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# UPCOUNTRY YEOMANRY IN ANTEBELLUM GEORGIA: A COMPARATIVE ANALYSIS

Terrence Kersey

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UPCOUNTRY YEOMANRY IN ANTEBELLUM GEORGIA: A COMPARATIVE  
ANALYSIS

By

TERRENCE LEE KERSEY

Under the Direction of Glenn Eskew, PhD

ABSTRACT

This dissertation is a comparative analysis of the yeomanry of Forsyth and Hancock counties in Georgia during the ten years prior to the Civil War. The premise argues that definitive characteristics of yeoman culture can only be found in counties that are dominated the yeomanry. Studies that find yeomen in planter dominated counties are defined those yeomen by the institutions that are created by and serve the planter society.

INDEX WORDS: Yeoman, antebellum, south, Georgia, slavery, Hancock, Forsyth, United States Census, circuit court, fertility, superior court

UPCOUNTRY YEOMANRY IN ANTEBELLUM GEORGIA: A COMPARATIVE  
ANALYSIS

by

TERRENCE LEE KERSEY

A Dissertation Submitted in Partial Fulfillment of the Requirements for the Degree of

Doctor of Philosophy

in the College of Arts and Sciences

Georgia State University

2017

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2017

UPCOUNTRY YEOMANRY IN ANTEBELLUM GEORGIA: A COMPARATIVE  
ANALYSIS

by

TERRENCE LEE KERSEY

Committee Chair: Glenn Eskew

Committee: Ian Fletcher

Wendy Venet

Electronic Version Approved:

Office of Graduate Studies

College of Arts and Sciences

Georgia State University

December 2017

## **DEDICATION**

I dedicate this dissertation to Isabella, Cooper and Micah. The objectives you set for yourself, define your life. These objectives pull you forward, never stopping, always calling and forever telling you to learn more. A day that goes by that you do not learn something new is a day lost. Otherwise, you slow down, come to stand still and life passes you by.

## ACKNOWLEDGEMENTS

In the course of writing this dissertation, I have incurred many debts. First and foremost, I would like to recognize Dr. Clifford Kuhn for his support and guidance he offered in the early stages of this research. His unfortunately premature death is a significant loss to the study of history.

I extend my appreciation to Dr. Glenn Eskew for taking over guidance of my research and his patience as I struggled with its completion.

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## 1 The Southern Yeoman

Historians have called them many names, common whites, plain folks, non-elites, crackers, farmers, and yeomanry. There is one point that has gained consensus, the yeomen were the preponderant demographic class in the antebellum south, and they have not received a historical treatment proportional to their population size. Slaveholders, by virtue of their slave property, cast a shadow across the social structure of the antebellum south. It is hard to dispute that slavery defined the Southern social class. Slavery had such an overpowering presence that it has drawn the historian's attention. Surely, such a unique institution functioned as the operative criterion of the socioeconomic stratification of the period. Therefore, historians have often chosen to define the yeomanry by these parameters. If so, how did slavery delineate the class? The abundance of records, that is dairies, letters, bills of sale, etc. produced and left in the planter's wake called out to the historian, "these will tell you." However, class structure is ultimately about socioeconomic power. Slavery had such an overwhelming presence that historians have often failed to recognize that the purpose of slavery was to produce that political and economic power. Planters purchased slaves not to position themselves in a class but to produce cotton, tobacco, or rice. The production of these commodities produced the power and that defined the class. Both the planter and the yeoman were engaged in an economic activity. One pursued money and the other pursued subsistence. One produced power and the other produced independence. This independence charted the outline of the yeomanry. This is a study of the yeomanry of the antebellum south and some of the institutes they charted.

The planter has distorted the interpretation of the yeomanry. To attempt to find an accurate representation of the yeomanry in a region dominated by planters is problematic. By analyzing an individual county, the analyst can set criterion that distinguishes the yeoman from

the planter so that the yeomanry miraculously appears. Yeomanry lived an economic life, produced political power, and built institutions that supported and defined that life. Living in a county dominated by the planter class the yeomanry inevitably became subject to the institutions built by the planter. The objective of this study is to isolate the yeoman and his institutions to study him, and contrast him when beneficial with a class that was clearly not that of the yeomanry.

An initial understanding of the southern yeomanry and the characteristics of various southern classes historically started with Daniel R. Hundley's observations of southern society on the eve of the Civil War. Hundley was a Harvard educated lawyer and amateur sociologist from Alabama who wrote a widely read analysis of southern social structure. W. J. Cash misidentified Hundley as a Charleston lawyer in his *The Mind of the South*, which makes one think Cash might not have known the South as well as he argued. Hundley resided in Chicago off and on, drawn there to manage his father-in-law's investments. Secession tensions eventually lured him back to Alabama. He wrote *Social Relations in Our Southern States* in response to what he considered a universally popular distortion of southern societal structure, the three-tier planter, poor white, and slave society. He objected to this social grouping portrayed in the popular travelogues in newspapers and in novels such as *Uncle Tom's Cabin*. Of course, Hundley's contribution must be approached with an understanding of his own class prejudice and aspiration to membership in planter aristocracy. A reader does not have to go much further than the first sentence of book to recognize that Hundley was angry about something and had someone he wished to blame. That something was the antebellum south that he claimed was a much more complex society than alluded to by its primary critics, who might be "Englishmen, Frenchmen, Down-easter men, the Bloomer style of men" whose articles were published by the

“rancorous journals and unscrupulous demagogues of the Free States.” He argued that much of the tension between the North and South could be attributed to the purveyors of misrepresentation.<sup>1</sup>

Hundley departed radically from the three-tier structure that individuals like Frederick Law Olmsted had made fashionable in his antebellum southern travelogues. Hundley quantified a complex south with eight social classes. Hundley “contend[ed] that there was a great deal in blood.” This theme drove his theory of southern society, creating a rigid structure where socioeconomic mobility was problematic and class was defined by ancestry, physical description, personality, and values.<sup>2</sup>

The Southern Gentlemen was the romanticized nobility of the south. The Cotton Snob must not be confused with the aristocratic Southern Gentleman, but was the drunken, uneducated agriculturalist who exploited slave labor. Hundley identified a Middle Class or town folk among his southern relations, however not in a Marxian sense, which Hundley had surely been well aware. The best interpretation would be *nouveau riche* for this southern middle class. This southern middle class was a diverse group living between two worlds by pursuing a trade or profession, yet, remaining connected to the soil, often owning between five and fifty slaves. Hundley finds the soul of the south in the hard working Southern Yeoman and argued they “as a general thing [...] own no slaves,” they were “nearly always poor,” but they were overly familiar with slaves, and they resembled the middle class farmers of the Northern States. The Southern Bully was essentially a “swearing, tobacco-chewing, brandy drinking” individual who crossed all

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<sup>1</sup> Daniel R. Hundley, *Social Relations in Our Southern States* (New York: H.B. Price, 1860), 7-8. W. J. Cash, *The Mind of the South*, Vintage Books ed. (New York: Vintage Books, 1991), 20. Fred Hobson, *Tell About the South: The Southern Rage to Explain*, Southern Literary Studies (Baton Rouge: Louisiana State University Press, 1983), 63.

<sup>2</sup> Hundley, *Social Relations in Our Southern States*, 251.

class lines. The Poor White Trash was the lazy pauper class. The economic foundation of southern society Hundley built on a happy slave class.<sup>3</sup>

Hundley's social interpretation of the region clearly projected his class bias, despite the fact he claimed a unique impartiality in regards to the South. The breadth of his travels and education in both the South and the North, he claimed, swept away any preconceived notions. At the very least, his view represents a contemporarily functional reality of the South despite his quiet obvious prejudices. He painted a portrait of southern society as he and other southerners saw it. Therefore the interpretation was arguably based in some reality, though manifestly seen through a self-serving distorted lens of their own class.<sup>4</sup>

Most historians begin their analysis of yeomen culture with the travelogues of individuals such as Fredrick Law Olmsted and the writing of northerners like George M. Weston. These travelogue writers' work carried a degree of monetary motivation and political bias. They were the primary target and motivation for Hundley. In a sense, eighty years later, Frank Owsley picked up where Hundley left off, faulting Olmsted with creating confusion in regards to the true status of the South by casting "the majority of the people of the South" into a basket marked "poor Whites."<sup>5</sup>

Owsley wrote to a colleague that "The purpose of my life is to undermine ... the entire Northern myth [of the Old South] from 1820 to 1876." He made an excellent case for his argument by letting antebellum northern writers such as George M. Weston condemn themselves. Weston's primary claim to being an authority on the south was having "been for twenty years a reader of southern newspapers and a reader and hearer of Congressional debates." It might be claimed that Weston was the first to analyze southern society by means of the 1850

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<sup>3</sup> Ibid., 7, 77, 129, 63, 223, 50, 84.

<sup>4</sup> Ibid., 7, 77, 129, 63, 91, 223, 50, 84.

<sup>5</sup> Frank Lawrence Owsley, *Plain Folk of the Old South* (Baton Rouge: Louisiana State University Press, 1949), 2.

Census, and this could well be the source of Owsley's inspirations to analyze the census records. Credit should also be given to Roland Harper who argued the study of a region could be "truly scientific if it takes into account in one way or another the whole population" and that the census would bring out "fundamental facts" not previously known. Owsley's discussion of Weston needed to be placed in context, which Owsley appeared not to do. Weston wrote a Republican campaign pamphlet and therefore wrote to drive a wedge between southern slaveholders and non-slave holders. His back-of-the-envelope calculations lead him to conclude that not more than 1 in 5 adult Southern white males owned slaves, which approximates the actual overall number historians use today, though there was a significant variation by region.<sup>6</sup> Weston's primary focus was to argue that the planter elite culturally, economically, and politically dominated the southern non-slave holders. He argued, "the poor whites were as much victims of slavery as were the slaves themselves."<sup>7</sup>

Like Hundley, Owsley shared a bias illustrated by his membership in the "Southern Agrarians" whose goal was to resurrect the South from the ashes of defeat into a new image. He directly attempted to refute the work of writers such as Ulrich B. Phillips, Lewis C. Gray, and William E. Dodd, all who championed an antebellum south dominated by the planter elite. In order to sketch an outline of a new image, it was essential for Owsley to deflect the slave and planter orientation inherent in contemporary historians' interpretation of the Old South and

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<sup>6</sup> United States Census Office, "Population Schedules of the Eighth Census of the United States, 1860...Georgia," ed. Department of the Interior (Washington, D.C.: National Archives, National Archives and Records Service, General Services Administration, 1860), 591-95. Actual slave ownership varied significantly from states such as Mississippi where it was 49% to Kentucky where it was 23%. The total throughout the slaves states was almost exactly 26%.

<sup>7</sup> Fred Arthur Bailey, "Frank Lawrence Owsley " *The Tennesse Encyclopedia of History and Culture*. <<http://www.tennesseencyclopedia.net/entry.php?rec=1030>>. George Melville Weston, "The Poor Whites of the South ", ed. Republican Executive Congressional Committee (Washington D.C.1860), 1. Roland M. Harper, "Development of Agriculture in Upper Georgia from 1850 to 1880," *The Georgia Historical Quarterly* VI, no. 1 (1922): 4.

replace it with a more acceptable interpretation of a yeoman southern society that emphasized a traditional rural society representative of Jeffersonian republicanism.<sup>8</sup>

Interpreters of Owsley's work have often described it as an innovative work in the use of the United States Census, court records, and wills. They often overlooked Roland M. Harper's work with the U.S. Census as early as 1922. There was some minor use of the census data early in Owsley's book; however, most of that work was confined to seventy-nine pages of an appendix. Here Owsley sets up a series of frequency distributions detailing the dispersal of slaveholders and non-slaveholders across farm sizes. His primary conclusion was that the "bulk of the slaveholders in the Georgia black belt" were farmers as opposed to planters. His deduction mandated that the yeomanry should be studied.<sup>9</sup>

Owsley's focus emphasized a social complexity to the antebellum south that was contrary to the stereotype that dominated the dialogue in the early 1940s. First, three-fourths of the white head of households were nonslaveholding landowners. Second, they had gone unnoticed because they left few "diaries, correspondence and account books." He deftly cleaves out and assigns the small slaveholder as "plain folk," pointing out that 60 per cent of the slaveholders owned fewer than 5 slaves. Owsley was never as precise as later historians were and plain folk were allowed to own up to 500 acres. He minimized slaveholding by implying that a few large landholders owned the majority of the slaves. It was not so much Owsley's objective to define and characterize a plain folk class as much as deemphasize the less appealing aspects of the Old South. In order to do this it was necessary to separate the majority of the southern citizenry from the tarnish of slavery. He painted a picture of the south that minimized the plantation economy and maximized subsistence farming. It was not until the end of the book that Owsley's purpose

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<sup>8</sup> Samuel C. Hyde, *Plain Folk of the South Revisited* (Baton Rouge: Louisiana State University Press, 1997), 5.

<sup>9</sup> Owsley, *Plain Folk of the Old South*, 175. Harper, "Development of Agriculture in Upper Georgia from 1850 to 1880."



materialized. He credited the plain folk for having the “real vitality and power of survival” by which they were able to transition through Reconstruction. Owsley argued that the plain folk gave the south universal manhood suffrage, popular election of county and state officials, and abolition of property qualifications for elected office. In other words democracy.<sup>10</sup>

Vernon Burton described Owsley’s work as "one of the most influential works on southern history ever written." Owsley pointed to the institutional records and “the older county and town histories” as key sources for the study of the yeoman. He built the core of his text around the use of local county histories, a series of diaries, travelogues, and family papers. He referenced wills from six different counties within the space of three pages. His conclusions, from what amounts to less than a systematic survey of wills, was that they contained within them examples of how “Southern folk” provided social security, settled lasting squabbles, and demonstrated true affections between mates.<sup>11</sup>

What Owsley failed to accomplish was to illustrate sine qua non demarcation of the characteristics of the yeoman. Defining characteristics of a subject under study before closely reviewing the data used in the analysis was a mistake in basic statistical analysis. Since Owsley, the investigation of the yeoman has assumed an evolutionary nature with each generation of historians seeming to find a new yeoman. Using this as a departure point, contemporary historians have journeyed down a crooked path searching for the definitive yeoman, accessing a key set of court and census records for the telltale heartbeat of the yeomanry. Historians have repeatedly turned to these records, but the argument here was that there remains much to excavate from these deposits. Decennial census data has been used largely in a descriptive format, reducing the yeoman to a one-dimensional figure defined by percentages. Such a large

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<sup>10</sup> Owsley, *Plain Folk of the Old South*, xxv, 137-47.

<sup>11</sup> *Ibid.*, 6, 19-22. Vernon Burton, "Frank Lawrence Owsley," in *American National Biography*, ed. John A. Garraty, Mark C. Carnes (New York: Oxford University Press, 1999).

accumulation of data contains answers to questions that have yet to be asked. Court records have been used in a selective manner with little attempt to assemble a coherent interpretation. Their function has been reduced to anecdotal support of propositions as opposed to becoming raw material to construct a framework of values within which to position the yeoman.

Disconcertingly, Owsley's work fell on deaf ears. His work came under assault by what could be termed the "old school." Criticism also came from nontraditional sources such as Fabian Linden who dismissed the yeoman thesis as of only "minimum validity." The primary issue with Owsley's initial analysis was the underlying premise of a typical or average yeoman. Despite his use of the census data, his methodology foundation suffered technical shortcomings. The errors that Owsley made resulted from a failure to understand the nature of the data, flawed samples, lack of understanding skewed data, and the resulting statistical implications. Later work would clearly imply the yeoman class was much more complex, contrary to what even Linden thought.<sup>12</sup>

Eugene Genovese and Gavin Wright endorsed Linden's conclusions in their examinations of the relationship between cotton and slavery. While their historical focus was on cotton, slavery, and the planter, their work played a significant part in delaying the incorporation of the yeoman thesis into the southern historiography. The dispute over Owsley's work was not whether the yeoman existed but whether the yeoman was relevant. Wright pointed out that the mean size of a southern farm was double that in the north, suggesting that the large planter had more of an impact and therefore was more worthy of study. Genovese's essentially dismissed Owsley's

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<sup>12</sup> Fabian Linden, "Economic Democracy in the Slave South: An Appraisal of Some Recent Views," *The Journal of Negro History* 31, no. 2 (1946). Charles C. Bolton, "Planters, Plain Folk, and Poor Whites in the Old South," in *A Companion to the Civil War and Reconstruction*, ed. Lacy K. Ford (Malden, MA: Blackwell Pub, 2005). Fabian Linden was an undergraduate student at the University of North Carolina at the time of writing the article. The foundation of his assault rested on statistical shortcoming of Owsley's work. This article continued to be referenced by serious scholars of slavery until 1965 when Eugene Genovese's *The Political Economy of Slavery* replaced it. As an economist, Linden went on to write forty books and developed the consumer confidence index.

work to a footnote, commenting that Fabian Linden had “convincingly refuted” the yeomen thesis. His primary objective was to position the planter outside the lines of capitalism; therefore Genovese had to develop an explanation for the planter’s relation with and exploitation of the slave. Linden recognized that Owsley was suggesting that the antebellum south was a “dynamic economic democracy” and understood Owsley had called for the study of the yeomanry. Linden was addressing a series of articles published between 1940 and 1943 by Frank Owsley, Harry Cole, and Herbert Weaver. He cast doubt on Owsley’s statistical sampling and counter argued for a skewed wealth distribution in favor of the planter elite. He pointed out that Owsley had ignored the poorest of the whites, which “inflated the claims of widespread land-ownership.” Implied within Linden’s article was the argument that Genovese made central to his work, that of planter hegemony. Linden’s contention that the yeomen were unimportant failed to appreciate the significance of their mere existence. He effectively closed the door on a wide range of relevant historical questions for several decades.<sup>13</sup>

The question of who the yeomanry was quickly leads a historian to three scholars: Steven Hahn, Lacy Ford, and Stephanie McCurry. These scholars found their own yeomanry in the Upcountry of Georgia and Upper Country and Lower Piedmont of South Carolina respectively. In each of these regions, the yeomanry experienced a different set of geographical constraints that gave rise to a unique economic reality. The yeomanry was a product of varying economic experiences. The recognition of this truth goes a long way in explaining a seemingly endless dialogue over the nature of the yeomanry. This was not to discount the contribution of a number

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<sup>13</sup> Linden, "Economic Democracy in the Slave South: An Appraisal of Some Recent Views," 187; Gavin Wright, *The Political Economy of the Cotton South: Households, Markets, and Wealth in the Nineteenth Century* (New York: Norton, 1978), 24-29. Eugene D. Genovese, *The Political Economy of Slavery: Studies in the Economy & Society of the Slave South* (New York: Knopf Doubleday Publishing Group, 1967), 37, n10.

of other scholars, but these three scholars represent a historical consensus from which a great deal of the current scholarly work has drawn.<sup>14</sup>

Hahn carves out a section of the Georgia Piedmont that he identifies as the “Upcountry.” Here, because of the short growing season and rolling hills, the plantation cotton culture was unable to establish itself. He chose to isolate a type of yeoman who became politically active in the late nineteenth century and represented the typical supporter of southern populism. Hahn was clearly attempting to find the yeoman that existed outside the political and economic influence of the planter elite.<sup>15</sup>

Hahn’s *The Roots of Southern Populism* challenged planter hegemony and corroborated Owley’s initial work. Hahn argued that the radical populism of the late nineteenth century found a seedbed among the Georgia Upcountry yeomen of the antebellum period and that to understand populism fully the clock needed to be turned back to the antebellum period to understand who these people were. Hahn built his analysis around two counties, Carroll and Jackson, which he argued were representative of the Upcountry. The yeomen’s radical reaction to the realities of postbellum southern agriculture and modernization were compatible with their ideals of independence, self-sustaining economy, and suspicion of centralized authority. Hahn distinguishes the yeomanry of the Upcountry from that found in the Black Belt. The key antebellum differentiator was yeoman’s relationship to external markets. In the Upcountry Hahn finds a farmer who defined his independence by diverse subsistence farming. The goal was fulfilling the necessities of life by his labor and that of his family. He was able to achieve that

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<sup>14</sup> Lacy K. Ford, *Origins of Southern Radicalism: The South Carolina Upcountry, 1800-1860* (New York: Oxford University Press, 1988). Steven Hahn, *The Roots of Southern Populism: Yeomen Farmers and the Transformation of Georgia's Upper Piedmont, 1850-1890* (Oxford: Oxford University Press, 1983). Stephanie McCurry, *Masters of Small Worlds: Yeoman Households, Gender Relations, and the Political Culture of the Antebellum South Carolina Low Country* (New York: Oxford University Press, 1995).

<sup>15</sup> Hahn, *The Roots of Southern Populism: Yeomen Farmers and the Transformation of Georgia's Upper Piedmont, 1850-1890*, 5-6.

sense of Jeffersonian independence that historians consider so characteristic of the yeomanry. Engaged in the cotton economy and the specialization that it entailed, the black belt yeoman found himself dependent on the market and deprived of this key marker of a freeman.<sup>16</sup>

Hahn followed Owsley's lead in extensive use of court records and United States Census for 1850 and 1860. Hahn's primary use of the census data resulted in six frequency distribution tables in the first half of his book to prove several specific points:

1. The socioeconomic structure of nonplantation counties was much more complex than a vast gathering of small farmers.
2. There existed a skewed distribution of wealth favoring the top ten percent.
3. Farmers and farms dominated upcountry Georgia.
4. The skewed wealth distribution decreased during the 1850s, making the Upcountry "more of a yeoman stronghold."<sup>17</sup>

Hahn exiled another eleven tables of census data to an appendix where they served as source of raw data for those readers seeking expanded analysis.

In the first half of the text, Hahn referenced court records twenty-three times, limited to Carroll and Jackson. The records used were Superior Court and Inferior Court minutes, Writs, estate inventories from the Court of Ordinary, court deeds, mortgages, and Grand Jury Presentations. The time span was 1851-1862. Issues covered were slave hiring, cattle theft, tenancy, debts, artisan liens, mortgages, and provisions for widows. The point stressed here was that each use of the court records was the selection of individual cases to support specific issues. Hahn made no attempt to construct a pattern of social values. While individual institutional

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<sup>16</sup> Ibid., 29-38.

<sup>17</sup> Ibid., 21,24,28,43-44, 93.

records can be revealing, nothing in them suggest that they are representative of a pattern. In Hahn's case, the records were simply there.<sup>18</sup>

Lacy Ford explores South Carolina above the fall line. He suggests that in the Upper Piedmont of South Carolina the yeomen practiced "safety-first" cotton farming management style. Ford addresses the issue of the yeoman's involvement in the market economy created by the planter elite. The yeoman was more concerned about protecting his property, and maintaining his independence and maximizing his production. Ford argues for a yeoman who managed his capital resources to assure his long-term survival.<sup>19</sup>

In *Origins of Southern Radicalism*, Ford searches for the answer to why the yeomanry supported the secession movement in the Upcountry of South Carolina. He makes no use of court records. Interestingly, Ford concluded that the Upcountry society was a relatively flat social structure and the yeomanry supported secession because of his commitment to republican ideals. Ford found a yeomanry who owned six or less slaves and farmed less than 100 acres. The issue of slaveholding was fudged by creating a new class, the "middling slaveholders" to bridge the gap between yeoman and planter. Ford saw a highly productive farmer fully incorporated into the cotton economy and market relations. However, Ford claimed that control of productive land freed the farmer from dependence on others and created the independence considered so characteristic of the yeoman. The South Carolina Upcountry yeomanry struck a balance between subsistence and participation in the cotton economy. This suggests that these yeomen were able to achieve self-sufficiency in food while benefiting from involvement in the cotton economy. The placing of the yeomanry within the context of rational economic decision making carries serious implications suggesting a capitalist as opposed to a pre-capitalist yeomanry. Once a

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<sup>18</sup> Ibid., 57-85.

<sup>19</sup> Ford, *Origins of Southern Radicalism: The South Carolina Upcountry, 1800-1860*, 73.

farmer becomes market oriented he becomes subject to supply and demand curves. It requires him to start to think abstractly, removed from the facts of the “here and now,” and more about the there and future.<sup>20</sup>

Ford used census records in two contexts. The first was to evaluate the socioeconomic structure of the Upcountry counties of South Carolina. He suggested that the Upcountry was stuck-in-time, never really becoming planter country or yeoman country. A series of frequency distribution tables analyzed the 1850 census and progressively built an argument for a cotton agriculture that accessed by self-sufficient yeomen. He uses a Gini Coefficient to suggest that wealth distribution in the Upcountry was not out of line with the rest of the country in 1850. Ford’s conclusion by this analysis was despite the yeoman’s involvement in cotton production, he remained committed to republican ideals and independence or yeomanry markers.<sup>21</sup>

Ford’s second use of census records was to evaluate the agricultural output of the Upcountry. The purpose of the analysis was to prove the point that the Upcountry yeoman had achieved a certain level of subsistence by 1850 and continued expansion of improved acreage increasingly allowed him to be committed to cotton. Ford’s conclusion was that the South Carolina Upcountry was shifting away from subsistence and toward increased commitment to cotton agriculture, driven by high prices and improved transportation. Accompanying the change in crop mix was a drop in overall number of yeomen, though Ford argues that the percentage was not important. It quickly becomes evident that Ford was interpreting descriptive statistics to drive home a conclusion.<sup>22</sup>

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<sup>20</sup>Ibid., 10-12,71-75, 372.

<sup>21</sup> Ibid., 44-49.

<sup>22</sup> Ibid.

The implication of Hahn's and Ford's work, when considered together, suggest that the historians were looking at different populations. An underlying premise of Hahn's work was the contrast between the Upcountry and the Black Belt. Ford was clearly dealing with a Black Belt yeomanry. Ford analyzed a state that arguably had no space for the yeoman other than in those cracks left behind the planter. The population ratio of slaves to white was 1.06 for the counties Ford studied. Ford, tellingly, concluded his study of the South Carolina Upcountry by discussing a quote from Mary Chestnut's Civil War diary. Here Chestnut discussed observing planters socializing and wiling the evening away with a well digger. Once again, the view of the yeomanry created by the historian was through the eyes of the planter. What Ford fails to recognize was that the majority of the yeomen did not spend an evening on the porch of planter, let alone actually knew one.<sup>23</sup>

Stephanie McCurry complemented Ford's work by studying the yeoman who coexisted with the cotton planter of the South Carolina low country. Her primary interest concerned the yeoman's ability to secure his own identity within the shadow of his economically overpowering neighbor. McCurry argued that despite the reality of living in the social crevices between the planter elites, the yeoman was able to practice agency. Still, McCurry argued a definition of yeoman independence that was clearly within the strict private property definitions developed to benefit the planter. The key point was that the issue of yeomanry in the south was much more complex than Owsley had attempted to lead everyone to believe.<sup>24</sup>

McCurry studied the yeomen household power relations and concluded that they had a profound impact on the political culture of the antebellum south. She followed the evolution of

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<sup>23</sup> Ibid., 373.

<sup>24</sup> McCurry, *Masters of Small Worlds: Yeoman Households, Gender Relations, and the Political Culture of the Antebellum South Carolina Low Country*, 6-7.



the fence laws in South Carolina as they came to emphasize control over property. The enforcement of these fence laws was critical to the planter's control over their slaves and property. Their success required the same consideration of yeoman fences and their mastery over their property and individuals inside the confines of their fences. This fenced-in yeoman lays claim to the status of freemen and master, as defined by the planter. The interest in mastery of the home formed a linkage of mutuality between the yeoman and planter. McCurry argued a correlation between mastery over land and mastery over people. The work of women was critical to the maintenance of independence. However, yeomen denied their work because it emphasized class distinction. The more people the yeoman controlled the more land he could cultivate and the greater his independence. The planter and yeoman projected their mutuality into the public sphere and developed a political alliance that explained the yeoman support of secession. The yeomen's defense of their own domain placed them in a position requiring them to defend the planters' property rights. Despite their claim to independence, McCurry indirectly built a case for planter hegemony. The model McCurry was building owes much to Antonio Gramsci's theory of cultural hegemony, in this case where the planter elite attain moral, philosophical, and political leadership through the process of the active consent of the yeoman. The planter had created a perceived need for the yeoman to support the culture of the planter class in defense of his own independence. Her work stressed the reality of diverging class interest between the black belt yeomanry and the Upcountry yeomanry that Hahn placed as a centerpiece for his work.<sup>25</sup>

Like Hahn and Ford before her, McCurry relied extensively on the census schedules to construct a series of frequency distributions by which she hoped to flesh out the specifics of the yeoman. She added a new dimension to the definition of yeomanry. They differentiated

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<sup>25</sup> Ibid., 15-16, 58, 76-80, 91.

themselves from the planter class by being “self-working farmers.” While not crediting him, McCurry was calling directly on Hundley and his 1860 study.<sup>26</sup> McCurry delineated a yeoman as owning 150 or less improved acres and ten slaves or less. Analysis of the census data was accomplished through a series of frequency distribution tables that constructed an argument on how yeomanry achieved their social independence. First, there was the issue of the Low Country having a reputation of being dominated by a slave population, but McCurry demonstrated that this was shifting towards a white composition. This was followed by an argument that the demographics of the small slave population were predominately children and female, therefore requiring the continued labor of the white family. This was critical to “self-working” differentiation between yeomen and planters. The next point significant to her argument was proving that yeomen, even in the Low Country, were the largest single class. This was followed by an examination of the number and age of the family members in the yeomen family. From this McCurry concludes that the accumulation of property was a long drawn out process with yeomen attaining their ultimate goal of independence “slowly and with age.”<sup>27</sup>

Beyond these three historians are a number of historians who choose to approach the issue of class structure in the antebellum south from a different paradigm. They ask political or social questions as a tool to peel back the layer of the values, experiences, and norms of the farmer class in total.

J. William Harris attempted to identify the basis of southern societal cohesion in the face of internal and extrinsic threats posed by the Civil War. The geography of *Plain Folk and Gentry in a Slave Society* was the commercial zone of Augusta, Georgia. Harris argued that all southern

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<sup>26</sup> Hundley, *Social Relations in Our Southern States*, 195.

<sup>27</sup> McCurry, *Masters of Small Worlds: Yeoman Households, Gender Relations, and the Political Culture of the Antebellum South Carolina Low Country*, 37-61.

whites shared a set of fundamental values built around the ideas of racism, landownership, involvement in the cotton market, and the shared frontier experience. It was questionable whether these are values or the material markings of their world. The presences of slaves graphically exemplified the circumstances of dependence that the yeoman wished to avoid and their presents physically assisted him in escaping it. Despite this apparent class unity, planters recognized the potential of a divergence of interest between themselves and nonslaveholders. The actual experience of the Civil War highlighted the reality of class differences and gave rise to increased tensions. Harris was not so much concerned with the yeomanry as he was with nonslaveholders and small farmers who could be a wide range of people. This allowed him to escape the trap of having to define who he was talking about specifically.<sup>28</sup>

Harris paid homage to Owsley by conducting, what has by now become traditional, a grouped frequency distribution detailing how many people are involved in agriculture, how big or small the farms are, who was involved in cotton, the level of self-sufficiency and size of slave units. Key to Harris' study was the contention that farming had a moral component. Individuals were compelled to farm in their pursuit of republican independence. The growing and selling of cotton, according to Harris, was "the tie that binds" ideologically small farmers to large planters. The data suggested that small farmers restricted crop diversity and were less likely to attain self-sufficiency than were planters. Interestingly, Harris pointed out in conclusion that a slave society was one based on interdependencies between slaveholders and nonslaveholders. In order for this interdependency to work, it required an exchange of consideration. Slaveholders needed the strength of the nonslaveholders to be able to create a social environment that gave slaves no

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<sup>28</sup> J. William Harris, *Plain Folk and Gentry in a Slave Society: White Liberty and Black Slavery in Augusta's Hinterlands*, 1st ed. (Middletown, Conn., Scranton, Pa.: Wesleyan University Press, 1985), Secondary, 4-7, 122, 91.

quarter. In return, the nonslaveholders were admitted to the fraternity of free independent republican equals, a kind of paradox that appeared to be logical to the southern mind.<sup>29</sup>

In *Common Whites*, Bill Cecil-Fronsman argued, for a much more complex relationship between the yeoman and the planter. While Harris contends that they shared fundamentals with the planter class, Cecil-Fronsman suggested that they were a separate class and had developed a culture of their own. Implied within this unique cultural argument was a challenge to Genovese's hegemony of the planter elite thesis. It was a fine point that Cecil-Fronsman made, contending that common whites demanded economic and political rights, however the planter elite was able to "set crucial limits." Cecil-Fronsman's definition of the common white was inclusive of the landless and came into conflict with the republican independence suggested by Ford. Cecil-Fronsman argued that class conflict between the yeoman and planter elite was a common affair in antebellum North Carolina and often took a form to preserve personal dignity. While yeomen may have recognized the oppressive nature of slavery, it was so pervasive as to seem to be the inherent order of things. He effectively positioned the common white as a key component to the structure of slavery. They acted as a counter balance to the potential threat that the slaves represented. The yeoman challenged the planter for political control and social recognition. Their reaction to the pressures of the draft and acts of confiscation by the Confederate Government could well have been the generative stirrings of class-consciousness for the yeoman. The realities of the Civil War that Cecil-Fronsman discussed supported Hahn's contention of Upcountry postbellum activism and espousal of Populism. While Hahn never mentioned class-

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<sup>29</sup> Ibid., 15-40.

consciousness, it was clear that in order to join a political motive such as Populist, it would have been a prerequisite.<sup>30</sup>

Cecil-Fronsman made minor use of the census schedules and of institutional records. While he performed familiar group frequency analysis, he used a much larger samples than had been used by other historians. This was most likely indicative of the availability of personal computers. In two counties, the number of names analyzed was 1,605 and 852. Cecil-Fronsman used Court records five times. Several innovative uses were made of the schedules; of particular interest was the analysis of repetitiveness of family last names to reinforce his kinship argument that suggest that kinship ties were stronger in common white counties.<sup>31</sup>

In his monograph *Poor Whites of the Antebellum South*, Charles Bolton addressed directly the definition of yeoman and detached a subgroup of poor whites or the southern whites who owned no land. His argued that this was a neglected subclass of southern whites. Bolton selected central North Carolina and Northeast Mississippi as the focus of this study. The author based the study on a sample of 250. This was an interesting decision since technology was available to study the population in total. Bolton counter argued the current consensus that these landless poor whites did not participate in the agricultural economy but survived by “squatting, herding, and hunting and fishing.” The reality was that they made their living as farm laborers or tenants. Their mobility robbed them of the kinship support that was one of the hallmarks of yeomanry. Poor whites often found themselves in direct competition with slavery and trapped on the margins of the economy by their inability to access credit. Despite being on the margin, the early nineteenth century saw the enfranchising of the poor whites. However, planter control of

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<sup>30</sup> Bill Cecil-Fronsman, *Common Whites: Class and Culture in Antebellum North Carolina* (Lexington, Ky.: University Press of Kentucky, 1992), 1-6, 65,96.

<sup>31</sup> *Ibid.*, 166.

parties limited their political opportunity. The secession highlighted the diverging interest of the white poor from that of the planter elite, but fear of reprisal kept them silent. Refusal to vote during the secession convention elections was the only alternative left to them. Bolton's work continued the work of refining the southern social structure. It also pointed out a weakness in previous works in that they had omitted or conflated the planter with that of the landowning yeoman.<sup>32</sup>

Much of the research pertaining to the yeoman has shown that the sociological stratification of the antebellum south has proven to be increasingly more complex. It was now clear that the southern class structure consisted of Planter, yeoman, poor whites, professional/artisans, free blacks, and slaves. As for exactly what were the socio-economic characteristics of the yeoman, historians have offered a wide range of parameters and have not reached a consensus. A key marker historians often indicated was landownership. However, landownership was a self-serving identifier necessary to lead one to the discussion of Jeffersonian republicanism. Historians have suggested that slave ownership and cotton production are markers that need to be accounted. The presence of slaves created a challenge and required the historian seeking to define the yeoman to address several qualifiers. A common theme was the arbitrary nature of the cutoff. There was a big difference in the labor potential of a farmer who owns ten twenty-one year old male slaves as opposed to one who owns a couple of females and a gaggle of kids. A population of slaves on a farm carried social implications and it could be argued that the mere breaching of that barrier was a critical change in the material worldview and placed a farmer into a separate class. Cotton production crossed the line between subsistence and market forces. A farmer who grew cotton potentially had aspirations beyond

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<sup>32</sup> Charles C. Bolton, *Poor Whites of the Antebellum South: Tenants and Laborers in Central North Carolina and Northeast Mississippi* (Durham: Duke University Press, 1994), Secondary, 7-8, 41, 82, 137, 60, 87-89.

surviving. He had engaged the market to acquire money to purchase something that subsistence farming could not supply. It could be food, cloths, more land, or slaves. In doing so, he became involved in a mechanism that extended beyond the county that he may have never left. The calculus of supply and demand was an unrelenting dynamic that made claims on its participants. One who chose to engage the market could not escape its crushing vice.

In defining the yeoman, Owsley threw his net wide. He circumscribed the yeoman class as landowners, whether they were non-slaveowners or small slaveowners, herdsman and tenants. Daniel Hundley, contemporaneous critical theorist of the southern social scene, was the first to put a number of ten to fifteen slaves to the small slaveowning yeoman. Hahn created a binomial qualification for the yeoman of not more than ten slaves farming no more than 200 improved acres. Ford lowered the upper limit to not more than six slaves and restricted him to 100 hundred improved acres.<sup>33</sup> The common theme of all of these parameters was their arbitrariness initially suggested by Hundley. McCurry was the first to suggest that the demographic characteristics of the slaveowner's holdings bore directly on resolution of their social status.<sup>34</sup> Samuel Hyde proposed a sliding scale analysis that identifies the status of a farmer by the number of slaves and improved acreage, placing an upper and lower limit for a yeoman. His cutoff for the number of slaves a yeoman or plain folk was five "working" slaves.<sup>35</sup> One point was apparent; as the historiography of southern yeomanry advances the number of slaves the yeoman was permitted gets smaller and smaller. The shifting lines of demarcation suggested some other criteria might

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<sup>33</sup> Owsley, *Plain Folk of the Old South*, 8; Daniel R. Hundley, *Social Relations in Our Southern States*, vi, [7]-367 p. 20 cm. vols. (New York,: H.B. Price., 1860), Primary, 193; Hahn, *The Roots of Southern Populism: Yeomen Farmers and the Transformation of Georgia's Upper Piedmont, 1850-1890*, 25-30; Ford, *Origins of Southern Radicalism: The South Carolina Upcountry, 1800-1860*, 71-78.

<sup>34</sup> McCurry, *Masters of Small Worlds: Yeoman Households, Gender Relations, and the Political Culture of the Antebellum South Carolina Low Country*, 47-51.

<sup>35</sup> Samuel C. Hyde, "Plain Folk Reconsidered: Historiographical Ambiguity in Search of Definition," *The Journal of Southern History* 71, no. 4 (2005): 819.

best be used. Subsistence could arguably be just such a measure. Failure to attain a level of subsistence would move a yeoman into some other class like “poor white.” Contained within Hyde’s work was the kernel of an idea of an algorithm that could be built that incorporates a number of variables that measures the self-sufficiency and surplus that a farmer produces.<sup>36</sup> This would be constructed around the argument that a yeoman’s farming objective was subsistence. A farmer who produced a surplus would suggest either someone who was in or transitioning into commercial farming.

Much of the historiography ignored the real of the purpose of the land and slaves. Social and economic power devolved through the production of cotton, rice or tobacco, depending on the region. The possession of land and slave did not give the planter power. He owned land and slaves not because he liked them or he felt some paternalistic need to control them or that God designed the world that way. Slavery existed because it brought with it economic power which led to political power. That power flowed from the production of a valuable staple. What historians were attempting to measure was when does a yeoman cross over that line and become a planter and one of the ruling elite. In the Deep South cotton conveyed power. The more cotton a farmer produced the more important he was. The more entangled he became in the market. The more he chased the efficiency frontier of the supply and demand curve. The real difference between yeoman and planter was cotton production. Cotton clearly was king in the south and it was not the number of slaves a southerner owned or the acreage that fell under his command determined his social position. It was how much cotton he produced.

The objective of chapter two is to analyze that relationship between the yeoman and slaves and land in order to identify a county that might be described as yeoman country or

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<sup>36</sup> Ibid., 820-21.



culturally dominated by yeomanry. For comparative purposes, the same parameters are used to select a planter dominated county. Evaluation of the relative slave ratios in the antebellum counties of Georgia support the selection of Forsyth as representative of a yeoman influenced county and Hancock as a planter elite dominated county. The question of what constitutes yeoman is explored and a criteria is developed.

This third chapter offers a comparative statistical analysis of these two Georgia counties. Central to the argument was that these are not isolated countries but representative of different social structures. The objective is to demonstrate that descriptive statistics, so commonly used to assess the antebellum south, particularly when investigating the yeomanry, are insufficient and lead to unsupported conclusions. This chapter will demonstrate that the census records contain much more information than what is reflected by summation and averaging of data. The analysis will evaluate family structure and a decline in fertility rates. The analysis will demonstrate that the census data reflects key decisions, values, and worldviews that differentiate two classes of people. One was a class that adheres closely to a Jeffersonian ideology and the other that submitted to external market pressures.

The fourth chapter will analyze court records. Court records represent the largest source of remaining evidence of yeoman culture and specifically of yeoman values. Part of the argument here is that there are several ways to approach this information. The methodology used in this chapter is to analyze the record for one year, covering two court sessions. The objective is to construction a pattern or distribution of the type of court cases handled by both Forsyth and Hancock County. This will suggest if there was a difference in patterns of cases that each county processed. Individuals encounter a material reality and from that have to produce and reproduce the means of their existence. While both societies were based on the institution of private

property, their objectives were different. The yeoman subsisted through the productive capacity of his family and embraced a Jeffersonian world of equality. The planter chose division of labor and become dependent on slaves and external markets. Theirs was a world of social inequality. The needs of these two classes should give rise to a significant difference in the type of cases that dominate the courts in each county as each class defends its material existence.<sup>37</sup>

The fifth chapter will approach the court data from a different angle. The second methodology was to target a specific case and use it as a vehicle for close examination or micro-history of how the yeomen lived. This chapter was an analysis of a riot and murder that occurred on court day in 1858. This process generates two benefits, one, the examination of a day in the life of a group of yeoman and two the bringing to the surface a large number of related issues. The mere telling of the story contains enormous value. At its completion, the reader has walked through a major life experience of these yeomen. In the course of doing that, the reader is introduced to the material artifacts of yeoman culture, including sports, drinking, housing, travel, court process and churches.

The sixth chapter addresses the issue of identified yeoman diaries. It has been argued by most historians that antebellum yeomen diaries are few. The definition of a yeoman almost precludes the existence of these diaries because of the high illiteracy rate. Even when located, these diaries are often disappointments to historians because they are rarely insightful or address the “big” issues of the time. Diaries reflect an individual and his conditions. A diary of a merchant will review the days in the life of a merchant. Therefore, with a farmer one finds the days in the life of a farmer. Talk of the weather, ploughing, spreading manure, cutting timber,

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<sup>37</sup> Karl Marx, *A Contribution to the Critique of Political Economy*, trans. N. I. Stone (Chicago: Charles H. Kerr & Company, 1904), 11.

and shucking corn dominates the entries. To the historian it should not be a surprise that in a farmer's diary the first mention of the Civil War might well be the writer being mustered into the local defense force. The objective of this chapter was not to review the diaries to find out what the farmer thought about the Fugitive Slave Act of 1850 or the Supreme Court's decision on the Dred Scott case. The political response to national issues like that were the purview of the planter elite. The farmer was more interested in the lack of rain, that his corn has rust or his newborn child died that day. The analysis was a clear understanding of pattern of the yeoman's existence.<sup>38</sup>

The seventh chapter answers the inevitable question how the yeoman fared after the Civil War. Central to the answer are forces at play that drove economic transformation that occurred after the Civil War. While the slave and the yeoman ended up in essentially the same fix, what compelled them down that road to dependency?

The eighth chapter is the conclusion that restates what has been learned about the yeoman from the examinations of these records. With a better understanding of the reality of the yeomanry, it becomes clear that who he was defined more by how he lived than by what he owned.

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<sup>38</sup> Emsley Burgess, "Emsley Burgess and Thomas H. Hunt Papers, 1845-1866, 1996-1997," in *The Southern Historical Collection* (Chapel Hill: Louis Round Wilson Special Collection Library, 1845-1847); Daniel W. Cobb and Daniel W. Crofts, *Cobb's Ordeal: The Diaries of a Virginia Farmer, 1842-1872* (Athens: University of Georgia Press, 1997); John F. Flintoff, "John F. Flintoff (1823-1901) Diary," (Raleigh, North Carolina: The North Carolina Division of Archives and History, 1841-1901); Dennis E. Johnson, "Dennis Johnson Farm Journal " in *Georgiana Collection*, ed. Hargrett Rare Book & Manuscript Library (Athens: Hargrett Rare Book & Manuscript Library, 1850-1859); John Osbourn, "John Osbourn Diary, 1819-1821," in *The Southern Historical Collection* (Chapel Hill: Louis Round Wilson Special Collections Library, 1819-1821); Basil Armstrong Thomasson and Paul D. Escott, *North Carolina Yeoman: The Diary of Basil Armstrong Thomasson, 1853-1862* (Athens: University of Georgia Press, 1996), liv, footnote 2; Washington Taylor, "A Dairy of Transactions of Washington Taylor, 1835-1855, Greenville County, South Carolina," in *Manuscript* (Columbia: USC South Caroliniana Library, 1835-1855); Ferdinand Steele, "Heiskell, Mccampbell, Wilkes, and Steel Family Materials Collection, 1820-1979," in *The Southern Historical Collection* (Chapel Hill: Louis Round Wilson Special Collections Library, 1844-1856); David Golightly Harris and Philip N. Racine, *Piedmont Farmer: The Journals of David Golightly Harris, 1855-1870*, 1st ed. (Knoxville: University of Tennessee Press, 1990).

## 2 You must be a Yeoman if ....

Frank Owsley was purported to have discovered the southern yeomanry in 1949. He wrote a book, *Plain Folk of the Old South* that threw cold water on the dominant and often critical line of inquiry into the nature and interpretation of the antebellum south. The purpose of the book was to redirect the study of the antebellum south away from the planter and his slaves to what Owsley called the numerical majority, the white yeoman. Since then historians have used a great deal of ink discussing the demarcations that defined the southern yeoman. Almost every historian who chooses to examine the southern yeomanry gives a nod to Owsley and his influential premise that the yeoman “seldom preserved their private papers and business accounts [and] no record of their manner of life and their place in southern society remained after they passed on.” The implications of what Owsley had to say means that when starting to trek down this pathway of historical questioning, the first truth revealed is that the exercise will involve delving into what can best described as institutional records.<sup>39</sup>

Most of the key studies of the southern yeomanry speak to this truth. The uses of census and court records are almost a hallmark of these studies. One of the key queries pursued when using these institutional records, especially the census records, was when do you know you are looking at the yeomanry? The line of demarcation became particularly important and difficult, when the study involved regions that were a mixture of yeoman and large slaveholder. The study of such mixed regions was often the case because historians, almost inevitably, resorted to the written records of the planter elite to explore the yeomanry. The nature of the data drives the analyst along a course that requires a preliminary statement of what constitutes a yeoman. In other words, the defined marks of the yeomanry were often determined before the actual study. The parameters used to delineate the yeomanry were a combination of those elements that bound

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<sup>39</sup> Owsley, *Plain Folk of the Old South*, 6.

and defined class structure in antebellum southern society: land and slaves. Often these defining parameters were constructed within the context of the slaveholder, which it was agreed cast an economic and political shadow across the antebellum south.<sup>40</sup>

The nature of a subject can often best be understood by clarifying what it was not. This suggests that an effective way to define the specifics of southern yeomanry was to compare it to something that it was clearly not, in this case the planter elite. When comparing two social class criteria, initially a researcher will find shared norms that match. In this instance, those norms would be land and slaves. However, inevitably a researcher comes to a conceptual fork or critical distinction. It was upon these critical distinctions, which the very existence of the class and the distinction between yeomanry and planter depends. The objective of this study is to take those institutional records that are considered the definitive testimony to the nature of the southern yeomanry, isolate them, examine them closely, and compare, when practical, with the opposite. It is impractical to attempt to define the yeomanry without this exercise in isolation. Institutions testify to the dominant social class. A county dominated by planters functions with planter institutions and one dominated by the yeomanry equally functions with institutions that reflect the yeoman.

The antebellum south was an agricultural society. As such, wealth and power flowed from the exploitation of the land. The implication that the social structure was built on the possession of the means of production meant that the social structure was a continuum of wealth-holding categories defined by that means of production. For example, lack of land placed one in the social class of the white poor. As individuals accumulated land, their position in society slowly shifted along a spectrum of social respectability until they reached the highest social rung

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<sup>40</sup> Hahn, *The Roots of Southern Populism: Yeomen Farmers and the Transformation of Georgia's Upper Piedmont, 1850-1890*, 25.

in their community, which might be a planter or a yeoman. Directly related to the accumulation of land was the increased ability to exploit it by the deployment of slaves. With the land's productive capacity energized by slave labor, a farmer accelerated along this spectrum with greater political power gradually devolving upon him. An example of that power was Georgia's inferior courts, effectively a county commission, where slaveholders occupied more than 58% of the seats during the 1850s. The non-slaveholders are purported to be approximately 80% of the population. The 1860 Georgia legislature reflected this devolution of power since 66% of the senators and representatives were farmers or planters. Even more critical to an appreciation of the spectral nature of political power in Georgia's legislature, 72% were slaveholders and 49% had \$5,000 or more in real property.<sup>41</sup>

Defining the critical distinction that delineates the yeomanry from the planter elite is a favorite topic for discussion among historians. Early studies suggest the yeomanry was invisible. Newer studies concluded that the yeomanry was the demographically dominate class, but clearly not economically or politically hegemonic. The importance of the differentiation was that the yeomanry often lived among the planter elite and was a clear definition of what was needed to separate the two classes in those situations. The premise of this study is that just as there were counties that were demographically dominated by the planter elite and counties where the yeomanry ruled supreme.<sup>42</sup>

The structure of this study revolves around the selection of two Georgia counties, one clearly dominated by the yeomanry and the other by the planter. The yeomanry is the primary

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<sup>41</sup> Ralph A. Wooster, *The People in Power: Courthouse and Statehouse in the Lower South, 1850-1860*, [1st ed. (Knoxville,: Univ. of Tennessee Press, 1969), 131-33.

<sup>42</sup> Hahn, *The Roots of Southern Populism: Yeomen Farmers and the Transformation of Georgia's Upper Piedmont, 1850-1890*, 5-6.

**Figure 2.1 Land Ratio by county arranged in ascending order with random counties named for reference. Source: U.S Census 1860.**

**Figure 2.2 Slave Ratio by county arranged in ascending order with random counties named for reference. Source: U.S Census 1860.**

object of the study. If the quantity of land and slaves was the primary class demarcation of the antebellum south, then a ratio that identifies where people owned large plots of land and large

quantities of slaves should quickly identify yeoman versus planter counties. The slave ratio, the total number of slaves in a county divided by the total white population, quickly identifies counties where there is a preponderance of slavery. The improved acreage land ratio, total improved acreage in a county divided by the total white population, effectively quantifies the distribution of land. These two ratios are depicted in Figures 2.1 and 2.2. The graphs reflect a strong inverse correlation of  $-.56$  between the two ratios. In other words, as the white population density increases the occurrence of slavery decreases. Another way to interpret the correlation is that slaves drove white people out. The presences of slaves precluded a dense white population. They were mutually exclusive.

It is apparent that the higher the presence of slaves and lower the land ratio the greater the economic dominance of the planter elite. Hancock and Forsyth counties are located at the extreme ends of the two graphs. Hancock clearly was a planter elite dominated county with Forsyth clearly representing yeoman country. While many counties fit the criteria of a planter elite dominated county, Hancock was selected as representative of a planter elite county because of the extensive documentation already available. Forsyth county's ratios indicated an absence of the planter elite and therefore can be considered representative of a yeoman dominated community. Forsyth was selected because of the extensive court records that have survived. These counties' locations are reflected in Figure 2.3.

Forsyth County is located just south of the Appalachian Mountains in the upper Piedmont. Seized from the Cherokee Indians, Forsyth was organized in 1832 and settled through a series of lotteries in 1832 and 1833. Unlike previous land lotteries where lot size



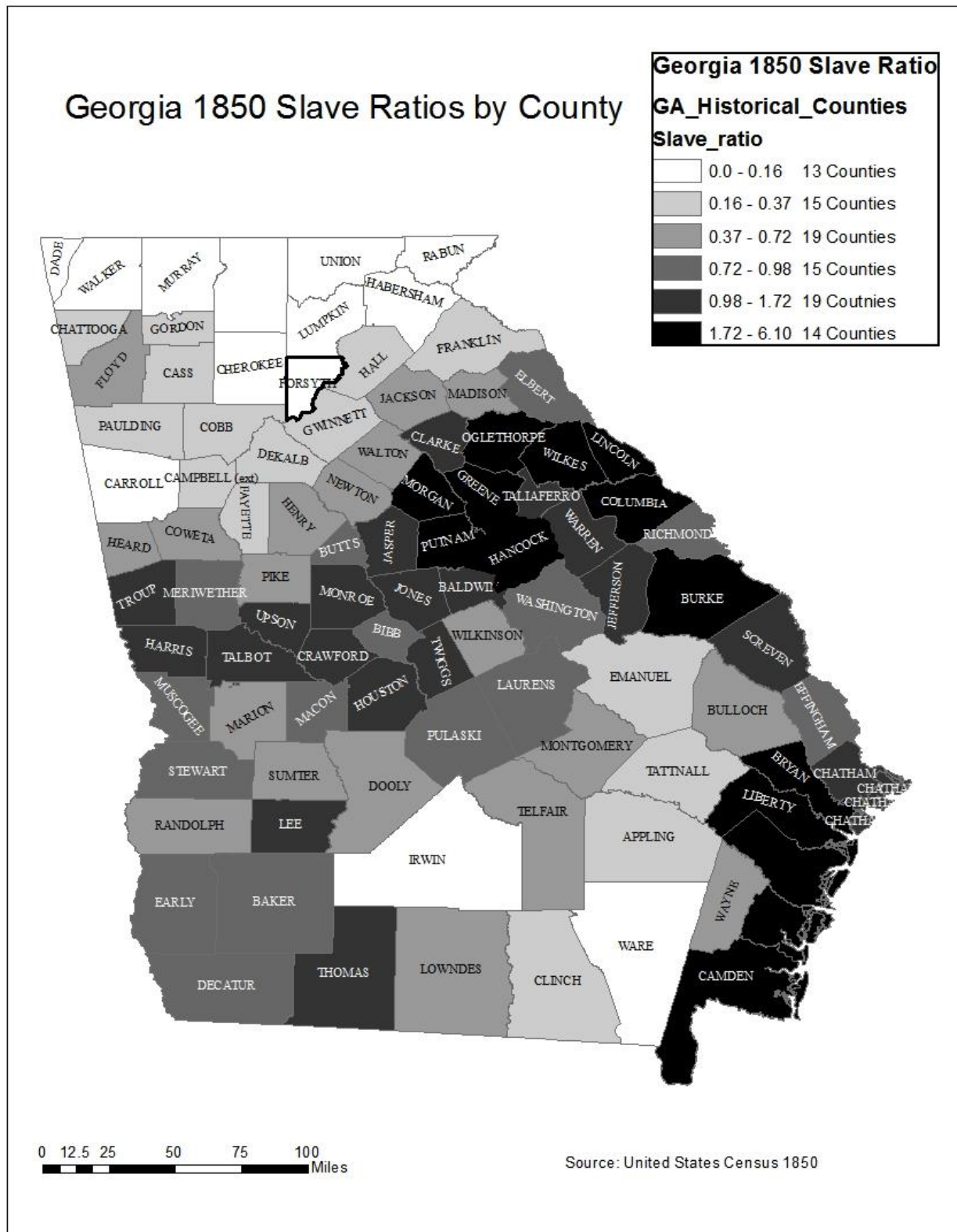


Figure 2.3 Map of Georgia reflecting the distribution of slaves in 1850 using the Slave Ratio parameter. Source: U.S. Census 1850.

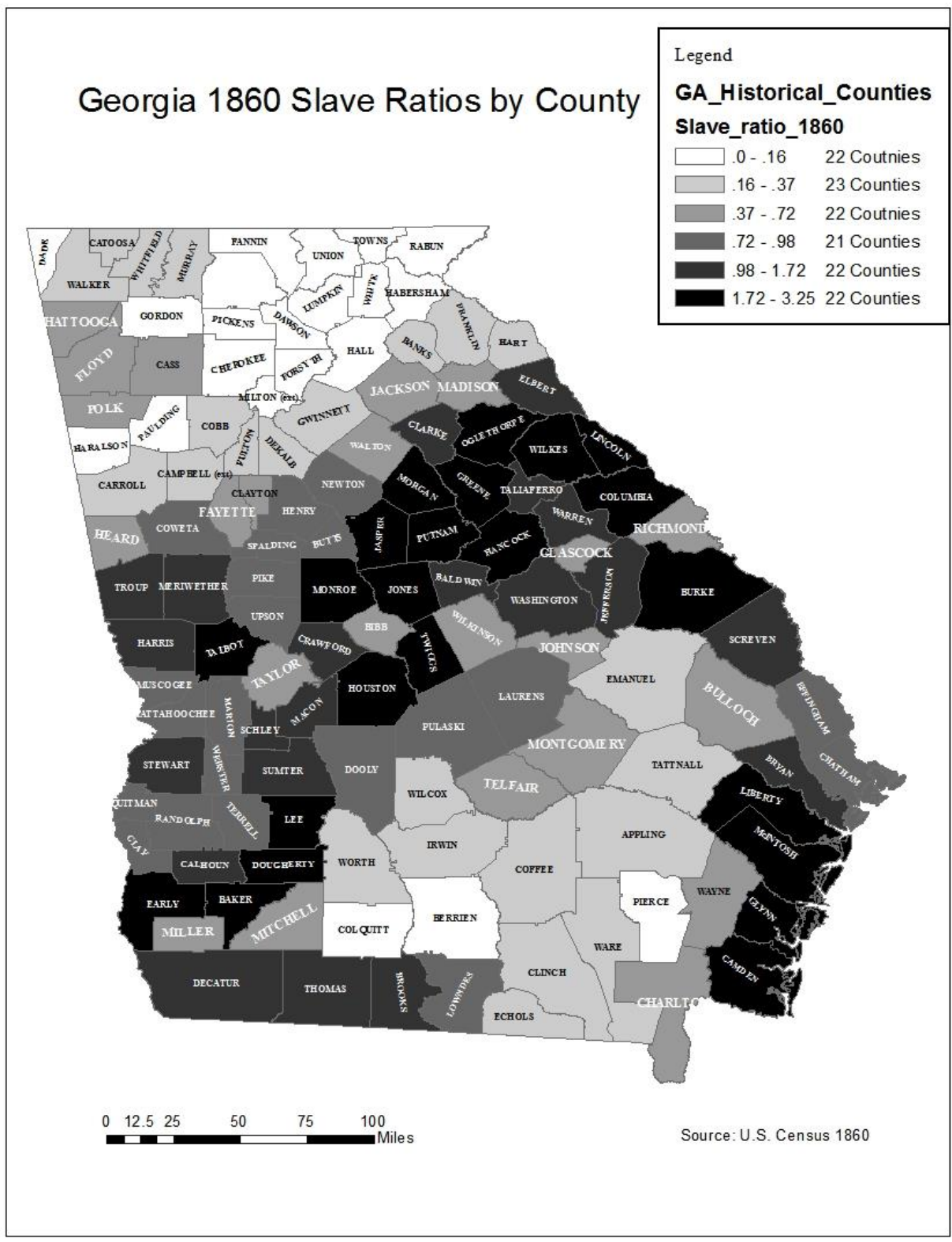


Figure 2.4 Map of Georgia reflecting the distribution of slaves in 1860 using the Slave Ratio parameter. Source: U.S. Census 1860.

was 202.5 and 490 acres, the 1832 Lottery typical lot size was 160 acres, with lots suspected of having gold surveyed in 40-acre gold lots. Forsyth County was completely made-up of gold lots. The next year Georgia held a final lottery for fractional lots left over from the initial survey.<sup>43</sup>

Forsyth's topography varies from gently rolling to steeply sloping and well drained. General elevation for the county approximates 1,100 feet above sea level. The Suwanee Mountain chain bisects the county Northeast to Southwest with a peak elevation of 1,967 feet. East of this range, during the time under study, a deep ravine cut by the Chattahoochee River drained the county. The Etowah River drained that portion of the county that lay to the west of the Suwanee Mountains. Annual precipitation was 53 inches a year. The frost-free growing season is approximately 209 days, which makes the region marginal for cotton growing.<sup>44</sup>

In Forsyth County, the 1860 Census counted 667 farmers with a median farm size of 60 acres of improved land.<sup>45</sup> The median cotton production was one bale grown by 45% of the farmers. Total cotton production for the county was 656 bales. The 1850 census indicated that approximately 25% of the farmers were tenants and accounted for 13% of the cotton. The important crop in Forsyth was corn where the median production was 300 bushels grown by 95% of the farmers. Slaveholders numbered 187 individuals with a median slave unit size of three. The largest cotton producer, A. P. Bell harvested 26 bales in 1860. The largest slaveholder was Hardy Strickland who own 58. This was a county dominated by small subsistence yeoman.

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<sup>43</sup> Paul K. Graham, *Georgia Land Lottery Research* (Atlanta: Georgia Genealogical Society, 2010), 77, 85, 91, 111, 23, 37, 49, 59.

<sup>44</sup> "Soil Survey, Forsyth County Georgia," ed. United States Department of Agriculture (1960), 43.

<sup>45</sup> The reader is reminded that median is a measure of central tendency where half the values are either greater than or smaller than the stated number.

Initially organized as part of two other counties in 1784, the land that eventually became Hancock County was settled by issuance of headrights and land grants ranging in size from 287.5 acres to 1,000 acres, depending on family size or revolutionary war experience. Hancock was organized as a county in 1793. The Atlantic Seaboard Fall Line transitions through the southern part of the county creating two distinct soil patterns that represents the Piedmont and the Atlantic Coastal Plain. Approximately 87% of the land lies north of the fall line therefore assuming the characteristics of the Piedmont Plateau, hilly, rolling, and dominated by red soils. It never reflects a rough or rugged character often seen in the Piedmont. South of the fall line, the terrain is less rolling and sandier. The Oconee River to the west and the Ogeechee River to the east define the county boundaries. These rivers create two distinct drainage areas. The typical elevation comes close to 500 feet above sea level. Annual precipitation is slightly over 50 inches with an average of 221 frost-free days, ideal for cotton, which requires a minimum of 200 days.<sup>46</sup>

In Hancock County, slightly less than twice as large as Forsyth, the 1860 Census counted 372 farmers with a median farm size of 173 acres of improved land. The median cotton production was 19 bales grown by 89% of the farmers. Total cotton production was 13,431 bales. This may be an underestimation because the 1860 census in Hancock did not count tenant farmers. This was critical because in the 1850, 116 or 21% of the farmers were tenants, and they produced 7% of the cotton. While it is questionable whether corn was the most important crop in Hancock, the median production was 600 bushels with production occurring on all but one farm. Slaveholders numbered 429 individuals, with a median slave unit size of 11. This indicates that there were more slaveholders than farmers, suggesting widespread slaveownership beyond the agricultural environment. The largest cotton producer was David Dickson who also owed the

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<sup>46</sup> Gustavus B. Maynadier and Warren Jacob Geib, "Soil Survey of Hancock County, Georgia," ed. United States Department of Agriculture (Washington, D.C.: U.S. Government Printing Office, 1909), 551-53.

largest number of slaves counted at 144 in 1860, a surprisingly small number for a man held in such high esteem.

Preliminary analysis revealed that Forsyth had a slave ratio of .13 as compared to Hancock's 2.10.<sup>47</sup> Population density revealed that Forsyth, a much more recently settled county, had 30 individuals per square mile and Hancock had 24 individuals per square mile. Minus the slave population, Hancock's population density dropped to 8 whites per square mile. Population density by county for 1860 is reflected in Figure 2.5. It clearly indicated that the Upcountry Counties of Georgia were much more densely populated by whites than the traditional Black Belt counties. More telling than these parameters was the fact that in Forsyth, of the 45% of those farmers who grew any cotton, 55% of them grew only one bale. It is highly questionable if much of this cotton actually made it out of the county. In Hancock, of the 89% of the farmers who grew cotton and only 2% grew one bale. It is important to point out that these are purely descriptive parameters. While these parameters clearly indicate a material difference between the two counties, these comparisons only confirm the identity of the two counties.<sup>48</sup>

While historians sample, disassemble, reassemble, categorize, and give meaning to a great range of data, southern historians tend to focus on land and slaves. Stephen Hahn, Stephanie McCurry, and Lacy Ford are clearly not the only historians to evaluate yeoman culture, however their importance revolves around the likelihood they are currently the most cited. Hahn argued that

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<sup>47</sup> Slave ratio is defined as the number of slaves divided by the number of whites. A ratio of 1.0 would represent a population evenly divided between slaves and whites. The ratio for the state of Georgia in 1860 was .75. In other words, .75 slaves for every one white.

<sup>48</sup> United States Census Office, "Agricultural Schedules of the Eighth Census of the United States, 1860...Georgia", ed. Department of the Interior (Washington, D.C.: National Archives, National Archives and Records Service, General Services Administration, 1860). John H. Long, Peggy Tuck Sinko, "The Atlas of Historical County Boundaries", ed. Dr. William M. Scholl Center for American History and Culture (Chicago: The Newberry Library, 2010), <http://publications.newberry.org/ahcbp/downloads/index.html>.



he was looking at yeoman counties in Upcountry Georgia and that farmers with less than 200 improved acres were yeoman. Stephanie McCurry, who was looking in planter elite dominated South Carolina Low County, pulls from Daniel Hundley and defines yeoman as “self-working farmers.” Lacy Ford looked at Upper and Lower South Carolina Piedmont and argued that a yeoman could own 5 slaves or less and farmed an average of 80 improved acres.<sup>49</sup>

What each of these historians are trying to define are the characteristics of the yeomanry by his means of production with an understanding that this was a measure of wealth. The foundation of their premise being that if individuals had fewer than a certain number of improved acres or slaves or was compelled to work the land himself he did not have the means to cross that line that defines a planter. Control of land and slaves led to class formation in the antebellum south. However, it is important to point out there was no compelling testimony that owning slaves predisposed an individual to a particular worldview. The very objective of class was to delineate economic and political power, produced by accumulating wealth. Production of a desired commodity created wealth in agricultural society; in the case of antebellum Georgia, that was cotton. It was clear that many yeomen engaged in cotton production. However, cotton’s primary purpose, for the yeomanry, was personal consumption or to pay off debts with the local merchants. Obtaining a good price for your cotton required contacts with a cotton factor and the planters and merchants controlled those lines of communications. The production of cotton represented wealth. The more a farmer produced the wealthier they were. The less the farmer produced the lower they slipped in society.<sup>50</sup>

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<sup>49</sup> Hahn, *The Roots of Southern Populism: Yeomen Farmers and the Transformation of Georgia's Upper Piedmont, 1850-1890*. McCurry, *Masters of Small Worlds: Yeoman Households, Gender Relations, and the Political Culture of the Antebellum South Carolina Low Country*. Ford, *Origins of Southern Radicalism: The South Carolina Upcountry, 1800-1860*.

<sup>50</sup> James Oakes, *The Ruling Race: A History of American Slaveholders* (London; New York: Norton, 1998).

Figure 2.6 shows the frequency distribution of bales of cotton produced in both Hancock and Forsyth 1860. It was clear that they are radically different. The Forsyth line indicated a decided flex point at three bales. The graph shows that 55% of farmer in Forsyth produced no cotton. In Forsyth, the 263 or 24% of the total farmers who grew three bales or less of the cotton accounted for 58% of the total cotton production for the county. In Hancock, the 84 or 22% of the total farmers who grew three bales or less of cotton accounted for only 1% of the cotton production in the county. This would suggest that farmers were approaching a critical distinction if they grew more than three bales of cotton. The line into commercial farming was crossed and they should be considered a planter, a small planter, but a planter nevertheless.

A dynamic change occurs at three bales for the Forsyth graph where the slope of the line flattened out. This flex point on the Forsyth line indicated a change in the slope, in other words a new relationship. The analysis could view this as the productive capacity of the yeoman family. As the number of bales produced increased the amount of labor needed increased, until it reached a point the farmer has achieved maximum production. After that flex point the source of production was no longer the family but outside labor, be it hired poor whites or slaves. While some historians focus on the family of a southern yeoman as a source of labor, it also represents a restriction. The factors at play were a combination of land and labor. The explanation would be that three bales was where the shift from family labor to slave labor occurred and therefore could be considered a point of separation between yeoman and planter.<sup>51</sup>

The problem with using the number of slaves and improved acres was shown by Gary Edwards and his study of Madison County, Tennessee. Edwards recognized that what he called a

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<sup>51</sup> Ken Morrison, *Marx, Durkheim, Weber: Formations of Modern Social Thought*, 2nd ed. (London; Thousand Oaks, Calif.: Sage, 2006), 44.



trend toward an “elastic definition” of yeoman. Eventually he set the mark for a yeoman at a land owning, self-working, 150 improved acres, and no more than nine slaves. Edwards found a yeoman with 100 acres of improved land and eight slaves. This yeoman produced 700 bushels of corn, 236 bushels of wheat, and 43 bales of cotton in 1860. This was an achievement that would have made any planter proud. However, this individual was still a yeoman by Edwards definition.<sup>52</sup>

Forsyth had 667 farmers of which 299 produced cotton. Of the 299 farmers, 263 or 88% produced three bales or less. In Hancock had 374 farmers of which 331 produced cotton. Of the 331 farmers, 43 or 12% produced three bales or less. The primary laborers in Forsyth were family. The primary laborers in Hancock were slaves. While the gender makeup and the number of males in a family heavily influenced the amount of cotton an individual farmer could grow, an analysis on a macro-level gravitates toward three bales as the upper limit a typical yeoman family could produce. Above three bales a farmer needed to look beyond the family labor pool.

If Hahn’s 200-acre yeoman break point was used, in Forsyth, 95% of the farmers had less than 200 improved acres and would be called yeoman. In Hancock 60% of the farmers had 200 improved acres or less and would be called yeoman.<sup>53</sup>

The underlying theory that drives this research is the belief that the material world overrides the world of ideas. How an individual squeezes out a living from the environment in which he resides gives rise to institutions that help him make sense of that world. Think what he may, his material world compelled him down a path of action that brought benefit. Those

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<sup>52</sup> Gary T. Edwards, ““Anything ... That Would Pay”: Yeoman Farmers and the Nascent Market Economy on the Antebellum Plantation Frontier,” in *Southern Society and Its Transformation: 1790-1860*, ed. Susanna Delfino, Michele Gillespie, and Louis M. Kyriakoudes (Columbia: London: University of Missouri Press, 2011), 105, 16,19.

<sup>53</sup> Hahn, *The Roots of Southern Populism: Yeomen Farmers and the Transformation of Georgia's Upper Piedmont, 1850-1890*, 27.

institutions were a blueprint, a set of coded instructions. Culture is made up of interacting institutions that are coordinated by shared values. It is that information that an individual has to know to be acceptable to his neighbors and successful in his society. Failure to interpret the code correctly results in individuals who struggle in their world.<sup>54</sup>

When a historian launches himself or herself on a quest to understand a society he has to accomplish more than explain behavior, they have to give meaning to behavior. What is hoped to be accomplished here is a history on a reduced scale. This idea of micro-history fits well with the study of “little people.” This reduction in scale must not be misinterpreted as a reduction in problem under analysis. The purpose of the reduction in scale is to reveal the meaning of the coded interaction of individuals that make up their culture. Either of two strategies; a singular event or collective occurrences of similar nature can be used to decode the overarching shared values.<sup>55</sup>

The analysis indicates that the yeomen normally lived in a county with a high white population density, a low white population to improved acreage ratio, and a low slave to white population ratio. In other words, yeomen tended to congregate, live on small farms, and not own slaves. Whether or not the yeomen chose to create this pattern, was irrelevant to the matter at hand. This was the pattern of his existence. If he grew cotton, it was a small quantity for his family needs. Reliance on family labor and the actual distribution of the production of cotton indicated that three bales of cotton represented the maximum family production capacity. It was not some limit on land or quantity of slaves owned that made him a yeoman. It was how much cotton he produced. Beyond what was needed for personal use suggest that the yeomen had

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<sup>54</sup> Clifford Geertz, *The Interpretation of Cultures: Selected Essays* (New York: Basic Books, 1973), 9-10.

<sup>55</sup> Peter Burke, *New Perspectives on Historical Writing*, 2nd ed. (Cambridge, UK: Polity, 2001), 95-105.

engaged a broader worldview and became subject to powers beyond their immediate control.

Analysis indicates that limit was three bales.

### 3 Yeomen and Planters by the Numbers

“I often say that when you can measure what you are speaking about and express it in numbers you know something about it: but when you cannot measure it, when you cannot express it in numbers, your knowledge is of a meagre and unsatisfactory kind.”

Sir William Thomson

Edward Jarvis graduated from Harvard in 1826 and decided to follow his deceased brother's example. Not by dying but by choosing to become a physician. Initially he opened his practice in Northfield, Massachusetts. The pursuit of a more stable and lucrative practice found him in Louisville, Kentucky by 1837. While there, Jarvis's interest turned to the subject of the insane. The economic instability of a frontier community drove Jarvis to become weary of the frontier life in Louisville so he decided to move back East. While in Boston, he sought the superintendence of an insane asylum in 1842. However, more critical to historians, in September 1842, Jarvis wrote a short article that appeared in *The Boston Medical and Surgical Journal*. In the article Jarvis pointed out a few discrepancies he had found in the recently published Sixth Decennial Census of the United States. Jarvis' initial concern regarded the accuracy of the count of the “insane and idiotic paupers.” His specific concern revolved around the statistical disparity in the rate of “insane and idiots” where northern states reported 1 per 162 and southern states, evidently mentally healthier, reported 1 per 1,558. He would expand his criticism over the next few years to challenge the reliability of virtually the entire 1840 census. Jarvis brought his concerns to the notice of the American Statistical Association which in turn agreed and wrote a memorial bringing its reservations regarding the accuracy of the 1840 Census to the attention of

Congress. In 1840, an error in the census carried serious political ramifications as the westward shift of the population gradually drained the southern Congressional power base. Essentially the House apportionment and control of the national government was based on inaccurate numbers.

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This concern over the accuracy of the 1840 census and the political nature of the decennial census, made the bill funding the 1850 census a contentious affair. There was little doubt concerning the legitimacy of the accusations of errors in the 1840 Census and therefore a need for a change. There was some feeling that the problem lay with the individuals selected to carry out the enumeration. Amid this turmoil was a call for the government to develop of a more professional statistical institution that could monitor what appeared to be an economic and demographic explosion occurring in the mid-nineteenth century. The census was beginning to look as more than just an accounting of population for apportionment but increasingly as a tool for policymaking and support for a progressive complex economy.<sup>57</sup>

The United States, up through the Sixth Census, had no permanent organization tasked with taking the census. Every ten years a new department would materialize, count the people, and then vanish. So it quickly became apparent that the 1850 census was going to be different from previous census undertakings. Congress authorized the creation of a Census Board and President Zachary Taylor made a political appointment of Joseph C. G. Kennedy, a Pennsylvania farmer with no statistical experience, to sit as its secretary. Kennedy quickly called on outside help in developing new schedules for the 1850 census, tapping the knowledge of Lemuel

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<sup>56</sup> Barbara Gutmann Rosenkrantz, *Public Health and the State: Changing Views in Massachusetts, 1842-1936* (Cambridge: Harvard University Press, 1972), 41-42; Robert William Wood, *Memorial of Edward Jarvis, M.D.* (Oxford University, 1885), 12; Margo J. Anderson, *The American Census: A Social History* (New Haven: Yale University Press, 1988), Secondary, 33; Edward Jarvis, "Statistics of Insanity in the United States," *Boston Medical and Surgical Journal* 27, no. 7 (1842): 121.

<sup>57</sup> Opal G. Regan, "Statistical Reforms Accelerated by Sixth Census Error," *Journal of the American Statistical Association* 68, no. 343 (1973): 543.

Shattuck of the American Statistical Association and Archibald Russell of the American Geographical and Statistical Society. From this marshaling of knowledge emerged the six schedules for use in the 1850 Census. More significant than the governments increased emphasis on accuracy was the radical philosophical shift to focus on the population at an individual level. The previous six censuses had used the family as a unit of enumeration, gather name of the head of the family only. For the first time the United States would attempt to identify, by name, every non-slave citizen in the country.<sup>58</sup>

This shift to a more aggressive collection of granular detail was what gives today's historians a critical source of information about the United States on the eve of the Civil War. The objective in this chapter is to use this data to compare, analyze, and contrast Forsyth and Hancock counties that are respectively representative of the southern social classes traditionally identified as yeoman and planter elite. The control of wealth is a key marker for social structure and in the south. Land and slaves gave access to wealth, laid the social foundation, and aligned the hierarchy. A study of Georgia inferior courts in 1860 showed that 56.5% were slaveholders. Control of the state legislature was held by 72% of the members being slaveholders.<sup>59</sup>

A measure of the strength of the slaveholder class would be the ratio between the numbers of slaves versus the number of the whites in a county. Forsyth County's 1860 slave ratio was .13. The raw data for all Georgia counties necessary to conduct such an analysis is located in Appendix 1. There are only 16 other counties in Georgia with lower ratios. In other words, for every one slave in Forsyth County there were 7.7 whites. This would suggest that

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<sup>58</sup> Anderson, *The American Census: A Social History*, 32-37. Regan, "Statistical Reforms Accelerated by Sixth Census Error," 540-41. Schedule 1 - Free Inhabitants, Schedule 2 - Slave Inhabitants, Schedule - 3, Mortality, Schedule 4 - Agricultural schedule, Schedule 5 - Statistics of Industry Schedule 6 - Social Statistics, taxes, schools, newspapers crime wage religion, etc.

<sup>59</sup> Cecil-Fronsman, *Common Whites: Class and Culture in Antebellum North Carolina*, 11-14; Wooster, *The People in Power: Courthouse and Statehouse in the Lower South, 1850-1860*, 103,33.

Forsyth had very small slaveholdings, often considered characteristic of a yeomanry-dominated society. Hancock's ratio of 2.10 indicates a small white population heavily outnumbered by the slaves. For every one slave in Hancock there was less than ½ a white person. There are only 12 counties in Georgia that had higher slave ratios. This indicates that Hancock County had large slaveholdings characteristic of a planter elite dominated society.

The use of census schedules of 1850 and 1860 are problematic. The detail available in the schedules seduces a historian to give more creditability to the microcosm or the individual level than may be warranted. James C. Bonner did this with the study of fourteen farmers who transitioned from renter to landowner between 1850 and 1860. The conclusion from this analysis was that by 1860 "cotton lost its position as the most emphasized crop" with these farmers. He then delved into the detail of Hancock's agriculture schedules for 1850 and 1860 to extract the story of John Franks' transition from renter to landowner and Franks' decision to reduce his reliance on cotton and revert to subsistence farming after becoming a landowner. Bonner had gone from the specific observation to the general conclusion. This is a classic error of overgeneralization or deductive reasoning. A quick comparison of the 1850 and 1860 Agricultural Schedule Hancock reveals a mixed picture. Cotton production increased. Livestock holdings decreased though the value increased. Wheat production doubled, but corn and oats decreased. The point is that Bonner found an individual that supported his premise but the aggregate data clearly revealed a society still committed to the pursuit of cotton. Wine production increased 1000% during this period but it is not logical to conclude Hancock was full of winemakers. What actually happened was that while Hancock County's production continued to increase, other counties surpassed Hancock in production. A statistician sees that the beauty,

that is the effectiveness, of the 1850 and 1860 Census lies in the macrocosm that leads the investigator to the conclusion.<sup>60</sup>

The macrocosmic story for Hancock in 1860 was that the total number of farmers reported in the Agricultural Schedules reflected a sharp drop in the total reported in the 1850 census. The exclusion of tenant farmers from the 1860 census could account for some of this drop. A total of 116 tenants reported in 1850 and zero in 1860. The number of landowners dropped from 443 to 374. This was not surprising considering the total white population also decreased during this period. Accompanying this decrease in farm units was a significant increase of 17% in cotton production. While still not sufficient to draw a conclusion, it does suggest that cotton had not lost its relevance and the planter class was consolidating its hold on the county. The macrocosmic data gives a historian the opportunity to construct a wide range of descriptive statistics. A typical analysis of 1860 Forsyth and Hancock census data would produce a collection of metrics similar to those shown in Table 3.1. Many of the details revealed by the comparison place these two counties at extreme ends of a socioeconomic spectrum as the antebellum era drew to a close.

In the process of weighing the metrics in Figure 3.1, a historian can conclude that he is are dealing with contrasting socioeconomic entities. Hancock is geographically a much larger county with a relatively small white population. Because of the size of Hancock County, the comparatively small number of farmers in Hancock resulted in much larger farms and slave

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<sup>60</sup> James C. Bonner, "Profile of a Late Antebellum Community," in *Plantation, Town, and County; Essays on the Local History of American Slave Society*, ed. Elinor Miller and Eugene D. Genovese (Urbana, IL: University of Illinois Press, 1974), 32. Bonner selected Hancock county for study because he concluded it was a "somewhat representative community of the old plantation cotton belt."; Hinton Rowan Helper and George M. Fredrickson, *The Impending Crisis of the South: How to Meet It*, The John Harvard Library (Cambridge, Ma.: Belknap Press of Harvard University Press, 1968), 42-43; Elizabeth Fox-Genovese and Eugene D. Genovese, *The Mind of the Master Class: History and Faith in the Southern Slaveholders' Worldview* (Cambridge; New York: Cambridge University Press, 2005), 70. Wilber W. Caldwell, *The Courthouse and the Depot: The Architecture of Hope in an Age of Despair* (Macon, Ga.: Mercer University Press, 2001), 200.



holdings than found in Forsyth. Hancock's slave population ranked 7th largest in the state out of 132 counties. This large slave population allowed the county to produce a substantial amount of cotton. Only thirteen other Georgia counties produced more. Georgia, as a whole, averaged 22% of it acreage classified as improved. Hancock was an intensely developed county with 35% of its acreage identified as improved compared to 28% of Forsyth's.<sup>61</sup>

Forsyth was a relatively small county with only 21 other counties in Georgia smaller. Despite that fact, the size of its white population made it one of the most densely populated counties in the state with 26.9 whites per square mile. The state as a whole average 9.8 whites per square mile. There were only nine other counties with a higher population density. The extreme density created a county with a large number of farms that when compared to Hancock were shown to be very small. There were 31 counties in Georgia with a smaller slave population so it cannot be argued that its slave population was unusually small. The percentage of farmers growing cotton compares significantly smaller, only 45% to Hancock's 89%. Forsyth's actual involvement in the cotton trade could be categorized as at best marginal, if not actually nonexistent. In all likelihood, Forsyth farmers retained much of the cotton grown for

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<sup>61</sup> United States Census Office, "Agriculture Schedules of the Seventh Census of the United States, 1850...Georgia," ed. Department of the Interior (Washington, D.C.: National Archives, National Archives and Records Service, General Services Administration, 1850); "Population Schedules of the Seventh Census of the United States, 1850...Georgia", ed. Department of the Interior (Washington, D.C.: National Archives, National Archives and Records Service, General Services Administration, 1850); "Slave Schedules of the Seventh of the United States, 1850...Georgia," ed. Department of the Interior (Washington, D.C.: National Archives, National Archives and Records Service, General Services Administration, 1850); "Agricultural Schedules of the Eighth Census of the United States, 1860...Georgia"; "Population Schedules of the Eighth Census of the United States, 1860...Georgia."; "Slave Schedules of the Eighth Census of the United States, 1860...Georgia," ed. Department of the Interior (Washington, D.C.: National Archives, National Archives and Records Service, General Services Administration, 1860); J. D. B. DeBow, "The Seventh Census of the United States: 1850, an Appendix," (Washington, D. C.: Robert Armstrong, Public Printer, 1853); Joseph C. G. Kennedy, "Population of the United States in 1860: Compiled from the Original Returns of the Eighth Census," ed. United States Bureau of the Census (Washington, D.C.: Government Printing Office, 1864). All references to census data in this document use the above cited data for the Seventh and Eighth United States Census.

<b>United States Census 1860 Parameter</b>	<b>Comparative Counties</b>	
	<b>Forsyth</b>	<b>Hancock</b>
<b>Square Miles</b>	255	491
<b>Total Free Population</b>	6,851	3,871
<b>Total Slave Population</b>	890	8,137
<b>Slave Ratio</b>	.13	2.10
<b>Total Improve Acreage</b>	45,811	111,205
<b>Total Unimproved Acreage</b>	82,149	216,462
<b>Total Farmers*</b>	667	374
<b>Average Holdings in Acres</b>	204	906
<b>Average Improved Acreage</b>	74	298
<b>Total Bales Cotton Grown</b>	656	13,332
<b>Number of Farmers Growing Cotton</b>	299	331
<b>Average Bales Grown per Farmer</b>	2	41
<b>Number Individuals Holding Slaves</b>	184	429
<b>Average Slave Unit Size</b>	5	19
<b>Total Real Estate Value</b>	\$766,359	\$2,181,478
<b>Price/Acre</b>	\$5.99	\$6.66
<b>Total Average Real Estate Holdings Value</b>	\$1,203	\$5,833
<b>* Includes landless farmers</b>		

Figure 3.1 A comparative table of key parameters for Forsyth and Hancock counties. Source: U.S. Census 1860.

domestic use. Data shown Table 3.1, while interesting and informative, does not confidently lead to meaningful conclusions other than these two counties appear to project radically different economic conditions.

Critical to the use of census data was recognition of some of its inherently systemic statistical anomalies typical of such data collections. One of particular interest was frequency distribution of most of the sets of data. Normally distributed data lends itself to parametric statistical analysis. However, in real life, distributions tend to be skewed. While nature produces a normal distribution, introduction of a human element injects a bias. Too much of this bias and skewness increases to the point that many statistical techniques do not work or produce meaningful statistics. Advanced mathematical techniques have to be employed including the use of logarithms and quantile regression techniques. A normal distribution is bell-shaped and symmetrical. The mean, median, and mode are all the same and coincide with the peak of the curve. The frequencies then gradually decrease at both ends of the curve. However, much of the data in the census schedules are positively or right skewed as illustrated in Figure 3.2. For example, the measure of the skewness for the 1860 improved acreage holdings for Hancock was 5.6. Forsyth returned a similar 5.4 distortion for its improved acreage data. A perfectly normal distribution has a skewness of zero. The skewness for the age distribution in Forsyth was 1.2. While not normal, the age data approximated normality to a much higher degree. The smaller the skewness of a distribution becomes the more it approximates normality. The primary conclusion is that much of the census data needs to be approached with some caution and cannot be considered normally distributed without testing.<sup>62</sup>

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<sup>62</sup> Eric W. Carty, *Using and Interpreting Statistics* (New York: Worth Publishers, 2014), 57-60. Skewness is a measure of symmetry. The equation for skewness is defined as:

While Figure 3.2 graphically illustrates the implication of skewedness, a closer analysis of improved acreage for Hancock will clarify the problem. Right skewed data pulls the average to the right. This overstates the central tendency and transmits that error to parametric statistics. Figure 3.2 indicates that the average or mean improved acreage for Hancock is 298 acres. The mean of a variable presumably focuses on what happens on average, or perhaps "typically." The term average implies that ½ of the subject are greater and ½ are smaller. However, the existence of large farms with improved acreage in excess of 950 acres, outliers, strongly influences the resulting average. The actual number that produces the most accurate central tendency, that middle number implied by average, for skewed data like this is the median of 173 acres. This is a measure of central tendency that is 42% smaller than previously considered. Half the farmers in Hancock County worked farms equal to or smaller than 173. The benefit of the median is its robustness or resistance to the influence of outliers or extreme values that differ greatly from other values. It signifies that median can accommodate a higher percentage of contaminated data points before it breaks down or returns an biased estimator. To use average for skewed data is inaccurate and communicates no meaningful information.<sup>63</sup>

As stated earlier, much of the census data was skewed and introduced an inaccuracy and were not valid for common statistical techniques. This held true for any age, agricultural, slave, and wealth data which are all heavily skewed. Paul D. Escott stumbled over this issue in his

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$$\frac{n}{(n-1)(n-2)} \sum \left( \frac{x_j - \bar{x}}{s} \right)^3$$

A normal distribution is one in which the two sides of the histogram are symmetrical. A skewed distribution is a distribution that lacks a symmetrical shape. For skewed distributions, it is quite common to have one side of the distribution considerably longer or drawn out relative to the other side. A "skewed right" distribution is one in which the data is drawn out on the right side. A "skewed left" distribution is one in which the data is drawn out on the left side. The measure of skewness reflects the direction of the skew with positive indicating a right skew and negative indicating a left skew. The greater the number, the more drastic the skew. One-way Anova and null hypothesis testing can be performed on transformed data. The answers should be an inverse function.

<sup>63</sup> Ibid., 77-79.

analysis of the average wealth of the court members in several North Carolina counties. While Escott was evaluating a relatively small number of individuals, there is little likelihood that he was sampling a normally distributed population. Figure 3.3 is a distribution analysis of Hancock County's wealth in 1860. It graphically illustrates the implication of Escott's analysis, an

**Figure 3.2 A graph of the distribution of improved acreage by individual holdings. Source: U.S. Census 1860**

overstatement of wealth. Bill Cecil-Fronsman used Escott's data and stated that "the average member's wealth was vastly greater than that of the average white." That may well be true: however he was using biased data and the actual figure used was not a valid interpretation. Steven Hahn, similarly when he discussed average acreage holdings and slave unit size, was using highly skewed populations in both analysis. As such the acreage and slave unit statistic are all overstated and invalid. Lacy Ford discussed average slave holding, improved acreage, and corn production which were also invalid. James C. Bonner miscalculated income distribution because of the failure to recognize skewed data. The line of reasoning is that many historians

recognize the value of the census data but have failed to appreciate inherent statistical challenges of its use.<sup>64</sup>

**Figure 3.3 A graph of the distribution of individual wealth in Hancock County. Source: U.S. Census 1860.**

This use of invalid average metrics leads to an overstatement of the “typical” farm. This in turn leads to a misunderstanding of what a “typical” yeoman might have looked like. Historians have argued that the average yeoman meets a specific characteristic based on an invalid application of statistics.

Gavin Wright recognized the issue of skewedness in his discussion of Lewis Gray’s evaluation of difference in concentration of slaveholdings between rice and sugar regions in Louisiana. Gray used median as a measure to compare concentration of slaveholdings. Wright dismisses Gray’s work because median did not measure concentration. However, Wright and Gray are actually measuring different metrics. Gray is discussing slaveholding size as proof of

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<sup>64</sup> Paul D. Escott, *Slavery Remembered: A Record of Twentieth-Century Slave Narratives* (Chapel Hill: University of North Carolina Press, 1979), 20, 102; Cecil-Fronsman, *Common Whites: Class and Culture in Antebellum North Carolina*, 32; Hahn, *The Roots of Southern Populism: Yeomen Farmers and the Transformation of Georgia's Upper Piedmont, 1850-1890*, 49,57,83,161,257; Ford, *Origins of Southern Radicalism: The South Carolina Upcountry, 1800-1860*, 72,86,252.

the planter-dominance thesis. Wright counter argues that distribution is meaningless, but concentration correlated to land value that measured political power. Wright acknowledged that highly skewed distribution was characterized by a low median and high average.<sup>65</sup>

**Figure 3.4 A graph of the distribution of wealth transformed by the natural log in order to accommodate the right skewed nature of the data. Source: U.S. Census 1860.**

Skewed data essentially blocks the use of the data for inferential statistical analysis by violating the assumptions made about normality. The primary method to overcome this barrier is a monotonic transformation, which is a process of converting a set of values into another set of values but maintain the rank and order of the original set. The data transformation can be used to make highly skewed distributions approximate normality. This can be valuable both for making patterns in the data more interpretable and for helping to meet the assumptions necessary for inferential statistics. In data analysis, transformation is the replacement of a variable by a function of that variable that changes the shape of a distribution or relationship. For example, one can replace a variable  $x$  by the natural logarithm of  $x$ . Logarithmic function is one of the most important mathematical tools in the toolkit of statistical modeling. Logarithmic

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<sup>65</sup> Gavin Wright, "'Economic Democracy' and the Concentration of Agricultural Wealth in the Cotton South, 1850-1860," *Agricultural History* 44, no. 1 (1970): 64-65.

transformation reduces right skewness without influencing the comparative value and is often appropriate for measured variables. It cannot be applied to zero or negative values. For left skewed data, the appropriate method is the square function of a variable. Figure 3.4 graphically illustrates the effect of transformation. Here the same data that produced a highly skewed graph in Figure 3.3 has been transformed using the natural log. The result is a data set that closely approximated normality. Virtually all the data used in this study is right skewed and will be transformed by the natural log when correlation or F-testing is done.<sup>66</sup>

An excellent tool to study a population is the Population Pyramid. They are graphic depictions of the structure of the population at a specific point in time, powerfully illustrating the distribution of both age cohorts and gender. They measure fertility, mortality, and migration. The graph is nothing more than two histograms, representing male and female population in five-year increments placed on their side and back to back. They are quite effective at presenting direct empirical information. The shape of these four pyramids confirmed the skewed nature of population age data.<sup>67</sup>

The population pyramids presented in Figure 3.5 are for Forsyth and Hancock counties, 1850 and 1860 respectively. Forsyth's 1850 pyramid was a classic "underdeveloped nation" triangular form with a wide base, indicating a high birth rate and concave sides representing a high infant mortality rate. Hancock's 1850 pyramid has a comparatively narrow base and reduced concave sides in contrast to Forsyth. Hancock's pyramid was beginning to transition to a column shape, indicating reduced fertility. There was no doubt that Hancock was a county in transition. A county comparison of the 1850 pyramids suggest clearly that Forsyth has a higher

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<sup>66</sup> David J. Sheskin, *Handbook of Parametric and Nonparametric Statistical Procedures: Third Edition* (Boca Raton, Florida: Chapman & Hall, 2004), 404-06. A monotonic transformation is a way of transforming one set of numbers into another set of numbers so that the rank order of the original set of numbers is preserved.

<sup>67</sup> Dudley L. Poston and Michael Micklin, *Handbook of Population* (New York: Springer Science & Business Media, 2006), 25-32.



fertility rate than Hancock and that Hancock's broader middle-aged cohort suggested a county shifting to a stable older population. Forsyth could be characterized as a developing county and Hancock as a county transiting to a stable county. However, it was critical to point out that graphs like the pyramids do not lead to conclusions but suggest areas of investigation.<sup>68</sup>

Fertility rates for the antebellum south are not a subject often discussed by historians. Bill Cecil-Fronsman mentioned a demographic change in his study of class and culture in antebellum North Carolina. He recognized that population increases were not uniform across North Carolina and even stated these increases were higher in areas with fewer slaves. Ultimately, he attributed these population increases to a slowing of the outmigration. His conclusion was problematic in that it was based on descriptive statistics and speculation. At best, his data suggested an avenue of inquiry.<sup>69</sup>

Stephanie McCurry appeared to misinterpret demographic information in her study of yeoman households in South Carolina. While she suggested a fertility differential between north and south, the conclusion drawn was that the differential supported a steady fertility rate in the south. This appeared to be a case of selecting data to prove a point. Using solely descriptive statistics, such as family size, McCurry concluded that yeomen resisted the natural pattern of a rural decrease in fertility. Yeoman success was measured by improved acreage farmed. Those with larger families owned larger farms. This was a classic example where correlation analysis would have allowed the writer to solidify a relationship. At best, her data suggest an avenue of inquiry.<sup>70</sup>

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<sup>68</sup> Helen Ginn Daugherty and Kenneth C. W. Kammeyer, *An Introduction to Population*, 2nd ed. (New York: Guilford Press, 1995), 87-89.

<sup>69</sup> Cecil-Fronsman, *Common Whites: Class and Culture in Antebellum North Carolina*, 149.

<sup>70</sup> McCurry, *Masters of Small Worlds: Yeoman Households, Gender Relations, and the Political Culture of the Antebellum South Carolina Low Country*, 156-59.

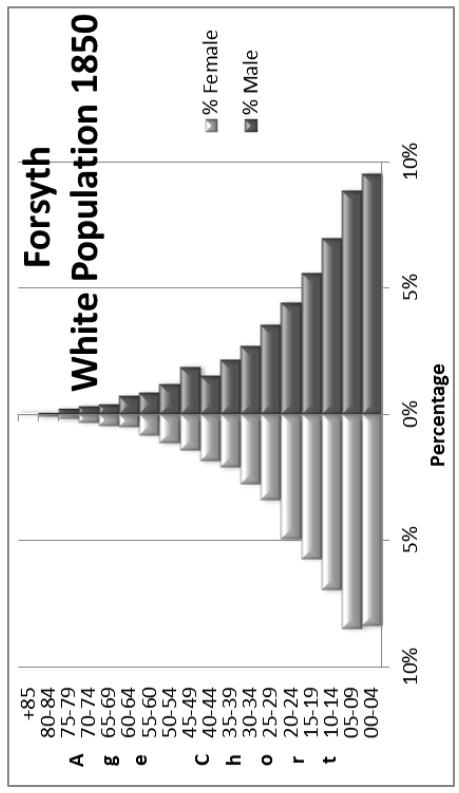
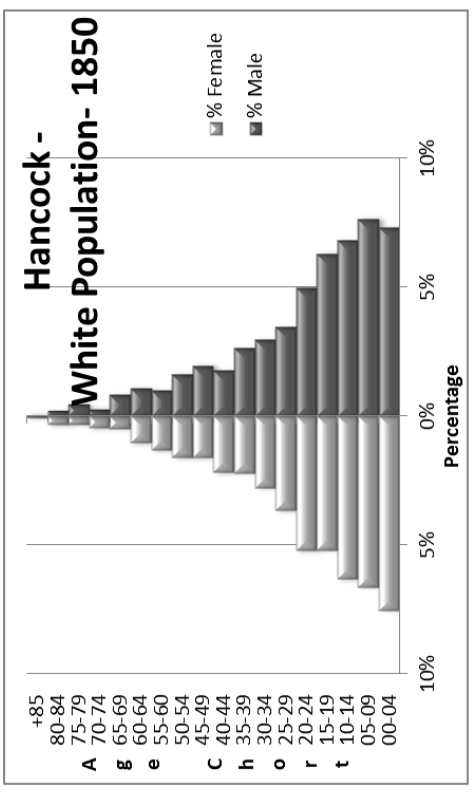
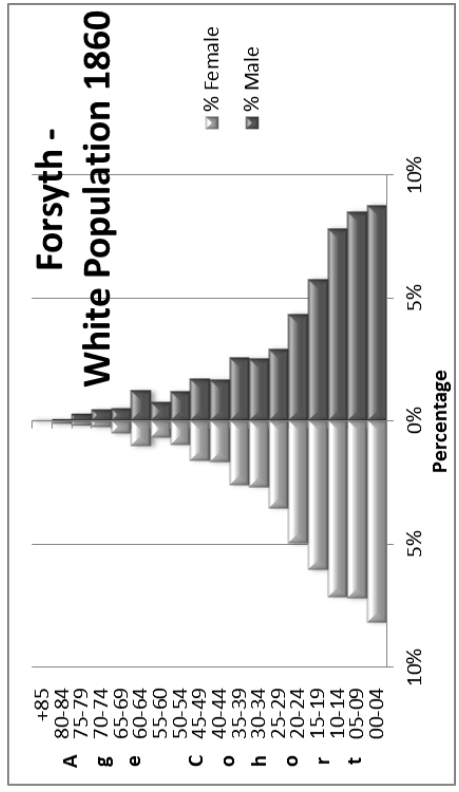
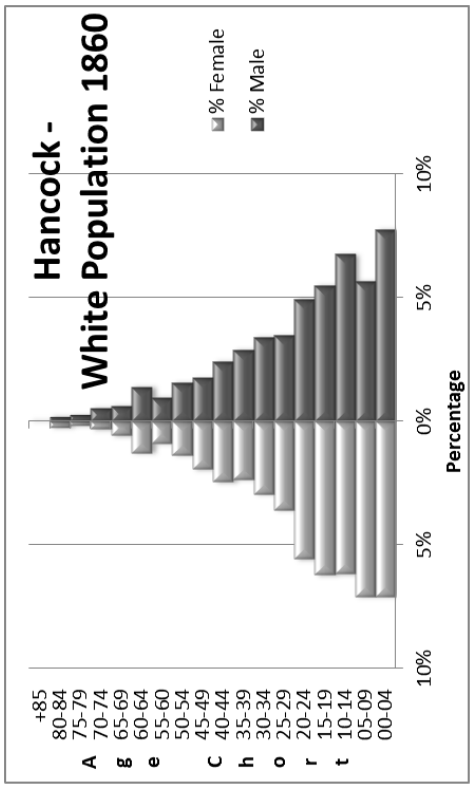


Figure 3.5 Population Pyramids for Hancock and Forsyth counties. Source: U.S. Census 1850 and 1860.

A comparison of the data behind these population pyramids revealed that the 1850 Hancock population contained approximately 29% below the age of 10 (child ratio). The reason age 10 and under was used was that it reflects the birth rate between 1850 and 1860. In contrast, Forsyth's child ratio represented 35% of the population. The dependency ratio for Hancock County was 43.3% compared to Forsyth's 49.9%. For Forsyth it meant the productive half supported a larger unproductive half of the population. This indicated that the social security principle, children supporting the older parents, was more at play in Forsyth. A quick comparison of the 1850 to 1860 pyramids suggested that both counties saw a decline in the child ratio. Hancock's child ratio shrank to 27% and Forsyth's contracted similarly to 33%. To supply some context, Georgia's child ratio contracted from 32% to 31% for the same period. All of this indicated that the population experienced a decline in fertility throughout Georgia, but that Hancock was leading the trend and Forsyth was resisting.<sup>71</sup>

Hancock County's white child ratio was unusually low. Examination of the child ratio by county indicated a normal distribution, so any statistical analysis does not need data transformation. The 1850 data confirms this fact when the mean and median for the state of Georgia's child ratio is 32%. The standard deviation is 3%, indicating that the Hancock ratio lays 1.6 standard deviations below the mean, in other words 95% of the counties have a had child ratio than Hancock.<sup>72</sup>

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<sup>71</sup> Dependency ratio (DR) is a measure showing the number of dependents to the total productive population.  $DR = \left( \frac{\text{number of dependents } 0-4 \text{ \&+65}}{\text{number of population aged } 15-64} \right) * 100\%$ .

<sup>72</sup> Descriptive statistics for the Child to population ratio for the counties of Georgia

Georgia Child to Population Ratio	
Mean	32%
Standard Error	0%
Median	32%
Standard Deviation	3%
Sample Variance	.09%
Kurtosis	0.952
Skewness	-0.338

The broader structure of the Hancock pyramids suggested that the family structure in these two counties differed. It is critical to reiterate an obvious point; the family was the central institution for the antebellum rural south. The family was the focal point of economic and social activity. The effectiveness of census data was that it documented evidence of decisions made in regards to families but often not actually articulated by the individual. An example of how these decisions were made was Ella Thompson, a plantation lady who lived near Augusta and commented in her dairy the desire for relief from a pregnancy every thirteen months and her attempts to make it so. Any changes in the family structure suggested profound forces at work. Most historians prefer to focus on the out migration and fail to recognize this transition. Lacy Ford actually argued for a healthy birth rate for the Upcountry of South Carolina. Stephanie McCurry suggests, “Southern women continued to bear large numbers of children until the end of the nineteenth century.” Stephen Hahn’s Carroll and Jackson counties both experienced a decline in fertility in the 1850s. From a demographic point of analysis, a declining fertility rate represented a permanent process that would require generations to reverse.<sup>73</sup>

Figures 3.6 and 3.7 compared the Hancock and Forsyth family size in 1860. Logic and an understanding that in antebellum rural communities’ children represented a key source of labor would lead one to conclude that the families in Forsyth should be larger. Slaves fulfilled Hancock’s labor needs and the economic value of children should have decreased in comparison

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Range	16%
Minimum	22%
Maximum	39%
Sum	4185%
Count	132

<sup>73</sup> Bolton, *Poor Whites of the Antebellum South: Tenants and Laborers in Central North Carolina and Northeast Mississippi*, 52-58; McCurry, *Masters of Small Worlds: Yeoman Households, Gender Relations, and the Political Culture of the Antebellum South Carolina Low Country*, 59; Ford, *Origins of Southern Radicalism: The South Carolina Upcountry, 1800-1860*. Virginia Ingraham Burr, *The Secret Eye: The Journal of Ella Gertrude Clanton Thomas, 1848-1889*, Gender & American Culture (Chapel Hill: University of North Carolina Press, 1990), 32.

to Forsyth. Forsyth's distribution had shifted slightly to the right, indicating a larger family structure. However, once again we are dealing with descriptive statistics.<sup>74</sup>

The family size frequency distribution in Figure 3.6 and 3.7 clearly shows we are dealing with a skewed family size data set, indicating the need to transform the data series. After the transformation, the mean can now be used to describe the data set. An analysis and comparison of the Forsyth 1850 to 1860 reflects a slight drop in family from an average of 5.2 to 4.8 respectively. Was this drop in family size significant? An F-test was used to determine if the variances of 1850 and 1860 family sizes for Forsyth are equal. The analysis concludes that the difference is insignificant. The P value of the F-test is .2322, greater than .05. In other words, difference between 1850 and 1860 in family size in Forsyth does not reflect a different population. In contrast, a similar analysis of Hancock's 1850 and 1860 data suggested a significant difference. The P value was .0000, indicating a low probability that that these were the same populations. Hancock demonstrated a dramatic drop in the mean family size from 4.9 in 1850 to 3.6 in 1860 and F-Test analysis supported the drop was statistical significance. The interpretation indicates that the 1850 Hancock decline in family was the result of two different populations. The number of families in Hancock increased ever so slightly from 761 to 809. The Hancock families had effectively lost more than a whole person. A comparison of the 1860

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<sup>74</sup> McCurry, *Masters of Small Worlds: Yeoman Households, Gender Relations, and the Political Culture of the Antebellum South Carolina Low Country*, 48.

family size between the two counties supports the contention of a significant difference in family size.<sup>75</sup>

It was evident that family size was smaller in Hancock than in Forsyth and that Hancock's family size was getting smaller faster. Forsyth's family size decreased by 8% from 1850 to 1860, compared to Hancock's 27%. Of particular interest was the shift in variance for Hancock from 1850 to 1860. The 1850 variance was .3377, compared to the 1860 variance of .4810. The variance measures how spread-out the distribution of a population was. While the mean decreased in Hancock, the population becomes more dispersed around that mean. This expanded variance was indicative of a population in turmoil, that is was changing. This discrepancy in variance added further support to the contention that Hancock County was experiencing a profound demographic event. Hancock was clearly traveling down the avenue of smaller white families at an accelerated pace. However, one final test needs to be performed to

<sup>75</sup>If  $F > F$  Critical two-tail, the two populations variance are significantly unequal. If  $F < F$  Critical two-tail, the two populations' variance are equal. This F-Test data was conducted on family size data that has been transformed by the natural log function. Therefore, in order to develop an interpretable statistical mean it needs be convert back to the original data format.

F-Test Two-Sample for Variances		
Forsyth County Family Size Natural Log		
	1860	1850
Mean	1.5732	1.6407
Variance	0.2908	0.2792
Observations	1237	1338
df	1236	1337
F	1.0416	
P(F<=f) one-tail	0.2322	
F Critical one-tail	1.0961	
Backward Transformation of the Mean	4.8	5.2

F-Test Two-Sample for Variances		
Hancock County Family Size Natural Log		
	1860	1850
Mean	1.2799	1.5822
Variance	0.4810	0.3377
Observations	882	757
df	881	756
F	1.4242	
P(F<=f) one-tail	2.796E-07	
F Critical one-tail	1.1226	
Backward Transformation of the Mean	3.6	4.9

ascertain whether the 1850 and 1860 Hancock means are different. This was accomplished with a paired Student t-test assuming unequal variances.<sup>76</sup>

In Forsyth, family members represented a labor force and it was logical that individuals would consider additional children critical to their success. The variance difference between 1850 and 1860 was almost nonexistent, .2792 to .2908. This confirmed the stability of Forsyth County's population. Children were still highly valued as a labor source. They were useful in leveling out labor demand created by the seasonal nature of farming. In addition, southern farmers maintained large inventories of unimproved land on which child labor could be employed to clear when the demand for planting and harvesting was low.<sup>77</sup>

The decline in family size was not a surprise. The early nineteenth century saw a precipitous decline in fertility that has always puzzled demographers. This decline was first noted by George Tucker in 1855 when he compared the steadily increasing population density

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<sup>76</sup> A P value is the estimated probability of rejecting a study question. In this case the question was, are the 1850 and 1860 Hancock populations the same. If a P-value is least than .05 then the answer is no or in the parlance of statisticians, the null hypothesis is rejected. In this analysis it is safe to conclude that the populations Forsyth are the same and the populations of Hancock are different. The t test provides a hypothesis test of the difference between population means for a pair of populations whose differences are approximately normally distributed.

t-Test: Two-Sample Assuming Unequal Variances

Hancock		
	1860	1850
Mean	1.2799	1.5822
Variance	0.4810	0.3377
Observations	882	757
Hypothesized Mean Difference	0.3	
df	1636	
t Stat	-19.1279	
P(T<=t) one-tail	0.0000	
t Critical one-tail	1.6458	
P(T<=t) two-tail	0.0000	
t Critical two-tail	1.9614	

<sup>77</sup> Bolton, *Poor Whites of the Antebellum South: Tenants and Laborers in Central North Carolina and Northeast Mississippi*, 38.

and related it to an equally steady decline in children under 10 years old per 100 females. Lacy Ford noticed the decline in the aggregate white populations of plantation counties and attributed it to out migration.<sup>78</sup>

The decline of the American fertility rate started approximately 1810. Serious analysis of has been dominated by Yasukichi Yasuba's study in 1962. He laid down the methodology and operative factors that later demographers would use and contest. A key pattern that the initial study revealed was the geographical and regional nature of the early nineteenth century fertility decline. Yasuba's analysis was conducted at a state or territorial level and focused primary on the Northeast. The data indicated fertility increased as one transitioned east to west and north to south suggesting that some social factor was at play. At the time of the study, the widely accepted hypothesis concerning fertility decline in the United States associated it with urbanization. Yasuba's study decisively challenged that premise and concluded that land availability was the operative factor influencing fertility in the early nineteenth century. Yasuba determined this by establishing a correlation between the availability of improved land and fertility. His measure of land availability was a population density defined as the number of persons per acre of arable land. A key assertion early in the study was that the amount of arable land was a variable from census to census and changed from year to year. To avoid the unpredictability that this introduced, Yasuba concluded that the constant of arable land available in 1949 would return results that were more accurate. The primary conclusion that Yasuba drew from the study was that the fertility decline related directly to the decrease in land availability. When the Northern states were isolated from the slave states, Northern states returned a slightly

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<sup>78</sup> Ford, *Origins of Southern Radicalism: The South Carolina Upcountry, 1800-1860*, 39; George Tucker, "Progress of Population in the United States," *Hunt's Merchant Magazine and Commercial Review* 1855, 47.



stronger correlation. Yasuba concluded that in communities where land availability was limited, children are an investment with diminishing returns.<sup>79</sup>

William Sundstrom and Paul David argued that the correlation between land availability and fertility was random and challenged it with a second explanation. They argued that the social security benefits of a large family drove the fertility rates of the early nineteenth century. The parents created the connective bond when they promised land in return for old age assistance. Frank Owsley illustrated how this worked by drawing attention to the will of James Davis. Davis rewarded his daughter and son-in-law by bequeathing his farm to them in return for taking care of him and his wife. He specifically points out that the ownership of the property would pass to his daughter only if she remained with her parents until their death. Sundstrom and David argued that the operative factor that drove the decline in fertility was not land availability, but the accessibility of nonagricultural jobs. This released the children from the social security ransom and supplied an alternative. No longer could parents induce their children to stay home on the farm when other nonagricultural employment was available.<sup>80</sup>

While demographers very much debated the cause of the fertility decline, the consensus is that a decline in fertility was a conscious decision and must have offered some advantage to the rural population. The assumption here is that social change is driven by economic forces and this decline is the result of a shift in the calculus between the value and cost of children. This premise of the dominance of economic causation of the decline of fertility is foundational in demographic studies. The value of children in a traditional rural society stems from their

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<sup>79</sup> Yasukichi Yasuba, *Birth Rates of the White Population in the United States, 1800-1860, an Economic Study*, Johns Hopkins University Studies in Historical and Political Science Ser. 79, No.2 (Baltimore, MD: Johns Hopkins Press, 1962), 85-87, 158-62.

<sup>80</sup> Susan B. Carter, Roger L. Ransom, and Richard Sutch, "Family Matters: The Life-Cycle Transition and the Antebellum American Fertility Decline," in *History Matters: Essays on Economic Growth, Technology, and Demographic Change*, ed. Timothy Guinnane, William Andrew Sundstrom, and Warren C. Whatley (Stanford, Ca.: Stanford University Press, 2004), 276-83; Owsley, *Plain Folk of the Old South*, 19.

contribution as laborers on the family farm or later as a source of social security needed as old age overtook their parents.<sup>81</sup>

An important point often ignored in analysis of specific Georgia Counties was the almost continuous shuffling of county boundaries until 1876. Hahn took note of this in his analysis of Carroll County but dismissed it as a minor factor. Carroll County only lost 27% of its total area to the formation of Haralson County in 1856. Jackson County only gained 8 acres during the same period. A comparative analysis between Forsyth's 1850 and 1860 census data becomes problematic for this factor. Forsyth relinquished approximately 12% of its acreage to form Milton County in 1857. During the antebellum period, Georgia counties almost continuously redrawn county boundaries as individuals petitioned to transfer their acreage to adjoining counties or new counties. Milton was formed from acreage forfeited by Forsyth, Cobb and Cherokee counties, so any comparative analysis needs to look at this 4-county area in total.<sup>82</sup>

The rural fertility rate, by 1900, was only 50% of the 1800 rate. Data for the early 1800s indicates that the fertility rate for the United States may have been at a biological maximum of 8.02 children per woman and after approximately 1810 started to decline. This was a rural phenomenon as opposed to the traditional view of the demographic transition originating with urban industrialization. Fertility in the United States deviated from the traditional demographic transition experienced by most Western nations in that its fertility rate dropped rapidly during the early nineteenth century, followed by a decrease in the mortality rate only after the Civil War.<sup>83</sup>

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<sup>81</sup> John Cleland and Christopher Wilson, "Demand Theories of the Fertility Transition: An Iconoclastic View," *Population Studies* 41, no. 1 (1987): 5-7; William A. Sundstrom and Paul A. David, "Old-Age Security Motives, Labor Markets and Farm Family Fertility in Antebellum America," *Explorations in Economic History* 25, no. 2 (1988).

<sup>82</sup> Long, "The Atlas of Historical County Boundaries " 435-42.

<sup>83</sup> Richard H. Steckel, "Antebellum Southern White Fertility: A Demographic and Economic Analysis," *The Journal of Economic History* 40, no. 2 (1980): 331-32.

The lack of registration of vital statistics during the antebellum period, leads a researcher to rely on the census data primarily and an indirect measure of fertility called child-woman ratio. Nationwide birth registration did not start until 1933. The child-woman ratio was a comparison of 0-4 year old children to 15-44 year old women. This metric has inherent bias. Researchers point out that it was susceptible to morality and changes in the timing of marriage. Regardless of these weaknesses, the child-woman ratio has proved to be highly correlated “with direct measure such as total fertility and the refined birth rate.” To accommodate the census data women’s age range for this study was expanded to 15-49. The child-woman ratio for the nation had dropped by approximately 30% between 1810 and the eve of the Civil War. The child-woman ratio for Georgia had dropped from 761 to 707 between 1850 and 1860. Since the urban population represented less than 20% of the total population of the U.S. by 1860, the only explanation for this early demographic transition is a significant decline in the rural fertility rates. This is especially true for Georgia whose urban population was approximately 7.5% of the state’s 1860 population.<sup>84</sup>

Closely associated with fertility was what might be termed as the “age gap” between children. The premise is that the larger the age gap registered by a population the greater the conscious intervention in the reproduction cycle. Forsyth’s 1860 age gap is 2.7 years versus

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<sup>84</sup> Ibid.; Carter, Ransom, and Sutch, "Family Matters: The Life-Cycle Transition and the Antebellum American Fertility Decline," 271; Richard A. Easterlin, "Factors in the Decline of Farm Family Fertility in the United States: Some Preliminary Research Results," *The Journal of American History* 63, no. 3 (1976): 600-01. The Child-Woman Ratio (CRS) =  $\left(\frac{\text{number of child aged } 0-4}{\text{number of women aged } 15-44}\right) * 1000$ . CRS is not a direct measure of fertility as much as a measure of population structure. The advantage of the CRS is that it can be calculated without recourse to birth registration data and can be easily derived from census data. It is important to realize that the CRS is not a true measure of fertility because it only counts those children who survive the first four years. A disadvantage is its sensitivity to child mortality. Steckel, "Antebellum Southern White Fertility: A Demographic and Economic Analysis," 31-32; Michael R. Haines and J. David Hacker, "The Puzzle of the Antebellum Fertility Decline in the United States: New Evidence and Reconsideration," National Bureau of Economic Research, <http://www.nber.org/papers/w12571>; Richard H. Steckel, "The Fertility Transition in the United States, Tests of Alternative Hypotheses," in *Strategic Factors in Nineteenth Century American Economic History, a Volume to Honor Robert W. Fogel*, ed. Claudia Goldin and Hugh Rockoff (Chicago: The University of Chicago Press, 1992), 353.

Hancock's 3.1 years. This represented a delay of an additional 4 to 5 more months between the births of siblings in Hancock than in Forsyth. If one assumes that the child bearing years are 22 to 42, then the maximum number of children for families in Forsyth would be 7.4 versus 6.5 in Hancock. The conscious decision to restrict the number of children is the only explanation. The significant difference in age gap between the two counties supports the fertility analysis and the contention that the decline in the fertility rate in Hancock was a conscious decision. Primitive birth control such as abstinence, coitus interruptus, rhythm, barrier techniques, and extended breast-feeding would accomplish this.<sup>85</sup>

An examination of 1850 and 1860 fertility rates for Hancock and Forsyth counties produced a curious pattern. Forsyth's child-woman ratio decreased from 798 in 1850 to 761 in 1860 or -5%. Hancock County experienced a decrease from 633 to 568 or -10%. This clearly opens up a question of why was Hancock's child-woman ratio initially lower and why did it decrease faster than Forsyth's? The decline of rural fertility during the early nineteenth century have centered on two explanations: the lack of land availability and nonagricultural job availability. While the land availability premise might be applicable to the south, nonagricultural job availability is not because of the lack of industrialization.

Yasuba used population density as a measure of land availability. It is estimated that population density in the early republic was nine people per square mile. It steadily increased so that by 1860 it was forty-two persons per square mile. The argument was that with increasingly limited resources, marriage was delayed and a "higher ratio of women remain[ed] outside the marriage market." Yasuba was not arguing that when population density reached a specific point fertility would start to drop, but that as density increased fertility progressively dropped. His

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<sup>85</sup> Joan E. Cashin, "Households, Kinfolk, and Absent Teenagers: The Demographic Transition in the Old South," *Journal of Family History* 25, no. 2 (April 2000): 150.

parameter was persons per 1,000 acres of improved land. Yasuba explained constructing his population density on improved land only because he considered unimproved land as unproductive. His decision to exclude unimproved acreage was arbitrary and isolated to his understanding of how Northern farms operated. He used a coefficient of rank correlation to evaluate his hypothesis. One of his conclusions was, census data showed an inverse relationship between fertility and population density. In other words, when state population density would increase, fertility rates would decrease.<sup>86</sup>

The premise that Yasuba used, that was limiting the analysis to improved property, might not hold true in the antebellum southern United States. Unimproved acreage was productive in the south and in Georgia 70% of the farmland was unimproved. Unimproved land in the south was a unique commodity, in that it amounted to having common rights on unenclosed land. The law for hunting and grazing guaranteed unregulated access. In Massachusetts, unimproved was 36.6% in 1860. The census defined unimproved acreage as a “wood lot, or other land at some distance, owned in connection with the farm, the timber or range of which is used for farm purposes.” The census taker was to exclude wild lands unconnected to the farm operations. There was some evidence indicating that they did not follow those directions in some counties where the total of farmland acreage approached total county acreage. The southern farmer often turned livestock loose on unimproved land to forage until time for slaughtering. It was not uncommon for some farmers to have only unimproved acreage. The point was that Yasuba’s assumption concerning the relevance of unimproved acreage was wrong within the context of the south.<sup>87</sup>

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<sup>86</sup> Yasuba, *Birth Rates of the White Population in the United States, 1800-1860, an Economic Study*, 158-59; Herbert S. Klein, *The Population History of the United States* (New York: Cambridge University Press, 2012), 71-80.

<sup>87</sup> Frederick A. Bode and Donald E. Ginter, *Farm Tenancy and the Census in Antebellum Georgia* (Athens: University of Georgia Press, 1986), 58. Bolton, *Poor Whites of the Antebellum South: Tenants and Laborers in Central North Carolina and Northeast Mississippi*, 41; Yasuba, *Birth Rates of the White Population in the United States, 1800-1860, an Economic Study*, 161.

If Yasuba was incorrect and his measure of land availability did not apply to the south, what other independent variables might relate to southern fertility decline? For this model, a Pearson correlation between the child-woman ratio and the following variables was conducted:

<b>Independent Variable</b>	<b>Definition</b>	<b>Explanation for Analysis</b>
Yasuba Improved Acreage	White Population per 1000 acres of Improved Farm Land	To approximate the original study
Yasuba Total Farm Acreage	White Population per 1000 acres of Total Farm Land	To accommodate the unimproved acres
White Population Density	White population per county square miles	Density as a proxy for land availability
Slave Population Density	Slave population per county square miles	Isolate the Slave influence
Total Population Density	Total population per county square miles	To accommodate the influence of slaves
Wealth Density	Farm Value, capital assets and slave cost @\$600 per county square mile	To test the influence of wealth
% of Improved Farm land	Improved farm acreage/by total farm acreage	Test the level of development
Slave Ratio	Slave population divided by white population	To test the presence of slaves

**Figure 3.8 List of variables used for a Pearson correlation analysis of the fertility rates by county in Georgia .**

To test these independent variables a Pearson correlation analysis was performed using data for all 132 counties in Georgia for the 1860 census. The result of the correlation analysis, shown in Figure 3.11, indicates that of this set of variables, the density of the total population had a very strong inverse relationship,  $-.715$ , to the white fertility rate for the state of Georgia. The P value for the correlation was less than  $.001$  making the result statistically significant. When the white population is separated from the slave population, the slave population maintained a very strong inverse correlation,  $-.711$ , with the white density dropped to a moderate  $-.519$ . This indicates that the presence of slaves results in a decrease in the fertility rate of the white population.

To answer the question, how much of the decrease in white fertility could be assigned to the influence of slaves, you square the correlation coefficient. This indicates that 51% of the decline could be considered the result of the slave population. Wealth density had a strong correlation but indirectly measured the slave population. The next significant variable that appeared to be inversely related to the fertility rate was the degree of development of the county or how much has been converted to improved farmland, a moderate  $-.622$ . There was a strong direct correlation,  $.813$ , between the slave density and the county development, suggesting that slaves directly influenced, on a scale of 66% of the amount of improved land that was farmed.

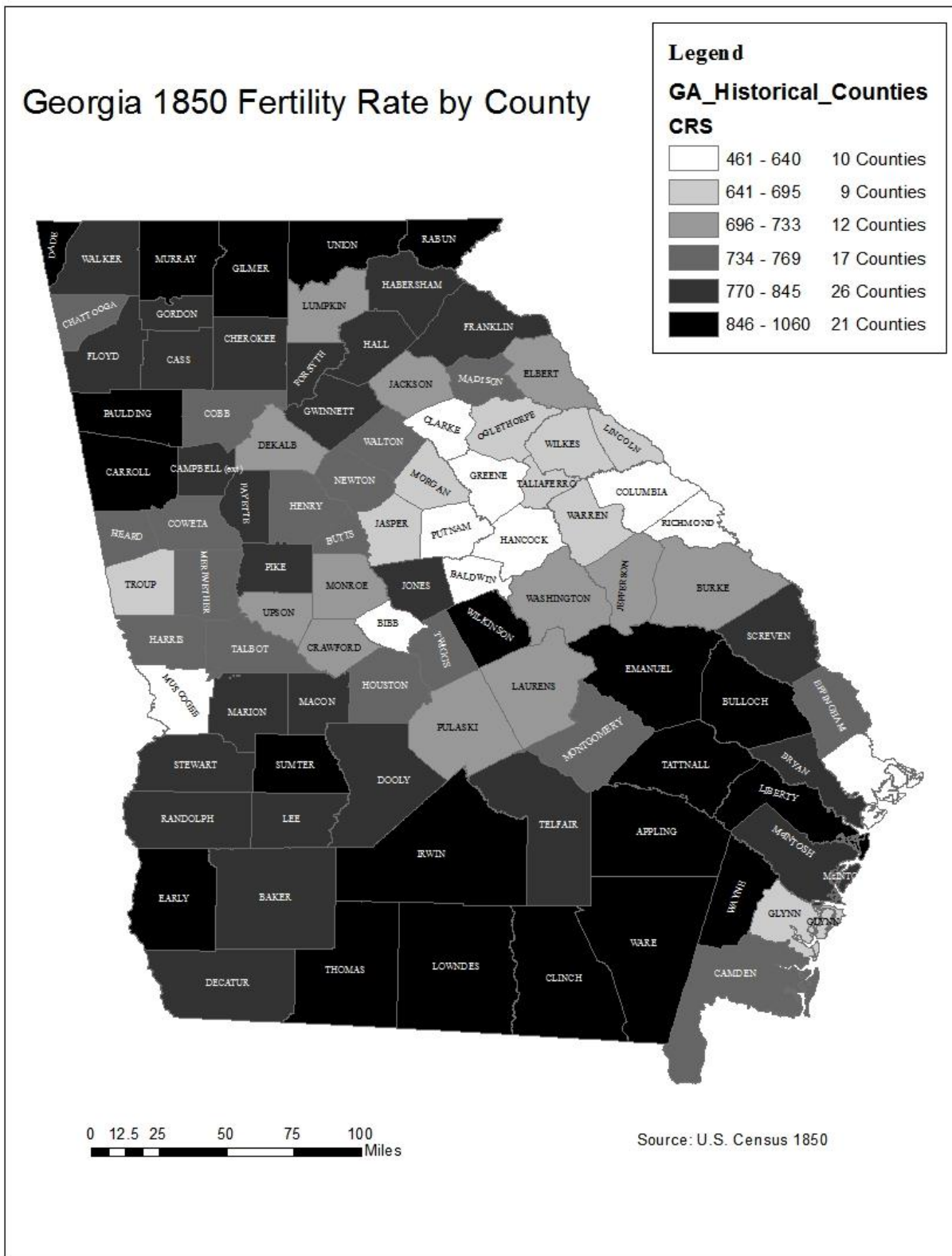


Figure 3.9 Map of the 1860 fertility rates in Georgia by county. Source: U.S. Census 1860.



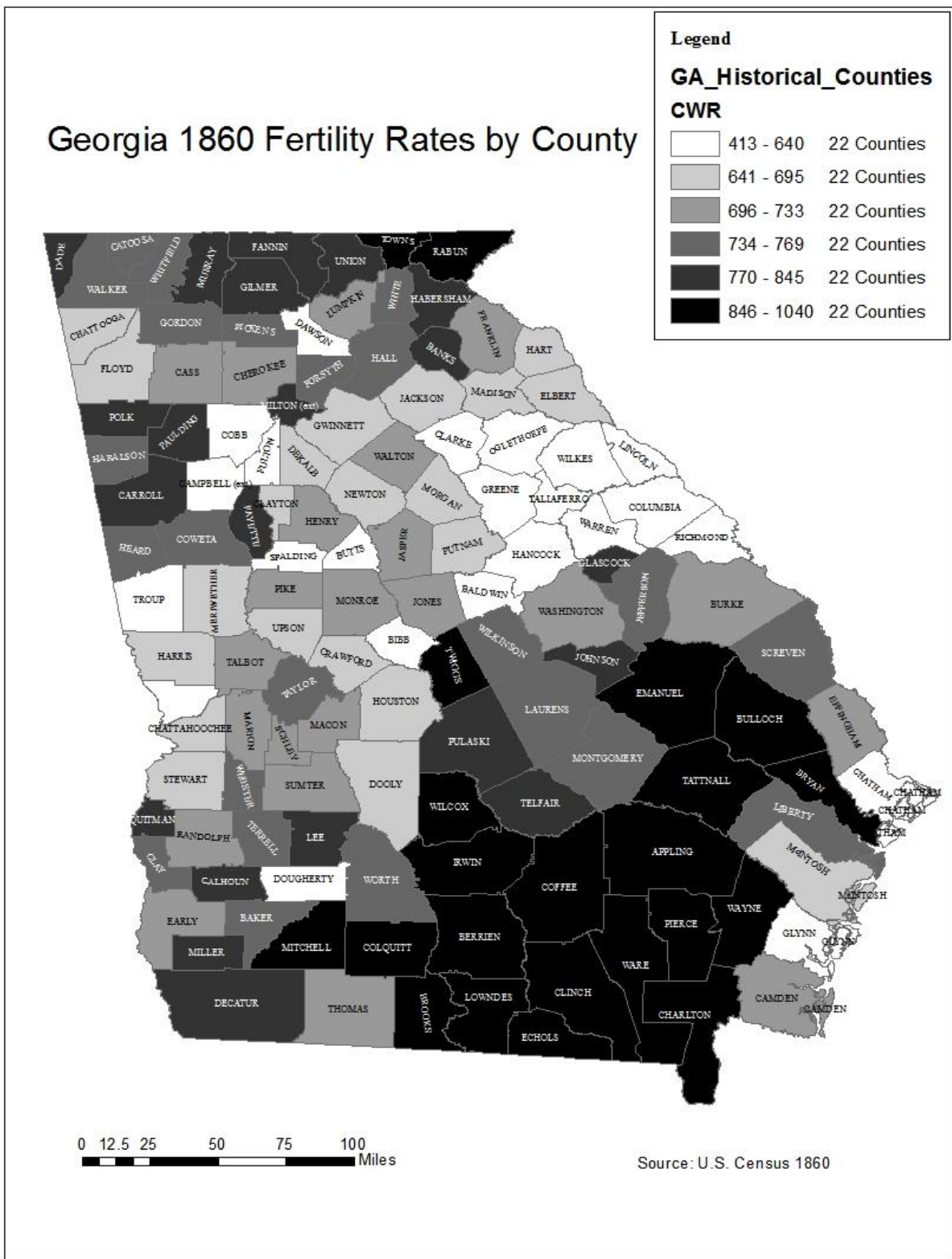


Figure 3.10 Map of the 1850 fertility rates in Georgia by county. Source: U.S. Census 1850.

There was a strong motivation to replace family labor with slave. A narrative interpretation suggests that the slave density or the number of slaves per square mile of county directly influences the white fertility rate. Figure 3.10 is a map of the fertility rates by county. The map clearly indicates that the fertility rate for the Black Belt was lower in 1850 and the decrease appeared to have accelerated during the ensuing ten years. The lower fertility rate counties cut a broad swath across the middle of Georgia

The white population of Hancock county in 1850 was 4,210 and dropped to 3,871 in 1860. That would suggest that 339 people migrated out of the county. However, the state as a whole increased its white population by 13%. That suggests that under normal circumstances the population of Hancock should have grown to 4,826 or increased by 955 individuals. An analysis of a census survival ratio can best show what occurred in Hancock. Census survival ratio measures intercensal state and county net migration, by age, and sex. Appendix Two contains the census survival ratio tables for both Forsyth and Hancock counties. This analysis indicates that approximately 652 people migrated out of Hancock. The head of household age remained the same. The remaining 303 could best be accounted for by a decrease in the fertility rate and the decline in family size.

A similar look at the Forsyth 4 county area finds a white population of 30,978 in 1850 increasing to 31,278. The projected state growth of the state suggested that the population should have been 35,129. This indicates that 3,851 migrated out of the county. The census survival ratio can account for 3,853. This is consistent with the family size and fertility rate declining for this area.

The conclusion was that white families are making a conscious decision to restrict the number of white children because their labor was no longer needed. In other words, the cost-

benefit of having children is shifting against children in counties with high slave populations. It cheaper and more productive to fulfill the labor needs by slaves than children who would only be available until they married.<sup>88</sup>

While it should be no surprise that slaves were displacing family members as a source of labor, this displacement materializing as an accelerating decline in white fertility is a profound historical revelation. Contrary to the premise that the land availability drove down the fertility rate during the antebellum period, population density per total farm acre or land availability returned a weak inverse relationship of  $-.274$ . This is not an exact duplication of Yasuba's use the potential improved acreage in 1949. However, Yasuba attempted to correlate across several censuses. In this case, the analysis was focused on a single census of 1860. The conclusion is that land availability was a minor contributor to the decline in the fertility rate in the antebellum south.

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<sup>88</sup> Pearson Correlation is a statistical technique that can show how strongly pairs of variables are linearly related with ranges between  $-1$  and  $+1$ . Correlation analyses should not be interpreted as establishing cause-and-effect relationship. Any conclusions about a cause-and-effect relationship must be based on the judgment of the analyst. The following table explains the strength of the relationship:

Pearson r =	Implication
+ .70 or higher	Very strong positive relationship
+ .40 to + .69	Strong positive relationship
+ .30 to + .39	Moderate positive relationship
+ .20 to + .29	Weak positive relationship
+ .01 to + .19	No or negligible relationship
- .01 to - .19	No or negligible relationship
- .20 to - .29	Weak positive relationship
- .30 to - .39	Moderate positive relationship
- .40 to - .69	Strong positive relationship
- .70 or higher	Very strong positive relationship

The effect sizes estimate the amount of the variance within an experiment that is "explained" or "accounted for" by the experiment's model. The coefficient of determination, calculated as the square of the Pearson correlation  $r$ .

Correlation Analysis for Georgia Counties

	Child-Woman Ratio	Yasuba/ Improved Arceage	Total Farm Arceage	White Population Density	Slave Population Density	Total Population Density	Wealth Density	% of County Improved
Yasuba/ Improved Arceage	0.274							
	0.001							
Yasuba/Total Farm	(0.273)	0.560						
	0.002	0.000						
White Population Density	(0.519)	0.169	0.828					
	0.000	0.052	0.000					
Slave Population Density	(0.711)	(0.630)	0.055	0.427				
	0.000	0.001	0.534	0.000				
Total Population Density	(0.715)	(0.208)	0.594	0.888	0.764			
	0.000	0.017	0.000	0.000	0.000			
Wealth Density	(0.728)	(0.602)	0.150	0.527	0.986	0.840		
	0.000	0.000	0.086	0.000	0.000	0.353		
% of County Improved	(0.622)	(0.611)	0.246	0.677	0.813	0.869	0.873	
	0.000	0.000	0.004	0.000	0.000	0.000	0.000	
Slave Ratio	(0.404)	(0.794)	(0.515)	(0.234)	0.779	0.206	0.695	0.406
	0.000	0.000	0.000	0.007	0.000	0.018	0.000	0.000

Figure 3.11 Table of the results of a Person correlation analysis of the Georgia fertility rate. Source: U.S. Census 1860.

The implication of this conclusion was that the social process in operation in counties like Hancock was a gradual loss in value of white children as farm laborers and as social security providers. The cost benefit calculation moved against children and they were effectively no longer needed. Farms were getting bigger, family size smaller, white density declining, and white population shrinking. In those counties where the cotton culture assumed economic dominance, the white fertility rate dropped off precipitously. The correlation between fertility and cotton production was a moderate  $-.328$ , meaning that as cotton production went up, fertility went down. The term precipitously is warranted because Hancock's child-woman ratio was  $\frac{3}{4}$  that of Forsyth and was dropping at twice the rate. Slaves were displacing white children similar to how they blocked the development of free labor.<sup>89</sup>

<sup>89</sup> Robert William Fogel, *Without Consent or Contract: The Rise and Fall of American Slavery* (New York: Norton, 1989), 121.

This labor substitution created a clear pattern on a county map of Georgia, Figure 5. A zone of low fertility correlates closely with the Cotton Belt. The statistical correlation to cotton production and the fertility rate is moderate  $-.424$ . Through this economic motivation, the planter elite had decided to reduce the number of child they produced. Slave labor was evidently cheaper and a more reliable labor force and source of social security. Even more important is that the substitution of slaves for family based labor removed a constraint on the productivity of the southern farmer. A family could produce only 6 to 8 children and their labor was only available for a short period. A parabolic curve best represented productivity of family labor, reaching maximum for a few years and then declining as offspring departed. This would suggest that wealth among yeoman steadily increased, reached a peak, and then declined as the family labor force moved on. Slaves did not go anywhere and were available to work from age 10 to 65. Fogel and Engerman argued that slave farm operations were 34% more efficient than a nonslave operation. The accumulation of slaves was the most direct way to increase wealth in the antebellum south.<sup>90</sup>

The premise that slavery had a negative effect on the white population was also part of the abolitionist rhetoric. However, their argument was not that it reduced white fertility but that it “sapped the vigor of the white masters.” The abolitionist viewed the slave quarters as the master’s personal harem. An additional component of the argument was that slavery induced whites to migrate north, discouraged foreign immigrants, and hindered the development of free

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<sup>90</sup> David F. Weiman, "Farmers and the Market in Antebellum America: A View from the Georgia Upcountry," *The Journal of Economic History* 47, no. 3 (1987): 629; Ford, *Origins of Southern Radicalism: The South Carolina Upcountry, 1800-1860*, 49; Wright, *The Political Economy of the Cotton South: Households, Markets, and Wealth in the Nineteenth Century*, 26. Fogel, *Without Consent or Contract: The Rise and Fall of American Slavery*, 210.

labor. While all of these observations might be accurate, another reality is that the presence of slaves appears to accompany a decrease in white fertility.<sup>91</sup>

An interesting analysis shows that Hancock's slave population was 6.5% mulatto compared to Forsyth's 10.4% in 1850. In 1860, Hancock's mulatto count dropped to 1.8% and Forsyth held constant at 10.2%. The drop in mulattoes in Hancock County between 1850 and 1860 generates a question, where did they go? The answer is nowhere. In 1870, the mulatto population reappears constituting 7.1% of the freedman's population. The best explanation for the sudden drop in Hancock's mulatto population and its miraculous reappearance might be that the embarrassing political criticism of the abolitionist might have encouraged an undercounting of mulattoes in planter elite counties.

Outside the Cotton Belt, the cost benefit of children had not yet reached the tipping point so evident in the heavily populated slave counties. While the fertility rate appeared to be decreasing, it was at a statistically insignificant rate. Slave substitution did not occur in Forsyth or other Upcountry counties where subsistence farmers dominated the landscape. The key to prosperity on southern antebellum yeoman farms have long been children. The consensus was that each additional child increased the acreage a farmer could work. It took time to build a family labor force. The conclusion was that as a farmer grew older, their available workforce or family grew and therefore their farm size and wealth grew.<sup>92</sup>

Stephanie McCurry argues this premise in her study of the South Carolina lowlands where she contends there was evidence that as a farmer aged, the larger his family became, so did the acreage he farmed and therefore his wealth. McCurry stated that the logic was "unmistakable," that the most prosperous farmers would have the largest number of children.

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<sup>91</sup> *Without Consent or Contract: The Rise and Fall of American Slavery*, 121.

<sup>92</sup> Ford, *Origins of Southern Radicalism: The South Carolina Upcountry, 1800-1860*, 48.

She argued that the south did not participate in the national fertility rate decline of the early nineteenth century. However, the correlation between age and value of real estate was  $+0.154$  in Forsyth. A correlation between a farmer's age and his number of children was  $-0.037$ . A correlation between number of children and real estate was  $+0.082$ . At best, these can be called a minor correlation and brings into question McCurry's premise. To reiterate, children were not a permanent labor source. The most a yeoman could expect were 8 children. McCurry's data showed 3 to 4 children, in line with the Forsyth family structure. Statistically half of them might have been male children and the farmer would only have an adult farm worker for 6 or 7 years. While it might sound like unmistakable logic, the data does not support the premise.<sup>93</sup>

The explanation for the failure of these correlations was most likely that wealth came to yeomen farmers by several paths. While some surely accumulated their wealth through family labor, it was not hard to find young wealthy farmers who inherited or married into their wealth. You can as easily find a wealthy 30-year-old farmer as you can find a poor 65-year-old farmer. For instance, Thomas Samples, a Forsyth farmer in 1850, with \$150 to his name and 7 children. He was found in 1860, still a farmer but now \$100 to his name and 8 children. By the way, 6 of those children were males. Obviously, he was not following the game plan. Examination of Forsyth shows that the median age for farmers who owned their land was 38 in 1850 and had increased to 41 by 1860. This suggests that younger males as they came of age are not forming new farms. The median family size for farmers in 1850 Forsyth was 6. The intervening decade saw that number approximately remain the same. There was a clear limit on labor available to a yeoman and gender added a random factor that made children a risky labor source. The

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<sup>93</sup> McCurry, *Masters of Small Worlds: Yeoman Households, Gender Relations, and the Political Culture of the Antebellum South Carolina Low Country*, 61-63. Interestingly, when McCurry makes the statement concerning the logic of her conclusion she references Mary P. Ryan's *Cradle of the Middle Class: The Family in Oneida County, New York, 1790-1865* where children are referenced as "their own flesh, blood and labor supply."

conclusion was that the decline in fertility was apparently confined to the nonagricultural population of the county of which the median family size was 5.<sup>94</sup>

As mentioned earlier, Forsyth experienced a minor statistically insignificant decline in fertility during the decade of 1850s. Slaves were not an economic factor in Forsyth, remaining steady at 13% of the county population. What did change was the family farm. Historians usually seize upon the measure of improved acreage as a definition of social class. Bode, Bolton, McCurry, and Owsley each used improved acreage as a metric to measure yeomen economic success. The 1850 census indicates that the improved acreage for Cherokee, Cobb, and Forsyth was 146,372 acres. The 1860 census data for these three counties plus the new Milton County saw an increase to 196,450 or a 30% increase of improve acreage. This was an aggressive increase in acreage. However, the really story was what occurred with the white population.

**Figure 3.12 A graph of the population density by county. Random counties named for comparison. Source: U.S. Census 1860.**



The key 1850 and 1860 metrics for Forsyth and Hancock are shown in Table 5. It reflects many factors that remained relatively stable for the Forsyth Area. Population increased for the Forsyth area from 1850 to 1860 approximately 1% compared to a statewide increase of 13%. The fertility drop only slightly indicated that a healthy number of children were born during this time. The statewide population growth suggested that Forsyth area white population should have increased by 4,000. The almost negligible white population increase indicates that somebody went somewhere. The Forsyth area was experiencing economic stress caused by the population density and lack of available farmland. This was brought on by the increase in the cost of land. While the improved acreage increased significantly, for this area, the total land farmed, improved and unimproved, increased only 3%. The cost per acre in 1850 was \$4.84 compared to the 1860 cost of \$5.97, a 23% increase. The population density for the Forsyth area was approaching the extreme end of the spectrum for Georgia during the 1850s. Figure 3.12 shows the location of Forsyth on that spectrum the population density spectrum. The family structure remained the same from 1850 to 1860. The conclusion is that there was an out migration occurring in the Forsyth area that the migration was not confined to a young family forming age. One would expect to find evidence of that in the census.<sup>95</sup>

The calculation of a census survival ratio (CSR) for the Forsyth area does contain evidence of a specific age group out migration. The details of the CSR are located in the Appendix Two. The premise that the Forsyth area was under economic stress from lack of land availability and forcing an out migration should produce evidence that a specific age group that is responsible for new farms constituted the majority of the exodus. The CSR shows that 74% of

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<sup>95</sup> Don R. Leet, "The Determinants of the Fertility Transition in Antebellum Ohio," *The Journal of Economic History* 36, no. 2 (1976): 364-65.

Forsyth 4-County Area 1850												
County	# of Families	# of Farmers	Square Miles	Improved Arceage	Unimproved Arceage	Total Farm Land	Median Farm Size	White Population	Slave Population	Wealth	Total White Population Density	Total Population Density
Forsyth	1,334	836	286	43,140	107,379	150,519	90	7,812	1,027	\$ 1,374,972	27.3	31
Cherokee	2,001	1,014	617	50,535	128,501	179,036	120	11,630	1,157	\$ 1,663,431	18.8	21
Cobb	1,909	978	504	52,697	155,557	208,254	116	11,568	2,272	\$ 2,163,370	23.0	27
Milton	-	-	-	-	-	-	-	-	-	-	-	-
Total	5,244	2,828	1,407	146,372	391,437	537,809	100	31,010	4,456	\$ 5,201,773	22.0	25
Hancock	761	438	479	125,691	162,644	288,335	400	4,210	7,306	\$ 5,789,238	8.8	24
Forsyth 4-County Area 1860												
County	# of Families	# of Farmers	Square Miles	Improved Arceage	Unimproved Arceage	Total Farm Land	Median Farm Size	White Population	Slave Population	Wealth	Total White Population Density	Total Population Density
Forsyth	1,245	637	255	45,811	82,149	127,960	140	6,851	890	\$ 1,424,030	26.9	30
Cherokee	1,978	868	434	54,861	124,759	179,620	150	10,047	1,199	\$ 2,222,963	23.1	25.9
Cobb	1,863	840	352	63,385	113,232	176,617	130	10,410	3,819	\$ 4,326,426	29.6	40
Milton	784	426	139	27,361	41,460	68,821	110	3,984	617	\$ 358,840	28.7	33.1
Total*	5,870	2,771	1,180	191,418	361,600	553,018	130	31,292	6,525	\$ 8,332,259	26.5	32
Change from 1850 to 1860				31%	-8%	3%	30%	1%	46%	60%	20%	
Hancock	809	374	479	111,265	216,462	327,727	500	3,871	8,137	\$ 8,599,240	8.1	23
Change from 1850 to 1860				-11%	33%	14%	25%	-8%	11%	49%	-8%	

Figure 3.13 A table of key parameters for Hancock county and the Forsyth 4County Area. Source: U.S. Census 1850 and 1860

**Figure 3.14** A graph of the distribution of Forsyth farm size. Source: U.S. Census 1850 and 1860.

the “missing” population is below the age of 29, or that group that one would expect to generate the demand for new farm land. The CSR shows that 90% of those departing were males.<sup>96</sup>

The poor whites were effectively squeezed out as reflected in Figure 3.14. This frequency distribution compares 1850 and 1860 Forsyth farm size. What quickly becomes apparent is the shift to the right of the distribution and a significant drop in the number of small farms. There is close to a 50% drop in farms of less than 100 acres. A clear consolidation is occurring. The median farm size went from 90 to 140 acreages for the four counties. A look at Figure 3.13 shows this occurred across all four counties that constitute the Forsyth area. The improved acreage is increasing and but remains closely held. This suggests that people were packing up and moving out on a large scale as those who could afford it were accumulating more land. Land availability was clearly an issue in Forsyth County. While family size remained approximately the same, because of their inability to obtain land, the small farmers and young populations were moving on.

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<sup>96</sup> James C. Raymondo, *Population Estimation and Projection: Methods for Marketing, Demographic and Planning Personnel* (New York: Greenwood Publishing Group, 1992), 43-45.

In summary, this limited statistical comparison of Forsyth and Hancock Counties reveals strikingly contrasting socioeconomic societies. Forsyth, a heavily white populated but relatively small county, was a densely populated but stable society in the 1850s. With a small slave population and low cotton production, children were still very much an important source of labor and social society. Overall, family size was not significantly declining. Lack of involvement in the cotton trade made Forsyth a poor county. The disappearance of small farms and increase in land value suggest that land availability was a prime factor in forcing out the new families generating population in Forsyth County. While fertility appeared to be dropping in Forsyth, it is not significant and appears to be restricted to nonfarmers. If fertility was not declining in the yeoman regions of Georgia then the conclusion was that the primary driving factor for white fertility decline for Georgia was occurring primarily in the densely populated slave areas as the plantation owners consciously decided to forego large families. Forsyth was economically and demographically a healthy population. In plantation regions like Hancock County farms were getting bigger, families smaller and head of households older. The rapidly increasing slave population was rapidly replacing the shrinking white population. While clearly an economically healthy and thriving region, Hancock had a white population that was negatively impacted through reduced fertility prompted by the presences of and reliance on slave labor.

#### 4 Upcountry Georgia: It's Saturday, Time for a Riot

The sun had been down for several hours and the warmth from its heat had started to dissipate. As they made their way along the dirt road, it was if they were walking down a tunnel. The light from the burning pine branch cast a flickering light that appeared to be absorbed by the darkness around them. It had been an over an hour since they had heard the muffled cry of “Murder” from further down the road. The rhythmic sound of the hooves of an approaching horse raised everyone’s expectations, but the emergence of rider less mount moving slowly along the edge of the road made them fear the worst. Finally, as they moved further down the dirt path that passed for a road, a dim shape appeared. As the unsteady light reached out towards the silhouette, Wiley Vaughan felt as if his body sagged. There, off to the side of the road, stretched out across the wheel ruts of Blackstock Mill Road, his shirt soaked with blood from thirteen knife wounds lay Wiley’s 62-year-old brother Claiborn. It was late Saturday night, August 7, 1858 and Claiborn lay motionless as if frozen in time.<sup>97</sup> It occurred to Wiley, it was best that Claiborn had not changed his clothes that morning. The road was located in the southern part of Forsyth County, Georgia. As the small group gathered around the body, it was clear Claiborn was dead. This Saturday was the first Saturday of the month and therefore court day throughout Georgia. In keeping with the tradition, Claiborn had spent the day at Wild Cat Court Grounds visiting, sporting, drinking, and fighting with his neighbors. His death culminated in four trials, the hanging of two men, the escape of a third, and the incarceration of two others in the Georgia State Penitentiary at Milledgeville.<sup>98</sup>

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<sup>97</sup> Office, "Population Schedules of the Seventh Census of the United States, 1850...Georgia".

<sup>98</sup> "Superior Court Minutes - Forsyth," ed. Blue Ridge Circuit (Cumming, Ga.1858-1860). All reference to the crime and trail for the murder Claiborn Vaughan, unless otherwise noted, come from the Forsyth Superior Court Minutes.

The importance of Claiborn's death to historians resides within the three hundred plus pages of testimony written in the practiced hand of the Superior Court Clerk. Historians typically incorporated stories like this into a metanarrative study of the southern plain folk and the culture of violence in the antebellum south. Bertram Wyatt-Brown is an excellent example of the marshaling of murder cases to prove an overarching point regarding violence in the south. In his final chapter in *Southern Honor*, Wyatt-Brown does examine a murder case in detail, but the context of violence and its relationship to honor.<sup>99</sup> It is argued here that such a treatment risks flattening the realities of the past that Claiborn's death represents. These pages give historians a rare opportunity to listen to the words of the yeoman. This is not a story of a sweeping historical event with national implications. It barely made the newspapers and only then because it consumed so much court time that a backlog of court business arose. This was not a murder mystery. There was little disagreement as to who murdered Claiborn. No miscarriage of justice occurred. In the context of the antebellum south, the sentence was consistent. The objective is not to just retell the events of that Saturday, though in fact the retelling of the story is instructive in and by itself. The existence of such a large compendium of yeomen interaction offers the historian an opportunity for close examination or study of the small.

By studying the small, we hope to gain an understanding of the large. Contained in the individual actions are glimpses of the symbolic and material elements of the yeoman culture. Individuals negotiate the symbols and material of their culture and in the process create beliefs that define them as individuals, norms that guide their actions, and sanctions that maintain order for a society, in this case the society of upcountry yeomanry. If social meaning is contained in what people do, then the events of that hot August afternoon in the foothills of 1858 Georgia

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<sup>99</sup> Bertram Wyatt-Brown, *Southern Honor: Ethics and Behavior in the Old South* (New York: Oxford University Press, 1982), 367, 81.

should give a historian some insight into the traditions, norms, values, and rules of the antebellum upcountry yeoman. As Herbert Blumer commented, “It is the social process in group life that creates and upholds the rules, not the rules that create and uphold life.”<sup>100</sup> In the process of reading the sworn testament of 29 witnesses, the historian becomes engrossed with one day in the symbolic, and material world of 15 men who happened to be yeomen.

The use of the term culture is so pervasive as to make its meaning elusive or at least a point of disagreement among its students. The layman, when asked about culture might respond with something like music, poetry, and art or reference a nebulous education gained by long hours in a library. However, the reality of what culture actually involves is problematic in itself, for culture is an umbrella under which the world of man is gathered. James Clifford argued that the term is a “deeply compromised idea I cannot yet do without.”<sup>101</sup> Raymond Williams, while suggesting that culture is one of the more complex words in the English language, offered several definitions. Nevertheless, a simple straightforward definition suggests that culture is a particular way of life associated with a group of people.<sup>102</sup> It involves both expressive and material elements.

A comparison of the 1850 and 1860 censuses offers the best access to the material existence of Claiborn. The comparison reveals that Claiborn’s fortunes followed the parabolic trajectory typical of a subsistence farmer dependent on his family for labor. In 1850, Claiborn ran what appeared to be a small but highly productive farm. He owned no slaves and needed none. His household had ten people with what evidently were two orphans living with him, the Dilden brothers. The farm was clearly at the peak of its profitable capacity. Claiborn won the

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<sup>100</sup> Herbert Blumer, *Symbolic Interactionism: Perspective and Method* (Berkeley, Los Angeles: University of California Press, 1986), 6.

<sup>101</sup> James Clifford, *The Predicament of Culture: Twentieth-Century Ethnography, Literature, and Art* (Cambridge, Mass.: Harvard University Press, 1988), 10.

<sup>102</sup> John Storey, *Cultural Theory and Popular Culture: A Reader* (New York: Harvester Wheatsheaf, 1994), 2.

demographic lottery with four other males between the ages of ten and twenty-four and represented what was a considerable pool of excess labor. Of the 101 acres that Claiborn owned only twenty-five were improved. The reality was that Claiborn owned a relatively small farm. The median Forsyth farmer worked 40 improved acres in 1850, which grew to 60 acres by 1860. However, the excess labor allowed Claiborn to raise six bales of cotton in 1850. This was three times the median of two bales for those who grew cotton in the county. Of the 1,115 farmers in Forsyth, only 198 produced any cotton and only 13 other farmers produced six or more bales. Actually, Claiborn was above average by almost every any measure. He owned more horses, milch cows, oxen, cattle, and swine than the typical farmer did. He produced more corn and oats. But, the 1860 census found Claiborn in a different situation.

Already by 1858, times had changed for Claiborn. It was common for sons to continue to work the family farm until their early twenties. Claiborn's sons had grown-up, married, and moved on. He had lost his labor pool with only his wife and the one remaining sixteen-year-old orphan who still lived with him, Isaac Dilden, to work the small farm.<sup>103</sup> A yeoman who was dependent on family labor saw that resource grow over the years and then diminish. For the yeomanry, wealth came and went with their children. Claiborn now sold his own labor to a mill owned by J.W. McAfee and Fred Moore, two well-respected and successful Forsyth businessmen.<sup>104</sup> Arguably, Claiborn was now clearly a poor white, not a yeoman. The commodification of Claiborn's labor made him heavily dependent on that exchange for access to the means of sustenance and represented a loss of economic power and personal freedom. He had given up the traditional world and taken a tentative step into a commercialized world.

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<sup>103</sup> Office, "Population Schedules of the Seventh Census of the United States, 1850...Georgia "; "Agricultural Schedules of the Seventh Census of the United States, 1850...Georgia ", ed. Department of the Interior (Washington, D.C.: National Archives, National Archives and Records Service, General Services Administration, 1850).

<sup>104</sup> "R. G. Dun Papers," in *R.G. Dun & Co. Collection* (Boston: Baker Library Historical Collections), 212.



It was too far for Claiborn to walk to the McAfee mill each day from his home in newly formed Milton County, so he was boarding with John Mathews and doing some odd jobs around the place. John was from South Carolina and had ten children. Like Claiborn before him, John had excess labor and grew two bales of cotton on his 30 acres of improved land. Malicia Mathews, John's wife, made a little money by washing Claiborn's clothes. It was here on the morning of Saturday, August 7 that forty-seven year-old Levi McGinnis and Mahlon James stopped by to see if Claiborn and John wanted to go over to the Wild Cat Court Grounds for Court Day. The grounds were located about three miles from Mathew's farm. Both John and Claiborn expressed an interest. The rural nature of the Upcountry turned these monthly court days into social affairs, much like the annual campground meetings held in the late summer. Court day constituted one of the few diversions for these men. It was an opportunity to exchange news and discuss politics, but more important to reconnect with the fundamentals of their yeomanry culture. The four got to the court grounds about noon.<sup>105</sup>

At the court ground Claiborn, Levi and John were drawn to a wagon where Ransom Barnes, a farm laborer who had moved into Forsyth six years earlier from South Carolina, had setup several barrels of liquor and around which were gathered a number of friends. Others standing around the wagon were Jacob Pettyjohn, William Buise, Thomas Beaver, James Bagley, Isaac Freeland, Pinckey Lindsey, William Brannon, and James McGinnis. Every one considered it a "mark of regard to drink with his neighbor." According to the 1850 census, Isaac Freeland was the wealthiest of these men, farming ninety improved acres, and running fifty swine and thirteen cattle on 710 unimproved acres. His farm was valued at \$2,500 and produced wheat,

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<sup>105</sup> "Superior Court Minutes - Forsyth." The details of the events of August 7 and 8, 1858 were gathered from testimony contained in the Superior Court Minutes of Forsyth County. The four trials that resulted from Vaughan's death were held in 1859 and 1861. While no further footnotes will be entered referencing this primary source, all information concerning the events of that day originated with this document.

corn, oats, potatoes, butter, and beeswax. Isaac was a well-diversified yeoman. He produced no cotton.<sup>106</sup>

Among the crowd was Arch Martin, a thirty-nine year-old father of 6 and farmer of 15 improved acres on which he grew corn, and wheat and raised swine and sheep. Arch had a reputation as an excellent shot. Someone suggested that Abraham Buise and Arch should have a shoot off. Shortly after noon, the group of men walked about 1/4 of a mile to a clearing located about halfway away between the court ground and Isaac Freeland's cabin.

It was good that they put a little distance between themselves and the court ground. The newspapers of that period are full of reports of shooting matches such as this and it was not unusual for injury to accompany them. Shooting matches were dangerous affairs. On just such a court day, the newspaper reported that a N. F. Sparks, while shooting at a target accidentally put a bullet in the head of C. H. Knight and killed him. In Jackson County, Georgia, a "misunderstanding had arose" between William Cook and Richard Adams when attending a shooting match. While bystanders prevented them from fighting, Adams managed to step back from the crowd, level his rifle, and promptly put a bullet in Cook's heart. A similar event occurred in Jones County when a George Maddox, attending a shooting match, shot and killed Eli Gray, the local grocer, and another man over an argument. Up in Calhoun, Georgia, Joseph Walker, a youth of 19, shot his friend Julius Walker in the back of the head. The southern newspapers of the period were littered with the mayhem perpetrated on the occasion of a shooting match. The implication was that shooting matches and drinking were an integral institution in southern culture and functioned as a socializing process.<sup>107</sup>

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<sup>106</sup> George R. Gilmer, "Letter from Ex-Governor Gilmer," *Southern Banner* August 18, 1853, 1.

<sup>107</sup>"Homicide," *ibid.* Sept. 29, 1853; Joseph Clisby, *Georgia Weekly Telegraph* August 30, 1860; "Melancholy Accident," *Tri-Weekly Flag & Advertiser* November 18, 1847; "Shooting Match," *Daily Chronicle & Sentinel* Dec.

Thanks to Augustus Baldwin Longstreet we have some appreciation for what was about to occur. The distance to the target was traditionally sixty yards for rifles. The target would have been a two and a half inch square piece of paper upon which would be marked a diamond approximately one inch in diameter. A judge would have placed a cross within the diamond. Sometimes the judge would cut a notch from the center to two corners. The target would be elevated about three feet above ground.<sup>108</sup>

When they got to the clearing, the crowd settled on Bagley and Beaver as the judges. They nailed a target to a tree and the match commenced. On the first round of shooting, Jacob Pettyjohn bet William Buise a dollar that Arch could beat Abe Buise. Claiborn agreed to hold the stakes. Abe won the first round. During the last match Claiborn Vaughan and William Buise made a joint two dollar bet with Jacob Pettyjohn and William Brannon that Abe would outshoot Arch. After the final shot, one of the judges declared Arch the winner. As Pettyjohn and Brannon stepped over to Claiborn and collected their winnings, Abe commented that he wanted to look at the targets. While Abe walked over to the target to inspect it, Pettyjohn and Brannon turned and started to walk back to the court grounds. Meanwhile, Bagley and Beaver stepped over to the target to evaluate the shots with Abe. After a close look at the target the judges decided that Abe had actually won, after all.

With the target in his hand, Abe traced Pettyjohn's steps back to the court ground. The farmers that Pettyjohn associated with were a rough crowd, one of which was Levi McGinnis. Over the last six years, Levi McGinnis had appeared before the Superior Court of Forsyth twelve times. Five times for assault and battery, twice for selling liquor without a license, twice for

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28, 1855; "Miscellaneous," *The Liberator* Oct. 20, 1837; Birds Eye, "From Augusta Evening Dispatch," *Atlanta Weekly Intelligencer*, December 30 1853.

<sup>108</sup> Augustus Baldwin Longstreet, *Georgia Scenes: Characters, Incidents, Ect., in the First Half-Century of the Republic by a Native Georgian* (New York: Harper & Brothers Publishers, 1897), 282.

forgery, once for simple larceny, once for rioting and earlier that year once for assault with intent to murder. Pettyjohn himself had a record suggesting that he too was inclined towards assault and battery and was a habitual gambler. Brannon was not averse to rioting either. Therefore, it would be reasonable that Abe approached Pettyjohn with some caution and understanding that what he was about to do was dangerous. When Abe found Pettyjohn, he walked up to him and pointed out that the judges had made a mistake. However, since the money was not his, but belonged to Claiborn and William, the issue was not his to contest. He just wanted to clarify the who was the better shot. Pettyjohn stated the honorable thing to do and boastfully replied, "If I didn't win the money, I don't want it." However, Pettyjohn then turned to the gathered men and sought support and permission to keep the money by including them when he asked Abe "Buise, if the judges had given you the money would you not have kept it?" There was no correct answer. Either way Abe Buise, despite the fact he was one of the shooters and his opinion carried some moral authority, was going to violate the sense of honor of someone. Abe replied that if there had been a mistake he would have returned the money.

This is a critical point in the happenings of the day. The short exchange set in motion a series of events that in the culture of southern yeomanry, were almost unstoppable. Abe clearly knew he was treading on potentially violent ground. By doubting Pettyjohn's right to the money, Abe placed into question the respect Pettyjohn had gained at the shooting match by winning the wager and suggested that Pettyjohn was engaged in a misrepresentation of who he was. Essentially, Abe was accusing Pettyjohn of being dishonest and a liar. The winning of the shooting bet was a projection of who Pettyjohn thought he was and that required confirmation of his fellow yeomen. Only a coward would let an assault on his identity go unchallenged. This was the essence of honor. To a modern mind, the word honor brings forth visions of aristocrats and

gentlemen. These images infer that the word was misplaced because we are not dealing with elite figures. However, substitute phrase “public opinion” and you have an energy that pushes a southern adult male down the path of violent defense of his self-image. Honor was a process of weighing one’s value, openly declaring that value and in return the public accepting it. Honor was the ritualization of respect. A ritual brings solidarity to a society. As such, it led to extreme behavior, both in its pronouncement and defense. The key point is that honor was a process. Disruption of that process at any point activated a violent reponse from the offended individual. It established the social order and supplied the mechanism by which to maintain that order. Honor propelled an individual along a course of socially approved behavior and values. Honor was a collective group philosophy that one should not underestimate when studying the antebellum southern class structure and the class cohesion that historians find so puzzling.<sup>109</sup>

James McGinnis, son of Levi, stepped over beside Pettyjohn, gave him a wink and told him under his breath that he ought to knock Abe down. Abe turned to James McGinnis and started cussing. Levi McGinnis, hearing the distasteful language, stepped up beside his son and said, “Jim, say what you please. If you can’t whip him, I can!” About this time Old Man William Buise came up to the arguing men and asked Abe what the problem was. Abe angrily said that James and Levi wanted to whip him because he had tried to explain the mistake the judges had made in concerning to the outcome of the shooting match. Old Man Buise then turned to Levi and asked whether he had anything against Abe. Levi appeared to be cooling off a little. Old Man Buise then suggested, “Why don’t we not stop all the fussing and let us make friends.” Levi looked down at the ground, scuffing the ground with his foot and mumbled, “I’m willing. Let’s

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<sup>109</sup> Edward L. Ayers, *Vengeance and Justice: Crime and Punishment in the 19th Century American South* (New York: Oxford University Press, 1984), Secondary, 13-14. Bertram Wyatt-Brown, *Honor and Violence in the Old South* (New York: Oxford University Press, 1986), 14-15.

all go over and get a drink.” The invitation to drink was recourse to another ritual intended to reunite the community.

When the crowd got to the wagon, everyone chipped in 5¢ and bought a quart of liquor. The men started to pass the bottle around. While there was a temperance movement in the antebellum south, it never attained the moral or political power necessary to seriously reduce the consumption of liquor. After a few minutes of standing around drinking, Abe stepped over to the fence, picked up his gun, put it over his shoulder, and motioned to Old Man Buise that it was time to head home. In an instant, Levi snatched the gun from Abe’s shoulder and attempted to strike Abe up aside the head with it. Abe blocked the blow and reached for his musket. Isaac Freeland, seeing the start of a general altercation, stepped over and hollering “Boys, give the man his gun. She is a good gun and we don’t want to break her.” Multiple cries of “Fight,” quickly summoned a crowd. Then Abe asked McGinnis to give him his gun, reached over, and tried to jerk the gun loose. Levi jabbed Abe in the face with the breech of the gun and clubbed him a little in the face. Abe staggered back from the blow. However, upon recovering from the surprise attack Abe punched Levi with his fist. Levi and Abe fell on the ground fighting and started to roll down the hill. The crowd gathered around and someone hollered, “Get away and let them fight.” Levi had a firm grasp on Abe’s hair and yelled “God damn you, I will jerk you as bald headed as I did Pinckey Lindsay.” James McGinnis and Isaac Freeland joined the growing circle of spectators and started rooting for Levi. Even Old Man Buise could be heard yelling, “Go at him Abe, fight all night or whip him.” Others could be heard yelling “Hurrah, Levi.” After a few minutes, Wilson Connally, visiting from Murray County, stepped in and grabbed ahold of Abe

and pulled him off Levi. Connally turned to McGinnis and told him that he had heard Abe holler “surrender.”<sup>110</sup>

Exhausted after the fight, Abe stepped over to the fence and sat down on a fallen rail. Levi came over to where Abe was sitting and told him he was ready to whip him again. Abe said someone had hit him with a stick, that his neck was hurt, and he could not fight anymore. Levi persisted that he wanted to whip him anyway. Standing close by, Isaac Freeland told Levi that Abe appeared to be begging and he ought to let the man alone. James McGinnis and Jacob Pettyjohn rolled their sleeves up, appeared to be eager to press the issue, and stepped up beside Levi. Levi, emboldened by numbers, told Abe “if you don’t leave we will kill the last damned South Carolinian there is of you.” Isaac, sensing that more violence was imminent, suggested to Abe that he and the old man should go home and that if he did not there would be hell to pay. The Buise Crowd moved on up the road in the direction of Old Man Buise’s farm.

Everyone was on foot except for Claiborn and Wiley Vaughan, who were riding two mares. Time was getting on past eight o’clock and it was growing dark. They stopped at the first creek to talk about the fight. This was about seventy yards from the court ground. Close enough that they could still exchange words with the McGinnis family members, who they commenced to call rogues, Negroes, hog thieves, and penitentiary villains. William Buise started to complain that he had left his horse bridle back at the court ground. After about ten minutes Old Man Buise’s son Samuel suggested they stop at the next creek and wait a while in order to give the McGinnis family time to leave before they returned to retrieve the bridle.

Meanwhile back at the court ground, Isaac Freeland sent his two sons William and Howell over to Sarah Hutchin’s house for a torch. Sarah was a thirty-eight year old widow and

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<sup>110</sup> Joe L. Coker, *Liquor in the Land of the Lost Cause Southern White Evangelicals and the Prohibition Movement*, Religion in the South (Lexington, Ky.: University Press of Kentucky, 2007), Secondary, 1, 24.

mother of five girls ages nine to sixteen. Doctor Miles Sutton, age thirty-three, and his wife Harriet boarded with Sarah. While Sarah's deceased husband had been a mechanic, she now farmed forty-five acres of improved land, ran seventeen hogs on sixty acres of unimproved land, and grew wheat, oak, corn, and one bale of cotton. Total assets of the family were \$6,000, which made her one of the wealthier individuals in the county.

The Freeland Crowd, now officially made up of Isaac Freeland, William Freeland, Jeremiah Freeland, Jacob Pettyjohn, Levi Q. C. McGinnis, William McGinnis, William Brannon, and James McGinnis, continued to mill around the court grounds and drink. Isaac was complaining about someone having hit him with a stick during the Buise/McGinnis fight. He then asked those still standing around "Boys if you will go with me over the branch and will keep off the dogs, I will whip old Bill Buise." No one replied. However, the Crowd started after the Buise Crowd anyway. No one made a mention of what they would do if they caught up with them. Isaac commenced to singing an old Negro corn shucking song with relevant adaptations. "Walk, Tom Walker, walk away you damned South Carolinians."

Jeremiah Freeland asked his father to turn back before something dreadful happened. Isaac continued to walk on singing his song. Then Jacob Pettyjohn came up beside Isaac and asked Isaac if he would turn around. Isaac looked at Pettyjohn and said no. Jacob then asked that Isaac not make a fuss when they caught up with the Buises. Isaac agreed not to. There had been no discussion about what exactly the Freeland Crowd was going to do when they overtook the Buise Crowd.

About a half mile from the court ground, the Freeland Crowd did overtake the Buise Crowd. The Buise Crowd was no longer a coherent group, but had become strung out along the road. Samuel and Old Man Buise were stragglers and the first men the Freeland Crowd



encountered. A few yards further along the road were Wiley and Claiborn Vaughan, mounted on horses. Further up ahead were Abe Buise and Ransom Barnes. When overtaken, Old Man Buise and Samuel were standing in the middle of the road, each with a stick about three feet long and one inch in diameter in their hands. Isaac held up the torch to look over whom they had found. Freeland growled "Caught up with you at last." Realizing the potential danger, Samuel pulled his father to the side of the road to let the Freeland Crowd pass, telling his father to "Get out of the road."

Isaac stepped over in front of Samuel and demanded that Samuel look where someone had struck him on the head. Turning to confront Old Man Buise, Freeland accused him of hitting him on the head with a stick back at the court ground. William answered "God damn you, I never hit you!" As Freeland drew closer to show Old Man Buise where he had been hit, Old Man Buise swung wildly, hit him twice with the oak stick. Samuel turned, grabbed the arm of his drunken father, and pulled him quickly down the road. Freeland ran after him a few yards and threw the torch at them. The Buises ran by the Vaughans, Ransom Barnes, and Abe Buise. Seeing Old Man Buise and Samuel run by, Ransom and Abe decided to follow suit and took off down the road.

As the majority of the Buise Crowd ran off, Wiley jumped down off his horse and handed the bridle to his brother Claiborn. Having thrown the torch at the Old Man, it had become very dark. Wiley turned and ran, following the rest of his Crowd. He was not far behind the Old Man Buise. They left Claiborn alone sitting on his horse. Isaac turned around and addressed the lone rider, "Is that Wiley Vaughan." Claiborn replied, "No it is not." Isaac Freeland said to Claiborn Vaughan "You are a damned South Carolinian." Claiborn replied, "It is true I am a South Carolinian but I take no part in fighting scraps." Freeland hollered, "We take on all the damn South Carolinians!"

Back up the road, in the darkness that blanketed the direction from which they had come, Old Man Buise and Wiley could hear voices, then something like a sharp whack and a thud as if someone had hit the ground after falling off their horse. Then a chorus of voices began to yell “Hurrah Freeland, Hurrah Freeland!” The hollering went on a minute or so and then silence. Faintly they could hear Claiborn Vaughan shout, “Boys, I surrender!” Then Claiborn cried out “Murder” very plainly and repeated it in a weaker voice as if he was choking.

The Buise Crowd waited for what seemed like a half hour. Then they heard the clip clop of a horse’s footsteps. Out of the darkness, moving along the edge of the road appeared a single riderless horse with no saddle or bridle. It was Claiborn’s horse. Wiley became very anxious to go back and find his brother but the others cautioned him to wait a while.

After fetching a torch from a nearby church where a meeting was going on, the Buise Crowd started to make their way back to where they had last seen Claiborn. As they moved back down the road the light from the torch slowly revealed the form of Claiborn Vaughan lying in a wagon rut on the road not more than six feet from the place where Wiley had left him sitting on his horse. Claiborn Vaughan was stretch out on his back with his head turned to one side, the right leg drawn up and his right arm thrown back over his head. Blood covered the body and it appeared to be as if someone had thrown a set of red flannels over him. Despite the lack of light, one wound was clearly discernible on the right side of the neck just below the right ear and extending across his throat. A black stain surrounded the body. The day had been a busy one for these yeomen and it had finished badly for Claiborn.

On finding his brother Claiborn, Wiley Vaughan, realizing they were going to be there for a while, started a small campfire. It was decided that William Buise should walk over to Willis Staggs’ place. Staggs was a 62-year-old blacksmith whom the voters had elected county

coroner. Willis also rented some acreage to grow wheat and corn. On hearing about the doings, Staggs walked over to William Williams' place to inform him of the night's happenings.

Williams was a fifty-one year old farmer, who was the county sheriff. With a net worth of \$7,800, Willis was one of the wealthier men in the county. He was the only person involved in this whole affair who owned any slaves, a total of three. After discussing the situation Staggs went by Dr. Aaron P. Brown's place and asked the 27-year-old doctor to accompany him to the scene of the murder. They got there about sunrise in the morning and started the examination of the body. A short time later Asberry P. Bell, a 29-year-old merchant who ran a dry goods store over at Bells Bridge on Big Creek, showed up to assist.<sup>111</sup>

About a half hour after sunrise Isaac and his son William walked up on the group of men gathered around the fire. Everyone who had gathered noticed that he had a good deal of blood on him, mostly on his pants, between his legs and on his right pocket. There were splotches of blood pretty well all over Isaac. He strode up close to the body lying in the rut, gestured to Claiborn and asked, "What does this mean?" Someone replied, "It looks like a terrible murder has been committed." Shaking his head, Isaac said, "It's a bad piece of work." Isaac moved over to the edge of the road, stretched out on the ground and put his hands behind his head. Those gathered around heard Isaac say, "This is a dreadful affair." Isaac appeared to be lost in thought and finely said, "I was in an affray. I was in an affray here last night I supposed, and I lost my pocket knife and my son William lost his combs." After a few minutes Isaac said he and his son William had come back to see what had happened and to look for his pocketknife and his son's combs. Isaac continued to lounge on the ground and further said he supposed Old Man Buise had struck him on the head with a stick and that he would as soon kill a man that would strike him with a stick as to kill a dog. After a few more minutes, Isaac and his son got up and left.

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<sup>111</sup> "R. G. Dun Papers," Vol. 12.

The inquest lasted all Sunday and by evening Staggs called Constable Mahlon James in and asked him to start going around to the suspects homes and collecting their clothing. By Monday night, all of the Freeland Crowd were in the county jail except for Jacob Pettyjohn. The Governor offered a \$100 reward for the capture of Pettyjohn. Officials apprehended him two weeks later up north near Clayton in Rabun County.<sup>112</sup>

The Freeland Crowd now had to await the arrival of the Blue Ridge Superior Court circuit judge, which could be anywhere between one day and six months. Fortunately, for them there was an August Term of the Superior Court scheduled and the first hearing of the case was August 18, 1858, at which the grand jury returned a true bill of indictment against Jacob Pettyjohn, Levi McGinnis, James McGinnis and William Brannon as principals for murder in the second degree. The court indicted Isaac Freeland as a principal in the first degree. The court considered the murder a riotous act. It was immaterial who inflicted the mortal wounds because the legal interpretation was “the hand of one was the hand of each and all.” Wiley Vaughan, Claiborn’s brother was appointed prosecutor.<sup>113</sup>

Judge Rice started Isaac Freeland’s trial in February of 1859 and the jury quickly found him guilty. The sheriff hanged him on April 15, 1859. Isaac Freeland was the first person ever hanged in Forsyth County. Jacob Pettyjohn went on trial the next day and the jury returned a guilty verdict on April 30. The Judge issued a stay of execution for Pettyjohn while Hiram Bell, his attorney, appealed to the Georgia Supreme Court for a new trial. Bell argued that the evidence against Pettyjohn was circumstantial.

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<sup>112</sup> Atlanta Intelligencer, "The Forsyth County Murder," *Southern Watchman* Sep. 16, 1858 2.

<sup>113</sup> George N. Lester, "Reports of Cases in Law and Equity Argued and Determined in the Supreme Court of the State of Georgia," ed. Clerks's Office of the District Court of the Northern District of Georgia (Atlanta, Georgia: Franklin Printing House, 1961), 263.

William Brannon and James McGinnis petitioned for joint trials. Their trial started on April 30, 1859, immediately after Pettyjohn's verdict. The jury found both men guilty of manslaughter and sentenced them to three years in the state penitentiary in Milledgeville. By May 10, they had been transported to the Georgia Penitentiary. One could argue it was better than ending up in the Confederate Army two years later.

While awaiting the ruling of the Georgia Supreme Court, both Jacob Pettyjohn and Levi McGinnis escaped from the county jail in late August 1859. This was despite the fact that the Supreme Court had granted Pettyjohn a new trial. The State offered a \$100 reward for their capture and issued a description of the two escapees.<sup>114</sup> The newspapers described Pettyjohn as 40 years old, six foot tall, weighing about 160 pounds, with a florid complexion and light hair that tended to curl. McGinnis was 48 years old, 5'8" tall, weighing about 175 pounds, missing a front tooth, gray hair and bright blue eyes.<sup>115</sup>

Authorities apprehended Levi McGinnis later that year in Corinth, Mississippi and returned him to Forsyth County. The State commenced McGinnis' trial in April 1860. The jury found him guilty of murder in the second degree and sentenced him to hang. Like Pettyjohn before him, Hiram Bell managed an appeal to the Supreme Court for Levi on similar grounds. Bell essentially argued McGinnis was innocent on the premise that "there is no evidence that the prisoner aided or abetted in the killing of Vaughan." The Supreme Court rejected the appeal, stating, "it was immaterial who inflicted the mortal wound. [...] for the hand of one was the hand of the each and all."<sup>116</sup> The Supreme Court ordered that Forsyth County hang McGinnis privately on April 15, 1861. Unlike McGinnis, Jacob Pettyjohn made good his escape, moved to Texas,

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<sup>114</sup> E. P. Watkins, "A Proclamation," *Atlanta Weekly Intelligencer* Sep. 1, 1859 3.

<sup>115</sup> "Description," *Atlanta Weekly Intelligencer* Sep. 1, 1859 3.

<sup>116</sup> *McGinnis Vs. The State of Georgia*, 29 Reports of cases in law and equity, argued and determined in the Supreme Court of the State of Georgia 263 (1860).

and managed to avoid apprehension. His name appeared in the U.S. Census for 1860 where he was listed as a “ranger.”<sup>117</sup>

That Saturday had been an eventful day for the yeomen of Forsyth County. They had drank, exchanged pleasantries, held a shooting match, gambled, drank some more, argued, exchange insults, cussed at each other, split into opposing groups, rioted a little, and finished off the day with a little mayhem and murder. The actions of that day at Wild Cat Court Grounds reveal several large social structures of which the most apparent are the shooting match and the gambling by the antagonists. The shooting match was a social process encoded with cultural meaning. At first pass, a historian might argue that this was a test of manhood and of a relevant skill highly prized on the frontier and this test served a functional purpose of entertainment. However, that is a superficially profane interpretation.

The shooting match was a symbolic act throughout the south and should be evaluated within the context of a ritualized event. Court days were major social gatherings, easily the biggest gathering in the county. It assured widespread attendance of the community. The purpose of a ritual is to produce in the participants a feeling of belief and belonging.<sup>118</sup> The timing and place of the event added significance. Society is a constructed reality that is subject to paradox and inconsistency.<sup>119</sup> As such, there is a continuous need to reaffirm the belief in and sense of belonging to a social grouping. As a ritual, the purpose of the shooting match was communal consolidation through the demonstration of how a man was to conduct himself in the presences of others. This was a teachable moment where all witnesses participated in the shooting match ritual.

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<sup>117</sup> Lester, "Reports of Cases in Law and Equity Argued and Determined in the Supreme Court of the State of Georgia," 263.

<sup>118</sup> Douglas A. Marshall, "Behavior, Belonging, and Belief: A Theory of Ritual Practice," *Sociological Theory* 20, no. 3 (2002): 360.

<sup>119</sup> *Ibid.*, 359.

The shooting match had a clear structure and distribution of roles. There were the judges whose purpose was ethical authority. In the yeomen's social hierarchy, the judges were "nobodies," men in their early thirties with large families and small farms. However, as judges and individuals they represented the moral weight of the unaligned community that added legitimacy to the event. The shooters were the heroic symbols, the sacred special thing, protected, isolated, and endowed with distinctive properties. They represented the man everyone was supposed to be and they "reaffirm the values that unite [d] the community," much like communion. The match was a recreation of the hunt and an enactment of those values necessary for a successful yeoman. Those values were courage to face the wilderness, perseverance against the hardship, integrity in the face of adversity, composure under stress, and self-reliance that engaging in the hunt needed.<sup>120</sup> The observers were the witnesses to the heroic deed that the shooter represented. Their co-presence intensified the ritual nature of the event and individual contact added to the cohesion achieved.

The presence of others reassured an individual of the meaning of the ritual. Sharing in the ritual increased the "liking" of each other, thereby increasing cohesion. This lowered the defensive barriers of self-identity allowing for the unconscious objective of the merging of the self-identity with that of the hero.<sup>121</sup> In other words, the witnesses take on the identity of the shooters. For the witnesses the shooting match was a reaffirmation of their commitment to the values of their culture and consolidation of the community. The actual shooting functioned as a method of focusing of attention, essential for creating the ritual effect.<sup>122</sup> If the shooting match was a ritual whose purpose was to consolidate the community around a set of cultural values,

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<sup>120</sup> Susan Birrell, "Sport as Ritual: Interpretation from Durkheim to Goffman," *Social Forces* 60, no. 2 (1981): 357,62, 65.

<sup>121</sup> Marshall, "Behavior, Belonging, and Belief: A Theory of Ritual Practice," 362.

<sup>122</sup> Randall Collins, *Theoretical Sociology* (San Diego: Harcourt Brace Jovanovich, 1988), 193.

how did Claiborn end up lying in a pool of blood on the edge of a dirt road? The fault was Claiborn's, he had disrupted the ritual process.

When Abe challenged the outcome of the match, he created a cognitive dissonance that fractured the conformity that should have resulted from the ritual. A person who has encountered conflicting pieces of knowledge enters into a state of tension and is driven to resolve this. Abe's challenge of Pettyjohn's right to the money created just such a tension. Efforts to resolve cognitive dissonance can give rise to irrational action.<sup>123</sup> The internal conflict was not limited to just those individuals that had participated in the shooting and/or the gambling but also extended to anyone that had been involved in the ritual. Levi McGinnis attempted the initial resolution when he attacked Abe. Failure to resolve the dissonance at this point led to Claiborn Vaughan's murder later on down the road.

The gambling that accompanied this match was not an integral part of the shooting ritual. Gambling in Forsyth was one of the more popular crimes and took place at a wide range of venues. The identification of gambling as a crime was clearly not a local decision but an intrusion by outside authority, an anathema to Upcountry yeomanry beliefs and values. Over a ten-year period, from 1850 to 1859, authorities brought 104 cases of gambling, usually a card game called Seven Up, before the Superior Court.<sup>124</sup> Among these cases, Jacob Pettyjohn was the most prevalent defendant. Considering that the court charged no one for gambling that Saturday, one can only assume that most gambling went unpunished. The traditional historian's superficial interpretation of gambling would position the idea of escapism, prestige, and play as the central themes. Functional sociologists would identify it as a safety-value institution through

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<sup>123</sup> R. A. Wicklund and J. W. Brehm, *Perspectives on Cognitive Dissonance* (Hillsdale, NJ: Lawrence Erlbaum Associates, 1976), 1.

<sup>124</sup> Court Clerk, *Blue Ridge Superior Docket* (Forsyth, GA: Blue Ridge Superior 1850-1860).



which the wager “confirm[s] their existence and affirm[s] their worth.”<sup>125</sup> As a social construct gambling can be interpreted as offering the opportunity to dissipate potential tension created by the “routine, controlled orderliness and predictability” characteristic of society.<sup>126</sup> This suggests that in every society there exist paradoxes and inconsistencies that create tension and that gambling serves as a diversion of hostility. Moreover, therein that dwells a potential explanation for its acceptance as a cultural stabilizing function.

Gambling offered the opportunity to demonstrate a character trait of self-reliance and control.<sup>127</sup> As a stand-alone social event, gambling possesses several additional characteristics that make it integral to the ultimate events of that day. As a fateful activity, one that carries consequences, it offers the opportunity for an individual to define his character to the group. The act of putting your money on a winner allows an individual to present himself as a person of significance.<sup>128</sup> The gambler has complete control of regulating their commitment to the action and makes an independent choice. This supplies the individual a source of “self-chosen stimulation, self-testing, power, self-worth, and effectiveness.”<sup>129</sup> The gambling was not the point. The image that was projected attracted the individual. They did not view the money as currency but a measure of risk. The key value of gambling was a release from reality and a creation of self. Therefore when Abe informed Pettyjohn that there had been a mistake about who the winner was, it was equivalent to rejecting the character that Pettyjohn was trying to assume.

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<sup>125</sup> Igor Kusyszyn, "The Psychology of Gambling," *Annals of the American Academy of Political and Social Science* 474 (Jul., 1984): 134-35.

<sup>126</sup> James H. Frey, "Gambling: A Sociological Review," *ibid.* (Jul. 1984): 109.

<sup>127</sup> *Ibid.*, 110-11.

<sup>128</sup> Thomas M. Holtgraves, "Gambling as Self-Presentation," *Journal of Gambling Studies* 4, no. 2 (1988): 82.

<sup>129</sup> Kusyszyn, "The Psychology of Gambling," 134.

In other words, whatever values a yeoman saw in gambling were values he embraced. It suggested that those values were riskiness, control, and grace under pressure. In some terms, it was a reflection of the condition of the yeomanry's existence. The riskiness of subsistence farming was real. The yeoman lived on the margins subject to elements beyond his control, despite his profession of the opposite. He farmed no more land than necessary. A man who willingly faced risk was a dangerous man who did what was necessary. A yeoman society judged a man on his ability to master the factors of production that kept him from falling below the level of subsistence. If one needed to turn to someone else for help, such as Claiborn going to work at a mill, he failed. This would explain Claiborn's need to engage in gambling at the match, to reassert his membership in the yeomanry.

Another issue to consider was how the yeomanry identified themselves and formed alliances. The history of rioting in Forsyth County gives some indication of the primary key to social networks. Over a ten year period there had been 26 cases of rioting brought before the Superior Court, averaging about four individuals a case. Sixty-two percent of the cases involved some combination of related individuals.<sup>130</sup> The crowd formed by the Buisés mirrored many of those that had been formed over the years with two families accounting for five of the seven individuals involved. Family relations encompassed six of the eight members of the McGinnis Crowd. This particular riot suggested that social networks formed primary groups around kinship, followed by geographic proximity, in other words neighbors.

However, social identity theory and minimal group paradigm allows the historian to draw additional dimensions and insights into social networks from the actions of that Saturday. Levi McGinnis initiated the formation of two separate crowds with sufficient cohesion to riot and commit murder when he suggested that everyone step over to the wagon for a drink. With each

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<sup>130</sup> Clerk, *Blue Ridge Superior Docket*.

pass of the bottle, McGinnis started to become more vocal about South Carolinians and particularly about the “dammed South Carolina liquor!” Unconsciously McGinnis was laying the groundwork for the formation of an “irrational” group in which the formation was the end in itself. Work done by Henri Tajfel has shown that the “very act of categorization into groups is enough to produce conflict and discrimination.” Once the categorization is defined the competitive discrimination works in a self-serving spiral enhancing the group bias.<sup>131</sup> This spiral of increasing group diversion was kept in motion by the reward of rising self-esteem that the McGinnis Crowd gained.<sup>132</sup> This categorization activated stereotypical interpretations of the out-group, in this case, South Carolinians. Six out of eight of the Buise Crowd had moved to Georgia from South Carolina. The Freeland Crowd were all Georgians. While this at first might appear to be a minor issue, the operative element at work was the positive self-image an individual gains when identifying with a group. A key conclusion was there was a bias against South Carolinians, suggesting an overall intolerance of outsiders, in line with yeomanry values. McGinnis and Isaac Freeland reinforced this “Carolina” categorization and strengthened group cohesion at different times in order to assure group cohesion.

As the Buise Crowd withdrew from the Court Grounds, McGinnis was heard to say “go on you damned South Carolinian you were run from your country for stealing or for forgery or some other damned meanness,” and that they were going to “mob them out.” Shortly after convincing the Freeland Crowd to pursue the Buise Crowd, Isaac Freeland commenced to sing what witnesses described as an old Negro corn shucking song adapted to the occasion. In the

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<sup>131</sup> Henri Tajfel, "Experiments in Intergroup Discrimination," *Scientific American* 223, no. 5 (1970): 96; Margaret Wetherell, "Cross-Cultural Studies of Minimal Groups: Implication for the Social Identity Theory of Intergroup Relations," in *Social Identity and Intergroup Relations*, ed. Henri Tajfel (Cambridge: Cambridge University Press, 2010), 208.

<sup>132</sup> Louise Lemyre and Philip M. Smith, "Intergroup Discrimination and Self-Esteem in the Minimal Group Paradigm," *Journal of Personality and Social Psychology* 49, no. 3 (1985): 668.

distance the Buise Crowd could hear them singing something about “Walk away, Tom Walker, walk away. We will make damned South Carolinians walk away.” The repeated use of the song setup a situation where the South Carolina stereotype was continuously reactivated. However, what was the South Carolina stereotype? The only evidence available were the insults leveled at the South Carolinians, which included stealing, forgery, perjury and meanness. The insults are peculiar in that they suggest deviant behavior or violation of societal norms. In order to be taken seriously, the insults must emphasize a significant aberration to draw social sanctions. While most insults are an attempt at labeling such as an assault on their manhood, these insults are criminal in nature. The crimes used to insult the Buise Crowd suggest a violation of societal trust. Moreover, therein lies the point that the Freeland Crowd was trying to make; the Buises could not be trusted. This would suggest that trust was a fundamental yeoman cultural value that the Buise Crowd lacked. Beside activation of the stereotype, the song initiated a memory of group cohesion, the group task of shucking corn that occupied their fall and winter months.

However, penitentiary villain was a distinctive selection that stood out from the others. On the surface, the label of ex-con carries a specific social stigma, a list of public restrictions and alienations. However, for an Upcountry yeoman the Georgia State Penitentiary in Milledgeville would carry a particularly unique humiliation. That humiliation was loss of control and identity.

Georgia established its penitentiary in 1817, at the high-water mark of the penal reform movement that swept the country after the Revolution. Its establishment was part of a national reform movement. Impetus for this reform grew out of the ideology that society could rehabilitate through the “habit of industry” which also gave rise to the English workhouse. By 1820, the reform movement had apparently failed to decrease the crime rate. In an attempt to increase the efficacy of the prison system, New York implemented the Auburn system. The

objective of the Auburn system was to “break the spirit of the inmate” and produce “an obedient subject.”<sup>133</sup> Georgia started to employ this system in 1840. While the focus of the Penitentiary was the criminal, the “lateral” target was the individual.<sup>134</sup> Prisoners had their beards shaved once a week, wore uniforms, walked in lockstep, worked each day except Sunday, were prohibited from conversing with other prisoners except on Sunday, slept in individual cells and had no lights in their cells.<sup>135</sup> The goal of the Penitentiary was to strip the individual of their identity and remake him. To have been incarcerated in such a facility would produce an individual with antithetical characteristics of self-sufficiency. It was often referred to as the “University of crime and depravity,” lending credence to the Buise insult.<sup>136</sup> The Penitentiary, as a product of the Enlightenment, could be described as a flash point between modernity and the traditional yeoman values. Clearly, the product of such a facility would be struggling with their yeoman identity. What was being conveyed in the message that the McGinnis Crowd were Penitentiary thugs? The suggestion was that they had lost their self-sufficiency and independence. They had fallen under complete control of an outside entity and therein given up their right to be considered part of the yeoman community. Interestingly, a similar exclusion worked against McGinnis inclusion in the yeoman class when he went to work for someone else.

Isaac Freeland was clearly the informal leader of the Freeland group. Despite McGinnis’s initial rejection of Isaac’s attempt to prevent the fight, his ability to stop the fight later on and

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<sup>133</sup> Mark Colvin, *Penitentiaries, Reformatories, and Chain Gangs: Social Theory and the History of Punishment in Nineteenth-Century America* (New York: St. Martin's Press, 2000), 91; Michel Foucault, *Discipline and Punish: The Birth of the Prison*, 2nd Vintage Books ed. (New York: Vintage Books, 1995), 129.

<sup>134</sup> *Discipline and Punish: The Birth of the Prison*, 95.

<sup>135</sup> Adam Jay Hirsch, *The Rise of the Penitentiary: Prisons and Punishment in Early America*, Yale Historical Publications (New Haven: Yale University Press, 1992), Secondary, 16-23; James C. Bonner, "The Georgia Penitentiary at Milledgeville 1817-1874," *The Georgia Historical Quarterly* 55, no. 3 (Fall, 1971): 304, 11; Lewis W. Paine, *Six Years in a Georgia Prison: Narrative of Lewis W. Paine, Who Suffered Imprisonment Six Years in Georgia, for the Crime of Aiding the Escape of a Fellow-Man from That State, after He Had Fled from Slavery* (New York: Printed For the Author, 1851), 76.

<sup>136</sup> Myron Bartlett, "Editorial," *Macon Telegraph* August 27, 1831, 3.

convince Abe that he had best head home demonstrated a powerful social authority. It was clear that Isaac was aware of the influence that he wielded in the community. Equally authoritative was his knack, later on that day, to muster the force of the crowd to pursue the Buise Crowd for an indeterminate purpose. Despite everyone's misgivings about the pursuit, everyone continued to follow Isaac.

Studies show that informal leaders such as Isaac surface through one of three tracks: satisfying the group's needs, fulfilling functional roles of the group or exhibiting traits expected by others. Primary among them for Isaac was his wealth.<sup>137</sup> The 1834 Georgia State Census listed Isaac Freeland with four dependents. This made him one of the pioneers of Forsyth County. The Freeland's were not listed in the 1860 Census because the family moved out of the county shortly after Isaac's hanging. However, the 1850 Census put him in the top 10% of the land-owning farmers who controlled 44% of the wealth in the county. He had ten children of which seven were males. His large labor pool allowed him to farm 90 acres of improved land. In addition, he controlled 710 acres of unimproved land. Isaac grew no cotton, though it was clearly within his means to do so. There were only 18 others farmers in the county who owned more land and only 8 of those grew any cotton. Analysis indicates that the amount of improved land accounted for about 10% of an individual's decision to grow cotton. He farmed wheat, corn, oats, and potatoes, therein reinforcing his claim to subsistence farming and yeoman identification. More important, despite his wealth, Isaac owned no slaves.<sup>138</sup> In all probability,

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<sup>137</sup> Mitchell Neubert and Simon Taggar, "Pathways to Informal Leadership: The Modeling Role of Gender on the Relationship of Individual Differences and Team Member Network Centrality to Informal Leadership Emergence," *The Leadership Quarterly* 15 (2004): 176-77.

<sup>138</sup> United States Census Office, *Population Schedules of the Seventh Census of the United States, 1850 ... Georgia* (Washington: National Archives, National Archives and Records Service, General Services Administration., 1850), 36 microfilm reels ; 35 mm; *Population Schedules of the Eighth Census of the United States, 1860 ... Georgia*, vol. 121 (Washington: National Archives, National Archives and Records Service, General Services Administration, 1860), 36 microfilm reels ; 35 mm; "Agricultural Schedules of the Seventh Census of the United States, 1850...Georgia".

Isaac rose to the top and assumed the position of informal leader by demonstrating key characteristics that the community as a whole respected and anticipated of someone of his social status in yeomanry society. This character allowed the yeoman to meet the challenges of substance farming and to excel.

The evidence against Isaac, Pettyjohn, and McGinnis included an indirect introduction to the material culture of the yeomanry. A good example of this material culture became evident when after conducting the inquest all Sunday, Willis Staggs called Constable Mahlon James in and asked him to start going around to the suspects' houses and bring their clothes back if they found any blood. Accompanied by Thomas Beaver, James proceeded to Levi McGinnis's house to conduct a search. Upon arrival, they entered the house and found Levi's clothes in what they described as a back room. There being insufficient light in the room they moved over in front of the fireplace to examine them and found no blood on the clothes.

It is safe to assume the Levi McGinnis's place was a log cabin. The single pen log cabin was probably the most common folk house in the Upland South. Quite often the only light available in a cabin like this was the fireplace, which was maintained for that reason all year around. Historians have typically left the topic of log cabins to anthropologists and geographers who have normally confined themselves to the physical characteristics of the structure. The typical yeoman family in Forsyth consisted of six individuals who lived in a one-room or single pen log cabin whose dimensions were a function of weight of the logs and the 6-8-10 Pythagorean theorem. This resulted in a cabin combination of either a 16x15 or 16x18 foot cabin. If more space was needed a dog-trot or second cabin was built with a breezeway between. In Georgia, the material was usually pine or oak, with partly hewed mud chinked interstice logs,

half-dovetailed notches, puncheon floors, external mud and stick chimney and no windows.<sup>139</sup>

There were usually two opposing doors so that cows could be walked in and out for milking in the winter. Furniture was sparse with clothes hung on pegs and beds often placed in the corner for support, if there were beds. There might have been a loft accessible by a ladder, which got the occupant above the service ceiling of mosquitoes and gnats. The occupants usually cooked in a detached building.<sup>140</sup> However, more important than the physical construction was the experience of living in a log cabin.

The construction of a log cabin was often a community effort suggesting that sufficient work force was available to construct a bigger dwelling. This implies that the house was not an important object of identification for the yeoman, like the planter elite's plantation house. The life in a single pen log cabin was more about what was lacking than what they had. Privacy is the most apparent loss. For example, Arvel Greene, as a young boy, worked as a farm laborer for Mr. Moody. The Moody's had eight girls and lived in a single-pen log cabin. Arvel lived with them for five years. This type of intimacy suggests that unfocused interaction or a form of civil inattention was part of the yeoman's daily life. With civil inattention, a type of social group conformity, an individual recognizes the presence of another, however treats them as if they are not there, much like an individual using a cell phone in public today.<sup>141</sup> A cabin required the

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<sup>139</sup> A Southern Traveler, "Interior Georgia Life and Scenery," *The Knickerbocker : or New-York Monthly Magazine* August, 1849, 117.

<sup>140</sup><sup>140</sup> Terry G. Jordan-Bychkov, *The Upland South: The Making of an American Folk Region and Landscape*, 1st ed. (Santa Fe, N.M.: Center for American Places; University of Virginia Press, 2003), 23-26; Martin Wright, "The Log Cabin in the South" (Louisiana State University, 1950), 12-14; Charles E. Martin, *Hollybush: Folk Building and Social Change in an Appalachian Community* (Knoxville: University of Tennessee Press, 1984), 17-22; Michael Ann Williams, *Homeplace: The Social Use and Meaning of the Folk Dwelling in Southwestern North Carolina* (Athens, Ga.: University of Georgia Press, 1991); Alex Bealer, *The Log Cabin: Homes of the North American Wilderness* (Tokyo: Barre Pub.; The University of California, 1971), Secondary; Isreal Donalson, "Captivity of Israel Donalson," *American Pioneer: a monthly periodical, devoted to the objects of the Logan historical society; or, to collecting and publishing sketches relative to the early settlement and successive improvement of the country* December, 1842, 426.

<sup>141</sup> Sigurd D'Hondt, Jan-Ola Östman, and Jef Verschueren, *The Pragmatics of Interaction, Handbook of Pragmatics Highlights* (Amsterdam ; Philadelphia: John Benjamins Pub. Co., 2009), 86-94.



acceptance of a complex system of spatial use. One cabin dweller commented that “everybody knowed their corner”[sic]. The existence of a single large room belies the creation of discrete spaces both physically and conceptually. Physically flimsy partitions, curtains, or blankets could create that space. The residents used pieces of furniture to demarcate separate living space. Conceptually the inhabitants allocated space in the room for special use. One end of the room might have beds with a table at the other end for eating. The front of the house was the fireplace and the back of the house was the sleep area. Consensus might allocate for cooking one side of the fireplace, if the wife cooked in the cabin, and the other side for socializing around. Temporal allocation by day, night or seasons added further complexities. The occupants might move outside activities, such as weaving on the porch, inside during the winter. During the summer many activities, such as sleeping might move out to the porch.<sup>142</sup> Pigs often found accommodations under the floor of the cabin. With the summer came the insects that enjoyed the cabin as much as the humans did, maybe more. Many of the travelers through the south found hospitality within a log cabin and reported that their “bed was alive with bugs, fleas, and other vermin.”<sup>143</sup> Insect repellent took the form of “a deep tin-pan [...] filled [...] with alternate layers of corn-cobs and hot embers” that produced a smoke that filled the cabin.<sup>144</sup> This goes a long way in explaining the dirty appearance of many of the yeoman. Dancing and church meetings were often held in the room requiring the removal of the beds and other furniture.<sup>145</sup> This complex arrangement might explain the difficulty that travelers, such as Frederick Olmsted,

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<sup>142</sup> Williams, *Homeplace: The Social Use and Meaning of the Folk Dwelling in Southwestern North Carolina*, 47-54.

<sup>143</sup> Grady McWhiney, *Cracker Culture: Celtic Ways in the Old South* (University, Ala.: University of Alabama Press, 1988), Electronic reproduction, 230.

<sup>144</sup> Frederick Law Olmsted, *A Journey in the Back Country*, American Classics in History & Social Science (New York,: B. Franklin, 1970), 199.

<sup>145</sup> Williams, *Homeplace: The Social Use and Meaning of the Folk Dwelling in Southwestern North Carolina*, 38-54.

experienced in searching for lodging. To insert a stranger into what had to be a harmonious and complex social arrangement created a high potential for disruption.

What was apparent was that living in a single room log cabin required the execution of difficult psychological and sociological defense mechanisms. Part of this execution was the deployment of a spatial allocation that shifted by time of the day and the coming of the seasons. A criterion for the apparent lack of privacy was the ability to imagine oneself alone. The human mind spends an inordinate amount of time resolving reality with dreaming. The truth was that the cabin was not a home but a place to sleep and shelter from inclement weather. This produced individuals who were more at home outside than inside and more the cabin was more of a last resort than desire.

The court testimony offers the historian a rich repository and wide range of encounters with the material and symbolic culture of the yeoman. The close examination of the yeomen's symbolic culture revealed a society where independence was not about being socially isolated but required the presences of others to confirm that independence. The idea of independence as a characteristic of the yeoman has often been misunderstood. He depended on his neighbors for the process of socialization through which he reinforced his self-identity. An individual can only confirm their identity in the presences of others. The ritual of a shooting match was one of those social gatherings where yeomen shared in reaffirming who they were, not to themselves but to others. Independence, for the yeoman, was more about the rejection of outside influences and authority from some distant capital. Success for a planter might be the external representation of his plantation, his slaves, and his house. For the planters it was about authority over others. For a yeoman it was about his avoidance of submitting to the authority of others. To become subject to the power of others stripped a yeoman of his place in society. Coupled with that was his ability

to overcome the challenges of his environment. Gambling was an opportunity to demonstrate self-reliance and control. Gambling allowed him to declare to the community a specific set of values and in order to be effective he had to do it in the presence of others. The material culture of the cabin reveals a family unit that orchestrated a complex dance of spatial allocations and civil inattention in order to create the harmony necessary for living in close proximity. While one might conclude that such arrangements might produce a close-knit family unit, it was more about claiming one's own space and identity by avoiding others. Civil inattention was a two-way street agreeing to recognize but at the same time to ignore each other. As a critical labor pool for the father, the son usually had fulfilled that obligation by 21, and children did not hang around. They moved on quickly in search of their own cabin. There they commenced creation of their own labor pool.

However, more important than this close examination was the evidence that the yeoman was not invisible as historians often suggest. Hidden in the institutional records of the yeomanry was verification of their unique culture. The evidence of a distinctive symbolic and mature culture requires the historian to explore on a small scale, from a different deconstructionist view and socially close analysis. There was more to Claiborn's death than just two gangs of yeomen engaging in drinking, bullying, and fighting it out. They came together to reaffirm their yeomanry and needed each other to accomplish that task. In order to do this they had to deploy the yeoman institutions that they were all familiar. The death of Claiborn Vaughan, while regrettable, was beneficial to historians who decide to search for the authentic yeoman.

## 5 “A killing frost, nearly everything killed.”

Hiram Bell was born January 19, 1827 in Jackson County. His father Joseph Scott Bell, moved the family to Forsyth county in 1838, shortly after the Cherokee removal. There the 1850 census found Joseph farming 125 improved acres with six sons and six daughters. He produced no cotton and owned no slaves. Joseph had once tried his hand at both cotton and tobacco but found them too risky. The death of his older brother in 1834 put Hiram behind the plow on his father’s farm when he was seven. Using a stump to climb up on the back of the mule, he and his brothers would plow quarter mile furrows; meeting in the center of the field, taking a moment to nod to each other, and then move on to the end of their row. In 1843, the year Hiram turned sixteen, his father told him that he and his brother and were going up to the gold fields in Dahlonega. Responsibility for running the farm would fall on Hiram’s shoulders while they were gone. The work schedule was rather simple for Hiram. From sunup to sundown, through the cold dark winter into the hot humid summer, Hiram would clear the land, cut the timber, haul the logs, erect the buildings, split the rails, fence the fields, fight off the occasional rattlesnake, plow the fields, hoe the crops, harvest the crops, shuck the corn, and fight the random fire. When the New Year came, he would start over again, year after endless year. The Bells were better off than most of the yeomen in Forsyth, working 125 acres of improved land with a work force of twelve children. Joseph did not need slaves. Their childhood was a typical one for a yeoman family; the days were full of hard work and when that was done, there was always more hard work.<sup>146</sup>

Over the years, Hiram had managed to take off enough time from the farm work to accumulate six months’ worth of formal education in the 24x16 foot dirt floor log cabin that was the local “old field school.” From this building issued a continuous humming sound that grew

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<sup>146</sup> Hiram Parks Bell, *Men and Things* (Atlanta: Press of the Foote & Davies company, 1907), 1-13.

louder as you approached. Inside you would find forty to fifty barefoot students, ages five to twenty years repeating the lesson under the guidance of an old man. The schoolhouse made of oak and split pine logs with a “stick and dirt chimney” that heated and lighted the inside, serviced a community of families for a radius of about three miles.<sup>147</sup>

Hiram elected to give up farming when he turned twenty in 1847 and in February of that year, he started to attend the academy in Cumming, Forsyth County, Georgia. The academy at Cumming had about a hundred students of which half were adults. Academies were state chartered schools. By 1850, there were 219 chartered academies in Georgia with a total enrollment of 9,059. The state discontinued aid after 1837. However, academies were and continued to be the primary source of secondary education in Georgia until after the War. Two years of advanced study in the Cumming Academy qualified Hiram for a teaching job at the Ellijay Academy. There he would teach and in his spare time read law. In 1849, he stood before Judge Augustus Wright, in open court, for a four-hour examination for admission to the bar. He would go on to be a successful lawyer, represent his county at the secession convention, serve in the Georgia State Senate, attain the rank of colonel in the Confederate Army, sit in the Confederate Congress, and eventually fill a vacant seat in the U.S. Congress after the War. However, one thing he would never do again and that was work on a farm.<sup>148</sup>

Hiram Bell was a product of the antebellum southern yeoman culture. His lasting accomplishment was a memoir that he wrote in his closing years and published in 1907. Much of the book dealt with the events that loomed large during his lifetime such as the secession, war, and reconstruction. It is difficult to understand or appreciate the conditions that Hiram chose to

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<sup>147</sup> Ibid., 13-30; Oscar H. Joiner et al., *A History of Public Education in Georgia, 1734-1976* (Columbia, S.C.: R. L. Bryan Co., 1979), 15-23. Willaim H. Kilpatrick, "The Beginnings of the Public School System in Georgia," *The Georgia Historical Quarterly* 5, no. 3 (September, 1921): 9.

<sup>148</sup> Bell, *Men and Things*, 14-30.

escape. However, he did leave some detail of his early childhood and education, which makes it a rare witness to the yeoman experience. As such, he joined to exceptional group of yeomen who left their own words. Even more atypical, he left history a book

The 1860 census identified Bell as an attorney. He was married and had three children and a mother-in-law living with him. He was in the top ten percent of the wealthiest in the county. Despite the fact that he obviously had thrown his lot in with the “professional” class in the county, Bell still had 20 acres of improved farmland, owned a few pigs, and grew a little corn. This spoke volumes to the pull of tradition and the importance of ownership of land in the antebellum south for social identity. However, Bell was no yeoman in his adult years. In his memoirs, after he left his father’s farm at the age of twenty, Bell never mentioned farming again. The value of his text in regards to yeoman culture started to fade after page 26, despite the fact that he was a member of the bar that rode the Blue Ridge Circuit until the Civil War.

The written word of the traditional yeomanry usually appeared in the form of a “farm journal” of which there are few and specifically none from Forsyth County. Fortunately, there are several such documents in neighboring counties. From Lumpkin County came the farm journal of Jephtha Talley. By 1860, the state sliced off parts of Lumpkin and Gilmer counties and formed Dawson County. Talley found himself a resident in the new Dawson County. Initially from South Carolina, the 41-year-old Talley was a father of eight children of which four were males. The oldest boy, 23 years old, Ratliff, had actually left home to attend school at Moss Creek College in Tennessee in 1857. The sons of several local families attended the same school and they traveled back and forth together. Ratliff was studying to be a doctor.<sup>149</sup>

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<sup>149</sup> Jephtha Talley, "*From the Diary of Jephtha Talley, Lumpkin County, Georgia*," ed. Georgia Division of Archives and History (1859).

Talley increased his acreage from 100 improved acres in 1850 to 125 in 1860, which made him a bigtime yeoman farmer. He produced no cotton in either census. His real estate value increased from \$2,000 in 1850 to \$5,000 in 1860. During the 1850s, he tripled the value of his livestock, increased corn production by 50%, and started a sugar cane molasses business that produced and sold 30 gallons by 1860. Most importantly, Talley owned no slaves and secured labor by hiring what could be termed as poor whites from around the area. James Kelly, 42-years-old, was just such one. The 1860 Census listed him as a farmer and miner with no real estate or personal wealth. He had managed to produce six children. White labor was more practical for Talley because of availability. Slaves were a very sparse commodity. There were only 326 slaves in Dawson owned by 54 individuals. The journal covered the period of September 1857 to January 1861. Talley religiously made entries each of the year.

For comparison, there was Tolliver Dillard's diary. Dillard, listed in the census as a 32-years-old physician and planter who lived with his 80-year-old father, owned fifteen slaves of which eight were male, and farmed a large plantation in Burke County. Approximately 60 miles separate the county seats of Hancock and Burke counties. The journal did not support the census record of Dillard being a physician. For the three years the journal covers, there was no mention of any medical practice and he spoke of contracting the service of several doctors. He was a large landholder with 300 improved and 1,032 unimproved acres in 1850. Through small acquisitions and a large conversion of unimproved to improved status, he had 700 improved and 704 unimproved acres in 1860. This made him an extremely large planter. Total value of his real estate increased from \$6,192 to \$12,224 between the 1850 and 1860 census. The slave schedules revealed that in 1850 he owned 23 slaves. That number fell to 15 in 1860. He supplemented this number by borrowing six or seven as the need arose. Martin Davis, 26 years old, was his

overseer. Corn production doubled from 855 to 1,500 bushels. Most importantly, Dillard produced no cotton in 1850 and 65 bales of cotton in 1860. Dillard's journal covered the period from January 1854 through August 1857. Interestingly, he stated in 1856 that he had been keeping a journal for ten years. Only this period survived. Equally committed as Talley was to his entries, Dillard did not miss an entry for three years and eight months.<sup>150</sup>

What quickly became apparent in the process of reading these two diaries were the rhythm, density, and cyclical nature of time. These two individuals, planter and yeoman alike, live a task oriented pre-industrial life, very much removed from today's concept of clock-orientation where time becomes money and life becomes segmented by social constructions. Talley constantly stated he plowed and hoed until dark. One way to use these diaries would be a time use analysis. While the diaries do not contain the information necessary for short-run time use, the concept can be adapted to consider long-run time use, such as the allocation of days and the activities of the day. As farm journals, they were more than missives on the social and cultural events of the day. There was no pondering of the meaning of life. That meaning was supplied by the daily engagement with the environment that repeated over and over. While farming was often considered a risky business, the diaries suggested that there was permanence to life framed by the demands of tasks to be done.

Every entry for Dillard started with a weather report. Talley mentioned weather only occasionally. However, there was more to the weather reports than just observations. Day in and day out, the weather ruled their lives and determined their success. They could work as hard as they wanted, but at the end of the day, it was the weather. Was it hot or was it cold? How cold

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<sup>150</sup> Tolliver Dillard, "Tolliver Dillard Diary," in *MSS 93f*, ed. Kenan Research Center (Atlanta History Center, 1854-1857). Reference to Dillard is drawn from this primary document. It will not be footnoted. Dolly Lunt Burge, *The Dairy of Dolly Lunt Burge*, ed. James I. Robertson (Athens, Ga: University of Georgia Press, 1962).



was it? Did it rain today? How hard did it rain? How long has it been since it rained? However, why write it down in your diary? It would be a safe bet that if these two men encountered each other, the conversation would have started with the weather. Weather was every bit a part of who they were as anything else. In Dillard's case, he was removed from the actual physical labor of the plantation. He rarely mentioned the ever-present slaves but commented on the conditions of the crops and the completion of their tasks. Weather was the type of information that high-level managers needed to make decisions concerning the running of the plantation. Too cold and the cotton may need to be replanted. Too wet and the fields may not be in a condition to plow. Weather ruled their lives.

Weather determines when it was time to plant. We find Dillard planting his corn as early as mid-February. Late March and early April found him starting to plant his cotton. Early April he commented about a "killing frost." At one point in April, he commented, "a very white frost, corn suffered considerable again and a good portion of the cotton that was up was killed." It appeared to be a common problem for Dillard because he often found the need to replant in March and April. It was clear that Dillard pushed the growing season. Talley planted sweet potatoes in late February but waited until mid-April to plant corn. Despite being further North than Dillard and having a shorter growing season, Talley did not have to replant. Dillard tracked his weather very closely and pushed the envelope of the last frost. The dedicated labor force permitted him to do that. The longer the growing season the larger the cotton crop. Therefore, it was an issue of profit that drove Dillard to track the weather closely and to plant as early as possible. Talley to avoid the need to replant because of his commitment to subsistence and the limited labor force that he often needed elsewhere. If Talley planted too early, it would have been difficult to correct and threatened his very existence. Dillard was a risk taker and Talley

was cautious. Their differing economic situations determined their response to the key determinant to success. For a planter weather was a challenge to overcome to maximize profit. For a yeoman weather was a threat to his existence.

Talley's farming practices opened up the issue of "safety first" farming championed by Gavin Wright. The basic premise was that small farmer behavior could best be explained by a decision making process that maximized the reliability of the food supply. Only after that would a farmer turn to cotton. While safety first might well have been an accurate observation, it does not explain someone like Talley or other yeoman who chose not to grow cotton at all. Clearly, Talley was not weighing the alternative of food versus cotton. He was weighing the alternative of a lot of food versus no food. In a counties like Dawson and Forsyth yeoman did not conduct the balancing act suggested by Wright. They simply did not grow cotton. It was not that cotton could not grow there. Reconstruction would prove that idea wrong, when farmers were essential forced to turn to cotton. While farmers planted and harvested cotton and corn at different times, labor was still a major constraint. As shown by Talley's diary, he did not have much excess labor. The premise of safety first might have been more accurate for yeomen in Hancock County. However, cotton faced serious questions where the yeoman dominated the culture such as Forsyth. A more accurate premise might be that yeomen entered and withdrew from the cotton market, depending on the price of cotton. They encountered much higher economic barriers to entry than planters did. The need to transport, gin, and press even a small quantity represented infrastructure, capital, and scales of economic barriers.<sup>151</sup>

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<sup>151</sup> Gavin Wright and Howard Kunreuther, "Cotton, Corn and Risk in the Nineteenth Century," *The Journal of American History* 35, no. 3 (September, 1975): 528-30.

Analysis of the activities of the writers of these diaries quickly brings to the surface a surprising activity for both men, travel. Talley was a man on the move. Approximately 30% of the days, found him on the road. Most were short trips to a neighbor; however, a trip to town, Dawsonville or Cumming, were often enough to be common. A week rarely went by without a social or political meeting. Militia muster, freemasonry, trips to the mill, both flour and sawing, funerals, court days, and camp meetings drew him from the farm on a regular basis. Talley owned a wagon, three horses, and four mules in 1860 and his trips were often in a wagon to haul lumber or fodder. Later in 1857, he spoke proudly of taking his wife, Lucinda, in their new carriage over to see Erby Cannon and his wife. Surprisingly, Sunday always found Talley at home. In the years analyzed, he never once attended church. He was constantly on the move hauling, selling, buying, and swapping. The demands of farming drove travel. Talley would travel short distances for social meetings, he never recorded traveling much further than Cumming or Dahlonega. Dillard, however, appeared to be more of a man of leisure.

Dillard's diary was difficult to track the traveling because many entries are weather observations only. He spent a considerable amount time in Augusta. There were periodic entries in the journal commenting on paying off shaving, washing, and boarding bills to the City Hotel in Augusta. Every Sunday he went to church. Interestingly, he attended a series of different churches, Episcopal, Baptist, and Methodist, sometimes several in one day. His church attendance patterns suggested that Dillard was concerned more about building a network of acquaintances than his soul.

The unique thing that differentiates Dillard from Talley were records of three vacations Dillard went on. On one occasion, he traveled to Chattanooga and spoke of the view from Lookout Mountain as "beautiful, grand, and magnificent beyond description." He then traveled

on to view Lula Lake, a small lake with a waterfall hidden in the ridge of Look Mountain. He commented on climbing Stone Mountain. He had a pleasant trip on the streamer Swan down to Savannah where he admired the Pulaski House. He returned by way of the Central Railroad. The whole trip took 9½ days and cost \$35. He participated in a guided tour of Hancock County. Social purposes drove Dillard's traveling.

On his trips, Dillard often noted he paid 80¢ toll for use of a plank road. There are repeated entries accounting for tolls in the movement of cotton to Augusta. In the fall and early winter, Dillard dispatched 5 or 6 bales every few weeks to the market in Augusta. His cotton sold from 7¢ a pound in 1854 to 11¢ per pound 1856. For a short period, plank roads were hot stuff in antebellum America. While much of the nineteenth century story of transportation was about railroads and canals, these much discussed transportation systems did little for connecting individual farms and small communities to regional markets, such as Dillard's plantation with Augusta. Some visitors described roads in the south as "ditches surrounded by dense forests." The humid conditions in the south produced a road that could quickly turn into a mud soaked quagmire. Plank roads first appeared in Russia and came to the United States by way of Canada. By 1847, a building craze had started in New York State with the eventual construction of over 3,500 miles of plank road. Plank roads were supposed to last about 9-12 years before they needed major repair. The theory was those plank roads eliminated mud and potholes and were half the cost of a macadamized road. This proved to be an exaggeration. Plank roads lasted about 3-4 years before major rebuilding was needed, which ultimately proved to be their demise.<sup>152</sup>

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<sup>152</sup> James M. Volo and Dorothy Denneen Volo, *The Antebellum Period* (Westport, Ct. London: Greenwood Publishing Group, 2004), 309-10. Daniel B. Klein and John Majewski, "Plank Road Fever in Antebellum American: New York State Origins," *New York History* January (1994).

In 1849, the Georgia legislature incorporated the Sparta Plank and Turnpike Road Company, the Dahlonega and Marietta Turnpike and Plank Road Company, and the Cumming and Atlanta Turnpike and Plank Road Company, along with eight other plank road incorporations. These companies were often associated with railroads, acting as feeder lines to the trunk lines. By 1857, the state had incorporated seventeen plank roads in Georgia. Operation of plank roads was no small effort as witnessed by the Central Plank Road stockholders meeting in Columbus, Georgia in May of 1851. This company owned 7,880 acres of timbered land and two sawmills, which were cutting 20,000 feet of plank per day. The stringers, the base support laid parallel to the road were 17 feet long, 6 inches wide, and 2.5 inches thick. The planks, laid across the stringers were 2.5 inches thick and 8.5 feet long. The ultimate destination of Central Plank Road was the Tennessee River. The carrying capacity of such a road was one horse drawing five bales of cotton weighing 2,000 pounds and averaged twenty miles a day. The toll was limited to  $\frac{3}{4}$  of a cent per mile for a single horse. Roads like this facilitated large cotton operation's access to the market. The high cost of their maintenance cut into the profits such that the roads rarely issued dividends. The Panic of 1857 left very few of the companies still functioning. The road themselves disappeared into Union campfires during the Civil War or just rotted away. The collapse of these plank road companies literally left rural transportation in Georgia stuck in the mud.<sup>153</sup>

On Saturday night, at least once a month, Dillard would attend what he termed his Division meeting. He was a member of the Sons of Temperance. Hiram P. Bell was also a member of the Sons up in Forsyth County. The origin of the temperance movement was

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<sup>153</sup> S. W. Flournoy, "The Central Plank Road," *Columbus Enquirer*, May 20, 1851 1851, 3; William Gregg, "Essay on Plank Roads," *ibid.*, March 25, 1851. Unknown, "Plank Roads," *The Southern Whig*, June 27, 1850 1850, 3. Mary Louise Medley, *History of Anson County, North Carolina, 1750-1976* (Baltimore, Maryland: Anson County Historical Society, 1976), 98-103.

Massachusetts in 1813 and spread from there through the evangelical Second Great Awakening. The Sons of Temperance was a semi-secret fraternal organization with highly selective membership. The organization had three stated goals: "To shield its members from the evils of intemperance, afford mutual assistance in case of sickness, and elevate their character as men." The New York Division, No.1 of the Sons of Temperance organized in September 1842. It began to spread rapidly afterwards. The Sons organized on a national, state, and local level with the local "division" the operational entity. In order to gain membership an individual needed to be nominated by a current membership followed with an investigation by three brothers. Besides functioning to encouraging abstinence, the Order was also a mutual benefit society. Members paid 6¼¢ per week into a fund. In return, members could be eligible for \$3 a week if they were injured and \$30 if they died with \$15 going to their wives. The Order supplied a social life that replaced what had been the purview of the tavern. The meetings of the Division were held on Saturday night to displace the usually weekend frolicking and facilitated business activity.<sup>154</sup>

By March 1848, there were 25 Divisions in active operation throughout Georgia with a membership of approximately 2,000 individuals. By 1851, that number had grown to 13,663 members. Temperance's origin among Northern abolitionists created a strong headwind with its adoption in the south. Despite this, the year 1850 saw forty-four percent of the national membership came from the states that would eventually make up the Confederacy. When this is considered in context in which no slaves or free Blacks were admitted and the Confederate states

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<sup>154</sup> W. J. Rorabaugh, "The Sons of Temperance in Antebellum Jasper County," *The Georgia Historical Quarterly* 64, no. 3 (1980): 263-65.

only constituted thirty-two percent of the total white population of the nation, it is apparent that membership in the temperance was exceptionally fashionable in the south.<sup>155</sup>

Talley was no teetotaler, but he did not frequent the taverns. He commented about several of his friends buying liquor or rum for him on trips to town, which would have been an anathema to someone like Dillard. His son purchased Talley some whiskey on a visit to Dawsonville. One entry Talley mentioned selling some rum to a friend and traded a yearling for a gallon of whiskey. So Talley would not have been seen at a Sons of Temperance meeting. However, after sowing oats all day Talley traveled down to Cumming to attend a meeting of the Lafayette Lodge of the freemasons and there on March 16, 1858, he was raised to a third degree mason or master mason. This Lodge's secretary was Hiram P. Bell. Talley attended a Freemasons meeting in Dawsonville almost weekly, usually on a Tuesday night. The three degrees of freemasonry are, Entered Apprentice Degree, Fellowcraft Degree and Master Mason Degree. Each degree represents a higher condition of knowledge of the meaning of life. The origin of the freemasons lies in the Middle Ages and what might be called the first attempt at craft unionization. The skill of masons was much in demand by the king, the nobility, and the church for the construction of castles, cathedrals, abbeys, and churches. Those who carved the facades worked with soft stone called "freestone" and came to be called freemasons. In an effort to control the masons, the King of England granted a charter to form a trade guild. Through this guild, the king closely regulated the wages and working conditions of the masons. The masons often made secret deals on the side for higher wages. In addition, the Scots started to use the secret "Mason Word" to identify who was a master mason. By the seventeenth century, membership of the Freemasonry included

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<sup>155</sup> Samuel Ellis, *The History of the Order of the Sons of Temperance* (Boston: Stacy, Richardson & Co., 1848), 177-82. Ian R. Tyrrell, "Drink and Temperance in the Antebellum South: An Overview and Interpretation," *The Journal of Southern History* 48, no. 4 (1982).

anyone with an ancestral relationship with previous members. Slowly the lodges transitioned from a trade union towards a secret society. The earliest known Masonic Lodges in American were in the colony of Pennsylvania. There the Royal Collector of taxes, John Moore, wrote of attending Masonic lodge meetings as early as 1715. Many lodges came into existence with no warrant or authorization from a Grand Lodge, only applying for a warrant after the fact. In 1733, the Grand Lodge of London granted a warrant to the Freemen of Boston. In 1734, a lodge was organized in Savannah, much like in Pennsylvania, without authorization.<sup>156</sup>

On July 11, 1858 Talley started complaining of not feeling well. On the 17 he sent for Dr. Hockenhull. Interestingly enough, in his journal Talley specifically mentioned having “pain in my left ear.” He did not mention what the doctor prescribed on the first visit, but the doctor returned on the 19 and started a series of applications of a plaster that blistered Talley’s back. With no improvement, Dr. Hockenhull started to administer calomel. There was a nineteenth century parlor song about calomel:

LEARNED quacks of highest rank  
To pay their fees we need a bank;  
Combine all wisdom, art and skill,  
Science and sense, in Calomel.

Since Calomel’s become their toast,  
How many patients have they lost!  
How many thousands do they kill,  
Or poison with their Calomel.<sup>157</sup>

The problem with calomel was that it was chloride of mercury. Talley continued taking calomel for 28 hours, so it appears Dr. Hockenhull adhered to the small dosage treatment. That dosage was a scruple or 20 grains, which equals 1.29 grams, repeated every 4 to 6 hours. The

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<sup>156</sup> Jasper Godwin Ridley, *The Freemasons: A History of the Worlds Most Powerful Secret Society* (New York: Arcade Publishing, 2011), 1-17; R.L.D. Cooper, *Cracking the Freemasons Code: The Truth About Solomon's Key and the Brotherhood* (Atria Books, 2007).

<sup>157</sup> *A Collection of American Songs and Ballads, 205 in Number. With a Ms. Index*, (1840), 95.



logic was that it would bring the intestinal track back to life. In other words, calomel was a purgative whose purpose was to rid the body of excess humors. There was disagreement between doctors over whether a large dose was better or dangerous. Physicians of the time considered mercury as “one of the most valuable resources of the healing art.” The treatment often followed a bloodletting. In one medical journal, it was stated that in the south “the lancet and calomel, particularly the last, constitute their anchor of hope.” The common myth was that it prevented syphilis. The navy thought about prescribing it as a preventive but the secretary thought it would promote debauchery. A. Alexander, a druggist in Atlanta, advertised “unadulterated, Drugs, Chemicals, Medicines” and proclaimed an inventory of 10 pounds of English Calomel along with 2,500 pounds of Pure White Lead in Oil. Obviously, the antebellum south had a different drug problem than modern twenty-first century America. One doctor spoke of the successful use of calomel but lamented that the patient had yet to recover the use of her limbs. With regards to Talley, after the use of calomel the doctor placed a plaster on his “bowels.” Though all of this, Talley continued to complain of an earache. Fortunately for Talley, the doctor was called away, leaving behind the ever-necessary calomel. The next day Talley reported his ear “broke and run.” On July 31 he returned to his shop to make some nails. He had been sick from an abscessed ear for 20 days.<sup>158</sup>

Sickness was not the only medical issue that brought a doctor to Talley’s cabin.

November 21, 1858, Talley stayed home all day. Dr. Hockenull arrived at the Talley’s that day and stayed all night. That day Talley wrote in his journal, “Lucinda brought me a fine son.” They named him Joe. April 18, 1859 Talley wrote “I nursed little Joe till 2 o’clock in the morning then

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<sup>158</sup> Richard M. Swiderski, *Calomel in America: Mercurial Panacea, War, Song and Ghosts* (Boca Raton, FL: Brown Walker Press, 2008), xi-xvi. George G. Sigmond, *Mercury, Blue Pill, and Calomel: Their Use and Abuse* (London: Henry Renshaw, 1840), 1; “General Intelligence,” *Southern Banner* September 27, 1834, 2; “A. Alexander,” *Atlanta Weekly Intelligencer* October 21, 1858, 2; John Duffy, “Medical Practice in the Ante Bellum South,” *The Journal of Southern History* 25, no. 1 (Feb., 1959): 56.

the little thing left this world.” Being an infant in the antebellum south was a dangerous thing. In 1860 21% of the deaths were under one year of age. Talley made a coffin for his son and buried him the next day. The most common cause of death for southern child was cholera infantum. This disease was 5½ times more prevalent in the south than elsewhere in the country. It was endemic and virulent in the south. The cause of this disease was unknown at that time. However, spoiled food and milk after the weaning of the child is now understood to be the cause.<sup>159</sup>

A popular point of discussion among historians is whether the antebellum south was different from the North. Dillard mentioned several times yellow fever occurring in Augusta. He commented in his diary that he had heard yellow fever “of the most malignant type” was in Savannah and Charleston, and had spread to Augusta. Disease has had a commanding influence in shaping the course of the progress of cultures and so it was with the south. Part of the curiosity about the south was the poor health of the people witnessed by travelers like Frederick Law Olmsted. While disease helped conquer the Americas, it acted as a barrier in the South to social and economic influence from the outside. This barrier contributed to the Northern view of the south as the other and the image of the inferior. The south was considered the unhealthiest region of the country. Malaria, yellow fever, tuberculosis, hookworm, and pellagra were the primary sentries on the wall of Southern distinctiveness. Yellow fever and malaria, both introduced to the South, eventually became endemic. The failure to engage in large scale draining and lack of severe winters allowed malaria to become identified with the South. The mode of introduction of yellow fever was the slave trade. Yellow fever was clearly part of the cost the South paid for slavery. During the two decades leading up to the Civil War, each year saw a major epidemic breakout in a main Southern seaport. The health problem contributed to the economic and

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<sup>159</sup> Sally McMillen, "Mothers' Sacred Duty: Breast-Feeding Patterns among Middle- and Upper-Class Women in the Antebellum South," *ibid.* 51, no. 3 (August, 1985): 341.

cultural identification of the South. Disease defined the South in the nineteenth century American mind.<sup>160</sup>

While Dillard was not above getting sick, his interaction with doctors was more systematic. Every January Dillard paid Dr. Fryer between \$14 and \$16 to function essentially as health insurance for his slaves. Doctors found the medical care of slaves lucrative and it was a highly sought after business. Slaveowners and those who hired slaves were liable for their medical care. Some illness or diseases were considered unique to slaves. Dillard's employment of Dr. Fryer was clearly economic commonsense. If a slaveholder had a large number of slaves, construction of an infirmary made practical sense. For large operations, that infirmary might be staffed with a slave nurse. One planter estimated medical cost averaged \$1.50 per slave. Slaves did not escape the calomel treatment that Talley received. Frances Kemble spoke of a doctor repeated being brought out to the plantation to administer calomel to a servant.<sup>161</sup>

Throughout Talley's diary are comments about repairing cogs and putting his "wales filly to the jack." He talks of grinding and boiling his "cane and juice all day." Over a period of six days, he boiled down two pots full per day and made ten gallons of molasses on one day. This was clearly a business for the next week he "hauled Martin's syrup to him." In the late fall, usually in November, Talley would spend up to 20% of his time boiling down cane juice some months. Georgia ranked second in sugar cane production to that of Louisiana. Gross yield ran at

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<sup>160</sup> James O. Breeden, "Disease as a Factor in Southern Distinctiveness," in *Disease and Distinctiveness in the American South*, ed. T.L. Savitt and J.H. Young (Knoxville: University of Tennessee Press, 1988), 8. Margaret Humphreys, *Yellow Fever and the South* (Baltimore, MD: Johns Hopkins University Press, 1999), 46. R.A. McGuire and P.R.P. Coelho, *Parasites, Pathogens, and Progress: Disease and Economic Development* (Cambridge, MA London: Massachusetts Institute of Technology Press, 2011).

<sup>161</sup> Unknown, "Important to Hirers of Slaves," *Southern Recorder* December 18, 1854, 2; Kevin Lander and Jonathan Pritchett, "When to Care: The Economic Rationale of Slavery Health Care Provision," *Social Science History* 33, no. 2 (Summer, 2009): 155-56; Sikes Lewright, "Medical Care for Slaves: A Preview of the Welfare State," *The Georgia Historical Quarterly* 52, no. 4 (December, 1968): 406; Frances Anne Kemble, "Journal of a Residence on a Georgian Plantation in 1838-1839," (New York: Harper & Brothers, 1863), 111.

\$300 to \$400 per acre, which made it an effective rival to cotton, especially in areas like Dawson County. Decatur produced the largest quantity of sugar cane molasses in Georgia at a little over 50,000 gallons in 1860. Molasses was rich in calcium and iron plus an important source of energy for the yeoman. When combined with sweet potatoes and turnips it was the “savior” for the southern diet.<sup>162</sup>

To the uninitiated to sugar cane production, a brief definition is necessary. The 1860 Agricultural Schedule collected information on Cane Sugar, reporting it by the 1,000 pounds, and Cane molasses, reporting it by the gallon. Syrup was the juice of the sugar cane without the removal of any sugar. Molasses was the residual liquor after removal of part of the sugar. Processing of sugar cane required a commitment of time. If heating did not occur within 24 hours of squeezing, fermentation set in. Harvest was delayed until the cane matured, but before the first killing freeze. Leaves were stripped from the standing cane. Stems were cut close to the ground. The stalks were then pressed between wooden rollers. After an initial filtering through cloth, the cane juice was placed in a copper pan and heated. To reduce the acidity, quicklime was added. As the liquid was heated, impurities rose to the top and were skimmed off. As precipitates collected at the bottom, the liquid was removed by a ladle to another pan. Dawson County produced 5,242 gallons of cane molasses compared to Hancock’s 3,548 gallons and Forsyth’s 2,256 gallons as reported by the 1860 census. The surprise was the total amount of molasses produced in Georgia: 546,749 gallons.<sup>163</sup>

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<sup>162</sup> Sam Bowers Hilliard, *Hog Meat and Hoecake: Food Supply in the Old South, 1840-1860* (Carbondale, IL: Southern Illinois University Press, 1972), 65.

<sup>163</sup> Lucian Lamar Knight, *A Standard History of Georgia and Georgians*, 6 vols., vol. 3 (Chicago New York: Lewis Publishing Company, 1917), 1811; P.A. Yoder, "Sugar-Cane Culture for Syrup Production in the United States," ed. United States Department of Agriculture (Washington, D.C.: U.S. Department of Agriculture, 1917), 4.

Talley was not the only person to work his farm and his farm was not the only place he worked. Approximately 16% of the days in any month, Talley either gave or received help from friends and neighbors. Community service was part of Talley's life. At one point, he worked with several other men on repairing and converting an old meetinghouse and building a chimney for what was to be a field school. Frank Lawrence Owsley described the plain folk as projecting a "self-image of integrity, independence, self-respect, courage, love of freedom, love of their fellow man, and love of God." The idea of independence does not involve cutting yourself off from your neighbors. The idea of independence was central to the yeomen's identity. That independence was freedom from subjugation by a proprietor, master, or merchant. The presence of the poor white stood as a constant reminder that all could be taken away. Yeomen opposed anything, such as state sponsored banks and railroads that might threaten their independence. An exchange economy fed the desire for independence. A credit economy bore the threat of enslavement. Steven Hahn carried the concept of yeomanry independence forward where it becomes a "mark of status." However, another mark of the yeomanry was help, both giving and receiving. Talley helped roll logs, shuck corn, plow fields, burn underbrush, pull fodder, raise and tear down houses, round-up pigs, borrow and loan mules, and butchered cattle, and he received in kind. Talley was not ashamed of asking for help for there are several entries where he proactively goes to his neighbors and arranges for specific help on a specific day to do a specific job. Talley understood that the same would be expected of him. Helping each other was the mark of a yeoman.<sup>164</sup>

Talley spent approximately 10% of his evenings away from home or had a friend stay over. Either having someone stay or staying overnight with a friend was part of yeomanry

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<sup>164</sup> Owsley, *Plain Folk of the Old South*, xli. Hahn, *The Roots of Southern Populism: Yeomen Farmers and the Transformation of Georgia's Upper Piedmont, 1850-1890*, 47.

culture. There was no inn down the road and the distance and weather often would make returning home difficult. Many travelogues discussed this issue of southern hospitality and much of the historical discussion of hospitality revolves around these essays. They give a mixed review, often stating that their reception was hostile. However, there is little doubt that hospitality was a cultural institution in the south. One of the curiosities that Northern travelers enjoyed discussing was the quality of the food. Northern fare was missing in the south. It was “fried fatback and cornbread” that these travelers encountered. Hospitality was almost a necessity in antebellum south where travelers founded few villages with accommodations so common in the North. For Talley a guest appeared to be nothing special. His entry from November 1, 1858 was “I dug potatoes until dinner and it commenced raining and Samuel and wife stayed all night with us.” There was no way these were prearranged stay overs. It is clear that spending the night with a neighbor was an institution for socializing. As much as modern man appreciates his privacy, the antebellum yeoman freely embraced the closeness that spending a night in a 16x24 foot room with eight people offered them. Knocking on the door was all that was necessary.<sup>165</sup>

Dillard appeared to spend a considerable amount of time in Augusta, but he stayed in hotels. Those times that he called on hospitality for an evening’s accommodations, he was clearly traveling, not just visiting. His stays did not involve a visit to a neighbor, for he was covering a significant distance. Dillard’s sister did come up from Florida and remained several months. Dillard appeared to spend a greater amount of time away from his plantation than did Talley from his farm. Talley’s trips often involved hauling timber or retrieving leather. Dillard went with a purpose, for example Grand jury duty, attending political meetings, sightseeing, or

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<sup>165</sup> McWhiney, *Cracker Culture: Celtic Ways in the Old South*, 81-83; Volo and Volo, *The Antebellum Period*, 13-15.

temperance meetings. Dillard traveled to Jefferson County to a Sons of Temperance quarterly meeting as a representative of the Mount Moriah Division. Talley would have stayed with a local friend as he did when he went to Cumming to be raised to the third degree. Dillard complains that the hotelkeeper charged \$2.00 dollars for ordinary accommodations. He led a much more formal life, deeply immersed in a world where he pays for service.

Clearly, socioeconomic variables might explain the demarcation between the two men. Primary among these would be division of labor. It was not that Dillard had free time, but he had managed to disengage from the rhythmic work cycle that so controlled Talley. Both diaries clearly show that Dillard and Talley were important employers in the immediate neighborhood. In May 1858, Talley hired an individual named Mayberry to build a new home for his family. The deal was for Mayberry to work for 75 days at \$1 a day. Mayberry appeared in the diary numerous times over the next few months and it was apparent that he was living with Talley during this period. Talley worked on the house with his hired help who was down from Dahlonega. Talley helped build the foundation and chimney, and comments on numerous occasions about hauling lumber from the sawmill. This suggests that Talley was moving into a frame house, a big step in Upcountry Georgia. Mayberry periodically helped Talley do farm work. Talley commented with evident pride that he “had 6 hands pulling fodder” at one point. He apparently had two full-time hands that he referred to as Doc and Moses. Talley hired others for a wide range of tasks. One day Talley “went down to see James Kelly to hire him to help me pull fodder and mend my spring balances.” The same day he hired Jackson Carlisle and one of his sons. The census listed Jackson as a farmer with \$150 of real estate and two of his sons classified as day laborers. In addition to hiring, he sold the Kelly’s a bushel of corn, which was most likely in payment for the labor. In addition to field hands, Talley employed ditchers, blacksmiths,

tanners, millwrights, clock makers, carpenter, threshers, and a seamstress. It was rare that a mention was made of money changing hands. Talley was clearly operating within a community of exchange and mutuality. All parties apparently keep close tabs on what could become a complex relationship of obligations and practiced a curious flexibility with time for reconciliation. Time was not money but just another season. While yeomen valued their independence, they were particular about who they were independent from. They clearly relied on each other.

It became apparent that Talley was not just a farmer but also something of a businessman and he had multiple sources of income and exchange. He ran a post office in his house. He produced wool, sold sheep, sold wheat, sold flour, sold horses, sold corn, sold remains from shucking, sold molasses, sold iron, bought and sold land, sold shoes, and traded and swapped anything of value. In 1860, he produced 750 bushels of corn. Entries such as “sold Lias Braden five bushels of corn and a load of shucks,” littered the diary. Braden was a 45-year-old miller. Talley’s corn production clearly exceeded his consumption requirements by a factor of double. Entries included references to trips to the mill and the transportation of flour. While it was clear that Talley sold his excess flour, he never traveled further than Cumming or Dahlonega to do so. He spoke of butchering pigs and cattle but never of selling them. One poor pig met his maker for eating a chicken. Talley maintained a complex list of accounts where he often did not pay someone direct but would settle the account with a third party. For example when visiting Aaron Palmour he paid him fourteen dollars on the account of A. R. Mayby. The exchange or the “swap” of equal goods far out weighted money in Talley’s economic world.<sup>166</sup>

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<sup>166</sup> Hilliard, *Hog Meat and Hoecake: Food Supply in the Old South, 1840-1860*, 157-60. Sam B. Hilliard’s study of food supply in the Old South set a series of parameters to determine self-sufficiency. Consumption estimates



Dillard was more specialized in his employment. The diary indicates that his slaves were kept busy in the fields and augmented from time to time by loans of additional slaves from his neighbors. The value of slave's time precluded their use elsewhere. He documented one slave's cotton-picking rate at 220 pounds and another at 260 pounds a day. Dillard documented that he was a source of income for a wide range individuals offering services. Jerry Jenkins sold him 10 plow stocks for \$4.50. John Gamble was paid \$28.50 for ditching. Dillard paid Mrs. Barrow \$19.12 for "sewing done last year." Lebron Gaines was hired at \$5 per week and James Davis at \$3 per week. Dillard hired James Baily to split 1,200 rails at 25¢ per 100 rails. Baily quit after splitting 650 rails and Dillard paid him \$1.63. Edward Casswill did 4 ½ days of blacksmith work for Dillard and was paid \$7.88. Then there were his slaves. Dillard made an annual payment every January to his slaves, approximately a \$1 to each slave. He also purchased items from slaves and hired free blacks. He purchased "negro cloth" from the factory in Richmond at 30¢ per yard for a total of \$36. Jordan McCan built Dillard a "negro house" for \$20 and supplied him a coffin for "Luci" for \$1.50. He even rented slaves for a \$1 a day. Dillard ran a cash economy contrary to Talley. In a preindustrial economy, planters like Dillard cast a wide employment shadow. Planters clearly served as an economic nexus for their community.

Dillard was not 100% self-sufficient. The 1860 Census revealed that he produced 1,500 bushels of corn. This far exceeded his needs. However, he had made a significant shift in his swine production after 1850 by reducing his available swine from 150 to 30. November of 1854

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Hilliard developed for corn are 13 bushels per adult, 7 ½ bushels per horse or mule, 1 per cow, 4 per swine, .25 bushels per sheep. The formula for corn self-sufficiency coefficient is as follows:

$$C = \frac{\text{Corn Production in bushels}}{(13 * \text{humans}) + (7.5 * \text{horses}) + (4 * \text{swine}) + (1 * \text{cows}) + (.25 * \text{sheep})}$$

Talley 1860

$$C = \frac{750}{(13 * 7.5) + (7.5 * 7) + (4 * 50) + (1 * 9) + (.25 * 17)} = 2.082$$

A coefficient is greater than 1.000 indicates self-sufficiency.

he killed 10 swine for a production of 1,500 pounds. The next year he purchased 17 “Tennessee hogs” at 6¾¢ per pound for a total of \$287.13. He had 10 killed over the next days. That was 250 pounds of meat per hog or a total of 4,253 pounds. He was shifting his focus to cotton and increasing his dependence on others to support his production.

There was some credit involved but not as much as is often implied by some historians. When multiplied by the number of planters in the county, the social significance and economic importance of Dillard’s local employment became apparent. A great deal is made of loans that created “Ligaments of Community” in the planter elite counties. The truth is that loans created an adversarial relationship, something a yeoman would avoid if he could. There has been the suggestion that planters spent most of their money in large cities like Augusta and were a drag on local economic development. However, each plantation created bonds of business and economic dependence often missed and underappreciated. For Dillard there clearly was not a shortage of currency and he spread it around. The same names keep appearing in Dillard’s diary. His plantation was an economic powerhouse. There appeared to be a community that arose around a plantation that financially depended on doing business with it and from that grew the political power of the planter. This dependency violates the basic principle of a yeomanry culture where he seeks not to depend on someone else to make a livelihood.<sup>167</sup>

Both men were committed to the political process. In February 1855, Dillard attended a Temperance Convention in Atlanta as a delegate. There the convention nominated Basil H. Overby as a candidate for governor for the Prohibition Party by a 20 or 30-vote majority. Many who supported Overby were affiliated with the Know Nothing Party and therefore split the vote

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<sup>167</sup> Harris, *Plain Folk and Gentry in a Slave Society: White Liberty and Black Slavery in Augusta's Hinterlands*, 94-99; Ford, *Origins of Southern Radicalism: The South Carolina Upcountry, 1800-1860*, 63.

during the election. Overby was a Methodist lay preacher and lawyer from Atlanta. His nomination followed a “spicy” debate in the convention whether to nominate someone or work through an existing party. The Prohibition Party platform favored the repeal of the License Laws and prohibition of the sale of liquor in the state except for medical and mechanical purposes. Overby ran against Herschel V. Johnson and Garnett Andrews. Johnson won and Overby drew only 6,284 votes. He later ran for the state legislature as a Know Nothing candidate. He suffered a stroke while appearing before the Superior Court of Forsyth County in 1859 and died later that year.<sup>168</sup>

Talley notes in his diary that he traveled to Dawsonville to listen to speeches by candidates for the state legislature and voted for county tax collector, governor, and other state officers. Other than voting, Talley gave no idea of his political beliefs.

The economic circumstances defined these two antebellum southerners. They worked and survived in radically different economic environments and from that arose opposing cultures. Jetpha Talley’s days were full of what appeared to be an unending demand on his time. His day almost always ended only after the sun went down. He was clearly successful in his community. The construction of his new house supported that interpretation. While he bragged about employing six men at one point such employment was sporadic. More often than not, his entries started with “I went and helped.” As much as his neighbors were dependent on him, he was dependent on them. However, this was an interdependence that Talley found comfortable and proactively sought. When discussing yeomen, historians inevitably mention the philosophy of independence. Self-determination might be a better word. Talley was in control of his destiny.

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<sup>168</sup> Frank M. Garrett, *Atlanta and Environs: A Chronicle of Its People and Events: Vol. 1: 1820s-1870s*, 2 vols., vol. 1 (Athens, Georgia: University of Georgia Press, 1969), 394.

He chose not to grow cotton and not to own slaves, both of which would have subjected him to external forces. The annual production for Talley far exceeded what a single family could have produced or consumed. Talley was a deeply involved in an extensive local market. The excess production of corn, flour, and molasses were his key involvements in the market. However, a key factor to understand there was no process by which cash could enter a yeomanry-dominated county on a large scale. That is why cotton was called a cash crop. A decision not to grow cotton was a decision to function in a highly reduced cash environment. He was not physically isolated but interacted with his contemporaries on a daily basis. A widely accepted premise of antebellum southern history was the injury inflicted on the yeomanry by the institution of slavery. While that may have held true in Hancock, in counties like Dawson and Forsyth slavery was a marginal institution. Upcountry Georgia was a healthy economic region. Talley lacks for every little and membership in the freemasonry suggested that he had reached a level of self-actualization, that point where a man feels secure enough to ask himself, who am I?

Toliver Dillard was on the tail end of a global market system. He derived his income by exploitation of chattel labor. Dillard kept one eye turned to the London cotton market. However, he was not a capitalist. Cotton planters were every bit as exploited as their slaves. Factors beyond planter's control placed limits and restrained wealth creation. In Dillard's journal, we see cotton prices range from 7¢ to 11¢. That was a 57% swing in income. The 1857 drought, which resulted in what amounted to a cotton crop failure, graphically illustrated the income variability that Dillard was subject. He had very little control over his destiny. No matter how many slaves he had and the tons of manure he spread, how many times his slaves hoed the fields or picked the cotton, he could produce only so many bales at so many pennies per pound. He monitored his plantation and his expenditures closely, but Dillard had given over to an overseer the daily

management. Many individuals were dependent on him. This dependence worked against any expression of yeoman independence. The planters were the major employers in a cotton belt county and that excludes the slaves they owned. From that grew what political power they had. A planter was the avenue by which cash entered the economy and they were the primary disperser of that cash. That gave someone like Dillard tremendous power within the county and increased social status. One can conclude that Dillard was a religious individual. Bad weather usually accounted for those Sundays he reported not going to church. His commitment to the Sons of Temperance was clearly an important element of his life.

Dillard's pattern of employing local skilled whites and keeping his slaves in the field functioned as a seal on the skill level of the slaves. This prevented them from developing talents that might assist in resistance. Cecil-Fronsman developed this argument nicely in his discussion of the common whites in North Carolina. The premise is that artisan skills required organizational abilities and a larger worldview that would have strengthened and allowed slaves to put together broader and more coordinated opposition. Dillard clearly viewed his slaves as field hands and there was no mention of developing skills.<sup>169</sup>

The immediate difference between these two antebellum southerners was the distinction of who engaged in physical work. When Sunday came, Talley was ready to set down and rest. Talley was a self-made man in control of his life. Every entry in his diary starts with "I." I finished, worked, sawed, bushed, dug, and ground. Floating across the pages was the image of Talley setting before a fireplace every evening mulling over what had to be done the next day. Subsistence was an everyday reality for him. Socializing was confined to individuals he worked with as an employer or as a friend. He was cautious in how he managed his farm, never having to

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<sup>169</sup> Cecil-Fronsman, *Common Whites: Class and Culture in Antebellum North Carolina*, 20-21.

replant comparable to Dillard. Dillard was off to a random church every Sunday in his neighborhood to socialize. It was clear that planters like Dillard were a focus of employment in the county. Others depended on him and he depended on the market. Hancock County was a circle of dependences. The market strongly influenced Dillard and encouraged him to constantly push the environmental limits of the season. Replanting was a common exercise on his plantation. He reported in his diary every bale of cotton that he sent down the plank road to Augusta. He monitored the price he got very closely and for good reason. He was reducing his self-sufficiency in favor of greater exposure to the cotton market. What others chose to give him for his cotton determined his success. While he, most likely, exercised political power in the county, it was at the expense of the independence that Talley so carefully guarded in Dawson County.

## 6 “The Jury Finds the Defendant Not Guilty”

The coming of the Civil War found Garnett Andrews, an attorney at law and former judge of the Georgia Northern Superior Circuit, a prominent and wealthy residence of Wilkes County. Living with him at the time were his two sons, one a physician and the other a lawyer. The Know-Nothing Party had nominated Andrews for governor of Georgia in 1855, running against the Democrat Herschel V. Johnson. The Know Nothings, made up of former Whigs, were primarily a nativist anti-Catholic party; however, they also favored maintaining the Union. Therefore, newspapers like the *Atlanta Intelligencer* heavily criticized Andrews. The 1860 Census reflects that Andrews owned \$50,000 in real estate and grew 15 bales of cotton. However, his real wealth was the \$67,600 in slaves he owned. Andrews was a hybrid planter, operating a small plantation and running a law practice. The conclusion of the War found Andrews financially devastated with his wealth reduced by 90%. Reconstruction policy denied him access to his profession until 1868 when the Republican governor of Georgia, Rufus Bullock, returned him to the bench. He died in August 14, 1873. If that all there was to Andrews, he would have become a footnote in the judicial and political history of Georgia. Fortunately for historians he turned his hand to pen and wrote a book before he shuffled off this mortal coil.<sup>170</sup>

Garnett Andrews' *Reminiscences of an Old Georgia Lawyer* was part of a popular genre of the time, similar to Augustus Baldwin Longstreet's *Georgia Scenes: Characters, Incidents, etc., in the First Half Century of the Republic*. While Andrews's intended his book as humorous entertainment, hidden in the text was a great deal of insight into how the law worked in the south before the War. A classic example was a short little sketch where he wrote of a slave named “Fiddler Billy” who sometimes disturbed superior court proceedings by playing the fiddle in the

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<sup>170</sup> Editor, "The Know Nothing Nominee for Governor," *Atlanta Weekly Intelligencer and Cherokee Advocate* July 6, 1855, 2. "For Governor Garnett Andrews," *Southern Watchman* July 5, 1855, 2.

courtyard. He played so loud one day that the judge ordered the sheriff to administer 39 lashes. After receiving 13 Billy pointed out the alleviating laws, intended to protect debtors, which required that they only had to pay one-third of their debt annually. Based on the statute Billy claimed the right and appealed to the judge to stop the lashes. The joke surely brought quite a chuckle to former slaveholders back in the postbellum south. This same story with additional embellishments appeared in *The Atlanta Weekly Constitution* under the byline of Colonel W. H. Sparks, so it was clear that this was a widely told story. Interestingly the source of humor was based on conflictive frames of contradiction, in this case an uneducated slave having the knowledge to protect himself by use of the law. This humorous story only worked because it drew upon an unspoken understanding that slaves could not possibly be so smart. Ultimately, it reinforced the accepted social structure of slaves' lack of intellectual capacity. Historians find value in the story for two reasons, the recourse to the "thirding law" and the underlying social structure. The presence of a slave in the courtyard on court day, entertaining the crowds contrast sharply with the gang laborer imagine historians often discuss. The thirding law was an obscure law passed by the state assembly in 1808 and repealed the same year. This statute which was in effect only 211 day and passed as result of Thomas Jefferson's Embargo Act of 1807, hit merchants, cotton factors, and bankers especially hard. The reference also illustrates the importance of debt in the south and how there ran a threat of opposition through the south that opposed the financial power that debt created.<sup>171</sup>

This little story of a slave fiddler and his claim for relief carries significant political implications. There was a similar "thirding Law" proposed in 1842 whose objective was debt

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<sup>171</sup> Patricia Ewick and Susan S. Silbey, "No Laughing Matter: Humor and Contradiction in Stories of Law," *DePaul Law Review* 50, no. 2 (2000): 560. Garnett Andrews, *Reminiscences of an Old Georgia Lawyer* (Atlanta, Georgia: Franklin Steam Printing House, 1870), 569; Thomas R. R. Cobb, *A Digest of the Statute Laws of the State of Georgia: In Force Prior to the Session of the General Assembly of 1851, Volume 1*, vol. 1 (Athens, Georgia: Christy, Kelsea & Burke, 1851), 569.



relief for the common man. Andrew Jackson's *Specie Circular*, which required payment for purchase of public land with only gold or silver, set off the Panic of 1837 and in turn set in motion a deflationary cycle that continued until 1843. Georgia Governor McDonald called for the legislative action to address the economic distress of the people. Grand juries started publishing statements in support of debt relief. The call was for delay of all *fi fas* and judgments against debtors. In addition, there arose bills that granted relief for individuals. The point was that the courts and the humor of Andrews gave insight into the economic and social landscape of antebellum Georgia. While historians enjoy arguing over the nature of the southern economy, it was evident that debt created, despite the yeoman's opposition, a web that bound the southern social structure together. This will become evident in an analysis of superior court cases.<sup>172</sup>

The study of southern law and legal processes has not been a key focus of southern historians. And when historians do manage to turn to the southern legal system it was almost inevitably about slaves and where they fit in the southern judiciary. They often missed the key point, debt. However, those historians who have delved into southern law have argued that the courts were about social control, as such are a mirror of that society, and therefore offer an opportunity to examine the values of southern society. Joel P. Bishop, considered the foremost legal theorist and treatise writer of the nineteenth century, believed that there was a direct connection between society's standards and its legal system. The legal system enforces the social norms and economic behavior. Therefore, a study of the legal system brings the historian into direct contact with values of a society.<sup>173</sup>

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<sup>172</sup> Heze Thomson et al., "Relief," *The Macon Georgia Telegraph* August 9, 1842, 4; Editor, "Bills Passed," *Southern Recorder* December 27, 1842, 2.

<sup>173</sup> David J. Bodenhamer and James W. Ely, *Ambivalent Legacy: A Legal History of the South* (Jackson: University Press of Mississippi, 1984), vii.

If law was about social control, then the slave's encounter with the legal system was clearly representative of the process. While the superior court represented the long arm of state power, at the end of the day local authorities decided how to enforce these laws. The study of the southern legal system highlights a series of key points about slaves. They represented a unique form of property, surrounded by a well-documented set of slave codes. A key issue for slaveholders was that they did not have unrestrained property rights over their slaves, much in contrast to the property rights enjoyed by their northern capitalist brethren. They could not kill their slaves and increasingly they could not set them free. Courts held their owners accountable for a slave's behavior and their own failure to administer proper discipline. The result was that the southern legal system defined a social class.<sup>174</sup>

The Superior Courts of Georgia handled both criminal and civil cases. Words such as debt, assumpit, trespass, trover, case, and ejectment littered the records of Georgia courts, all suggesting civil actions. Common law was not criminal law. In 1812 *United States v. Hudson and Goodwin*, 11 U.S. 32 (1812) established that first a legislature must enact a statute criminalizing an action, define a penalty, and assign jurisdiction. In other words, *nulla poena sine lege*, "no penalty without a law." Common law pleadings establish the form that parties should state the particular detail of the subject under dispute. Common law ruled the civil courts of early nineteenth century America. The coming of urbanization and industrialization would find common law a reactionary force. The transformation of America in the late nineteenth and early twentieth centuries required a more "collective, directive, and expert control over law." Common law was a product of the past. It was conservative and individualist. It was not the product of "doctrinal propositions." Common law was a set of rules that applied to contracts and

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<sup>174</sup> Ibid., 5; Eugene D. Genovese, "Slavery in the Legal History of the South and the Nation," *Texas Law Review* 59, no. 6 (August 1981): 989.

property as long as they were compatible with current social institutions. As such, common law was a reaction to the requirements of people. As the people industrialized and urbanized, common law became incompatible with their needs.<sup>175</sup>

William Blackstone, the famous eighteenth century English jurist, defined the criminal law as a breach of the public rights and duties, due to the whole community. It was a public wrong. The statutes of criminal law represented the state authority. A criminal conviction could result in a fine, prison time, or capital punishment. Civil law was an infringement on the civil rights, which belong to the individual, in other words a private wrong. A civil case involves a legal dispute between two or more parties. A losing defendant in a civil trial will usually have to pay monetary damages, the court cost, and potentially interest. Public or private, the society defined those wrongs and decided how to punish them.<sup>176</sup>

Analysis of criminal cases can be divided into crimes against property, crimes against persons, and moral crimes. Criminal property crimes are larceny, and arson. Criminal personal crimes are assault and battery, stabbing, shooting at a person, rape, and murder. The moral crimes were playing cards, gambling, public indecency, adultery, selling spirits to a slave, selling spirits without a license, running a tippling house on Sunday, or operating a lewd house. Civil cases can be divided in disputes involving contracts, property, torts, and motions. Contracts involve assumpsits, complaints, ejection, foreclosures, and debts. The property cases involve wills, dowerage, and divorces. Torts involve cases where the action of the defendant injures the plaintiff and suggest trespassing, contempt of court, and words. Motions involve subpoenas, bills of discovery, adding and removing individuals from cases.

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<sup>175</sup> Kunal M. Parker, *Common Law, History, and Democracy in America, 1790–1900: Legal Thought before Modernism* (Cambridge: Cambridge University Press, 2011), 3-4; Melvin Aron Eisenberg, *The Nature of the Common Law* (Cambridge: Harvard University Press, 1991), 2-3.

<sup>176</sup> William Blackstone, *Commentaries on the Laws of England*, vol. 4 (Chicago: University of Chicago, 1979), 215.

Forsyth County Superior Court was part of the Blue Ridge Circuit in 1856. Joseph Emerson Brown rode the Blue Ridge Circuit that year, for the first time. He would later become the controversial 42<sup>nd</sup> governor of Georgia. During the War, he was a strong advocate of states' rights, which did not set well with the increasingly centralized war demands of the Confederacy. He withdrew the state militia from control of the Confederate army to harvest the crops in 1864 and supported an end to the War. When he rode the Blue Ridge Circuit, the court held two terms a year. Forsyth County typically held an April and August term. April 14, 1856 found Brown opening court in Cumming, Georgia at 8 o'clock. The April Term would last for five days during which period he heard and ruled on 116 individual cases. The record reflects that cases sometimes made several appearances so the actual number of rulings was greater, 148 to be exact.

Brown's court was a busy place. Of these cases in Brown's court, 46% were civil and 54% criminal. Four months later the August Term would open. Brown was unable to make the circuit in the fall of 1856, so Turner H. Trippe assumed the court authority. Coincidentally, Trippe was born in Hancock County. He was the state solicitor general during the Cherokee removal and stated that the Indians were "inferior, dependent, and in a state of pupillage to the whites." In August 1856, over a period of five days he reviewed and issued rulings on 132 cases. Of these cases, 67% were civil and 33% criminal. Figure 6.1 reflects total data for these two terms of the Forsyth Superior Court. The most dominant type of case was civil contract cases and criminal moral cases in Forsyth. Whether the discussion was about criminal or civil cases, an accurate and effective way to benchmark the occurrence of legal action is a ratio of cases per 1,000 white residents. Criminal cases occurred approximately 12.0 per 1,000 compared to 14.0 for civil cases, Forsyth.

The typical punishment for a crime in the 1850s for a crime was a fine. A guilty party would remain in the county jail until the fine was paid. The court charged James Davis of Forsyth \$30 plus the cost of the court for playing cards. Thomas W. Brock was indicted and fined \$20 for running a gambling house. One group of men ended up paying \$256 in total fines when they were caught playing faro. The fine for playing cards ran anywhere from \$30 to \$75. Peter Bennett supplied Mack and John, 2 slaves with rum, gin, whiskey and other types of liquor. This was not the first time the Peter had engaged in selling liquor to slaves. He was issued a fine plus court cost of \$128. No a small sum of money. It is almost impossible to assign an income to subsistence farmers, but cotton averaged about 10¢ a pound during the 1850s. Therefore, one bale might bring \$45. These were heavy fines. The charges stated that Peter had damaged the owner's property. In addition, the court charged Peter with retailing without a license that the Inferior Court issued. The individuals either paid the fine or arranged payment with the sheriff. In addition to fines, guilty parties paid the cost associated with the trial, \$5 for the solicitor general and \$4.06 for the court clerk. Interestingly, despite the grand jury returning a "true bill" of indictment, the solicitor general often chose not to prosecute or judged not guilty. The defendant would still have to pay the cost of the solicitor general and the court clerk. The point being that whether you were innocent or guilty, you paid court and state cost. These costs were clearly an alternative punishment to the heavier fines. During the August Term of 1856, the superior court issued \$480 in fines and court costs. At the opening of the August Term eight individuals were listed as insolvent or owing the court a total of \$112.31. Most of the money represented court costs, not just land disputes as one might expect.

The traditional explanation for this apparent high incidence of crime was the level of poverty in Forsyth. The median wealth for Forsyth is \$400 compared to Hancock's \$1,400.

Remember, that means that half the families in Forsyth had a total wealth of \$400 or less. While one might take a narrow view and assume crime was an impulsive and emotional act, hedonistic calculus argues that people based their behavior on rational calculations. Initially developed by Jeremy Bentham (1748-1832), to put it simply, an individual would weigh the possible pleasure gained from committing the crime versus the possible cost or punishment. Playing directly into this calculation was an individual's economic well-being. The poorer the individual the greater value attached to the possible gains associated with crime.<sup>177</sup>

By categorizing these crimes, a better understanding of the criminal activity in Forsyth might be gained. Of the 248 cases in Forsyth for 1856, 82 cases were moral crimes. Moral crimes constituted playing cards, trading with a slave, running a tippling house on Sunday or selling liquor without a license. An example of the type of person committing these crimes was Bird Martin, 28 years old, and Robert Wilson, 23 years old. Both were field hands and both pled guilty to playing cards. Joseph Barnett, charged with running a tippling house, was a 31-year-old field hand. The disproportionate number of crimes involving liquor makes sense in light of the fact that corn was the main agricultural item in Forsyth and shipment outside of the county encountered a geographic barrier created by the lack of dependable roads. Transforming the corn into liquor increased its shelf life and ease of transportation, not to ignore the profit involved.

Recovery of debt dominated the civil cases. Jesse Stanley, a wagon wright, took Ammon Hudson, carpenter, to court for \$52.22 for a range of work done over a period of years. Stanley won. Two merchants, James A. Bogle and William Reese, filed a petition arguing that Jarrett P Moody, farmer, owed them \$49.86 for goods and merchandise. Moody refused to pay. Over a

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<sup>177</sup> Tim Alan Garrison, *The Legal Ideology of Removal: The Southern Judiciary and the Sovereignty of Native American Nations* (Athens, Ga.: The University of Georgia Press, 2009), 113.  
Tipple means to drink liquor especially by habit or to excess.

period of two years, Moody had purchased rice, candy, calico, sugar, and 30 gallons of train oil. Train oil was actually whale oil used primarily for illumination. The merchants won. Elizabeth Roach sold and delivered a “certain sorrel filly about three years old” to Enoch Higgins and Joel Bramblett in return for a \$50 promissory note. It appeared both Enoch and Joel did not want to pay Elizabeth and she was suing for damages to the tune of \$100. Hiram Bell appeared in court for the defendants to “confess judgement to the plaintiff for the sum of \$50 plus \$9.10 interest. Elizabeth won. The interest rate Elizabeth got was 6%. Promissory notes did not back all debts. Thomas E. Williams suited Edmond May for \$50 on September 2, 1854 he “with force and arms chased, worried, dogged, and killed one large white sandy colored barrow hog.” In addition, under the direction of May “Samuel, a negro man slave and Patsy a negro woman slave” pursued and killed two other hogs with rocks, sticks and dogs. Thomas won. The vast majority of these efforts at debt recovery were for small amounts and for a wide range of assorted issues.

The Hancock Superior Court, part of the Northern Circuit, offers a comparison and creates meaning for the Forsyth data. There Judge James Thomas held court. Thomas was also president of the Planters Club of Hancock, a well-known progressive farming club. In 1859, Thomas won \$5.00 for the Best Butter in Hancock County. He owned 12 slaves and 150 acres of improved land so it was doubtful if the butter was the result of his labor. In five days in February 1856, Thomas ruled on 52 cases. Significantly, 84% with were civil and only 11 with criminal. The Hancock August Term found a busier court with 96 cases presented, of which 82% with

### Forsyth Superior Court 1856

	April Term		August Term				
<b>Criminal</b>	<b>Cases</b>	<b>Term Percentage</b>	<b>Cases</b>	<b>Term Percentage</b>	<b>Total Cases</b>	<b>Annals Percentage</b>	<b>Per 1,000 White Population</b>
Moral	51	44%	31	23%	82	33%	12.0
Personal	2	2%	2	2%	4	2%	0.6
Property	9	8%	10	8%	19	8%	2.8
<b>Civil</b>							
Contracts	31	27%	65	49%	96	39%	14.0
Property	8	7%	8	6%	16	6%	2.3
Torts	9	8%	9	7%	18	7%	2.6
Motion	6	5%	7	5%	13	5%	1.9
<b>Total</b>	<b>116</b>	<b>100%</b>	<b>132</b>	<b>100%</b>	<b>248</b>	<b>100%</b>	

Figure 6.1 Analysis and classification of Forsyth Superior Court cases for 1856. Source: Forsyth Superior Court Minutes.

### Hancock Superior Court 1856 Cases

	February Term		August Term				
<b>Criminal</b>	<b>Cases</b>	<b>Percentage</b>	<b>Cases</b>	<b>Percentage</b>	<b>Total Cases</b>	<b>Total Percentage</b>	<b>Per 1,000 White Population</b>
Moral	4	8%	6	6%	10	7%	2.6
Personal	0	0%	7	7%	7	5%	1.8
Property	0	0%	12	12%	12	8%	3.1
<b>Civil</b>							
Contracts	30	63%	44	45%	74	51%	19.1
Property	0	0%	3	3%	3	2%	0.8
Torts	1	2%	4	4%	5	3%	1.3
Motion	13	27%	22	22%	35	24%	9.0
<b>Total</b>	<b>48</b>	<b>100%</b>	<b>98</b>	<b>100%</b>	<b>146</b>	<b>100%</b>	

Figure 6.2 Analysis and classification of Hancock Superior Court cases for 1856. Source: Hancock Superior Court Minutes.



civil. The case ratio in Hancock for crime was 7.7 compared with 18.9 for civil cases. There was obviously more crime in Forsyth County.

These civil contract disputes were assumpsit, garnishment, complaints, debt, or *fieri facias* rulings. The court used the action of assumpsit to enforce both contractual and implied contractual claims. During 1856 terms, the Hancock Superior Court handled 146 cases. Of these, 80% were civil in nature. A breakdown of the civil cases in Hancock identified 51% of the cases in Hancock involved debt recovery. This compared to 39% in Forsyth. More revealing, the incident of debt recovery was 19.1 per 1,000 in Hancock compared to 14.0 in Forsyth. The bottom-line was that Hancock Superior Court was a key instrument for creditors. The plaintiff won approximately 84% of the time. The results were foreclosures, writs of execution or assignment of principal, interest, and cost. Some cases settled out of court. More telling was the comparisons of criminal activity, which occurred 12.0 per 1,000 in Forsyth to Hancock's 2.6 occurrence rate. While the sheriff arrested criminals in Forsyth County, Hancock's sheriff was the effective handyman for creditors.<sup>178</sup>

The War disrupted the superior court in Forsyth County. During the year of 1863 and 1864, if court was held, very little business was conducted. The Forsyth held its first full session after the War in August of 1865. The August Term of 1865 found the court commencing the business of cleaning up a wide number of legal issues that the courts had allowed to fester during the War. With the first Term in 1865, there appeared a mass indictment of three groups of men numbering of 14, 13, and 4 for robbery. For the two 1866 Terms, criminal activity took up about 69% of the court docket with the remaining 31% being civil cases. This was because the court

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<sup>178</sup> Thomas D. Russell, "The Antebellum Courthouse as Creditor's Domain: Trail-Court Activity in South Carolina," *The American Journal of Legal History* 40, no. 3 (July, 1996): 349.

brought robbery charges against an additional four more groups numbering 35, 17, 11, and 4 respectively in the August Term. Fines were still the primary punishment for criminal offense. For instance, Robert Chamber pleaded guilty to assault and battery under “aggravating circumstances.” The fine was \$25. Besides cleaning up the criminal docket, court started to address a specific critical social issue that was a direct result of the War, dower petitions.

The dower petitions were not unusual and understandably in 1866 which saw a significant increase in their occurrence. Dower was common law, typically appearing as a court case when a husband dies intestate or without a will. The general outline of dower was that it established the lifetime rights of a widow. The broad definition usually entitled her to one-third of the lands and tenements of which her husband had control, though that varied by state. The widow’s portion of the estates was free of attachments by her husband’s creditors unless she had been a party to the liens. The implications of and rules of dower are not as simple as might first appear. Under the common law a wife was a minor. Even after death, a husband’s “Empire” continued. Outside of the dower rights inheritance favored the male line and lineal descendants. Only if there were no descendants did the wife become the sole heir. The Dower rights were a wife’s only protection against literally being left out in the cold.<sup>179</sup>

A widow’s appearance in court was to request that the court appoint a commission to survey the estate and define her portion. During the February Term, Darcus Bennett from South Carolina, age 62, widow of William Bennett from South Carolina who died at age 66, appeared before the court seeking her dower rights. While the 1860 Census indicated Bennett owned 110 acres, the dower petition submitted a claim against 270 acres. When William died there were five

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<sup>179</sup> Blackstone, *Commentaries on the Laws of England*, 4, 441; Eleanor M. Boatwright, "The Political and Civil Status of Women in Georgia, 1783-1860," *The Georgia Historical Quarterly* 25, no. 4 (December, 1941): 312-13.

children living with him of which one was a son. The statutes required the appointment of five individuals to “admeasure and lay off” the dower rights. In the August Term, seven committees appeared before the court to report on dower rights. For Darcus, the committee returned during the next term and assigned her 110 acres.<sup>180</sup>

The appointment of five commissioner to examine and determine Umma Holbrook’s , widow of William Holbrook , dower rights illustrated the problems encountered with determining those dower’s right. William’s estate consisted of 2 lots, 40 acres each, and 3 acres in another lot. The commissioners reported the location of the house and that it was situated on land “of little value being mostly worn out.” The second lot contained “good bottomland” and constituted the principal value of the whole tract and that they could not divide it without materially effecting the its value. Umma got the house and the worn-out land. The court paid the commissioners \$1.25 for their efforts

By the 1850’s divorce was beginning to become common in the superior courts of Georgia. Before 1835, divorce in Georgia was a two-step process, first a court trial to authorize the divorce followed by a two-thirds vote by the legislature where a divorce decree was granted. There was an average of eight legislative divorces a year for 291 between 1798 and 1835. These petitions were not evenly distributed over the year, but were progressively increased in number and consumed more and more of valuable legislative time. In 1835, Georgia amended its constitution and transferred the procedure to the superior court where there was confusion over the grounds for divorce. This was resolved in 1849 when the Georgia legislature codified eight grounds for divorce, including adultery, desertion, impotency, prostitution, and imprisonment for

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<sup>180</sup> George L. Haskins, "The Defeasibility of Dower," *University of Pennsylvania Law Review* 98, no. 6 (May, 1950): 836-37.

two years or longer. Mary Hodges petitioned the court for divorce in 1870. She had married John Hodges in Macon County in 1865. Unaware to her, John had a wife and four children in Missouri that he had failed to mention. Interestingly, the petition does not focus on John's polygamy but on Mary's fulfillment of her wifely obligations and "she was a faithful and devoted wife [...] and discharged the duties of a wife towards him with the strictest fidelity." John himself "utterly failed to make a living for her, but by his idleness and spend thrift disposition, consumed what little her parents gave her." In the court ruling granting her a *vinculo matrimonii* divorce (absolute divorce "from the bonds of matrimony,") and ruled that John and Mary should be "considered as separate and distinct persons, altogether unconnected."<sup>181</sup>

A disproportionate number of individuals charged with robbery in Forsyth distorted the distribution of cases in 1866. One hundred individuals were charged with robbery with an additional 18 charged with rioting during the 1866 Terms. This generated a high number of fines. While the court clerk usually reported on the number total of insolvent individuals owing fines, when the clerk reported that number in 1866 it climbed to a staggering 83 individuals that was they failed and were unable to pay their fines. Compared to the 6 reported in 1856, insolvency presented a new problem and was indicative of the lack of money in the south.

Hancock maintained its judicial system through the War. The 1866 April Term found the court flooded by civil cases, 80% of the total, of which the vast majority were contract disputes. The 1866 October Term found criminal cases almost disappear with 96% of the docket being civil. The drop in crime in the county was no anomaly. The Grand Jury commented in it is 1869 presentment "the small amount of crime submitted" indicated a commendable obedience to the

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<sup>181</sup> Roderick Phillips, *Untying the Knot: A Short History of Divorce* (New York: Cambridge University Press, 1991), 144. Lawrence M. Friedman, *A History of American Law, Revised Edition* (New York: A Touchstone Book, 2010), 205.

law. The 18 criminal cases reported in 1866 involved larceny, assault, murder, and, what appeared to be a popular crime in the south, arson. The common resolution to the civil contract disputes was “We the jury find for the Plaintiff.” Overall, an analysis of the 1866 superior courts was not reflective of a typical court session, with the intrusion by what can best be described as anomalies.

An analysis of 1870 should remove the superior court from many of the issues that dominated it during the immediate aftermath of the War. In April of 1870 the Blue Ridge Superior Court convened in Forsyth County. The activities of the court, far removed from the events of the War, the character of the court transformed. Judge Noel B. Knight presided. Judge Knight’s main claim to fame was that on July 22, 1872 the following resolution was passed by the Georgia general assembly:

Whereas, It is alleged that Jon. Noel B. Knight, the present Judge of the Superior Courts of the Blue Judicial Circuit of this State, is wholly incompetent to discharge the duties of said office, and that owing to the great inefficiency which characterizes his administration, the people of the circuit have lost confidence in the las as a shield of protection to them in the enjoyment of life, liberty and property.<sup>182</sup>

A committee investigated and exonerated Knight of the charges, determining that he was a “man of honor and uprightness.” The witnesses were paid 10¢ per mile, \$2 per diem and the stenographer got \$90.

The Forsyth Superior Court of 1870 could almost be call sleepy. Seventeen cases came before Judge Knight, 9 criminal and 8 civil. Most of the criminal cases were of a personal nature, assault, and rape. However, there was something very new in the records in 1870. William Law, listed as a 19-year-old miner in the 1860 Census pleaded guilty to assault with intent to murder.

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<sup>182</sup> Georgia, "Acts of the General Assembly of the State of Georgia," (Atlanta: W. A. Hemphill & Co., 1872), 514.

The court sentenced him to 12 months on the chain gang. The court convicted Wade Summerour of assault and sentenced him to 30 days on the chain gang. The Grand Jury put to the discretion of the Ordinary “to hire him out to work to some citizen of the county.” The first mention of chain gangs occurred in the newspapers August 17, 1865 when William Gieau, “A colored discharging arms” received 12 hours on the chain gang. Captain N. B. Bennett, Provost Marshall for Atlanta, issued the sentence. Two weeks later the editor of the *Daily Intelligencer* recommended to the military authority a remedy for vagrancy, a chain gang to clean the streets and remove rubbish. The next year, March 17, 1866, the General Assembly of Georgia downgraded twenty felonies such as larceny and burglaries and made them subject to fines and sentencing to a chain gang. By 1869 chain gangs were common. Forsyth Grand Jury recommended that the chain gang be put to work on roads and bridges. In addition, the Grand Jury recommended that if possible to hire them out to the railroad or elsewhere if it would free up county expenses. It was apparent that the county was under heavy financial strain and cutting cost had become a critical issue.<sup>183</sup>

The August Term brought 21 cases to Forsyth Superior Court. The criminal cases were mainly property and personal. Arson was becoming popular, often occurring in relationship to land disputes. The main civil cases were contracts supported with promissory notes. However, mortgages and foreclosures started to become common. Isiah Holland, a farmer, borrowed from Isaac Phillips \$527.11. He secured this loan with two notes plus two “certain due Bills.” The next year Isiah further secured the failure to make a payment with a mortgage on a flourmill.

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<sup>183</sup> Editor, "Georgia Legislature," *The Weekly Constitution* August 20, 1872, 2; "Provost Marshall's Court," *Daily Intelligencer* August 18, 1865, 2; "Highly Important Legislation," *The Daily Intelligencer* April 3, 1866, 2.

The apparent drop in the activity in the year 1870 was not an aberration. The April term on 1871 saw 31 cases, 19 civil, and 12 criminal. There was a clear shift away from moral crimes in Forsyth and a drop in crime period. The incident of criminal activity dropped from 15.3 per 1,000 in 1856 to 2.0 per 1,000 in 1870.

Everett Manip filed a civil action against Burrell Reeves. Burrell Reeves had evidently been seeing Lydia Manip, Evert's daughter, for some time. On March 16, 1864 Lydia gave birth to a beautiful bouncing baby. It appears that Burrell wanted nothing to do with Lydia after this happy event. Everett decided to sue Burrell for damages, because besides being his daughter Lydia, the law also considered Lydia as Everett's servant and could longer carry as heavy a workload. Everett had incurred "great expense for her delivery and nursing and had suffered incalculable injury in his feelings at the ruin of his daughter who was a child only fifteen years of age." Everett wanted \$10,000 dollars. The court awarded Everett \$11.20, the cost of suing. The laws surrounding "bastards" were quiet specific. The justice of the peace, upon learning of a woman pregnant out of wedlock, was required to call the woman before the court, discover the name of the father, require a bond of \$1,000, and a fine for the support and education of the child. The bastardy laws targeted men in order to assure the child did not become a public charge and assure women received financial support. Interestingly, bastards were allowed to inherit directly from their mother.<sup>184</sup>

The Grand Jury, besides bringing indictments, also inspected the books of the Ordinary, county buildings, and roads to the purpose of making recommendations. The Grand Jury did not limit themselves to those subjects in their presentments. The Forsyth Grand Jury in its 1869

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<sup>184</sup> Georgia General Assembly, "Offences against the Public Morality, Health and Police," (Milledgeville, Ga.: GALILEO Digital Initiative Database, 1816), 182-83. Orville Vernon Burton, *In My Father's House Are Many Mansions: Family and Community in Edgefield, South Carolina*, The Fred W. Morrison Series in Southern Studies (Chapel Hill: University of North Carolina Press, 1985), Secondary, 141.

August Term Presentment stated, “All the bastard children of this county are likely to become chargeable to the county.” They reiterated that it was to job of the justice of the peace and notary publics to search out the fathers and “take such proceedings against both mothers and fathers as will fully secure the county.” In the April Term, the Grand Jury commented that the number of bastards in the county was large. While they commented that bastardy was distributive to social order and domestic peace, they finished with they were expensive to the county also. The magistrates were encouraged to be vigilant and vigorously pursue the guilty. This series of comments was bought about by the fact the county was \$370 in debt, mainly because of the “poor house farm.”

The defeat of the confederacy created an instant financial problem that would persist for years. In August of 1870, William Blackstock, a Forsyth farmer, filed a complaint against Talbot Strickland. Blackstock was guardian of Ambrose and Noah Pirkle, 17 and 15 respectively. They lived with their mother Sarah. Ambrose and Noah, listed as farmhands, most likely worked on Blackstock’s 140 acre farm. He grew about 6 bales of cotton on twelve acres. He had clearly escaped the debt crisis that was slowly consigning many of his fellow yeomen to peonage. Things had not gone well for Talbot Strickland. The 1850 Census found him farming 250 improved acres, no cotton. By 1870, he was lived in Gwinnett County and farmed 50 improved acres. In 1863, he approached Ambrose Pirkle, the father of about a loan. In return for \$600 Talbot signed and gave Pirkle a promissory note. In 1866, Blackstock the guardian came calling for Pirkles money. Talbot refused to pay. His argument was “that consideration of the said promise was greatly depreciated at the time the said obligation was entered into – and this he put himself upon the country.” It was obvious what Talbot was suggesting. What Talbot borrowed



was \$600 in confederate treasury notes. What Blackstock wanted was \$600 in United States Treasury Notes. A good deal if you could get it.

The ground Blackstock and Strickland were treading was becoming well wore. In Alabama Blackstock would have been out of luck. There contracts made during the war when consideration was Confederate currency were null and void. However, in Georgia, when the same issue surfaced, the “verdict and judgement rendered shall be on principles of equity” according to the Georgia Supreme Court. Georgia’s Ordinance of Convention of 1865 gave juries wide latitude in resolving the specie value of Confederate notes, restricting only those contracts intended to aid the rebellion. Those contracts that did not aid the rebellion should “receive an equitable construction.” After 1866, issues like this case were encouraged to reference Barber’s Table, compiled by a broker in Augusta for *McLaughlin & Co. V. O’Dowd*, an equity case settled by the Georgia Supreme Court. Barber had kept meticulous records on the specie exchange rate of the confederate treasury notes during the War. Blackstock ended up getting \$200 United States federal treasury notes for the \$600 Confederate treasury notes, plus \$51 in interest. That equated to a 3 to 1 exchange rate, equivalent to the exchange rate listed by Barber’s Table November of 1863. There were numerous cases like this covering trust funds, investment, loans, and purchase of merchandise.<sup>185</sup>

Hancock Superior Court did not hold a winter or spring term. The October Term, dominated by civil cases, lead to an extra session in November in turn dominated by criminal cases. Criminal activity continued at a rate of 3.6 per 1,000 and civil cases at 7.5 per 1,000.

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<sup>185</sup> Clara Mildred Thompson, *Reconstruction in Georgia: Economic, Social, Political, 1865-1872* (Savannah, Ga.: Beehive Press, 1972), 355-57. Logan E. Bleckley, *Reports of Cases in Law and Equity, Argued and Determined in the Supreme Court of the State of Georgia at Milledgeville November Term, 1864; Macon March Term, 1865; Milledgeville November Term, 1865*, vol. XXXIV (Charlottesville, Va.: The Miche Company, Law Publishers, 1904), 487-91.

Unlike Forsyth, Hancock continued to use fines, local jail, and the state penitentiary to handle these cases. No mention was made of a chain gang in Hancock. Of the 100 civil cases, 65 resulted in a financial settlement. The court awarded total of \$16,229, with a low of \$15 and a high of \$2,008. The median amount was \$138. In comparison to Forsyth, there was heavy activity in Hancock to recovery debt. Civil action in Forsyth was approximately 2.8 per 1,000.

It was clear from the court activities that social norms and economic behavior of Forsyth and Hancock counties differed from each. In addition, it was clear that Forsyth underwent a significant social and economic transition from 1856 when criminal activity was high to 1870 when the legal business in the superior court no longer took a week to conduct. Forsyth's main concern in 1856 was controlling card playing and illegal liquor consumption. The Grand Jury of 1856 commented on "harmful grasp" that the evil of gambling had on the youth. If convicted, an individual faced a stiff fine that often exceeded the cost of one bale of cotton. The jury was often happy with just charging the offender court cost that approximated \$9.00. The civil suits of the time involved a wide range of differing issues from recovery from the killing of hogs to selling of horses. The concern over these issues had dropped by 1870, displaced by cost control and bastards. The evaporation of money in any form after the War, closed down the real estate market and by 1870 there was very little borrowing going on in Forsyth. Individuals who conflicted with the courts were unable to pay fines, so you see Forsyth turn to chain gangs. Hancock did not have that problem and was happy shipping its criminals off to the state penitentiary. The problem in a county like Hancock was controlling a newly freed population. Forsyth's concern was adjustment to a new economic order.

## 7 1870 and the Biggest Loser

There is one truism of war. There will be a winner and there will be a loser. Therefore the question arises, who lost the Civil War. “The South did,” of course! However, the reality was more complex than that. Northern abolitionist, Irish immigrants, industrialist, southern planters, slaves, poor whites, paid substitutes and yeoman fought the War. Some of these won and some lost. Some won big, like the northern industrialist. Some lost big and the suggestion here was that the biggest loser was the southern yeomanry. His worst fears came true. He lost his independence and he would slide down the social ladder until he hit rock bottom as a sharecropper. Reconstruction would find him losing access to landownership, abandoning subsistence farming, and embracing the demands of the market, which he had avoided for so long. The primary marker of the southern yeomanry, independence, quickly faded after the War. No longer would he look across his fields and decide what he wanted to grow. The field was not his and what to grow was decided for him. The repercussions of the Civil War reverberated throughout the south and well into the 20<sup>th</sup> Century. The War visited an economic revolution upon the south that it did not invite and it did not settle uniformly across the south.

The wave of destruction that swiped over the south during the Civil War has been well documented and studied. There were many books and articles written shortly after the War based on travels of individuals throughout the South. The north’s curiosity had not been abated by its victory since Frederick Law Olmsted’s *A Journey in the Back Country in the Winter of 1853-4* was published in 1860. In the summer of 1865, Peyton H. Hoge and Howard R. Bayne started on a “tramp” across Virginia and reported back to the Richmond *Daily Dispatch* through a series of letters, later published as a book. In 1865, an Illinois-based journalist, Sidney Andrews, wrote a

derisive report on post-Civil War life in the South, which fed the radical Republican's aggressive Reconstruction agenda. Initially published in *The Atlantic*, it later appeared as a book. Whitelaw Reid, writing for the *Cleveland Herald* and *Cincinnati Gazette*, toured the southern states in the company of Chief Justice Samuel Chase, observed that the opportunities for Northern capital were great, and that South was whipped but not contrite. John Trowbridge traveled through the south in 1865 and 1866 to see southern cities and visit Civil War battlefields. He noted the defeated demeanor of southerners and the presences of Northern traders. Stebbin's Publishing House sold Trowbridge's travel narratives by subscription. Robert Somers, an Englishman, spent six months traveling through the South and wrote what amounted to a running dialogue on what he saw. Somers concluded that the labor question had been resolved satisfactory. He noted the presences of Northern speculators and absence of capital. While the South was clearly different from the North, the real issue was how it was going to fit back into the national fabric. In some sense, these travelogues were an attempt to control the dialogue in an *orientalist* narrative manner. What the observers reported back contrasted sharply and negatively with the industrializing, highly capitalized North. Inherent in the writings was the presumption of Northern superiority. The first step to dominating and exploiting the postbellum South was to define it. Time would show a South whose primary resource was still land and labor. It would remain an agricultural society but with a new social, financial and political structure. It would take time for the outline to appear.<sup>186</sup>

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<sup>186</sup> Jamie Winders, "Imperfectly Imperial: Northern Travel Writers in the Postbellum U.S. South, 1865-1880," *Annals of the Association of American Geographers* 95, no. 2 (2005): 2-5; Peyton H. Hoge and Howard R. Bayne, *The Travel of Ego and Alter, an Epistolary Narrative of a Tramp Through the Old Dominion* (Richmond, Va.: West, Johnston & Co., 1879). Sidney Andrews, *The South since the War: As Shown by Fourteen Weeks of Travel and Observation in Georgia and the Carolinas*, ed. Heather Cox Richardson (Baton Rouge: Louisiana State University Press, 2004). Whitelaw Reid, *A Southern Tour, May 1, 1865 to May 1, 1866* (New York: Moore, Wiltach & Baldwin, 1866). J. T. Towbridge, *The South: A Tour of Its Battle-Fields and Ruined Cities* (Hartford, Conn.: L. Stebbins, 1866). Robert Somers, *The Southern States since the War 1870-1* (New York: McMillan and Co., 1871).

The actual physical destruction visited on the South by the War has often been overstated and not of lasting economic consequence. Agricultural societies prove to be more resilient to war than industrial societies, because land represent its primary capital. Analysis of the 833 counties of the Confederacy indicates that only 36% saw actual combat. In Georgia, that number was 37%. Forsyth County saw no major fighting during the siege of Atlanta. Sherman's March to the sea brushed past Hancock County where some localized pillaging occurred. The lack of destruction was critical to understanding the real problem the South faced. The two major factors that drove the development of the postbellum institutions of the "New South" were the need for an innovative new labor model to accommodate the freedmen and the lack of money. The immediate impact of the Civil War can be explored along four lines of investigation: demographic, agricultural, financial, and educational.<sup>187</sup>

The two white population pyramids for both Forsyth and Hancock counties, Figure 7.1 and 7.2, reflected some catastrophic event had occurred and as expected, more so in Forsyth than in Hancock, if not for any other reason than its larger white population. Both populations reflect a dramatic indentation with the 5 to 10 year age cohorts. This age cohort was 16% of the total population in 1860 and 13% in 1870. Born or more correctly not born during the War, this population revealed that approximately 200 children were missing in Forsyth. This missing population of children, while rarely discussed, should be considered casualties of the War. In Hancock, the percentage difference was 1% or approximately 40 children. The rebound of the 0 to 4 year old cohort emphasized the decrease in the wartime birthrate, more so in Forsyth with its higher postwar fertility rate.

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<sup>187</sup> Paul F. Paskoff, "Measures of War: A Quantitative Examination of the Civil War's Destructiveness in the Confederacy," *Civil War History* 54, no. 1 (March, 2008): 38. Forrest Shivers, *The Land Between: A History of Hancock County, Georgia to 1940* (Spartanburg, South Carolina: The Reprint Company, Publishers, 1990), 162-66.



However, more critical to the future economic stability of the South was the collapse of the male population between the ages of 20 and 55. Men between the ages of 16 and 60 were eventually required to serve. This age group represented 46% of the Forsyth population in the 1860 census. The 1870 census detailed that this group dropped to only 36% of the population. This suggested that Forsyth probably lost in the neighborhood of 329 men in the War. This loss was clearly reflected in the large indentation on the male side of the graph. It was impossible to correlate with unit records because so many men simply disappeared from the records, noted by the comment, "no further word." Desertion was a significant problem with the confederate forces and particularly upcountry Georgia units who served in the Army of Tennessee and were close to home. Data suggest that 52 of Forsyth's recruits deserted. Close comparison suggested that Hancock tells a different story. The same age group dropped from 54% to 45% indicating Hancock's casualties might have been as high as 178. Hancock deployed five companies numbering about 642 men of which 72 were killed in action. Their unit records are much more complete. Approximately 78 died in camps or hospitals from disease. That comes up to 150, which closely approximates the estimated casualties. The two counties lost approximately the same percentage.<sup>188</sup>

The percentage tells the story that the Civil War weighed heavy on the yeoman class. Damage to a population on this scale does not dissipate in a single generation, but manifested itself for at least three generations. Actually, time accentuated the loss as war wounds took their toll with premature deaths among the males who fought. This demographic event would remain evident, as a constant reminder to the South of its defeat until the 1930s when the last of this

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<sup>188</sup> *The Land Between: A History of Hancock County, Georgia to 1940*, 168. Mark A. Wietz, *A Higher Duty: Desertion among Georgia Troops During the Civil War* (Lincoln and London: University of Nebraska Press, 2000), 78.

decimated age cohort would die. It was one thing to experience this type of demographic assault and win, another to suffer it and loss. At every social gathering in the South for the next 60 years, this generation would make itself known by its silence.

The 1860 Census reported 1,245 families in Forsyth of which 126 or 10% were headed by females. In 1870, there were 1,330 families with 226 or 17% headed by females. The pension records identify 150 widows in Forsyth. They held only 9% of the wealth, so they were clearly poorer than the typical farmer. The median size of these female-headed families was four while the median for the white population as a whole was five. This was not surprising because the average age of the Civil War soldier was 26, meaning that he had not completed his family making duties before death overtook him. Females headed approximately 19% of the families in Hancock in 1860. That rose to 21% in the 1870 census. The wealth these families controlled dropped significantly from 12% to 6% of the total. Their drop in comparative wealth within the county was much smaller than those females in Forsyth experienced. The initial higher rate of female households was the result of greater wealth that allowed a degree of female independence. The increase in female headed households also represented another demographic scar on southern society.

The emancipation of the slaves was a demographic earthquake. The destruction of slavery smashed the very foundation of the social structure of the South. Before the 1870 census, the information on the black population was limited to gender and age. With the end of the War we see this population assume the more traditional familial patterns. More important we see diverging patterns develop between the relatively small Freedmen population in Forsyth and the much larger one in Hancock. The contradictory patterns suggest that the "slave experience" was comparatively different for each county. Hancock saw a large exodus of Freedmen from the



county. Georgia experienced a 17% growth between 1860 and 1870 in the Freedmen population. When this was applied to Hancock, it suggest that as many as 23% of the Freedmen left the county. The census data for 1870 indicated that urban growth for cities with population of 50,000+ saw their Freedmen residents swell 109%. Forsyth Freedmen population grew 26%, in line with statewide growth patterns, indicating that the Forsyth ex-slave population stayed in place. This diverging pattern again suggest that conditions in Hancock were such that they encouraged a Freedman exodus.<sup>189</sup>

The 1,121 Freedmen in Forsyth County formed 178 families of which females headed 37 or 27%. In Hancock County, the Freedmen population of 7,641 formed 1,590 families with 308 or 19% headed by females. However, in Forsyth 18% of the Freedman population lived with the white families compared to 2% in Hancock. The lack of slave quarters in Forsyth accounts for this most likely. In Forsyth County 50% of these Freedmen were field hands and 20% domestic servants. In Hancock 33% were field hands and 27% were domestic servants. Surprisingly large percentages, approximately 25% in both counties, were children. This indicates that in a yeomen country such as Forsyth, slaves were willing not only to remain in the county but continued their close relationship with their former masters, where as in former planter counties such as Hancock they chose to depart and sever the relationship.

Another interesting statistic that comes out of the 1870 Census was the racial makeup of the Freedmen population. The Slave Schedule of 1860 for Hancock County counted 148 mulattoes or 1.8% among the slave population. The state as a whole reported 8%. The 1870 Census identified 543 mulattoes or 7.1% of the Freedmen in Hancock. This curious shift in

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<sup>189</sup> Roger L. Ransom and Richard Sutch, *One Kind of Freedom: The Economic Consequences of Emancipation* (Cambridge; New York: Cambridge University Press, 1977), 61-63.

numbers leads one to look at the 1850 Census in order to further explain the anomaly. There the schedules for Hancock reported 473 or 6.5% of the slave population as mulattoes. One can only conclude that the identification of mulattoes carried political implications in 1860 and were intentionally undercounted. Forsyth reported 10% of the slaves as mulatto in 1860 and 30% in 1870. Clearly, the reporting of mulattoes carried political weight before the War and one can only conclude it was in response to the abolitionist rhetoric and accusation of sexual improprieties.

The 1870 and 1880, U.S. Census, Figure 7.3, reflects the South's accommodation to the new reality of Freedmen and lack of money. In Georgia, between 1860 and 1880, the number of farms increased, corn production dropped, cotton production increased and the total acreage remained the same. At first, one would assume that this was good news, possibly reflective of the development of a more egalitarian society, essentially a leveling of the South's social structure. The comparison of 1860 to 1880 was deceptive. It was clear that Georgia had gone through a profound institutional change. However, this did not occur until after 1870. The 1870 census found a society in transition. It took a few years to work out a solution to these two problems of labor and money.

Georgia	1850	1860	1870	1880
Number of Farms	51,759	62,003	69,956	138,626
Corn Production (bushels)	30,380,699	30,776,293	17,646,459	23,202,018
Cotton Production (bales)	499,091	701,840	473,934	814,441
Acres in Production	22,821,379	26,650,490	23,647,941	26,043,282

Figure 7.1 Table of production number of Georgia. Source: U.S. Census 1850, 1860, 1870, and 1880.

The emancipation of the slaves represented a significant loss of labor. The most evident source of the decline in the labor supply was the withdrawal of Freedmen's wives from the field. In Forsyth, 88% of the wives in Freedmen families stayed at home and 11% reported as field hands. This probably reflected that a higher percentage of Forsyth's slave were domestic help before the War. In Hancock 46% stayed at home and 38% turned out as field hands. This reflects only those that remained and did not consider those that migrated out of Hancock County. This continued to support the idea that slavery in Hancock was harsher than that in Forsyth.

Shrinkage of the farm size was a key postbellum event. While some shift in farm size started before 1870, the agricultural event went into full swing after 1870, as indicated in Figure 7.4 and 7.5. The fragmentation of the farms followed diverging patterns between Forsyth and Hancock Counties. In Hancock, the large farms in excess of 500 acres were the source acreage that produced the surge in new farms less than 50-acres. In Forsyth, the less than 500 acre farms were the source. It was logical to pull the smaller farms from the larger farms. However, it was critical to appreciate that this did not occur in either county before 1870 and that the pattern of distribution for both counties duplicated each other by 1880.

The first few years after the War represented an anomaly. The postbellum planter encountered the confluence of series of disparate complications. The price of cotton at the close of the War was at a historical high of \$1.02 a pound in 1865, which encouraged reentry into the cotton market. The resumption of cotton growing witnessed the collapse of this market to 32¢ a pound by 1867. This was still a historically high price and eager planters made commitments for cotton production that they were unable to meet. The labor wages were extraordinarily high. They would correct downward after 1867. The South experienced a prolonged drought that constituted an agricultural disaster and resulted in crop failure. As an expression of their newfound freedom,



Freedmen elected to resist any system of labor that might restrict or coerce them. The coup de gras was the inability of the planter to manage the labor disruption effectively through this sea of change. The idea of keeping current accounts for his plantation had never occurred to most planters. It was a rare planter who accurately knew if he had made money during this period. The Freedmen's Bureau actively encouraged labor contracts between the planters and the emancipated slaves. However, the Bureau reported a persistent resistance to signing contracts by the Freedmen. Lack of cash was an additional incentive to the sharecropping arrangement desirable for the planter.<sup>190</sup>

Benton H. Miller lived in Washington County, just south of Hancock, before the War. Whether he was a yeoman or a planter could be disputed and clearly outlines the problems with definitions of yeoman. He married into a well-to-do planter family and benefitted from it. His historical importance was the meticulous diary he kept for 1858 to 1859 and for 1875 to 1877. The diary starts out in Mississippi where Miller was evidently an overseer. After collecting some debts and purchasing three slaves, Miller returned to Washington County where his father-in-law permitted him to farm 85 acres. With the help of a white farm laborer, he planted 32.5 acres in cotton and 44 acres in corn. His production in 1859 was 10 bales of cotton and 300 bushels of corn. The estimated return on investment was 10.6%. The production of 10 bales places him just above the median of 9 bales for Washington. While Miller worked with his slaves and owned no

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<sup>190</sup> D. Wyatt Alken, "Does Farming Pay in the South," *Rural Carolinian* 2, no. 6 (March 1871): 323-24; Ransom and Sutch, *One Kind of Freedom: The Economic Consequences of Emancipation*, 64-66. D. Wyatt Alken, "Plantation Economy," *Rural Carolinian* 2, no. 2 (November, 1870): 75-77; Harold D. Woodman, "How New Was the New South," *Agricultural History* 58, no. 4 (October, 1984): 536.

land, he considered himself a planter and his production placed him on the high end in the social ladder.<sup>191</sup>

After the War, Miller moved to Hancock County and there the 1870 census listed him as a clerk. However, by then he owned \$500 in property. His diary tells an important story. He was a rare farmer who kept current accounts recorded in his diary. The diary caught him in transition between working a farm with hired help and use of tenant labor. This occurred between 1875 and 1876, consistent with the historical fact that farm fragmentation and the rise of tenancy occurred after 1870. Miller worked what he termed as two lots and kept detailed notes on the expenditures in 1876. The diary entries show that on May 11<sup>th</sup>, 1876, Miller paid James Stanley \$3 for his labor and two mules, Jacob Stanley \$2 for his labor and horse, and Jack Adams \$1 to help plow. On December the 31<sup>st</sup>, 1876 he reported having cleared \$100.20 “on the place.” Production was 15 bushels of corn and 400 pounds of seed cotton. He commented, following the financial reconciliation for 1875, he had rented a lot to S. D. Slade for the next year and that the corps would be corn and cotton. Interestingly, Miller did not own this land but was acting as an intermediary for an absentee owner. The two other lots that Miller did own, he sharecropped to Bob Taylor and an individual named George. The sharecropping agreement called for “halves” on the production and expenses. For the next year, Miller closely watched his tenants, reporting on days they worked and the tasks they performed, often commenting that they were “piddling about.” At one point Benton noted that Bob was behind on his crop. The end of the year the diary notes that he settled with Bob. They shared 672 pounds of seed cotton and Bob got \$11.00 credit for the cotton and \$11.00 for the seed. Miller detailed that the cotton brought 10  $\frac{3}{4}$ ¢ a pound or

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<sup>191</sup> Benton H. Miller, "The Record of Passing Events on B. H. Benton Plantation," in *B. H. Miller Farm Journal, Microfilm Drawer 188, Reel 161*, ed. Georgia Department of Archives and History (1858-1859 and 1875-1877); Hahn, *The Roots of Southern Populism: Yeomen Farmers and the Transformation of Georgia's Upper Piedmont, 1850-1890*, 51-52. Hahn incorrectly identified Miller living in Hancock County in 1858.

\$37.60 for a bag. The cost was 3.65¢ per pound for ginning, bagging, ties and hauling. Miller concluded that Bob would not payout. This diary catches Miller in mid-stride in a shift between two significant labor models. A transition from wages to the labor model that would come to dominate the south, sharecropping.<sup>192</sup>

The ultimate result of the fragmentation of the plantation, as it occurred in Hancock County, was illustrated in Coweta County, in 1870, where a planter owned 1,500 acres. However, the census identified his holdings as twenty-six individual farms. One of the farms belonged to the landlord and was worked by five laborers. The other twenty-five were tenants. Everyone worked under the direction of the landlord who took possession of the crop at harvest and marketed it. A similar transformation illustrated the fragmentation of David C. Barrow's 2,000-acre plantation in Oglethorpe County. The story of Barrow's plantation illustrates the gradual nature of the transformation. Starting in 1866 Barrow ran the plantation with a traditional gang system of labor, only the gangs were Freedmen and the overseer was now a superintendent. The Freedmen initiated the transformation to sharecropping. Each gang, encouraged by the Freedmen desire to be his own "boss," over a period of years split the gangs into smaller and smaller gangs. This subdivision continued until each Freedman was on his own farm. Barrow loosely supervised each tenant by monthly visits. The share the Freedman owned at the end of the year consisted of cotton, cotton-seed, bushels of corn, shucks, and fodder. The key point was the sharecropping in the cotton belt was an outgrowth of a labor dispute and its resolution. A

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<sup>192</sup> J. William Harris, "Portrait of a Small Slaveholder: The Journal of Benton Miller," *The Georgia Historical Quarterly* 74, no. 1 (Spring, 1990). "The Organization of Work on a Yeoman Slaveholder's Farm," *Agricultural History Society* 64, no. 1 (Winter, 1990). Miller, "The Record of Passing Events on B. H. Benton Plantation."

desire by Freedmen to work unsupervised and the planters need for labor. By 1880, 44.8% of the farms in the state were tenants.<sup>193</sup>

The immediate problem after the War for the South was money. There was none. Of the 48 state chartered banks in Georgia before the War, only 3 survived to do business in 1865. The Atlanta Daily Intelligencer succinctly highlighted banking situation in Georgia with an announcement of a new bank in Augusta on August 30, 1870:<sup>194</sup>

Before the war, we had seven banks with an aggregate capital of three and a quarter millions and just across the river was the bank of Hamburg with a capital of half a million, making about four millions dollars for the use of our citizens and planters who bought or sent their products to this market, and these banks all found ample use for their capital and did a profitable business. We now have in place of these but one bank with can issue notes or bills with a capital of only half a million dollars.<sup>195</sup>

Either the state incorporated the bank or it was a national bank. National banks were a product of the Civil War. The financial demands placed on the Union by the War necessitated the stabilization of the monetary system. The purpose of the National Banking Acts of 1863 and 1864 was to incorporate a system of banks that would support a national currency and become a consumer of Treasury securities. As such, the government allowed these banks to issue national currency notes based on the amount of Treasury notes they had deposited with the Treasury.

Those banks that decided not to submit to the regulation of the Treasury had they notes taxed at

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<sup>193</sup> Robert Preston Brooks, *The Agrarian Revolt in Georgia, 1865-1912*, vol. 3, Bulletin of the University of Wisconsin: History Series Volume 3 (Madison, Wisconsin: University of Wisconsin, 1914), 45, 77; David C. Barrow, "A Georgia Plantation," *Scribner's Monthly* April, 1881, 830-34.

<sup>194</sup> Ransom and Sutch, *One Kind of Freedom: The Economic Consequences of Emancipation*, 109.

<sup>195</sup> "A New Bank in Augusta," *Daily Atlanta Intelligencer* August 31, 1870, 2.



10% and effectively were put out of the currency business. By 1869, there were 1,650 national banks, only 270 state banks in the United States, and 1,400 private banks. At this point in Georgia, there were only 9 national banks, 2 state banks, and 19 private banks trading on the New York Exchange. While banking capital in Georgia equaled approximately \$13 million in 1860, it had contracted to only \$2 million by 1872. The national banks were located in Athens, Atlanta, Augusta, Columbus, and Savannah with a capital of \$1.6 million. The lack of cash was a severe problem.<sup>196</sup>

The need to accommodate the new labor model drove the fragmentation of the plantations. It was not that the planters sold off their land but that they divided the plantations into smaller units to sharecrop out to the Freedmen. It reduced the need for working capital and assured that laborers would remain through the harvest season. This raised a new problem that southerners had little experience with and that was contract enforcement. The new labor model involved either renters or croppers. Renters paid the property owner for the use of the land. A cropper was a wage laborer, an employee, with his wages paid to him by the property owner in the form of crops at the end of the season. During the growing season, the laborer would need supplies advanced to him. The sources of advances could be either the property owner or a local merchant. This merchant involvement created an air of conflict between merchants and property owners in the Black Belt. Merchants came to work through the property owner or moved their business to yeomen dominated areas. Cropping became the South's new "peculiar institution."<sup>197</sup>

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<sup>196</sup> E. Merton Coulter, *The South During Reconstruction, 1865-1877*, A History of the South V. 8 (Baton Rouge: Louisiana State University Press and the Littlefield Fund for Southern History of the University of Texas, 1947), Secondary, 191.

<sup>197</sup> Harold D. Woodman, "Post-Civil War Southern Agriculture and the Law," *Agricultural History* 53, no. 1 (January, 1979): 322.

In lieu of cash, credit became an integral part of the agreement and key control lever. To accommodate this new model, the state passed crop lien laws. On December 15, 1866, the Georgia General Assembly had passed a new crop lien bill “with a view to encourage advances to planters to enable them to make another crop.” The new law gave property owners authority to place liens “upon the crops of tenants, for stock, farming utensils, and provisions.” By spring, advertisements were appearing in newspapers that offered “time sales” of wheat in exchange for a crop lien. Initially, these laws were supposed to encourage the agricultural sector and address the issue of wages that involved a portion of the crop, not sharecropping pre say. However, by the end of 1867 it was becoming clear that wages were too high and they needed an alternative labor solution. The joint-crop contract system or sharecropping began to look good and editorials appeared in newspapers that strongly recommended it as a solution to the high labor rates.<sup>198</sup>

The objective of the new crop lien laws was to assure that anyone you advanced supplies to a cropper achieved a superior claim, except to that of a property owner’s rent. The law stated that in a landlord-cropper relationship, the property owner retained possession of the crop until he made the division. Once a crop was harvest, its value was subject to time constraints. Once it was gone so was any recourse to a lien. Georgia cured that little problem by allowing lenders to seize personal property and then loan it back, essentially creating a new advance, and driving the cropper deeper into debt. An attempt was made in 1870 to include bankers in the crop lien system but was solidly rejected. This increased and secured the property owners control and grip on the operation of the farm and the laborers.<sup>199</sup>

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<sup>198</sup> A Planter, "The Joint-Crop Contract System a Necessity," *Weekly Atlanta Intelligencer* Oct. 30, 1867, 4; Editor, "Advances to Planters," *Daily Intelligencer* Jan. 16, 1867. A. K. Seago, "Times Sales," *ibid.* May 5, 1867, 3.

<sup>199</sup> Woodman, "Post-Civil War Southern Agriculture and the Law," 326-33. Editor, "Georgia Legislature, House of Representatives," *Weekly New Era* Oct. 26, 1870, 1.

A common historical premise of postbellum South was its increased reliance on cotton. However, this new increased reliance had a geographic and social characteristic. Cotton production increased in Hancock County by only 13% from 1860 to 1880. In Forsyth County, cotton production increased 669%. This increased reliance on cotton was clearly an Upcountry yeoman phenomenon. In other words, the postbellum increased cotton production was a yeoman event.<sup>200</sup>

A review of the Forsyth Superior Court Minutes suggests that there was a period of chaos in the Upcountry during the closing years of the War. Courts suspended operation in the Upcountry after 1863 and renewed operations in August of 1865. The deserters from the confederate army were blamed for much of the upcountry chaos which amounted to a low level civil war within a civil war as home guard units tracked them down. The August court term of 1865 heard fifty-one cases of which ten were petitions for dowager claims, three divorces and a total of 39 individuals charged with robbery. This pattern of dowager cases would continue for several years. There was not one case for ejectment or garnishment. These early ejectments were usually over nonpayment of rent by tenants. Several cases involved debts that had been incurred with confederate currency and were now due. One case in particular revealed that William Brown owed George Poss a final payment of \$100 due in confederate currency. The decision was that this amounted to \$25 in "good money." Many court cases in 1866 illustrated the wide range of confusion created by the demise of confederate currency. There was little gold and most

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<sup>200</sup> David F. Weiman, "The Economic Emancipation of the Non-Slaveholding Class: Upcountry Farmers in the Georgia Cotton Economy," *The Journal of Economic History* 45, no. 1 (March, 1985): 78-79. Ransom and Sutch, *One Kind of Freedom: The Economic Consequences of Emancipation*, 151-56.

people had neither money nor a way to get it. Many individuals still owed debt incurred before the War. The extreme drop in property values left southerners in dire financial straits.<sup>201</sup>

However, the real problem in Forsyth County was the lack of this “good money.” This had a profound impact on the real estate market on Upcountry counties. Table 6.1 reflects an analysis of the real estate transactions in Forsyth over a number of years. It was quickly apparent that the real estate market had slowed down. Before the War, some transference of land was occurring almost every business day with 76% of size of these transfers 1 lot or 40 acres. This particular size reflects the fact that Forsyth was part of the original Gold Lottery in 1832 where lot size was restricted to 40 acres. After the War that metric changed radically with the number of transactions dropping to a little over one a week and a little over half were 1 lot or less. The total volume of the real estate transactions had dropped 60% by 1870. Essentially, the falling yeomanry could no longer get their hands on land because of the lack of money. The size of the individual transactions increased by approximately 25%, suggesting that what transactions that did occur were not small farmers seeking access to landownership.<sup>202</sup>

The lack of money effectively froze the Forsyth yeomanry were out of the market. The only thing landless farmers could do was sharecrop. They could not rent because there was no “good money.” They paid for access to land by sharecropping and financed their capital needs through local merchants who got their credit from northern wholesalers. This process was to key explaining why cotton production did not explode until after 1870. By then the yeoman had fallen into sufficient debt to become subject to the influence of the merchant who demanded

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<sup>201</sup> Charles H. Otken, *The Ills of the South: Or, Related Causes Hostile to the General Prosperity of the Southern People* (New York: G. P Putman's Sons, 1894), 8-9. David Williams, *Bitterly Divided: The South's Inner Civil War* (New York: New Press: Distributed by W.W. Norton, 2008), 166-67.

<sup>202</sup> "Real Estate Transactions," ed. Forsyth County Government (Cumming, Ga: Forsyth County Government, 1856-1858, 1866-1867, 1870).

cotton. By 1880, in Forsyth County only 58% of the farmers owned they farm and 40% were sharecroppers. Percentage of farms operated by owners for the state in total was 55.1%. Only 2% were cash renters. An analysis suggest that tenancy before the War may have been as high as 24%. However, this was a rent-based tenancy. The shift from renter to sharecropper pushed the aspiring farmer further from his dream of landownership and the ideal of yeomanry independence.<sup>203</sup>

Forsyth Real Estate Transactions

	Number of Transactions	# of Transaction >1 Lot	Total Lots
1856	212	76%	335
1857	170	63%	318
1858	150	75%	223
1866	44	41%	97
1867	98	45%	186
1870	66	53%	134

Figure 7.4 Analysis of real estate transactions. Source: Forsyth Deed Books.

Sharecropping was not simply a contract to divvy the crops up at the end of the season. Sharecropping was a mortgage on future crops. The landowner furnished the land, house, livestock, farming equipment, and seed. The sharecropper supplied the sweat. Fertilizer, ginning, and preparation for market were shared cost. The important defining character of sharecropping was the degree with which the landowner maintained general supervision over the sharecropper. The landowner retained possession of the crops and handled its marketing. If the landowner lacked sufficient capital, which was common, he would negotiate a line of credit for the sharecropper with the local merchant. When the sharecropper accessed this line of credit, the merchant sold goods to him at “time” prices, a markup over what might be called a competitive

<sup>203</sup> Terrence Lee Kersey, "A Small Place in Georgia: Yoeman Cultural Persistence" (Georgia State University, 2009). Enoch Marvin Banks, *The Economics of Land Tenure in Georgia*, Studies in History, Economics and Public Law, Vol. Xxiii (New York: The Columbia University Press, 1905), 90.

cash prices. The store supplied all common household necessities that might be need. The merchant's justification for excessive charging was that purchases were essentially a loan of capital over time. They effectively fulfilled the function of a local bank. The high cost of credit ranged from 30 to 60 % and ruled out any possibility of the accumulation of wealth by the farmer. This high margin placed on merchandise sold on credit gave the merchant a great deal of leverage to determine how profitable the sharecropper was at the end of the end. In other words, debt was a on a sliding scale that the merchant moved to his advantage. The merchants used his credit power to change the crop mix, more cotton, less food crops. This increased yeoman's reliance on the merchant to finance his family needs between harvests. The ability to control both sides of the equation, that was the cost of merchandise on one side and the price of crops on the other created a situation where the yeoman would sink further into debt. The merchants were reluctant to foreclose because then they would have to pay property tax. It was an elegant economic trap that once entered was difficult to retract oneself.<sup>204</sup>

Antebellum southern banks had never really been organized to loan on real estate. Planters and farmers primary interfaced with banks before the War was the usage of banknotes. While state charters authorized the opening of rural branches, few banks had taken advantage of that option. The real-bills doctrine emphasized short-term loans to support production and shipment of goods, precluded long-term loans of more than six months to farmers. The absences

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<sup>204</sup> *The Economics of Land Tenure in Georgia*, 55, 79-80. Gilbert C. Fite, "The Agricultural Trap in the South," *Agricultural History* 60, no. 4 (Autumn, 1986): 45. Jonathan M. Wiener, "Planter-Merchant Conflict in Reconstruction Alabama," *Past & Present* 68 (August, 1975): 83. Michael Schwartz, *Radical Protest and Social Structure: The Southern Farmers' Alliance and Cotton Tenancy, 1880-1890* (New York: Academic Press, Inc., 1976), 63-65.

of plantations in the Upcountry opened the avenue for yeomen to turn to and deal directly with the local county store for credit both before and after the War.<sup>205</sup>

While the 1870 Census reflects only 217 bales of cotton grown in Forsyth, suggesting a significant decrease in cotton production, the number of cotton growers increased to 160 or 50% of the enumerated farmers. This was an increase of 42% compared to 1860. Many yeomen turned to cotton production immediately after the War because of the lack of and need for cash. In need of help to survive until his crop could be harvested, the yeoman turned to the primary source of cash in his immediate vicinity, the country storeowner, who himself was a recipient of Northern wholesaler credit and goods. Forsyth Court records indicated that the merchant was not the only source of credit. Large landholders also engaged in these loans. That first year after the War, Georgia suffered a severe drought. Public hearings were held demanding that the state Legislature devise some relief, which naturally they did not. The price of cotton started to drop quickly with the return of the American south to the cotton market. Normally the yeoman would have withdrawn from the cotton market as the prices dropped. Market observers argued that the demand for 1867 would be high and encouraged the planting of cotton. However, now he was in debt and the merchants demanded that the yeoman plant cotton. Prices continued to drop and debt continued to rise. The full effect of this would take several years to materialize.<sup>206</sup>

The Postbellum years saw an increase in the number of merchants in the south. The number of merchandising stores doubled between 1870 and 1880 in the Upcountry. Despite this appearance of competition, they were able to create a monopolist market for themselves. By the

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<sup>205</sup> Howard Bodenhorn, *State Banking in Early America: An New Economic History* (New York: Oxford University Press, 2003), 45, 223; Brooks, *The Agrarian Revolt in Georgia, 1865-1912*, 3, 402.

<sup>206</sup> John A. Smith, "Relief Committee at Campbellton," *The Weekly Daily Intelligencer* October, 10, 1866, 3. George West, "Public Meeting in Polk County," *The Daily Intelligencer* September, 15, 1866, 2. Editor, "The Price of Cotton," *Weekly Atlanta Intelligencer* December 12, 1866, 1. Buddy Sullivan, *Georgia: A State History*, Making of America Series (Charleston, S.C.: Arcadia Publishing, 2010), 132.

mere fact that the merchants were able to charge exploitative interest rates strongly supports the contention that theirs was a monopolist regime. Often the roles of property owner and merchant became interchangeable, directly increasing their power over the sharecropper. Collusion between merchants restricted the sharecropper's access to alternative debt sources. Merchants understood that once a sharecropper was in debt to one merchant, other merchants would deny further credit.<sup>207</sup>

The collapse of a social structure released the demand for a wide range of services and for Georgia one of those was education. Prior to the War the Georgia's involvement in education was limited to chartering of academies and financial support of the poor school fund. Overall public opinion was opposed to free schools. Academies were essentially private schools chartered by the state and received some financial support. While the state authorized 506 chartered schools between 1783 and 1850, only 219 were operational by 1850. They employed 318 teachers and enrolled 9,059 students. The private field schools were local endeavors. The schoolmaster was usually a drifter who had persuaded a group of families to pay him to instruct their children. One such teacher was described as "a deserter from the British Navy whose only qualification was, that he could write." Another was a "wandering, drunken Irishman who knocked, kicked, cuffed, and whipped at a great rate." In 1817, the state allocated funds to support poor schools. Of course, attendance carried a heavy social stigma and by 1845, only 53 out of 93 counties operated poor schools. The regulations defined the poor as paying less than 50¢ in state taxes. It was not until after the Civil War those southern states became committed to support universal public education. In December of 1867, Georgia held a constitutional

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<sup>207</sup> Weiman, "The Economic Emancipation of the Non-Slaveholding Class: Upcountry Farmers in the Georgia Cotton Economy," 85. Hahn, *The Roots of Southern Populism: Yeomen Farmers and the Transformation of Georgia's Upper Piedmont, 1850-1890*, 186-89; Ransom and Sutch, *One Kind of Freedom: The Economic Consequences of Emancipation*, 146-48.



convention in Atlanta. Whites argued that radicals and Freedmen dominated the convention. Articles appeared in Georgia newspapers titled "Proceedings of the Georgia Unconstitutional Convention." The new state constitution of 1868 called for "a thorough system of general education, to be forever free to all children of the State." The source of funding was a combination of poll and liquor taxes. By 1871 Georgia's free schools enrolled 43,900 white children and 6,600 Black children, which carried profound social implications.<sup>208</sup>

While the final new configuration for farming in the postbellum south was sharecropping for both the Freedmen and yeomen, their paths to the resolution were different. The plantation districts needed to configure a new labor model to accommodate the Freedmen's interpretation of their new found freedom. That interpretation called for the abandonment of the old gang labor model used in the slave days. The plantation owners attempted to implement something resembling that gang labor model through the mechanism of wage labor. The Freedmen saw it for what it was, a polished version of slavery. The high cost of labor and the Freedmen's desire to work unsupervised on their own land lead to the sharecropping model in the plantation counties. In the yeoman counties, the lack of money was the operative mechanism that pushed the aspiring yeoman into sharecropping. Before the War, counties like Forsyth had a healthy real estate market with the buying and selling of single lots dominating. The lack of money after the War effectively shut that market down. With no means to acquire land, the yeoman turned to sharecropping. While renting had been present before the War, lack of money eliminated that model. Much like the Freedmen, the merchant debt was the power lever used to discipline the uncooperative sharecropper. While the War saw the slave achieve some degree of freedom, the

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<sup>208</sup> Oscar Joiner, *A History of Public Education in Georgia, 1734-1976*, ed. Oscar Joiner, et al. (Columbia, South Carolina: The R. L. Bryan Company, 1979), Secondary, 15-29. Robert Preston Brooks, "Results of the Civil War in Georgia," in *Robert Preston Brooks papers*, ed. Hargrett Rare Book and Manuscript Library (1914), 4.

yeoman found himself cutoff from land acquisition, the mark of an independent farmer. Forced to participate in the cotton market, the yeomanry lost significant social status. The yeomanry was the clearly the biggest loser.

## 8 “The chosen people of God”

Arguably, the southern antebellum yeomanry was the essence of the American Revolution, an individualistic, independent, self-reliant, land owning farmer. While this citizen farmer occupied Thomas Jefferson’s vision of the future, in all probability he might not have been proud of the accomplishments of the southern yeoman, especially if he spent a week in Joseph E. Brown’s courtroom. Jefferson’s concern was that the manufacturing found in the city produced a dependency that corrupted the morals. Americans had a unique opportunity to escape the chains of the workbench because of the “immensity of land” upon which they could labor. The operative word was “independent.” M. Thomas Inge argued that farming was a “positive spiritual good.” Through farming, the yeomanry acquired “honor, manliness, self-reliance, courage, moral integrity, and hospitality.” Wherever the southern antebellum yeomanry might have fit in this pantheon of images subscribed to by Jefferson, it was gone with the winds of war by 1865.<sup>209</sup>

It was clear that the yeoman could be found almost anywhere in the antebellum south. The essential question was where he could be isolated in order for his true character to take control of his environment. The planter was the dominating social and economic class of the antebellum south. The yeomanry that lived in the presences of the planter worked for him, sold merchandise to him, voted for him, went to his church, read his newspapers, that was if he could read, submitted to his courts, and aspired to be like him. This type of dependence on the planter’s institutions weighs heavily on any analysis of small farmers that lived in those cracks between

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<sup>209</sup> Thomas Jefferson, *Notes on the State of Virginia* (Boston: Wells and Lilly, 1832), 171-73; M. Thomas Inge, *Agrarianism in American Literature*, Perspectives on American Literature (New York: Odyssey Press, 1969), xiv.

planters. Essentially this farmer was left little room to express his independence. That was not so in a county like Forsyth. There a yeoman could be what he always wanted to be, independent.

Key studies have created elastic criteria for what constitutes the yeomanry. This was not because there was some profound disagreement over what constituted a yeoman. Where a historian looks for the yeomanry drives the criteria used to identify. That was because when in the presence of the planter class, the yeomanry were closely intertwined with the planter's institutions and only a clear set of criteria would identify him. In reality few yeoman lived in the Black Belt country. If a historian used criteria like three bales of cotton or less when examining a planter dominated county the yeoman became a minor entity, which he was in the Black Belt. In Hancock County, not more than 22% of the farmers could have been yeoman. In Forsyth, not many more than 5% could have achieved planter status. In Forsyth, farms were small with a median of 60 improved and 80 unimproved acres, far less than most historians have argued. Small farms allowed for increased population density, which was why the Upcountry was so much more densely populated with whites than the Black Belt.

While many historians configure a yeoman characteristic to accommodate the presences of slaves, this was more to account for aspiring yeomen who lived among the planter elite. In Forsyth County, slavery was an anomaly. While there was a need to explain slaves, the absence of slaves marked the yeomanry existence. Even then, the yeomen often owed only one who did house work. A study of Forsyth suggests "no slaves" was common marker of the yeomanry.

Fertility rates in the United States had been falling in the United States since 1810. This was a rural phenomenon. Farmers all over the United States were making decisions that they did not need the number of children they had back in the eighteenth century for various reasons, lack

of land, alternative employment or displacement by slaves. The manner of birth control that resulted in the delay of the next child by several months occasioned an increase in the age gap between children in a family. A delay of several months between births had a profound impact on the number of children a woman could have over the 20 years of fertility. However, the analyst does not find this aggressive decline in fertility among the yeomanry. Granted, there was a decline, however, the decline was nothing when compared to the precipitous decline in white fertility of the Black Belt counties. While out migration occurred in the Black Belt counties, the data shows that those who remained made the decision to have fewer children. Slavery had an unhealthy impact of the size of white families. A decline in fertility creates a downward spiral that was difficult to reverse.

Yeomen were committed to the continued maintenance of large families for two reasons. One was as a source of labor. However, this source of labor contained a random factor and was deployable only for a short and very predictable period. Childbirth was chancy in the sense of gender. Whether a farmer had females versus males was an important issue. In Forsyth, 52% of the families had more than four children. In this group, 10% families had three or more girls and 8% with three or more boys. There was a significant difference in the economic potential between these two families. The yeomen's commitment to a large family was a gamble at best.

The second basis for a large family was social security and that was apparent in many of the families. It was not uncommon to find a son remaining with his parents and bringing his wife into the fold. Or the other way around. Yeomen families often included an aging mother surrounded by a new emerging family. Multigenerational families were part and parcel of a yeoman family. Even more common was the presences of orphans among yeomen families.

Another source of labor. Therefore, the term family among the yeomanry was a complex term whose primary purpose was subsistence, both when they were young and old.

On the planter end of the spectrum, the family was rapidly losing importance, both as labor and social security. The slaves displaced the family members as labor and the wealth reduced the need for adult sons to remain and support the aging parent. Economics of slavery carry complex secondary effects well beyond the obvious. On the surface wealth appeared to supply a nice house, furniture from Europe, education, and political power. A secondary unapparent ramification was a shrinking planter family.

Historians like Frank Lawrence Owsley are praised for their use of statistics and the U.S. Census. The 1850 and 1860, Census carried a wealth of information concerning the antebellum south. It was almost as if officials knew that world was coming to the end soon and it would be the last opportunity to gather information about it. However, statistics can be a seductive force. The study of natural occurrences reveals a beautiful normal distribution of data trailing off evenly to both sides of a gently curving peak where the average falls. However, once humans become involved a normal distribution becomes problematic. Some humans are greedy or industrious. Some are not. Some want a large family. Some do not. Some create large farms and some do not. The occurrence of data becomes highly skewed as soon as human becomes involved. Skewed data requires special handling in order to produce meaningful data. Historians often attempt to work their way around skewed data by the use of frequency distribution tables. From these tables they attempt to draw conclusions. Stephen Hahn, in his groundbreaking study of southern populism, spoke of average real estate value, average size of farms, the average age, average slave holdings, and the average value of notes. All this discussion of averages is meaningless metrics because of the skewed nature of the data. The conclusion is that failure to

consider the possibility of skewed data is a critical error and results in an overstatement and estimate of many of the antebellum population metrics. It also implies a basic misinterpretation of the data itself.<sup>210</sup>

Beyond the census data, historians talk of the court records, tax records, and wills when referring to yeomen. Within these records, the yeomanry often left their authentic voice. This voice was best found in the writs that yeomen left behind. However, from time to time some trials involved such important people or issues where testimony was preserved in the court records. Such was with the murder of Claiborn Vaughan in 1858 in Forsyth County. The voices of the yeomanry shined a light on several institutions of the yeoman. Institutions represent a set of values accepted by a class. They function almost as if they were a thinking entity, making judgements and passing sentence on their constituency. In this court record, the reader sees the yeomanry gathering for a monthly social event that revolved around the justice of the peace court. The day brought all social classes together where games of chance were played, liquor was consumed, a little politics was conducted, some had a little sex on the side, a few demonstrated their skill with a rifle, honor was defended, and sometimes justice was handed down. However, a few who elected to engage in the popular institution of rioting. Today a riot would have a political connotation. The antebellum riot was about getting drunk and breaking up everything insight, including the face of someone you did not like. And it was about confirming who you were. Some individuals liked rioting so much that they became a common attendant at the Superior Court. However, as a social institution, it involved rules, values, and meaning. Rioting was about identity, honor, and group cohesion.

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<sup>210</sup> Hahn, *The Roots of Southern Populism: Yeomen Farmers and the Transformation of Georgia's Upper Piedmont, 1850-1890*, 49, 57, 63, 72, 83, 94.

Antebellum southern diaries were usually the product of a planter. However, occasionally a yeoman produced a written documentation of the daily events in his life. The life of a planter was broader in scope and engaged the world on a complex level in comparison to the yeomanry. The yeoman was about two things: himself and what he did. The yeoman did not produce a diary as much as a farm journal. He was so engaged with the all-encompassing tasks that surrounded farming that there was little else to write about. Considering his daily life was about farming, the nature of the yeoman diary should come as no surprise. Jephtha was just such an individual. Clearly, his family was a source of labor, but he did not fall into one of those extreme gender distribution mentioned earlier. He had eight children of which four were males. He employed poor whites on a regular basis. Jephtha farmed 100 acres. He was a cautious farmer who did not push the limits of the growing season. His journal made clear that a yeoman's life was not an isolated existence. He stayed overnight with neighbors about 10% of the time and it was a rare day that he did not meet up with a friend. However, every day was about what had to be done around the farm. His survival and that of his family was dependent on him. That was what individualism was about. He helped his neighbors and they helped him. However, at the end of the day he made the decisions that kept his family alive. He exercised and demonstrated his independence. To do that successfully cannot help but have a profound impact of an individual's self-identity and worldview, creating an individual secure with his self-identity.

When compared to the diary of Tolliver Dillard, the true meaning of Jephtha's diary clearly becomes known. Tolliver's diary gave a glimpse into a very different life. While Tolliver could not escape the reality of the weather that controlled his destiny, his life was one of socializing and politics. He looked more like a modern day manager, directing the activities of



his slaves and local hires. He spent an extraordinary amount of time away from the plantation. Church was about socializing, not saving his sole.

While the legal records of the antebellum south gave access to the voice of the yeomanry, a systematic analysis of the cases that came before the court can be revealing about local economics and social concerns. The superior court was a state institution where, arguably, the state and local authorities meet. While the state gave the court structure, the local authorities decided on who and what crimes they prosecuted. At first glance, Forsyth appeared to fulfill the image of a wild and lawless frontier. However, on closer examination the records revealed the truth that the majority of criminal cases brought before the bar of the Blue Ridge Circuit in Forsyth reflected the community's concern about alcohol. The pursuit of illegal selling and distribution of corn liquor supports the moral focus of the yeomanry. Forsyth's April 1856 grand jury presentment specifically called attention to the potential threat that alcohol represented to the youth of the county. This was a message that the sheriff of the county clearly acted on, bringing before the superior court a wide range of violations relating to alcohol. Despite an active temperance movement in Hancock County, this type of enforcement was not common. In Hancock, the concern was civil cases whose purpose was to recover debt. The court clearly functioned as the strong arm of the local planter class who loaned most of the money. There was a marked difference between how the courts were used in yeoman and planter counties. That difference evolved from the unique cultural requirements of the two societies.

The start of the Civil War was like a thunderclap from billowing clouds that had been churning ever so persistently for seventy years. The high winds and a splash of rain fashioned the worst storm in memory. The trees of the South did not have the ability to sway and absorb the power the abolitionist. As the winds mounted the trees creaked, moaned, and finely cracked.

What had taken decades to build was gone in an instant. When the sun finally emerged, the landscape was beyond recognition. What had been strong and tall was now flat and level. What would emerge from this desolation would not be the same. The yeoman had always looked upon slavery as the bottom rung of the social ladder and that assured him of his own social status. However, that rung was gone by 1865 and the yeoman felt a sharp jar as he slipped down that ladder. Money is the grease that makes an economy run smoothly. The tornado that took down the trees also blew the money away. The storm transported the yeomanry back to a time before money. The south devolved into a society more resembling that of the feudal ages. The process of access to land no longer functioned. The yeoman only commodity he had to trade was his labor. However, unlike the north where the farmer was paid money for his labor, the yeomen's the new South offered a reward of debt and a share of the product of his labor, cotton. When the landowner balanced the books at the end of the year, there was often more debt than cotton. Even if the balance did swing in his favor, there was rarely sufficient cotton to allow him to access ownership of land, the thing that had always been the key to freedom in the south. The planter just divided his plantation up into small farms and spread the freedmen out over the land. The yeoman's worst nightmare came true; he was now on the bottom rung of the ladder along with the ex-slave.

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## APPENDICES

**Appendix A White and Slave populations for 1860 by County.**

Seq.	County	White	Slaves	Slave Ratio	Land Ratio	Fertility Rate	Total Population
1	Appling	3,442	745	0.22	17.0	884	4,187
2	Baker	1,493	3,492	2.34	2.6	759	4,985
3	Baldwin	4,057	4,929	1.21	9.2	472	8,986
4	Banks	3,610	1,086	0.30	11.2	795	4,696
5	Berrien	3,041	432	0.14	19.3	959	3,473
6	Bibb	9,458	6,790	0.72	15.8	531	16,248
7	Brooks	3,067	3,282	1.07	6.1	850	6,349
8	Bryan	1,636	2,379	1.45	9.4	889	4,015
9	Bulloch	3,506	2,162	0.62	8.5	874	5,668
10	Burke	5,013	12,052	2.40	2.0	710	17,065
11	Butts	3,373	3,067	0.91	5.2	631	6,440
12	Calhoun	2,174	2,731	1.26	5.2	780	4,905
13	Camden	1,276	4,143	3.25	6.6	725	5,419
14	Campbell	6,289	2,004	0.32	12.3	575	8,293
15	Carroll	10,116	1,862	0.18	17.4	817	11,978
16	Cass	11,433	4,282	0.37	17.4	727	15,715
17	Catoosa	4,368	710	0.16	16.5	746	5,078
18	Chattahoochee	3,034	2,758	0.91	5.3	691	5,792
19	Charlton	1,223	557	0.46	39.3	877	1,780
20	Chattooga	5,107	2,054	0.40	12.2	654	7,161
21	Chatham	15,511	14,807	0.95	50.1	513	30,318
22	Cherokee	10,047	10,047	1.00	18.3	733	20,094
23	Clarke	5,539	5,660	1.02	9.1	590	11,199
24	Clay	2,626	2,253	0.86	6.8	744	4,879
25	Clayton	3,240	1,226	0.38	9.3	691	4,466
26	Clinch	2,609	449	0.17	22.5	1038	3,058
27	Cobb	10,410	3,819	0.37	16.4	640	14,229
28	Colquitt	1,195	110	0.09	15.2	908	1,305
29	Columbus	3,511	8,293	2.36	3.7	638	11,804
30	Coffee	2,206	663	0.30	17.8	913	2,869
31	Coweta	7,433	7,248	0.98	5.4	737	14,681
32	Crawford	3,407	4,270	1.25	4.1	691	7,677
33	Dade	2,765	300	0.11	18.4	784	3,065
34	Dawson	3,526	326	0.09	17.2	631	3,852
35	Decatur	5,985	5,924	0.99	7.6	814	11,909

Seq.	County	White	Slaves	Slave Ratio	Land Ratio	Fertility Rate	Total Population
36	De Kalb	5,798	2,000	0.34	10.9	661	7,798
37	Dooly	4,845	4,070	0.84	5.7	691	8,915
38	Dougherty	2,207	6,079	2.75	2.4	626	8,286
39	Early	2,092	4,057	1.94	3.7	726	6,149
40	Echols	1,177	314	0.27	16.4	923	1,491
41	Effingham	2,572	2,165	0.84	9.3	728	4,737
42	Elbert	4,697	5,711	1.22	6.3	641	10,408
43	Emanuel	3,748	1,294	0.35	9.8	870	5,042
44	Fannin	4,995	143	0.03	31.4	830	5,138
45	Fayette	5,022	2,019	0.40	8.8	824	7,041
46	Floyd	9,269	5,913	0.64	12.2	693	15,182
47	Forsyth	6,851	890	0.13	15.0	761	7,741
48	Franklin	6,038	1,313	0.22	15.0	726	7,351
49	Fulton	11,441	2,955	0.26	55.2	633	14,396
50	Gilmer	6,553	167	0.03	23.4	796	6,720
51	Glascocock	1,654	758	0.46	6.7	792	2,412
52	Glynn	1,048	2,830	2.70	5.9	615	3,878
53	Gordon	8,001	2,106	0.26	12.9	758	10,107
54	Greene	4,229	8,398	1.99	3.5	560	12,627
55	Gwinnett	10,358	2,551	0.25	16.0	693	12,909
56	Habersham	5,136	787	0.15	16.0	807	5,923
57	Hall	8,091	1,261	0.16	14.8	743	9,352
58	Hancock	3,871	8,137	2.10	3.5	568	12,008
59	Haralson	2,810	229	0.08	20.0	744	3,039
60	Hart	4,603	1,528	0.33	13.2	679	6,131
61	Harris	5,979	7,736	1.29	3.8	668	13,715
62	Heard	4,979	2,811	0.56	8.2	754	7,790
63	Henry	6,175	4,515	0.73	5.8	698	10,690
64	Houston	4,828	10,755	2.23	2.6	681	15,583
65	Irwin	1,453	246	0.17	15.6	972	1,699
66	Jackson	7,249	3,329	0.46	12.8	681	10,578
67	Jasper	3,771	6,954	1.84	2.5	718	10,725
68	Jefferson	4,133	6,045	1.46	3.3	743	10,178
69	Johnson	2,063	849	0.41	7.6	833	2,912
70	Jones	3,084	5,989	1.94	1.8	702	9,073

Seq.	County	White	Slaves	Slave Ratio	Land Ratio	Fertility Rate	Total Population
71	Laurens	3,723	3,269	0.88	6.1	766	6,992
72	Lee	2,242	4,947	2.21	2.6	783	7,189
73	Liberty	2,284	6,083	2.66	4.9	735	8,367
74	Lincoln	1,675	3,768	2.25	2.5	595	5,443
75	Lowndes	2,850	2,399	0.84	8.3	897	5,249
76	Lumpkin	4,156	432	0.10	23.7	719	4,588
77	Macon	3,575	4,865	1.36	4.0	730	8,440
78	Madison	3,924	1,992	0.51	7.9	655	5,916
79	Marion	3,854	3,529	0.92	5.8	720	7,383
80	McIntosh	1,429	4,063	2.84	7.1	671	5,492
81	Meriwether	6,578	8,748	1.33	4.0	675	15,326
82	Miller	1,151	640	0.56	10.9	802	1,791
83	Milton	3,984	617	0.15	14.6	774	4,601
84	Mitchell	2,716	1,589	0.59	10.2	993	4,305
85	Monroe	5,753	10,177	1.77	3.0	698	15,930
86	Montgomery	2,014	977	0.49	8.2	745	2,991
87	Morgan	2,983	7,006	2.35	2.2	660	9,989
88	Murray	5,639	1,442	0.26	15.1	771	7,081
89	Muscogee	8,966	7,445	0.83	13.0	413	16,411
90	Newton	7,822	6,458	0.83	6.0	648	14,280
91	Oglethorpe	4,014	7,514	1.87	4.5	605	11,528
92	Paulding	6,460	572	0.09	20.8	830	7,032
93	Pickens	4,705	246	0.05	27.0	756	4,951
94	Pierce	1,740	233	0.13	22.9	983	1,973
95	Pike	5,332	4,722	0.89	6.0	719	10,054
96	Polk	3,853	2,440	0.63	9.1	818	6,293
97	Pulaski	4,607	4,106	0.89	7.0	783	8,713
98	Putnam	2,956	7,138	2.41	2.3	651	10,094
99	Quitman	1,870	1,625	0.87	6.0	803	3,495
100	Rabun	3,061	206	0.07	21.3	868	3,267
101	Randolph	5,103	4,467	0.88	6.3	733	9,570
102	Richmond	12,405	8,389	0.68	24.2	488	20,794
103	Schley	2,274	2,348	1.03	5.1	728	4,622
104	Screven	3,742	4,530	1.21	4.8	747	8,272
105	Spalding	4,826	3,819	0.79	8.9	609	8,645

Seq.	County	White	Slaves	Slave Ratio	Land Ratio	Fertility Rate	Total Population
106	Stewart	5,534	7,884	1.42	3.8	691	13,418
107	Sumter	4,536	4,890	1.08	4.4	710	9,426
108	Talbot	4,994	8,603	1.72	3.8	702	13,597
109	Taliaferro	1,693	2,849	1.68	4.2	586	4,542
110	Tattnall	3,191	1,157	0.36	14.1	939	4,348
111	Taylor	3,601	2,397	0.67	7.5	739	5,998
112	Telfair	1,877	836	0.45	10.0	785	2,713
113	Terrell	3,343	2,888	0.86	6.5	767	6,231
114	Thomas	4,488	6,244	1.39	6.0	724	10,732
115	Towns	2,346	108	0.05	17.7	938	2,454
116	Troup	6,223	10,002	1.61	4.3	625	16,225
117	Twiggs	2,930	5,318	1.82	2.9	880	8,248
118	Union	4,295	116	0.03	20.4	834	4,411
119	Upton	5,015	4,888	0.97	5.1	676	9,903
120	Walker	8,517	1,535	0.18	14.9	763	10,052
121	Walton	6,447	4,621	0.72	5.2	721	11,068
122	Warren	4,347	5,379	1.24	4.6	615	9,726
123	Ware	1,818	377	0.21	20.0	962	2,195
124	Washington	6,143	6,532	1.06	4.2	720	12,675
125	Wayne	1,617	621	0.38	23.5	959	2,238
126	Webster	2,741	2,287	0.83	6.1	765	5,028
127	White	3,041	263	0.09	20.3	768	3,304
128	Whitfield	8,314	1,732	0.21	18.5	769	10,046
129	Wilcox	1,692	421	0.25	12.3	995	2,113
130	Wilkes	3,434	7,953	2.32	2.6	613	11,387
131	Worth	5,472	632	0.12	5.8	762	6,104
132	Wilkinson	2,118	3,887	1.84	9.6	768	6,005

**Appendix 2 The Census Survival Ratio table for Hancock County and the Forsyth 4 County Area**

Census Survival Ratio Calculation			1860 Age Cohort	Georgia Population 1860 Census		Georgia Census Survival Ratio 1850/1860		Census Survival Ratio Application - Hancock			Hancock 1860 Census		Hancock 1860 Expected Survivors		Estimated Out Migration		
1850 Age Cohort	Georgia Population 1850 Census			Male	Female	Male	Female	Age Cohort	Hancock 1850 Census		Age Cohort	Male	Female	Male	Female	Male	Female
00-09	88,380	84,087	00-09	93,649	89,840	0.85	0.89	00-09	636	605	00-09	494	540	636	605	(142)	(65)
10-19	65,572	65,759	20-29	52,064	50,873	0.79	0.77	10-19	556	492	20-29	320	353	441	381	(121)	(28)
20-29	44,873	43,527	30-39	33,119	31,249	0.74	0.72	20-29	356	380	30-39	243	208	263	273	(20)	(65)
30-39	28,062	25,534	40-49	22,000	20,103	0.78	0.79	30-39	236	214	40-49	164	166	185	168	(21)	(2)
40-49	18,830	17,403	50-59	13,329	12,620	0.71	0.73	40-49	156	163	50-59	95	98	110	118	(15)	(20)
50-59	10,891	10,125	60-69	7,934	7,211	0.73	0.71	50-59	109	126	60-69	74	72	79	90	(5)	(18)
60-69	6,202	5,508	70-79	2,955	2,841	0.48	0.52	60-69	78	66	70-79	26	18	37	34	(11)	(16)
70-79	2,447	2,329	80-89	770	841	0.31	0.36	70-79	28	34	80-89	10	8	9	12	1	(4)
80-89	725	797	90-100	124	151	0.17	0.19	80-89	8	19	90-100	2	3	1	4	1	(1)
90-100	119	149	100+	22	36	0.18	0.24	90-100			100+						
100+	28	27						100+									
Total	266,129	255,245		300,874	290,357			Total	2,163	2,099		1,919	1,952	2,301	2,221	(382)	(269)
	State Total	521,374		State Total	591,231				County Total	4,262		County Total	3,871		County Total		(652)
													4,833				0.5866658
													962				

Census Survival Ratio Calculation			Age Cohort	Georgia Population 1860 Census		Georgia Census Survival Ratio		Census Survival Ratio Application Forsyth 4 County Area			Forsyth 4 County Area 1860 Census		Forsyth 1860 Expected Survivors		Estimated Out Migration Forsyth 4 County Area		
Age Cohort	Georgia Population 1850 Census			Male	Female	Male	Female	Age Cohort	Forsyth 4 County Area 1850 Census		Age Cohort	Male	Female	Male	Female	Male	Female
00-09	88,380	84,087	00-09	93,649	89,840	0.85	0.89	00-09	5,582	5,224	00-09	5,048	4,814	5,582	5,224	(534)	(410)
10-19	65,572	65,759	20-29	52,064	50,873	0.79	0.77	10-19	3,966	3,955	20-29	2,446	2,688	3,149	3,060	(703)	(372)
20-29	44,873	43,527	30-39	33,119	31,249	0.74	0.72	20-29	2,471	2,569	30-39	1,546	1,655	1,824	1,844	(278)	(189)
30-39	28,062	25,534	40-49	22,000	20,103	0.78	0.79	30-39	1,542	1,484	40-49	1,071	1,120	1,209	1,168	(138)	(48)
40-49	18,830	17,403	50-59	13,329	12,620	0.71	0.73	40-49	1,063	991	50-59	686	673	752	719	(66)	(46)
50-59	10,891	10,125	60-69	7,934	7,211	0.73	0.71	50-59	571	549	60-69	464	416	416	391	48	25
60-69	6,202	5,508	70-79	2,955	2,841	0.48	0.52	60-69	365	298	70-79	170	135	174	154	(4)	(19)
70-79	2,447	2,329	80-89	770	841	0.31	0.36	70-79	127	121	80-89	40	48	40	44	0	4
80-89	725	797	90-100	124	151	0.17	0.19	80-89	36	42	90-100	5	6	6	8	(1)	(2)
90-100	119	149	100+	22	36	0.18	0.24	90-100	5	15	100+	-	2				
100+	28	27		-	-			100+	2	-							
Total	266,129	255,245		300,874	290,357	Actual Population Increase 13%		Total	15,730	15,248		15,634	15,644	17,883	17,246	(2,249)	(1,604)
		521,374			591,231				County Total	30,978		County Total	31,278		County Total		(3,853)

