THE EXTREMEST CONDITION OF HUMANITY: EMANCIPATION, CONFLICT AND PROGRESS IN WESTERN NORTH CAROLINA, 1865-1880

by

STEVEN E. NASH

(Under the Direction of John C. Inscoe)

ABSTRACT

Reconstruction in western North Carolina brings into great relief the disconnection between national policy and local reality that has become a driving force in American historians' study of their nation’s reconstruction following the Civil War. This project is part of a growing trend that examines southern Reconstruction at the local level. It explores the transformation of western North Carolina’s political culture from a localized emphasis on community autonomy to a blending of local rule by elites mixed with external sources of power. It reveals the complexity beneath the surface of the overarching interpretation of Reconstruction as dominated by the struggle over black freedom. Race and the redefinition of African Americans’ place within the region, the state, and the nation were vital components of the mountain region’s Reconstruction, but due to the smaller black presence it was not the dominating issue. Western North Carolina’s similarities and differences with the plantation belt underscore the diversity and complexity of the postwar period throughout the South. Reconstruction in western Carolina forces scholars to recognize the broader issues of loyalty, industrial development and market integration, and reunification that played critical roles in restoring the United States after the war.
At the heart of these issues was the exercise of power of the national state over local communities, white over black highlanders, and between different classes of white mountaineers. The political culture of the western counties changed because of the expansion of federal power in the form of tax collectors, soldiers, and conscription officials during the Civil War. Union victory intensified this tension between national and local power. Occupation troops, Freedmen’s Bureau agents, and other officials expanded the reach of the federal government into communities accustomed to exercising complete control over their local affairs. The political culture that expanded to include federal power in the 1860s and 1870s also opened the door to outside investors and further integration into the national market economy.

INDEX WORDS: Reconstruction, Southern Appalachia, American South, New South, North Carolina, Political Culture, Civil War Era Loyalties, Unionism, Emancipation, Military Occupation, Freedmen’s Bureau, Ku Klux Klan, Southern Republicans, Post-Civil War Agriculture
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DEDICATION

I dedicate this dissertation to my family: my parents, Carl and Brenda Nash, my sister Julie Nash, my brother-in-law Kevin Foster, my nephew, Holden, and my niece, Avery. Each of them has been instrumental in helping me complete this project. I could not have done it without the love and support of each of them.
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INTRODUCTION

Reconstruction was well underway when Rebecca Harding Davis wrote her first short story set in western North Carolina. Published in *Lippincott's* in 1875, “The Yares of the Black Mountains” featured a supporting character named Miss Cook, a northern woman investigating the “moral character” of mountain southerners. Each time Miss Cook appeared in the story, she reveled in western Carolinians’ perceived backwardness. She scolded her travel companion for her sympathy toward mountaineers and condemned Asheville’s antiquated prison facility as well as its residents’ practice of branding prisoners. Her interactions with the people of Asheville and Buncombe County betrayed a sense of superiority that undermined her supposedly objective social studies. There was no business and both the mining and railroad operations had been halted. The people of the mountains constituted “a queer tribe” in Miss Cook’s slanted view. They were poor and they used farming and spinning methods she considered antiquated. She described the story’s titular mountain family as “wild beasts.” In her opinion, the antebellum social order stunted the region’s development and the lack of internal improvements condemned it to postwar poverty. Satisfied that she had enough evidence to convict the entire region of “decadence” in the northern popular press, Miss Cook concluded that “between slavery and the want of railroads, humanity has reached its extremest conditions here.”

Miss Cook was not alone in overlooking the profound transformations within mountain society between the end of the Civil War and the arrival of the Western North Carolina Railroad.

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in Asheville in 1880. It has been easy to neglect western North Carolina during Reconstruction for a variety of reasons, starting with the region’s demographics. When the Civil War erupted in 1861, African Americans constituted roughly 10 percent of the mountain counties’ population. That fact led many a popular observer and historian to conclude that the region was less committed to slavery, hence less devoted to the Confederacy and less troubled by emancipation. Combined with the physical barriers and precapitalist economic relationship that predominated in the region prior to the Civil War, many scholars concluded that the region was “exceptional” and out of touch with the rest of the South and the nation. In recent decades, historians have recovered the mountain Civil War with its intense internal divisions while also demonstrating that southern Appalachia’s demographic distinctions did not isolate it from broader southern political, economic, and social trends.2

Southern Appalachia’s Reconstruction experience, however, has been neglected. By the late nineteenth century, internal discord was forgotten, or perhaps it is more accurate to say that local color writers, regional boosters, and historians ignored it as easily as did the fictional Miss Cook. Reconstruction was a period of profound transformation in western North Carolina. War brought conscript officers and impressment agents as well as soldiers in both blue and gray into the mountains, yet central authority remained fairly distant. After the war, federal power in the

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form of Freedmen’s Bureau agents and military occupation forces entered the region. Expanding outside influence continued throughout the Reconstruction period as Freedmen’s Bureau and military officials gave way to Internal Revenue agents, federal district courts, and external capitalists. For lower-class white Unionists and African Americans, these outside agents made the federal government personal to mountaineers and provided powerful allies in their struggle against Conservative elites for local control. Their willingness to cooperate with outside authority broke down mountaineers’ resistance to “external” forces and created an atmosphere favorable to the northern capitalists that would descend upon the region after the railroads fully integrated much of it into the national market system.  

Master narratives have long ruled the field of Reconstruction. In the early twentieth century, William Dunning and his students viewed Reconstruction as a crime against a prostrate South. According to these scholars, conniving Republicans preyed upon simpleminded freedmen in order to wrest control of southern state governments and exploit the South’s natural resources for their own gain. A revisionist wave peaked in the 1960s and 1970s when a new interpretation of Reconstruction coalesced around African Americans’ experience. These historians, imbibing the spirit of the Civil Rights movement, condemned the nation’s

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3 Elites exerted tremendous influence in western North Carolina prior to the Civil War. For instance, Ashe County slaveholders made up only 6.6 percent of the farming population in 1860. Still, they commanded nearly 50 percent of the county’s real and personal wealth. An even stronger correlation existed between large land holdings and slave ownership. The fourteen largest landowners in Ashe were slaveholders, and possessed nearly 14 percent of the counties improved acreage, in spite of being less than 1 percent of the population. See Martin C. Crawford, Ashe County’s Civil War, 34-5. Throughout this dissertation, the two major political parties will be called the Conservatives and the Republicans. The Conservatives take their name from the Democratic Party as well as the Conservative Party, which formed during the Civil War and consisted of moderate Democrats and pro-Confederate Whigs. After the war, the Conservative Party remained viable electing state officials in each election prior to Congressional Reconstruction. After Congress assumed power, however, the Conservatives gradually drifted toward a formal alliance with the Democratic Party. This alliance was consummated in the 1870s, but even then many of its members used the terms Conservative and Democratic interchangeably in regard to their party. The Republicans are easier to define. They formed in early 1867 from the remnants of the anti-Confederate coalition that emerged in the war’s aftermath. It survives under the Republican name to this day.
Reconstruction white leadership for failing to provide black southerners with equal civil rights. Much of the moral power that infused revisionist scholarship also permeates Eric Foner’s *Reconstruction: America’s Unfinished Revolution* (1988). Foner identified the extension of equal citizenship to African Americans as Reconstruction’s primary goal and highlighted the different ways that white and black Americans defined freedom, a concept that sparked different and, often, violent reactions.

Foner’s interpretation has become the reigning master narrative, and like those before him, it is now coming under reevaluation. Broad synthetic studies by Steven Hahn and Heather Cox Richardson have added insight into the political practices of black southerners and the national political culture of the Reconstruction era. Both Hahn and Richardson examine the broader impact of politics and the application of power after the Civil War. Hahn argues that historians have cast politics as something black southerners—especially the majority of the black population that lived in rural areas—discovered or first engaged in after the war ended. Richardson examines the political culture that emerged after the war. In her words, “nineteenth-century attempts to balance freedom, taxation, and government power were the central story of post-Civil War America.”

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political culture and freedom within local settings. Together these broad synthetic works and state and local studies further steer Reconstruction scholars toward the intersection between the local, state, and national cultures and power struggles that shaped the postwar period. As historian Susan O’Donovan so neatly said of her study of southwest Georgia, these local studies explain “how the ‘socio-ecological order’ of a place infused larger processes with distinctive and localized dimensions.” My own work seeks to further this reevaluation of power relationships at the local level during Reconstruction, and explain how the intersection of the local and national shaped the Carolina mountains for decades to come.7

This dissertation also contributes to the evolving historiography of Southern Appalachia during the Civil War era. Most studies of Southern Appalachia during this period of its history broadly challenge the “exceptionalist” argument. To be certain, western North Carolina and the southern mountain region were different from the plantation sections of the South to some degree. North Carolina’s mountaineers lacked railroads that would tie them more fully to the emerging market economy, but that did not mean they were isolated from the market’s impact. The region possessed a political culture that stressed the local, but that did not prevent state and national issues from playing important roles in local affairs. Mountain towns like Asheville grew increasingly interested in the world beyond their region in the late antebellum period and its residents shared reform agendas and development plans comparable to other middle-class urban

Julie Saville’s The Work of Reconstruction: From Slave to Wage Laborer in South Carolina, 1860-1870 (Cambridge: Cambridge University Press, 1994) argued against Foner’s version of Reconstruction “freedom” that grew out of his view of the North’s antebellum free labor ideology. She demonstrates that the freedmen did not necessarily agree with northern policymakers who viewed freedom as self-ownership and the right to sell their labor.

Americans. When conducting a community or regional study, historians must always be mindful of the defining traits within their community of study. As historian Thomas Bender noted in his *Community and Social Change in America*, community and change can take a variety of forms and develop in ways fitted to their specific settings. There is not one path to development. With that in mind, Appalachian scholars have exploded the “exceptionalist” idea of the region to such a degree that this study follows suit on the broadest level.8

What has been lost in the debates about Southern Appalachia’s uniqueness is the centrality of mountain sections like western North Carolina in the larger Reconstruction process. Historian Gordon B. McKinney’s *Southern Mountain Republicans, 1865-1900: Politics and the Appalachian Community* (1978) remains the best single volume on post-Civil War Appalachia, and this dissertation wrestles with his argument that race weakened and ultimately divided the mountain Republicans. National civil rights policy, McKinney argues, alienated white southern mountain Republicans. My dissertation will argue that white mountain Republicans embraced outside power, and even cooperated with their black neighbors to change the local political culture. Furthermore, the issues plaguing the mountain counties influenced state policy from the moment the soldiers’ guns fell silent. Conservative Governor Jonathan Worth worried incessantly about mountain Unionists, convinced that his opponents would use their mistreatment as a lever to restore military rule during Presidential Reconstruction. The strength of the mountain Republican Party helped that party sweep the 1868 state elections, which led to a crackdown across the state. When the Conservatives turned to the Ku Klux Klan to cow their opponents, the reign of terror crossed the mountains of the west as well. When the embattled Republican governor called for help to battle the Klan in 1870, he found hundreds of volunteers

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8 Thomas Bender, *Community and Social Change in America* (Baltimore: Johns Hopkins University Press, 1982).
from the mountain counties willing to come to his aid. Finally, when the state moved toward an industrial future, all eyes turned toward the scandals and corruption of the Western North Carolina Railroad, the long desired rail link between the eastern and western parts of the state. In every major issue of the postwar period, western North Carolina played a significant role in the state’s experience.9

Since work on this project began, Reconstruction has become much more prescient in Americans’ minds. Daily news reports from Iraq remind us of the difficulty of enforcing a federal reconstruction policy in volatile communities. This disconnection between national policy and local reality has recently become a driving force in American historians’ study of their nation’s own reunification following the Civil War. This dissertation demonstrates the conflict between national politics and local autonomy, and in doing so it reveals the complexity beneath the surface of the overarching interpretation of Reconstruction as dominated by the struggle over black freedom. Race and the redefinition of African Americans’ place within the section, the state, and the nation were vital components of the mountain region’s Reconstruction, but due to the smaller black presence it was not the dominant issue. Western North Carolina existed both physically and socially on the fringes of southern society, which underscores the diversity and complexity of the postwar period throughout the South. Reconstruction in western Carolina forces scholars to recognize the broader issues of loyalty, industrial development and

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market integration, and reunification that, alongside the repercussions of emancipation, played critical roles in restoring the United States after the war.

Various strategies must be applied to implement national policy within different local settings. At the heart of these issues was the exercise of power of the national state over local communities, white over black highlanders, and between different classes of white mountaineers. Politics in the western counties changed because of the expansion of federal power into the region. During the Civil War, governmental power reached into the Carolina highlands in the form of tax collectors, soldiers, and conscription officials. Confederate defeat did not stall the expansion of outside influence over the western Carolinians’ lives; in fact, Union victory intensified this tension between national and local power. Freedmen’s Bureau agents, occupation troops, and revenue collectors expanded the reach of the federal government into communities used to exercising complete control over their local affairs. As a result, the political culture was forced to accommodate alliances with outside forces. While it would be tempting to conclude that this “opening” ended with the fall of the Republican coalition of whites and blacks in the early 1870s, it survived in a broader economic push to develop the region’s mineral, agricultural, and natural resources. The expansion of federal power into the mountains in the 1860s and 1870s also opened the door to outside investors who oversaw the economic development of the Appalachian Mountains in the 1880s and beyond.

This dissertation follows a chronological structure that encompasses three parts. The first part consists of chapters 2 and 3, which focus upon the struggles of Presidential Reconstruction between 1865 and 1867. Like much of Appalachia, western North Carolina divided between Confederates, Unionists, and those somewhere in between. War’s exigencies made these loyalties fluid, and they remained so in the conflict’s immediate aftermath. President Andrew
Johnson’s plan for a speedy restoration sidestepped the divisions of the war in a rush for reunion. As national policymakers continued debates over the future of more than 4 million former southern slaves, they neglected the complications that a divided region like western Carolina presented. The relatively small number of blacks in the region amplified the focus upon the issues of the Union’s restoration and local control. Former conditional Unionists who sided with the Confederacy once secession became a reality, reasserted their claim of loyalty, but they were challenged by an anti-Confederate coalition of Unionists, lower-class whites, war weary citizens, and disenchanted Confederates. Their struggle severely damaged a political culture that privileged elites and local power.

The anti-Confederates’ struggle to wrest control from the wartime leadership coincided with emancipation, which is the subject of chapter 3. In 1860, African Americans constituted only 10.2 percent of the mountain counties’ total inhabitants. In terms of their desires, however, the black minority pursued goals comparable to their peers in the plantation counties. Reuniting family units, securing land and employment, and getting an education figured prominently in their understanding of their freedom. And, as in other sections of the South, their efforts to establish their independence generated a variety of reactions ranging from violence to acceptance. What distinguished white and black highlanders’ adjustment to emancipation from other sections of the South was the preexisting familiarity with tenancy and sharecropping. Prior to the Civil War, thousands of mountaineers rented or worked land for shares in the Carolina mountains. These arrangements set a precedent followed after the war. Many African Americans in the western counties learned that this antebellum experience did not mean that their white neighbors were more accepting of equality. The issue of racial equality remained a hot-button issue capable of sparking violence.
The second part focuses on the Congressional Reconstruction period of 1867-1868. Divided loyalties and emancipation complicated the occupying military’s role in policing the former Confederacy, especially after Radical Reconstruction began in 1867. The Bureau of Refugees, Freedmen, and Abandoned Lands (commonly referred to as the Freedmen’s Bureau) shared in the task of bringing order to a disorganized society. Chapters 4 and 5 explore the roles each of these institutions played in western North Carolina’s reconstruction. At first, all white mountaineers shunned their black neighbors as political actors—even if those same neighbors actively worked to assert themselves in public life. The Conservatives’ resumption of local control in 1865, however, led white Unionists to embrace the Republican Party and black political cooperation two years later. Such political calculus would have been impossible without the military and Freedmen’s Bureau in the region. Federal soldiers maintained order to the best of their ability, which was tough considering that there were too few soldiers available to cover the vast mountain section. Freedmen’s Bureau agents played a greater role. In most cases, Bureau agents represented the most tangible source of federal power in the relatively isolated mountain counties. Once white Unionists embraced the Republican Party and began cooperating with black mountaineers, the Bureau became a powerful political ally that helped them gain control over the region in the pivotal state elections of 1868.

Such an infusion of outside power into the region’s localized political culture threatened to topple the Conservatives. Mountain Conservatives found Republican control as bitter a pill to swallow as did the white planters in the Black Belt—even if they never faced the “negro domination” their lowland compatriots decried between 1868 and 1872. Used to political control, the Conservatives resorted to violence to regain it. Following the Republicans’ victories in 1868, the federal government deemed North Carolina sufficiently reconstructed to withdraw the troops.
and Freedmen’s Bureau agents stationed within the western counties. The departure of the Republicans’ strongest federal allies opened the door for Conservatives who viewed them as illegitimate due to their close alliance with outside forces. With the political culture that recognized elite rule crumbling, the Conservatives employed the Ku Klux Klan in a terrorist campaign that broke apart the biracial Republican Party in the mountain counties. The Klan and the Republicans’ fall from power is the subject of chapter 6.

Logic suggests that the Conservatives—once more going by Democrats after the 1872 campaign—would have entrenched and cut themselves and their region off from the rest of the state in order to consolidate their control. In the third and final part of this dissertation, we discover that they did not. Nor could they have done so, even if they had wanted. As chapter 7 explains, the Democrats embraced outsiders, as long as they were capitalists and investors willing to bankroll the region’s development. Bipartisan support for internal improvements broke the Republicans apart, and allowed the Democrats to open the region to development while confidently retaining local control. During this process, mountain boosters promoted various visions for the region’s economic rebirth. Railroads figured prominently in this vision, but corruption and scandal greatly delayed the arrival of the “iron horse” into the mountain counties. Agriculture and livestock offered a path consistent with the antebellum economy, but more cosmopolitan townspeople, particularly in Asheville, pushed for the rapid development of railroads and western Carolina’s natural resources. While other sections of the South paid mere lip service to agriculture as they become more enamored with the idea of an industrial New South, western Carolinians ultimately found their market outlet in staple crop production of tobacco. Combined with livestock and mining, tobacco helped bring the region into the national
market. Once the railroad reached Asheville in 1880, it brought an end to the major issues and battles that defined Reconstruction in the Carolina mountains.

In the end, the region that many considered “exceptional” struggled with many of the issues that plagued the state’s restoration to the Union. It also sheds significant light on the overall Reconstruction experience. National policymakers contemplated freedom and citizenship, but it was not until the policy met the community that reconstruction could actually take place. Local communities and regions had their own political culture and economic needs, and failure to adapt policy to those needs could be fatal. When the Freedmen’s Bureau was at its strongest point, the federal government gained greater power within the western counties. Its success proved that reconstruction necessitated a strong but flexible federal presence. Bureau agents integrated into the local political network, but they were not given the time to succeed. The legacy of that involvement, however, took an unusual shape. By injecting outside power into local communities, federal officials created conditions for later investment and economic development. Policy called for the expansion of citizenship; instead, it paved the route for western North Carolina’s integration more fully into the nation’s market economy.
Chapter 1

Setting the Stage: Antebellum and Civil War

Western North Carolina

On September 1, 1867, Scottish-born botanist and naturalist, John Muir, set out from Jeffersonville, Indiana on a “thousand-mile walk” to the Gulf of Mexico. He moved south through Kentucky and southeast through Tennessee. Along the way Muir studied and collected specimens of southern plant life. A Tennessee blacksmith could not believe that Muir—on his own volition and without a government commission—was simply walking through the recently war-torn southern state. As the blacksmith put it, Muir’s plan to “wander over the country and look at weeds and blossoms” made little sense in the tough times that followed the Civil War. Muir recorded his own thoughts about his voyage, including opinions about the environment and the people he discovered. “This is the most primitive country I have seen,” he wrote about East Tennessee and western North Carolina on September 17. When he arrived in western North Carolina, a Mr. Beale welcomed the traveler into his home in the Cherokee County seat of Murphy. Here for the first time since his trek to Florida began, Muir encountered “a house decked with flowers and vines, clean within and without, and stamped with the comforts and culture of refinement in all its arrangements.” It was, he mused, a stark difference between the “primitive” homes along the border.¹

As Muir moved through the southern mountains, he passed through a region that has proven difficult to define culturally and geographically. Today, we discuss the region Muir traversed as Appalachia, a name derived from the Apalachee Indians and given the region by

French artist Jacques Le Moyne in 1564. When Muir completed his journey, however, he referred to it as “Alleghania,” a name in the late eighteenth century. Around 1900, geographers adopted “Appalachia” as the term for the larger mountain range, encompassing the Blue Ridge Mountains as well as the alluvial Tennessee Valley and parts of eastern Kentucky. Western North Carolina garnered special notice in this region, regardless of the name given it. The Old North State’s western counties possessed the nation’s highest peaks east of the Rocky Mountains, many of which were clustered along the Tennessee and North Carolina borders near the Oconaluftee and Little Pigeon Rivers.²

Many travelers like Muir noted the raw beauty of the southern mountain landscape, but the region had also been home to human beings for centuries. Its first residents were Mississippians, a cultural group characterized by their large earthen mounds and central temples. These earlier chiefdoms evolved into the indigenous populations encountered by Europeans in the 1500s. Spread throughout parts of North Carolina, Georgia, Tennessee, and South Carolina, the Cherokee were the most powerful Native American group within Southern Appalachia. They lived in a series of affiliated villages, each under the general advice and decisions of a group of respected elders. Within these communities, clan provided the glue that held each individual unit together. In general, the Cherokee strove to maintain harmony both among themselves and with their environment. They consumed and shaped the landscape around them as all native peoples did, but they also believed that they had to honor the spirits of the animals, plants, and the rest of their natural environment. European settlers, especially the British, undermined this traditional

White people’s demand for marketable goods—such as deerskins—encouraged the Cherokee to hunt more deer in order to purchase more guns, alcohol, and other English-made goods. By the late eighteenth century, the Cherokee were largely dependent upon whites economically.³

Western North Carolina’s most prominent early white settlers were Scots from Northern Ireland. In the seventeenth and eighteenth centuries, many Scotch-Irish immigrants came to America to escape the rigidity of European society. In Northern Ireland, as in much of Europe at that time, a small landholding class exercised vast economic and political control over a landless laboring class. Migrating slowly from Pennsylvania into Virginia and western North Carolina, the Scotch-Irish integrated into a society that increasingly paralleled the one they left. Settlement of the fertile river valleys that served as the easiest means of travel and trade made western North Carolina’s early white pioneers successful farmers and merchants. Slavery also became a part of mountain life. Although some mountain masters, such as the Pattersons of Caldwell County, fit within the one-eighth of the state’s wealthiest slaveholding population, the majority of highland slaveowners fell within a middle class of commercial farmers, merchants, manufacturers, artisans, and small-scale professionals with fewer than twenty slaves. Wealthy, business-oriented mountaineers recognized the economic advantages of slavery and used the revenue from their various business ventures to purchase and employ their slaves.⁴

Not large planters in the same vein as slaveowners in the Deep South and Cotton Belt, mountain slaveholders exhibited a level of political and economic control comparable to the broader southern gentry. One-fourth of all white families in the plantation South owned slaves and controlled over 93 percent of that section’s total wealth. North Carolina’s mountain slaveholding class also owned large amounts of land. In northwestern North Carolina, Ashe County’s 80 slaveholders owned a disproportionate 28 percent of the improved farm acreage in the 1850s. Parallel situations existed throughout the Carolina highlands where slaveholders commanded 59 percent of the total wealth. The smaller percentage of mountain slaveholder-controlled wealth is misleading because western North Carolina slaveowners made up only one tenth of the region’s white families. Hence, mountain slaveholders possessed a higher comparative percentage of their region’s total wealth compared to their plantation counterparts.5

Yeomen farmers, who owned land but few if any slaves, constituted a far greater portion of the mountain populace. The earliest white settlers’ occupation of the rich bottomlands and reliance upon open range livestock pushed these settlers onto less fertile land where they settled into a predominantly local system of exchange. Whereas yeomen living in the plantation districts were often bound to local planters for economic assistance, the independent small farmers outside the Black Belt relied upon one another. Large-scale agricultural projects requiring intensive labor, such as clearing trees, became community functions joining local yeomen together. Despite their settlement of more remote mountain areas, Southern Appalachian yeomen were not isolated. East Tennessee farmers shared many characteristics

5 Inscoe, *Mountain Masters*, 121; Martin Crawford, “Political Society in a Southern Mountain Community: Ashe County, North Carolina, 1850-1861,” *Journal of Southern History* 55, no. 3 (1989): 378-81. For Ashe County, Crawford expressed the ratio of the percentage of slaveholders in the total population to the percentage of controlled wealth as 7.55 compared to 1.89 for the cotton South. Also the broader calculation cited here does not encompass Rutherford and Polk Counties.
with their counterparts across the mountains in western North Carolina. Hog drives proved extremely profitable for farmers in both regions, and served to tie small farmers to Lower South markets. Following the completion of two regional railroad lines, East Tennessee farmers began to produce wheat, which had a larger market demand. Without their own railroad, western North Carolina yeomen remained committed to livestock production. The absence of a viable cash crop, such as cotton, prevented the formation of typical southern plantations and promoted agricultural diversity. Rough terrain and a cooler climate allowed grains to thrive where cotton floundered. Cattle, sheep, and hogs proved especially profitable because they adjusted well to mountain conditions. In addition, cotton’s dominance in the Lower South increased the demand for foodstuffs from the Upper South. Since mountain farmers traditionally produced an abundance of food, it was only a matter of directing that surplus to market. Hence, western North Carolinians had a strong interest in the success of the staple crop.6

Landless white tenants rested below the yeomen in the southern social hierarchy. Tenancy was on the rise throughout the South during the late antebellum period. Sociologist Wilma Dunaway has argued that landless tenants were essential to the settlement of southern Appalachia. Land speculators purchased large tracts of the Southern Appalachia through the

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The final decades of the eighteenth century, which she claims rendered ¼ of the total acreage in the highlands the property of absentee owners. This speculative trend, begun in western North Carolina in 1783, made it difficult for small farmers to acquire land legally. Dunaway concludes that this combination of absentee owners and landless settlers “entrenched [tenancy] on every Southern Appalachian frontier.” Despite not owning land, the material differences between landless whites and landowning yeomen were subtle. Both groups worked small tracts of land for personal use and raised livestock with similar rewards. Renters enjoyed a degree of freedom denied yeomen. Because their labor agreements were temporary, tenants could leave a bad situation and they did not pay property taxes. Such benefits were not without a price. Landless tenants lacked the security and independence of the landowning yeomanry. Poor landless whites were subjected to unmerited evictions, biased written contracts that favored their employer and the confiscation of their crops by creditors.7

Class conflict remained muted before the Civil War in western North Carolina, despite the declining relative position of landless whites. As was the case throughout the South, family ties eased social tensions. Many of the region’s wealthy families intermarried, fostering bonds of family that helped solidify the slaveholders as a class. For example, the influential Lenoir family of Caldwell County brought together several of the region’s most powerful families. Revolutionary War veteran and early settler William Lenoir’s children and grandchildren brought the Lenoirs together with the Avery family of Burke County, the Joneses and Gwyns in

Wilkes County, as well as their Caldwell County neighbors the Pattersons. Still the slaveowning elite remained mindful of their largely nonslaveholding constituents. Political campaigns created personal relationships between lower class voters and wealthier neighbors who hosted visiting candidates and organized meetings. A political culture that emphasized the local in the upcountry portions of the South also mitigated class tensions. Middling and lower-class whites in the upcountry and mountain sections supported slaveholders politically because they pushed for the region’s recognition and development at the state level. More broadly, the slaveholders’ promotion of states’ rights helped stave off outside power and allow lower-class whites more autonomy within their lives and communities.8

Slaves occupied the lowest rungs on the social hierarchy in the southern mountains, just as they did throughout the South. Yet African Americans in the western counties lived differently from their plantation counterparts. One reason for the difference was mountain slaves’ comparatively small percentage of the population (See Table 1.1). The white majority feared slave rebellions less and allowed their chattel more mobility throughout the region. Some mountain slaves served as guides for summer tourists. Slaveowners in western North Carolina were less likely statistically to employ corporal punishment, and also less inclined to separate slave families through sale. Still such benefits only partially alleviated, not negated, the exploitive characteristics common to the southern slave system. For example, historian Edward Phifer found sexual exploitation of slave women as common in Burke County as elsewhere in

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Table 1.1  African American Population in Western North Carolina Counties, 1860

<table>
<thead>
<tr>
<th>County</th>
<th>Total Population</th>
<th>Slave Population</th>
<th>Free Black Population</th>
<th>Percentage of All Blacks in Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alleghany</td>
<td>3590</td>
<td>206</td>
<td>33</td>
<td>6.7</td>
</tr>
<tr>
<td>Ashe</td>
<td>7956</td>
<td>391</td>
<td>142</td>
<td>6.7</td>
</tr>
<tr>
<td>Buncombe</td>
<td>12654</td>
<td>1933</td>
<td>111</td>
<td>16.2</td>
</tr>
<tr>
<td>Burke</td>
<td>9237</td>
<td>2371</td>
<td>221</td>
<td>28.1</td>
</tr>
<tr>
<td>Caldwell</td>
<td>7497</td>
<td>1088</td>
<td>114</td>
<td>16</td>
</tr>
<tr>
<td>Cherokee</td>
<td>9166</td>
<td>520</td>
<td>38</td>
<td>6.1</td>
</tr>
<tr>
<td>Haywood</td>
<td>5801</td>
<td>313</td>
<td>14</td>
<td>5.6</td>
</tr>
<tr>
<td>Henderson</td>
<td>10448</td>
<td>1382</td>
<td>85</td>
<td>14</td>
</tr>
<tr>
<td>Jackson</td>
<td>5501</td>
<td>268</td>
<td>6</td>
<td>5</td>
</tr>
<tr>
<td>Macon</td>
<td>6004</td>
<td>519</td>
<td>115</td>
<td>10.6</td>
</tr>
<tr>
<td>Madison</td>
<td>5908</td>
<td>213</td>
<td>17</td>
<td>3.9</td>
</tr>
<tr>
<td>McDowell</td>
<td>7120</td>
<td>1305</td>
<td>273</td>
<td>22.2</td>
</tr>
<tr>
<td>Polk</td>
<td>4043</td>
<td>620</td>
<td>106</td>
<td>18</td>
</tr>
<tr>
<td>Rutherford</td>
<td>11573</td>
<td>2391</td>
<td>123</td>
<td>21.7</td>
</tr>
<tr>
<td>Watauga</td>
<td>4957</td>
<td>104</td>
<td>81</td>
<td>3.7</td>
</tr>
<tr>
<td>Wilkes</td>
<td>14749</td>
<td>1208</td>
<td>261</td>
<td>10</td>
</tr>
<tr>
<td>Yancey</td>
<td>8655</td>
<td>362</td>
<td>67</td>
<td>5</td>
</tr>
<tr>
<td>Total</td>
<td>134859</td>
<td>15194</td>
<td>1807</td>
<td>12.6</td>
</tr>
</tbody>
</table>


the South. Neither did living in western North Carolina remove the psychological scars inflicted by being classified as property.  

While the basic contours of society in the mountain South paralleled the section as a whole, mountain residents generally outpaced their lower-elevation compatriots in their support for internal improvements. Western North Carolinians believed that they were a region on the rise and they urged the state to support projects that facilitated their growth. Turnpikes, such as the highly traveled Buncombe Turnpike completed in 1828, became a top priority in the 1830s and 1840s. But opposition from the eastern part of the state—and historian Thomas Jeffery has argued this sectional rivalry within the state was a recurring dynamic in the state’s antebellum

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politics—threatened to prevent western development. Eastern North Carolinians refused to pay
the taxes necessary to fund such projects because they failed to see how they benefited from
western improvements. Westerners united across class lines to secure their region’s development.
The discovery of valuable mineral resources in southwestern North Carolina during the 1850s
further enhanced mountaineers’ desire for roads. East Tennessee experienced great success with
mining and railroads, and western Carolinians explored all possibilities (both public and private)
to obtain their own railroad. By the 1850s the issue garnered such popular backing that both the
Whig and Democratic Party vowed some level of support. Finally in 1855, western North
Carolina secured a charter and a four million-dollar state appropriation for the Western North
Carolina Railroad (WNCRR). That high price, however, forced the construction of the road in
segments, with the completion of one part to precede the construction of the next.10

During the 1830s and 1840s, the Whig party’s commitment to internal improvements
contributed to their consistent popularity in western North Carolina, but an economic depression
limited the state’s spending power for much of that period. One Whig member of the state
assembly believed that the state would have to raise taxes fivefold on its citizens in order to
finance its desired internal improvements, which was an unsavory idea for any politician who
knew that such tax increases constituted political suicide. Consequently, the Whigs were unable
to deliver funding for improvement projects during that time. State Democrats’ realization that
proposed railroads through western North Carolina by South Carolina, Tennessee, and Virginia
would divert mountain trade permanently out of the state, forced them to abandon their
opposition to state-funded internal improvements. The Whigs’ inability to receive state funds for

western improvement projects, along with the orchestration of the WNCRR’s creation by a Democratic governor, hurt but did not destroy them. By 1860, the Whigs had slipped in terms of their influence within western North Carolina, but their commitment to internal improvements helped them remain political players in the mountains even after their party ceased to exist nationally in the mid-1850s.11

Two political issues heightened the state’s internal east-west rivalry and stirred class tensions during the late antebellum period. The state constitution apportioned the upper legislative house according to taxes paid and the lower house based on federal population, including slaves as three-fifths of a person. This system concentrated power in the plantation dominated eastern counties. In 1848, Democratic gubernatorial candidate David Reid proposed the elimination of the property qualification that limited the political voice of lower class western Carolinians. Mountaineers demanded a constitutional convention to convert the basis of representation in the lower house to conform to Reid’s proposal. Failure to support the convention weakened the mountain Whigs and brought Reid’s Democrats to power in the state. By the end of the antebellum period the Whigs regained lost ground based on their support of ad valorem taxation, based on total property value. Whigs touted their issue as “equal taxation” and argued that the state’s current economic straits made the change necessary. Wealthy eastern planters opposed the proposal because it would tax all slave property according to value, whereas the existing poll tax only assessed male slaves between twelve and fifty years old. Although nonslaveholders became indignant that their wealthier neighbors would not carry their share of the tax burden, the Democrats successfully convinced nonslaveholders that ad valorem taxation

represented governmental encroachment upon individual property rights. Ad valorem taxation, they averred, would increase the taxes on all property—not just slaves—and would hurt poorer whites as well as wealthy slaveholders. Still, the issue helped restore the two-party balance in the mountains on the eve of disunion.  

The turbulent presidential election of 1860 revealed white western Carolinians’ complex self-image. Although westerners within North Carolina, their opposition to the Republican Party in the 1860 presidential election revealed them as southerners within the United States. In western North Carolina and the South, the election centered upon John C. Breckinridge, a southern rights Democrat, and John Bell, of the moderate Constitutional Union Party. A few mountaineers backed Senator Stephen Douglas of Illinois, but the majority limited their choice to either Breckinridge or Bell, the candidates believed to have the best chance of defeating the “Black Republican,” Abraham Lincoln. Breckinridge won the state by approximately eight hundred votes, but the continued influence of the Whig party won Bell the mountains (See Table 1.2). Western North Carolina’s support of a middle-road candidate closely resembling a Whig did not represent a weaker commitment to southern rights. Both parties in the mountains and the South favored the continuation of slavery, the protection of which remained the focus of political debate. From this perspective, the election more clearly represents western North Carolinians’ continued adherence to two-party politics.

South Carolina’s withdrawal from the Union on December 20, 1860, following Lincoln’s election, magnified the secession controversy in North Carolina. Congressman Thomas Lanier

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Table 1.2. Presidential Election Results in Western North Carolina Counties, 1860

<table>
<thead>
<tr>
<th>County</th>
<th>Breckinridge (Southern Democrat)</th>
<th>Bell (Constitutional Union)</th>
<th>Douglas (Northern Democrat)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ashe/Alleghany</td>
<td>229</td>
<td>717</td>
<td>1</td>
</tr>
<tr>
<td>Buncombe</td>
<td>662</td>
<td>705</td>
<td>49</td>
</tr>
<tr>
<td>Burke</td>
<td>470</td>
<td>447</td>
<td>4</td>
</tr>
<tr>
<td>Caldwell</td>
<td>229</td>
<td>449</td>
<td>9</td>
</tr>
<tr>
<td>Cherokee</td>
<td>459</td>
<td>667</td>
<td>0</td>
</tr>
<tr>
<td>Haywood</td>
<td>367</td>
<td>248</td>
<td>13</td>
</tr>
<tr>
<td>Henderson</td>
<td>435</td>
<td>496</td>
<td>4</td>
</tr>
<tr>
<td>Jackson</td>
<td>142</td>
<td>403</td>
<td>0</td>
</tr>
<tr>
<td>Macon</td>
<td>221</td>
<td>469</td>
<td>0</td>
</tr>
<tr>
<td>McDowell</td>
<td>276</td>
<td>349</td>
<td>1</td>
</tr>
<tr>
<td>Polk</td>
<td>270</td>
<td>118</td>
<td>1</td>
</tr>
<tr>
<td>Rutherford</td>
<td>695</td>
<td>495</td>
<td>3</td>
</tr>
<tr>
<td>Watauga</td>
<td>147</td>
<td>322</td>
<td>0</td>
</tr>
<tr>
<td>Wilkes</td>
<td>363</td>
<td>1323</td>
<td>0</td>
</tr>
<tr>
<td>Yancey</td>
<td>500</td>
<td>275</td>
<td>4</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>5465</strong></td>
<td><strong>7483</strong></td>
<td><strong>85</strong></td>
</tr>
<tr>
<td><strong>Percentage of Total</strong></td>
<td><strong>41.9</strong></td>
<td><strong>57.4</strong></td>
<td><strong>.7</strong></td>
</tr>
</tbody>
</table>

State Totals: Breckinridge, 39711; Bell, 36640; Douglas, 2245.

NOTE: Alleghany County voted with Ashe County through 1860. Clay, Mitchell, and Transylvania Counties formed in 1861. Madison County results were so uncertain that election officials rejected them entirely. Paludan, Victims, 58.


Clingman led the mountain secessionists. Having emerged in the late 1840s as an “ultra-Southern” politician, Clingman’s status as the senior member of the state’s Congressional delegation reflected western Carolinians’ sectional loyalty. Clingman and the secessionists took their arguments to the people as the crisis heightened. To the nonslaveholding majority, they predicted economic ruin should Appalachian North Carolina not align with its Lower South trade partners. Secessionists also appealed to mountaineers’ racial fears. Clingman and his allies warned that Lincoln and the North would destroy slavery if white southerners of all sections did not unite to stop him. Furthermore, he warned that thousands of freed slaves would flood into western North Carolina once Lincoln ended slavery. Clingman knew his audience. North Carolina mountaineers’ interest in internal improvements and economic development certainly shaped their political outlook. So did their attitudes toward slavery. Lower class mountaineers shared the same racial outlook of southerners elsewhere. They agreed that slavery represented...
Table 1.3. State Convention Election Results in Western North Carolina Counties, February 1861

<table>
<thead>
<tr>
<th>County</th>
<th>For Convention</th>
<th>Against Convention</th>
<th>Union Delegates</th>
<th>Secession Delegates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ashe/Alleghany</td>
<td>259</td>
<td>1013</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Buncombe</td>
<td>1219</td>
<td>389</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Burke</td>
<td>718</td>
<td>273</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Caldwell</td>
<td>186</td>
<td>651</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Cherokee</td>
<td>149</td>
<td>901</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Haywood</td>
<td>504</td>
<td>307</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Henderson</td>
<td>573</td>
<td>647</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Jackson</td>
<td>435</td>
<td>83</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Macon</td>
<td>250</td>
<td>359</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Madison</td>
<td>345</td>
<td>532</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>McDowell</td>
<td>638</td>
<td>217</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Rutherford/Polk</td>
<td>1332</td>
<td>431</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Watauga</td>
<td>72</td>
<td>536</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Wilkes</td>
<td>51</td>
<td>1890</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Yancey</td>
<td>556</td>
<td>598</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>7287</strong></td>
<td><strong>8827</strong></td>
<td><strong>12</strong></td>
<td><strong>5</strong></td>
</tr>
</tbody>
</table>


the proper condition of inferior African Americans. Nonslaveholding mountaineers may have disliked the slaveowners and slaves that depreciated free white labor in the eastern part of the state, but compared to emancipation, slavery appeared the lesser evil.14

The secessionists’ emotional arguments swept some mountaineers into their camp, but most highlanders preferred a “wait and watch” approach to the crisis. Hesitation to secede did not reflect a widespread affinity for the Union. Mountaineers viewed the Union as a means to an end, rather than an end in itself, and they adhered to it as long as the federal government guaranteed their interests as individuals, North Carolinians, and southerners. Unconvinced that disunion was the best means to protect their interests, western Carolinians rejected the call for a state secession convention in February 1861 (See Table 1.3). Unlike the extreme secessionists of the Deep South, the majority of mountaineers believed that the election of a Republican

president alone did not endanger slavery or necessitate the state’s withdrawal from the Union. Western North Carolinians and the rest of the Upper South, however, made it known that they would not tolerate the use of force to restore the Union. Lincoln’s call for 75,000 volunteers to put down the rebellion following the surrender of Fort Sumter in Charleston Harbor destroyed western North Carolinians’ Unionism. Forced to choose between the Union and the South, western Carolinians joined with their eastern counterparts in favor of disunion on May 20, 1861.15

Western Carolina’s final decision to join the Confederacy derived from a variety of sources. The most important was the perpetuation of African American slavery. Conditional-Unionist Whigs argued that the constitution protected slavery while secession itself threatened its existence. Secessionists, on the other hand, pointed to Lincoln’s stance against the expansion of slavery, and claimed that the Republican Party truly intended to destroy the institution where it already existed. Mountaineers also felt that they needed slavery in order to achieve their region’s economic potential following the advertisement of their natural resources, improvement of their farming techniques, and the continuation of its internal development. To men like William Holland Thomas of Jackson County, the Confederacy offered the best opportunity to achieve that potential. Thomas reasoned that as the geographic center of the Confederacy, the construction of long desired rail routes would become a southern—not just a western Carolina—priority. Secession would also benefit local manufacturing interests and tourism. Separation from

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northern manufacturing centers would foster local production, and lure wealthy southerners that previously vacationed in the North to select the Carolina mountains as an alternative.\textsuperscript{16}

Throughout the spring and summer of 1861, thousands of male western North Carolinians left their families and friends for southern-armed service. Women hosted picnics for soldiers and showered them with gifts as they marched off to war, reminding them that they were the defenders of southern local and national honor. Such displays reinforced mountain men’s conviction to defend their homes from Yankee aggression during the months following secession. Unionist raids from across the border on their unprotected homes imbued male western Carolinians with a healthy anxiety for their families. The high concentration of relatives and friends in volunteer units reinforced the palpable need to defend their homes. During the first two years of the war, the high concentration of family members within volunteer units bolstered national loyalties by giving them a local flavor.\textsuperscript{17}

Such public displays masked the divisions remaining within mountain society once the war broke out. Historian Gordon B. McKinney identified five groups within the mountain counties: consistent Unionists, consistent Confederates, conditional Unionists, neutrals, and those without any opinion on the divisions between North and South. His analysis of the petitions for pardon sent to Andrew Johnson after the war ended suggests that more than 40\% of the petitioners were either neutral or held no opinion on the war at all. Conversely, the petitions also reveal a roughly equally percentage of consistent Unionists (20.69\%) as Confederate


That balance broke, however, when the 22.22% of conditional Unionists who supported the Confederacy after secession are factored into the equation. The most outspoken petitioners were the hardcore Unionists, who endured harassment, intimidation, and even violence for their sustained national loyalty, which they placed in close association—but superior—to their family responsibilities. Consistent Confederates did the same, placing the South and Confederacy atop their local relationships. Conditional Unionists argued that it was their state that merited their first consideration, no matter their personal feelings regarding disunion. Those mountain residents that tried to remain above the fray did so strictly to protect their families and out of a sense of loyalty to their community.\textsuperscript{18}

The necessary sacrifices of war created more hardship during the war’s first year. White mountain women faced the same crisis that confronted white women in other sections of the South. In the mountains, where the nuclear family constituted the basic economic unit, the absence of skilled and unskilled male laborers was especially damaging. Women became more hesitant to support their husbands’ Confederate service as the war outlasted early hopes for a brief conflict. Men’s absence forced women to assume the bulk of the agricultural workload typically reserved for men on top of their own traditional sphere of labor. Mounting economic hardships undermined the paternalistic covenant, in which women deferred to men in exchange for protection. Increasing sacrifices symbolized men’s, and in a larger sense the Confederacy’s, failure to provide properly for their women. The mounting guerrilla war in the mountains further

convinced some mountain women that they could neither be provided for nor physically defended. With so many men gone, it appeared that their region was defenseless.\textsuperscript{19}

North Carolina’s competitive two-party system provided a political outlet for mountaineers’ rising dissatisfaction. The 1862 gubernatorial election revealed how far the entire state had drifted from the secessionist leaders of the previous year. A new Conservative party arose under the leadership of newspaper editor William W. Holden, a leading Democratic proponent of antebellum reform, and Conditional-Unionist Whigs, who opposed North Carolina’s secession until it was a reality. The Conscription Act of 1862 provided the impetus for this political marriage between old opponents. Union-Whigs hesitated to support the new party until the adoption of conscription, which they perceived, foretold a strong military government at odds with individual liberty. In the beginning, Conservatives drew heavy support from lower class whites, resentful of Confederate governmental policies that seemingly favored the wealthy. Lower class southerners everywhere bristled at the Conscription Act’s exemption of one male on every farm possessing twenty or more slaves. Equally galling was the provision allowing wealthy white southerners the ability to hire substitutes. Yeomen and landless whites across the South cried out in protest of what they perceived had become a “rich man’s war and a poor man’s fight.” Such claims were especially strong in North Carolina’s western counties where fewer farmers could afford to pay their way out of military service. With secessionists’ earlier appeals to rally in defense of southern liberty ringing in their ears, yeomen could not understand why they were now enjoined to fight for their personal freedom.\textsuperscript{20}

Table 1.4. Gubernatorial Election Results in Western North Carolina Counties, 1862

<table>
<thead>
<tr>
<th>County</th>
<th>Zebulon B. Vance (Conservative Party)</th>
<th>William Johnston (Confederate Party)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alleghany</td>
<td>227</td>
<td>12</td>
</tr>
<tr>
<td>Ashe</td>
<td>648</td>
<td>15</td>
</tr>
<tr>
<td>Buncombe</td>
<td>1323</td>
<td>274</td>
</tr>
<tr>
<td>Burke</td>
<td>886</td>
<td>239</td>
</tr>
<tr>
<td>Caldwell</td>
<td>838</td>
<td>40</td>
</tr>
<tr>
<td>Cherokee</td>
<td>621</td>
<td>181</td>
</tr>
<tr>
<td>Clay</td>
<td>279</td>
<td>38</td>
</tr>
<tr>
<td>Haywood</td>
<td>299*</td>
<td>0</td>
</tr>
<tr>
<td>Henderson</td>
<td>1208</td>
<td>82</td>
</tr>
<tr>
<td>Jackson</td>
<td>604</td>
<td>117</td>
</tr>
<tr>
<td>Macon</td>
<td>670</td>
<td>103</td>
</tr>
<tr>
<td>Madison</td>
<td>619</td>
<td>165</td>
</tr>
<tr>
<td>McDowell</td>
<td>728</td>
<td>104</td>
</tr>
<tr>
<td>Rutherford</td>
<td>1147</td>
<td>257</td>
</tr>
<tr>
<td>Watauga</td>
<td>423</td>
<td>62</td>
</tr>
<tr>
<td>Wilkes</td>
<td>1615</td>
<td>76</td>
</tr>
<tr>
<td>Yancey</td>
<td>714</td>
<td>186</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>12849</td>
<td>1951</td>
</tr>
<tr>
<td><strong>Percentages</strong></td>
<td>86.8</td>
<td>13.2</td>
</tr>
</tbody>
</table>

State Totals: Vance, 54423; Johnston, 20448.

* Denotes Majority

NOTE: Mitchell County voted with Yancey County and Transylvania County voted with Henderson County.


Conservatives’ need for someone to unite their coalition led them to Zebulon B. Vance, a Buncombe County native, former Conditional-Unionist Whig, and Confederate colonel. During the campaign, the Conservatives used Holden’s powerful *North Carolina Standard* newspaper to appeal directly to the voters. They successfully portrayed the secessionists as rash radicals who led the people out of the Union without a plan to handle the exigencies of a state at war. Thanks to Vance’s broad appeal and Holden’s influence, the Conservatives won the governor’s chair in convincing fashion. Almost 73 percent of the state, and 87 percent of mountain voters, rejected the secessionists and made Vance their governor (See Table 1.4).²¹


An escalating guerrilla war further exacerbated growing tensions. Fearful of East Tennessee Unionists and unwilling to serve in the regular army, pro-Confederate partisans appeared as early as July 1861. An influx of deserters from both armies added fuel to the fire. Although many of these deserters were western North Carolinians returning home to aid their struggling families, the mountains attracted other fugitives who saw the rugged landscape as an excellent hiding place. Some deserters organized partisan bands aimed at their self-defense, the protection of their families, and prosecution of their cause. The presence of guerrillas emboldened Unionists who transformed loyalist counties, such as Wilkes and Caldwell, into centers of resistance. When the 64th North Carolina Infantry Regiment entered Madison County during the winter of 1862-1863 to arrest deserters, it resulted in tragedy. Angered by the bushwhacker tactics of concealed guerrillas and a raid on their colonel’s family, the Confederate troops determined that the best way to deal with such Unionists was to kill them. They subsequently rounded up thirteen suspects between the ages of thirteen and fifty-nine, and marched them out of town. Once safely outside town limits, they lined their prisoners along the road and executed them.22

Fallout from the Shelton Laurel massacre and the Confederate forces’ retreat from Knoxville, Tennessee destabilized the region further. Knoxville’s occupation gave United States forces and Union partisans greater access to western North Carolina. Raids intensified during

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22 Paludan, Victims, xi, 68, 84-98; Ella Lonn, Desertion During the Civil War (Gloucester: American Historical Association, 1928; Bison Books, 1998), 62-76; Inscoe and McKinney, The Heart of Confederate Appalachia, 106-9, 114-5, 125-6. Such guerrilla violence was a standard of the Appalachian region during the Civil War. The mountain sections of eastern Kentucky and southwestern Virginia experienced very similar trends of violence, as did northern Georgia. In both those regions, historians have found communities in duress comparable to the stress experienced by North Carolina’s mountain population. Both regions also underscore the complex intersection of regular soldiers who brought their own ideals and motivations and local people often fighting for very different and more community-based goals. For more on these Appalachian regions’ civil war, see Brian D. McKnight, Contested Borderland: The Civil War in Appalachian Kentucky and Virginia (Lexington: University Press of Kentucky, 2006) and Jonathan D. Sarris, A Separate Civil War: Communities in Conflict in the Mountain South (Charlottesville: University of Virginia Press, 2006).
the latter half of 1863, turning Wilkes County into an irregular battlefield. Unionist John Quincy Adams Bryant made no secret of his Unionist loyalty, which helped turn his Trap Hill community in northern Wilkes County into something of a haven for deserters, disaffected Confederates, and others loyal to the United States. From this hodgepodge group, Bryant formed something resembling a military company that traversed the countryside harassing residents and skirmishing with the Confederate home guard. Irregular military activity and violence carried over into 1864. Andrew Johnstone, a rice planter from South Carolina vacationing in the North Carolina mountains, was murdered. Home Guard forces could not restore order, so Governor Vance sent additional Confederate forces into the region. Over the course of six weeks, the regular reinforcements aggressively hunted deserters and Union sympathizers.23

Unionists and Confederates confronted their internal enemies on the irregular battlefields of their homes and communities. The reaction to Shelton Laurel throughout the state underscored the dangerous conditions in Madison County, where property was routinely confiscated. Sidney McLean’s experience demonstrates the dangers confronting Madison residents. The pro-Union McLean lost two horses, 750 pounds of bacon, 200 pounds of flour, and large amounts of corn and beef to Union raiders despite sustained loyalty to the United States. Federal forces commandeered his property for the cause, but Confederates targeted his person for the immediate cause of local control. Desperate for manpower, Rebel Home Guards arrested McLean and forced him into the southern army. A bout of illness led the Confederates to discharge McLean without his performing any service. Soon after McLean returned home local authorities arrested him again. Numerous times during the war’s final three years he “was both threatened and injured as to my family and property, and was actually molested and

injured.” In the spring of 1864, Confederate Colonel J.A. Keith, one of the officers responsible for the Shelton Laurel massacre, directed his men in a raid that “destroyed my household furniture, and either killed, or drove off, all my live stock” and forced his family from their home along Bull Creek. Angry and frustrated with his inability to protect himself and his family, McLean escaped to the Federal base in east Tennessee. When he next set his eyes upon his Madison County farm he wore the uniform of a first lieutenant in the United States army.24

Public protests against the Confederate government’s infringements on civil rights across the state in July and August 1863 laid the groundwork for a political split between Holden and Governor Vance. Both defended individual liberties and agreed that North Carolina should fight as long as it remained subject to northern invasion, but Holden favored a negotiated armistice with the North. At an impasse, Holden cast his hat into the ring against Vance in the 1864 gubernatorial campaign. Public exposure of Unionist organizations, such as the Heroes of America, working secretly in tandem with the peace movement during the final month of the campaign destroyed Holden’s chances for victory. Founded in central North Carolina in 1861, the Heroes of America, who were definitely active in the mountain counties by 1864, performed espionage, encouraged desertion, and escorted Unionists to Federal lines in East Tennessee and Kentucky. In the 1863 election for the Confederate Congress, the Heroes likely coordinated Rutherford County resident George W. Logan’s successful campaign as a peace candidate. From 1864 to the war’s end, the Heroes of America supervised local Unionist networks and may have become overtly political. Although unhappy with Confederate policies and increasing wartime sacrifices, mountaineers remained supportive of the governor. Vance captured over seventy-five

24 Sidney McLean, Southern Claims Commission Case Files, Allowed Claims, Record Group 217, NARA, College Park.
Table 1.5. Gubernatorial Election Results in Western North Carolina Counties, 1864

<table>
<thead>
<tr>
<th>County</th>
<th>Zebulon B. Vance (Conservative Party war wing)</th>
<th>William W. Holden (Conservative Party peace wing)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alleghany</td>
<td>279</td>
<td>38</td>
</tr>
<tr>
<td>Ashe</td>
<td>597</td>
<td>58</td>
</tr>
<tr>
<td>Buncombe</td>
<td>843</td>
<td>245</td>
</tr>
<tr>
<td>Burke</td>
<td>661</td>
<td>156</td>
</tr>
<tr>
<td>Caldwell</td>
<td>548</td>
<td>85</td>
</tr>
<tr>
<td>Cherokee</td>
<td>292</td>
<td>5</td>
</tr>
<tr>
<td>Clay</td>
<td>169</td>
<td>95</td>
</tr>
<tr>
<td>Haywood</td>
<td>527</td>
<td>116</td>
</tr>
<tr>
<td>Henderson</td>
<td>600</td>
<td>346</td>
</tr>
<tr>
<td>Jackson</td>
<td>375</td>
<td>61</td>
</tr>
<tr>
<td>Macon</td>
<td>335</td>
<td>76</td>
</tr>
<tr>
<td>Madison</td>
<td>271</td>
<td>59</td>
</tr>
<tr>
<td>McDowell</td>
<td>478</td>
<td>46</td>
</tr>
<tr>
<td>Polk</td>
<td>147</td>
<td>96</td>
</tr>
<tr>
<td>Rutherford</td>
<td>799</td>
<td>379</td>
</tr>
<tr>
<td>Watauga</td>
<td>272</td>
<td>95</td>
</tr>
<tr>
<td>Wilkes</td>
<td>534</td>
<td>567</td>
</tr>
<tr>
<td>Yancey</td>
<td>372</td>
<td>89</td>
</tr>
<tr>
<td>Total</td>
<td>8099</td>
<td>2612</td>
</tr>
<tr>
<td>Percentage</td>
<td>75.6</td>
<td>24.4</td>
</tr>
</tbody>
</table>

State Totals: Vance, 58070; Holden, 14491

NOTE: Mitchell County voted with Yancey County and Transylvania County voted with Henderson County.


percent of the mountain vote and his second landslide victory (See Table 1.5).²⁵

Vance’s victory did not end people’s suffering or lessen divisions within the state. An absence of male laborers combined with droughts, hog cholera epidemics, and the effects of the war drove hungry highlanders to take matters into their own hands. In April 1864, fifty women in Yancey County broke into a Confederate supply warehouse and carried off sixty bushels of wheat. Slavery remained relatively intact in western North Carolina during the war, but that did not stop highland slaves from engaging in subversive activities. During the war, slaves exploited

their mobility and knowledge of the landscape to help fugitive Federal prisoners from Salisbury avoid recapture. Other African Americans fed, clothed, and hid enemies of the Confederacy, or escaped to Union lines themselves. Still, such opportunities for escape were limited in western North Carolina where the Union army was not a major presence until Knoxville’s capture in September 1863.26

The general insulation of mountain slavery from the strain of war largely preserved the power of white masters until the end of the Civil War. Highlanders bought or leased slaves in rapidly increasing numbers to work on private farms and public improvements such as the Western North Carolina Railroad. Mary Bell of Macon County purchased her family’s first slaves in February 1864. Encouraged by her husband to convert their cash holdings into a tangible investment, Mary acquired a servant girl who she swapped for a slave family a few months later. Her pride in the acquisition, completed so late in the war, accentuated western Carolinians’ belief that the institution was both stable and safe. Amidst a war that included emancipation as a Union objective, slavery prospered in North Carolina’s mountains, seemingly oblivious to the surrounding world.27

With mountain society already at war with itself, a large-scale Federal intrusion into the region finally occurred in the war’s final year. In February 1865, George W. Kirk, a Union colonel from east Tennessee who garnered a reputation as a bushwhacker and guerrilla in western North Carolina, pushed his regiment of mounted infantry into Haywood County where they tangled with William Holland Thomas’s southern legion of white and Cherokee troops.

26 Inscoe and McKinney, The Heart of Confederate Appalachia, 167-71, 197-8, 225-9; Paul Salstrom, Appalachia’s Path to Dependency: Rethinking a Region’s Economic History 1730-1940 (Lexington: The University Press of Kentucky, 1994), 8-10, 13, 16.

Kirk’s 600 or so men amounted to little more than a nuisance. When combined with a larger push to apply constant pressure throughout the Confederacy, the alleged bushwhacker had a more profound impact. Union Major General George Stoneman, onetime head of the Union Army of the Potomac’s cavalry, launched a massive raid into North Carolina from East Tennessee as part of the Union leadership’s plan for a final assault to bring the Rebel forces to their knees. Stoneman’s primary objective was the military prison in Salisbury, North Carolina, which he hoped to destroy and liberate its prisoners. Kirk and Stoneman failed to free Salisbury’s prisoners; they succeeded, however, in spreading fear and panic throughout mountain communities.  

On their march through the mountains, Stoneman’s men applied a formula toward civilian property familiar to western North Carolina’s neighbors in the central portion of the state who experienced William T. Sherman’s march a few months earlier. Stoneman and his chief subordinates sought to deprive white southerners of items they needed to wage war, but they tried to discern between loyal and rebellious citizens in their efforts. Residents’ efforts to comply with the wishes of the Federal officers may also have lessened the impact of the war’s hard hand. Still, even the most loyal of white men paid the price of war during the war’s final months. A pro-Union doctor in Alexander County, John M. Carson, saw his home near Taylorsville converted into a Union camp in April 1865. Despite Carson’s aid given to Union prisoners fleeing the Confederate prison in Salisbury, roughly 100 Union soldiers confiscated his property.

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The hard hand of war knew no distinctions of race or gender as it closed around Carson and his neighbors. Elijah Jennings, who lived near Mulberry in Wilkes County, lost a horse and bridle in late March 1865 to a handful of Stoneman’s men while he plowed his fields. Fellow Wilkes resident John Glass lost a horse to the Federals around the same time.\(^{30}\) A Unionist widow, Elizabeth Jolley, lost supplies to the Confederate Home Guard, and then Stoneman’s men seized her mare.\(^{31}\) As Betty Ann Hamilton’s husband garnered praise for his service in the Union’s 2\(^{nd}\) North Carolina Mounted Infantry under Kirk, his family lost a horse to the Federal cause in April 1865. Mary Merrill, who like Hamilton resided in staunchly Unionist Henderson County, sent her husband and sons to Tennessee to escape the Confederate ranks. Her sacrifice to the Union neither halted her harassment by local Rebels nor prevented the loss of her horse to the Federals.\(^{32}\)

Perhaps the most fascinating victims of Stoneman’s raid were the African American mountaineers. Perched on the precipice of freedom in the spring of 1865, black mountaineers’ bodies and property were not exempt from war’s cruelty. In Buncombe County, Isaac Garrison worked a small plot of land granted him by his owner. Isaac earned the respect and appreciation of the local Unionists whose families he provided with invaluable aid to those in uniform. Regardless, slaves such as Garrison and free black men, such as John Chavers of Wilkes County, also saw their property carried off by Federal soldiers. The approach of Union soldiers prompted Confederates to descend upon Chavers’s farm and seize 200 bushels of corn, bacon, as well as a

\(^{30}\) Carson, Southern Claims Commission Case Files, Allowed Claims, Record Group 217, NARA, College Park; Elijah Jennings and John Glass, Southern Claims Commission Case Files, Allowed Claims, Record Group 217, NARA, College Park.

\(^{31}\) Jolley, Southern Claims Commission Case Files, Allowed Claims, Record Group 217, NARA, College Park.

\(^{32}\) Hamilton and Merrill, Southern Claims Commission Case Files, Allowed Claims, Record Group 217, NARA, College Park.
variety of home furnishings and clothing. Union soldiers added insult to injury when a Yankee squadron took two horses.33

Although successful in wrenching war materiel from western North Carolinians, Stoneman’s men saw little combat. Frustrated in their efforts to liberate the prisoners from the Salisbury prison, the Federal soldiers turned their attention back to western North Carolina communities. The dealings between the soldiers and the communities in their path ran the gamut from general peacefulness to sheer terror. Morganton, the Burke County seat, resisted Stoneman’s men. Some eighty Confederate Home Guards and regular Confederate officers tried to stave off the Yankee column under Arlen Gillem, who was in no mood to compromise with western Carolinians. Once the cavalrymen forced their way into the town, they unleashed an onslaught of looting, plundering, and destruction. Typical of such scenes was the treatment afforded Robert C. Pearson, a local banker and railroad official. Lower class ruffians described by one observer as “false to their God and traitors to their country” ransacked Pearson’s home.34

Again, it was the level of local resistance presented to the Union horsemen that precipitated the treatment given Asheville. The Buncombe County seat was a major economic center by the standards of the western region, but it was still a relatively modest town. It was home to many of the North Carolina mountains’ wealthiest and most successful merchants, it served as a staging point for the herding of livestock south along the Buncombe Turnpike, and hopes grew during the late antebellum period that it would one day serve as a major western hub for the Western North Carolina Railroad. During the war the Confederates used town to house

33 Garrison and Chavers, Southern Claims Commission Case Files, Allowed Claims, Record Group 217, NARA, College Park. For a discussion of the distinctions made by northeastern and western Yankee soldiers, see Jacqueline Glass Campbell, When Sherman Marched North from the Sea.

an armory and training camp as well as a commissary, Confederate hospital, and post office. For those reasons, local troops rallied to its defense and hoped to block the approaching enemy at Swannanoa Gap.\textsuperscript{35}

At first it appeared this vital economic center might escape the pattern of destruction that Stoneman’s Raid wreaked elsewhere in the region. Federal General Gillem and Confederate General James G. Martin met early on April 24, 1865 on the town’s outskirts to discuss rumors of Joseph E. Johnston’s surrender at Durham Station, North Carolina. It appeared that the war was over at long last, and Gillem promised to pass peacefully through Asheville en route back to Tennessee. For his part, Martin promised rations and safe passage to the Yankee cavalry. Residents breathed a collective sigh of relief as the roughly 3,000 soldiers in blue passed through peacefully on April 26. Asheville residents barely had time to relax before the situation changed drastically. Late in the afternoon, General Samuel B. Brown’s Yankee soldiers set their torches to the former site of the Asheville armory. Federal cavalrymen raced their horses through the streets, chasing women, and searching for men. Troops rounded up all the Confederates they could find and ransacked the homes of community leaders. Finally, on April 28, the federal troopers set off for Tennessee and Asheville—and western North Carolinians at large—began to face the future.\textsuperscript{36}

That future proved to be as divisive and complicated as the war itself. Political coalitions collapsed and were rebuilt upon the uncertain foundations of wartime loyalties. Outside authority entered the region as well. In efforts to reconstruct the South, federal soldiers and


agents moved into counties and communities across North Carolina. It was a time of uncertainty and suspicion, as John Muir discovered on his walk through the South. When he entered Cherokee County in September 1867, the sheriff stopped him because “every other stranger in these lonely parts is supposed to be a criminal, and all are objects of curiosity or apprehensive concern.” Strange faces were objects of close scrutiny for good reason. Few mountaineers knew exactly who they could trust or whether old friends remained true in 1867. None of the mountain towns Muir visited still smoldered by the time he passed through, but the scars of war and the suspicions that followed remained apparent to even the most transient of visitors.37

“You have been a happy people in the old North State,” mused Mira Brown of Columbia, Tennessee in a letter to a western North Carolina relative during the summer of 1865. There was no trace of humor or irony in her writing. Blue and gray-clad armies had fought over her middle Tennessee community for four years during the American Civil War, inflicting hardship and suffering upon all segments of society. She worried she might never recover from the ordeal, which made her grief condescending at times. Only those directly touched by the regular armies, she implied to her friends and family in the North Carolina mountains, truly understood the horrors of war. Brown felt certain that the military occupation, racial turmoil, and loss of property that she experienced was the real war and that western North Carolina’s experience was somehow easier on its people. Believing herself a member of an exclusive club united by Yankee-induced suffering, she blatantly ignored the economic privations, internal divisions, guerrilla violence, and the regular military incursions into western North Carolina during the war’s final months. None of this mattered to the war-weary Brown, who claimed that “you have all been very much blessed in North Carolina; you dont [sic] know a thing about distress and trouble.”

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The Civil War brought privation, loss of life, and governmental power to western Carolinians’ doorsteps to an unprecedented degree. Conscription officers, tax collectors, Home Guard militiamen, and regular soldiers became commonplace in the region during the war. White mountaineers greeted the Richmond government’s policies with more exasperation than the defiant opposition to the Confederate government many later observers read into their responses. When the Richmond government inaugurated the first draft of the war in April 1862, its exemption for white men on farms with twenty or more slaves led to a spike in desertion and violence.\(^1\) Wilkes and Caldwell counties endured terrible irregular violence, which hit such a fevered pitch in 1864 that many Confederate sympathizers refused to sleep out of fear. In the more remote counties of Ashe, Watauga, and Madison, a pattern of reciprocal violence developed. The infamous massacre of thirteen alleged Unionists along Shelton Laurel in Madison County by the 64\(^{\text{th}}\) North Carolina Infantry Regiment grew out of partisan raids that included a Unionist raid on the county seat of Marshall in January 1863. The murder of a Confederate supporter, Jack Potter, plunged a community along the Watauga and Ashe County border into disarray. Few mountain guerrillas achieved the infamy of Unionist Keith Blalock, whose band patrolled the region around Grandfather Mountain. Even Blalock conformed to this family pattern. His most fervent attacks on local Confederates followed the murder of his stepfather by regular southern soldiers.\(^2\)

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Historians have largely neglected Reconstruction in the mountain South. Such oversight fits within the prevailing historical interpretation of Reconstruction, which emphasizes emancipation and its aftershocks. Eric Foner’s synthesis, *Reconstruction: America’s Unfinished Revolution*, concentrates on the conflict and negotiation over freedom in the postbellum South. The relative absence of African Americans in southern Appalachia, therefore, made the region’s neglect by Reconstruction scholars a logical consequence of that interpretive trend. Even those scholars who have addressed Reconstruction and Republican politics in the mountain South have often focused on emancipation and racial issues. Although race was a powerful force in western North Carolinians’ lives, as well as the United States’s reunion, in the political battles that immediately followed the war it was not the decisive issue. Most white residents of the region, Unionist and Confederate, agreed that black mountaineers’ status should change as little as possible.3

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Given the preponderance of whites and the bitter wartime divisions, the mountain sections of the former Confederacy focused on another major aspect of Reconstruction, the political restoration of the southern states to the Union. This issue proved no less thorny than the adjustment from slave to free labor, and in the Appalachian South, where Philip S. Paludan has argued that mountaineers wore their loyalties like targets over their hearts, loyalty was as important as the color of one’s skin. Wartime violence, rancor, and communal fissures refused to fade away, and Unionists and Confederates renewed the struggle, albeit in political form, over the meaning of loyalty, Unionism, and local political power. Confederate defeat did not neatly end the war throughout the South. Southern Appalachia’s civil war had been messy and intensely personal. A close examination of the postwar conflict between a white Unionist-led anti-Confederate faction and the Conservative Party, which had led the state through the war, reveals that postwar politics in western North Carolina was no less chaotic. The battle between the anti-Confederates and the Conservatives seriously damaged efforts to restore an antebellum political culture that privileged local ties. In this postwar world, local control was worth fighting desperately for, and if an alliance with outside forces was the only means with which to obtain it, mountain Unionists would eventually take that unprecedented step. Standing in the calm between the storm recently passed and looking toward a darkening horizon, one mountain politician, Leander Sams Gash, concluded, “the other war was but the beginning.”

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4 Otto H. Olsen and Ellen Z. McGrew, eds., “Prelude to Reconstruction: The Correspondence of State Senator Leander Sams Gash, 1866-1867, Part III,” *North Carolina Historical Review* 60 (3), 1983: 342. George Rable helped advance the idea that Reconstruction constituted a continuation of wartime hostilities by other means in *But There Was No Peace: The Role of Violence in the Politics of Reconstruction* (Athens: University of Georgia Press, 1984). Dan T. Carter’s *When The War Was Over: The Failure of Self-Reconstruction in the South, 1865-1867* (Baton Rouge: Louisiana State University Press, 1985) has greatly influenced this study. Carter argued that race did not blind all southern whites after the war to larger issues of control and that the former Whigs were particularly open minded about the future of the former Confederacy. Finally, Philip Shaw Paludan’s *Victims* captures the raw emotion that pervaded the mountain counties during the war. See Philip Shaw Paludan, *Victims*, xi.
Lingering tensions from western North Carolina’s brutal and personalized Civil War enhanced the sense of dislocation that accompanied the redrawing of political lines in the war’s wake. Politics had always acted as a lifeline between the rugged mountain region and North Carolina’s central and eastern counties. Confederate defeat left only the Conservative Party, comprised mostly of former Union-Whigs who accepted secession only when it became reality, as the state’s only regular political organization. Even that party, however, was relatively new to the state’s political neighborhood. Formed in 1862, the Conservatives gained an immediate victory when Buncombe County native and colonel of the 26th North Carolina Infantry, Zebulon B. Vance, ascended to the governorship that year. His election marked a turning point in the war for North Carolinians, many of whom viewed Vance as the moderate or possibly even the antiwar alternative. Even as it became clear that Vance was a committed Confederate, his 1862 victory and 1864 reelection cemented these former Whigs’ domination of that party.⁵

The conservative Party that emerged out of the war, though, was not the same party it was in 1862. Frustration with central Confederate policies and war weariness splintered the Conservative ranks by the war’s third year, with some members joining outspoken newspaper editor William W. Holden’s peace movement. Other Conservatives stuck with Governor Vance, who steadfastly vowed to fight the war to its conclusion. Once the war ended, however, the Conservatives turned back the clock to their previous conditional Unionism from the secession crisis. Faced with a frustrated and exhausted population, Conservatives distanced themselves from the war effort.⁶ Secession had forced Unionist-Whigs to choose between the Union and

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⁶ Ibid. Merrimon quoted by Kruman on page 258.
their state, and they had felt that refusal to serve their state would shame them and their families. They distanced themselves from the unpopular conscription and anti-civil liberty policies of Jefferson Davis’s administration. Well-educated and experienced in state politics, they dominated most professional classes and social groups, and, with much of their landed wealth intact, they emerged from the war eager to restore the antebellum status quo. Neither had the war fully destroyed their Whiggish roots; Conservatives trumpeted many of the same issues that Whigs had previously championed: law and order, guarantee of due process of law, and the preservation of tradition. For those reasons, they also drew some support from the state’s Democrats whose party all but collapsed under the weight of secession and the war. Leadership of the Conservative Party, however, remained firmly in the hands of its wartime leaders who remained somewhat skeptical of Democrats. One Conservative, Allen T. Davidson, a delegate to the state secession convention and a Confederate Congressman, gave clear expression to this alleged continuity between 1861 and 1865. There were two groups, according to Davidson, the secessionists, or “Destructives,” and the “Conservatives” who “had always been for the Union and was for the most cautious and deliberate measures.”

Many Unionists undoubtedly scratched their heads in disbelief at Davidson’s description of himself and his Conservative colleagues as “always” for the Union. William W. Holden fell before the Vance political juggernaut in the 1864 gubernatorial election, but after President Andrew Johnson appointed him provisional governor on May 29, 1865, the editor moved to

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8 Allen T. Davidson, Amnesty Petitions, roll 38. Davidson owned two slaves in 1860. See the 1860 Slave Schedule for Cherokee County.
legitimize his peace faction and challenge Conservative rule. Holden’s leadership of the Conservative Party’s peace faction garnered him significant influence in western North Carolina. He needed that strength to hold together a diverse opposition group best labeled as “anti-Confederate.” According to historian Otto H. Olsen, North Carolina’s anti-Confederates incorporated “prewar opponents of secession, consistent Unionists and wartime peace advocates, reform-minded yeomen and artisans, upper-class moderates and realists, regional representatives seeking some shift in state policy and power, and whites especially receptive to some degree of racial equality, nationalism, or the principles of free labor capitalism.” Each of these disparate elements shared an acceptance of federal demands as the surest means of achieving a speedy reunification and each of these classes of citizens lived in western North Carolina. The mountain counties’ strong Unionist contingent, however, enhanced its power in the west.9

Burning feverishly beneath this political realignment were lingering wartime hostilities stoked by military occupation. Although Confederate forces surrendered in April 1865, Union troops remained in North Carolina to restore order across the state. Following the war’s end, the Department of North Carolina commander, General John M. Schofield, distributed his 46,000 troops across the state to “disperse [sic] or capture all bands of guerrillas and marauders, and collect all military arms.” William C. Stevens and one hundred men from the 9th Michigan Cavalry arrived in Henderson County on June 6 with Schofield’s instructions in hand. Complaints of wartime assaults and abuse upon local Unionists shocked Stevens. Incoming reports suggesting that the end to wartime violence was out of reach proved no less disturbing as

many Unionists now stood accused of assaults on former Rebels. The soldiers, who relocated into the eastern part of the mountain district, tried to police the region from its county seats. This task often proved too difficult for Stevens’s force due to the region’s poor roads, limited railroad access, and strained communication lines.10

Mountain county residents responded to the presence of these soldiers in ways that reflected their war experiences. Northern troops on detached service in Asheville visited Cornelia Henry’s Hominy Creek farm in Buncombe County regularly. In May, they came in search of her husband. On a second visit, they plundered her home.11 In Burke County, similar ambiguity prevailed as the summer entered its final stages. William Caldwell Tate, a prominent planter and businessperson, felt it was “not safe or prudent” to leave his Morganton home with “so large a Yankee force [sic] here.”12 One of Tate’s prominent neighbors, Alphonso Calhoun Avery, who commanded a Confederate battalion in western North Carolina, opted to avoid such uncertainty. The “information I get from home in the next month or two,” he wrote his wife in October, would determine if they would stay in Burke County. He leaned toward leaving the country or relocating to “some rather remote state” instead of returning home to a potentially hostile community.13

Returning Union veterans and occupying Federal forces combined to foster an uncomfortable environment for former Confederates. Confederate General Robert B. Vance

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12 W.C. Tate to “My Dearest Daughter,” August 27, 1865, Miscellaneous Papers, SHC.

informed his brother, former Confederate governor Zebulon Vance, “we have had some meetings of the people [in Buncombe County]…at which the resolutions passed were of a very bitter nature toward the southern men.”

Avery’s concerns centered upon the death of Austin Coffey, a kindhearted and aged Unionist murdered by one of Avery’s Confederate troops in Watauga County during the war. His fears appear fairly well founded. Rumors circulated that several Union veterans, including Coffey’s stepson the noted Unionist guerrilla Keith Blalock, had threatened Avery and members of his command. Residents feared that returning Union veterans from East Tennessean George W. Kirk’s 3rd North Carolina Mounted Infantry, who Confederates decried as lawless bushwhackers, would seek revenge with the sort of ruthlessness with which they fought the war. To pro-Confederate mountaineers, Kirk and his regiment constituted veritable boogiemen, lurking in the shadows ominously out of sight but never out of mind. Kirk’s men were “acting badly,” Gaither wrote in late September, and he feared that Burke County might again suffer their wrath.

The staunch pro-Conservative Raleigh Daily Sentinel supported Gaither’s warning and blamed Kirk’s veterans for sustained violence in Madison, Henderson, Watauga, Wilkes, Allegheny, and Buncombe Counties.

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14 Robert B. Vance to Zebulon B. Vance, June 10, 1865, in Gordon B. Mc Kinney and Richard M. McMurry, eds., The Papers of Zebulon Vance (Frederick: University Publications of America, 1987, microfilm edition), reel 4. (hereafter cited as The Papers of Zebulon Vance) Vance singled out the resolutions of Reverend Stewart as particularly hostile to former Confederates. In all likelihood, Vance referred to Reverend L.L. Stewart who later represented Buncombe County in the state constitutional convention of 1865 and 1866. Cornelia Henry of Hominy Creek corroborated Vance’s depiction of the meeting as decidedly anti-Confederate. On June 3, 1865, she condemned his role in the meeting and recorded “not an original secessionist in the meeting” as the explanation for the odious proceedings of the meeting. See Cornelia Henry Diary, June 3, 1865, Henry Diary, North Carolina Collection, Pack Memorial Library, Asheville, NC.

15 B.S. Gaither to A.C. Avery, September 29, 1865, Avery Family of North Carolina Papers, SHC; Burgess S. Gaither to “My Dear Sir,” September 29, 1865, Avery Family of North Carolina Papers, SHC, UNC-CH. Austin Coffey was a devout Unionist who instilled a similar devotion in his stepson, Keith Blalock. Although his sympathies for the Union were well known, Coffey's neighbors respected him as a kind, old man. That reputation failed to save him from the brutal violence that plagued western North Carolina. Local Confederates took him captive and murdered him in early February 1865. On Coffey’s demise and his relationship with Blalock, see Trotter, Bushwhackers, 147-8, 152-5.

16 Raleigh Daily Sentinel, September 21, 1865, p. 2.
Matters worsened beyond rumor and incrimination as citizens gathered that August to receive the amnesty oath in Hendersonville. As Unionists congregated in what was likely their first public assembly since the war began, a number of Confederate supporters gathered around them. An older Unionist provided the spark that ignited this explosive political environment. Observing the assembled onlookers, Daniel Case said, “There is a Reb; give him a licking.” That simple declaration ignited a powder keg of suppressed frustration and anger. Three men descended upon a former Confederate, S.M. Fletcher, leveling repeated blows across his body with their walking sticks. Fletcher’s refusal to endure his public chastisement passively sparked a general melee. A few rioters even entered private homes, including the room of a bedridden woman whose husband they threatened to kill. Intimidated local officials—including at least one other Unionist—adopted the better part of valor and chose to fight another day; they did nothing.17

Charged with reorganizing the state government, the new provisional governor sifted through this chaotic environment for men suitable for local office. In particular, he leaned heavily upon the recommendations of “respectable” lawyers, merchants, and successful farmers, who had expressed at least ambivalence toward the war. For the western counties, Holden solicited names from three men: Augustus Merrimon, Ceburne Harris, and Calvin Cowles. In Buncombe County, Augustus Merrimon, a former Whig turned Conservative lawyer, struggled

to prosecute the Confederate officers responsible for the Shelton Laurel massacre and opposed some of the Richmond government’s excesses during the war. Harris was a large landholder near Chimney Rock in Rutherford County, who had served as a lieutenant colonel in the Confederate Home Guard during the war, became disillusioned with the war as it dragged on, and joined his brother-in-law, known Unionist George W. Logan, in the peace movement. Calvin Cowles of Wilkes County was a merchant and Holden’s future son-in-law. Each man briefed Holden on conditions in their portion of the west and suggested local officials, yet they held no formal office of their own.¹⁸

Complaints reached the governor’s desk soon after the ink dried on his new magistrates’ bonds of office. In Buncombe County, one of those magistrates, William Pickens, a sixty-two year old farmer from Flat Creek, expressed his outrage in letters to Holden in mid-August 1865. “Some considerable confution [sic], have & will be Experienced on the Subject of disloyal magistrates in the Co. of Buncombe,” Pickens informed Holden. This was a grave concern for Pickens and other Unionists, who, after four years in ardently Confederate Buncombe County, desired a greater political role for themselves as a reward for their sacrifice. He fumed that “Reason & good Sense dictate to us those who Abandoned this Union for which we Fought cannot Reconstruct it.” From what he knew of his fellow Buncombe County provisional justices, their wartime allegiances offered little encouragement to a Unionist. In particular, Pickens singled out Augustus Merrimon. Whereas Davidson and Merrimon saw no contradiction in

¹⁸ Clarence W. Griffin, History of Old Tryon and Rutherford Counties, North Carolina 1730-1936 (Spartanburg: The Reprint Company, 1977), 319-20; 1860 Census, Rutherford County, 390; 1860, Buncombe County, 239; 1860 Census, Wilkes County, 122. Uniting all of these men was a similar background and status. Harris was a thirty-eight year old who owned $5450 worth of real and $4000 worth of personal estate in 1860. A young lawyer in 1860, Merrimon owned a comparable $7000 of real estate and his personal property was valued at $9100. Cowles exceeded both of them. His vast landholdings were worth roughly $20,000, while his personal estate was a comparable $5295. None of these men suffered terribly from emancipation. Merrimon owned two slaves and Logan owned eleven slaves in 1860. Cowles owned none. See the 1860 Federal Census Slave Schedules for Buncombe, Wilkes, and Rutherford Counties.
restoring conditional Unionists to power after the war, such a policy was tantamount to treason for Pickens. A number of men such as Merrimon “claim to be Loyal now but have been willing Aiders & Abeters of the Rebellion.” Pickens informed the governor that during the war Merrimon prosecuted Unionists, even those who read Holden’s *North Carolina Standard*, so that the prosecutor could “walk by the Iron Cage in Asheville Jaild, & taunt Loyal prisners [sic] Saying it is good Enough for Lincoln men.” “Such we understand to be the conduct,” groused Pickens, “of Marymon the Loyal.”

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Similar issues confronted the northern mountain counties. In the summer and fall of 1865, Calvin Cowles operated in a similar capacity as Merrimon to reorganize northwestern county governments. Watauga County Unionists approved of the magistrates appointed by Holden with one exception: they deemed James W. Council’s selection a “great mistake.” Council, they charged, had promoted secession and volunteered for the Confederate army, but resigned his commission and “shuttered himself in a Shoe Shop” once “the strife became bloody.” While Watauga Unionists were sorely disappointed that Holden did not authorize Cowles to remove Council from office, a Union veteran from Maple Springs in Wilkes County, Martin Lipps, informed Cowles in August 1865 that two of his appointments were unacceptable. Lipps praised the loyalty and qualifications of several of the new officers, but he described one magistrate, Samuel Welch, as “a secessionist from the first of the rebellion & is to the presente [sic] time.” More disturbing in Lipps’s eyes was the appointment of William Church, a “strong Rebel.” Although Church could not serve in the regular Confederate forces during the war due to his being more than fifty years old, he did not sit at home and passively wait out the war.

19 William Pickens to W.W. Holden, August 16, 1865, W.W. Holden Governor’s Papers, NCDAH; William Pickens to W.W. Holden, August 17, 1865, W.W. Holden Governor’s Papers, NCDAH. Pickens was a modest farmer. His real estate was worth $1600 and his personal estate $1400 in 1860. See 1860 Census, Buncombe County, 323.
According to Lipps, Church participated in an irregular effort to “pursecute [sic] his poore but Loyal Neighbours.” Like Pickens in Buncombe County, Wilkes resident Lipps could not fathom how Church could “a gain [sic] be put in power over us who sacrificed all we had for the union.” The alarmed Lipps warned that “not 5 Men in this Region” would allow Church to take office. Should Cowles and Holden fail them, he promised to petition an even higher authority.20

What Holden did not account for was that in the intensely divided mountain region one’s friends and enemies looked so much alike. Loyalty was fluid. To be sure, Unionists tended to band together, but even bonds formed during wartime suppression proved far from permanent. Calvin Cowles worried that he might not win a seat in the convention from his home county of Wilkes. He had tried to follow a middle course consistent with the governor’s policy. “I exclaimed in a short speech,” Cowles wrote his boss, “that you were not simply the Governor of a party but of the whole people & that it would hinder a speedy return to prosperity if the strings were drawn too tight.”21 President Johnson’s reconstruction policy was unequivocal on two levels: amnesty and reorganization. His provisional governors had their marching orders, and, like a good soldier, Holden did his part to execute them. Such moderation carried a price in heavily pro-Union Wilkes County where troublesome cracks within the Unionist ranks emerged. “Designing men” conducted a “desperate effort” to deny Cowles a spot in the convention. After failing to receive commissions as justices of the peace, some Union men moved to oppose Cowles. Although Holden’s embattled ally claimed that opponents appealed to the “vanity” of his disgruntled colleagues, the reality was that such men were frustrated. Unionists wanted to be rewarded for their wartime hardships. Holden’s inability to honor each for his sacrifice (and it

20 Martin Lipps to Calvin J. Cowles, August 5, 1865, Calvin J. Cowles Papers, NCDAH.

21 Calvin Cowles to W.W. Holden, September 4, 1865, W.W. Holden Governor’s Papers, NCDAH.
was impossible for him to satisfy everyone on this score) imperiled the anti-Confederate coalition. As the public face for Holden’s policies, Cowles felt the sting of this grassroots backlash in Wilkes that fall.  

Although modern eyes may read such a contest as mere semantics, it mattered a great deal to western North Carolinians. Once the war ended, Conservatives rushed to reaffirm their Unionist credentials. For Holden, this was not a problem. His agent in Wilkes County, Calvin Cowles, reminded critics that Holden was “not simply the Governor of a party but of the whole people & that it would hinder a speedy return to prosperity if the strings were drawn too tight.”

To mountain Unionists, the real issue was how loyal one needed to be to govern. Writing from pro-Confederate Buncombe County, justice of the peace William Pickens implored Holden to define loyalty as “original” rather than the product of a “new Birth, by virtue of the Amnesty Oath.” He was appalled that an oath rendered former Confederates equal to Unionists who “Faught [sic] that Tigar Seccession from his first Angry growl, I who Refused to bow my head in Submition to the Requisitions, of Confederate Authorities, & yield my comonition [sic] as a Justice of the peace, of which Several of us were proud to believe that when Uncle Sam Returned we would Honerably Resume & Act in our devotion to our countrys good.” To Pickens, sacrifice and struggle proved one’s loyalty and right to govern.

The Unionists’ challenge was to cull political support from all classes of white mountain society under a broad political umbrella capable of defeating the Conservatives. Wartime suffering had led many lower class whites to resent the war, and the anti-Confederates counted

22 Ibid.

23 Calvin Cowles to W.W. Holden, September 4, 1865, W.W. Holden Governor’s Papers, NCDAH.

24 Pickens to Holden, August 16, 1865, Holden’s Governor’s Papers, NCDAH.
upon their support once the war ended. Alexander H. Jones, a consistent Unionist from Hendersonville, reprinted a wartime pamphlet that decried “these cotton lords of creation, who own fifty, a hundred, or perhaps five hundred slaves” who “look upon a white man who has to labor for an honest living as no better than one of their negroes.”25 In order to succeed, however, Jones and other anti-Confederate leaders knew they needed to combine the support of “respectable” white men with this lower class base or else remain saddled with the perception of having betrayed their state and section. They hoped to win the support of the more conservative members of Holden’s peace movement like Leander Sams Gash, who were unsure of the future and indisputably part of the upper echelon of western North Carolina’s white society. An old line Whig, Gash supported Vance as governor in 1862, but he grew frustrated with the Civil War and began advocating peace in 1863. With the aid of this respectable white male swing vote, the western anti-Confederates could potentially seize a greater share of local political offices.26

The petitions for presidential amnesty pouring into Holden’s office gave him reason for optimism regarding his gains among wealthy former Confederates in the mountains. Ladson Arthur Mills of Rutherford County was indisputably a man of means. Prior to the war he had

25 Alexander Hamilton 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 Stereotypers, 1866), 13. Alexander Hamilton Jones (1822-1901) a Mexican War veteran born in Buncombe County claimed he taught himself to love the Union as a child reading about George Washington and other national figures. Jones's interests as a merchant at the outbreak of war led him into politics. He helped organize Unionists in western North Carolina before Confederate authorities captured him. The state's only outright Unionist elected to Congress in 1865, Jones was an influential Reconstruction politician and newspaper editor. William S. Powell, ed., Dictionary of North Carolina Biography (Chapel Hill: The University of North Carolina Press, 6 vols., 1986), III, 312-3. Lower class mountaineers resented the Conscription Act, which exempted one white male on every farm with over twenty slaves, and lower class white women led a handful of bread riots throughout the western counties.

26 Leander S. Gash, 1860 Census, M653_901, p. 360; Olsen, “Prelude to Reconstruction, Part I,” 38, 40-1. Richard Abbott addressed the southern Republicans need for legitimacy during the postwar period. Newspaper editors and other Republicans struggled to gain a sense of legitimacy by a populace that largely viewed them as foreign and forced upon them by the victorious North. See Abbott, For Free Press and Equal Rights: Republican Newspapers in the Reconstruction South (Athens: University of Georgia Press, 2004), 46-7. At the war’s outset, he and his family lived comfortably in Haywood County with Gash’s real and personal property each valued at $15,000. His wife, Margaret, was the great-granddaughter of Waightstill Avery, one of the mountain section’s wealthiest and most distinguished founding figures.
served in both houses of the state legislature as a Democrat because he “honestly believed the best interests of the whole country would be best protected and promoted by the success” of that party. As staunch a Confederate as he was, Mills noted, “the battle has been fought and the South has lost the wager” and he and his fellow Confederates were “morally bound to recognize the supreme authority of the United States.” Men like Mills swore that they now considered the matter settled and wished “to render the [U.S.] authorities…a cheerful and hearty support.”

Other potential anti-Confederates spoke of the overwhelming riptide of secession that pulled many lukewarm supporters—even some outright opponents—toward disunion. In newly formed Transylvania County, John C. Duckworth admitted that the excitement of the times overwhelmed him. As Confederate policies and the “impropriety of the rebellion [sic]” mounted, Duckworth testified that he returned to the “union party and has promptly acted with it ever since.”

An instructive example of these former Whigs’ bizarre trip from reluctant revolutionary to defeated Confederate is Burgess Gaither of Burke County. Like many Unionist-Whigs, Gaither endorsed a wait and see policy through the winter of 1860-1861. When Lincoln took an overt step against the interests of the South, Gaither opined, discussion of the issue could resume. Confederate shells battered the walls of Ft. Sumter in Charleston harbor on April 12, 1861, and the winds of popular opinion shifted so abruptly that men like Gaither felt as if the Confederate cannonade had shaken the earth itself. Unionist-Whigs found themselves engulfed on all sides.

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27 Arthur Ladson Mills, Amnesty Petitions, roll 41. In 1860, Mills ranked as one of the mountain counties’ wealthiest men with real property valued at $40,000 and a personal estate worth $22,000. See the 1860 Census, M653_913, p. 323. It is surely worth noting that the petitions sent to Andrew Johnson were designed to remove the applicants political disabilities and that they would put the most positive spin on their loyalty. In other words, it seems logical that they would tell the hardened Unionist from east Tennessee what they thought he wanted to hear. Nevertheless, this does not entirely dispel their statements to cooperate with the restored United States. In fact, the mountain petitioners seemed frank and sincere in their confessions of cooperation.

28 John C. Duckworth, Amnesty Petitions, roll 38. It appears that Duckworth stayed true to his word and the anti-Confederate coalition assembled by Holden. Governor Holden appointed the Transylvania County resident to the rank of colonel in the reorganized state militia. See General Orders No. 3, State Adjutant General, September 1, 1868, Adjutant General’s Office, Order Book, 1868-1871, NCDAH.
By seceding, North Carolina had redefined Unionism, the previously held guiding principle of Gaither’s political life, as treason. Meanwhile, the Constitution he defended so fiercely against nullification in 1832 and disunion in 1861 declared that aiding an enemy of the United States was also treason. Despite his best efforts, Gaither found himself “placed by the action of others and of the state to decide a momentous question with Scylla on the one side and Charibdis on the other.” In the end, Gaither decided he could not go against his state and the relationships he had spent a lifetime cultivating.29

In the immediate aftermath of the war, at least, many of these men felt obligated to abide by northern terms. A supporter in Salisbury wrote Holden in mid-August 1865 that he had a long political discussion with men from Alexander and Iredell counties, who he found to be “thoroughly devoted to our cause.” These men had suffered insults and abuse from Confederates during the war, his friend informed him, and they were eager to lead the state in a new direction. The level of support for the governor he encountered during his travels actually surprised Holden’s friend. Everyone seemed “highly pleased with your government and yourself.” Most importantly for Holden, much of that support came from the upper crust of white society. “If such is the praise of the ‘betters,’” he wrote the governor, “what must be the satisfaction of the large class of substrata with whom one does not meet on Rail Roads!” Success seemed to be coming the anti-Confederates’ way.30

Further confirmation of the anti-Confederates’ growing strength is evident in the mountain Conservatives’ far less sanguine view of the future. Former Confederates dreaded the

29 Burgess S. Gaither, Amnesty Petitions, roll 39.

30 R.C. Badyn to William W. Holden, August 15, 1865, William Woods Holden Papers, Rare Books and Manuscripts, Perkins Library, Duke University. Although it is unclear exactly who the Mr. Carson from Alexander County was, it may have been John M. Carson, the representative to the state legislature from Alexander in 1866.
possible confiscation of their property, disfranchisement, and other harsh treatment from revenge-minded Unionists and distant policymakers. Walter Lenoir, who faced daunting prospects as a both widower and disabled Confederate veteran, feared that the summer quiet on his Haywood County farm masked a “devilish element” within western North Carolina. In sparsely populated Haywood County, the predominantly poor white men, whom Walter deemed “worthless” and aching to settle old scores, waited for the reopening of the local courts in order “to bring suits for damage.” Poorer Unionists “supposed that every rebel in the land is liable for damages for sustaining the war in behalf of the South.” As a member of the prominent Lenoir family from Caldwell County, Walter had much to lose should his nightmare become reality. Events in neighboring East Tennessee, where Walter believed that William G. Brownlow had created “a living purgatory,” did little to facilitate hope. One local candidate for the coming state constitutional convention, Walter feared, was of the Brownlow stripe. He hoped that his brother’s father-in-law, W.G.B. Garrett, who he deemed “a much more moderate man,” would thwart the “disciples of the Brownlow school of politics” in Haywood County.31

Following the president’s instructions, North Carolinians across the state went to the polls in September 1865 to select delegates to revise the state constitution. The convention was a particularly enlightening political moment because it was the first time since the war that North Carolinians went to the polls in an organized political contest. Conservatives tried to stymie the convention by not voting—and therefore denying it the quorum necessary to convene—but Conservative apathy created a tremendous anti-Confederate opportunity instead. Voters supported a convention, and it opened in Raleigh on October 2. Among western North

31 W.W. Lenoir to Joseph C. Norwood, August 4, 1865, Lenoir Family Papers, SHC. In 1860, Haywood County had a population of 5801, of which only 313 were slaves. The average real property owned by each free individual was $185.45 and the average real estate wealth was $143.89. See 1860 Haywood County census, accessed online at: http://fisher.lib.virginia.edu/collections/stats/histcensus/php/county.php.
Carolina’s delegates were three prominent Union men. Tod R. Caldwell of Burke had supported the peace movement; George W. Logan of Rutherford had represented that peace faction in the Confederate Congress; and Alexander H. Jones of Henderson had preached resistance to the Confederacy in his community and served in the Union army. A second representative from Rutherford County, Ceburn L. Harris, assisted Holden in the reorganization of his county’s local government after the war. The remainder of the mountain delegation spread across the ideological spectrum, with most falling into the anti-Confederate category. Not all western delegates were anti-Confederates, however, as James R. Love, a former Confederate officer and member of a prominent land and slaveholding family, represented the traditionally Democratic Party stronghold of Jackson County.\(^{32}\)

Once the convention settled into business, secession was the first issue discussed, and after much debate, the delegates reached a compromise rescinding the ordinance. With secession repealed, the members turned to emancipation. During the roll call vote on the measure to accept the abolition of slavery in the state, William Baker voiced his disapproval, but the delegate from

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\(^{32}\) Cotton, “Appalachian North Carolina,” 169; Horace W. Raper and Thornton W. Mitchell, eds., *The Papers of William Woods Holden* (Raleigh: Division of Archives and History, 2000), 228-31; J.G. de Roulhac Hamilton, *Reconstruction in North Carolina* (New York: Columbia University, 1914), 120-1. The full mountain delegation was: William Baker for Ashe and Alleghany, E.M. Stephenson for Alexander, Tod Caldwell for Burke, Rev. L.L. Stewart for Buncombe, R.L. Patterson for Caldwell, G.W. Dickey for Cherokee, W.G.B. Garrett from Haywood, A.H. Jones for Henderson and Transylvania, James R. Love for Jackson, Robert M. Henry for Macon, G.W. Gahagan for Madison, Alney Burgin for McDowell, G.W. Logan and Ceburn L. Harris for Rutherford and Polk, George W. Bradley for Watauga, P. Smith and J.Q.A. Bryant for Wilkes, and G. Garland from Yancey and Mitchell. See *Journal of the Convention of the State of North Carolina at its Session of 1865* (Raleigh: Cannon and Holden, Printers to the Convention, 1865), 2, 5-6, 10. Clay County was not among the counties represented, and was probably included with Cherokee County. I found only twelve of the seventeen western delegates in the 1860 census conclusively. I could not positively identify Baker, Garrett, Dickey, and Bryant. Despite their various political backgrounds, the delegates shared comparable class standing. Based on those identified in the 1860 census, the mountain delegates owned an average of $5550 each in real estate and $8004 in personal property. That put each roughly in between the suggestive regional average for identified anti-Confederates and Conservatives. These property statistics are only suggestive. Love himself owned little property, but his father owned more than 40 slaves and over $50,000 in personal property in 1860. Rufus L. Patterson was a manufacturer whose father, Samuel F. Patterson was an equally prosperous farmer in terms of land and slaves. Rufus owned some $20,000 of real estate and $15,000 of personal property in 1860. He owned no slaves, but his father owned 36. Furthermore, slaveholding was not exclusively a Conservative phenomenon; George W. Logan owned 11 slaves himself.
Ashe and Alleghany counties got in line once he realized he alone opposed the measure.\textsuperscript{33} Mountain representatives overwhelmingly supported the repeal of secession, the repudiation of the debt, and slavery’s abolition, which they understood as President Johnson’s preconditions to reunion, and they played prominent roles in accomplishing these goals. Caldwell County representative Rufus L. Patterson and George W. Logan of Rutherford served on the committee that drafted the ordinance to rescind secession, and Reverend L.L. Stewart from Buncombe County helped draft the initial resolution abolishing slavery.\textsuperscript{34}

Once the convention approved both secession’s revocation and emancipation, the convention suspended their session until 1866 and arranged a special election so that the people could vote upon secession and emancipation. Western Carolina voters overwhelmingly approved emancipation and the nullification of secession. Abolition’s electoral victory hid the complexity of the contest in the western counties—even though there appeared to be little correlation between slave population and the results. Each of the largest slaveholding counties approved the ordinances by strong majorities. Some interesting patterns emerge after factoring wartime loyalties into the equation. Black freedom received far from a ringing endorsement in Unionist Cherokee County, where emancipation received a mere sixteen-vote edge. Most surprising was the Unionist stronghold of Wilkes County, whose residents approved the measure by more than 400 votes. In the process, however, Wilkes voters tallied nearly one tenth of the entire state’s negative vote (See Table 2.1). Whether Unionists in these counties believed their

\textsuperscript{33} Hamilton, \textit{Reconstruction in North Carolina}, 120-6; Sidney Andrews, \textit{The South Since the War: As Shown by Fourteen Weeks of Travel and Observation in Georgia and the Carolinas} (Boston: Ticknor and Fields, 1866; reprint, New York: Arno Press and the New York Times, 1969), 156 (page citations are to the reprint edition). Baker formally registered his discontent when he signed a protest written by a Warren County delegate that decried the issues before the convention as unnecessary “to return North Carolina to her position in the Union, and relieve her people from military rule.” See \textit{Journal of the Convention of the State of North Carolina}, 92.

\textsuperscript{34} \textit{Journal of the Convention of the State of North Carolina}, 17, 23-24, 27-29.
Table 2.1. Abolishing Slavery and Rescinding Secession Referendum Election Results, 1865

<table>
<thead>
<tr>
<th>County</th>
<th>Abolition</th>
<th>Rescind Secession</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>For</td>
<td>Against</td>
</tr>
<tr>
<td>Alleghany</td>
<td>48</td>
<td>6</td>
</tr>
<tr>
<td>Ashe</td>
<td>361</td>
<td>5</td>
</tr>
<tr>
<td>Buncombe</td>
<td>435</td>
<td>42</td>
</tr>
<tr>
<td>Burke</td>
<td>396</td>
<td>2</td>
</tr>
<tr>
<td>Caldwell</td>
<td>194</td>
<td>3</td>
</tr>
<tr>
<td>Cherokee and Clay</td>
<td>53</td>
<td>37</td>
</tr>
<tr>
<td>Haywood</td>
<td>261</td>
<td>18</td>
</tr>
<tr>
<td>Henderson &amp; Transylvania</td>
<td>558</td>
<td>0</td>
</tr>
<tr>
<td>Jackson</td>
<td>117</td>
<td>8</td>
</tr>
<tr>
<td>Macon</td>
<td>52</td>
<td>34</td>
</tr>
<tr>
<td>Madison</td>
<td>278</td>
<td>0</td>
</tr>
<tr>
<td>McDowell</td>
<td>197</td>
<td>9</td>
</tr>
<tr>
<td>Rutherford and Polk</td>
<td>658</td>
<td>11</td>
</tr>
<tr>
<td>Watauga</td>
<td>144</td>
<td>9</td>
</tr>
<tr>
<td>Wilkes</td>
<td>705</td>
<td>302</td>
</tr>
<tr>
<td>Yancey and Mitchell</td>
<td>274</td>
<td>0</td>
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<tr>
<td>Total</td>
<td>4731</td>
<td>444</td>
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Percentages

<table>
<thead>
<tr>
<th></th>
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<th>Against</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Percentages</td>
<td>91.4</td>
<td>8.6</td>
</tr>
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</table>

State Totals

<table>
<thead>
<tr>
<th></th>
<th>For</th>
<th>Against</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total State</td>
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<td>3,696</td>
</tr>
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</table>

Percentages of State Total

<table>
<thead>
<tr>
<th></th>
<th>For</th>
<th>Against</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Percentages</td>
<td>97.6</td>
<td>2.4</td>
</tr>
</tbody>
</table>

State Totals

<table>
<thead>
<tr>
<th></th>
<th>For</th>
<th>Against</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total State</td>
<td>19,977</td>
<td>1,940</td>
</tr>
</tbody>
</table>


loyalty exempted them from emancipation or if they simply resented African American freedom is unclear. Most mountaineers expressed their disapproval—or apathy—by not participating at all. Only 5,175 western residents participated in the referendum as opposed to the 10,711 ballots cast in the 1864 gubernatorial election. With less than half the number of voters participating as in 1864, it was hard to view these totals as a popular mandate. The passage of emancipation showed mountaineers’ acceptance, or perhaps more accurately their capitulation on these issues.35

Fresh from the convention, the two political factions transitioned into a campaign for state legislators, national representatives, and governor during the fall of 1865. In the 49th Senatorial District, one anti-Confederate candidate, W.W. Rollins of Madison County, published a broadside detailing his position on the issues of the day. Rollins undoubtedly elicited a variety

of reactions. Having risen to the rank of captain in the 29th North Carolina Infantry, he deserted
the Confederate army and joined the Union’s 3rd North Carolina Mounted Infantry. Reactions to
Rollins varied. Many committed Conservatives and Unionists probably judged Rollins solely on
his wartime service. More mountaineers probably weighed his policies in their decision. One
thing is clear: Rollins placed great importance upon loyalty. He opened his appeal to the voters
by putting the onus for the war squarely on the Conservatives’ shoulders. Neither he nor people
like him, he claimed, were responsible for the war. “Had it not been for the selfishness of your
commanders,” he added, “the struggle would have passed away and western North Carolina have
never felt the realities of the war.” For that reason, he agreed with the president’s Reconstruction
policy, which Rollins interpreted as “protect the masses and punish the leaders.” Such
arguments failed to win a plurality from his constituents, however, as they favored moderate
anti-Confederate Leander Sams Gash of Henderson County instead.36

The anti-Confederate platform—if it could be called such—appeared to be hardening in
the fall of 1865. Regarding the future of the former slaves, appropriations for internal
improvements, and repudiation of the state’s war debt, Rollins expounded relatively typical anti-
Confederate ideas. There was no equivocation in his belief that the United States and western
Carolina were “to be a white man’s government…and that it would be dangerous to the white
race to elevate the freedman to be his political equal.” Like many white mountain southerners,
Rollins was adamant that the best response to emancipation was the freedpeople’s colonization
to Africa. Colonization complimented his stance on the region’s development. Repudiating the

36 W. Wallace Rollins, October 23, 1865, “To the Voters of the Senatorial District, Composed of the Counties of
Transylvania, Henderson, Buncombe, Madison, Yancy, and Mitchell,” Benjamin Austin Papers, Rare Books and
Rollins in the election, 1429 to 852. Gash defeated Rollins soundly in every county of their district except Rollins’s
home county of Madison, where he outpolled Gash 238 to 187.
war debt directed money away from the Confederacy’s failures to finance the mountain section’s future. If that were the case, Rollins felt that “in less than two years the iron horse [railroad] would be a welcome visitor to our mountain village.” The final piece to Rollins’s plan was immigration. Bringing outsiders with “capital and enterprise” to develop the region’s resources would facilitate African Americans’ removal. “As white immigration comes in,” he hypothesized, “the colored population will naturally recede before it, which will continue until an outlet will be an absolute necessity, and the idea of colonization will be renewed.”

The gubernatorial contest pitted provisional governor Holden against Conservative Party candidate Jonathan Worth, with the meaning of Unionism and loyalty in the new postwar order at stake. Holden’s leading role in the wartime peace movement appealed to anti-Confederates, but he did not possess a monopoly on wartime dissent. Worth possessed his own brand of Unionism, for as wartime state treasurer he had the credentials of a loyal Confederate, but he had also cooperated with Holden’s peace movement during the war. This made Worth appear moderate with ties to both the former conditional Unionist Whigs and the anti-Confederates. Although he was moderate, Worth was not able to overcome concerns of many mountain Conservatives who believed that no one but Holden would meet with the federal government’s approval. A disheartened Allen T. Davidson wrote from Franklin that Conservatives would likely “be kept under the ban until Holden and his friends are well provided for.” Such apathy did not capture the depth of Conservatives’ frustrations and anger. As Davidson stated, “I say

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37 Ibid. Hopes for the freedpeople’s colonization were not unique to Rollins. In late 1865, Leander Sams Gash shared with the State Senate pleas from the grand juries of Buncombe and Transylvania counties for either the freedmen’s colonization or strong regulatory laws. See Otto H. Olsen and Ellen Z. McGrew, eds., “Prelude to Reconstruction: The Correspondence of State Senator Leander Sams Gash, 1866-1867, Part I,” North Carolina Historical Review 60, no. 1, (January 1983): 48-9, 52.
Table 2.2. Gubernatorial Election Results in Western North Carolina Counties, 1865

<table>
<thead>
<tr>
<th>County</th>
<th>Jonathan Worth (Conservative)</th>
<th>William Holden (anti-Confederate)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alleghany</td>
<td>39</td>
<td>261</td>
</tr>
<tr>
<td>Ashe</td>
<td>284</td>
<td>472</td>
</tr>
<tr>
<td>Buncombe</td>
<td>424</td>
<td>568</td>
</tr>
<tr>
<td>Burke</td>
<td>218</td>
<td>434</td>
</tr>
<tr>
<td>Caldwell</td>
<td>238</td>
<td>251</td>
</tr>
<tr>
<td>Cherokee and Clay</td>
<td>241</td>
<td>305</td>
</tr>
<tr>
<td>Haywood</td>
<td>282</td>
<td>302</td>
</tr>
<tr>
<td>Henderson &amp; Transylvania</td>
<td>240</td>
<td>658</td>
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<tr>
<td>Jackson</td>
<td>167</td>
<td>276</td>
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<tr>
<td>Macon</td>
<td>188</td>
<td>99</td>
</tr>
<tr>
<td>Madison</td>
<td>29</td>
<td>456</td>
</tr>
<tr>
<td>McDowell</td>
<td>258</td>
<td>270</td>
</tr>
<tr>
<td>Rutherford and Polk</td>
<td>136</td>
<td>558</td>
</tr>
<tr>
<td>Watauga</td>
<td>287</td>
<td>211</td>
</tr>
<tr>
<td>Wilkes</td>
<td>283</td>
<td>883</td>
</tr>
<tr>
<td>Yancey and Mitchell</td>
<td>119</td>
<td>553</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>3433</strong></td>
<td><strong>6557</strong></td>
</tr>
<tr>
<td><strong>Percentages</strong></td>
<td><strong>34.4</strong></td>
<td><strong>65.6</strong></td>
</tr>
<tr>
<td><strong>State Totals</strong></td>
<td><strong>31616</strong></td>
<td><strong>25704</strong></td>
</tr>
</tbody>
</table>


nothing, but lick my chops, and grit my teeth and long to get at them [the anti-Confederates].” 38

When the election finally came on November 9, 1865, the anti-Confederates in the mountains achieved a pyrrhic victory. The mountainous 7th Congressional District favored Henderson County Unionist Alexander H. Jones for Congress and Holden carried most mountain counties in his bid for governor. The state as a whole, however, gave Worth a decisive overall victory (See Table 2.2). 39

Although Worth’s victory revealed the Conservatives’ resurgent strength across North Carolina, Holden’s 65.6 percent of the western counties’ vote confirmed


39 Richard L. Zuber, Jonathan Worth: A Biography of a Southern Unionist (Chapel Hill: The University of North Carolina Press, 1965), 206-8; McGee, “North Carolina Conservatives and Reconstruction,” 119. Holden had hoped that the president might overrule the Conservatives’ victory, but Johnson never intended the election to produce a crop of handpicked officials. Worth and the Conservatives remained victorious statewide. With the Conservatives surging into power across the state, the new state legislature considered former Confederate Senator William A. Graham and Governor Zebulon Vance for the United States Senate. Apathy and low voter turnout also marked the election. In Macon County, Allen T. Davidson believed that Worth’s defeat seemed so likely that he concluded “it is a foregone conclusion that Holden must be elected Gov. for the present without a fight.” See Allen T. Davidson to Zebulon B. Vance, October 22, 1865, The Papers of Zebulon Vance, reel 4.
the strength of the anti-Confederates in the state’s mountain counties. They had favored both
Holden and Jones, the only man elected to Congress in the state who could take the iron-clad
loyalty oath to the United States and the only mountain resident sent to Washington. Despite
Worth’s victory, the election proved the anti-Confederates a force to be reckoned with in the
mountains. During the 1864 gubernatorial campaign, Holden polled 24.4% of the votes in the
mountains. One year later, he won 65.6% of mountaineers’ votes. While it is impossible to tell
how many of those voters were former Democrats, Whigs, or men resigned to Holden’s election,
his totals suggest the growing strength of the Unionist-led anti-Confederate faction in the west.40

While apathy, confusion, and frustration characterized many mountain Conservatives’
feelings toward the 1865 campaigns, the results broke upon them like a sunbeam after a dreadful
storm. “The election of Mr. Worth,” J. Cassius L. Gudger wrote, “was an event that gave me
great satisfaction, and is one of the greatest triumphs of conservatism over Radicalism in the
whole South.” The McDowell County Conservative linked Worth’s victory over Holden and the
anti-Confederates with the heroic charges of Confederate soldiers. Through Worth’s victory,
Gudger saw “traces of the boys who...so gallantly at Richmond Sharpsburg Spotsylvania
Petersburg and elsewhere and gallantly have...stood side by side to gain a victory greater than
any before.” Delighted by Holden’s defeat, Gudger summed up the future of mountain
Conservatives. “There are scores and hundreds of good conservative men” in the mountain
counties “who are loyal to the government of the United States but at the same time are Southern
men and are not ashamed that they were in the ‘Army of Northern Virginia’ or of the part they

40 Connor, ed., North Carolina Manual, 999-1000. Of course, Congress refused to seat the southern delegations to
the Thirty-ninth Congress. According to Augustus Merrimon in Asheville, the low turnout was because “the people
did not want to vote for Holden, and many never heard of Worth.” In Rutherford County, similar apathy existed
amongst the voters. See Max R. Williams, ed., Papers of William A. Graham (Raleigh: North Carolina Division of
Archives and History, 8 vols., 1976), VI, 441, 451.
acted under that glorious old veteran who led them.” It was a perfect valediction to Worth’s victory for former conditional Whigs in the west. Returning to their former loyalty to the United States, they remained proud of their contributions to the Confederacy and deeply opposed to any in their midst who, like Holden, seemed to turn against their state during the war.41

Stymied within the state, many western Unionists, who constituted the ideological core of the anti-Confederate faction, looked to the North and the federal government to offset the Conservatives’ gains. Worth’s defeat in the mountains also intensified local Conservatives’ redefinition of loyalty. Anti-Confederates’ wartime opposition to the Confederacy and their willingness to cooperate with Congress convinced Conservatives that the most ardent Unionists possessed bad character and were undeserving of respect. A prewar political culture that stressed local relationships and a sort of patron-client relationship between the wealthier mountaineers and their poorer white neighbors broke down, as Unionists rallied lower class support and looked outward for help. No longer willing to work with the former governing elite, the mountain Unionists looked for new patrons and asserted their own power. The logical choice was William W. Holden, but when he failed, mountain Unionists appealed to national figures such as Andrew Johnson, Thaddeus Stevens, and others who might prove sympathetic.42

That shift in the political culture of western North Carolina ultimately took a heavy toll on the anti-Confederate coalition. The moderate men, previously willing to abide by northern terms and oppose the restoration of the wartime leadership, drifted toward the Conservatives as the Unionists adopted tactics more in keeping with the national Republican Party. No individual better embodies this transformation than Leander Sams Gash, who, like most anti-Confederates,

felt that the war’s outcome demanded both internal reform and cooperation with the North. His fellow citizens’ halting acceptance of the war’s consequences frustrated the 49th state senatorial district’s first-term senator. Although “our people” seemed slow to learn how profoundly the war had changed their world, the western legislator hoped that “we may learn it the better by its being so hard to beat in to us.” The state legislature followed national and regional affairs closely, and Gash personally felt that unless North Carolinians acknowledged that they must grant concessions to the North, including the right of African Americans to testify in court, the result would be devastating. In early February 1866, he wrote his wife that the federal officials in the state had issued the order forbidding North Carolina’s adoption of a vagrancy law like that enacted in other southern states. A similar fate would befall North Carolina’s black codes, Gash felt, “unless we permit them to testify where their colour is concerned.”

The escalation of the conflict between President Johnson and the Republican-controlled Congress eroded moderate anti-Confederates’ willingness to cooperate with the North. Upon his return to Raleigh in February 1866, Gash followed closely the fate of the national Freedmen’s Bureau extension bill, designed to extend for another year the life of an organization created to supervise and facilitate the South’s transition from a slave to free labor society. Suspense hung over the state legislature in the days leading up to the president’s official response to the bill. Such tension revealed a growing concern about a Congress he felt likely “to pass some very radical measures…in the way of Freedmen and Freedmens rights granting them perfect equality before the law.” When news arrived that Johnson had vetoed it late that month, the Conservatives cheered the president's action.

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44 Ibid., 58, 69, 71.
So did Gash. The president’s veto promised the removal of a major thorn in
Conservatives’ sides and an obstacle to unfettered home rule, and it was, as Gash wrote his wife,
the realization of “our fondest hopes.” North Carolina’s mountain Conservatives increasingly
recognized Johnson as an ally in the restoration of the antebellum political culture that
emphasized the power of wealthy, economically diverse white men. Mountain masters
dominated antebellum politics and hoped to regain their “rightful” place after the war.
Understood in that context, Johnson’s veto was a powerful opening act in what Gash believed
would be a “regular Political war.” Gash’s shift was as much a response to local as national
affairs. He believed that radicalism had infected “what we call our union friends” whom he
believed dreamed of the state’s return “to a Territorial condition thereby secureing [sic] to them
certain offices that they could never reach if left to the people.” Typically opposed to violence,
Gash admitted that, in this instance, “such men ought to be kept where they could do no harm.”
By early March 1866, his drift away from the Unionist had begun.  

Mountain Unionists felt the sting of the Conservatives’ resurgence acutely. Despite
several shared political beliefs, especially regarding internal improvements, Unionists found little
mercy from the resurgent Conservatives. Marion Roberts, a Union veteran from Buncombe
County, informed Thaddeus Stevens in May 1866 that the former Confederates heaped “the most
inhumane treatment and unpardonable insults” upon mountain Unionists who exercised “a great
deal of magnanimity and respect toward the Confederate Soldiers and Citizens of this Country.”

Ibid., 71, 75-76, 84. For Gash, this brewing political war was painfully familiar. With the Confederate war effort
seemingly beyond redemption in 1864, the North Carolina legislature debated whether to act on the peace
movement’s calls for separate state action to stop the fighting and save men’s lives. The session was held in secret,
but it was widely stated that two Conservatives, Zebulon Vance and William Graham, both former Unionist Whigs,
defeated the measure. For Gash, history seemed to be repeating. North Carolina’s fate rested once more in the
hands of people increasingly out of touch with what he felt were the interests of the people. Vance and the war
Conservatives held tight to the Confederacy and determined to fight into 1865, past what Gash felt was any real
possibility of success.
Eight white Henderson County women went to the Freedmen’s Bureau agent in Asheville, Lieutenant P.E. Murphy, at the end of the month seeking protection. Although designed to help former slaves and white southerners adjust to a world without slavery, the Asheville agent represented their nearest access to federal power. They informed him that Confederate sympathizers had burned their homes and threatened their lives because their husbands had fought for the Union. Lieutenant Murphy was a sympathetic, but powerless, friend. Following the dramatic reduction of the military force in the state at the end of 1865, Murphy informed his superiors: “I cannot give them that protection I would like.” He sent letters chastising the offending parties, but Murphy was not naïve. Without troops to back him, he felt little confidence in his ability to preserve order.46

Residents of Buncombe and Burke counties at least had a federal presence nearby. Freedmen’s Bureau agents and federal military stations gave anti-Confederates in those counties a sympathetic ear, an advocate, or even a protector. Without such local support, Unionists and anti-Confederates in the more remote northwestern counties took matters into their own hands. Just as they had during the war, Unionists banded together in order to protect and promote their interests. Union men in Wilkes County’s Trap Hill community again took up arms that summer. Approximately one hundred anti-Confederates in Alleghany County formed a cavalry company in order to assert their local authority. Meanwhile, a Conservative light horse company roamed the county “blustering and Cutting up Generally” and “Defying Any Union man to interfere.” The local police captain informed the commanding general in Raleigh that these horsemen constituted “the worst kind of raiders and murderers during the war.” Their defiance bode poorly

for the future. “They refuse to Muster under the stars and stripes,” the unsettled policeman reported, “and say they are Rebels yet.”

The “Heroes of America” or “Red Strings” as they were known, a secret wartime organization that originated in North Carolina’s piedmont “Quaker Belt,” reorganized after the war to defend Unionists in northwestern North Carolina. General John C. Robinson, commanding the federal troops in state, sent Major Francis Wolcott to investigate conditions in that area late in the summer of 1866. Wolcott rode on horseback through Rowan, Alleghany, Surry, Ashe, and Wilkes counties, finding Red Strings in each county. “Its members were with hardly an exception men loyal to the Government,” he informed Robinson, “and a large majority of them of the poorer Classes of people.” For all extents and purposes, the Heroes fostered little concern in Wolcott. Conservatives, on the other hand, were deeply alarmed. Former Confederates spoke of arming to resist this secret organization, and Wolcott heard several pro-Confederate ministers denounce the Red Strings in their sermons and threaten its members with expulsion from their congregations. The Red Strings’ vows to support the United States Constitution, warn each other of approaching danger, and bring those who wronged their fellow Heroes to justice, threatened Conservatives. When the Gap Civil community in Alleghany County elected a Unionist as captain of their reconstituted militia, Conservative residents angrily formed their own militia. If unchecked, Wolcott felt certain that these former Confederate cavalrmen would soon precipitate violence.

47 A.C. Bryan to John C. Robinson, July 10, 1866, Governor Worth’s Letter Books, NCDAH.

48 Francis Wolcott to John C. Robinson, August 16, 1866, Governor Worth's Letter Books, NCDAH; William T. Auman, “The Heroes of America in Civil War North Carolina,” North Carolina Historical Review 58, no. 4 (October 1981): 329-31, 336-8. Auman speculates that the Heroes of America may have already been active in Wilkes County as early as January 1862, but concludes that they operated in the mountain counties definitively in 1864. Furthermore, he suggests that the Heroes of America became a sort of umbrella organization for dissenters across the state. Wartime rumors suggested that leading mountain Unionists such as Tod Caldwell or George W. Logan used the Heroes to further the peace movement in Burke and Rutherford counties and that it was active in
Conditions in the northwestern counties had a profound impact in state affairs. Governor Worth concluded, “the secret organization commonly called ‘Red Strings’ is being generally revised in this state to favor the Radical Congress and frustrate the policy of the President.” This issue became an obsession for Worth, who was convinced that his opponents would use affairs in western North Carolina to restore military control over the state. The Red Strings evoked a visceral disdain from Conservatives, who charged, that this organization shielded “bad men” who “only joined the society to cloak their acts of wrong and violence” during the war. This alliance between local Unionists, who many Conservatives perceived as traitors to their state, and violent guerrillas underscored the anti-Confederates’ continued disloyalty. Early in the summer of 1866, Judge Merrimon categorized the Red Strings as a lawless element, consisting mostly of deserters and vengeful Unionists siding with the northern Radical Republicans.

A revival among the Red Strings followed the Conservatives’ resurgence, but the political situation remained somewhat hopeful for the Unionists and their allies. The proposed state constitution of 1866 offered a chance for the anti-Confederates to regroup. Conservatives’ failure to block the formation of a convention by not voting (and thereby denying the anti-Confederates the necessary percentage of popular participation necessary to call the convention),

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49 Worth to W.P. Caldwell, September 7, 1866, Governor Worth's Letter Books, NCDAH.

50 Augustus Merrimon to Jonathan Worth, June 7, 1866, Governor Worth’s Letter Books, NCDAH; A.C. Bryan to John C. Robinson, July 10, 1866; William Mason to Jonathan Worth, August 17, 1866, Governor Worth's Letter Books, NCDAH. This problem was not isolated to the northwest either. In Transylvania County, J.M. Hamlen sought Worth's permission to form a Conservative militia unit. Unionists and anti-Confederates dominated the local militia, and Hamlen felt that “the conduct of these men (one excepted) is so far from being commendable, that in forcing men of Southern Chivalry, though of undoubted authority, to subject themselves to their authority, will result in serious consequences.” See J.M. Hamlen to Jonathan Worth, February 26, 1867, Jonathan Worth Papers, Private Collection 49, NCDAH.
gave their opponents a tremendous representative advantage. Their domination of the convention allowed them to include the concessions demanded by President Johnson, but also to attempt a redefinition of the state’s political structure in their favor. The most significant change, the white basis of representation for the lower legislative house, favored western North Carolina. Sought by upcountry delegates throughout the South in the postwar period, the white basis meant that the white population alone would determine representation in the state's lower legislative house. Previously, the state mirrored the national constitution in counting African American slaves as three-fifths of a person toward representation. Now with slavery destroyed and the freedpeople ignored completely, eastern North Carolina stood to lose a great deal of its representative power gained through counting the slaves.51

Delegates’ adoption of the white basis created a more equitable distribution of power in the state's political system between the whites of the eastern and the whites of the western counties. The exclusion of the large number of African Americans in the central and eastern parts of the state from the basis of representation frightened state Conservatives. Although the eastern counties would retain a white population majority and therefore greater representative power, they feared that empowering the region where the anti-Confederates were the strongest would increase their relative strength within the state and jeopardize the Conservatives’ recent gains. To avoid such a shift, eastern delegates supported an alternate form of representation based on aristocratic privilege. Based on the assumption that freedpeople needed representatives

51 Hamilton, *Reconstruction in North Carolina*, 172-3; Escott, *Many Excellent People*, 105; and Foner, *Reconstruction*, 194-5. The proposed constitution also provided for the reduction of property qualifications for state officeholders, the transition from appointive local positions to elective, and a stay law against the collection of debts accrued from the war. See Lancaster, “The Scalawags of North Carolina,” 141-2. In 1860, only 15,194 of western county residents were African American slaves compared to the 315,865 living in the rest of the state. With emancipation, the rest of the state stood to lose 189,519 "people" or roughly 50,000 more than the total 1860 population of western North Carolina.
familiar with their needs, this countermeasure counted the African Americans toward the
distribution of offices in the lower house, although it barred them from voting or holding office.
This way the wealthy former slaveholders of eastern North Carolina would represent them in the
state government. The anti-Confederate majority defeated this counterproposal.  

On August 2, 1866, over forty thousand North Carolinians went to the polls to voice their
opinion on the new constitution and to elect a new governor. Over 85 percent of mountain voters
approved the constitution, reflecting both the strength of the anti-Confederates and the bipartisan
support for democratic reform in the mountains as well (See Table 2.3). Besides the white basis,
the new constitution also made a majority of governmental offices, including powerful local
positions, elective and generally helped lay the groundwork for future changes. Historian Paul
Escott has argued that the battle over the 1866 constitution represented an attempt to define the
extent of white democracy in North Carolina following the war. Since the anti-Confederates
played such a prominent role in drafting the constitution, it seems logical that their mountain
supporters contributed a large proportion of the positive vote. In fact, the number of positive
votes for the constitution paralleled the totals Holden earned in the 1865 gubernatorial election.
Several prominent mountain Conservatives, sensing a way to increase their own power, also
endorsed the constitution. Northern journalist Sidney Andrews noted that only one
representative, former Confederate colonel James R. Love of Jackson County, addressed the
convention on the issue. In a speech lasting roughly one hour, Love endorsed the white
population as the basis of apportionment.  

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52 Escott, Many Excellent People, 105-6; Hamilton, Reconstruction in North Carolina, 172-3.
53 Escott, Many Excellent People, 105, 109; Richard L. Zuber, North Carolina During Reconstruction (Raleigh: North Carolina Department of Archives and History, 1969), 15; and Andrews, The South Since the War, 167. To be certain, however, not all mountain Conservatives supported the proposed constitution. Theodore F. Davidson noted that many Conservatives in Asheville opposed the constitution “on account of the appropriation clause, and I understand many votes will be given against it in the western counties for the same reason.” Yet even Davidson
Table 2.3. Constitution Referendum Election Results in Western North Carolina Counties, 1866

<table>
<thead>
<tr>
<th>County</th>
<th>Accept</th>
<th>Reject</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alleghany</td>
<td>230</td>
<td>129</td>
</tr>
<tr>
<td>Ashe</td>
<td>334</td>
<td>4</td>
</tr>
<tr>
<td>Buncombe</td>
<td>360</td>
<td>256</td>
</tr>
<tr>
<td>Burke</td>
<td>276</td>
<td>201</td>
</tr>
<tr>
<td>Caldwell</td>
<td>354</td>
<td>37</td>
</tr>
<tr>
<td>Cherokee</td>
<td>418</td>
<td>1</td>
</tr>
<tr>
<td>Clay</td>
<td>223</td>
<td>2</td>
</tr>
<tr>
<td>Henderson</td>
<td>417</td>
<td>38</td>
</tr>
<tr>
<td>Jackson</td>
<td>230</td>
<td>32</td>
</tr>
<tr>
<td>Macon</td>
<td>259</td>
<td>4</td>
</tr>
<tr>
<td>Madison</td>
<td>213</td>
<td>19</td>
</tr>
<tr>
<td>McDowell</td>
<td>285</td>
<td>35</td>
</tr>
<tr>
<td>Mitchell</td>
<td>338</td>
<td>14</td>
</tr>
<tr>
<td>Polk</td>
<td>290</td>
<td>30</td>
</tr>
<tr>
<td>Rutherford</td>
<td>806</td>
<td>46</td>
</tr>
<tr>
<td>Transylvania</td>
<td>148</td>
<td>26</td>
</tr>
<tr>
<td>Watauga</td>
<td>190</td>
<td>7</td>
</tr>
<tr>
<td>Wilkes</td>
<td>912</td>
<td>109</td>
</tr>
<tr>
<td>Yancey</td>
<td>213</td>
<td>30</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>6496</td>
<td>1020</td>
</tr>
<tr>
<td><strong>Percentage</strong></td>
<td>86.4</td>
<td>13.6</td>
</tr>
</tbody>
</table>

State Totals: 19,570 accept; 21,552 reject

NOTE: Haywood County's returns were rejected due to their late arrival to the state capitol.


Both sides realized the high stakes heading into the elections. Frustrated in their efforts to gain political control, the anti-Confederate Rutherford Star proclaimed Worth “the great stumbling block to restoration” and expressed the hope that he would refrain from seeking re-election to an office “he cannot fill to the advantage of the State.” Alexander H. Jones’s Henderson Pioneer reprinted these sentiments approvingly in heavily Unionist Henderson County as well. The part of the Star’s editorial that undoubtedly pleased Jones the most was its criticism of the former Unionist-Whigs. Both Jones and the anti-Confederates in Rutherford resented the resumption of power by Worth’s party of “Secessionists and latter day Saints.” These men embodied the fears expressed by William Pickens and other mountain Unionists when reorganizing county governments in 1865; Conservatives who espoused conditional

noted that this resistance would fall short of defeating the constitution. See Theodore F. Davidson to Zebulon B. Vance, August 4, 1866, The Papers of Zebulon Vance, reel 29.
Unionist positions had reverted to their secession crisis Unionism in a sort of born-again loyalty, and the public—especially in the central and eastern counties—put them back in office. Hardcore mountain Unionists denounced these men whose “thirst for office is so great that all sense of duty to the people and the State has fled before their eyes.” Such men lived by the “motto rule or ruin, and it seems at present they are determined on doing both.”

Conservatives expressed equally strong concerns over the outcome of the coming elections on the constitution and for state officers. Augustus Merrimon confessed that the stakes were higher in this election. “If the ‘radicals’ succeed in the fall elections,” he opined mid-summer, “we can’t imagine what may result in the end.” Until his state regained its place in Congress, he feared that they would continue to face continuous harassment from “radicals’ north & south.” It proved to be the Conservatives that had reason to celebrate after the voters cast their ballots. Worth won an even more decisive victory in 1866 than he had the previous winter. He destroyed his opponent, Alfred Dockery of Richmond County, and nearly swept the mountain counties in the process (See Table 2.4). Only four counties gave Dockery majorities as Worth captured over 66 percent of the region’s votes. The message of this election could not have been any clearer to the anti-Confederates. They were losing the support of their moderate allies and the coalition existed more as a singular expression of the Unionist presence in the mountains.

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54 Hendersonville Pioneer, June 27, 1866, 2. (italics in the original). Despite the public bluster, cracks within the anti-Confederates were apparent. Dr. Tyre York, a state representative from Wilkes County, informed Worth in June 1866 that “your vote will be much increased in the west.” He felt that Worth’s opposition embraced a “general repudiation platform,” which he deemed “very obnoxious to our people.” In the 1865 contest, York informed the governor, “your vote was small but this time I feel sure you will carry the county by a handsome majority.” See Tyre York to Jonathan Worth, June 16, 1866, The Correspondence of Jonathan Worth, Vol. I, 630. During the war, York adhered to a rather middle course. As a doctor, he was exempt from active military service, but he also granted medical aid to those men hiding in the mountains to avoid Confederate conscription and Home Guards. See John Crouch, Historical Sketches of Wilkes County (Wilkesboro, 1902), p. ?

55 Augustus Merrimon to George W. Swepson, July 7, 1866, George W. Swepson Papers, NCDAH.
Recoiling from Worth’s reelection, Henderson County Unionists called a mass meeting to vent their frustration. Like the Red Strings in the northwestern counties, Henderson County Unionists recognized that they had lost the postwar power struggles at the local and state levels. A letter to Alexander H. Jones’s *Pioneer* sarcastically noted in September 1866 that Conservatives lived by one governing principle: “Give us (who have spent five years in trying to destroy the Government) the reins of Government and the keys to the public crib, then we will sing Union…all over the land.” Since loyalty was the core of the Unionists’ claims for respect and power within the region, they resented that they had “saved the country from anarchy and eternal ruin; but everything that adheres to this party now, is called radical.” Such frustration was eerily familiar. During the secession crisis, disunionists and their allies painted Unionists as “submissionists” unworthy of respect. After the war, they again branded their opponents as

### Table 2.4. Gubernatorial Election Results in Western North Carolina Counties, 1866

<table>
<thead>
<tr>
<th>County</th>
<th>Jonathan Worth (Conservative)</th>
<th>Alfred Dockery (Anti-Confederate)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alleghany</td>
<td>220</td>
<td>51</td>
</tr>
<tr>
<td>Ashe</td>
<td>512</td>
<td>199</td>
</tr>
<tr>
<td>Buncombe</td>
<td>582</td>
<td>334</td>
</tr>
<tr>
<td>Burke</td>
<td>577</td>
<td>56</td>
</tr>
<tr>
<td>Caldwell</td>
<td>308</td>
<td>44</td>
</tr>
<tr>
<td>Cherokee</td>
<td>299</td>
<td>147</td>
</tr>
<tr>
<td>Clay</td>
<td>129</td>
<td>95</td>
</tr>
<tr>
<td>Haywood</td>
<td>378</td>
<td>207</td>
</tr>
<tr>
<td>Henderson and Transylvania</td>
<td>423</td>
<td>482</td>
</tr>
<tr>
<td>Jackson</td>
<td>404</td>
<td>28</td>
</tr>
<tr>
<td>Macon</td>
<td>334</td>
<td>47</td>
</tr>
<tr>
<td>Madison</td>
<td>271</td>
<td>49</td>
</tr>
<tr>
<td>McDowell</td>
<td>440</td>
<td>108</td>
</tr>
<tr>
<td>Mitchell</td>
<td>116</td>
<td>153</td>
</tr>
<tr>
<td>Polk</td>
<td>172</td>
<td>173</td>
</tr>
<tr>
<td>Rutherford</td>
<td>382</td>
<td>648</td>
</tr>
<tr>
<td>Watauga</td>
<td>282</td>
<td>68</td>
</tr>
<tr>
<td>Wilkes</td>
<td>530</td>
<td>462</td>
</tr>
<tr>
<td>Yancey</td>
<td>333</td>
<td>83</td>
</tr>
<tr>
<td>Total</td>
<td>6692</td>
<td>3434</td>
</tr>
<tr>
<td>Percentage</td>
<td>66.1</td>
<td>33.9</td>
</tr>
<tr>
<td>State Totals</td>
<td>34250</td>
<td>10759</td>
</tr>
</tbody>
</table>

dangerous and undeserving of respect. Backed into a political corner, the Unionists in Henderson County embraced the radical label as their own. “I care not what they call me,” one Unionist opined in a letter to the editor, who also exhorted “the Radicals, or Republicans, or true Union men, stand together and watch, and when the time comes move.” Hold “true Union men,” the letter writer advised, and do “not be deceived by the honeyed words, or fine party names of this intriguing, wire-working, liberty-destroying party.” The alliance between northern Republicans and southern Unionists seemed all but formalized by this point in western North Carolina.56

The last best hope of the state’s Unionists was the Fourteenth Amendment. Anti-Confederates supported the amendment because it was the surest path to reunion. Echoing arguments from across the South and the state, mountain anti-Confederates asserted that the amendment, no matter how odious, would prove better than the future terms its rejection would prompt. Congress would impose racial equality and black suffrage upon North Carolina from above, the Hendersonville Pioneer warned, “unless the Howard Amendment is adopted.” Jones opined that the people needed to make clear to their leaders that their paramount hope was reunion because the Conservatives seemed to prefer remaining outside of it. Knowing that his fellow mountaineers opposed the political equality of black men, he warned that opposition to the Fourteenth Amendment would make such a result inevitable. “Unless the people… vote only for such men as are willing and anxious to return to the Union,” Jones warned, “we will have to

56 Hendersonville Pioneer, September 12, 1866, 3.
stay out, until the very conditions predicted by those who will not move a peg in that direction, are forced upon the people of the State.”

Frustrated mountain Unionists probed for a way to secure Reconstruction on their own terms. Writing from Hendersonville on December 16, 1866, Mary Gash informed her husband that Jones’s newspaper was circulating “petitions to Congress to grant us a new state up here in the Mountains.” In her opinion, Jones and his fellow Unionists seemed to believe that a new state would grant reunion, but also railroads “and every thing else they want almost by maggie [sic].” That was precisely Jones’s intent. The Confederacy was dead, he argued, and with it went “confiscation, tithing and impressments.” No longer could men be hunted “down with bloodhounds” or have their “peaceful homes” pillaged. Yet, Jones asserted that the same party responsible for such wartime policies had regained power in western North Carolina. Resolution, justice, and peace for Union men were impossible under such circumstances. Only a new state where the mountain Unionists could assume power offered them peace and prosperity. “The wise and prudent plan of Congress” offered the best chances of reunion, and Jones called for all “loyal people of Western North Carolina” to sign their names in support of forming a new state. Jones concluded ominously that if a convention based on loyal men’s votes could not be had to form a new state, then by the same loyal basis “the whole State be reorganized on the same basis as proposed for the new.”

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57 Hendersonville Pioneer, October 3, 1866, 2. Southerners often referred to the Fourteenth Amendment as the “Howard Amendment,” so called because of Michigan Senator Jacob Howard’s role in guiding it through the United State Senate.

58 Olsen, “Prelude to Reconstruction, Part II,” 238.

59 Hendersonville Pioneer, December 18, 1866, 1. The idea of a separate mountain state was not new. During the secession crisis, the opponents of immediate secession discussed the idea of a central Confederacy or even a state comprised of the mountain sections of East Tennessee and western North Carolina. Neither went beyond the discussion phase. See Inscoe, Mountain Masters, 235-6. Years later, however, a mass meeting in Henderson County responded positively to what amounted to the secession of western North Carolina from the rest of the state.
A call for a new state was the boldest and most obvious statement of Unionists’ willingness to sidestep state officials in order to gain political power. Conservative state officials dug in their heels against the Unionists and the Fourteenth Amendment. As the state’s Unionists drifted closer to the national Republican Party, mountain Conservatives wasted little time branding their opponents with that party’s racial policy and negative popular image in the South. Jackson County Conservative, Thaddeus D. Bryson, announced his candidacy for reelection to the state assembly based on resistance to “the Radical doctrine of Negro equality and oppression.” Such staunch opposition among the Conservatives convinced Leander Sams Gash that the amendment would find much fertile ground in North Carolina. Barring a foreign conflagration, Gash believed that Congress would resort to “the most extreme radical measures.” While that would certainly be a problem, the bigger threat posed by the amendment was its growing support among Unionists. His letter to his wife betrayed Gash’s intensifying disdain for these men. Gash had reached his political breaking point. Southern Radicals in his opinion were “worse than the radicals North” and increasingly became convinced that there was a conspiracy to “annul the acts of the President and appoint Military Governors for all the rebel states.”

The key issue was the restoration of the Union. “Twenty months have elapsed since the surrender,” the assembly resolved, “and every effort at restoration to the Union has been defeated, mainly through the votes and rebellious temper of the Eastern portion of the State” and “the uniform course and late message of our Governor, and the spirit and actions of the State Legislature, we have lost all hope of being restored to our proper relations in the United States Government.” Desperate times, it seems, required desperate measures.

60 T.D. Bryson to Jonathan Worth, October 1, 1866, The Correspondence of Jonathan Worth, Vol. 2, 807. Bryson’s letter to Worth clearly drew a line between mountain Conservatives and Unionists, but his letter also revealed a key point of sympathy between the factions as well. In his 1865 broadside, W.W. Rollins stood for the continued internal improvement of the west. Bryson agreed. In his letter to Worth, he expressed dismay about Worth’s decision not to support the Tuckaseege & Keowee Turnpike Road. This road had been in the works for many years before the war, and Bryson and his neighbors felt such a strong interest in its completion that he termed Worth’s failure to aid the road’s construction “a damper” on the Conservatives’ prospects in Jackson County. Ibid., 807-808.

61 Olsen, “Prelude to Reconstruction, Part II,” 221.
North Carolina’s legislators—with near unanimity—defeated the Fourteenth Amendment. Only one western state senator, Ceburne Harris, the Rutherford County Unionist who helped reorganize the county government for Holden in 1865, voted for it, while forty-three other state senators rejected it. Reception in the state House of Representatives was little better.62 The amendment’s defeat spelled trouble for the southern states, and all North Carolinians watched national news closely. The passage of the Reconstruction Acts, collectively remanding the states back to near territorial status with an overseeing military presence, marked the fulfillment of their fears. For his family and constituents seeking comfort, Gash had little advice. All he could think was for the people “to go [to] work, mind their own business and let Politicks go to thunder.” Congress’s vindictiveness overwhelmed Gash’s earlier moderation on racial matters as well. With the Reconstruction Acts, he felt it would be best to send “negroes to Congress hereafter and Keep them there until [the North] get their fill of them.”63 When the Supreme Court failed to come to the rescue of the South, Gash resigned himself to Congressional Reconstruction much as he resigned himself to secession. For the second time in less than a decade, Gash braced himself against a “political storm of fanaticism…sweeping over the land.”64

That same “fanaticism” shocked Phineas Horton of Wilkes County. He expected “at any day to hear of the over throw of the Civil government in NC.” Failure to ratify the Fourteenth Amendment had put Worth’s administration on notice. Rumors abounded in Raleigh that “men of high standing in this state that are…going to Washington to present to the radical Congress very alarming reports and petitions,” Horton noted, “saying that the union men cannot have

62 Ibid., 235.
64 Ibid., 360-2.
justice or be permitted to stay in NC.” For Conservatives, this was the realization of their worst fears. Unionists, men whom they largely considered base and unreliable, had the ear of the Congress and seemed determined to align with the federal government at the expense of the constituted state authorities. Moderate men, who had cooperated with Holden during the war and after it as anti-Confederates, went headlong into the Conservative ranks. Their departure precipitated a shift among the Unionists as well, and Holden’s mission to Washington set the stage for the formation of the state’s own Republican Party.65

65 Phineas Horton to E.W. Jones, December 8, 1866, Edmund Walter Jones Papers, SHC, UNC-CH.
Loyalty had been one thing that many white western North Carolinians rarely worried about with their slaves. The Civil War forced them, as it did many white southerners, to reevaluate that situation. After the war, Confederate General Robert B. Vance confessed something few southern whites could admit to themselves: “The colored people were as a rule loyal to the United States Government.” Slavery unraveled throughout the South as thousands of African Americans fled into Federal soldiers’ semi-welcoming arms during the Civil War. Panicked slaveholders struggled to maintain control over their chattel in the face of an invading Union army and increasingly freedom-minded slaves. Owners in lower elevations sent their slave property into mountain sections removed from active war zones, hoping to place their most valuable property beyond the Union army’s reach. This meant that as the South’s peculiar institution groaned under the burden of civil war, the predominantly white mountain counties’ black population grew. It also revealed the serious flaws in white slaveholders’ calculus. If they expected western North Carolina’s rugged topography to insulate their property from outside influence, they were wrong. The allure of freedom effected enslaved men and women in the mountains as much as it did elsewhere.¹

Disloyalty among their slave population was a difficult lesson for western whites to learn, at least partly due to the differences between Appalachian slavery and the institution as it

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¹ Isaac Garrison, Southern Claims Commission Case Files, Allowed Claims, Record Group 217, NARA College Park.
operated in the piedmont and coastal sections of the South. To be certain, white supremacy was as inviolable an ideal in the mountains as it was throughout the rest of the South. White men sat atop the social hierarchy throughout western North Carolina as they did elsewhere in the state, the South, and the country. In practice, mountain masters differed somewhat from their piedmont and lowcountry counterparts. Unable to depend exclusively on staple crops to make slavery profitable, mountain slaveholders engaged in land speculation, animal husbandry, mining enterprises, even tourism in order to employ their slaves profitably. African American mountaineers shared in the distinctive form of slavery practiced in the highland counties as well. Slaves enjoyed much great mobility in western North Carolina, largely due to their employment in the growing tourism industry where they led guests on hunting trips and scenic tours and waited on them in resorts. Due to their comprising a mere 10.2 percent of the western counties’ population, slaves also generally fared better at their masters’ hands. Some counties like Watauga barely had a black population of 5 percent, while others such as Burke, McDowell, and Rutherford had African-American populations of over 20 percent. Rarely did mountain masters sell slaves outside of the region or divide families through sale. In cases where they hired their slaves out to other whites, mountain slaveholders maintained a great interest in their slaves’ well-being. Poor treatment by a nonslaveholding white renter often elicited community action against the offender.2

2 John C. Inscoe, Mountain Masters: Slavery and the Sectional Crisis in Western North Carolina (Knoxville: University of Tennessee Press, 1989), 61-62, 68-70, 72, 74-6, 88-92. James Henry Greenlee was a typical mountain slaveowner. On his McDowell County farm, Greenlee’s slaves devoted half of their labor to agriculture. Beyond the fields they worked on the farm’s fencing, roads, and other construction or maintenance needs. If he could not find full employment on his own farm, Greenlee employed his chattel in mines, on public works such as the Western North Carolina Railroad, or in a specific skill. Western North Carolina had a total population of 119,243 in 1860, and African-American slaves made up 12,183 of that. Burke County had the highest concentration of slaves in 1860 at 31.6 percent, while Watauga County was only 2 percent enslaved. See Inscoe, Mountain Masters, 61.
Scholars now agree that the redefinition of the South’s labor system and African Americans’ civil rights were central to Reconstruction, and they have expanded our knowledge of the nature of these struggles greatly in recent years. Attention to gender, religion, and community dynamics has improved our understanding of the postwar period. Historians have explored the new meanings of labor and community among blacks as well as the impact of their emancipation within the plantation household after the war. African Americans’ agency has become a central theme in Reconstruction historiography. Their efforts to reunite their families, secure education, and negotiate the best labor terms they could with white landlords demonstrated the collective will of a formerly enslaved people to claim their freedom. In terms of labor, scholars generally agree that sharecropping emerged during the postwar period as a compromise between white proprietors and black workers giving the land owner control over the use of his land and the cropper control over his family’s labor.3

These same issues of labor, familial autonomy, and civil rights played out in western North Carolina as well. As historian John Cimprich observed in East Tennessee, the more personal bounds of Appalachian slavery led to significant class antagonism among whites, a hope for African Americans’ colonization out of the United States, and legal oppression of the

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former slaves once slavery ended. Neither African Americans’ petitions for equality nor an active Freedmen’s Bureau in Knoxville could overcome these obstacles. Across the border, affairs in western North Carolina roughly paralleled affairs in East Tennessee, but scholars have not yet fully come to grips with the effects of emancipation—both for the former slaves, their masters, and in terms of labor both in the household and beyond—in the southern mountains. Subtle differences between the broader southern narrative and that of the highland South are apparent.4

In general, the adjustment from slave to free labor took place quicker in western North Carolina, where prevalent prewar tenancy provided a model that smoothed the shift from slave to free agricultural labor. Economic historian Gavin Wright has argued that after the war southern landowners shifted from labor lords to land lords. In short, mountain masters had always been landlords and this economic condition allowed black mountaineers to become tenants, sharecroppers, or collect wages that put them on an economic level comparable to many white highlanders. Emancipation also permitted former mountain slaves to pursue education, legal equality, and familial autonomy like their counterparts elsewhere in the southern United States. For mountain masters who viewed their mastery in truly paternalistic terms, freedpeople’s assertions of freedom proved jarring. Former mountain masters concluded contracts with their former slaves that established the freedpeople as laborers or subordinate tenants, but when the issue became one of equality—whether in rights or material condition—mountain race relations could be startlingly quick in turning violent.5

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5 The labor lords to landlords transformation is detailed in Gavin Wright, Old South, New South: Revolutions in the Southern Economy Since the Civil War (New York: Basic Books, 1986).
Emancipation prompted jubilation among black mountaineers who left in search of a new life. A young boy during the war’s final days, George Robertson witnessed African Americans embrace freedom in Asheville. What the young white man remembered most was the former slaves’ seemingly universal desire to leave their bondage behind. “Hundreds and hundreds of the freedmen and women and children in an almost interminable procession” passed as “a homogeneous mass” through the Buncombe County seat, he noted, in the wake of the Federal soldiers who sacked the town in late April 1865. Atop a ragged old horse rode an elderly black woman, her possessions piled beneath her on the animal’s back, shouting “Glory, glory! We’s free, we’s free. Glory halleluia!” Others tramped alongside, singing and laughing as they moved westward toward the “ecstasy of their freedom.” Perhaps it was because the Union forces in East Tennessee were closer than those in eastern North Carolina or because that was the direction in which the blue-clad troops had gone, but on they marched leaving slavery behind like “some great bugaboo, or some pestilential breath for the purer air of freedom.”

The war’s end was no less emotional for whites who believed in the justness of slavery and the supremacy of their white skins. In the Robertson household, there were three slaves. The house servants, a boy and a girl, took flight as quickly as they could. A cook, Aunt Becky, stayed behind and helped the Robertsons hide meat and flour in a closet, which she nailed shut and masked from the scavenging Yankees with a variety of kitchen implements. Robertson believed that she loved his family and could no more bear separation from them than from her own children. Hence, her decision to leave dumbfounded the boy. So sure was Robertson of

6 George F. Robertson, *A Small Boy’s Recollections of the Civil War* (Clover: Published the Author, 1932), 102-3. Robertson was not the only western Carolinian who noted the flow of African Americans across the border to East Tennessee. Sarah Lenoir, a member of the wealthy Lenoir family of Caldwell County, wrote her brother that many former slaves had returned in July 1865 after failing to find better prospects elsewhere and “begged to stay just as they did before the war.” One former slave in particular, a skilled seamstress, returned after she failed to set up a paying shop in Chattanooga, Tennessee. See Sarah J. Lenoir to Brother, July 25, 1865, Lenoir Family Papers, SHC, UNC-CH.
Becky’s devotion and genuine affection for her former owners that years later he still believed that her departure was an act of coercion, and that her resolve to leave for Greeneville, Tennessee came at the behest of others who convinced her that she could not be free living with her former owners.\(^7\)

In Wilkes County, where slaves had constituted 8.2 percent of the 1860 population, the white response to slavery’s end teetered on outright denial. James Gwyn, a prominent landowner and businessperson, trusted so deeply in the paternalistic ethos shared by southern white slave masters that he considered emancipation “a death blow” to African Americans. Cut off from the masters’ medical care, free from their owners’ provision, and devoid of the security slavery provided, Gwyn believed that “in 20 years the race will be almost extinct.”\(^8\) Perhaps hoping to forestall that result, he had previously attempted to bequeath a handful of slaves to his daughter. As the victorious United States celebrated the anniversary of its independence on July 4, 1865, Gwyn attempted to preserve the bondage of two young slave women and their infant daughters. There is a small hint in his passing the property to his daughter, Julia, that Gwyn feared it might not last. The deed’s final line stated that they would remain Julia’s property “forever or so long as they shall remain in Slavery.” Perhaps Gwyn hoped that there would be some gradual emancipation policy adopted after the war. Regardless, his efforts ultimately came to naught when the state abolished slavery later that year.\(^9\)

In other instances, emancipation and military occupation formed a volatile mixture. Harsh reactions to African American troops’ involvement in the occupation and searching of

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\(^7\) Robertson, *A Small Boy’s Recollections*, 105-6.

\(^8\) James Gwyn Diary entry, July 31, 1865, James Gwyn Papers, SHC, UNC-CH.

\(^9\) Indenture of Property, July 4, 1865, James Gwyn Papers, SHC, UNC-CH.
private homes elicited anger from both white men and women. When word reached Till Morris, a white woman living near Hominy Creek in Buncombe County, that a former slave had directed sticky-fingered federal soldiers to Confederate citizens’ homes in May 1865, she vowed to kill the black man. The war was hard on Morris, whose husband suffered a wound just below the knee in the spring of 1865. Seeking protection in numbers, she enlisted another woman to accompany her in her pursuit of revenge. With her eyes fixed upon Richard, the soldiers’ local slave informant, she snatched the pistol from an occupation soldier, whom she had come to know personally, and took aim at the black man. Had some men not interposed themselves between her and the freedman causing her not to fire, no one knows what Richard’s fate might have been.10

The presence of African-American soldiers’ as part of the military force occupying western North Carolina added what local whites felt was insult to injury. Perhaps Morris felt unsafe with freedpeople roaming about or due to the constant presence of Union soldiers, but she undoubtedly knew of an incident in early May that captured the attention of all living in Buncombe County. Organized in Knoxville just over a year earlier, the 1st US Colored Heavy Artillery followed the French Broad River into Asheville, whose residents remained on edge following the town’s sacking by Union troops in April 1865. As their unit marched toward town, four black men—Alfred Catlett, Alexander Colwell, Charles Turner, and Jackson Washington—wandered off from their column and headed out into the countryside. Whatever they went in search of, they most definitely found trouble at the Garrison farm some ten miles north of Asheville. Accounts differ over what happened next. Buncombe County whites—based upon the testimony of the Garrisons themselves—accused the soldiers of attacking the white family,

most likely in search of food and plunder, and raping young Kate Garrison and assaulting her aged aunt and uncle. Such an outrage could not stand. White men from across the county joined a posse determined to find and punish the black soldiers.¹¹

When the local white party discovered the alleged rapists in the blue-clad ranks, the local population turned to Union General Davis Tillson for satisfaction. The attack appalled Tillson, who had actively recruited black troops during the war. Regardless of the color of his uniform, the West Point-trained Tillson was a military man—and a white one at that—deeply committed to order. White women, whether they spoke with a Massachusetts accent or a southern drawl, must be safe from such a menace. Early in the morning on May 6, a firing squad forced Catlett, Colwell, Turner, and Washington into a line and down to their knees, and executed them in a field just north of Rankin’s tan yard. While it is unclear if he played any part in resolving the affair, former Confederate officer Robert B. Vance noted the soldiers’ execution. He informed his brother, Zebulon, that the four black men were executed on his field and that “we are all wide awake & trying to keep the peace.” The assault and its subsequent punishment sent a clear message to local blacks.¹²


Local whites in Burke County responded to their county’s occupation—and the presence of an armed band of African Americans from East Tennessee—with equal rage late in the summer of 1865. Dr. William Caldwell Tate felt uncomfortable with occupation in general, and especially with the presence of black troops in his town. If Tate ever wondered “why me” as the men searched his home in Morganton, he did not wait long for his answer. A black man in a blue uniform bearing a sergeant’s insignia came forward, saluted, and said, “good morning doctor.” It was Tate’s former slave Dan. Hatred consumed the doctor as he realized “Sargent Tate” had led the band to his doorstep. Dan’s rank and position, not to mention his role in the searching of his former owner’s home, represented a clear inversion of the power relationship between the two men. Tate’s exact response to Dan’s greeting is unknown, but the former mountain master’s feelings poured forth in a letter to his daughter. Unable to act upon his anger when confronted by Dan and his Union comrades, Tate encapsulated the frustration stirred by backing down to a former slave with a single lament: “How I longed to kill him.”

Some mountain whites lashed out violently against their African-American neighbors in the war’s wake. The simplest events could suddenly bubble over with hate and anger. In Alexander County, John Hammer, an African American, went to the Stephenson graveyard to finish digging the grave of Jones M. Brown on May 19, 1865. Seeing Hammer helping dig his son’s grave, William Brown told Harrison Campbell that he did not want “no such a man as [Hammer] was should help to Bury a White man.” As Hammer started to climb out of the grave, Campbell came up and began cursing and punching him. Fortunately for the black man, Campbell missed with most of his punches, allowing him to get out of the ground. Hammer asked for time to gather his coat, and promised to leave without any trouble. He never had that

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13 W.C. Tate to “My Dear Daughter,” August 27, 1865, Miscellaneous Letters, SHC.
chance, as an elderly man, Belt Campbell, rushed forward with a two-foot-long plank in his hand and commenced beating Hammer with it. Two other white men, Thomas Campbell and Harrison Anderson, joined the fray as Belt tossed aside his impromptu weapon. Anderson kicked at Hammer two or three times before lunging at him with his fists, dealing a glancing blow to the back of the African American’s head.14

As Hammer struggled to escape, Anderson and Thomas Campbell yelled threats at him. Leave Alexander County and the state within ten days, they shouted, or die. Solomon Davis approached the scene, he goaded the men to “go ahead” and “give it to him right.” Reaching the wagon, Hammer looked into the back and said something to Anderson. Full of rage, Anderson cursed Hammer as a “damed [sic] old son of a Bitch” for daring to speak to him, and the white man grabbed hold of a sturdy stick, cut to carry the coffin to the grave. Bringing his hands together on the stick, Anderson swung with his full might at Hammer’s head. The stick slammed into the left side of the black man’s head above the ear, felling him “like a Plank” to the ground. Hammer was dead.15

One afternoon in August 1865, Lawson, a freedman working for William Corpening of Burke County, asked what tasks his employer desired him to perform that day. Dismissed without an answer, Lawson went to the landowner’s wife to learn if she had any jobs for him. After another vague response, a disgusted Lawson wondered aloud whether the District Military Commander had work for him. When his wife relayed Lawson’s “insult,” Corpening sought out the black man and, after a heated exchange, shot him in the thigh. The landlord reported the


15 Ibid.
incident to the military authorities, claiming that Lawson offended his wife, complained about his rations, and that he fired at Lawson only as a warning. A military court fined him $500 and sentenced him to ninety days in jail. Due to Corpening’s previous good conduct, age, and weak health, however, the military later reduced his punishment to thirty days and $250. Corpening’s white neighbors reacted with indignation to the military’s interference in a white man’s management of his domestic affairs. One member of his community could not believe such a punishment “only for shooting that negro last summer!!”

Not all former masters experienced the same upheaval that drove Tate and Till to murderous thoughts. Sarah Gudger’s former master, William Hemphill, seemed almost dumbstruck by his slaves’ response to freedom on his McDowell County farm. Standing before his former chattel once the war had ended, a bewildered Hemphill asked whether they even realized they were now free. Decades later, Sarah Gudger chuckled as she described that moment to a Federal Writers’ Project interviewer. For his part, Hemphill expected his slaves to react to the news of their freedom with joy. He also anticipated a prompt exodus of his former slaves—like that seen among the freedpeople in Asheville—even as he hoped that they would stay and work as before. Sarah had her own feelings on what freedom meant. An old slave woman’s warnings that freedom meant little without education deeply influenced Sarah, who decided to assert her freedom cautiously. Instead of setting off down the road to an uncertain future, Gudger opted to remain on Hemphill’s farm for about a year to prepare for her future.

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17 Corneal Pinkney Abernethy to Matilda Abernathy, December 14, 1865, William G. Dickson Papers, SHC. [emphasis in the original]

Sarah Gudger’s response is instructive in terms of African American highlanders’ hopes for the future in the summer of 1865. Like former black slaves across the South, Gudger and other highland slaves included familial autonomy in their definition of freedom. As a slave, Sarah had been unable to visit her dying mother or even to attend her funeral in northern Buncombe County. Gudger asked permission to attend the burial, but her mistress snapped at her to “Git on outen heah, an’ git back to yo’ wok afoah I wallup yo’ good.” Her heartbreak was still palpable decades later as she described “the tears streamin’ down mah face” as she returned to work.19 Family was a priority for blacks no matter where they lived in the South. Wilkes County planter James Gwyn negatively reported African Americans “prowling about, disturbing others who would remain at home,” but the truth was that those black “prowlers” were largely family members searching for their loved ones. Dreams of freedom became thoughts of a stable family life for Sarah Gudger and other freedpeople, so after her year on the Hemphill place she went to stay with her father, Smart Gudger, “long as he live.”20

African Americans across the state assembled in the state capital between September 29 and October 3, 1865 in an effort to codify freedom. The convention, composed mostly of literate ex-slaves with modest landholdings, exhorted the state’s former slaves to educate themselves, work hard, testify in court, and, most importantly, retain peaceful relations with whites. These sentiments represented an effort to act in accordance with anti-Confederate Provisional Governor

19 Ibid., 356.

20 Ibid., 358; James Gwyn Diary entry, July 31, 1865, James Gwyn Papers, SHC, UNC-CH. One of the most important things to keep in mind regarding the end of slavery in the South is that the peculiar institution was not monolithic. African Americans’ experience under slavery varied depending upon their location, the crop they grew, their master and mistress’s temperaments, the type of labor they performed, and other factors too numerous to list. Thus, their reactions to emancipation were similarly diverse. Yet, certain actions occurred frequently enough to form a pattern. First among these was the search for family. Second, the former slaves had to decide whether to stay on their former owners’ land or not. Third, they had to determine how best to care and provide for their families. For more on these responses to freedom, see Litwack, *Been in the Storm So Long*, esp. chapter 4; Foner, *Reconstruction*, esp. chapter 3.
William W. Holden, who told the freedmen that they had to earn their freedom gradually. Regardless of the governor’s plea for patience, some delegates requested the right to vote (but wealthier colleagues’ demands for a limited suffrage based on education and property ownership thwarted them). The delegates ultimately agreed upon the need for suffrage before they reorganized into the Equal Rights League and adjourned.21

Black highlanders played a limited role in this convention. Only Rutherford County sent representatives to the freedpeople’s conference in 1865. Mountain blacks’ low attendance did not indicate a lack of interest in these issues. Distance, high travel costs, as well as inferior transportation and communications systems, assuredly contributed to their low representation. Since slavery remained relatively intact in the mountain counties during the war, it is likely that many ex-slaves did not learn of their freedom, let alone calls for a convention in the state capital, in time for them to attend. Historian Roberta Sue Alexander has argued aptly that black mountaineers also stayed away due to their numerical minority at home. Freedmen rallies in the western counties most certainly would have sparked a strong white response. Overall, it would have been extremely difficult to organize the scattered black community in the mountains and to designate representatives to the state convention. Their lack of attendance also suggests that in the immediate postwar period their minds focused more on securing employment and their families rather than collective action on civil rights.22

Through the final months of 1865, the transition from slave to free labor occurred inside households, in farm fields, and various other settings throughout western North Carolina and the


South at large. Cornelia Henry’s experience is particularly instructive regarding the racial animosity and emotional turmoil unleashed by emancipation within mountain households, where white and black women experienced a hard adjustment to life without slavery. Henry lived comfortably with her husband, William L. Henry, who was thirteen years Cornelia’s senior and approaching forty years old, and their children on a farm in the Hominy Creek community just west of Asheville in Buncombe County. Cornelia had a good life. She had her family and good health, and her husband provided both material and emotional comfort. To insure that the farm and household ran efficiently, he also owned nine slaves in 1860 whose ages ran from fifty-two years to a mere seven years.  

By mid-May 1865, the chaos in Cornelia’s life became increasingly domestic. Union troops continued to plague her and her family, but she grudgingly acknowledged that they posed less of a threat to her family and property as time passed. Although she considered occupation “a wretched state of affairs,” she admitted that the Federal soldiers generally conducted themselves well. Even if blue-clad tormenters were no longer a primary concern, her home remained unstable. Its labor force was in flux. It irritated Cornelia that “the negroes are all doing for themselves about here.” One of her former slaves, Jennie, packed her things and moved to a neighboring farm. Another freedwoman Mollie left the Henrys and resettled in Asheville, joining hundreds of freed men and women in forging a stronger community in the county seat. Still, Cornelia was not completely alone. Even as Jennie and Mollie set off in

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23 Cornelia’s husband owned $45,000 worth of real estate and $22,000 of personal property. See W.L. Henry, 1860 Census, Buncombe County; 1860 Slave Schedule, Buncombe County.
search of freedom, Betsy and Tena did her washing and Matt continued sewing the family’s clothing.  

Unfortunately for Cornelia Henry and other slaveholding mountaineers like her that balance proved fragile. Slavery’s destruction created greater mobility for freedpeople within rural areas as well, which Cornelia learned from the constant movement of African Americans in and out of her life. Cornelia did not know how to deal with the evolving black community in the wake of emancipation. Where she once wailed about Yankee soldiers, she increasingly prayed for deliverance from “enemies” of a different hue. Never before could African Americans set out on their own to attend their own religious services, and Cornelia recoiled when several workers on her family’s farm did just that. The preaching at Sardis Methodist Church drew not a single white person, Cornelia ruefully noted, but “the negroes seem to enjoy their freedom finely.” The independence behind such gatherings bothered Cornelia far more than their religious nature. She was losing control and she despised that fact. When Fannie, one of the black women laboring on the Henry farm, asserted her own wishes, Cornelia denounced her as “a worry some [sic] one” and wished “she was away from here.”  

White mountaineers’ efforts to maintain control over black labor taxed both Cornelia’s emotions and the physical landscape around her. By late May, the “roguish” Yankee soldiers

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24 Henry Diary, May 11, 1865, Henry Diary, Pack Memorial Library, Asheville, NC. Asheville experienced a fair population surge after the war. According to the 1883 city directory, the city’s population grew from 1,100 in 1860 to 1,450 in 1870. No doubt a portion of this growth stemmed from African Americans moving into the county seat. See The Asheville City Directory and Gazeteer of Buncombe County for 1883- ’84 (Richmond: Baughman Brothers, Printers, 1883), 123-4.

25 Ibid., May 14, 1865.

26 Ibid., May 16, 1865.
had withdrawn from town, leaving Cornelia alone with her black “enemies.”27 Clouds of suspicion hung over every interaction she had with African American workers. George, who operated the Henry’s mill, informed his white employers that the mill was failing. Rather than place the blame on the war or the unsettled nature of the postwar economy, Cornelia pointed the finger squarely at George—in whom she never had much faith. She suspected that the “rascal” pocketed the toll himself.28 African Americans were a growing threat to her community’s “peace and safety,” and she wished that the “great annoyance” would follow the retreating Federal soldiers out of town.29

Any sign of independence among black mountaineers frayed Cornelia’s nerves, but her animosity increased significantly when this independent spirit crept into her house. It was one thing for George to be a scoundrel or for some of the female slaves to leave the Henry farmstead, but when black women inside her home—women whom Cornelia had commanded confidently for years—asserted their autonomy, it registered on a personal level. On June 16, 1865, Cornelia did something she had done countless times before. She sent clothing to Tena, one of her most trusted former slaves, to be sewn; Tena returned the pants promptly but unfinished.

27 Ibid., May 23, 1865.

28 Ibid., May 25, 1865. Cornelia’s distrust of George, in particular, was not new. In July 1861, the Henrys discovered that George and another slave had taken wheat from them. Upon being discovered, Cornelia denounced George as “a mean negro as ever went unhung.” See Clinard and Russell, eds., Fear in North Carolina, 30.

29 Ibid., June 6, 1865. The reality of Federal occupation was unpredictable. With major troop deployments in Morganton and Salisbury, only detached portions of those commands moved into the more western counties. General Thomas T. Heath felt that conditions in Madison, Yancey, Watauga, and Buncombe Counties were “such that I did not feel willing to trust my junior officers” to handle, so he went there to assess matters for himself in September 1865. Based on his findings, he sent troops to the counties along the Tennessee border and located a small garrison in Asheville. He also instructed one of his captains to organize the local police, fill it to eighty men, and keep every local man ready to respond to an emergency quickly. Perhaps thinking of the execution of Kate Garrison’s attackers, Heath also vowed to resist the influx of black soldiers from East Tennessee “unless under orders from competent authority.” See Thomas T. Heath to Clinton A. Cilley, September 3, 1865, Record Group 393, NARA.
Tena’s “first time of showing her freedom” elicited such deep disappointment in Cornelia that she determined that her life was “not so sweet as it once was.”

The nature of labor had clearly changed in Hominy Creek, as Cornelia could no longer simply command her African American workers as she pleased. Tena’s returning the pants unfinished was part of what Cornelia deemed “a great change in the negroes.” The former slave mistress viewed freedom as a disease spreading among African Americans. Much of the trouble she had with Rose, an African American, she attributed to Fannie. Like other former masters, Cornelia could not fathom that African American women’s acts of freedom were individual actions. She saw conspiracy everywhere, and she quickly became more hostile and antagonistic toward her female hands. Fannie contaminated Rose, Cornelia believed, and she declared in exasperation on July 9, 1865, “I hate a nig.”

Regardless of her burgeoning hatred and desire for Fannie to leave, she could not mask the sense of betrayal she felt when Fannie finally did depart. Perhaps Fannie found a better work opportunity or maybe she was going to be closer to family, but for whatever reason, she left the Henry family on August 9. The betrayal could not have stung Cornelia more if Fannie had struck her old mistress across the face. Fannie’s departure delivered a fatal blow to Cornelia’s antebellum world. It not only affirmed Cornelia’s belief in African Americans’ inferiority, it led her to solemnly vow: “I never intend to associate with a negro.”

Fannie’s departure reestablished Henry’s sense of order. This is not to suggest that Cornelia’s feelings were unaffected by Fannie’s decision to leave. She continued to denounce

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30 Ibid., June 16, 1865; Ibid., June 23, 1865.
31 Ibid., July 5, 1865; Ibid., July 9, 1865.
32 Ibid., August 10, 1865.
her former slave as a “troublesome piece of African flesh,” but things seemed better to Cornelia once she was gone. Tena was “more willing to do any thing now than ever” in Cornelia’s estimation. Ignoring the fact that African Americans like Tena toiled diligently to support themselves and their families, Cornelia interpreted Tena’s labor in a selfish way. Such efforts were not a sign of freedom in the former slave mistress’s mind; for Henry, Tena’s work ethic was confirmation that she and the other freedpeople found freedom “not such a delightful thing after all.”

Like many former slaveowners, Henry seemed trapped between two worlds. On one day, she admitted her need for black women’s support, and on the next day she wished to be free of all of them. On September 7, she got dinner ready with Tena’s help, while Cela did the washing. As the twenty-eight year old Cornelia moved closer to her thirtieth birthday, she had “never cooked a meal yet by myself and hope I may never have it to do.” Her husband felt no small amount of frustration and shame as his wife rubbed her hands raw over the washboard; he would have liked to keep her free from such labor as she was before the war. If she wanted clean clothes, it was Cornelia’s responsibility to get it done—albeit with Cela’s assistance. At night, she sewed despite “very sore and raw” hands. Almost two weeks later, Cornelia cooked her first meal—no small feat because “there are so many to cook for.” Amidst her new situation, Cornelia went to bed with raw fingers, a headache, and unable to “see the good of abolishing slavery.”

Similar scenarios played out with field laborers in western counties where slavery and African Americans were far less prominent as well. Although comparable in general events, it

33 Ibid., August 25, 1865.

34 Ibid., September 9, 1865. At different times through her journal, Cornelia referred to one freedwoman by two different spellings. For the sake of consistency, I have determined to use Cela instead of Celia.

35 Ibid., September 27, 1865; Ibid., October 15, 1865.
was slightly different due to the numbers involved. Ten percent of Wilkes County’s population was black, which was slightly less than Buncombe County where African Americans represented roughly 16 percent of the population. Haywood County’s population, on the other hand, was just under 6 percent black. When slavery ended, the county had roughly 350 African American residents.\(^{36}\) For that reason, emancipation generated less immediate conflict in such areas.

Walter W. Lenoir, a member of a the prominent slaveholding Caldwell County family who retired from the field after losing his right leg in the Confederate army at Ox Hill, Virginia in late August 1862, sought refuge on his family’s land in Haywood County. Many of Lenoir’s neighbors quickly restored much of the pre-emancipation status quo. Haywood County’s African Americans eschewed the county seat of Waynesville due to its modest size and small black population and attempted to secure employment on local farms instead. This typically meant employment on a white landowner’s terms. As far as Lenoir knew in early August 1865, “nearly all of those that remained in Haywood are still with their former masters on some terms.”\(^ {37}\)

Walter’s brother, Thomas, concluded similar deals with black workers on his own Haywood County farm that summer, and although he decried such arrangements, Walter admitted that his brother did “tolerably well so far.” Only one freedwoman, Mary, left Thomas’s farm, known as “The Den,” after emancipation because she and her mother felt that she “had too much to do.” The rest of the former slaves agreed to work “faithfully & according to my directions until the corn was cribbed.” Beyond the sort of behavioral expectations implied in


“faithful” and “obedient” labor, Tom Lenoir gave his black workers a third of the corn crop, one
ten tenth of the wheat, half of the potatoes, buckwheat, and molasses, their daily food, and the raw
material needed to make their clothing. Tom and other whites in Haywood County may have
seen this as more of the same, but in reality the condition of African Americans had profoundly
changed. After all, Tom Lenoir had never before written “two copies of my promises” and
“signed them before a witness” for black laborers. Neither had he enacted such sharecropping
agreements with African American laborers before. The only potential snag in the agreement
was an influx of other blacks to his property. Lenoir made it clear that “they must not encourage
others to come & settle around me or I would cut loose from the whole concern.” Contract labor
had arrived in Haywood County, albeit with limits. Thomas Lenoir was willing to take the labor
that he needed from the county’s sparse black population, but he did not want to encourage an
influx of other African Americans to his community.38

Walter decided upon a different approach than his brother; he rid himself of all black
workers. For those freedpeople remaining on his property, he offered the same terms they
enjoyed under slavery. To Andy, one of his former slaves, Walter promised to “not drive him off
and his family if they chose to remain on the same terms as heretofore (which were losing ones
by the by to me,) but that I make no other terms with him, that I would neither hire him nor rent
land to him.” Lenoir breathed a deep sigh of relief when Andy relocated his family to a small
rental farm two miles away on Cold Creek. Even then, Lenoir gave his former slaves what
resembled severance pay. Although he hoped Andy would leave, he gave his former slave a
“liberal share” of corn, meat, stock wool, and other farm implements. In essence, Walter gave
his former slave everything he needed to establish himself as a responsible tenant after which he

38 W.W. Lenoir to Joseph C. Norwood, August 4, 1865, Lenoir Family Papers, SHC, UNC-CH; Tom Lenoir to R.T.
Lenoir, August 14, 1865, Lenoir Family Papers, SHC, UNC-CH.
shed “all further responsibility for the maintenance of Africans.” The key to Lenoir’s arrangements, however, was that he was never fully dependent on slave labor. By the summer, Walter had moved into Andy’s old cabin and allowed one of his tenants, Jesse R. Anderson, Jr., to move into his house. Anderson was a middle-aged bachelor whose “industrious, quiet, neat” sister, Ving, lived with him and kept house for her brother as well as their landlord. Also living there was Mrs. Adeline Blalock, “a smart, tidy, good looking, coquettish country lass of seventeen” to help Ving around the house. He brought his corn in, and he discussed hiring another resident laborer and day laborers to make hay. If he needed extra help, in the troubled economic times of the immediate postwar period, Walter found “more white labor about me seeking employment then I have the means to hire.”

Whites across the region negotiated contracts quite similar to those concluded in Haywood County. In Wilkes County, seventy-two year old Lytle Hickerson strove to keep as much of the slave regime in place as possible. During the first week of December, Hickerson signed a labor contract with thirteen black men and women. The agreement gave the African Americans possession of a modest farmstead to use for timber, firewood, and a small garden patch. Hickerson’s terms established a sharecropping relationship between him and his black workers. Most of what they were to grow were foodstuffs—corn, sugar cane, peas, and other crops—and when the contract expired the African Americans were to receive one third of all they grew. To insure their successful production, he provided them with tools and the work stock necessary to work the land. Hickerson expected his hands to perform a wide range of tasks “necessary to keep up a well regulated farm.” He also installed one of the older boys, York, as a

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39 W.W. Lenoir to Joseph C. Norwood, August 4, 1865, Lenoir Family Papers, SHC, UNC-CH. According to Tom Lenoir, the payment W.W. Lenoir made to his former slaves was his “best cow, and over a hundred pounds of bacon, 16 bushels corn, 3 hogs, some tools &c &c.” See Tom Lenoir to R.T. Lenoir, August 14, 1865, Lenoir Family Papers, SHC, UNC-CH.
pseudo driver. Clearly distrustful of African Americans and fearful that once free they might resort to crime or aimless wandering, Hickerson directed York to make sure the other young workers “conduct themselves honestly and truthfully.”

What constituted a “well regulated farm” became clearer when Hickerson turned his attention to his hands’ behavior. The property owner tried to restore as much of slavery through a contract as possible. According to the labor agreement, the freedmen were “to be humble and respectful…and to render cheerfully any assistance…when called upon.” Slavery forbade large assemblies of black people, whether that was in observance of the Sabbath or familial celebrations. If Hickerson had his way, that ban on gatherings would remain in place.

Hickerson’s black workers were “not to permit a collection of colored persons at their house” or to “become noisy, upon any occasion, so as to disturb the peace and quiet of said Hickerson, or his family, or the neighborhood.” “In all things,” Hickerson demanded his workers “to act properly and orderly.” “Refusing, or neglecting to work well, abusing stock, giving impudence to said Hickerson, or his family, stealing or any other misdemeanor” would result in immediate expulsion from Hickerson’s property.

Hickerson’s business partner James Gwyn signed contracts with a number of former slaves to work his own Wilkes County lands in December 1865. Gwyn provided a tract of land at the lower end of his plantation, and instructed the hired hands, Byram and Henderson, what to grow. Their agreement required them to grow corn, peas, pumpkins, sugar cane, potatoes, and other vegetables, but allowed them to grow those crops on as much of the land “as they may

40 Lytle Hickerson labor agreement, James Gwyn Papers, SHC, UNC-CH. In terms of their work schedule, Hickerson’s laborers received Sundays off plus half of Saturday leaving the rest of the day for their own work unless “there is a pressure of work and some part of the crop is likely to suffer.”

41 Ibid.
think proper.” He also allotted a small patch of land for tobacco cultivation, giving them the
opportunity to grow a small amount of a market commodity for their own benefit. Gwyn
expected them to make productive use of the land, and in turn they were to pay him a fixed rent
of 625 bushels of corn and the other foodstuffs. Gwyn retained the right to call upon them for
help whenever he needed it, but such added tasks also garnered pay. Byram tended to Gwyn’s
livestock each morning, save his hogs, which Henderson was to care for as he had as a slave.
Only now Henderson received twenty-five dollars a year in payment. Control over black
families was no longer Gwyn’s; however, Byram did send his nineteen year old son Mason to
live with Gwyn and do small work for him, but he did so on his own volition and on the grounds
that his son earn fifty dollars a year for his work.42

A separate agreement between Gwyn and two freedmen—Payton and Bart—struck a
similar chord. Gwyn granted the men a small patch of land near his grist mill for their families.
Like his arrangement with Byram and his son, Gwyn agreed to pay a cash wage of seventy-five
dollars for the year in either cash or goods, whichever the African Americans preferred.
Payton’s primary responsibility was to help Gwyn care for his stock as well as “all such work as
said Gwyn may desire & direct.” Like Hickerson, he included warnings to be “obedient &
respectful” and do whatever odd jobs may arise for them. Bart boarded at Gwyn’s kitchen and
agreed to perform “any kind of work” Gwyn required “about the house & kitchen” day or night.
In exchange, Bart received a fixed wage of fifty dollars for the year in either cash or provision.
Mindful that Payton and Bart had to feed their families, Gwyn allowed them a parcel of land to
grow all the corn they needed as well as a melon patch. Something about the young black men
worried Gwyn, however, since he reserved himself the right to dismiss both of them without pay.

42 Tenant Agreement between James Gwyn and Byram and Henderson, December 13, 1865, James Gwyn Papers,
SHC, UNC-CH.
The proprietor especially singled out Payton in this regard, threatening to evict not only Payton but also his wife, his mother-in-law, and his children.\textsuperscript{43}

Similar changes in the South’s labor system transpired throughout the region. The future form of southern labor was far from certain in the war’s wake. Many planters attempted to keep their former chattel at work in their fields—either through persuasion, coercion, or misrepresentation—but found that required them to be pragmatic. A region-wide shortage of currency made paying cash wages difficult and African-American workers generally preferred to work for shares of the crop. Sharecropping allowed the black families greater autonomy over the day-to-day labors of each member, with the patriarch exercising greater control over his dependents. Such contracts resembled those agreed upon by the Wilkes County freedmen. They specified the land to be used, what crops to grow, and the exact provisions the cropper would receive from the landowner. Black southerners did not become tenants under such agreements in so much as they worked toward an end settlement and relied upon the planter for provisions. In the end, sharecropping spread throughout the South as a sort of compromise between the African Americans’ desire for autonomy and the landlords’ need for labor.\textsuperscript{44}

Overall, the immediate transition from slave to free labor in western North Carolina went as smoothly as anyone had reason to hope. One major reason for this relatively easy transition was Southern Appalachia’s reliance upon tenant farming and sharecropping throughout the antebellum period. Before the war, many landless upland whites worked for wealthy landholders in exchange for crop shares, fixed rents, or cash wages. Some cash renters worked for a fixed cash or produce wage, and they often brought their own farm tools to the job. Tenants operated

\textsuperscript{43} Tenant Agreement between James Gwyn and Payton and Bart, January 19, 1866, James Gwyn Papers, SHC, UNC-CH.

\textsuperscript{44} Ransom and Sutch, \textit{One Kind of Freedom}, 60-1, 67, 89-97.
more independently from the property owner and brought draft animals and tools to the work, and were able to achieve a level of production that placed them on a material level comparable to small yeoman farmers. Contracting to work parcels ranging from twenty to two hundred acres, tenants often managed to support themselves and their families on their labor agreements.

Sharecropping was another accepted form of antebellum tenantry in the western section of North Carolina. An average prewar mountain sharecropper cultivated small tracts of land for domestic needs, raised livestock, and acquired additional income through hunting and fishing. Landlords frequently provided the sharecropper with much of the workers’ food as well. More typically croppers were a relatively cheap form of labor, who worked on average for a third of the crop.45

The labor agreements on the Lenoirs’ Haywood and Caldwell county farms illustrate these antebellum working conditions. Thirty-nine agreements between white workers and Thomas Lenoir between 1821 and 1858 demonstrated that tenancy in Haywood County was routine. Thomas Lenoir apparently had a standard contract that he adapted to each of his tenants. One common theme on these antebellum agreements was that the tenants all agreed to contribute to the improvement or upkeep of Lenoir’s land. Tenants often agreed to rent Lenoir’s land for shares of the crop. In Caldwell County, where slaves made up 14.5 percent of the population in 1860, William Lenoir proved a bit stricter than Thomas, but his laborers further proved the diversity of antebellum farm labor. In 1845, William had a total of eight sharecroppers, two fixed renters, and day laborers men working to clear the land. Whereas Thomas required his

workers to improve their rentals, William proved stricter. He specifically instructed his tenants in what he wanted them to grow, clear, and build on his property.46

Freedmen concluded deals after the war with the Lenoirs, Lytle Hickerson, and James Gwyn that largely paralleled these antebellum terms. Like the antebellum contracts, the black workers agreed to work for a year and for a combination of payments. Hickerson and Thomas Lenoir paid their hands in a share of the crop, which frequently was the one-third share that the average antebellum white sharecropper received. Gwyn favored set wages for his workers, an arrangement common to the antebellum period as well. Walter Lenoir welcomed his slaves’ departure, but he designed his final settlement to prepare them to become independent farmers. Confident that Haywood County had a surplus of white labor to replace the slaves, Walter Lenoir managed to put together a rather unique labor arrangement on his farm. Once the freedpeople left, he leaned heavily upon a middle-aged white tenant to help him run his farm. This made more sense to the widower Lenoir because his tenant, Jesse R. Anderson, Jr., had with him his sister who cooked and washed for all the residents and another seventeen-year-old woman to help run the household. With one other live-in white laborer and a group of day laborers, Walter conjectured, he could keep his farm productive for the next year or two.47

On the state level, North Carolinians attempted to legally define their ex-slaves’ freedom. Each former Confederate state adopted ‘Black Codes’ that established legal limitations on black freedom aimed at keeping the freedmen in a subservient labor capacity. The first such codes

46 Joseph D. Reid, Jr., “Antebellum Southern Rental Contracts,” *Explorations in Economic History* 13 (1976): 71-9. The number of slaves owned by the family fluctuated during the antebellum period. In 1842, the family commanded roughly 50 slaves. Each of the sons had experience commanding slave labor as well as white tenants, and it seems that they preferred the latter. See Barney, *The Making of a Confederate*, 24-5, 29-30, 39. In 1860, Rufus T. Lenoir owned 2 slaves, Thomas I. Lenoir had 18 slaves, William A. Lenoir possessed 6 slaves, and their father’s estate owned 47 slaves. All of these slaves resided in Caldwell County, except Thomas I. Lenoir’s chattel, which were in Haywood County. See 1860 U.S. Federal Census Slave Schedules. (accessed online at ancestry.com)

47 W.W. Lenoir to Joseph C. Norwood, August 4, 1865, Lenoir Family Papers, SHC, UNC-CH.
passed in Mississippi and South Carolina set the standard for other southern states. These laws generally affirmed freedmen’s property rights, ability to marry within their race, make contracts, sue and be sued, as well as testify in court cases between African Americans. More importantly, they also contained a variety of traps designed to return the freedmen to the plantations. Vagrancy laws threatened blacks with forced labor. Each state also tried to prevent competition over black laborers by making it illegal for white landowners to “entice” black laborers already under contract with higher wages.48

Northern outrage over the oppressive laws passed in Mississippi and South Carolina had a moderating effect on North Carolina’s own legislation in early 1866. Hoping to appease northerners and regain “home rule,” Provisional Governor Holden appointed a committee to study how best to manage the freedpeople and to draft laws for that purpose. The committee advised the state legislature early in 1866 to repeal all laws that addressed African Americans specifically. Legislators adopted some of the commissioners’ recommendations and assigned freedmen many of the same basic rights allowed by the other southern states. Most importantly, North Carolina recognized the legality of labor contracts negotiated between whites and blacks. Like its former sister Confederate states, North Carolina also barred interracial marriage, seditious language, and vagrancy. Of the restrictions imposed on African Americans’ freedom, the limited ability to testify in court proved the most controversial aspect of the state’s black codes. Commission members debated this issue at length before deciding that the freedmen’s unprotected condition and property rights demanded some form of witness rights. Yet,

48 Foner, Reconstruction, 199-201. Such vagrancy laws also played out in the western counties with the larger African American populations. In Buncombe County, Naz Weaver faced a vagrancy charge during the Superior Court’s September 1866 term. Although young and able to work, the white-dominated court charged Weaver with “gaming, sauntering about, without employment and endeavoring to maintain himself by undue and unlawful means.” See J.B. Sawyer, Buncombe Co., August 20, 1866, Buncombe County Criminal Action Records, NCDAH; V.S. Lusk, Superior Court, Buncombe Co., September Term 1866, Buncombe County Criminal Action Records, NCDAH.
freedpeople remained unable to testify against whites in any civil case. Legislators simply could not overcome their belief that blacks were unprepared for the responsibilities of citizenship.49

Mountain whites urged the adoption of the restrictive black codes. In late 1865, Leander Sams Gash shared with the state senate petitions from the grand juries of Buncombe and Transylvania counties for either the freedmen’s colonization or strong regulatory laws regarding former slaves’ freedom. Most whites, whether Conservative or anti-Confederate, disdained any radical change in black mountaineers’ condition. When W.W. Rollins ran against Gash for a seat in the state senate in late 1865, he made his support for the antebellum racial order clear. Echoing the sentiments expressed in the Buncombe and Transylvania residents’ petitions, Rollins advocated colonization to Liberia, which he viewed “as a beacon light, the lamp of hope, for the full redemption of Africa.” This country was “a white man’s government,” Rollins proclaimed, and “it would be dangerous to the white race and the country, to elevate the freedman to be his political equal.”50

Perhaps one reason why Gash defeated Rollins for the state senate was that Gash realized the political importance of upholding some of the African Americans’ civil rights, such as the ability to testify in court. Popular indignation in the North over such regulatory laws convinced


50 Otto H. Olsen and Ellen Z. McGrew, eds., "Prelude to Reconstruction: The Correspondence of State Senator Leander Sams Gash, 1866-1867, Part I," *North Carolina Historical Review* 60, no. 1, (January 1983): 48-9; W. Wallace Rollins, October 23, 1865, “To the Voters of the Senatorial District, Composed of the Counties of Transylvania, Henderson, Buncombe, Madison, Yancy, and Mitchell,” Benjamin Austin Papers, Rare Books and Manuscripts, Perkins Library, Duke University. This sentiment remained prominent in anti-Confederate rhetoric against equal rights for African Americans. In May 1866, A.H. Jones’s Hendersonville Pioneer repeated Rollins’s claims that “this government was formed by white men, and was originally intended for the benefit of white men.” Although “recent events seem to show that it is tending toward negro-superiority,” Jones warned that “the negro is by nature vastly inferior to the white man.” See the Hendersonville Pioneer, June 27, 1866, pp. 1,4.
the anti-Confederates that their state must oblige the northern demands for the legal protection of southern blacks’ rights. These men were also aware that the Freedmen’s Bureau in North Carolina had issued a circular in February 1866 promising to restore jurisdiction to the civil courts only when equal criminal punishments and testimony rights existed for both races. Many white North Carolinians thought if they guaranteed basic rights to the former slaves, the federal government might lift other restrictions on state autonomy. Despite the lure of leaping one more hurdle to unobstructed home rule, the state legislature limited the freedmen’s right to testify to cases involving Native Americans and other African Americans.51

The Freedmen’s Bureau’s presence in western North Carolina was far from certain once the Civil War ended. Created to oversee the South’s adjustment from a slave to a free labor system, the Bureau spread slowly into the South through the final months of 1865. Army officers initially doubled as Bureau agents, but during the massive demobilization in the state the Bureau lost these officials. State Assistant Commissioner Eliphalet Whittlesey struggled to keep his offices posted. When Captain Charles Emery of the 124th Indiana Volunteers mustered out of service in Salisbury in August 1865, Whittlesey bemoaned the loss. Emery had proven an efficient officer and Whittlesey saw no way to replace him. “Only four Regiments of White troops remain in the State,” he informed Bureau Superintendent O.O. Howard, and without Emery, he would be “crippled entirely.” Whittlesey complained that it was almost as if the War Department was toying with the Freedmen’s Bureau. Seeking Howard’s aid in sustaining the Bureau’s personnel needs, Whittlesey reminded him that “our work is enormous” and that the remaining Bureau officials were “overworked, and will soon break down.”52

51 Ibid., 52.

52 Eliphalet Whittlesey to O.O. Howard, August 21, 1865, Freedmen’s Bureau Records, reel 1. Eliphalet Whittlesey (1821-1909) of Connecticut was a Bowdoin College professor turned soldier in the Civil War. Although he enlisted
It had been Whittlesey’s intention to place a Freedmen’s Bureau agent in every county in the state, but he had to change his plans following the “rapid reduction of the Military Force.”

When he could, he kept army personnel in place. Such was the case with Asheville, where he noted that circumstances among the freedmen forced him to continue the Asheville post commander in double duty. To bring better order to the mountain counties, however, Whittlesey appointed Clinton A. Cilley, a Union veteran and member of his staff, district superintendent. It was a massive district comprised of forty counties, including the entire mountain section as well as more piedmont counties on the east side of the Blue Ridge. Once his former staff officer established the Western District office in Salisbury on November 2, 1865, Whittlesey sent instructions to Cilley that reflected the deep trust he had in him. The state assistant commissioner told Cilley to act in accordance with his own judgment, and not always wait for word from Raleigh due to his great distance from the western district. Cilley received the power to establish whatever new subdistricts he might need and to appoint civilians until Whittlesey could grant formal appointments.


53 Eliphalet Whittlesey to Clinton Cilley, October 6, 1865, Freedmen’s Bureau Records, reel 1.

54 October 6, 1865, Freedmen’s Bureau Records, reel 1; Eliphalet Whittlesey to Clinton Cilley, November 16, 1865, Freedmen’s Bureau Records, reel 1. Clinton Albert Cilley (1837-1900) was born in New Hampshire to a family known for its early political opposition to slavery. Cilley fought with the Union in many battles, including Chickamauga for which he received a Medal of Honor. He received appointment as head of the Freedmen’s Bureau in western North Carolina early in 1866. After he left that post, Cilley had an influential career promoting free public education for all and economic development. Paul D. Escott, “Clinton A. Cilley, Yankee War Hero in the Postwar South: A Study in the Compatibility of Regional Values,” *North Carolina Historical Review* 68, no. 4 (October 1991): 405, 409, 426. The Western District included Alexander, Alleghany, Anson, Ashe, Buncombe, Burke, Cabarrus, Caldwell, Cherokee, Clay, Cleveland, Davidson, Davie, Forsyth, Gaston, Guilford, Haywood, Henderson, Iredell, Jackson, Lincoln, Macon, Madison, McDowell, Mecklenburg, Mitchell, Montgomery, Polk, Randolph, Rowan, Rutherford, Stanly, Stokes, Surry, Transylvania, Union, Watauga, Wilkes, Yadkin, and Yancey Counties. See Clinton A. Cilley to Eliphalet Whittlesey, December 14, 1865 (National Archives Microfilm Publication M843, roll 7).
Cilley undoubtedly found staffing the western-most counties in his district frustrating. When the Bureau first arrived in the state, Assistant Commissioner Whittlesey instructed his agents to surround themselves with local citizens of both races in order to earn the people’s trust. The mustering out of volunteer officers, however, undermined the Bureau’s ability to establish a rapport with western North Carolinians. Lieutenant E.A. Harris of the 128th Indiana Volunteer Infantry Regiment commanded the Bureau station at Morganton following the Confederate surrender and, according to Cilley, gave general satisfaction. Yet, Harris and two other agents left the district when their regiments disbanded on March 26, 1866. Nor could the Bureau fill all its vacant posts. Following the Confederates’ surrender, officials recognized that the relationship between blacks and whites in Asheville was deteriorating. Many freedmen were without homes and lacked the capital to rent homes due to a series of crop failures. Still no agent reached Asheville until May 1866. Agents in Rutherford, Wilkes, Caldwell, and Polk counties filed monthly reports irregularly throughout 1866. Congress exacerbated this problem by failing to provide the Bureau with funds to hire civilians. As a result, state assistant commissioners often turned to the army’s Veteran Reserve Corps for additional agents, relying upon the War Department to pay their salaries.

55 Whittlesey circular, October 14, 1865 (National Archives Microfilm Publication M843, roll 31).

56 Clinton A. Cilley to Eliphalet Whittlesey, December 14, 1865 (National Archives Microfilm Publication M843, roll 7); Clinton A. Cilley to Eliphalet Whittlesey, March 26, 1866 (National Archives Microfilm Publication M843, roll 7); Clinton A. Cilley to Eliphalet Whittlesey, May 9, 1866 (National Archives Microfilm Publication M843, roll 7); Western District Semi-Monthly Report, February 28, 1866 (National Archives Microfilm Publication M843, roll 23); Western District Semi-Monthly Report, March 15, 1866 (National Archives Microfilm Publication M843, roll 23); and Western District Semi-Monthly Report March 31, 1866 (National Archives Microfilm Publication M843, roll 23). The shortage of personnel was due to a general shrinking of the occupation force in North Carolina. While there were 43,948 troops in the state in June 1865, there were only 2,209 left the following January. See Mark Bradley, “Blue Coats and Tar Heels,” 65.

57 Bentley, *A History of the Freedmen’s Bureau*, 72-3; Clinton A. Cilley to Eliphalet Whittlesey, December 14, 1865 (National Archives Microfilm Publication M843, roll 7); Clinton A. Cilley to Eliphalet Whittlesey, March 26, 1866 (National Archives Microfilm Publication M843, roll 23); (National Archives Microfilm Publication M843, roll 7); Clinton A. Cilley to Eliphalet Whittlesey, May 9, 1866 (National Archives Microfilm Publication M843, roll 7);
Despite personnel shortages, the few Bureau agents in western North Carolina tried to protect African American mountaineers’ rights. Amid widespread rumors of a possible insurrection around Christmas 1865, conditions deteriorated throughout Cilley’s district. Although the district superintendent put no stock in these rumors, he reported that the freedpeople in Asheville teetered on the brink of homelessness. Many African Americans, he feared, would be without homes that winter unless local whites took them in. Poor crops made starvation seem an equally worrisome possibility. In Cilley’s estimation, the relationship between white and black residents in Asheville was worse than elsewhere in his district. Whites demanded that he disarm local African Americans, but Cilley lacked the authority to do so. In the northern and western counties, there was a smaller demand for freedpeople’s labor but still a fear about insurrection. Neither did the lesser demand for labor seem to affect the preferred contractual terms; throughout the western district African Americans expressed a preference for contracts granting them a share of the crop while whites typically preferred to pay wages. Even after things calmed down by the end of January 1866, distrust remained high.  

Western District Semi-Monthly Report, February 28, 1866 (National Archives Microfilm Publication M843, roll 23); Western District Semi-Monthly Report, March 15, 1866 (National Archives Microfilm Publication M843, roll 23); and Western District Semi-Monthly Report, March 31, 1866 (National Archives Microfilm Publication M843, roll 23); Bradley, “Blue Coats and Tar Heels,” 258. A replacement for Lieutenant Harris in Morganton was found in March 1866. Hannibal D. Norton, a thrice-wounded volunteer officer and brevet major in the Veteran Reserve Corps, had been serving the Bureau in eastern North Carolina where he dealt with a number of violent uprisings and virulent local resistance to the Bureau. The Bostonian had volunteered for Union military service in April 1861, and received wounds at First Bull Run, Antietam, and Fredericksburg. By war’s end he held the rank of brevet major in the Veteran Reserve Corps. See Hannibal D. Norton to Major General Daniel Sickles, May 15, 1867; Letters Received; Records of the Second Military District and Department of the South, Record Group 393; National Archives Building, Washington, DC.

58 Clinton Cilley to Eliphalet Whittlesey, December 14, 1865, Freedmen’s Bureau Records, reel 23; Western District Report, December 15, 1865, Freedmen’s Bureau Records, reel 23; Western District Report, December 30, 1865, Freedmen’s Bureau Records, reel 23; Western District Report, January 30, 1866, Freedmen’s Bureau Records, reel 23. Although whites in Asheville interpreted theft as a crime, the African American community seemed to be pulling together after the war ended. While visiting in Haywood County, Dr. Summey of Asheville told Walter Lenoir that “the negroes who remain with their masters are stealing from them to supply the destitute negroes who have left their former homes and are wandering about unprovided for and improvident.” Whites viewed this simply as a crime; for blacks in Asheville, it was a means of sustaining themselves, their loved ones, and other members of their community. See W.W. Lenoir to Joseph C. Norwood, August 4, 1865, Lenoir Family Papers, SHC.
The Freedmen’s Bureau provided both an influx of federal power into western North Carolina and governmental protection for the freedmen against discriminatory practices at the local level. Bureau officials played a pivotal role in helping freedmen negotiate labor contracts. As affairs calmed after the war, many blacks actually refused to sign contracts without the Bureau’s advice. The agent in Morganton alone helped seventy-seven freedpeople negotiate their labor agreements between December 1865 and January 1866. Blacks also depended on the Bureau to enforce those contracts. White landowners often deprived workers of their salaries, which, at an average of eight dollars a month for black men and five dollars for black women, already ranked the lowest in North Carolina’s Western District. As white and black mountaineers settled their 1865 agreements and agreed to new ones for the coming year in December 1865, the Morganton agent helped settle one hundred ninety-three cases where whites refused to pay black workers. Military officials also helped remedy this situation. Soon after he arrived in Morganton, General Thomas Heath “found great injustice being practiced pretty generally on the freedmen.” Heath forced whites who had forced freedpeople off their land to allow black families to return to their rental homes as allowed in their labor agreements. Even that proved to be a mere stopgap.


60 Semi-Monthly Reports Western District, Morganton Station, December 15, 1865 (National Archives Microfilm Publication, M843, roll 23); Semi-Monthly Reports Western District, Morganton Station, December 30, 1865 (National Archives Microfilm Publication, M843, roll 23); Semi-Monthly Reports Western District, Morganton Station, January 30, 1866 (National Archives Microfilm Publication, M843, roll 23); Semi-Monthly Reports Western District, Morganton Station, March 15, 1866 (National Archives Microfilm Publication, M843, roll 23); Alexander, North Carolina Faces the Freedmen, 101; and Bradley, “Blue Coats and Tar Heels,” 131.
In Asheville, Bureau agent P.E. Murphy proved equally willing to assert his authority to assist black adults in their labor agreements with white mountain landowners. Lieutenant Murphy, whose Asheville subdistrict encompassed Madison, Buncombe, Haywood, and “all counties west” within Cilley’s Western District, struggled to orient himself to his new office in the spring of 1866. He did not have the records of his predecessor and Asheville’s location sixty miles from the nearest railroad rendered communications to Raleigh “very irregular.” In spite of these obstacles, Murphy attempted to secure fair contracts and payment for the black residents of his subdistrict throughout the spring and summer of 1866. The Asheville agent wrote to district head Cilley in support of Adelaide Walker. Murphy was clearly sympathetic in this case. Walker’s husband had performed labor for a white property owner in 1865, but when it became public knowledge that he passed information to Union forces during the war, the community shunned him. Threats and community pressure mounted on the Walkers so dramatically that Adelaide’s husband had to flee to Chattanooga. Walker was poor and had four small children, and due to her husband’s activities during the war she could find no work to raise the money to join her husband. Local whites did not exactly rush forward with offers of relief or employment for a black man who funneled information to the Union army. Asheville’s agent collected wages successfully for fifteen African Americans in May 1866, but the Walkers posed something of a conundrum. He wanted to help the Walkers; doing so, however, required him to collect wages from 1865. Recent national setbacks led him to seek Cilley’s blessing before he acted.61

Child apprenticeship brought the interests of black families, Bureau agents, and white landlords into conflict in the western counties. Apprenticing applied equally to both races

61 P.E. Murphy to Clinton A. Cilley, Field Office Records, May 19, 1866, reel 4; P.E. Murphy to Clinton A. Cilley, May 23, 1866, Field Office Records, reel 4; P.E. Murphy to Clinton A. Cilley, Field Office Records, May 25, 1866, reel 4; P.E. Murphy to Stephen Moore, June 5, 1866, Field Office Records, reel 4.
according to the letter of the law, but in practice it discriminated against the freedpeople. Black girls were apprenticed until they were twenty-one years old, a term exceeding that set for white girls by three years. Apprenticeships reduced the former slaves’ children to dependent charges that labored in return for basic subsistence needs. The law also allowed the apprenticing of children of “lazy” black parents without their consent. By legally judging an African American parent unwilling to work and incapable of caring for their children, landholding whites could wrest control over black children’s labor in the courts. Perhaps the most threatening clause granted former masters first priority in acquiring the bound labor of their former slaves.62

When this conflict turned violent, the Bureau had to get involved. Black men and women who had previously lived apart from their children or spouses or had suffered forced separation, longed to have their families together under one roof. Such autonomy, however, often came at the expense of former masters. Lewis Young and his son William went to the Hominy Creek home of Solomon Luther, who had Lewis’s other son, Balis, working for him. When they arrived at the Luthers’ farm, William went for his brother. As they were leaving no fewer than four members of the Luther family assailed him. Luther’s wife accused the Youngs of taking Balis against his will, and even produced a letter from Lieutenant Murphy allowing the Luthers to keep Balis as long as he wished to stay. As the Luthers and Youngs argued about custody of the boy, Solomon Luther’s daughter, Mary, threatened the black men with a gun. When William Young disregarded the warning, Mary pounced upon him and beat him with her gun. Efforts on

62 Alexander, North Carolina Faces the Freedmen, 44-5; Rebecca Scott, “The Battle Over the Child: Child Apprenticeship and the Freedmen’s Bureau in North Carolina,” Prologue 10, no. 2 (1978): 102-3. The Freedmen’s Bureau’s record on apprenticeship, according to historian Karin Zipf, was confused and inconsistent across the state. She notes a struggle between parents trying to raise their children and control their labor, whites determined to dictate the terms of labor, and a Bureau wedded to free labor mores. While this struggle informed the conflict in western North Carolina, the distance from Raleigh to western agents forced Bureau officials in the mountains to exercise more control themselves. On the relationship between the Bureau and apprenticeship in North Carolina, see Karin Zipf, Labor of Innocents: Forced Apprenticeship in North Carolina, 1715-1919 (Baton Rouge: Louisiana State University, 2005), chapter three.
the part of the boys’ father to intervene resulted in the Luthers assaulting him as well. A local
court looked into the matter, but leveled a single five dollar fine on Solomon Luther for his
attack on Lewis Young.63

Apprenticeship threatened the families that African Americans worked hard to preserve
and reunite after the war, so it was not uncommon for the former slaves to seek the Freedmen’s
Bureau’s help in this matter across the South. How those agents handled the matter was by no
means uniform. The Freedmen’s Bureau’s record on apprenticeship in North Carolina,
according to historian Karin Zipf, was confused and inconsistent across the state. She reveals
that the decision to bind out children produced a struggle between parents trying to raise their
children and control their labor, whites determined to dictate the terms of labor, and a
Freedmen’s Bureau wedded to free labor mores. While this struggle informed the conflict in
western North Carolina, the distance from Raleigh to western agents forced Bureau officials in
the mountains to exercise more control themselves.64

The Freedmen’s Bureau seemingly tried to help black mountaineers maintain the
integrity of their families. On February 21, 1866, State Assistant Commissioner Whittlesey
wrote Samuel Finley Patterson, a prominent Caldwell County former slaveholder, that the
freedmen’s uncertain legal rights made it dangerous “to transfer the business of apprenticing

63 Oscar Eastmond to George A. Williams, March 3, 1868, Second Military District Records, RG 393, NARA; J.M.
Israel to George A. Williams, April 13, 1868, Second Military District Records, RG 393, NARA. This may not
have been the first time Mary Luther found herself in trouble with the law. An indictment from Buncombe County
Superior Court named Luther as a defendant with three men for disturbing a church service at on June 11, 1866.
Luther and her friends allegedly disrupted the service by dancing, petting, talking and laughing loudly, using profane
language, and even pulling clapboards off the school’s roof. In the case of breaking up the church service, Mary and
her friends were found not guilty. See David Coleman, Superior Court, Buncombe Co., Spring Term 1866,
Buncombe County Records, Criminal Action Papers, NCDAH.

64 Litwack, Been in the Storm So Long, 237-8; Karin Zipf, Labor of Innocents: Forced Apprenticeship in North
Carolina, 1715-1919 (Baton Rouge: Louisiana State University, 2005), chapter three.
them [African American children] to the County Courts.” 65  Western District chief Clinton Cilley followed with two circulars of his own on the matter. In his first, Cilley instructed his subordinate agents that apprenticing should be allowed only when the law governing the practice treated black and white children equally. His second message prohibited the binding of any African American child, under any circumstances, without written parental consent. 66  Failure to set a definitive policy on the subject clouded judgment in contested apprenticeships. Often agents relied entirely on their individual judgment, which by the summer of 1866 had strayed from these earlier efforts. Cilley also came to interpret the bonds as legal contracts beyond Bureau regulation. 67

National developments contributed to this change of heart. Early in 1866, Republicans pushed for the passage of two measures securing basic human rights for southern freedmen. The first bill extended the life of the Freedmen’s Bureau and its jurisdiction over the freed slaves and refugees in the United States, and the second defined all people born in the United States (except Native Americans) as American citizens with inalienable rights. President Johnson vetoed both proposed laws, however, claiming that the extension of military jurisdiction, provision for trials without juries, and creation of military tribunals during peacetime were unconstitutional. 68  As it became clear that Congress would override him, Johnson played his trump card and declared the

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65 Eliphalet Whittlesey to Samuel F. Patterson, February 21, 1866, Jones and Patterson Family Papers, SHC; and Scott, “Child Apprenticeship and the Freedmen’s Bureau in North Carolina,” 103. Whittlesey took a little time to come to that decision. Both he and western district chief Clinton Cilley waffled over the propriety of child apprenticeship. See Zipf, Labor of Innocents, chapter 3 (especially pp. 78-9).

66 Western District Circular, February 23, 1866 (National Archives Microfilm Publication M843, roll 7); and Western District Circular, February 27, 1866 (National Archives Microfilm Publication M843, roll 7).


rebellion in the former Confederate states over on April 2, 1866. A day later, the United States Supreme Court ruled martial law unconstitutional in areas where the civil courts operated without obstruction in *Ex-parte Milligan*. Western District head Cilley felt paralyzed by these events. A Democrat himself, Cilley wavered between the constitutional ban of military tribunals in peacetime and his military orders. As a result, Cilley abstained from further exercising his judicial powers. He knew he could not resist a writ of habeas corpus from a civil judge ultimately backed by the president. To Whittlesey on April 7, Cilley summed up Bureau agents’ dilemma: “We are judges without law to support us.”

Murphy had his hands full in Buncombe County as local courts moved to apprentice young black children to white landholders. At times, Murphy settled disputes according to his own judgment, but when dealing with apprenticeship he needed clarification from Cilley on three issues. First, he asked if he could bind children under the age of fourteen when they had no parents. Second, in the case of parents living far from their children, he inquired whether written permission to bind the youths would suffice. Finally, Murphy sought clarification of the fees due the apprentices. He understood the minimum annual sum to be seventy-five dollars, but Murphy was unclear whether he could negotiate higher payments for the black children. The extreme burden on the Bureau’s thin personnel and the distance from Raleigh prohibited Murphy from garnering an early response regarding apprenticeship. Since he first wrote for clarification, Murphy became aware of an order banning apprenticeship in cases where the parents oppose the measure, but he still did not know what to do with children whose parents were “living beyond

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where they can be of any use to the children.” He also added new concerns. What was he to do, he asked, with prewar indentures involving free African-American children.\(^{70}\)

Western District agents acted with uncertainty due to the lack a strong military presence to support them. Appalachian North Carolina’s uneven transportation network further lessened the already small military force’s efficiency and strained communication between agents and their superior officers. Assistant Superintendent Hannibal D. Norton’s actions on behalf of a freedman in Catawba County underscore this problem of enforcement. According to freedman Elijah Connor’s wife, he had been arrested for stealing wool, jailed without a hearing, and given thirty-nine lashes on three separate occasions. Local whites allegedly threatened Connor with additional abuse if his family did not leave the county immediately. During the late summer of 1866, Norton sought advice from his superior and summoned Connor’s landlord for an interview. Without quick responses, Norton feared that delaying longer might prove fatal. He ordered the neighboring whites to allow the black family to harvest their crop undisturbed. When proof of Connor’s larceny conviction in a state court surfaced, General John Robinson, who replaced Whittlesey as Assistant Commissioner, reversed Norton’s action and admonished the agent for his interference. Without the full support of the military, Bureau agents possessed little power.\(^{71}\)

Struggles to secure employment, family, and their rights led more African Americans to take interest in a statewide convention held in the state’s capital. Black highlanders played a minor role in a similar convention held in 1865; in a second meeting a year later, the better organized and more informed black mountain population constituted a larger and more vocal

\(^{70}\) P.E. Murphy to Clinton A. Cilley, May 19, 23, 1866, Field Office, Freedmen’s Bureau Records, NARA 1909, reel 4; P.E. Murphy to Stephen Moore, June 13, 1866, Field Office Records, reel 4.

\(^{71}\) Hannibal D. Norton to Colonel, August 31, 1866, Norton report, August 18, 1866, and John C. Robinson to Jonathan Worth, September 12, 1866, Governor Worth’s Letter Books, NCDAH. Other large areas patrolled by a small military force, such as in Texas and Arkansas, experienced similar difficulties. See Bentley, *A History of the Freedmen’s Bureau*, 161-2.
presence. One hundred and sixteen delegates from sixty counties met at Raleigh’s African Episcopal Church on October 2. Eight western counties sent representatives to Raleigh, most hailing from the larger black population centers of Buncombe, Wilkes, Rutherford, Caldwell, and Burke counties, although smaller black constituent bases in Polk and Haywood counties also made the trip to Raleigh. African American mountaineers did not speak before the convention often, but the concerns they expressed when they did rise before their colleagues centered upon violence. Reverend Alfred Stokes of Wilkes County regaled the assembled delegates with a speech that was “lengthy, humorous and witty.” Burke County representative Thomas Hawkins spoke of a spike in violence in his county. Angry whites had recently shot two African Americans, he said, and the general climate in his county was one of “prejudice and animosity against the blacks.”

The political tone of the black assemblage was not going to allay white fears. Vinson Mickeral of Rutherford County served on the powerful seven-person business committee, which reported resolutions endorsing Congress’s passage of the Bureau extension Act, the Civil Rights Act, and the 14th Amendment. They also praised the men behind those measures, explicitly thanking Thaddeus Stevens, Charles Sumner, Benjamin Wade, Lyman Trumbull, and noted abolitionist Frederick Douglass. The convention also adopted a resolution opposing the apprenticeship of black children without their parents’ consent, which undoubtedly met with broad support west of the Blue Ridge. They thanked the state legislature for receiving their last convention’s petition and passed a vote of confidence in the legislature. Black mountaineers also confirmed their status as southerners by joining in their white neighbors’ opposition to federal taxes without Congressional representatives as unjust. Such lip service, however, was not going

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72 Minutes of the Freedmen’s Convention, Held in the City of Raleigh on the 2nd, 3rd, 4th and 5th of October 1866, 18. (Electronic edition accessed at: http://docsouth.unc.edu/nc/freedmen/freedmen.html)
to divert whites’ attention from the convention’s obvious support for Congress, and in particular the Radical Republicans.\textsuperscript{73}

These political beliefs were not contained in Raleigh. Black mountaineers had been organizing for the past year. Each delegate was to lead in the creation of Equal Rights Leagues when they returned to their home counties. In addition, they adopted resolutions pledging to form joint stock companies and to exclusively patronize African American businesses. The convention encapsulated black mountaineers’ efforts to build their own institutions, of which schools figured most prominently. Many adult African Americans cherished education for themselves and their children. If schools were to be formed in the mountains, however, much of the work of getting them started had to be done by the freedmen themselves. Freedmen’s Bureau Commissioner Oliver Otis Howard, the head of that organization, wrote that the Bureau itself could not sustain schools on its own. Instead, it could help northern benevolent societies provide accommodations for teachers willing to move south and work in black schools.\textsuperscript{74}

Black mountaineers organized schools wherever they could, whether in private homes or public buildings, with or without the Freedmen’s Bureau’s assistance. With the aid of northern charitable organizations, northern teachers, and a few local residents, the freedpeople pursued education in western North Carolina. Fundraisers of various types held by the freedmen earned money to purchase supplies and hire teachers. For instance, blacks in Morganton organized a dinner in February 1866 to raise money for books and school supplies.\textsuperscript{75} That

\textsuperscript{73} Ibid.

\textsuperscript{74} Minutes of the Freedmen’s Convention, Held in the City of Raleigh on the 2\textsuperscript{nd}, 3\textsuperscript{rd}, 4\textsuperscript{th} and 5\textsuperscript{th} of October 1866, 18. (Electronic edition accessed at: http://docsouth.unc.edu/nc/freedmen/freedmen.html); Oliver Otis Howard to Charles Emery, July 22, 1865, Freedmen's Bureau Records, Microfilm reel 1.

\textsuperscript{75} Martha C. Avery to Mrs. R.L. Patterson, February 21, 1866, Jones and Patterson Family Papers, SHC; and Alexander, “Hostility and Hope,” 123-4. During its 1866-1867 session, the state legislature retreated slightly. After the previous legislature dissolved the state education system, the new group of legislators granted larger towns state
demand also caught the attention of Freedmen’s Bureau officials. Cilley reported in April 1866 that there was a great demand for a school in Morganton. He had a teacher ready and willing to work for free, but no building.\footnote{Western District Report, April 15, 1866, Freedmen’s Bureau Records, Microfilm reel ?.} Although the original Bureau bill provided no authority to contribute financial support to the freedpeople’s educational efforts, and subsequent legislation limited educational funding to assisting with school building, the Bureau found several creative ways to promote education. Bureau officials permitted African Americans to use buildings under their jurisdiction rent-free. It supported day, evening, Sunday, mechanical arts, colleges, and other schools across the state. African Americans often commenced construction of a school, and the Bureau completed it when their funds ran out, after which the actual operation of the school fell upon teachers and the African American community itself.\footnote{Randall M. Miller, "The Freedmen's Bureau and Reconstruction: An Overview," in The Freedmen's Bureau and Reconstruction: Reconsiderations, eds. Cimbala and Miller, xxvii; and Bentley, A History of the Freedmen's Bureau, 171-2.}

Mountain whites worried about the level of equality affected by these schools. Martha C. Avery of Burke County had heard rumors about schools near Greensboro, North Carolina that “ruined” that town’s black population. Closer to home, Avery denounced Eloisa Pearson’s decision to teach her African American neighbors in February 1866. Avery could not fathom how a white woman from a good family could put herself at such obvious risk. She had no doubt that Pearson’s enthusiasm for black education would soon wane. In particular, she concluded that when young Miss Pearson found herself surrounded “at night in a small room with 50 black

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funds and the revenue from a poll tax on all adult white males to create public schools for white children. Although they did little for the creation of black public schools, state lawmakers allowed African Americans to create their own privately funded schools. See Walker, “Blacks in North Carolina During Reconstruction,” 97-8, 101-2; Alexander, “Hostility and Hope,” 122.
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men” that summer. Many in the community, Avery noted ruefully, including some of Pearson’s own family, scorned the young teacher’s decision to accept the responsibility.78

Those African Americans who achieved levels of independence faced potentially hostile reactions from their white neighbors. One particular case revolved around a free black man’s attempt to secure land. Mitchell Hayden attempted to purchase a one hundred acre tract of land from two white men, Jesse Case and Jackson Stepp, in the winter of 1861. The men agreed to sell Hayden the land for $150, payable over three years. To cover the $50 down payment, Hayden gave them a horse valued at $85 to the men. The transaction was fraught with difficulty. First, the sellers entered the Confederate army without paying Hayden the $35 excess from the horse. Second, it came to light that Case and Stepp never owned the land in question and had defrauded Hayden of his payments. Third, Hayden failed to get the deal in writing, which made taking the case to court both difficult and beyond his financial means.79

In February 1866, Hayden, his wife, and his eight children resided on Reverend Roddy Doggett’s Spring Creek Mountain property some thirty-six miles west of Asheville in overwhelmingly white Madison County. Early that month, a group of seven men rustled him from his bed around ten o’clock that night, and dragged him into the night. His assailants were all white men wearing disguises and with blackened faces, but Hayden recognized two men—Andrew and Swann Woody—among the gang that attacked him. After walking a half mile or so into the woods, the attackers forced him to bend over a log, and commenced whipping him. As

78 Martha C. Avery to Mrs. R.L. Patterson, February 21, 1866, Jones and Patterson Family Papers, SHC, UNC-CH. Martha Caroline Jones married Willoughby F. Avery on November 7, 1866, but she died less than two years later. See Edward W. Phifer, “Saga of a Burke County Family: Conclusion: The Sons,” North Carolina Historical Review 39 (1962): 332.

blow after blow rained upon the freedman’s back, another man dealt Hayden “a bad wound” by pistol-whipping him across the head. Finally, two men finished the outrage by stomping and punching a senseless Hayden as he lay in a bloody heap on the ground. Swann Woody swore adamantly that no black would ever live in that settlement.80

In the wake of the brutal attack, Hayden sought refuge among more sympathetic mountain whites. Jackson Reeves allowed Hayden and his family to live on his land despite Hayden’s inability to work after his beating. Even that offended some local whites. His tormenters were not content to leave him disabled. After building a new cabin, another group of men destroyed his roof only two weeks after the original confrontation. It appeared that these men were determined to uphold their desire for an entirely white community. They also realized that Hayden was a poor man and unfamiliar with his legal rights, and therefore they felt there was little fear of punishment for their upholding white supremacy. Regardless, no efforts were immediately made to arrest Hayden’s assailants.81

Hannah McElroy, an African American woman living in Flat Rock in Henderson County, eleven miles from Asheville, suffered an equally horrible assault. Two white men, Harvey Roberts and Elbert Gregg, blackened their faces and descended upon McElroy’s residence late one night in October 1866. They took McElroy, bewildered and confused, out of her house and

80 Statement of Mitchell Hayden, Buncombe Co. Superior Court, September 20, 1867, Second Military District Records, NARA. In 1860, Madison County had a total population of 5,908 people. Only 213 of those were slaves and an additional 17 were free African Americans. As such, blacks constituted a miniscule 3.9 percent of the county’s prewar population. Given that fact, Hayden’s move into the county quite likely alarmed some local residents who feared a massive influx of freedpeople after slavery’s demise. For population data, see Inscoe, Mountain Masters, 61; Inter-university Consortium for Political and Social Research. Historical, Demographic, Economic, and Social Data: The United States, 1790-1970 [Computer file]. Ann Arbor, MI: Inter-university Consortium for Political and Social Research [producer and distributor], 1984. For secession crisis rhetoric warning white mountaineers about an influx of freed slaves should slavery be abolished, see Inscoe, Mountain Masters, 225-26.

81 Statement of Mitchell Hayden, Buncombe Co. Superior Court, September 20, 1867, Second Military District Records, NARA.
hung her by the neck. Gregg and Roberts allegedly demanded that she admit to robbing them. No such robbery ever was proven or seemed to have taken place, making it appear that McElroy was herself the victim and the two black-faced men struggled to extract information and money from her. Each of her denials prompted another hanging, leaving her “in a senseless and about lifeless condition.” Because the community knew of the event through a variety of sources—including Roberts’s willing confession no less—and refused to do nothing, McElroy fled to Yancey County amid threats of additional assaults should she report him.82

Perhaps the worst offense an African American could commit during these unsettled times was to appeal to the military authorities, and thus bypass their former masters. All white mountain men, regardless of age or experience, recognized that their authority was uncertain following the war. Two young men, Marcus and Joshua Patton, had dammed a stream running through their land in Buncombe County. The stream was also the primary source of water for a freedman, Edward Horsey. Frustrated by the white boys’ action and needing water, Horsey went to the local military authorities and asked for advice. Lieutenant Price assured Horsey that he was within his rights to destroy the dam. When he returned home and began dismantling the obstruction, the Patton boys began hurling rocks at the unsuspecting farmer. Horsey suffered frightful injuries in the attack.83

Robert Vance viewed loyalty to the United States to be the motivating force behind African American mountaineers’ actions after the Civil War. He was right, but was not necessarily correct in the way he thought he was. Like former slaves throughout the South,

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82 Marion Roberts to Oscar Eastmond, December 25, 1867, Second Military District Records, NARA; Oscar Eastmond to Jacob F. Chur, November 25, 1867, Field Office Freedmen’s Bureau, NARA Microfilm 1909, reel 4.

83 Oscar Eastmond to George A. Williams, March 3, 1868, Second Military District Records, RG 393, NARA. Eastmond recorded no date for the attack on Edward Horsey.
freedpeople in the mountains pursued their own interests. At times, the Freedmen’s Bureau was able to help them hold their families together or collect wages for their year’s work, but they often had to rely upon themselves to achieve their goals. One less worry was their search for work. An antebellum agricultural system that relied heavily upon tenant farmers and sharecroppers helped ease black mountaineers’ transition from slave to wage laborers and tenants following emancipation. While this may have set the adjustment to emancipation in western North Carolina apart from the broader experience of most southerners, even these changes remained relatively limited. In the immediate aftermath of the war, African Americans in the Carolina mountains and all across the South went to work, founded schools, and reunited their families, but their political involvement remained an afterthought and their legal rights uncertain during the first year of peace. That too, however, was about to change. The infusion of a strong military presence following the onset of Congressional Reconstruction in early 1867 radically altered the landscape in North Carolina’s western counties, and contributed to the creation of a black-white Republican alliance that swept the state’s elections in 1868.
Leander Sams Gash was disgusted. The state senator from the westernmost part of the state could not believe the action taken by Congress. Under the direction of leading Republicans, a series of laws collectively known as the Reconstruction Acts passed Congress in March 1867. He felt that the national legislators had gone too far in “declareing [sic] our state governments null and void [and] directing a convention to be Elected by negroes and Radicals” to reconstitute North Carolina’s government. The new Reconstruction measures barred from political service anyone who had held public office prior to secession and then held the same or an additional post under the Confederate government. Gash noted dryly: “That cuts me out.” Although Gash was bitter, his reaction was mild compared to many North Carolina lawmakers. News from Washington filtered throughout the legislative offices on February 28, leading the state House and Senate to adjourn early that afternoon. Shortly thereafter, Gash distastefully recorded, many of his colleagues “got a drunk on.”

There was a time when Gash supported North Carolina’s anti-Confederate coalition and believed that white southerners must accept the changes wrought by the Civil War as well as the Republican-controlled Congress’s terms for reunion. Now, however, he resented the authority of the federal legislature and bristled at its dismissal of what Gash considered a fine state government. The formation of the Second Military District, comprising both the Carolinas, did

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little to assuage Gash and other Conservatives’ feelings. Military government meant that the Unionists and the remaining anti-Confederates had a newfound ally. The power of the federal government had arrived in the form of the military, and the remaining anti-Confederates believed that they were finally going to get their due. A shift in the political balance of power seemed at hand, and long-suffering groups extended their hands to receive their reward.

In western North Carolina, this shift was dramatic. Thwarted during Presidential Reconstruction, white and black anti-Confederates and Unionists gained a new sense of optimism from Congress’s assumption of control over reunion policy. Under the more stringent Congressional plan, the localized political culture of the region teetered on the verge of collapse. Failure to gain an advantage from the war under Andrew Johnson led many white mountaineers to seek help from outside their region. Some turned to William Woods Holden, Johnson’s appointed provisional governor. Others looked north toward the federal government. For those convinced that Johnson’s restoration scheme had failed, and the presence of many former Confederates and conditional Unionists in positions of power confirmed that interpretation, the onset of military Reconstruction was a blessing.

Looking north, however, had an impact beyond a simple calculation of power. Welcoming federal influence into the region signaled a profound break from the past. Western North Carolinians, like most Southern Appalachians, had enjoyed a relatively localized political culture. This is not to say that mountaineers were cut off from the world around them. They clearly were not. When Unionists and anti-Confederates embraced the military and Congressional Reconstruction, they effectively shunted aside this localized and regional political world and aligned themselves with the only entity capable of defeating the aristocracy. Nor were they alone in their efforts. In order to gain the national government’s full cooperation, the
remaining anti-Confederates reinvented themselves as the state’s Republican Party and embraced African Americans as political allies—a complete about-face from their earlier opposition to black rights. The result was a violent contest of wills, which pitted an insurgent biracial political coalition and their military allies against the traditional ruling whites of western North Carolina.

Given the level of division in the mountains during the political realignment after the war, it is not surprising that the most pressing issue facing western Carolinians was an issue of justice. Governor Jonathan Worth ignored the plight of Unionists and anti-Confederates in the state’s far western section. Still, petitions flooded the governor’s office following his election in December 1865, alleging violence and legal persecutions against Unionists and other anti-Confederates. Although Worth dismissed these claims as unfounded, he dwelled on them due to their broader political importance. Like most Conservatives, Worth supported President Andrew Johnson’s Reconstruction policy in the hopes of effecting a speedy restoration to the Union for his state. Charges of injustice toward the former Confederacy’s opponents, however, jeopardized the prompt return of home rule. From the nation’s capital Benjamin Hedrick, an exiled central Carolina Unionist, informed Worth of a general impression in Washington “that there is a good deal of violence abroad in the mountain counties” and that “union men are really apprehensive for their lives.” Hedrick told the governor that William W. Holden “is doing all he can to keep up the strife” in order “to make cat-paws of the union men of the West.” This constituted Worth’s worst nightmare.\(^2\)

\(^2\) J.G. de Roulhac Hamilton, *The Correspondence of Jonathan Worth*, Vol. II (Raleigh: Edwards and Broughton Printing Company, 1909), 783. The role of the military in southern Reconstruction is a surprisingly underappreciated aspect of the postwar reunification of the United States. A number of graduate theses and dissertations have covered the subject, but only a few published monographs have appeared. Early works studied the occupation role of the United States Army, noting the unprecedented task facing that body and the institutional dilemmas created by unclear lines of communication and control. See James E. Sefton, *The United States Army and Reconstruction, 1865-1877* (Baton Rouge: Louisiana State University Press, 1967). North Carolina, in particular, has also received its fair share of attention on this front. Jesse Parker Bogue studied the role of violence and oppression in North Carolina during Reconstruction, and concluded that much of the state’s postwar violence was
Restoring order in the mountain counties was the first step in changing the status quo. During Presidential Reconstruction, there was a scant military presence in the western counties. While the imposition of military Reconstruction could not overcome the rugged mountain terrain that restricted transportation or communication any better in 1867 than in 1865, the increased authority of the Reconstruction Acts had a strong effect west of the Blue Ridge. The Conservative James Gwyn of Wilkes County noticed the change shortly after Congress passed the new laws. When he arrived in Wilkesboro, the county seat, for court week, Gwyn found Yankee soldiers “who came up to take some fellows who had been robbing & ill treating some people.” Judging by Gwyn’s reaction to the soldiers’ presence, it seems that federal troops had an immediate impact in Wilkes County. The scene of three men tied and in federal custody impressed Gwyn, while the speech by the federal colonel the next day from the courthouse steps annoyed him. Having secured his county from a fairly strong anti-Confederate challenge, Gwyn and his fellow Conservatives resented being lectured on their need “to submit to the acts of Congress & a heap of stuff about who carried on the war.” To Gwyn the message was clear: abide by military rule or find yourself bound and en route to district headquarters in South Carolina. The troops’ presence, under Congress’s authority, had initiated a new phase in the postwar struggle. It was, in Gwyn’s bitter estimation, a “great time for the Tories & negroes.”

rooted in antebellum events like Nat Turner’s rebellion and a growing opposition movement in the 1850s to equalize taxes, representation, and other such issues within the state. See Jesse Parker Bogue, Jr., “Violence and Oppression in North Carolina During Reconstruction 1865-1873,” (PhD Diss., University of Maryland, 1973). More recently, Mark Bradley has addressed the relationship between the occupation force and North Carolina’s civilian population. He argues that the defining trait of North Carolina’s military occupation was a desire on the part of the army to effect reconciliation between wayward North Carolinians’ and the United States government. This policy, Bradley contends, persisted throughout the full Reconstruction period and met with more failure than success. See Mark L. Bradley, “Bluecoats and Tar Heels: The Transition from War to Peace in North Carolina, 1865-1877,” (PhD. Diss., University of North Carolina, Chapel Hill, 2006). For more on Hedrick, see Michael Thomas Smith, A Traitor and a Scoundrel: Benjamin Hedrick and the Cost of Dissent (Newark: University of Delaware Press, 2003).

3 Diary entry, April 1, 1867, James Gwyn Papers, SHC, UNC-CH. Under the Reconstruction Acts, Congress combined North Carolina and South Carolina into a single military district—the Second Military District—under General Daniel Sickles.
The men whose arrest enlivened the Superior Court week were, in fact, terrorizing Wilkes County residents. Calvin Edwards, John Woody, and Walter Woody had welcomed the Reconstruction Acts with a series of assaults against residents of the Reddies River community six miles from Wilkesboro. Violence and intimidation like that conducted by the Edwards gang was eerily familiar in Wilkes County, which had been the scene of significant local violence during the war. Weeks after the Civil War’s formal conclusion, gangs of guerrillas remained at large in mountain hollows and valleys. Edwards’s band of fifteen to twenty men continued the terror as frustration with the Reconstruction Acts mounted. On March 15, 1867, Edwards and his band assaulted three different men—for reasons that are unclear. They captured and “cruelly beat” William N. Pearce and held him hostage for approximately two hours. Another man, William A. Hall, suffered successive hangings until he was prostrate, and then the Edwards gang seized Noah Snyder. When Snyder refused to yield his wagon and team, he too found himself beaten and dangling from a rope until “nearly dead.” Major W. Worth left Salisbury with a detachment of twenty men from the 8th United States Infantry on March 30, and moved to Wilkesboro to take custody of the men. In five long days, Worth and his men covered one hundred and twenty two miles. They managed to capture Edwards and his gang, but the great distance Worth’s detachment covered reveals the difficulties facing the military in western North Carolina. Despite their arrest, the Edwards gang’s actions prohibited the healing of painful wartime wounds, and stirred a palpable sense of terror in the men of the “whole community.”

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5 John R. Edie to J.W. Clous, May 25, 1867, Second Military District Record, Record Group 393, NARA; Charges and Specifications against Calvin B. Edwards, Walter Woody, and John B. Woody, Second Military District Record, Record Group 393, NARA; W.G. Worth to Joseph K. Wilson, April 4, 1867, Second Military District Record,
Not all mountain whites greeted the arrival of federal troops with the same snarl as James Gwyn. Seizing upon Congress’s new Reconstruction policy, the remnants of the anti-Confederate coalition held a convention in Raleigh on March 27. Observers originally thought that this assembly would discuss the state constitutional convention and confer with the state’s black leadership; however, Congress’s recent actions shifted the focus toward solidifying a new political party. William Holden encapsulated both Unionists’ frustrations and their new purpose when he wrote in an editorial that “the Union people of this State…have borne as much and as long as they intend to bear” and that “traitors must now take back seats or retire and remain quiet.”6 Passing under a banner proclaiming “Union, Liberty, Equality” into the state capitol’s Commons Hall, the assembled men organized themselves under the banner of the Republican Party. The congregation also granted a prominent role to African Americans for the first time. Anti-Confederates previously held that politics must remain a white man’s domain; the convention, however, opened with a prayer led by a black minister and African Americans played a highly visible role throughout the meeting. Holden and his fellow white attendees hoped to use the name and African Americans’ new political power to form a tight bond with the growing northern Republican presence in the state and its black population. All in all, the

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convention convinced the *New York Tribune* that North Carolina’s white Republicans were open “to unite with the colored men on terms of absolutely equality.”

With battle lines clearly drawn in the political arena, one of the largest and most symbolic acts of political violence occurred in Wilkesboro, a rundown little valley town surrounded by forested hills and with a quiet mountain stream flowing through it. Tensions grew when the local Republicans held a meeting in the courthouse the night of July 4. Given the events that followed, the night began inauspiciously. Local Republicans Samuel Smith and J.Q.A. Bryant spoke first. Blood began to boil after Alfred Stokes, a local African American minister who had represented the county in the 1866 Freedmen’s convention in Raleigh, spoke. Accounts differ as to what precisely Stokes said, but it was enough to bring Smith and Bryant back to the stage in reply. While the meeting was ostensibly a Republican one, Stokes, who had risen from slavery to become a member of the state Republican committee, had addressed a Conservative assembly

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8 Ida Holden Cowles to William W. Holden, January 4, 1869, William Woods Holden Papers, Rare Books and Manuscripts, Perkins Library, Duke University; Diary entry, May 5, 1866, James Gwyn Papers, SHC. The town, to say nothing of the countryside surrounding it, teemed with a sense of desperation. Money was scarce and just a year earlier mouths screamed out in hunger due to a shortage of corn. In a report to the federal Department of Agriculture on October 1, 1866, Calvin Cowles rated the corn crop a 6.25 out of 10 in terms of quality. Beyond corn, the county seemed to be recovering from the war fairly well with one other noticeable exception. While the amount and quality of tobacco increased, Cowles rated the caliber of cattle at a measly 3 out of 10 compared to 1865. See Agricultural Report, October 1, 1866, Calvin J. Cowles Papers, SHC.

9 Testimony of Andrew Porter, August 17, 1867, Second Military District Records, RG 393, NARA. It is not entirely clear what Stokes said in his speech. None of the witnesses commented on his address. Only R.F. Armfield, in his statement for the Conservative Raleigh *Sentinel*, spoke to the content of Stokes’s speech. According to Armfield, Stokes challenged the sincerity of white Republicans’ commitment to black rights. He asked who among the attending Republicans would welcome him at their home or dinner table. Armfield alleged that Stokes also challenged Abraham Lincoln’s commitment to emancipation. While it is clear that Stokes stirred the emotions of his fellow Republicans, one must be careful not to embrace Armfield’s account of Stokes’s speech completely. One reason to question Armfield’s version of the speech is that he claims Stokes advised the African Americans in attendance to love their old masters as their best friends. See R.F. Armfield’s letter to the Raleigh *Sentinel* included in the military testimony, Second Military District Records, RG 393, NARA.
two weeks earlier. Stokes, it seems, had received his invitation from R.F. Armfield, so he returned the favor and invited Armfield to the Republican gathering.  

After the Republican speakers finished addressing the assemblage, the Conservatives demanded to hear from Armfield. The Conservative was not welcomed warmly. Reverend Samuel Smith shouted that Armfield had no place at their “union meeting,” but another Conservative, John Peden, while making it clear that he had a pistol on his person, ominously vowed that Armfield would speak. Determined to carry the day for the Conservatives, Peden climbed onto a table and shouted that his party was entitled to at least one speaker after four Republicans. They needed just one, he jeered, because four Republicans were no match for a single Conservative. Climbing down from the table, Peden went to the back of the room and returned waving his pistol and yelling that Armfield should speak. Standing nearby was Joe Peden, who held a pair of nail grabs in his hands. The elder Republican Smith and his son, R.M. Smith, whose own knife was concealed in his sleeve, moved to accept the implicit challenge issued by the Pedens. Perhaps seeking a way to stave off bloodshed, the presiding officer of the session decried the protests as shameful and warned that he would report them all to General Daniel E. Sickles, commanding the Second Military District.  

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10 Testimony of Alfred Stokes, August 17, 1867, Second Military District Records, RG 393, NARA.

11 Testimony of Hanan Dowell, August 17, 1867, Second Military District, RG 393, NARA; Testimony of Alfred Stokes, August 17, 1867, Second Military District Records, RG 393, NARA; Testimony of Andrew Porter, August 17, 1867, Second Military District Records, RG 393, NARA; Testimony of Thornton Brown, August 17, 1867, Second Military District Records, RG 393, NARA; Testimony of William G. Ball, August 17, 1867, Second Military District Records, RG 393, NARA; Testimony of Harral Hays, August 17, 1867, Second Military District Records, RG 393, NARA; Testimony of T.D. Mills, August 17, 1867, Second Military District Records, RG 393, NARA. It was a pistol, it seems, that Peden thought to bring only that day. According to William G. Ball, Peden had borrowed the gun only three hours prior to the meeting in the courthouse. It should be noted that amidst all the various accounts of the riot, only Hanan Dowell placed the gun in another person’s hands. He testified that he saw W.W. Carmichael brandish a weapon. It appears that he is alone in that observation. All the other people who claimed to see a man armed with a gun put the pistol in Peden’s hands. T.D. Mills directly testified that Carmichael was not armed, but admitted that Peden carried a pistol to the courthouse that night.
Friction that had been building for months—if not years—in Wilkes County proved too much for the courthouse to contain. In an effort to cool tempers, the assemblage decided that Armfield would speak on the courthouse outside steps. Armfield’s speech, however, never took place as the rancor from the courthouse spilled out into the streets almost immediately. An elderly African American man, Jackson Brown, ran from the courthouse with a foot-long gash in the back of his coat and blood flowing freely from his face. The fight was on. Neither did the change of venue calm John Peden, who, claiming that someone had snuck up behind him in the courthouse with a knife, thirsted for blood. Grabbing a rock, Peden charged Wesley Ball, but the intended victim dodged the attack and threw Peden to the ground. Peden’s brother, John, dashed to his brother’s aid and smashed a rock against Ball’s head. William Ball saw the attack on his father, but could do little to help as he was soon blindsided with three successive blows by another attacker’s stick. Thwarted but not cowed, a desperate John Peden threw two rocks at Ball, one of which struck Andrew Porter, whose son John was promptly received three blows from the cane of Lee Gilreath, who proclaimed this fight one of principle.

Politicians from each side moved quickly to put their spin on the Wilkesboro riot. State Republican leader William Holden’s Raleigh-based North Carolina Standard put the onus for the riot on the Conservatives. According to the Standard, Alfred Stokes’s “short speech” preceded calls by the “disloyal party” for Armfield. The Republicans’ peaceful protests that it was a “union meeting” supposedly prompted the Conservatives “drawing pistols and raving like a

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12 Testimony of Wesley Ball, August 17, 1867, Second Military District Records, RG 393, NARA; Testimony of William G. Ball, August 17, 1867, Second Military District Records, RG 393; Testimony of Hanan Dowell, August 17, 1867, Second Military District Records, RG 393, NARA; Testimony of Andrew Porter, August 17, 1867, Second Military District Records, RG 393, NARA; Testimony of John A. Porter, August 17, 1867, Second Military District Records, RG 393; Testimony of T.D. Mills, Second Military District Records, RG 393; Testimony of John F. Parlier, August 17, 1867, Second Military District Records, RG 393; Testimony of Harral Hays, August 17, 1867, Second Military District Records, RG 393, NARA; Testimony of William A. Sneed, August 17, 1867, Second Military District Records, RG 393, NARA; Testimony of James A. Reynolds, August 17, 1867, Second Military District Records, RG 393, NARA.
parcel of mad men.” Holden praised the Republicans’ principled and manly stand against the
Conservatives’ malice and weapons. The Republican editor argued that the riot was
premeditated; the Conservatives went home and grabbed sticks, knives, and guns before
returning to the town square determined to inflict harm. Outnumbered and outgunned, the Union
men fled Wilkesboro for their lives. Holden lamented that “there is no chance for registration or
an election to be held here unless something is done.” 13

Armfield kept the war of words going in the state’s leading Conservative newspaper, the
Raleigh Sentinel. His letter bristled with antipathy toward the Republicans, who he roundly
condemned as traitors. Clarifying the nature of the Conservative meeting held in the latter half
of June, Armfield asserted that it was open to all Wilkes County residents—white and black—
and was designed to clarify the people’s rights in the wake of the Reconstruction Acts. Armfield
believed that the Republicans attempted to keep blacks away from the meeting because “they
hold their white men in the South only by the base motives of cupidity and fear, so they know
that they hold the negroes only by their ignorance.” That meeting was peaceful and included
Republican speakers Alfred Stokes and Calvin J. Cowles, who both announced the upcoming
Republican meeting and invited Armfield to speak. 14

While Holden and the Republicans praised the manliness and commitment of
Republicans, Armfield and the Conservatives denounced them as base, slanderous, and corrupt.
Such men could not help but to behave poorly and lawlessly. As he attempted to speak from the

13 North Carolina Standard excerpt included in military testimony collected in Wilkesboro, Second Military District
Records, RG 393, NARA. African-American Republican Alfred Stokes resolutely maintained that the fight did not
“have any thing to do with politics” and was the result of “bad whiskey.” The facts of the riot and the reaction to the
affair belie his interpretation. See Testimony of Alfred Stokes, August 17, 1867, Second Military District, RG 393,
NARA.

14 Armfield letter to the Raleigh Sentinel, July 28, 1867, included in military file on Wilkesboro Riot, Second
Military District Records, RG 393, NARA.
courthouse steps, he accused some of the Republicans—who he identified as members of the Heroes of America—of singing, stomping, and dancing loudly inside in an attempt to disrupt him. Armfield put his finger on the heart of the matter. The political landscape had shifted with the onset of the Reconstruction Acts. Federal authority in blue uniforms was back and it found welcoming arms in the form of white Republicans. Wilkesboro’s riot revealed this shift perfectly; by embracing military Reconstruction, western Republicans had moved their region to the center of the state’s political fight. It has been Holden’s deepest hope since his defeat in 1865, Armfield charged, to convince the national authorities that North Carolina’s white Conservatives were “disloyal, oppress Union men, and have no regard for order.” For that reason, he “seized upon every little fist fight…to swell the false cry” of lawlessness and injustice. Now that the military was back Armfield believed that Holden and the Republicans were finally going to have their “sweet revenge.”

Whether he believed these charges to be true or not, Governor Worth became increasingly convinced that the Republicans plotted against his administration and that the mountain Unionists would be their means of revenge. Soon after assuming the governor’s chair, a tidal wave of Unionist pleas for relief, many of them from lower class white mountaineers, flooded Worth’s office. Like many white Unionists, Jonas Ramsey claimed that former Confederates continued to harass him once the war was over. He wrote President Andrew Johnson in January 1867 that former Rebels came to his Burke County home roughly a month after the war’s conclusion and demanded money. His protests resulted in them putting two guns

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15 Ibid. (italics in original) Armfield admitted that “respectable” Republicans as Harrison Church, Adam Staley, Samuel Smith, Jr., and Alfred Stokes were not the source of the problem. His inclusion of Stokes among that number is certainly interesting. Furthermore, his indication that many of the Republicans he disdained were members of the Heroes of America spoke not only to their wartime activities but also to the postwar revival of that peace organization to aid the Unionists and later the Republican Party within western North Carolina. See Chapter 1.
to his breast in sight of his wife and others. Ramsey begged the president for relief from the abuse and curses heaped upon his family by the Confederates. “If you don’t do something to relieve the suffering Union people,” he pleaded, “they will have to leave this Country.” At that point, he turned up the heat on Johnson. Unionists looked to the former Unionist from East Tennessee for help. Former Confederates had indicted Ramsey in several different cases on “suspicion,” which Ramsey hoped would alert President Johnson to the former Confederates’ vindictiveness. According to the Unionist, the Confederates could “gather up their Rebel crew, and prove anything they please, the Rebels Can do anything they please to a Union man and not be hurt for it.” Johnson must act or else, Ramsey argued, “the Rebels will rise and mob the Union men.”

Under scrutiny from the president, Worth sought information on the treatment of Unionists from two trusted Burke County Conservatives, Burgess Gaither and T. George Walton. The two men reviewed the Superior Court records and interviewed several local officials, and determined that whatever wrongdoing took place was Ramsey’s fault. In the spring term, they found that Ramsey faced assault and battery charges as well as accusations of larceny. The next superior court found Ramsey in trouble again, this time for forcible trespass. “In all these cases,” reported Worth’s agents, “the prosecutors and witnesses belong to that class of our population known as Union people and none of them give any aid in assistance to the Confederate cause.” Not content to stop there, Gaither and Walton denounced Ramsey as a deserter “who organized…a band of Robbers and Thieves and made various raids upon the women and children and unprotected and defenseless inhabitants of the surrounding country and stole and plundered

16 Jonas H. Ramsey to Andrew Johnson, January 27, 1867, Worth Governors’ Letter Books 53, NCDAH. According to the 1870 census, Ramsey was then a thirty-three year old farm laborer with no property of his own. He lived with his wife and their four young children. See 1870 Census, Burke County.
generally.” They deemed Ramsey a coward and crook, and dismissed his claims out of hand. Perhaps, they surmised, his charges were fabrications and that the “ignorant and illiterate” Ramseys were pawns in a larger plot to mislead and sway the president, but there is no evidence to prove their charge.\textsuperscript{17}

Events in the mountain counties gained greater import in the state capital. Prominent among these petitions for intervention was a request for a full parole for Daniel Case, instigator of the August 1865 riot in Hendersonville. In November 1865, twenty-seven Hendersonville residents petitioned for Case’s release because his family’s survival depended upon his labor. Provisional Governor Holden granted a full pardon in December 1865, but the Conservatives refused to forgive the Unionist for his part in the riot. Ardent Confederates received prompt pardons. Joseph Y. Bryson attacked Leander Sams Gash in 1863, and received a $500 fine and ten-day prison sentence. Hoping to put the past to rest, Gash believed that “under the circumstances that now surround us” it would serve the public best to pardon Bryson for the “unprovoked outrage.” Bryson’s pardon came through quickly in April, but Case’s appeal the following month was denied. Governor Worth denounced Case for orchestrating “one of the most outrageous riots I have ever heard of in North Carolina” and he steadfastly refused to set him free. Worth dug in his heels and refused to budge on issues of Unionist persecution because he refused to believe it was anything more than a Republican tactic to curry favor with federal authorities.\textsuperscript{18}

\textsuperscript{17} B.S. Gaither and T. George Walton to Jonathan Worth, February 25, 1867, Worth Governors’ Letter Books 53, NCDAH. For his part, Worth embraced the report and sent it to Johnson. He hoped that the president would agree with its findings and dissuade him of any impression of persecution in the mountains.

Underlying the Conservatives’ campaign to punish men like Case was the belief that Unionists and anti-Confederates had betrayed their communities, state, and region. One victim of the Hendersonville riot described Case and his fellow Unionists as “radicals, robbers, and ‘bushwhackers.’” The presiding judge, Augustus S. Merrimon, who as a district judge played a pivotal role in implementing Conservative policies throughout the mountain region, told the governor in the summer of 1866 that the riot “was without a parallel in this part of North Carolina” and that the only justification for Case’s pardon was to aid his poor family. Ignoring the fact that Holden granted a pardon on the exact grounds he stated, the judge sardonically proposed that the state legislature extend amnesty in similar crimes committed before July 1865—the Hendersonville riot occurred in August. Case found himself trapped in legal purgatory while the governor rubber-stamped pardons on behalf of fellow Conservatives guilty of attacks on anti-Confederates. He pardoned Joseph Bryson for an assault on Leander Sams Gash in 1863. Both Bryson and Case’s crimes stemmed from western North Carolina’s wartime divisions and the men shared similar social rank, but mountain Conservatives wanted no quarter in dealing with Unionists. With Case, whose family included several United States soldiers, the governor overlooked double jeopardy, ignored Holden’s pardon, and punished him for strictly political reasons.19

The military offered new options for justice to mountain Republicans after Congressional Reconstruction began. Buncombe County resident William Lankford, who served in the Union’s 2nd North Carolina Mounted Infantry, wasted little time in taking his case before the military in

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the spring of 1867. It seemed that the clergyman had unknowingly married a man and woman, one of whom was part African American, after the war. Such marriages were illegal according to state law, and Lankford was fined $20,000 for his role in the “crime.” Clearly, Lankford pleaded, he was being made an example of due to his refusal to “worship at the confederate shrine.” Lankford’s loyalties were public knowledge. He had stood as a candidate against Leander Sams Gash for the state senate in 1866, supporting the 14th Amendment as opposed to Gash’s growing distance from the anti-Confederate coalition. During the election campaign on October 3, 1866, Alexander H. Jones had called Lankford “as good a Union man as the State affords” and attested that “no man who remained at home during the war, can show a better Union record than Mr. Wm. Lankford.” Still, his simple act of marrying a couple after the war put him on the edge of total ruin. Now, his back against the wall, Lankford asked Canby to protect him and other Unionists from “trators and trators laws.” Major General Daniel Sickles stayed the judgment against Lankford in General Orders 44, dated May 15, 1867. Nevertheless, Buncombe County sheriff Jeremiah Rich informed Lankford that the case would move forward in spite of Sickles’s order. Finally, Sickles’s successor put the matter to rest on December 22, 1867.20

A far more troubling case arose out of Madison County where a former Union soldier faced murder charges for an incident that occurred during the secession crisis. As Marshall

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20 Terrell T. Garren, *Mountain Myth: Unionism in Western North Carolina* (Spartanburg: The Reprint Company, 2006), 31; William Lankford to Sickles, April 1, 1867, Second Military District Records, RG 393, NARA; Lankford to Capt. G.W. Urban, April 26, 1867, NARA; William Lankford to Maj. Gen. E.R.S. Canby, October 14, 1867, NARA; Hendersonville *Pioneer*, October 3, 1866, 2. The actual date of the “crime” is unclear. Lankford claims it occurred during the administration of General Sickles. A Buncombe County magistrate issued a summons for Lankford on August 14, 1867, but the reason for the warrant was not listed. See Summons for William Lankford and Johnson Ashworth, August 14, 1867, Criminal Action Records, Buncombe County Records, NCDAH. Lankford was a rather prosperous man. In 1860, he owned $1000 of real estate and $4000 of personal property. He still was comfortable ten years later, with $3000 of real estate and $900 of personal property. See 1860 Census, Buncombe County and 1870 Census, Buncombe County.
residents prepared to vote for representatives to another secession convention in May 1861, the
secessionist sheriff of the county, Ransom P. Merrill, paraded through the streets of the county
seat bellowing “hurra” for Jefferson Davis and the Confederacy. The sheriff was unwavering in
his desire that “no Tory, Black Republican, or Lincolnite” would vote on his watch. One local
Unionist, Elsey Frisby, took the bait, and met Merrill’s pro-Confederate cheers with a loud shout
of approval for Washington and the Union. No sooner had the sound left his lips and Frisby
found himself staring down the barrel of Merrill’s pistol. Convinced that Merrill meant to carry
out his threat of violence, Frisby fled. Chastising the crowd as “Black Republicans” and
“Tories,” Merrill focused his attention on Hockley Morton. Again, the sheriff flaunted his
handgun and dared Morton to vote against the secession candidate. Perhaps it dawned on Merrill
at that point that he could not simply threaten all the voters and would have to act or maybe he
panicked that the secessionists might actually lose. At that moment, he turned toward Elisha
Tweed, the teenage son of Nealy Tweed, aimed and fired.21

The younger Tweed staggered and fell to the ground with a grievous wound in the arm
that onlookers believed to be fatal. Distraught and angry at his son’s fate, Nealy Tweed pursued
Merrill through the streets to a house where concerned citizens had escorted the sheriff in hope
of staving off further bloodshed. Merrill was not content to cower in safety. Hanging out of a
second-floor window, he sneered at the dumbstruck onlookers: “Come up here all you Damn
Black Republicans and take a shot about with me.” Merrill did not need to ask twice.
Approaching the house, Nealy Tweed grabbed his double-barreled shotgun and fired. Then to
make sure that he finished the job, and believing that his son had fallen with a mortal wound, he

21 Affidavit of Elihu H. Rector, October 19, 1867, Affidavit of William R. Roberts, October 19, 1867, Affidavit of
Mrs. M.A. Bradley, October 19, 1867, Affidavit of William Randall, October 19, 1867, in Elizabeth McPherson, ed.,
Various sources refer to the senior Tweed as Nealy or Neely. For sake of consistency, I use Nealy.
pushed his way into the house and up the stairs to where Merrill lay wounded. Tweed fired again—blowing a hole, five inches deep and two inches wide, in the sheriff’s right abdomen. Merrill died instantly. Soon North Carolina had left the Union, and Nealy Tweed took flight to East Tennessee to avoid arrest for killing the sheriff. Once there, he joined the 4th Tennessee Infantry Regiment. Not long after his enrollment into the federal army, he was joined by his son, who survived Merrill’s attack. Both Tweeds served the Union, but only one survived the war. Elisha recalled that his father had often told him that he had acted on his own accord regarding Merrill and that he welcomed a trial by the “civil laws of his country” when he would return to Madison County. He never made it back, dying in the Union service at Flat Lick, Kentucky.²²

Soon after their return home in 1865, Elisha Tweed and several other Union soldiers found themselves charged as accessories in Ransom Merrill’s murder. It was, as James J. Gudger termed it, a suit “Brought against us as union men by Cession Parties conducted by Cession Laweye[rs] that the Laweye[rs] are promised half of what they can recover for the[i]r fees.” Nor was this case unique. Fellow Madison County resident, W.W. Rollins, major of the 3rd North Carolina Mounted Infantry, informed the military authorities that Union men were routine targets of the former Confederates’ animosity in the war’s wake. Rollins himself faced charges for theft because he participated in Stoneman’s raid “and captured horses taken forage &c” and without an “appeal for asst from the military” he might have been convicted. One of Rollins’s former subordinates faced similar charges in Yancey County and likewise escaped punishment only due to military protection. Mountain Republican leader, Alexander H. Jones,

²² Affidavit of Elisha Tweed, October 19, 1867, J.J. Gudger to Daniel Sickles, July 20, 1867, in McPherson, ed., “Letters from North Carolina to Andrew Johnson,” North Carolina Historical Review 29 (2), 1952: 267-268; State v. Neely Tweed & others, Madison County Superior Court Fall Term 1861, Madison County Criminal Action Papers, NCDAH. Coincidentally, the solicitor pressing charges against these men in the fall of 1861 was none other than Augustus S. Merrimon.
lent his weight as a member of Congress to the Unionists’ petitions. Despite knowing nothing personally of the Merrill-Tweed affair, Jones condemned Merrill as a “desperado” and urged a halt to the proceedings against Tweed and the others. In his opinion, “prejudices produced by the rebellion has so much embittered the feelings of many who have the administering of the laws, as to render it difficult for the Unionists to obtain justice in our courts, and further, that it is my opinion that this very action has been instigated by lawyers most bitter in their feelings against the United States Government and its friends.”

The fate of the Madison County men is unclear, but it seems likely their case resulted in a similar decision as that of William McKesson “Keith” Blalock, one of the most notorious mountain Unionists, who found himself in court once peace returned to Caldwell County. Few Unionists garnered as menacing a reputation in the mountains as Blalock, who always accompanied by his warrior wife Malinda Pritchard Blalock, engaged in vicious hit and run tactics with local Confederates in Watauga County. After the fall of Knoxville in the fall of 1863 and the increased Federal military presence in the North Carolina mountains, Blalock’s knowledge of the region’s terrain and its Union men made him an invaluable recruiting officer. Blalock and his lawyer, George W. Folk, a former Confederate officer, claimed that when Blalock served the Union army “he was frequently compelled to avail himself of the permission given him by his commanding officer to provide himself and party with food, horses and forage from the country.” In none of these cases, Blalock’s counsel argued, did the prosecution prove that his client had acted maliciously. Here was a mountain Union veteran who needed federal

aid and if the military refused to act, Folk warned, their former comrade would be “reduced to beggary.”

Blalock’s lawyer believed that the unsettled condition of the country brought on by Congressional Reconstruction deprived Blalock of justice. By disenfranchising many of what Folk deemed the “best citizens,” Congress had inadvertently doomed Blalock. The lawyer fervently believed that prior to the onset of Congressional control over reunion policy that he obtained justice for his client. After that, however, things got worse. At the fall term of Caldwell County’s superior court in Lenoir, composed as it was of less respectable men, jurors convicted Blalock of two misdemeanors “on account of the prejudice existing against him, arising out of his connection with the Army.” In one of the forcible trespass and murder cases against him, the court entered a guilty verdict based on the testimony of a woman Folk derided as a “notorious prostitute” and her daughter. Still, the defendant mustered a witness of “undoubted respectability” who testified that Blalock was with him nearly three miles from the scene of the crime.

It seems hard to believe in hindsight that the animosity manifested against the former Union guerrilla caught Folk by surprise. With two charges of murder still pending, Blalock and his counsel expected no better at the hands of future courts. Although one of those charges was so “clear a case of homicide in self defence as ever was investigated” and the testimony of witnesses disproved the other charge, Folk doubted whether Blalock would be acquitted. “Such is the prejudice existing against him,” he wrote the military authorities in Salisbury, “that I

24 G.W. Folk to John R. Edie, October 12, 1867, Second Military District Records, RG 393, NARA. Melinda Blalock was famous in her own right. During the war, she accompanied her husband into the Confederate service, disguised as a man and using the name “Sam.” They served together on the eastern coast for about a month before her husband contracted a serious rash and was discharged from service. At that point, she revealed herself and was also discharged. See Inscoe and McKinney, *The Heart of Confederate Appalachia*, 189.

25 Ibid.
believe his trial here would be equivalent to a conviction, and that the sentiment against him in the adjacent counties is not less hostile than in this.” A former Confederate officer, Folk distanced himself from his client. He attested that he had little more than professional interest in the matter. In that sense, he felt the only way to get justice for Blalock was to transfer his case to a military tribunal. Supporting that appeal was Folk’s law partner, Clinton A. Cilley, a Union veteran and former Western District head of the Freedmen’s Bureau, who affirmed “the genuineness of [Blalock’s] discharge” from Union service. It seems to have worked. Military authorities instructed the post commander “to notify the proper authorities that prosecutions for alleged offenses, which were in fact acts of war committed during hostilities, will not be permitted, and that costs upon indictments for such acts already prosecuted must not be collected.”

One of the most prominent local Conservatives, Augustus Merrimon, found himself at the heart of many similar controversies. In each case, it appeared to Merrimon that he and his fellow Conservatives fought the losing battle. Like Conservatives across the state and the South, Merrimon argued that state’s civil laws alone must guide a judge such as himself. His duty and oath dictated that he neither “recognize or obey a Military order, for the laws forbid him to do so.” Merrimon swore to uphold and protect the state’s new constitution and he considered it a violation of that oath to accommodate military meddling with those laws. No doubt, Merrimon intended his next action to be dramatic: he resigned. “I cannot therefore and will not while exercising my office as Judge,” he informed Governor Worth, “recognize or obey any Military order that may come to me in contravention of the laws of the State.” Even if he were inclined to stay on in his post, Merrimon concluded that the Unionists had succeeded in wooing the military authorities.

26 Ibid; Clinton A. Cilley to John Edie, October 12, 1867, Second Military District Records, NARA; E.W. Dennis endorsement, October 29, 1867, Second Military District Records, NARA.
and that the latter’s “power will be exercised to prevent any such action on my part and that
dpower I cannot control.” The mountain judge avowed that his resignation drew from his “high
sense of conscientious duty and not by any captious spirit or disposition to embarrass the public
authorities, State or Federal, or to retard the reconstruction of the Union.”27

Although many of the disputed court proceedings occurred before Merrimon as the judge
taveled his circuit, he was not the focal point of complaint—solicitor David Coleman held that
distinction. Buncombe County resident Coleman was a tried and true Confederate who won
election as the solicitor for the mountainous 8th Judicial District in December 1865 as the
Conservatives regained control of the state in the winter elections.28 His duties as district
solicitor brought Coleman into some of the smaller and more remote sections of western North
Carolina. Missives from white mountain Unionists painted a damning picture of the solicitor’s
performance. A veteran of the 2nd North Carolina Mounted Infantry, Solomon Mace, found
himself beset upon by Coleman and the local courts in Transylvania County. The difficulty
arose out of a confrontation between Mace and M.S. Thomas in the war’s immediate aftermath.

27 Augustus Merrimon to Jonathan Worth, July 22, 1867, McPherson, “Letters from North Carolina to Andrew
Johnson,” 506-7. Merrimon filed a similar letter of resignation with the military. See Augustus Merrimon to Daniel
Sickles, July 21, 1867, Augustus Merrimon Papers, SHC. Merrimon’s resignation proved that he could make a bold,
calculated political statement—assuming, of course, he receives the benefit of the doubt. Augustus Merrimon hated
being a circuit court judge, and was prepared to resign his post in February 1866. Seeking counsel from George
Swepson, Merrimon opined that the depressed condition of the western counties prohibited his making a good living
and he debated moving to Raleigh to practice law after the spring circuit concluded in August 1866. Later,
Merrimon changed his mind. He did not do so out of a “high sense of conscientious duty.” In July, he concluded
that “the extreme scarcity of money makes me doubt the propriety of an immediate resignation of my office,”, so he
opted to stay. His judge’s salary would “keep me even with the world until the country recuperates a little and the
government becomes more settled in its policy toward” the South. See Augustus Merrimon to George W. Swepson,
February 22, 1866, George W. Swepson Papers, NCDAH and Augustus Merrimon to George W. Swepson, July 7,
1866, George W. Swepson Papers, NCDAH.

28 Diary entry, December 6, 1865, James C. Harper Papers, SHC, UNC-CH. David Coleman’s political and legal
career tied him to some of the biggest names in western North Carolina; he alternately won and lost elections against
Nicholas Woodfin, Zebulon Vance, and Augustus Merrimon. His uncle, David Swain, was a prominent antebellum
Whig governor and longtime president of the University of North Carolina. A Mexican War veteran, Coleman
volunteered his services to North Carolina and the South at the outbreak of war and rose to the rank of colonel in the
39th North Carolina Infantry.
Mace had gone to Thomas’s farm under orders to repossess a mule claimed by the U.S. government. Officials had sent Thomas an order claiming the mule for the government and announcing when the military would arrive to reclaim it, but Thomas left the animal in a nearby pasture and refused to relinquish it. In fact, Thomas informed a frustrated Mace that he would take the mule “at his peril.” It seems hard to fault Mace for interpreting Thomas’s warning as a threat, despite Thomas’s claim under oath that it was not. Thomas and his family claimed that Mace brandished a cocked pistol and insisted upon the animal’s delivery in menacing tones.29

That evidence was enough to land him in front of the Superior Court of Transylvania County in the Fall Term of 1866. The Thomas family claimed that Mace drew a gun and menaced them, while the Unionist produced testimony from comrades claiming he was acting under orders as a U.S. soldier. A friend of Mace’s also swore that he never saw Mace draw his pistol. The issues involved in Mace’s case extended well beyond Transylvania County; at the heart of the proceedings was the authority of the United States government, particularly the military in western North Carolina. Lieutenant General Ulysses S. Grant issued General Orders No. 3 in 1866 proclaiming amnesty for soldiers against civil prosecution for their actions in uniform. Mace presented the order during his defense, but solicitor Coleman informed him that while he had “received the order referred to…I disregard it.” In tortured logic, the judge instructed the jury that if Mace “was a soldier of the United States, with lawful authority to take

the mule, and that if resisted, he had a right to use such force as was necessary to execute his order and take the property, and if he merely did this he was not guilty.” The judge informed the jury that Mace “had no right to use any other force or for any other purpose, than executing his order and performing his duty under the circumstances.” Leaving the extent to which Mace could act under Federal authority to a jury disposed to resent that very authority was a poor recipe for Mace. They found him guilty. Unable to find justice at Coleman’s hands, Mace’s case carried over until the following term of court commencing May 6, 1867. Local Conservatives, it seemed, were determined to make Mace pay the price for his Unionist beliefs, but the military finally stayed proceedings against Mace on September 16, 1867.\textsuperscript{30}

William G. and J.K. Ledford found themselves in a Clay County courtroom in Hayesville on an equally suspect assault charge in 1866. Two visitors to Clay County, identified in reports by their last names Ray and Hix, engaged the Ledfords in conversation, and loudly denounced several leading Union figures. Already denounced locally as “tories and traitors,” the Ledfords, both Union veterans, bristled at the visitors’ criticism of Union Colonel George W. Kirk as a bushwhacker who “would not fight fare” and declaring that fallen president Abraham Lincoln should have met his end long before John Wilkes Booth’s bullet claimed his life. Kirk and Lincoln were prominent figures in local Unionists’ memories and to hear them condemned was a bitter pill for mountain federal. But the two pro-Confederates did not stop there; instead, they continued to chastise Union soldiers’ manhood. According to the testimony in the case, the two men opined that “Southern soldiers would die & go to Hell before Federal soldiers should run

\textsuperscript{30} Ibid.
over them.” It would be better to live under a king, they taunted, than the restored United States. Their harsh criticisms provoked the Ledfords, who fought them in defense of their leaders.31

Augustus Merrimon, who presided over the Ledfords’ trial, took a completely different view of the affair. At the trial, Merrimon argued that there was no evidence that either Ray or Hix provoked the Ledfords. Without provocation, Merrimon declared, one of the Ledfords took two potshots at Hix with a Navy pistol. For his part in the affair, Ray allegedly apologized before fleeing into the mountains for safety. More importantly, the Conservative Merrimon was quick to believe the worst about the Ledfords and resorted to the rhetoric of class and wartime loyalties that dominated presidential Reconstruction in western North Carolina. He seized upon their petition to appeal to his fellow Conservative Jonathan Worth to fight any effort to aid the Ledfords. Western North Carolina experienced “many crimes of high and low degree” committed by “unprincipled and desperate men,” Merrimon told Worth, but once the fighting concluded the former Confederates had returned quietly to their communities. The judge placed the Ledfords in a different class. Those men that joined the Union army and fought for principle, the judge reported, had returned home and sought peace and quiet just as the former Rebels had done. The Unionists, Merrimon complained, had joined the Federal army after deserting the Confederate service, and they routinely committed the “most outrageous crimes…and they insist, that simply because they happened to join the Federal Army, they have the right to commit these crimes with perfect immunity.” Judge Merrimon had little patience for such white men who had deserted and damaged the Confederate cause, and he urged the governor not to give in to their “false cry of persecution.”32

31 William G. and J.K. Ledford to Andrew Johnson, April 22, 1866, Governors’ Letter Books 53, Jonathan Worth, NCDAH.

32 Augustus Merrimon to Jonathan Worth, June 7, 1866, Governors’ Letter Books 53, NCDAH.
Merrimon’s grumbling about the Ledfords and their “false cry of persecution” had a much larger political meaning in western North Carolina. Whether the Ledfords were what Merrimon strongly denounced as fair-weather Federals, “desperate characters [who] volunteered at first to fight against the Union, and becoming tired of that service or seeing that the Confederate cause must fail,” deserted to the United States’s army, was not their worst crime. Their most egregious affront was that, in Merrimon’s estimation, “four fifths…of these men are radicals of the Sumner and Stevens School of politics, are hostile to the President and his policy of restoration, except in the matter of negro suffrage, and a few of them favor that.”

Judge Merrimon apparently shared district Solicitor David Coleman’s animosity toward the Republican Party, but he expressed his opposition with much greater tact. In Cherokee County, the scene of brutal guerrilla violence and home to a dangerously divided population during the war, Coleman allegedly opined that “the tail end of the Yankey Army was made up out of Deserters and negroes.” Of more immediate concern to the Ledfords was their prosecutor’s stated opinion that their former commander George W. Kirk “was a sorry fellow…only fit to go around and rob old women’s chickens [sic] roost.” That those words fairly represented Coleman’s opinion of Kirk, and by extension those that served under him, no one disputed. Merrimon admitted to Governor Worth that the prosecutor was an ardent Confederate and that this has made him unpopular with some westerners, but he defended Coleman as a man who shared a desire to restore the Union “and universal harmony among the American people.”

33 Ibid. The reference was to the prominent Radical Republicans, Charles Sumner of Massachusetts and Thaddeus Stevens of Pennsylvania.

34 Petition of W.G. and J.K. Ledford to Andrew Johnson, April 22, 1866, Governors’ Letter Books 53, NCDAH.

35 Augustus Merrimon to Jonathan Worth, June 6, 1866, Worth Letter Books, NCDAH.
A petition possessing over fifty signatures from Cherokee County condemned Coleman’s conduct in office, depicting him as biased against Unionists. Cherokee resident Jesse Combs had property stolen during the summer of 1866, which was later found in the possession of John Roper. The justices of the peace ordered both Roper and his wife to appear in court, but Coleman “failed and still refuses to send any Bills of indictment before the Grand jury” and instead “sent in a bill against the prosecution in the case to harrass [sic] the good citizens of the country.” The petitioners demanded that the military authorities remove Coleman or compel him to perform his duty “without regard to political principles.”

Matters seemed little better in the other counties comprising Coleman’s judicial circuit. In Henderson County, animosity toward Coleman centered on the murder of A.J. Bane. His widow, Harriet Dempsey, pursued her dead husband’s killers even after she remarried. She swore under oath that she had repeatedly pressed the solicitor to look into her husband’s death. Each successive effort to get justice for her slain husband, however, came to naught. Her pleas were met with what she deemed “contempt” and on one occasion Coleman reportedly told her that “he had not prosecuted them nor never intended to because the amnesty act covered the case.” It was the same amnesty act, forgiving soldiers of civil crimes conducted while in the service of either army, that he refused to allow in the cases of Unionists whose actions he despised.

In neighboring Transylvania County, the chairman of the county’s first board of voter registration, Samuel Tracy, denounced Coleman as “extremely disloyal.” According to Tracy, Union men received little more justice in Transylvania County at the hands of the former

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36 Petition from Cherokee County to Maj. Gen. Daniel Sickles, August 20, 1867, Second Military District Records, RG 393, NARA.

37 Affidavit of Harriet M. Dempsey, August 23, 1867, Second Military District Records, RG 393, NARA.
Confederate colonel turned solicitor than they did in Cherokee and Henderson counties. Coleman refused to punish Confederates while he repeatedly advanced cases against former Federal soldiers. Charges against former Rebels, including murder and robbery, Tracy complained, seemed to pass without Coleman taking any notice at all. Tracy believed that the solicitor’s actions had created a burden upon both the Unionists and the small mountain county as well. He estimated the financial burden put upon the county by Coleman’s efforts at $1100 and felt that his persecution put an equal, if not greater, burden on Unionists in terms of legal fees.38

Petitions clarifying some of the crimes that Tracy alluded to arrived just after the chairman’s letter. Two men were murdered in Henderson County, and the suspected killers, James Jones and Thomas Young, remained free. Both Jones and Young were Confederates and they committed their crimes prior to the legislature’s amnesty act, yet Coleman’s decision not to prosecute seemed all the more bizarre to the Unionist residents of Transylvania County when compared to his actions in the affair of John and William Allison. The latter was in the process of relocating to another state, but hesitated in case any pending action might require his attention. Coleman never reviewed witnesses or sent papers to a grand jury despite knowing of Allison’s intentions, and then at the last moment he called Allison as a witness for the state. Unaware of his being called as a witness, Allison failed to show at court. It struck the members of the Unionist community as perverse that Coleman should assure all that nothing prohibited Allison’s departure, then he called him as a witness without Allison’s knowledge. Unionists denounced

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38 Samuel Tracy to Daniel Sickles, August 29, 1867, Second Military District Records, RG 393, NARA.
Coleman for letting murders go unpunished while he prosecuted Allison for failing to appear in court when called.\textsuperscript{39}

If Transylvania and Cherokee counties appeared to be the most divided and angry with Coleman, he also generated resentment from more populated counties like Buncombe and Burke. The common denominator in each complaint continued to be the allegation that Union men received no justice at Coleman’s hands. Through the war’s final weeks, Elisha Cordell decided that he wanted to join the Federal ranks. He met up with a Union recruiting officer and they set off together for East Tennessee in the spring of 1865. As they passed through Buncombe County, the officer took note of the mules and horses on local farms and inducted several of them into federal service. Months later, Cordell found himself under arrest as an accomplice to theft. A witness testified that he saw Cordell and others with the stolen animals on April 1, 1865; Cordell admitted to riding the mule but denied any role in its robbery. More to the point, he claimed the theft took place during the war under the authority of the Union officer. Coleman disagreed. In his version of events, Cordell took part in an armed robbery on June 11, 1866. It was after the war and Coleman claimed amnesty did not apply in the case. The convicted the Unionist during the fall term of Buncombe County’s Superior Court in 1866, and he had to pay court costs.\textsuperscript{40}

The Coleman controversy revealed the extent to which western North Carolina whites continued to fight the Civil War through other means. Each group, the Unionists and the Confederates, now under the names of Republican and Conservative, fought along lines of loyalty for control of political power. Whereas the fight had become one-sided under

\textsuperscript{39} Transylvania County Petition to Maj. Gen. Daniel Sickles, August 30, 1867, Second Military District Records, RG 393, NARA.

\textsuperscript{40} Elisha Cordell to Daniel Sickles, September 2, 1867, Second Military District Records, RG 393, NARA; A.J. Willard Endorsement, October 14, 1867, Second Military District Records, RG 393, NARA. Elisha Cordell’s name appears in the record as Cordel and Cordell. For consistency, I have used Cordell.
Presidential Reconstruction, it shifted with the onset of the military government. Sensing this, Republicans made a concerted effort to unseat the former Confederate colonel who now acted as district solicitor. A petition from Mitchell County simply deemed Coleman “very objectionable to the Union Citizens of this County” and requested his removal so that Union men might receive fair treatment.41 Henderson County Unionists lent their voice to the anti-Coleman chorus. Their appeal deemed Coleman “disloyal” to the United States and biased against Unionists. “The grand jury has presented numerous cases of murder, Larceny, Forcible Trespass, &C, against Rebel soldiers and Citizens,” they wrote, but Coleman refused to act on any of them for two consecutive terms of court.42

Darkening clouds forced David Coleman onto the defensive. On the one hand, he answered the charge of selectively prosecuting Unionists with an abstract description of a prosecuting attorney’s duties. Solicitors must be careful and discrete. A poor officer he would be, Coleman opined, if he yielded “to the exactions of influence, or to the vindictiveness of revengeful persons.” No doubt, Coleman assumed a difficult task when he took office in the war’s wake. He informed the military that he was sensitive to these issues in dealing with cases involving soldiers. Even then, the sort of class bias exercised by Conservatives like Coleman colored his decisions. When dealing with war-related crimes, such as the killing of a Union or Confederate soldier, Coleman wrote that his “first question has usually been were the offenders soldiers & was the deceased a deserter whom they were ordered to take.” If their superiors had ordered the southern soldiers to capture deserters and other such men, then the death seemed justified. It was for this reason that he declined to act in the matter of William Hensley and other

41 Mitchell County Petition, September 18, 1867, Second Military District Records, RG 393, NARA.

42 Henderson County Petition, September 18, 1867, Second Military District Records, RG 393, NARA.
Confederate soldiers in Madison County who murdered a deserter. He decided that the soldiers acted within their orders and without malice; the deserter, in other words, received justice at the soldiers’ hands and Coleman would grant him no more.43

Perhaps Coleman’s most persuasive defense of his postwar actions was his view of existing political conditions. No one, be it Republican or Conservative, he argued, could have given complete satisfaction. The western counties were simply too divided and too much bitterness lingered. “Among a people divided by strong political feeling as were those of this circuit,” he wrote in his defense, “the prosecuting officer of whichever political character he might be, & however just & honest he might be would be bitterly assailed.” The legislature appointed Coleman to his office in December 1865 after the Conservatives swept the elections against William Holden and his anti-Confederate coalition. Coleman’s support for the president’s Reconstruction policy was well known, and he wondered if an anti-Confederate would not have suffered a similar fate. He believed that if “a radical been elected in my stead however just & impartial might have been his course hundreds of conservative union men would doubtless have charged & many of them believed prosecution & favoritism for political opinion’s sake.” For his part Coleman did not claim to be partial to one side or the other, but it was impossible to win the support of everyone in his district. He dismissed charges of disloyalty

43 David Coleman to George Price, October 27, 1867, Second Military District Records, RG 393, NARA. Bad blood flowed freely through many mountain communities. In Transylvania and Clay counties, where Unionists were outspoken in their animosity toward Coleman, the solicitor pointed to the divisions within mountain society and accused his opponents of acting upon personal vendettas. Coleman claimed that Transylvania County’s sheriff opposed him because he had indicted a number of his family on various counts—including theft and other misdemeanors. As for Clay County, whose residents seemed equally opposed to Coleman, the solicitor surmised that his bad reputation stemmed from his actions in the Ledford case. Sheriff Galloway of Clay County allegedly testified that spite and malice motivated Coleman.
with an affirmation of his commitment “to the Constitution, the Union, the Government & its laws.”

Conservatives, most notably Augustus Merrimon, united in Coleman’s defense. Having presided as judge over Coleman’s district, Merrimon knew the challenges the solicitor faced and he echoed the opinion that no one could have provided complete satisfaction in the divided mountains. Merrimon claimed that Coleman exhibited no bias and that he frequently witnessed the prosecutor offer amnesty to those who disagreed with him politically. Again, however, he pointed his finger at the lower class white men who deserted or resisted the Confederate army. The solicitor was “a zealous Confederate” and Merrimon was sure that the Unionists would have resented him regardless of the course he pursued as prosecutor. This resentment only grew when Coleman sought justice for Confederates who had lost property to deserter bands during the war. While Merrimon admitted that he and Coleman “have differed radically upon the character and powers of the Federal Government,” the solicitor was “a gentleman of great kindness of heart and uniformly polite and obliging to every body.”

As he sat himself in Asheville to write his final arguments against his removal, the embattled solicitor echoed a theme espoused in Augustus Merrimon’s earlier resignation: he put the military on trial. In his February 17, 1868 letter to a military official, Coleman challenged the very act of having to defend himself against the military during a time of peace. Forced to answer charges of persecution of Unionists and a pro-Confederate bias—without evidence of the exact charges given to him—struck Coleman as “contrary to all recognised [sic] modes of judicial investigation.” What sort of perverse justice was it “to answer the loose allegations of

44 Ibid.
45 Augustus Merrimon statement, January 8, 1868, Second Military District Records, RG 393, NARA.
persons, often criminals or their friends, who assume to know my duties, and to demand that I
discharge them according to their requisitions for vengeance or impunity.”46

The evidence garnered for and against Coleman revealed hardening political divisions.
Conservative Natt Atkinson labeled Coleman “a gentleman of the best character,” and supported
his retention as solicitor. Republicans steadfastly refused. James L. Henry and his brother
Robert M. Henry as well as William Candler, James Cannon, and Virgil Lusk all refused to sign,
Coleman argued, “on the sole ground that there was a partisan effort…to ‘oust’ me.” The
Henrys allegedly made no effort to deny the partisan nature of the movement, partly because
James L. Henry desired the post for himself. Employing the skills of his trade, Coleman
reasoned that the opposition of such men revealed “the unscrupulous partisan movement, which
people here know is at the bottom of all the clamor against me, and which those engaged do not
themselves believe is just or honest.” The current set of officeholders, chosen as they were under
military rule, commanded little respect in Coleman’s opinion. Registrars such as Tracy in
Transylvania County reflected “the difficulty in finding men who could take the requisite oath”
and not necessarily the honesty and character of the man holding the office. In fact, Coleman
believed that Congress had “thrown these positions, very often, into the hands of men without
that weight of character it would otherwise imply.” The bottom rail seemed to be on top.47

46 David Coleman to E.H. Luddington, February 17, 1868, Second Military District Records, RG 393, NARA.

47 Ibid. He forwarded a letter from Augustus Merrimon testifying to his good conduct, but none of the other judges
he stood before as solicitor lent their weight to his defense. Coleman claimed the he could not locate Judge W.M.
Shipp in time; Judge Ralph P. Buxton’s response was also left out because it hit upon personal matters the solicitor
deemed irrelevant—namely Coleman’s alcoholism—to the matter of his impartiality. On Coleman’s alcoholism, see
Ralph P. Buxton to David Coleman, December 31, 1867, Ralph Potts Buxton Papers, SHC. The solicitor’s
problems were not much of a secret. When he visited Cornelia Henry’s home amidst the controversy surrounding
his official conduct, she noted that Coleman “has been drinking and is sick from it.” See Henry Diary, October 3,
1867, North Carolina Collection, Pack Memorial Library, Asheville, NC.
Coleman’s fate rested ultimately in the district commander General E.R.S. Canby’s hands and his decision sent shockwaves through the postwar order mountain Conservatives had constructed following their electoral victories in December 1865. Information passed from the local officers all the way to the district commander, with each officer offering their advice on how best to resolve Coleman’s case. In the end, the military’s support fell on the side of Coleman’s opponents. Colonel W.B. Royall, who commanded the post in Morganton, endorsed Coleman’s removal on October 31, 1867, stating that there were competent lawyers capable of taking the ironclad loyalty oath to replace him. As a result, Unionists, who Conservatives like Coleman held in little regard, exercised greater power than before. Men like Samuel Tracy of Transylvania County were the sort of base, spiteful men that Coleman and the Conservatives believed made up the Republican ranks. Noting that Tracy had been “conspicuous in expressing fierce denunciations of me,” Coleman attributed Tracy’s vitriol to his having been convicted in the fall of 1866 and again in the spring of 1867 by Coleman for illegally selling liquor. Tracy allegedly swore that Coleman tried to bribe witnesses with alcohol—a charge that Tracy’s lawyer, James L. Henry, convinced his client to avoid making under oath. In his mind, all his critics and accusers were like Tracy. They were bitter, deluded, and devoid of evidence against him. Coleman could barely hide his disgust with both his accusers and the fact that they seemed to have the military’s support.48

Coleman was not the only Conservative officeholder to feel the military’s wrath in western North Carolina. The tide of Unionist sentiment continued to roll across the mountain counties’ political landscape, and broke upon Buncombe County sheriff Jackson Shipman. The summer and fall of 1867 marked the Unionists’ revenge. In Shipman’s case, the charges

48 David Coleman to E.H. Luddington, February 17, 1868, Second Military District Records, RG 393, NARA; W.B. Royall endorsement, October 31, 1867, Second Military District Records, RG 393, NARA.
centered upon his actions involving a three dollar debt. Around the middle of July, Shipman allegedly came to Alfred Garren’s farm to collect the debt. Garren was in the fields plowing when Shipman arrived. To satisfy the small prewar debt, Garren offered his watch. That failed to satisfy Shipman, who demanded instead the mule pulling Garren’s plow. Garren testified that Shipman drew his knife and moved toward the mule. Sympathetic Conservatives backed Shipman in the matter and testified of Garren’s poor character. Shipman himself testified that Garren gathered an armful of rocks and threatened the sheriff’s life, which prompted him to draw his knife. Agga Corpening testified that he saw Shipman cross Garren’s fence and move toward the mule, after which Garren picked up the rocks. According to Corpening, Shipman then threatened to cut out the Unionist’s heart if he failed to yield.49

What is more important in the confrontation between Garren and Shipman is not who threatened whom first, but how each side spun the event. Garren’s charges prompted another wave of petitions and accusations that cast further doubt upon the ability of mountain Unionists to receive justice. In the military authorities’ opinion, the mounting evidence damned mountain Conservatives. Buncombe County resident Nathan Brown reduced the matter to Shipman’s status as an original secessionist and “disloyal man.” Proving Shipman’s disloyalty was more important to the Unionists than proving the abuse of one particular individual. Another Buncombe County Unionist, John Taylor, informed the military officials that he had heard Shipman demean Yankees and pray for another war. According to Taylor, Shipman swore that if another war could get masters their slaves back he would fight until “his last drop of blood.”

Fresh off his complaints against Coleman, Elisha Cordell testified that Shipman had denounced

49 Alfred R. Garren Affidavit, October 4, 1867, Second Military District Records, RG 393, NARA; Agga Corpening Affidavit, October 7, 1867, Second Military District Records, RG 393, NARA. According to the 1860 census, Garren was forty-five years old and living with his wife on a farm worth roughly $100. His personal property was also valued at $100. See 1860 Census, Buncombe County.
Congress and claimed that they had no right to wrest control over Reconstruction from Andrew Johnson. Regarding Unionists, Cordell claimed that Shipman had blamed them for the Confederacy’s defeat.\(^{50}\)

Shipman’s defense possessed a tone quite similar to David Coleman’s. Both men seemed bewildered at their fate. It was incomprehensible to them that they would be in danger of losing office and political power based on the charges of men that they and their Conservative colleagues felt were beneath them. Answering charges of targeting Unionists as “maliciously false,” Shipman asserted that he had taken the amnesty oath proscribed by President Johnson and obediently followed both Congress’s laws and the president’s proclamations. The whole Garren affair, Shipman argued, was the military’s responsibility. He claimed that a Federal officer ordered him to collect Garren’s debts and that he drew his knife in self-defense after Garren reached for the rocks. All of these matters, the sheriff proposed, were of relatively minor importance and should be put behind them.\(^{51}\)

Both commanders of the Second Military District, Daniel Sickles and E.R.S. Canby, who succeeded him in early September 1867, removed civil officials rarely. Compared to the heavy-handed tactics of Philip Sheridan in Louisiana, the generals in the Second Military District exercised great restraint in dealing with North Carolina’s civil officials. Sickles believed the ability to dismiss officials to be a key part of his authority, but he informed Ulysses S. Grant in June 1867 that he had removed only twelve men from office for “misconduct in office.” Most of these removals were in eastern North Carolina. Canby ordered the removal of Coleman and

\(^{50}\) Affidavit of Nathan Brown, October 4, 1867, Second Military District Records, RG 393, NARA; Affidavit of John Taylor, October 2, 1867, Second Military District Records, RG 393, NARA; Affidavit of Elisha Cordell, October 3, 1867, Second Military District Records, RG 393, NARA.

\(^{51}\) Jackson Shipman to J.C. Denney, September 25, 1867, Second Military District Records, RG 393, NARA; Affidavit of Jackson Shipman, October 4, 1867, Second Military District Records, RG 393, NARA.
Shipman, whose removal from office, like the solicitor’s, stemmed from the hope of restoring a balance and bringing justice to the mountains for Unionists. Where Shipman’s case differed from Coleman’s, however, was that mountain Conservatives fought the decision. General E.R.S. Canby had ordered Shipman’s removal, but his community had their own ideas. Sure, Canby removed Shipman as justice of the peace. As soon as was possible, however, the people of the Bent Creek district re-elected him to the same office. The message was clear: the military might see Shipman as unsuitable for public office, but the people of his community wanted him as magistrate whether he discriminated against Unionists or not. Conservatives dug in against national power and the military in particular. In Bent Creek, at least, the Conservatives were strong enough to reject the military and reelect Shipman.52

Military intervention did not always come to those who requested it. Numerous petitions for assistance failed to prompt military intervention. Coupled with Shipman’s reelection, these unmet pleas revealed the limits of the military’s impact on the mountains. The clearest distinction was that the military authorities acted only in cases of institutional justice. A biased officer who persecuted Unionists not only punished men who previously wore Union blue, but that corrupt official also damaged the basic functions of the reconstituted state governments. Equal justice, in the military authorities’ estimation, was not meted out in the mountains, so they removed the obstacles. In cases of indebtedness and economic relief, they declined to act. Many petitions from Unionists and professed loyal citizens seeking redress against a debt collector or to stay the sale of their property failed to convince the military officials to act on their behalf.

Edward Sevier, a Buncombe County farmer, for example, struggled to provide for his family after the war. Because “his necessary articles of furniture, apparel, subsistence and implements of husbandry including a dark bay mule” were not worth more than the $500 guaranteed by General Sickles’s General Orders 10, he feared he might lose it all after the court ruled against him for $47 on March 5, 1868. The sheriff had seized Sevier’s most important, although not his most valuable property, his mule, to satisfy the debt. A mountain farm was practically crippled without a mule to pull the plow and Sevier argued that the animal was “indispensable in the cultivation of his crop the approaching season.” Sevier’s fretted that without his mule he would incur more debts and slowly become insolvent.53

Sevier petitioned General Canby for the mule’s return, but he refused to act in this case. Canby replied that the civil courts were the proper sphere for Sevier’s complaint.54 When W.W. Smith appealed for military relief from what he deemed an unfair tax on his hotel and bar, he received a similar response. Smith had a license for the sale of whiskey in his hotel bar and had always paid the requisite taxes, but he believed that Buncombe County had violated a military order by assessing an additional $150 tax. Like Sevier, Smith received little help. Under Canby’s orders, “military relief cannot be afforded unless it appears under oath that the Civil Courts are unable or have improperly refused to give the appropriate remedy.”55 Caldwell

53 Edward Sevier to E.R.S. Canby, March 20, 1868, Second Military District Records, RG 393, NARA. The military was sympathetic to debtors. In his sweeping General Order 10, Sickles halted the collection of any debts incurred while North and South Carolina were in rebellion. Creditors had to wait a year to collect any sums concluded before May 20, 1861. Sickle’s order suspended debts involving slave sales, and it also made wages due for agricultural labor payable by a lien on the crop. General Order 10 provided a level of protection to average farmers. It was this protection, which allowed defendants with dependent families to keep their homes, twenty acres of land, clothing, subsistence, and work tools up to the value of five hundred dollars, which Sevier seemed to reference in his appeal to Canby. For more on Sickles’s stay of debts, see Kirkland, “Federal Troops in North Carolina During Reconstruction,” 77-8.

54 Ibid.

55 W.W. Smith to E.R.S. Canby, October 26, 1867, Second Military District Records, RG 393, NARA.
County residents raised an additional tax complaint, stating that they were incapable of paying their taxes on time. Former Freedmen’s Bureau agent Clinton A. Cilley, who married Conservative James C. Harper’s daughter and adopted Caldwell County as his home, reported that some of the “very best citizens—men who would have paid their taxes long ago—had it been possible for them to do so” had defaulted as they waited to sell of their crops to settle existing debts. Residents claimed that the heavy state, local, and county taxes had practically stripped the county of cash. Matters were so bad and money so scarce that Clinton A. Cilley, former Freedmen’s Bureau chief of western North Carolina and now a Caldwell County resident, felt that even if collectors confiscated and sold debtors’ property it would fetch little. When the matter reached the commanding general’s headquarters, Canby did not believe it “consistent with the public interests to extend relief against taxation lawfully imposed beyond the limits allowed by existing General orders.”

The defiance of a military order set the tone for cases of military justice as the 1868 elections approached. All eyes were on the gubernatorial election. Unionist-Republicans’ newfound military ally had put the Conservatives on the defensive. Conservatives faced military tribunals as the election approached, and the charges and the trials revealed the lengths that party was willing to go to regain the power they lost in 1867. White Conservatives challenged the military’s authority directly. Joshua Stuart’s trial for assault was typical of the Conservatives’ tactics. Arrested for an assault upon Elias Albertson in Morganton on April 21, 1868, Stuart based his defense on the military’s power to intervene in local affairs. The specifics of the case were not that important: it appeared Stuart first pushed Albertson, with whom he was friendly, in jest and then matters escalated. No one was injured, but witnesses testified that Stuart appeared

56 Clinton A. Cilley to E.R.S. Canby, December 10, 1867, Second Military District Records, RG 393, NARA.
angry and threatening. He allegedly shouted at Albertson that he was an “impostor…swindling the people out of their money” and for that Stuart intended to “whip” him.57

Stuart and his lawyer, George P. Erwin, made a motion challenging the military’s authority in his case, which the tribunal considered and dismissed. Erwin then went on the offensive. “There was nothing extraordinary in the charge brought against him,” Erwin wrote on Stuart’s behalf, “which justifies or ought to require the interference of the military authorities.” It seemed inappropriate and unnecessary to Erwin that the military should involve themselves in such cases since Congress had readmitted North Carolina to the Union. He believed that since his state was once more part of the United States, the military could not interfere “with the civil rights of any of her citizens.” Stuart, as a North Carolina and United States citizen, claimed “all the rights appertaining to such citizenship, of the highest of which is the right of trial by jury and exemption from military interference.”58 The matter, Erwin argued to the military officials later that summer, was unfair and improper. Even under the terms of the Reconstruction Act creating the military districts in the South, the generals commanding the districts existed in a parallel structure to the civil authorities and it was standard practice to let cases like Stuart’s to the civil courts. His lawyer argued that the military used Stuart to make a point, taking his case while letting comparable cases go to the county court. “It would be just, right and proper, if not incumbent upon the military authorities,” wrote Erwin, “to remand to the jurisdiction of the civil

57 Proceedings of a Military Tribunal in the Case of Joshua Stuart, June 15, 1868, Second Military District Records, RG 393, NARA. According to the 1860 census, Stuart was a rather modest mason. His real property totaled $200 and his personal property was slightly higher at $350. See 1860 Census, Burke County.

58 George P. Erwin statement of Stuart’s defense, June 24, 1868, Second Military District Records, RG 393, NARA.
courts the accused, who is only charged with simply assault & battery.” It proved to no avail. The tribunal convicted Stuart, fined him $75, and sentenced him to 30 days hard labor.59

Similar rhetoric and arguments surrounded Alphonso Avery’s trial, which powerfully captured Conservatives’ imagination because the military arrested him for “treating” voters to liquor during the election, a traditional custom in the mountains.60 The order that the former Confederate officer violated by treating voters was a general ban on “the sale of intoxicating liquors by retail” near polling places. In that sense, Avery clearly disregarded a military order. Acting as Avery’s co-counsel, George P. Erwin, found a loophole; Avery’s Morganton law office, he argued, was not a retail establishment, nor was he selling whiskey. Feeling that the government was desperate for a conviction, Erwin accused them of punishing Avery for “the unprecedented crime of violating the spirit of an order.” Avery took a defiant stance. “The accused pleads guilty to so much of the specification, as sets forth that he was a candidate for election,” Erwin chided, “and that he did provide himself with ten gallons of whiskey or thereabouts, but admits only that he dispensed a portion of the same…and denies that he acted contrary to the spirit…of said General Order.” The whole affair was ludicrous, Erwin implied, when he asked “how many drinkers convert an innocent act of hospitality to a crime.”61

A major reason for the prosecution of Stuart and Avery was the heightened alarm over the elections. Military authorities felt certain that violence would erupt at mountain polling places. In early April, Colonel W.B. Royall wrote Canby seeking a stronger military presence to

59 Undated statement, George P. Erwin, Second Military District Records, RG 393, NARA; Special Orders No. 145, Headquarters Second Military District, June 24, 1868, Second Military District Records, RG 393, NARA.

60 Proceedings of a Military Tribunal in the Case of Alphonso C. Avery, May 7, 1868, Second Military District Records, RG 393, NARA.

police the western districts to protect voters. “The Rebel portion of the population in my Post are much more intelligent and powerful as a class than the Union men,” the colonel informed his superior, and “although the Rebels are much in the minority, yet they manage to intimidate the Union men.” Royall complained that the Conservatives denounced and denigrated Unionists by word of mouth and generally conducted themselves in a way “highly subversive of good order.” Royall felt he could not arrest Conservatives for raising the furor against Unionists to a fevered pitch and provoking violence against them, so he asked Canby for permission to “make any arrests for the above mentioned offence, as I may think necessary.” This would be a major extension of the military’s authority, and perhaps a highly effective one. Conservatives like Avery and Stuart placed the military’s power and authority on trial, and for an officer like Royall charged with keeping order, it was increasingly difficult to do so. As a final request, he also sought Canby’s permission to distribute the troops under his command throughout his district “in order that the troops may be available to prevent disturbances such as I think are very likely to occur at the ensuing election.”

Canby’s response to Royall’s request on April 9 was the fullest policy statement that the commanding general issued. Royall received the ability to move troops around his district to police the elections, but not the full authority to maintain “order” that he hoped Canby would provide him. The major general’s response read like a classic defense of American liberty. “However objectionable a form it may take there can be no interference with the freedom of political discussion,” the general’s aide informed Royall, “but if the parties go beyond this and engage in combinations to prevent by force the execution of the laws of Congress or by force intimidation or threats to prevent the officers executing these laws from performing their duties

62 W.B. Royall to Louis Caziarc, April 1, 1868, Second Military District Records, RG 393, NARA.
they at once bring themselves within the prohibitions of the law and of military orders.” Canby further informed Royall that residents could not threaten to discharge or actually dismiss employees if they refused to vote the way their employer desired.63

While this attitude seems consistent with broadly accepted American attitudes about law and justice, it does not account for the situation described by Royall. The post commander’s concerns were allegedly “fully understood and fully appreciated” at headquarters, but were they? The tide was turning in Morganton and other mountain communities. Conservatives grew bolder and stronger as the elections approached. They had lost their control over the region to a tightening alliance between Unionists and the military. Congressional Reconstruction upset the balance of power in the mountains, for a moment creating the society that Unionists had wanted. The Republicans appeared strong and sufficiently entrenched to stand on their own against the Conservatives, so the military pulled back. For a moment, it appeared that former adherents to the Union cause would govern Appalachian North Carolina. It was only a moment.

63 L.V. Caziarc to W.B. Royall, April 9, 1868, Second Military District Records, RG 393, NARA.
CHAPTER 5

AGENTS OF CHANGE: THE FREEDMEN’S BUREAU IN
WESTERN NORTH CAROLINA, 1867-1868

As poetry goes, it was nothing special. Spoken by an unnamed composer at the Washington School in Raleigh on June 27, 1867, “North Carolina Free” captured the excitement and hope of African Americans as well as white Republicans at a particular moment in time. Once Congress assumed control over Reconstruction, the military became a powerful presence in western North Carolina and the South. The presumably black poet praised the war for ending slavery and keeping the Old North State within the Union, and rejoiced in a future enlivened by freedom stretching “From Mitchell’s Peak to Hatteras Banks” and “From Curritank to Cherokee.” Congress’s Reconstruction Acts and the military’s presence were two reasons for that hope, but the Freedmen’s Bureau proved more significant for the African Americans closer to Mitchell’s Peak and Cherokee. Bureau agents’ arrival in western North Carolina marked a profound moment. They offered hope for secure labor as envisioned in the poem and protection from the violence. A future of schools, like the one where the poem was read in Raleigh, and full citizenship seemed within reach. An alliance of white Republicans, black voters, and federal power in the hands of Bureau agents proved to be the means to that end in North Carolina’s western counties.¹

The poem also spoke of freedom to work, own a home, and study the Bible, and although it tried to make the disruptive nature of war seem like a distant past, the fact was that federal

¹ “North Carolina Free,” included in Fisk P. Brewer to E.P. Smith, July 12, 1867, American Missionary Association Manuscripts, North Carolina, Amistad Research Center, Dillard University, New Orleans, Louisiana, reel 3.
power was closer to North Carolinians than ever. Grassroots organization confronted the
deepening federal presence in western North Carolina. Former Unionists and anti-Confederates
organized themselves throughout Presidential Reconstruction to present a more formidable
opponent to the Conservatives who seemed to thwart them at every political turn. In North
Carolina, the creation of the state’s Republican Party accompanied the onset of Congressional
Reconstruction. Formed in Raleigh that same month, the formal association of the state’s
Unionists, anti-Confederates, and others with the national Republican Party continued postwar
organizing efforts that had begun in the northwest with the resurgent Heroes of America, or Red
Strings, rallying against the Conservative Party. Other pro-Union and pro-Republican
organizations followed. White southern Unionists joined the Union League, a northern
organization that spread throughout the South after the war.Originating as a club supporting
Abraham Lincoln, the Union League organized white and black southerners behind Republican
politicians and policies after Congressional Reconstruction began. For that reason, the League
was strongest in the mountain counties with larger black populations. Buncombe County, with
Alexander H. Jones, led the way with 19 Union League councils and 1800 members by August 1,
1867. A separate roster for the “Colaard [sic] Leag” in Buncombe County revealed at least 44
black members, including several with familiar last names like Henry, Love, Jones, and Erwin.
Rutherford County had 1200 Union Leaguers, and Burke County had a strong League presence
as well. The revival of the Red Strings, the development of the Union League, and finally the
formation of the state’s Republican Party meant that a new attitude toward African Americans’
political participation must follow.²

² Michael W. Fitzgerald, The Union League Movement in the Deep South: Politics and Agricultural Change During
Reconstruction (Baton Rouge: Louisiana University State University, 1989), 2; J.G. de Roulhac Hamilton,
Reconstruction in North Carolina (New York, 1914), 240-3, 329, 337; “Colaard Leag” insert inside Republican
Petition to W.W. Holden, August 5, 1868, William W. Holden, Governors’ Papers, NCDAH.
Congressional Reconstruction altered the course of the Freedmen’s Bureau’s efforts in western North Carolina. During Presidential Reconstruction, the lines of authority between the military and the Freedmen’s Bureau overlapped significantly. That remained largely true in 1867 and 1868, but with one crucial difference. When Andrew Johnson oversaw southern Reconstruction, the military presence in the North Carolina mountains was weak. Once Congress assumed control, the military’s authority in the western counties increased, which breathed new life into the Bureau as well. The Bureau had always been sympathetic to mountain blacks and its agents worked to mediate labor contracts and disputes when they could, but a lack of personnel, local opposition, and a weak military presence limited its influence. The national shift in policy, however, strengthened the Bureau. A dozen or so agents came in and out of the mountains between 1865 and 1868, most of whom were white northerners with Bureau experience elsewhere in North Carolina. These officials became the conduit of federal power for mountaineers of all races, providing protection, food, and other means of support. African Americans continued to rely upon the Bureau to safeguard their political and civil rights, but whites also came to depend upon the agents for support after March 1867. Frustrated white Unionists embraced blacks politically after the Conservatives won control of local and state offices. Hence, a stronger, more active Bureau brought together African Americans and white Republicans, making possible what many historians have held as sacrosanct about southern Appalachia: that it was a Republican stronghold.³

³ In this regard, the Bureau in western North Carolina lived up to the “grass-roots Bureau” detailed by George R. Bentley in his pioneering study of the Freedmen’s Bureau. Overall, the Bureau’s staff peaked between 1867 and 1868. By the end of 1868, 901 men—including 348 clerks—worked in the agency. Vast commands, little military aid, and a lack of clerks left many agents to their own devices. Their jobs were immense. As Commissioner Oliver Otis Howard said, his agents had to act as “a magistrate with extraordinary judicial power—overseer of the poor of all classes in his district, agent to take charge of abandoned lands, and required to settle, in a few days, most intricate questions with reference to labor, political economy, &c. that have puzzled the world for ages.” See George R. Bentley, A History of the Freedmen’s Bureau (Philadelphia: The University of Pennsylvania Press, 1944; reprint, New York: Octagon Books, 1970), chapter 10 especially pages 136-8. Quote appears on page 136.
The impact of the Freedmen’s Bureau on the South has elicited myriad interpretations. Some scholars viewed it as a well-meaning organization that largely failed to enact much change. Others have seen the Bureau as federal paternalism, not entirely unlike the antebellum southern variety, which attempted to replace slave labor with an equally problematic contract labor system. More recently, historians like Steven Hahn have reminded us that whatever the Bureau accomplished, it did so largely due to the political agency of southern African Americans. His criticism of historians’ tendency to overplay the influence of the Freedmen’s Bureau in empowering blacks politically is a just warning, but it also runs the risk of being an overcorrection. To be sure, black mountaineers did not need the Bureau to teach them where their best interests lay. Black southerners across the region determined for themselves what they wanted and needed in the wake of emancipation. In areas where blacks constituted a distinct population minority and lacked the means to achieve their goals on their own, however, the Bureau was a powerful ally and facilitator of interracial political cooperation. By analyzing the Bureau in its entirety at the local level, the full scope of its operation and its impact on local society becomes clearer. Far from perfect, it brought federal power to bear in a region traditionally distant from the national government and linked white and black Republicans politically.4

4 For an example of a Dunning view of the Bureau as tampering and detrimental to North Carolina, see J.G. de Roulhac Hamilton, Reconstruction in North Carolina. A more recent and evenhanded view can be found in Paul Cimbala, who like others, attempts to place the Bureau and its actions in the context of broader nineteenth century society. Critics of the Bureau remain, such as Karin L. Zipf, who judges the Bureau agents’ protection of black single mothers’ rights to their children harshly. Others, such as Denise Wright, have focused on relief efforts and the impact of those efforts on society in Georgia. Little has been done, however, with the Bureau in Appalachia. See Paul A. Cimbala, Under the Guardianship of the Nation: The Freedmen’s Bureau and the Reconstruction of Georgia, 1865-1870 (Athens: University of Georgia Press, 1997); Karin L. Zipf, Labor of Innocents: Forced Apprenticeship in North Carolina 1715-1919 (Baton Rouge: Louisiana State University, 2005); Denise E. Wright, “Civil War and Reconstruction Welfare Programs for Georgia’s White Poor,” (Ph.D. diss., University of Georgia, 2005). Gordon McKinney overlooked the Bureau’s important relief and political role in his influential study of southern mountain Republicans. See Gordon B. McKinney, Southern Mountain Republicans: Politics in the Southern Mountain Community, 1865-1900 (Chapel Hill: University of North Carolina Press, 1978). In Southern
A significant step toward strengthening the Freedmen’s Bureau in western North Carolina was to expand its reach. Qualified personnel were in short supply after the war, and keeping the few agents in the west proved difficult. Lieutenant P.E. Murphy received a transfer to Greensboro and left Asheville in June 1866. Western District head Clinton Cilley also stepped down from his post that summer and mustered out of service completely on September 1. Each subdistrict needed a reliable agent. During the summer of 1867, such agents emerged from the Veteran Reserve Corps, which kept severely wounded and disabled veterans on active duty during the conflict. It became a godsend for the Freedmen’s Bureau after the war. Three new agents came to western Carolina from this organization. Special orders in June 1867 assigned first lieutenants George S. Hawley and James F. Allison to Macon and Wilkes counties, respectively. Allison, who had previously worked for the Bureau in Tarboro, North Carolina, opened an office in Wilkesboro on September 24, 1867. Second lieutenant William N. Thompson, also of the Reserve Corps, arrived in Ashe County in mid-July. While the Bureau relieved civilian agents that June in Caldwell and Henderson counties, it sent Oscar Eastmond, a New Yorker who served as lieutenant colonel in the 1st North Carolina Union Infantry in eastern North Carolina, to replace Lieutenant Murphy in Buncombe County. Along with Hannibal D. Norton, who remained on duty in Morganton, these officers gave the Bureau a strong presence in western North Carolina.5

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5 Freedmen's Bureau Records, Microfilm, Reel 29; J.F. Allison to Jacob F. Chur, February 28, 1867 and J.F. Allison to Jacob F. Chur, September 24, 1867, Freedmen's Bureau Records, Microfilm, Reel 29; William N. Thompson to Jacob F. Chur, July 19, 1867, Field Office Freedmen's Bureau, NARA Microfilm 1909, Reel 27; Clinton Cilley to Stephen Moore, June 12, 1866, Freedmen’s Bureau Records, Microfilm reel 1; General Orders No. 6, September 1, 1866, Freedmen's Bureau Records, Microfilm, Reel 20.
Each new agent did his best to uphold the protections established for African-American workers in the first two years after the war. In Asheville, Lieutenant Murphy’s successor proved particularly aggressive in his duties. When black mountaineers forced issues like unpaid wages and forced child apprenticeships onto the political agenda, Oscar Eastmond wielded the Bureau’s authority promptly in their favor. A local black man, Campbell Leadbetter, came to Eastmond’s office and informed the agent that his landlord, John Murphy, had concluded a contract with him the previous year in which Leadbetter was to receive one third of both the corn and wheat as payment. Eastmond ordered Murphy to appear at his office within two days and to do nothing with the disputed crop. Failure to comply, the agent warned, would result in Murphy losing all his corn and wheat. Similar issues plagued John Jordan whose white landlord refused his payment. John R. Bennett rented a piece of land and a house to the freedman, but once the crop matured, Bennett drove Jordan off. Eastmond sympathized with freedmen in such battles because whites proved less than accommodating. Too many whites behaved like Thomas Patton, who Eastmond wrote had a reputation for “ill treatment of freedmen in not paying them their wages.” Patton preferred to delay payment and court proceedings to the point where the former slaves’ money ran out. Two black men complained to the Bureau that they lacked the financial means necessary to sustain legal action against Patton. Although Eastmond knew these cases belonged in the civil courts, he recognized the injustice in Patton using freedpeople’s lack of means against them and tried assert his own authority in order to give the black population a protector.6

6 Oscar Eastmond to John Murphy, August 1, 1867, Field Office Records, Freedmen’s Bureau, NARA Microfilm 1909, reel 4; John Jordan oath, September 10, 1867, Field Office Records, Freedmen’s Bureau, NARA Microfilm 1909, reel 5; Oscar Eastmond to Jacob F. Chur, August 26, 1867, Field Office Records, Freedmen’s Bureau, NARA Microfilm 1909, reel 4.
Eastmond also became a part of African Americans’ struggle to bring their families together. Although many freedpeople went back to work on their former owner’s farms, others had their children wrested from them by discriminatory apprenticeship practices. Black mountaineers resisted these efforts, and turned to the Bureau for additional help. Apprenticeship made clear that, even in western North Carolina where blacks were a distinct population minority, whites both craved their labor and wished to retain their mastery over them. In Buncombe County where African Americans made up roughly 16 percent of the population, James Horton had two of Dicy Pendland’s children, Zeb and Julia, bound to him against their will and the wishes of their mother. Eastmond tried to help; he ordered Horton to appear in his office on August 9. Noncompliance would result in Horton’s arrest and trial before a military court “on the charge of forcibly depriving said persons of their liberty.” He took similar steps to cancel the indenture of a young black woman named Margaret Miller. White landlord Jeff McMenn responded in a manner reminiscent of slavery; he claimed her labor since he had “paid money for her and has her bound to him,” Eastmond sided with the girl’s parents who wanted her returned to them.\footnote{Oscar Eastmond to James Horton, August 2, 1867, Field Office Records, Freedmen’s Bureau, NARA Microfilm 1909, reel 4; Thomas Miller oath, September 3, 1867, Field Office Records, Freedmen’s Bureau, NARA Microfilm 1909, reel 5; Inscoe, \textit{Mountain Masters}, 61; Inter-university Consortium for Political and Social Research. \textit{Historical, Demographic, Economic, and Social Data: The United States, 1790-1970} [Computer file]. Ann Arbor, MI: Inter-university Consortium for Political and Social Research [producer and distributor], 1984. As Rebecca Scott has noted, local Bureau agents often found themselves left to make decisions themselves on apprenticeship. It was Bureau policy, however, to apprentice black children only with the consent of the parents. In practice, this policy was uneven. Courts often apprenticed black children without parental consent, and girls faced longer terms than boys did. Redress was also difficult, as parents who changed their minds about indentures signed during Presidential Reconstruction could do little later to regain custody. See Rebecca A. Scott, “The Battle Over the Child: Child Apprenticeship and the Freedmen’s Bureau in North Carolina,” \textit{Prologue} (1978): 102-5, 107-8}

A stronger Freedmen’s Bureau had a profound effect on the political landscape in western North Carolina. In Rutherford County, the only mountain county to send representatives to the 1865 freedmen’s convention in Raleigh, a local newspaper announced its support for its
black readers. The Rutherford *Star* urged black men to stand strong against threatening and
delinquent landowners. As “freemen,” black residents needed to fight for and assume the basic
rights of citizenship, including the rights to collect their rightful pay for labor performed and vote.
If their employer threatened not to pay them or to evict them without settlement, the *Star*
exhorted its black readers to join the Union League and to vote the Republican ticket. White
men who refused to pay black workers for their labor, the newspaper reported, risked bringing
the Freedmen’s Bureau’s wrath down upon themselves. This editorial first ran in Rutherford
County, but the staunch Unionist turned Republican, Alexander H. Jones, reprint it in his
*Pioneer*, which had recently relocated to Asheville. When Jones ran this piece on August 20,
1867, the name Oscar Eastmond was already becoming anathema to local Conservatives.8

Buncombe County and Eastmond were not alone in the effort to secure the rights of
freedpeople in the Carolina highlands. Lieutenant George Hawley was a Freedmen’s Bureau
veteran by the time he arrived in southwestern Macon County in 1867. Dealing with child
apprenticeships was not new for Hawley, confirmed by the air of authority in his letter to John
Sanders who held a young African American named Isaac on his farm. Sanders worked the boy
hard without granting adequate provision for him. Isaac desired to leave Sanders’s employ, but
his white landlord forced him to stay. “You are hereby informed that such retention of the freed
boy is illegal,” Hawley warned, “rendering you liable to punishment according to the laws of the
United States.” Should Isaac wish to leave, Sanders must allow him to do so. Any additional
attempt to retain Isaac against his will would be at Sanders’s “peril.” The Macon County agent

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8 Asheville *Pioneer*, August 20, 1867.
informed the landlord that the best way to avoid “serious consequences” was to pay Isaac for services rendered and to let him go.\footnote{George S. Hawley to John Sanders, September 19, 1867, Field Office Records, Freedmen’s Bureau, NARA Microfilm 1909, reel 14. The authority may stem from Hawley shifting course. African Americans in northeastern North Carolina accused Hawley of ignoring their parental rights in April 1866. For his part, Hawley denied apprenticing children whose fathers opposed the measure in all but one instance. In that exceptional case, Hawley claimed the father was “no better than a fool” and incapable of providing for his kids. Gender, according to historian Karin L. Zipf, played a critical role in Hawley and the Bureau’s actions. Single black mothers, it seems, garnered little support from Hawley in eastern North Carolina—part of a larger trend of deprecating the maternal rights of black women. See Zipf, Labor of Innocents, 81-2. A case from July 1866, however, showed a different side of Hawley. He recommended the revocation of seven black children’s indentures. The parents, Hawley contended, could and would provide for the children. District head Clinton A. Cilley refused. He argued that an apprentice bond was a contract, and that parents should not be able to overturn Bureau actions based on their willingness to provide for the children. For Cilley, the Bureau’s word was its bond and must be upheld. See Scott, “The Battle Over the Child,” 108, 111.}

James F. Allison also went to work settling wage claims in his district upon his arrival in Wilkesboro in September 1867. During the next two months, he adjudicated several such disputes. On October 24, he informed Richard Nicks that he owed Irvin Hall $26 that he could either pay or appeal. Just over two weeks later, he accused William Finley of depriving a Peter Staley use of a mule and $250 for the loss of Staley’s crop. Allison expanded his reach beyond recent events. In the case of an African American named Pompey Dobson, the agent sought a settlement from 1865. He charged Elisha Wellborn of defrauding Dobson of $17.41 for labor performed. A similar situation confronted Miles Sperer. Previous efforts on the freedman’s part to collect his wages had failed, so Allison intervened. Either settle for the $40 Sperer claimed, Allison warned, or appear in person to refute the charges. To cap the year’s work, Allison instructed two other white proprietors to pay wages due to an African American named Philip McCordy of Alexander County. McCordy claimed that both white employers had refused to pay him the almost $20 they owed him.\footnote{James F. Allison to Richard Nicks, October 24, 1867, Field Office Records, Freedmen’s Bureau, NARA Microfilm 1909, reel 65; James F. Allison to William Finley, November 13, 1867, Field Office Records, Freedmen’s Bureau, NARA Microfilm 1909, reel 65; James F. Allison to Elisha Wellborn, November 13, 1867, Field Office Records, Freedmen’s Bureau, NARA Microfilm 1909, reel 65; James F. Allison to Mr. Hardin, November 21, 1867, Field Office Records, Freedmen’s Bureau, NARA Microfilm 1909, reel 65; James F. Allison to Frank Stinson,
A willingness to correct past wrongs invigorated western North Carolina’s Freedmen’s Bureau agents during Congressional Reconstruction. Oscar Eastmond came to Asheville partly for health reasons. He hoped that the salubrious mountain climate would ease his health problems that originated during his war service in eastern Carolina. His greater motivation for accepting the Bureau post, however, was his belief that reconstructing the South required drastic action and that southern Unionists needed federal assistance. On June 10, 1865, Eastmond asked permission for his men to keep their guns after they mustered out of service because former Confederates remained dangerous. After all the southern-born Union soldiers had sacrificed and accomplished, Eastmond hoped the government would not leave “them to the mercy of those from whom both themselves and families have suffered taunts, and violence during the rebellion—men who have burned their homes, desolated their plantations and simply left what they could not destroy, the land.” He felt certain that “secret plots of midnight violence and highway murder” would follow. Confirmation of his fears came quickly. Early in July 1867, the Hendersonville *Pioneer* reported what appeared to be a coordinated attack members on Asheville’s Union League. This incident outraged Republicans. *Pioneer* editor Alexander H. Jones chastised Conservatives for tacitly condoning the stoning by doing nothing to punish them and condemned Asheville as “the hot-bed of rebellion in this section of the State.” In his

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estimation, “there are more ‘Booths’ than one in the land…encouraged by technical phrases and insinuations” to do harm.\(^\text{13}\)

Eastmond also condemned local Conservatives’ inaction. According to Eastmond, these county officials were not merely ignoring orders; he interpreted their inactivity as open resistance to federal authority. In disobedience with Bureau orders, white judges proclaimed publicly that they would not allow black testimony in their courtrooms. Attempts at enforcing black testimony in civil courts would contradict state law banning it, and the judges vowed to resign rather than disobey state law. When he forwarded the *Pioneer’s* report to his supervisor, Eastmond indicted local officials by association. Disregard for authority and political violence convinced him to take matters into his own hands.\(^\text{14}\)

His belief that Conservatives oppressed all their opponents—black and white—prompted a showdown between Eastmond and Buncombe County’s political elite. North Carolina civil courts long conflicted with the Bureau’s mandate to protect black males’ civil rights, including the right to testify in state courts. The denial of that right to a freedman named Camy Spears, charged with theft and assault after the war, brought Eastmond into direct conflict with local Conservatives. Spears’s lawyer insisted that his client acted under duress from three white men, allegedly members of the Union army, but the Conservative-controlled county court harassed Spears at every turn. They twice issued warrants for horse theft dating back to April 25, 1865. It was Spears’s forceful binding to a local Conservative, however, that caught Eastmond’s attention. The agent accused Judge Augustus Merrimon and Solicitor David Coleman of acting

\(^{13}\) Hendersonville *Pioneer*, exact date unknown. Printed copy included in Oscar Eastmond to Jacob F. Chur, July 12, 1867, Second Military District Records. For more on the Union League and its history throughout the South, see Michael W. Fitzgerald, *The Union League Movement in the Deep South: Politics and Agricultural Change During Reconstruction* (Baton Rouge: Louisiana State University Press, 1989). Jones referred to John Wilkes Booth, Abraham Lincoln’s assassin, in order to illustrate the hostility toward the Union League.

\(^{14}\) Eastmond to Chur, July 12, 1867, Second Military District Records.
inappropriately, an accusation the prosecutor denied vehemently. According to Coleman, the judge’s instructions to the jury that Spears was innocent if other men compelled him to attack were imminently fair. What galled Eastmond was the court’s rejection of Spears’s testimony because it was illegal for African Americans to testify in court according to North Carolina law. Found guilty, Merrimon and Coleman gave Spears the option of negotiating privately with someone to pay his fine. Natt Atkinson, a local white Conservative lawyer, agreed to pay the $25.31 that Spears owed in exchange for the freedman’s bound labor. Of course, Spears chose labor over prison.15

Prominent Buncombe County Conservatives played a critical role in Spears’s conviction, and their actions revealed their political motives. Merrimon and Coleman both protested Eastmond’s involvement feverishly. The agent’s reversal of a civil court action challenged Conservatives’ political control, and they feared that Eastmond’s interference might inspire local Unionists, blacks, and Republicans to defy Conservative rule as well. Judge Merrimon declared that the agent’s actions showed the county’s black population and “worst men” that they could disregard civil authority with impunity. Coleman predicted that the conviction’s reversal would create “wild” and “unlawful” thoughts among Buncombe County blacks. White Conservatives

15 Augustus Merrimon to Jonathan Worth, August 9, 1867, David Coleman to Jonathan Worth, August 9, 1867, Natt Atkinson to David Coleman, August 9, 1867, in Elizabeth Gregory McPherson, ed., “Letters from North Carolina to Andrew Johnson,” North Carolina Historical Review 28 (4), 1951: 511-516; Robert Hawkins Warrant to Arrest Spears, Buncombe Co., November 14,1866, Criminal Action Papers, Buncombe County Records, NCDAH; W.R. Young to Sheriff of Buncombe County, Warrant for Spears, January 23, 1867, Criminal Action Papers, Buncombe County Records, NCDAH; Carney Spears Indictment for Larceny, Superior Court, Buncombe County, Fall Term 1866, Criminal Action Papers, Buncombe County Records, NCDAH; W.R. Young, to Sheriff of Buncombe Co., August 8, 1867, Criminal Action Papers, Buncombe County Records, NCDAH. Sources alternately refer to Spears as Carney and Camy. For the sake of consistency, I use Camy as used by the Freedmen’s Bureau agent.
feared that Eastmond had opened a Pandora’s Box of racial and political catastrophes and that African Americans would follow his example of resistance.  

While Conservatives viewed Eastmond’s actions as an affront to their local control, they failed to deter him. According to Solicitor Coleman, the Asheville agent felt that the court and community dealt unfairly with blacks and had assumed personal responsibility for “setting them right.” On August 8, Eastmond informed Atkinson that the freedman’s conviction was an outrage. Atkinson’s rebuttal revealed his own belief that the Conservatives, as the “best men” in the county, should determine their former slaves’ fate. He defended the trial and urged the agent to “hear the evidence of the witnesses for the State and understand who they were.” Unmoved, Eastmond countered that his own investigation revealed that the state’s witnesses were unrepentant traitors, and that now that he had some troops to support him he vowed to set things right. Back in Eastmond’s office, Captain J.C. Denny of the 5th U.S. Cavalry and the agent listened to Spears’s side of the story. Atkinson again tried to persuade them to adhere to the court’s decision to no avail. Spears went free.

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16 McPherson, “Letters from North Carolina,” 511, 514. Eastmond’s reversal of Spears’s conviction was within the scope of the Bureau’s power, but it also reinforced his belief in the Conservatives’ disloyalty. For all the claims of a fair trial, the court’s denial of Spears’s right to testify in his defense clashed with federal injunctions to protect black men’s rights. Consequently, the case entered the Bureau’s legal jurisdiction. See Circular from the Commissioner of the Bureau of Refugees, Freedmen, and Abandoned Lands, October 14, 1865, Freedmen’s Bureau Records, reel 31.

17 McPherson, “Letters from North Carolina,” 513, 515 [Emphasis in the original]. Eastmond had campaigned his superiors vigorously for troops to be sent to Asheville. He believed that his district’s “remote” nature necessitated a military presence to invigorate Bureau actions. In June 1867, he requested one commissioned officer and five soldiers to assist him. See Oscar Eastmond to Jacob Chur, June 28, 1867, Second Military District Records. Amidst the Spears case in August 1867, he was more outspoken about the need for a military force to support him. “Lieut. Murphy when here,” Eastmond wrote, “was cursed and damned to his face and threatened with cowhiding.” If not for the arrival of Captain Denney, Eastmond believed the same would have happened to him. The agent denied charges of impropriety or of overstepping his bounds, and asked for an inspecting officer who would discover from local white Unionists and black residents at least fifty cases of injustice previously neglected by the civil and military authorities. “If there is a place in North Carolina where military power is needed,” Eastmond opined, “it is west of the Blue Ridge.” See Oscar Eastmond to Jacob Chur, August 27, 1867, Second Military District Records.
Aiding Camy Spears was only the beginning for the erstwhile Asheville agent. Eastmond also took up the cause of Mitchell Hayden, the black man cheated in a land deal and then twice beaten by angry whites in Madison County in the winter of 1866. In late September 1867, Eastmond resubmitted Hayden’s petitions for relief to his superiors. The commanding general of the Second Military District responded to the renewed pressure with orders to arrest the African American’s attackers. No previous efforts had succeeded in arresting the men responsible, but local whites noticed the increased scrutiny and pressure that accompanied Eastmond’s arrival. Since the military authorities took up Hayden’s case, they had captured one of the black man’s tormenters. The other guilty parties sent three citizens to Eastmond with a proposal: they offered to pay Hayden $100 and enter a $5000 bond to keep the peace in exchange for their freedom. Eastmond informed the representatives that he lacked the authority to solemnize their proposal, but he “suggested that all the guilty parties surrender themselves to me…acknowledge their guilt, and then enter upon their parole, to appear at any time when called upon.” Seven men subsequently surrendered and Eastmond upheld his part of the bargain. He submitted the settlement to the military to judge “whether one hundred dollars will sufficiently pay the freedman for his injuries and the United States Government for the time trouble and expense it has been put to in this case.”

Eastmond viewed the military and Bureau as tools to reconstruct the South, with the military serving as both arbiter and enforcer of the law, and he used that power to punish other criminals who had previously escaped justice. In March 1868, he informed Colonel George A. Williams that Hannah McElroy, the freedwoman strangled and robbed by Harvey Roberts in

18 Oscar Eastmond to Hannibal D. Norton, September 20, 1867, Field Office Reports, Freedmen’s Bureau Records, NARA microfilm 1909, reel 4; Oscar Eastmond to Jacob F. Chur, October 20, 1867, Field Office Reports, Freedmen’s Bureau Records, NARA microfilm 1909, reel 4.
1866, still had not received relief. Despite being hanged by the neck three times and left terrified of future attack, the county court did little to protect McElroy or alleviate the black community’s broader concerns about protection. A county court consisting of three white men levied a five-dollar fine upon Roberts for the assault. Local officials made an equally weak effort, Eastmond reported, to do justice to William and Lewis Young, who tried to reclaim a young family member held by Solomon Luther’s family. Although Luther had previously owned the boy and produced a document from Eastmond’s predecessor binding the young worker to him as long as the boy wished to stay, the new Buncombe County agent sided with black parents’ custody claims. Both father and son behaved peaceably, but the white family beset upon the black men and beat them. Despite several family members facing charges for two assaults, only one of them received any punishment—a mere $5 fine. While local Conservatives seemed to have found a value for beating their African-American neighbors—five dollars—the Freedmen’s Bureau agent proved equally determined to obtain justice.19

Agents throughout western North Carolina used the Bureau’s authority to monitor local courts. Often their actions helped the Republican Party. In Wilkes County, James F. Allison most directly intervened to the benefit of white Republicans involved in the July 4, 1867 Wilkesboro riot. A Wilkes County grand jury indicted several men—including John Peden and Leander Gilreath who pled guilty—for their roles in the riot, but the solicitor, J.M. Cloud, introduced nothing against either man in court in early November. Allison was dumbfounded. Several witnesses appeared before the grand jury to secure the indictments, but at trial, Allison

19 Oscar Eastmond to George A. Williams, March 3, 1868, Second Military District, RG 393, NARA; J.M. Israel to George A. Williams, April 13, 1868, Second Military District Records, RG 393, NARA. In the case of William Young, both Solomon Luther and his daughter Mary escaped punishment. The hearing on the attack upon Lewis Young resulted in Mary’s acquittal and Solomon Luther’s five-dollar fine. Further proof of Eastmond’s forceful prosecution of these cases was the removal from office of the three justices of the peace, Israel, Thrash, and Garrison. General Canby removed them by special orders in early April. See Headquarters Second Military District to Commanding Officer, Morganton, April 3, 1868, Second Military District Records.
reported, “not the slightest evidence could be adducted to convict them.” The accused men
realized that the tide had shifted in their favor and attempted to rescind their guilty pleas.
Solicitor Cloud’s refusal to let them out of their initial pleas gave rise to what Allison termed
“the crowning piece of rascality” in which the court “conspired with the Defdts to get the plea of
guilty removed by openly suggesting it in Court.” Solicitor Cloud again objected, so the court
meekly fined both Peden and Gilreath five dollars. “And this is all the penalties imposed by the
Judiciary,” an exasperated Allison informed the military commander in Salisbury, “for assaulting
and dispensing a quiet and peaceable Meeting of Unionists.” The riot itself predated Allison’s
tenure in western North Carolina, but his clear sympathies for the Unionists and Republicans in
his district led him to suggest reversing the court’s decisions.20

Such efforts to protect the rights of the former slaves and to bolster the power of local
Republicans helped bridge a gap that existed between white and black mountain Republicans.
Part of the military’s mandate in the Reconstruction Acts was the registration of voters for the
election of new state and national officials as well as delegates to draft a new state constitution.
General Daniel Sickles, commanding the Second Military District of North and South Carolina,
turned to Governor Jonathan Worth, who recommended men to organize voters in the Old North
State. While he worked to appoint registrars, however, so did the Freedmen’s Bureau. The
Bureau’s involvement in such an important state matter deeply agitated the governor. Burke
County lawyer Burgess S. Gaither suggested two Union soldiers to Worth as “the best [registrars]
under the circumstances.” Angry over the slow decay of his authority under Congressional

20 James F. Allison to John Edie, November 10, 1867, Field Office Reports, Freedmen’s Bureau Records, NARA
microfilm 1909, reel 65. Allison does not specify which Peden in his report, but it is likely he referred to John
Peden due to his prominent role in the military testimony. John T., Joseph W., and Sandy Peden faced arrest
warrants from July 5, 1867. Also wanted by the Wilkes County sheriff on July 5, 1867 were William W.
Carmichael, Dagon Gray, Andrew Porter, John Porter, and Wesley Ball. See R.F. Hackett to Sheriff of Wilkes
County, July 5, 1867, Criminal Action Papers, Wilkes County Records, NCDAH.
Reconstruction, Worth erupted. “Select your men with the sole view of their fitness and qualification,” he chided Gaither, “and in conformity with the directions of my circular.” Bureau agents strove to balance the boards of elections according to race, appointing at least one African-American man in each district. No such appointments were necessary under the governor’s order of April 20, 1867. Reminding Gaither indirectly that he governed the state and not the Bureau or other federal authorities, Worth urged him to “find three honorable men…who can take the oath and who would impartially perform their duty.” Should such men prove impossible to find in Burke County, the governor ordered him to look elsewhere. “If such [men] cannot be found in the County, it is better to recommend somebody out of it,” in Worth’s opinion; otherwise the matter would be left to “malevolent partizans.”

The battle over voter registration and for control over the local boards of registration proved one of the first open conflicts between the Bureau, the Republican Party, and the Conservatives for political control across North Carolina under Congressional Reconstruction. Local in nature, this contest represented a clash between Radical Republicans’ allies and their opponents. Republicans sought the registrar positions because they offered a modest stipend and increased their party’s local influence. Registrars controlled who could vote, which marked a reversal in local power away from the Conservatives. Men such as Goldman Hagins of the Cherry Lane community in Alleghany County actively pursued the posts. He submitted a petition signed by twenty-eight neighbors and a letter of introduction from William Holden to Daniel Sickles in the spring of 1867 endorsing his candidacy for one of the spots in his county. Hagins and his supporters represented him as the only justice of the peace who refused to take a loyalty oath to the Confederacy after secession and as a “faithful and tried friend” of the United

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States’s government. For his part, Holden backed Hagins as “one of my correspondents during the rebellion” and a man whose loyalty to the Union was unquestioned. In the end it worked and Hagins was appointed.22

A petition from the Conservatives in the Pigeon River community in Haywood County revealed how seriously mountaineers took voter registration. They painted a dour portrait of affairs in their county, accusing local Republicans of conspiring against them and the state. A.C. Hartgrove had recommended to Governor Worth three men as registrars who the petitioners praised as “firm Union men not Extreme men, but mild firm men well qualified for the task.” An alleged ringleader in this Republican conspiracy was A.W. Garrett, who represented Haywood in the 1865 constitutional convention. According to the Pigeon River petitioners, Garrett handed his own slate of suggested registrars to the military commander in Morganton as well as to the local Freedmen’s Bureau agent. Local Conservatives denounced the two white men and one African-American man that Garrett recommended as radical and Union League members. A few extreme Radicals, they alleged, were “running all over the county swearing men into what they call the union Leagues to support a certain set of men.” That set of men, of course, were Republicans cooperating with Congressional Reconstruction and the federal authorities in western Carolina. Such charges fit Garrett’s registrars as well. Each of his nominees had “taken the secret oath to support the extreme Radical party,” and the petitioning Conservatives strongly protested against such men overseeing the election.23

22 Petition of the People of Cherry Lane Post Office, Alleghany County, to Daniel Sickles, May 23, 1867, Freedmen’s Bureau Records, reel 32; W.W. Holden to Daniel Sickles, June 1, 1867, Freedmen’s Bureau Records, reel 32; Reconstruction and Military Government in the South, 1867-1870 [microfilm]: Office of Civil Affairs, reel 12.

23 Petition of Many Citizens of Pigeon River, Haywood County, July 3, 1867, Jonathan Worth Papers, Private Collection 49, NCDAH.
What most alarmed the Pigeon River folks was the increasing biracial makeup of the
mountain Republicans. They worried that radical extremists threatened the peace and security of
the “Union loving, law abiding” majority in their county. The Republicans’ insistence on an
African-American registrar, overseeing the voting rights and actions of white men, posed an
immediate and direct challenge to white and Conservative control. Haywood County’s
Conservatives feared the worst of the deepening Republican organization in their midst, which
they felt threatened all who refused to join the Union League with the confiscation of their
property. An addendum to the petition further increased the mania surrounding voter registration.
Quoting a constable who had been in office for ten years, the petition described Haywood
County as quiet and peaceful. “But since the Radicals has commenced organizing their leagues
and denouncing all men that dont go in with them as disloyal and threatening confiscation and
taking the negro in to their meetings and on their committees,” the Conservatives charged, “the
veins of many men begin to tighten and the blood flow to the face and he fears blows will follow
before registration and the Election is over.”

When E.R.S. Canby succeeded Dan Sickles in command in early September 1867,
Bureau agents became the prime movers behind voter registration. For every two white men
appointed, the Bureau added one African-American man as a matter of policy. In a region where
the black population constituted 12.6% of the region’s residents in 1860 and many of the former
white elite remained disfranchised by the 14th Amendment, black mountaineers played a critical
role in the election. Most black registrars were farmers or agricultural laborers. An exact profile
of African-American registrars is impossible; available data from the 1870 census suggests that
black registrars owned real property worth an average of $137.50. Their personal property was

24 Ibid.
worth more, averaging roughly $400. Yet even those numbers are problematic because one man, William Owens of McDowell County, accrued $1500 of personal property working for the railroad by 1870. (see Table 5.1)²⁵

Although the economic data for the black officials must not be overstated, it still amounted to a fraction of the white registrars’ property. Based on a sample of roughly half of the white mountaineers recommended as registrars from the western counties, white registrars owned an average of $1724 worth of real property in 1860. In addition, they held roughly $2185 worth of personal property. According to historian James Alex Baggett, these numbers correspond with generally higher property values among North Carolina’s future Republicans as compared to other southern states. Neither did service as a registrar necessarily translate into more money. White registrars’ wealth dropped in both categories by 1870—perhaps a better indication of their economic standing when recommended by the Bureau in 1867. Real property owning among the white registrars dropped to an average of $1157 in 1870, while their personal property dropped to $723. That latter change was dramatic, but perhaps easier to explain.

Emancipation and the loss of livestock to both armies, no doubt, hurt these men as well as their

²⁵ Recommendations for Inspectors of Elections for Burke County, May 15, 1867, Recommendations for Inspectors of Elections for Madison County, May 31, 1867, Recommendations for Inspectors of Elections for Yancey County, June 6, 1867, Recommendations for Inspectors of Elections for Henderson and Transylvania County, June 6, 1867, Recommendations for Inspectors of Elections for Rutherford, Polk, Haywood, Jackson, Macon, Clay, and Cherokee County, June 6, 1867, Recommendations for Inspectors of Elections for McDowell County, June 6, 1867, Recommendations for Inspectors of Elections for Mitchell County, June 6, 1867, all in Freedmen's Bureau Records, reel 32. Property data derived from the 1870 North Carolina census.
wealthier Conservative neighbors. Helping to unite many of these men was military service. Relying upon local Unionists and Republicans, the Freedmen’s Bureau officials leaned upon Union veterans—twenty-seven registrars had fought for the same cause they did. These Union veterans by no means constituted a majority of the white registrars, but their presence within that group is instructive. It demonstrates that the Bureau specifically targeted Unionists and Republicans, uniting them with freedmen in local control over voting.\textsuperscript{26}

Registration concluded for the following year’s elections in October 1867, and its results proved an invaluable political lesson for all North Carolinians. While the white population retained a sizable edge among registered voters across the state, it was not a decisive advantage. The state possessed 117,431 registered white voters and 79,445 African-American voters once the Bureau completed its task. In the mountain counties, however, the white electoral edge seemed insurmountable at first glance. White mountaineers constituted 86.4 percent of the region’s registered voters, dwarfing the official black electorate of 3,323. (See Table 5.2) Such numbers also paralleled the region’s demographic makeup, with black voters numbering a slightly higher percentage of registered voters than they totaled in the 1860 population. White mountaineers’ electoral power proved far from decisive in practice due to their political divisions. A fair number of black voters in Burke, Buncombe, Rutherford, Henderson, and McDowell counties stood ready to act as a swing vote in close elections. While far from the cries of “negro

\textsuperscript{26} Recommendations for Registrars, Freedmen’s Bureau Records, reel 32; 1860 North Carolina census; 1870 North Carolina census; James Alex Baggett, \textit{The Scalawags: Southern Dissenters in the Civil War and Reconstruction} (Baton Rouge: Louisiana State University Press, 2002), 23-4. Many of the white men nominated by the Bureau were elderly. The average age of the white registrars was forty-five years old, but that fails to capture the diversity of the group. The oldest registrar was sixty-five years old, while the youngest was twenty-two.
domination” emanating from white southerners in decidedly black sections of the state, white Conservatives still worried about the potential impact of these new voters.27

North Carolinians did not wait long to learn what effect the changes in the electorate might have on state politics. As the political tide rolled toward the state Republicans, a referendum took place on November 19-20, 1867 on whether to hold a new state constitutional convention as well as to elect delegates to the proposed convention. Frustrated and angry at the federal government’s intrusion in state affairs, many Conservatives across the state opted to skip the election altogether. The result was a signal victory for pro-convention elements, and a decided Republican advantage in the body’s makeup. Nearly three of every four participants in

Table 5.2. Registered Voters in Western North Carolina Counties, 1867-1868

<table>
<thead>
<tr>
<th>County</th>
<th>White</th>
<th>African American</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alleghany</td>
<td>537</td>
<td>58</td>
</tr>
<tr>
<td>Alexander</td>
<td>950</td>
<td>185</td>
</tr>
<tr>
<td>Ashe</td>
<td>1402</td>
<td>82</td>
</tr>
<tr>
<td>Buncombe</td>
<td>1847</td>
<td>418</td>
</tr>
<tr>
<td>Burke</td>
<td>1143</td>
<td>465</td>
</tr>
<tr>
<td>Caldwell</td>
<td>1098</td>
<td>217</td>
</tr>
<tr>
<td>Cherokee</td>
<td>916</td>
<td>35</td>
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<tr>
<td>Clay</td>
<td>438</td>
<td>14</td>
</tr>
<tr>
<td>Haywood</td>
<td>945</td>
<td>89</td>
</tr>
<tr>
<td>Henderson</td>
<td>972</td>
<td>225</td>
</tr>
<tr>
<td>Jackson</td>
<td>803</td>
<td>66</td>
</tr>
<tr>
<td>Macon</td>
<td>973</td>
<td>60</td>
</tr>
<tr>
<td>Madison</td>
<td>978</td>
<td>52</td>
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<tr>
<td>McDowell</td>
<td>955</td>
<td>265</td>
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<tr>
<td>Mitchell</td>
<td>676</td>
<td>49</td>
</tr>
<tr>
<td>Polk</td>
<td>517</td>
<td>136</td>
</tr>
<tr>
<td>Rutherford</td>
<td>1644</td>
<td>486</td>
</tr>
<tr>
<td>Transylvania</td>
<td>512</td>
<td>75</td>
</tr>
<tr>
<td>Watauga</td>
<td>780</td>
<td>36</td>
</tr>
<tr>
<td>Wilkes</td>
<td>2224</td>
<td>261</td>
</tr>
<tr>
<td>Yancey</td>
<td>846</td>
<td>49</td>
</tr>
<tr>
<td>Total</td>
<td>21156</td>
<td>3323</td>
</tr>
<tr>
<td>Percentage of Electorate</td>
<td>86.4</td>
<td>13.6</td>
</tr>
<tr>
<td>State Totals</td>
<td>117431</td>
<td>79445</td>
</tr>
</tbody>
</table>

SOURCE: *North Carolina Standard*, November 25, 1868, pg. 3.

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the election supported calling a convention, and 107 of the 120 chosen representatives belonged to the Republican Party. Fifteen of the delegates were African Americans. Their Conservative neighbors denounced many western delegates as radicals—and three of the twenty western delegates had served as registrars for that election. Two additional delegates had served in the 1865 constitutional convention, including W.G.B. Garrett, whose Haywood County neighbors had condemned him previously as a radical Republican to Governor Worth.28

On their own, this turn of events was enough to anger North Carolina’s Conservative governor, who believed that the military, Freedmen’s Bureau, and the state’s Republicans all desired to topple his administration. A personal letter to a family member fully captured the extent of Worth’s venom toward the entrenching Republican presence in his state in December 1867. Congressional Reconstruction threatened both his state and the country with a monetary crisis, the governor argued, and squandered the excellent opportunity to settle affairs in the war’s wake. The governor believed that “the negroes work better now than they will in future” and that “with free negro labor we will never prosper.” “If the miserable set of jackasses,” the governor continued, “from Generals down to the Freedmen’s Bureau men, were withdrawn and we were allowed to re-organize the militia and pass and enforce a stringent vagrant act—even if we were compelled to give transportation to every negro desiring to move to any of the negro loving States, to which they might be desired to remove, we would rapidly recuperate.” Such a

28 Richard L. Zuber, *North Carolina During Reconstruction* (Raleigh: State Department of Archives and History, 1969), 13-4; Hannibal Norton, May 15, 1867, Report of persons recommended for inspectors of elections for the county of Burke, Freedmen’s Bureau Records, reel 32; Hannibal Norton, June 6, 1867, Report of persons recommended for inspectors of elections for the county of McDowell, Freedmen’s Bureau Records, reel 32; *Journal of the Constitutional Convention of the State of North Carolina, at its Session 1868* (Raleigh: Joseph W. Holden, Convention Printer, 1868), 4. The three registrars elected to the convention were John S. Parks of Burke County, W.A.B. Murphy of McDowell County, and J.Q.A. Bryant of Wilkes County. Also returning to convention duty from 1865 were George W. Gahagan of Madison County, J.Q.A. Bryant from Wilkes County, and George W. Bradley from Watauga County. See *Journal of the Convention of the State of North Carolina at its Session of 1865* (Raleigh: Cannon and Holden, Printers to the Convention, 1865), 2, 5-6, 10.
regional shift in the black population might help the South recover, but Worth saw “no rational ground of hope while Radicalism rules.” “In giving us Canby for Sickles,” the governor bitterly griped, “the Prest. swapped a devil for a witch.” Having written the president about these issues, Worth relished a possible showdown, vowing never to become “a subservient serf for the sake of office.”

A great effort on the part of African Americans to create local institutions, particularly schools, added fuel to the political fire throughout the state. For black southerners, education was a significant aspect of freedom and they pursued it passionately. In western North Carolina, such efforts moved in fits and starts during Presidential Reconstruction. With the onset of Congressional Reconstruction, however, the Bureau extended a strong hand to further these efforts. About a month after Congress seized control over Reconstruction, a field report revealed four schools serving 127 black students in Bureau-supported schools in Buncombe, Burke, and Henderson counties. These three counties, with their larger black populations, experienced an influx of African Americans to their county seats, which invigorated education as well. In Asheville, two schools under the direction of Thomas Hopkins and Amy Reynolds served forty and forty-one students respectively. In Morganton, Sarah E. Pearson, taught sixteen students, although Martha C. Avery thought the white Miss Pearson’s enthusiasm might wane once fifty black men surrounded her in a small classroom at night. Meanwhile, Reverend John Tyler had thirty pupils attending his school in Hendersonville. All of these schools were “self-supporting,”

a reflection of both the Bureau’s limited role in black education during Presidential
Reconstruction and the overwhelming desire among freedpeople for education.\textsuperscript{30}

Upon their arrival in western North Carolina, agents in other counties found efforts to
form schools in various states of progress. On September 25, 1867, Wilkes County agent James
F. Allison planned to tour his subdistrict “to facilitate the organization of Freedmen’s Schools of
which there is a great lack in this County as well as those adjoining.”\textsuperscript{31} What he found pleased
him. The black population in Alexander County had forged ahead in their desire for schools
independent of the Bureau. In Rocky Springs, A.J. Stevenson ran an informal school “with fair
success.” In Taylorsville, the Alexander County seat, he met A.J. McIntosh who shared a “lively
interest in the education of the freedmen” with the local black community. Still, Allison
informed the Bureau chief that the Alexander County folks had been unable to purchase land or a
building. F.A. Campbell offered to sell local African Americans a house they could convert to a
school, which Allison seized upon as an opportunity for the Bureau to make a difference. He
reported “no other suitable building in Taylorsville...can be rented for the purpose mentioned”
nor could he suggest a suitable alternative “for the expenditure of the appropriation allowed for
that Co.”\textsuperscript{32}

\textsuperscript{30} April 1867 Roster of Teachers at Work in North Carolina, Freedmen’s Bureau Records, reel 29; M.C. Avery to
Mrs. R.L. Patterson, February 21, 1866, Jones and Patterson Family Papers, SHC, UNC-CH. In 1860, Burke had
2371 slaves, Buncombe 1933, and Henderson 1382. Only Rutherford County had more slaves in 1860 than these
three counties. For a broad discussion of black education in the South after the war, see James D. Anderson, The
chapter 1; Ronald E. Butchart, Northern Schools, Southern Blacks, and Reconstruction: Freedmen’s Education,
1862-1875 (Westport: Greenwood Press, 1980). Martha Caroline Jones married Willoughby F. Avery on November
7, 1866, but she died less than two years later. See Edward W. Phifer, “Saga of a Burke County Family: Conclusion:

\textsuperscript{31} James F. Allison to John R. Edie, September 25, 1867, Field Office Reports, Freedmen’s Bureau Records, NARA
Microfilm 1909, reel 65.

\textsuperscript{32} James F. Allison to Jacob F. Chur, November 18, 1867, Field Office Reports, Freedmen’s Bureau Records,
NARA Microfilm 1909, reel 65. Allison undoubtedly felt optimistic about the future of black education in this
report. Not only was Alexander County further along than he seemed to expect when he proposed his tour, but
The impact of the Freedmen’s Bureau on black mountaineers’ education efforts was equally profound in the southwestern counties, where the Bureau again provided the means to a long desired end. Prior to the arrival of Bureau agent George S. Hawley in 1867, African Americans in Macon and surrounding counties struggled to establish their own schools. Hawley and the onset of Congressional Reconstruction brought a stronger federal presence into their communities, and black mountaineers harnessed that power for their benefit. In November 1867, Hawley stated that the freedpeople of Macon County had established both a building association and a committee to spearhead efforts to erect a school. The committee sold subscriptions and had raised $150, but the Bureau constituted a major component in their fiscal plan. Local African Americans “have requested of the Bureau thro me,” Hawley wrote, “such pecuniary aid as the Assistant Commissioner may be enabled to grant.” Hawley calculated that within two miles of Franklin, the county seat, there were roughly sixty black children “who need the advantages afforded by a school,” and he predicted that he could find a building to serve them “at a reasonable price.”

Success bred expansion in both hope and scope. By mid-December, Allison confidently reported five schools operating in his district. Republican leader Alfred Stokes taught the thirty-seven students at the “flourishing” Poll Bridge school in Wilkesboro. Two other Wilkes County schools in Fishing Creek and Briar Creek served twenty scholars each. Stevenson continued running his Rocky Springs school in Alexander County, while Allison happily added J.J. Duly’s school in the Caldwell County seat of Lenoir to the list of known education facilities in his

when he returned to Wilkesboro he found Alfred Stokes running a temporary school for twenty students. Once purchased, Allison opined, the school could move to the Burton estate and become permanent.

33 George S. Hawley to Jacob F. Chur, November 20, 1867, Field Office Reports, Freedmen’s Bureau Records, NARA Microfilm 1909, reel 14.
With model operations in place and with more confidence in his ability to help, Allison offered new ideas for places where schools should open. He advocated the opening of three more Wilkes County schools, located at Trap Hill, Lytle Hickerson’s farm, and the Ferguson’s settlement. Taylorsville, he added, needed an additional school. Finally, the agent promoted the idea of two new schools at Kings Mountain and the Patterson factory in Caldwell County. Perhaps to convince his superiors these goals rested firmly within the realm of the possible, he concluded that nothing beyond what he proposed “would be required to perfect the educational system in this Sub Div.”

Through the final days of 1867 and the early months of 1868, George Hawley worked with freedpeople in North Carolina’s southwestern corner to realize their own education dreams. He reported that his district had a great need for schools, but its limited resources made them almost impossible to establish. No schools existed in Clay, Cherokee, Macon, or Jackson counties for African-American children in January 1868. The black residents of Clay County desperately wanted help building a school for the approximately sixty African-American children in the county. Their parents and neighbors, however, could only raise some $50 toward the erection of a schoolhouse. Those efforts bordered on the Herculean, but fell some $500 short of what Hawley believed necessary. In a letter to the Bureau’s education superintendent in early March 1868, Hawley emphasized that the Bureau represented mountain blacks’ best hope for education. He admitted that his new post was unlike his previous work in eastern North Carolina. “There are but few freedmen in the counties,” Hawley noted, “but it is desirable that they be aided in their present condition, in providing for the education of their children, to the end that they may be fitted to enjoy more perfectly the blessings of freedom.” To help make this a reality,

34 James F. Allison to John R. Edie, December 10, 1867, Field Office Reports, Freedmen’s Bureau Records, NARA Microfilm 1909, reel 65.
Hawley tried to acquire land in each county for a school building and lobbied the Freedmen’s Bureau for $300 to $400 to complete the process in each county.35

For the most part the Bureau played the role of advocate for mountain blacks’ education. Most of the organization and financial burden for operating the schools fell on local African American communities. The Bureau agents, however, had access to outside charitable organizations and federal funds. When the agents took up the role of advocating their districts’ development, they extended black highlanders’ support network beyond western North Carolina. They put the local community in contact with outside donors and raised awareness to the black communities’ efforts for education, but they also contributed to the buying and building of schools. Hannibal Norton’s extension of funds to James McElrath, an African American, to build a schoolhouse in Burke County serves as a good example. Mountain agents rarely paid for teachers, but they did help the African Americans within their districts build schools and create an infrastructure for education.36

The Freedmen’s Bureau’s primary objective was to aid the freedpeople in their transition to freedom, but that did not mean that they were indifferent to whites. Aiding refugees and other suffering whites was a prominent part of its mission. In overwhelmingly white southern Appalachia, this relief effort proved a useful tool in reconnecting disaffected southerners to the federal government. Many western North Carolinians struggled after the war to feed and provide for their families due to the loss or destruction of foodstuffs. R.J. Hardin of Jefferson declared that thirteen white families and ten black families in Ashe County “will be compelled to suffer”

35 George S. Hawley to Jacob F. Chur, December 17, 1867, Field Office Reports, Freedmen’s Bureau Records, NARA Microfilm 1909, reel 14; George S. Hawley to Jacob F. Chur, January 22, 1868, Field Office Reports, Freedmen’s Bureau Records, NARA Microfilm 1909, reel 18; George S. Hawley to F.A. Fiske, March 6, 1868, Field Office Reports, Freedmen’s Bureau Records, NARA Microfilm 1909, reel 14.

36 Hannibal Norton to Jacob F. Chur, August 7, 1868, Freedmen's Bureau Records, Microfilm, Reel 18.
from lack of food and clothing due to the wartime depredations of both armies. James Gwyn of Wilkes County noted a “great cry for corn in some parts of the country.” Transylvania County state senator Leander Sams Gash appealed to Governor Worth in the spring of 1866 for help. With 209 destitute families in Henderson County, which Gash attributed to high levels of grain distillation in North and South Carolina, the state senator hoped Worth could direct northern charitable aid to his counties. Worth directed Gash to the Freedmen’s Bureau—and the state legislature passed a resolution asking the Bureau for rations. Such aid was consistent with the Bureau’s mandate to aid refugees and southerners grappling with the war’s end. Agents had issued rations to white southerners quite regularly during Presidential Reconstruction. While he oversaw the entire Western District of the Freedmen’s Bureau in 1866, Clinton A. Cilley reported that the Bureau administered aid to destitute whites without orders.37

A traditional mountain enterprise exacerbated the scarcity noted by Bureau agents throughout the western counties. Homemade spirits served as a foundation for social events—from corn shuckings to dances—and provided a viable economic option for mountaineers with less access to roads. Counties such as Wilkes, Burke, and Ashe produced thousands of gallons of booze a year as farmers opted to distill their crops rather than endure an arduous journey to

37 Diary entry, May 5, 1866, James Gwyn Papers, SHC, UNC-CH; Leander Sams Gash to Jonathan Worth, May 5, 1866, Freedmen’s Bureau Records, reel 7; Leander Sams Gash to Gash, Erwin, & Sons, December 11, 1866, in Otto H. Olsen and Elizabeth McGrew, eds., “Prelude to Reconstruction: The Correspondence of State Senator Leander Sams Gash, 1866-1867, Part II,” North Carolina Historical Review 60 (2), 1983: 233; Clinton A. Cilley to Lt. Beecher, March 8, 1866, Freedmen’s Bureau Records, reel 7; R.J. Hardin to Andrew [Cowles], December 11, 1866, Freedmen’s Bureau Records, reel 3. An acting army inspector was incredulous at reports of destitution in Ashe County. The inspector deemed it “hardly credible…that the destitution should be so much greater among the whites than among the black population” and instructed the military post commander in Salisbury to investigate all petitions for relief before issuing any rations. See Acting Inspector Suly to John Edie, January 19, 1867, Freedmen’s Bureau Records, reel 1. In Georgia, Denise Wright has shown us that the Bureau proved the crucial link between wartime relief measures and later charitable aid. Assisting poorer white southerners was central to this process. See Wright, “Civil War and Reconstruction Welfare Programs for Georgia’s White Poor.” One reason for the high number of destitute families in Henderson County was the decline in corn production. Between the 1860 and 1870 agricultural census, the county’s corn production fell from 326,110 to 212,914 bushels. See the 1860 Agricultural Census and 1870 Agricultural Census.
market. Burke County alone produced 20,000 gallons of whiskey in 1860. Distillers became a problem during the Civil War as corn and other resources became sparse. State officials tried to prevent food shortages as well as preserve valuable war resources by regulating distillation across the state. Peace failed to bring an end scarcity in western Carolina, which exacerbated the distillation problem. State Senator Gash proposed a tax on whiskey in the hopes of curtailing production, but those efforts amounted to little.38

It was with no small amount of relief that state authorities bequeathed this issue to the federal officials, notably the Bureau of Internal Revenue and the military. Major General Sickles, in his inimitable fashion, assumed the regulation mantle bullishly. On May 20, 1867, Sickles’s General Orders No. 25 barred the distillation of grain in North and South Carolina in order to preserve food resources, stop the harassment of federal revenue collectors, and ensure the collection of taxes. Anyone distilling—or in possession of a still—risked a misdemeanor charge before a military tribunal. Subsequent General Orders No. 32 limited the sale of a “a license for the sale of intoxicating liquors in quantities less than one gallon, or to be drank on the premises” to innkeepers. Although local communities controlled the process of obtaining licenses and any fees associated with them remained separate from federal revenue laws, Sickles called for the appropriation of all licensing fees “exclusively for the benefit of the poor.”39


General E.R.S. Canby inherited these policies when he succeeded Sickles in September 1867, but he was also a strong proponent of his predecessor’s distillation regulations. Shortly after assuming his post, he wrote E.A. Rollins, the Internal Revenue commissioner in Washington, that the continuation of Sickles’s order was “essential to preserving peace and order.” The anti-distilling order reflected the need to conserve food resources in his district and to insure U.S. revenue, and he informed Rollins that it had helped reduce the price of corn by fifty percent as well. Enforcement remained a challenge as Canby’s military force was already near its breaking point and civil courts rarely returned guilty verdicts against distillers.40

Relief became something of a mania in state and local politics between 1867 and 1868. “Legislators are more crazy than ever on some relief bill,” Gash wrote his wife at the end of January 1867, and “relief for the people is the cry at every turn and corner.” Suffering seemed to beget fanaticism across the state, and Gash worried that in a rush to satiate cries for relief, the legislature would “disgrace themselves.” Two meetings in the legislative hall witnessed what Gash termed “the wildest appeals…to the sympathies [sic] and passions” of the legislators. Conservatives became so deaf to the din rising from their constituents that Alphonso C. Avery declared himself tired of the very word “relief” and wished he might never speak it again.41

Over the course of the next year, the federal relief efforts grew in fits and spurts. In March 1867, Jacob F. Chur wrote a concerned Rutherford County resident that it was “impracticable under the pressing wants of other localities to send more than 50 bushels of corn to Rutherford County.” In Ashe County, Daniel Worth sought aid through northern charitable

40 E.R.S. Canby to E.A. Rollins, September 17, 1867, Second Military District Records, Record Group 393, NARA.
donations and he secured two hundred bushels of corn from Philadelphia’s Southern Relief
Association. Later that summer, the state headquarters earmarked military rations for Morganton
and instructed Hannibal Norton there “to form a committee of Ladies who will take charge and
distribute any stores or monies that may be sent you.” Through the first two weeks of June, the
Morganton post distributed much needed relief to both white and black mountaineers throughout
its district. Suffering white families received 291.5 military rations plus 16,234 pounds of corn
and 2,332 pounds of pork. Those numbers dwarfed the aid provided to black highlanders.
Compared to their white neighbors, they received 11 rations, 616 pounds of corn, and 88 pounds
of pork. Over the final two weeks of the month, mountain whites received an additional 168.5
rations while African Americans received only 59.5. Lopsided relief for whites continued
through the summer. In July, the ratio was 80 rations given whites and 44 for blacks.42

Agents throughout western North Carolina were similarly engaged in relief efforts.
Between September and November 1867, William Thompson in Ashe County distributed fifty
rations to people in his district. In November, Eastmond requested clothing for the “indigent and
infirm colored people” as the need for men and women’s clothing became acute. Despite the
fact that few destitute people lived in his district, Eastmond classified those indigent living
nearby as “extremely so.” Aid for the poor reached into the southwestern counties as well. In

42 Jacob F. Chur to C.L. Harris, March 10, 1867, Freedmen’s Bureau Records, reel 1; Daniel Worth to Jonathan
Worth, April 30, 1867, Freedmen’s Bureau Records, reel 38; Jacob F. Chur to Hannibal D. Norton, June 19, 1867,
Freedmen’s Bureau Records, reel 1; Ration Report, Morganton, June 15, 1867, Second Military District Records,
NARA; Ration Report, Morganton, June 30, 1867, Second Military District Records, NARA; Ration Report,
Morganton, July 31, 1867, Second Military District Records, NARA. According to the 1861 revised United States
Army manual, a ration was “three-fourths of a pound of pork or bacon, or one and a fourth pound of fresh or salt
beef; eighteen ounces of bread or flour, or twelve ounces of hard bread, or one and a fourth pound corn meal; and at
the rate, to one hundred rations, of eight quarts of beans, or, in lieu thereof, ten pounds of rice, or, in lieu thereof,
twice per week, one hundred and fifty ounces of desiccated potatoes, and one hundred ounces of mixed vegetables;
ten pounds of coffee, or, in lieu thereof, one and one-half pound of tea; fifteen pounds of sugar; four quarts of
vinegar; one pound of sperm candles, or one and one-forth pound of adamantine candles, or one and one-half pound
of tallow candles; four pounds of soap, and two quarts of salt.” See Revised Regulations for the Army of the United
Franklin, agent George Hawley reported four specific cases of impoverished mountaineers, three of which were white. Mabel Mathews, a sixty-three year old white woman, possessed no means to provide for herself or her widowed daughter and four grandchildren. Two other white residents, William Love and Sarah Williams, were either unable to work or sick. The lone freedperson recorded by Hawley as needing relief was Litty Ledford. The middle-aged Ledford suffered from rheumatism and was “entirely helpless.”

Want and scarcity continued and perhaps even increased through the winter of 1867 and 1868. Southwestern North Carolina counties even faced starvation, as residents of Cherokee and Clay counties informed agent Hawley that both white and black citizens faced precarious prospects that winter. Hawley’s informants speculated that “a large number” of mountaineers—both black and white—in Cherokee and Clay lacked the food reserves necessary to weather the winter, which, combined with a low labor demand, greatly weakened local economies and the people’s buying power. Residents looked to Hawley and the Bureau to stave off “great suffering and perhaps starvation” among the poor because the civil government failed to meet poorer citizens’ needs. Hawley twice requested permission to purchase supplies in December 1867. “No provision has been made by the Wardens of the Poor,” Hawley wrote, for the impoverished inhabitants of Cherokee and Clay counties. Without his immediate aid, it seemed some mountaineers might die.

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43 William Thompson to John Edie, September 5, 1867, September 22, 1867, October 3, 1867, October 22, 1867, November 7, 1867, Field Office Reports, Freedmen's Bureau Records, NARA Microfilm 1909, Reel 27; Oscar Eastmond to Jacob Chur, November 7, 1867, Field Office Reports, Freedmen's Bureau Records, NARA Microfilm 1909, Reel 4; George Hawley to Jacob Chur, March 30, 1868, Field Office Reports, Freedmen's Bureau Records, NARA Microfilm 1909, Reel 14.

44 George Hawley to Jacob Chur, December 16, 1867, Field Office Reports, Freedmen’s Bureau Records, NARA Microfilm 1909, reel 14; George Hawley to Jacob Chur, December 21, 1867, Field Office Reports, Freedmen’s Bureau Records, NARA Microfilm 1909, reel 14. What if any aid Hawley provided is unclear. No ration reports have been found for the Franklin Freedmen’s Bureau office.
With many North Carolinians mired in poverty and struggling for survival, the political focus of the state shifted to Raleigh where the new constitutional convention opened on January 14, 1868. Despite being the second such convention in three years, this assembly possessed distinct differences from its predecessor. African Americans’ presence and the Republicans’ domination of the proceedings—Republicans constituted 107 of the 120 delegates—guaranteed changes in the state’s governing document. Picking up where the 1866 convention left off, delegates declared secession illegal, repudiated the state’s Civil War debts, and banned slavery. It also denied the governor the power to suspend the writ of habeas corpus, a clear response to the Confederate government that suspended that right during the war in order to suppress wartime Unionists and other dissenters. The various representatives further cemented their alliance with the national Republican Party as well. They followed the national legislature’s lead by proclaiming all men equal and granted the right to vote to any man—white or black—able to swear allegiance to the United States, while barring those guilty of treason, perjury, or dereliction of duty while in office previously from the polls. Support for education under the new constitution became one of the state’s official responsibilities. During the antebellum period, North Carolina created an adequate public school system, but alarmist whites raised the specter of integrated schools following emancipation. In May 1866, state legislators had abolished the public schools because the state’s Literary Fund was bankrupt and to avoid public education for African Americans. The new constitution overcame that obstacle by mandating a capitation tax to support both education and poor relief.  

When the convention adjourned on March 17, 1868, it was clear that western North Carolinians had benefited from the new constitution. New executive offices included a lieutenant governor, a state auditor, and, of particular import to internal improvement advocates in the west, a superintendent of public works. This office offered the hope for continued development of roads and railroads to increase the marketability of mountain crops and mineral resources. Also of interest to the mountain counties was the proposed change in the composition of county government, which became elective in North Carolina for the first time. No longer would the ruling party in the state legislature appoint local officials. A five-person commission in each county, elected by the people, became the locus of county government. Furthermore, the commissioners divided counties into townships with two elected justices of the peace each. Even the state’s judges, previously appointed by the state legislature to life terms, became elective and their terms limited to eight years. These changes, as historian Paul D. Escott has argued, replaced the aristocratic antebellum political order with democratic government in each county. This was a most welcome change to westerners long determined to have more say in state and, especially, local politics.46

Dismayed at the proposed constitutional changes under discussion, state Conservatives called their own assembly on February 5 and 6 to chart their own course. Dubbing themselves the “Constitutional Union Party,” the Conservatives met to nominate candidates and to establish a platform. Disorganized and disappointed by their failure to stop the constitutional convention, the Conservatives tried to make clear their loyalty to the U.S. government. They spoke of their

46 Hamilton, *Reconstruction in North Carolina*, 265, 272, 277; Escott, *Many Excellent People*, 142, 144. Political tensions between the eastern and western sections of North Carolina were prominent before and during the Civil War. For more on the intrastate rivalries and their impact on antebellum issues such as internal improvements, see Thomas E. Jeffrey, *State Parties and National Politics: North Carolina, 1815-1861* (Athens: University of Georgia Press, 1989) and Inscoe, *Mountain Masters*. 204
devotion to the federal constitution, but argued that Congress went too far with the Reconstruction Acts. In terms of the coming state election in April, the Conservatives determined that the great issue confronting North Carolina voters was race. Buncombe County native and former Confederate governor, Zebulon Vance, urged his fellow Conservatives to declare war upon the Republicans in the coming canvass. Black suffrage meant racial equality, in their eyes, and that was but a short step to complete racial domination on the part of the state’s African Americans. Vance charged Conservatives to prevent such a fate, and he argued they must base the campaign upon racial issues. Historian Gordon B. McKinney has argued that by making race the central issue of the campaign, Vance and his colleagues seized upon an issue that they believed would unite the disparate elements of their own party while also luring lower class whites away from the new democratic constitution and the Republicans.  

Political anxiety mixed with concerns about the food supply to produce a volatile environment capable of exploding as winter gave way to spring. It did just that in Macon County on March 12, 1868. Federal troops from Morganton had accompanied a revenue collector into George Hawley’s sub-district, where they seized a barrel of spirits and an illicit distillery around Cowee in northeastern Macon County. On their way toward the Jackson County seat of Webster that night, however, a group of vigilantes approached the military encampment. The enemy party wanted the confiscated goods back, and determined to take them. Orders to keep their distance failed to stop the distillers, and shots rang out in the night. A full-blown firefight erupted as the local band and the U.S. soldiers exchanged more than a hundred shots. When the

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mountaineers made “their escape to save their lives,” the sole casualty appeared to have been a horse and the confiscated property.48

It is fitting that the conflict over whiskey distillation and the federal revenue tax involved the Freedmen’s Bureau in western North Carolina. As the most prominent and accessible representatives of the federal government throughout the mountain region, Bureau agents physically embodied the national government’s power and policies in many mountaineers’ minds. Because they were so closely associated with federal power, the Freedmen’s Bureau agents became active players and targets for moonshiners and other disgruntled highlanders resentful of the expansive postwar government. Historian Bruce E. Stewart argues that moonshiners rallied in opposition to the Internal Revenue Bureau because they viewed it as an unwelcome extension of the federal government’s power at the expense of local autonomy. Such attitudes meshed easily with local white Conservatives’ views of the Freedmen’s Bureau, which merged opposition to one governmental organization easily with that toward another. Hawley’s part in reporting and dealing with the fallout of the violent clash between distillers and revenuers reinforced the view of the Freedmen’s Bureau as a dangerous outside organization in the minds of some mountaineers.49

Revenue agents certainly had their hands full, but, unlike the Freedmen’s Bureau agents, they did not have to worry about distillation’s broader ramifications. Illicit distillers’ consumption of vital food resources in the northwest troubled agent James Carle, who replaced Allison in Wilkes County on February 29, 1868. With open fighting taking place in the southwest, Carle wrestled with growing destitution in the northwest. On March 21, Carle

reported that residents of his sub-district showed a “flagrant disregard of all law and Military orders…in regard to the distillation of liquors.” At least five stills were “in constant operation” within four miles of Wilkesboro alone, while in the rural sections of his district illegal stills were “shockingly numerous.” Breaking up those stills fell upon the revenuers and military, but Carle wrestled with the issue of food shortages caused by the distillers’ use of corn. Distillation destroyed so much corn that Carle viewed it as the primary cause of poor people’s suffering. Still, Carle was unsure about how he could stop it. He did not believe he had authority to act directly against the moonshiners, who he described as “desperate characters,” and he expected little aid from the civil government. If no aid came, he seemed ready to act. Sources informed him that some one hundred stands of arms were available, and “there are Union men here and men who served in the Union army” who Carle felt “might be organized for that purpose.”

Further proof of Carle’s discontent with his perceived lack of authority in dealing with moonshiners comes from his near simultaneous letter to W.B. Royall who commanded the military post in Morganton. Carle recognized the limits of the Bureau’s authority, but matters worsened at such an alarming rate that only “prompt and decisive action” could “prevent almost instant starvation.” Wilkes County alone possessed anywhere between twenty-five and sixty illegal distilling operations—the exact number was unknown due to the location of the stills in well-hidden mountain locales. Informants also told Carle that the assessor informed distillers that the laws affecting them were a farce and that he would not interfere with them. This issue merged lawlessness, relief, and federal authority into one complex package for Carle. He lacked immediate authority on this issue, but he felt “it my duty to disclose to proper authority any

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outrage or threatened calamity to the people that seem to be ignored by those who properly have charge of the matter.” Empowered with the oversight of local authorities and responsible for helping southerners recover from the destruction of the war, Carle brought distillation into his sphere of influence because it figured prominently in his locality.51

A month passed and Carle’s fears became reality. To Samuel Wiley, U.S. revenue collector in Salisbury, the agent wrote that distilling had reached a level where prompt action was necessary to avert starvation. Yet Carle also stated that the issue evolved beyond simple distillation. Local Conservatives had politicized the issue and turned it against the federal government and the Republicans. Most moonshiners, Carle estimated, would stop simply if asked, but “designing men” used the distiller to oppose the government. On April 17, he reported that “from various reports and evidences of destitution now existing with the extremely poor in the three counties under my charge” that he needed money to help provide relief. In Wilkesboro, Carle resisted classifying the situation as a crisis since “extreme want” was “not yet prevalent.” But if current conditions persisted, local affairs demanded some remedy before the upcoming harvest.52

Issues of race, relief, and home rule collided as William W. Holden again came before North Carolina’s voters for governor in April 1868. For Conservatives, the gubernatorial election and the referendum on the new state constitution posed extreme challenges. The new constitution was largely the work of Republicans, including many black and northern-born representatives of that party. Holden represented something even worse in the state Republican


Party and the sort of bad men Conservatives associated with it. With some white former Confederates disfranchised and local blacks registered to vote for the first time, Conservatives were less than optimistic. A general excitement surrounded the election, but Cornelia Henry of Hominy Creek worried that “the Radicals will beat us on negro equality.” She hoped, like many in Buncombe County Conservatives, “for the white man’s party” but feared “it will be voted down by the negroes and their equals.”

From this desperation came the Ku Klux Klan, which Eastmond feared might spark a full-blown race war. The Buncombe-based agent first became acquainted with the Klan due to the whiskey tax. A federal revenue collector reported a threat posted on his hotel room door in Haywood County, but revenuers were not the only targets. Black mountaineers, whose economic autonomy affronted white control, such as a carpenter in Haywood County, also received warnings. A few days later, comparable notices appeared in Asheville. One of Eastmond’s own African-American servants encountered masked “boys” in Asheville on their way home from a meeting and his office sign was torn down. Buncombe’s black population was not going to wait as the Klan likely planned its offensive. Local blacks armed themselves for “mutual protection” and never appeared in public without their guns.

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54 Oscar Eastmond to George Williams, April 17, 1868, Second Military District Records. Historian Allen Trelease argues that the Ku Klux Klan began as a social fraternity in Tennessee, but it morphed into a paramilitary organization opposed to the Republican Party and African Americans’ civil rights as it spread into North Carolina and other southern states in late 1867 or early 1868. See Allen Trelease, White Terror: The Ku Klux Klan Conspiracy and Southern Reconstruction (Baton Rouge: Louisiana State University Press, 1971), xi, 49.
Because the Klan permeated the Conservative-controlled courts and local law enforcement, Eastmond feared that nothing short of a strong military presence could prevent violence. In December 1867, the Asheville town council petitioned General Canby for permission to establish a local police force. Signed by leading Conservatives, the petition wanted to deputize “night watchmen” to maintain order. Federal officials considered their request carefully, recognizing it as a possible effort to arm local Conservatives in a pseudo-slave patrol to suppress black and white Republicans. When the military responded that any such force must possess a racial balance and suggested that Eastmond oversee its formation, the town council revoked the request. Their about-face convinced the Bureau agent that the military alone could prevent bloodshed. The failure to organize a police force left local affairs in the hands of civil officials, “just such men as would probably join” the Ku Klux Klan Eastmond charged. Without the military, the Conservatives’ opponents would have no alternative other than to protect themselves.55

The Klan threat that Eastmond included in his April report emphasized the importance of the election. It alerted Klan members to strike “when darkness reigns.” With a local group of “Black” Republicans challenging their status, mountain Conservatives embraced the Klan out of a mounting sense of powerlessness and racial alarm. Racial rhetoric had gathered steam in state politics over the previous months. From the state capital, the Sentinel led the charge. A June 29, 1867 Sentinel article entitled “The White Man’s Party” warned the state’s black population that opposing “the respectable and honest white people whom they have known all their lives, in politics, or trades, or interest” would prompt “counter action to the same extent.” Sentinel editor

55 Asheville Petition to E.R.S. Canby, December 20, 1867; Asheville Town Ordinance, December 27, 1867; E.W. Ward to Oscar Eastmond, January 21, 1868; Office of the Mayor and Town Council for Asheville, February 20, 1868, all in Second Military District Records.
Josiah Turner, Jr. also warned white voters that their failure to register and to vote would result in a white man’s party and a black man’s party. Turner put the onus for Conservatives’ increasingly threatening position upon black shoulders. By October, the *Sentinel* advised Conservatives to “instruct” black voters to avoid secret organizations like the Union League and to oppose a “Black Man’s party.” Clinging to antebellum paternalistic attitudes, Turner argued that at best one in one hundred black men was ready for the responsibilities of citizenship. For that reason, the paper denounced the Republican Party as the single greatest obstacle to successful Reconstruction. That party “has filled the minds of the blacks with ambitious expectations and hopes, which are not intended to be gratified, only as a means of the elevation of the white Radicals.”

Much of the impetus for the *Sentinel’s* bombastic opposition to the Republicans stemmed from observations in central and eastern North Carolina, but Conservatives employed similar political rhetoric in the mountains. Native son Zebulon Vance, who believed race to be the Conservatives’ best political weapon, trumpeted that message during the state campaigns of 1868. A meeting of Conservatives in Rutherfordton brought Vance and thousands of his white allies to Rutherford County. One Conservative speaker after another blasted the Republicans over the course of several hours. Burke County Conservative Burgess S. Gaither gave “one of the most directly forcible arguments in denunciation of Radicalism and negroism.” Vance was the main attraction, however, and not even a severe storm could stop his thundering address. Mocking Republicans in attendance, Vance imagined a scene where an African-American militia captain led local Republican leaders George W. Logan and Ceburne Harris in drill, made comical by Vance’s exaggerated impersonation of the fictitious black officer. Over three hours, Vance

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56 Eastmond to Williams, April 17, 1868, Second Military District Records; Raleigh *Sentinel*, June 29, 1867, 2; Raleigh *Sentinel*, October 5, 1867, 2; Raleigh *Sentinel*, October 30, 1867, 2.
“brought home” to his listeners the need to defend their white skins. He urged them to oppose the integration of the militia, denounce social equality as black supremacy, and to save their children from the indignity of integrated schools. Vance rarely disappointed his listeners when on the stump, and Rutherfordton Western Vindicator editor, Randolph A. Shotwell, believed that “he excelled himself” on this occasion. So effective was Vance, the Raleigh Sentinel boasted, that several Republican attendees allegedly renounced their party and “cursed the men who led them into it.”

Despite their appeals to race, Vance and the Conservatives failed to defeat the Republicans in April. Holden captured 92,235 or 55.6 percent of the votes for governor statewide, which included a 54.9 percent majority in the western counties. Meanwhile, the constitution coasted to an even easier victory. It garnered 55.7 percent affirmative majority and over 11,000 or 57.7 percent in the west. The results proved that the Conservatives’ racial strategy neither defeated the Republicans nor deterred voter participation. Western North Carolina witnessed a high voter turnout—over 19,000 of the roughly 24,000 registered voters cast a ballot in the election. What is more interesting, however, is the role of black western Carolinians in the Republicans’ success. Although, there is no way of knowing exactly how African-American highlanders voted, it is not hard to see that they played a critical part in the Republican victory when one notes that party’s margin of victory in Buncombe, Burke, and Watauga counties. In most western counties, the difference between winning and losing was minuscule. (See Table 5.3) African-American voters represented an invaluable swing vote in those counties. For example, Holden won Buncombe County by fewer than two hundred votes. If fewer than half of the 418 registered black voters in that county voted Republican, they carried

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57 Rutherfordton Western Vindicator, March 23, 1868, 2; Raleigh Sentinel, March 24, 1868, 2.
Table 5.3. Gubernatorial and Constitutional Election Results in Western North Carolina Counties, 1868

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<td>57.7</td>
<td>42.3</td>
</tr>
<tr>
<td>State Totals</td>
<td>73,594</td>
<td>92,235</td>
<td>93,086</td>
<td>74,016</td>
</tr>
</tbody>
</table>


Holden to victory. Even in counties where black people were a distinct minority, they still held great political potential. Watauga County had only 36 registered black voters, but white residents proved so divided that Holden won the county by a slim five votes. Given the enthusiasm among southern blacks for the party of Lincoln and the aid granted by mountain Bureau agents, it seems likely that black voters were instrumental in both Holden’s and the constitution’s success.58

Republican victories had a double-edged effect on North Carolina. The elective victory of a Republican governor—and a Republican-controlled legislature—marked a significant shift

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58 African American participation in the 1867 elections was widespread throughout the South. In Georgia, roughly 75% of black voters cast a ballot. Participation was higher in Alabama, Mississippi, Louisiana, and Texas, where almost 80% of black voters took part. The vast majority of those voters supported constitutional conventions and the Republican Party. See Steven Hahn, A Nation Under Our Feet: Black Political Struggles in the Rural South from Slavery to the Great Migration (Cambridge: Harvard University Press, 2003), 205.
in local and state power. White and black Republicans rejoiced at their victory and looked forward hopefully. Their twin victories also convinced national policy makers that Congressional Reconstruction had succeeded. Holden took office on July 4, 1868. In the wake of his inauguration, the Freedmen’s Bureau agents in the west received orders from the state commissioner to close their offices. Effective January 1, 1869, each office in the mountain counties would close permanently. State Bureau Assistant Commissioner Jacob Chur relieved Hawley from duty in August and instructed him to sell what Bureau property he had in his possession and travel to Goldsboro. “Use as much dispatch as you can,” Chur advised, “in breaking up.” Hannibal Norton and Oscar Eastmond received orders dismissing their clerks. “With a view to reduce the expenses of the Bureau and in anticipation of its discontinuance in this State at no very distant day,” Chur informed the Morganton and Asheville officials, “it is necessary to dispense with some of the present force.”

Events on the ground in western North Carolina revealed that the Republican’s victory failed to remove the mountain counties’ need for the Bureau’s services. When they received their orders to scale back or discontinue their operations, the western agents were still actively engaged in education and relief efforts. Some 250 students, Macon County agent George Hawley estimated, awaited the opening of schools throughout his sub-district. As he compiled data and explored his command, he determined a need for eight schools. In order to meet that demand, he initiated a correspondence with the Bureau’s Superintendent of Education and tried to drum up local support. African Americans in his district likely nodded along with Hawley’s assertion of the benefits of education at his meeting in Franklin, but their ability to support that school financially was another matter. Hawley speculated that the black residents of his district

59 Jacob F. Chur to George S. Hawley, August 18, 1868, Freedmen’s Bureau Records, reel 2; Jacob F. Chur to Hannibal Norton, Jacob F. Chur to Oscar Eastmond, August 31, 1868, Freedmen’s Bureau Records, reel 2.
could potentially pay for a teacher, but his confidence in that matter was fragile. Politics acted as another significant obstacle. Despite “favorable” local support, Hawley noted in his June report that “Conservative politicians in the late commons opposed public schools, on various pretexts, the principal one being expense.” Before his arrival, they had already moved to abolish public schools to avoid sharing that privilege with black North Carolinians. That opposition crippled efforts in Hawley’s southwestern district where few residents had money to spare, Hawley discovered, “can afford their children the advantages of a school.”

By August 1868, Hawley took heart in the progress made. A day school opened near Franklin under the direction of John C. Love and a Sabbath school tended to the needs of freedpeople in Macon County. Still, the agent posited that 150 students spread throughout Clay, Cherokee, and Jackson counties lacked adequate schools. Freedpeople could perhaps provide enough to board a teacher, but a sense of frustration comes through in this final report. Local blacks and the agent had worked to open a school and there appeared to be no open opposition to the effort, but in the overwhelmingly white counties within Hawley’s district indifference could be equally damaging. Hawley reported that while no overt acts had taken place against education efforts, “neither had there been the slightest effort by the so-called leading men to establish schools for either poor whites or freedmen.” For that reason, he argued, the Bureau

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60 Monthly Education Report, April 1868, Field Office Reports, Freedmen’s Bureau Records, NARA Microfilm reel 15; Monthly Education Report, June 1868, Field Office Reports, Freedmen’s Bureau Records, NARA Microfilm reel 15; Alexander, “Hostility and Hope,” 121-2. Hawley and other agents struggled in gaining the support of state Bureau education chief, F.A. Fiske, who hoped to win the support of upper-class white southerners. He hoped to win their support for a black education based on literacy as the key for suffrage. It seems Fiske’s faith rested with those whites that Hawley criticized as indifferent and unwilling to help. Furthermore, Fiske shared the broader conclusion that the Republicans’ victory in the state elections meant that the Bureau’s job was nearing completion. See Michael Goldhaber, “A Mission Unfulfilled: Freedmen’s Education in North Carolina, 1865-1870,” The Journal of Negro History 77 (1992): 201-3.
must continue seeking northern charitable support for education “until the poorer class of people recover from the prostration produced by the war.”

Wilkes County represented a success story in terms of African-American education in western North Carolina. By the fall of 1868, James Carle reported five schools—three day and two Sabbath—in his district. All but one of those schools, it should be noted, was in Wilkes County. He wished to open two more, but found that “interest does not seem favorable to the education” of freedpeople and poor whites. That was not true of the black population, who he described in August as showing “all the zeal and interest that is manifested here in the cause of education.” Myrna Stokes and Osborne Hackett taught in Wilkesboro, and Henry Colvard taught a school in Lenoir, the county seat of neighboring Caldwell County. Local freedpeople also owned a good schoolhouse worth eight hundred dollars. The drop in the number of schools from five to three in November may have stirred some concern. In his final answer to the November questionnaire that asked how long outside charitable aid was needed to assist education, Carle recorded “the end of that time, if schools are to be successfully maintained, does not appear in present view.”

Bureau efforts to bolster African Americans’ education efforts moved forward in Buncombe and Burke counties even as the clock wound down on the Bureau’s life. The larger number of freedpeople in these counties amplified the Bureau’s power and accentuated its role in constructing a biracial Republican Party there. Sections of the South with greater black populations received greater relief money and educational support than the mountain counties,

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since greater numbers mandated greater support. Where Hawley was in the southwestern counties, indifference could greatly restrain African-American institutions because they lacked the resources to overcome that disadvantage. It was easier to make strides in counties with larger black populations. In the coastal town of New Bern, black education efforts began during the war and commanded tremendous attention and resources due to the large number of African Americans living there. The American Missionary Association’s 1865 annual report, for instance, listed a single evening school in New Bern as having 15 teachers and 175 students. An April 1867 Freedmen’s Bureau report listed one self-supporting school in Morganton with sixteen students and two such schools in Asheville serving eighty-one students. Early in the summer of 1868, just over one hundred pupils attended a new school that opened in Asheville. But as Asheville’s needs grew to even rival the large school in New Bern, financial difficulties threatened that progress. Oscar Eastmond felt sure that success would continue if two teachers were employed there. At present, the bulk of the instructive duties fell upon a northern woman, Mary Reynolds, who worked for the rate of fifty cents per student. Economic concerns also threatened this school. Reynolds rarely received more than ten cents from each student. The dearth of funds threatened to close the school down, a disaster that Eastmond implored his superiors to avert.63

Between March and June 1868, Oscar Eastmond charted a slow advance in freedpeople’s education in his sub-district. With two schools open in Asheville, he hoped to create one in Hendersonville, Waynesville, Marshall, Brevard, and another in Asheville. And while he noted

that people in his sub-district wanted free schools for all residents, Eastmond deemed it “about an impossibility” to draw any support from the black population in March. Between April and May, however, a new day school opened in Asheville, giving the Buncombe County seat two day schools and one Sabbath school. Two African-American teachers, J.J. Reynolds and Edward Horsey, the same black Union League member assaulted by two boys for trying to get water to his farm, also joined the stable of teachers in Asheville. Eastmond was also able to report a modest expansion with the opening of James A. Zachary’s school in Haywood County. Such progress through June 1868 matched Eastmond’s estimate of community support. According to the Asheville sub-district head, the people’s support for educating freedpeople and poor whites was “very fair with some opposition.” By June he could report four schools, three in Asheville and one in Waynesville, but Madison, Henderson, and Transylvania counties still had no schools.64

Compared to the efforts of Hannibal D. Norton in Morganton, Eastmond’s efforts appear modest. Norton took an active interest in education through the spring and fall of 1868. During March he held an education meeting at the freedmen’s schoolhouse, and he visited the Morganton day school twice. Norton’s proactive efforts garnered him a more detailed understanding of the needs within his command, which he determined to be three schools within Burke County and one in McDowell County. Achieving these goals would be an uphill climb. While he recognized a need for these other schools to serve an estimated 245 students, local white support was not forthcoming. Where Eastmond found some support for education efforts

in his sub-district, Norton encountered sentiment “adverse to the education of Freedmen and Poor Whites.” Efforts to draw support from local white sources and the state government were “without success.”

One reason for this opposition was undoubtedly the success already achieved by African Americans in Burke County. During the spring, Norton had modest hopes for support from the black population. The Freedmen’s Bureau already owned a schoolhouse in Morganton that served 275 pupils, whose parents paid the teacher’s salary. By the fall, the freedpeople’s pecuniary support grew. In September, Norton reported four schools in operation, one of which was in Little Silver Creek in a building owned by the African American community themselves. This accomplishment contributed to the negative feelings among local whites. In November, Norton visited the day school four times and the Sabbath school twice. He also held two meetings at the “Howard” schoolhouse in Morganton. By the fall, the freedpeople’s financial prospects had worsened to the point they had but little for their schools. Their enthusiasm for education, however, kept the agent active in his support and committed to the Bureau’s mission. When asked how long additional aid from the Bureau and northern charities would be necessary, Norton had a consistent answer: “for two or three years at least.” Local successes made a long-term commitment seem both necessary and just.

During June 1868, agents from Ashe County to Macon County struggled to find rations to relieve the poor in their districts. On June 1, Hannibal Norton reported stable conditions in his


district, but added ominously “destitution will be great during upcoming season” and asked 800
rations to be readied for the summer. In Jefferson, William Thompson reported that 150 families
needed food under his jurisdiction, and he found neither corn nor the money to buy it available
for their aid. Since the civil authorities refused to act, Thompson asked that 250 bushels of corn
be sent to the nearest railroad station at Marion, Virginia. Matters in the southwestern counties
proved better in late June, but George Hawley still suspected that it would be necessary to
purchase food to alleviate “the few who are or may become destitute.”67

The Raleigh poet who read “North Carolina Free” spoke of promise. “The past is past,”
the poem went, “the future shines.” At last, “the years of blood” seemed behind them with
“smiling years of peace” ahead. An alliance between the Bureau and local Republicans helped
reshape the landscape in western North Carolina. Schools received federal support through the
Bureau, and mountaineers found relief through the Bureau as well. Whites received most of this
aid, which fostered closer ties between lower class mountain whites and the federal government.
Agents’ desire to prevent starvation and suffering led them into the growing conflict between
distillers and the Revenue Bureau. Perhaps most importantly, the Bureau oversaw the
registration of new voters—including black highlanders—who delivered the critical Republican
victories in the spring of 1868. Those victories inspired hope among the Republicans’ local
constituents that the past was behind them and that the future would bring even greater gains, but
the Conservatives had not had their share of blood. Backed into a corner by their failures in
1868, the Conservatives intensified their racial rhetoric, seized upon the unpopular whiskey tax

67 Hannibal Norton to Andrew Geddes, June 1, 1868, Freedmen’s Bureau Records, reel 27; William Thompson to
Jacob F. Chur, June 6, 1868, Field Office Reports, Freedmen’s Bureau Records, NARA Microfilm 1909, reel 27;
George S. Hawley to Jacob F. Chur, June 26, 1868, Field Office Reports, Freedmen’s Bureau Records, NARA
Microfilm 1909, reel 18.
to political advantage, and mobilized a violent new organization—the Ku Klux Klan—determined to topple this new regime in their region and state at all cost.\textsuperscript{68}

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It was a proud moment for James C. Harper, the congressman from Caldwell County who had “redeemed the district from radicalism” in 1870. Although his supporters termed him a “faithful and industrious” national representative, he had not made much of an impression; that is until he rose to the floor and delivered a speech on the racial feelings of white mountain Conservatives on May 4, 1872. The western Carolina congressman depicted his constituents as a sort of ultra-white populace, possessing “the instincts of their Caucasian race more strongly, if possible, than the dwellers on the plains.” White highlanders were “a hardy and intelligent people, who, like their mountain brethren of Switzerland, have always kept alive among their forests and on their hill-tops the sacred fires of liberty.” They simply wanted to live free, argued Harper, and die free. A small black—and previously slave—population facilitated that hope. The congressman distanced himself and his fellow mountain elites from slavery, assuring his listeners that the Carolina mountain region suffered less racial turmoil after emancipation than elsewhere in the South. “A few, impatient to prove to themselves that they had the right to run about as they chose,” Harper proclaimed, “left their old masters and sought new homes, or betook themselves to the distant camps of the Freedmen's Bureau” but returned upon learning the error of their ways. This was the simplified version of southern Appalachia that internal boosters presented to the nation at large. A presumably local newspaper termed his speech as “one of the most truthful and forcible arguments made on that subject” and in line with the sentiments of his
constituents “to a dot.” After reading it, the paper advised, “hand it to your Radical neighbor, so that he may know what the Grant party is trying to force upon the people.”

Absent from Harper’s idealized version of mountaineers’ wants and desires were the Ku Klux Klan and its violent role in his region’s “redemption.” No doubt A.B. Sams of Madison County would have rejected adamantly Harper’s neat categorization of his section. Just nineteen days after William W. Holden’s inauguration on July 4, 1868, Sams informed the new governor of the need for “Militia, union men, or men of republican principles” in his community to stifle insults, death threats, and physical violence. On occasion, raiders pelted Republicans with rocks. Some Madison Republicans awoke to discover empty coffins alongside freshly dug graves in their fields. African Americans received similar threats, and masked antagonists had driven several black men from their homes. Civil War history seemed to repeat itself in Madison County. “I have been fighting [sic] for the good cause from the beginning [sic],” Sams wrote, “I can not crouch to rebels, and God forbid that I will have to fly to the wilderness for protection.” Disgruntled and violent Conservatives proved determined to recapture the control recently wrested from them in the April elections, and Sams believed his opponents would do “everything that the Devil can suggest” to regain power.

The plight of the Madison County Republicans exposed a radical shift in the Conservatives’ approach to dealing with their opponents. It also should have given pause to

1 “To the Conservative Party of the Mountain District of North Carolina,” April 27, 1872, Clinton A. Cilley Papers, SHC, UNC-CH; James C. Harper Speech of May 4, 1872, copy available in the Clinton A. Cilley Papers, SHC, UNC-CH. The newspaper clipping of the speech did not identify the paper, but in all likelihood it was from Cilley’s local Lenoir Topic from the county seat of Caldwell County.

2 A.B. Sams to William W. Holden, July 23, 1868, Williams Woods Holden, Governors’ Papers, NCDAH. The Ku Klux Klan was an organization founded in Tennessee after the war, and later spread into other former Confederate states. The name itself was an umbrella term; most Klansmen identified themselves as members of the Invisible Empire or Constitutional Union Guard. But this, one Klan informant revealed, was a strategic decision. Through the individual organizations men could swear faithfully not to be Ku Klux without lying. It was a technicality, and they knew it to be just that for they knew they were largely members of the Klan.
national policymakers who believed the election of a Republican state government sufficient reason to scale back their presence in North Carolina. A combination of the federal military, the Freedmen’s Bureau, and western Republicans turned the mountain counties into a fairly steady Republican enclave within the state. For national Republicans hoping to remake the South after the war, western North Carolina appeared to be a success. Political fortunes had shifted after Congress assumed control over the South’s restoration to the Union, and the mountain region’s political culture broadened to include outside alliances with federal power. Local Republicans’ incorporation of federal authority advanced so far that a petition signed by a veritable who’s who of Buncombe County party leaders regarding the appointment of Ashville’s local government arrived on Holden’s desk in early August. Judge James L. Henry, his brother Robert M. Henry, and Congressman Alexander H. Jones endorsed the appointment of five commissioners and a mayor. That mayor was Oscar Eastmond, the former Freedmen’s Bureau agent who had become a bulwark in the county’s Republican structure.³

Such important local changes coincided with the Republican Party’s state level success in the 1868 elections. If Confederate governor Zebulon Vance is the most recognizable and famous face of the Civil War era in North Carolina, William W. Holden’s far less familiar round face and bald head belongs on that coin’s flip side. The one time secessionist, Conservative Party founder, peace movement leader, and provisional Reconstruction governor had experienced his share of political defeats prior to capturing the governorship that spring. His inauguration was a gala event in Raleigh, marking a long-desired personal accomplishment for Holden and a symbolic turning point for the state. Caldwell County Conservative James C. Harper captured the mood surrounding Holden’s swearing in ceremony somewhat bitterly in his diary. “An

³ Buncombe County Republican Petition to William W. Holden, August 5, 1868, William Woods Holden, Governors’ Papers, NCDAH.
immense crowd” gathered on Capitol Square to hear Holden’s address on July 4. Afterward residents celebrated the new administration and the anniversary of the United States’s independence with “great fireworks & illumination at night.”

The inaugural fireworks were the opening shots of a new conflict that encompassed the entire state. Frustrated and angry Conservatives condemned this new regime for conspiring with federal authorities, both those in soldiers’ uniforms and Freedmen’s Bureau offices, to foster an alliance between African American voters and white Republicans. Once white Republicans embraced African Americans, however, the charges of fostering black dominance grew stronger and violence toward white and black mountaineers intensified. Conditions were also ripe for a Conservative challenge to the Republicans along class lines. In western North Carolina, money was scarce and people faced uncertain economic futures. This uncertainty ignited the issue of taxes, and specifically the whiskey tax, in the mountains. Conservatives’ argument for the need to regain home rule registered more profoundly with common white mountaineers as Republicans became the scapegoats for the poor economy.

The primary weapon in this counterrevolutionary struggle was the Ku Klux Klan. Long noted as a prime mover in the downfall of William W. Holden, whose efforts to suppress the Klan in 1869 and 1870 led to his impeachment by a resurgent Conservative legislature, the Klan’s presence and importance in the Carolina highlands remains underappreciated. Allen Trelease, whose *White Terror: The Ku Klux Klan Conspiracy and Southern Reconstruction* is the undisputed authority on the Reconstruction Klan, argued that the Klan proved most powerful in areas where a racial balance existed. This proved true in sections of western North Carolina where black highlanders were more numerous. The Klan’s importance in fighting the whiskey tax...
tax has also garnered significant attention in recent years and is a vital aspect of a broader story. Controversy surrounding race and taxation weakened the Republicans, who had become dependent upon federal aid. When no federal assistance came, the Republicans failed. They did not collapse. Patronage allowed them to remain relevant, but relying on federal agencies like the Internal Revenue Bureau to sustain them did little to improve their popularity. Intimidation and the Republicans’ overreliance on national power led to “redemption” in the Carolina highlands. James C. Harper’s speech served as a benediction of sorts for this effort. As the localized political culture that favored mountain elites creaked beneath the weight of the Republicans and their federal allies, the Conservatives struggled to regain as much of it as they could. The Klan played a key role in their success in doing so, and Harper announced their victory to the nation in 1872.5

Reports from Freedmen’s Bureau agent George S. Hawley, a Vermonter who joined Company E 23rd U.S. Infantry Colored Troops on March 12, 1864, revealed a disturbing increase in Klan activity in North Carolina’s southwestern corner following Holden’s victory. Black highlanders bore the brunt of their white neighbors’ anger. Trouble began for an African-American man named Henry Matthews when he appeared in Webster at the Jackson County

5 Over the past half-century, the prevailing thought among historians is that the Ku Klux Klan terrorized southern blacks in order to divide them from southern white Republicans. The most prominent work in this regard remains Allen W. Trelease, White Terror: The Ku Klux Klan Conspiracy and Southern Reconstruction (Baton Rouge: Louisiana State University Press, 1971). A similar interpretation for North Carolina appeared a short time earlier in Otto H. Olsen, “The Ku Klux Klan: A Study in Reconstruction Politics and Propaganda,” North Carolina Historical Review 39 (1962): 340-362. One of the most interesting accounts of the Klan in the Carolina mountains is Gordon B. McKinney, “The Klan in the Southern Mountains: The Lusk-Shotwell Controversy,” Appalachian Journal 8 (1981): 89-104. The uniqueness of the Klan experience in western North Carolina has been more fully rendered by Bruce E. Stewart, who emphasizes the role illicit distillation played in the Klan’s mountain campaigns. See Bruce E. Stewart, “‘When Darkness Reigns Then is the Hour to Strike’: Moonshining, Federal Liquor Taxation, and Klan Violence in Western North Carolina, 1868-1872,” The North Carolina Historical Review 80 (2003) 453-474. Stewart acknowledges the impact of race, but not to the extent that perhaps it deserved. Mountain Klansmen sought to drive a wedge between the federal government and the Republican voters—of both races—that denied them the control that they had held previously in the region. Although the distillation issue played an important role in organizing Klansmen, the primary targets remained white and black Republicans. This chapter stresses the racial and political implications of the Klan over the distillation issue.
court for allegedly stealing a pistol from James Common, another freedman, on April 28, 1868. The court convicted Matthews and sent him to the local jail. According to Common’s affidavit in late June, solicitor William L. Love told him that real justice could only come from driving Matthews out of Jackson County. Republican lawyer Robert M. Henry of Buncombe County warned Love that what he was suggesting they do with Matthews was blatantly illegal, but the freedman’s enemies seemed determined. W.L. Norwood from adjacent Haywood County suggested that if they could not get him in Jackson County then they could move Matthews to the jail in his county’s seat. Norwood made clear, however, that sending Matthews to Waynesville was not for safekeeping; Norwood vowed to execute Matthews himself if the Ku Klux Klan did not.6

Hours after his incarceration, a band of men took Matthews from the Webster jail and beat him brutally. After punching and kicking Matthews, the white men bombarded him with a hailstorm of rocks that drove Matthews from the county that night. James Common, whose pistol was stolen, testified that he felt Matthews’s fate and Love’s view of proper justice were directly connected. To the frustration of George Hawley, no efforts were made to arrest Matthews’s attackers. The county court was in session at the time of the attack, yet no efforts to punish the guilty parties came before the judge. Such negligence appalled Hawley because the men who attacked Matthews were far from unknown. On May 29, 1868, Hawley ordered the Jackson County sheriff to arrest the alleged assailants and bring them to the Webster courthouse, but the county court ignored the matter. For his part, Matthews vanished. Reports placed him in

the Cashiers Valley of Jackson County, but additional efforts to locate him failed. Few people, it seemed, wanted to talk about that night.7

While Matthews’s beating possessed political undertones, the intimidation and harassment of a black farmer, Virgil Bryson, was overtly political. The middle-aged Bryson served as an election registrar for Jackson County in the critical registration campaign of 1867, which saw the mountain Republicans and the Freedmen’s Bureau battle bitterly with Conservatives. Four white men, led by the acting Jackson County sheriff William Bumgarner, appeared at Bryson’s door on the night of May 20. They seized a black man, Sam Hicks, tied a rope around his neck, and led him away from the house. The men accused Hicks of speaking disrespectfully to Bumgarner’s sister and gave him a choice: jail or a whipping. Perhaps recognizing that jail offered him no more safety than it did Henry Matthews, Hicks opted for the whipping, which Bumgarner administered to the tune of thirty lashes. That did not end matters. On the night of June 5, a white party descended upon Bryson’s home near Webster. Rocks and stones bounced off the door and windows of the home, panicking Bryson and those inside. Bryson’s tormentors reiterated their message that night. Bryson and his friends were to stop rocking the boat and abide by their white neighbors’ will.8

7 Affidavit of James Common, June 23, 1868, Freedmen’s Bureau Records, reel 31; George S. Hawley to Jacob F. Chur, June 5, 1868, Field Office Records, Freedmen’s Bureau Records, NARA Microfilm 1909, reel 14; George S. Hawley to Jacob F. Chur, June 25, 1868, Freedmen’s Bureau Records, reel 31; George S. Hawley to Jacob F. Chur, June 5, 1868, Field Office Records, Freedmen’s Bureau Records, NARA Microfilm 1909, reel 14. Hawley ordered the arrest of Burton Allen, William Davis, William R. Allman, John Allman, James Common, and A.K. Gibson. More men were involved in the attack, but they were currently out of the county, which delayed their capture.

8 Hannibal Norton, June 6, 1867, Report of persons recommended for inspectors of elections for the counties of Rutherford, Polk, Haywood, Jackson, Macon, Clay, and Cherokee, Freedmen's Bureau Records, reel 32; George S. Hawley to Jacob F. Chur, June 5, 1868, Field Office Records, Freedmen’s Bureau Records, NARA Microfilm 1909, reel 14. Hawley identified Bryson’s tormentors as William Bumgarner, Fayette Fisher, William P. Allman, and Andrew Bryson. Another African American, Dock Sloan, received a similar punishment at the hands of Bumgarner and his friends for the same offense. Neither man’s case made it before the civil authorities of Jackson County.
George S. Hawley struggled to bring the perpetrators of these attacks to justice, but his declining influence proved no match for a surging Klan. The growing violence against African Americans was unlike anything he experienced in his Bureau service either in Macon County or elsewhere for one basic reason: he lacked the ability to do anything about it. Western North Carolina posed a particular set of problems to the Freedmen’s Bureau agents working there. Access to railroads was tenuous, the distance between agents and military authorities was great, and the black population itself was small and scattered. Hawley confided to the state assistant commissioner that without a strong military force—and perhaps even with one—he might not be able to protect the black residents in his subdistrict. Cases like those of Matthews, Hicks, and Bryson would certainly multiply if the Bureau withdrew and Hawley knew it. Without the Bureau, he predicted that all the African Americans would be forced out of the region.9

Either Bryson failed to get the message or simple intimidation failed to satiate his antagonists because his harassment continued into the summer. On July 10, a poor white farmer, John Allison, barged into Bryson’s home, promising to kill him should he resist. Allison then confiscated the black man’s gun, leaving him vulnerable to future abuse. Bryson waited less than twenty-four hours for the next shoe to drop. Sheriff William Bumgarner came to the black farmer’s home the next day, claimed to have a warrant for Bryson’s horse, and took possession of the animal. He made clear that Bryson was unwelcome in that community. Bumgarner

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9 George S. Hawley to Jacob F. Chur, Freedmen’s Bureau Records, reel 31. Hawley’s subdistrict included Macon, Jackson, Clay, and Cherokee counties. It was a territory he described as roughly 100 miles from east to west, and 80 miles from north to south. See George S. Hawley to W.B. Royall, September 16, 1867, Field Office Freedmen's Bureau, NARA Microfilm 1909, reel 14.
attacked the freedman with a drawn knife and a rock, swearing oaths and vowing to kill Bryson, seize all his property, and drive him from the county.10

Through the summer the Klan expanded to other mountain counties. The Klan’s formal arrival in the mountain region is a matter of some dispute, and looking for one specific date is probably the wrong way to view the Klan’s origins throughout the South. It arrived in waves through 1868. Some sixty Madison County Republicans reported death threats and warnings to leave the county in mid-July. Klan raids became so frequent in Madison County that law-abiding men no longer slept at night out of fear of death. Tales of beatings and murders circulated throughout the community, paralyzing individual men and the local courts. The leading state Republican paper, the North Carolina Standard, formerly run by William Holden but now under his son Joseph’s direction, worried that Klan activity might soon get out of hand. If things were so bad in staunchly Republican counties like Madison, the Standard asked, how much worse they must be in counties where the governor’s party constituted a minority. A recent act of vandalism at Haywood County’s Richland Institute in which Klansmen stole a United States flag showed that efforts to intimidate Republicans had crossed into that county as well. Conservatives accompanied the attacks with calls for restored home rule, explaining that the Republican alliance with federal authority demonstrated their disloyalty to their state. In August, Jones’s Asheville Pioneer replied angrily to Conservatives’ claims to represent the truly loyal men. Jones charged that Conservatives would do anything within their power to provoke and cow Republicans, and that the Ku Klux had become a critical component of that effort.11


Controversy over a federal tax on distillation shifted affairs in western North Carolina from a local issue into one of statewide significance. Throughout September 1868 the Republican North Carolina *Standard* and its cross-town rival Raleigh *Sentinel* exchanged barbs over the whiskey tax. At first, the *Standard* tried to distance Republicans from the issue by blaming its national party for shutting down southern distilling operations while also castigating state Conservatives as responsible for the taxes. On September 8, the *Sentinel* reported that the tax had dropped from two dollars to fifty cents, but the absence of any distinction based on the quantity produced privileged northerner producers at the expense of their southern counterparts.

Five days later the Conservatives accused the Republicans of punishing struggling mountain distillers in order to expand their political power. A corrupt “Whiskey Ring” had seized control of the federal government, and supposedly defrauded the government of millions of dollars. Republicans responded that the rings held the Democratic Party together. Conservatives alleged that the Republicans supposedly used the blanket $400 tax as well as the subsequent $.50 per gallon tax to fill their own pockets and buy privileges from Congress. The Democratic whiskey ring—of which the *Standard* claimed the *Sentinel*’s editor was a part—robbed from the poor to make the rich richer. Conservatives countered that Republicans and a corrupt Congress lined their pockets as poor farmers from Cherokee to Raleigh went broke.\(^\text{12}\)

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That animosity played directly into the elections in November. Compared to the
gubernatorial and constitutional votes in which they appeared disorganized, white Conservatives
from across the region spoke of the importance of the national canvass that fall. Conservatives
worked hard to mobilize support for the national Democratic Party’s presidential candidate,
Horatio Seymour of New York, and for their state ticket. Wealthy white Conservative James
Gwyn of Wilkes County viewed a Seymour victory as the key to “better times” and the defeat of
the “carpetbaggers, Yankees & other low down scoundrels.” On October 1, 1868, the
Conservative Party hosted six to ten thousand people at a barbecue in Asheville. Various
speakers—most notably former U.S. senator and Confederate general Thomas L. Clingman—impressed the importance of the contest upon the crowd. It was a regimented affair. Two men
spoke in the morning, then in the afternoon another two or three repeated familiar Conservative
talking points. Judge Bailey renewed complaints against the Reconstruction Acts that enhanced
federal power in the South, but that criticism encouraged violence. Without mentioning the Klan,
Bailey warned that if the acts remained in effect, they would promote bloodshed and undermine
the United States government. At night, a torchlight procession made its way through
Asheville.

A critical component of the Conservative barbecue and the overall party message was
race. The Conservatives disdained the cooperation between black and white Republicans that
was so integral to Congressional Reconstruction. That frustration permeated the reactions to the
barbecue. One attendee juxtaposed it with a similar one held by local Republicans a few weeks

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13 Diary Entry, July 25, 1868, James Gwyn Papers, SHC, UNC-CH.
14 Diary Entry, October 1, 1868, Henry Diary, North Carolina Collection, Pack Memorial Library, Asheville, North
Carolina; “Your devoted cousin M.D.” to Matilda Abernathy, October 7, 1868, William G. Dickson Papers, SHC,
UNC-CH; Raleigh Daily Sentinel, October 9, 1868.
earlier. Compared to the several thousand people at the Conservative rally, the Republicans garnered only a few hundred supporters of whom an estimated two-thirds were black. African Americans played a prominent role in the Republican meeting, but their presence at the Conservative barbecue suggests a bit of tokenism. If African Americans could vote, and Buncombe County had the third largest black population in western Carolina, then the Conservatives would accept their votes. Little from the gathering suggested, however, that white Conservatives welcomed them at the barbecue. Black attendees sat segregated at their own table. Republicans spoke of equal rights and worked with the Freedmen’s Bureau and military to protect those liberties; the Conservatives let the freedpeople at their barbecue take home the leftovers. The contrast could not be any clearer.15

Buncombe County may have had the largest rally in the region, but it was not the only Conservative barbecue in western North Carolina. James Gwyn attended a similar event that same month in Wilkes County. He was less impressed with its impact, however, as he believed the national Democrats “will avail but little” due to their inability to overcome the Republicans’ “money & villainy.” The Conservatives at the Buncombe County rally left confident of success; Gwyn left the Wilkes County event certain he would endure another four years of “stealing & tyranny.”16

For their part, Republicans across the state worked to solidify the relationships that made them successful in April. Later that summer, Republican congressman Alexander H. Jones praised Congress for restoring North Carolina to the Union and renewed the debate over loyalty

15 “Your devoted cousin M.D.” to Matilda Abernathy, October 7, 1868, William G. Dickson Papers, SHC, UNC-CH; Raleigh Daily Sentinel, October 9, 1868. Buncombe County had 2,303 black residents in 1870. Only Rutherford and Burke had larger African American populations, and Burke County had only an 11 person edge. See 1870 Census.

16 Diary Entry, October 27, 1868, James Gwyn Papers, SHC, UNC-CH.
that mountain politicians had been waging since the Confederacy’s collapse. Former general Ulysses S. Grant’s supporters were trustworthy and noble men, according to Jones, and their opponents in the election were their murderers. National Democrats and their North Carolina allies, the Republican chirped, stood as obstacles to the “party of peace and happiness.” Jones made clear that Republicans would never support a reconstruction policy that put secessionists back in power, and he warned that if the Democrats won the presidency, they and their southern allies would topple the republic at their first chance. The Daily Standard echoed Jones’s sentiments. It called upon Rutherford County Republicans to defeat the Democrats, who they held responsible for the late war. Having a Union war hero in Grant as the head of the national ticket played directly into the hands of western Republicans, like those in Jackson County, who used the war to rally their supporters. Secessionists promised that they could peaceably dissolve the Union, and the result was a long, devastating war. Republicans claimed that Democrats now promised that they could peacefully assume control of the national government, but they warned that the result would be equally disastrous.17

The election proved Republican concerns to be well founded. Violence erupted in the streets of Asheville on election day. Holden’s electoral edge confirmed local Conservatives’ worst nightmare early that spring. Not only did the Republican win the majority of Buncombe County’s vote en route to his statewide victory; African Americans played a key role in that victory. Conservatives would leave nothing to chance in the national election. Tensions flared on November 3 after a white county clerk refused to allow James Smith, a black man, to vote because of a previous criminal record. Following the exchange of heated words and a brief

\begin{footnotesize}
17 Asheville Pioneer, August 13, 1868; Raleigh Daily Standard, October 7, 1868.
\end{footnotesize}
altercation, angry blacks and whites took to the streets, waving clubs, and voicing their discontent with the other side.\textsuperscript{18}

A general fight erupted that evening after another African-American man, Silas, allegedly voted for the Democratic presidential ticket. Silas’s vote aggravated James Smith and his friends who challenged the “rogue” voter. They confronted Silas. Several white Conservatives from prominent local families such as the Pattons, Merrimons, and even Natt Atkinson rallied to Silas’s defense with their pistols. Smith saw this as a chance for retribution. Later court testimony claimed that Smith threw a rock at the Democratic black voter and his white protectors. When Smith knocked over one of Silas’s white defenders, chaos ensued. Men with guns seemingly sprang from the ground, and bullets of all shapes and sizes pierced the African-American ranks from nearby store fronts and second-story windows. Smith suffered a moral wound to the right side of his face, while eighteen African Americans and no more than two white men received injuries. The African-American ranks broke under the onslaught.\textsuperscript{19}

\textsuperscript{18} Gordon B. McKinney, “Southern Mountain Republicans and the Negro, 1865-1900,” in John C. Inscoe, ed.,\textit{ Appalchians and Race: The Mountain South from Slavery to Segregation} (Lexington: University Press of Kentucky, 2001), 200-1; and North Carolina \textit{Daily Standard}, November 5, 1868; \textit{Testimony Taken By the Joint Select Committee to Inquire into The Condition of Affairs in the Late Insurrectionary States. North Carolina.} (Washington: Government Printing Office, 1872), 239 (hereafter cited as NC Klan Report); Eric J. Olson, “Race Relations in Asheville, North Carolina: Three Incidents, 1868-1906,” in Barry M. Buxton, et al., eds.,\textit{ The Appalachian Experience: Proceedings of the Sixth Annual Appalachian Studies Conference} (Boone: Appalachian Consortium Press, 1983), 154-6. Holden won the election 1,049 to 875. It is also important to keep in mind that an indeterminable number of former Confederate officials remained disfranchised in 1868. Since the margin of victory was 174 votes, black voters may have tipped the balance. If only half of the 418 registered black voters cast a ballot for the Republicans, they more than accounted for Holden’s margin of victory.

\textsuperscript{19} NC Klan Report, 239; Olson, “Race Relations in Asheville,” 154-6; John Preston Arthur, \textit{Western North Carolina}, 299-300. In his account of the riot, Arthur heaps blame upon Eastmond. Not only does he accuse the agent of disappearing for days afterward, he wrote that it was “thought” that Eastmond incited the riot by telling “negroes to arm themselves with stout hickory sticks and shout for Grant and Colfax.” Sadly, Arthur has no footnote for his telling of the riot. Although Eastmond’s location cannot be completely verified beyond his listed location as Asheville, he reported the riot to his superiors the day it happened.
Oscar Eastmond and the Republicans responded quickly. The Bureau agent dispatched a telegram to Morganton asking military authorities to send troops to Asheville at once.\textsuperscript{20} No troops would arrive because none remained. As part of a statewide withdrawal, they had left the region on November 4. The few military authorities remaining informed Eastmond that he must rely upon the civil authorities to punish those responsible for the riot. Local Republicans turned to the new governor for help. Robert M. Henry informed Governor Holden that the Conservatives had provoked the riot and that the African-American voters were unarmed. The disturbance, as he interpreted it, represented a Conservative effort to dictate the outcome of the election. Preliminary reports indicated that they succeeded. Although early returns showed a 130 vote difference between the registered number of Asheville voters and the actual tally, Henry believed that gap was the result of Conservative intimidation. If the government did not intercede and investigate the matter, Henry reported that the Republicans would lose. As it stood immediately after the election, Democrat Horatio Seymour of New York held a five-vote advantage over Grant in the presidential race.\textsuperscript{21}

Many Republicans questioned the results in the Congressional elections that were held the same day as the presidential vote. Alexander H. Jones ran for a second term in the House of Representatives against a smart and “very bitter” Conservative from Cleveland County named Plato Durham. It was a close contest, but apparent voting irregularities threw the result in the air. Robert Henry reported a two-vote Jones victory, but other sources put Durham on top by that margin. Transylvania County election officials swore that they had thrown out thirty-five votes

\textsuperscript{20} Oscar Eastmond, Telegram, November 3, 1868, North Carolina Freedmen’s Bureau Records, Reel 18.

\textsuperscript{21} Jacob F. Chur to Oscar Eastmond, November 4, 1868, North Carolina Freedmen’s Bureau Records, Reel 2; R.M. Henry to William W. Holden, November 4, 1868, Holden Governor’s Papers, NCDAH. Interestingly, the total number of voters in the county increased for the presidential election. However, the numbers did shift with Seymour holding an eleven-vote edge. Still Henry’s statement on the number of voters short of registration was accurate. See \textit{North Carolina Standard} (Raleigh), November 25, 1868.
for Jones, which the congressman assumed would secure his reelection once counted. Jones’s confidants felt that he had to be declared the victor, and Jones agreed “that it would be shameful to put me to unnecessary trouble to obtain a seat which I am justly entitled to.” Two political opponents claimed there was enough fraud in Haywood County that “would cover three times 18 votes” and passed along evidence to prove the charges. Republicans worked feverishly to secure Jones’s reelection, and their hard work paid off. In the months after the election, former Bureau agent Oscar Eastmond sent Holden ten affidavits proving voter fraud in the Valley River precinct of Cherokee County. One Buncombe County superior court clerk inspected the returns and informed Eastmond that while the Conservative and Democratic candidates garnered 104 votes, Grant received no votes at all. Jones fared better; he tallied one vote. Something certainly appeared to be amiss, and in the end Congress agreed and declared Jones the victor.  

On November 16, 1868, R.B. Bogle wrote a private letter to the Republican lieutenant governor, Tod R. Caldwell, about irregularities in his bid for the state senate in the 41st senatorial district. James C. Harper’s son-in-law, Dr. Robert L. Beall, defeated Bogle soundly, 1,110 to 755. In Bogle’s estimation, a combination of factors cost the Republicans in Watauga County. First, Republican ballots arrived late in two Watauga districts. Holden won a slim majority in Watauga in April, so perhaps the ballots’ delayed arrival hurt Bogle and his party’s chances in his district. The Conservatives’ racial antagonism, however, proved more damaging in Bogle’s opinion. Caldwell County Conservative George N. Folk, a native Virginian who moved to western North Carolina after the war to practice law, attacked mountain Republicans’ alliance

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22 NC Klan Report, 110-11, 144; Alexander H. Jones to William W. Holden, December 9, 1868, William Woods Holden, Governors’ Papers, NCDAH; Affidavit of J.E. Reed, February 23, 1869, William Woods Holden, Governors’ Papers, NCDAH. Some Republicans worried for Jones. W.D. Whitted wrote Holden that “Jones sometimes gets threwed off of his balance and I am afraid that he is suffering too much Solicitude about this matter, but we must do all we can for him.” See W.D. Whitted to William W. Holden, December 20, 1868, William Woods Holden, Governors’ Papers, NCDAH.
with their black neighbors. Folk was simply following a game plan established for the state’s Conservatives by Zebulon B. Vance, who toured the state challenging white North Carolinians to rally in support of their white skins. Bogle reported that Folk mimicked Vance’s “humbuggery” in calling for his white listeners to “stand up for their race.” Such efforts may have cost the Republicans as many as one hundred votes in Watauga County, according to Bogle.23

Another Caldwell County Republican offered a different analysis of Folk’s defeat. Calvin C. Jones of Patterson wrote Tod Caldwell that he had “nothing good to write from our disloyal community” because lower-class white Republicans failed to vote in numbers comparable to the Conservatives’ rank-and-file. Jones argued that it was impossible for the Republicans to achieve a full mobilization of their local support in November. “A large proportion of our party are old men and farmers” whose homes were in remote communities, Jones asserted, and they could not overcome the unusually cold weather and “other disheartening causes” to make it to the polls. Such factors were excuses, however, and Jones felt that there was a more fundamental cause for Folk’s defeat. As Jones informed Caldwell, “the main cause” for Folk’s defeat “will be found to exist in the fact that the district for the present is decidedly…conservative and Rebel.”24

Alcohol distillation pointed the Republican Party in a difficult new direction in the election’s aftermath. A staunch Republican in Burke County, Charles Happoldt, reported that

23 R.B. Bogle to Tod R. Caldwell, November 16, 1868, Tod R. Caldwell Papers, SHC, UNC-CH. Vote totals come from the diary of G.W.F. Harper of Caldwell County. Beall won Watauga County, 241 to 89. James C. Harper recorded the corroborating numbers in his diary. Burke County favored Bogle with a 442 to 423 majority, but Caldwell County sided with Beall 446 to 224 and Watauga followed suit with a 152 vote edge for the Conservative candidate. See G.W.F. Harper Diary, December 17, 1868, G.W.F. Harper Papers, SHC, UNC-CH; James C. Harper Diary, December 17, 1868, James Clarence Harper Papers, SHC, UNC-CH. Folk first moved to Salisbury after the war, but later relocated to Watauga County where he met his wife. See Nancy Alexander, Here I Will Dwell: The Story of Caldwell County (Rowan Printing Company, 1956), 151.

24 C.C. Jones to Tod R. Caldwell, December 26, 1868, Tod Robinson Caldwell Papers, Rare Books and Manuscripts, Perkins Library, Duke University.
the Conservatives made political capital from the prosecution of illicit distillers. Toward the end of October, he read in the local newspaper what he interpreted to mean that local producers faced neither fines nor prison for distilling apples or peaches into brandy, yet many men found themselves in jail anyway. Conservatives attributed distillers’ “arrainment [sic] and probably ruin…to Radical rule.” A handful of committed Republicans swore “they will never cast another Republican vote if the present liquor law is not modified.” Happoldt noted that Conservative Alphonso C. Avery had stated that it was the Republicans’ fault “that these poor men are to suffer” and he suggested that they “raise a subscription to make the losses up which the distillers will sustain.” Avery’s party offered the arrested distillers a deal: renounce the Republican Party and go free. Conservatives facing similar charges had already been released. While a previous agreement allowed the men to appear through counsel rather than in person, Republicans felt only a grand gesture could save them. Happoldt called upon Tod R. Caldwell to return to Burke County as their lawyer, hoping the lieutenant governor’s appearance would defuse the situation.\footnote{C. Happoldt to Tod R. Caldwell, November 29, 1868, Tod R. Caldwell Papers, SHC, UNC-CH.}

Meanwhile, Conservatives mounted complaint upon complaint against the new Republican government—then just months old. In the immediate wake of Grant’s election, the Conservative Asheville News and Western Farmer tried to calm its readers. It declared that “Grant is not a radical” and “that it is his purpose to separate himself from the extremists” and “rally around him a strong body of the better class of citizens.” Such cautions failed to salve many Conservatives’ emotional wounds. In Haywood County, Walter W. Lenoir heard “wild” rumors of corruption in Raleigh. Debates about the negation of state debts convinced Lenoir that not only was repudiation inescapable, but that “it will arrest all works of internal improvement.”
Repealing the stay law worried Lenoir, who then possessed significant debts that jeopardized his vast landholdings. “I do not see that it will otherwise be very disastrous to those who are out of debt & have their farms in good producing order,” Lenoir wrote, “but woe to those who are in debt in those days!” He hoped to free himself of debt “before the big vomit of repudiation relieves the stomach of the body politic,” but worried it would not happen until after the tax burden became unbearable. Western Carolinians “must prepare to live in the simplest manner, to be industrious & economical, to work without tiring to make all we can, & to be strictly frugal in all our expenditures,” because Lenoir felt certain that the “corrupt political rings, the whiskey rings, rail road rings, &c” were “hastening the country to financial ruin in order that they may get rich without work.” With such devastating prospects facing him and his state, Lenoir felt neither compassion for the “the landless laboring class, the simple dupes” who Republicans led “by the nose” nor did he see a way to avoid repudiation under President Grant. He took “Let it up” as his new political creed. Like a drowning victim, he told his sister, he had reached the “philosophical stage” that left a person “sublimely contemplative” after the initial struggle for survival. Unable to affect political fortunes, white southerners like Lenoir viewed politics as little more than “a matter of polite curiosity.”

Much of that frustration had to do with the state’s judges and the 1868 national elections. Much to the Conservatives’ chagrin, prominent judges—including several members of the state’s Supreme Court—campaigned actively for the Republican ticket. Chief Justice Richmond Pearson published a letter in the Raleigh Standard that equated Democratic victory with another civil war in August 1868. Presidential Reconstruction had been unconstitutional and the

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26 Asheville News and Western Farmer, November 19, 1868, p. 2; Walter W. Lenoir to Jamie Gwyn, February 16, 1869, Lenoir Family Papers, SHC, UNC-CH; Walter W. Lenoir to Sade Lenoir, February 28, 1869, Lenoir Family Papers, SHC, UNC-CH.
Reconstruction Acts extra-constitutional, but defeated southerners had no right to expect better according to Pearson. Conservatives recoiled at the chief justice’s overtly political action, noting that judges normally eschewed such activities. Judges refused to play by the old rules as the campaign wore on. A broader Republican message published on August 26, later attributed to John Pool and Supreme Court Justice Edwin G. Reade, included the threat of further war and a denunciation of the Conservatives’ opposition to the 14th Amendment. But the section that elicited the greatest reaction was one touching on race relations. It threatened white landlords with arson and violent opposition if they continued to oppress black North Carolinians. “Did it never occur to…ye gentlemen of property, education, and character,” it warned, “that these same people who are so very bad, will not be willing to sleep in the cold when your houses are denied them, merely because they will not vote as you do.” The article further speculated that African Americans might deny shelter to their landlords in the future.27

Judges’ active role in the campaign continued to shape state politics through the following summer in western North Carolina and beyond. North Carolina Conservatives registered their objection to the judges’ actions in a public letter circulated through the state’s newspapers in April 1869. The letter signed by dozens of Conservative lawyers—including Zebulon Vance and Augustus Merrimon—decried the judges’ “active and open participation in the strife of political contests,” which they felt threatened “the purity of the future administration of the laws of the land.” “All experience teaches us that a partisan Judge cannot be safely trusted to settle the great principles of a political constitution,” the petitioning Conservatives warned, “while he reads and studies the books of its laws under the banners of a party.” In June 1869, the

27 Hamilton, *Reconstruction in North Carolina*, 361-2, 364-6. Republican judges were active in the campaign. At the Republican convention in September 1868, Judge Reade was president and judges Dick, Rodman, and Settle of the Supreme Court served as vice presidents.
Asheville *News and Mountain Farmer* published the Conservatives’ protest with a new commentary about state Chief Justice Richmond Pearson’s recent response to it. During an official session of the court, Pearson threatened to hold each lawyer present in contempt of court and to revoke their license to practice before the state’s highest court. Not only was this a gross excess of power on the judges’ part, the Asheville paper warned; it was indicative of a larger Republican effort “to override all just complaint” and “stifle the murmurs of an honestly indignant people.”

Formal protests of this kind, however, papered over deeper, festering issues that went beyond the judges. David Schenck, a Conservative lawyer from Lincoln County, traveled Republican Judge George W. Logan’s circuit in the fall of 1868 and again in 1869. For a staunch former Confederate like Schenck, the rising influence of men like Logan, “whose ignorance and stupidity were the laughing stock and ridicule of the bar” was “an apt illustration of Radical rule.” Time did little to improve Schenck’s opinion of Judge Logan. When he arrived in Rutherfordton on March 22, 1869 for the spring session of the circuit court, he found “a dilapidated town” whose “aristocracy which once gave life and animation to the place has been broken down.” Congressional Reconstruction had elevated what Schenck called “the dirty, unwashed scum of society” to power. From Republican leaders George W. Logan and Ceburn Harris down to their “Grog shop Bullies” and “negro associates,” the Rutherford County Republicans were “like maggots reveling in the decaying remains of better days, and rioting in the gratification of jealousy, envy and hatred.” Schenck lamented that such conditions meant

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28 *Asheville News and Mountain Farmer*, June 17, 1869, p. 2.
that “honest men” must defile themselves by calling men like Logan “‘Your Honor’ when we know their ‘offences are rank and smell to heaven.’”

Mountain Klansmen clashed with Republican power in the person of Virgil S. Lusk. A one-time Confederate officer, Lusk became a staunch Republican and as solicitor of the 12th Judicial District he chose to challenge the nightriders. Born in part of Buncombe County later carved off to become part of Madison County in 1836, Lusk lived in Marshall as the Klan began to terrorize his district. When he later recalled that turbulent period in his region’s history, the grizzled Republican remembered feeling that he had to take a stand in the name of law even if it cost him his life. He investigated the violence gripping Madison, and brought charges to the county superior court against some twenty suspected Klansmen for an attack in which a local man “had been outrageously beaten and driven from his home with a helpless family.” Threats of all kinds of violence circulated against those who prosecuted the Klansmen or testified against them. Not surprisingly, many of Lusk’s witnesses refused to cooperate. Evidence that the jury was riddled with Klansmen, however, revived the case and the solicitor took it to federal court. The promise of federal protection and law enforcement led several of Lusk’s witnesses to change their tune, with some admitting to previously lying under oath. It was a victory for Lusk, but one that also drew a proverbial target upon his chest.

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29 Diary entry p. 122, 130-131, 133, David Schenck Papers, SHC, UNC-CH. When the spring circuit of 1869 concluded, Schenck viewed serving before Logan as a sign that the once “proud, noble, learned and unsullied” judiciary of his state had been tainted by “such ignorant asses as Logan, [J.L.] Henry, [R.H.] Cannon and others…elevated by negro votes to disgrace the bench and dishonor the office.” Not all Conservatives shared Schenck’s anger. A letter writer from McDowell County supported Conservatives’ criticism of the current state administration and the manner of the Republican judges’ election, but determined it was his “solemn duty to do justice where justice is due.” James L. Henry “presided in a manner to give full satisfaction” in the recently concluded court at the county seat of Marion. Citing Burgess S. Gaither, who the author esteemed as the “ablest lawyer in Western North Carolina,” and others, the author praised Henry’s “promptness, fidelity and impartiality.” See Asheville News and Mountain Farmer, May 20, 1869, p. 2.

30 Lusk Sketch Biography, Virgil S. Lusk Papers, NCDAH; McKinney, “The Klan in the Southern Mountains,” 93-4. Years later, editor Shotwell maintained that Lusk “had procured the indictment of a number of respectable farmers of Madison County on some trumped up charge of violation of the Enforcement Act.” See J.G. de Roulhac
Mountain Klansmen knew they could not allow Lusk to stymie their efforts to restore the Conservatives to power, so they made his “correction” a priority. An editorial in the Asheville Citizen, a new Conservative newspaper founded by a Confederate veteran named Randolph A. Shotwell from what became West Virginia, took Lusk to task. Buncombe County Conservatives never liked Lusk, who then occupied the solicitor’s office vacated by David Coleman under military command. The anonymous editorialist, later revealed as the mayor of Asheville, Melvin E. Carter, a Madison native then living in Buncombe County, denounced Lusk’s prosecutions as purely political and accused him of prostituting his office to the corrupt Republican Party. A man of honor, Lusk could ill-afford to let such challenges go unanswered, so he published a response in the pages of the Asheville Pioneer. At a hastily arranged meeting in the Citizen office that same morning, local Klan leaders decided to admonish the solicitor publicly. Shotwell, a newcomer to their town, received the assignment. The young editor acted promptly. He spotted Lusk in the northwest corner of the Public Square talking to fellow lawyer James H. Merrimon, a brother of Augustus Merrimon. Whether Merrimon was in on the attack is unclear, but he did not alert Lusk of the menacing man creeping up behind him. Lusk never saw it coming. Shotwell leveled him with a heavy blow to the back of the head, then grabbed Lusk by the collar and held him up with one hand as he struck the Republican repeatedly about the head and shoulders with a rattan cane. Unable to see his attacker who had him pressed tight to the ground, Lusk pulled a pistol from his pocket and fired twice in his attacker’s direction.31


31 McKinney, “The Klan in the Southern Mountains,” 94-6. In his memoirs, Shotwell mentioned that he and Merrimon were friends. In fact, he contended that James H. Merrimon recruited him to move to Asheville and begin a Conservative paper there. Nor did Shotwell report this event the same way as Lusk. Instead, Shotwell maintained that he went armed because he felt that Lusk meant him personal harm after his response to Carter was published. According to Shotwell, he saw Lusk talking to a friend among a crowd and he seized the opportunity to publicly chastise his foe. He claimed it was him or his foe, as Lusk “was awaiting me.” Intending only to challenge the
With his opponent staggered, Lusk stumbled to his feet and wheeled around, gun in hand, to face his assailant for the first time. With bullet wounds in each leg, Shotwell threw up his arms, announced that he had no weapon, and was escorted from the square by his friends. Local law enforcement responded—rather slowly in Lusk’s opinion—to the sound of the gunshots. The marshal found Lusk, injured and clutching his 32-calibre Smith and Wesson pistol, standing amid a growing mob. He arrested Lusk and whisked him away to the mayor’s office. Mayor Carter, who had composed the editorial that provoked Lusk, heard the matter in his office, and found the Republican guilty of discharging his gun inside town limits and fined him $5. The decision infuriated Lusk, but the mayor’s judgment was the least of the solicitor’s concerns. Lusk’s eyes surveyed the angry crowd from the mayor’s office window. Several rough-looking men stood out among the hundred or more faces in the courtyard. They were veterans of Lusk’s former Confederate cavalry command. A friend slipped Lusk a new cartridge for his pistol, which he reloaded in front of the marshal. Motioning toward the mob, Lusk told the marshal that he and his former comrades were prepared to fight their way out if he could not disperse the mob peacefully. In the end, the marshal succeeded and prevented any further bloodshed that day.32

The rising tide of violence moved Holden and his Republican allies toward a pitched battle for political survival. By mid-1869, Klan-related crimes occurred in the piedmont counties of Chatham, Orange, Alamance, Caswell, and Rockingham where the white and black populations were more equal. Neither did the germ of Klan activity stay isolated in those

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32 Ibid. Shotwell would recover from his wounds and Lusk would ultimately receive what he considered justice. At the next term of the Buncombe County superior court, a jury returned a bill against Shotwell but not one against Lusk. For his part, Shotwell did not appear, but his lawyer, David Coleman, the same man Lusk replaced as district solicitor, plead guilty on the editor’s behalf.  

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counties; through the summer and fall of 1869, Catawba, Lincoln, Gaston, and Cleveland counties in the south-central part of the state became infected with nightriders. 33 Alamance and Caswell counties, however, eclipsed all others in Klan activity. Alamance County possessed a vocal white Unionist minority combined, which combined with its black population to form a powerful Republican bloc. Caswell Republicans drew their strength from a large black population. Governor Holden sent a company of militia to Alamance in hopes to calm the situation. In April, the state legislature approved a new law criminalizing the act of going disguised in public. Every man had a right to security in his home and property, and Holden vowed to use the full measure of his authority to thwart “bands of men who go masked and armed at night, causing alarm and terror in neighborhoods, and committing acts of violence on the inoffensive and defenceless [sic].” 34

Matters moved beyond Holden’s ability to control them when the state legislature began debate over a stringent measure aimed at suppressing the Klan across the state in late 1869. Passed in January 1870, the Shoffner Act allowed the governor to use the state militia to suppress lawlessness in sections where desperadoes overwhelmed the civil authorities. It also allowed for a change in venue in trials where the defendant stood accused of wearing a mask, murder, or conspiring against another citizen. But the final act was not as strong as its framers had intended. As originally drafted, the bill allowed the governor to suspend the writ of habeas corpus, but as it moved through the legislature, lawmakers removed that provision. During the Civil War, North Carolinians reacted angrily when the Confederacy passed a law enabling the president to suspend the writ of habeas corpus. The legislature neither wished to recreate a


34 Trelease, *White Terror*, 194, 197-99; “A Proclamation, By his Excellency, the Governor of North Carolina,” April 16, 1869, William Woods Holden, Governors’ Papers, NCDAH. The law itself was passed on April 12, 1869.
similar public outcry over this new law nor did they want to give the governor a power they
decried years earlier.  

Pressure on the Republican administration mounted when Alamance County Klansmen
lynched Wyatt Outlaw, a leading black Republican. Outlaw was a prominent—and somewhat
mysterious—figure within his community. His father was a prominent white man and his
mother a slave. A cabinet maker, mechanic, and carriage maker, Outlaw may have fought for the
Union army and gained notoriety after the war as a founding member of the Alamance County
Loyal Republican League and town councilman. These activities made Outlaw a prime target
for the White Brotherhood—a subgroup within the larger umbrella Klan—who descended upon
the carpenter shop where Outlaw and his family both lived and operated a saloon on February 26.
When county residents awoke the next morning they found Outlaw’s body hanging from a tree
roughly one hundred feet from the courthouse. Outlaw’s death marked the one year anniversary
of the local White Brotherhood’s first clash with blacks, and his body sent a clear message.
Klansmen threatened to kill anyone who removed Outlaw’s body because they wanted everyone
in the community to see it as they went to church.

Around the same time that Outlaw lost his life, Klan violence escalated in the mountain
counties. Masked and disguised men traveled throughout Rutherford County in 1869, but its

35 Trelease, White Terror, 203-4, 209; Richard L. Zuber, North Carolina During Reconstruction (Raleigh: State
Department of Archives and History, 1969), 28-9. Removing the habeas corpus provision also avoided a possible
legal challenge since because the recently adopted state constitution forbade the writ’s suspension. Also, rather
ominously for the Republicans, Klansmen chased the act’s author, T.M. Shoffner, of Alamance County from the
state.

36 Trelease, White Terror, 205-206; 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: New Perspectives on Unionists in the Civil War South (Athens: University of Georgia Press, 2001), 39, 43-
46; Carole Watterson Troxler, “‘To look more closely at the man’: Wyatt Outlaw, a Nexus of National, Local, and
half-brothers was a member of the White Brotherhood in Alamance County, which underscores the personal nature
of the violence during this period.
activities turned violent when Klansmen attacked a white Republican named James McGahey for alleging informing federal collectors of local distilling operations in late February 1870. Some eight to ten nightriders broke the door to McGahey’s home and rushed inside, but neither McGahey nor his teenaged son were home. Frustrated, they shoved McGahey’s wife against the fireplace and demanded that she surrender her husband’s guns. During the struggle, one of the men’s faces came uncovered—and was quietly memorized by Mrs. McGahey. Satisfied that their message had been received, the band moved on to an elderly white widow’s home. There they brutally whipped an old African-American woman, Ibby Jenkins, for shooting at a Klansman as he passed through her yard recently. Although she swore that she fired at him believing him to be a chicken thief, they left her with a “considerable” cut above her right eye. The Klansmen still had one more stop. They moved on to Almon Owens’s house in the same neighborhood. Accused of informing on local Klansmen to revenue officials regarding their illegal distilling operation, Owens suffered a severe beating. Finally, the white bandits retired, confident that they had sent a strong message.37

McGahey’s wife escaped that night as the least injured of those visited by the Klan, but that offered her husband little comfort when he arrived home an hour after her ordeal. The men who had harassed his wife failed to disarm McGahey, and their failure proved fatal. It was a wintry night with snow on the ground, which left a set of fresh tracks for the angry husband to follow. Choosing not to chase at the Klansmen’s snowy heels without assistance, McGahey hurriedly gathered a posse of friends to accompany him. Around three o’clock in the morning,

they reached the tracks’ end at the home of Samuel Biggerstaff. McGahey’s friends—including Samuel’s half-brother Aaron Biggerstaff—advised caution, but his temper got the best of him. Intent on repaying his wife’s attackers in kind, he rushed to the door, threw it open, and fired wildly into the home, but without hitting anyone inside. No less hungry for revenge the next day, McGahey went to the home of Randall DePriest and demanded to speak to his son Decatur. The young DePriest, identified later as the first Klan chieftain in Rutherford County, was the Klansman whose face McGahey’s wife had memorized the night before. She swore positively that she recognized him by his beard. Once Decatur came face-to-face with McGahey in his father’s yard, the angry Republican jerked out his gun and killed the young man. As was often true in eye for an eye justice, only one of the men would be punished. McGahey fled the county and evaded justice, leaving friends to pay for his actions.38

Events grew graver throughout the state, but Governor Holden hesitated to use the powers bestowed upon him by the Shoffner Act to move against the Klan. An appeal to President Grant for assistance failed to stir federal action, so the governor redoubled his efforts to negotiate settlements locally. In the months after Outlaw’s lynching, Holden attempted to cajole Conservatives into disbanding the Klan themselves. He pressured sheriffs to arrest guilty parties, dispatched 24 detectives to gather information throughout the state, and designated emissaries to represent him in trouble spots. While many of these detectives worked within the troubled

38 Ibid., 22, 105, 107-108, 157, 165-6. Conservatives painted a different picture of Aaron Biggerstaff’s role in the shooting at his half-brother’s home. Cleveland County Klan leader Plato Durham told Congress that Aaron not only accompanied McGahey to Samuel’s house in February 1870, but both he and his son-in-law also shot into the house. Durham viewed Aaron’s act as even more egregious than McGahey’s because Biggerstaff fired with intent to kill into a corner of the house where his half-brother slept. Furthermore, Durham claimed that Judge Logan’s unwillingness to punish Biggerstaff more severely created immense anger among Biggerstaff’s neighbors. In essence, Durham cast the violence around McGahey and Biggerstaff as isolated personal feuds and unrelated to the Ku Klux at all. Two key problems appear in Durham’s version of events. First, he heard none of the evidence himself. He claimed that all his information came from Biggerstaff’s lawyer. Second, Durham called the idea that the Klan was responsible in anyway for the violence gripping Rutherford County “preposterous.” Every other person that testified before Congress, however, contradicted him on these points. See NC Klan Report, 305-8, 314, 316-18.
central counties, western North Carolina was not overlooked. A twenty-six year old Union
veteran and Republican, Christopher R. Garland, served as one of Holden’s operatives in
Mitchell County from March 22 to May 19, 1869. During that time, he traveled throughout
Mitchell, Watauga, and Yancey counties, successfully deterring crime. Jacob W. Bowman, a
Bakersville farmer and lawyer, wrote Holden that crime virtually stopped while Garland was on
duty, but the opposite was true since his dismissal. Bowman asked the governor to reinstate
Garland, but, still hoping to achieve peace with minimal conflict, Holden demurred.39

Although Holden’s efforts to negotiate local settlements or to use detectives quelled
crime in some communities, his tactics failed dramatically in Caswell County. At the top of the
Conservative hate list was John W. Stephens, who editor Josiah Turner Jr. derisively nicknamed
“Chicken.” Stephens shared the governor’s hopes for cooperation in his county, which is why he
attended the Conservatives’ county convention on May 21, 1870. Stephens wanted Frank A.
Wiley, a white Democrat and former sheriff, to assume that position again as a show of solidarity.
The Republican hoped for conciliation; instead, he suffered the ultimate betrayal. Wiley lured
Stephens into the basement of the courthouse where a group of Klansmen dragged him into an
empty office, stabbed him three times in the neck and chest, and tossed him on a woodpile to
die.40

Stephens’s death proved to be the straw that broke the back of the governor’s cooperative
dreams. The showdown between Holden and the Klan came at last. Holden offered a reward for
the murderers’ capture, and tried to galvanize the federal government into action again.


40 Trelease, White Terror, 213. According to their original plan, Stephens’s body was to be moved to an African
American meetinghouse to serve as a warning comparable to Outlaw’s lynching. When his disappearance was
discovered, however, that plan was discarded. Local black men took control of the courthouse that night, and
refused to let anyone interfere with the crime scene until they could recover Stephens’s body the next morning.
President Grant had the last word, however, and he informed Holden that his state’s problems were his own to solve. Just a few weeks after Stephens’s death, Holden convened a meeting with Senator John Pool and other leading Republicans to discuss how best to deal with the Klan threat. Both agreed that federal troops were necessary, but none were coming. It was a hard lesson to learn for Holden and state Republicans who had become dependent upon outside assistance. Times had changed. National officials wanted Holden to handle the situation, but believed that he was too timid to do so.41

Desperate to bring the Klan under control, Holden called out the state militia. But as he debated with his advisors how to assemble a military body to fight the Klan, the one thing they all agreed upon was the need for reliable men the governor could trust. To find such men, Holden looked to the Unionists, Union veterans, and Republicans of western North Carolina. Initially, the governor entrusted William J. Clarke of New Bern with overall command of his militia. When he left for the nation’s capital to gather supplies, however, Holden settled upon another: George W. Kirk. It was an inspired choice. Kirk had commanded United States forces in the Carolina and Tennessee mountains during the Civil War. Furthermore, he had experience battling the Klan for Governor William Brownlow in Tennessee. Once in command, Kirk issued a call for volunteers for six months “to aid in enforcing the laws, and in putting down disloyal midnight assassins.” Volunteers were to report to Asheville, Marshall in Madison County, and Burnsville in Yancey County.42

41 Ibid., 212-16

42 Trelease, White Terror, 217; Hamilton, Reconstruction in North Carolina, 499-500. Tennessee passed an Act to Organize and Equip a State Guard on February 20, 1867, which allowed Republican governor William Brownlow to organize and call out a state militia to restore order. The State Guard represented a last resort, according to historian Ben Severance. George W. Kirk was one of Brownlow’s militia officers. During his company’s operations in Franklin County, the former Union officer encountered a hostile pro-Confederate population. Still, Kirk carried out his mission with great success, garnering several white recruits and revitalizing the county’s Republican Party. He even handled a crisis following the death of one of his men with great calm, and he prevented an escalation of the
With the president’s blessing, Holden and Kirk mustered into state service some six hundred men in June and July 1870. Most of the new troopers were too young to have played a critical role in the Civil War, which meant that the rally to one’s old commander appeal lacked an immediate personal punch. Judging from the 143 men in companies A, B, C, and F of the 2nd North Carolina Regiment on the adjutant general’s rosters, Kirk’s men averaged just under 21 years of age. While the oldest member of the unit was 44 years old, the majority of the men were no more than 12 years old at the war’s outset and only 16 years old at its conclusion. Thus, most were not Union veterans. The 1st North Carolina and 2nd North Carolina units brought together a number of men from across the state, but the ones from the western part of the state formed the overwhelming majority of the 2nd North Carolina Regiment. Of the 143 men in the 2nd Regiment, only twenty two of them were not western North Carolinians. Eighteen of those men were from states other than North Carolina, including 14 from Kirk’s native state of Tennessee. Georgia and South Carolina each contributed one man to the effort to defeat the Klan as well.43

A survey of the 1870 census provides more detail on 46 of the 143 men on the company rosters. The census data suggests that Kirk’s new troops were poorer white men—most identified themselves as farm laborers—who undoubtedly found the regular soldier’s pay a welcome supplement to whatever ideological reasons they had for fighting the Klansmen. These young men also sought opportunity. Only 14 of the 46 men headed their household, and they

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owned an average of $307 of real estate and roughly $181 dollars of personal property. The other 32 men in the sample were part of someone else’s household, most frequently as a son. In those cases, those family households fared only slightly better economically than the independent men within Kirk’s forces. For the men living with parents, their family households averaged $432.50 of real property and $263.75 of personal property. From this data, it seems that these lower class white men likely viewed service against the Klan as a way to get ahead. Extra pay meant a down payment on a farm or other opportunities. Only 9 of the 46 men were married, so perhaps it was also a way for the single men to secure themselves financially in order to marry.\textsuperscript{44}

The decision to join Kirk and Holden’s war should not, however, be reduced to simple dollars and cents. Family and community also factored into men’s decision to enlist. Of the men identified from the census from the roster of the 2\textsuperscript{nd} North Carolina Regiment, a large number of them lived in either Madison or Mitchell counties. These counties possessed a strong Unionist presence during the war, suggesting that even if Union veterans declined to answer Kirk’s call, their sons may have. Surnames reinforce this conclusion. From Madison County, Kirk and Holden harnessed the support of seven Sheltons. No doubt, these men remembered the horrors of the Shelton Laurel massacre during the war and perhaps drew parallels between the murderers of their kinsmen and current Klansmen. Brothers Allen and John Norton also answered Kirk’s call. Walter B. Tweed’s motives were similar. The eighteen-year-old Tweed’s transformation from student to second sergeant retraced the path blazed by his father Nealy, who shot and killed

pro-Confederate sheriff Ransom Merrill during the 1860 presidential election before dying himself in the Union army.45

Wartime loyalties and family connections proved equally powerful in Mitchell County. This county, however, possessed one resource that Madison County did not: a direct, personal link to George W. Kirk. During the Civil War, renowned Union partisan Keith Blalock had waged an intense guerrilla war around and through the Grandfather Mountain area. In the latter stages of the conflict, Blalock had served as a recruiting officer and scout for Kirk’s mounted infantry. In 1870, Kirk drew men from Mitchell County where Blalock lived. One soldier, D.C. Pritchard, shared Malinda Blalock’s maiden name, and perhaps her fighting spirit as well. Multiple sets of brothers also joined the fight. Within Mitchell County, the Bakersville, Harrell and Red Hill townships contributed a number of troops to the 2nd North Carolina. Brothers Thomas and Joseph Buchanan, both farm laborers from Bakersville, joined Company F. Thomas and William Street of Harrell Township also joined the 2nd North Carolina, serving in Company B together. Red Hill Township contributed a father son tandem, John and William Street, to the same unit. Little Rock Creek Township contributed the Burleson brothers, Jesse and Jonathan. Also, six Garlands from Mitchell County, including Holden’s former detective Christopher R. Garland, who enlisted in Company B.46

These mountaineers came to the piedmont to join the rest of Holden’s force and to arrest Klansmen in Alamance and Caswell counties. Few of the accused Klansmen were familiar to North Carolinians. Middling to small farmers constituted a majority of the roughly one hundred

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46 Rosters; 1870 Federal Census; Massengill, “Detectives of William W. Holden,” 475 fn 66; McGuire, “‘The Unsettled and Threatening Condition of Affairs of North Carolina,’” 49-50. Kirk recommended Garland for an officer’s commission, and he received one as a second lieutenant.
men arrested until Holden’s deputies committed a massive blunder. Outspoken and acerbic editor Josiah Turner Jr. had made a name for himself editing the Raleigh Sentinel and denying the existence of a Ku Klux conspiracy. Unfortunately for Holden and Kirk, Turner lived in Orange County—outside the scope of Kirk’s military authority. Nevertheless, an erstwhile subordinate in Kirk’s ranks arrested Turner, which put the governor in an embarrassing position. Because civil authority remained intact in Orange County, the arrest exceeded the limits of his power and prompted a showdown with the state supreme court. Chief Justice Richmond Pearson, who issued writs of habeas corpus to Confederate conscripts during the Civil War, granted similar writs for Holden’s prisoners. Holden refused to surrender his prisoners—that is until a federal judge got involved. Circuit court judge George W. Brooks ruled against the governor’s actions, arguing that he had violated the suspected Klansmen’s 14th Amendment rights to due process. Out of options, Holden surrendered his prisoners and disbanded his militia in September.47

State Republicans watched many of their 1868 gains evaporate as their opponents seized control over the state legislature in the August elections. On one hand, this marked a victory for the Conservative Party and its principles, which a Haywood County public meeting defined as honest government, a revised or new constitution, and a restoration of the lower ante-bellum tax levels. Such themes permeated mountain politics in 1869, and undoubtedly helped inform voter behavior in 1870. The Conservative victory in Wilkes County was so complete that James Gwyn hoped it would “stop the stealing” and empower “a sufficient number of Conservatives & honest rads (if there is such a thing) in the next Legislature to impeach Holden…then punish him for his wickedness.” The impact of the Kirk-Holden war and the Klan’s reign of terror, however, better

47 Trelease, White Terror, 218-23.
explain the outcome. Republicans began to fracture. The pro-Republican Rutherford Star newspaper strongly denounced the governor, and an anti-Holden Republican, James M. Justice, was one of only five mountain Republicans elected to the state House of Representatives. In the most important national race in the western counties, staunch Conservative James C. Harper of Caldwell County defeated the incumbent Republican Alexander H. Jones by almost 3,000 votes for the congressional seat from the 7th District.48

Rutherford County struggled to maintain law and order through 1870. A staunchly Republican and “out of the way, back-woods” section in the southeastern corner of the county between the Broad River and the county’s southern border with Spartanburg, South Carolina became infested with Ku Klux. African Americans were the most common victims. Several men robbed a peddler in Cleveland and Rutherford Counties, Martin Parsons, as he returned home one night after weeks on the road. They demanded his cash, and Parsons knew he had no choice but to comply. Almost a month later, a crowd of disguised men ripped Parsons from his bed, cursed him as a “mean fellow,” and accused him of informing on them. The Klansmen derided him for making good money from a local white man’s land, but voting with the Republicans. Hauled into the woods and whipped, Parsons was continuously taunted. His tormenters jeered that Parsons and prominent local white Republican Nathan Scoggins were brothers. In March 1870, men returned to his house and whipped his wife and aged mother. Unwilling to see what they might do next, Parsons fled to Rutherfordton where James Justice hired him to work his garden.49

48 James Gwyn Diary, August 4, 1870, James Gwyn Papers, SHC, UNC-CH; Hamilton, Reconstruction in North Carolina, 521-2; Cotton, “Appalachian North Carolina,” 218, 221-223; Diary Entry, August 4, 1870, James Clarence Harper Papers, SHC, UNC-CH.

A heated campaign in the summer of 1870 added additional fuel to the conflict. James M. Justice stood as the Republican candidate for the state House of Representatives against a Conservative who sharply criticized the Kirk-Holden war. Justice represented a sort of mountain Republican ideal. He was a mechanic by trade, having entered the trade at the age of seventeen, and saw his star rise after the war. “I belonged as well as I understood myself,” Justice recalled later, “to what we first called the Union party, and since the war to the republican party.” His reputation as a wartime Unionist and his active participation in the Union League helped Justice secure a seat in the state House of Representatives in the seminal 1868 election, and his admission to the state bar as a lawyer. Such a rise embodied everything the Republicans hoped to represent in terms of economic and political mobility, but it also made him a prominent Conservative—and Klan—target. And Justice did little to lessen his profile during the build-up to the August 1870 election by loudly criticizing the Ku Klux for plunging the county and state into chaos. In his recollection of the campaign, Justice made it clear that he did not accuse all Conservatives of being Ku Klux; instead, he accused all Ku Klux of being Conservatives. His opponent may not have been a nightrider, but he supported a statewide Conservative policy of blaming the violence on the Republicans themselves and would go only so far as the Klan’s supporters could take him. Like Conservatives throughout the South, Justice’s opponent denied that the Klan existed in Rutherford County with the notable exception of a few black Ku Klux. It was a flimsy argument.\footnote{Ibid., 102, 106, 119-20, 145.}

In early December 1870, Republican judge, George W. Logan, reported to acting governor Tod R. Caldwell that the Klan appeared to be reorganizing. Violence had crept over the Cleveland-Rutherford border by the end of the following month. Several people informed
Logan that Klan members had harassed and assaulted them, and Logan promised to take their testimony and push matters with federal and state authorities. Yet Logan encountered resistance on numerous fronts. First, the resurgent Klan succeeded in silencing Republicans. Logan tried to gather evidence, but he “found it somewhat difficult to succeed in getting information from certain persons, though true Republicans, from the fact that they have no protection.” Local officials offered no security. Neither did state militia. Only “blue coats,” Logan warned, could provide the sort of security necessary to reestablish order. Without federal soldiers, Logan himself refused “to throw myself in the breach.” Once he knew what Caldwell and President Grant would do, he would take action.51

With cracks forming inside his own party and his opponents in control of the legislature, Holden found himself facing impeachment. A prominent Klan leader and state legislator from Orange County, Frederick N. Strudwick, who counted Josiah Turner, Jr. among his constituents, formally introduced a resolution of impeachment on December 9, 1870. The trial itself was high political theater. Conservatives worried that any move against Holden might trigger a renewed federal presence within the state and a stronger Reconstruction policy, but they were willing to risk it if it rid them of Holden once and for all. A strong defense by the state’s African-American legislators, who recognized that they may easily share Holden’s fate, also proved insufficient to save the governor. Holden insisted throughout his trial that he had done nothing wrong, but the Conservatives’ desire for revenge proved too strong. One Macon County Conservative worried that other governors might follow Holden’s example should the governor escape conviction. In Asheville, Conservatives felt that Holden could not possibly avoid impeachment. Thomas Johnston’s sister, Maria, deemed the conviction a foregone conclusion, “unless we dare to think

51 George W. Logan to Tod R. Caldwell, December 27, 1870, Tod R. Caldwell Governors’ Papers, NCDAH; George W. Logan to Tod R. Caldwell, January 22, 1871, Tod R. Caldwell Governors’ Papers, NCDAH.
of that body, that principle & common sense, can be bought with money, & thereby crime &
corruption & injustice given the precedence.” Wilkes County Conservative James Gwyn saw in
the trial the first step in the punishment of all those public officials guilty of corruption. In
Rutherford County, Conservative Edmund Bryan wondered why they should stop with Holden
when they could also impeach Lieutenant Governor Caldwell, Chief Justice Pearson, and others.
“I think the High Court of Impeachment might find matter for employment the whole summer,”
he opined, “were it to try all the Radicals desiring removal from office.” The legislature
convicted the governor and barred him from ever holding another state office on March 22,
1871.52

Even as Holden’s political fate hung in the balance—perhaps even encouraging further
violence—the Klan continued its violent campaign. While the Klan was active in several
mountain counties, it gained particular strength in counties with larger black populations and
strong political divisions. Buncombe County stands out in regard to the political tensions and its
418 registered black voters was the third highest total in the region. Rutherford County was
equally divided. Its 486 registered black voters was the highest total in the region. These
counties shared significant black political populations, but Rutherford also possessed strong
border influences. Neighboring Cleveland County possessed a strong Klan presence and was
decidedly Democratic in its politics. To the south, Spartanburg County, South Carolina also
possessed a strong Klan presence. This helped to make Rutherford a staging ground for Klan
violence because local dens could rely upon aid from neighboring areas.53

52 William C. Harris, William Woods Holden: Firebrand of North Carolina Politics, 301-307; J. Johnston to Thomas
D. Johnston, February 1, 1871, Thomas D. Johnston Papers, SHC-UNC-CH; Maria W. Johnston to Thomas D.
Johnston, February 13, 1871, Thomas D. Johnston Papers, SHC, UNC-CH; James Gwyn Diary, February 19, 1871,
James Gwyn Papers, SHC, UNC-CH; E. Bryan to “My Dear Sir,” February 22, 1871, Edmund Walter Jones Papers,
SHC, UNC-CH.

53 North Carolina Standard, November 25, 1868, pg. 3; Trelease, White Terror, 194, 197.
In Buncombe County, two African Americans had been killed around New Year’s 1871. One of the victims had operated a ferry at the mouth of Sandy Mush. A white man approached the crossing and called over to the black ferry operator to carry him across. It was dusk and the ferryman answered that he was done for the night. The refusal so angered the man that he crossed the river on his own and beat the African American. The second crime took place in the Cane Creek community of Buncombe County. This matter stemmed from the theft of a beef by a white man who then paid a black witness five dollars to conceal the crime. When the black man confessed later to both the theft and the cover up, the white criminal confronted him and shot the black man twice before fleeing the county.54

Bad as those two crimes were, they were not the worst incident that occurred in early 1871. The story was so wild that Maria Johnston dismissed it as a wild rumor at first. A black man, William Brooks, was at his Buncombe County home with his wife when a band of Ku Klux approached. Fearing that he stood no chance against the Klansmen in a direct confrontation, Brooks hid beneath his bed while his wife answered the door. If the couple thought that the Klansmen might prove more lenient to a black woman than her husband, they miscalculated. Klansmen had no such scruples. No longer able to endure the abuse of a female relative—accounts differ over whether it was his wife or daughter—William came out from under the bed, grabbed an ax, and buried it in Klansman William Honeycutt’s back. Brooks’s sudden appearance panicked the unsuspecting Ku Klux. They scrambled for safety, but Brooks’s blood

54 Maria W. Johnston to Thomas D. Johnston, January 7, 1871, Thomas D. Johnston Papers, SHC, UNC-CH.
burned hot. Prying the ax from the mortally wounded white man’s back, he threw it at the fallen man’s brother—Ben—dealing him a grievous wound.55

One Republican estimated that some 60 to 80 attacks, mostly against African Americans, occurred in Rutherford County in the first half of 1871. White Republicans were also in danger. War of 1812 veteran John Nodine was a well-respected member of the Rutherford County community who often read news to his illiterate neighbors and spoke passionately in favor of the Republican Party. Dozens of Klansmen went to Nodine’s house at night, broke the latch from his door, and forced their way inside. The disguised men ridiculed the veteran as “a damned old radical” and abused him verbally before administering two or three shots with a hickory stick in the presence of his family. It was a brazen assault, and Nodine thought he recognized some of his attackers, but his failing eyesight prevented him from making positive identifications. Although his confrontation was more verbal than physical, the Klansmen left Nodine. They warned him to leave town or else, but he refused to leave his home.56

Klan violence escalated even further with a raid upon the outspoken white Republican Aaron Biggerstaff, a veritable lightning rod for controversy in his community. For Rutherford County Republicans he was a powerful ally. Like many of his party friends in the mountain counties, he was a “reliable Union man” who joined the peace organization known as the Heroes of America and guided escaped federal soldiers through western North Carolina to East Tennessee. Biggerstaff was neither modest nor quiet about his actions after the war. He bragged and talked tough, earning a reputation for using “a great many words of very little use…to

55 Ibid.; Robert B. Johnston to Thomas D. Johnston, February 5, 1871, Thomas D. Johnston Papers, SHC, UNC-CH; NC Klan Report, 241. When testifying before Congress, Nicholas Woodfin opined that the Honeycutts acted alone. Both Maria and Robert Johnston, however, reported that more than the two brothers had attacked the Brookses.

himself or friends.” In a region where people’s loyalties proved fluid and sometimes indiscernible, Biggerstaff was an open book. When Union soldiers under General Palmer passed through Rutherford County confiscating stock and other useful property after the war, Biggerstaff’s stock went untouched due to his previous aid to Union troops. Conservatives held Aaron Biggerstaff in contempt. Some believed that he not only had accompanied McGahey to Samuel’s house in February 1870, but that he and his son-in-law had shot into the house. Cleveland County Klan leader Plato Durham viewed Aaron’s act as even more egregious than McGahey’s because Biggerstaff fired into a corner of the house where he knew his half-brother slept with the intent to kill. Furthermore, Durham claimed that Judge Logan’s unwillingness to punish Biggerstaff beyond a simple fine generated immense anger among his neighbors.57

Aaron Biggerstaff’s past and present collided on April 8, 1871. As was the Klan’s custom, they came to his house about midnight. Bursting through the front door with enough force to rip the hinges and the front paneling from the house, they stormed into Biggerstaff’s bedroom and dragged him outside. His daughter counted more than forty men surrounding her father, but lost count of the dozens more in the road. Whacking Biggerstaff with hickory sticks and kicking him with their feet, they recounted his “crimes” as a radical, a Unionist, a Republican, and a bad man in general. He had aided McGahey in his raid on his half-brother, who was part of the vengeful crowd. They accused the wartime pilot of federal prisoners of utilizing those same skills and knowledge to usher McGahey and his family out of the county. Working themselves into a fury, the attackers decided Biggerstaff had not had enough and

57 Ibid., 20-1, 112, 146, 151, 305-8, 314, 316-18. In essence, Durham cast the violence around McGahey and Biggerstaff as isolated personal feuds and unrelated to the Ku Klux at all. Two key problems undermine the veracity of Durham’s version of events. First, he heard none of the evidence himself. He claimed that all his information came from Biggerstaff’s lawyer. The secondhand nature of his knowledge was not the most troubling issue. Second, Durham called the idea that the Klan was responsible in anyway for the violence gripping Rutherford County “preposterous.” Every other person that testified before Congress, however, contradicted him on these points.
administered a second, more creative assault. Someone put a bottle of flammable liquid upon Biggerstaff’s head and lit it. The explosion was as unnerving as it was painful, leaving his head badly burned.58

The Ku Klux rendered Biggerstaff “the most shamefully abused piece of human flesh” one fellow Republican claimed to have ever seen. His face bore only a few purple marks of his humiliation, but swollen black bruises and bloody scrapes covered the rest of his body. Klansmen also sought to spread fear, which meant they frequently included their victim’s families in their outrages. Even as Biggerstaff’s young granddaughter listened and watched from another room, they whipped her mother, Mary Ann Ramsay, “a great deal…about the shoulders” with sticks and punched at her with their fists for testifying against them in her father’s forcible trespass case. Neither her white skin, nor her dead Confederate husband, nor her own daughter’s presence brought Ramsay any protection. In the minds of the Klansmen determined to topple the Republican regime created in 1868, none of this mattered. She was her Unionist, Republican father’s daughter and she dared challenge their right to rule; thus she too had to pay.59

Klan victims received two lessons: stop voting for Republicans and never speak to anyone about what happened to you. The Klan thrived on secrecy and its ability to intimidate people into silence, whether they were its enemies or its members. To be sure, the Klansmen wanted people to know what could happen to them if they continued to oppose the Conservative Party. Republicans were to fear what the Klan might do if someone exposed its activities to federal authorities and wayward members were to dread betraying their oath to support the Conservatives. John B. Harrill shared the Conservatives’ principles and joined the Klan in early

58 Ibid., 22, 111.

59 Ibid., 27, 111.
February 1871, a decision he soon regretted. Harrill’s brother-in-law, Marcus Wells, joined the Klan a couple weeks after Harrill, and he also wanted out. Klansmen watched the polls at each election, and due to open ballots, members knew that voting anything but Conservative meant pain and possibly death. James Grant left the order because he resented the Klan ordering him to attack men with whom he had no quarrel or who were unarmed. The outspoken and tough-talking Biggerstaff broke that conspiracy of silence. Based on Biggerstaff’s testimony as well as that of his wife and his daughter, Judge Logan issued warrants for more than twenty alleged Klansmen for the attack on them in April and Republican state representative, James Justice, took hold of the prosecution. This kind of action was exactly what the Klansmen warned against, and Biggerstaff, Logan, and Justice became immediate targets.  

The Klan chose to attack Biggerstaff again when he became exposed in May. Having taken a stand against the terrorists, Biggerstaff needed to go to court in neighboring Cleveland County’s seat of Shelby to testify against the 20 Klansmen arrested for attacking him the month before. Accompanied by a son-in-law, a nephew, his wife, and his daughter, Biggerstaff was the prosecution’s star witness. But, to be a witness, he first had to make it to Shelby. At ten or eleven o’clock at night and roughly ten miles from their destination, the party pitched camp. An hour or so later, masked white men surrounded their camp. Old Aaron Biggerstaff, who was still hurting from his first assault, laid in the wagon when the Ku Klux arrived and pulled him down. He fell awkwardly to the ground, breaking his left arm. They formed a ring around him, his wife, and his daughter, telling them that they would not live to see the sunrise for swearing against them. The family patriarch drew special attention; they threw a rope around his neck and dragged him into the woods. It likely would have been the end for Biggerstaff if the horses

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60 Ibid., 25, 104, 111, 114, 202, 210, 216, 219-20, 232. Harrill, Wells, and Grant took a great risk in testifying to the Klan’s activities, but it is unknown what became of them after their testimony.
pulling their wagon had not kicked and wailed, allowing his nephew to escape. His getaway unnerved many of the Klansmen. “We are in a hell of a fix now,” they agreed, “he has got away and he will tell, for he knows us.” Unwilling to stay around now that word of their actions would get out, the nightriders instructed the Biggerstaffs to return home without testifying or they would be back to finish the job.61

The Klansmen were unsuccessful in their bid to kill Biggerstaff that night, but they did prevent him from testifying against them. He and his family turned around and headed back to Rutherfordton. Judge George W. Logan was en route to Cleveland County himself to hear the case against the Biggerstaffs’ attackers, when he was overtaken the next morning by Biggerstaff’s daughter, Mary Ann Ramsay. It was too late she told him; the Klan had attacked them again and she believed that her father was near death. She beseeched the Republican judge to come back with her to Rutherford County. Biggerstaff lived, but he and his family became unnerved. The night after the second attack, the embattled family abandoned their farm in the heavily disaffected southeastern section of the county in the hopes of finding safety in the county seat of Rutherfordton.62

Klansmen from the disaffected section bordering Rutherford, Cleveland, and Spartanburg counties concluded that Rutherfordton must fall if they were to regain power. Leading Republicans including Judge Logan, newspaper editor Jonathan B. Carpenter, and state Representative Justice organized armed guards around the courthouse and a nearby hotel for mutual protection. Armed men often stayed out until two or three o’clock in the morning

61 Ibid., 20, 113. Indeed, the young man did know them. Several men—Jonas Radford, James Hunt, Jason Witherow, John Witherow, and Thomas Toms—received arrest warrants after that night. Each had their case bound to the August session of the McDowell County court to stand trial for their crimes.

62 Ibid., 24-5, 111.
guarding against future raids and disturbances. The Klan might bag all their high-profile targets in a well-timed raid. When they finally moved on the town, however, their plans unraveled. On June 12, 1871, “a perfect volley” of bullets shattered the door of James Justice’s home, which quickly filled with disguised men “looking more like a man would imagine that devils would look.” Bewildered and dressed only in a nightshirt, Justice begged for his life to no avail. Pushing him out of his bedroom, he stumbled into a crowd of masked men. Desperate to stir his neighbors and friends, he screamed into the night, but was silenced by a blow with a large pistol across his face. Once he was on the ground, they swarmed him and kicked him in his ribs repeatedly.63

Two men dragged Justice into the street where their comrades greeted him with “the most hideous screams of exultation” and “fairly lighted up the street with the blaze of their pistols.” If there was any doubt of his fate, it was soon settled; they intended to kill him. First, they wanted information. Over and over, Justice fended off questions about his fellow Republicans’ location. He also parried charges of betraying his race. They informed Justice that their “party propose to rid this country of this damned, infamous, nigger government.” The Ku Klux spit upon and cursed Justice as a proponent of “negro suffrage and negro supremacy” even though “you know a negro is not fit to rule over white men.” Justice insisted that his loyalty was first and foremost to the Union and since African-American suffrage originated from the federal government, he must “support all of the laws of the country in which I lived.” John Goode, a Klansman with whom Justice had quarreled at court, reiterated his opinion that Justice and the Republicans would believe a black man over a white man. Again, Justice begged for leniency, but a man who he later identified as staunch-Conservative editor Randolph Shotwell, now recovered from the

63 Ibid., 114, 116-17.
wounds inflicted by Virgil Lusk, responded in a poorly mimicked Irish accent that Justice was “putting it on.” The blood pouring from Justice’s head, however, convinced Shotwell to let the wounded man sit. “It’s the damn nigger equality blood that is running out,” he growled in his shoddy Irish brogue, “and it will do you good.”

Amid all the denunciations and Justice’s failure to give up Judge Logan’s location, a friendly hand came from an unexpected source. The South Carolina commander of the Klan—probably from Spartanburg—conducting the raid took pity on Justice. Although the leader vowed “to break up that damned, infamous thing, and we are going to kill men like you who advocate any such Government or Constitution,” he took pity on the Republican. He asked Justice to give up Biggerstaff, but he lied and said he did not know his whereabouts. The unknown leader announced that he would spare Justice on his word to retreat from his present political course, but the rank-and-file protested. Every man they confronted, shouted the Ku Klux intent on the Republican’s death, swore as Justice did. So the commander had some men loyal to him surround Justice, shouting that anyone that shot at Justice would hit their friends. Instead, he released the Republican on his promise to support “Southern men” and to meet them the following Saturday to report on Biggerstaff and Logan. Justice took the deal and limped home.

Although Justice escaped with his life, the Rutherfordton bastion crumbled that night. Conservatives denounced the Republicans organizing secret societies like the Heroes of America and Union League, which they cited as causes making the Ku Klux necessary. Republicans lacked that sort of organization by 1871, however, as Justice learned the hard way. When he

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64 Ibid., 117-18, 125. Where was George W. Logan? Justice misunderstood the question, and directed them instead toward one of the editors of the Rutherford Star, the local Republican paper.

65 Ibid., 118-22.
screamed for help, no one rallied to his defense. The boarder living on the ground floor of his home did not stir. A neighboring couple grabbed their child and dashed up the road toward a relative’s house in their bedclothes. Aaron Biggerstaff was staying in a hotel in town, and when he saw the crowd moving through the streets with Justice, both he and his daughter snuck out a back window and ran for cover. Mary Ann, who Justice believed was on the cusp of losing her mind, ran into a farm field on the backside of the town where she hid in the rain until morning. The lack of a response disappointed Justice bitterly. “I am living there with men whom I regarded as honorable and brave men,” he said of his Rutherfordton friends, “and I have always thought they would fight for me anywhere…but they were afraid to answer [his screams] for fear that the Ku-Klux were with me making me call them.”66

Federal power had played a critical role in helping mountain and state Republicans gain power in 1868, but little help was forthcoming in 1871. On April 20, Congress convened a joint committee of seven Senators and fourteen Representatives to investigate the Ku Klux Klan in the South, which heard testimony in Washington but also toured the South collecting evidence. Jonathan B. Carpenter reported to the Congressional investigators that safety had become such a scarce commodity in his county that “some twelve or fifteen [people]” from the southern part of the county “have left their farms where they have crops, and are staying in Rutherfordton for protection.” That terror had profound political import. Most of the people in that disaffected region, Carpenter learned, “would not go to the polls at all…no matter what the issue was, for their property and their persons would not be safe if they did so.” James Justice corroborated such claims, adding that local law enforcement was insufficient to quell the terror. Although the

66 Ibid., 116, 124, 127, 149.
local commissioner was “a very clever man,” he resided in a section of the county “where he could be very easily attacked by [the Ku Klux].”

From the testimony before the Congressional committee, one also gains an understanding of the makeup of the Klan within the South. Justice, Biggerstaff, and others identified several of their attackers. Their fingers pointed to several prominent western Carolinians. In some cases, the mountain Klan paralleled the composition of the Kirk-Holden forces. Both organizations drew energy from young men. An interesting example from Rutherford County is Ladson A. Mills, Jr., whose father had served in both houses of the state legislature as a Democrat before the war. Ladson Jr. seemed to lack his father’s pragmatism. Once the Confederacy fell, Mills’s father declared the issue of secession settled and offered his support to the United States. But the Union the elder Democrat offered his loyalty to in 1865 was not the same one his son confronted a few years later. By no means did men like Mills, Jr. comprise a majority of mountain Klansmen. Another prominent Klan member was Randolph A. Shotwell, a former Confederate officer and skilled editor who founded both the Rutherford *Western Vindicator* and the Asheville *Citizen*, earned a reputation among mountain Republicans as “better than Joe Turner [Sentinel editor] himself to abuse and denounce his opponents.” Many poor and working white men rallied to the Klan’s cause as well. The informants, John Harrill and Marcus Wells, were also young men, but far less prominent. Durham, Harrill’s second cousin, dismissed both men as “not intelligent…common farmers in the country.” Others, like James Grant, joined so that they

67 Trelease, *White Terror*, 392; NC Klan Report, 24, 114. Still, Justice and others’ argument that the magistrate must act or resign in favor of someone who would, managed to compel action. The frightened commissioner promised to issue the warrants if other men promised to force the prosecution. These efforts led to the arrest of the men involved in the second attack on Aaron Biggerstaff, and their bounding over to the August term of McDowell County court. See NC Klan Report, 114.
could operate their moonshining operations without federal interference. That Grant’s den met at a still house on Young’s Mountain reinforced that connection.  

In coming before the Congressional committee, mountain Republicans opened themselves to criticism from national Democrats whose questions echoed complaints from within North Carolina. Justice testified that the Klan’s overarching purpose was political: to silence Republicans, black and white. He stated that he felt that the Klansmen had achieved those goals in Rutherford and Cleveland counties. When pressed on the possibility that black highlanders somehow bore responsibility for the state of affairs in Rutherford, Justice demurred. “The colored people in my county have been very independent about their voting,” Justice testified, “but not insolent at all.” In his opinion, they conducted themselves “as well as any of them could be expected to, considering their situation, and as well as anybody else.”  

Accusations of governmental excess did not faze the Rutherford Republicans. Conservatives throughout the South accused the Republican Party of a wide-range of wrongdoings once they gained power, but Justice viewed matters more broadly. African Americans, who Conservatives characterized as unfit for office, filled secondary roles on school committees and the Rutherfordton board of commissioners. But generally speaking, corruption was no worse in the postbellum period than it was prior to the war. As Justice explained, the county’s magistrates were ignorant of their duties almost as a rule. Still, Justice felt that “we

68 Ibid., 30, 147, 230, 234, 316-17. In 1860, Ladson A. Mills, Sr. owned $40,000 of real and $22,000 of personal property. See the 1860 Census, M653_913, p. 323. Carpenter also named J.R. DePriest, T.J. Downey, Hoyle Gross, Guilford Eaves, and Barney McMahon of Burnt Chimney post office as Klansmen. See NC Klan Report, 30. James Justice believed that “the same secession leaders organized this midnight and exceedingly dangerous organization, and were pushing the poor men, the laboring men, forward to commit these deeds, and that when the day of trial came their secession leaders would step behind the curtain and say ‘I had nothing to do with it,’ and leave the poor boys to suffer.” See NC Klan Report, 114-5. Wells also reported that he thought Ladson Mills, Sr. was head of the Rutherfordton den, but he’s the only one that suggested that was the case. See NC Klan Report, 225.

69 Ibid., 136-7
have a better class of magistrates” after the constitution adopted in 1868 provided for their popular election.70

Another common accusation centered upon the Union League. Newspapers across the South blamed the Republicans themselves for the violence. The Rutherford Western Vindicator followed the Conservative Raleigh Sentinel’s lead in denying the Klan’s existence and accusing the Republican victims of fabricating stories of violence for political purposes. When it acknowledged any violence, the Conservative press pointed the finger at black crimes, including the rape of white women. They accused the Union League of conducting clandestine raids, stirring up ill-will among former slaves for their old owners, and binding black and poor white men together in a secret society committed to the Republican Party’s success. Democratic congressmen pressed this particular issue. This charge had one glaring weakness: the League was no more. A one-time organizer of the League, Justice swore that it had ceased to exist with U.S. Grant’s election in 1868. Pressed on whether the Union League had posed a threat to former Confederates, Justice said that most of the organization’s meetings were public knowledge. Union Leaguers met once a week at the courthouse, announced their meetings by ringing the courthouse bell, and sometimes inducted as many as sixty new members at a time. If a man could swear an oath to support “loyal men” for all offices—national, state, and local—he could join the League. “It set forth, first, that it was to uphold, strengthen, and maintain the National Government,” said Justice, “to aid in the education of the masses; to elevate the laboring classes of the country to positions of honor and respectability in society, and to maintain

70 Ibid., 141-2.
a brotherly and kind feeling toward all people.” No one concealed their League membership in Rutherford County.71

Republicans, particularly James Justice, also turned introspective under the accusatory questioning of Congressional Democrats. In response the mountain of testimony conveying the political nature of the violence that western Republicans contributed to the federal investigation, Democratic members tried to chip away at the validity of their claims. One such questioner cast all of the events as a personal feud stemming from the attack on James McGahey’s wife and Decatur DePriest’s subsequent murder. While the Republicans rejected that interpretation, Justice concurred in one regard: the mountain Republicans should have followed McGahey’s lead and fought back. Justice admitted that “that is right where we made our mistake, that we did not pursue the course [McGahey] did that night.” To be clear, Justice deplored how McGahey stormed Samuel Biggerstaff’s house. But, and it was a big but, “if he had followed up, we would not have these things now.” At least one former Klansmen revealed the impact of McGahey’s actions. Decatur DePriest brought the organization into Rutherford County, but McGahey killed him before it spread much further. Organization stalled for as much as a year for that point. Instead, they opted to side with law and order. Justice’s party had just gained control over the elected offices ranging from local magistrate to the national executive, so they opted not to become “violators of the law” themselves. He knew his poorer supports lacked the firepower to fight—he estimated that Republicans might raise fifty double-barreled shotguns to compliment the long-barreled rifles more rural residents used to hunt squirrels—and “we ought to have done it, but we have not done it.” For that, he was ashamed.72

71 Ibid., 139-40, 142, 145.
72 Ibid., 159-161, 194, 228-9.
Continuous violence was the backdrop for the mountain Republicans’ testimony during the summer. A month or so before the witnesses arrived in the nation’s capital, Klansmen assaulted a black man named Henry Carpenter in Rutherford County. In particular, the nightriders wanted Carpenter’s gun because “it would not do for negroes to have guns” since “they would get into devilment.” In early June 1871, Joseph Tessanier of the Piney Mountain section of the main Klan range drew the Klan’s ire for warning a Republican, Nathan Scoggins, of an imminent threat to his life. Soon after warning Scoggins, a young neighbor lured him from his home and a hidden man attacked and clubbed Tessanier over the head with a fence rail. Tessanier retreated into his house and barricaded himself and his wife inside. The Klansmen convinced them that they would leave them alone in exchange for some water. The couple foolishly relented, and Joseph paid for it as the masked men beat him with a stool.73

Even as Congress continued gathering evidence regarding the Klan activities within the state, North Carolinians went to the polls to vote on whether or not to call a convention to revise the state constitution in August 1871. The Klansmen that attacked James Justice voiced a strong interest in the latter election, but they extracted a promise from him not to take part in it. Furthermore, Justice worried that the Republicans “would not carry any election there by the white Republican vote.” If the election served as a barometer for the Klan’s impact, it revealed a mixed result. In Buncombe and Rutherford counties where the Klan appeared to be the strongest in the region, Republicans managed to defeat the convention. As a whole, the mountain electorate approved the call for a new convention by a slim margin of 1,245 votes. (See Table 6.1) Rutherford County, however, went overwhelmingly against it. That result stemmed as much

Table 6.1. Election Results on Constitutional Convention in Western North Carolina Counties, 1871

73 Ibid., 22, 135. Republican John B. Carpenter knew the offended black man intimately; his father-in-law raised the latter.
from a bipartisan effort to forestall a convention as it did a decline in the Republican vote. When
the idea of a constitutional convention was raised during Justice’s reelection campaign the
previous year, both he and his opponent had opposed the convention. It is also interesting to
note that voter turnout actually increased in western North Carolina compared to the 1868
gubernatorial election. More than 19,000 mountaineers voted in the 1868 contest, and in 1871
more than 21,000 participated. Both numbers fall short of the 24,479 westerners registered to
vote in 1867-1868. Such numbers suggest that the Klan failed to deter voters, but that
conclusion is fraught with difficulty. Men barred from voting by the 14th Amendment slowly
rejoined the electorate between the presidential contest of 1868 and the 1871 campaign. Also,
several on-lookers expressed concern about voter fraud, which may have artificially inflated that
actual total.\(^{74}\)

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\(^{74}\) NC Klan Report, 121, 159; Diary Entry, April 18, 1871, David Schenck Papers, SHC, UNC-CH, 216-218.
Still, that vote cast a pall over the Republican Party’s efforts to hold onto the governorship in 1872. Even after the Conservatives had impeached William Holden, a Republican, Tod R. Caldwell from Morganton, occupied the governor’s chair. David Schenck, for one, approached the coming canvass with optimism. “White men of the South are getting more and more united and in 1872 I think the grand crisis of civil liberty will come,” he wrote in his diary more than a year before the actual contest. “It may create revolution again, or the free spirit of Americans may humiliate and overawe the despots,” but Schenck felt sure that “the crisis must come.” Conservatives rallied around candidates such as Thomas D. Johnston of Buncombe County for the state senate and James C. Harper of Caldwell County. In announcing himself a candidate for reelection to the national House of Representatives, Harper adopted the mantel of a “farmer…thoroughly identified with the interest of the people” who “redeemed the district from radicalism.”

It appears that Schenck was a bit overly optimistic. Fissures bubbled to the surface within the Conservative ranks in 1872. While the nominating convention had no problem settling upon James C. Harper for Congress when they met in Marion that June, they disagreed over the state offices. Alphonso C. Avery of Burke County was one of his party’s most popular choices for the state senate, but the nominating convention failed to come to agreement over who should be the candidate. Such acrimony produced four Conservative candidates, who hit the campaign trail that summer. For governor, the state’s Conservatives split over prominent Buncombe County natives: former judge Augustus S. Merrimon and former governor Zebulon B. Vance. Merrimon was a moderate wartime Conservative who gained notoriety in his clashes

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75 Diary Entry, April 18, 1871, David Schenck Papers, SHC, UNC-CH, 216-218; “To the Conservative Party of the Mountain District of North Carolina,” April 27, 1872, Clinton A. Cilley Papers, SHC, UNC-CH.
with the Freedmen’s Bureau and military authorities, but Vance was a political superstar. Fortunately for Merrimon, Vance preferred a second crack at a seat in the United States Senate, which his disability under the 14th Amendment prevented him from taking in 1870. In order to eliminate Merrimon as a possible rival for the senate, Zeb threw himself behind the former judge as the Conservative candidate for governor in 1872.  

Whatever issues plagued the mountain Conservatives’ ranks paled in comparison to the tensions threatening to rip apart their Republican opponents. Caldwell succeeded Holden following the latter’s removal from office in March 1871, but his election to a term of his own was far from certain. The military and the Freedmen’s Bureau played critical roles in their electoral successes in 1868; four years later, federal power proved more of a liability than an asset. The national Republican Party’s commitment to civil rights antagonized white southerners and played a large part in the rise of the Ku Klux Klan. True, mountain Republicans still wielded great power through patronage, but the greatest source of national patronage power, the Internal Revenue Bureau, was wildly unpopular with all classes of citizens. To secure the nomination, Caldwell had to salve these wounds and fend off internal challenges. Suspicions and accusations plagued the Republicans. A fellow Burke County Republican accused Caldwell of forcing his removal from a patronage post after he voted for a Conservative candidate to the aborted constitutional convention.

Republicans struggled to maintain their support base amid the violence and turmoil in the region. In Caldwell’s home county of Burke, the Republicans failed to muster candidates for


77 W.A. Collett to Tod R. Caldwell, March 27, 1872, Tod Robinson Caldwell Papers, Rare Books and Manuscripts, Perkins Library, Duke University.
state office. One of them, Cam Pearson, suggested that the county party run Democrats or moderate Conservatives on their ticket for town commissioners. Governor Caldwell’s friend and political confidante, William A. Collett, cautioned the governor that it was unlikely that “we can get the darkeys to vote for” the Democratic or moderate men. Strategic support for moderate Conservatives for lower offices such as the school committee or magistrates, Collett suggested, might be enough to broaden the Republicans’ support. The same was true in Caldwell County where two possible Republican candidates, Calvin C. Jones and R.B. Bogle, declined to run for the state senate. Bogle had campaigned for the office before and failed. Jones recommended that the Republicans support a moderate Conservative, Colonel James M. Isbell, “a farmer and a good business man, a inteligent [sic] politician,” and a veteran of state office as a compromise candidate. He also opposed a constitutional convention and promised to support the state slate of Republican candidates.78

Jones’s political calculus, however, captured the mountain Republicans’ failure in microcosm. They compromised state and local office in exchange for national office. Increasingly dependent upon federal patronage, Jones accepted Isbell because “it cannot be disguised to the Republican party all other issues are subordinate to the election of Genl Grant to the presidency.” Jones believed that Grant’s failure also meant the collapse—at least “for some time to come”—of southern Republicanism. Mountain Republicans had come to rely upon outside power to support them in their local contests. Yielding the local for the national possessed some sense based on the earlier role of federal power in mountain affairs, but those days were fading. James Justice expected the federal government to aid him and his friends in Rutherford County. When no outside help came, he bitterly regretted that they did not fight back

78 Ibid.; C.C. Jones to F.D. Erwin, June 3, 1872, Tod Robinson Caldwell Papers, Rare Books and Manuscripts, Perkins Library, Duke University.
more aggressively themselves. The national Republicans left their mountain and southern comrades to fend for themselves, which the gubernatorial campaign of 1872 began to demonstrate that they could not.79

Reflecting the region’s growing significance to state affairs, the campaign pitted two white mountain residents—Augustus Merrimon and Tod Caldwell—against one another in August 1872. Republicans had surged ahead in the mountain counties in each of the gubernatorial elections held since the end of the war. Holden won a majority in the mountain counties in 1865 and 1868, with the latter marking the influential entry of black voters for the first time into the state and region’s electorate. In 1871, opponents of a new constitutional convention failed to win a majority in the mountains. Caldwell and the Republicans opposed the call, so their failure in that election bode ill for their future success. Klan violence and unpopular associations hurt Caldwell in the mountains, where the Conservative Merrimon defeated him soundly. (See Table 6.2) While his support for black civil rights and his association with the national Republicans may have hurt Caldwell in the west, it may have won him enough votes in the more heavily black-populated counties that he secured a statewide victory. Despite losing in the mountains by fewer than 2,000 votes out of 22,952, the Republican incumbent won by roughly the same margin statewide.

Conservatives were despondent. One hurt Conservative wrote Thomas Johnston of Asheville that he would “rather lose his right hand than be beaten!” Hopes for a recount held out hope for ultimate victory, but more calm observers recognized that such expectations were

<table>
<thead>
<tr>
<th>County</th>
<th>Augustus S. Merrimon (Conservative)</th>
<th>Tod R. Caldwell (Republican)</th>
</tr>
</thead>
</table>

79 C.C. Jones to F.D. Erwin, June 3, 1872, Tod Robinson Caldwell Papers, Rare Books and Manuscripts, Perkins Library, Duke University.
Alexander 545 389
Alleghany 339 184
Ashe 752 761
Buncombe 1538 1114
Burke 852 683
Caldwell 829 332
Cherokee 486 433
Clay 252 142
Haywood 749 420
Henderson 505 716
Jackson 564 166
Macon 655 130
Madison 635 641
McDowell 706 519
Mitchell 193 628
Polk 224 342
Rutherford 727 1013
Transylvania 379 206
Watauga n/a n/a
Wilkes 1034 1294
Yancey 503 372

Total 12,467 10,485
Percentages 54.3 45.7
State Totals 96,234 98,132


foolish. “Some think that the Legislature will throw out some fraudulent votes and declare Merrimon elected,” wrote Kerr Craige, a former Confederate officer and Conservative politician from Rowan County,” but “I entertain no such hopes.” Perhaps fraud in the black counties had something to do with it, but Craige blamed the counties of Wilkes, Ashe, Yadkin, Surry, and other western counties for Merrimon’s defeat. 80

Rationalizing the Klan violence became a hobby of sorts of Randolph Shotwell and his former comrades. In a memoir written in 1880, Shotwell defended the Klan as a logical response to Republican misrule. Confronted by Republican corruption, Shotwell explained, it was “Nature’s first law of Self-Protection” to seize “the law into their own hands for the redress of grievances.” “The resistance to oppression,” wrote the former Klan leader, “is one of the axioms

of Freedom!” From this perspective, the Klan “was the legitimate and inevitable offspring of Radical malice, mis-rule, and outrage.” While Shotwell worked to justify the Klan, he never addressed its effectiveness. Perhaps that is because a simple reading of the Klan’s impact in western North Carolina cannot be determined by its electoral impact alone. Klansmen hoped to restore the Conservatives to power, but to do that they had to tear down the Republicans and sever the ties between that party’s grassroots supporters and its link to the national government. In the end, the Klan violence and the Republicans’ inability to stop it did just that. It destroyed the outside access to power for mountain Republicans that their Conservative opponents detested. Time would prove that the Conservatives themselves were not entirely opposed to outside power. True, they resented federal power when it worked to the benefit of their opponents, but the emerging Conservative vision for the region’s development through extractive industry, agricultural reform, and, most importantly, railroads could only become a reality with outside help. Many believed that vision could become reality now that the Klan had helped restore the Conservatives to power.81

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CHAPTER 7

THE BEGINNING OF A “NEW” MOUNTAIN SOUTH: AGRICULTURE, RAILROADS, AND SOCIAL CHANGE IN WESTERN NORTH CAROLINA, 1872-1880

Wilkes County had little to offer William Horton Bower, an ambitious and well-connected young man, in 1873. The postwar years had not been prosperous ones for western North Carolinians. Currency dried up, debts threatened to divorce families from their farms, and the state’s railroads teetered on bankruptcy. Searching for opportunity, Bower sought the advice of Augustus S. Merrimon, the Buncombe County lawyer and judge who had lost the 1872 gubernatorial election only to be named a United States senator the following year. Merrimon sought to prevent a young man of Bower’s talents from leaving the state, even if it made his advice somewhat disingenuous. “I doubt very much the wisdom of leaving North Carolina,” Merrimon advised. Things looked bleak then, but Merrimon trusted that “we have a soil, climate and advantages that capital and labor will take advantage of” once “the misrule which has cursed and crushed us so long” succumbed “to wise counsel and the peremptory demands of society for wholesome government.” Patience was one resource mountaineers could ill afford to exhaust. “You are in the right section of the State, if you can afford to come on gradually & not despise small things” because “there is more for young men of talent and moral excellence in any of our Western Counties, particularly in Watauga, Ashe, Surry, Mitchell, Yancey, Haywood, Jackson, Cherokee and Clay & others.”

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1 Augustus S. Merrimon to W.H. Bower, April 20, 1873, Samuel Finley Patterson Papers, Rare Books and Manuscripts, Perkins Library, Duke University. An 1872 endorsement for the position as a clerk depicted Bower as “a young man of good repute and education, a sterling, active and unflinching Democrat,” but “of limited pecuniary means.” Among his references were Zebulon B. Vance, Robert B. Vance, Alfred M. Scales, Robert F. Armfield,
Hidden beneath Merrimon’s public optimism was a “do as I say, not as I do” subtext. Merrimon found himself in 1867, and he opted to resign his mountain judgeship in favor of a legal practice in the state capital. At that time, he considered western North Carolina to be an economic dead end. Seven years later and a U.S. senator, one must wonder whether Merrimon reflected on the irony of sitting down to a desk in Raleigh and instructing somebody to do what he did not. For all the wrangling and second-guessing, Merrimon failed. Rather than focus upon the senator’s advice to stay in his native mountains, the young man became enamored with the possibilities in Texas and the West. In the end, William Horton Bower chose California and a teaching career over waiting and hoping for his native section to recover.2

Within his appeal to the young man to cast his lot with the western counties, Merrimon mapped out a vision for the future shared by many of his fellow Conservatives—especially in the mountains. A “new” South appeared on the horizon, one that capitalized upon the soil, climate, and resources that Merrimon hailed in his missive to Bower. Labor and capital would develop those resources, and the removal of the Republicans from power would open a path to prosperity. As many southerners looked to the future, they saw railroads, industrial growth, and manufacturing establishments as the key to future prosperity. Most piedmont and cotton belt boosters paid only lip service to agriculture. This “new” mountain South emerging in the 1870s included railroads and manufacturing, but agriculture played a central role as well.3

and Burgess S. Gaither. See 1872 Endorsement, William Horton Bower Papers, Rare Books and Manuscripts, Perkins Library, Duke University.

2 Augustus S. Merrimon to George W. Swepson, February 22, 1866, and Augustus S. Merrimon to George W. Swepson, July 7, 1866, George W. Swepson Papers, NCDAH; W.H. Bower to Nat, April 10, 1873, William Horton Bower Papers, Rare Books and Manuscripts, Perkins Library, Duke University.; W.H. Bower to J.A. Bower, August 5, 1877, Samuel Finley Patterson Papers, Rare Books and Manuscripts, Perkins Library, Duke University.

3 In terms of the New South, C. Vann Woodward saw a fall of the planters and a discontinuity between the prewar and postwar South. It is a testimony to the power of his argument that scholars continue to wrestle with his findings. For North Carolina, Dwight B. Billings, Jr. found significant continuity due to planters’ continued control over the
In some important ways, western North Carolina lagged behind neighboring mountain regions. Both southwest Virginia and East Tennessee had railroads and had begun undergoing similar changes prior to the Civil War. The end of slavery, however, meant that western North Carolinians’ quest for internal improvements now aligned more neatly with the economic interest of the South at large. In a very real sense, the efforts to remake and develop the Appalachian region in the 1870s linked the political issues of Reconstruction to the later economic issues of the New South. From 1872 until 1880, western North Carolina went through a profound period of change, one of the most important—and underappreciated—decades of its history. The region’s relationship to the broader market economy changed as local leaders pushed for changes in its agricultural and manufacturing base. Western Carolina boosters pursued railroads with a passion, but they also hoped to develop the region’s livestock, minerals and other natural resources into market commodities. Although they achieved measured success with those enterprises, it was the explosion and investment in tobacco that accelerated the region’s development and need for railroads tying them to the market beyond their borders.⁴


Yet, much of the postwar literature falls into an Old South to New South persistence debate, dividing Reconstruction from the New South more neatly than makes sense when dealing with western North Carolina. Few scholars have looked at the Appalachian South in terms of this debate, preferring instead to focus on the period of rapid industrialization that began after 1880. Those that have done so, however, have contributed new perspective to the debate. For instance, Robert Weise’s careful study of eastern Kentucky demonstrates that the male heads of household entangled themselves in webs of debt that made the goal of household independence virtually untenable. His argument is compelling, but he largely skips the complex Reconstruction years, linking the chaos of the Civil War and industrialization without the building blocks in between. Richard D. Starnes argues that tourism was the most vital industry in the expansion of western North Carolina’s economy. While he is right that tourism played a key role in the region’s economy over the long term, in the 1870s western Carolinians were equally—if not more—focused on the development of the region’s resources. They saw a future for the Carolina mountains in mining, manufacturing, and agricultural production as well as a destination spot. See Robert S. Weise, Grasping at Independence: Debt, Male Authority, and Mineral Rights in Appalachian Kentucky, 1850-1915 (Knoxville: 283
This drive for economic integration went hand-in-hand with the restoration of the antebellum political culture. For much of the postwar period, mountaineers battled one another for control over local affairs. Conservatives emerged from the war bloodied, but still strong enough to regain power. Unionists and Republicans aligned with outside forces in order to swing the pendulum in their direction, but their success also marked their defeat. When the federal government pulled back, Conservatives employed violence and intimidation to cow white and black Republicans in the early 1870s. Once back in power, the elite white mountaineers who dominated the Conservative Party reinstated the antebellum domination of local politics by elites. Yet they never fully rejected outside authority. Instead, they hoped to integrate the region into the national market, embracing outside investors and foreign capital who could develop the region’s natural resources and build its railroads, but who would not challenge them for local control. Because such boosters were often middle-class town dwellers, they promoted their towns more aggressively. In western North Carolina, no town rivaled Asheville in its economic and political importance. Promotion of the town’s development as the center of the region gave focus to the postwar movement for improvement, but it also threatened to divide the region as friction developed between the Asheville faction and the surrounding counties.

Wars expose a society’s fault lines, causing new frictions and exacerbating existing problems to the point that the very earth shook beneath people’s feet. Whether they were conscious of it or not, the war changed white western North Carolinians’ agricultural foundation. Hundreds of thousands of hungry soldiers forced Confederate policymakers to enact controversial tax policies like the tax-in-kind and impressment that transferred resources from community to national control. Tax assessors led off several thousand head of cattle and

impressed thousands of bushels of corn and other produce. Armies in blue and gray were less
discerning, simply taking what they needed when they needed it. Deserters, guerrillas, and other
disaffected residents routinely stole food and other property throughout the region. Regular
forces offered little protection, on either side. James Longstreet’s Confederate forces added an
additional burden upon western North Carolinians on their way back to Virginia from East
Tennessee in 1864. Finally, a large-scale Union cavalry raid under General George Stoneman in
the spring of 1865 liberated valuable livestock and personal property from their highland
owners.\(^5\)

Western farmers had little time to bemoan their misfortunes when the war ended. Most
farmers, like E.A. Davis of Wilkesboro, busied themselves with the challenge of making ends
meet. Davis’s “attention as well as every one [sic] else’s in this country has been taken up with
putting in and tending crop” with no “leisure to trade and indeed nothing to trade.” At least
Davis had a positive view of the future. “Corn looks well, croakers to the contrary
notwithstanding,” he wrote in the early summer, “and although the newspapers assert that ruin
and starvation stare us in the face, I see no evidence of it in this poor country.” One such
“croaker,” Unionist Calvin J. Cowles, surveyed his county’s agricultural wealth for the federal
Department of Agriculture in the fall of 1866. His findings contained some good news. Bad
weather failed to impair the oats crop, which stood ready to double while Cowles estimated that
sorghum would quadruple. Wilkes County farmers also increased the production of tobacco, no
doubt hoping to reap a financial boost from growing twice the amount previously, but people

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\(^5\) John C. Inscoe and Gordon B. McKinney, *The Heart of Confederate Appalachia: Western North Carolina in the
Civil War* (Chapel Hill: University of North Carolina Press, 2000), 133-4. During the war, county governments and
local elites tried—ultimately without success—to aid their suffering neighbors. See Paul D. Escott, “Poverty and
cannot eat tobacco. What they relied upon to feed themselves and their families, the region’s two most vital agricultural goods, corn and hogs, both fell well below normal levels. According to Cowles’s estimates, Wilkes County had less than half the number of hogs fattening in 1866, and the hogs left were of poor quality. Corn suffered an equally frightful decline, and Cowles noted that it was drying up. Although Cowles noted a slight improvement in the condition of the corn in September, he added grimly that the county’s cattle were well below normal standards. Wilkes residents possessed 20% fewer cattle in September 1866 than they did in 1865, and, like the county’s hogs, they were of poorer quality.6

Davis dismissed the “croakers” who said that corn production was down, but census data supported Cowles’s less favorable findings. The amount of corn grown in Wilkes County dropped 34% between 1860 and 1870. Yet, Wilkes County was far from the worst suffering western county in this regard. Neighboring Watauga County saw a dramatic drop from 530,789 bushels in 1860 to a mere 75,944 a decade later. Only three mountain counties—Ashe, Haywood, and Burke—experienced a decline of 15% or less between 1860 and 1870, while seven counties experienced a drop in corn yields of 40% or more. These setbacks transcended the fate of one crop. Less corn meant less bread for most mountain families. It also hindered the market-minded mountaineers who distilled corn to supplement their income. Thus, precipitous drops in corn, such as those experienced by many mountain counties between 1860 and 1870, had a profound impact on mountaineers’ material lives.7

6 E.A. Davis to Messrs. Wilson, Burns, and Co., June 13, 1866, Calvin J. Cowles Papers, SHC, UNC-CH; Calvin J. Cowles, Wilkes County Agricultural Circulars, Return Days September 1, October 1, 1866, Calvin J. Cowles Papers, SHC, UNC-CH.

As the crops growing on the land and the beasts feeding off it struggled, a land crunch ravaged the region’s agricultural and economic foundation. Western farmers saw their productive lands shrinking at a time when they could ill afford it. In Haywood County, the average farm size fell by more than 40 acres between 1860 and 1870. Whereas most mountain counties’ farms averaged more than 50 improved acres in 1860, only two counties—Alleghany and Ashe in the northwestern corner—averaged more than 50 acres just ten years later. With the growth in the number of farms and the shrinking farm sizes, it is not surprising that mountain farmers also witnessed a drop in the cash value of their land between 1860 and 1870. Only one county’s farm values increased during that decade. Ashe County experienced a $161 average increase in its farm values. The rest of the region was far less fortunate. Buncombe County’s farms dropped over $1000 in value by 1870, as did those in Haywood, Henderson, and McDowell counties. It was more than the large counties that suffered such drops. Jackson County’s farms fell over $800 in value, as did those in Cherokee and Madison counties. In the southwestern part of the state, Macon County suffered a drop in value of over $900.8

Livestock values followed a similar trend. Three counties—Alleghany, Caldwell, and Haywood—saw the value of their livestock increase between 1860 and 1870, while the rest of the region fell off. Cowles reported a drop in number and quality of Wilkes County’s livestock in 1866. The agricultural census confirmed his estimates. By 1870, Cowles’s county lost $68,410 in terms of livestock property. Still, Wilkes County’s troubles were relatively modest compared to other mountain counties. Yancey and Cherokee counties suffered the worst livestock decline. Yancey County livestock fell $217,345 in value; Cherokee County farmers’ livestock declined by $168,993. Neither were these changes necessarily new. While the Civil

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8 1860 Agricultural Census and 1870 Agricultural Census.
War accelerated this decline, economic historian Paul Salstrom noted the region’s per capita agricultural production was in retreat before the war began. By the onset of the Civil War, southern Appalachia as whole had declined in terms of food animals such as hogs, sheep, and cattle.9

These changes intensified mountaineers’ efforts to secure internal improvements for western Carolina. Roads and railroads were obsessions for many mountaineers, especially the upper echelon of white mountain society who stood to profit from the region’s integration into the national market. During the antebellum period, popular support for turnpikes, roads, and other developments proved so strong that no politician, regardless of party, could afford to oppose them. The desire for greater access to southern markets for both current products and to extract the valuable mineral resources in the southwestern counties led many westerners to embrace improvement projects. Even as construction in other sections of the South slowed by the 1850s, mountain counties pushed through the construction of roads such as the Hickory Nut Gap Turnpike linking Asheville and Rutherfordton. While roads linked the western-most counties with markets in Virginia, South Carolina, and Georgia, state boosters promoted the concept of an east-west railroad to keep much of the mountain trade within the state. North Carolina’s state government remained focused on projects in the east and central parts of the state, however, so mountaineers had to find help for their railroad dreams elsewhere. South Carolinians hoping to link Charleston by rail with the markets of the Ohio Valley proposed a rail line through the North Carolina mountains in 1835. Local boosters had similar ideas for routes

9 1860 and 1870 Agricultural Censuses; Paul Salstrom, Appalachia’s Path to Dependency: Rethinking a Region’s Economic History, 1730-1940 (Lexington: University Press of Kentucky, 1994), 9, 11-3, 16. Salstrom identified three sub regions within southern Appalachia, and he placed western North Carolina in what he termed “intermediate Appalachia.” This subsection experienced a decline from 1.16 cattle per capita in 1840 to .54 in 1880. Hogs fell over that same time from 2.72 per capita to 1.11. In terms of corn, the fall was equally alarming. In 1840, intermediate Appalachians had 37.5 bushels of corn per capita. Forty years later that number fell to 24.5 bushels per capita. See Salstrom, Appalachia’s Path to Dependency, 14.
following the Tennessee River, but none possessed the allure of the Western North Carolina Railroad (WNCRR), linking eastern and western North Carolina through an extension of the North Carolina Railroad. The state finally adopted a charter for the Western North Carolina Railroad in 1855. Not only did the charter provide for a railroad to Asheville, it included two branch lines to Paint Rock and Ducktown on the Tennessee state line as well. It must have seemed cruelly ironic to many mountain residents that their long-desired railroad had barely crossed into Burke County—and the region—when the war halted its construction in May 1861.\(^\text{10}\)

Once peace returned, mountain leaders urged the state to resume work on their railroad. In the fiercely partisan years that followed the war’s end, the WNCRR was caught up in politics. Governor Jonathan Worth preferred to staff the company with political allies, which necessitated the removal of Unionist and future Republican Tod R. Caldwell and the restoration of Samuel McDowell Tate, both from Burke County, as a director in 1866. The postwar period differed from the antebellum in that railroads became powerful issues in the political campaigns throughout the South. For Republicans attempting to forge a political party out of white and black southerners, this “gospel of prosperity” embodied by the “iron horse” was even more important because it could draw whites into the party in spite of white southerners’ uneasiness with the its biracial makeup. The North Carolina Republican Party’s platform promised vigorous state aid for railroad construction in 1868. After William Holden and the Republicans swept the elections that spring, they moved swiftly to boost construction of the Western North Carolina Railroad. On August 14, 1868, the legislature revised the railroad’s charter to create an Eastern

and Western Division of the company, in hopes that this would accelerate the western road’s construction. The Eastern Division encompassed the length of road stretching from Salisbury to the French Broad River, while the task of crossing the Blue Ridge and extending the road to the Tennessee state line at Ducktown fell to the Western Division. Each division was to operate independently, and the Western Division organized its own directors at a meeting in Morganton in October 1868, where they also selected George W. Swepson, a prominent central North Carolina businessman, as their president.11

By year’s end, frustration and confusion supplanted the optimism of the summer. In 1869, engines stopped at the mountain’s edge at Old Fort in McDowell County, not because of the mountains but due to mismanagement and fraud. When the Western Division of the Western North Carolina Railroad was created, its directors set about raising two-thirds of the stock required by the road. On October 20, 1868, Swepson presented a certificate to Governor William W. Holden claiming to have $2 million in subscriptions from reputable sources. Such subscriptions contributed to the Western Division’s capital stock, and Swepson informed the governor that 5% of that stock had been paid. According to law, this allowed the state treasurer to issue four thousand special tax bonds worth $4 million. No one knew it at the time, but the railroad’s president had neither the money nor the requisite subscribers needed to issue the bonds.

Later testimony indicated that about $300,000 was raised at the Western Division’s organization, but no more than maybe $400 of that counted toward the 5% required by law.\(^{12}\)

Amidst broader political charges of corruption and excessive taxation against the Republicans, the Western Division scandal represented a nightmare for their embattled party. Republicans up to this point had been denounced as “bad men,” illegitimate due to their reliance on outside power to control local politics, and corrupt and uncaring due to the tax burden levied after the war. As the people of North Carolina realized the extent of the crime perpetrated against them, former Western Division president, George W. Swepson, came under intense criticism as did his partner, northern Republican, Milton S. Littlefield. The scuttling of a major state-financed railroad project by a northern Republican and a Conservative North Carolina businessman reflected the Republicans’ declining power within the region and the state. A public meeting on December 1, 1870 in Asheville gave voice to the frustration and anger stemming out of the crippling of the Western Division. The assembled mountain residents felt the sting of the railroad setbacks more deeply than any other event since the Civil War. They appealed to the state legislature to do something, anything, to bring Swepson, Littlefield, and their co-conspirators to justice.\(^{13}\)

Heeding the call for action, the legislature appointed a bipartisan commission of leading westerners to investigate Swepson and settle with him for his administration of the Western Division. According to the law creating this commission on March 24, 1870, the body’s responsibility was to negotiate a final settlement with Swepson and to repossess as much as

\(^{12}\) Report of the Commission to Investigate Charges of Fraud and Corruption, 14-5; Richard L. Zuber, North Carolina During Reconstruction, 55-6; State vs. George W. Swepson, R.R. Swepson, R.Y. McAden, M.S. Littlefield, Haywood County Superior Court, Spring Term 1873, Haywood County Railroad Records, NCDAH.

\(^{13}\) Cotton, “Appalachian North Carolina,” 224-5.
possible of the money and property he had taken as president. To this end, commission chairman, Nicholas W. Woodfin, concluded three separate agreements with the disgraced businessman. The first took place in Washington, D.C. between Woodfin, fellow commissioners W.W. Rollins, W.G. Candler, and Swepson and Milton Littlefield on April 16, 1870. Almost seven months later, Woodfin met with Swepson again, this time in London, England, where Littlefield had gone to try and sell bonds for the Jacksonville, Pensacola, and Mobile Railroad Company. Once in England, Woodfin began spreading the word that Swepson and Littlefield had no right to sell any bonds because they misappropriated them from North Carolina. Such charges alarmed the two men’s British brokers, and forced them to surrender bonds worth roughly $800,000 to Woodfin. Finally, Woodfin reached a third arrangement with the New York-based lawyers then prosecuting cases against a number of companies caught up in Swepson and Littlefield’s plans.  

A second legislative commission conducted hearings on the condition of the state’s various railroads in March 1871. At last, the full extent of Swepson and Littlefield’s crime emerged. Head of the earlier investigative commission, Nicholas Woodfin, laid out Swepson and Littlefield’s scheme as allegedly told him by the latter. First, they intended to finance the road’s construction with mortgage bonds so that it would become so encumbered with debt that they could later buy it from the state at a bargain price. While the road spiraled toward bankruptcy, the two tried to trade the bonds and other resources tied to the road in order to make the money necessary to buy it. Such an explanation jibed with Woodfin’s own experience working for the Western Division. When the state legislature created the Western Division, Woodfin was an authorized stock dealer for the Western North Carolina Railroad. During the

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summer of 1868, he enlisted approximately $1 million in subscriptions from people either working on the road or bidding for contracts. These subscribers jeopardized Swepson and Littlefield’s scheme, so they voided their subscriptions at the October 15, 1868 organizational meeting in Morganton.\footnote{Report of the Commission to Investigate Charges of Fraud and Corruption, 281-3, 291-2. If indeed this was the plan, it also explained Thomas L. Clingman’s frustration over the contracting of the road. Clingman claimed that Swepson consistently found excuses not to contract further construction on the road.}

It is equally clear, however, that as guilty as Swepson and Littlefield were, they were not the only contributors to the Western Division’s difficulties. The stockholders of the road read like a veritable who’s who of western North Carolina. Two leading Asheville Conservatives, Thomas L. Clingman and Augustus S. Merrimon, served Swepson as lawyers, legislative aids, and lobbyists. They helped draft legislation authorizing the issuance of new bonds and proposing a new tax to pay for their interest, as well as a second bill raising the capitalization of the Western Division to $10 million. Clingman, a longtime congressman, one term senator, and former Confederate general from the mountains, garnered special attention for his role in this affair. Beyond such legislative services, Clingman served as a lobbyist guiding the legislation through the house, a member of the road’s board of directors, and Swepson’s lawyer in a variety of other railroad matters in both North Carolina and Florida.\footnote{Thomas E. Jeffrey, “An Unclean Vessel,” 393-5. Among these other activities Clingman performed for Swepson were a bill to privatize the North Carolina Railroad (ostensibly so that Swepson could acquire it), lobbying the U.S. Senate in favor of an appropriation for the Southern Pacific Railroad, and negotiating for the purchase of three rail lines in Florida.}

Their close association with Swepson and Littlefield boomeranged on both Merrimon and Clingman’s political aspirations. Conservatives led by the acerbic editor of the Raleigh \textit{Sentinel}, Josiah Turner, Jr., whose own involvement lent a level of hypocrisy to his charges, chastised Clingman for his role in the great railroad ring throughout the spring of 1870. Clingman
considered such matters a private affair, but that did not stop Conservatives from publicly criticizing his conduct. Merrimon encountered similar, albeit less personal criticism for his part in the affair. Swepson was a liability for every politician associated with him. During a gubernatorial campaign stop in the central part of the state in May 1872, Governor Tod R. Caldwell reminded his audience that Merrimon drafted legislation that aided Swepson and Littlefield in 1868 and 1869. Republican newspapers followed suit, convicting by association both Merrimon and Clingman for Swepson’s crimes in the court of public opinion.17

More locally, the battle over the Western North Carolina Railroad prompted a war of words between Conservatives Thomas D. Carter and Nicholas Woodfin that landed both men in court in 1872. Woodfin sued Carter and Natt Atkinson, who early tried to buy Camy Spears’s labor, for libel based upon a series of letters that Carter published in Atkinson’s North Carolina Citizen. At issue was Woodfin’s conduct as head of the legislative commission created to resolve accounts between Swepson and the Western Division of the Western North Carolina Railroad. On March 28, 1872, the Citizen accused Woodfin of either gross incompetence or corruption. Deeply in debt to the state of North Carolina, Woodfin allowed Swepson to settle for $112,500. As collateral on the debt, Swepson surrendered a mortgage on the Eagle Hotel in Asheville and lands in Cherokee, Macon, and Clay counties. This agreement failed to appease the fiery Carter, who noted that the value of these lands depended upon estimated yields in granite. Hence, in Carter’s opinion, all Woodfin received for the more than $1 million owed by Swepson and Littlefield were some old lands worth roughly $2500. Worse yet, there was no “market in the known world” where that amount in cash could be had for the “wild mountain lands” Swepson ceded. Additional articles followed a similar theme. Woodfin was either

17 Ibid., 401-8, 413-4.
Swepson’s fool or his accomplice. How else could an intelligent man like Woodfin, Carter charged, agree to such inadequate terms?\textsuperscript{18}

According to Carter, Woodfin discredited himself and behaved dishonorably. The London compromise allegedly settled disputes over state bonds and avoided litigation with Littlefield, but Carter smelled a rat. Woodfin paid a note by a banking firm in New York against Swepson worth roughly $20,000 in exchange for that firm’s aid in selling Florida railroad bonds that Swepson and Littlefield supposedly bought with Western Division funds. To Carter, such “settlement” amounted to Woodfin paying a corrupt businessman’s private debts with public money. Matters moved from bad to worse when Carter accused the New York banking firm of Harry Clews & Company of not even possessing the disputed Florida bonds. Carter’s conclusion was simple: Woodfin was in on it all along. In a final public letter published on November 25, 1872, Carter mocked the old gentleman’s honor. Claiming that the old lawyer viewed himself above the people, Carter argued that Woodfin aimed to impoverish the ignorant masses while enriching the honorable elite. It was as if, Carter suggested, Woodfin felt he could do what he wanted and that the lower classes would have to abide by his decision. This final accusation placed Woodfin at the center of a new plan to defraud the company of an additional $340,000 after returning from London. Regardless of the veracity of Carter’s allegations, and Woodfin sued him for $10,000 in damages, the politics of internal improvements deeply divided mountain politicians and communities throughout the 1870s. These issues cast perpetual suspicion over everyone involved.\textsuperscript{19}


\textsuperscript{19} N.W. Woodfin vs. Thomas D. Carter and Natt Atkinson, Buncombe County Superior Court, Fall Term, 1872, Buncombe County Railroad Records, NCDAH.
Acrimony and incrimination only enhanced the mountain people’s burning desire for a railroad. A palpable sense of desperation, particularly west of the Blue Ridge, sparked an outcry as news spread that Governor Caldwell opposed a possible sale of the Eastern Division of the Western North Carolina Railroad. Republicans and Conservatives alike protested the idea. In late 1872, Pinckney Rollins wrote Caldwell that “it is the universal desire of all parties West of the Blue Ridge that you withdraw your objections to the sale of the WNCRR…as we believe this is the only chance for a RR in this part of the state for all time to come.” Asheville petitioners called upon the governor to sell the railroad to the Southern Security Company, which would then pay the road’s debts and finish its construction, because the town’s economic future hung in the balance. The petitioners plaintively moaned that “this road is our only hope for any early outlet to the world.”

Over the next several months white men from Asheville bombarded the governor with appeals to end his opposition to the sale. Republican Superior Court clerk J.E. Reed informed Caldwell that the people resented his “interference” in the sale, but that did not mean they had given up on him completely. Great wrongs had befallen the state in the name of the Western North Carolina Railroad to be sure, Reed added in consolation, but only through a sale might the road’s completion be soon realized. Reed owned a little stock in the Eastern Division, which he deemed worth “no more than a notch in a stick,” but he would willingly void his shares if it meant the road’s completion to Asheville. On January 17, 1873, Robert B. Johnston informed his brother, State Senator Thomas D. Johnston, that the people of Asheville “are all in favor of the sale of the [Eastern Division] thinking it to be the only chance for the completion of the road.” Three days later he reiterated that stance. All of the people in Johnston’s native

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20 Pinckney Rollins to Tod R. Caldwell, December 29, 1872, Tod R. Caldwell, Governors’ Papers, NCDAH; Asheville Petition to Tod R. Caldwell, Tod R. Caldwell, Governors’ Papers, NCDAH.
Buncombe County supported emphatically the sale to the Southern Security Company—or any other measure—that might finally bring a railroad to Asheville.21

Johnston voiced a growing sentiment among mountain Conservatives that the Republican Party constituted an obstacle to progress. He believed that the governor’s opposition to the sale “will be damning to himself & the Republican party in this section.” Mrs. J.W. Gash felt that western North Carolina “affords some of the meanest men in the Union, Yankees not excepted, while one part of the people is trying to have RailRoads the other part is stealing all they can.” Due to the amount of stock owned by men east of the Blue Ridge, including Caldwell’s own home county of Burke, Johnston warned his brother that legislation may need to decide the matter. If the governor succeeded in putting the sale upon the legislators’ shoulders, then Buncombe County residents expected Thomas Johnston and his colleagues to both sell the road and secure its completion within four years. Asheville-based lawyer, Calvin M. McLoud, added that he had “never seen a people so unanimous on any subject” as they were on the Eastern Division’s sale. Dry goods dealer James P. Sawyer put his advice to Johnston in verse:

“Strike till the last armed foe expires,
Strike for your altar & your fires,
Strike for your mountains & spires,
The Rail Road through your native land.”

“Go for the Road like hell & fear not,” Sawyer added, “otherwise tremble for your days as a representative are numbered.”22

21 J.E. Reed to Tod R. Caldwell, Tod R. Caldwell, Governors’ Papers, NCDAH; Robert B. Johnston to Thomas D. Johnston, January 17, 1873, Robert B. Johnston to Thomas D. Johnston, January 20, 1873, in the Thomas D. Johnston Papers, SHC, UNC-CH.

For all the popular pressure in favor of the road from Asheville, the legislature balked at the sale. Theodore F. Davidson could hardly believe it. The Asheville lawyer considered the sale’s failure as “one more hope for our people blasted.” “Is it possible that we will be compelled to live surrounded on all sides,” Davidson cried, “almost in hearing of the Whistles-by railroads with all their advantages, in the old wooden way?” With railroads snaking their way through southwestern Virginia, eastern Tennessee, and upstate South Carolina, Davidson recognized that his region—and Asheville—suffered a competitive disadvantage. The lack of railroads threatened to leave western North Carolina’s economy in the lurch. Davidson considered such competition fatal since western North Carolina was already “half a century behind in the means of success.”

This issue further threatened to divide the Republicans in the mountain counties. Republicans from the western side of the Blue Ridge accused Republicans like Caldwell from the eastern side of the mountains of betrayal. A Conservative in Shufordville noted that Buncombe County Republicans had turned upon the governor. The sticking point was Asheville’s future. From the west side of the ridge, a railroad to Asheville transcended all other issues. Rhetoric painting the railroad’s arrival as nothing short of essential to the transmontane counties led Republicans like Virgil Lusk, W.W. Rollins, J.E. Reed, and others to challenge the governor. Republican W.W. Rollins bypassed the governor—and the leader of his party—and appealed instead to a Conservative state senator to push the railroad. He advised Thomas

23 Theodore F. Davidson to Thomas D. Johnston, February 15, 1873, Thomas D. Johnston Papers, SHC, UNC-CH. Western Carolinians need not look far to see the impact a railroad could do for a mountain section. Southwest Virginia and eastern Tennessee, for instance, both saw a growth in outside economic activity, market agriculture, and greater tourist traffic. For more on the impact railroads had on these other Appalachian sections, see Kenneth W. Noe, Southwest Virginia’s Railroad: Modernization and the Sectional Crisis (Urbana: University of Illinois Press, 1994), W. Todd Groce, Mountain Rebels: East Tennessee Confederates and the Civil War, 1860-1870 (Knoxville: University of Tennessee Press, 1999), and Robert Tracy McKenzie, Lincolnites and Rebels: A Divided Town in the American Civil War (New York: Oxford University Press, 2008).
Johnston to do all that he could for the road’s sale. “I trust that our people will see that it is to the interest of the whole state,” he wrote, “to have our road completed at once.”

The geographical divide within the region was not lost on burgeoning newspaperman, Willoughby F. Avery. In a late February 1873 letter to state legislator, Edmund W. Jones, Jr. from Caldwell County, Avery declared that his Western Expositor was the only one in Asheville supporting the legislature’s unpopular actions on the railroad. Pro-railroad forces tried to thwart Avery’s paper, but the young editor seemed confident about the future. He mailed the Expositor to Jones, and noted that he had 100 subscribers already in his native Burke County and that his circulation was growing in Jones’s home county of Caldwell. Asheville and Buncombe County supported the railroad’s sale, but Avery felt that “the extreme West Jackson Macon Haywood &c will be all right if the members will inform the people of the true state of things and increase the circulation of the Expositor for the Citizen misrepresents the Legislature &c.”

A native mountaineer, Governor Tod R. Caldwell both understood the mountain region’s desire for a railroad and the swelling power of Asheville. He recognized the vital economic impact the railroad would have in the west. As governor, however, he also had to consider what best served the entire state. In the summer of 1873, he favored the Ducktown route over the French Broad branch because “it will accommodate more of our people” and “open up more of our own territory to the markets of the world.” The Ducktown extension would take the railroad through the southwestern counties, which would otherwise be left without a railroad if they followed the French Broad route. As governor, he also possessed patronage power over the road. Although he was an ardent Republican, Caldwell was adamant that he would not repeat the


25 W.F. Avery to Edmund “Coot” Jones, February 27, 1873, Edmund Walter Jones Papers, SHC, UNC-CH.
mistakes that put the road in such dire circumstances. While he controlled patronage, he vowed
to appoint “business men, honest men, who cannot be tampered with, and who have the interests
of the State and the bona fide stockholders at heart.” Thus, as Caldwell received dozens of
appeals for this post or that post on the road, he refused to fall victim to another aspiring
Swepson or other embezzler.26

The precarious state of the Western North Carolina Railroad helped leading western
Carolinians transcend party allegiances for the sake of their region’s advancement. Fresh off his
spring 1873 deposition against Woodfin, Thomas D. Carter informed Governor Caldwell that in
his opinion “the people west of the French Broad river, and in fact, to the people of this entire
section, this is a question of transcendent importance—paramount to politics, or almost anything
else, and the people as a whole are fully alive to its importance.” For all the pressure on him,
Caldwell came to an apparently satisfactory solution: consolidation. Caldwell’s long-time
neighbor in Morganton, Burgess S. Gaither, told the governor he supported the consolidation
plan passed by the legislature, which would recombine the eastern and western divisions into the
Western North Carolina Railroad Company. It did not matter to the Conservative Gaither that
this scheme aided Caldwell’s political fortunes. Gaither had become frustrated with his own
party, particularly outspoken editor Josiah Turner, Jr. who had become an obstacle to progress
himself. According to Gaither, Turner exaggerated the amount of tunneling left to complete as
two miles instead of a quarter mile and he reported that the stockholders would receive fifty
cents on the dollar for their private stock. Such charges had “done the work for him in Western
North Carolina,” Gaither told the governor. Gaither professed “a great contempt for [Turner] &
cannot be forced by party obligations to sustain him.” Of course, Turner’s acting like “a lunatic

26 Tod R. Caldwell to W.P. Welch, June 23, 1873, Tod Robinson Caldwell Papers, Rare Books and Manuscripts,
Perkins Library, Duke University.
entirely unfit to have the control of a paper” and the Republicans’ declining power in his region helped make such cooperation easier to stomach. Tod Caldwell’s untimely death on July 11, 1874, however, would throw the situation back in the air for the moment.27

Support for the railroads mirrored antebellum efforts to build internal improvements in that it cut across party lines. Republicans and Democrats supported state aid for the railroad’s completion to Asheville. In June 1875, Governor Brogden received numerous letters avowing the mountain counties’ support for the Western North Carolina Railroad. A Republican, Marcus Erwin, took pride that a member of his party held such popularity that “the people of all parties in the extreme West look to you as willing & able to meet & manage the heavy responsibilities imposed upon you by the legislature of the last General Assembly.” Jackson County Democrat James R. Love echoed the broad support, but without the Republican pride. “The great interest the people of the West feel and manifest on all occasions, irrespective of party, in the building and early completion of the Western NCRR” was palpable, according to Love. After the state purchased the road, according to a law passed that month, Love urged the governor to employ convicts on the railroad to achieve the ultimate link of the rail to the Tennessee line. Once the line reached Knoxville, then it could achieve links with Louisville and Cincinnati and the markets and commodities of the Mississippi Valley.28

Marcus Erwin also hoped that railroad-related patronage could be used to benefit the Republican Party, but events proved that the railroad and Asheville’s thirst for it were more divisive than anything else. Party lines fell before the might of festering geographic animosity.

27 T.D. Carter to Tod R. Caldwell, Governors’ Papers, Tod R. Caldwell, NCDAH; B.S. Gaither to Tod R. Caldwell, December 18, 1873, Governors’ Paper, Tod R. Caldwell, NCDAH.

28 Marcus Erwin to Curtis H. Brogden, June 17, 1875, Curtis H. Brogden, Governors’ Papers, NCDAH; James R. Love to Curtis H. Brogden, June 28, 1875, Curtis H. Brogden, Governors’ Papers, NCDAH; Inscoe, Mountain Masters, 165-71.
Southwestern mountaineers, still committed to the Ducktown extension of the road, felt slighted by the Asheville clique that favored the French Broad extension to the Tennessee state line. Macon County State Senator James L. Robinson warned Brogden not to slight the far western counties. In language eerily reminiscent of that directed at “rings” and Republicans earlier in the decade, Robinson charged that the “French Broad men have had almost absolute control of the Western Div. WNCRR & yet they have done nothing but fritter away what little money they have secured from the wreck.” Brogden needed to tread carefully, Robinson warned, because the people were “very sensitive on this matter” and they already “felt slighted” by the portion of the governor’s annual message devoted to the railroad. Failure to heed the needs of Robinson’s constituents could well derail the entire project. Everyone in western North Carolina wanted the railroad, but neglect of the southwest in favor of the “French Broad men” threatened to invoke passions that could tear the region apart.29

One way to stifle dissent favored by the Conservatives was a new constitutional convention. The idea for a new convention to reform the Republican-crafted constitution of 1868 first arose in 1871, but was soundly defeated. In 1875, however, the Republicans were reeling and the Conservatives pushed the convention through. Once in session in Raleigh, the Conservative-dominated convention crafted a series of amendments that would solidify their control further. A central part of this effort was the alteration of county government. Under the 1868 constitution, county officials became elective for the first time in the state’s history. In western North Carolina and other counties with strong Republican organizations, this led to that party capturing a number of influential local positions. The convention turned back the clock on these reforms, restoring “full power by statute to modify, change, or abrogate” existing county

29 James L. Robinson to Curtis H. Brogden, August 4, 1875, Curtis H. Brogden, Governors’ Papers, NCDAH.
governments to the Conservative-dominated state legislature. This Conservative-led “reform” movement promised to restrict local democracy and restore the antebellum aristocratic order at the county level. Such amendments played a key part in the gubernatorial campaign between Zebulon Vance and Thomas Settle 1876, with the Republicans fighting gamely against them, but in the end they lost. County government reverted to the old system in February 1877, and the Republicans’ power throughout the state waned.30

Railroad construction went hand-in-hand with the realization of western North Carolina’s agricultural and natural potential. Adequate transportation networks were necessary to bring capital in and haul foodstuffs, raw materials, and other goods out. But not all forward-looking mountaineers emphasized the products of the land. Some men looked to the land itself. Land speculation had always played a large role in the region’s economy. Wealthy landowners gobbled up thousands of acres of land with an eye on the future extraction of its valuable mineral and timber resources. For that reason, mining also had a long history within the region. Once the war ended, it became a topic of great interest again. T.C. Land wrote the president of the North Carolina Central Railroad of the advantages of extending his road from Statesville, North Carolina to the East Tennessee & Virginia Railroad in November 1866. He noted the presence of abundant timber along the proposed route, with only Warrior Creek and the Yadkin River needing to be crossed. A veritable garden of untapped riches would make the effort well worth it. Land spoke glowingly of the mountains’ crops “here by produced cheaper and in greater abundance and of better quality” as well as its “many mines of Gold, Silver, Copper, Lead, Iron, &c which are said to be as rich as any in the known world.” The proposed route would pass near

Elk Knob in Ashe County, “(said to be) the richest Copper mine in the US.” Minerals, timber, produce, plus “Cattle, Hogs, Sheep, &c” made western North Carolina a speculator’s paradise.31

Outside investors recognized the potential wealth to be found both above and beneath the surface in the southwestern corner of the state. Prior to the Civil War, D.D. Davies supervised work on several copper mines in Jackson County. Once the war was over, outside investors sent Richard Owen, a natural science professor at Indiana State University, to determine the region’s potential. Owen came to western North Carolina in the late 1860s believing “that the lands were unproductive, or, at least, that fertility was the exception and was confined to the valleys.” Once he was there, however, the region surprised him. Corn grown on the rugged hillsides impressed Owen, who termed it equal to that produced in the alluvial valley lands. He was less impressed with the higher-elevation wheat, but the oats were “excellent,” the rye “peculiarly good,” and he termed the Irish potatoes “as fine as I ever saw anywhere.” In addition to the crops, Owen also praised the orchards, especially the apple trees, and the grazing pastures, which he deemed “the most attractive feature in this farming district.” Amidst his explorations, Owen saw cattle, sheep, and other animals grazing and in “remarkably good condition.”32

The professor also found sufficient mineral resources to lure investors. Around Whiteside Mountain in the Cashiers Valley, he found favorable prospects for miners. He also

31 T.C. Land to President of North Carolina Central Railroad, November 6, 1866, Hamilton Brown Papers, SHC, UNC-CH. Land placed the Elk Knob mine in Watauga when it is actually in Ashe County. Like land speculation, mining was not new to western North Carolina in the postwar years. A “gold rush” in the early 1830s sparked an interest in the wealth hidden beneath the surface of the region that continued through the antebellum and postwar periods. Copper and gold mining also provided a common outlet for mountain slaves before emancipation. This same interest also enhanced antebellum hopes for a railroad that would make access and extraction of these mineral resources more economical. See John C. Inscoe, Mountain Masters, 67-8, 78-9, 164, 170-72. Warrior Creek flows from the central part of Caldwell County to the Yadkin River in the western portion of Happy Valley. See William S. Powell, North Carolina Gazetteer (Chapel Hill: University of North Carolina Press, 1968), 518.

determined that the Maddron mine in Haywood County was “promising,” with preliminary work suggesting the presence of copper, silver, and emery. Owen also detected an abundance of nigrine, “a titanic mineral employed in painting on porcelain, and for giving the requisite color to artificial teeth.” For capitalists looking for something more than pearly whites, Owen reported many good tracts. “Excellent” iron could be made from the magnetic iron ore. Horse Cove and the Cashiers Valley stood out as the best option for men seeking their fortune in gold.

Industrialists capable of developing the gold deposits with crushers might be able to trace the gold to its “quartz matrix” in the vicinity of Whiteside Mountain. Copper mines were ready to be leased in Macon and Jackson Counties as well. It was a region, Owen concluded, with great possibilities.33

Local speculators tried to drum up interest in the southwestern part of the state. D.D. Davies, who had begun work on the Jackson County lands before the Civil War, traveled throughout the North seeking investors and buyers in 1873. He moved from New York to Pittsburgh, but with disappointing results. Still, his optimism exceeded his failures. “I have got half of Jackson Co. on the market & must succeed in something,” he wrote in late February, but selling those properties was an uphill battle, if not an insurmountable mountain. Another land agent, Ovide Dupré, met with prominent dealers in New York City with no success. That spring Dupré determined regretfully that “there seems to be but little disposition among the capitalists of N.Y. to invest in Southern Real Estate.” It seems the risks still outweighed the potential rewards. The frustrations shared by such speculators and land agents seeking quick sales of potentially lucrative mines did little to quell the excitement in the southwestern counties who perceived mining as their best means for development. According to R.V. Welch, who updated

Thomas Johnston on the southwestern counties’ prospects in late July, there remained “much excitement in Jackson about mica copper &c & several parties are now at work.” Erstwhile efforts by determined individuals kept hope alive that future profits might be reaped from old speculative investments.34

Later in the decade, the southwestern counties saw considerable progress in their extractive industries. The Asheville-based North Carolina Citizen noted that “mica-mining has been profitable in the past two seasons.” A clear market for mica had developed in Macon County. Franklin-based merchant, A.S. Bryson, supposedly paid roughly $50,000 in cash for mica, which could be used as an insulator in stoves and other devices. By August there was “more bustle and animation” in Macon County than Albert Siler had ever seen. “We have quite a number of strangers with us,” Siler wrote his wife, “some to enjoy our summer climate” while others came as part of the “perfect furor in regard to mica.” Northern agents crowded Franklin buying mica at $1.50 to $4 per pound. Over four months later, Macon County blossomed with mines. The “Rocky Face” mine atop Cowee Mountain and the Allman Mine produced “handsomely,” while speculators discovered a promising vein in the Hall Mine. For mountaineers who had struggled with a down economy for over a decade, the success of these mines was cause for celebration. The sale of the Jenks Corundum Mine garnered special attention in the North Carolina Citizen, which predicted confidently that the mine, allegedly paying $200-300 a week in wages, might increase its workers’ pay some five to ten times in the coming year. Already 20,000 tons of corundum had been mined in four weeks.35

34 D.D. Davies to Thomas D. Johnston, SHC, UNC-CH; Ovide Dupré to Thomas D. Johnston, March 24, 1873, Thomas D. Johnston Papers, SHC, UNC-CH; R.V. Welch to Thomas D. Johnston, July 20, 1873, Thomas D. Johnston Papers, SHC, UNC-CH.

Few individuals invested as heavily in western North Carolina’s mineral prospects as Calvin J. Cowles of Wilkes County. The former Unionist and merchant dedicated himself to the development of his Gap Creek Mine located in Ashe County roughly 15 miles from both the Virginia and Tennessee borders on the Blue Ridge’s western slope. Cowles purchased the mine with four partners in 1856, but he gradually bought out each partner until he became the sole proprietor in 1866. Gap Creek became Cowles’s leading economic concern. Twice prior to the Civil War, he hired mineralogists to inspect and report upon the mine’s merits. Those experts considered the mine’s copper deposits to be excellent, and one of them also noted the presence of a moderate amount of gold and silver. For his part, Cowles judged the mineral vein (which was between 2 and 14 inches thick), the natural drainage of the property, and the nearby access to waterpower as its principle strengths. Still, developing such a mine proved difficult due to the lack of a nearby railroad—the nearest connections were roughly 50 miles distant—and Cowles’s own lack of cash.36

In order to make the mine more attractive to northern and foreign investors, Cowles contracted geologists John and Cummings Cherry to analyze the Gap Creek property in late 1870. The brothers found a raw mine. Little work had been done to extract the ores. One reason for the rough state of the mine was physical. A few test holes exposed some quartz, but water and

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1. Bryson’s wheeling and dealing was the stuff of local gossip. Alfred Siler noted the major’s apparent good fortune in August 1873 as well. Trapped beneath a “depressing load of debt” to Swepson—unidentified by likely George Swepson—Bryson was released from the debt of several thousand dollars. Local gossip placed the major’s new debt in the southwestern counties’ climate. Swepson, apparently quite ill, came to the mountains to recover from his ailments. His improved health convinced him to release Bryson in exchange for his aid in “some perfectly legitimate business transactions,” which Siler felt had promise. According to him, Bryson’s prospects for making money off his land by year’s end looked good. See Albert Siler to Josey, August 16, 1873, Albert Siler Papers, Rare Books and Manuscripts, Perkins Library, Duke University.

debris complicated efforts to examine at least one subterranean shaft. While the Cherrys may not have shared Cowles’s lofty expectations, they found enough gold, iron, nickel, and, especially, copper to dub the mine “quite promising.” They declined “promising positively a valuable return to a mining company who would operate the mine.” Instead, the geologists recommended a moderate “outlay as will be necessary to expose the vein at a depth below the surface where its ores are concentrated and diffused evenly throughout the matrix and their nature and value can be definitely ascertained.” According to that plan, development could be had for less than $3000.37

Neither was the Cherrys’ proposal out of step with Cowles’s own thoughts on the mine. He offered to let investors take hold of the mine and work it for a year with the idea that they would not have to pay him a cent until profits were realized, but that plan produced little more than frustration. Northern and British investors came and went. Cowles clung to his faith in the mine’s profitability, even as the capital necessary to make the mine productive failed to materialize. A Philadelphia businessman nearly bought into Gap Creek in 1877, but he could not muster the necessary funds to put it to work. Boston capitalists also inspected the mine that year without purchasing it. Finally, Cowles found an investor in 1880. Northern-born William C. Brandreth of New York City invested and helped Cowles form the Copper Knob Mining Company, which consolidated the Gap Creek property into a single company with several of Brandreth’s other mountain mining enterprises.38


38 Blosser, “Calvin J. Cowles’s Gap Creek Mine,” 383-4, 387-92. Once hailed as the enterprise’s savior, Brandreth proved to also be its undoing. He splurged on expensive equipment that was too bulky to be transported to the mine and issued more stock that reduced Cowles’s stake in the company. In the end, Brandreth mismanaged the mine and its stock while regularly excluding Cowles from the company’s decision-making process.
Capitalizing on these resources also consumed Walter W. Lenoir. One of three surviving sons of the influential Lenoir family of Caldwell County, Walter seized upon the war’s end to invest heavily in land. His brother, William, left vast amounts of land to him and his siblings, which Walter purchased from the various heirs in the uncertain time following Confederate defeat. Secure in the deeds, Walter moved from one end of the county to the next mapping out his new holdings, settling with squatters, and subdividing the lands into smaller, more marketable lots. He found that his Beech Creek lands in Watauga County to be too steep and poor in soil to farm profitably. By early summer 1867, he was back in Caldwell County taking stock of lands in his native county.39

Like many white southerners in the mountains and beyond, Walter Lenoir gambled in the postwar period on land, hoping its sale and development could pay his debts and secure his financial future. Neither was he unique in turning to land and its hidden resources as his possible fortune maker. Throughout 1868 he continued surveying his Watauga lands, even managing to sell some of the tracts—albeit to family members who, fretting for Walter’s solvency grudgingly purchased parcels of his land. His wealthy merchant brother-in-law, James Gwyn, agreed to subtract $2000 from the sum Walter owed him in exchange for a Beech Creek parcel with a possible silver vein. Walter’s brother, Rufus Lenoir, wanted nothing more than to focus on the old family home of Fort Defiance in Caldwell County, but he also agreed to buy 400 acres along Boone Fork in Watauga County. But Walter had bigger visions than simply selling land to his family. In 1870, he listed his “Crab Orchard” in Haywood County with a land company. Again, he broke much of his vast holdings into small units for sale, but, like the Watauga sales, Walter

found that his primary buyers were familiar faces: cash-strapped local farmers and concerned loved ones.40

Walter Lenoir dabbled in mining, but his true love was agriculture. He devoted a great deal of his time, energy, and resources to promote agriculture in the Carolina mountains. Taken as a whole, the Lenoir family presents a snapshot into the broader whole of post-Civil War agriculture in western North Carolina. Thomas Lenoir’s three sons owned property in Caldwell, Watauga, and Haywood counties, and factoring in their brother-in-law, James Gwyn, they also had a presence in Wilkes County. While Rufus and Thomas farmed for a living, Walter Lenoir found his “greatest pleasure” in dealing with animals and crops, and, as he put it, “not merely in eating them.” Beauty was all around him, whether the movements of wildlife or the development of his stock and crops. As enamored as he was with his surroundings, Walter maintained a cautious outlook for farmers in his section. “On the whole,” he wrote his brother Rufus, “I think the prospects of farmers in this section are middling.” Corn, the single most important crop on mountain farms, appeared to be making a comeback in 1866. Livestock and several other crops reached sufficient quality and quantity to stave off any suffering for want of bread.41

Given the uncertain circumstances, Walter committed himself to making his Haywood County “Crab Orchard” pay. Improving and managing his land became something of an obsession with Lenoir. Due deliberation convinced him that the Crab Orchard’s best chance at profitability rested with livestock, so he dutifully set about converting the farm into a first-rate

40 Ibid., 172, 178, 180, 182, 185. Combined, Walter and his brother, Thomas I. Lenoir, owned roughly 10,000 acres in Haywood County. When he finally sold the “Crab Orchard,” it was to his brother-in-law, James Gwyn.

41 Walter W. Lenoir to Rufus Lenoir, July 16, 1866, Thomas Lenoir, Sr. Papers, Rare Books and Manuscripts, Perkins Library, Duke University.
stock farm. Getting his property into a position to make money was no small task given the state of the mountain region’s economy in the years immediately after the war. Walter understood this as well as anyone. In February 1868, he commiserated with his brother Rufus over the scarcity of currency. Dramatic falls in the price of cotton, Lenoir noted, had a ripple effect that “to a very great extent cut off the best market for the bacon & live stock which are the principal products of this part of the country.” Matters might get worse before they got better, but Lenoir dug in his heels and vowed to see his beloved mountains through. Somewhat tongue-in-cheek he confessed his determination to “stand it…as long as the yankees can.”

The economic downturn had a ripple effect on many mountain farms. Poorer mountaineers were especially hard hit. As was true during the Civil War, poorer farmers turned to their wealthier neighbors for help during hard times. In the spring of 1869, Rufus Lenoir gave some corn to the head of the Davenport Female College in Lenoir, which prompted appeals for wheat or flour as well. Hard times persisted and the Lenoirs remained pillars of the community support system. Two men—Ford and Thomas Jones—petitioned Rufus Lenoir for 50 or 75 pounds of bacon in July 1870. The Joneses were desperate. Their crop had given out, they had no milk, and one of their best cows died giving birth. Despite promises to repay Rufus for his help by September, it is doubtful that Lenoir expected to be repaid. Debts went unsettled regularly in Caldwell County in 1870. Few men had the cash or resources to settle their debts, and Rufus Lenoir himself failed to pay his debts because he could not collect from those who

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42 Walter W. Lenoir to Sade, November 23, 1866, Thomas Lenoir, Sr. Papers, Rare Books and Manuscripts, Perkins Library, Duke University.
owed him money. The Joneses were probably just another piece in a growing web of debt for Rufus.43

Farmers in Caldwell County experienced a relatively stable decade in the 1870s; other families throughout western North Carolina were less fortunate. Caldwell County farmers experienced a growth of a tenth of an acre in the average farm size, despite the creation of 141 new farms. Its livestock, however, dropped $58,573 in value. That decline is what led the Joneses to call upon Rufus Lenoir for aid. Most mountain counties experienced only modest changes in average farm size. Rutherford County suffered the highest average decline of 16.1 acres, while Alleghany County farms expanded by 11.7 acres on average. Fluctuations in the value of livestock revealed the mountaineers’ struggle to find a marketable commodity. Two counties, Henderson and Macon, saw their livestock decline more than $90,000 each. Only those two suffered a harsher decline than Caldwell County. Meanwhile, other counties saw a veritable explosion in livestock values. Perhaps Walter Lenoir’s neighbors in Watauga County followed his advice. Their livestock increased in value by more than $37,000. William R. Love’s investment in sheep contributed to a massive expansion of livestock in Jackson County, which saw an overall increase of more than $1.29 million invested in livestock. Such extremes overshadow the more modest fluctuations experienced by the region as a whole.44

A lawyer by trade, Walter brought his studious habits and eye for detail to agriculture. In fact, he became something of an amateur expert in the postwar period. While farmers struggled with debt and economic forces beyond their control, Walter worked to improve mountain

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43 Samuel Lander to Rufus T. Lenoir, March 17, 1869, Ford T. Jones and Thomas Jones to Rufus T. Lenoir, July 5, 1870, and Rufus T. Lenoir to John Shearer, February 8, 1870, all in Thomas Lenoir, Sr. Papers, Rare Books and Manuscripts, Perkins Library, Duke University.

44 Agricultural Census, 1870 and Agricultural Census 1880.
agriculture and better understand how to care for their livestock. During the spring of 1872, Walter Lenoir contacted J.R. Dodge in the U.S. Department of Agriculture’s Statistical Division about the “Texas cattle disease or Splenic fever.” Lenoir believed that Dodge’s department wrongly diagnosed the former and that the second did not exist. Instead, he considered the disease distemper, “a disease with which the Southern have long been familiar.” State laws chronicled distemper’s path across North Carolina. At its last session, the state legislature declined to pass a law prohibiting the driving of cattle west across the Blue Ridge. Perhaps the mountains would form a natural barrier to the disease, Lenoir opined, but he knew that cattle taken into the distemper region almost always became sick and died. For his part, Lenoir wanted Dodge to commission a study of the “distemper line.” With the disease infiltrating Caldwell County in the summer of 1871, Lenoir hoped that Dodge and his colleagues might determine whether legislation could check the disease’s spread.45

Lenoir corresponded with more than government officials; his vision for mountain farmers led him to pursue new people for the region as well as new knowledge. He struck up a correspondence with the editor of the Germantown Telegraph recruiting emigrants from eastern Pennsylvania. It was a logical move. In March 1860, a Pennsylvanian appealed to the state legislature to devote 3,000 acres in the Carolina mountains to experiment with merino sheep. Since roughly 1820, farmers around Philadelphia practiced an interconnected cycle of production. Orchards, pasture, timberland, and improved acreage mixed together into a rural ecology of complimentary parts. Livestock roamed the land, feeding from its produce, and then fertilizing the land with their recycled manure. When merino sheep first arrived in the United States, they set off something of a mania as northern farmers imported the Spanish animal and sold their

45 Walter W. Lenoir to J.R. Dodge, April 19, 1872, Thomas Lenoir, Sr. Papers, Rare Books and Manuscripts, Perkins Library, Duke University.
wool to nearby mills. The Pennsylvanian believed that the western counties could become the leading wool-producing section of the world if they committed resources to it. Civil war and sectional hatred put those ideas on the back burner, but Lenoir seemed to come back to the idea and looked to Pennsylvania again. “I have believed, ever since the war that there would be a new movement of Pennsylvania farmers to Central and Western North Carolina,” Lenoir informed him, “as soon as they could understand how welcome they would be, and how well they could do for themselves.” In other words, Pennsylvania farmers practiced a mixed form of agriculture that might profit in western North Carolina while furthering that region’s integration into the national market economy.46

North Carolina had settled down, finally, from the horrors and turmoil of war. Lenoir tied the agricultural future of the region to the political success of the Conservatives. Secure in their state’s redemption after the Klan’s reign of terror and William Holden’s impeachment, the Conservatives still did not control the governorship—until 1876. In what became known as the “Battle of Giants,” Conservative Zebulon B. Vance soundly defeated Republican Thomas Settle, capturing more than 60 percent of the mountain vote. Settle and the Republicans’ dramatic

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46 Walter W. Lenoir to Philip R. Freas, December 28, 1876, Thomas Lenoir, Sr. Papers, Rare Books and Manuscripts, Perkins Library, Duke University; Inscoe, Mountain Masters, 21-2; Steven Stoll, Larding the Lean Earth: Soil and Society in Nineteenth-Century America (New York: Hill and Wang, 2002), 80-3, 108-17. Founded by Philip R. Freas in 1830, the Germantown Telegraph became one of the largest newspapers in Pennsylvania. It earned Lenoir’s interest because it was one of the few large newspapers that devoted part of each issue to agricultural issues. See J. Thomas Scharf and Thompson Westcott, History of Philadelphia, 1609-1884., Vol. 3 (Philadelphia: L.H. Everts & Co., 1884), 1995. Walter’s target audience heard his appeals. A.L. Elwyn wrote him in late January 1877, acknowledging reading Walter’s letter in the Germantown Telegraph and expressing interest in western North Carolina for farming, raising sheep, and tourism. See A.L. Elwyn to Walter W. Lenoir, January 27, 1877, Lenoir Family Papers, UNC-CH. Years later, a northern artist for local color writer Rebecca Harding Davis set off a firestorm in the Asheville press after he published a far from flattering account of his travels through western North Carolina in the New York Tribune. In their zeal to refute the charges leveled against their region and people, the North Carolina Citizen ran a statement from “the leader of a successful colony of Northern men in Macon County” that described western Carolinians as “intelligent, honest and kindly disposed.” Although the mountaineers “have been isolated from the world and lacked opportunities,” they harbored no ill will toward Yankees. There was some indication, however, that not all was well in this statement. “Our position as Republicans between the upper and lower millstones of Northern Republicanism and Southern Democracy,” the colony’s leader wrote, “is a difficult one, and is rendered worse by inflammatory and false reports such as these.” See North Carolina Citizen, November 27, 1879, p. 1.
defeat allowed Lenoir to present a calm, stable image to the Germantown editor. Leading
Conservatives, many of whom were from western North Carolina, endorsed Lenoir’s quest for
Pennsylvania emigrants. Governor-elect Vance, his brother Congressman Robert B. Vance, and
U.S. Senator Augustus S. Merrimon supported Lenoir’s plan. Lenoir offered assurance: “The
sentiments I express are their own sentiments, and they know them to be the sentiments of the
people among whose leaders they are now, as they were during the war.” Northern settlers had
nothing to fear from former Confederates such as Lenoir, the Vances, and Merrimon. Although
the “Battle of Giants” was a highly partisan contest, Lenoir also dubbed it “probably the most
peaceful election that has ever taken place…in this very peaceful and law abiding state.” The
only way further tension might remain over the controversial presidential election was if
northern settlers brought “a Tilden army and a Hayes army…from the North to fight on Southern
soil.”

Nearly a year after writing the northern newspaper editor recruiting Pennsylvania farmers
to move to the mountains, Lenoir wrote a long, almost boisterous letter extolling the mountain
region’s virtues to D.D. Ludlow, of Dunkirk, New York who approached Lenoir about moving to
western North Carolina. A clear piece of boosterism, Lenoir provided Ludlow with something
akin to a state of the region address. His purpose was clear: recruit more northern farmers. In
particular, he hoped to lure northern farmers who could overlook western North Carolina’s poor

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47 Lenoir to Freas, December 28, 1876, Thomas Lenoir, Sr. Papers, Rare Books and Manuscripts, Perkins Library, Duke University; R.D.W. Connor, ed., A Manual of North Carolina issued by the North Carolina Historical Commission for the use of Members of the General Assembly Session 1913 (Raleigh: E.M. Uzzell & Co., 1913), 1001-2. While Walter put a positive reunion spin upon his description of North Carolina, he sometimes caught himself falling into harsher tones. When discussing the northern armies for Hayes and Tilden, Walter originally remarked: “If you should be rash enough to get up a war about it at the North you could not have any of the fighting done at the South unless you brought a Tilden army and a Hayes army both from the North to fight each other.” Perhaps he thought better of calling his prospective emigrants rash and prone to political violence at the expense of the South, because he edited it to read: “To get up a fight about it here you would have to bring a Tilden army and a Hayes army both from the North to fight each other on Southern soil.”
transportation system and make a smooth transition into the region. Lenoir lauded the bounties of the mountain landscape. Cash crops could be found in tobacco, flax, and hemp, but those crops were not Lenoir’s focus. Staple crop agriculture was not the vision he hoped to share with his prospective emigrants. Instead, he proposed a mixed form of agriculture that blended a traditional reliance upon corn, wheat, rye, and buckwheat with livestock production. “Probably our principal agricultural wealth,” Lenoir instructed Ludlow, “will always be in our meadows and pastures and our live stock & their products.” The mountain grasses and climate led to finer, heartier sheep and cattle. Combining that agricultural capacity with a railroad would transform western North Carolina into “a large part of the vegetable market” for the growing cities of the United States.48

Lenoir promoted the region, but he advocated a form of agriculture that promised long-term stability at the expense of short-term profitability. Pennsylvania farming lingered on the minds of other regional boosters. An October 1878 edition of the Blue Ridge Blade pointed its Morganton readers toward the Keystone State’s success with wheat as another path to success for western North Carolina. Copying Pennsylvania’s success required more than planting more wheat, however, it necessitated a greater knowledge of and utilization of manure. “As a general thing,” the paper instructed its readers, “it is well understood that manure must be liberally applied to induce a good crop.” Mountain farmers mistakenly plowed the crop under, but it took time for the wheat’s roots to develop to the point that it benefited from the manure. Applying

48 Walter W. Lenoir to D.D. Ludlow, December 10, 1877, Thomas Lenoir, Sr. Papers, Rare Books and Manuscripts, Perkins Library, Duke University. Ludlow proposed moving about a dozen families, comprised of “plain, energetic, and industrious people” to North Carolina. See D.D. Ludlow to Walter W. Lenoir, November 17, 1877, Lenoir Family Papers, SHC, UNC-CH. Lenoir’s public promotion of western Carolina made him a frequent correspondent with northerners looking for new opportunities in the South. Another New Yorker, Fritz Ortel, wrote Lenoir in June 1878 of his plans to move to either Watauga or Haywood County and raise sheep. Ortel told Lenoir that he singled him out for advice because he knew Walter “has the interest of Western North Carolina thoroughly at heart.” See Fritz Ortel to Walter W. Lenoir, June 19, 1878, Lenoir Family Papers, SHC, UNC-CH.
ample portions of manure to recently planted wheat facilitated the absorption of the manure’s minerals and provided an early start to its roots’ growth. If more farmers applied this technique to their wheat, western North Carolina might develop an additional crop that complemented the livestock and earned its farmers further profits.49

Amidst the depressed prices of the postwar period and the growing rhetoric about a “new” South, western Carolinians turned their eyes toward schemes that could open the resources Lenoir extolled in his letter to the outside market. It was this same desire for quick advancement and economic development that led the immediate postwar administrations of Worth and Holden to place such a premium upon the construction of the Western North Carolina Railroad and other such projects. Hopes for overcoming debts and wartime setbacks led many mountaineers to look for a commodity capable of placing them back on solid economic ground. Walter Lenoir thought this might be a more thoughtful form of the traditional mixed agriculture practiced in the mountains. Less sanguine highlanders placed their hopes instead finding an agricultural commodity that could become the mountain section’s staple.

The hunt for the highlands’ agricultural panacea was an uneven venture. Where Walter Lenoir viewed mountain agriculture as a whole—crops, livestock, fruit, timber—less patient individuals looked for one commodity within those categories to make their mark. Some mountaineers followed Lenoir’s lead and sought their fortunes in livestock, which further fit Lenoir’s vision for the region because one needed dung-producing critters if they were to employ closed-circuit agriculture like that practiced in Pennsylvania. Colonel W.R. Love of Jackson County partnered with the American Mining and Manufacturing Company to purchase 150,000 acres for grazing, manufacturing, and mining in the spring of 1867. Love and his partners

49 Blue Ridge Blade, October 19, 1878, p. 4.
planned to acquire 20,000 sheep to graze on the land as well. Another ambitious individual planned to open a sheep farm on South Mountain, just south of Morganton in Burke County. He was able to move one or two sheep to South Mountain for about $70 each. Two sheep scarcely made a major investment, but the following year he planned to acquire an additional 1000 to 1500 sheep. Nothing would be left to chance in this investment. Besides the imported sheep, the investor also hired a Scottish shepherd to manage his flock. Everyone he conferred with agreed that sheep were a “good investment if managed,” and, although he expected no immediate profits, with an investment of $1000 or more, he predicted that he would succeed quite admirably within two or three years.\footnote{Raleigh \textit{Daily Sentinel}, April 16, 1867; D. Frash to “Dear Sir,” July 4, 1873, Bryan and Leventhorpe Family Papers, SHC, UNC-CH.}

Regional boosters promoted the mountain counties as ideal investments for various animals. One potential migrant, Dillwyn Parker of West Chester, Pennsylvania, had narrowed down his investment choices to Colorado, Texas, and western North Carolina in early 1878. During the latter part of the nineteenth century, Colorado and Texas gained national recognition for their cattle. One of Parker’s friends had moved to North Carolina, however, and he informed Parker that the Carolina highlands were perfect for such an enterprise. Also, the mountain counties offered cheap land for as little at $1 and as much as $10 an acre. Recognizing the potential of the region, the North Carolina \textit{Citizen} ran a piece in the November 7, 1878 edition reporting on the best sheep for farmers to raise. The key, the paper claimed, was to select the sheep with the heaviest fleeces and greatest yield of meat. Not quite a year later, the paper cited
the Charleston News and Courier in support of the “new departure” investment in sheep,
particularly Saxon sheep due to their softer and higher quality wool. 

Embracing livestock as the future of the region provided a sense of continuity with the past. Mountain farmers had long depended upon livestock for food, labor, and sale. Sheep represented a wrinkle in that tradition, one that was familiar but not as prominent as many hoped it might become. Newspapers promoted it, investors bought into it, and the legislature debated ways to protect it. Regardless of the bluster, sheep never really took off as a market commodity. Agricultural census figures reveal modest fluctuations throughout the region between 1860 and 1880, nothing that suggests a radical increase in mountaineers’ investment in sheep. Madison County experienced the largest increase from 5,760 in 1860 to 10,269, but even that growth is unremarkable. In the end, livestock stayed a valuable secondary commodity.

Agriculture in the Carolina mountains changed dramatically in the 1870s, not because of sheep, but because of tobacco. Just over a year after the war, Calvin Cowles reported that Wilkes County farmers had cultivated twice as much tobacco as they had the year before. A Civil War veteran from Virginia, Samuel C. Shelton, planted bright leaf tobacco outside of Asheville in Chunn’s Cove with great success in 1869. Several enterprising farmers followed Shelton’s lead. Walter Lenoir’s brother-in-law, James Gwyn, turned to tobacco as “about the only crop we can raise here now to pay,” even though he worried about the change due to the staple being a “troublesome crop” that “requires a good deal of attention & some practice to prepare...for market.” The Asheville-based newspaper, the Western Expositor, reported in early

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51 Dillwyn Parker to Thomas D. Johnston, January 12, 1878, Thomas D. Johnston Papers, SHC, UNC-CH; North Carolina Citizen, November 7, 1878, p. 6; North Carolina Citizen, August 14, 1879, p. 6.

52 1860 Agricultural Census, 104-5, 108-9; 1870 Compendium of the Ninth Census, 766-9; 1880 Agricultural Census, 165-6.
1875 that “the experiments for several years past has shown that several of the counties in Western North Carolina are peculiarly adapted to the growth of fine leaf tobacco.” Success in Buncombe, Madison, McDowell, Burke, and Caldwell counties had an important consequence on the region as a whole. It accelerated Asheville’s growth and regional importance as an economic center, but it also furthered the region’s integration into a national market system. As the *Western Expositor* noted, western Carolina tobacco now commanded the highest price at the influential Danville and Richmond tobacco markets. For his part, the innovator, Shelton, had become something of an international sensation—and an undisputed local hero—in less than a decade. At the Vienna Exposition in 1873, Shelton’s Madison-grown chewing and smoking tobacco won first premiums. Local boosters anticipated a repeat performance at an impending Paris Exposition.53

Boosters embraced tobacco as the solution for the region’s economic woes. The success of mountain tobacco offered a new direction in the region’s agriculture, the *Western Expositor* argued, one more in keeping with the postwar southern economy. Its editors heralded tobacco as “the great money staple of the Western portion of the State” and urged mountain farmers “to go earnestly to work.” Boldly, the paper predicted great economic wealth—to the tune of $500,000 annually—in Madison, Buncombe, McDowell, Burke, Caldwell, and other mountain counties in as little as five years. Tobacco also served as something of a catalyst to economic change for

53 Calvin J. Cowles, Wilkes County Agricultural Circulars, Return Days August 1, 1866 and October 1, 1866, Calvin J. Cowles Papers, SHC, UNC-CH; Martha Norburn Allen, *Asheville and Land of the Sky*. Revised and Enlarged Edition. (Charlotte: Heritage House, 1960), 51-2; James Gwyn to Rufus Lenoir, February 27, 1870, Lenoir Family Papers, SHC, UNC-CH; *Western Expositor*, January 7, 1875, p. 2, Misc. Asheville Newspapers, Reel 1, North Carolina Collection, UNC-CH; North Carolina *Citizen*, February 14, 1878, p. 1. The state sponsored the international promotion of western tobacco. Governor Tod Caldwell tasked his old Burke County neighbor, Samuel McDowell Tate, to promote the state’s resources at the 1873 Vienna Exposition. Tate took samples of mountain timber, wheat, tobacco, gold, iron, and other minerals. He was particularly proud of the tobacco, which he termed “the finest tobacco in America” from Wilkes County. See Samuel McDowell Tate to Tod R. Caldwell, June 21, 1873, Tod R. Caldwell, Governors’ Papers, NCDAH.
highland boosters. If the farmers followed their advice, the editors foresaw the addition of “such an amount of money to the country that manufactories of all kinds would spring up throughout...affording employment to all the laborers of these localities.” In 1875, tobacco cultivation meant profits, manufacturing growth, and jobs.54

The final years of the decade saw an escalation in the support of tobacco, predominantly in the Buncombe County press. Echoing the Western Expositor, the North Carolina Citizen hailed the expansion of tobacco production in the final years of the 1870s. Even when the tobacco crop struggled during the summer of 1878 and national tobacco prices fell to levels last seen twenty-five years earlier, mountain tobacco continued to draw high prices. According to the Citizen, the weed’s prospects were high enough to sustain the optimism of Republicans like W.W. Rollins, who the paper termed the “father of tobacco in Madison.” With unrestrained pride, the Citizen chirped that even in down times Buncombe brands of tobacco “butts the bull off the bridge,” an allusion to their Durham-based Duke rivals, and that “glorious little Madison will stand in the front ranks.” When a merchant in Galveston, Texas received and examined a local product, he immediately sent an order to the producer for more. Together the tobacco from those counties proved of such fine quality that they were “running other tobaccos from the market.”55

Agriculture and tobacco had become front-page news in Asheville, and with good reason. The boasting worked to spread cultivation of the weed. In April 1879, a Yancey County


55 North Carolina Citizen, March 14, 1878, 1; North Carolina Citizen, July 18, 1878, p. 1; North Carolina Citizen, July 31, 1878, p. 1. Madison County correspondent for the Citizen, J.J. Gudger, reported a total of 510,709 pounds of tobacco shipped from the county in 1878. Merchants in the county seat of Marshall sold 188,036 pounds of that total for $44,145.11 or an average of 18.5 cents a pound, according to Gudger. See North Carolina Citizen, October 9, 1879, p. 1.
correspondent from Bald Creek reported “the tobacco fever is very high” and that “a goodly number” of farmers prepared to join the ranks of converts. By year’s end, excellent specimens raised in Cherokee County gave hope that tobacco might succeed there as well. In August 1879, construction began on the Asheville Tobacco Warehouse, embraced by the Citizen as “one of the most important enterprises” in the town’s history. Local dreams of Asheville becoming an economic center for more than just the mountain region appeared to be coming true. Finally, the newspaper cried, tobacco could be grown, sold, and manufactured in the Buncombe County seat. Asheville’s economic destiny—not to mention the promoters wedded to the town—was at hand. Small local manufacturing establishments evolved into more “respectable” enterprises with even greater growth on the horizon. The region had found a commodity that gave the town and region greater economic significance within the national market economy. By year’s end discussions were already under way for more tobacco factories to open in Asheville by the following spring.\(^5\)\\

Tobacco’s success also brought the issue of the region’s economic development and Asheville’s prominence into greater relief. An article in the Citizen heralded “Asheville’s Opportunities” on September 11, 1879. Already a popular tourist destination, the paper promised that it was “as a business center for some sixteen or twenty of the very best counties of the State” that the town’s future rested. Northern and southern investors had taken great interest in the town’s commercial potential, but in order to achieve its full height the Citizen urged its readers to do more “to give the town that permanent basis of wealth and growth so essential to

the building up of a large city.” In short, Asheville needed manufacturing and not just of tobacco. Woolen mills, like one already operating in Weaverville, “would be of great benefit” to Asheville, and would connect the town with the surrounding region’s investment in sheep. Tobacco stood above the others as the crown jewel with its fine brands that fetched from $.40 to $4 per hundred and would soon be manufactured locally as well. “Buyers will only go where there are warehouses, and tobacco will go where there are buyers,” which the Citizen argued must be Asheville. The explosion of tobacco production, noted as increasing from 25,000 pounds per year to an annual growth of more than 1 million combined pounds per annum in Madison and Buncombe counties, meant that “tobacco factories will ornament many of our city lots in less than five years.” It was also suggested that the rising number of cattle and sheep raised in the region promised the development of a thriving shoe manufacturing industry in Asheville. One such enterprise produced “the very best men’s and women’s shoes…to the number of near or quite a hundred pairs per week.” More could be done, however, and boosters pushed hard for Asheville’s further development.57

The town-based boosters heralded tobacco’s success, but there hopes for a new style town in Asheville brought their class bias into greater relief as well. Like Walter Lenoir they wanted mountain farmers to change their ways, but these boosters proved more aggressive in their critique of traditional agricultural methods. A scathing letter from “One-Horse Farmer” published in the Citizen on April 10, 1879 condemned mountain farmers for failing to keep up with modern trends in farming. The author, who lived in Garden Creek in Haywood County,

57 North Carolina Citizen, September 11, 1879, p. 4. Buncombe County produced 23,006 pounds of tobacco in 1860, and Madison County grew even less at 15,705 pounds. Little had changed by 1870 when those counties produced 30,689 and 19,108 pounds respectively. During the 1870s, however, that output exploded. According to the 1880 census, Buncombe produced 475,428 pounds and Madison yielded 807,911 pounds. Haywood County also saw significant growth in tobacco. Between 1870 and 1880, the amount of the weed grown in the county more than doubled from 18,692 to 39,516 pounds. See 1880 Agricultural Census, 300.
criticized farmers for being complacent. Too often, he argued, mountain farmers sat around and discussed politics “like we could all live and grow fat on that style of business” when they should have been developing their fields. “In my one horse-way of looking at things,” he opined, “the ordinary system of farming in Western Carolina is simply ridiculous, a disgrace to the enlightened age in which we live, and, what is worse, a crying sin against High Heaven.” If farmers would rotate their crops and fertilize their fields, he charged, they would achieve the greatest agricultural productivity in the world. It pained the anonymous writer that “our people are actually ignorant of the resources and capacities of our country.” Even tobacco farmers needed to take heed and remember to manure their fields to maintain the soil’s productivity. For his part, “One-Horse Farmer” promised to practice what he preached; he vowed to gather 100 loads of manure to insure his corn’s success. When other farmers followed suit, western Carolina “will have a radical change for good in ten years.” By October, he offered to give the farmer that produced the most wheat per acre on a lot of two to five acres in 1880 a subscription to a “No. 1 agricultural journal.” It is fitting given his disdain for modest farmers’ practices that the reward amounted to nothing more than reeducation in tilling the land.58

Promotion and expansion of tobacco became the economic mania of the decade. Standing to reap most of the benefits from the region’s economic integration into the national market, Asheville boosters led the way. Faith that tobacco constituted “the most profitable crop our Western friends can raise,” the North Carolina Citizen noted that “Asheville is rapidly becoming a first class market for the sale and manufacture of tobacco, as it is easily reached by our farmers west of the Blue Ridge.” The editor of the Citizen urged his readers to push the enterprise forward rapidly, which is perhaps why he gave noted tobacco-grower Samuel C.

Shelton his own column in November 1879. Locally-raised tobacco ranked among the finest in the world, Shelton argued in his first installment, “but for the want of capital [it] could be placed in every town, village and hamlet in the United States.” More men and more money could accelerate the establishment of manufacturing facilities in the Carolina mountains. Capturing the spirit of the times, Shelton proclaimed: “We want factories to spring up all around, and we want the vast wealth of this fertile and beautiful section to be developed and utilized at home, nor will we be satisfied until the sound of magnificent triumph shall reverberate along these grand mountains.”

Shelton echoed “One-Horse Farmer” in his class-based criticisms of mountain farmers. Less than a month after he published his first column, Shelton offered that there were three classes of farmers. The first type believed that he knew everything and that there was nothing new for him to learn about working his land. It is telling that Shelton’s first archetype was the small farmer who produced first and foremost for his family. In the eyes of the market-oriented Shelton, these farmers “retard the progress of advancement by being unwilling that anything should progress beyond the limit of their own self-sufficiency and would proclaim anything a humbug that they did not invent.” Nothing could convince them that tobacco could be made profitably in the Carolina mountains because these farmers, according to Shelton, knew some distant acquaintance that allegedly lost everything trying to make the staple pay. The second class, the naïve farmers who blindly applied everything told to them, was equally detrimental because they put all their faith in hired help and employed any number of foolhardy schemes to get rich quick. Western Carolinians must aspire to be a third type to whom Shelton ascribed “good sound judgment” and recognition of his own limits. Such humble farmers embraced new

59 North Carolina Citizen, November 6, 1879, p. 1; North Carolina Citizen, November 13, 1879, p. 1
techniques and approaches with open minds. Shelton challenged his readers to “look at this mirror, and ‘see if you see yourself’ in either class.”

Men like Samuel Shelton and newspapers like the North Carolina Citizen espoused a middle-class ideology that grew throughout the nineteenth-century. During the antebellum period, this took the form of temperance movements and reform efforts. After the war, the issue focused more clearly on internal improvements. Once local control became the province of the old elite once more, they worked with all comers to open their region to outside capital and development. They rejoiced in recognition from outside investors and presses. Asheville’s growth in the 1870s impressed visiting news editors from South Carolina. One of those observers noted that Asheville was “rapidly improving” and predicted that once Asheville had its railroad connections, the town “will rival Atlanta in commercial importance.” When that visitor considered the town’s importance as an economic hub for nineteen counties and its appeal to tourists, he opined that “we would not be surprised if she outstrips the Gate City.” Buyers from across the country, even from across the world, it was believed, would flood Asheville’s dusty streets in pursuit of their product. All that remained to get them there was the railroad, which remained just beyond the town’s reach. The North Carolina Citizen predicted confidently that the railroad would reach Asheville by spring, and with the arrival of the “iron horse” would come tobacco buyers from Richmond, Durham, Lynchburg, New York, Brooklyn, Cincinnati, and Louisville.

60 North Carolina Citizen, December 4, 1879, p. 8.

Asheville’s struggles to complete the Western North Carolina Railroad overshadowed other efforts to bring railroads into the region, but such efforts were well underway by the 1870s. Like the Western North Carolina Railroad, the Spartanburg & Asheville Railroad had moved forward in fits and starts since a convention composed of representatives from nine states concluded that the French Broad River valley offered the best route for a railroad connecting Charleston, South Carolina to the West in 1837. Construction began on the so-called Blue Ridge Railroad, but financial setbacks, the loss of influential backers, and the Civil War halted progress. In September 1874, its supporters regrouped. A great barbecue at Spartanburg, South Carolina sought to rekindle efforts to build the road. Former Confederate Secretary of the Treasury, Christopher G. Memminger gave what amounted to a pep talk to the collected crowd. Two gaps, a 25 mile hole between Wolf’s Creek and Asheville and another 75-mile break between the latter town and Spartanburg, remained in the original project. Perhaps the road could have been completed before, but the frauds perpetrated in North Carolina and by “wild speculators…at the North and West” undermined southern projects. Memminger put the onus for building the road squarely on the shoulders of the people. “The greatest and most magnificent structure of the middle ages (St. Peter’s Church at Rome) was built by small contributions,” Memminger reminded his listeners, “let no man therefore say that his means are too small to allow him to contribute.” Once completed, the road would connect the cotton South with the foodstuffs of the mountains and ultimately the major markets of Charleston and Chicago, hopefully, Memminger added, to the benefit of the former.62

To some degree, the Spartanburg & Asheville Railroad divided the western counties. An Asheville booster wrote Curtis H. Brogden, who assumed the governor’s chair upon Caldwell’s

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62 The Henderson County Advertiser, October 1, 1874, p. 2. The barbecue itself took place on September 10, 1874.
death, asking for convicts to work on the Spartanburg & Asheville road. He made clear that his preference was for the convicts to work on the Western North Carolina Railroad, but since both were “Western Enterprises pointing to my town & through my County” he supported both. If Asheville boosters preferred the Western North Carolina road, mountaineers in the southern part of the region preferred the South Carolina route. Collett Leventhorpe, a British-born Confederate general who lived in Caldwell County, preferred the southern link with Spartanburg for strictly economic reasons. “State pride has nothing to do with the markets,” he noted ruefully, “and on the line of the NC Central there is no market for anything Rutherford [County] produces.” A southern route promised to connect Rutherford County with “a people who want & will buy everything you have.”

While the road to Asheville stalled to the east, the railroad to the south made steady progress during the 1870s. The road’s president, David Robinson Duncan, worked tirelessly to push the road ahead. Confronted by economic uncertainty in the spring of 1878, he went to Asheville and convinced two creditors to take first mortgage bonds on the road as payment. So prominent had Duncan become that the Citizen believed that the people of western Carolina would “elect him to any office from governor down to a member of congress.” Hendersonville residents were even more enraptured. The people “were in buoyant spirits over the prospects of the iron horse snorting in their midst at an early day.” By the summer of 1878, the Spartanburg & Asheville road had pushed through Pace’s Gap at the border of Polk and Henderson counties. Next stop was Hendersonville, a mere nine miles away.

63 G.M. Roberts to Curtis H. Brogden, October 9, 1875, Curtis H. Brogden, Governors’ Papers, NCDAH; Collett Leventhorpe to Mrs. Ursilla Bryan, February 24, 1877, Bryan and Leventhorpe Family Papers, SHC, UNC-CH.

64 North Carolina Citizen, April 11, 1878, p. 1; North Carolina Citizen, June 6, 1878, p. 1; North Carolina Citizen, July 25, 1878, p. 1.
As the winter of 1878 yielded to the spring of 1879, however, such optimism dwindled as the road faced foreclosure. The Federal District Court in Charlotte scheduled arguments regarding the mortgage and sale of the Spartanburg & Asheville Railroad. Unpaid contractors vowed to fight the sale and western Carolinians found them in the familiar position of fighting for an endangered rail link. Buncombe County attorney, James H. Merrimon, received discretion to handle the county’s stock, but the Citizen affirmed that public opinion stood on the side of paying the contractors and pushing construction forward. The state legislature took up the matter, debating whether to issue aid to the embattled road. Again, tensions between Asheville and the surrounding region emerged. Buncombe’s senator, Theodore F. Davidson, argued that the bill threatened to deny the people of his county full return on their $100,000 subscription. In his opinion, the bondholders of the road never intended to finish the road to Asheville, preferring instead to halt at Hendersonville.65

No doubt the first train’s arrival in Hendersonville surprised some people on June 1, 1879. A celebration followed on July 4, 1879. State officials and railroad executives from North Carolina, South Carolina, and Tennessee and a crowd of four to six thousand, including as many as two hundred from Asheville, joined in the “general rejoicing over the fact that the railroad had at last crossed the mighty Blue Ridge and penetrated the great valley of the West.” Brass bands played triumphant tunes as the dignitaries and the happy onlookers enjoyed a day of speeches full of congratulations and optimistic future plans. North Carolina Governor Thomas Jarvis, who earned “ringing and prolonged applause” for his part in the road’s construction, urged its extension to Paint Rock on the Tennessee state line, “which would place them in close connection with the outside world.” Yet, in spite of the celebration, not everyone was satisfied.

65 North Carolina Citizen, December 5, 1878, p. 1; North Carolina Citizen, March 20, 1879, p. 4.
The Asheville-based North Carolina *Citizen* could not help but notice that as everyone predicted a steady march to the Tennessee line, no one spoke of the connection with Asheville. Frustration and confusion led the editors to end on a plaintive note, remarking that “although there was nothing on the face of last Friday’s demonstration looking to the prosecution of the work at an early day, we earnestly hope for good results from the day’s labors.”

Fact was that a neighboring county seat had its rail connection and Asheville’s connection to both the Spartanburg & Asheville Railroad at Hendersonville and the Western North Carolina Railroad remained in developmental purgatory. In early 1877, the North Carolina state senate passed a railroad bill, which met in one observer’s opinion, an oddly passive reception in Buncombe County. Johnston’s brother informed the senator that the leading figures of the French Broad Valley “do not seem as much alive on this question as I have been expecting to find them.” Instead, their silence espoused a “good index of the deep and abiding feeling that is taking hold of the thinking solid men of the Country.” At times the bill’s fate appeared dicey, but Johnston wrote his younger sister triumphantly on February 19, 1877 announcing the bill’s passage. While the ultimate goal of completing the road to Asheville seemed no closer to realization, Johnston felt that the convict labor and money granted the road would help bring a train to Asheville within the next two years. “I know this will appear to you to be a long time,” the weary state legislator sympathized with his sister, “but if we can get it by that time I shall be exceedingly glad.”

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Johnston’s prediction proved surprisingly accurate. Time and again, the state found a way to keep the Western North Carolina Railroad afloat. They bought it out of bankruptcy in 1875 and pushed it slowly forward on the tax dollars of the people and the backs of predominantly black convict laborers. Even then, however, the road remained in peril. In 1880, the WNCRR caught a break it hardly deserved. William J. Best, an Irish immigrant who made his money as an accountant to venture capitalists in New York, offered to purchase the embattled railroad. Best’s group of investors offered to assume the state’s stock in the embattled railroad and promised to finish the project. Frustrated in his efforts to complete the road as governor, now-Senator Zebulon B. Vance greeted Best’s offer with enthusiasm. “Great Lord,” Vance exclaimed, “is there any danger to his getting away!”

Best’s offer represented something akin to a pot of gold at the end of a rainbow previously anchored by fool’s gold. Vance’s successor, Governor Thomas J. Jarvis, wanted to free the state of the financial albatross that was the WNCRR, and he saw in the New York group his greatest option. He took his case to the state legislature, and convinced the majority of the legislators to support the sale on March 20, 1880. True to form, however, the hoped for easy end to this process eluded all involved. In late May, Best informed the governor that his investors had balked. The agreement required the northerners to complete the railroad not only to Asheville, but also to Paint Rock by 1881 and to Ducktown by 1885. Best told Jarvis that such stipulations were too much for his backers. Jarvis blanched. This news threatened the road and his campaign for reelection. Still, not all was lost. Vance and Jarvis turned to Alexander Boyd Andrews, a former staffer of Vance’s and now the superintendent and vice president of the Richmond and Danville Railroad. Andrews had the reputation as a strong, capable railroad

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administrator and they asked him to support Best’s plan. Behind closed doors, Jarvis pressured Andrews whose road was about to be sold, and he got the Richmond and Danville Railroad’s backers to pay the WNCRR’s debt. The road was back on track.69

After years of frustration, anger, setbacks, and scandals, the train arrived in Asheville on October 3, 1880. Decades in the making, the railroad’s whistle could barely drown out the cheers—or was it a collective sigh of relief—from the town’s residents. At last, one of the region’s most important decades had come to an end. The 1870s began with a literal bang as Klansmen beat down their white and black Republican allies, and it ended with a loud locomotive whistle announcing the railroad’s arrival to the emerging hub of the region’s economy. Western North Carolina changed profoundly in the 1870s. Local elites regained control from the Republicans, which allowed them to chase after northern investors, settlers, and money. The region’s leading town, Asheville, grew larger and stronger, due largely to the shifting focus of mountain farmers from local production to market production. Tobacco became more important within the region’s economy, and with that change, came a new sense of hope. Back in 1873, Augustus Merrimon had advised William Horton Bower that he could prosper in the Carolina mountains if he was patient. Bower did not wait then, leaving for California, but he recognized his mistake. He returned to his native mountains in 1881, just in time to see a new era dawn in the region’s history.70

69 Ibid., 260-5.

70 Bower ultimately did prosper. He moved to Lenoir, the county seat of Caldwell County in 1881, and the next year his neighbors elected him to the state House of Representatives. He also had a successful legal career. In 1893, he was elected to Congress. See William Horton Bower, Biographical Directory of the United States Congress, accessed online June 4, 2009 at http://bioguide.congress.gov/scripts/biodisplay.pl?index=B000688
CONCLUSION

Virgil S. Lusk was an old man when he wrote his version of the attack upon him in 1869. Fifty-four years and the raw emotion of that day had passed since newspaper editor and Ku Klux Klan leader Randolph A. Shotwell snuck up behind Lusk and assaulted him with a cane. It was a different time then. Recalling those tense years in western North Carolina, Lusk wrote that “many of the [Civil War’s] surviveors [sic] could not draw a distinction between acts of war and personal malice.” Like much of Southern Appalachia, North Carolina’s mountain counties had experienced a bitter guerrilla conflict during the war and open political fighting after it. Many in Lusk’s community had a difficult time differentiating between legitimate acts of war and personal acts of vengeance. Little did it help, concluded the old solicitor, that “law was not enforced, crime was common, neither life or property was secure, desperdoes [sic] and ruffians paraded the streets day and night with a Colt’s revolver in one pocket and a bottle of mean whiskey in the other.” As a former Confederate officer who became a leader of the southern mountain Republicans, Lusk knew better than most that in Reconstruction western North Carolina, “political toleration was out of the question.”1

Lusk’s recollection of his fight with Shotwell captured the tension and violence that permeated Reconstruction in western North Carolina. Like much of the South during Reconstruction, western North Carolina experienced a continuation of the Civil War by other means. Mountaineers experienced a war that divided families and communities. It was a war defined more by divided loyalties than regular armies. Thousands of mountain men donned

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uniforms of either blue or gray between 1861 and 1865, but it was the fighting that took place back home that defined the war. In his study of the Shelton Laurel massacre that took place in Madison County in 1863, historian Philip Shaw Paludan concluded that people wore their wartime loyalties like a target over their hearts in the North Carolina mountains. Such targets proved difficult to take off. Men such as Lusk found it to be easier to change sides than to completely avoid the anger and recrimination that followed the war. Loyalties became the grist of politics. Old elites, most of who supported the Confederacy and joined the wartime Conservative Party, reclaimed their local positions of power throughout the western counties after the war. As they did, they clashed with their Unionist neighbors, who claimed that they should now govern the region on the basis of their commitment to the United States. It was a hard contest. Unionists led a coalition of anti-Confederates that battled hard, but lost in 1865 and 1866.  

Anti-Confederates did not stew long over their defeat before a new opportunity arose to unseat their opponents. Emancipation transformed mountain society, bringing African Americans into new working relationships with their former masters. But it was the former slaves’ political power that proved to have the biggest impact on the region after the war. Beaten by the Conservatives, the Unionists turned to the Republican Party and their African American neighbors for help. Facilitating this shift was the federal government through occupying forces and the Freedmen’s Bureau, who brought the power of the federal government into the mountain counties to an unprecedented degree. The integration of these federal institutions with the mountain Republicans dealt a significant blow to the region’s political culture, which traditionally allowed the elites to rule in exchange for securing mountaineers’ local interests.

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Former Unionists and recently freed slaves, however, proved unwilling to bow to the will of the men and party that led the state and the region through a disastrous war. In 1868, their party achieved a nearly complete victory. Republicans elected a governor, a legislative majority, and approved a new constitution that brought sweeping democratic reform to the state.

Republicans proved to be a victim of their own success. Their victories in the 1868 election convinced the federal government to withdraw both the military and the Freedmen’s Bureau from the region. This decision stripped mountain Republicans of their allies at a time when they were still fragile. Nothing underscores this point more fully than the election day riot in Asheville in November 1868. Fresh off their state successes, the Republicans witnessed a racially-charged backlash during the national elections. Conservatives gunned down several black highlanders that day, proving the impotence of the Republicans to stop them without federal support. In some ways, the Asheville riot marked a turning point in the region’s reconstruction. White Conservatives proved more and more willing to use violence—in the organized form of the Ku Klux Klan—to achieve their political goals after 1868. Black and white mountain Republicans endured intimidation and outright violence in communities stretching from Jackson to Rutherford County between 1868 and 1871. Areas where black voters helped the Republicans sweep the state just a short time earlier proved particularly plagued with violence, which ultimately achieved its end. The Conservatives reclaimed power in 1870 and impeached the Republican governor from office the following year.

More than the political world had changed in western Carolina by the time Virgil Lusk recorded his version of the Shotwell affair; the economic character of the region had also been transformed. Internal improvements, especially railroads, had been a passion of the mountain section’s people dating back to the late antebellum period. Many put their faith in the Western
North Carolina Railroad, expected to connect the western and eastern parts of the state. Railroad boosters waited for the railroad to arrive in the mountains. They waited. Then they waited some more. A fraud against the railroad by a central North Carolina businessman and his northern Republican partner threw the proposed road into bankruptcy. Republicans blamed Conservatives, and the latter blamed the former. To be sure, there was blame aplenty to go around, but the Republicans bore the brunt of the popular backlash. Heavy tax burdens and national scandals by President Ulysses S. Grant’s Republican administration hurt his southern mountain allies.

While waiting for the railroad to arrive, mountaineers gave thought to what they would do once it did. Some boosters proposed agricultural reform. Adopting a style of agriculture that blended livestock and foodstuffs in a more closely regulated circuit than previously practiced, some argued, could enhance the mountain counties’ ability to profit from selling food to the cotton belt. This approach had the merit of history as it most closely connected with the region’s antebellum economic practices. Mining was another longstanding interest of highlanders, and it moved forward in fits and starts after the war. It more than the other proposed economic paths relied on railroads to make the extraction of the resources economical. Other regional promoters urged their neighbors to adopt sheep, raising the animal for its wool and meat. In the estimation of many observers, western North Carolina constituted prime sheep-raising land. But it was not wool, livestock, or reformed agriculture that most electrified the region during the 1870s. Yes, all of these methods and commodities played a role, but to the local boosters the commodity that gained the greatest attention was tobacco. Although enthusiasm over tobacco failed to engulf the whole region, it captured the mountain counties’ most important regional hub: Asheville. The prospects of large-scale tobacco cultivation giving impetus to warehouses, manufacturing
establishments, and other improvements made many boosters downright giddy in the latter half of the 1870s.

The issues closely associated with Reconstruction in western North Carolina ended when the Western North Carolina Railroad finally arrived in Asheville in October 1880. Wartime loyalties were no longer the driving force in the region’s politics, and the issues of race had momentarily been silenced by the violent reign of the Ku Klux Klan. Old political elites, Conservatives once more calling themselves Democrats, ruled the region and the state. Republicans struggled on with the help of federal patronage, but they lacked the power that they wielded so strongly in 1867 and 1868. With the railroad’s arrival, however, the legacy of the Conservatives’ victory became the driving force within the region. The Republicans’ defeat coincided with the beginnings of western North Carolina’s industrial revolution.

In many ways, it was industrial growth with an eye on the past. The Civil War introduced many northern men—and future investors—to Southern Appalachia, and the local color writers that followed the war depicted the region as backward and in need of uplift. Railroads brought more industry to most, but not all, of the region. Six counties that lacked a rail connection experienced a drop in their manufacturing capital between 1880 and 1890. Although those counties’ decline reminds us that the development of the region remained uneven, it would have been difficult to convince Asheville’s residents of that fact. The Western North Carolina Railroad transformed that town into a major market center for large enterprises. Tobacco production continued to expand. Between 1880 and 1890, 13 western counties increased their tobacco production. Madison and Buncombe counties continued to lead the way, producing
2,168,823 and 1,482,688 pounds each. Neighboring Haywood County surged from 39,516 pounds in 1880 to 861,096 pounds ten years later.³

Long a part of the mountain economy, tourism became more critical in the wake of the railroad’s arrival. Railroads not only made it easier for tourists to move in and out of the region, they also helped to create new communities geared directly toward outside visitors. Furthermore, tourism and industrial development went hand-in-hand. Northern visitors came with money, which local boosters urged them to spend on summer homes and industry. It worked. Vacationing timber company executives admired the mountain section’s hardwood forests, then came back to buy large tracts and build sawmills. Local land agents promoted the scenery and the natural resources in combination, hoping to convince investors from Pennsylvania, New Jersey, and Ohio to put their money to good use in the Carolina mountains. Boosters seized upon the moniker, “Land of the Sky,” which historian Richard D. Starnes has noted was an image in the mold of Henry Grady’s New South more than the Appalachia of local color writers like Rebecca Harding Davis.⁴

To many mountaineers, railroads brought not only visitors but prosperity. After waiting decades for the Western North Carolina Railroad to reach Asheville, residents in Haywood, Jackson, Macon, and others saw the railroad push quickly into their communities by 1890. The engines’ arrival helped other mountain enterprises to pick up steam. Northern investors who


balked at buying mountain lands in the 1870s found the region more enticing once the trains lowered transportation costs. Mountain landscapes, rich in minerals, waterpower, timber, and other natural resources drew significant outside attention. In the decade following the completion of the WNCRR to Asheville, the amount of capital invested in manufacturing in western North Carolina more than doubled in nine counties. Rutherford County experienced the greatest growth, jumping from $56,850 in 1880 to $513,957 in 1890. It was Buncombe County, however, that experienced the largest investment. In 1890, investors funneled more than $1 million in Buncombe businesses. People followed the dollars as well. By 1890, Asheville had risen to become the only town in the region with a population greater than 10,000 people. Asheville’s growth was part of a trend, as all of the region’s county seats, but one—Robbinsville in Graham County—increased in size over that same time.5

Reconstruction paved the way for many of these developments in western North Carolina. The divided loyalties that persisted after the Civil War challenged the region’s political culture. Unionists’ political struggles against the region’s wartime leaders opened the region to outside influence, most notably the Freedmen’s Bureau. With the rise of the Republican alliance of white and black mountaineers, the bond between the region and the national party grew stronger. These issues moved the fate of the western section of the state to the heart of its Reconstruction experience. Ultimately, the Conservatives defeated the Republicans and regained control over western North Carolina. But the political culture that existed prior to the war had been battered, helping to create early efforts to bring in northern investors. Boosters promoted tobacco, minerals, and other natural resources, but in the end it was the railroad that marked this period’s most lasting achievement. The arrival of the railroad accelerated the region’s industrialization.

Promotion of the mountains as a destination for leisure-seeking northerners and outside investors led to boosters downplaying of the region’s Civil War and Reconstruction past. In the end, the Ku Klux Klan and even tobacco production would fade, but the railroad’s impact reverberated in every dollar invested in the region and every pleasure-seeking tourist that visited the mountains. By 1923, Virgil Lusk probably struggled to recall the Asheville of 1868. Even later, part-time residents of the region would doubt that there was ever a time when African Americans played a pivotal role in western North Carolina’s politics. Such views seem natural now, as the area once populated by the “extremest form of humanity” has grown into the “Land of the Sky.”

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6 The tobacco industry declined in the 1890s as the American Tobacco Company tightened its grip over the industry and shifted most of the production to the eastern part of the state. See Starnes, Land of the Sky, 48.
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