. Celebration of these setbacks on the Confederate home front were obviously done in secret and provided important psychological succor to beleaguered unionists.⁴⁴

“I was glad that the Confederates did not take Washington in the battle of Manassas,” Wilson R. Sutton, a white fisherman from a local unionist community in coastal Dare County remembered, and “I was pleased to hear of the capture of New Orleans, and greatly rejoiced when Vicksburg fell.” John Fink of piedmont Cabarrus County was nearly killed by one local Confederate just for the way he talked about the outcome of the surrender of Vicksburg in July 1863. “Shortly after the fall of Vicksburg I was stating the fact that the Union arms were making such rapid progress in the West,” Fink asserted. “A man present became enraged at the manner in which I stated these facts and calling me a tory rushed at me with an ax but did no damage.” Samuel D. Yokely of central Davidson County was “threatened of being burned out” for not allowing his boys to enter Confederate service, but continued to privately lament and celebrate the U.S. Armies activities. “I was sorry to hear of the defeat of the Union Army at Bull Run or

⁴³ *The Constitution of the Confederate States of America* (Milledgeville, GA: Boughton, Nisbet, and Barnes, State Printers, 1861).

⁴⁴ William Warren Rogers, “Safety Lies Only in Silence: Secrecy and Subversion in Montgomery’s Unionist Community,” in John C. Inscoe and Robert C. Kenzer, eds., *Enemies of the Country*, 172-187, and Storey, *Loyalty and Loss*, 49-55 have both found examples of these unionist celebrations and covert gatherings in Alabama. Question number fourteen of the standing SCC interrogatories asked claimants “What were your feelings concerning the battle of Bull Run or Manassas, the capture of New Orleans, the fall of Vicksburg, and the final surrender of the Confederate forces?” This forced individuals to explain their direct connection and beliefs on the outcome of specific wartime events. The idea being that true Confederate would not be willing to swear that they were glad to see New Orleans and Vicksburg fall or General R.E. Lee’s Army defeated at Gettysburg.

Manases[sic]. I was glad to hear of capture of New Orleans and the fall of Vicksburg, and rejoiced to hear of the surrender of General Lee.” Clinton Williams of Wake “I felt bad at the result of the Bull Run battle, I felt correspondingly glad at the result of the capture of New Orleans and fall of Vicksburg. I felt that day light was breaking. At the final surrender I felt that daylight had come and the government saved.”⁴⁵

The death of Confederate General Thomas Jonathan “Stonewall” Jackson, who represented a shining beacon of hope to the Confederate war effort and a sustainer of Confederate nationalism was especially celebrated throughout North Carolina among unionists. John Tilley of Surry County was repeatedly threatened with hanging by Captain James Snow of the home guard during the war for his union sentiments, but according to fellow unionist James Hawkes he “rejoiced when he heard of the union victories and rejoiced when he heard of the death of Stonewall Jackson.” Alexander Flanner was a slave of white unionist Joseph H. Flanner of Wilmington, who according to one slave “was anxious for the Union army to come and make us all free.” Alexander, other slaves and white unionists gathered at Joseph H. Flanner’s farm to discuss politics during the war. In addition to hiding escaped U.S. soldiers under his house, fellow slave William Myers heard Alexander Flanner “shout for joy when he heard that Stonewall Jackson had been killed.”⁴⁶

⁴⁵ Wilson R. Sutton (Dare, no. 17,730), John Fink (Cabarrus, no. 10,651), Samuel D. Yokely (Davidson, no. 10,939), Clinton W. Williams (Wake, no. 875), Southern Claims; Clinton Williams’ claim is an example of how unionists survived due to corruption and internal weakness in the Confederate chain of command. According to Williams, “By the use of money, and the aid of Thomas Howell and wife I and my two brothers were sent to Wilmington N.C. and placed in charge of Capt. Poindexter a receiving officer of the Confederate navy. Capt. Poindexter was a relative of Mr. Howell. This was in August 1864. I and my brothers remained there until the Union army took possession of the city of Wilmington in 1865. I then remained inside the Union lines until the war was over. While under the charge of Capt. Poindexter I nor my brothers were never called on to do any duty, this was owing to the fact that Capt. Poindexter was under the influences above stated, and knew that our object was to avoid doing anything against the Union government. During the time I and my brothers were on the receiving ship, thousands of men were passed by us on their way to duty in the Confederate navy.”

⁴⁶ John Tilley (Surry, no. 10,390), Alexander Flanner (New Hanover, no. 8852), Southern Claims.

Unionist women also celebrated the death of Jackson. Across the state in highland Caldwell County, Confederate Julia Gwyn fretted anxiously in July of 1863 about the strong union feeling “among the women as well as the men.” She explained that many disaffected women were writing for their husbands to come home from the Confederate army, which explained the high desertion rates in summer 1863. But what distressed her even more was that local unionists had formed a military company “up at Trap Hill! march under an old dirty United States rag! etc. Some of the people about here have actually rejoiced at the death of Genl. Jackson! Oh! it makes me so mad to think about it that I just want to fight, and I wish the Yankees had the last one of them.” Laura Norwood of Caldwell also complained to her uncle James Gwyn that after twenty men from that county were killed at Gettysburg and Vicksburg felt that “I am grieved to see (though it is to be expected) that some of our people are becoming despondent and disloyal too.”⁴⁷

Some individuals even dared speak against the institution of slavery. William Bryant, a unionist slave, who was forced to work at the Confederate Arsenal at Fayetteville in Cumberland County, resisted through speech in a dangerous environment telling locals that “the war was brought on for the purpose of holding the cold[.] people in slavery.” Any political speech by slaves could mean the threat of death or at the minimum a violent reprisal.⁴⁸

Aid and Comfort to Confederate Enemies

⁴⁷ Julia Gwyn, 25 July 1863, James Gwyn Papers, Southern Historical Collection, Wilson Library, University of North Carolina at Chapel Hill; Laura Norwood to Uncle James Gwyn, 17 July 1863, James Gwyn Papers, Southern Historical Collection, Wilson Library, University of North Carolina at Chapel Hill; on Caldwell County, see David H. McGee, “Home and Friends: Kinship, Community, and Elite Women in Caldwell County, North Carolina During the Civil War.” *NCHR* 74 (1997): 363-388.

⁴⁸ William S. Bryant (Cumberland, no. 17,582), Southern Claims.

Without direct aid by unionists to Confederate deserters, escaped U.S. Army prisoners of war, and each other, the repressive Confederate state might have succeeded in suppressing even more dissent, both public and private. Sometime in late 1864, six Union soldiers, two officers and four enlisted men were cautiously making their way through the dense woods near the South Carolina-North Carolina border away from the Confederate prisoner of war camp at Florence, S.C. where they had been held. While thousands of P.O.W.s were rotting away in camps across the country, these men were resourceful enough to escape, but they were well over one hundred miles from the closest U.S. Army force at New Bern, North Carolina, and the roads were filled with anxious Confederate citizens and pickets on the watch for deserters and escapees. The six soldiers were in a precarious position, having just escaped from the tentacles of a Confederate war machine in its death throes, but the men had to have been wondering how they were going to make it to safety. Until they happened upon John R. Little, a white unionist from Rockfish in Cumberland County, North Carolina, who was then traveling in South Carolina. The Cumberland County man may have been on business related to a small cotton mill he ran. Little secretly carried the soldiers in his wagon across the Pee Dee River at Society Hill, South Carolina and fed the men.⁴⁹

Once in North Carolina the fugitives still were not safe, but again their luck held. When free black unionist L.W. Levy Sr., who had been conscripted and forced to work for the Confederate arsenal at Fayetteville as a saddle and harness maker, had been recently discharged due to shortage of leather supplies and came to the soldiers aid. "It was my orders that all U.S. soldiers or officers that might come to my house should be taken care of and all the information given them that they needed," Levy remembered telling his family. After feeding the men, Levy had his son take the soldiers to the home of another free black unionist Alexander Jackson,

⁴⁹ John R. Little (Cumberland, no. 53), Southern Claims.

another harness maker who rented land two miles north of Fayetteville. Jackson, who “fished at night” along the Cape Fear River, guided the men to the river and “beyond the [Confederate] pickets.” Jackson told how he next “went with them about two miles to put them on the road to Newbern N.C.” According to one of Jackson’s friends, if his actions “had been known to the rebel authorities he would have suffered death.” It is not clear whether the six soldiers ever made it safely to New Bern but if they did, it was largely due to the help of a network of white and black southern unionists operating in their own communities and neighborhoods.⁵⁰

One of the Confederacy’s largest prisoner of war stockades and North Carolina’s only major military prison for Union prisoners was located at Salisbury in piedmont Rowan County. Prison breaks there during the war led directly to numerous occasions when unionists were able to directly aid enemies of the Confederate state. John M. Carson of Alexander County in western North Carolina aided and comforted six Union soldiers escaped from Salisbury prison “secretly by the hands of a negro” and on five different occasions acted as the doctor to union men shot by deserters. Another physician, Cabarrus County native John Fink, gave an escaped prisoner from Salisbury one hundred dollars in Confederate money so that he could escape and then provided the soldier with directions to the home of another unionist sympathizer named Abraham Goodnight who guided the escapee “75 to 100 miles into the mountains of W.NC in the fall of 1864.” Fink was even arrested for encouraging the desertion of a man named William Earnhart from the Confederate Army during the final months of the war. Likewise, Cabarrus County residents George M. Meisenheimer and Isaac West “an old soldier of 1812” both gave directions to four escaped prisoners from Salisbury “by showing them a map and pointing out the way to

⁵⁰ L.W. Levy Sr. (Cumberland, no. 16,083), Alexander Jackson (Cumberland, no. 1714), Southern Claims.

the Federal lines” when General George Stoneman and W.T. Sherman’s armies were traversing the state in late 1865.⁵¹

While the escape of Federal soldiers from Salisbury and other prisons revealed a network of both black and white unionists working together to aid the Union, this only displays one small way in which hardcore unionists fought the Confederacy by aiding its enemies. Confederate desertion became an acute problem between 1862 and 1864 and unionists provided a vital life line to these new southern dissenters.

Sometime simply discussing the cause of the war and providing solace was enough to aid a deserter or draft dodgers. Confederate soldier John Eason of Cumberland County deserted back home in 1862 and while there he regularly conversed with Willie Millender, a local free black, about the cause of the war. Millender provided a safe person for the deserter to talk to about the war because Millender “expressed himself to be a union man.” For a free black like Millender, private discussion of the union cause could water the seeds of dissension, but others went beyond private conversations.⁵²

Lazarus Stewart, white unionist from Harnett County in eastern North Carolina, had a brother named Jesse and three nephews who enlisted in the Confederate service even though “he advised them to stay out.” While Stewart could not persuade his own family, he did provide aid to those of like mind. Isham McLane, one of the men in the woods, remembered “his kindness to me and others while in the woods to keep out the army.” William L. Edwards of Greene County, who had been forced into the Confederate home guard against his will, calling the service

⁵¹ John M. Carson (Alexander, no. 20,185), John Fink (Cabarrus, no. 10,651), and George Meisenheimer (Cabarrus, no. 16,527), Southern Claims; on Salisbury Prison, see Louis A. Brown, *The Salisbury Prison: A Case Study of Confederate Military Prisons, 1861-1865* (Wilmington, NC: Broadfoot Pub. Co., 1992) and Charles W. Sanders, *While in the Hands of the Enemy: Military Prisons of the Civil War* (Baton Rouge: Louisiana State Univ. Press, 2005), 48-49, 253-254.

⁵² Willie Millender (Cumberland, no. 10,955), Southern Claims; on aid to deserters in western North Carolina, see Inscoe, “Moving Through Deserter Country,” 158-186.

“disgusting to him,” demonstrated his assertion when in April 1864 he aided six union refugees and Confederate deserters safely into the Union lines and stayed there for the remainder of the war.⁵³

Wealthy, slaveowning ladies like white unionist Sarah McSween of Richmond County used their social status to protect deserters and resources. “I had a plantation three miles from where I now live and I told my negroes to let deserters from the Confederate army have my keys to get something to eat and shelter from the weather when they wanted it and to cook for them when they would be there at all times,” McSween observed. “I was in constant fear of those who were hunting deserters from the Confederate army that they would come and burn my property.” McSween even went so far as to tell her slaves not to observe Confederate fast days declared by Confederate President Jefferson Davis.⁵⁴

White widow Elizabeth Jollay of Alexander County encouraged her son to desert the Confederate Army. Jollay, who was in her early forties during the war, had two sons one who volunteered at age seventeen and one too young to enlist. After convincing her one son to desert and hiding him in the woods for two years, she eventually sent her boys on the dangerous journey through the lines to Indiana. During 1863 and 1864, the Raleigh Guard threatened Jollay repeatedly while they hunted deserters. The guard even threatened to shoot her for aiding deserters and escaped U.S. prisoners who were secreted in the mountains en route to Tennessee.⁵⁵

Mary E. Carver, a wealthy slaveowner from Cumberland County, told neighbor Zachariah Plummer in late 1861 “that she wished that Jef. Davis neck had been broke before he

⁵³ Lazarus Stewart, (Harnett, no. 7632) and William L. Edwards (Greene, no. 1617), Southern Claims.

⁵⁴ Sarah M. McSween (Richmond, no. 2195), Southern Claims.

⁵⁵ Elizabeth Jolly (Jollay) (Alexander, no. 824), Southern Claims. SCC commissioners misspelled her name, but she signed it “Jollay.” On the Raleigh Guard, see David Howell McGee, “‘On the Edge of the Crater’: The Transformation of Raleigh North Carolina During the Civil War Era,” (Ph.D. diss., Univ. of Georgia, 1999).

brought the Confederate war on. At all of our meetings she expressed her self in favour of the United States Government and opposed to the Confederacy.” During the war, she used every opportunity she had to prove her assertion, even encouraging her husband who was conscripted in 1863 to desert the Confederate Army and “go to the Union Army.” Hardy L. Perry, one of the many deserters she helped during the war recounted, how “during the last 3 years of the rebellion [she] frequently harbored him and furnished him with provisions when he was deserter from the rebel army.” According to Perry, “he was conscripted against his will and immediately deserted and was captured once by the deserters hunters while he was lying out and they shot him through the body at the time and so captured him.” He testified that he had “Known her to give aid and comfort to a great many deserters from the rebel army both those with whom she was acquainted and those she did not know,” even asserted that he had “known her to be threatened with harm for giving aid to deserters.” These women were precisely the unionists that Confederate Julia Gwyn of Caldwell County had worried about in her correspondence.⁵⁶

Enlistment in and Support for the U.S. Army

North Carolina’s white and black male and female unionists supported the Federal war effort in a number of key ways. Building fortifications, piloting ships in the coastal sounds, and baking and cooking for U.S. soldiers were just a few ways many unionists directly sustained U.S. Army occupation in the coastal counties. Guiding, scouting and providing intelligence to Federal forces also played a vital role in improving U.S. plans for occupation, incursion into the interior of North Carolina and the final invasions by Generals George Stoneman and William Tecumseh

⁵⁶ Mary E. Carver (Cumberland, no. 9333), Southern Claims.

Sherman in 1865. But clearly one of the most important contributions made by North Carolina's unionists to the Union's war effort was enlistment in its Army.⁵⁷

Blount Cherry, a white grocer and turpentine seller from Morehead City, Carteret County, not only took the oath of allegiance to the U.S. after his home town was garrisoned by the U.S. Army in 1862, but he spent part of the war as ship pilot on his boat ferrying U.S. soldiers in General Ambrose Burnside's expeditionary force across Bogue Sound. After his master threatened him with hanging, Jacob Grimes, a North Carolina slave, ran away to the U.S. lines at Washington County where he not only worked as a guide for U.S. Army scouting parties but built fortifications and breastworks for the U.S. troops garrisoned in the county during their occupation. White unionist Hester P. Harrison of Washington County spent part of the war making clothes for the U.S. troops stationed near her home. While free black Jarvis M. Williams and his family spent 1862, 1863, and 1864 providing foodstuffs to the U.S. soldiers stationed in occupied Beaufort County where they ran a bakery. Julia Steward, a free black washerwoman from Beaufort in Carteret County, remembered how her husband Marcus, a skilled sea captain tended sick Union soldiers, provided vegetables for them from his own garden, and even piloted them in the sounds in his own boats. "He often spoke to the officers about where to put blockades and obstructions to prevent the rebels getting in to Beaufort harbor....He was always ready and willing to do anything he was called upon to do to pilot troops up the sound and rivers-

⁵⁷ Clearly not all blacks supported the policies of the U.S. Army during military occupation and many were forced to work against their will, but a number were clearly unionist in political principles. See, Judkin Browning, "'Visions of Freedom and Civilization Opening Before Them': African Americans Search for Autonomy during Military Occupation in North Carolina," in Paul D. Escott ed., *North Carolinians in the Era of the Civil War and Reconstruction* (Chapel Hill: Univ. of North Carolina, 2008), 68-100; the superintendant of black workers for the U.S. Army released a wartime pamphlet on the contributions of these workers to the Union war efforts, see Vincent Colyer, *Report of the Services Rendered by the Freed People to the United States Army: in North Carolina, in the Spring of 1862, After the Battle of New Bern*. (New York: Private Pub., 1864).

-He went at all hours of the day or night when ever wanted or called upon,” Julia recounted, and “he often was trusted to carry dispatches for the Union Troops.”⁵⁸

Guides, scouts and intelligence were absolutely fundamental for the U.S. Army to succeed in its operations, and without local unionists to provide reliable information and service, the Federal cause would have faced even more difficulties in their wartime activities in North Carolina. Many of the scouts and guides in the mountains and on the coast also operated as recruiters for the U.S. Army. General Ambrose Burnside employed free black unionist Stanton Howell of Wayne County as a guide for six months Howell was arrested by Confederates and kept in jail three weeks. “I passed frequently through the rebbel [sic] lines as a scout and recruiting from the Federal service during year 1862 into Cherokee County NC on each occasion from 1 to 5 days,” Thomas Runions, a white mountaineer remembered. Runions and his family had been threatened with death repeatedly and as a result moved cautiously across the lines to Tennessee where he secretly began returning to North Carolina as a guide and recruiter for the U.S. Army’s Fifth Tennessee Mounted Infantry. John M. Carson, a white physician of Taylorsville, Alexander County, was even consulted by six U.S. soldiers who covertly arrived at fellow unionist Abraham Goodnights’ home before Colonel George Kirk made his 1864 raid into western North Carolina. In March 1865, white unionist Franklin Thomas of Greene County provided intelligence that a Confederate scout named O’Connor was in his neighborhood and immediately went to Kinston to inform the U.S. Army. During General George Stoneman’s raid in 1865, John Horton a white unionist from Watauga County, not only provided food and

⁵⁸ Blount Cherry (Carteret, no. 11,628), Southern Claims, Jacob Grimes, (Craven, no. 3527), Southern Claims Disallowed, Hester P. Harrison (Washington, no. 22, 165), Jarvis M. Williams (Beaufort, no. 20,116), Southern Claims Disallowed, Julia Steward (Carteret, no. 1853), Southern Claims; on the garrisoned U.S. Army occupation in this region, see Judkin Browning, “‘Wearing the Mask of Nationality Lightly’: The Effects of Union Military Occupation During the Civil War,” (Ph.D. diss., Univ. of Georgia, 2006).

information to Stoneman's troopers when they arrived at Boone. He also gave them intelligence on two union men imprisoned at the city jail named "Welborn" and Joseph Harrison.⁵⁹

North Carolina's white and black unionist population contributed a total of eight regiments of troops to the U.S. Army during the Civil War, four white and four black. Officially historian Richard Nelson Current placed the enlistment figure for white North Carolina Union troops at 3,156 in their four regiments, but this did not include the large number of soldiers recruited by other states from escapees of the piedmont and mountain regions of North Carolina. Amateur historian Terrel T. Garren has recently challenged unionist Alexander Hamilton Jones' estimate of more than 4000 Union troops recruited from western and piedmont North Carolina by asserting that only 1836 men from the mountain counties could be found in the muster rolls of the western North Carolina or East Tennessee U.S. Army regiments. Since many of Garren's men were also part of Current's study, Garren added likely only a few hundred more to the statewide total not the several thousand Jones suggested. Nevertheless, many men joined Union regiments from Tennessee and Kentucky and a sizable number died in the attempt to leave the state. Historian Richard Reid's exemplary group-study of the black U.S. regiments from the state placed the number of black North Carolina recruits at approximately 6000 men. Even with the revisions to Jones numbers, a conservative estimate would put the total contribution of white and black U.S. soldiers from North Carolina's unionist population at roughly 10,000 men. Given this number, it is not surprising that fifty-one of 362 or roughly one in seven claimants to the SCC testified that they had either joined the U.S. Army or had a member of their family who had done so. Many claims included multiple family members who joined the U.S. forces. The average age of SCC claimants was early forties and partially explains why an even higher number of

⁵⁹ Stanton Howell (Wayne, no. 12,253), Thomas Runions (Cherokee, 18,805), John M. Carson (Alexander, no. 20,185), John Horton (Watauga, no. 10,393), Southern Claims.

claimants did not serve in the U.S. Army. While for others claimants, it was the difficulty of escaping the restrictions of the pass system, difficult terrain, or unwillingness to leave family members or one's property defenseless on the home front.⁶⁰

The four white regiments recruited among North Carolina's unionist population were recruited primarily among men from the eastern coastal counties and western mountain counties. The First and Second North Carolina Union Volunteers were recruited and organized at New Bern, North Carolina in June 1862 and November 1863 respectively, and the Second and Third North Carolina Mounted Infantry was formed by officers from North Carolina in Knoxville, Tennessee in October 1863 and June 1864 respectively.

Typical of the experiences of the white unionists who joined the U.S. Army was Henry E. Lassiter of Pasquotank County. Lassiter was among the men who joined the white First North Carolina Union Volunteers on the coast, who eventually became a Sergeant in Co. E of the regiment. Lassiter joined in August 1862 after Confederate tried to kill him for refusing to enlist and destroyed his family's property. According to his brother Rufus, "He was abused and hunted down by the Confederates soldiers. They searched around his residence for him...threatened if they found to kill him and at least one time when he was getting away from them they shot at

⁶⁰ Frederick H. Dyer, *A Compendium of the War of the Rebellion: Compiled and Arranged from Official Records of the Federal and Confederate Armies Reports of the Adjutant Generals of the Several States, The Army Registers and Other Reliable Documents and Sources* (Des Moines, IA: Dyer Pub. Co., 1908), 1471-1472 includes brief recruitment histories of all eight North Carolina units; Richard Nelson Current, *Lincoln's Loyalists: Union Soldiers From the Confederacy* (Boston, MA: Northeastern Univ. Press, 1992), 216-217; Jones, *Knocking at the Door*, 35. In his memoir, white unionist Alexander Hamilton Jones claimed that 5,790 white males aged seventeen and over crossed the lines from the piedmont counties of the Seventh U.S. Congressional District and twenty mountain counties of the Ninth and Tenth U.S. Congressional Districts and that three-fourths of those men entered the Union Army. He also estimated that 183 died in the attempt at getting through to the Union lines; Terrell T. Garren, *Mountain Myth: Unionism in Western North Carolina* (Spartanburg, S.C.: The Reprint Company, Publishers, 2006), 15 challenges Alexander Hamilton Jones' figures through an analysis of muster rolls for the white U.S. troops recruited from just mountain counties not the piedmont district. He revises the number from western North Carolina counties specifically down to only 1,836 men; on North Carolina's black U.S. troops, see Richard M. Reid, *Freedom for Themselves: North Carolina's Black Soldiers in the Civil War Era* (Chapel Hill: Univ. of North Carolina Press, 2008), xiv.

him.” Lassiter continued to work as a pilot and soldier for the regiment until he was discharged in 1865.⁶¹

Andrew Caldwell was another typical white unionist who joined the Federal forces. After his father was killed on their Haywood County farm in 1863, Andrew Caldwell, who was conscripted and escaped Confederate service, joined Company H of Colonel George Kirk’s Third North Carolina Mounted Infantry in January 1865. He spent the next eight months in Kirk’s service alongside a brother and two uncles. Caldwell’s experience was typical of many men from the mountains who had to flee from their homes and could only come back to North Carolina safely in Union blue.⁶²

During the course of the war, Lincoln’s administration opened a second front behind Confederate lines when he authorized black regiments. First under the Militia Act of summer 1862 and then after the formal Emancipation Proclamation in January 1863, black Union soldiers from North Carolina became some of the most important examples of inflexible commitment to the Union cause. Over the course of the war, the U.S. Army recruited four black regiments from the free black and former slave population of North Carolina: the First, Second and Third North Carolina Colored Volunteers and the First North Carolina Heavy Artillery. All four of these regiments were recruited from the population of free blacks and slaves that lived in counties of eastern North Carolina closest to towns garrisoned by the U.S. Army, especially New Bern, Beaufort, Morehead City, Elizabeth City and Plymouth.⁶³

Among the black North Carolinians who joined these units were family members of Luke Mason, William Martin, and Jacob Cherry. Luke Mason a free black unionist from Craven

⁶¹ Henry Lassiter (Pasquotank, no. 19,867), Southern Claims.

⁶² Andrew C. Caldwell (A.C. Colwell) (Haywood, no. 16,319), Southern Claims.

⁶³ For important studies that focus on North Carolina’s black U.S. Army regiments and their leadership, see Reid, *Freedom For Themselves*, and Myers, *Executing Daniel Bright*, chapter three.

County had a son in a U.S. regiment on the coast for four years and he furnished him with clothes throughout the war. William Martin also a free black from Craven had two sons in the First North Carolina Heavy Artillery, John and Sam. Jacob Cherry of Beaufort had a brother name Alford Gorham who joined the U.S. Army in 1862.⁶⁴

Western North Carolinians also joined other U.S. Army regiments primarily in neighboring Tennessee. White unionist Green Burgess enlisted in the Seventh Tennessee Mounted Infantry along with his son and several other local men. Burgess had repeatedly helped men during the war make their way secretly and safely to Tennessee and was arrested on several occasions by the Confederates for his activities. On one occasion Confederates “took him out and stopped to decide who would shoot him...while they talked about it, he made a break for it and escaped...they fired at him while he ran.” Alexander Merrill from Henderson County ran a mill until the Confederate Army arrested him in March 1864. He quickly deserted and took his three adult sons through the lines where they joined the U.S. Army’s Twelfth Tennessee Cavalry. While away, Alexander’s wife Mary suffered repeated threats from angry Confederates, who threatened “to tear her all up” if she refused to bring her husband and sons back.⁶⁵

The Heroes of America, the North Carolina Peace Movement and the Gubernatorial Election of 1864

One of the most successful forms of political and social networking among wartime political dissidents within the Confederacy came in the form of the Heroes of America, a

⁶⁴ Luke Mason (Craven, no. 5,226), William Martin (Craven, 17,767), Jacob Cherry (Beaufort, no. 20,118), Southern Claims.

⁶⁵ Green Burgess, (Cherokee, no. 508), Mary Merrill, Estate of Alexander Merrill (Henderson, 16,065), Southern Claims.

clandestine organization that emerged across Confederate controlled counties in eastern, central and northwestern North Carolina following the adoption of the Confederate conscription law. The Heroes were also commonly known as the “Red Strings,” as part of their secret political identification was to hang a red string on the outside of one’s house so that U.S. Army or fellow unionist would know the loyalty of the family that resided within. The organization used a number of secret codes, grips and passwords to safely determine loyalty before divulging its secrets. It was impossible to know for sure how many individuals belonged to the organization at its height, but the membership likely involved several hundred individuals and evidence exists for members in at least fifteen counties across the state.⁶⁶ It is striking condemnation of the Confederacy as a allegedly democratic republic that even white unionists and other dissidents were forced into an underground organization to maintain their political identity. In a state where avenues for legitimate political dissent were seriously restricted and constrained because of threats of violence and imprisonment for treason against the Confederacy, the Heroes became a broad organization encompassing not only unconditionally loyal unionists but also Confederate conscript evaders, deserters and disaffected citizens of many stripes.

A clear religious connection can be made to the choice of red strings as part of the political identification of the organization and as part of the initiation rights of the Heroes, which included verses from the Book of Joshua about the story of Rahab. “Behold, when we come into the land, thou shalt bind this line of scarlet thread in the window which thou didst let us down

⁶⁶ Pinning down the extent of Heroes of America membership in North Carolina is difficult from extant sources since no membership rolls exist. Nevertheless, the SCC allowed claims demonstrate that membership included men from Forsyth, Rowan, Davidson, Cabarrus, Lenoir, Orange, Wake, and Stokes. Evidence of membership from Wayne, Chatham and Moore emerged from research in the North Carolina SCC disallowed claims. Furthermore, J.G. de Roulhac Hamilton identified members in Randolph, Richmond, and Caswell, and Scott Reynolds Nelson, “Red Strings and Half Brothers: Civil Wars in Alamance County, North Carolina, 1861-1871,” in John C. Inscoe and Robert C. Kenzer eds., *Enemies of the Country*, 37-53, uncovered a substantial network of Heroes in Alamance; for an examination of the Heroes of America in the unionist stronghold of West Virginia, see Kenneth W. Noe, “Red String Scare: Civil War Southwest Virginia and the Heroes of America,” *NCHR* 69 (1992): 301-322.

by: and thou shalt bring thy father, and thy mother, and thy brethren, and all thy father's household, home unto thee." The red string functioned both as a political symbol and as symbol of distress among unionists threatened. It became a way to covertly alert other unionists of trouble.⁶⁷

Contrary to the assessment of some of the early scholarship on the Heroes of America, it was not an all-white unionist organization. In 1907, University of North Carolina history professor J. G. de Roulhac Hamilton asserted in the proceedings of the Southern Historical Association that "its membership was confined to white persons" and "as a rule they were not the most estimable of citizens."⁶⁸ Both white and blacks were initiated into the organization in some counties. A network in Davidson County disproves Hamilton's assertion. George Clark, a free black blacksmith, was initiated into the local Heroes organization along with three white members. Reagan, "frequently heard him [Clark] say that he hoped the Federal Army would succeed; that he would be made a slave if the Confederate army succeeded...I heard of his feeding several Union soldiers and Deserters from the Confederate Army who were Union men." In April 1865, Clark piloted General George Stoneman's U.S. Cavalry command during part of their raid from his home in Davidson County to Salem in neighboring Forsyth. Both Ball and Long were sizable property owners with more than \$1400 in real property in 1860; Clark had none. Clearly both an inter-racial and inter-class alliance had been forged in the face of the

⁶⁷ *The Bible*, Joshua 2:18. Part of the Initiation Right of the Heroes of America; Hamilton, "The Heroes of America," 10-19 includes the three degrees of initiation.

⁶⁸ Hamilton, "The Heroes of America," 10-19; while Hamilton clearly interviewed a living member of the organization for his article, and his article is illuminating on the initiation rights that the Heroes of America used, his piece is wholly inaccurate in its assessment of the membership of the organization being entirely white and of the lowest class of citizens. It is likely that individuals members had only limited contact with other members beyond their own small social network that inducted them, which might explain the inaccuracy in Hamilton's claim. Some evidence exists that traveling itinerant ministers including Rev. W.N. Bragg a Baptist Minister of Raleigh played a key role in disseminating political information and inducting members. Bragg is mentioned in both Hamilton's article and the SCC claim of James W. Buck (Wake, no. 1868), Southern Claims.

Confederate police state. Following the war, many members of the Heroes white and black became members of the Union League.⁶⁹

The Heroes were involved in a range of activities. As a member, Charles Long allowed Confederate deserters to hide out on part of his plantation and “he would leave victuals where they could find it.” Historian Scott Reynolds Nelson found that the Heroes of America in Alamance County played a prominent role in helping men evade conscription through use of the writ of habeas corpus. While editorial writers for the *North Carolina Standard*, who sympathized with the Red Strings, focused their vitriolic attacks on Jefferson Davis’s use of martial law to quell dissent. In 1863, Davis suspended the writ of habeas corpus for ten miles around the military prison at Salisbury, North Carolina, which created martial law in those counties. One anonymous writer to the *Standard* “Davie” angrily denounced the enforcement of martial law: “The military go abroad, and without warrant or probable cause, supported by oath, they seize their prisoners, and with all possible speed, convey them to this place where the law is dead, and the sorrows of captivity fall on the walls of stone.”⁷⁰

The Heroes of America also became a political organization that supported the state’s peace movement and the election campaign of gubernatorial candidate William Woods Holden in 1864.⁷¹ Although a Democrat and an original secessionist, by 1863 Holden, the editor of the

⁶⁹ George Clark (Davidson, no. 2,708); Philip Ball (Davidson, no. 2,304); Charles Long (Davidson, no. 2,707); Subsequent SCC testimony for these three claims reveals an extensive inter-racial Heroes of America organization in the central piedmont. 1860 census data on economic backgrounds Pure commitment to the Union was not the only reason many Heroes members had for supporting the organization. A number of Heroes members could claim a specific grievance against the Confederacy. Phillip Ball and Charles Long had sons conscripted against their will. Caleb Idol of Forsyth County was threatened with hanging; Honey, “The War Within the Confederacy,” 75-93 also asserts a level of inter-racial cooperation between artisan class whites and blacks who shared the same economic outlook.

⁷⁰ Nelson, “Red Strings and Half Brothers: Civil Wars in Alamance County, North Carolina, 1861-1871,” 40-42; *North Carolina Standard*, 30 January 1863.

⁷¹ Hamilton, “The Heroes of America,” 14; on Holden, the 1864 election, and North Carolina peace movement, see William C. Harris, *William Woods Holden: Firebrand of North Carolina Politics* (Baton Rouge: Louisiana State Univ. Press, 1987); David D. Scarborough, “An Honourable Peace: The Peace Movement in Civil War North Carolina,” (Ph.D. diss., Cambridge Univ., 1981).

North Carolina Standard, began sharply criticizing the Jefferson Davis and Governor Zebulon Vance's administrations of the war and began advocating that North Carolina negotiate a peaceful settlement with the federal government separate from the Confederacy. One Raleigh member of the Heroes, James W. Buck, spent much of 1863 serving as Holden's body guard. According to Buck and Holden, Buck would stop each night at Holden's home and act as an armed escort for the editor to the home of a Mr. Williams since Holden could not safely sleep in his own home for fear of being "murdered." Williams and Buck possessed "artillery" pistols and rifles to protect Holden. This protection was a wise cautionary move since a marauding group of Georgia soldiers eventually attacked and later destroyed Holden's press.⁷²

The extent of Confederate threats to unionists can be seen by the lack of political free speech that Holden retained during his brief gubernatorial candidacy. By 1863, a peace movement had emerged in the state of North Carolina and at its head was Holden. Although Holden was not an unconditional unionist many who voted for or attempted to vote for him were unionists because he was the best option they had. Following the defeat at Gettysburg more than one hundred public peace meetings were held in North Carolina during the fall of 1863 and unionists participated in these meetings. But these meetings that advocated peace not unionism were seen as treasonous. Peace advocates were disdained as treasonous in the Confederacy and even Holden's life was threatened. Unionists who supported the peace movement openly went as far as they could in a police state that denied political freedom of speech.⁷³

⁷² James W. Buck (Wake, no. 1868), *Southern Claims*. In a fascinating letter from William Holden that accompanied Buck's claim, Holden corroborates Buck's protection of him during the war.

⁷³ Roberts, "The Peace Movement in North Carolina," 190-199. Both Roberts article and the weight of the SCC claims data demonstrate the unreliability of the North Carolina home guards in many localities because of unionist membership, dysfunctional and corruption. Yet, the home guards remained a serious threat that terrified unionists into remaining quiet for fear of retribution.

While many Heroes doubtless voted for Holden and he was clearly aligned with the aims of the organization by the time of his gubernatorial campaign, the membership was not extensive enough to generate a large political base for his candidacy. The Heroes of America remained clandestine until in July 1864 during the run up to the August gubernatorial election in the state. Its existence was “outed” when a Caswell County native confessed to the *Conservative*, the voice of the Vance administration in Raleigh, that he had been a member. A number of confessions followed in the newspaper over the upcoming weeks. The Raleigh *Confederate* carried a confession that same month that claimed that the Heroes had originated in the North.⁷⁴

The general tenor of Confederate reaction to the revelation that the organization existed was shock and anger. R.H. Bacot of Kinston in Lenoir County wrote his sister that:

“A secret, treasonable league has been discovered in the state called the H.O.A.’s (Heroes of America) they are in league with the enemy & are all Holdenites. Since the disclosures, made by some members who became disgusted with the society, the remainder have kept remarkably quiet. I wish President Davis would have Holden & his entire clan taken up & hung; that would stop such rascals quicker than any conciliatory measures.”

In early August, from Hamptonville in Yadkin County G.N. Carter wrote Calvin Cowles of Wilkes County that “The military are making arrests of ‘Heroes of America’ in this county...I hope you have not organizations of this sort in Wilkes Co....I hope you will have nothing to do with it.”⁷⁵

Complicating analysis of the membership of the Red Strings is evidence that not all members were unconditionally loyal to the Union. While many members were inflexible unionists, some members were part of the politically dissident and disaffected population that emerged in North Carolina in 1863 and 1864 who either opposed the Confederacy because of its

⁷⁴ *Daily Conservative*, 6 July 1864; *Daily Confederate*, 8 July 1864.

⁷⁵ R.H. Bacot to Sister, 18 July 1864, R.H. Bacot Letters, North Carolina Department of Archives and History, Raleigh, N.C.; G. N. Carter to Bro. Calvin, 7 August 1864, Calvin Cowles Papers, North Carolina Department of Archives and History, Raleigh, N.C.

policies or were tired of the war. Many of these people, however, had also been secessionists or fence-riders who had served the Confederate Army in some capacity or taken an oath of loyalty while holding a civil office. Joseph C. Hogan of Orange County joined the Heroes of America but spent time making saltpeter for the Confederate army and hired a substitute to take his place in the army for two years of the war. William Thigpen of Wayne served in the militia without compulsion but later joined the Heroes. Edward Mabe Jr. of Stokes served in the home guard for two years before joining the Heroes. Jacob Sorrell voted for William Holden in 1864 and joined the Heroes during the war and even concealed a Union Army spy, but remained on the home front because he took an oath of allegiance to the Confederacy as a justice of the peace in Wake County. Nevertheless, the Heroes of America and the peace movement remained the only viable political alternatives available to unionists.⁷⁶

While a wide range of resistance methods were available to unionists during the war, perhaps the most determined unionists were those who became deeply embroiled in the local guerrilla conflicts that spread across North Carolina from 1862 onward--slowly eroding Confederate command and control. The complex nature of these local conflicts and the role of unionists as irregulars, counter-irregulars and/or non-combatants caught in between were the seeds of destruction for the police state Confederates erected.

⁷⁶ Joseph C. Hogan (Orange, 7078), William Thigpen (Wayne, no. 2381), Edward Mabe Jr. (Stokes, no. 10,896), Jacob Sorrell (Wake, no. 17,029), Southern Claims Disallowed; Thirteen different men claimed membership in the Heroes of America who ultimately had their claims disallowed by the SCC commission as a result of other disloyal activities during the war. As a rule, borderline loyalty cases were disqualified by the commission.

CHAPTER FOUR

Irregular Wars

“A State of Insurrection Against the Laws”

“Neighbor, n. One whom we are commanded to love as ourselves, and who does all he knows how to make us disobedient.”

Ambrose Bierce, *The Devil's Dictionary*

“Every state of the Confederacy is cursed with tories and traitors, and the sooner they are visited with swift punishment the better it will be for the cause of the South.”

Charlotte Western Democrat, 10 February 1863

Samuel D. Yokely was not afraid of the Confederate military, but he probably should have been. It was late in the home front conflict when Yokely organized a mission to save his friends and family. In 1864, Yokely's son and two of his neighbors were arrested and carried off from their homes in central North Carolina's Davidson County by the state home guard. The men were bound with ropes and hustled down the public road toward the rail lines that would carry them away to the Confederate army in northern Virginia. At this stage in the war effort, home guards and Confederate enrolling officers were hunting deserters and draft evaders all over North Carolina in the desperate hope of refilling the depleted ranks of General Robert E. Lee's vaunted army, and Yokely's son and neighbors were just the people the home guard were looking for—men dodging local enforcement of the Confederate conscription law, the last, best hope to replenish Confederate armies in the field. But Yokely, a wealthy slaveholder and strong unionist sympathizer, was not about to stand for it. He quickly rallied between fifteen and twenty local men to confront the home guard. Somewhere on the public road between Salem and High Point,

Yokely's party of unionists caught up with the Confederate force, surrounded the guard, and reclaimed the captured men after a brief skirmish.¹

This late war confrontation was not the Yokely family's first encounter with Confederate military officials. Three times prior to this incident Samuel D. Yokely had been arrested by Confederate forces for his sturdy unionist sentiments and staunch refusal to allow any of his five military age sons to enter Confederate service. During his first arrest, Confederates took Yokely to the county seat at Lexington and brought him before the local enrolling officer Capt. Pearson who threatened to send Yokely to the notorious Confederate prison Castle Thunder in Richmond, Virginia if he did not produce his sons, who were then evading Confederate service by lying out in the "bushes" of the state's piedmont region. Yokely refused to do this but after interrogation was released. After he returned home and while his sons hid out in the woods, Yokely aided several Union prisoners, who had made their escape while being transported by rail to Salisbury Prison in nearby Rowan County. Yokely gave the men civilian clothes and directions on how to escape to the Union lines. Yokely's second arrest in the fall of 1863 was even more harrowing than his first. A squad of regular Confederate soldiers then in charge of hunting conscripts and deserters in the county came to one of Yokely's plantations and while he was still in his "shirt sleeves" hauled him in front of their commander Capt. Gilmer, who held him under guard overnight at Piney Grove School. When Yokely awoke the next morning, he asked to be released. But when Capt. Gilmer refused and told the man that he would have to go with the Confederate soldiers, Yokely responded that he would "die before" he went with them. Gilmer then hastily ordered his men to shoot Yokely, upon which the men surrounded and leveled their weapons at the old man. "If you kill me you will only have an old man out of the way," Yokely

¹ Samuel D. Yokely, (Davidson, no. 10,939), Southern Claims.

replied. Upon hearing this the Captain turned away and allowed Yokely to return home for the second time.²

During Yokely's third and final arrest, he and youngest son Samuel M. Yokely were taken by home guard Captain Ben Turner and carried all the way to Greensboro in Guilford County where they were again arraigned by an enrolling officer. When asked by the Confederate officer why a man who owned slaves did not support the Confederacy, Yokely responded he "had lived under the Government of the United States and its Constitution and Government had always protected me and my Property." The disgusted enrolling officer then asked that Yokely's son Samuel be brought in that "he would save him," but when this was done, Yokely responded that his son was only sixteen and he "would spend the last Dollar, the last nigger and the last Horse before they should have him."³

Unionists like Samuel Yokely were the worst nightmare of Confederate officials responsible for enforcing conscription in North Carolina because they fought back against Confederate military policy. Yokely's rescue of his family and friends was indicative of the destructive irregular warfare that plagued many North Carolina communities from 1862 until the end of the war. When militant resistance emerged in response to a repressive Confederate local state, North Carolina entered a state of violent disorder in many counties across the no man's land and Confederate occupied interior. The piedmont irregular war in which Yokely participated was just one conflict that Confederate leaders found themselves trying to control.

All guerrilla conflicts are inherently local in nature—with specific motivations and characteristics depending upon the situation on the ground. As a tactic, guerrilla or irregular warfare can be defined as the use of surprise, hit-and-run tactics by a smaller, weaker force

² Ibid.

³ Ibid.

against a stronger, more numerous enemy. What truly distinguishes irregular warfare from conventional battlefield operations, however, is the role of the civilian population. North Carolina's local conflicts were no different in this respect. Several key points emerge from this analysis of unionists and irregular warfare in North Carolina--involvement of unionists at the center of each form of irregular war, as irregulars and counter-irregulars, the role of Confederate military policy in sparking irregular wars across all three regions of the state, and that there was not just one irregular war in North Carolina but three distinct types. These consisted of the raiding warfare of U.S. Army and Confederate commands exemplified by the cross-border conflict of western North Carolina and eastern Tennessee, the guerrilla war or people's warfare of self-defense across all three regions of North Carolina, and the partisan ranger conflict waged by Confederate military units on the coast attacking unionists and U.S. Army raiding forces in North Carolina communities. Those three irregular wars were not only the most important threat to the stability of the Confederate government in North Carolina but were a problem that it could never fully resolve, never truly understood in its totality, and remained a drain on Confederate resources until the government collapsed in 1865.⁴

Since North Carolina's irregular wars were fluid conflicts where irregulars and raids moved quickly across county lines, it is difficult to pinpoint every neighborhood and community that exploded into these conflicts between 1862 and 1864 and virtually impossible to trace every violent act. While North Carolina Civil War scholars have diligently mined local records to piece together the community origins of many local conflicts since the early 1980s, producing

⁴ Walter Lacquer, *Guerrilla: A Historical and Critical Study* (Boston: Little, Brown, and Co., 1976) addresses the definition of guerrilla warfare systematically and comparatively; Mackey, *The UnCivil War*, Introduction, identified three major types of irregular warfare in the Civil War South: raiding warfare in Tennessee and Kentucky, partisan warfare in Virginia, and people's warfare in Arkansas. Mackey, however, did not find North Carolina an example of these forms. In my research, I have discovered that North Carolina was indicative of all three types of irregular warfare making the state a vexing one for Confederates to maintain control of at the local level across the congressional districts that erupted into violent conflict.

numerous incisive community studies of violence and its social and political origins, none have offered a statewide evaluation of irregular warfare. These scholars have also not evaluated North Carolina's irregular wars in a comparative context that addresses the differences and scope of the conflict beyond the regional and local level. This existing gap in the historiography has left Civil War scholars who work beyond North Carolina with the impression that irregular warfare in the state was simply a local or sub-regional annoyance that did not impact North Carolina or Confederate officials beyond the state in any major way. While scholars of Arkansas and Missouri have devoted significant attention to the statewide nature of irregular warfare there, North Carolina lacks this systematic study. In fact, it was such an important issue that state officials were forced to employ vital resources at all levels of state and local government to fight it and preserve Confederate control.⁵

Based on an analysis of North Carolina newspapers, Southern Claims Commission records, government and manuscript materials held in archives and repositories in three states and the District of Columbia, this study concludes that at least thirty-two of the eighty-six North Carolina counties or roughly one-third experienced one of the three forms of irregular war. It is clear, nevertheless, that at least thirty-two counties evolved into irregular wars and civilian-centered violence as Confederates struggled to maintain the local police state in those communities. This conservative estimate is based on analysis of both violent acts committed in those counties as a result of raiding warfare as well as evidence of individuals and groups who were irregulars operating in those counties. It is not likely that scholars will ever know the full

⁵ On irregular conflict within North Carolina, see Paludan, *Victims*; Inscoc and McKinney, *The Heart of Confederate Appalachia*; Auman, "Neighbor Against Neighbor: The Inner Civil War in the Central Counties of North Carolina"; Durrill, *War of Another Kind*; Bynum, *Unruly Women*; Martin Crawford, *Ashe County's Civil War*; Myers, *Executing Daniel Bright*; on the importance of irregular warfare to the Civil War South, see Sutherland, *A Savage Conflict*; Daniel E. Sutherland, "Guerrilla Warfare, Democracy, and the Fate of the Confederacy," *Journal of Southern History* 68 (2002): 259-292; Daniel E. Sutherland, "Sideshow No Longer: A Historiographical Review of the Guerrilla War," *Civil War History* 46 (2000): 5-23.

extent of violent guerrilla activity within every county in North Carolina, but it is clear that in at least this group of counties irregular warfare dominated the lives of many civilians. These counties reveal an important insight that other scholars of irregular warfare in the state have overlooked. The thirty-two counties are primarily (though not exclusively) located in four Confederate/U.S. congressional districts: the first congressional district on the coast, the seventh in the piedmont; and the ninth and tenth that made up the mountain counties. These four congressional districts included counties where many of the staunchest supporters of the antebellum Whig Party in North Carolina resided and subsequently became some of the most politically divided communities during the war.⁶

The most widespread form of irregular war in North Carolina was the people's war of self-defense and resistance that emerged among disaffected citizens, deserters, conscript-evaders and unconditional unionists from the coastal no man's land of northeastern North Carolina to the Quaker and Moravian piedmont counties of Forsyth, Guilford, Davidson Randolph, Chatham, Moore, and Yadkin to the mountain and foothill counties of Wilkes, Caldwell, Watauga and Alexander. In Robeson County, Lumbee Indians and free blacks also launched an anti-Confederate effort against conscription and impressment of free blacks and Indians into Confederate service, specifically building fortifications along the coast at Wilmington. The North Carolina people's war was a guerrilla conflict of self-constituted bands that fought local home guards, militia officers, regular Confederate troops in a war of self and home protection. It was not a revolutionary movement or insurgency designed by its initiators to overthrow a

⁶ See, Appendices C and D for lists of the counties in each Confederate Congressional District and a list of the irregular conflicts (by county) that had erupted by 1864 tabulated from this dissertation research; counties in Confederate congressional districts compiled from Kenneth C. Martis, *The Historical Atlas of the Congresses of the Confederate States of America, 1861-1865* (New York: Simon and Schuster, 1994).

government as Maoist rebels did in China in the 1940s or Cuba's revolutionaries did in the 1950s.⁷

The term people's war is used here to describe self-constituted bands of citizens waging guerrilla warfare against established military forces. The term was first employed by Karl von Clausewitz in his 1832 work of military theory *On War* to describe a mode of warfare where a portion of the civilian population takes up arms as an irregular force to oppose a formal army, which can create "a state of anarchy declared lawful, as dangerous to the social order at home as to the enemy." Historically the people's war in North Carolina resembles the Spanish resistance against Napoleon Bonaparte described by Baron Antoine Henri de Jomini in his master work of military thought *The Art of War*, originally published in the period following the Napoleonic Wars of the early nineteenth century and based on Jomini's experience during those conflicts. Jomini's work was widely read by American military officers studying the conflict and he analyzed the Spanish use of guerrilla warfare to resist Napoleon when his army occupied that country. According to Jomini in these guerrilla conflicts, "Each armed inhabitant knows the smallest paths and their connections; he finds everywhere a relative or friend who aids him," which made their operations difficult to prevent and combat. In North Carolina, the people's war of self-defense was a war of resistance directed primarily at the intrusive policy of conscription and a Confederate military occupation. Many peaceable unionists would not likely have taken to

⁷ The term "insurgency" does not accurately describe the goals or motivations of unconditional unionists who engaged in the irregular conflicts of North Carolina. Unionists and other dissidents were incapable of actually overthrowing the Confederate government in Raleigh or Richmond. While many would have liked to see the U.S. Army do this, their immediate goals were more modest, defending home and family and preventing the intrusive Confederate local state from destroying their lives. *Counterinsurgency* Field Manual 3-24 (Headquarters Dept. of U.S. Army, December 2006), chapter one; U.S. military doctrine currently defines the term "as an organized movement aimed at the overthrow of a constituted government through the use of subversion and armed conflict."

the woods, mountains and swamps with arms if it had not been for the effort of Confederates to force them into the rank and file of the South's major armies.⁸

As irregulars, unionists, conscript evaders and deserters were often forced to band together for protection, they also experienced a Confederate counter-irregular effort that used the Conscription Act as a precursor to reestablish order over communities. An intensification of conscription efforts in local communities in the aftermath of the 1862 winter battles at Fredericksburg, Virginia and Stones River, Tennessee in preparation for the spring-summer 1863 campaign season, led to increased resistance and subsequently a people's war of resistance. When this people's war of resistance erupted in spring of 1863 it led to further efforts to flood counties with Confederate troops in an effort to maintain order as well as functioning conscription, impressment and tax laws. This police state and the denial of civil liberties that accompanied it intensified even as the Confederacy could ill afford the loss of any troops to fight a "home front" conflict, especially as Confederate armies tried to rebuild from devastating losses at Gettysburg and Chattanooga in the summer and fall of 1863. In effect, the conscription effort in communities that resisted evolved into a poorly orchestrated counter-irregular war designed to re-establish complete command and control at the local level. While those communities where an irregular war of resistance emerged remained part of a police state, it was not the well-ordered police state of 1861 and early 1862. It was a disordered, chaotic and even more violent police state where unionists and other political dissidents became a serious threat to Confederate superiority and control in many communities. Only in the garrisoned communities of the coast

⁸ Karl von Clausewitz, *On War* (New York: Random House, 1943), 457-462; the original version of *On War* was published in 1832; Antoine Henri de Jomini, *The Art of War* (Westport, CT: Greenwood Press, 1971), 29-35; the first English printing of this work was published in 1862, but a French printing was published and available in the United States before the war; it was widely studied among Civil War officers who spoke the language; Mackey, *The UnCivil War*, 10-11.

and in the areas where the U.S. Army made sporadic incursions in the northeastern region of the state did the police state completely collapse during the war.⁹

The Conscription Act was not the only policy of April 1862 to initiate an irregular war in North Carolina. Some citizens who longed to serve the cause but who had already experienced the infantry and did not like it or who simply did not want to leave their homes and firesides sought membership in North Carolina partisan ranger units. These units left their most devastating mark on the state in the coastal counties of the northeast, an area cut off from the rest of North Carolina by the Albemarle Sound and inland Chowan River. In half a dozen counties there beginning in the spring of 1862, Confederates who wanted to avoid conscription but who also wanted to serve in the partisan ranger wing established by the Confederate Congress began their own local war against militant unionist “buffaloes” who were themselves eventually organized in local self-defense groups and then eventually into companies of the First North Carolina Union Volunteers.¹⁰ The primary difference between North Carolina’s would be partisan rangers and the historically well-known Virginia partisan ranger units commanded by John Singleton Mosby and John H. McNeill was that North Carolina’s irregulars were not formally sanctioned by the Confederate government and brought into the formal command structure. As a result, these men became simply guerrilla bands operating outside official military command and control. They were simply uncontrolled and uncontrollable guerrilla companies that happened to be Confederate in loyalty. In effect, this hybrid and dysfunctional irregular war created a problem for the Richmond government where Confederate citizens resisted their own conscription policy by joining local home front partisan ranger units that were

⁹ Moore, *Conscription and Conflict in the Confederacy*, chapter seven.

¹⁰ On the etymology of the term “buffaloes,” see Alex Christopher Meekins, “Unionism and the Arcane Origin of ‘Buffalo,’” *NCHR* 85 (2008): 282-316; Judkin Jay Browning, “‘Little Souled Mercenaries’? The Buffaloes of Eastern North Carolina during the Civil War,” *NCHR* 77 (2000): 337-363.

never officially mustered into Confederate service. These units became an utter disaster in the no man's land region of the coast.¹¹

Perhaps the most difficult irregular war to isolate for analysis because of its fluidity in crossing both state and county lines was the cross-border war of raids that plagued western North Carolina from late 1862 to the termination of major armed hostilities in 1865. Indicative of this type of war were the operations of Colonel George Kirk's North Carolina Mounted Infantry (U.S.), which formed in Tennessee and recruited a large number of unionist North Carolinians from the men who fled conscription. Confederates employed home guards as well as some regular cavalry units like William Holland Thomas's command of Cherokee Indians to combat these incursions into the state. But their counter measures were unable to stop this cross-border assault and the violence only increased in the border counties along the East Tennessee line as the conflict entered its final year.¹²

Separating unconditional unionists' roles in the local irregular conflicts of North Carolina from that of disaffected citizens, conscript evaders, and deserters is difficult because Confederate sources rarely distinguished one group from the other when discussing their efforts to suppress violent resistance. A typical Confederate news article or home guard report on Confederate irregular and counter-irregular warfare in the mountains, piedmont or coast refers to simply "tories and deserters" as the propagators of violence. These short articles frequently offer little real detail on the conflicts, but they are an important window into the thought process of

¹¹ James A. Ramage, *Gray Ghost: The Life of Col. John Singleton Mosby* (Lexington: Univ. Press of Kentucky, 1999) is perhaps the most learned analysis of Mosby's irregular warfare operations and military career; Virgil Carrington Jones, *Ranger Mosby* (Chapel Hill: Univ. of North Carolina Press, 1944), is a classic work on Mosby's life and exploits; Virgil Carrington Jones, *Gray Ghosts and Rebel Raiders* (Atlanta: Mockingbird Books, 1956) is an important early work that uses John McNeill as a case for discussion of irregular warfare.

¹² On Appalachian border conflict, see Fisher, *War at Ever Door*, which addresses the guerrilla conflict and political process in East Tennessee; McKnight, *Contested Borderland*, deftly analyzes the guerrilla warfare in the Kentucky-Virginia border region; Inscoe and McKinney, *The Heart of Confederate Appalachia*, also addresses this border conflict.

Confederates as they waged a war to maintain control in counties that fell into the mire of irregular war. Confederates viewed all political dissidents on the home front with suspicion and disdain, and while they always reserved their greatest scorn for traitorous southern-born supporters of the U.S. government, they rarely felt the need to document in detail many of their specific actions toward them. For Confederates, these unionists, deserters and conscript-evaders were treasonous at best and murderous criminals at worst, and it was unnecessary to explain the subtle layers of loyalty within the broad dissident group that challenged their construction of a new Confederate world. As one home guard official referred to these political dissidents who resisted Confederate policy: they were simply “in a state of insurrection against the laws.”¹³

The Confederate Frankenstein: The Partisan Ranger Act and the Confederate Irregulars of North Carolina

Only two months after the Confederacy’s conscription policy went into effect, North Carolina Governor Henry T. Clark complained to the state’s Conscription Bureau chief officer Major Peter Mallett, “The conscript act is very distasteful to our people and doubts of its constitutionality have been raised and it has only been acquiesced in as a necessity for our welfare. Nevertheless I have rendered it every facility for execution and have used every effort to make it acceptable to our People.” But Clark warned, “For that reason I would carefully avoid all contests about it and I can’t believe the Sec[retary of War] would sanction the raising of points of dispute or questions of jurisdiction unnecessarily.” It was not only unionists but also many people who supported the Confederacy who found conscription disagreeable. As a result, many

¹³ R.C. Gaitlin, 3 October 1863, AG 35 Adjutant General Papers. General and Special Orders [to the Home Guard], August, 1863–April, 1865, North Carolina Department of Archives and History, Raleigh, N.C.

of the latter began to search for ways to serve the Confederacy but avoid conscription into the infantry. One of those outlets were the new partisan ranger companies.¹⁴

Partisan ranger units became a problem so quickly that by July 1862 Major Peter Mallett signaled to the Adjutant General's office that interest in irregular service was seriously inhibiting the conscription effort in the state. From the central conscript camp, Camp Holmes in Raleigh, Mallett angrily wrote his superior General Samuel Cooper, the Adjutant and Inspector General of the Confederacy based in Richmond, "I beg to call your attention to the fact that we are losing a very large number of able-bodied men who have joined 'Partizan Rangers.'" "It is generally known and believed throughout the State that these companies are being forced to stay at home to avoid the conscription, doing no service whatever," Mallett protested, "and I respectfully suggest for the good of our country and in Justice to conscripts their commissions being revoked or some steps be taken immediately to prevent this imposition." Three days after he warned Cooper about the ill effects of the Partisan Ranger Act, a conscript revolt took place at Camp Holmes where two hundred men escaped the camp and three hundred more men involved "in the same plot" were put down.¹⁵

In August, Mallett was completely exasperated with the extent of partisan ranger recruitment in the state. "Being continually annoyed by men purporting to have been commissioned for the purpose of raising Partizan Ranger corp, I am under the necessity of respectfully asking that you furnish me a list of the names of person authorized to raise such companies." Mallett demanded clarification about whether partisan ranger unit commanders had "the authority to enlist conscripts after enrollment? If they have not, they are evidently assuming

¹⁴ Henry T. Clark to Peter Mallett, 24 June 1862, Peter Mallett Papers, Southern Historical Collection, Wilson Library, University of North Carolina at Chapel Hill.

¹⁵ Peter Mallett to Samuel Cooper, 24 July 1862 and 27 July 1862, Peter Mallett Papers, Southern Historical Collection, Wilson Library, University of North Carolina at Chapel Hill.

that authority as I am almost daily informed that they are enlisting conscripts who have been enrolled and ordered to camp.” Perhaps Mallett’s most important insight into the motivations of the men who joined these units in North Carolina, however, was when he recognized “in some case I am informed they induce the men to believe they will not be required to go beyond the limits of their respective counties.” This final point was a prime reason for the emergence of Confederate irregulars—men sought a way of serving the Confederacy that was voluntary and that might allow for both bold action and excitement at home without even leaving one’s own bed for more than a few nights.¹⁶

By early September 1862, Mallett sent a dire warning to Richmond about the partisan rangers. “The arm of the service known as ‘Partizan Rangers’ together with the extraordinary and sudden interest manifested in every branch of manufacturing and mining, have greatly impeded my efforts and reduced the number of conscripts in this state.” On 12 September Adjutant General Samuel Cooper reported to the Confederate Secretary of War George W. Randolph a list of the partisan ranger companies and regiments recruited across the South. The list included sixteen companies from North Carolina, many of which would over time become part of regular infantry regiments. For infantry commanders in Virginia that were looking to replenish the losses of the summer campaigns at the Seven Days and of the Second Battle of Manassas at the end of August, the warnings about the future of manpower were taken seriously. As a result of complaints from many infantry commanders and conscript officers like Mallett, in the fall of 1862, the Confederate Secretary of War office began denying applications for partisan ranger units across the South and frequently sent requests for these units a copy of the Partisan Ranger Act, which required that a local department commander first endorse the request. While

¹⁶ Peter Mallet to Samuel Cooper, 24 August 1862, Peter Mallett Papers, Southern Historical Collection, Wilson Library, University of North Carolina at Chapel Hill.

many petitions for authorized guerrilla service continued to flood the War Department in Richmond, and the Confederacy did not formally repeal the act until February 1864, the severe damage had been done to North Carolina and other regions of the Confederacy by the fall of 1862 since many men in North Carolina continued to operate independently with little oversight during the rest of the war as a result of the initial recruitment efforts into the partisan ranger service.¹⁷

North Carolina's committed unionist population was caught up in the Partisan Ranger Act's destructive wake. A large number of unionists lived in the coastal counties of Chowan, Gates, Perquimans, Pasquotank, Camden, and Currituck as well as the counties of Bertie, Hyde, Martin and Washington. Confederate partisan ranger units operated independently here because of the sporadic raids of the U.S. Army and brief occupations of Plymouth, Edenton, and Elizabeth City. With little protection in the rural parts of these coastal counties, Confederate irregulars harassed the unionist population with random acts of violence, property destruction and occasionally kidnapping.¹⁸

A significant minority of the population living on the North Carolina coast remained unconditionally loyal to the old Union. Among those unionists were many who lived in communities fraught with conflict brought on by North Carolina's homegrown Confederate irregulars. While younger white unionists first ran to the woods and swamps and there formed self-defense organizations, most of these "buffaloes" later joined U.S. Army North Carolina Union regiments. Slaves and free blacks also fled plantations and guerrilla violence to enlist in

¹⁷ Peter Mallett to Samuel Cooper, 2 September 1862, Peter Mallett Papers, Southern Historical Collection, Wilson Library, University of North Carolina at Chapel Hill; for list of North Carolina companies, see S. Cooper to G.W. Randolph, 12 September 1862, *Official Records*, vol. 4, ser. 2, 82; for individuals sent a copy of General Orders No. 30 the official text of the Partisan Ranger Act in response to a request, see J.R. McCain, 12 May 1862 and A.S. Maxwell, 12 May 1862, Letters Received, Confederate Secretary of War, RG 109, M-437, Roll 60, NARA, Washington, D.C.

¹⁸ Barrett, *The Civil War in North Carolina*, chapter eight; Durrill, *War of Another Kind*; Myers, *Executing Daniel Bright*, chapters two and three.

North Carolina Colored Infantry regiments. But many older unionists were caught at home, too old or too infirm to flee or too set in their ways to fear the initial onslaught of Confederate neighbors.¹⁹

Quakers Elisha and Townsend Lamb, who lived near Woodville in Perquimans County, experienced equally rough treatment at the hands of local Confederate military forces. Both men had cast their votes against a state secession convention in February 1861 and Elisha's son had even joined the U.S. Army in 1862, but because of his religious beliefs, the father later "furnished a substitute" to the Confederates in his son's stead. Despite their pacifist convictions, Elisha and Thomas were arrested in the spring of 1863 by Confederate soldiers and forced to accompany them in a search for provisions. After being compelled to aid in this impressment effort, the two men returned to their homes. Later that June local Confederate irregulars, who no doubt knew of Elisha's political sentiments, visited his property at night and fired shots into his home and out buildings, destroying some fifty dollars worth of valuable bees and honey.²⁰

John T. Elliott's Pasquotank County Confederate irregulars hunted unionist Benjamin B. Tatum, forcing him first to take refuge with the small group of U.S. Army troops that periodically camped at Elizabeth City during operations in the region. According to Tatum's brother John, Benjamin "went into the Federal camp for the reason that his life was sought and threatened by the Guerrillas that were constantly around the place...He believed his life depended upon Federal protection...His life was twice attempted or sought by the Guerrillas [of] Cap[tain]

¹⁹ Among these unionists were Elisha Lamb (Perquimans, no. 11,552); Townsend Lamb (Perquimans, no. 11,554); Joseph C. Brinn (Perquimans, no. 11,553); Benjamin B. Tatum (Pasquotank, no. 7138), Southern Claims.

²⁰ Elisha Lamb (Perquimans, no. 11,552), Southern Claims; Townsend Lamb (Perquimans, no. 11,554), Southern Claims.

Elliott's command. He was shot at twice, the last time as he fled from his home to which he never returned until the close of the war."²¹

John Mercer, a white farmer and unionist from Jones County who had been incarcerated in Castle Thunder at Richmond until December 1864, was placed in a different type of danger because of his unionism. When the U.S. Army sentenced a group of Confederate irregulars to hang for their activities in 1862, Confederates at the prison learned about the sentencing of their comrades and subsequently threatened Mercer and the U.S. Army with retaliatory execution. Mercer, who was originally arrested in April 1862, did not escape from Confederate custody until December 1864, and only "narrowly" escaped retaliatory execution in the process.

Mercer's case reveals the awkward problem of the legal status of North Carolina irregulars. Because of the tactics often employed by partisan rangers, they operated in legal limbo with few codified rules of engagement and treatment. It would not be until mid-way through the war that the U.S. Army adopted an official policy written by American jurist Francis Lieber in 1863. The U.S. Army's General-in-Chief Henry Halleck requested that Lieber consider the legal status of irregular combatants after they became a serious problem in both the eastern and western theaters of conflict. With Lieber's Code in hand, U.S. Army officers were expected to respect prisoner of war status for Confederate authorized partisan rangers. The code defined these units as soldiers acting as detached cavalry during their irregular operations and who wore uniforms, but Lieber's Code permitted trial and execution for self-constituted bands of "armed prowlers," "brigands" and "war rebels." Even though Confederate irregulars in northeastern North Carolina called themselves partisan rangers, they did not operate under the legal definition and had never been formally sanctioned by their own government. Each of these secondary

²¹ Joseph C. Brinn (Perquimans, no. 11,553), Southern Claims; Benjamin B. Tatum (Pasquotank, no. 7138), Southern Claims.

groups, however, was similar to that which operated in northeastern North Carolina, leaving a significant question as to their status of Confederate irregulars if captured. Confederate authorities believed all irregulars deserved prisoner of war status but even they realized the drain on manpower that a larger irregular war effort of authorized partisan ranger units would cause.²²

U.S. Army officials often received conflicting and confusing reports about the motivations of Confederate irregulars from local inhabitants. Not all locales in northeastern North Carolina were unconditionally unionist, and many Confederate, neutral, and ambivalent citizens offered a different analysis for why irregulars remained in the region. Some blamed the local U.S. Army Captain Enos Saunders for a large amount of property destruction, confiscation and the recruitment of black soldiers to defend Elizabeth City from irregulars in late 1862 and early 1863 following the preliminary Emancipation Proclamation. When a new local commander arrived at Elizabeth City in the late winter of 1863 to replace Saunders, locals complained about “depredations” by “armed Negroes” and seizure of “50 thousand dollars worth of tobacco, clothes, mules, carts, jewelry.” Intelligence was clearly a key for U.S. forces who fought in the irregular war, but without unionists, the intelligence might lead to the wrong conclusions about how to wage an effective counter-irregular effort.²³

Unionists acted as counter-irregulars in the coastal war with important results. Many provided valuable intelligence to the U.S. Army about who irregulars were and where they lived. The most successful counter-irregular operations are the one’s that maintain excellent working relationships with local communities in which irregulars reside. If residents did not support irregulars, they could not hide easily among the population. Many unionists on the coast of North

²² John Mercer (Jones, no. 12,180), *Southern Claims*; on Francis Lieber’s code, see Richard Shelly Hartigan, *Lieber’s Code and the Law of War* (Chicago: Precedent, 1983), 45-72.

²³ J.W. Wallis to John G. Foster, 3 March 1863, RG 393, E3238, Letters received, Dept. of North Carolina and Virginia, 1861-1865, Records of the U.S. Army Continental Commands, NARA, Washington, D.C.

Carolina knew this, and when they began working with the U.S. Army, Confederate irregulars began to feel the heat.

In May 1863 at the height of the irregular war on the northeastern North Carolina coast, Caroline Campbell, a unionist woman from Currituck County, warned General John G. Foster, the commander of U.S. Army operations on the coast, that guerrillas from neighboring Camden County threatened any U.S. Army or Navy boats operating on the coast. She believed that without a land force these boats would continue to be at risk. According to Campbell, “The citizens here are very much opposed to them as they are afraid they will get blame for what the others are doing but they will come last week they compelled a man here to unload his vessel.” While Campbell’s request was doubtless a not-so-subtle way of requesting a permanent occupation force and U.S. Army garrison to protect loyal unionists, who were at risk of irregular activity, it was also an accurate picture of the threat posed by Confederate irregulars to both U.S. Army operations and North Carolina unionists.²⁴

That same month, forty local citizens farther down the coast in Hyde County petitioned North Carolina Governor Zebulon Vance for the removal of a guerrilla company from their county commanded by Pickett Spencer. The locales “have petitioned the guerrillas to go away who refuse. They propose to be after conscripts and call themselves Rangers. The informant says if Gov. V does not remove them the citizens will be glad to join the [U.S.] soldiers in driving them out.” While many of these citizens were probably not unionists, it is clear they had already become war weary from guerrilla activity and prepared to turn on the Confederate irregulars in their home communities, even using the U.S. Army to protect their homes and property.²⁵

²⁴ Caroline Campbell to John G. Foster, 8 May 1863, RG 393, E3238 Letters received, Dept. of North Carolina and Virginia, 1861-1865, Records of the U.S. Army Continental Commands, NARA, Washington, D.C.

²⁵ Brig. Gen. Henry Prince, 2 May 1863, RG 393, E3238, Letters received, Dept. of North Carolina and Virginia, 1861-1865, Records of the U.S. Army Continental Commands, NARA, Washington, D.C.

Federal Colonel D. B. Morris led a counter-irregular operation in the spring of 1863 indicative of the U.S. Army's operations against the Confederate guerrillas on the coast. Morris led a combined unit of infantry, cavalry and artillery that was well informed about the membership, motivation and characteristics of the Hyde County Confederate irregulars. Morris's men had with them a muster roll of irregulars that had either been captured or was provided by a local citizen. After almost a week of arduous march in the rain over terrible roads, the units captured eleven irregulars that were taken to the Provost Marshall at New Bern. Sixty other citizens who were arrested were paroled after they took the oath of allegiance to the United States. "From the best information that could be obtained the band of Guerrillas in this county were scattered about in small parties of from six to eight, through the almost impassable swamps." Morris's report also revealed another important insight into counter-irregular operations and unionists. These operations were rapidly becoming emancipation operations, and many of these former slaves doubtless provided intelligence on the Confederate irregulars they fled.²⁶

In nearby Chowan County that August, unionist James C. Johnston, one of the largest slaveholders in the state, communicated to the U.S. Army that many community residents opposed the irregulars in his county because of the violence and destruction that they were inflicting around the county seat of Edenton. Johnston argued that if the U.S. Army lines were positioned to cover the entire region of northeastern North Carolina, the local people would "live very quietly." While this was a possible solution to the problem, it would have required

²⁶ D.B. Morris, 17 March 1863, RG 393, E3238 Letters received, Dept. of North Carolina and Virginia, 1861-1865, Records of the U.S. Army Continental Commands, NARA, Washington, D.C.

manpower that the U.S. Army did not have and would not commit to a region of the state they deemed important but not vital to hold.²⁷

Part of the difficulty for unionists was that U.S. Army officers frequently did not trust them, often with good reason. Even citizens who were strong unionists sometimes had to lie for survival. One example of this mistrust occurred in the fall of 1863 and involved Dr. J.R. Winslow of Perquimans County, a Quaker who had since fled to Baltimore. Winslow wrote General John G. Foster about the problem of Confederate irregulars and U.S. Army raids out of concern for family still living in the region. “I thought it right to call your attention to the depredation committed on loyal citizens there repeatedly by our own men; even upon men who had suffered much for their Union faith.” Winslow recounted how “I was myself there at the time...this is now long past and I did not want you to trouble yourself about it further...[except] to ensure such orders as would protect as far as possible at least the loyal men of that section of North Carolina both from the rebel Guerrillas and from the evil disposed among our own men.” When Foster inquired about the U.S. Army raid, its commander, Colonel Spear of the Eleventh Pennsylvania Cavalry, told him that Winslow “is not or was not a Union man” and had likely changed his loyalty recently for personal gain. With incidents of mistrust like this common, it is clear why it was so difficult to protect unconditionally loyal unionists living on the coast.²⁸

By December 1862, however, the U.S. Army had a new weapon at its disposal, the Emancipation Proclamation. Lincoln’s preliminary proclamation in September 1862 gave one zealous commander, General Edward Wild, who commanded a brigade of free black and slaves

²⁷ James C. Johnston, 18 August 1863, RG 393, E5063, Letters received, Dept of Virginia and North Carolina, 1861-1870, Records of the U.S. Army Continental Commands, NARA, Washington, D.C.

²⁸ J.R. Winslow to John G. Foster, 2 and 4 November 1863, RG 393, E5063, Letters received, Dept of Virginia and North Carolina, 1861-1870, Records of the U.S. Army Continental Commands, NARA, Washington, D.C.; on unionism in the Winslow family, see Caleb Winslow and Family Papers, North Carolina Department of Archives and History, Raleigh, N.C.

recruited from coastal North Carolina counties, a powerful tool in fighting irregular war in the region. Wild launched a raid at the behest of his commander General Benjamin Butler in early December 1863 that had three fundamental goals: protect the loyal unionists in the northeastern part of the state, free the remaining slaves in the region, while recruiting new soldiers, and destroy the Confederate irregular bands. Wild's raid ultimately freed more than 2500 blacks, according to the commander, and capture and killed a number of irregulars but did not completely eradicate them. The most compelling result of this raid, however, was its effect on local whites. In the aftermath of Edward Wild's counter-irregular raid, public reaction brought people of Confederate, ambivalent, neutral and unionist loyalties to a meeting to that eventually sent emissaries to both U.S. and Confederate authorities in Norfolk and Raleigh that sought the removal of the Confederate irregulars. Black unionists who had fled the region and ultimately enlisted in Wilds' command had played a key role in protecting white unionists who remained in the region. Ultimately, in late January and early February 1864, Confederate officials succeeded in regaining control over most of the guerrilla companies in coastal North Carolina that had operated in northeastern North Carolina for nearly two years. While some Confederate guerrillas remained, the organization of the Sixty-eighth North Carolina Infantry, formed from several of the guerrilla companies, brought the withdrawal of many irregulars from the coast.²⁹

Most of North Carolina's partisan ranger units were eventually integrated into regular cavalry and infantry regiments but a handful remained active until late in 1864 and into 1865 in the no man's land of northeastern North Carolina where they remained a problem for Confederates trying to reestablish control in a region never fully controlled by either side. The

²⁹ For an analysis of U.S. Army counter-irregular warfare and the impact of Edward Wild's raid on northeastern North Carolina, see Barton A. Myers, "A More Rigorous Style of Warfare': Wild's Raid, Guerrilla Violence, and Negotiated Neutrality in Northeastern North Carolina" in Paul D. Escott ed., *North Carolinians in the Era of Civil War and Reconstruction*.

Confederacy's Frankenstein policy of authorized guerrilla service demonstrated that irregular warfare was difficult to control even by the side employing it, and in the case of North Carolina became a drain of valuable state resources. For unionists and disaffected elements, Confederate partisan rangers gave them one more reason to resist the Confederacy in whatever way they could.

North Carolina's Internal Menace: The People's War of Resistance and Self-Defense

Self-constituted bands of irregulars who opposed the Confederacy in North Carolina were the most widespread and important irregular war that involved the state's unionist population. Most of the bands included a variety of armed political dissidents who primarily resisted because they could not escape the state to U.S. Army lines or chose not to because they believed they could resist the Confederate conscription and counter-irregular effort from their homes while protecting vulnerable family members. This people's war against the local Confederate state included outliers, conscript evaders, deserters, and unionists who fought home guard, militia officers, conscript enrolling officers, and regular state troops across the state. After April 1862, it grew into a conflict where many counties collapsed into chaotic anarchy and disorder. Historians John Inscoe and Gordon McKinney have argued "deserters became bushwhackers at the point at which they abandoned the army and headed home." These deserters joined the other dissident elements including unionists in resistance.³⁰

Confederates viewed this type of irregular war as simply "a state of insurrection against the laws" and employed a counter-irregular effort in an attempt to reestablish a well-ordered police state capable of complete control. They officially referred to these operations as deserter

³⁰ Inscoe and McKinney, *The Heart of Confederate Appalachia*, 125.

and conscript hunting or rounding-up unionists, but in reality, it amounted to vigorous counter-irregular warfare designed to uphold the police state. Like the employment of Confederate irregulars on the home front, this conflict placed civilians in the middle of a war, collapsing any neat distinction between home front and battlefield. The people's war was a conflict where county boundary lines mattered little to those trying to survive the onslaught of Confederate forces sent to round up deserters, kill or capture unionists and press conscript evaders. Isolating the boundaries of this conflict is difficult because of this fluidity; nevertheless, it is clear that a large percentage of the counties that experienced irregular warfare in North Carolina also experienced this form of the conflict.³¹

Benjamin Rose of Yadkin County had three sons, two of whom were conscripted into the Confederate Army and one that volunteered against his father's wishes. After all three deserted, Rose hid his sons to prevent their recapture by Confederate home guards. Rose's son Thomas even joined a local union company. According to Benjamin, this company "formed out of men in Yadkin and Wilkes to resist conscription and to prevent the Rebels from Hunting deserters." Self-constituted groups of unionists and deserters in the northwestern region of North Carolina clearly emerged out a confluence of both resistance to Confederate military policy and the intrusiveness of the local Confederate state that hunted them down. Benjamin Rose and his son Thomas demonstrated the primary problem Confederates faced in reestablishing complete control in 1863 and 1864 with guerrilla companies wreaking havoc across the state—the greater the pressure they placed on civilians of all political stripes, the more violent the resistance became. In turn, the effort to round-up deserters and conscript evaders while killing and capturing unionists became a counter-irregular effort that was not centrally managed by the

³¹ R.C. Gaitlin, 3 October 1863, AG 35 Adjutant General Papers. General and Special Orders [to the Home Guard], August, 1863–April, 1865, North Carolina Department of Archives and History, Raleigh, N.C.

government in Raleigh or Confederate military forces but that home guard and militia officers did not have the Confederate manpower to defeat.³²

The Dial brothers are another case of unionists who resisted in arms. In July 1863, Wilse, James, and Calvin Dial wrote Captain Quill Hunter of the local Confederate home guards in central Rowan County to complain of what they viewed as their wicked and unreasonable treatment. To emphasize their anger, in the upper left hand corner of the letter the Dial brothers drew a crude image of a pistol. If this drawing was not enough to frighten the home guard commander, however, their message was clear and forceful:

“If yo ever hunt for us a gin I will put lead in yo god dam your hell fired soll. Yo have give the people orders to shoot us down when they find us and if yo dont take your orders back I will shoot yo. If such men as yo are is Christians of heaven I want to know who is the hippocrites of hell. We have never done yo any harms for yo to hunt for us we will give yo something to hunt for here after. Her after when any body Sees us I will know where to watch for yo the Secessions neddent to degridge what we Steel for we are the United State Regulars... We jist dare yo to go and Abuse Mother or talk about trying them. When the Yankees comes we will go and Show them some Secess to kill. If this dont give yo warning enough the next warning we will give yo with poweder and lead take the hint in time... We are the old United States Regulars Wilse Dial is one James Dial is another Calvin Dial is the other.”³³

The Dial brothers’ letter articulated a frustration among unionists with Confederate efforts to hunt for dissidents and provides a clearer picture of unionist irregular motivations in the people’s war of resistance. The Dial brothers signed their letter “Old United States Regulars” by which the men self-identified as unionists and pointed toward earlier affiliation and service in the antebellum U.S. Army. These men clearly identified with the Union cause but animosity toward conscription and secessionist harassment in their home community drove them to violent

³² Benjamin Rose (Wilkes, no. 3514), *Southern Claims*; on this sub-region also, see Porter, “Defying the ‘Destructives’: Confederate Disaffection and Disloyalty in North Carolina’s Northwestern Foothills, 1861-1865.”

³³ Dial Brothers’ Letter, 29 July 1863, *Southern Historical Collection*, Wilson Library, University of North Carolina at Chapel Hill.

resistance. These men were dead serious about protecting their mother from violent retribution or imprisonment as a result of their actions. This revealed a vexing problem for men who fled to the woods and hills to escape or resist as irregulars: families left behind at home were also left unprotected. As a result, the Dials not only threatened to personally kill Captain Quill Hunter to whom they sent the letter, but they even threatened secessionists with the wrath of U.S. forces when they arrived in that section of North Carolina.³⁴

When confrontation between unionists and home guards did occur, unionists did not always escape unscathed. Lightfoot W. Hoyle of Lincoln County was conscripted and was being taken to eastern North Carolina under guard when he escaped by jumping from a slow moving train. Once off the train, he fled to nearby Cleveland County where he knew “some union people.” Hoyle hid out there exactly twelve months and eighteen days before returning home. While he was in hiding, the home guard hunted for him and nearly killed him. “I was waylaid by the militia and fired upon one night one charge taken effect in my right arm.” He remained in Cleveland County until his wife sent word that the U.S. Army had arrived near his home. Another unionist who knew Hoyle, Phillip Carpenter believed Hoyle would have fled to the North but once he was shot he was unable to make the dangerous journey. “Being a good Union Lady,” Esther Crowder remembered, “[I] begged and tried to persuade him often to give up and go into the hospital but his reply was always the same that he would die in the woods first...said he loved the union and the liberties of George Washington.” “When he heard of the downfall of the Southern Confederacy,” Crowder recounted, “he really frightened me he come whooping and hollering at the top of his voice over the neighborhood gathering up his union friends and took them over to Lincolnton next day to the Federals.”³⁵

³⁴ Ibid.

³⁵ Lightfoot H. Hoyle (Lincoln, no. 3063), Southern Claims.

Calvin Norman, a unionist from Yadkin also refused to enter the Confederate service and said he “would risk his chances in the woods.” Calvin’s luck ran out on 28 September 1863 when a squad of Confederate regular troops under General Robert F. Hoke was sent into Yadkin to “hunt up deserters.” Calvin was only about one mile from his own home when he, Thomas Eddleman and William Davis were discovered in the woods. Rebecca Norman remembered vividly what happened next. “When my husband started to run from Genl. Hokes men they shot him in his right ankle and heel. My said husband was brought to Huntsville on a horse after he was wounded. From Huntsville he was taken to Salisbury and died there in the Hospital” on 11 October 1863. Norman was one of a number of unionists who died at Salisbury Prison and is likely interred there in the long trenches that became the final resting place of many unionists and U.S. Army soldiers who were buried unknown.³⁶

Unionists were not only armed participants in North Carolina’s people’s war of resistance; women and older men especially played a vital role as the supply line for deserters and conscript evaders who were fighting alongside male unionists against the home guards. Henry Ledbetter of Guilford County in the piedmont Quaker belt offered a insight into how they did so. “There was a good many of my friends that did take to woods and mountains to keep out the war... They very often came to me out of the woods for advise,” Ledbetter recalled. “I always done all that I could for them, by feeding them and hiding them in my barns and out houses to keep them out of the war and to keep the Confederate soldiers from finding them and giving them notice whenever the soldiers were hunting for them. Not one of the deserters that was in the woods was related to me in any way. I done it because I thought it was right.” It mattered little to unionists if they were supporting deserters, conscript evaders or other unionists in this war of resistance all faced the same internal enemy that was trying to reestablish military control over

³⁶ Rebecca Norman (Yadkin, no. 3508), Southern Claims.

their lives.³⁷

Often unionist women helped spouses and other relatives who were resisting and stood in between the home guard and armed dissenters. Widow Rachel Nicks of Hamptonville in Yadkin County went through what must have been a heart-wrenching experience. Rachel, who had an uncle in the U.S. Army, was threatened by “Rebel forces Snows men--and the Home Guard they threatened to burn me up because I refused to furnish them with provisions... The Rebels who lived near Engle Mills a distance of about ten miles threatened to burn me for my Union principles.” During the war, Rachel begged her brother William P. Martin to “lay out” in the woods to avoid conscription. “He said he did not want to go into the service,” Rachel remembered, “he was only in it about two months till he was killed” at Petersburg, Virginia. Rachel clearly spoke out for her unionism when she chose her second husband D.L. Nicks, who had been an outlier in Yadkin County. Nicks also aided escaped prisoners from Salisbury Prison. She stood at the center of the home front irregular war, where women were protectors, widows, marriage prospects for political dissidents, political actors, and the supply line for a resistance force hiding in their communities. Simultaneously these women faced the threat of losing a loved one and losing their own lives and property while seeking any way they could to defeat the Confederate cause.³⁸

In Yadkin County unionists and deserters from the Confederate Army became so strong that they broke into the local jail at Yadkinville and freed the prisoners, many of whom were suspected as disloyal by Confederates. Major J. R. McLean at Camp Vance decried the insecurity in Yadkin and about the problem of unionists and deserters to state Chief Justice Richmond Pearson in early August 1864.

³⁷ Henry Ledbetter (Guilford, no. 10,394), Southern Claims.

³⁸ Rachel S. Nicks (Yadkin, no. 20,522), Southern Claims.

“Some few weeks ago, the public Jail of Yadkin County was forcibly entered by a mob and the prisoners, three of whom, at least, were awaiting trial for murder, were released, and allowed to go at large--that, Shortly after this, the town of Yadkinville was entered by a mob composed, it is believed, of the same persons who broke the jails, and, possibly of the escaped prisoners.”

While there the unionists and deserters even went so far as to seize “the arms and ammunition, belonging to the Home Guard.” In identifying these individuals, McLean revealed a group of men making up the entire spectrum of anti-Confederate resistance:

“A crowd of these jail breakers escaped murders, deserters from the army, recusant conscripts (some of them known to have been lying out for two or three years and desperately bad men.) escaped yankee prisoners and a few disloyal persons, over and under the military age, under the lead of one Alex Johnson charged with house breaking and stealing in company with negro slaves in Davie County, about one hundred and fifty in number, left Yadkin County with the avowed purpose of going with the enemy's lines, and enlisting (some of them at all went in the Federal army.)”³⁹

McLean assured Pearson about his counter-irregular operations: “Having been promptly informed of this movement. I dispatched troops to intercept them. About forty or fifty of them, including two of the escaped prisoners, the man who took the keys from the jailor...were arrested in Watauga County near the Tennessee line, brought to the Camp and delivered to me.”⁴⁰

While many of these dissidents were often killed during their irregular activities, those captured by Confederates were treated as a criminal problem, and held indefinitely until trial could be held for murder or treason. They did not grant the irregulars status as prisoners of war, and Confederates did not view these irregulars as legitimate combatants. When William Lee, Enoch Brower, Harding Allgood, and Ben Willard were captured after an engagement at “the School House” in Yadkin County, they were brought to the local jail. All of the men were conscript evaders except Allgood, who was a deserter. Indictments were brought against Lee and Willard for the murder of home guardsmen John Williams and James West at the engagement.

³⁹ J.R. McLean at Camp Vance to Richmond Pearson, 4 August 1864, Richmond Pearson Papers, Perkins Library, Duke University.

⁴⁰ Ibid.

Confederate J.A. Joice warned J.R. Mclean that they could not simply jail these men in the county because “Our Jail is entirely unsafe, to say nothing of the danger of them being rescued by their friends as heretofore...did assist in forcing the jail a few weeks ago as can be proven.” The Confederate deserters who were captured as part of the company of Yadkin dissidents were also a problem. “It is worse than idle to send them to the army, better turn them loose here,” Joice argued, “because if sent to the army they will be certain to desert and will bring arms with them and perhaps intice [sic] others to desert. Doubtless, some better meaning men were persuaded to go off with them, but very few. If these men are not allowed to get back to this county, we are now in a fair way to clean it out.”⁴¹

The supply line to the union men, deserters and conscript evaders was largely family members, neighbors and community members, making it difficult for Confederate home guards or enrolling officers to crack the resistance. Confederates sometimes became so frustrated that they resorted to violence against family members. These incidents occurred in all three types of irregular war in North Carolina. Irregular warfare became the most dangerous form of military conflict for civilians until the onset of more destructive modern weaponry in the late nineteenth and twentieth century as a direct result of the civilian supply line and protection role.

In one incident in the piedmont county of Randolph, a Mrs. Owens, the wife of a deserter named Bill Owens, was brutally tortured while Confederates searched for her recalcitrant spouse. The woman told Confederates that her husband had died and that he was buried in the cemetery, but when they requested that she take them to the grave, she refused. Skeptical and frustrated

⁴¹ J.A. Joice to J.R. McLean, 30 July 1864, Richmond Pearson Papers, Perkins Library, Duke University.

Confederate soldiers then tied the hands of Mrs. Owens and placed her thumbs in between fence rails torturing the woman to find the location of the husband.⁴²

While she was not physically tortured, Mary Stanley of central Guilford County was another unionist who experienced this Confederate counter-irregular war up close. “I sent four sons and a son in law through the lines filled them up to go. The Confederate authorities injured the last and youngest son and when he came home sick on furlough. I filled him up and sent him through the lines. I also fed the union boys who were hiding out to keep out of the army.” Confederates who hunted for her sons eventually targeted her in a demonstration of power meant to send a message both to the community and to force her to give up her family’s whereabouts, which was a common ploy. “I have been ordered out of my own house the soldiers shot through my bee gums and very much abused me.” Stanley was left alone with no male protector after her husband was arrested and sons fled to Federal occupied territory.⁴³

Some women became so disgusted with the Confederate counter-irregular war in their communities that they fought back with physical force. When Confederates sent troops to search for conscript evaders in Surry County they received an extremely warm welcome from both the men hidden in the woods and women at home. After two separate “scrapes” with the men hiding out about six miles from Elkin, Confederate soldiers “went to a house and the family all fit women and all the women scalded some of them nearly to death[.] They are talking of taking the women to jail.”⁴⁴

⁴² Thomas Settle, Jr. to Zebulon Vance, 4 October 1864, Thomas Settle, Jr. Letters, North Carolina Department of Archives and History, Raleigh, N.C.; *Fayetteville Observer*, 2 May 1864; *Charlotte Western Democrat*, 8 March 1864; on Randolph County, see William T. Auman, “Neighbor Against Neighbor: The Inner Civil War in the Randolph County Area of Confederate North Carolina,” *NCHR* 61 (1984): 59-92; Escott, *Many Excellent People*, chapter three; David Brown, “North Carolina Ambivalence: Rethinking Loyalty and Disaffection in the Civil War Piedmont,” in Paul D. Escott ed., *North Carolinians in the Era of the Civil War and Reconstruction*.

⁴³ Mary Stanley (Guilford, no. 3,653), Southern Claims.

⁴⁴ Margaret Baggarly to Tilman F. Baggarly, n.d., Tilman F. Baggarly Papers, Perkins Library, Duke University, Durham, North Carolina.

By the late summer of 1862, the people's war of resistance was already underway in the central counties of the state, and Randolph County residents experienced some of the most vicious violence yet. Confederate J. Elliott of Randolph related "People are awfully alarmed at the times hears, they see nothing but starvation staring them in the face, but really we have not suffered yet only in imaginations, some mischief is occasionally done by outliers, one gets shot once in a while, all seems possible at present." Confederates referred to the dissident irregulars by the term outliers in reference to their hiding away from settled communities in the woods and bushes. But violence quickly boiled over in the central counties as Confederates tried to keep the lid on dissent by stepping up their conscription enforcement and deserter hunts in the winter of 1863. In mid-January, Elliott warned "All in confusion here. Several barns have been burnt, supposed to be done by the out lyers, some have been killed by those who are hunting conscripts, some shot by unknown persons supposed to be out lyers." But help was on the way for Confederates hoping to reestablish the orderly police state of 1861 and 1862. According to Elliott, "the county court of Montgomery have asked the Government for troops to suppress a band of robbers or insurrectionists in the line between Randolph and Montgomery." In June 1863 Governor Vance called for more units to form to hunt deserters and reculant conscripts in the mountain counties, and by the year' end, more than one thousand troops had been sent to the piedmont counties for the same purpose.⁴⁵

Part of the problem Confederates faced in fighting irregulars was the ineptitude of their own local home guards and their inability to cooperate beyond their own local community

⁴⁵ J. Elliott to Benjamin Elliott, 3 September 1862 and 17 January 1863, Benjamin P. Elliott Papers, Perkins Library, Duke University, Durham, North Carolina; *Charlotte Western Democrat*, 16 June 1863; Vance called for units to form to hunt deserters and conscripts in the mountain counties in June 1863; the war in central Randolph County is perhaps the most written about local conflict of North Carolina's people's war; see, Escott, *Many Excellent People*, chapter five; Auman, "Neighbor Against Neighbor," and Bynum, *Unruly Women*, chapter six; on the term "outlier," see William T. Auman, "Neighbor Against Neighbor," *NCHR* 61 (1984): 59-92.

interests. In September 1863 home guard officer C. Dowd of Moore County complained to his superior Lt. Col. S.G. Worth, who commanded the Randolph County home guard forces, that deserters and reculant conscripts were running all over Randolph, Chatham, Montgomery and Moore Counties, but he was most concerned about how he could keep them out of Moore. Frustrated about the lack of cooperation among home guards enforcing policy and the increased resistance, Dowd implored Worth “to keep your deserters and reculant conscripts from coming down into Moore lest they injure this county's fair name! The Home Guards of this, Randolph, Chatham, Montgomery were ordered to report for duty to Col. Farion 56 Ret but I understand he had been ordered back to Virginia.” “So what are we to do if we are to operate on our separate responsibility we must act in concert,” Dowd asked, “else when I get after the scamps from your county who are disgracing the upper end of this, they will eve over the line...and I shall have accomplish[ed] nothing.”⁴⁶

By November 1863 the central piedmont was ablaze with dissident activity and Confederates realized the escalation in resistance to their efforts to suppress it. Two of the those soldiers involved in this unglamorous duty were brothers L.S. Wright and B.S.E. Wright of the Fifty-Sixth North Carolina Infantry, who wrote their family from Davidson County describing their daily duties. “When one of us stand gard we both stand thare is a heap of deserters about here, I don’t no how long we will stay here an when we leave here we will go to Randolph,” the Wright boys grumbled. “The people about here are nearly all union people half of them are deserters some of them get very mad when we go to thare house nite before last we had to press our nites lodging and do our own cookin and som treat us well they are a feard of us thare is so many deserters here that the home guard is a feard to go without a heap of them or some of us.”

⁴⁶ C. Dowd to S. G. Worth, 28 September 1863, Marmaduke S. Robins Papers, Southern Historical Collection, Wilson Library, University of North Carolina at Chapel Hill.

Not only did the Wrights describe the tedious nature of guard duty against potential irregular attacks on their unit; they also described how their presence and impressment efforts to support themselves caused even more animosity. Clearly their unit's presence frightened many in the community, and they also affirmed the thinking of many Confederates that the line between unconditional unionists and deserters was not something they needed to dwell on in determining how they would treat dissidents.⁴⁷

A.K. Pierce, a white unionist from Randolph County, recounted the brutality of Randolph's war in summer 1863 that had caused him to flee the state. Pierce made his way north to Washington, D.C. only to run into more trouble. Late in November, after he was incarcerated at Old Capitol Prison under suspicion of being a spy, Pierce related in a letter to Bryan Tyson, one North Carolina's most notable ex-patriot unionists who was then residing in Washington, how "everytime the union army whip[p]ed [the Confederate army] it made the union [people] that much more increasing about the time of the Gettysburg battle nearly all the people was union [but] if a man said he was union his life was threatened and nearly all the men was union but there was men sent from the [Confederate] army to quel [sic] this union sentiment," Pierce assured, however, "the good old union men stands firm they believe the union will [be] reestablished and they have a love for the stars and stripes...I heard them say how butiful [sic] it would be to see the old flag once more floting [sic] in the air." After listing more than half a dozen unionists who vowed to die on the home front before being conscripted into the Confederate Army, Pierce closed his letter.⁴⁸

⁴⁷ L.S. Wright and B.S.E. Wright, 27 November 1863, Wright Family Papers, Perkins Library, Duke University, Durham, North Carolina.

⁴⁸ A.K. Pearce to Bryan Tyson, 29 November 1863, Bryan Tyson Papers, Perkins Library, Duke University, Durham, North Carolina; Auman, "Neighbor Against Neighbor," and Bynum, *Unruly Women*, chapter six.

Only a week later in early December 1863, however, Pierce again wrote Tyson to recount in more graphic detail the people's war in Chatham and Randolph Counties. In a clear and forceful letter, Pierce offered this listing of the murders:

“Neill McDonald was killed...by a party of cecesh [sic] and soldiers it was because he was working for the union cause and as he had but one arm he would be nothing...and they thought it would stop the union cause but alas they were mistaken the more they kill the more union there was. John Garner was shot in the arm so that he lost the benefit of it this was for nothing but because he was aiding in the union cause. Another horble [sic] murder was committed in Chatham one Phillip was shot while traveling along the road he was an innocent man ever did any man any harm but because he was aiding in the union cause he was shot. Another horable [sic] act was committed near Asheboro in Randolph by shooting an old grey headed man this was for nothing but because he was a union man and would not yield to the cecesh [sic] party. Another murder was committed at Ashboro the man executed was Benjamin Northcut if he ever did anything but what was right I do not no [sic] it he was well thought of by the union party...he was one that said what he saw would do the union good and because he had much influence with the people he was killed but all this done no good the more they killed the more union there was poor men they said or some of them said just before be in killed that they were dying in a good cause that they had rather die at home then [sic] to die in the Rebel cause all these murders is true.”⁴⁹

As Confederates tried to reestablish a well-ordered police state through counter-irregular warfare, they had to feed and quarter soldiers for months at a time in communities already strained by the privations of war. By the end of December, Confederate J. H. Forest reported to Governor Vance that more than one thousand troops including the Fifty-Sixth North Carolina Infantry presently occupied Randolph County in the hunt for “about fifty or sixty deserters.” He said that they were living off the land as ordered and “taking not only bread and meat but the more substantial article good liquor whenever and wherever they find it, doing no good...in picking up deserters and giving by their conduct a feeling of hatred and hostility to the Government on the part of the community that is damaging to the cause we profess to be engaged in.” “I passed thro the county yesterday from High Point to my home,” Forest related,

⁴⁹ A.K. Pearce to Bryan Tyson, 3 December 1863, Bryan Tyson Papers, Perkins Library, Duke University, Durham, North Carolina.

“a distance of thirty miles and I meet with no one who expressed himself, but prayed for the removal of the troops from our midst. We think the Home Guard organizations now sufficient to the purpose of arresting conscript and deserter. But if the county is to be flooded with soldiers, let them buy their provisions in a regular way...what else can I do, when appealed to by our best citizens, the cause is being damaged by such conduct.” Forest’s description of the intensification of police state activity in the piedmont revealed that even Confederate citizens felt the effects of this policy. Those privations coupled with political dissent led to serious backlash.⁵⁰

Robbery was a common experience for civilians caught in the middle of the people’s war. Because men in the woods, bushes, coves and mountains needed to eat and needed weapons, they frequently stole to survive. Likewise, Confederate home guards and regular troops sent to hunt these men also needed to eat and frequently used foraging to send a message to locales about who was a loyal Confederate and who was not. The loyal were paid for supplies, left alone, or protected while those who were suspected of disloyalty or harboring dissidents were targeted with impressment and frequently left with empty corncribs and hog pens after Confederates came to their farms.

Unionist John Jones of Watauga was at home when local home guards from the community of Cove Creek threatened to kill he and his wife for their loyalty. Welborn Trivett and William Williams of the home guard were also involved in robbing his home in May 1864. “They took my gun and robed my house of bed clothing wearing clothes provisions crockery wear and other things.” Seizure of suspected dissidents’ firearms was common during the robbery.⁵¹

⁵⁰ J. H. Forest to Zebulon Vance, 30 December 1863, Marmaduke S. Robins Papers, Southern Historical Collection, Wilson Library, University of North Carolina at Chapel Hill.

⁵¹ John Jones (Watauga, no. 10,408), Southern Claims.

In Moore County, “eating out the family of deserters” became part of Confederate counter-irregular tactics. In order to suppress the supply line and demoralize supporters of the men they were hunting, Confederates frequently lived off of the families of suspected unionists and other men who had fled. By September 1864, A. M. Dunlap, the local conscription officer in the county, predicted that with the arrival of 250 reinforcements he would be able to reestablish complete control over the county and enforce conscription effectively. At that rate, Confederates would have to expend a huge number of troops to put down irregulars in counties across North Carolina currently in open revolt. Disorder reigned in many counties of the police state. Writing from the town of Carthage in Moore, Dunlap reported to his superior Artemus Caddell, “I have [been] busily engaged in the E.O. [Conscript Enrolling Office] for the last two weeks...sending off a few conscripts, which is by no means a pleasant task. Good many deserters now surrendered.” “A great revolution is now taking place in this county I think we will have entirely a new county in a very short time every person seems to take an interest in this hunt,” Dunlap enthusiastically related. Of those under his command, he optimistically related how “They are punishing the friends and families of those who refuse to give up such as pressing Horse wagons, wheat, oats, and C[orn], which brings those who have property in by swarms it is having a delightful effect the only way to whip the Devil is to fight him with fire.” Speaking specifically of the deserters, Dunlap believed these tactics had led to a change of heart among the population. “I rather think there [sic] [the deserters] popularity and reputation is some what on the decline.”⁵²

Late that summer, Mollie Sugg, a Confederate woman in neighboring Randolph County, offered her own assessment of the Confederate counter-irregular effort and confirmed that it was not just dissident families who were subject to robbery and fear. “We are having troublesome

⁵² A. M. Dunlap to A.S. Caddell, 22 August 1864 and 16 September 1864, Artemus S. Caddell Papers, Perkins Library, Duke University, Durham, North Carolina.

times here now the deserters are cutting [sic] some tall shines they have killed three of these hunters in Moore Co. and they are preparing for a fight at Carthage,” Mollie recounted. “The deserters came here Saturday night and cut our carriage curtains of[f] and this morning they came here and told Pa they wanted to borrow his guns and pa told them that the hunters had pressed his shot gun and they said they wanted the other one and he told them he could not lend it to them and they said they was going to have it and they walked rite in and got it.” When the deserters came into the house, Mollie even confronted one of them. “I ask him what he wanted with it and he said he wanted it to kill squirrels with I told him that Taylor [her younger brother] wanted to kill squirrels he said Taylor had to work I ask him why he was not at it two [sic] he said he could not work and keep out of the way of the hunters two [sic] I told them that both of my brother had got to the army and one of them had died there that is all I said to them I can tell you I was scared so bad.” Frustrated about being robbed by the deserter, Mollie “knew that they would have it in spite of all we could do there wasn’t but two that came in the house but the corn field was full of them.”⁵³

That same month a Confederate family in Randolph was attacked on the public road by a “gang or deserters or tories, 20 or 30 in number.” Martin Overton, his mother, his brother John Overton, and John’s wife were ambushed on the night of 15 August. During the fight, the Overtons killed two of the irregulars and wounded four or five while John C. Overton was killed. Martin and his mother were badly bruised in the assault but survived. The final months of 1864 would see further destabilization in this region as Confederates struggled to maintain control.⁵⁴

The self-constituted bands in the mountains wrought the same sort of havoc as in the piedmont during the late summer and early fall of 1864. Numerous local murders and attacks by

⁵³ Mollie Sugg to Lewis O. Sugg, 9 August 1864, Lewis O. Sugg Papers, Perkins Library, Duke University, Durham, North Carolina.

⁵⁴ *Fayetteville Observer*, 3 October 1864.

unknown assailants on Confederate officials and home guard officers made enforcing policy and countering their operations difficult. In November 1864, Confederate Colonel Joseph Y. Bryson, “an active Southern man,” was asleep in his home in Henderson County when eight unknown men called at his gate. Before the man awoke his two daughters, wife and “a negro man” stepped out onto his porch. The men at the gate opened fire on the porch killing Mrs. Bryson and wounding his daughters.⁵⁵

That next month in Burke County, Captain James D. Glass of the home guard was in camp when a group of “tories and deserters” burned his home down and with it “every article he possessed.” He had been “an active agent in hunting up the deserters” and an important local functionary in upholding the Confederate police state through his counter-irregular operations. According to a Confederate correspondent from the *Salisbury Carolina Watchman*, the leader of a local band of twenty-five or thirty “thieves” Calvin Loel “who had been caught two or three times and carried to the front” only to runaway again and again was suspected of involvement in burning Glass’s home.⁵⁶

In many areas of North Carolina by early 1865, the police state Confederates had built around unionists and other dissidents was teetering on the edge of collapse but they continued to push back. “Holdenites or Toryes have mutch the larger party they band to gether provision or any thing they can lay hands on [and] while some of the Home Guard was gone to eastern Carolina their houses was plundered,” declaimed one Randolph County Confederate Mr. McMasters in mid-February. “The Traityers abused one officer in this neighborhood [he] was shot at in his own lot one more was murderd last week by a Deserter and others threaten but thos that are true dare not interfer. I think those militia who harbor and sistains too should be arrested

⁵⁵ *Charlotte Western Democrat*, 8 November 1864

⁵⁶ *Charlotte Western Democrat*, 13 December 1864.

and punished several perhaps.” The Confederate position in Randolph had grown so weak by 1865 that the once zealous local Confederate population could no longer intimidate dissidents. “Before this reaches you we may be robbed myself,” McMasters warned, “worse...some Yankeys are her[e] among us and thos people who harbor them I think should be swung up an left hang some...I had better close as they have threatened my life if this gets out I expect nothing else but to go up,” an allusion to death. While McMasters remained resolute in his support for the Confederate cause, he realized they were not winning the war in Randolph County in early 1865.⁵⁷

Like Mr. McMasters, Confederate Thomas H. Troy argued that Confederates no longer had the upper hand in Randolph in February 1865 and that deserters and tories were nearly in control of the county. In a letter to Marmaduke Robins, Governor Zebulon Vance’s private secretary during part of the Civil War, Troy related the situation for Confederates in Randolph. “We are overrun in our county by Deserters. They have completely Subdugated us. Are Robbing by the whole sale. Nearly ruined My mother, Mr. Josiah Cheek; Arthur McCory and Numbers of others. A part of them are mounted and go boldly and strip a man of everything they wish.” Troy importuned Robins, “Can’t you influence the Governor to send no help? If so you would do the loyal portion of the county a favor, which should never be forgotten. We do not wish the Home Guard of the county as so many of them sympathize with the Deserters that it is impossible for them to accomplish anything. I beg you Mr. Robbins to remember us. I get our beloved Governor to help us.” Both McMasters and Troy offered important insight into how the police state eroded and how dissidents began to challenge the Confederacy from the inside. When Confederate home guards in some areas could not be entrusted to enforce policy, a linchpin that

⁵⁷ Mr. McMasters to M.S. Robins, 16 February 1865, Marmaduke S. Robins Papers, Southern Historical Collection, Wilson Library, University of North Carolina at Chapel Hill.

hitched the Confederate government to the local population was being removed. While unionists were still not safe, Confederates were no longer able to dictate how they were treated. With the arrival of U.S. troops in early spring 1865, a few home guards would no longer be able to control the political dissidents.⁵⁸

The Border War: The Irregular War of Raids and Regulars

North Carolina's unionists were deeply immersed in a third irregular war in the mountains of western North Carolina that piedmont and coastal unionists did not experience, a border war of raids propelled by East Tennessee unionists and U.S. Army troops. North Carolinians who fled to East Tennessee during the early war sometimes joined the U.S. Army in an effort to put down the rebellion. Many of these North Carolina unionists joined the Second and Third North Carolina Mounted Infantry, which operated in the Appalachian border-region against Confederate troops. Unionists were also targets of Confederates who patrolled the border to protect fellow citizens from these cross-border attacks by the U.S. Army. One of the most prominent units involved in this effort was William Holland Thomas's Legion of Confederate Cherokee Indians. This border irregular war of raids and regulars was partially a phenomenon of mountainous terrain and proximity to the large unionist population in East Tennessee and also a product of U.S. Army operations that developed a base in East Tennessee at Knoxville as well as other locations where unionists assembled to make incursions across the mountains.⁵⁹

⁵⁸ Thomas H. Troy to M.S. Robins, 24 February 1865, Marmaduke S. Robins Papers, Southern Historical Collection, Wilson Library, University of North Carolina at Chapel Hill.

⁵⁹ On William Holland Thomas and his Cherokee Confederates, see E. Stanley Goldbold, Jr. and Mattie U. Russell, *Confederate Colonel and Cherokee Chief: The Life of William Holland Thomas* (Knoxville: Univ. of Tennessee Press, 1990); Paul A. Thomsen, *Rebel Chief: The Motley Life of Colonel William Holland Thomas, C.S.A.* (New York: Forge Books, 2004); Inscoc and McKinney, *The Heart of Confederate Appalachia*, 15-16, 146-147, 242-243.

Governor Vance frequently sent troops into western North Carolina to prevent incursions and defeat a people's war, two different irregular wars that required two different solutions. While the violence from both forms of conflict touched the same mountain counties, different people and motivations were behind each form. U.S. Army cross-border raids were often targeted operations meant to destroy Confederate prisons and war materials but caught civilians in the wake of operations that used hit-and-run guerrilla tactics. While the people's war was an internal problem that had at its root a different set of motivations for the irregulars: opposition to Confederate military policies and their enforcement. Both wars involved unionists—the people's war as home front irregulars opposing Confederate home guards and state troops and the U.S. Army cross-border raids relied on North Carolina unionists for soldiers, intelligence and supply. But Confederates were never able to develop a consistent plan for coping with both of these threats simultaneously. They did devote significant manpower to the problems, but the difficult terrain and members of the population willing to help dissidents made the counter-irregular efforts increasingly costly as the war progressed. Few soldiers, however, experienced as sustained a role in this mountain effort as Major William Holland Thomas' Cherokee Legion.⁶⁰

The activities of the Thomas Legion illustrate the dual role Confederate counter-irregulars were expected to play in western North Carolina as they fought two separate irregular wars. In March 1863, the Thomas Legion was operating in the mountains along the border between East Tennessee and Western North Carolina. Many Confederate including Thomas

⁶⁰ Mackey, *The UnCivil War*, introduction, has seen this distinction between “people's war” and “raiding warfare” in the respective cases of Arkansas and Kentucky-Tennessee. This chapter makes the case that North Carolina experienced three major irregular conflicts simultaneously: “people's war,” an irregular conflict of “raiding warfare,” and a “partisan ranger conflict.” Mackey did not consider North Carolina in his study because of “a lack of Federal military involvement in the state.” This chapter's examination of irregular wars statewide in North Carolina hopes to disprove this notion and fill a gap. For further reading on U.S. Army counter-irregular warfare in North Carolina, see Myers, *Executing Daniel Bright*, and Myers, “‘A More Rigorous Style of Warfare’: Wild's Raid, Guerrilla Violence, and Negotiated Neutrality in Northeastern North Carolina,” in Paul D. Escott ed., *North Carolinians in the Era of the Civil War and Reconstruction*.

thought that his soldiers because of their Indian ethnicity were intrinsically better prepared for irregular warfare. “They are the best scouts in the world, and hence the good that they accomplish among the mountain tories and bushwhackers,” one Confederate journalist paraphrased Thomas as saying. But the dual role they were assigned of guarding miles of difficult mountainous terrain from incursion and defeating “tories and bushwhackers” made their job exceptionally difficult. The *Charlotte Western Democrat*, over optimistically forecast “A notice that Thomas’ Indians are in a section of county brings in the dodgers at once, for they know that hiding out will not avail against the Cherokees.”⁶¹

One example of the operations of the Thomas’ Legion came in fall 1863. In September, a notorious “tory” named Goldman Bryson led a group of 120 unionists, disaffected citizens and deserters in a raid on the Cherokee County seat of Murphy. The men destroyed the jail and captured “fifty or sixty guns and considerable ammunition which belonged to the State, and had been sent to Cherokee for the use of the militia.” In October, twenty-five of Thomas’ Indians were part of a force of Confederate cavalry sent after Bryson and his men. Murphy Bryson’s men were engaged in a skirmish where seventeen of his group were captured and two were killed. A small group of cavalry and Indians from the Thomas Legion continued the chase when Bryson and his surviving men fled to the mountains. Shortly afterward, the Indians and cavalry hunted down Bryson and killed him at his home. According to historian John G. Barrett, “Some of the Indians were later seen on the streets of Murphy wearing various pieces of the bloody, bullet-riddled uniform of the dead man.”⁶²

⁶¹ *Charlotte Western Democrat*, 3 March 1863.

⁶² *Charlotte Western Democrat*, 8 September 1863; Barrett, *The Civil War in North Carolina*, 199; *Charlotte Western Democrat*, 22 December 1863; despite their diligent service Major William Holland Thomas was forced to defend Indians against charges of disloyalty; in December 1863, he claimed that there were no “tories” among the Cherokee; this is patently false as even Colonel George W. Kirk had several Indians with him on his western North Carolina raid in June 1864; see, Barrett, *The Civil War in North Carolina*, 233.

Confederate home guards were notoriously ineffective in their counter-irregular efforts in western North Carolina, but this was primarily due to the dual role in which they were expected to play. Home guards not only had to protect Confederate citizens from outside raids. They were also expected to fight the self-constituted irregulars who remained on the home front—the same irregular conflict rooted in the Confederate conscription policy, which piedmont and coastal unionists also faced. Given their inability to stamp out the threat, it became that much more difficult to stop lightning raids and stealth operations by federal activities launched from East Tennessee.⁶³

The most prominent example of the U.S. Army's cross-border operations involved the unionists who fought under Colonel George W. Kirk. In June 1864, Colonel Kirk launched a raid across the mountains with the goal of liberating federal prisoners of war held at Salisbury in the western piedmont county of Rowan and destroy an important railroad bridge near the town. The initial phase of Kirk's raid stealthily marched roughly 150 men across the mountains toward the strategically important town of Morganton where the Western North Carolina railroad had its mountain terminus. Kirk hoped to capture a train at Morganton and then use an engineer he brought with him on the raid to steam east toward Salisbury to release the prisoners. When he arrived at Morganton, Kirk attacked a conscript training camp named for western North Carolina's favorite son and the war governor Zebulon Vance. Camp Vance was surprised on the morning of 28 June but the small complement of North Carolina Junior Reserves and conscripts offered minimal resistance the raiders. Kirk's men seized the camp and burned the buildings, but before his men could cut the telegraph wires a message was sent to Salisbury warning of the raid. Once Kirk's men discovered that their mission was no longer a secret they were forced to abandon their plan of freeing the Salisbury prisoners. As a result, many of the North Carolina

⁶³ On raids from East Tennessee and unionists in that region, see Fisher, *War at Every Door*, 55-56, 66-68, 87.

unionists and U.S. troops at the prison would spend the remainder of the war in horrible squalor; thousands of these men eventually died and were buried in unmarked trenches.⁶⁴

A group of home guards was sent in pursuit of the raiders, but Kirk held the guards in check fighting a skirmish near Brown's Mountain and another near the "Winding Stairs" road more than twenty miles from Morganton. Kirk managed to hold off the rag-tag group of Confederates sent after his raiders and retreated back to Tennessee arriving in Knoxville in early July. Kirk was forced to retreat back through the mountains with his principle objective unmet. For Confederate citizens, however, the loss of a conscript camp and the destruction of part of Morganton left them feeling even less secure.⁶⁵

The police state had spiraled from a state of disorder in 1863 and 1864 where Confederates still were dominant to near collapse in early 1865, where in many of the counties in the four major Confederate Congressional districts dominated by irregular wars--chaos and anarchy reigned. Unionists played a role in the defeat of the Confederacy through their involvement in three irregular wars that drew off important resources from the battlefield. These resources would not likely have tipped the balance in the Confederates' favor on the battlefields of Tennessee and Virginia, but they may have prolonged the war. Unionists and their dissident allies were not able to defeat the police state apparatus alone and restore civil liberties to unionists, but they did force Confederates to commit increasing numbers of troops in order to maintain control. Whenever the Confederacy was forced to strip many communities of all but the most worthless men in late 1864 and 1865, it was only a matter of time before the dissidents gained an upper hand in some counties. If the U.S. troops had not arrived to finish the job, a growing number of citizens who opposed the Confederacy would have certainly continued to

⁶⁴ Barrett, *The Civil War in North Carolina*, 233-237; Inscoc and McKinney, *The Heart of Confederate Appalachia*, 134-136, 194.

⁶⁵ *Ibid.*, 233-237.

destabilize the police state in the occupied interior. It would, however, be the U.S. Army that would finally topple the Raleigh government, crush the police state in the counties it occupied, restore civil liberties, free the remaining slaves, and free unionists from the fear of constant threat.⁶⁶

U.S. Army Invasion of Confederate Occupied North Carolina

By the time federal troops arrived in the state in a full-scale invasion of the interior, many counties were in chaos. The invasion of General William Tecumseh Sherman's Army (early March-May 1865) and General George Stoneman's Cavalry (March 25-April 26) shattered the police state in parts of North Carolina. Confederate military control of urban areas collapsed as U.S. armies marched into town set up camp and began a new military occupation of North Carolina. But not all North Carolinians viewed the arrival of Sherman and Stoneman as an utter disaster or something to be resisted at all costs.⁶⁷

While historian Jacqueline Glass Campbell has argued that Confederates on the home front sustained a stiff resistance against Sherman's Army as it entered North Carolina and that the Confederate "home front" remained committed despite disaffection, this is at best putting a good face on a bad situation. By 1865 North Carolina, frequently thought of as a home front state

⁶⁶ A Quaker to M.S. Robins, 1 February 1865, Marmaduke S. Robins Papers, Southern Historical Collection, Wilson Library, University of North Carolina at Chapel Hill; this letter written by a pacifist reported over one hundred robberies and murders in Randolph County during the war.

⁶⁷ Barrett, *The Civil War in North Carolina*, chapters 14 and 17; Wilson Angley, Jerry L. Cross, and Michael Hill, *Sherman's March Through North Carolina: A Chronology* (Raleigh: NCDAH, 1995); on women during Stoneman's raid, see John C. Inscoe, "Talking Heroines": Elite Mountain Women as Chroniclers of Stoneman's Raid, April 1865," in John C. Inscoe and Lesley Gordon eds., *Inside the Confederate Nation: Essays in Honor of Emory M. Thomas* (Baton Rouge: Louisiana State Univ. Press, 2005); on Sherman's march through North Carolina, see John C. Inscoe, "'To Do Justice to North Carolina': The War's End according to Cornelia Phillips Spencer, Zebulon B. Vance, and David L. Swain," in Paul D. Escott, ed., *North Carolinians in the Era of the Civil War and Reconstruction*; Jacqueline Glass Campbell, *When Sherman Marched North From the Sea: Resistance on the Confederate Home Front* (Chapel Hill: North Carolina, 2003), chapter four; Mark Grimsley, *The Hard Hand of War*, 190-204.

during the Civil War, was not much of a home front at all. Depending on where one lived, North Carolina was either a battlefield for one of three different irregular wars, an occupied zone traversed by Confederate forces attempting to maintain a police state, or a U.S. Army garrisoned community. There has been little written on the reception of Sherman and Stoneman's forces by unionists and as a result scholars have overlooked how the war was viewed from the perspective of these dissidents during the final days of 1865. The steadfast unionists, who had endured four years of Confederate occupation and irregular warfare in the Confederate controlled counties, viewed the arrival of Sherman and Stoneman as liberation. Clearly many unionists were apprehensive about how they would be treated, and for some of these people, who had never seen so many troops massed in one area, the experience remained a frightening one. Nevertheless, it was also a huge emotional release and for many gave them courage to finally leave their hiding places and hope that they would again be able to speak freely about their political views. Many unionists hidden in caves and forests across North Carolina came rushing out of their hiding places to meet the blue troops and greet them as liberators. But these unionists were not all treated in the same way.⁶⁸

North Carolina's unionists responded to Sherman and Stoneman's arrival in several key ways. Many unionists encountered Sherman's Army and Stoneman's Cavalry raiders whenever those soldiers came to their property in search of supplies, food, fresh mules and horses or when the armies were in need of a local guide that could point them in the direction. It was this twist of fate that preserved the stories of these unionists. If U.S. Army forces had not had contact or the need to impress the supplies of many of these unionists, it is unlikely that their stories would

⁶⁸ Campbell, *When Sherman Marched North From the Sea*, 76, primarily addresses resistance by Confederate women to the invasion of U.S. troops; the work does not examine the Southern Claims Commission records or focus on southern unionist resistance to Confederate military policy or unionist interaction with Sherman.

have been preserved through testimony in front of the post-war SCC that was designed to reimburse them for their losses at the hands of U.S. troops.⁶⁹

Sherman's army employed a consistent military policy of restraint toward black and white unionists when it came to physical violence, but neither black nor white unionists escaped property confiscation. This is consistent with what historian Mark Grimsley has found for Sherman's wider march into Georgia, South Carolina and North Carolina.⁷⁰ Unionists who encountered William T. Sherman's Army lost a large amount of property through the army's resupply efforts. At least eighty-four unionists made contact with Sherman's soldiers and had property seized by his soldiers. In the case of many of these unionists, they lost the only horse or mule they owned and often a substantial percentage of their entire year's harvest at a time when the Confederate government had already heavily taxed their crops and produce for the war effort.⁷¹

On 11 March 1865 Ann Revels, "a very bright yellow woman," was given a guard for her family's house but their forage was taken anyway. Revels experienced first hand Sherman's unionist policy. Revels remembered that one of the U.S. soldiers who came to her home was kind and tried to explain the confiscation. "I think he was an officer. He was very gentlemanly man said we must not think hard that they were obliged to take provisions for the soldiers." The army provided a guard for the Revels' home that stayed several days while the army passed and foraged. The standard U.S. Army practice was to place a guard over a unionist's home to prevent looting of non-supply articles while federal troops foraged liberally on the barn, crops and livestock of both unionist and Confederate families. Not all unionists were given complete

⁶⁹ Inscoe and McKinney, *The Heart of Confederate Appalachia*, chapter ten.

⁷⁰ Grimsley, *The Hard Hand of War*, 190-204.

⁷¹ Based on database of Southern Claims Commission Records from the State of North Carolina compiled by Barton A. Myers.

protection, but enough were to demonstrate that a serious effort was made to prevent rampant looting.⁷²

One unionist who was looted by Sherman's troops was Elsie Drake. Drake, a former slave whose husband had purchased her freedom before the arrival of U.S. forces, was not happy about the loss of her property even if it was going to help soldiers defeat the Confederacy. Soldiers took a large amount of corn while they camped around her yard over the course of two days on the 11 and 12th of March 1865. "The soldiers kept coming and taking my things until they took all," Drake contemptuously remembered. The soldiers "just came in my house and took any thing they pleased...I believe my property was taken for the use of the army because I see them feeding their horses with my corn and the property was taken by U.S. Soldiers."⁷³

Sometimes Sherman's troops simply ignored the impassioned pleas of desperate black and white unionists regardless of their economic status and went about the duties of impressment. This is exactly what happened to Elizabeth Mason, a wealthy woman from Chatham County. "I complained to the officers who were with the soldiers--I begged them not to take my property, but they did not say much no way--nothing that I can remember." She lost an entire lot of thirty hogs, corn, wheat, and oats from her plantation of nine hundred acres. The soldiers began seizing her property about 9 a.m. and did not complete their work until 3 p.m. Likewise, after William S. Taylor, a free black housepainter from Cumberland County, complained about having his property seized by the army, a major told Taylor he should let the soldiers take his property and he would eventually be paid for it because he was a unionist.

⁷² Ann Revels (Cumberland, no. 20,191), Southern Claims.

⁷³ Estate of Thomas Drake (Cumberland, no. 15,806), Southern Claims.

“They just went and took what they wanted and Said oh! Sam you will get paid for it,” a frustrated Taylor remembered.⁷⁴

For some unionists, the arrival of Sherman’s Army presented their first opportunity to make their escape from territory that had been occupied by Confederate troops for four years. White unionist John R. Little related how he “never was out of the Rebel lines until Gen. Sherman’s army came I then went off with the army to Wilmington NC. From there I had transportation given me to Baltimore MD where I had resided ever since.” While in Wilmington in March 1865, Little even took the amnesty oath “from choice” to distinguish himself from the Confederates in Wilmington who took the oath to garner better treatment from the U.S. Army, which seized the city in late February. Free black Nicholas Brown, whose mother had been free but whose father was a slave, lived in Cumberland County until March 1865 when he also used Sherman’s Army as a path toward safety. “When Genl. Sherman’s army came. I left here with a part of the army went to Wilmington N.C. from there I went to Washington City on a Government Steamer remained there about 2 months.” For reasons that are unclear, Brown eventually returned to his home county in June 1865.⁷⁵

Colonel James W. Savage of the Twelfth New York Cavalry, who was in the vanguard of General John Schofield’s column of Sherman’s troops, was so impacted by his service in North Carolina that he wrote a pamphlet in the 1880s reminding other U.S. veterans at a national meeting of the Military Order of the Loyal Legion of the United States in Omaha, Nebraska, a veteran organization that consisted of federal Civil War officers, about how loyal many North Carolinians had been to the Union. In *The Loyal Element of North Carolina*, Savage remembered

⁷⁴ Elizabeth Mason (Chatham, no. 9897), Southern Claims; Williams S. Taylor (Cumberland, no. 9425), Southern Claims.

⁷⁵ John R. Little (Cumberland, no. 53), Southern Claims; Nicholas Brown (Cumberland, no. 17,581), Southern Claims.

how friendly some members of the population were to the federal troops in the aftermath of the march. After recounting many of the horrors perpetrated on unionists from the hangings at Kinston in 1864 to the activities of the Heroes of America. In one particularly humorous story Savage conveyed what was obviously one of his favorite memories of a political dissident. Early one summer morning in 1865 after a long all-night reconnaissance mission, Savage's cavalry came upon a small log cabin alongside the public road. Savage remembered how a young girl "of that exquisite type of beauty only seen at the south, which seems angelic while it lasts, but is so fleeting that it fades utterly away before the coming of womanhood" came running down to the roadside. The young woman scrutinized the face of every young soldier that rode by her. "Her pretty, fascinating features lighted up as she caught sight of an officer who a few weeks before had been sent on a reconnoitering expedition over that very road. 'Oh, Lieutenant!' she cried, in a voice which was audible far down the line, 'Oh, Lieutenant! Where's my fine toothed comb? Where's my bladder of snuff?'" Savage added in a bit of social commentary "The story of woman's weakness and man's perfidy could hardly be told in fewer or more eloquent words. The laugh of the men, heard at intervals from the rear as the story was repeated, indicated that the gallant lieutenant had not heard the last of the appeal." Clearly some U.S. soldiers made a positive impression on local North Carolinians during their operations in the state and many North Carolinians were predisposed by their political leanings to sympathize with the soldiers.⁷⁶

Sherman's march through North Carolina revealed to U.S. soldiers privileges that many slaves had garnered through years of struggle, but many soldiers clearly did not trust slaves' stories enough to believe they owned property. Benjamin Baldwin of Fayetteville was a slave during the war, but two years prior to the war his master John W. Powell had settled him and his wife along with five grandchildren all owned by Powell on a twenty-acre plot of land "to provide

⁷⁶ Savage, *Loyal Element of North Carolina During the War*; *New York Times*, 27 July 1865.

for the Grandchildren.” When Sherman’s men arrived at his plot of land in mid-March 1865 the property they seized was property that had been earned and worked for by Baldwin and he felt as though he owned the property and the house. Two days after the army had seized his property, an officer stopped by the house to inquire about how the Baldwin family had been treated and to reassure them that they would be repaid for all their property taken.⁷⁷

Sometimes free blacks and slaves had serious difficulty convincing northern soldiers in Sherman’s Army that the property they owned was actually theirs. Many soldiers quickly lost patience with blacks who wanted to protect their property as well. U.S. soldiers often felt as though the North Carolina blacks they encountered should feel grateful for the opportunity to help the U.S. Army in their efforts to defeat a Confederacy that held many of them in bondage. Francis Graham, a free black man from Fayetteville who owned substantial property, was also angry about how he was treated by U.S. soldiers. “I complained to one of the men [a] commissioned officer. He said damn it. Sir, we are obliged to have it, you can get plenty more you are free man.” Graham’s wife Mariam was told by one angry U.S. soldier “they didn’t think the property was hers” that it “belonged to some Damn rebs.”⁷⁸

Sherman’s Army also distrusted free black William Haithcock when they arrived at his home in Cumberland County, but the U.S. troops eventually were persuaded as to his loyalty. He retold how men from Sherman’s Fourteenth Corps “asked me if I was cooking bacon for the Johnnies[.] I told him I was not he remarked that he would see, that they would have it. They then went in my dwelling house and took what bacon I had. Put it in bags put the bags on their horse and went off.” When still more Union soldiers came to his house, “I told them that I was a union man to take what they wanted he then said I see you are all right you will get plenty

⁷⁷ Benjamin Baldwin (Cumberland, no. 19,925), Southern Claims.

⁷⁸ Francis Graham, (Cumberland, no. 9419), Southern Claims.

more...They remained in the field and yard for several days. Some slept in my house, two nights one Lieut.” A persistent Haitcock remembered how he finally “complained to the two Genl. They said that the boys ought not to have served me so bad but...said they were obliged to take things to put down the rebellion.”⁷⁹

William S. Bryant, a slave from Cumberland County who spent part of the war working as impressed labor in the Confederate arsenal at Fayetteville, recalled a common occurrence for black unionists who encountered Sherman and Stoneman’s troops in 1865. Bryant had been given time to work and freedom to purchase the property Sherman’s men took. Bryant remembered how U.S. soldiers told him “they were fighting to free me and I ought not to begrudge it to them.” While many federal troops still saw their principal goal as restoring the union, it was convenient while one was looking for food on an empty stomach to tell blacks that their property was necessary for putting down the rebellion and ending slavery. Some U.S. soldiers truly saw themselves as an army of liberation, but it is clear that many federals frequently explained their motivation for taking their property as fighting for the abolition of slavery primarily as a convenient way of securing supplies without a vigorous protest.⁸⁰

When the U.S. Army came north to Chapel Hill, some blacks took the opportunity to work for the army that might supply them with food and supplies. Nelly Stroud, a black washerwoman, recalled how “when the Yankee soldiers came to Chapel Hill it was about the last of March or first of April. Corn was coming up. I don’t recollect the week nor day of the week. I saw two sure yankees come to the claimants house and bridle the horse and carry him off towards a camp I think they call the ninth Ohio.” Stroud, who was obviously frightened by the U.S. soldiers “saw them take three hams big large hams had been smoked. They went night off

⁷⁹ William Haitcock (Cumberland, no. 21,604), Southern Claims.

⁸⁰ William S. Bryant (Cumberland, no. 17,582), Southern Claims.

the same way towards the ninth 'Old Hio' I washed and cooked for some and that was what they called it they carried the bacon off in their hands to the camp...I was afraid of them one of them told me if [General Joseph E.] Johnson did not surrender in a few days they would show me the devil and I did not want to see him.”⁸¹

A small number of unionists sought out General Sherman personally to complain about the loss of their property and demand reparation. When the Ninth Pennsylvania Infantry Regiment commanded by Colonel Jinks arrived in Orange County, the regiment destroyed some of Starling Proctor's fence rails, ripped up his bed and pillows, and some other U.S. soldiers killed his steer and took his sorrel horse. After Colonel Jinks learned Proctor's political sentiments, he provided a safe guard for his house and apologized for the earlier treatment. But a determined Proctor decided that he would make a personal protest to Colonel Jinks and made his way to Durham to meet with General Sherman and General Judson Kirkpatrick. Sherman and Kirkpatrick told Proctor that he should not have been treated harshly but his horses were now the property of the United States and only if the army gave him one could he have a horse. Proctor sent his son to camp where they “gave him a badly hacked up mule, nearly skinned all over. It was a turned out mule they had offered him to others but no one else would have it. I took the mule and nursed him up and at the next Fall he turned out to be a good mule.”⁸²

Another unionist who came to the U.S. Army camp while at Durham but who did not see Sherman was Samuel Cole of Orange County. Cole related how “the men that took my critter told me that I should have another, but I never got any. I never got any pay or voucher for any of the property taken...I came to the camp to beg them for a horse of some kind and went through the camp on both sides of the road but they never gave me a horse as they promised to do.” Cole

⁸¹ Nancy Brewer (Orange, no. 11,545), Southern Claims.

⁸² Starling Proctor (Orange, no. 12,504), Southern Claims.

sadly recalled that when he saw his mare in the union camp, “she nickered at me made me sorry for her.”⁸³

Some of the stories unionists told Sherman were heart-wrenching. Marshall Leviner of Richmond County lost five thousand barrels of rosin when the U.S. Army burned them in early March 1865. Leviner spoke with Sherman at his headquarters shortly after the seizure and recounted a sad tale of his life during the past four years. “I said to Genl. Sherman that I was a very poor man and that I had never done anything to aid the rebellion and that my life had been threatened of my union sentiments that a part of his men had stripped me of all my provisions that I had been sick 12 months and was not able to work.” Sherman eventually told Leviner that if he could prove who he was after the war he would be paid for his destroyed property.⁸⁴

A unionist’s race could also put him or her in greater danger with Sherman’s men. Since whites were more suspect than blacks, L.W. Levy Sr., a light-skinned man whose father was white and mother was black, faced the dual problem of convincing the northern soldiers that he was not white and that he was loyal. After the army took a large amount of the Levy family’s food supply, he complained to the soldiers that they would not have any food. A Colonel Lamb of Sherman’s Army then told Levy “old man they torn you up pretty badly, but I think some day you will get pay for what you have lost.” The colonel gave him a coat, shirt, and some meat, but Levy had to produce a discharge from the Negro Hospital of Wilmington before the U.S. soldiers believed his story.⁸⁵

During George Stoneman’s raid through the Confederate piedmont and mountain counties in April 1865, at least sixty-five unconditional unionists had direct contact with his

⁸³ Samuel Cole (Orange, no. 12,790), Southern Claims.

⁸⁴ Marshall Leviner (Richmond, no. 8653), Southern Claims.

⁸⁵ L.W. Levy Sr. (Cumberland, no. 16,083), Southern Claims.

troops.⁸⁶ Among those people was free “mulatto” George Clark, a blacksmith living near Lexington in Davidson County. Clark was one of the unionists who played a critical role in the success of Stoneman’s invasion. Clark, who joined the clandestine unionist organization the Heroes of America late in the war, worked to undermine the Confederate war effort, and when Stoneman’s troops were on their raid across the piedmont and highland regions in April 1865, he served as their “pilot” from his home near Lexington in Davidson County as far as Salem in Forsyth County. But supporting Union troops had a cost. After returning home, he had to hide his tools and himself in the woods to avoid capture by Confederate troops.⁸⁷

When a regiment of Stoneman’s soldiers arrived in Boone, the county seat of Watauga County, one unionist provided a different type of information and service. While John Horton fed Stoneman’s men, he also provided important intelligence to the soldiers about two union men that were then jailed in the town lockup. Both were released as a result of this information and the jail burned.⁸⁸

Most of the stories unionists told about their interaction with Stoneman’s Cavalry dealt with the property they lost to them. This is hardly surprising given the immediate importance of losing a horse or mule or half a year’s work in the fields when an army came through. The loss of livestock or a draft animal could mean the very livelihood of some poorer unionists. And not everyone was happy to part with their property, even when it was the U.S. Army seizing it. Guilford County unionists Mary Stanley and her daughter both “begged and cried to the Yanks”

⁸⁶ Based on database of Southern Claims Commission Records from the State of North Carolina compiled by Barton A. Myers.

⁸⁷ George Clark, (Davidson, no. 2,708), Southern Claims; white unionist John Smith (Stokes, no. 11, 065), Southern Claims served as a guide to Bettauria in Forsyth County.

⁸⁸ John Horton (Watauga, no. 10,393), Southern Claims.

about the horse they carried off. “I understood [they] were making their way to the Piedmont mail road to cut off the retreat of Jeff Davis,” related Stanley.⁸⁹

Other unionists did not complain when their property was seized. Unionist James Hugh Lindsay of Davidson County was typical of other unionists in finding soldiers’ presence frightening. “There was no complaint made to any of the officers or soldiers by any one as we were all nearly scared to death to see so many soldiers...I have no idea how many troops there was as the road was full of them there was as near as I could guess Three or four hundred all on horse back and draped in Blue.”⁹⁰

A small number of unionists even had personal contact with General George Stoneman himself. Smith P. Green, a blacksmith from Watauga County personally shod his horse while the raid made its way through the county. While he was shoeing the horse, the federals also seized a horse valued at one hundred dollars. When Stoneman arrived at Mary Welborn’s farm, her unionist husband had already died, but Mary looked on as Stoneman personally supervised the impressment of one bay horse, one gray mare, one hundred bushels of corn, fifty pounds of bacon, thirty gallons of molasses, and fifteen hundred bundles of fodder.⁹¹

For Stephen C. Graham, a stock trader and slave owned by white unionist Thomas C. Graham, the arrival of the Stoneman’s men in Rowan County in mid-April 1865 meant freedom. Stephen described his relationship with his absentee master Thomas who lived in Catawba County miles away from Stephen in 1865. “My master always gave me liberty to buy different

⁸⁹ Mary Stanley, (Guilford, no. 3653), Southern Claims.

⁹⁰ James M. Lindsay (Davidson, no. 10,730), Southern Claims; Micajah Wright (Guilford, no.), Southern Claims; John Jones (Watauga, no. 10,408), Southern Claims; John Butner (Forsyth, no. 16,000), Southern Claims; John Chadwick (Forsyth, nos. 10,739 and 14,297), Southern Claims; Philip Mock (Forsyth, no. 15,720), Southern Claims; on March 28, the Thirteenth Tennessee Cavalry of Stoneman’s command arrived at John Jones farm on the Watauga River...John Butner of Forsyth County lost his team when U.S. soldiers of General Palmer’s Brigade were camped at Winston-Salem; John Chadwick also lost a horse and bridle to Palmer’s brigade; while Philip Mock, who had already fled to Indiana, lost a horse but not his mule when they visited his wife in Forsyth.

⁹¹ Smith P. Green (Watauga, no. 15,276), Southern Claims; Mary M. Welborn (Wilkes, no. 19,064), Southern Claims.

articles in fact anything I wanted to,” Graham recalled, “I bought everything I wanted to and traded around and made money.” He allowed me to hold property of my own and never interfered with the tilte in the least, but would give me advice and protect me in my rights,” Graham proudly related. When his property was impressed by Stoneman’s Cavalry, he explained how he had purchased the property even as a slave. “I bought the horse and mule of a wagoner about 12 months before the surrender, and fed them at my own expense. My master never had, or pretended to have any interest in the property. I got the means to pay for the stock by trading. I sold vinegar cider...My master had a large orchard and more than he could consume; and he gave me permission to sell what I wanted and keep the money.” Graham even commented that his master “ [Thomas C. Graham] was a Union man and told me...that the North would conquer and that I would be freed. I saved all the money I could make so that when I was free...[I] would have some property to start on.”⁹²

The arrival Stoneman’s men also meant liberation for many unionists hiding in the wilderness of North Carolina to avoid Confederate authorities. John Cordell hid in a cave in Wilkes County after escaping their custody in January 1864. “In the Spring of 1865 when Genl. Stoneman’s command passed through Surry Co. I was making my way to his command when I was arrested by some of his troops and was taken to Genl. Stoneman’s Head quarters. Where after talking to me a short time he ordered my release and I was then released was a prisoner about one half a day was arrested near Elkin Factory.” After an inquiry into his loyalty and activities, Cordell related that “I satisfied I suppose Genl. Stoneman that I was a Union man. He had troops in his command who knew me and vouched for my loyalty.”⁹³

⁹² Stephen Graham (Catawba, no. 20, 270), Southern Claims; Harris Boiles (Iredell, no. 17,306), Southern Claims; Boiles was another unionist slave who owned property and lost it to Stoneman’s Cavalry.

⁹³ John Cordell (Surry, no. 10,391), Southern Claims; Harrison Lying a U.S. soldier in Stoneman’s command could support Cordell’s unionism and had lived near him in Trap Hill, Wilkes County.

As frightened as some unionists may have been or irritated about their loss of property, Confederates viewed the relationship between Stoneman and the unionists through a different prism. James Gwyn could not seem to accept the invasion but was happy to see that unionists were not altogether treated well. “Genl. Stommar [Stoneman] and Gilliam were in command, said to be 7 or 8,000, they seem to be making down the river and may go to Danville or Greensboro! They did not seem to respect those calling themselves Union Men, for in many instances they treated them as bad if not worse than those original secessionists. That ought to teach our people a lesson by which they ought to profit.”⁹⁴

Confederate James C. Norwood wrote his friend Walter Lenoir during the first week of April 1865: “We did all we could in the way of hiding necessities and running off negroes and stock but none of them came here...about two days before a considerable number of negro men left for Tennessee and have not been heard from since including 4 from the Fort--1 [of] Genl. Patterson's 12 E. Jones and 5 from here Elias, John, Turner, Jone and Wash--from the Fort Larken, Erwin, Jerry and Joe.” “Some of the officers cursed the negroes and wished them all in hell,” Norwood recalled with the same derision. “We had been for some time before under constant apprehension about tory--or robber raids, and I have been serving on guard at town every third night and have been as much as two weeks without taking off my clothes. We are always in danger except when a portion of Avery's command is here, which is not very often--Home guard no account.” Confederates had now seen their slaves run away, their home guards fail to protect them, and their beloved state invaded by U.S. troops. Confederate officials, military personnel and citizens maintained their ability to monitor southern unionists until late in 1864, but this police state ceased with the chaos that took hold in roughly one-third of the

⁹⁴ J. Gwyn Diary, 1 April 1865, “Remarkable Events and Other Memorandums, 1852-1877,” Thurmond Chatham Papers, North Carolina Department of Archives and History, Raleigh, N.C.

counties where irregular wars raged. Other areas including the urban areas of Raleigh, Salisbury and Fayetteville would remain part of the police state until the arrival of northern armies in 1865. The southern unionist experience with irregular wars in North Carolina thus demonstrates the gradual, geographic collapse of local Confederate government and military control in this state by late 1864, several months before Robert E. Lee and Joseph E. Johnston's armies surrendered.⁹⁵

The final days of the war for North Carolina's unconditional unionists brought greater economic hardship at the hands of the same federal forces many had long awaited. While the arrival of large numbers of U.S. troops did finally destroy the Confederate local state that had persecuted them, a state that had denied them basic civil liberties for four long years in the case of whites and free blacks and hammered a final nail in the coffin of slavery, it did not usher in unmitigated freedom and safety. The post-war period would see them persecuted by the Ku Klux Klan, politically defeated during Reconstruction and their story systematically eradicated at the hands of politically resurgent ex-Confederates. In the story of post-war remembrance, the losers of the American Civil War on the battlefield wrote the history of the American Civil War and as a result added a final chapter of persecution to the history of North Carolina's long-suffering unionists.

⁹⁵ J.C. Norwood to Walter [Lenoir], 3 April 1865, James Gwyn Papers, Southern Historical Collection, Wilson Library, University of North Carolina at Chapel Hill.

CHAPTER FIVE

Memory

“All Classes in the South United as by Magic”

“I began to wonder if the children of the Confederates who lost the war in the field were, in the realm of letters, winning the peace.”¹

Douglas Southall Freeman, *The South to Posterity*

On 8 December 1886 the aging Confederate war governor of North Carolina Zebulon Vance walked to a rostrum in front of John Andrew Post No. 15 of the Grand Army of the Republic in Boston, Massachusetts to deliver an address entitled “The Political and Social South during the War.” This was not Vance’s usual throng of western North Carolina mountain admirers, but he felt comfortable in front of this assemblage of graying Massachusetts’ U.S. Army veterans because they were both of his generation and because it had now been twenty-one years since Robert E. Lee’s and Joseph E. Johnston’s armies surrendered. Vance knew that by this point these Northerners felt comfortable with their victory. Reconstruction had ended a decade earlier and U.S. troops had been withdrawn from the South. It was indeed a moment of reunification for Vance and for these GAR members. But Vance came to the podium that night to speak with a specific purpose in mind, one that would offer a sweeping and influential history of how Confederate North Carolinians viewed the American Civil War.²

For his speech, Vance had picked a group of Boston veterans at the post named for the former Civil War governor of Massachusetts, John Andrew, who had spearheaded the effort to raise the all-black Fifty-fourth Massachusetts Volunteer Infantry Regiment, a tough historical

¹ Freeman, *The South to Posterity*, ix-x.

² Dowd, *Life of Zebulon B. Vance*, 430-462.

audience for the former Confederate—maybe the toughest he could have imagined. But Vance had an important message for history on this night, and this was the perfect crowd for his lecture. Vance told his listeners that since the surrender, the North had been writing the history of the Civil War, and he begged liberty to interject with his version, a southern history of events. If Vance could offer his version of the war and have it accepted (or at least heard) by this audience, then surely he could take North Carolina’s war story back to the South and make it *the* dominant Confederate version of Civil War history. Vance, however, was about to offer a history that wrote out the stories of every white and black unionist who had remained loyal to the Union in North Carolina and the South. To be sure, by the time Vance delivered his speech, the history of southern-born unionists had already largely vanished from the minds of many in the North and South, but Vance was the first North Carolinian to forward this comprehensive new history for his beloved state. Within a few years, Vance himself would be dead, and it would be his draft of North Carolina’s war history that would gain popular acceptance in the state and help explain where the story of North Carolina’s unionists disappeared to in the aftermath of the American Civil War.³

Despite Vance’s assertion that northerners had written the history of the war, it was actually ex-Confederates who were aggressively revising and writing that history for southern consumption during the fifty years that followed the conflict. In the years following the war, North Carolina’s white and black unionists were not accidentally left out of Confederate history. This was not just a historical sin of omission or chance. North Carolina unionists were not

³ Ibid; for scholars who have focused on Zebulon Vance’s role in constructing North Carolina’s Civil War memory, see John C. Inscoe, “‘To Do Justice to North Carolina’: The War’s End according to Cornelia Phillips Spencer, Zebulon B. Vance, and David L. Swain,” and Steven E. Nash, “The Immortal Vance: The Political Commemoration of North Carolina’s War Governor” in Paul D. Escott, ed. *North Carolinians in the Era of the Civil War and Reconstruction* (Chapel Hill: Univ. of North Carolina Press, 2008); Gordon B. McKinney, *Zeb Vance: North Carolina’s Civil War Governor and Gilded Age Political Leader*, especially chapters twenty and twenty-six; Joe Mobley, “*War Governor of the South*”: *North Carolina’s Zeb Vance in the Confederacy*.

simply forgotten by history either. In fact, the Lost Cause architects who wrote a North Carolina Civil War mythology consciously worked to systematically suppress the history of political dissent and irregular warfare within the South. Unionists had no advocate to write their story into the narrative of North Carolina's history or the history of the American South. There was no great historian of southern unionism as there was for Robert E. Lee's Army of North Virginia or great biographer of a southern unionist as there was for the Confederate hero Thomas Jonathan "Stonewall" Jackson. Following the Civil War, Zebulon Vance and a series of North Carolina Confederate veterans, partisan southern authors, and Lost Cause historians worked diligently to create a North Carolina-centered history of the Civil War that systematically eradicated unconditional unionists and glossed over dissent, resistance and irregular warfare in the state.⁴

The roughly twenty years between the end of the American Civil War in 1865 and Zebulon Vance's speech saw the passing of many unionists into their graves. While Vance had spent much of that time campaigning, holding office and lecturing on North Carolina's Civil War history, virtually no unconditional unionists were prominent during this period. Unconditional unionists of 1861, whose average age had been in the mid-forties, would have been in their mid-to-late sixties by the 1880s. Many unionists, however, did not live long enough to hear or read Vance's speech that offered a peculiarly North Carolinian construction of the Lost Cause mythology of Civil War history, a new "unionist free" version of North Carolina's Civil War story.

⁴ E. A. Pollard, *The Lost Cause: A New Southern History of the War of the Confederates: comprising a full and authentic account of the rise and progress of the late southern Confederacy--the campaigns, battles, incidents, and adventures of the most gigantic struggle of the world's history* (New York: E.B. Treat, 1866) was just one example of these early Confederate histories; on guerrilla warfare and historical memory in North Carolina, see "Guerrilla War and Remembrance: Reconstructing a Father's Murder and a Community's Civil War," in John C. Inscoe, *Race, War and Remembrance in the Appalachian South*, 322-349.

During the turbulent years between the end of the war and Vance's speech, the period of post-war Reconstruction and occupation by the U.S. Army in North Carolina, wartime dissident William Holden sat briefly in the Governor's chair and offered hope that white and black unionists might gain a measure of political power and influence. Black men gained the rights of citizenship and the vote only to see their rights stripped away by violence and intimidation at the hands of ex-Confederates and Ku Klux Klansmen. Since their limited power had only come by force of the bayonet and U.S. Army occupation, white unionists were outnumbered and unable to maintain the reigns of power. The failure of white unionists to convert ex-Confederates to the new Republican Party and protect black voting rights ensured that they would remain a minority.⁵

But for many unionists, it was a quiet, anonymous death that the war left in its wake. Men like free black unionist Marcus Steward, who worked tirelessly for the U.S. Army carrying dispatches and who provided key intelligence on where to place obstructions in Beaufort Harbor to prevent Confederate attacks on the town during the coastal wartime U.S. occupation in Carteret County, died in obscurity when he drowned at sea in the late 1860s. Other men like white slave-owning unionist Joseph H. Flanner fled to Europe in 1865, even freeing his unionist slave Alexander Flanner and giving him thirty dollars in gold and two horses before he left Wilmington. Many other unionists who fled through the Union lines to the North ended up in Indiana during the war like blacksmith Philip Mock, who lived for eight months in Worthington, Greene County after walking there from his home in Vienna, Forsyth County. But Mock, like

⁵ For more on Holden's tenure as Governor, see Horace W. Raper and Thorton W. Mitchell, eds., *The Papers of William Woods Holden*, vol. 1, 1841-1868 (Raleigh: NCDAH, 2000-present) and Harris, *William Woods Holden*; Horace W. Raper, *William W. Holden: North Carolina's Political Enigma* (Chapel Hill: Univ. of North Carolina Press, 1985).

many others, moved back to North Carolina following the war because of family ties to the region.⁶

To be sure, there were unionists who publically contested the Confederate Lost Cause history Vance forwarded in their claims before the U.S. Government's Southern Claims Commission (SCC), but this group consisted largely of powerless white-and-black men-and-women, who remained politically weak and incapable of forwarding a grand narrative from their marginalized positions. Many of these people were not only disfranchised but frequently impoverished and elderly. Across North Carolina and the South, these people filed hundreds of claims for remuneration with the SCC that described the hardships their families endured for their loyalty. These stories reveal many desperate individuals whose property and lives were shattered by Confederates on the conflict-plagued North Carolina home front.⁷

Blacks continued to commemorate the war as well as placing emphasis on the most important event of the war for them, the Emancipation Proclamation. Since blacks had been divided at the beginning of the war over the meaning of the Union, the Emancipation Proclamation, Abraham Lincoln, and liberation by U.S. soldiers became the principal events and figures to be celebrated. This made a celebration of political unionism and resistance during the war secondary to preserving a Civil War memory that protected the Emancipation Proclamation as the real meaning and important event of those four years. While both see a broad and rich black historical memory of the Civil War era, historians David Blight and Kathleen Clark have

⁶ Julia Steward (Carteret, no. 1853); Alexander Flanner (New Hanover, no. 8852); Philip Mock (Forsyth, no. 15,720), Southern Claims.

⁷ Julia Steward (Carteret, no. 1853), Southern Claims; Alexander Flanner (New Hanover, no. 8852), Southern Claims; Philip Mock (Forsyth, no. 15,720), Southern Claims; Joseph B. Leonard (Davidson, no. 1975), Southern Claims; Caleb Sloop (Alexander, no. 4189), Southern Claims also fled to Indiana during the war.

both argued that this Emancipationist version of Civil War history was a principal that many blacks fought for in their commemoration and remembrance events during the post-war years.⁸

The period of Presidential and Congressional Reconstruction in North Carolina saw the emergence of two important paramilitary political organizations, the Union League and the Ku Klux Klan. In North Carolina, the interracial Union League grew out of the wartime Heroes of America organization and focused its attention on securing the safety and political rights of the new white and black Republicans in the South, many of whom had been unconditionally loyal to the Union. Unionists Aaron Mitchum of Lincoln County and Micajah Wright of Guilford County both became members of the Union League. Both the vigilance committee during the war and the Klan after the war threatened to whip Mitchum for his loyalty. Wright, who voted the Republican ticket during Reconstruction even equated the Klan and the Union League because of the violence both organizations frequently employed. When asked if he had ever been a member of the Klan during a post-war hearing on his loyalty, Wright told the SCC “If I ever was a Ku Klux it was when I belonged to the Union League.” While the Union League was primarily a self-defense organization and an armed political wing of the Republican Party, the Klan, on the other hand, used terrorist violence to intimidate black and white Republicans with the expressed purpose of killing or silencing all political opposition that stood in the way of a restoration of white Democratic Party hegemony and planter dominance.⁹

The Klan expanded so rapidly as an organization that occasionally individuals who opposed them were invited to join. A Klan member approached wartime-unionist Joseph Ivey about joining the group, but Ivey refused. Ivey claimed that his support for William Alexander

⁸ David Blight, *Race and Reunion: The Civil War in American Memory* (Cambridge, Mass.: Belknap Press of Harvard University Press, 2001), 303-304; Kathleen Ann Clark, *Defining Moments: African American Commemoration & Political Culture in the South, 1863-1913* (Chapel Hill: Univ. of North Carolina Press, 2005), introduction.

⁹ Aaron Mitchum (Lincoln, no. 4232), Southern Claims; Micajah Wright (Guilford, no. 10,713), Southern Claims.

Graham was proof that he opposed Klan activity. Graham had been an antebellum governor, the Whig nominee for Vice President of the United States in 1852, a conditional unionist in 1860-1861, but he had later served as a Confederate Senator. With few prominent southern-born leaders to identify with, Ivey continued to point to Graham's prominent antebellum Whig and unionist principles and overlooked his wartime conversion to Confederate service.¹⁰ The Ku Klux Klan targeted both white and black wartime unionists for retribution during the post-war period, but the Klan viewed politically assertive blacks and U.S. Army veterans who lived in North Carolina as the most important targets. The Klansmen struggled to discover who in Orange County supported the Union League and subsequently warned former slave and Union League member Jordan Weaver to hand over the membership books to their organization. Weaver's silence may have been the only protection he had since Klansmen threatened him for his refusal to turn over the books. Weaver claimed "if I had have expressed my feelings I should have been hung. They frequently hung white men and I am certain had I expressed my feeling I should have been hanged."

Chatham County unionist Elizabeth Mason also described blacks whipped in her neighborhood and how Klan members even visited her home. Caleb N. Keith of Madison County served in the U.S. Army during the war and survived his service only to be killed at home by the KKK during Reconstruction. Orange County unionist Sheffey T. Lindsay, on the other hand, was a white unionist with status and wealth, who was one of only two unionist families in his county that the Klan did not visit and try to intimidate. Based on an analysis of the SCC testimony that related to the KKK, the range of experiences for unionists largely depended on status and wealth-

¹⁰ Joseph Ivey (Orange, no. 8794), Southern Claims.

-with poorer whites and blacks subject to violence and intimidation more frequently than men like Lindsay.¹¹

The restoration of the Democratic Party to power in North Carolina in the 1870s was the final nail in the coffin for unionists as an influential political group. It stripped blacks of postwar political gains in voting and office-holding and for white unconditional unionists it ended any hope that sympathetic political figures would be able to elevate or preserve their Civil War story. As more unionists passed away in the 1870s and 1880s, fewer and fewer individuals were left to tell their story. The story Vance and his allies promoted became so important and effective an interpretation for most white North Carolinians that by 1886, even U.S. Army veterans who had served in the state had to remind themselves of the role southern unionists had played in their victory.

Only seven months prior to Vance's speech in Boston, a U.S. Army veteran concerned over how North Carolina's unionists were rapidly being forgotten offered a lecture to rectify what he viewed as an important historical slight. On 5 May 1886 Union officer James Savage, formerly the colonel of the Twelfth New York Cavalry regiment, stepped to the rostrum of the Nebraska Commandery of the Military Order of the Loyal Legion of the United States (MOLLUS) to remind his fellow northern veterans of the sacrifices made by unionist North Carolinians during the war. Unlike Vance, Savage proceeded to tell his audience of the horrors of the North Carolina "home front" where unionists were hanged for their beliefs and U.S. Army service at Kinston, North Carolina in 1864. Savage, who had recently visited the grove where the unionists had been hanged at Kinston, waxed nostalgically: "The tree of North Carolina never

¹¹ Jordan Weaver (Orange, no. 11,546), Southern Claims; Elizabeth Mason (Chatham, no. 9897), Southern Claims; Caleb N. Keith (Madison, no. 20,258), Southern Claims Disallowed; Sheffey T. Lindsay (Orange, no. 6365), Southern Claims; the SCC database of claims at the center of this study highlights this final assertion about treatment of the Klan based on class.

bore nobler or more spotless fruit.” He recounted how hundreds of white North Carolinians had joined the First and Second North Carolina Volunteer Infantry (U.S.) and how many constructed an “underground railway” to protect both political dissidents trying to avoid Confederate conscription and U.S. Army soldiers who were desperately trying to escape the state. “But fidelity to the union was not confined to the western or mountainous portion of the state. There were few counties of the interior where the old traditional love for the country, handed down from Guildford (sic) and other battle fields of the Revolution, did not assert itself,” Savage argued. He viewed North Carolina unionism as a product of a strong heritage rooted in the American Revolution, but his sketch of North Carolina unionism did not stretch to the entire scope of the war like Vance’s. Savage did not even focus on the unionism of blacks who had served in the U.S. Army or aided the U.S. cause. Savage’s lecture offered little more than a reminder to old, tired U.S. soldiers that they had once had staunch allies in North Carolina and that those people should not be written out of the Civil War story by southern Lost Cause authors. Despite Savage’s earnest plea, his interpretation of Civil War North Carolina became a minority view.¹²

Vance’s detailed speech a few months later offered elements of a shared Confederate Lost Cause mythology but with an important series of North Carolina related caveats. The address opened with a defense of the reasons behind North Carolina’s secession and subsequently spent fully one-third of his speech, which ran to more than thirty type-set pages, on his argument for secession. The 1886 Boston speech made the case that the war had been fought over state’s rights political ideology and not slavery. Vance declared that “slavery was the occasion not the cause,” an eloquent way of side-stepping the issue and framing the war over

¹² Savage, *The Loyal Element of North Carolina*, 1-8; for another U.S. Army officer who described unionists interaction with Sherman’s march, see George Ward Nichols, *The Story of the Great March: From the Diary of a Staff Officer* (New York: Harper and Bros., 1865), chapter twenty-one.

abstract constitutional issues about property rights being infringed upon. He claimed not even these issues would have pulled North Carolina out of the Union if Abraham Lincoln had not first begun the fight. Through the act of aggression at Fort Sumter, Vance asserted North Carolinians had seen Yankee tyranny that demanded a strong response. In his account of North Carolina's secession, the former governor offered his only discussion of southern unionism, and it is illuminating. He addressed only those conditional unionists of 1860-1861 who changed their allegiance as he had--toward support for the Confederacy after Fort Sumter. Those individuals who continued to oppose the Confederacy were conveniently deleted from Vance's narrative of wartime events. Or as Vance eloquently declared to the crowd: "The argument having ceased and the sword being drawn, all classes in the South united as by magic, as only a common danger could unite them. No people were more zealous and unanimous than became the Unionists of my State in support of the war: because they had been honest in their belief that coercion was wrong, and because they felt conscious of having done all that was honorable to avert hostilities." With the stroke of a pen, Vance wrote unconditional unionists out of his narrative entirely.¹³

In the same paragraph where he unified all the people of his state "as by magic," Vance hurled forward his most powerful Lost Cause argument for why North Carolina deserved an all-important starring role on the Confederate stage of historical actors. "First and last she sent to the armies of the Confederacy, not relatively but absolutely, more soldiers than any other State in the South; furnished more supplies, equipped her troops better," Vance proclaimed. "On *many* of the hardest fought fields of Northern Virginia she left more dead and wounded upon the blood-soaked earth than all the other Southern States combined." And at the climactic historical point of surrender, Vance wanted the Boston crowd and readers of American history to know, "At Appomattox she laid down at the feet of General Grant double the number of muskets of any

¹³ Dowd, *Life of Zebulon B. Vance*, 441-442.

other State in the Confederacy. She did the same at Greensboro [the site of the Army of Tennessee's surrender]. There was not a sacrifice which she was called upon to make for the good of the Southern cause that she did not make, and make cheerfully." Vance wanted it known that North Carolina had not only done its full duty to the Confederate cause, but it had contributed more than any other Confederate state, including Virginia.¹⁴

Vance next turned to narrating events of the home front in North Carolina. Vance's story of the home front war effort focused on the sacrifices of women and the privations endured by all on behalf of the Confederate cause. During his discussion of Confederate conscription, however, Vance did mention dissent or irregular warfare at home. Vance, nonetheless, argued that dissent came solely from animosity over the conscription policy not out of political opposition to the Confederacy, and he quelled any idea that a full blown armed conflict had broken out in North Carolina that played a role in Confederate defeat. In effect, Vance's separation of "battlefield" in Tennessee and Virginia with "home front" in North Carolina created a historical fallacy that only a few historians have challenged since. Vance falsely asserted "No man within the jurisdiction of the State of North Carolina was denied the privilege of the writ of habeas corpus, the right of trial by jury, or the equal protection of the laws, as provided by our constitution and the bill of rights." The former governor conveniently overlooked the men incarcerated at Salisbury Prison for unionism indefinitely and the deaths, warrantless arrests, and incarcerations of dozens of unionists statewide. To lighten the mood, Vance humorously regaled the audience with frank tales of how southern women and loyal slaves coped with privations and poverty. He even devoted several pages to recipes for Confederate homespun and delectable wartime concoctions

¹⁴ Ibid., 443.

like persimmon brandy, sorghum whiskey, and a coffee substitute of “parched rye sweetened with sorghum molasses.”¹⁵

Several of the arguments Vance forwarded in his speech became part of the over-arching white Confederate Lost Cause version of events: the states’ rights argument for secession, the sacrifices made by women and slaves for the Confederate cause, the honor and valor of white Confederate soldiers as an abstract group. But North Carolina did not emerge as a pre-eminent leader of the Confederacy in that broader narrative, as Vance had hoped. The dissent that Vance glossed over, the unionists he wrote out of the story, and the efforts of Virginia veterans and authors to promote their state pushed Virginia to the fore over North Carolina.¹⁶

Several historians including David Goldfield and Alan Nolan have outlined the tenets of the American South’s Lost Cause mythology. Both scholars have isolated several central pillars of the story that former Confederates and sympathetic authors erected to uphold the edifice of their version of history during the fifty years following the Civil War. According to Nolan, for white Confederates defending the war meant defending that slavery was not the cause of it. A second part of this defense of causation was a Confederate attack that painted radical abolitionists as the real provocateurs of the sectional conflict. According to Lost Cause advocates, the debate over what caused the war was null and void because they claimed the South would have given up slavery anyway had the war not been fought. Slaves were actors in this historical story only as faithful servants. Virginia and Virginians were central to the myth, according to Nolan. The elevation of Robert E. Lee and Stonewall Jackson as well as an image of the Confederate soldier as honorable and brave were the final and most important pillars of the

¹⁵ Ibid., 455-458, 453.

¹⁶ On the Lost Cause mythology and North Carolina’s Civil War soldiers, see Richard Starnes. “The Stirring Strains of Dixie’: The Civil War and Southern Identity in Haywood County, North Carolina.” *NCHR* 74 (1997): 237-59.

Lost Cause. By elevating a pantheon of white southern Virginia-born generals and laying the blame for defeat on circumstances beyond their control, powerful white Confederate Virginians seized the reins of history and offered a powerful narrative for people North and South. North Carolinians would spend the post-war years searching for their place in this narrative and working to erase the stains on their record in the Confederate war. For Goldfield, this Lost Cause has led to two neo-Confederate arguments reverberating through historical time into the present: “the Civil War was not about slavery and the Reconstruction era was not about the restoration of white supremacy.” In place of this historical memory, neo-Confederates and Lost Cause writers assert “the war reflected valor, courage, and sacrifice; and the Reconstruction, suppression and oppression, ultimately ending in Redemption.”¹⁷

The Southern Historical Society Papers (SHSP), published in Richmond, were also important to forwarding a version of the myth that minimized North Carolina’s role in the war and elevated battlefield exploits over the violence and dissent back in soldiers’ home communities. Even though Vance was a prominent member of the society, the fifty-two-volume history was edited and published in Virginia by Virginians. The SHSP published between 1876 and 1959 subsequently gave important emphasis not just to Robert E. Lee’s Army of Northern Virginia and its role over events in the western theater of the war but positioned Virginia leadership and the contribution of Virginia soldiers to the war effort as crucial to the Confederate story.¹⁸

¹⁷ Alan T. Nolan, “The Anatomy of the Myth” in Gary W. Gallagher ed., *The Myth of the Lost Cause and Civil War History* (Bloomington, IN: Indiana Univ. Press, 2000), 11-34; David Goldfield, “‘Whose Southern History Is It Anyway?’ Reconciling a Fractured Past,” in *Southern Histories: Public, Personal and Sacred* (Athens, GA: Univ. of Georgia, 2003), 5; also, see David Goldfield, *Still Fighting the Civil War: Southern History and the American South* (Baton Rouge: Louisiana State Univ. Press, 2002).

¹⁸ Richard Starnes, “Forever Faithful: The Southern Historical Society and Confederate Historical Memory,” *Southern Cultures*, vol. 2, no. 2 (Winter 1996): 177-194.

Alan Nolan pointed out that a key pillar of the Lost Cause history was also the argument that the Confederate armies were not militarily defeated on the battlefield by the U.S. Army but simply overwhelmed by superior manpower and resources. The importance of Gettysburg and General George E. Pickett's Charge was an important part of the military loss narrative forwarded by the Southern Historical Society. In particular, the focus on General James Longstreet's role in the final climatic charge on 3 July 1863 became central to understanding the defeat of the Confederacy according to this mythology. What Nolan and others have called the "Longstreet-lost-it-at-Gettysburg" thesis became a way of laying the blame for the South's loss on one man's role in one battle—a man conveniently born in South Carolina and who lived in Georgia. Robert E. Lee's decision to launch the final charge was conveniently minimized in this version of events. According to Lost Cause advocates, even the loss at Gettysburg might have been overcome if it had not been for the overwhelming men and material resources of the North.¹⁹

The importance of military history and Gettysburg in particular to the Lost Cause is also important to understanding the root of North Carolina's historical inferiority complex after the war and the desire by the state's ex-Confederates to raise their own role as much as possible. Vance's 1886 speech placed substantial emphasis on the state's military role and diminished dissent, irregular warfare, and unionism in the story precisely because North Carolina sought recognition for its role in the war and during the final climactic moment in the Confederate Lost Cause version of the war, "Pickett's Charge" at Gettysburg. By 1901, when veterans released their collective regimental *Histories of the Several Regiments from North Carolina in the Great War, 1861- '65* the "First at Bethel, Farthest to the Front at Gettysburg and Chickamauga. Last at Appomattox," had become the state's slogan. This slogan highlighted all the themes Vance

¹⁹ Nolan, "The Anatomy of the Myth," 11-34.

focused on in his draft history of North Carolina's role and specifically addressed this historical slight to the large number of troops the Old North State had contributed to the final charge at Gettysburg.²⁰

As Virginia took the lion's share of the credit for Confederate victories on the battlefield and claimed the most notable role at "Pickett's Charge," the alleged high-water mark of the Confederate effort and the most important lost cause moment in Southern history, North Carolina Confederate veterans were obviously angered. One need look no further than William Faulkner to understand just how powerful this historical slight eventually became by the mid-twentieth century. Faulkner explained the meaning of Pickett's Virginians and 3 July 1863 better than any southerner in his 1948 work *Intruder in the Dust*.

"For every Southern boy fourteen years old, not once but whenever he wants it, there is the instant when it's still not yet two o'clock on that July afternoon in 1863, the brigades are in position behind the rail fence, the guns are laid and ready in the woods and the furled flags are already loosened to break out and Pickett himself with his long oiled ringlets and his hat in one hand probably and his sword in the other looking up the hill waiting for Longstreet to give the word and it's all in the balance, it hasn't happened yet, it hasn't even begun yet, it not only hasn't begun yet but there is still time for it not to begin against that position and those circumstances which made more men than Garnett and Kemper and Armistead and Wilcox look grave yet it's going to begin, we all know that, we have come too far with too much at stake and that moment doesn't need even a fourteen-year-old boy to think *This time. Maybe this time* with all this much to lose and all this much to gain: Pennsylvania, Maryland, the world, the golden dome of Washington itself to crown with desperate and unbelievable victory the desperate gamble, the cast made two years ago."²¹

²⁰ Walter Clark ed., *Histories of the Several Regiments and Battalions from North Carolina in the Great War, 1861-'65*, vol. 1 (Raleigh: E.M. Uzzell, 1901), vi; Dowd, *Life of Zebulon B. Vance*, 452; While it is unclear if Vance was the first to coin this slogan, Vance raised each of these themes in his speech; Vance himself highlighted the role of the North Carolinian's in Pickett's Charge writing "the Twenty-sixth North Carolina, led by the gallant Colonel Henry Burgwyn, the son a noble Boston woman, left six hundred dead and wounded on the heights of Gettysburg, with their heroic young commander among them. A number of these were found within that deadly stonewall which Lee's whole army had so vainly attempted to scale"; today the North Carolina memorial at Gettysburg National Military Park, placed on the field in the 1990s, continues this battle for supremacy in the Lost Cause; the North Carolina Division of the United Daughters of the Confederacy inscribed the monument with the following words: "To the eternal glory of the North Carolina soldiers who on this battlefield displayed heroism unsurpassed... Thirty-two North Carolina regiments were in action at Gettysburg July 1, 2, 3, 1863. One Confederate soldiers in every four who fell here was a North Carolinian."

²¹ William Faulkner, *Intruder in the Dust* (New York: Random House, 1948), 194-195.

Even Faulkner, a Mississippian, could only remember the last names of Virginia generals, save the South Carolina-born James Longstreet and little known Cadmus Marcellus Wilcox of North Carolina, in an attack that included several brigades of North Carolinian soldiers and one of North Carolina's most famous generals, the University of North Carolina educated James Johnston Pettigrew, who commanded a division in the attack. Historian Carol Reardon in the most learned study of Pickett's Charge in historical memory spent an entire chapter ironically called "Southern Dissenters Speak Out" on the reaction of North Carolinians to Virginians taking much of the glory for the action on 3 July 1863. From their perspective, Confederate North Carolinians had a major justification for minimizing any weakness in their own historical narrative about supporting the Confederacy.²²

One example of this simmering tension in the Lost Cause construction of the war was the feud that broke out between Virginia General William Mahone and North Carolina General James Lane over events that occurred during the 1864 Overland Campaign. The feud between Mahone and Lane over U.S. Army battle flags captured at Spotsylvania Court-House was indicative of the vitriol held between Virginians and North Carolinians competing for control of Confederate military history. Even after Robert E. Lee settled the dispute in North Carolina's favor after the war, Mahone and Lane continued to duel in newspapers and historical magazines over other Civil War events throughout the 1870s and 1880s. Most important to the story of unionism was the sense of historical inferiority that North Carolina's commanders and veterans

²² Carol Reardon, *Pickett's Charge in History and Memory* (Chapel Hill: Univ. of North Carolina Press, 1997), chapter six; *New York Times*, 21 July 1911, this debate over whether Virginia or North Carolina contributed more troops to Pickett's Charge was so contentious that it even made its way to the U.S. Senate floor in 1911 when Senator William Martin of Virginia and Senator Dixon of Montana (born in North Carolina) brought Civil War histories to the floor of Congress. Dixon argued that North Carolina had contributed more troops and Martin argued that Pickett's troops had been Virginians. The debate resolved nothing. According to the *New York Times* "The controversy was finally dropped when the Senate got uneasy over a threatened renewal of civil war memories."

felt when dealing with the dominant narrative disseminated by Virginians. “From the early days of the war,” historian Kenneth Noe pointed out that “Virginians had disparaged the fighting abilities of North Carolinians” and this would be an important reason behind North Carolina’s construction of Civil War history. While none of these debates overtly dealt with unionism, political dissent or even events on the “home front” during the war, they illustrate the intense importance of military events to the Lost Cause and to why North Carolinians sought to minimize any discussion of unionists that might endanger their role in Confederate historical memory.²³

The death of Stonewall Jackson and his importance as a brilliant military leader remained central to this Lost Cause narrative. Jackson’s victories in the 1862 Shenandoah Valley Campaign and his subsequent mortal wounding at Chancellorsville at the hands of North Carolinians was not only important for white Confederates looking to understand the loss at Gettysburg two months later in July 1863, but for North Carolinians it was something they had to overcome when asserting their own importance to the history of the Confederate war effort.²⁴

North Carolina’s Confederates were largely left out of the Lost Cause story championed by the SHSP and Virginia-dominated veterans organizations—except, of course, as hapless incompetents when North Carolinians mistakenly shot Stonewall Jackson at Chancellorsville in 1863 and failed to help Pickett seize the heights at Gettysburg. North Carolina’s Confederates lost the race to control Confederate memory before the race even began. And this left North Carolinians with a historic inferiority complex that they were consistently seeking to rectify and salve. With control over the most important historical voice of the South during the post-war

²³ Kenneth W. Noe, “‘Damned North Carolinians’ and ‘Brave Virginians’: The Lane-Mahone Controversy, Honor and Civil War Memory,” *Journal of Military History*, 72 (2008): 1089-1115.

²⁴ Robert K. Krick, *The Smoothbore Volley That Doomed the Confederacy: The Death of Stonewall Jackson and Other Chapters on the Army of Northern Virginia* (Baton Rouge: Louisiana State Univ. Press, 2002), 1-41.

decades, the Southern Historical Society Papers, Virginians dominated control of the myth. Even as early as 1865 North Carolinians had offered an alternative, but it would not gain national prominence.

While Confederate veterans lived, they fought among themselves over how best to communicate their story. To many believers of the Lost Cause mythology, the Lost Cause history is a seamless story of happy slaves, antebellum moonlight and magnolias parties, and wartime southern unity in the face of Yankee hordes determined to destroy a southern way of life built around the protection of state's rights political doctrine and tariff resistance. Northerners were jealous and greedy but also clearly in envy of southern economic power within a nation built on a vibrant exported-oriented cotton economy. On the surface, the myth of white southern unity masked dissent and irregular wars during the war as well as a contentious history of how that myth was constructed between 1865 and 1890.²⁵

Historian David Blight has pointed to the Memorial Day 1890 Robert E. Lee Monument dedication in Richmond, Virginia “marked the entry of the Lost Cause into the national mainstream.” More than 100,000 people attended the dedication and the Lost Cause mythology of the Civil War had emerged as a popular national history of the conflict. Most Americans North and South had by this point, according to Blight, come to see Lee as an honorable American soldier and begun to celebrate him as an American not just a Southern hero. But even after the Lost Cause version of history that placed Virginia at the center of events was accepted widely, a bitter literary and historical battle continued into the early decades of the twentieth century. North Carolinians promoted their own agenda, and from the perspective of southern unionists, the North Carolina version of the story was a disaster.²⁶

²⁵ Blight, *Race and Reunion*, 268-269.

²⁶ Ibid.

Little scholarly work on North Carolina's Civil War history was completed during the early twentieth century. The histories that focused on North Carolina primarily addressed the military history of regiments and mobilization and was done largely by amateur historians and Confederate veterans desperately trying to compete with a Virginia Lost Cause machine published by the Southern Historical Society Papers. Perhaps the most important historian of North Carolina's war experience during this period and one of the principal architects of the state's mythology in the wake of Zebulon Vance was Walter Clark. Clark, a Confederate veteran and later a North Carolina Supreme Court Chief Justice, spent most of his adult life as de facto chief historian for the state and his important narratives and numerous edited works elevated military history and specifically regimental histories as the official version of North Carolina's contribution to the Confederate war. Clark's emphasis on the contributions made by the state's Confederate soldiers continued the effort Vance had started by promoting the "First at Bethel. Farthest to the Front at Gettysburg and Chickamauga. Last at Appomattox." version of North Carolina's involvement. When the "home front" was mentioned, it was usually to mention the sacrifice of white women and the hard work of Vance and other officials that sent troops every supply the state could muster.²⁷

In 1916 to mark the fiftieth anniversary of the end of the war, the North Carolina Division of the United Confederate Veterans established a \$25,000 fund to subsidize the research, authorship, and publication of a "history of the part taken by North Carolina in the War between the States" which "has never been written." "It is important that such a history," declared the North Carolina Division members, "complete in scope, accurate in statement, fair and just to all, should be prepared and published in order that future generations may not be left

²⁷ Clark, *Histories of the Several Regiments and Battalions from North Carolina*, vol. 1, preface; for background on Walter Clark, see William S. Powell ed., *The Dictionary of North Carolina Biography* (Chapel Hill: Univ. of North Carolina Press, 1979-1996).

in ignorance of that courage displayed by North Carolina soldiers on the battlefield, the wisdom shown by her statesmen in the council chamber, and the heroic sacrifices and patriotism manifested by all her people during the great struggle.” The UCV entrusted the state historical commission chaired by J. Bryan Grimes, the son of Confederate Major General Bryan Grimes, to choose a person to write the history. This group selected Dr. Daniel Harvey Hill Jr., the son of Confederate Lt. General Daniel Harvey Hill and nephew of Stonewall Jackson, to author the state’s official history. Hill’s two-volume work *Bethel to Sharpsburg* published ten years later in 1926 came far too late to help North Carolina defeat Virginia in a battle for Lost Cause supremacy, but it did offer a Confederate version of home front events that would be the “official” version of North Carolina’s war history until the 1960s. In one of the rare passages in his history where Hill addressed dissent in the state, he dismissed it not just as a western North Carolina mountain phenomenon but a phenomenon of only one small area of the mountains--the Laurel Valley of Madison County, where the infamous Shelton Laurel massacre of thirteen unionists took place in 1863.²⁸

As Confederate veterans gradually passed away or became too old to write, historians picked up the battle over what happened. While the Virginia version of the Lost Cause reigned supreme, Columbia University professor William Archibald Dunning and his students including J.G. de Roulhac Hamilton began an effort to interpret the period of Reconstruction. Hamilton’s history of Reconstruction North Carolina cast the period as an exceptionally negative one for ex-Confederates and argued that blacks, U.S. troops, and corrupt southern-born scalawags were to blame for the failures of the period. Yet, Hamilton provided what still remains the only full-scale study of North Carolina during Reconstruction that appeared in 1914. The close connection between the Lost Cause writers and some early historians of North Carolina like Hamilton is

²⁸ D.H. Hill, Jr., *Bethel to Sharpsburg*, vol. 1 (Wilmington, NC: Broadfoot Pub. Co., 1992), lx, 326-328.

clear. Hamilton even wrote the preface to the two-volume 1926 history of the war in North Carolina written by D.H. Hill Jr.²⁹

While Civil War veterans continued to hold reunions in the 1920s and 1930s, the generation that fought the war was losing its principal role in the promotional campaign that was Civil War history during these decades. The Sons of Confederate Veterans and the United Daughters of the Confederacy became the primary advocates of the Lost Cause tradition as veterans died. Academically trained historians, popular writers, and movie makers became important people discussing, debating and portraying Civil War history to the masses, but each group did not have equal impact on the popular history of the Civil War in North Carolina.

Academically trained historians, who wrote turgid dissertations during this period, rarely had their work read by the average American, and it was their work that began to challenge the Lost Cause narrative forwarded by the generation of veterans. In the 1920s and 1930s, a handful of historians did challenge the popular Lost Cause version of a unified white South and the Dunning narrative of Reconstruction. In 1924, a University of Chicago trained historian named Albert Burton Moore published his dissertation on political and social divisions within the Confederacy over the issue of conscription. Moore's book *Conscription and Conflict in the Confederacy* was groundbreaking, offering the first scholarly analysis of how conscription functioned in the wartime South. *Conscription and Conflict in the Confederacy* investigated North Carolina's resistance to conscription primarily through an evaluation of Zebulon Vance's resistance to the policy even referring to Vance as "the most dangerous man with whom [Jefferson] Davis had to deal" on the issue. Nevertheless, Moore's book was primarily a political

²⁹ J.G. de Roulhac Hamilton, *Reconstruction in North Carolina* (New York: Columbia University Press, 1914), preface; Hamilton based this volume on his Columbia University doctoral dissertation completed in 1906 under the direction of William Archibald Dunning.

and military history of conscription that did not focus on unionists or their involvement in local violence.³⁰

In 1934, a professor at Delta State Teacher's College in Mississippi named Georgia Lee Tatum paid \$500 to have her Vanderbilt University dissertation directed by historian Frank L. Owsley that addressed facets of dissent in the Confederacy published by the University of North Carolina Press. Tatum, one of the earliest scholars to challenge the Lost Cause mythology of a united Confederate home front, did so while also combating the difficulties of writing as a female academic in the Great Depression era South. She was not the first to deal with the topic or to challenge the romantic Lost Cause vision, but it was the first "comprehensive and scholarly" attempt. Tatum outlined three layers of dissent within the wartime white South: disloyalty, disaffection, and unionism. *Disloyalty in the Confederacy* used North Carolina as one primary area of investigation in her study, but Tatum did not do enough research outside the official records of the Union and Confederate armies or look at the social and economic status of dissenters. Her work remained a relatively forgotten one in the face of a deluge of biographies, battlefield studies and every other form of Confederate hagiography produced on the Civil War during 1930s and 1940s.³¹

During the 1930s and 1940s, Robert E. Lee's Army of North Virginia and the battlefields of northern Virginia reached new heights in the national historical imagination due in no small part to the four-volume biography of Lee produced by Virginia historian, Richmond newspaper editor, and a son of a Confederate veteran named Douglas Southall Freeman. Freeman's three-volume work *Lee's Lieutenants: A Study in Command* appeared during World War II and beautifully narrated the battlefield exploits of Lee's vaunted troops. North Carolinians received

³⁰ Moore, *Conscription and Conflict in the Confederacy*, 279

³¹ Tatum, *Disloyalty in the Confederacy*, viii. David William's enlightening preface to the 2000 edition of Tatum's work addresses the important, if limited, role she played in offering an early challenge to the Lost Cause myth.

treatment in Freeman's work, but the mere title of these works demonstrates the emphasis of the narrative. The prolific Freeman went on to win two Pulitzer Prizes, one for his Lee biography and the second posthumously for his seven-volume biography of George Washington, another indication of how important Freeman and many other white southerners saw Lee and Virginia's roles in the history of the Confederacy. Freeman even published a bibliography of Civil War history in 1939 with the expressed purpose of identifying books "that have brought a new generation of Americans to understanding the Southern point of view."³²

In his 1935 work *Black Reconstruction*, Harvard trained African-American historian W.E.B. DuBois offered the first scholarly challenge to the Dunning narrative of Reconstruction as a tragic era for the South. DuBois argued that Reconstruction was a period of advancement for black people, and he primarily viewed the period through the lens of class conflict between white planters, who sought to regain their former dominance over the laboring class, and poor, black former slaves who struggled to secure political and economic autonomy. Another Harvard trained African-American historian, Howard University Professor Charles H. Wesley's 1937 work the *Collapse of the Confederacy* was another early history of the Civil War South to focus on internal divisions as an explanation for Confederate defeat.³³

Not all academic works produced in the 1930s challenged the Lost Cause openly. Even Joseph Carlyle Sitterson's *The Secession Movement in North Carolina* published in 1939, which addressed the role of unionists during the secession crisis, ended its discussion with the legislature of North Carolina united in its decision to secede from the Union, leaving readers

³² Douglas Southall Freeman, *R.E. Lee: A Biography*, vols. 1-3 (New York: Charles Scribner's Sons, 1934-1935); Douglas Southall Freeman, *Lee's Lieutenants: A Study in Command*, vols. 1-3 (New York: Charles Scribner's Sons, 1942-1944); Douglas Southall Freeman, *George Washington: A Biography*, vols. 1-7 (New York: Charles Scribner's Sons, 1948-1957); Freeman, *The South to Posterity*, Introduction.

³³ W.E.B. DuBois, *Black Reconstruction in America, 1860-1880* (New York: Harcourt, Brace, 1935), chapters four and five; Charles H. Wesley, *The Collapse of the Confederacy* (Washington, D.C.: Associated Publishers, 1937).

with the impression that there were no unionists left in North Carolina after May 1861. This political history, which still stands as the only major book-length treatment of secession in North Carolina, did not examine the social foundations and origins of the political ideology and constituencies in the state that continued to support unionism after secession.³⁴

Despite the work of the early academics who boldly outlined an alternative to the Lost Cause mythology, no historian could compete with the version of the Civil War story put forward in Margaret Mitchel's novel *Gone With the Wind*, which David O. Selznick turned into a 1939 Academy Award winning film. While the movie was set in Georgia, it only served to perpetuate what had become not only a southern version of Civil War history but a national interpretation popularly held. There were no political dissidents in the Civil War South according to the movie's portrayal of the period. North Carolina's unionists and the unionists in other seceding states receded further and further into the shadows.³⁵

Compared with Virginia and the military history of the Civil War, North Carolina's Civil War history received little scholarly attention by the eve of the Civil War centennial in the 1960s. During the centennial, Virginia Military Institute historian John G. Barrett produced a monumental study of the Civil War in the state that has stood as the most comprehensive one-volume history of the war in North Carolina ever since. Barrett's book, which offered a better analysis of social and military history of the war than any previous book on North Carolina still leaned heavily toward a narrative of military events. Barrett's work fit into a national commemoration of the war that marked the great battles of the Civil War with only minimal attention paid to the sensitive questions surrounding the cause of the war, the institution of slavery in the antebellum South, and the Emancipation Proclamation. During this period, the

³⁴ Sitterson, *The Secession Movement in North Carolina*.

³⁵ Margaret Mitchell, *Gone With the Wind* (New York: MacMillan, 1936); *Gone With the Wind*, prod. David O. Selznick, 4 hours, MGM/United Artists, 1939, videocassette.

National Park System saw a massive influx of money to build new interpretative centers at Civil War battlefields across the country further emphasizing pivotal battlefield moments in Virginia and Tennessee as the most important events.

In 1961, the North Carolina Confederate Centennial Commission launched a multi-volume roster project to account for every soldier who served the Confederacy from the state. While the project was transferred to the North Carolina Department of Archives in 1965, it is a project that continues today with the sixteenth volume published in 2008. The Lost Cause interpretation of events during and after the war and the period of readjustment for blacks and whites went virtually unchallenged during the centennial commemoration.³⁶

The turbulent decade of the 1960s and the explosiveness of the Civil Rights movement and Vietnam war, left an indelible mark on Civil War scholarship. These events, coupled with broader changes in the methodological training of academic historians, pushed Civil War scholars of the post-1960s toward a focus on events away from the battlefield. Historians began asking why if a small southeast Asian nation could defeat the most powerful military on the planet could the Confederacy with far more resources and a larger land mass not defeat the U.S. Army during the Civil War? As a result, many historians of the Civil War began the work of recovering the “home front” over the next twenty-five years. In the 1970s, historians Paul Escott and Carl Degler offered groundbreaking work on the importance of an “other South” to the story of the Civil War and nineteenth century America. Escott’s *After Secession* and subsequent work *Many Excellent People* addressed dissent within Civil War North Carolina more fully than any scholar had up to that point. While Degler’s *The Other South*, offered the first major attempt to understand southern dissent for the entire scope of the nineteenth century casting light on

³⁶ Louis H. Manarin et al., comp. *North Carolina Troops, 1861-1865: A Roster* vols. 1-16 (Raleigh: NCDAH, 1966-present).

antebellum North Carolina dissenters Daniel Goodloe, Benjamin Hedrick and Hinton Rowan Helper.³⁷

Phillip Shaw Paludan, Marc Kruman, John C. Inscoe and William Auman, whose path-breaking dissertations and books began to reexamine the meaning of slavery and the war locally to individuals in North Carolina, followed in the 1980s. John C. Inscoe, Robert Kenzer, and Daniel Sutherland would go on to edit some of the most important work on unionism in their volumes *Enemies of the Country* and *Guerrillas, Unionists and Violence on the Confederate Home Front*. By the early 1990s, even poor North Carolina women who dissented would find their voice through the pen of Victoria Bynum in her *Unruly Women*, and Laura Edward's *Gendered Strife and Confusion* gave white and black women from North Carolina a voice during Reconstruction. Both of these county level studies offered new and important analysis that filled important gaps in the existing historiography.³⁸

The movie *Gettysburg*, in which Turner Productions turned Michael Shaara's Pulitzer-Prize winning novel *The Killer Angels* into a major motion picture released in 1993, along with the Ken Burn's series *The Civil War* broadcast on public television in the early 1990s, launched a new wave of popular interest in Civil War history. For all of their flaws, both productions did move Civil War interpretation. *Gettysburg* rehabilitated James Longstreet to the consternation of many Lost Cause partisans of Robert E. Lee, and it even briefly elevated North Carolina General Johnston Pettigrew from obscurity. The movie, however, again played into the Lost Cause by focusing on George Pickett's speech, his famous charge, and centering on the heroism of

³⁷ Escott, *After Secession*; Escott, *Many Excellent People*; Degler, *The Other South*.

³⁸ Marc W. Kruman, "Dissent in the Confederacy: The North Carolina Experience," 293-313; Paludan, *Victims*; John C. Inscoe, *Mountain Masters: Slavery and Sectional Crisis in Western North Carolina* (Knoxville: Univ. of Tennessee Press, 1989); Inscoe and Kenzer eds., *Enemies of the Country*; Auman, "Neighbor Against Neighbor,"; Bynum, *Unruly Women*; Laura Edwards, *Gendered Strife and Confusion: The Political Culture of Reconstruction* (Urbana: Univ. of Illinois Press, 1997); Sutherland ed., *Guerrillas, Unionists and Violence on the Confederate Home Front*.

Confederate soldiers in its climactic scene. While Ken Burn's series assembled some of the brightest historical minds in the country to help him interpret the period more broadly, it too fell short by failing to analyze dissent within the Confederacy beyond a handful of violent incidents and notorious atrocities. Southern unionism is virtually non-existent in both productions.³⁹

Even in the last decade of the twentieth-century, Virginia has remained an important focus for writers seeking to protect a Civil War story that places Lee, Jackson, Stuart and Virginia at the center of the Confederate story. In the early 1980s, Fredericksburg and Spotsylvania National Military Park Chief historian Robert K. Krick shepherded the Virginia Regimental Histories Series published by the Lynchburg, Virginia based H. E. Howard Press into fruition. This series eventually narrated the war through the eyes of every Virginia regiment. No other statewide project of this scale has ever been attempted—North or South. Clearly, Virginia remains in the vanguard for scholars seeking to promote the importance of Lee's army in the national memory of the Civil War. Krick's authorization of daily tours at Chancellorsville Battlefield focused principally on Jackson's mortal wounding and death tours at the Lt. General Thomas Jonathan "Stonewall" Jackson National Shrine perpetuates a Lost Cause mythology by placing the historical sites' emphasis on generals and generalship over the broader social context of what soldiers fought for on the battlefields. Since Krick stepped down as Chief Historian in 2002, however, the park's Chief Historian John Hennessey, himself a noted military historian, has worked diligently to change the interpretation of the fields adding broader context through a renewed signage program focusing on the social history of the period.⁴⁰

³⁹ Michael Shaara, *The Killer Angels* (New York: MacKay, 1974); *Gettysburg*, prod. Robert Katz and Moctesuma Esparza, 254 mins., Turner Pictures/New Line Cinema, 1993, videocassette; with a run-time of more than five hours, however, Pettigrew's character was in the movie less than five minutes; *The Civil War*, prod. Ken Burns, 11 hours, PBS Video, 1990, videocassette; among the noted historians who contributed were Pulitzer Prize winners C. Vann Woodward and James McPherson as well as noted Columbia University historian Barbara Jeanne Fields.

⁴⁰ *The Virginia Regimental Histories Series* (Lynchburg: H.E. Howard, 1982-present).

The artificial barrier that Civil War historians have erected between battlefield and home front has also played an important role in the dissonance between the national memory of the conflict, which focuses on battlefield heroism and major leaders, and the social, political, cultural and military history that occurred away from the major battle theaters. Scholars who have focused on this other war have begun the painstaking work of telling the story of unionists, but reintegrating them into the national narrative dominated by the Lost Cause has not been easy. Recent scholarly developments are encouraging especially the focus scholars of guerrilla warfare have placed on collapsing the neat distinction between home front and battlefield. In sum, this scholarship argues that in many areas of the South home front was battlefield—a complex contested military occupation that shattered the lives of many civilians.

Within the last decade, the popular history of the Civil War in North Carolina has begun to shift steadily away from the once officially state-sanctioned Lost Cause interpretation of the war. It was again a film and popular culture phenomenon that may have made the most impact on national memory of the Civil War, this one set in Civil War North Carolina. Civil War historians of dissent received this popular cultural phenomenon oddly enough from another fiction author. Charles Frazier's *Cold Mountain* sold 1.6 million books in hardcover, won the 1997 National Book Award for Fiction, and remained on the *New York Times* hardcover bestseller's list for sixty-one weeks. The work was so popular that it was eventually turned into a 2003 blockbuster movie starring Nicole Kidman, Renee Zellweger and Jude Law and placed desertion, torture, community violence, conscription, and home guards at the center of North Carolina's Civil War story and on the national stage like no other book of fiction or non-fiction before. While the movie was critically well-received and eventually won a best supporting actress Oscar for Zellweger, it probably will not have the lasting impact of *Gone With the Wind*.

By making the main character of the book a Confederate deserter, nevertheless, Frazier placed the focus on dissent and guerrilla warfare. Even if it was not the unconditional unionism of many who lived on the home front, it did shift the focus away from a unified white Confederacy, which had dominated national memory of the conflict for decades.⁴¹

Even North Carolina's state government initiated an effort to reinterpret Civil War history in a broader context over the past decade. In 2005, North Carolina debuted a new Civil War wayside signs program as part of their new North Carolina Civil War Trails program (which was itself modeled on the highly successful Civil War Trails programs in Virginia and Maryland). Funded in part by \$275,000 in local funds and a \$1.1 million federal Transportation Enhancement grant, the program has the primary goal of interpreting the war to "the 98% of the traveling public who know little about the Civil War." The Division of Tourism, Film and Sports Development of the North Carolina Department of Commerce produced historical maps designed to guide tourists through North Carolina's story. These new maps, intended to interpret Civil War history to a new generation and a large mass audience, do mention unionists and events related to them, placing their lives publicly for evaluation in a way few scholarly histories have. While it is difficult to gauge the impact of the program, it has clearly been popular, issuing 17,000 brochures (via download) to visitors of <http://www.visitnc.com> by the end of March 2006 and the North Carolina trail map ranked as "the 4th or 5th most popular Civil War map downloaded at www.civilwartrails.com with nearly 11,500 downloads through March 2006."⁴²

⁴¹ Motoko Rich, "Random House Confident of Follow-Up to 'Cold Mountain,'" *New York Times*, 20 April 2006; Charles Frazier, *Cold Mountain* (New York: Atlantic Monthly Press, 1997); for an analysis of *Cold Mountain* as a historical text, see "Appalachian Odysseus: Love, War, and Best-sellerdom in the Blue Ridge," in John C. Inscoe, *Race, War, and Remembrance in the Appalachian South*, 303-321; *Cold Mountain*, prod. Sidney Pollack, William Horberg, Albert Berger, and Ron Yerxa, 154 mins., Miramax Films, 2003, DVD.

⁴² "North Carolina Civil War Trails," 2008, <http://www.nccommerce.com/en/TourismServices/PromoteTravelAndTourismIndustry/HeritageTourismAndCommunityDevelopment/> (12 December 2008).

In December 2008, markers interpreting enslaved blacks, the First U.S. Colored Heavy Artillery, a Confederate prisoner of war jail and one that included commentary on mountain unionist Alexander Hamilton Jones appeared in Asheville, North Carolina, yet another step toward more fully integrating the role of dissident blacks and whites. The interpretive maps offer only brief notes and little detail, but they do provide a first step for any interested Civil War student to begin exploring the state's past. More emphasis on unionism in the state's tourist and popular historical materials is still needed, but the impact of these materials is unlikely to revise a century of Lost Cause mythology alone for many who subscribe to the interpretation.⁴³

At the local level within North Carolina, popular culture of the Civil War also shifted toward focus on unionism when the Southern Appalachian Repertory Theatre produced a play which dramatized the 1863 massacre of thirteen unionist men and boys by Confederate home guards at Shelton Laurel. The play written by Sean O'Leary debuted in 2005 on the campus of Mars Hill College in Madison County. Leading Appalachian scholar John C. Inscoe, University Professor of History at the University of Georgia, and Madison County native Dan Slagle served as historical consultants for the play, and Inscoe even wrote a short piece describing the play's story and role in reshaping historical memory in western North Carolina at the local level for the popular Civil War magazine *North and South*. Inscoe's involvement signals an important step in reintegrating the unionist story into popular memory, but his piece highlighted the challenges that remain. Many of the community members of Shelton Laurel were at first quite reluctant to participate in the renewed efforts to bring the story of unionism and violence to popular attention.⁴⁴

⁴³ Deborah Miles to Dr. John C. Inscoe, dmiles@unca.edu, November 2008, personal email, (November 2008).

⁴⁴ "Unionists in the Attic: The Shelton Laurel Massacre Dramatized," in John C. Inscoe, *Race, War and Remembrance in the Appalachian South*, 282-302; this article originally appeared in the popular Civil War Society magazine *North and South* 10 (October 2007).

Serious challenges clearly remain for scholars combating the Lost Cause version of events in North Carolina that removed unionists from the Civil War story. One need look no farther than the World Wide Web to find websites and weblogs by North Carolina Sons of Confederate Veterans organizations and individuals promoting a version of the Civil War that would be quite familiar and agreeable in tone to the one promoted by Zebulon Vance and Confederate veterans who first constructed the Lost Cause history of the state more than a century ago.⁴⁵

The site of the North Carolina Division of the Sons of Confederate Veterans, an organization originally founded in 1896, today lists ninety-nine active chapters or camps of the SCV in North Carolina with contact emails, names of commanders and adjutants, and post numbers. The constitution of the organization states that any group of direct decedents of Confederate veterans with a minimum of seven members may form a camp. The site claims “nearly 3000” active members statewide as of 2004 and communicates its message to its membership through its bi-monthly newsletter the *Carolina Confederate*. Among the sections on its website are an “Untaught History Section” which lists an article entitled “End of Yankee Terror in NC” and a section where members can report “Heritage violations,” which is organization short-hand for attacks made on the Confederate battle flag or the memory of Confederate soldiers. The website also released to the web “public service announcements” with North Carolina Lost Cause themes. Some of these public service announcements were titled: “First, Farthest, Last,” “North Carolina Most Troops,” and “Basis of Secession.”⁴⁶

According to the North Carolina Division of the SCV website, the current membership are “the heir to this legacy” of the UCV and by extension they feel responsible for the

⁴⁵ “North Carolina Division, SCV,” 1998-2008, <http://www.ncscv.net> (12 December 2008).

⁴⁶ “North Carolina Division, SCV,” 1998-2008, <http://www.ncscv.net> (12 December 2008).

preservation of the Lost Cause interpretation of the Civil War erected by the original veterans of the conflict. “Formed in Richmond, Virginia in 1896, the Sons of Confederate Veterans continues to serve as an historical, patriotic and cultural organization dedicated to insuring that a true history of the 1861-1865 period and our Confederate American heritage and culture are preserved and transmitted intact to future generations.” The website argues “Today, in the Old North State, as in all the states of the former Confederate States of America, we find ourselves in a war for our Confederate and Southern culture and traditions. Not only is the honor of the Confederate soldiers being impugned and his memory denigrated, but the principles for which he fought are maligned and defamed,” and ended by asserting, “For many years the Sons of Confederate Veterans concentrated on commemorations and quiet observances. While never neglecting this important part of our mission, in the 21st century we find ourselves at the forefront of another and more critical battle—a battle for our very identity and for our very beliefs.”⁴⁷

Nowhere on the website of the North Carolina Division or the SCV national website does the organization discuss southern-born unionists, white or black. And in March 2008 the North Carolina Division again sounded the main themes of the North Carolina Lost Cause story originally promoted by Zebulon Vance when Thomas Moore, a member and keynote speaker on “Confederate Flag Day” March 8, 2008 in Raleigh, claimed they had delivered more troops to the battlefield by percentage of the “eligible male population.” Since it is difficult to assess how large the eligible male military age population was in North Carolina, primarily due to the shifting ages of the Confederate conscription policy and limitations of the census records, this will probably never be known for certain. But according to the population stats and enlistment records of the U.S. 1860 census and the National Parks Service’s database of enlistment records,

⁴⁷ Ibid.

North Carolina ranked only second behind Georgia in enlistment by percentage of its free population and was fourth in raw enlistment numbers behind Virginia, Georgia, and Tennessee.⁴⁸

Unionists have slowly reemerged in popular historical media, on the World Wide Web, and in the interpretation of historical sites in North Carolina, but it remains to be seen what the Sesquicentennial Committee in North Carolina will hold. In 2008, the state of North Carolina and the North Carolina Department of Cultural Resources, Office of Archives and History launched the website North Carolina Civil War Sesquicentennial (<http://www.nccivilwar150.com>) to promote the state's various activities and events associated with commemorating the Civil War's 150th anniversary between 2011 and 2015. North Carolina's Civil War Sesquicentennial Committee and its chair Dr. Jeffrey Crow, established its mission statement "to develop and execute a multi-year program of state-sponsored activities to commemorate, in an appropriate and historically accurate manner, the richness, diversity, and significance of the state's participation in and contributions to the American War," the committee opined. "Accordingly, the objective is to extend to the citizens of the state and others via a layered and interdisciplinary approach, an understanding of the complexity of the issues surrounding the war and to transform the interpretation of the events for a new generation." With its focus on a new generation of the public, the committee appointed an advisory panel of leading

⁴⁸ Ibid.; Moore's subsequent speech for the North Carolina SCV's 2008 Confederate Flag Day celebration dealt far more with the promotion of present day conservative politics than with Civil War history and therefore needs no additional discussion here; for national park service troops numbers compared by state, see Robert K. Krick, *The Smoothbore Volley that Doomed the Confederacy*, 243; Krick, clearly a Virginia partisan, offered this illuminating analysis of the numbers: "One fascinating result of the published index is the chance to be able to count the precise number of service records for each Confederate state. Years of gasconade about the number of soldiers contributed to Confederate service by the various states (much of it generated by North Carolinians sensitive to their state's record) now can be put to rest. The computerized count of official service records shows conclusively that Virginia put more soldiers into the Confederate army than any other state, and by a wide margin; North Carolina stands only fourth."

North Carolina Civil War scholars who have written on virtually every major dimension of the state's role in the conflict.⁴⁹

Among the academic advisory panel scholars appointed to guide the interpretation of the events are leading scholars of the black Civil War experience in North Carolina, political dissent and resistance in the state, and unionists. Among the most prominent historians on the advisory committee are Paul D. Escott, Richard D. Starnes, John David Smith and Joseph T. Glatthaar. The team of scholars decided upon the theme "North Carolina and the Civil War: Freedom, Sacrifice, Memory." As part of the "Sacrifice" component the committee has laid out the goal of addressing the war history of "home front issues, Confederate soldiers, United States Colored Troops, Women's issues, Unionists, and other topics." As part of the "Memory" component the scholars are seeking to evaluate "The Lost Cause mythology, Confederate Memorials, Northern concepts of the war, African Americans' struggle to keep their history alive during the "Lost Cause" era, Negro History Week, and other topics."⁵⁰

As the North Carolina Sesquicentennial committee and advisory panel explore their options for how best to interpret North Carolina's war to the public, it is a positive step that leading scholars of both the war within North Carolina, unionism, and the black experience lead the effort.⁵¹ These scholars will doubtless place greater emphasis on combating Lost Cause interpretations of the conflict and contextualizing the history of war over the relatively one-dimensional military history forwarded during the 1960s centennial by the state and the Lost Cause narrative promoted by Confederate veterans during the fiftieth anniversary of the war. The

⁴⁹ North Carolina Department of Cultural Resources, "North Carolina Civil War Sesquicentennial," 2008 <http://www.nccivilwar150.com> (12 December 2008).

⁵⁰ Ibid.

⁵¹ Ibid. The academic advisory panel for the North Carolina Sesquicentennial includes: Mark L. Bradley, Paul D. Escott, Chris E. Fonvielle, Joseph T. Glatthaar, Susanna Lee, Freddie Parker, John David Smith, and Richard Starnes.

Sesquicentennial Committee and Academic Advisory Panel have scheduled three symposiums to be held in 2011, 2013, and 2015 centered around the three major themes selected: Memory, Freedom, and Sacrifice. The question is whether the American public or the people of North Carolina will be listening when these scholars promote this fuller version of North Carolina's Civil War story. Only time will tell. For North Carolina's Civil War unconditional unionists, however, any effort to push them back into the national memory of the Civil War would be a vast improvement over where their story now stands.

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Gettysburg. Produced by Robert Katz and Moctesuma Esparza and Directed by Ronald Maxwell. 254 mins. Turner Pictures/ New Line Cinema, 1993. 2 videocassettes.

Gone With the Wind. Produced by David O. Selznick and Directed by Victor Fleming. 4 hours. MGM/United Artists, 1939. 2 videocassettes.

Appendix A

Table 1: Occupations of Unionists in 1860

Occupation	Unionist
Farmer	176 (64.0%)
Farm Laborer/ Day Laborer	14 (5.1%)
Lady	1 (0.4%)
Spinner/Seamstress/Weaver	4 (1.5%)
Drayman	1 (0.4%)
Ditcher	1 (0.4%)
Cotton Mill Operator	1 (0.4%)
Overseer	1 (0.4%)
Shingle Getter	1 (0.4%)
Mariner/ Fisherman/Capt. Of Vessel/Waterman/Boatman	11 (4.0%)
Minister	1 (0.4%)
Cooper	2 (0.7%)
Carpenter	5 (1.8%)
Mechanic	3 (1.1%)
Turpentine Seller	1 (0.4%)
Shoemaker	3 (1.1%)
Merchant	3 (1.1%)
Doctor/M.D./Physician	4 (1.5%)
Miller	5 (1.8%)
Blacksmith	5 (1.8%)
House Keeper/Domestic	4 (1.5%)
Coach Maker or Wheelwright	2 (0.7%)
Slave	9 (3.3%)
Farm Wife	9 (3.3%)
Under age 17 and no occupation listed	8 (2.9%)
Total in Sample	275

- The category of “Farm Wife” was created to account for the women who filed SCC claims, who were identified in the 1860 census (but listed no specific occupation), and whose husbands’ were farmers. Free blacks as well as black Unionists were listed as part of this sample under their identified occupation when it could be found in the census. Slaves are listed in this sample based on their self-identification as a slave in 1860 as part of their SCC claim testimony. All data in this table was accumulated through an evaluation of the allowed Southern Claims Commission Case Files, 1877-1883, Records of the Government Accounting Office, Records of the Third Auditor’s Office, RG 217, National Archives, College Park, MD; U.S. Bureau of the Census, *Population Schedule of the Eighth Census of the United States*, 1860, North Carolina; U.S. Bureau of the Census, *Slave Schedule of the Eighth Census of the United States*, 1860, North Carolina.

Commercial Occupations

Drayman
Cotton Mill Operator
Miller
Merchant
Mariner/ Fisherman/Capt. Of Vessel/Waterman/Boatman
Turpentine Seller
Shingle Getter

Artisan Occupations

Coach Maker or Wheelwright
Cooper
Spinner/Seamstress/Weaver
Shoemaker
Carpenter
Mechanic
Blacksmith

Professional Occupations

Doctor/M.D./Physician or Minister

Farm Related Occupations

Farmer
Farm Wife
Farm Laborer/ Day Laborer
Overseer
Slave
House Keeper/Domestic
Lady
Ditcher

Table 2: Unionists' Slave Ownership in 1860

No. of Slaves	Unionist
1-4	25 (44.6%)
5-9	13 (23.2%)
10-14	5 (8.9%)
15-19	5 (8.9%)
20-24	2 (3.6%)
25-29	2 (3.6%)
30-34	1 (1.9%)
35-39	1 (1.9%)
40-44	0 (0.0%)
45-49	0 (0.0%)
Over 50	0 (0.0%)
Total No. of Unionist Slaveholders	56
Total No. of Slaves Owned in 1860	443

All data in this table was accumulated through an evaluation of the allowed Southern Claims Commission Case Files, 1877-1883, Records of the Government Accounting Office, Records of the Third Auditor's Office, RG 217, National Archives, College Park, MD; U.S. Bureau of the Census, *Population Schedule of the Eighth Census of the United States*, 1860, North Carolina; U.S. Bureau of the Census, *Slave Schedule of the Eighth Census of the United States*, 1860, North Carolina.

Table 3: Unionists' Real Estate Value in 1860

Dollar Amount	Overall	Mountains	Piedmont	Coastal Plain
0-99	90 (32.7%)	16 (32.7%)	23 (28.0%)	52 (36.1%)
100-499	35 (12.7%)	7 (14.3%)	9 (11.0%)	19 (13.2%)
500-999	31 (11.2%)	9 (18.4%)	7 (8.5%)	15 (10.4%)
1000-2,499	75 (27.3%)	10 (20.4%)	29 (35.4%)	35 (24.3%)
2,500-4,999	24 (8.7%)	4 (8.2%)	8 (9.8%)	12 (8.3%)
5,000-9,999	12 (4.4%)	2 (4.1%)	4 (4.9%)	6 (4.2%)
Over 10,000	8 (2.9%)	1 (2.0%)	2 (2.4%)	5 (3.5%)
Average Per Citizen	\$1519 (No. in sample 275)	(No. in sample in this region 49)	(No. in sample in this region 82)	(No. in sample in this region 144)

Overall Unionist percentages are out of the total sample (no. 275), but regional percentages are out of the regional sample numbers. The total Unionist real property value was \$417,617 in 1860. All data in this table was accumulated through an evaluation of the allowed Southern Claims Commission Case Files, 1877-1883, Records of the Government Accounting Office, Records of the Third Auditor's Office, RG 217, National Archives, College Park, MD; U.S. Bureau of the Census, *Population Schedule of the Eighth Census of the United States*, 1860, North Carolina; U.S. Bureau of the Census, *Slave Schedule of the Eighth Census of the United States*, 1860, North Carolina.

Table 4: Unionists' Personal Property Value in 1860

Dollar Amount	Unionist	Mountains	Piedmont	Coastal Plain
0-99	67 (24.4%)	8 (16.3%)	13 (15.9%)	46 (31.9%)
100-499	78 (28.4%)	18 (36.7%)	24 (29.3%)	36 (25.0%)
500-999	48 (17.5%)	14 (28.6%)	17 (20.7%)	17 (11.8%)
1000-2,499	37 (13.5%)	6 (12.2%)	10 (12.2%)	21 (14.6%)
2,500-4,999	17 (6.2%)	1 (2.0%)	9 (11.0%)	7 (4.9%)
5,000-9,999	11 (4.0%)	1 (2.0%)	4 (4.9%)	6 (4.2%)
Over 10,000	17 (6.2%)	1 (2.0%)	5 (6.1%)	11 (7.6%)
Average Per Citizen	\$2057 (No. in sample 275)	(No. in sample in this region 49)	(No. in sample in this region 82)	(No. in sample in this region 144)

Overall Unionist percentages are out of the total sample (no. 275), but regional percentages are out of the regional sample numbers. The total Unionist personal property value was \$565,778 in 1860. All data in this table was accumulated through an evaluation of the allowed Southern Claims Commission Case Files, 1877-1883, Records of the Government Accounting Office, Records of the Third Auditor's Office, RG 217, National Archives, College Park, MD; U.S. Bureau of the Census, *Population Schedule of the Eighth Census of the United States*, 1860, North Carolina; U.S. Bureau of the Census, *Slave Schedule of the Eighth Census of the United States*, 1860, North Carolina.

Methodology:

Evaluating the North Carolina Claims of the Southern Claims Commission

During the past fifteen years, a pioneering vanguard of Civil War historians has begun the painstaking archival research that will be necessary to piece together the largely forgotten world of unconditional unionists who lived in the Civil War South. Among the most important sources available to these historians on political loyalty in North Carolina and the most vital source for evaluating the fidelity of white and black people to the union cause is the collection of cases heard by the Southern Claims Commission (SCC) during the post-war period. In the aftermath of the Civil War, the southern home front was a poor, impoverished place and many inflexible unionists had suffered not only at the hands of Confederates but also lost property through seizure by the U.S. Army. The federal government sought to redress unionists for property taken by the U.S. Army and pay for certain types of property taken, specifically items taken under the authority of a U.S. Army officer for official army supply or use. Plunder by foraging Union enlisted men or non-supply items incidentally destroyed were not remunerated. Neither was unionist property seized by Confederate officials, military personnel and citizens, even if the loyalty of a claimant was proved, the U.S. federal government would not compensate the claimant. In other words, SCC commissioners were charged with determining the answer to two broad questions in each case brought before the commission, the loyalty of the claimant and the type and nature of the property seized from the claimant during the war. Only claimants that could first prove unconditional loyalty were considered for compensation and only property claims that could be leveled unequivocally against the U.S. military during an official seizure were allowed and reimbursed. The stringency of the SCC test amounted to a standardized list of

eighty interrogatories (See Appendix C) applied to claimants by a group of commissioners empowered to send special commissioners into a state/locality for further investigation when the commission deemed it necessary.

My study relies heavily on the approved claims of the SCC (or allowed claims) to rebuild the world of the inflexible unionist, but I began this work with a deep skepticism for the claims as a source. As a post-war source, I encountered the problems of sometimes vague memory but the most challenging problem was that historians themselves have been skeptical of the SCC because it was a commission set up to remunerate people financially for property loss, leaving all claims subject to the question: Was this person really loyal or just out to secure money from the U.S. government? This is a fair concern, and I tackled that question throughout my entire research phase first by going broader and deeper into the claims than any other historian of North Carolina's unionists and second by evaluating not only the allowed claims but also the larger collection of disallowed claims to determine the stringency of the commissioners in their evaluation of loyalty. While I have used qualitative material on persons and events found in the disallowed claims for the narrative of this project, I have not included any of the disallowed claimants in my statistical tabulations (See Appendix A) of unconditional unionists (even the claimants disallowed for property reasons after having been proven loyal) because I want to give the most weight in my study only to the strongest claims of unionism heard by the commission. By relying only on the allowed claims of the commission for my quantitative tables, this study offers the strongest possible data set for evaluation of stalwart unionism in North Carolina.

Part of the reason Civil War historians have been unwilling or unable to reconstruct the unionist world is the difficult nature of working with the manuscript claims material from North Carolina, which have never been microfilmed by the National Archives and Records

Administration (NARA). The allowed claims are only available in College Park, Maryland and the disallowed claims in Washington, DC at NARA archives. A handful of states including Alabama and Georgia filmed their claims, making it easier to work with unionists from these states, but North Carolina's claims have never been filmed. After traveling to College Park, Maryland and Washington, DC where the claims are held and through the use of digital photography taking pictures of every page of claims material for the allowed claims, I was able to assemble a massive social history source base on North Carolina's unionist men and women. Fortunately, the U.S. House of Representatives had the commission assemble a tome that included a synopsis of each SCC disallowed claimant with the exact reason for the dismissal of the case and the details of the claim. On average the manuscript allowed claims are about thirty pages of hand written testimony to the eighty standardized questions. After gathering the raw source SCC source data, I then spent five months reading and transcribing every claim heard from North Carolina (both the manuscript allowed claims and the entire North Carolina collection from the U.S. House of Representatives Digest of the Barred and Disallowed Claims). After transcribing the claims, I was able to create a massive searchable database for the claimants that was a powerful tool in evaluating their lives. Each claim was keyworded to specific incidents in their lives and important information about their background. When a claimant joined the Heroes of America, I noted that. If a claimant was threatened with being "ridden on a rail" I recorded this information. Then I cross-referenced the claimants with the digitized census records on Ancestry.com to create a social history composite identity for the 362 allowed claimants. (The quantitative analysis in Chapter One is built on this work). It was not until I did the meticulous (and sometimes tedious) work of reading all of the North Carolina claims allowed, disallowed and barred numbering 1605 individual claims that I became truly convinced

that the 362 allowed claims that survived the rigorous test questions and legal process that skeptical commissioners applied to applicants were strong claims for unconditional unionism. Indeed, I did not conclude that all or even most of the disallowed claims were unionists. To the contrary, I actually found that the commission had wisely disallowed many of the claims for disloyalty and had maintained a rigorous standard for disallowing the borderline cases that offered insufficient evidence.

In part, Civil War historians have treated the SCC claims with intense skepticism for very good reason. Many cowards, shirkers, low-lives, fiends, thieves, rip-off-artists, vagabonds, and average Confederate citizens attempted to pass themselves off as legitimate unconditional unionists during the years the commission was in effect. This criminal group coupled with the many destitute widows and orphans of Confederate veterans made for a large pool of individuals seeking financial help in the post-war period, and many others simply misunderstood the purpose of the claims system, which made the job of the commissioners' difficult. Commissioners, however, were well aware of the pool of claimants they were dealing with, and this is something that some Civil War historians have been slow to recognize in their work on Civil War loyalty. The commissioners empowered to investigate for the state of North Carolina were not only skeptical (sometimes mercilessly so even in borderline cases), but they were also excellent government bureaucrats and bean-counters adept at saving the Federal government money.

This assessment of the commission is born out by a systematic evaluation of the SCC claims for the state of North Carolina. Of the 1605 claims filed by North Carolinians, 1243 were barred and disallowed by the SCC but only 995 of those 1243 were actually distinctive claims filed by different individuals, the other 248 claims were from the same individuals who had filed other claims but were inappropriately filed and dismissed. So, there were actually only 1357

distinctive allowed and disallowed claims heard by the commission from North Carolina. Of these, the commission disallowed 995 and 362 were allowed. Of these claimants, only 362 survived the rigorous tests for both loyalty and property designed to weed-out imposters and reward the loyal. An evaluation of the 995 disallowed claimants, demonstrates the strength of evidence and commission standards for loyalty that produced the 362 people on which this project is based. While these 362 individuals were not the only unconditional unionists from North Carolina, they are the most firmly, rigorously proven examples of unionism from the state. This methodological appendix offers what is the first attempt to systematically analyze the disallowed claims for North Carolina to illustrate the rigorous nature of the claims commission process. Two arguments are born out from the evidence of these claims, the intensity of analysis/rigor of the evaluation and the complexity of southerners' loyalty stories.

The disallowed claims demonstrate just how difficult it was to wade through the mountain of conflicting evidence to determine what the real nature of loyalty on the North Carolina home front had been during the war. Many disallowed claimants were borderline cases for loyalty by the end of the war, but they clearly had not been loyal throughout. Many people in North Carolina grew apathetic, disillusioned with the war and the Confederate government by 1865. How would the commission handle these people? While many individuals became openly hostile anti-Confederates at some point, moving from apathetic citizens or luke-warm secessionists to outright resistance on a sliding scale of loyalty. Was this evidence of unequivocal unionism for the commissioners? Conscripits were an especially important and difficult class for commissioners to determine loyalty. Clearly many unconditional unionists had been forced into the Confederate Army. But how many? There were also conditional unionists who had become Confederates after secession and neutralists who had tried to weather the storm

of war by riding the fence. How would the commission handle those individuals? These were all questions I had as I read the claims.

The Commission's Evaluation of the Claimant

The burden of proof in the SCC cases was always on the claimant. One was presumed to be Confederate simply by southern residence and birth (although a small number of claimants were born outside the country or in the North) and therefore guilty of disloyalty unless a claimant was able to produce strong evidence to the contrary. In order to be found unequivocally loyal to the Union during the entire four years of war, a claimant first had to state and prove unionist sentiments, direct action, speech on behalf of the Union, repeated anti-Confederate actions meant to directly weaken the rebellion, and be able to cite incidents and produce witnesses that proved wartime fidelity. The preponderance of evidence had to be for unionism in order for the commission to allow the claim based on loyalty. Even if loyalty was established, a claimant might be denied for property considerations. Under the statute that governed the commission if one provided any "Aid and comfort to the rebellion," which is a broad concept encompassing money, supplies and horses used by or given willingly to the Confederate cause then one was almost always found disloyal. If one gave even the smallest amount of direct help to the Confederacy, whether through tax payment to Confederate officials or impressment, the claimant had to demonstrate overwhelmingly that this was done under duress or offer compelling evidence of other activity (like joining the U.S. military or sending a child to enlist in the U.S. Army) that would offset any Confederate aid. Only the most loyal individuals could provide such testimony and only their claims survived the claims commission hearing.

Assessing the Southern Claims Commission's Evaluation

As I began my initial reading of the disallowed claims, I had to create my own system for evaluating the commission's reason for dismissal. Why did the commission disallow this claim was my constant question? I came up with a simple system that enabled me to categorize claimants into a handful of disallowed categories: "Proved Loyal, but disallowed for reasons related to property questioning (sometimes bankruptcy);" "Disloyal, clearly Confederate citizens during the war"; "Borderline case, may have been loyal or may have not been loyal but disqualified because of insufficient evidence of either loyalty or property" or just "Insufficient evidence"; and a very small number of "Disqualified for not falling under the statute." The small number of claimants who appeared to have been neutralists I classified in the insufficient evidence category because their loyalty could not be definitely determined by the SCC. I will use specific claims to discuss the nature of each category of the disallowed claims.

People who held a local civil or military position in Confederate North Carolina, including magistrates, justices of the peace, and officers/enlisted personnel in the militia or home guards were almost without exception disqualified by the SCC commissioners because of the requisite oath of allegiance to the Confederacy applied to individuals who held these offices. Many militia and home guardsmen, however, testify to aiding deserters and unionists and escaped prisoners complicating their individual loyalty story, or they testify to having been conscripted or forced into the militia or home guard against their will. Nonetheless, if a disallowed claimant took the oath for one of these offices, I counted the person as definitely disloyal.

Direct aid to the Confederate war effort, like making saltpeter was also considered disloyal even if someone was later a member of the Heroes of America. I classified these

disallowed claimants also as disloyal, but this is murky territory, demonstrating that loyalties were not always black and white. Sometimes claims of loyalty were simply too general or other claimants from the same area testified on behalf of each other making the claim suspect. Many who served the Confederacy in state as civil workers or as guards but who did not actively campaign tried to file claims as well. Unless the service was clearly compelled through force in the home guard, I considered all Confederate service whether local, state or in regular army, civil or military--disloyal. The SCC considered local Confederate service compelled through force as potentially loyal, but very few of these claims survived the standard of evidence to prove unionism. Men who were clearly unionists and who were compelled always had additional evidence of loyalty; they were often threatened or abused physically while in custody.

Roughly one-half of the disallowed claims were thrown out because of insufficient evidence. While many of these insufficient evidence disallowed claims were doubtless really Confederate citizens during the war, it is possible that some unionists were disqualified under these grounds because they did not live close enough to another loyal person during the war or could not offer any specific loyal act in their own favor. The old axiom that “actions speak louder than words” was a standard applied to loyalty by the SCC. If a claimant could not produce concrete evidence of unionism throughout the war, their claims were disallowed. Many unionists did try to remain out of the way for their own safety and some of those individuals had little contact with other unionists until the U.S. Army came to their property in the late war period. A large number of claims eventually disallowed by the commission were cases disallowed because of insufficient evidence. These claims were borderline cases where it was not possible to easily determine the Civil War loyalty of the claimant or prove title and ownership of the property claimed. Many of these claimants could produce some evidence of unionism but not enough

specific evidence and testimony to satisfy the commission beyond a reasonable doubt that they had not been Confederate. This large number of insufficient evidence disqualifications demonstrates the stringent standard for proving unconditional unionism, while also meeting a stringent property standard.

Among these insufficient evidence claimants were Richard Morris, Rebecca Buie, and Anderson Thomas. Richard Morris of Henderson County testified to union speech during the war, but he was unable to produce enough direct testimony with specific incidents to convince the SCC. Morris's two witnesses consisted of a lawyer, who lived seven miles away from him during the war, and his grandson and his three sons who fought for the Confederacy. Even though this older man had someone to testify in favor of his unionism, the testimony was deemed not specific or credible enough to warrant approval of the claim. While Rebecca Buie of Cumberland County was even threatened with imprisonment at Castle Thunder in Richmond for her union statements, her five sons serving in the Confederate Army placed enough doubt on her claim that the witnesses who testified to her union statements and the threats made against her were deemed insufficient. Moore County claimant Anderson Thomas even testified to being a member of the Heroes of America (HOA) but his own testimony on the property section of his claim was suspect and therefore the SCC disallowed the claim. Thomas's claim also illustrates that the SCC was aware of the HOA and that not all members of the HOA had been unconditionally loyal to the union throughout the war.⁵²

Another group of claimants that were disqualified were those citizens who remained exceptionally quiet during their home front day-to-day lives. Many of these citizens also lived in out-of-the-way places where few people gathered to discuss politics, or the claimant rarely left

⁵² Richard Morris (Henderson, no. 19,054), Southern Claims Disallowed; Rebecca Buie (Cumberland, no. 6438), Southern Claims Disallowed; Anderson Thomas (Moore, no. 19,330 and no. 12,194), Southern Claims Disallowed.

his or her home. Dempsey Burton was one such claimant. Claimants like Burton who had little contact with the “outside” world of politics beyond their remote location may have been unionists, but it was virtually impossible for them to produce sufficient evidence to overcome the stringent questioning and evidence criteria of the SCC.⁵³

Among the claimants disqualified by the commission for aid to the Confederate rebellion were a group of people who could not overcome a relatively minor (often forced) disloyal act even with some evidence of Union feeling. These borderline cases demonstrate the extreme difficulty of assessing the loyalty of a person living on the Civil War home front. What remains clear, however, is that the commission erred on the side of caution disqualifying these cases as disloyal. I also labeled these cases disloyal in my own database. Edward Mabe Jr. and Philip Michael were both members of the Heroes of America during the war. Mabe, however, had served two years in the Confederate home guard, eventually laying out to avoid conscription in the regular army, and Michael hired a substitute after being conscripted. While neither man appeared to be an ardent Confederate nationalist and both clearly became disaffected during the late war period, it was not enough to overcome early war suspect acts. Not all individuals who served in the Confederate home guard were Confederate and many were clearly not happy about the service even if they were not unconditionally unionist. Charles Griffin of Stokes testified to serving one day in the home guard but could produce two strong witnesses who said he discussed both his unionism and hatred for the war. Yet Griffin’s one day of service and inability to produce several specific threats to his life for unionism, prevented his claim’s acceptance. The disallowed claims material reveals the dysfunctional nature of the Confederate home guard, which was rife with a wide spectrum of political dissent both unionist, disaffected with the direction of the war, or just anti-Confederate. In other cases like John Miller’s, his work on the

⁵³ Dempsey Burton (Currituck, no. 17,904), Southern Claims Disallowed.

railroad, exemption from the Confederate military for his work, and ultimate conscription in 1864 was enough to have his claim disqualified for disloyalty, even though as the SCC commissioners recognized there was “a good deal in his case to show a sympathy in feeling with the Union cause.”⁵⁴

Attempts to defraud the U.S. Government were regularly brought before the SCC and commissioners quickly became adept at striking down fraudulent and dishonest claims cases. Among those claimants proved disloyal to the United States were a class of individuals simply attempting to defraud the U.S. government. The commission was aware that individuals would try to do this, and they were prepared to disqualify claimants whose stories were vague, contradictory, supported by only close family members’ testimony, or cases where rings of Confederates attempted to concoct a story about each other’s wartime activities. While it is certainly possible that some of these cases did get approved during the time when the commission operated, they were clearly a small percentage. I found no claims in North Carolina that fit this description that were approved. In fact, the commission became quite adroit at ferreting out weak, fraudulent and unsubstantiated claims; commissioners relished their disqualification of suspect claims.

One common way that former Confederates attempted to defraud the U.S. Southern Claims Commission was to bring the claim in the name of a woman in the family, realizing that it would be much more difficult to disprove unionism for a woman, who stayed on the home front and may have had little contact with others during the war. In the case of Nancy Peacock, a white woman from the coastal plain, this was exactly what some of her male relatives had done. Peacock had claimed more than 1200 dollars in livestock and farm produce taken by the U.S.

⁵⁴ Edward Mabe Jr. (Stokes, no. 10,896), Southern Claims Disallowed; Philip Michael (Davidson, no. 10,686), Southern Claims Disallowed; Charles Griffin (Stokes, no. 15,081), Southern Claims Disallowed; John Miller (Catawba, no. 2120), Southern Claims Disallowed.

Army, but in the course of her testimony the commission discovered that she had two sons in the Confederate Army during the war, and the SCC was not able to determine what her husband had done during the conflict. They became so frustrated with claims of this type that they commented in their rejection of Peacock's claim "We are disgusted at the repeated attempts at fraud perpetrated by bringing claims in the names of women, and we do not propose to allow any more [claims by women] unless we are perfectly satisfied by the evidence on all points."

The SCC disallowed a similar claim from Penelope Knox of Johnston County, and when a special agent was sent to investigate its background, they found that Penelope's husband Archibald Knox actually owned the property in the claim and had been "a Confederate and a man of notoriously bad character." This led the commission to disqualify the claim believing "The presenting of this claim is a brazen attempt to swindle the government." Nevertheless, commissioners were conscious of this tactic by former Confederates, and when it was impossible to prove that a woman had done something herself against the Union cause or aided the Confederacy directly, many were disqualified because of a husband, brother, son, uncle or fathers' wartime loyalty. While other women whose loyalty was suspect to the commission, were disqualified because they could not prove title to the property claimed, which was a certain way to disqualify a claimant who could not prove loyalty sufficiently. I classified women whose claims were suspect because of a disloyal act as disloyal, and those women who could not prove loyalty sufficiently under the "insufficient evidence" category.⁵⁵

One of the most fascinating attempts to defraud the SCC from North Carolina was a claimed filed by Jonas P. Levy of New Hanover County. Levy, who lived in Wilmington during most of the Civil War swore to his unconditional unionism in front of the commission and

⁵⁵ Nancy Peacock (Johnston, no. 5305), Southern Claims Disallowed; Penelope Knox (Johnston, no. 140), Southern Claims Disallowed.

claimed 10,000 dollars in rent and supplies used by the U.S. Army. But during the course of the hearing the SCC commissioners, who used meticulous research by U.S. government clerks to produce incriminating evidence from the seized “Rebel Archives,” brought forward letters from Levy to Confederate Secretary of War Leroy Pope Walker and the chairman of the Confederate Senate Committee on the Judiciary. These letters clearly proved Levy’s disloyalty. In fact, the letters proved that he tried repeatedly to have his late unionist brother Commodore U.P. Levy, the wartime owner of Thomas Jefferson’s plantation Monticello, stripped of his property by the Confederate Congress. Jonas P. Levy wanted the Confederate government to award his brother’s property Monticello to him for being “a loyal citizen of this Confederacy, and hav[ing] devoted all my energies to the success of the cause during the present struggle.” The commissioners grew so infuriated by Levy’s wartime attempt to swindle his dead brother’s estate and his clear Confederate loyalty that they commented “this shameless traitor, perjurer, and swindler comes before us and swears with brazen effrontery that the Government of the United States owes him.”⁵⁶

While Levy’s claim may have been the most blatant attempt to defraud from North Carolina, Warren W. Ruff and Thomas Lee’s claims were the most common type of fraudulent claim. Warren W. Ruff of Beaufort County not only lied about his wartime loyalty he also lied about even owning property in his claim. The SCC sent a special agent to North Carolina to investigate the veracity of his testimony and found that during the war he had allowed secessionists to gather at his store/mill and kept a Confederate flag flying over the property while simultaneously encouraging young men to join the Confederate Army. In his claim, Ruff had even concocted a bold lie—that he owned a schooner named the Mary Blount (valued at 1500 dollars) that had been seized and taken apart for lumber by the U.S. Army and that the army had

⁵⁶ Jonas P. Levy (New Hanover, no. 135), Southern Claims Disallowed.

also used 624,000 square feet of lumber (valued at 6240 dollars). The commission, however, found that he owned no such vessel and “the Government did not get any lumber from him at that time and for the purpose alleged, nor is it possible, in view of the evidence, to believe that the Army ever got or used a foot of his lumber.”⁵⁷

Thomas Lee of Johnston County was an older man with six sons in the Confederate service during the war. Lee claimed that the Confederate Army had conscripted all but one and that he voted against secession in 1861. One of his witnesses to loyalty was also named Lee, and he was unable to produce any wartime activity that could prove his unionism. As a result the commission found the claim suspect and insufficient on the question of loyalty, ruling “We think it highly probable that neither claimant nor his witnesses would have ever dreamed of establishing his loyalty to the government if there was not prospect of pecuniary advantage from it.” Status as a non-combatant living peacefully on the home front was not sufficient to the commission. The claimant had to prove with consistent, specific, and credible evidence that they had not willingly aided the Confederate rebellion, even in peaceful acquiescence.⁵⁸

In the process of evaluating disloyal cases, commissioners often became not just skeptical but clearly disdainful of many obviously Confederate claimants. The claim of Joseph Grubb (administrated by his relative John Grubb) is one example of this open disdain. Joseph Grubb served in the Confederate Army for “several months” during the war and his administrator worked in the Confederate salt works in southwestern Virginia. After discovering that John Grubb had used his own horses at the works, commissioners ruled that he had done so voluntarily commenting that “both Grubbed for the Confederacy.”⁵⁹

⁵⁷ Warren W. Ruff (Beaufort, no. 20,114), Southern Claims Disallowed.

⁵⁸ Thomas Lee (Johnston, no. 5304), Southern Claims Disallowed.

⁵⁹ Joseph Grubb (Yadkin, no. 15,559), Southern Claims Disallowed.

Confederate service and “Aid to the Rebellion” came in many forms and the SCC rejected claims from a wide variety of local civil officials, military authorities and Confederate soldiers. The disallowed claims of individuals proved disloyal to the United States are a fascinating source on the variations of Confederate loyalty and experiences of people living in North Carolina during the war. These claims provide an important glimpse into the workings of the local Confederate state. Many of the SCC disallowed claims that were clearly filed by Confederate citizens demonstrate the striking lack of commitment by some fair-weather secessionists. David Snipes, who was conscripted and served eighteen months in the Confederate Army, offered that he had actually feigned sickness for a period of months in order to avoid fighting and spent most of the late war doing “light duty” at camp in Raleigh.⁶⁰

Many Confederates who served the war effort in a local capacity as civil officials tried to pass themselves off as non-combatant unionists, and as a group the SCC required strong, specific testimony to allow any person that served civil society as a magistrate, justice of the peace, sheriff, constable, post-master, militia officer or exempted laborer. Generally, these claims were disallowed for disloyalty even when evidence of unionism could be provided. It was only the rare claimant with the strongest evidence that he had used a Confederate position to serve the union in some other capacity won their case.

One claim that bears this type of disqualification out came from a Wake County resident named Wyatt J. Hallman. Hallman, served as a justice of the peace during the war and even had wartime peace advocate and post-war Governor William H. Holden testify to his unionism, but this testimony was not enough to overcome his service as a justice because of the Confederate loyalty oath that accompanied his civil position. Holden had testified that he even advised

⁶⁰ David Snipes (Johnston, no. 12,584), Southern Claims Disallowed.

Hallman to hold his office to avoid harassment by Confederates and avoid conscription, but the SCC still rejected the claim.⁶¹

Other claims were far easier to assess by the commission. John J. Fearrington of Chatham County, who had been both a magistrate and a member of the home guard, also furnished shoes to Confederates, two clear actions that aided the rebellion. His testimony that U.S. Grant should “make a nigger and monkey colony of the whole State of South Carolina” did not help his case. Forsyth resident Edward L. Hege invested in Confederate bonds and worked as a commissary agent collecting taxes for the Confederate government, which disqualified his claim. While Brunswick County native Robert W. Davis’s testimony revealed that he worked diligently to get his sons out of the Confederate Army only to use them in his blockade running operation to Nassau, Bahamas and Bermuda for private gain. While not an ardent nationalist, Davis clearly sought to help himself get rich by helping the Confederacy import goods. Other claimants like Parker Overly, Linn Banks, Joshua Hall, and James A. Armstrong provided invaluable home front service as part of the Confederate war machine. Overly of Wake County hunted deserters with blood hounds for the Confederate Army, Banks also of Wake County served as a constable, home guard member and later a guard for prisoners at Salisbury Prison, Cherokee County native Hall worked at a Confederate forge in Murphy, North Carolina, and Armstrong of Yadkin County supplied leather to Confederates for use in producing a variety of goods. But few Confederates were as forthright about their loyalty as William S. Cox who simply stated to the SCC “My sympathies were with the South from the beginning to end of the war; did nothing for

⁶¹ Wyatt J. Hallman (Wake, no. 8310), Southern Claims Disallowed.

the Union, and cannot say I was willing to do anything.” The commission disallowed all of the above claims for disloyalty.⁶²

Perhaps the most difficult cases heard by the commission were of men who were conscripted and forced into the Confederate Army. Conscription was not popular among many North Carolinians, and simply resisting conscription was not evidence alone of unionism. Likewise, many men who were loyal to the union were forced into Confederate service at the point of the bayonet and later escaped only to join the U.S. Army. As a rule, SCC commissioners required compelling evidence to consider any conscript an unconditional unionist, even though they were aware of the difficult, dangerous situations that required some unionists to go to conscript camps or be killed. When I considered these cases, any individual who took an oath to the Confederacy or was conscripted I placed in the disloyal category, even if there was some doubt, in order to offer the most conservative estimate of unionists found in the SCC cases.

Philip J. Barrintine was indicative of the difficult conscript case. Barrintine was conscripted but hid out in a cave for several months before enlisting and serving a year in the Confederate Army. It is not completely clear whether he volunteered after being conscripted or was actually conscripted at the point of the bayonet, which mattered to the SCC. Barrintine claimed that he enlisted because he feared that if he did not enlist he would be arrested and imprisoned. He later deserted and hid in a cave that he dug under his own stable. The standard for the SCC was: “We regard actual service in the confederate ranks under circumstances short of physical compulsion as inconsistent with actual loyal adherence to the cause of the Union.” As

⁶² John J. Fearrington (Chatham, no. 9893), Southern Claims Disallowed; Edward L. Hege (Forsyth, no. 3495), Southern Claims Disallowed; Robert W. Davis, (Brunswick, no. 14,936), Southern Claims Disallowed; Parker Overly (Wake, no. 8137), Southern Claims Disallowed; Linn Banks (Wake, no. 6478), Southern Claims Disallowed; Joshua Hall (Cherokee, no. 1934), Southern Claims Disallowed; James A. Armstrong (Yadkin, no. 3479), Southern Claims Disallowed; William S. Cox (Hyde, no. 4103), Southern Claims Disallowed.

a result, cases like Barrintine's were found disloyal and that was how I categorized them as well.⁶³

The SCC's primary role was to remunerate unionists for property officially seized or destroyed for the purpose of supply by the U.S. Army. Incidental destruction (not ordered for supply reasons), foraging that was not directly ordered by a commander, and pillage by unruly U.S. soldiers was not compensated. Neither was the property seized or destroyed by any group of Confederate soldiers, officials or citizens. Many unconditional unionists were disallowed because of this guideline. Those claimants proved loyal to the Union but disallowed fell into two broad categories: individuals who were loyal but who had declared bankruptcy (or could not prove title to the property claimed) and individuals that could not prove that their property was seized or destroyed by an authorized U.S. military force for use as supply.

James L. Waldrop, a Guilford County native, produced conflicting evidence on loyalty but was disqualified because the canal-boat he owned was destroyed along with other boats after being captured in a military operation by the U.S. Army. Since this property was destroyed and not used by the army as supply, the commission did not pronounce a verdict on his loyalty and simply disallowed the claim based on the property standard of the SCC. Whitfield M. Sparks, however, proved his unionism because of his membership in the Thirteenth Tennessee Cavalry (Union), but his claim was rejected because he could not prove that the horse he testified was taken was actually seized by the Quartermaster General for U.S. Army service.⁶⁴

Matthew E. Washburn of Cherokee County could produce strong evidence of unionism, he testified to service in the U.S. Army for two years during the war, but the property standards of the commission disqualified his claim because he could not prove title to the 1,165 dollars of

⁶³ Philip J. Barrintine (Richmond, no. 678), Southern Claims Disallowed.

⁶⁴ James L. Waldrop (Guilford, no. 5565), Southern Claims Disallowed; Whitfield M. Sparks (Mitchell, no. 16,305), Southern Claims Disallowed.

property in his claim. New Hanover resident Flavel W. Foster served in the 106th Pennsylvania Volunteer Infantry for three years, but when he was discharged and returned to North Carolina in 1864, he swore he had eighteen mules seized. The commission found his claim insufficient because he could not prove proper title to the mules in the claim. Enos Case of Greene County was also found loyal by the SCC, having helped his son escape Confederate conscription by sending him out of the state, but his claim was disallowed because it was discovered that stragglers from the U.S. Army had taken his property. Many claims were disqualified because of this incidental type of seizure as opposed to authorized U.S. Army confiscation.⁶⁵

Even the type of property one claimed was used by the U.S. Army could cause a claim to be disallowed. A.G. Hunsucker of Cherokee County found this out when he attempted to claim his seized tobacco but had his claimed denied. Priscilla Loudon a freedwoman from New Hanover County alleged that her home was torn down by the U.S. Army for “military necessity,” but the SCC found that there was insufficient evidence to prove that the U.S. Army used the property as supply after the home was torn down. Jacob Grimes, a runaway slave, worked for the U.S. Army ten months in Craven County. But the commission disqualified his claim to 640 dollars of property because they did not believe he actually owned the property (horses, mules and carts) himself. Given the substantial number of claims from blacks who did own property and were ultimately allowed by the commission, it is clear that the property standard (including evidence of title) was high even for African-American claims heard by the commission.⁶⁶

Property disqualification was closely associated with another statute that the SCC was guided by--the Congressional Bankruptcy law. No claimant could receive payment for property

⁶⁵ Matthew E. Washburn (Cherokee, no. 5891), Southern Claims Disallowed; Flavel W. Foster (New Hanover, no. 21,982), Southern Claims Disallowed; Enos Case (Greene, no. 4878), Southern Claims Disallowed.

⁶⁶ A. G. Hunsucker (Cherokee, no. 5788), Southern Claims Disallowed; David Bryan, guardian of the heirs of Priscilla Loudon (New Hanover, no. 255), Southern Claims Disallowed; Jacob Grimes, (Craven, no. 3527), Southern Claims Disallowed.

destroyed or seized by the U.S. Army during its operations in the South if they had declared bankruptcy under the terms and conditions of the bankruptcy law. Question sixty-eight of the SCC standard interrogatories specifically inquired about bankruptcy. Claimants who might have otherwise been loyal to the Union throughout the war were not reimbursed if they had already declared bankruptcy by the time they filed a claim. Richmond G. Sheek of Davie County was one of the claimants who could produce “better proof than usual of loyalty” but was disqualified for having filed bankruptcy. Carteret County resident Jonathan T. Mizell, who filed his commission as first lieutenant and later captain of the First and Second North Carolina Union Volunteers, was “unquestionably loyal” according to the SCC, but his claim for goods and service provided to the U.S. Army was disallowed because his name appeared on a post-war list of bankrupt citizens from Pamlico, North Carolina.⁶⁷

Among the most difficult claims assessed by the commission were those individuals whose loyalties shifted during the war, including conditional unionists whose loyalties shifted after secession in May 1861. Often the testimony in these cases was contradictory or included high-profile North Carolina political figures and required that the SCC appoint a special agent to investigate the claim further in North Carolina. John Barrett of Buncombe County volunteered in the state militia, served a year, and while at camp was conscripted into the regular Confederate Army. He deserted in 1863 and joined the U.S. Army. Even though he could prove the U.S. Army took the property in his claim, it was rejected on loyalty grounds. Jesse D. Hawkins of Caldwell County was also an example of shifting allegiances. According to Hawkins, he enlisted following the Confederate government’s adoption of the April 1862 Confederate Conscription Act in order to avoid the stain of conscription, but he volunteered only with the intent of

⁶⁷ Richmond G. Sheek (Davie, no. 10,774), Southern Claims Disallowed; Jonathan T. Mizell (Carteret, no. 10,129), Southern Claims Disallowed.

deserting. While he served in the Confederate Army, he was taken prisoner, incarcerated at Rock Island, Illinois for a year, and then enlisted in the U.S. Army. This later enlistment was not enough to overcome the disloyal act of volunteering and the commission denied his claim.⁶⁸

Conditional unionists, individuals who had staunchly supported the Union prior to secession (often pre-war Whig Party members), were another class of claimants that the SCC disqualified for their wartime Confederate loyalty. Howard W. Wiswall of Beaufort County was a staunch unionist prior to North Carolina leaving the Union and reverted to his Union allegiance once Washington, Beaufort County was garrisoned by U.S. troops in 1862, but in the intervening period he was a Confederate postal official moving through the lines back-and-forth to Richmond, Virginia on several occasions. Wiswall's case was disallowed for disloyalty because of his shifting allegiance. William W. Guess, an Orange County Justice of the Peace during the war, had been a staunch unionist prior to secession, and it was only after violent threats that he "yielded to the pressure and went with his state." The SCC, however, found his wartime service as a civil official in the Confederacy evidence of disloyalty. Even influential conditional unionists were disqualified. Burke County native Hannah P.R. Caldwell, the mother of post-war Governor Tod Caldwell, himself a conditional unionist during the 1860-1861 period was disqualified based on her and her son's wartime shift from conditional unionist to Confederate supporter.⁶⁹

Yet another shade on the rainbow-colored continuum of Civil War loyalty in the South were the peace advocates. Quakers and other so-called peace men were often lumped in with unconditionally unionist citizens as individuals viewed with less skepticism on the question of

⁶⁸ John Barrett (Buncombe, no. 11,936), Southern Claims Disallowed; Jesse D. Hawkins (Caldwell, no. 17,828), Southern Claims Disallowed.

⁶⁹ Howard W. Wiswall (Beaufort, no. 14,417), Southern Claims Disallowed; William W. Guess (Orange, no. 12,501), Southern Claims Disallowed; Hannah P.R. Caldwell (Burke, no. 8430), Southern Claims Disallowed.

loyalty by many Northerners during and after the war. But SCC commissioners were well aware that not all Quakers and peace advocates were inflexible unionists. While many were unionists, it is clear that not all Quakers and outspoken peace supporters proved their loyalty to the SCC. The commission denied Levi Hollowell, a member of the Society of Friends from Wayne County, because “Every Quaker was not loyal. Some of them were slaveholders; went with the Confederates in sympathy if they did not give active aid to the Confederacy.” Hollowell’s insufficient evidence of loyalty was not specific and strong enough to overcome doubt about his southern birth. Twin brothers Jacob J. Sneed and Charles G. Sneed of Wake County were found disloyal and disqualified by the commission because the brothers served in the Confederate Army. Even though the men had been conscripted and forced into the army, the SCC commissioners viewed their willingness to serve once in the army as a demonstration that their advocacy of peace was not evidence of unconditional unionism.⁷⁰

Neither were supporters of *Raleigh Standard* and 1864 Peace Gubernatorial Candidate William Holden uncritically accepted as unconditionally loyal unionists. Nelson T. Thompson, served as a magistrate in Wake County and took the oath of office, but voted for Holden and according to the SCC “seem[ed] to have had decided Union sympathies.” Nevertheless, like other individuals who voted for Holden but could not prove undivided fidelity to the Union during the full-four years of the war, his claim was disqualified.⁷¹

Claimants who professed neutrality as their wartime loyalty were almost always disqualified for insufficient evidence of loyalty because it was clear they had not been unconditionally loyal to the Union. But the SCC did not prove that they had been loyal Confederates either in their decision. I placed neutralists in the insufficient evidence category

⁷⁰ Levi W. Hollowell (Wayne, no. 8325), Southern Claims Disallowed; Jacob J. Sneed and Charles G. Sneed (Wake, no. 1850), Southern Claims Disallowed.

⁷¹ Nelson T. Thompson (Wake, no. 7271), Southern Claims Disallowed.

when evaluating the SCC's decisions on disallowed claims. Typical of the neutralists was Jones County native Joseph K. Smith who professed that "he sympathized with neither side, did not vote at all, and after the ordinance of secession was adopted he remained quiet." According to the commissioners, Smith's "own statement of his position and feelings hardly entitles claimant to the character of a loyal adherent to the cause of the Union." His claim like that of all neutralists was denied, not for outright disloyalty but for insufficient evidence of inflexible unionism—a high standard. Armand D. Young, who lived on a rice-plantation near Wilmington, claimed strict neutrality during the war. According to Young, "He did not rejoice at the victories of either side, but was sorry for the sufferings of both." While he was not proven disloyal, his neutrality prohibited the SCC from allowing his claim, and he was disqualified for insufficient evidence of loyalty.⁷²

Conclusions

Of the 995 distinctive disallowed claims heard by the SCC from North Carolina, 469 were borderline cases where individuals may have been loyal or not and were dismissed largely because of insufficient evidence but with little to no concrete evidence to prove they were disloyal to the Union. A large percentage of these insufficient evidence claims were disallowed for property considerations and not for loyalty since the SCC often passed on the question of property before it took the time to investigate loyalty. Since investigating loyalty was a time-consuming and expensive process, if the commission could disallow a claim for another reason it did so before expending the resources on a full investigation. While it is clear that not all of the insufficient evidence disallowed claims were filed by inflexible unionists, a small percentage almost certainly were unionists disqualified because of the high standard of evidence for

⁷² Joseph K. Smith (Jones, no. 2197), Southern Claims Disallowed; Armand D. Young (New Hanover, no. 186), Southern Claims Disallowed.

unconditional loyalty. Only four claims were disallowed as not falling under the statute that governed the SCC, a small number rejected because of the type of property claimed. Another 486 claims that were disallowed were clearly disloyal because of their Confederate service in the military (home guard, irregular, state force or regular Confederate branch of service) or a civil position (magistrate, police officer, constable, justice of the peace or other position, *except the rare noted exceptions mentioned in the discussion above where individuals proved their unionism through other evidence*). The remaining thirty-six claims disallowed by the commission were claimants who were proved loyal to the United States but whose property claim was found insufficient in some way (whether it be because it was actually Confederates that took the property, they did not have title to the property claimed, the claimant filed for bankruptcy, or some other flaw in the property evidence for the case).

So many of the disallowed claims can be categorized as “may have been loyal” or “loyalty not proven” as opposed to “proven Confederate” or “proven disloyal” that it bolsters the importance of the claims allowed and the stringency and care with which commissioners took their job. While historians can never be certain that all allowed claimants were unionists during the entire war, it is clear that many unionists were disqualified for reasons other than their loyalty. There were almost certainly more unionists disallowed by the commission than there were false unionist claims allowed by the commission. In short, the commissioners were good government bureaucrats who saved the government money.

Examining the disallowed claims reveals a far murkier and complex world than the simple outline of loyalty in much of the Civil War historiography. Categorizing even the disallowed claimants is difficult because of the complexity of the loyalty stories of many individuals. The political culture of loyalty in the South went far beyond simply Confederate or

unionist identities but included people of many variations and experiences during the war making their loyalty stories far more difficult to discern. The SCC commissioners and investigators were cautious and held North Carolina claimants to an extremely high standard for inflexible unionism. It is clear that it took a very strong loyalty story to have one's claim approved and reimbursed by the SCC. More often than not it required two or three specific incidents during the war as well as strong witnesses from outside the claimant's immediate family for the claim to survive the commission. The overwhelming preponderance of the evidence had to be in favor of unionism to be allowed, in addition to meeting the high standards of property taken for use by and under legitimate order for the U.S. Army. The standard of evaluation for the allowed claims of the SCC is strengthened by this evaluation of the significantly larger collection of disallowed claims. In short, North Carolina's 362 allowed claims remain the strongest place for scholars researching unconditional unionism.

Appendix C

SOUTHERN CLAIMS COMMISSION STANDING INTERROGATORIES

The following eighty standardized questions were used in the depositions of the SCC during the 1870s to interrogate claimants before the commission.

The following questions will be put to every person who gives testimony:

1. What is your name, your age, your residence and how long has it been such, and your occupation?
2. If you are not the claimant, in what manner, if any, are you related to the claimant or interested in the success of the claim?

The following questions will be put to every claimant, except claimants who were slaves at the beginning of the war:

(NOTE - If the original claimant be dead, these questions are to be answered by each of the heirs or legatees who was not less than sixteen years of age when the war closed.)

3. Where were you born? If not born in the United States, when and where were you naturalized? Produce your naturalization papers if you can.
4. Where were you residing and what was your business for six months before the outbreak of the rebellion, and where did you reside and what was your business from the beginning to the end of the war? And if you changed your residence or business, state how many times, and why such changes were made.
5. On which side were your sympathies during the war, and were they on the same side from beginning to end?
6. Did you ever do anything or say anything against the Union cause; and if so, what did you do or say, and why?
7. Were you at all times during the war willing and ready to do whatever you could in aid of the Union cause?
8. Did you ever do anything for the Union cause, or its advocates or defenders? If so, state what you did, giving times, places, names of persons aided, and particulars. Were the persons aided your relations?
9. Had you any relatives in the Union army or navy? If so, in what company and regiment, or on what vessel, when and where did each one enter service, and when and how did he leave service?

If he was a son, produce his discharge paper, in order that its contents may be noted in this deposition, or state why it cannot be produced.

10. Were you in the service or employment of the United States Government at any time during the war? If so, in what service, when, where, for how long, under what officers, and when and how did you leave such service or employment?

11. Did you ever voluntarily contribute money, property, or service to the Union cause; and if so, when, where, to whom, and what did you contribute?

12. Which side did you take while the insurgent States were seceding from the Union in 1860 and 1861, and what did you do to show on which side you stood?

13. Did you adhere to the Union cause after the States had passed into rebellion, or did you go with your State?

14. What were your feelings concerning the battle of Bull Run or Manassas, the capture of New Orleans, the fall of Vicksburg, and the final surrender of the Confederate forces?

15. What favors, privileges, or protections were ever granted you in recognition of your loyalty during the war, and when and by whom granted?

16. Have you ever taken the so-called "iron-clad oath" since the war, and when and on what occasions?

17. Who were the leading and best known Unionists of your vicinity during the war? Are any of them called to testify to your loyalty; and if not, why not?

18. Were you ever threatened with damage or injury to your person, family, or property on account of your Union sentiments, or were you actually molested or injured on account of your Union sentiments? If so, when, where, by whom, and in what particular way were you injured or threatened with injury?

19. Were you ever arrested by any Confederate officer, soldier, sailor, or other person professing to act for the Confederate government, or for any State in rebellion? If so, when, where, by whom, for what cause; how long were you kept under arrest; how did you obtain your release; did you take any oath or give any bond to effect your release; and if so, what was the nature of the oath or the bond?

20. Was any of your property taken by Confederate officers or soldiers, or any rebel authority? If so, what property, when, where, by whom, were you ever paid therefor, and did you ever present an account therefor to the Confederate government, or any rebel officer?

21. Was any of your property ever confiscated by rebel authority, on the ground that you were an enemy to the rebel cause? If so, give all the particulars, and state if the property was subsequently released or compensation made therefor.

22. Did you ever do anything for the Confederate cause, or render any aid or comfort to the rebellion? If so, give the times, places, persons, and other particulars connected with each transaction.
23. What force, compulsion, or influence, was used to make you do anything against the Union cause? If any, give all the times, places, persons, and other particulars connected with each transaction.
24. Were you in any service, business, or employment, for the Confederacy, or for any rebel authority? If so, give the same particulars as before required?
25. Were you in the civil, military, or naval service of the Confederacy, or any rebel State, in any capacity whatsoever? If so, state fully in respect to each occasion and service?
26. Did you ever take any oath to the so-called Confederate States while in any rebel service or employment?
27. Did you ever have charge of any stores, or other property, for the Confederacy; or did you ever sell or furnish any supplies to the so-called Confederate States, or any state in rebellion; or did you have any share or interest in contracts or manufactures in aid of the rebellion?
28. Were you engaged in blockade running, or running through the lines, or interested in the risk or profits of such ventures?
29. Were you in any way interested in any vessel navigating the waters of the Confederacy, or entering or leaving any Confederate port? If so, what vessel, when and where employed, in what business, and had any rebel authority any direct or indirect interest in vessel or cargo?
30. Did you ever subscribe to any loan of the so-called Confederate States, or of any rebel State; or own Confederate bonds or securities, or the bonds or securities of any rebel State issued between 1861 and 1865? Did you sell, or agree to sell, cotton or produce to the Confederate Government, or to any rebel State, or to any rebel officer or agent, and if so, did you receive or agree to receive Confederate or State bonds or securities in payment; and if so, to what amount, and for what kind and amount of property?
31. Did you contribute to the raising, equipment or support of troops, or the building of gunboats in aid of the rebellion; or to military hospitals or invalids, or to relief funds or subscriptions for the families of persons serving against the United States?
32. Did you ever give information to any person in aid of military or naval operations against the United States?
33. Were you at any time a member of any society or organization for equipping volunteers or conscripts, or for aiding the rebellion in any other manner?

34. Did you ever taken an oath of allegiance to the so-called Confederate States? If so, state how often, when, where, for what purpose, and the nature of the oath or affirmation.

35. Did you ever receive a pass from rebel authority? If so, state when, where,, for what purpose, on what conditions, and how the pass was used.

36. Had you any near relatives in the Confederate army, or in any military or naval service hostile to the United States? If so, give names, ages on entering service, present residence, if living, what influence you exerted, if any, against their entering the service, and in what way you contributed to their outfit and support.

37. Have you been under the disabilities imposed by the fourteenth amendment to the Constitution? Have your disabilities been removed by Congress?

38. Have you been specially pardoned by the President for participation in the rebellion?

39. Did you take any amnesty oath during the war, or after its close? If so, when, where, and why did you take it?

40. Were you ever a prisoner to the United States authorities, or on parole, or under bonds to do nothing against the Union cause? If so, state all the particulars.

41. Were you ever arrested by the authorities of the United States during the war? If so, when, where, by whom, on what grounds, and when and how did you obtain your release?

42. Were any fines or assessments levied upon you by the authorities of the United States because of your supposed sympathy for the rebellion? If so, state all the facts.

43. Was any of your property taken into possession or sold by the United States under the laws relating to confiscation, or to captured and abandoned property?

The following questions will be put to all male claimants or beneficiaries who were not less than sixteen years of age when the war closed:

44. After the Presidential election of 1860, if of age, did you vote for any candidates, or on any questions, during the war, and how did you vote? Did you vote for or against candidates favoring secession? Did you vote for or against the ratification of the ordinance of secession, or for or against separation in your State?

45. Did you belong to any vigilance committee, or committee of safety, homeguard, or any other form of organization or combination designed to suppress Union sentiment in your vicinity?

46. Were you in the Confederate army, State militia, or any military or naval organization hostile to the United States? If so, state when, where, in what organizations, how and why you entered, how long you remained each time, and when and how you left. If you claim that you were conscripted, when and where was it, how did you receive notice, and from whom, and what was

the precise manner in which the conscription was enforced against you? If you were never in the rebel army or other hostile organization, explain how you escaped service. If you furnished a substitute, when and why did you furnish one, and what is his name, and his present address, if living?

47. Were you in any way connected with or employed in the Confederate quartermaster, commissary, ordnance, engineer, or medical department, or any other department, or employed on any railroad transporting troops or supplies for the Confederacy, or otherwise engaged in transportation of men and supplies for the Confederacy? If so, state how employed, when, where, for how long, under whose direction, and why such employment was not giving "aid and comfort" to the rebellion.

48. did you at any time have charge of trains, teams, wagons, vessels, boats, or military supplies or property of any kind for the Confederate government? If so, give all the facts as in previous questions.

49. Were you employed in saltpetre works, in tanning or milling for the Confederate government, or making clothing, boots, shoes, saddles, harness, arms, ammunition, accoutrements, or any other kind of munitions of war for the Confederacy? If so, give all the particulars of time, place and nature of service or supplies.

50. Were you ever engaged in holding in custody, directly or indirectly, any persons taken by the Confederate government, or the authorities of any rebel State, for political causes? If so, when, where, under what circumstances, in what capacity were you engaged, and what was the name and rank of your principal?

51. Were you ever in the Union army or navy, or in any service connected therewith? If so, when, where, in what capacity, under whose command or authority, for what period of time, and when and how did you leave service? Produce your discharge papers, so that their contents may be noted herein.

The following questions will be put to every person testifying to the loyalty of claimants or beneficiaries:

52. In whose favor are you here to testify?

53. How long have you known that person altogether, and what part of the time have you intimately known him?

54. Did you leave near him during the war, and how far away?

55. Did you meet him often, and about how often, during the war?

56. Did you converse with the claimant about the war, its causes, its progress, and its results? If so, try to remember the more important occasions on which you so conversed, beginning with the first occasion, and state, with respect to each, when it was, where it was, who were present,

what caused the conversation, and what the claimant said in substance, if you cannot remember his words.

57. Do you know of anything done by the claimant that showed him to be loyal to the Union cause during the war? If you do, state what he did, when, where, and what was the particular cause of his doing it? Give the same information about each thing he did that showed him to be loyal.

58. Do you know of anything said or done by the claimant that was against the Union cause? If so, please state, with respect to each thing said or done, what it was, when it was, where it was, and what particular compulsion or influence caused him to say or do it.

59. If you have heard of anything said or done by the claimant, either for the Union cause or against it, state from whom you heard it, when you heard it, and what you heard.

60. What was the public reputation of the claimant for loyalty or disloyalty to the United States during the war? If you profess to know his public reputation, explain fully how you know it, whom you heard speak of it, and give the names of other persons who were neighbors during the war what could testify to his public reputation.

61. Who were the known and prominent Union people of the neighborhood during the war, and do you know that such persons could testify to the claimant's loyalty?

62. Were you, yourself, an adherent of the Union cause during the war? If so, did the claimant know you to be such, and how did he know it?

63. Do you know of any threats, molestations, or injury inflicted on the claimant, or his family, or his property, on account of his adherence to the Union cause? If so, give all the particulars.

64. Do you know of any act done or language used by the claimant that would have prevented him from establishing his loyalty to the Confederacy? If so, what act or what language?

65. Can you state any other facts within your own knowledge in proof of the claimant's loyalty during the war? If so, state all the facts and give all the particulars.

The following questions concerning the ownership of property charged in claims will be put to all claimants, or the representatives of deceased claimants:

66. Who was the owner of the property charged in this claim when it was taken, and how did such person become owner?

67. If any of the property was taken from a farm or plantation, where was such farm or plantation situated, what was its size, how much was cultivated, how much was woodland, and how much was waste land?

68. Has the person who owned the property when taken since filed a petition in bankruptcy, or been declared a bankrupt?

The following questions will be put to female claimants:

69. Are you married or single? If married, when were you married? Was your husband loyal to the cause and Government of the United States throughout the war? Where does he now reside, and why is he not joined with you in the petition? How many children have you? Give their names and ages. Were any of them in the Confederate service during the war? If you claim that the property named in your petition is your sole and separate property, state how you came to own it separately from your husband; how your title was derived; when your ownership of it began. Did it ever belong to your husband? If the property for which you ask pay is wood, timber, rails, or the products of a farm, how did you get title to the farm? If by deed, can you file copies of the deeds? If single, have you ever been married? If a widow, when did your husband die? Was he in the Confederate army? Was he in the civil service of the Confederacy? Was he loyal to the United States Government throughout the war? Did he leave any children? How many? Are any now living? Give their names and ages. Are they not interested in this claim? If they are not joined in this petition, why not? State fully how your title to the property specified in the petition was obtained. Did you ever belong to any sewing society organized to make clothing for Confederate soldiers or their families, or did you assist in making any such clothing, or making flags or other military equipments, or preparing or furnishing delicacies or supplies for Confederate hospitals or soldiers?

The following questions will be put to colored claimants:

70. Were you a slave or free at the beginning of the war? If ever a slave, when did you become free? What business did you follow after obtaining your freedom? Did you own this property before or after you became free? When did you get it? How did you become owner, and from whom did you obtain it? Where did you get the means to pay for it? What was the name and residence of your master, and is he still living? Is he a witness for you, and if not, why not? Are you in his employ now, or do you live on his land or on land bought from him? Are you in his debt? What other person besides yourself has any interest in this claim?

The following questions will be put to all colored witnesses in behalf of white claimants?

71. Were you formerly the slave of the claimant? Are you now in his service or employment? Do you live on his land? Are you in his debt? Are you in any way to share in this claim if allowed?

The following questions will be put to claimants and witnesses who testify to the taking of property, omitting in the case of each claimant or witness any questions that are clearly unnecessary:

72. Were you present when any of the property charged in this claim was taken? Did you actually see any taken? If so, specify what you saw taken.

73. Was any of the property taken in the night time, or was any taken secretly, so that you did not know of it at the time?

74. Was any complaint made to any officer of the taking of the property? If so, give the name, rank and regiment of the officer, and state who made the complaint to him, what he said and did in consequence, and what was the result of the complaint.

75. Were any vouchers or receipts asked for or given? If given, where are the vouchers or receipts? If lost, state fully how lost. If asked and not given, by whom were they asked, who was asked to give them, and why were they refused or not given? State very fully in regard to the failure to ask or obtain receipts.

76. Has any payment ever been made for any property charged in this claim? Has any payment been made for any property taken at the same times as the property charged in this claim? Has any payment been made for any property taken from the same claimant during the war, and if so, when, by whom, for what property and to what amount? Has this property, or any part of it, been included in any claim heretofore presented to Congress, or any court, department or officer of the United States, or to any board of survey, military commission, State commission or officer, or any other authority? If so, when and to what tribunal or officers was the claim presented; was it larger or smaller in amount than this claim, and how is the difference explained, and what was the decision, if any, of the tribunal to which it was presented?

77. Was the property charged in this claim taken by troops encamped in the vicinity, or were they on the march, or were they on a raid or expedition, or had there been any recent battle or skirmish?

78. You will please listen attentively while the list of items, but not the quantities, is read to you, and as each kind of property is called off, say whether you saw any such property taken.

79. Begin now with the first item of property you have just said you saw taken, and give the following information about it. 1st. Describe its exact condition, as, for instance, if corn, whether green or ripe, standing or harvested, in shuck, or husked, or shelled; if lumber, whether new or old, in buildings or piled; if grain, whether growing or cut. &c., &c. 2d. State where it was. 3d. What was the quantity; explain fully how you know the quantity, and if estimated, describe your method of making the estimate. 4th. Describe the quality to your best judgment. 5th. State as nearly as you can the market value of such property at the time in United States money. 6th. Say when the property was taken. 7th. Give the name of the detachment, regiment, brigade, division, corps, or army, taking the property, and the names of any officers belonging to the command. 8th. Describe the precise manner in which the property was taken into possession by the troops, and the manner in which it was removed. 9th. State as closely as you can how many men, animals, wagons, or other means of transport, were engaged in the removal, how long they were occupied, and to what place they removed the property. 10th. State if any officers were present; how you knew them to be officers; what they said or did in relation to the property, and give the names of any, if you can. 11th. Give any reason that you may have for believing that the taking of the property was authorized by the proper officers or that it was for the necessary use of the army.

80. Now take the next item of property you saw taken and give the same information, and so proceed to the end of the list of items.

Appendix D

North Carolina Confederate Congressional Districts

Compiled from Kenneth C. Martis, *The Historical Atlas of the Congresses of the Confederate States of America, 1861-1865* (New York: Simon and Schuster, 1994).

First District

Martin, Hertford, Gates, Chowan, Perquimans, Pasquotank, Camden, Currituck, Northampton, Washington, Tyrell, Bertie

Second District

Halifax, Edgecombe, Beaufort, Wilson, Pitt, Greene, Lenoir, Hyde

Third District

Carteret, Craven, Jones, Onslow, Duplin, Wayne, Johnston, Sampson

Fourth District

New Hanover, Brunswick, Columbus, Bladen, Robeson, Cumberland, Richmond, Harnett

Fifth District

Warren, Franklin, Granville, Wake, Orange, Nash

Sixth District

Alamance, Person, Caswell, Rockingham, Guilford, Stokes, Forsyth

Seventh District

Randolph, Davidson, Chatham, Moore, Montgomery, Stanly, Anson

Eighth District

Rowan, Cabarrus, Union, Mecklenburg, Gaston, Lincoln, Catawba, Cleveland

Ninth District

Ashe, Alleghany, Wilkes, Caldwell, Alexander, Yadkin, Surry, Davie, Iredell, Burke

Tenth District

Clay, Cherokee, Macon, Jackson, Madison, Buncombe, Transylvania, Henderson, Polk, Yancey, McDowell, Rutherford, Mitchell, Haywood, Watauga (Transylvania, Clay and Mitchell created in 1861)

Appendix E

North Carolina Counties Where Irregular Wars Erupted by 1864

Coast

Currituck
Camden
Pasquotank
Perquimans
Gates
Chowan
Bertie
Hyde
Jones
Washington
Onslow

Mountains

Henderson
Caldwell
Wilkes
Watauga
Madison
Alexander
Iredell
Cherokee
Burke

Piedmont

Yadkin
Guilford
Lincoln
Cleveland
Moore
Randolph
Chatham
Rowan
Surry
Davidson
Robeson
Forsyth