

PRESIDENTIAL RECONSTRUCTION
IN WESTERN NORTH CAROLINA, 1865-1867

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Abstract

PRESIDENTIAL RECONSTRUCTION IN WESTERN NORTH CAROLINA,
1865-1867

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Reconstruction, with some justification, has often been viewed historically in black and white. Historians have long viewed the postwar struggle as one between racially united white southerners and their former slaves. Recent state and regional studies of the South, however, have raised new issues regarding the Presidential Reconstruction experience throughout the former Confederacy. A variety of historical forces including race, class, and wartime loyalties, shaped Presidential Reconstruction in western North Carolina. Reconstruction was only partially the story of African Americans' transition to freedom. Throughout the South, different groups of whites also fought one another for political and social superiority. In western North Carolina, this conflict largely derived from wartime class tensions. Forced to sacrifice their men, agricultural produce, and more to the Confederate cause, poorer whites resented their wealthier neighbors, who appeared to escape such sacrifices. Such tensions were prevalent in western North Carolina where independent small landholders dominated the population. Following the war, those tensions would help shape the political and social struggle between mountain whites during Presidential Reconstruction.

This thesis explores how western North Carolinians responded to the Civil War's consequences. Who would rule following the war? How did the former slaveowning class reestablish its political power? What would be African Americans' role in a mountain society without slavery? How did whites and blacks define African Americans' freedom? Race alone can not answer these questions. Western North Carolina's black population, roughly thirteen percent of the total, was simply too small to dominate Presidential Reconstruction. Rather the immediate postwar years in western North Carolina can only be understood within a cross-current of forces (race, class, and wartime loyalties) acting concurrently.

INTRODUCTION

Reconstruction, with some justification, has often been viewed historically in black and white. Historians have long viewed the postwar struggle as one between racially united white southerners and their former slaves. Even Gordon B. McKinney, one of the few to study Reconstruction in Southern Appalachia, placed race at the heart of the postwar conflict.¹ Recent state and regional studies of the South, however, have raised new issues regarding the Presidential Reconstruction experience throughout the former Confederacy. A variety of historical forces including race, class, and wartime loyalties, shaped Presidential Reconstruction in western North Carolina. Reconstruction was only partially the story of African Americans' transition to freedom. Throughout the South, different groups of whites also fought one another for political and social superiority. In western North Carolina, this conflict largely derived from wartime class tensions. Forced to sacrifice their men, agricultural produce, and more to the Confederate cause, poorer whites resented their wealthier neighbors, who appeared to escape such sacrifices. Such tensions were prevalent in western North Carolina where independent small landholders dominated the population. Following the war, those tensions would

¹ See Gordon B. McKinney, *Southern Mountain Republicans: Politics and the Appalachian Community, 1865-1900* (Chapel Hill: The University of North Carolina Press, 1978; reprint, Knoxville: The University of Tennessee Press, 1998).

help shape the political and social struggle between mountain whites during Presidential Reconstruction.

Reconstruction scholars have largely overlooked Southern Appalachia. A great deal is now known about particular southern mountain regions, such as western North Carolina, through the Civil War. Historians, such as John C. Inscoe, Gordon B. McKinney, and Martin S. Crawford, have shown the antebellum social, political, and economic connections between predominantly white Appalachian North Carolina and the South at large. This thesis builds upon this foundation and explores how western North Carolinians responded to the Civil War's consequences. Who would rule following the war? How did the former slaveowning class reestablish its political power? What would be African Americans' role in a mountain society without slavery? How did whites and blacks define African Americans' freedom? Race alone can not answer these questions. Western North Carolina's black population, roughly thirteen percent of the total, was simply too small to dominate Presidential Reconstruction. Rather the immediate postwar years in western North Carolina can only be understood within a cross-current of forces (race, class, and wartime loyalties) acting concurrently.

From the earliest stages of investigation, race dominated Reconstruction scholarship. J.G. de Roulhac Hamilton's *Reconstruction in North Carolina* (1914), the only full-length study of the Old North State during Reconstruction, argued that both African Americans' involvement in postwar society irrevocably damaged the South. Hamilton, who studied under William A. Dunning at Columbia University, supported his mentor's depiction of Reconstruction as a "tragic era" in southern history. According to

Hamilton, southern blacks and the Confederacy's lower class white opponents were the true villains of Reconstruction. Convinced that Presidential Reconstruction could have restored the South to the Union quickly, Dunning historians believed that illiterate freedmen, corrupt northern carpetbaggers southern scalawags, and vindictive Radical Republicans shoved aside well-intentioned white Conservatives in favor of a harsh restoration policy. The proof of this betrayal, Dunning's followers argued, lied in the corruption of the radical state governments and economic stagnation of the South as a whole. Yet, the Dunning school fit neatly within the racial beliefs of the whole nation when it appeared in the 1890s. Jim Crow laws passed throughout the South around the same time had barred African Americans from traditional political participation and segregated public accommodations.²

The first challenge to the Dunning school, though unappreciated when published, was W.E.B. DuBois's *Black Reconstruction in America: An Essay Toward a History of the Part Which Black Folk Played in the Attempt to Reconstruct Democracy in America, 1860-1880* (1935). DuBois argued that African Americans were invaluable participants in Reconstruction. He traced southern black involvement back to the war when they fought for the Union, undermined Confederate production, and promoted "new political demands and alignments." This involvement continued into Reconstruction as African Americans asserted their rights as American citizens. In this influential book, DuBois also attacked the Dunning school's claim that black political involvement increased

² J.G. de Roulhac Hamilton, *Reconstruction in North Carolina* (New York: Columbia University, 1914; Studies in History, Economics and Public Law series edited by the Faculty of Political Science of Columbia University, Vol. 58, no. 141).

governmental dishonesty. Corruption, DuBois argued, transcended African Americans and Republicans. Improprieties tainted the entire nation, including Conservative southern whites.³

Heavily influenced by DuBois and the mid-twentieth century's Civil Rights movement, revisionist scholars placed special emphasis on race as a moral issue throughout Reconstruction. Rather than seeing Reconstruction as a "tragic era" of corruption and betrayal, they viewed the postwar period as a time of tremendous advancement for the former slaves. Black southerners established various social institutions aimed at safeguarding their freedom. Independent African American churches and schools sprung up across the South during Reconstruction. Revisionists ultimately condemned Reconstruction as a failure. It simply did not go far enough for revisionists, such as Kenneth M. Stampp. Despite African Americans' gains during Reconstruction, the federal government's failure to effect fundamental social change via land redistribution was inexcusable.⁴

Although revisionists' focus on race as a moral issue ultimately limited their interpretations, the assertion that African Americans were important contributors to Reconstruction stands unchallenged today. Instead, current scholarship addresses how southerners, white and black, adjusted to a world without slavery. Class tensions existed

³ W.E.B. DuBois, *Black Reconstruction in America: An Essay Toward a History of the Part Which Black Folk Played in the Attempt to Reconstruct Democracy in America, 1860-1880* (New York: Harcourt and Brace, 1935; reprint, Cleveland: World Publishing Company, 1965), 5 (page citations are to reprint edition).

⁴ For example, see Kenneth M. Stampp, *The Era of Reconstruction, 1865-1877* (New York: Knopf, 1965).

between the various classes in western North Carolina and the South before the war, but a political culture that bound wealthier slaveholders and small independent producers together muted them. "Patron-client" relationships, similar to those observed by Stephen Hahn in the Georgia upcountry, likely reduced class animosity in Appalachian North Carolina as well. Local slaveholders' concern over regional economic and political advancement paralleled the interests of lower class whites. Much like Black Belt slaveholders, however, mountain masters also granted informal assistance to their lower class neighbors; for instance, wealthier slaveholders' often financed yeomen's own efforts for political office. These informal bonds helped mitigate class animosity before the Civil War.⁵ Emancipation not only destroyed the South's labor system, but also its social foundations. War destruction and sacrifice dissolved traditional bonds between independent landed yeomen, landless whites, and wealthy slaveowners.⁶

This regional study examines western North Carolina's transition into a postwar world without slavery. The mountain counties' comparatively small black population prevented mountain Conservatives from relying solely upon the race card to regain power. Despite their political and class divisions, they were fairly united against any social elevation of their former slaves. But blacks simply did not make up a large enough percentage of the population to constitute a threat in white mountaineers' minds. Although portions of the antebellum political culture that weakened class conflict

⁵ Stephen Hahn, *The Roots of Southern Populism: Yeoman Farmers and the Transformation of the Georgia Upcountry, 1850-1890* (New York: Oxford University Press, 1983), 91-6.

⁶ For a discussion of the bonds uniting the various classes of white southerners, see Eugene D. Genovese, "Yeoman Farmers in a Slaveholders' Democracy" *Agricultural History* 49 (April 1975), 331-42; and Hahn, *The Roots of Southern Populism*.

survived into the postwar world, the wartime experiences of lower class white mountaineers brought class divisions to the surface. Confederate economic policies challenged lower class whites' economic and social independence, and a brutal guerrilla conflict produced deep personal hatreds as well. The result was an animated postwar contest for political power between anti-Confederates, comprised mostly of poorer white mountaineers, and the Conservative party, dominated by the former slaveholding class.⁷ Poor white mountaineers' perception that they suffered more during the war than their wealthier neighbors made them unwilling to sustain the slaveholders in power. Conscription, tax-in-kind, and impressment hit small landholders hardest throughout the South; lower class western North Carolinians were no different. Once the war ended, these class tensions turned lower class whites against their wealthier neighbors.⁸

Despite failing to unite white mountaineers, race was relevant to Presidential Reconstruction in western North Carolina. A tremendous degree of unity did exist between the competing groups of whites. Both anti-Confederate and Conservative mountain whites opposed any change in the freedpeople's status. And African Americans' distinct minority status reduced their capability to overcome whites politically. Still African American highlanders played an important role in western North Carolina's social transformation, specifically regarding labor. The abolition of slavery

⁷ For more on the competing camps of white southerners elsewhere, see Michael Perman, *Reunion Without Compromise, The South and Reconstruction: 1865-1868* (London: Cambridge University Press, 1973); and Dan T. Carter, *When the War Was Over: The Failure of Self-Reconstruction in the South, 1865-1867* (Baton Rouge: Louisiana State University Press, 1985).

⁸ Hahn, *The Roots of Southern Populism*, 116-33; and John C. Inscoe and Gordon B. McKinney, *The Heart of Confederate Appalachia: Western North Carolina in the Civil War* (Chapel Hill: The University of North Carolina Press, 2000), Chapter 6.

failed to create a labor crisis in the Carolina mountains, but it did force a redefinition of labor relations. Although African Americans were no longer legally relegated to the lowest social class of menial laborers, mountain whites refused to countenance their former slaves' independence. Rather, like white southerners elsewhere, white mountaineers attempted to impose their own definition of black freedom on their former slaves. While whites felt the freedmen should remain subservient laborers, the freedpeople themselves believed emancipation released them from whites' domination. Eventually this conflict spread to include political rights. But in the aftermath of Confederate defeat in western North Carolina the struggle over freedom's meaning dealt primarily with the terms of labor.

In studying western North Carolina during Presidential Reconstruction, this thesis fills a historiographical gap. Although steps are being made to fill this void, historians have yet to explore fully how a predominantly white region adapted to a world without slavery.⁹ The following chapters address the events leading up to Presidential Reconstruction and the tumultuous two-year period in which the former slaveholders reclaimed power at the expense of their poorer white neighbors. Chapter one provides an overview of Appalachian North Carolina's antebellum and Civil War experiences that laid the foundation for Presidential Reconstruction. Chapter two addresses the political conflict that emerged as former slaveholders reasserted their power over lower class whites, whose wartime sacrifices alienated them from the slaveholding class. The final

⁹ See for instance, Noel C. Fisher, *War at Every Door: Partisan Politics and Guerrilla Violence in East Tennessee, 1860-1869* (Chapel Hill: The University of North Carolina Press, 1997); and McKinney, *Southern Mountain Republicans*.

chapter explores the struggle to define African Americans' freedom in the predominantly white mountain counties. In total, they express the complexity and turmoil accompanying black and white mountaineers' transition into the postwar world.

CHAPTER 1

SETTING THE STAGE: ANTEBELLUM AND CIVIL WAR

WESTERN NORTH CAROLINA

Southern Appalachia has long endured negative perceptions as a region of economically depressed and violent hillbillies. The popular local color literature that emerged after the Civil War portrayed mountain people as the backward vestiges of an antiquated culture. In a word, western North Carolina, and the entire Southern Mountains, has been labeled "exceptional." While western North Carolina was in some ways different from the rest of the nation at the time of the Civil War, those discrepancies did not render the region unique.¹ True, the large cotton-growing plantations that littered the eastern part of the state and much of the Lower South did not dominate western North Carolina. Nor did western North Carolina ever develop a planter class or a large slave population comparable to the Lower South. Although some slaveholding mountaineers fit within the upper echelon of southern gentry, mountain slaveholders typically owned fewer slaves and less land. The vast majority of white highlanders were small independent producers that relied more heavily on their own labor and the communal assistance of neighbors. Still despite these differences, western North Carolina remained tied to the South via the larger economic market and the slave system. Those ties to the

¹ As defined for this study, western North Carolina includes Alleghany, Ashe, Burke, Buncombe, Caldwell, Cherokee, Clay, Haywood, Henderson, Jackson, Macon, McDowell, Mitchell, Polk, Rutherford, Transylvania, Watauga, Wilkes, Yancey counties, which during Presidential Reconstruction included the areas constituting modern Swain, Avery, and Graham counties as well.

larger South led Appalachian North Carolina into Presidential Reconstruction amidst much the same degree of uncertainty and turmoil as southerners everywhere.

Western North Carolina's antebellum and Civil War experiences shaped Presidential Reconstruction in the mountains. Many of the conflicts, allegiances, and social attitudes developed over the region's history continued into the post-Civil War period. Before the war, western North Carolinians lived in a forward-looking society. All social classes craved internal improvements that would help the region achieve its economic potential. Such unity helped downplay class antagonisms during a period in which tenancy was increasing and yeomen became more heavily involved in the larger market economy. A brutal guerrilla war and class-based disaffection enlivened the social and political divisions between mountain whites and embittered local Presidential Reconstruction politics.

Like all white southerners, highland whites also grappled with the transition from slavery to a free labor society. Despite the claims of local color writers that North Carolina mountain counties were disconnected from the slave system, the opposite is true. Mountaineers were committed to slavery and the social hierarchy it created. Although mountain slaveholders had a closer relationship with their slaves, many of the exploitive traits of slavery remained. African Americans still suffered familial separation, physical abuse, and the psychological effects of being property. In addition, the absence of a major local military campaign until the final months of the war kept slavery relatively intact. Once the war concluded, however, the mountain slavery disintegrated.

Western North Carolina's most prominent early white settlers were Scots from Northern Ireland. Among Scotch-Irish settlers' motivations for immigrating to America was to escape the rigidity of European society. Upon their arrival throughout the seventeenth and eighteenth centuries, these immigrants assimilated to a developing social system not unlike that they left. In Northern Ireland, as in much of seventeenth and eighteenth century Europe, a small landholding ruling class exercised vast economic and political control over a landless laboring class. The gradual concentration of land under the control of the wealthy few gave large southern landowners a similar economic and political influence. But unlike European society, the southern colonies offered social mobility based on accessible land and a profitable African slave-based labor system.²

Settlement of the fertile river valleys that served as the easiest means of travel and trade made western North Carolina's early white pioneers successful farmers and merchants. Despite maintaining an agricultural base grounded in slavery, mountain slaveholders more closely resembled middle class professionals than the planters of the Cotton Belt. Some slaveowners in the mountain counties, such as the Pattersons of Caldwell County, fit within the one-eighth of the state's wealthiest slaveholding population. The vast majority of slaveowners, however, fell within a middle class of commercial farmers, merchants, manufacturers, artisans, and small-scale professionals with fewer than twenty slaves. Wealthy, business-oriented mountaineers recognized the

² H. Tyler Blethen and Curtis W. Wood Jr., *From Ulster to Carolina: The Migration of the Scotch-Irish to Southwestern North Carolina*, revised ed. (Raleigh: North Carolina Department of Cultural Resources Division of Archives and History, 1998), 15. On social mobility in a southern colony, see Edmund S. Morgan, *American Slavery, American Freedom: The Ordeal of Colonial Virginia* (New York: W.W. Norton & Co., 1975).

economic advantages of slavery and used the revenue from their various business ventures to purchase and employ their slaves. Hotel owners used slaves during the summer to accommodate vacationers. Shopkeepers found ready employment for their slaves in the upkeep of their stores. If slaveowners had no direct personal need for their slaves' labor, they could hire them out. Hiring out slaves allowed prosperous white yeomen and other lower class whites otherwise incapable of purchasing slave laborers to share in their use. Thus selling the temporary services of their chattel not only provided masters with additional income, but also connected the nonslaveholding classes to the institution.³

Although not large planters, mountain slaveholders exhibited a level of political and economic control comparable to the broader southern gentry. One-fourth of all white families in the plantation South owned slaves and controlled over ninety-three percent of the total wealth of that region. North Carolina's mountain slaveholding class also owned large amounts of land. Martin Crawford has demonstrated that Ashe County's eighty slaveholders owned a disproportionate twenty-eight percent of the improved farm acreage in the 1850s. Parallel situations existed throughout the region where slaveholders commanded fifty-nine percent of the total wealth. The smaller percentage of mountain slaveholder-controlled wealth is misleading because western North Carolina slaveowners made up only one tenth of the region's white families. Hence, mountain slaveholders

³ John C. Inscoe, *Mountain Masters: Slavery and the Secession Crisis in Western North Carolina* (Knoxville: University of Tennessee Press, 1989; reprint with new preface, 1996), 7, 13, 62, 68-70, 76 (page citations are to the reprint edition); and Paul D. Escott, *Many Excellent People: Power and Privilege in North Carolina, 1850-1900* (Chapel Hill: University of North Carolina Press, 1985), 4-5, 7.

possessed a higher comparative percentage of their region's total wealth compared to their plantation counterparts.⁴

Yeomen farmers, who owned land but few if any slaves, constituted a far greater portion of the mountain populace. The earliest white settlers' occupation of the rich bottomlands and reliance upon open range livestock pushed these settlers onto smaller, less fertile farms near creeks and mountain gaps. There they settled into a predominantly local system of exchange, which rested upon a cooperative local community similar to that in other southern upcountry regions. Whereas yeomen living in the plantation districts were often bound to local planters for economic assistance, the independent small farmers outside the Black Belt relied upon one another. Large-scale agricultural projects requiring intensive labor, such as clearing trees, became community functions joining local yeomen together. Periods of distress sparked similar community relief efforts. Upcountry yeomen shared a comparable level of income with their plantation counterparts, but differed in their economic ties to one another as opposed to large local planters.⁵

Despite their settlement of more remote mountain areas, Southern Appalachian yeomen were not isolated. Besides their community similarities mountain yeomen shared a direct economic bond with all southern yeomen, who entered the market in large

⁴ Inscoe, *Mountain Masters*, 121; and Martin Crawford, "Political Society in a Southern Mountain Community: Ashe County, North Carolina, 1850-1861," *Journal of Southern History* 55, no. 3 (1989): 378-81. For Ashe County, Crawford expressed the ratio of the percentage of slaveholders in the total population to the percentage of controlled wealth as 7.55 compared to 1.89 for the cotton South. Also the broader calculation cited here does not encompass Rutherford and Polk Counties.

⁵ Stephen Hahn, *The Roots of Southern Populism: Yeoman Farmers and the Transformation of the Georgia Upcountry* (New York: Oxford University Press, 1983), 52-5.

numbers throughout the decade leading up to the Civil War. East Tennessee farmers shared many characteristics with those across the mountains in western North Carolina. Hog drives proved extremely profitable for farmers in both regions, and served to tie small farmers to the larger southern economy. Following the completion of two regional railroad lines, east Tennessee farmers began to produce wheat, which had a larger market demand. Without their own railroad, western North Carolina yeomen remained committed to livestock production that provided a variety of economic outlets. Besides contributing animals to the drives, the passing herds' subsistence needs transformed mountaineers' corn into a market commodity. This market interaction created an economic link between the mountains and the cotton South. Since staple crop production dictated Lower South consumers' buying power, the price paid for upcountry corn and livestock depended upon the continued profitability of cotton. Hence, western North Carolinians had a strong interest in the success of the staple crop.⁶

Landless white tenants rested below the yeomen in the southern social hierarchy. Tenancy was on the rise throughout the South during the late antebellum period. African American slavery and the rise of commercial agriculture made the southern social ladder steeper by the Civil War. No longer a temporary stepping-stone to landholding, tenancy had become a permanent condition for many southern whites. Despite not owning land, few lifestyle differences existed between the landless whites and the landowning yeomen.

⁶ Inscoc, *Mountain Masters*, 13, 41, 45-6, 48-9, 52; John C. Inscoc and Gordon B. McKinney, *The Heart of Confederate Appalachia: Western North Carolina in the Civil War* (Chapel Hill: University of North Carolina Press, 2000), 14; Escott, *Many Excellent People*, 7-9; Noel Fisher, *War At Every Door: Partisan Politics and Violence in East Tennessee, 1860-1869* (Chapel Hill: The University of North Carolina Press, 1997), 17-8; and W. Todd Groce, *Mountain Rebels: East Tennessee Confederates and the Civil War, 1860-1870* (Knoxville: The University of Tennessee Press, 1999), 2, 4-5, 9-11.

Both worked small tracts of land for personal use and raised livestock with similar rewards. Renters enjoyed a degree of freedom denied yeomen. Because their labor agreements were temporary, tenants enjoyed the mobility to leave a bad situation and avoided paying property taxes. Tenantry also provided young men without the means of buying their own property or business an opportunity to find work outside agriculture. Such benefits were not without their price. Landless tenants lacked the security and independence of the landowning yeomanry. Poor landless whites were subjected to unmerited evictions, biased written contracts that favored their employer, and the confiscation of their crops by creditors.⁷

Class conflict remained muted before the Civil War in western North Carolina, despite the declining relative position of landless whites. As was the case throughout the South, family ties eased social tensions. Many of the region's wealthy families intermarried, fostering bonds of family that helped unify the slaveholders as a class. Still the strengthening slaveowning elite remained mindful of their largely nonslaveholding constituents. Political campaigns created personal relationships between lower class voters and wealthier neighbors who hosted visiting candidates and organized meetings. But class conflict also failed to materialize as a result of slaveholders and nonslaveholders' shared interests. Both groups supported the economic and political

⁷ Escott, *Many Excellent People*, 9-10; Inscoc and McKinney, *The Heart of Confederate Appalachia*, 16-8; Charles C. Bolton, *Poor Whites of the Antebellum South: Tenants and Laborers in Central North Carolina and Northeast Mississippi* (Durham: Duke University Press, 1994), 12-5, 29-32; H. Tyler Blethen and Curtis W. Wood, "The Pioneer Experience to 1851," in Max R. Williams, ed., *The History of Jackson County* (Sylva: Jackson County Historical Association, 1987), 84-6; Gordon B. McKinney, "Society and Social Groups," in Williams, ed., *The History of Jackson County*, 411-2; and Hahn, *Roots of Southern Populism*, 48.

Table 1. African American Population in Western North Carolina Counties, 1860

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

NOTE: Clay, Mitchell, and Transylvania Counties formed in 1861. See David Corbitt, *The Formation of the North Carolina Counties 1663-1943* (Raleigh: State Department of Archives and History, 1950), 67, 149, 204.

SOURCE: Inscoc, *Mountain Masters*, 61; and Inter-university Consortium for Political and Social Research. *Historical, Demographic, Economic, and Social Data: The United States, 1790-1970* [Computer file]. Ann Arbor, MI: Inter-university Consortium for Political and Social Research [producer and distributor], 1984.

development of the region. Mountain slaveholders' consistent support for democratic reform and economic projects that would have strengthened the western counties within the state political structure gained them the support of their poorer white neighbors.⁸

Slaves formed the foundation of the social hierarchy in the southern mountains. Yet African Americans in the western counties lived differently from their plantation counterparts because mountain masters did not perceive their slaves as likely as plantation belt slaves to revolt due to their comparatively small percentage of the population (See Table 1). The white majority subsequently allowed them more

⁸ Inscoc, *Mountain Masters*, 117, 127-30. Among the reforms sought by western North Carolinians were an adjustment of state property taxes and voting rights.

autonomy and leniency. Highland slaves in North Carolina enjoyed increased mobility throughout the region, independently serving as guides for summer tourists, and a more intimate relationship with their masters. Slaveowners in western North Carolina consistently opposed corporal punishment of slaves, and on occasion convicted peers of assaulting a slave in court. Local slaveholders who separated slave families or sold to buyers outside the region also evoked communal indignation. Although not unique to western North Carolina, this behavior was certainly more common in the mountain counties. Still such benefits only partially alleviated, not negated, the exploitive characteristics common to the southern slave system. For example, historian Edward Phifer found sexual exploitation of slave women as common in Burke County as elsewhere in the South. Nor did leniency remove African Americans' psychological scars of being property.⁹

The absence of a viable cash crop, such as cotton, prevented the formation of typical southern plantations and promoted agricultural diversity. Rough terrain and a cooler climate allowed grains to thrive where cotton floundered. Corn, supplemented with livestock, served as the primary crop on most mountain farms. Cattle, sheep, and hogs proved especially profitable because they adjusted well to mountain conditions. In addition, cotton's dominance in the Lower South increased the demand for foodstuffs from the Upper South. Since mountain farmers traditionally produced an abundance of food, it was only a matter of directing that surplus to market. Merchants, who had

⁹ Inscoc, *Mountain Masters*, 88-90, 99-102, 104-7; and Edward W. Phifer, "Slavery in Microcosm: Burke County, North Carolina," *Journal of Southern History* 28, no. 2 (1962): 139, 148, 153-4.

allowed residents to sell their excess goods in their stores since the region's earliest settlement, became the middlemen for the sale of goods south. Mountaineers socialized with the drivers and sold them excess corn or livestock, thereby creating personal connections with the southern economy outside their local spheres of exchange.¹⁰

As mountain residents reaped the fruits of interstate trade their demand for internal improvements increased. Turnpikes, such as the highly traveled Buncombe Turnpike completed in 1828, became a top priority in the 1830s and 1840s. But opposition from the eastern part of the state threatened to prevent western development. Eastern North Carolinians refused to pay the taxes necessary to fund such projects because they failed to see how they benefited from western improvements. The discovery of valuable mineral resources in southwestern North Carolina during the 1850s only served to increase mountaineers' desire. East Tennessee experienced great success with mining and railroads, and western Carolinians explored all possibilities (both public and private) to obtain their own railroad. By the 1850s the issue garnered such popular backing that both political parties vowed some level of support. Finally in 1855, western North Carolina secured a charter and a four million-dollar state appropriation for the Western North Carolina Railroad (WNCRR). That high price, however, forced the

¹⁰ Crawford, "Mountain Farmers and the Market Economy: Ashe County during the 1850s," *North Carolina Historical Review* 71, no. 4 (1994): 443-4; Inscoc, *Mountain Masters*, 13-4, 16-7, 37-8, 41, 45, 48-9; and Frank L. Owsley, *Plain Folk of the Old South* (Baton Rouge: Louisiana State University Press, 1949; reprint, Chicago: Quadrangle Books Inc., 1965), 45-6. Livestock proved a more popular market commodity because the inefficient mountain road network made transporting perishable produce too costly. Yet, mountaineers' tendency to produce a surplus of corn and fruit obliged them to seek an economically viable means to maximize crop usage. Distillation proved a profitable alternative. Transporting whiskey and brandy to market was easier than moving perishable foodstuffs. For an overview of distillation in the North Carolina mountains, see Kevin Barksdale, "Whiskey Distillation in Antebellum Western North Carolina," *Tuckaseegee Valley Historical Review* 5, no.1 (1999).

construction of the road in segments, with the completion of one part to precede the construction of the next.¹¹

During the 1830s and 1840s, the Whig party's commitment to internal improvements contributed to their consistent popularity in western North Carolina. Mountain Whigs' support for the economic development of their region tapped into a desire among all segments of western North Carolina society for economic growth. But a depression throughout much of that period limited the state's spending power. Consequently, the Whigs were unable to deliver funding for improvement projects during that time. State Democrats' realization that proposed railroads through western North Carolina by both South Carolina and Virginia would divert mountain trade permanently out of the state, forced them to abandon their opposition to state-funded internal improvements. The Whigs' inability to receive state funds for western improvement projects, along with the orchestration of the WNCRR's creation by a Democratic governor, hurt but did not destroy them. An additional blow came with the dissolution of the national party structure in the mid-1850s. In spite of these tribulations, the Whigs remained competitive in western North Carolina throughout the latter antebellum period.¹²

Two political issues heightened the state's internal east-west rivalry and stirred class tensions during the late antebellum period. The state constitution apportioned the

¹¹ Inscoc, *Mountain Masters*, 154-7, 161, 165; and Marc W. Kruman, *Parties and Politics in North Carolina 1836-1865* (Baton Rouge: Louisiana State University Press, 1983), 5-11, 25-6.

¹² Inscoc, *Mountain Masters*, 127-8, 135-7; Kruman, *Parties and Politics*, 55-6, 64-6; and Martin Crawford, "Political Society in a Southern Mountain Community: Ashe County, North Carolina, 1850-1861," *Journal of Southern History* 55, no. 3 (1989): 383-5.

upper legislative house according to taxes paid and the lower house based on federal population, including slaves as three-fifths of a person. This system concentrated power in the plantation dominated eastern counties. "Equal suffrage," introduced by Democratic gubernatorial candidate David Reid in 1848, seemed to answer mountaineers' prayers. On the surface, Reid's proposal would redistribute political power by eliminating the property qualification that limited the political voice of lower class western residents. Mountaineers demanded a constitutional convention to convert the basis of representation along Reid's proposal. Failure to support the convention weakened the mountain Whigs and brought Reid's Democrats to power in the state. By the end of the antebellum period the Whigs regained lost ground based on their support of ad valorem taxation, based on total property value. Whigs touted their issue as "equal taxation" and argued that with the state enmeshed in an economic depression the new tax system was both democratic and practical. Wealthy eastern planters opposed the proposal because it would tax all slave property according to value, whereas the existing poll tax only assessed male slaves between twelve and fifty years old. Although nonslaveholders became indignant that their wealthier neighbors would not carry their share of the tax burden, open class conflict was averted. Democrats successfully convinced nonslaveholders that ad valorem taxation represented governmental encroachment upon individual property rights. Ad valorem taxation, slaveholders told their poorer neighbors, would increase the taxes on all

property, not just slaves, thereby hurting poorer whites as well. Still, the issue helped restore the two-party balance in the mountains on the eve of disunion.¹³

The turbulent presidential election of 1860 revealed white western Carolinians' complex self-image. Like the residents of the mid-western frontier states, mountaineers desired internal improvement projects and democratic reform. Although westerners within North Carolina, their opposition to the Republican party in the 1860 presidential election revealed them as southerners within the United States. In western North Carolina and the South, the election centered upon John C. Breckinridge, a southern rights Democrat, and John Bell, of the moderate Constitutional Union Party. A few mountaineers backed Senator Stephen Douglas of Illinois, but the majority limited their choice to either Breckinridge or Bell, the candidates believed to have the best chance of defeating the "Black Republican," Abraham Lincoln. Breckinridge won the state by approximately eight hundred votes, but the continued influence of the Whig party won Bell the mountains (See Table 2). Western North Carolina's support of a middle-road candidate closely resembling a Whig did not represent a weaker commitment to southern rights. Both parties in the mountains and the South favored the continuation of slavery, the protection of which remained the focus of political debate. From this perspective, the election more clearly represents western North Carolinians' continued adherence to two-party politics.¹⁴

¹³ Inscoe, *Mountain Masters*, 139-41, 144-7, 150; Kruman, *Parties and Politics*, 49-52, 86-90, 95-101; and Eric Hobson McGee, "North Carolina Conservatives and Reconstruction," (Ph.D. diss., University of North Carolina at Chapel Hill, 1972), 40-2.

¹⁴ Inscoe, *Mountain Masters*, 219-21.

Table 2. Presidential Election Results in Western North Carolina Counties, 1860

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

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

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

SOURCE: R.D.W. Connor, ed., *A Manual of North Carolina issued by the North Carolina Historical Commission for the use of Members of the General Assembly Session 1913* (Raleigh: E.M. Uzzell & Co., 1913), 985-6; Inscoc, *Mountain Masters*, 221; and Fayetteville *Observer*, November 26, 1860, pg. 1.

South Carolina's withdrawal from the Union on December 20, 1860, following Lincoln's election, magnified the secession controversy in North Carolina. Congressman Thomas Lanier Clingman led the mountain secessionists. Having emerged in the late 1840s as an "ultra-Southern" politician, Clingman's status as the senior member of the state's national delegation reflected western Carolinians' sectional loyalty. Clingman and the secessionists took their arguments to the people as the crisis heightened. To the nonslaveholding majority, they predicted economic ruin should Appalachian North Carolina not align with its Lower South trade partners. Secessionists also appealed to

mountaineers' racial fears. Without secession, Clingman and his allies warned, slavery would be destroyed and freed slaves would flood into the region.¹⁵

Appealing to nonslaveholders' economic and racial attitudes was a calculated strategy. North Carolina mountaineers' interest in internal improvements and economic development certainly shaped their political outlook. So did their attitudes toward slavery. A major plank of the Appalachian exceptionalism argument is the relative absence of blacks in the mountains. Some historians, such as Loyal Jones, assert that the smaller black population translated into both an absence of racism and a commitment to the Union; Wilbur Cash and others argue it lessened contact between the races and increased nonslaveholders' racial fears and animosity. Historian John C. Inscoe posits that the truth lies somewhere in the middle. Lower class mountaineers shared the same racial outlook of southerners elsewhere. They agreed that slavery represented the proper condition of inferior African Americans. Nonslaveholding mountaineers may have disliked the slaveowners and slaves that depreciated free white labor in the eastern part of the state, but compared to emancipation, slavery appeared the lesser evil.¹⁶

¹⁵ Inscoe, *Mountain Masters*, 226; Inscoe and McKinney, *The Heart of Confederate Appalachia*, 30-2; and Philip Shaw Paludan, *Victims: A True Story of the Civil War* (Knoxville: University of Tennessee Press, 1981), 63-4.

¹⁶ John C. Inscoe, "Race and Racism in Nineteenth-Century Southern Appalachia: Myths, Realities, and Ambiguities," in *Appalachia in the Making: The Mountain South in the Nineteenth Century* eds. Mary Beth Pudurup, Dwight B. Billings, and Altina L. Waller (Chapel Hill: The University of North Carolina Press, 1995), 104-16, 122. It is important to note the role slavery played in defining white liberty. African American slavery separated the poor whites from the enslaved working class, creating a sense of kinship among lower class whites and their wealthier slaveholding neighbors. As a result, white racism smoothed class tensions between rich and poorer whites. For more on slavery's part in defining liberty in the South, see Morgan, *American Slavery, American Freedom*, 327-38, 344-6.

Table 3. State Convention Election Results in Western North Carolina Counties, February 1861

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

SOURCE: Connor, *North Carolina Manual*, 1013-5; and Inscoc, *Mountain Masters*, 245.

The emotionalism of the secessionists' arguments swept some mountaineers into their camp, but a majority of highlanders decided upon a "wait and watch" approach to the crisis. Hesitation to secede did not reflect a widespread affinity for the Union. To mountain residents the Union was a means to an end, rather than an end in itself. Highlanders adhered to the Union as long as it guaranteed their interests as individuals, North Carolinians, and southerners. Unconvinced that disunion was the best means to protect their interests, western Carolinians rejected the call for a state secession convention in February 1861 (See Table 3). Unlike the extreme secessionists of the Deep South, the majority of mountaineers believed that the election of a Republican president alone did not endanger slavery or necessitate the state's withdrawal from the Union. Western North Carolinians and the rest of the Upper South, however, made it known that

they would not tolerate the use of force to restore the Union. Lincoln's call for 75,000 volunteers to put down the rebellion following the surrender of Fort Sumter in Charleston Harbor destroyed western North Carolinians' Unionism. Forced to choose between the Union and the South, western Carolinians joined with their eastern counterparts in favor of disunion on May 20, 1861.¹⁷

Western Carolina's support for secession derived from a variety of sources. Perhaps the most important was the perpetuation of African American slavery. Debates over the Union centered upon the protection of slavery. Union-Whigs argued that the constitution protected slavery while secession itself threatened its existence. Secessionists, on the other hand, pointed to Lincoln's stance against the expansion of slavery, and claimed that the Republican party truly intended to destroy the institution where it already existed. Mountaineers felt that they needed slavery in order to achieve their region's economic potential following the advertisement of their natural resources, improvement of their farming techniques, and the continuation of its internal development. To men like William Holland Thomas of Jackson County, the Confederacy offered the best opportunity to achieve that potential. Thomas reasoned that as the geographic center of the Confederacy, the construction of long desired rail routes would become a southern priority. Secession would also benefit local manufacturing interests and tourism. Separation from northern manufacturing centers would foster local

¹⁷ Inscoc and McKinney, *The Heart of Confederate Appalachia*, 42-4; and Inscoc, *Mountain Masters*, 238-240, 243-5, 250-1.

production, and lure wealthy southerners that previously vacationed in the North to select the Carolina mountains as an alternative.¹⁸

Throughout the spring and summer of 1861, male western North Carolinians left their families and friends for southern-armed service. Thousands entered the Confederate army to prove their courage to their neighbors and comrades. Women hosted picnics for soldiers and showered them with gifts, reminding them that they were the defenders of southern local and national honor. Such displays during the months following secession reinforced mountain men's conviction to defend their homes from Yankee aggression, embodied by neighboring east Tennessee. Unionist raids from across the border on their unprotected homes imbued male western Carolinians with a healthy anxiety for their families. The high concentration of relatives and friends in volunteer units reinforced the palpable need to defend their homes. During the first two years of the war, the high concentration of family members within volunteer units bolstered national loyalties by giving them a local flavor.¹⁹

Mountaineers' initial enthusiastic response to the Confederacy concealed lingering internal dissent. Secession did not completely stamp out opposition in the mountains. As North Carolinians across the state rallied to the flag, a Watauga county state legislator resigned in the face of continued local Unionism as secession approached.

¹⁸ John C. Inscoc, "Mountain Unionism, Secession, and Regional Self-Image: The Contrasting Cases of Western North Carolina and East Tennessee," in *Looking South: Chapters in the History of an American Region*, ed. Winfred B. Moore and Joseph F. Tripp (New York: Greenwood Press, 1989), 115-7, 121-6; and Inscoc and McKinney, *Heart of Confederate Appalachia*, 47-50.

¹⁹ Inscoc and McKinney, *Heart of Confederate Appalachia*, 63-4, 71, 73, 106-7; and Martin Crawford, "Confederate Volunteering and Enlistment in Ashe County, North Carolina, 1861-1862," *Civil War History* 37, no. 1 (1991): 32, 35-40.

He resigned based upon his understanding "that my position upon the affairs of the country, and public sentiment in that County do not accord." The necessary sacrifices of war created more hardship during the war's first year. In the mountains, where the nuclear family constituted the basic economic unit, the absence of skilled and unskilled male laborers was especially damaging. Women became more hesitant to support their husbands' Confederate service as the war continued beyond initial expectations of a brief conflict. Men's absence forced women to assume the bulk of the agricultural workload typically reserved for men on top of their own traditional sphere of labor. Mounting economic hardships undermined the paternalistic covenant, in which women deferred to men in exchange for protection, as well as some southern women's commitment to the war. Increasing sacrifices symbolized men's, and in a larger sense the Confederacy's, failure to provide properly for their women. The mounting guerrilla war in the mountains further convinced some mountain women that they could neither be physically defended nor provided for. With so many men gone, it appeared that their region was defenseless.²⁰

War weariness and dissatisfaction with Confederate policies gave rise to a new wave of "Unionism" in western North Carolina during the war's second year. Historian Georgia Lee Tatum identified six basic causes of dissension toward the Confederacy: apathy or opposition to the initial call for secession, Confederate laws (especially

²⁰ Quote from Bolton, *Poor Whites of the Antebellum South*, 146; and Inscoc and McKinney, *The Heart of Confederate Appalachia*, 78-81. For broader studies showing the war's impact on southern women, see Drew Gilpin Faust, *Mothers of Invention: Women of the Slaveholding South in the American Civil War* (Chapel Hill: The University of North Carolina Press, 1996); and George C. Rable, *Civil Wars: Women and the Crisis of Southern Nationalism*, *Women in American History*, ed. Mari Jo Buhle, Jacquelyn D. Hall, and Anne Firor Scott (Urbana: University of Illinois Press, 1989).

conscription, impressment, and the tax-in-kind), conflict between state and central governments, hardships of war, southern setbacks at Vicksburg and Gettysburg in July 1863, and a states' rights peace movement. Tatum specifically attributed the rise of "disloyalty" in western Carolina to a regional disinterest in slavery and the desertion of men seeking to provide for their families. Yet, the former was rare. Unionism in the highlands most typically stemmed from either personal experience—such as Federal military service—or a rising lower class resentment of the wealthy elite accused of not equally shouldering the burdens of war. This dissent during the war's latter half represented more opposition to the Confederacy than love for the Union.²¹

North Carolina's competitive two-party system provided a political outlet for mountaineers' rising dissatisfaction. The 1862 gubernatorial election revealed how far the entire state had defected from the secessionist leaders that guided North Carolina out of the Union. A new Conservative party arose under the leadership of powerful Democratic newspaper editor William W. Holden, a leading proponent of antebellum democratic reform, and Union-Whigs, who opposed North Carolina's secession until it was a reality. The Conscription Act of 1862 provided the impetus for this political marriage between old opponents. Union-Whigs hesitated to support the new party until the adoption of conscription, which they perceived, foretold a strong military government

²¹ Georgia Lee Tatum, *Disloyalty in the Confederacy* (Chapel Hill: The University of North Carolina Press, 1934), 3, 13-20, 109-10; Insoe and McKinney, *The Heart of Confederate Appalachia*, 86-91, 111-3; and Paludan, *Victims*, 61. While Tatum's study remains an important work on internal dissent in the Confederacy, it is complicated by the author's use of terms such as "disaffection," "dissatisfaction," and "disloyalty" interchangeably. The former two are not synonymous with disloyalty. Someone can be disaffected and dissatisfied with the Confederacy without favoring its destruction. For an excellent study of one western county's Unionist sentiment, see Martin Crawford, "The Dynamics of Mountain Unionism: Federal Volunteers of Ashe County, North Carolina," in Kenneth W. Noe and Shannon H. Wilson, eds., *The Civil War in Appalachia* (Knoxville: The University of Tennessee Press, 1997), 55-77.

at odds with individual liberty. In the beginning, Conservatives drew heavy support from lower class whites, resentful of Confederate governmental policies that seemingly favored the wealthy. Lower class southerners everywhere bristled at the Conscription Act's exemption of one male on every farm possessing twenty or more slaves. Equally galling was the provision allowing those with means the ability to hire substitutes. Yeomen and landless whites across the South cried out in protest of what they perceived had become a "rich man's war and a poor man's fight." Such claims were especially strong in North Carolina's western counties where small independent farmers constituted the vast majority of the populace. With secessionists' earlier appeals to rally in defense of southern liberty ringing in their ears, yeomen could not understand why they were now enjoined to fight for their personal freedom.²²

Conservatives' need for someone to unite their coalition led them to Zebulon B. Vance, a westerner, former Union-Whig, and Confederate colonel. During the campaign, the Conservatives, via Holden's powerful *North Carolina Standard*, appealed directly to the voters who defeated the secessionists' February 1861 call for a convention. They successfully portrayed the secessionists as rash radicals who led the people out of the Union without a plan to handle the exigencies of a state at war. Aided by Vance's wide attraction and Holden's influence, the Conservatives won the governor's chair in convincing fashion. Almost seventy-three percent of the state, and eighty-seven percent

²² McGee, "North Carolina Conservatives and Reconstruction," 68-71; and Inscoe and McKinney, *The Heart of Confederate Appalachia*, 147-9.

Table 4. Gubernatorial Election Results in Western North Carolina Counties, 1862

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

State Totals: Vance, 54423; Johnston, 20448.

* Denotes Majority

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

SOURCE: Connor, *North Carolina Manual*, 999-1000.

of mountain voters, rejected the secessionists and made Vance their governor (See Table 4).²³

An escalating guerrilla war further exacerbated growing tensions. As Philip Shaw Paludan points out, in Civil War western North Carolina "an allegiance was worn as a target over the heart, amid armed enemies, and loyalty could attract both dangerous friends and mortal enemies." Fearful of east Tennessee Unionists and unwilling to serve in the regular army, pro-Confederate partisans appeared as early as July 1861. An influx

²³ Inscoe and McKinney, *The Heart of Confederate Appalachia*, 147-51; and Kruman, *Parties and Politics*, 230-41.

of deserters from both armies added further fuel to the fire. Although many of these deserters were western North Carolinians returning to aid their struggling families, many of whom later returned to the ranks, the mountains attracted other fugitives who saw the rugged landscape as an excellent hiding place. Some deserters organized partisan bands aimed at their self-defense, the protection of their families, and prosecution of their cause. The presence of partisans emboldened Unionists who transformed loyalist counties, such as Wilkes and Caldwell, into centers of resistance. Efforts to subdue the guerrillas with force escalated matters. When the 64th North Carolina Regiment entered Madison County during the winter of 1862-1863 to arrest deserters, it resulted in tragedy. Angered by the bushwhacker tactics of concealed guerrillas and a raid on their colonel's family, the Confederate troops determined that the best way to deal with such Unionists was to kill them. They subsequently rounded up thirteen suspects between the ages of thirteen and fifty-nine, and marched them out of town. Once safely outside town limits, they lined their prisoners along the road and executed them.²⁴

Public protests against the Confederate government's infringements on civil rights across the state in July and August 1863 laid the groundwork for a political split between Holden and Governor Vance. Although both defended individual liberties and agreed that North Carolina should fight as long as it remained subject to northern invasion, Holden favored a negotiated armistice with the North. Holden's contemporaries and

²⁴ Paludan, *Victims*, xi, 68, 84-98; Ella Lonn, *Desertion During the Civil War*, with an introduction by William A. Blair (Gloucester: American Historical Association, 1928; Bison Books, 1998), 62-76; and Inscoc and McKinney, *The Heart of Confederate Appalachia*, 106-9, 114-5, 125-6. For a study that captures the moral ambiguousness and violent nature of the guerrilla war in western North Carolina, see Peter F. Stevens, *Rebels in Blue: The Story of Keith and Malinda Blalock* (Dallas: Taylor Publishing Company, 2000).

modern historians have argued that this stance revealed a willingness to concede Confederate defeat and reconstruct the Union. Marc W. Kruman, however, argues that Holden sought only to protect personal freedom via an honorable peace within the Confederacy. Finding themselves at an impasse, Holden decided to oppose Vance in the 1864 gubernatorial campaign. The editor's decision marked his emergence as the leading voice of statewide dissatisfaction toward the Confederacy. Yet, his public opposition to the southern central government raised doubts about his loyalty to the South as well. Western North Carolinians refused to abandon their region. Although unhappy with Confederate policies and increasing wartime sacrifices, mountaineers remained supportive of their region. Vance captured over seventy-five percent of the mountain vote and his second landslide victory (See Table 5).²⁵

Public exposure of Unionist organizations, such as the Heroes of America, working secretly in tandem with the peace movement during the final month of the campaign destroyed Holden's chances for victory. Voters across the state found Holden's indirect alliance with a secret group of subversives alarming. Founded in central North Carolina in 1861, the Heroes of America, or "Red Strings," gathered an estimated 10,000 members across the state. The Red Strings, who were definitely active in the mountains by 1864, may have spread into the northwest counties by means of the Underground Railroad to east Tennessee as early as the final months of 1862. Members strove to

²⁵ Kruman, *Parties and Politics*, 244-52, 259-65; and McGee, "North Carolina Conservatives and Reconstruction," 75-7, 82-5.

Table 5. Gubernatorial Election Results in Western North Carolina Counties, 1864

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

State Totals: Vance, 58070; Holden, 14491

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

SOURCE: Connor, *North Carolina Manual*, 999-1000.

undermine the Confederacy wherever possible. For instance, they performed espionage, encouraged desertion, and escorted Unionists to Federal lines in east Tennessee and Kentucky. From 1864 to the war's end, the Heroes of America supervised local Unionist networks and may have become overtly political. In the 1863 election for the Confederate Congress, the Heroes likely coordinated Rutherford County resident George W. Logan's successful campaign as a peace candidate.²⁶

²⁶ Inscoc and McKinney, *The Heart of Confederate Appalachia*, 137, 154, 158, 162; William T. Auman and David D. Scarborough, "The Heroes of America in Civil War North Carolina", *North Carolina Historical Review*, vol. 58, October 1981, no. 4, 327, 329-31, 336, 342, 345, 350; Kruman, *Parties and Politics*, 264-5; and McGee, "North Carolina Conservatives and Reconstruction," 85. For a study of the Heroes of America in a Southern Appalachian region, see Kenneth W. Noe, "Red String Scare: Civil War Southwest Virginia and the Heroes of America," *North Carolina Historical Review* 69, no.3 (1992).

The Civil War overwhelmed western North Carolina's productive capacity, which was already in decline by 1860. An absence of male laborers combined with droughts, hog cholera epidemics, and the effects of the war drove highlanders to take matters into their own hands. In April 1864, fifty women in Yancey County broke into a Confederate supply warehouse and carried off sixty bushels of wheat. The economic prosperity of the 1850s served as a time of expansion for many western North Carolinians as they entered the southern market. But historian Paul Salstrom identified several trends unknown to mountaineers at the time, such as the overall decline of the mountain slave population and Appalachia's inability to meet the Lower South's demand for foodstuffs, which revealed troubling economic signs beneath this prosperity. Many western farmers were actually growing poorer during the late antebellum period. Food-producing animals, such as hogs and cattle, shrank in absolute numbers in the Southern mountains while its human population boomed thereby reducing its marketable surpluses. Hence, the Civil War simply intensified an ongoing economic downward spiral.²⁷

Slavery, often a point of wartime conflict throughout the South, remained relatively intact in western North Carolina, despite highland slaves' engagement in many of the same subversive activities employed by African Americans throughout the South.²⁸ During the war, slaves exploited their mobility and knowledge of the landscape to help

²⁷ Inscoc and McKinney, *The Heart of Confederate Appalachia*, 167-71, 197-8; and Paul Salstrom, *Appalachia's Path to Dependency: Rethinking a Region's Economic History 1730-1940* (Lexington: The University Press of Kentucky, 1994), 8-10, 13, 16.

²⁸ For a study showing the adverse effects of slavery during the war, see Clarence L. Mohr, *On the Threshold of Freedom: Masters and Slaves in Civil War Georgia* (Athens: University of Georgia Press, 1986).

fugitive Federal prisoners from Salisbury avoid recapture. Other African Americans fed, clothed, and hid enemies of the Confederacy, or escaped to Union lines themselves. But such opportunities for escape were limited in western North Carolina where the Union army was not a major presence until Knoxville's capture in September 1863.²⁹

The general insulation of mountain slavery from the strain of war largely preserved the power of white masters until the end of the Civil War. Highlanders bought or leased slaves in rapidly increasing numbers to work on private farms and public improvements such as the Western North Carolina Railroad. Mary Bell of Macon County purchased her family's first slaves in February 1864. Encouraged by her husband to convert their cash holdings into a tangible investment, Mary acquired a servant girl who she swapped for a slave family a few months later. Her pride in the acquisition, completed so late in the war, accentuated western Carolinians' belief that the institution was both stable and safe. Amidst a war that included emancipation as a Union objective, slavery prospered in North Carolina's mountains, seemingly oblivious to the surrounding world.³⁰

Following the Confederate surrender in April 1865, the South confronted the issues of reunification, including who should rule and black freedom. In western North Carolina, the political conflict grew out of the region's antebellum and wartime experiences. Western Carolinians felt the war's economic effects acutely. Families were

²⁹ Inscoe and McKinney, *The Heart of Confederate Appalachia*, 225-9.

³⁰ Inscoe and McKinney, *The Heart of Confederate Appalachia*, 209-22; and John C. Inscoe, "Coping in Confederate Appalachia: Portrait of a Mountain Woman and Her Community at War," *North Carolina Historical Review* 69, no. 4 (1992): 408-9.

devastated by the inability to achieve maximum results from their farms in their male relatives' absence. The war stunted the southern market economy and halted construction of the internal improvements long sought after by mountaineers. Also, a bitter guerrilla war further polarized whites, already divided by class interests.

Two distinct camps of white highlanders emerged out of the war: the anti-Confederates and the Conservatives. Although the anti-Confederates incorporated conditional Unionists, members of the wartime peace movement, lower class whites, wealthy moderates, and others, "strait-sect" Unionists, who remained loyal to the United States for the entire war, comprised its foundation.³¹ Unionists in western North Carolina, and across the state, thought their loyalty to the United States and persecution by Confederates justified placing them in power. But the Conservatives would not relinquish authority easily. Lower class whites' initial enthusiasm for the Confederacy in 1861 and early 1862 tapered off considerably in the face of conscription, impressment, and a brutal partisan conflict. Such "disloyalty" was inexcusable for Conservatives, many of whom had overcome their own opposition to secession in order to serve their state during the war. Convinced that their opponents were dishonorable traitors, mountain Conservatives committed to punishing their Unionist foes after the war.

³¹ North Carolinians assigned several meanings to "Unionist" during Presidential Reconstruction. Conservatives understood the term to include conditional Unionists who opposed secession until a fact and then supported the Confederacy. Others defined Unionist as members of the peace movement so as to include those who changed their allegiance during the war. A minority of the peace movement supporters was the "strait-sect Unionists" who opposed secession and the Confederacy for the duration of the war. For the purpose of this study, Unionist will refer to those who opposed the Confederacy by war's end. References to specific types of Unionists will be clarified by categorization such as "strait-sect" or "conditional." Conservatives, as used here, applies not only to the political party that emerged in 1862, but also to the antebellum slaveholding class that controlled it following the war as well.

CHAPTER 2

THE STRUGGLE FOR POLITICAL SUPREMACY

IN WESTERN NORTH CAROLINA

Despite maintaining their social and cultural authority following the Civil War, the former slaveholders and Confederates, who were Conservative politicians, could not nearly lost their political supremacy. The former Confederate States became embroiled in bitter political struggles. For North Carolina, the relatively high level of wartime dissent in the state made the issue even more complex. A strong statewide peace movement split the dominant Conservative party in 1864, badly dividing white mountaineers. Although united on the issue of race, several other factors divided mountain whites. Class tensions, muted before the war in large part due to slavery, became open points of conflict during Presidential Reconstruction. The average mountain yeomen suffered tremendously during the war. Lower class whites, angry that their Confederate neighbors had supported such a destructive war, attempted to seize power. White mountain Conservatives, conversely, lashed out at the anti-Confederates in an effort not only to regain their traditional political power, but also to punish their disloyalty to the Confederacy.

A political coalition of ex-slaves, former Unionists, and northern carpetbaggers had the potential to dethrone the Conservatives for good across the South. Southern blacks' demands for a political voice and more control over their lives posed an additional

threat to former slaveholders' political power. In the largely white mountains of western North Carolina, however, the freedmen posed no such immediate threat. African Americans constituted less than thirteen percent of western North Carolina's total population in 1860. Consequently, politics remained a white enterprise. Mountain politics of Presidential Reconstruction, therefore, were not driven by race, as was generally the case in the postwar South. Albeit an important factor, race was not the only issue during Presidential Reconstruction. During the war, mountaineers divided along class lines. In fact, western North Carolina came out of the Civil War more divided than most other regions of the South. Although initially a strong supporter of the Confederacy, western North Carolina quickly became an area that was filled with internal dissent and turmoil that often pitted white mountaineers against each other along class lines. Confederate policies, such as the Conscription Act and impressment, convinced many lower class mountain whites that their wealthy neighbors did not make similar sacrifices during the war.

Wartime political coalitions survived the war and largely shaped the postwar political battles. Former Unionists led an anti-Confederate coalition against mountain Conservatives following the war. Without race as a unifying factor, mountain Conservatives resorted to aggressive political tactics to overcome their challengers. Outraged over the Unionists opposition to the Confederacy, Conservatives waged a fierce campaign of suppression against the anti-Confederates, whom they viewed as traitors. President Johnson's conciliatory reunion policy gave the Conservatives an opportunity to

regain political office. Once restored to power, the Conservatives turned the state courts and government against their opponents.

Two proclamations issued on May 29 formally unveiled President Andrew Johnson's plan to reconstruct the federal Union. The first granted amnesty and restored property (minus slaves) to former Confederates that swore loyalty to the United States. This seemingly beneficent fiat excluded fourteen classes of citizens, including former owners of property worth over \$20,000. Although this exception seemingly reflected Johnson's deep hatred for the Southern planter class, the president vowed to adjudicate each case on individual merit. His second declaration spelled out the process of restoration. It named William W. Holden provisional governor of North Carolina and ordered him to organize a constitutional convention to restore his state to the Union. Once in session, such conventions were to repeal and renounce secession, abolish slavery, and repudiate Confederate war debts. Since he held that the southern states never left the Union, Johnson hoped his policy would create legitimate state governments that could promptly resume their place in the Union.¹

The onset of Reconstruction reorganized North Carolina's political factions. By far the most powerful were the Conservatives, mostly former Union-Whigs who governed the state for most of the war. The Conservatives' commitment to fighting the war to the end also earned them the support of the former slaveholder-dominated

¹ Eric Foner, *Reconstruction: America's Unfinished Revolution, 1863-1877* (New York: Harper & Row, Publishers, 1988), 177-8, 183; Dan T. Carter, *When the War Was Over: The Failure of Self-Reconstruction in the South, 1865-1867* (Baton Rouge: Louisiana State University Press, 1985), 24-8; Michael Perman, *Reunion Without Compromise, The South and Reconstruction: 1865-1868* (London: Cambridge University Press, 1973), 73-8, 99; and Edward Hobson McGee, "North Carolina Conservatives and Reconstruction," (Ph.D. diss., University of North Carolina at Chapel Hill, 1972), 105.

Democratic party's remnants. These two groups shared class interests. As most former Democrats were slaveholders, most leading Conservatives also tended to own slaves. Despite their incorporation of the former secessionist-Democrats following the war, the Conservative party denied responsibility for the war. Most Conservatives were former Union-Whigs, they argued, who had opposed disunion until their state seceded. At which point, they could not refuse to serve their state without dishonor. They further proclaimed their innocence by recounting their opposition to the Confederate central government's encroachment on civil liberties, most notably conscription and the suspension of habeas corpus. Still their refusal to assume responsibility for the war effort masks the fact that, despite their earlier opposition to secession, they were devoted to the Confederacy. This nucleus of former Union-Whigs aligned with the former Democratic slaveholding ruling class, which even without its slaves retained dominance over a disproportionate share of the state's land. Conservatives enjoyed several intangible advantages as well. Well-educated and experienced in state politics, they dominated most professional classes and social groups. With much of their landed wealth intact, the former slaveholding class emerged from the war bent but unbroken.²

Opposition to the Conservatives developed as a loose coalition of "anti-Confederates" around Provisional Governor William Holden, whose strength in the mountains derived from the region's wartime dissatisfaction. As de facto leader of the state peace movement, and despite his sound defeat in 1864, Holden became an

² McGee, "North Carolina Conservatives and Reconstruction," 106-7; and Otto H. Olsen, "North Carolina: An Incongruous Presence," in Otto H. Olsen, ed., *Reconstruction and Redemption in the South* (Baton Rouge: Louisiana State University Press, 1980), 162, 169.

influential figure in western North Carolina. He needed that strength to hold together the diverse opposition group. According to historian Otto H. Olsen, the anti-Confederates incorporated "prewar opponents of secession, consistent Unionists and wartime peace advocates, reform-minded yeomen and artisans, upper-class moderates and realists, regional representatives seeking some shift in state policy and power, and whites especially receptive to some degree of racial equality, nationalism, or the principles of free labor capitalism." Each of these disparate elements shared the belief that acceptance of federal demands represented the surest means of achieving a speedy reunification. Leander Sams Gash of Transylvania County, a moderate upper class anti-Confederate, felt strongly that the South should accede to northern demands. As he told his wife in early 1866, "refined society must change in the South. We must accommodate ourselves to the circumstances that surround us."³ Yet, the anti-Confederates lacked the firm bond that held the Conservatives together. Although the bulk of the anti-Confederates were lower class whites, they did not make up the entire coalition. Consequently, Holden and other leading anti-Confederates constantly had to find a way to overcome potentially divisive issues within the group.

Lower class whites joined the anti-Confederate movement in an effort to topple the wealthy slaveholders. Poorer whites suffered tremendously during the war, and believed that their wealthier neighbors did not carry the same burden of sacrifice. They

³ Otto H. Olsen and Ellen Z. McGrew, "Prelude to Reconstruction: The Correspondence of State Senator Leander Sams Gash, 1866-1867, Part I," *North Carolina Historical Review* 60, no. 1 (1983), 43-6, 58; Olsen, ed., *Reconstruction and Redemption in the South*, 9, 160; and Otto H. Olsen and Ellen Z. McGrew, "Prelude to Reconstruction: The Correspondence of State Senator Leander Sams Gash, 1866-1867, Part II," *North Carolina Historical Review* 60, no. 2 (1983): 207.

resented the Conscription Act, which exempted one white male on every farm with over twenty slaves, and lower class white women led a handful of bread riots throughout the western counties. Alexander H. Jones, a consistent Unionist from Hendersonville, used this dissatisfaction to broaden the anti-Confederates' appeal. During the war, Jones called attention to the emerging class differences. In 1863, he proclaimed to the mountain that "these cotton lords of creation, who own fifty, a hundred, or perhaps five hundred slaves, look upon a white man who has to labor for an honest living as no better than one of their negroes." He conceded the wealthy's superior education, but countered that their education taught slaveholding whites "that they themselves are superior" to their poorer white neighbors.⁴ Such appeals resonated with the economically suffering yeomen and poor whites. The perception that wealthy former slaveholders did not share in the war's devastation brought many poorer whites into the anti-Confederate ranks.

Both sides realized that President Johnson would play an important part in their political future. Western North Carolina Conservatives personally disliked the former east Tennessee Unionist turned president. For turning his back on the South, one Caldwell county woman proposed that Johnson deserved to be "choked to death and left

⁴ Alexander Hamilton Jones, *Knocking at the Door. Alex. H. Jones, Member-Elect to Congress: His Course Before the War, During the War, and After the War. Adventures and Escapes.* (Washington: McGill & Witherow, Printers and Stereotypers, 1866), 13. Alexander Hamilton Jones (1822-1901) a Mexican War veteran born in Buncombe County claimed he taught himself to love the Union as a child reading about George Washington and other national figures. Jones's interests as a merchant at the outbreak of war led him into politics. He helped organize Unionists in western North Carolina, and was captured while raising a federal regiment in western North Carolina. The state's only outright Unionist elected to Congress in 1865, Jones was an influential Reconstruction politician and newspaper editor. William S. Powell, ed., *Dictionary of North Carolina Biography* (Chapel Hill: The University of North Carolina Press, 6 vols., 1986), III, 312-3.

unburied."⁵ Many ardent former Confederates west of the Blue Ridge undoubtedly endorsed a Lincoln County lawyer's opinion that Johnson was "the bastard renegade of the South" for remaining loyal to the United States in 1861.⁶

Still mountain Conservatives publicly embraced Johnson in the hope of regaining their political dominance through his conciliatory policy. Macon County lawyer A.T. Davidson hated the "dirty demagogue," but recognized that Johnson's policy represented a better option than the Republican Congress. Although Davidson believed Johnson a traitor, he determined to give him "hearty support--that is as hearty as a subjugated rebel can" in order to steer the president into the Conservative camp.⁷ Local Conservative newspapers helped to sooth public hatred for Johnson. The Asheville *News* published a phrenological study praising Johnson as possessing "a very strong will, the greatest fortitude, and almost unlimited powers of endurance, with courage and force to match." Asheville's foremost Conservative organ further credited Johnson with being modest, respectful, judicious, and, above all else, democratic.⁸

⁵ Laura to "My Dear Martha," May 25, 1865, William A. Hoke Papers, SHC.

⁶ Diary entry, June 14, 1865, David Schenck Papers, SHC.

⁷ A.T. Davidson to Zebulon B. Vance, October 22, 1865, in Gordon B. McKinney and Richard M. McMurry, eds., *The Papers of Zebulon Vance* (Frederick: University Publications of America, 1987, microfilm edition), reel 4. Allen Turner Davidson (1819-1905), born in Haywood County, was admitted to the North Carolina bar in 1845. He practiced law in Cherokee County, until as a Democrat and reluctant secessionist, Davidson served in the 1861 state secession convention, the Provisional Confederate Congress, and House of Representatives. In 1863, peace candidate George W. Logan of Rutherford defeated Davidson in his reelection bid. After the war, Davidson moved to Macon County and later Asheville. Powell, ed., *Dictionary of North Carolina Biography*, II, 23-4.

⁸ Asheville *News*, November 16, 1865, pg. 1.

Anti-Confederates were more equivocal in their support of the president.

Mountain Unionists respected Johnson's controversial decision to remain loyal to the United States when Tennessee seceded.⁹ The predominantly professional and lower class anti-Confederates also felt a sort of kinship to him as a self-made man, who elevated himself through hard work from tailor to president. For mountain anti-Confederates who believed in the free labor ideology, like Alexander H. Jones, the president seemed the perfect role model. Johnson personified Jones's ideal society "where the most humble citizen...through their industry, integrity and merit" could "share an equal chance, when qualified, to stand at the helm of State."¹⁰ Again, such rhetoric appealed to lower class anti-Confederates considering their suffering after the war.

Physical violence underscored the emerging political realignments. Wartime civil governments disintegrated and local officeholders became subject to army officers. In western North Carolina, the few scattered military posts failed to effectively monitor the behavior of returning Confederate and Union soldiers. The guerrilla war that plagued the mountains left many mountaineers wanting revenge. Much like the rest of the South, returning troops sparked numerous minor outbursts. Continued wartime animosity convinced at least one Buncombe County resident that widespread violence was inevitable.¹¹ Robert Vance wrote his brother Zebulon, the former Confederate governor,

⁹ See William Pickens to Andrew Johnson, August 20, 1865, Holden Governor's Papers, NCDH.

¹⁰ Raleigh *Daily Progress*, October 21, 1865, pg. 2.

¹¹ William Pickens to William W. Holden, August 17, 1865, Holden Governor's Papers, NCDH.

on July 12, 1865, that the returning Federals "behaved badly."¹² According to one Raleigh newspaper, returning members of Union Colonel George W. Kirk's command, deserters, and other lawless elements provoked frequent trouble in Madison, Henderson, Watauga, Wilkes, Alleghany, and Buncombe Counties.¹³ Nor did returning Unionists present a singular threat. Buncombe County resident Marion Roberts, a former surgeon in Kirk's 3rd North Carolina Mounted Infantry Regiment, blamed the former Confederates for heightened tensions. Roberts asserted that Union veterans exercised "a great deal of magnanimity and respect towards the Confederate Soldiers and Citizens of this Country." Their good will, Roberts argued, stood in stark contrast to "the most inhumane treatment and unpardonable insults" heaped upon the returning Federals by the former Rebels.¹⁴

Local authorities were powerless to prevent such violent outbursts, the worst of which occurred in Hendersonville. In August 1865, Unionists gathered in Hendersonville to receive the amnesty oath. As the Unionists congregated in what was likely their first public assembly since the war began, a number of Confederate supporters gathered

¹² Robert B. Vance to Zebulon B. Vance, July 12, 1865, McKinney and McMurry, eds., *The Papers of Zebulon Vance*, reel 4. Robert Brank Vance (1828-99), born to a well-respected Buncombe County family, admired Henry Clay and was an ardent prewar Whig. When the war came, Vance cast his lot with the South. He first commanded the "Buncombe Life Guards" and eventually rose to Brigadier General in charge of east Tennessee and western North Carolina. Robert Vance was elected as a Democrat to a seat in Congress in 1872. Powell, ed., *Dictionary of North Carolina Biography*, VI, 83-4; and Ezra J. Warner, *Generals in Gray: Lives of Confederate Commanders* (Baton Rouge: Louisiana State University Press, 1959), 313-4.

¹³ Dan T. Carter, *When the War Was Over*, 10-2; *Raleigh Daily Sentinel*, September 21, 1865, pg. 2.

¹⁴ Marion Roberts to Thaddeus Stevens, May 15, 1866, in James A. Padgett, ed., "Letters to Thaddeus Stevens, Part I," *North Carolina Historical Review* 18, no. 1 (January 1941): 190; and McGee, "North Carolina Conservatives and Reconstruction," 154-5.

around them. Daniel Case, an older Unionist, provided the spark that ignited this explosive political environment. Observing the assembled onlookers, Case said, "There is a Reb; give him a licking." Soon three men attacked the bystander with their walking sticks. When the victim retaliated, a general melee ensued. Armed men from both sides menaced the townspeople for the rest of the day. A few rioters even entered the room of a bedridden woman and threatened to kill her husband. The mob blatantly disobeyed and intimidated the local officials, who could do nothing to stop them.¹⁵

Reorganizing the state constitution served as a first step toward restoring order. As mandated in the proclamation appointing him provisional governor, Holden called a state convention to implement Johnson's requirements for reunion. The convention convened October 2 with a distinctly anti-Confederate flavor. Few original secessionists or prominent Confederate leaders intermixed with a large number of former Union-Whigs and peace movement members among the state representatives. Secession was the first issue discussed, and after potentially divisive debate the delegates reached a compromise rescinding the ordinance. With secession repealed, the members turned to emancipation. Northern journalist Sidney Andrews, who attended the convention, noted that the representatives handled the matter with little acrimony. During the roll call vote,

¹⁵ Jesse Parker Bogue, Jr., "Violence and Oppression in North Carolina During Reconstruction 1865-1873," (Unpublished Ph.D. dissertation, University of Maryland, 1973), 51-2; Olsen and McGrew, eds., "The Correspondence of Leander Sams Gash, Part II," 209-10; Henderson County Petition to Provisional Governor Holden, November 1865, Holden Governors' Papers, NCDAH; and J.G. de Roulhac Hamilton, ed., *The Correspondence of Jonathan Worth* (Raleigh: North Carolina Historical Commission, 2 volumes, 1909), I, 601.

only William Baker of Ashe County voiced his disapproval. But when Baker realized no one shared his opposition, he changed his vote to the affirmative.¹⁶ Baker's indecision foreshadowed the response in the western part of the state. When these issues reached the people via referendum that fall, western Carolinians overwhelmingly approved the nullification of secession and emancipation. Abolition's electoral victory hides the complexity of the contest in the western counties and the state. Macon County narrowly accepted emancipation by eighteen votes, while black freedom received a mere sixteen-vote edge in Cherokee and Clay counties. Wilkes County, a traditional Unionist stronghold, approved the measure but tallied nearly one tenth of the entire state's negative vote (See Table 6).¹⁷ Most mountaineers expressed their disapproval simply by not participating. Only 5,175 western residents participated in the referendum as opposed to the 10,711 ballots cast in the 1864 gubernatorial election. Such a dramatic decline clearly shows the opposition to both issues, particularly abolition. The fact that emancipation passed showed mountaineers' acceptance, not necessarily their approval.

Despite their association with the northern forces that destroyed slavery, the anti-Confederates' sympathies rested with the majority of mountain whites who opposed any change in African Americans' status. Although the Conservatives are often depicted as

¹⁶ J.G. de Roulhac Hamilton, *Reconstruction in North Carolina* (New York: Columbia University, 1914; Studies in History, Economics and Public Law series edited by the Faculty of Political Science of Columbia University, Vol. 58, no. 141), 120-6; and Sidney Andrews, *The South Since the War: As Shown by Fourteen Weeks of Travel and Observation in Georgia and the Carolinas* (Boston: Ticknor and Fields, 1866; reprint, New York: Arno Press and the New York Times, 1969), 156 (page citations are to the reprint edition).

¹⁷ North Carolina *Daily Standard*, December 28, 1865, pg 3.

Table 6. Abolishing Slavery and Rescinding Secession Referendum Election Results, 1865

County	Abolition		Rescind Secession	
	For	Against	For	Against
Alleghany	48	6	133	1
Ashe	361	5	134	4
Buncombe	435	42	434	18
Burke	396	2	398	0
Caldwell	194	3	204	8
Cherokee and Clay	53	37	297	5
Haywood	261	18	243	18
Henderson and Transylvania	558	0	563	0
Jackson	117	8	102	1
Macon	52	34	67	15
Madison	278	0	278	0
McDowell	197	9	196	5
Rutherford and Polk	658	11	635	11
Watauga	144	9	215	6
Wilkes	705	302	--	--
Yancey and Mitchell	274	0	274	0
Total	4731	444	4173	102
Percentages	91.4	8.6	97.6	2.4

SOURCE: Raleigh *Daily Standard*, December 28, 1865, pg. 3; R.D.W. Connor, ed., *A Manual of North Carolina issued by the North Carolina Historical Commission for the use of Members of the General Assembly Session 1913* (Raleigh: E.M. Uzzell & Co., 1913), 1013-5.

the strongest opponents of increased black civil rights, the most devout Unionists in Appalachian North Carolina also resisted such changes. Anti-Confederate leader William Holden attempted to divorce the state's Unionists from the national Radical Republicans' platform of racial equality. He ranked "unqualified opposition to what is called negro suffrage" as a fundamental characteristic of southern Unionism.¹⁸ Black liberty, Holden argued, could only be earned gradually through hard work, temperance,

¹⁸ Quoted in Foner, *Reconstruction*, 189.

and thrift, not by government edict.¹⁹ White mountain Unionists agreed. Lower class whites' commitment to slavery forbid their sanctioning emancipation. Like all southerners, they believed slavery the proper social position for the inferior African Americans. Perhaps some also recognized that slavery's end jeopardized their own position of independence. Perhaps they recognized that they stood a chance of falling into a new southern working class. Whatever their rationale, ardent mountain Unionists found emancipation distasteful. Even Alexander H. Jones, who shared the North's free labor ideology, encouraged the freedmen's removal through colonization "at the earliest practicable period."²⁰

Once in office Holden attempted to develop a viable political party through pardons and patronage that would keep him in power past his provisional term. Anti-Confederates never amounted to a majority of the population. Also, due to the diversity within the coalition itself, Holden had to adopt a moderate course. In order to appeal to all anti-Confederates, Holden had to define Unionist broadly to include anyone that renounced the Confederacy by 1864. Still, Holden went further. Seeking to ameliorate relations with his former Democratic colleagues, he also appealed to the defeated original secessionists. Overtures towards the ex-secessionists alarmed the strait-sect Unionists, who formed the backbone of the anti-Confederate coalition. Watauga County Unionists,

¹⁹ James L. Lancaster, "The Scalawags of North Carolina, 1850-1868," (Ph.D. diss., Princeton University, 1974), 63, 81; Horace W. Raper, ed., *The Papers of William Woods Holden, 1841-1868* (Raleigh: North Carolina Division of Archives and History, 2000), 189-90; and William C. Harris, *William Woods Holden: Firebrand of North Carolina Politics* (Baton Rouge: Louisiana State University Press, 1987), 169.

²⁰ Raleigh *Daily Progress*, October 21, 1865, pg. 2.

rallying for the removal of a justice of the peace who had avoided active military service and sided with former Confederates in the 1865 state convention, criticized Holden for recognizing the old slaveholding regime.²¹

Conservatives' unwillingness to accept responsibility for their role in the war convinced Holden that he could not trust his former political allies. Consequently, Holden used his access to the president to impede their pardons. He refused to forward many Conservatives' application for pardon, or he advised the president to reject them. Johnson required that all postwar officeholders be able to swear total allegiance to the Union. If one could not prove their consistent loyalty during the war, then they could only hold office if pardoned by the president. Withholding of that pardon denied many Conservatives the chance to regain political office. Over three hundred unsent pardon applications, including those of many western North Carolinians opposed to Holden, piled up in the governor's office. While working to frustrate the Conservatives, he used his influence over the president's amnesty declarations to lure the subdued secessionists into his new coalition. The failure of his conciliatory efforts resurrected antebellum partisanship and further embittered postwar politics.²²

Local governmental offices were primary points of conflict between the anti-Confederates and the Conservatives. After the war, Holden had the opportunity to

²¹ Calvin J. Cowles to Holden, September 4, 1865, Holden Governor's Papers, NCDAH.

²² Carter, *When The War Was Over*, 48-52; Hamilton, *Reconstruction in North Carolina*, 112-3; James Lawrence Lancaster, "The Scalawags of North Carolina, 1850-1868", 68, 70, 77; and Harris, *William Woods Holden*, 159-60, 181-5. Burgess S. Gaither of Burke County was among many whose pardon Holden delayed. Despite submitting an application twice, Gaither never received a reply. J.G. de Roulhac Hamilton, ed., *The Correspondence of Jonathan Worth*, I, 476-7.

appoint new local officials, including the justices of the peace who held the bulk of the power at the lowest level of authority. Whichever party controlled those offices, commanded the county. Lower class Unionists hoped to receive the bulk of these appointments, but Holden's attempts to appeal to contradictory forces led to the appointments of some local officials politically opposed to the provisional governor.²³ One such appointment occurred in Buncombe County where Holden assigned former Whig Augustus S. Merrimon the task of reorganizing the county government.²⁴ Complaints from Unionists in western North Carolina over Merrimon's choices arrived in Holden's office shortly thereafter. Provisional Justice of the Peace William Pickens of Buncombe County informed Holden that the election of "those who abandoned this Union for which we fought cannot Reconstruct it."²⁵ Infuriated that once a former Rebel took the amnesty oath "he stands as high as I who have Fought that Tigar Secession from his first Angry growl," Pickens asked Holden to clarify whether loyalty originated before

²³ Paul D. Escott, *Many Excellent People: Power and Privilege in North Carolina, 1850-1900* (Chapel Hill: The University of North Carolina Press, 1985), 15, 19; Lancaster, "The Scalawags of North Carolina," 134; Harris, *William Woods Holden*, 170-1.

²⁴ In the matter of the reorganization of the Provisional County Court for Buncombe County, July 20, 1865, Holden Governor's Papers, NCDH. Augustus Summerfield Merrimon (1830-92) grew up outside Asheville. He held various public offices before and during the Civil War. After a short stint with the Confederate army, he became solicitor in the mountainous 8th District where he struggled to maintain the supremacy of the civil authority. After the war, Merrimon became increasingly influential as a Conservative politician and judge serving in the United States Senate and as North Carolina Supreme Court Chief Justice. Powell, ed., *Dictionary of North Carolina Biography*, IV, 258-9.

²⁵ William Pickens to William Holden, August 17, 1865, Holden Governor's Papers, NCDH.

Table 7. Gubernatorial Election Results in Western North Carolina Counties, 1865

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

State Totals: Worth, 31616; Holden, 25704.

SOURCE: Raleigh *Daily Standard*, December 11, 1865, pg. 2; Connor, *North Carolina Manual*, 999-1000.

or after the war.²⁶ Almost rhetorically, Pickens inquired if a simple oath could "qualify & prepare them [Conservatives] to Rule us."²⁷

In spite of strait-sect Unionists' complaints, western North Carolina gave Holden an elective majority on November 9, 1865 (See Table 7). Anti-Confederates were drawn to Holden's peace movement leadership, but much of Holden's mountain support also derived from the rank-and-file anti-Confederates' opposition to the rival candidate. Holden's opponent, Jonathan Worth, ran as the Conservative party candidate with the backing of the state's former slaveholding class. Lingering animosity from the brutal partisan conflict in the mountains made the prospect of restoring the wartime leadership

²⁶ William Pickens to William W. Holden, August 16, 1865, Holden Governor's Papers, NCDAH.

²⁷ William Pickens to Andrew Johnson, August 20, 1865, Holden Governor's Papers, NCDAH.

to power unpalatable for anti-Confederates in western North Carolina. The former slaveholding class's support placed the consistent Unionists squarely behind Holden as the alternative to Conservative rule. Speaking for many mountain Unionists, Alexander H. Jones insisted it was illogical to reinstate former Confederate leaders "who plied their vocations to this end [disunion] while holding offices in the Government of the United States prior to the war."²⁸

Anti-Confederate campaign rhetoric claiming that Washington officials would disallow Worth's election also swayed mountain voters. Just weeks before the election, Holden's *North Carolina Standard* trumpeted, "W.W. Holden and Go Back to the Union, or Jonathan Worth and Stay Out of the Union."²⁹ This bombastic statement also reflected western North Carolina Conservatives' personal understanding of the situation. Mountain Conservatives could find little reason to believe that President Johnson would break from his provisional governor. Macon County lawyer Allen T. Davidson seethed over his inability to do anything "but lick my chops, and grit my teeth and long to get at them [Holden and the anti-Confederates]." Worth's defeat seemed so likely to Davidson that he concluded "it is a foregone conclusion that Holden must be elected Gov. for the present without a fight."³⁰

²⁸ Jones, *Knocking at the Door*, 36-7.

²⁹ *North Carolina Standard*, October 21, 1865, quoted in Hamilton, *Reconstruction in North Carolina*, 136.

³⁰ Allen T. Davidson to Zebulon B. Vance, October 22, 1865, in McKinney and McMurry, eds., *The Papers of Zebulon Vance*, reel 4.

Low voter turnout shows that the silent mountain Conservative majority shared Davidson's sense of helplessness. According to Augustus Merrimon in Asheville, the low turnout was due to the fact that "the people did not want to vote for Holden, and many never heard of Worth." In Rutherford County, similar apathy existed amongst the voters.³¹ All told, total voter participation dropped more than three thousand voters compared to the 1860 presidential contest. But Holden was mistaken. Johnson never intended Holden's election as a prerequisite for readmission, and Worth and the Conservatives' decisive statewide victory stood. Conservatives' abstention may also have contributed to the victory of A.H. Jones, the only man in the state's congressional delegation that could take the ironclad oath.³²

Worth's statewide victory demonstrated the weakness of the anti-Confederates' policy of accepting northern terms for reunion outside of the mountains. Rather than foster cooperation, the perception of having a choice to follow the president's plan probably bolstered resistance to government programs in southerners. Like whites throughout the South, white western North Carolinians likely hesitated to accommodate Johnson out of fear that one concession would trigger an endless list of northern demands. A majority of North Carolinians decided that it would be better to maximize

³¹ Max R. Williams, ed., *Papers of William A. Graham* (Raleigh: North Carolina Division of Archives and History, 8 vols., 1976), VI, 441, 451.

³² Richard L. Zuber, *Jonathan Worth: A Biography of a Southern Unionist* (Chapel Hill: The University of North Carolina Press, 1965), 206-8; and McGee, "North Carolina Conservatives and Reconstruction," 119. As an indicator of the makeup of the new state government, the state legislature considered former Confederate Senator William A. Graham and Governor Zebulon Vance for the United States Senate.

their restricted autonomy to elect Conservatives opposed to change than risk further federal interference.³³

Worth's defeat in the mountains, however, further convinced local Conservatives that the anti-Confederates were disloyal. To redeem the region, they began a legal campaign to punish western North Carolina Unionists. Soon after assuming the governor's chair, a tidal wave of Unionist pleas, many of them from lower class western North Carolinians, for relief flooded Worth's office. Requests for a full pardon of Daniel Case, the twice-convicted instigator of the Hendersonville riot, were among the throng of applications. The previous November, twenty-seven Hendersonville residents petitioned for Case's absolution because his family depended on his labor for survival.³⁴ Provisional Governor Holden issued a full pardon in December 1865. Undaunted, Conservatives repeatedly punished the upstart for his part in the riot. Anti-Confederate State Senator Gash and others in Henderson County supported the petitions, but the Worth balked. The governor responded that he could find no grounds to pardon Case for his role in "one of the most outrageous riots I have ever heard of in North Carolina."³⁵

Worth rejected Case's pardon largely because influential mountain Conservatives opposed it. Even worse, Case and his supporters, according to one Conservative victim of the riot, consisted of "radicals, robbers, and 'bushwhackers.'" Just the type of men the

³³ Zuber, *Worth*, 206-8; and Michael Perman, *Reunion Without Compromise*, 6-7, 83-8, 101-3.

³⁴ Henderson County Petition to Provisional Governor Holden, November 1865, Holden Governor's Papers, NCDAH.

³⁵ Olsen and McGrew, eds., "The Correspondence of Leander Sams Gash, Part II," 210; and J.G. de Roulhac Hamilton, ed., *The Correspondence of Jonathan Worth* (Raleigh: North Carolina Historical Commission, 2 volumes, 1909), II, 681.

mountain Conservatives held responsible for Confederate defeat. The presiding judge, Augustus S. Merrimon, told the governor that the only way to justify Case's pardon was to aid his poor family. But the Conservatives could not pass on an opportunity to punish Case, whose family included several Union army veterans. Ignoring the fact that Holden granted a pardon on the exact grounds he stated, the judge sardonically proposed that the state legislature extend amnesty in similar crimes committed before July 1865 (the Hendersonville riot occurred in August). More indicative of his political motives, the governor neglected to employ similarly rigorous standards to petitions on behalf of fellow Conservatives guilty of attacks on anti-Confederates. He unceremoniously pardoned Joseph Bryson for an assault on Leander Sams Gash in 1863. Both Bryson and Case's crimes originated in the wartime divisions of western North Carolina and the men shared similar social rank. Yet, in dealing with Unionists mountain Conservatives wanted no quarter. Concerning Case, whose family fought against the Confederacy, the governor overlooked double jeopardy, ignored Holden's pardon, and gathered sufficient political evidence to punish him.³⁶

Most of the petitions rejected in this fashion were from lower class white Unionists who committed crimes against the Confederacy. Judge Merrimon also blocked applications in favor of William and J.K. Ledford of Clay County charged with assault and battery. Both men claimed their victims provoked them by insulting Union Colonel George Kirk and the martyred Abraham Lincoln. As loyal Union men, the Ledfords could not allow this transgression. Although the Ledfords were not without guilt, neither

³⁶ Olsen and McGrew, eds., "The Correspondence of Leander Sams Gash, Part II," 208-9.

was the court that convicted them. Former Confederate colonel turned solicitor David Coleman, who also prosecuted Daniel Case, had himself purportedly called Kirk "a sorry fellow...only fit to go around and rob old women's chickens [sic] roost."³⁷

Coleman soon became an issue himself. His professional conduct angered anti-Confederates, but the solicitor was unconcerned. Like most mountain Conservatives, Coleman held the Unionists and their political allies in the lowest regard. Charges from such base and disloyal men held no weight to him, and Coleman dismissed the aspersions out of hand. In his defense, Coleman proclaimed that only men of bad character "indicted for crimes or grave misdemeanors" deride the conduct of the courts. Solicitor Coleman's chief example of such unfit men was the staunch Unionist, A. H. Jones who had recruited Union soldiers and deserted from the Confederate army. In spite of proof that the Ledfords' prosecutor harbored hostility to the men's former commanding officer (and their United States service by extension), Worth maintained that they received a fair trial.³⁸

³⁷ Clay County Petition to Jonathan Worth, April 22, 1866, Augustus Merrimon to Worth, June 7, 1866, Governor Worth Letter Books, NCDAH. George Kirk (1837-1905) of Greene County, Tennessee gained an infamous reputation in western North Carolina as a Federal colonel. Considered a "bushwhacker" by Confederates, Kirk led a series of raids into the Carolina mountains between 1864 and 1865. John G. Barrett, *The Civil War in North Carolina* (Chapel Hill: The University of North Carolina Press, 1963), 233-7, 350n, 364n, 391-2; Arthur, *Western North Carolina*, 627n. David Coleman (1824-1883) of Buncombe County was a nephew of former governor and University of North Carolina president David L. Swain. He spent some time at the state university and graduated from the Naval Academy in Annapolis. After retiring from the navy he became a lawyer. An ardent secessionist, he rose to command the 39th North Carolina regiment in the Confederate army. Following the war, he resumed his legal practice. Arthur, *Western North Carolina*, 403-4.

³⁸ Hamilton, *Correspondence of Jonathan Worth*, I, 597-8, 601-4. For a full account of A.H. Jones's wartime activities, see Jones, *Knocking at the Door*.

With the Conservatives entrenching at every level of power in the state, they were able to use the legal system against their opponents. In western North Carolina, where anti-Confederates constituted a vocal minority of the population, Conservatives repressive tactics generated greater scrutiny. Mountain Unionists did not hesitate to take their stories of oppression directly to the highest levels of government. Marion Roberts, of Buncombe County who served under Kirk, informed Radical Republican Congressman Thaddeus Stevens that North Carolina's state officials "from Governor down to magistrate and town Constable are filled almost entirely by original Secessionists and 'Aristocratic Submissionist' [sic] who held Rebel offices." To make matters worse, Roberts claimed that Conservatives comprised a majority of both the county and superior court grand juries weighing the evidence. Those Conservatives turned the legal system against "all union men for any and every offence that they may have been Compelled to Commit against the Statutes of the State, either in the Capacities of Citizens or Soldiers during the war." Roberts cited a wartime recruiting expedition that confiscated guns issued by Confederate scouts to local residents. Although such action fell within the confines of military duty, the Conservatives prosecuted the Union recruiters after the war for forcibly confiscating arms from private citizens. The fact that transgressions by Confederate soldiers went unpunished infuriated Roberts. Confederate partisans, he complained to Stevens, went "about unmolested and are even protected by State Legislation and are spoken of as being the 'right kind of men.'"³⁹

³⁹ Marion Roberts to Thaddeus Stevens, May 15, 1866, in James A. Padgett, ed., "Letters to Thaddeus Stevens, Part I," *North Carolina Historical Review* 18, no. 1 (January 1941): 188-90.

Addressing affairs in Watauga, Caldwell, and Burke counties, Federal Major Francis Wolcott noted that conditions for Unionists were indeed bleak. Wolcott reported that Unionists were victimized by "malicious persecutions." The major also informed his superiors that Unionists had simply given up. William P. Bynum, solicitor of the seventh judicial district, immediately protested Wolcott's findings. Bynum insisted the civil judges were unaffected by lingering wartime bitterness. Order would be quickly reestablished, Bynum contended, if the federal government and military left the state to its own means. His refutation of the military investigation confirming persecution convinced Worth that the Unionists' stories were fabrications.⁴⁰ The governor believed the petitions represented false accusations manufactured by Holden and his allies as part of a conspiracy to overthrow his government. Worth believed the anti-Confederates would use whatever means necessary to return North Carolina to a military government.⁴¹

Western Carolina Unionists revived secret wartime organizations to combat their Conservative opponents and the state legal apparatus. Early in the summer of 1866, Judge Merrimon categorized the Heroes of America, or "Red Strings," as a lawless element, consisting mostly of deserters and vengeful Unionists siding with the northern

⁴⁰ Hamilton, *The Correspondence of Jonathan Worth*, II, 725-30. William Preston Bynum (1820-1909), jurist, prosecutor, lawyer, was born in Stokes County. Admitted to the bar in Rutherford County after studying law with State Chief Justice Richmond M. Pearson, Bynum moved to Lincoln County where he married the sister of State Supreme Court Justice William M. Shipp. In spite of his opposition to secession, Bynum served in the 2nd North Carolina Regiment until appointed solicitor of 7th Judicial District in March 1863. Bynum's public career culminated with an appointment to the State Supreme Court in 1873. Powell, ed., *Dictionary of North Carolina Biography*, I, 294-5.

⁴¹ Hamilton, *The Correspondence of Jonathan Worth*, II, 697.

Radical Republicans.⁴² State agent William Mason informed Worth that in several of the northwestern counties the Red Strings constituted a majority of the white population. Its members vowed to support the United States Constitution, warn each other of approaching danger, and bring those who wronged their fellow Heroes to justice. Although the Unionists resurrected these groups primarily for self-defense, its secrecy, wartime actions, and exclusivity alarmed local Conservatives. Former Confederate soldiers and supporters felt encircled by the Red Strings and went so far as to create militia cavalry units to combat them. Mason reminded the residents in the counties he visited that adherence to the civil authorities and courts was the only way to restore order.⁴³ Of course, Conservative control over the courts meant that Mason actually counseled anti-Confederates to concede to Conservative rule.

What concerned the Conservatives most were these organizations' political agendas. The Heroes' commitment to electing the predominantly anti-Confederates to public office drove a wedge between their mostly lower class supporters and the former slaveholding elite reconsolidating their control. Nor was the Conservatives' fear unfounded. During the war, the Heroes probably assisted G.W. Logan's successful peace campaign for the Confederate Congress. Wartime political divisions continued to shape postwar social relations. In a second investigation of affairs in northwestern North Carolina, Major Francis Wolcott witnessed how politics infected local churches and other

⁴² Augustus Merrimon to Jonathan Worth, June 7, 1866, Governor Worth's Letter Books, NCDAH.

⁴³ A.C. Bryan to John C. Robinson, July 10, 1866; William Mason to Jonathan Worth, August 17, 1866, Governor Worth's Letter Books, NCDAH.

social institutions. Pro-Confederate ministers, many of whom Wolcott classified as disloyal, denounced the Red Strings in their sermons and even threatened members of the order with expulsion.⁴⁴ Wolcott's report convinced Worth that "the secret organization commonly called 'Red Strings' is being generally revised in this state to favor the Radical Congress and frustrate the policy of the President."⁴⁵ Satisfied that the anti-Confederates used extralegal tactics to obstruct Johnson's policy that favored the Conservatives, Worth and the Conservatives felt justified in repressing them.

The Conservative party's electoral victories and power convinced Holden that restoration to the Union was no longer possible without social change. When the state constitutional convention drafted a document including several democratic reforms aimed at expanding lower class whites' political participation, Holden felt North Carolina had reached a turning point. While serving as provisional governor Holden fought to preserve antebellum social mores. In 1865, Holden opposed any change to African Americans' social position. He also tried to broaden his appeal to include former secessionists. Now as he looked back at his defeat in 1865 and examined recent national legislation, Holden realized that internal reform must precede reunion and not follow it. In his mind, North Carolina now had to prove itself ready for reunion, whereas before he hoped for a speedy reunification. A Conservative victory over this constitution would prove the continued rebelliousness of the state's ruling party he argued, in which case Johnson should restore Holden as governor. But Johnson could not abandon the

⁴⁴ Francis Wolcott to John C. Robinson, August 16, 1866, Governor Worth's Letter Books, NCDAH.

⁴⁵ Worth to W.P. Caldwell, September 7, 1866, Governor Worth's Letter Books, NCDAH.

Conservative state government. The president had plans to organize a national Conservative party, in which southern Conservatives stood to play a critical role. Johnson simply could not afford to risk alienating them as his battles with Congress heated up.⁴⁶

One national legislative act, the Freedmen's Bureau extension bill, revealed growing cracks in Holden's anti-Confederate coalition. Suspense hung over the state legislature in the days leading up to the president's official response to the bill. When news arrived that Johnson had rejected it, the Conservatives cheered the president's action. But so did many anti-Confederates. Leander Sams Gash, an upper class moderate anti-Confederate, joined his Conservative colleagues in celebration. The president's veto was the realization of "our fondest hopes" Gash wrote his wife. Gash resented the Bureau's continued interference with the state civil authorities that hindered local autonomy. For the most part, race was not a political issue in western North Carolina during Presidential Reconstruction. In the months following the Confederate surrender, both Conservatives and anti-Confederates moved to hold the freedpeople in a subservient social position. Now as the Bureau bill awaited congressional reconsideration, racial issues began filtering into western politics.⁴⁷

The proposed state constitution of 1866 offered a chance for the anti-Confederates to regroup. Conservatives' failure to block the formation of a convention by not voting (and thereby denying the anti-Confederates the necessary percentage of popular

⁴⁶ Lancaster, "The Scalawags of North Carolina," 142-5, and LaWanda and John H. Cox, *Politics, Principle, and Prejudice, 1865-1866: Dilemma of Reconstruction America* (New York: Free Press, 1963), 31-3.

⁴⁷ Olsen and McGrew, eds., "The Correspondence of Leander Sams Gash, Part I," 69, 71.

participation to call the convention), gave their opponents' a tremendous representative advantage. Their domination of the convention allowed them to not only include the concessions demanded by President Johnson, but also attempt to redefine the state's political structure in their favor. The most significant change, the white basis of representation for the lower legislative house, favored western North Carolina. Sought by upcountry delegates throughout the South in the postwar period, the white basis meant that the white population alone would determine representation in the state's lower legislative house. Previously, the state counted African American slaves as three-fifths of a person towards representation. Now with slavery destroyed and the freedpeople ignored completely, eastern North Carolina stood to lose a great deal of its representative power gained through counting the slaves.⁴⁸

Delegates' adoption of the white basis created a more equitable distribution of power in the state's political system between the whites of the eastern and the whites of the western counties. The exclusion of the large number of African Americans in the central and eastern parts of the state from the basis of representation frightened state Conservatives. They feared that empowering the region where the anti-Confederates were the strongest would increase their political power within the state and jeopardize the Conservatives' recent gains. To avoid such a shift, an alternate form of representation

⁴⁸ Hamilton, *Reconstruction in North Carolina*, 172-3; Escott, *Many Excellent People*, 105; and Foner, *Reconstruction*, 194-5. The proposed constitution also provided for the reduction of property qualifications for state officeholders, the transition from appointive local positions to elective, and a stay law against the collection of debts accrued from the war. See Lancaster, "The Scalawags of North Carolina," 141-2. In 1860, only 15,194 of western county residents were African American slaves compared to the 315,865 living in the rest of the state. With emancipation, the rest of the state stood to lose 189,519 "people" or roughly 50,000 more than the total 1860 population of western North Carolina.

based on aristocratic privilege was introduced. Based on the assumption that freedpeople needed representatives familiar with their needs, this countermeasure counted the African Americans, although it barred them from voting or holding office, toward the distribution of offices in the lower house. This way the wealthy former slaveholders would represent them in the government. The anti-Confederate majority defeated this counterproposal.⁴⁹

On August 2, 1866, over forty thousand North Carolinians went to the polls to voice their opinion on the new constitution. That over eighty-five percent of the mountain votes approved the constitution reflects not only the strength of the anti-Confederates, but also the bipartisan support for democratic reform in the mountains (See Table 8). Besides the white basis, the new constitution also made a majority of governmental offices, including powerful local positions, elective and generally helped lay the groundwork for future changes. Historian Paul Escott argued that the battle over the 1866 constitution represented an attempt to define the extent of white democracy in North Carolina following the war. Since the anti-Confederates played such a prominent role in drafting the constitution, it seems logical that their mountain supporters contributed a large proportion of the positive vote. In fact, the number of positive votes for the constitution paralleled the totals Holden earned in the 1865 gubernatorial election. But prominent mountain Conservatives, sensing a way to increase their own power, also endorsed the constitution. Northern journalist Sidney Andrews noted that only one representative, former Confederate colonel James R. Love of Jackson County, addressed

⁴⁹ Escott, *Many Excellent People*, 105-6; and Hamilton, *Reconstruction in North Carolina*, 172-3.

Table 8. Constitution Referendum Election Results in Western North Carolina Counties, 1866

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

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

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

SOURCE: Raleigh *Daily Sentinel*, August 29, 1866, pg. 3; Connor, *A Manual for North Carolina*, 1016-8.

the convention on the issue. In a speech lasting roughly one hour, Love endorsed the white population as the basis of apportionment.⁵⁰

Following white North Carolinians' rejection of the constitution, the anti-Confederates broke away from President Johnson. Holden redefined the anti-Confederates' political platform to incorporate many of the democratic reforms included in the aborted constitution. He endorsed the white basis of representation for the state legislature, the end of property qualifications for public office, the protection of

⁵⁰ Escott, *Many Excellent People*, 105, 109; Richard L. Zuber, *North Carolina During Reconstruction* (Raleigh: North Carolina Department of Archives and History, 1969), 15; and Andrews, *The South Since the War*, 167.

homesteads from seizure for nonpayment of debts, and the popular election of state officials. The former provisional governor also realized that he could no longer hope for presidential intervention in state affairs. Without the president's support, Holden needed to find another source of assistance to strengthen his coalition. Johnson's alignment with the Conservatives forced him to look to Congress for support. In an effort to earn congressional support, Holden publicly endorsed the Fourteenth Amendment. In so doing, he placed himself squarely against Johnson and the state Conservatives.⁵¹

With the summer referendum on the constitution past, the fall gubernatorial canvass focused upon the acceptance or rejection of the Fourteenth Amendment. Approved by Congress on June 13, 1866, the amendment offered equal protection under the law to all people born in the United States (except Native Americans). The amendment also guarded against voter discrimination by reducing each state's national representation in proportion to the number of qualified voters denied the ballot. Despite white Conservatives' belief that this clause would lead to the enfranchisement of black men, they found the amendment's third provision that disfranchised all men whom voluntarily aided the Confederacy most galling. They felt it silenced the state's most capable public officials. On the other end of the spectrum, Unionists interpreted it as a sign that the national government was finally going to reward their wartime sacrifices with political power.⁵²

⁵¹ Lancaster, "The Scalawags of North Carolina," 146-8; and Harris, *William Woods Holden*, 205-6.

⁵² Foner, *Reconstruction*, 252-4, 256, 268-70.

Without Johnson's support, the anti-Confederates faced near insurmountable odds. A decisive victory for the Conservatives, who vehemently opposed the amendment because it disfranchised former conditional Unionists, seemed likely. Conservative state legislators scrutinized the amendment before the public. They argued that it legalized miscegenation, destroyed the traditional relationship of the state to its citizens by expanding federal authority, and barred the most qualified men from political office. They also warned the people that northern demands were likely not to end with that amendment. Previous demands such as the approval of abolition and repudiation of secession had failed to quench northerners' thirst for concession.⁵³

The anti-Confederate coalition dissolved amidst the debate over the proposed amendment. Holden believed that North Carolina's last chance to avoid a harsher reconstruction policy rested on the amendment's ratification. To garner support for its adoption, he called a meeting of the state's "loyal" citizens in Raleigh in September 1866. All fourteen delegates to the "convention," led by Holden, selected moderate ex-Whig Alfred Dockery for governor on a platform grounded in support for the amendment. Although anti-Confederates chose Dockery in order to bridge differences within their ranks, Holden's steadfast commitment to the Fourteenth Amendment shattered the coalition. Many upper class and moderate anti-Confederates, such as Leander Sams Gash, became dissatisfied with the policy of appeasement. Gash personally could not condone the radical shift in social and political power embodied by this latest congressional measure. The amendment's radical expansion of federal authority

⁵³ Lancaster, "The Scalawags of North Carolina," 157-8, 180-2.

convinced men like Gash that there was no appeasing the North. Fears of an endless string of northern demands converted many anti-Confederates to Conservatives in western North Carolina. Traditional anti-Confederate strongholds, such as Wilkes County, voted Conservative in opposition to the amendment.⁵⁴

As the Conservative ranks swelled, it became obvious to Jackson County Conservative James R. Love that “the people in mass will sustain the policy of President Johnson and the present constituted authorities on North Carolina.”⁵⁵ Still Johnson’s supporters were keenly aware that they could not shape national affairs.⁵⁶ In North Carolina, however, they possessed significant influence. Reelecting the Conservative Worth became one attainable technique to help the embattled president. As such, Worth’s substantial majority in the mountains represents highlanders’ continued attachment to Andrew Johnson (See Table 9). Armed with a popular mandate against the Fourteenth Amendment, the Conservative-controlled state legislature defeated it easily.⁵⁷

Political power was always the Unionists’ goal and the Conservatives’ victories over the amendment and the constitution convinced many Unionists that drastic measures were necessary to obtain that power. Following the failure of the all white anti-

⁵⁴ J.G. de Roulhac Hamilton, ed., *The Correspondence of Jonathan Worth* Vol. I, 630.

⁵⁵ James R. Love to Jonathan Worth, March 22, 1866, Jonathan Worth Papers, NCDAH; Olsen and McGrew, eds., “The Correspondence of Leander Sams Gash, Part II,” 221, 227; and Lancaster, “The Scalawags of North Carolina,” 157-8. James Robert Love of Jackson County was a farmer and lawyer. Elected as a states’ rights to the state legislature in 1860, he resigned to serve the Confederacy as colonel and aide to Governor John Ellis. He served in the 1865 state convention, and the state Senate in 1866 and 1874. Olsen and McGrew, eds., “The Correspondence of Leander Sams Gash, Part II,” 217 n35.

⁵⁶ Olsen and McGrew, eds., “The Correspondence of Leander Sams Gash, Part I,” 69, 71, 75.

⁵⁷ Harris, *William Woods Holden*, 210; Olsen and McGrew, eds., “The Correspondence of Leander Sams Gash, Part II,” 235-6.

Table 9. Gubernatorial Election Results in Western North Carolina Counties, 1866

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

SOURCE: Raleigh *Daily Sentinel*, November 15, 1866, pg. 3; and Connor, *A Manual for North Carolina*, 1001-2.

Confederate coalition, Unionists realized that their road to political power necessarily included African American suffrage. For the bulk of the postwar period, Alexander H. Jones opposed black equality. But the restoration to power of the former slaveowning class through the Conservative party changed Jones's mind. Once he backed away from the deportation of the freedmen, Jones vowed that the state should "provide laws to secure them in person, property and lawful pursuits, and to encourage them to honesty, industry and morality."⁵⁸ The defeat of the constitution and amendment pushed Jones further. In a letter to Thaddeus Stevens, Jones admitted mountain Unionists' need for black suffrage. He approved of a bill introduced by Stevens because it disfranchised

⁵⁸ Jones, *Knocking at the Door*, 36.

former Confederates and "allows the freedmen to vote without qualification."⁵⁹ Jones realized that the Unionists had lost their bid for political power. African Americans could turn the tide, and Jones cast aside his prejudice to obtain it.

In the immediate postwar period, western North Carolina's former ruling class regained its traditional position of authority. Former slaveholders, through the Conservative party, dominated all levels of the state government. Clearly they had defeated the Unionists' efforts to claim political power for themselves. Much of this struggle ignored the race card, often played by the former slaveholding class to political advantage. Yet, in western North Carolina and the rest of the state a shared belief amongst white anti-Confederates and Conservatives that blacks should remain subservient laborers isolated the freedpeople politically following the war. Without blacks factored into the political equation, mountain whites could divide knowing that the African Americans could not align with one white faction against the other.

This also allowed the former slaveholders to turn their full political attack on the predominantly lower class anti-Confederates. Unionists' loyalty to the United States convinced the Conservatives that they were men of bad character. After all, many of them raised arms against their region, their state, and their community. Unionists that did not serve in the federal army became guerrillas or otherwise subverted the Confederacy. Wealthy Conservatives, who devoted themselves to the cause, persecuted Unionists for their wartime crimes, whether in the service of the United States or not. Ultimately, the

⁵⁹ A.H. Jones to Thaddeus Stevens, January 4, 1867, in Padgett, ed., "Letters to Thaddeus Stevens, Part I," 192.

defeated Unionists would become the “radicals” their enemies always believed.

Desperate to overthrow the Conservatives who led them through a destructive war and avenge the persecutions against them, white mountain Unionists turned to their black neighbors for help.

CHAPTER 3

THE STRUGGLE OVER BLACK FREEDOM IN THE MOUNTAINS

Defeat forced southern whites to come to terms with slavery's demise. The labor system that had girded the South's economy and defined social relations was gone, but white southerners tried to recreate slavery in a new guise, always looking for ways to control black labor. Whites across the South, including those in western North Carolina, needed blacks as laborers. Although Appalachian North Carolina did not experience a labor crisis following the war comparable to that in the plantation belt, white mountaineers tried to keep blacks in a subservient labor status. To that end, mountain whites utilized the legal system, labor contracts, and, at times, violence to preserve African Americans in that role.

Still black mountaineers were more than passive objects acted upon by opposing whites during the transition to a post-slavery world. Despite comprising a distinct minority of the mountain population, African American highlanders were active participants in the definition of their freedom during Presidential Reconstruction. With the substantial aid of the Bureau of Refugees, Freedmen, and Abandoned Lands (or Freedmen's Bureau), freedmen in the mountains adopted policies aimed at maximizing their freedom, which demonstrated their political acumen. In the first year after the war, they attempted to curry white favor in the hope that conciliation would alleviate white fears of free blacks. When that policy failed, African American highlanders took matters

into their own hands. They used whites' need for labor to force a compromise garnering them better working conditions and more control over both the pace of work and their families. Efforts to define freedom revealed black mountaineers' deep commitment to overcoming whites' traditional control over their labor and lives during Presidential Reconstruction.

Freedom possessed a variety of meanings for black highlanders. Some defined it as full equality, while others viewed it simply in economic terms. All freedmen, however, recognized abolition as an escape from the real and symbolic authority of whites. For many that meant leaving their master's farm behind, but the majority, like Sarah Gudger of McDowell County, remained. Throughout the South, freedmen hesitated to strike out on their own. They had witnessed other slaves severely beaten for asserting their freedom during the war. But they also remained because they knew no other way of life. Sarah Gudger recalled her former owner's warning that freedom was useless without education. Most slaves were dependent upon their master for the necessities of life, and were unsure of the extent of their freedom. So, like Gudger, they stayed with their former owners until they better understood their options.¹

Nevertheless, African American mountaineers exercised their freedom in spite of both passive and violent white opposition. A tradition of racial dominance and the

¹ Eric Foner, *Reconstruction: America's Unfinished Revolution* (New York: Harper and Row, 1988), 77-81; Roberta Sue Alexander, *North Carolina Faces the Freedmen: Race Relations During Presidential Reconstruction, 1865-67* (Durham: Duke University Press, 1985), 3-4, 13; Jacqueline Baldwin Walker, "Blacks in North Carolina During Reconstruction," (Unpublished Ph.D. dissertation, Duke University, 1979), 41; *The American Slave: A Composite Autobiography*, Vol. 14, *North Carolina Narratives, Part I*, Contributions in Afro-American and African Studies, ed. George P. Rawick, no. 11 (Westport: Greenwood Publishing Company, 1972), 358; and Leon F. Litwack, *Been in the Storm So Long: The Aftermath of Slavery* (New York: Alfred A. Knopf, Inc., 1979; reprint, New York: Vintage Books, 1980), 182-3 (page citations are to the reprint edition).

psychological wound of defeat made emancipation difficult to accept for white mountaineers. White highlanders struggled with their loss of control over their former slaves. After a black man surrounded by Union veterans insulted former Confederate General Robert Vance's sister, he wanted to kill the former slave. During slavery, Vance could have personally disciplined the offending black man. But with the end of slavery, cooler heads prevailed and the civilian authorities whisked the offending freedman to jail.² Other former mountain slaveholders, including James Gwyn, tried to ignore emancipation. Less than three months after the end of the war on July 4, 1865, Gwyn bequeathed to his daughter two black women and their children "forever or so long as they shall remain in Slavery."³ Gwyn's slaves learned of their freedom shortly after his attempt to maintain slavery. By the end of the month, he noted his failure bitterly. With emancipation, slaves were no longer their masters' property and many "had left their homes & are prowling about, disturbing others who would remain at home."⁴ Those freedpeople most commonly "disturbed" were probably family members. Freedmen sought the companionship and emotional support of extended family members and searched exhaustively for relatives. While whites, such as Gwyn, may have called this "aimless wandering," for African Americans it was a crucial aspect of freedom.⁵

² Robert B. Vance to Zebulon B. Vance, July 12, 1865, in Gordon B. McKinney and Richard M. McMurry, eds., *The Papers of Zebulon Vance* (Frederick: University Publications of America, 1987, microfilm edition), reel 4.

³ James Gwyn Indenture, July 4, 1865, James Gwyn Papers, SHC.

⁴ Diary entry, July 31, 1865, James Gwyn Papers, SHC.

⁵ Walker, "Blacks in North Carolina During Reconstruction", 122-3, 127-30; and Alexander, *North Carolina Faces the Freedmen*, 58-9, 62.

Although western North Carolina's smaller black population prevented large-scale race riots such as those in New Orleans or Memphis, white mountaineers did occasionally resort to violence to maintain their authority over the former slaves. One afternoon during the summer of 1865, Lawson, a freedman working for William Corpening of Burke County, asked his employer what labor he was to perform that day. Dismissed without an answer, Lawson went to the landowner's wife to learn if she had any tasks for him. After another vague response, a disgusted Lawson wondered aloud whether the District Military Commander had work for him. Habituated to a social system that demanded deference from African Americans, Corpening found Lawson's insubordination intolerable. He subsequently hunted Lawson down and shot him in the thigh. Despite Corpening's pledge that he intended the shots as mere warnings, a military court fined him \$500 and sentenced him to ninety days in jail. Due to Corpening's previous good conduct, age, and weak health, however, the sentence was later reduced to thirty days and \$250.⁶ Corpening's white neighbors reacted with indignation to the military's interference in their management of labor matters. One woman could not believe such punishment "only for shooting that negro last summer!!"⁷

Such animosity amongst whites was a common obstacle that the freedpeople had to overcome. Across the state, the former slaves themselves worked to alleviate their white neighbors' fears. Blacks' understanding of the consequences of the Civil War

⁶ Jesse Parker Bogue Jr., "Violence and Oppression in North Carolina During Reconstruction, 1865-1873," (Unpublished Ph.D. Dissertation, University of Maryland, 1973), 37-40.

⁷ Corneal Pinkney Abernethy to Matilda Abernathy, December 14, 1865, William G. Dickson Papers, SHC. [emphasis in the original]

convinced them that it was best not to confront whites regarding civil rights in 1865. A convention in Raleigh from September 29 through October 3, 1865, composed mostly of literate ex-slaves with modest landholdings, expressed the black community's need to educate themselves, work hard, testify in court, and, most importantly, retain peaceful relations with whites. These sentiments represent an effort to act in accordance with Provisional Governor Holden who told the freedmen that they had to earn their freedom. Some delegates, however, went further and requested the right to vote for the former slaves. Wealthier colleagues' demands for a limited suffrage based on education and property ownership thwarted them, but even these moderate men refused to allow such restrictions to apply exclusively to black voters. They demanded that any limitation of the franchise effect whites and African Americans equally. After the representatives agreed in principle upon the need for suffrage, they reorganized into the Equal Rights League and adjourned.⁸

Although only Rutherford County sent representatives to the 1865 convention, African American highlanders' low attendance did not indicate a lack of interest in the convention's proceedings. High travel costs, an inferior transportation system, and poor communications assuredly contributed to their low representation. Western North Carolina's black population stretched across the broad mountain landscape, which made concerted action difficult so near the war's end. Since slavery remained relatively intact in the mountain counties, many ex-slaves did not learn of their freedom, let alone a

⁸ Alexander, *North Carolina Faces the Freedmen*, 17-9, 23, 27-9; and Horace W. Raper, ed., *The Papers of William Woods Holden, 1841-1868* (Raleigh: North Carolina Division of Archives and History, 2000), 189-90.

convention in the state capital, until months after the war. Poor communications certainly limited their involvement, but historian Roberta Sue Alexander argued that black mountaineers also stayed away due to their numerical minority at home. Freedmen rallies in the western counties most certainly would have sparked a potentially violent white response. Overall, it would have been extremely difficult to organize the scattered black community in the mountains.⁹

Blacks' attempts at convincing the whites of their good will failed to overcome mountain whites' desire to keep the freedmen in a subservient labor class. Not long after the Confederate surrender, southern whites attempted to legally define freedom for their ex-slaves. Each former Confederate state adopted 'Black Codes' that established legal limitations on black freedom aimed at keeping the freedmen in a subservient labor capacity. The first such codes passed in Mississippi and South Carolina set the standard for other southern states. Both states attempted to recreate a stable residential labor force for the white plantation owners by limiting black mobility. These laws generally affirmed freedmen's property rights, ability to marry within their race, make contracts, sue and be sued, as well as testify in court in cases between African Americans. More importantly, they also contained a variety of traps designed to return the freedmen to the plantations. Vagrancy laws threatened blacks with forced plantation labor. Each state

⁹ Alexander, *North Carolina Faces the Freedmen*, 21; and John C. Inscoe and Gordon B. McKinney, *The Heart of Confederate Appalachia: Western North Carolina in the Civil War* (Chapel Hill: The University of North Carolina Press, 2000), Chapter 9.

also tried to prevent competition over black laborers by making it illegal for white landowners to "entice" black laborers already under contract with higher wages.¹⁰

Northern outrage over the oppressive laws passed in Mississippi and South Carolina had a moderating effect on North Carolina's own legislation. North Carolina wanted to appease northerners, in the hope of regaining home rule. Provisional Governor Holden appointed a committee to study how best to manage the freedpeople and propose appropriate laws for that purpose. The commissioners advised the state legislature early in 1866 to repeal all laws that addressed African Americans specifically. Legislators adopted some of the commissioners' recommendations and assigned freedmen many of the same basic rights allowed by the Black Codes throughout the South. Most importantly, North Carolina recognized the legality of labor contracts negotiated between whites and blacks. But, like its former sister Confederate states, North Carolina also adopted laws restricting the freedpeople's rights. Interracial marriages, seditious language, and vagrancy were outlawed. Of the restrictions imposed on African Americans' freedom, the limited ability to testify in court emerged as the most controversial aspect of the state's Black Codes. Commission members debated this issue at length before deciding that the freedmen's unprotected condition and property rights demanded some form of witness rights. Yet, freedpeople remained unable to testify against whites for any reason in the civil courts. The men on the committee simply could not overcome their belief that blacks were unprepared for the responsibilities of

¹⁰ Foner, *Reconstruction*, 199-201.

citizenship. Nor could they accept the possibility of blacks testifying against whites for any reason.¹¹

Mountain whites urged the adoption of the restrictive "Black Codes." In late 1865, Leander Sams Gash shared with the State Senate pleas from the grand juries of Buncombe and Transylvania counties for either the freedmen's colonization or strong regulatory laws. Still Gash and other anti-Confederates realized the political importance of African Americans' ability to testify in court. Popular indignation in the North over such regulatory laws convinced the anti-Confederates that their state had to oblige the northern demands for the legal protection of southern blacks' rights. These men were also aware that the Freedmen's Bureau in North Carolina had issued a circular in February 1866 promising to restore jurisdiction to the civil courts only when equal criminal punishments and testimony rights existed for both races. Many thought if they guaranteed basic rights to the former slaves, the federal government might lift other restrictions on state autonomy. Despite the lure of escaping one more hindrance to unobstructed home rule, the state legislature only granted the freedmen the right to testify in cases involving Native Americans and other African Americans. When it came to

¹¹ J.G. de Roulhac Hamilton, *Reconstruction in North Carolina* (New York: Columbia University, 1914; Studies in History, Economics and Public Law series edited by the Faculty of Political Science of Columbia University, Vol. 58, no. 141), 153-6; Walker, "Blacks in North Carolina During Reconstruction," 175-6; and Alexander, *North Carolina Faces the Freedmen*, 40-4. On the condition of free blacks in North Carolina before the Civil War, see John Hope Franklin, *The Free Negro in North Carolina* (Chapel Hill: The University of North Carolina Press, 1943).

such a radical adjustment of African Americans' place within southern society, few white western North Carolinians willfully conceded northern demands for equality.¹²

Because white North Carolinians refused to universally guarantee African Americans' right to testify in court, the Freedmen's Bureau received judicial authority over blacks. Agents regularly summoned people before them at the risk of military arrest, adjudicated minor cases, and leveled fines up to \$100 and prison sentences up to thirty days. Conservatives believed this an intrusion into state affairs over which the federal government had little jurisdiction. Their commitment to custom and tradition bristled under the invasiveness of the Bureau's powers. Furthermore, its policies frustrated the former Confederates' efforts to reinstate white racial dominance and antebellum labor practices.¹³

Southern Black Codes convinced moderate Republicans of the need to protect southern blacks. Early in 1866, Senator Lyman Trumbull, a moderate Republican from Illinois, introduced two measures securing basic human rights for southern freedmen. His first bill extended the life of the Freedmen's Bureau and its jurisdiction over the freed slaves and refugees in the United States. It also required the Secretary of War to provide food, shelter, and clothing for deserving recipients in the South. His second bill established a congressional definition of black freedom to counter the proscriptive

¹² Otto H. Olsen and Ellen Z. McGrew, eds., "Prelude to Reconstruction: The Correspondence of State Senator Leander Sams Gash, 1866-1867, Part I," *North Carolina Historical Review* 60, no. 1, (January 1983): 48-9, 52.

¹³ Assistant Commissioner of Bureau of Refugees, Freedmen, and Abandoned Lands in North Carolina Circular, October 14, 1865 (National Archives Microfilm Publication M843, roll 31); George Bentley, *A History of the Freedmen's Bureau* (Philadelphia: The University of Pennsylvania Press, 1944; reprint, New York: Octagon Books, 1970), *A History of the Freedmen's Bureau*, 152-3, 155 (page citations are to the reprint edition); and Foner, *Reconstruction*, 168.

southern white definition. According to Trumbull and his Republican colleagues, all citizens' rights deserved equal protection. The Civil Rights bill of 1866 defined all people born in the United States (except Native Americans) as American citizens with inalienable rights. In an unprecedented expansion of federal power, violators of this law, regardless of social standing, would be punishable in federal courts. Since these measures resulted from compromise among the moderate and radical wings of their party, Republicans felt confident Johnson would sign both bills. They were disappointed.¹⁴

President Johnson's unwillingness to make the protection of African Americans' basic civil rights a precondition of reconstruction revealed his indifference to the freedmen and strained his relationship with the Republican Congress. His scathing veto message objected to the proposed extension of military jurisdiction, provision for trials without juries, and creation of military tribunals during peacetime. But Johnson's rejection of the bills was twofold. Not only did it simply block the bills; it also gained retribution for Congress's refusal to seat the recently elected southern delegations. Despite the mountainous seventh district's election of Unionist Alexander H. Jones, the overall state delegation included many of the prewar political elite unacceptable to a Congress seeking repentance. Throughout the South, a large number of former high-ranking Confederates, including Vice President Alexander H. Stephens, won seats. Although Johnson noted the "defiance" in such selections, those delegates represented the will of the southern people and the governments established under his direction. To

¹⁴ Hans L. Trefousse, "Andrew Johnson and the Freedmen's Bureau," in *The Freedmen's Bureau and Reconstruction: Reconsiderations*, ed. Paul A. Cimbala and Randall M. Miller (New York: Fordham University Press, 1999), 34; and Foner, *Reconstruction*, 243-4.

accept the rejection of the southern delegations would be the equivalent of admitting his personal failure. Also Johnson felt confined by the constitution. As president, Johnson ultimately believed he lacked the authority to sign legislation dealing with states unrepresented in the national government. The fact that many of these states disallowed African Americans' participation, however, never bothered him.¹⁵

While Johnson battled Congress over blacks' civil rights, southern whites struggled to preserve their African American labor force. The small percentage of blacks living in the mountains weakened black western Carolinians' political voice and prevented the western counties from experiencing a labor crisis comparable to that in the cotton South. Still that small black population provided a steady pool of labor needed by the former slaveholders. Several surviving labor contracts reveal that former slaveholders attempted to preserve much of the discipline of slavery within the new contract labor system. Merchant Lytle Hickerson, once one of Wilkes County's largest slaveholders, demanded that his African American laborers respect his family and barred the gathering of freedmen beyond the workers' families on his land. This provision reimposed prewar restrictions against prayer meetings and other assemblies out of suspicion of insurrection. Any violation allowed Hickerson to dismiss his workers

¹⁵ Foner, *Reconstruction*, 196-7.

without pay.¹⁶ Hickerson's business partner, James Gwyn, also included behavioral clauses within his labor pacts with black workers. A contract signed January 19, 1866, between James Gwyn and two young freedmen named Payton and Bart, placed special emphasis on the former's behavior. To insure proper deference, Gwyn withheld the right to dismiss Payton's entire family should he alone act improperly.¹⁷

In the first months following the Civil War, the Freedmen's Bureau provided the only means of protection for the freedmen against discriminatory labor practices. Bureau officials played a pivotal role in helping freedmen negotiate labor contracts. Many freedmen actually refused to sign contracts without the Bureau's advice. The agent in Morganton alone helped seventy-seven freedpeople sell their labor between December 1865 and January 1866. Blacks also depended on the Bureau to enforce those contracts. White landowners often deprived workers of their salaries, which, at an average of eight dollars a month for black men and five dollars for black women, already ranked the

¹⁶ Labor Contract between Lytle Hickerson and York, Joe, Hugh, Anderson, and Maryland, December 8, 1865, James Gwyn Papers, SHC. Antebellum rhetoric predicting a lawless band of emancipated slaves ravaging the countryside also preyed upon the minds of western Carolinians. In December 1865, the Freedmen's Bureau noted a general fear of black rebellion in the Western District. See Western District Semi-Monthly Report, December 15, 1865 (National Archives Microfilm Publication M843, roll 23); North Carolina, 1865-1870; Records of the Assistant Commissioner, Bureau of Refugees, Freedmen, and Abandoned Lands; Records of the Bureau of Refugees, Freedmen, and Abandoned Lands, Record Group 105; National Archives Building, Washington, DC.

¹⁷ Labor Agreement between James Gwyn and Payton and Bart, January 19, 1866, James Gwyn Papers, SHC. In another reminder of slavery, Gwyn required Payton to report for work at sunrise.

lowest in North Carolina's Western District.¹⁸ During December 1865, the peak of the negotiating and settlement period, the Morganton agent handled one hundred ninety-three cases where whites refused to pay black workers.¹⁹

Child apprenticeships offered former slaveholders a partial solution to the southern labor question that relegated blacks to a subservient position similar to slavery. Although apprenticing applied to both races, the practice discriminated against the freedmen. Black girls were apprenticed until they were twenty-one years old, a term exceeding that set for white girls by three years. Apprenticeships reduced the former slaves' children to dependent charges that labored in return for basic subsistence needs. The law also allowed the apprenticing of children of "lazy" black parents without their consent. By legally judging an African American parent unwilling to work and incapable of caring for their children, landholding whites could wrest control over black children's

¹⁸ Semi-Monthly Report of Western District, Morganton Station, December 15, 1865 (National Archives Microfilm Publication M843, roll 23); Semi-Monthly Report of Western District, Morganton Station, December 30, 1865 (National Archives Microfilm Publication M843, roll 23); and Semi-Monthly Report of Western District, Morganton Station, January 30, 1866 (National Archives Microfilm Publication M843, roll 23). The Western District included Alexander, Ashe, Alleghany, Anson, Ashe, Buncombe, Burke, Cabarrus, Caldwell, Catawba, Cherokee, Clay, Cleveland, Davidson, Davie, Forsyth, Gaston, Guilford, Haywood, Henderson, Iredell, Jackson, Lincoln, Macon, Madison, McDowell, Mecklenberg, Mitchell, Montgomery, Polk, Randolph, Rowan, Rutherford, Stanly, Stokes, Surry, Transylvania, Union, Watauga, Wilkes, Yadkin, and Yancey counties.

¹⁹ Semi-Monthly Reports Western District, Morganton Station, December 15, 1865 (National Archives Microfilm Publication, M843, roll 23); Semi-Monthly Reports Western District, Morganton Station, December 30, 1865 (National Archives Microfilm Publication, M843, roll 23); Semi-Monthly Reports Western District, Morganton Station, January 30, 1866 (National Archives Microfilm Publication, M843, roll 23); Semi-Monthly Reports Western District, Morganton Station, March 15, 1866 (National Archives Microfilm Publication, M843, roll 23); and Alexander, *North Carolina Faces the Freedmen*, 101.

labor in the courts. Perhaps the most threatening clause, however, granted former masters first priority in acquiring the bound labor of their former slaves.²⁰

The Freedmen's Bureau tried to protect blacks' paternal rights. State Assistant Commissioner Eliphalet Whittlesey wrote Samuel Finley Patterson, a prominent Caldwell County former slaveholder, that the freedmen's uncertain legal rights made it dangerous "to transfer the business of apprenticing them [African American children] to the County Courts."²¹ Western District chief Clinton Cilley followed with two circulars of his own on the matter. In his first, Cilley instructed his subordinate agents that apprenticing should be allowed only when the law governing the practice treated black and white children equally. His second message prohibited the binding of any African American child, under any circumstances, without written parental consent.²² Failure to set a definitive policy on the subject clouded judgment in contested apprenticeships. Often

²⁰ Alexander, *North Carolina Faces the Freedmen*, 44-5; and Rebecca Scott, "The Battle Over the Child: Child Apprenticeship and the Freedmen's Bureau in North Carolina," *Prologue* 10, no. 2 (1978): 102-3.

²¹ Eliphalet Whittlesey to Samuel F. Patterson, February 21, 1866, Jones and Patterson Family Papers, SHC; and Scott, "Child Apprenticeship and the Freedmen's Bureau in North Carolina", 103. Eliphalet Whittlesey (1821-1909) of Connecticut was a Bowdoin College professor turned soldier in the Civil War. Although he enlisted as a chaplain, Whittlesey eventually joined Major General O.O. Howard's staff as an aide. Both indomitable Christians, they shared a strong bond of respect and friendship. William S. McFeely, *Yankee Stepfather: General O.O. Howard and the Freedmen* (New Haven: Yale University Press, 1968; paperback reprint, New York: W.W. Norton & Company, Inc., 1994), 78-80 (page citations are to the reprint edition).

²² Western District Circular, February 23, 1866 (National Archives Microfilm Publication M843, roll 7); and Western District Circular, February 27, 1866 (National Archives Microfilm Publication M843, roll 7). Clinton Albert Cilley (1837-1900) was born in New Hampshire to a family known for its early political opposition to slavery. Cilley fought with the Union in many battles, including Chickamauga for which he received a Medal of Honor. He received appointment as head of the Freedmen's Bureau in western North Carolina early in 1866. After he left that post, Cilley had an influential career promoting free public education for all and economic development. Paul D. Escott, "Clinton A. Cilley, Yankee War Hero in the Postwar South: A Study in the Compatibility of Regional Values," *North Carolina Historical Review* 68, no. 4 (October 1991): 405, 409, 426.

agents relied entirely on their individual judgment, which by the summer of 1866 had strayed from these earlier efforts. Even Cilley came to interpret the bonds as legal contracts beyond Bureau regulation.²³

National developments contributed to Cilley's change of heart. Soon after attempting to terminate the Bureau, Andrew Johnson declared the rebellion in North Carolina and nine other former Confederate states at an end on April 2, 1866. A day later, the United States Supreme Court ruled martial law unconstitutional in areas where the civil courts operated without obstruction in *Ex-parte Milligan*. Cilley felt paralyzed by Johnson's declaration. A Democrat himself, Cilley wavered between the constitutional ban of military tribunals in peacetime and his military orders. The predicament facing the Bureau in the Carolina highlands worsened as local sentiment against the Bureau grew in the wake of Johnson's proclamation, the Milligan case, and the Civil Rights Act. President Johnson's defense of the southern state governments against Congress emboldened white western North Carolinians in their opposition to the Bureau. As a result, Cilley abstained from further exercising his judicial powers. He knew he could not resist a writ of habeas corpus from a civil judge ultimately backed by the president. To Whittlesey on April 7, Cilley summed up Bureau agents' dilemma: "We are judges without law to support us."²⁴

²³ Scott, "Child Apprenticeship and the Freedmen's Bureau in North Carolina," 104, 107-109, 111.

²⁴ Clinton A. Cilley to Eliphalet Whittlesey, April 7, 1866 (National Archives Microfilm Publication M843, roll 7); Clinton A. Cilley to Eliphalet Whittlesey, April 4, 1866 (National Archives Microfilm Publication M843, roll 7); Clinton A. Cilley to Eliphalet Whittlesey, April 9, 1866 (National Archives Microfilm Publication M843, roll 7); and Bentley, *A History of the Freedmen's Bureau*, 162-3.

Significant internal problems also weakened the Bureau's capacity to aid the freedmen in western North Carolina. Perhaps the most problematic was an absence of qualified personnel. When the Bureau first arrived in the South, Assistant Commissioner Eliphalet Whittlesey instructed his agents to surround themselves with local citizens of both races in order to earn the people's trust.²⁵ The mustering out of volunteer officers, however, undermined the Bureau's ability to establish a rapport with western North Carolinians. Lieutenant E.A. Harris of the 128th Indiana Volunteer Infantry Regiment commanded the Bureau station at Morganton following the Confederate surrender, and according to Cilley gave general satisfaction. Yet, Harris and two other agents left the district when their regiments disbanded on March 26, 1866. Nor could the Bureau fill all its vacant posts. Following the Confederate surrender, officials recognized that the relationship between blacks and whites in Asheville was deteriorating. Many freedmen were without homes and lacked the capital to rent homes due to a series of crop failures. Still no agent reached Asheville until May 1866.²⁶

Asheville was not the only post the Bureau struggled to fill in Appalachian North Carolina. Agents in Rutherford, Wilkes, Caldwell, and Polk counties filed monthly reports irregularly throughout 1866. The inconsistency of their reports suggests difficulty in keeping those posts staffed. Congress exacerbated this problem by failing to provide

²⁵ Whittlesey circular, October 14, 1865 (National Archives Microfilm Publication M843, roll 31).

²⁶ Clinton A. Cilley to Eliphalet Whittlesey, December 14, 1865 (National Archives Microfilm Publication M843, roll 7); Clinton A. Cilley to Eliphalet Whittlesey, March 26, 1866 (National Archives Microfilm Publication M843, roll 7); Clinton A. Cilley to Eliphalet Whittlesey, May 9, 1866 (National Archives Microfilm Publication M843, roll 7); Western District Semi-Monthly Report, February 28, 1866 (National Archives Microfilm Publication M843, roll 23); Western District Semi-Monthly Report, March 15, 1866 (National Archives Microfilm Publication M843, roll 23); and Western District Semi-Monthly Report March 31, 1866 (National Archives Microfilm Publication M843, roll 23).

the Bureau with funds to hire civilians. As a result, state assistant commissioners often turned to the army's Veteran Reserve Corps for additional agents, relying upon the War Department to pay their salaries. A replacement for Lieutenant Harris in Morganton came from this ready pool of Bureau personnel. Hannibal D. Norton, a thrice-wounded volunteer officer and brevet major in the Veteran Reserve Corps, came to western North Carolina in March 1866.²⁷

Without a strong military presence to support them in the face of burgeoning local opposition, Western District agents acted with uncertainty through the remainder of Presidential Reconstruction. Although Appalachian North Carolina's poor transportation network further lessened the already small military force's efficiency in the mountains, the region was not unique in this manner. Other large areas patrolled by a small military force, such as in Texas and Arkansas, experienced similar difficulties.²⁸ Assistant Superintendent Hannibal D. Norton's actions on behalf of a freedman in Catawba County demonstrate this problem of enforcement. According to freedman Elijah Connor's wife, her husband had been arrested for stealing wool, jailed without a hearing, and given

²⁷ Bentley, *A History of the Freedmen's Bureau*, 72-3; Clinton A. Cilley to Eliphalet Whittlesey, December 14, 1865 (National Archives Microfilm Publication M843, roll 7); Clinton A. Cilley to Eliphalet Whittlesey, March 26, 1866 (National Archives Microfilm Publication M843, roll 23); (National Archives Microfilm Publication M843, roll 7); Clinton A. Cilley to Eliphalet Whittlesey, May 9, 1866 (National Archives Microfilm Publication M843, roll 7); Western District Semi-Monthly Report, February 28, 1866 (National Archives Microfilm Publication M843, roll 23); Western District Semi-Monthly Report, March 15, 1866 (National Archives Microfilm Publication M843, roll 23); and Western District Semi-Monthly Report, March 31, 1866 (National Archives Microfilm Publication M843, roll 23). Hannibal D. Norton of Massachusetts volunteered for Union military service in April 1861, and received wounds at First Bull Run, Antietam, and Fredericksburg. By war's end he held the rank of brevet major in the Veteran Reserve Corps. See Hannibal D. Norton to Major General Daniel Sickles, May 15, 1867; Letters Received; Records of the Second Military District and Department of the South, Record Group 393; National Archives Building, Washington, DC.

²⁸ Bentley, *A History of the Freedmen's Bureau*, 161-2.

thirty-nine lashes on three separate occasions. Local whites allegedly threatened Connor with additional abuse if his family did not leave the county immediately. Norton sought advice from his superior and summoned Connor's landlord for an interview. After neither responded, Norton decided that further delay might prove fatal. He ordered the neighboring whites to allow the black family to harvest their crop undisturbed. When proof of Connor's larceny conviction in a state court surfaced, General John Robinson, who replaced Whittlesey as Assistant Commissioner, not only overruled Norton, he admonished the agent against future interference. Without the full support of the military, Bureau agents could not successfully oppose civil authorities backed by the president.²⁹

While Norton's experience in the Connor case demonstrates the problems of enforcement in western North Carolina, his actions further show how the Bureau changed in the spring of 1866. For the most part prior to the national challenges to its local power, the freedmen had a sympathetic partner in the Freedmen's Bureau. At the end of 1865, Bureau agents from across the South reported the conditions in their districts since the Confederate surrender. The Morganton agent's report reflected a genuine concern for the freedmen. Since April 1865, he settled six hundred disputes between blacks and whites in his district alone. Regarding the condition of racial interactions, the agent in

²⁹ Hannibal D. Norton to Colonel, August 31, 1866, Norton report, August 18, 1866, and John C. Robinson to Jonathan Worth, September 12, 1866, Governor Worth's Letter Books, NCDAH. John Cleveland Robinson (1817-1897) born in Binghamton, New York. A professional soldier, Robinson garnered a reputation during the war as one of the Army of the Potomac's bravest and most distinguished division commanders. A part of many major battles in the Eastern Theater, his frontline career ended when severely wounded at Spotsylvania Court House on May 8, 1864. After the war he held various posts including Lieutenant Governor of New York. Ezra J. Warner, *Generals in Blue: The Lives of the Union Commanders* (Baton Rouge: Louisiana State University Press, 1964), 407-9.

Morganton said blacks would work for fair prices but whites refused to deal honestly with them. The agent concluded that it served both whites and blacks' best interest that the Bureau continued operations.³⁰ Subsequent actions showed the depth of that commitment. The Bureau's fight against apprenticeship, enforcement of contracts, and protection from legal injustice earned the black community's trust.³¹

Despite its minor temporary successes, the Freedmen's Bureau was ultimately unsuccessful in western North Carolina and the South. President Johnson's quarrel with Congress forced the Bureau in western North Carolina to divert attention from black to white mountaineers. Such was not a departure from the Bureau's original stated mission to help all southerners, black and white, adjust to the postwar environment. Nor was it unusual for the Western District. Since whites constituted such a large portion of the population, the Bureau often provided assistance to those suffering after the war. About a month before Johnson announced the rebellion over, Superintendent Cilley had requested authority to assist indigent white families in the Western District. Agents in the mountainous part of the state always extended charity to blacks, he said in March 1866, but also assisted white families without orders as well.³² Although white mountain politicians objected to the Bureau's role in aiding the blacks, they had no reservations about using it to aid whites. State Senator Gash wrote Governor Worth that Transylvania

³⁰ Report of operations of Freedmen's Bureau in the District of West North Carolina since the Surrender to December 31, 1865 (National Archives Microfilm Publication M843, roll 23).

³¹ Semi-Monthly Report of the Western District, December 30, 1865 (National Archives Microfilm Publication M843, roll 23).

³² Clinton A. Cilley to Lt. Beecher, March 8, 1866 (National Archives Microfilm Publication M843, roll 7).

and Henderson counties desperately needed bread. Henderson County alone, wrote Gash, had two hundred and nine destitute families with little to show for their hard work. He hoped that some source of relief could be found for these struggling mountain residents.³³ Towards the end of 1866, state lawmakers passed a resolution requesting Bureau rations for poor whites and blacks in North Carolina.³⁴

The Bureau's change in focus forced African Americans to take labor matters firmly into their own hands. Without the capital necessary to purchase their own land, blacks would remain laborers on white-owned land. Consequently, they attempted to obtain the best possible terms of labor they could. A large number turned to sharecropping, which granted them a piece of land to farm temporarily for a predetermined percentage of the yield. Throughout the South, African Americans favored sharecropping over cash wages because it afforded more freedom from white control. Black heads of household received more control over their families. Under the share system, black women, often exploited under slavery, escaped the direct supervision of white men. Also the economic need for the entire family's labor and the subsequent higher earnings helped black parents ward off attempts to apprentice their children. Economic benefits complemented these personal gains. Sharecropping furnished more incentive to work due to the individual responsibility of the hired hand for their

³³ L.S. Gash to Jonathan Worth, May 5, 1866 (National Archives Microfilm Publication M843, roll 7); and Hamilton, ed., *The Correspondence of Jonathan Worth*, I, 596.

³⁴ Otto H. Olsen and Ellen Z. McGrew, eds. "Prelude to Reconstruction: The Correspondence of State Senator Leander Sams Gash, 1866-1867, Part II," *North Carolina Historical Review* 60, no. 2, (April 1983): 233; and Cilley to Lt. Beecher, March 8, 1866 (National Archives Microfilm Publication M843, roll 7). Bureau aid for destitute whites was not isolated to western North Carolina. It most likely happened throughout Southern Appalachia. In northern Alabama, for example, more than two-thirds of the rations issued for 1866 went to destitute whites. See Bentley, *A History of the Freedmen's Bureau*, 140.

production. Gang laborers shared the risks of production as well as the fruits of their labor. More agriculturally skilled workers received no more compensation than their unskilled counterparts did when toiling in large groups. With sharecropping, skilled blacks benefited from undivided income.³⁵

Gains from sharecropping masked its negative aspects. All freedmen in the wake of emancipation desired independence from white domination. Landownership was the surest means to achieve that autonomy, but the African Americans' lack of capital and white landholders' opposition prevented blacks from becoming independent yeomen farmers. Sharecropping, like slavery, also divorced the freedpeople from the land. Despite their labor, the land typically remained the property of whites. Across the South, sharecropping weakened the black community's cohesiveness. With the rise of the family as the basic economic unit under sharecropping, blacks became more dependent on churches, schools, and other institutions to hold the community together. Emancipation also marked the loss of several customary privileges. Garden patches and the provision of subsistence goods ended with slavery. For the former slaves, this was a violation of their rights; they were entitled to these goods as laborers. Yet as

³⁵ Roger L. Ransom and Richard Sutch, *One Kind of Freedom: The Economic Consequences of Emancipation* (London: Cambridge University Press, 1977), 95; Foner, *Reconstruction*, 86; Eric Foner, *Nothing But Freedom: Emancipation and Its Legacy* (Baton Rouge: Louisiana State University Press, 1983), 45; and Scott, "Child Apprenticeship and the Freedmen's Bureau in North Carolina," 105.

sharecroppers, the African Americans were now free laborers entitled to nothing but the right to sell their labor.³⁶

Antebellum sharecropping practices complicated white western North Carolinians' approval of this labor alternative for blacks. Before the war, many landless upland whites worked for wealthy slaveholders in exchange for crop shares. Wealthy landowners and prosperous yeomen often relied upon white laborers to supplement the smaller slave labor force in the mountains. Because cash was scarce in the region, paying these supplemental hands in crop shares seemed a logical alternative. An average prewar white sharecropper in western North Carolina worked a one-year term and received two-thirds of the harvested crop. Tenants favored sharecropping because it allowed a lifestyle similar to the vast majority of mountain yeomen and non-plantation farmers in the South. Both yeomen and sharecroppers cultivated small tracts of land for domestic needs, raised livestock, and acquired additional income through hunting and fishing. Landowners regulated the crops they grew and the land they farmed. Still the white sharecroppers achieved an economic, if not social, position of equality with their yeomen neighbors.

³⁶ Foner, *Reconstruction*, 405-6; and Foner, *Nothing But Freedom*, 44-5, 55-8. Although the African American mountain community also fractured following emancipation, their scattered settlements probably lessened the impact somewhat. Western North Carolina lacked the large plantations concentrated large numbers of African Americans together. Hence, social institutions probably played a critical role in giving black mountaineers' social cohesiveness.

Mountain landowners recognized sharecropping as an efficient and profitable practice before the war, and had little reason to doubt the system after the war.³⁷

Despite their antebellum experience and success with sharecropping, white mountain landlords withheld the system from their former slaves. Determined African Americans, however, dug in their heels. According to the Freedmen's Bureau, African Americans in western North Carolina signed more contracts following the war's end than in other regions. By the end of 1865, however, Bureau agents reported that an increasing number of freedmen refused to hire on any basis but shares.³⁸ Cash wages, as opposed to shares, gave mountain landowners more control over their black workers. If a worker failed to produce to the white landlord's satisfaction, the wage could be reduced or withheld. Worse yet they could be evicted with nowhere else to go. Sharecropping placed the incentive to work on the African American laborers. Western North Carolina landlords hesitated to extend sharecropping to freedmen because most white mountaineers, like the majority of southern whites, believed African Americans should remain subservient laborers. Sharecropping allotted them too much independence. Southern whites believed that blacks were inherently lazy, and that extending them

³⁷ H. Tyler Blethen and Curtis W. Wood, "The Pioneer Experience to 1851," in *The History of Jackson County*, ed. Max R. Williams (Sylva: Jackson County Historical Association, 1987), 84-6; and Charles C. Bolton, *Poor Whites of the Antebellum South: Tenants and Laborers in Central North Carolina and Northeast Mississippi* (Durham: Duke University Press, 1994), 17-8, 37-8. Although Bolton drew his conclusions from the central Piedmont, that region's demographic similarity to western North Carolina suggests that his conclusions are also applicable to the mountain counties.

³⁸ Semi-Monthly Report Western District, Morganton Station, December 15, 1865 (National Archives Microfilm Publication M843, roll 23); Semi-Monthly Report Western District, Morganton Station, December 30, 1865 (National Archives Microfilm Publication M843, roll 23); Semi-Monthly Report Western District, Morganton Station, January 30, 1866 (National Archives Microfilm Publication M843, roll 23); and Semi-Monthly Report Western District, Morganton Station, March 15, 1866 (National Archives Microfilm Publication M843, roll 23).

autonomy over the pace of work and the production of the crop would be disastrous. Grand juries in Transylvania and Buncombe counties demanded that the state government "compel [African Americans] to become useful to themselves and the white race in their proper sphere as laborers."³⁹ James Gwyn felt so certain emancipated blacks would not work that he predicted that "in a few years they will be perishing" and "in 20 years the race will almost be extinct."⁴⁰

Lower class white western North Carolinians probably disliked more intensely the level of equality that sharecropping bestowed on freedmen. Antebellum white sharecroppers held a social position on the fringes of Appalachian North Carolina's large white yeomanry. Sharecropping equally allowed blacks to rise from a subservient laborer status to a material position comparable to the vast majority of whites following the war. Despite not owning their land, freedmen farmed small tracts of land, tended livestock, and controlled the labor of their families like the bulk of the white mountain population. Ransom and Sutch noted such a tension in nonslaveholding whites throughout the South. Nonslaveholding whites defended slavery because it granted them a higher position in southern society. The similarity of their postwar condition to the freedmen startled them, and helped transform their proslavery attitudes into open hostility toward the African American community.⁴¹

³⁹ Quoted in Alexander, *North Carolina Faces the Freedmen*, 44.

⁴⁰ Diary Entry, July 31, 1865, James Gwyn Papers, SHC.

⁴¹ Ransom and Sutch, *One Kind of Freedom*, 105.

Freedmen's cravings for increased independence fostered a compromise with large landowners' labor needs in western North Carolina and the South. The former slaveowners resented the loss of their traditional control over their black work force. But, as Roger Ransom and Richard Sutch point out, landlords acquiesced to sharecropping as a way to recover their wartime economic losses. Landlords appreciated that sharecropping made workers personally responsible for the well being of the crop, reduced the number of black laborers who absconded before harvest, and spread the economic uncertainty evenly between workers and landlord in case of a poor crop. During a time of economic duress, the shared risk inherent in sharecropping eased the financial burden on the landowners.⁴²

The large pool of white laborers to supplement the black work force, however, slowed western North Carolina's transition to shares. James Gwyn paid his black hands cash wages during the first year after the war. In his contract with the freedmen Henderson and Byram for 1866, Gwyn hired one of the men's sons for the year at fifty dollars. He also enlisted Henderson to tend his hogs for twenty-five dollars and perform odd jobs for fifty cents a day. While Gwyn paid his employees in cash, they gave him six hundred twenty-five bushels of corn as rent. Contracts between Gwyn and Payton and Bart (both blacks) for 1866 paid each a monthly wage in either cash or provisions according to their preference.⁴³

⁴² Ransom and Sutch, *One Kind of Freedom*, 94-7.

⁴³ Labor agreement between James Gwyn and Byram and Henderson, December 13, 1865; and Labor agreement between James Gwyn and Payton and Bart, January 19, 1865, James Gwyn Papers, SHC.

By 1867, landlords could no longer resist blacks' demands for sharecropping. Landlords who had avoided granting shares, such as James Gwyn, either complied or risked losing their laborers. White labor likely proved unreliable. Pro-slavery rhetoric often criticized wage laborers, labeling it a condition worse than slavery. Hence, suffering yeomen often resisted becoming full-time wage laborers. Poor white mountaineers probably shared such notions. The dwindling prospect for white labor forced mountain landlords to yield. Gwyn's hands Payton and Bart rented roughly twenty acres of land from their landlord that year in exchange for one third of the crop. On a second parcel the pair received half the corn produced. Although Henderson continued to sow wheat for a cash wage, his supervision of the livestock was paid in a share of the meat. Instead of owing a set amount of corn as rent, the agreement obligated Byram to pay Gwyn half his crop, half the molasses he produced, as well as twelve and a half barrels of corn in return for the right to sell melons at market. Despite the transition to shares, Gwyn maintained control through the contracts. Each arrangement set specific purposes for the land cultivated by the black workers and required that they labor faithfully for the Gwyn family.⁴⁴

Their struggle to overcome white control over their labor convinced black North Carolinians that conciliation had failed. A second freedmen's convention in the state capital, this time with a larger mountain contingent, took on a decidedly more political tone. Deteriorating conditions in the west brought delegates from eight mountain

⁴⁴ Labor agreement between James Gwyn and Payton and Bart, 1867; Labor agreement between James Gwyn and Henderson, January 9, 1867; and Labor agreement between James Gwyn and Byram, 1867, James Gwyn Papers, SHC.

counties to Raleigh, some of which held positions of influence in the assembly. Reverend Vinson Mickeral of Rutherford County, for example, served on the powerful Business Committee that performed the bulk of the convention's work. On the convention's final day, the Business Committee released a report that revealed black North Carolinians' change in policy. The report praised the Radical Republicans, the extension of the Freedmen's Bureau, the Civil Rights Act, and the proposed Fourteenth Amendment (promising every American citizen equal protection before the law). More forceful acts replaced conciliatory commitments to hard work and peaceful relations with white neighbors. Statewide organization was recognized as a vital step forward. Each county's delegate was to return home and form auxiliary leagues for the defense of African Americans. Representatives also proposed that freedmen only patronize those businesses owned by other blacks.⁴⁵

Both freedmen's conventions emphasized education as a safeguard of legal, political, and economic rights. Just as they fought to secure better labor conditions, African Americans strove to educate themselves. A majority of white North Carolinians tolerated black education; however, they differed in their view of its goals. Southern whites believed the establishment of a law abiding and industrious black labor force to be the goal of freedmen's education. Black education, they argued, should not be designed

⁴⁵Alexander, *North Carolina Faces the Freedmen*, 81, 85, 88-90, 92; Foner, *Reconstruction*, 118; and *Minutes of the Freedmen's Convention, Held in the City of Raleigh, on the 2nd, 3rd, 4th and 5th of October, 1866* (Raleigh: Standard Book and Job Office, 1866), 7-8, 14-5, 18. Black mountaineers from Burke, Buncombe, Caldwell, Haywood, Henderson, Polk, Rutherford, and Wilkes counties attended this convention as opposed to the previous meeting in 1865 attended only by Rutherford. The convention also heard testimony on the relationship between blacks and whites, including the shooting of two freedmen described by the Burke County delegate.

to attempt creating a level of equality between the races. Whites especially dreaded northern instructors whose teachings of social equality might lead blacks to reject their social "place" as menial laborers. Although most white North Carolinians grudgingly accepted black education, their united opposition to integrated schools for whites and blacks led them to extreme measures. In March 1866, the state legislature abolished North Carolina's public school system on the grounds that no money remained in the Literary Fund, which with local taxes previously funded schools. But racial concerns also played a role in their decision. The passage of the Bureau extension bill and Civil Rights Act over the president's veto, convinced Conservatives that the Radical Republicans might soon require state funding for black education. North Carolina's legislature circumvented such a possibility by abolishing their common school system.⁴⁶

Some native white mountaineers shared similar concerns regarding black education. A Burke county woman voiced her apprehension that education fostered equality. She feared that schools in her own county would teach African Americans that they were equal to whites, as had the freedmen's school in Greensboro. More importantly, she feared that educated blacks would reject their laborer status. To impose their ideals of freedmen's education on teachers in black schools, mountaineers relied upon social ostracism. Usually utilized to drive out northern teachers, social isolation could also be used against local whites. When Elouisa Pearson took charge of a freedmen's school in Morganton, the bulk of the local community, including her own

⁴⁶ Walker, "Blacks in North Carolina During Reconstruction," 78, 94-5; Roberta Sue Alexander, "Hostility and Hope: Black Education in North Carolina During Presidential Reconstruction, 1865-1867," *North Carolina Historical Review* 53, no. 2 (April 1976): 113-8, 121-2; Williams, ed., *Papers of William A. Graham*, VII, 10-1; and Foner, *Reconstruction*, 207-8.

family, scorned her. Reflecting southerners' dread of black men's sexuality, M.C. Avery predicted that Miss Pearson's "zeal will cool off considerably" once she found herself surrounded in a small room by fifty black men at night. If not, then perhaps her community could convince her to abandon her current course through isolation.⁴⁷

Some aggressive white opponents of black education resorted to violence to forestall efforts to teach the former slaves. One northern teacher, Thomas Barton, received numerous threats since June 1866 for his work at the King Creek School in Caldwell County. After ignoring the warnings to stop teaching, three armed men attacked Barton in early 1867. They dragged him from his house into the woods where they accosted him: "You God Damned Yankee nigger school teacher, we have got you now and will blow your damn Yankee brains out...The niggers were bad enough before you came, but since you have been teaching them they know too much and are a damn site worse." Barton's assailants ultimately robbed and beat him, leaving him battered and alone in the woods to reconsider his work.⁴⁸

These obstacles failed to dull freedmen's desire for learning. Black mountaineers continued organizing schools wherever they could, whether in private homes or public buildings. During its 1866-1867 session, the state legislature retreated slightly. After the previous legislature dissolved the state education system, the new group of legislators granted larger towns state funds and the revenue from a poll tax on all adult white males to create public schools for white children. Although they did little for the creation of

⁴⁷ M.C. Avery to Mrs. R.L. Patterson, February 21, 1866, Jones and Patterson Family Papers, SHC; and Alexander, "Hostility and Hope," 115, 119.

⁴⁸ Bogue, "Violence and Oppression in North Carolina," 128.

black public schools, state lawmakers allowed African Americans to create their own privately funded schools.⁴⁹ With the aid of northern charitable organizations, northern teachers, and a few local residents, the freedpeople pursued education in western North Carolina. Fundraisers of various types held by the freedmen earned money to purchase supplies and hire teachers. For instance, blacks in Morganton organized a dinner in February 1866 to raise money for books and school supplies.⁵⁰

Wherever possible, the Freedmen's Bureau assisted freedmen's educational efforts in the first year of their freedom. Although empowered to aid the freedmen by Congress, the law creating the Bureau did not include the promotion of education as one of the objectives. Still the Bureau recognized education of the former slaves as a vital part of its mission, and found ways to overcome its budgetary and legal limits. Bureau officials permitted African Americans to use buildings under their jurisdiction rent-free. Perhaps the most important role the Bureau played in the beginning was the coordination of northern aid associations. These charitable organizations contributed funds and teachers, but without coordination often found blindly competed against one another. The Bureau coordinated their efforts and also provided low cost transportation for northern teachers. After the passage of the Bureau extension bill, the Freedmen's Bureau received official permission and funding to assist African American education. It supported day, evening, Sunday, mechanical arts, colleges, and other schools across the

⁴⁹ Walker, "Blacks in North Carolina During Reconstruction", 97-8, 101-2; and Alexander, "Hostility and Hope," 122.

⁵⁰ M.C. Avery to Mrs. R.L. Patterson, February 21, 1866, Jones and Patterson Family Papers, SHC; and Alexander, "Hostility and Hope," 123-4.

state. Freedmen also received assistance building schoolhouses. Typically, African Americans would commence construction of a school, while the Bureau completed the building when their funds ran out. With the schoolhouses completed, actual operation of the school fell upon teachers and the African American community itself.⁵¹

As a distinct numerical minority in the region, black mountaineers could not threaten white political superiority. Mountain blacks, consequently, had to find other ways to exert their freedom following the war. Whites attempted to preserve the antebellum status quo. In their mind, blacks belonged as laborers under white supervision. African Americans worked hard to overcome whites' prejudice. Their first tactic, conciliation, sought to earn whites trust and subsequent support for civil rights. Many mountain whites' failure to pay labor contracts as they expired in December 1865 convinced many mountain freedmen that their white employers could not be trusted. For the first part year after the war, the federal Freedmen's Bureau worked to insure that African American highlanders received their payments. But after Andrew Johnson declared war on the Bureau as part of his struggle with Congress over Reconstruction leadership, the freedpeople changed their strategy. Recognizing white stubbornness, blacks forced the issue. Their refusal to work on any terms but shares forced mountain whites to concede in spite of their misgivings. By asserting their rights and fighting for their interests, African American mountaineers played a pivotal role in the region's transition from a slave to a free society.

⁵¹ Randall M. Miller, "The Freedmen's Bureau and Reconstruction: An Overview," in *The Freedmen's Bureau and Reconstruction: Reconsiderations*, eds. Cimbala and Miller, xxvii; and Bentley, *A History of the Freedmen's Bureau*, 171-2.

CONCLUSION

While not entirely incorrect, it is far too easy to simply dismiss Presidential Reconstruction as a total failure. Former mountain slaveholders regained political power thanks to Andrew Johnson's conciliatory policy, a legal campaign suppressing their anti-Confederate challengers, and guide them into a free labor society. Mountain blacks fared little better than the anti-Confederates. The conservative nature of federal policy limited the Freedmen's Bureau's ability to protect the freedmen. It also forestalled any efforts to assist the freedpeople purchase land, which would have guaranteed their independence from white control. In these ways, Presidential Reconstruction failed to make any lasting change in the South. For these reasons, revisionist historians condemned Reconstruction as a failure. But to simply reject the progress made in southern locales, such as western North Carolina, would be a mistake. Although real social change would have to await Radical Reconstruction, the immediate postwar years set the foundation for the mountain counties' transformation from a slave to a free society.

Although the appointment of the state's leading peace advocate, William W. Holden, as provisional governor briefly shifted the balance of power towards the anti-Confederates, the change proved fleeting. Despite the poorer white anti-Confederates' hopes that Holden would appoint them to local office, they failed to capture local political control. The internal conflict between upper class and lower class anti-

Confederates forced Holden to assume a moderate course as provisional governor. Yet, Holden's moderation also opened the door for the former slaveholders to regain their local dominance. Jonathan Worth's 1865 gubernatorial victory restored the Conservatives, bound by class interests with the remnants of the Democratic party, to power. Soon after their party regained control, mountain Conservatives turned against the anti-Confederates, whose resistance to the Confederacy Conservatives perceived as a symbol of their poor character. Conservative dominated county courts repeatedly convicted mountain Unionists of wartime offenses, for which similar Confederate offenders went unpunished. Ultimately class interests proved too powerful for moderate wealthy anti-Confederates, who broke away from the coalition during the campaign over the Fourteenth Amendment.

Although race failed to unite white mountaineers politically, both anti-Confederates and Conservatives opposed a massive redefinition of African Americans' social status in Appalachian North Carolina. Most white mountaineers felt that the freedpeople should remain subservient laborers. A few even resorted to violence in order to preserve their racial dominance. Still the black minority played an active role in Presidential Reconstruction. Understanding freedom to mean a complete escape from white domination, mountain whites sought to establish their individual and community autonomy. At first their minority status led them on a cautious path. The freedpeople recognized their white neighbors' raw nerves in the wake of southern defeat, and sought to assuage whites' post emancipation fears. When confronted by large-scale white resistance, however, western Carolina blacks, like most southern African Americans,

pursued a more radical course. Several mountain counties participated in the 1866 state freedmen's convention that witnessed blacks called for political rights, improved labor relations, and education. For most black mountaineers, labor was the key issue. After freely signing labor contracts following the war, black highlanders resisted similar agreements in 1866. Since most freedpeople could not purchase their own land, their refusal to sign only for shares. Despite keeping freedpeople detached from the land, it at least provided the former slaves control over their families and labor. Their persistent desire for shares ultimately forced recalcitrant white landowners to concede sharecropping's increased autonomy to their African American workers.

Often condemned as ineffective or partisan, the Freedmen's Bureau was neither in western North Carolina. Bureau agents varied in energy, skill, and commitment to their duty across the South, but western North Carolina agents appear to have used their broad judiciary powers effectively. Although national and local obstacles limited their authority, western North Carolina Bureau agents' mediation of labor contracts, settlement of wage disputes, regulation of apprenticing practices, and assistance with black schools earned African Americans' trust. Various national and local challenges to their authority, however, forced Bureau officials to accept many anti-black practices and devote relief efforts towards white mountaineers.

Presidential Reconstruction ended throughout the South in March 1867. The Republicans' Reconstruction Acts restored military government over the former Confederacy, and initiated an alliance between the Unionists and freedmen. On March 27, 1867, African Americans and white Unionists gathered in Raleigh at the behest of

William W. Holden. Having accepted black suffrage and congressional leadership of reconstruction, Holden sought to amalgamate these groups into a new political party. An all white anti-Confederate coalition had failed; the Unionists needed the blacks' political support. Native white Unionists believed that the aid of the black population would garner enough votes to win control of the state. Upon their adjournment the following day, the Republican party of North Carolina was born.¹

Congressional control over Reconstruction reinvigorated federal officials in the South. For the Freedmen's Bureau, the change was dramatic. Previously unable to fill their posts and execute their decisions, the Bureau came back strong. Just weeks after assuming the Asheville post, civilian Oscar Eastmond overturned an assault and battery conviction against a freedman named Carney Spears. Conservative judge Augustus Merrimon ordered Spears to pay court costs or go to jail. When the freedman proved unable to pay, a local Conservative paid the African American's fines in exchange for his bound labor. Since North Carolina disallowed the testimony of African Americans against whites, the court forbid Spears to speak on his own defense. The Bureau, however, could hear freedpeople's testimony. In this instance, Spears's testimony convinced the agent to reverse the decision and release him from the labor bond.²

¹ Gordon B. McKinney, *Southern Mountain Republicans: Politics and the Appalachian Community, 1865-1900* (Chapel Hill: The University of North Carolina Press, 1978; reprint, Knoxville: The University of Tennessee Press, 1998), 45; Otto H. Olsen, ed., *Reconstruction and Redemption in the South* (Baton Rouge: Louisiana State University Press), 164.

² Elizabeth Gregory McPherson, "Letters from North Carolina to Andrew Johnson," *The North Carolina Historical Review* 28, no. 4 (October 1951): 511-6.

A stronger military presence in the mountains underscored the Bureau's renaissance. During Presidential Reconstruction, the military had limited influence due to the large territory to be patrolled and the poor transportation routes. Congressional Reconstruction granted the military authority over the state civil government, which they exercised freely in western North Carolina. Military officials made their presence known through the removal of "disloyal" officials, such as solicitor David Coleman whose prosecution of Daniel Case and others during Presidential Reconstruction had outraged Unionists. Eleven counties filed complaints against Coleman for only prosecuting Unionists. In his defense, the solicitor argued that, as a prosecuting attorney, he must exercise his own judgment free from outside influence. No one, Coleman asserted due to the divisiveness of the war, could have satisfied the entire populace. Despite his belief that he was the victim of partisanship, military officials removed Coleman from office the following spring.³

The strong federal presence paved the way for Republican electoral success. After the anti-Confederates' defeat two years earlier, the Republicans garnered strength in 1868. Republicans across the state rallied around William Holden for governor and a new constitution produced by a Republican dominated convention. In an effort to bolster mountain Republican support, the state executive committee selected prominent Burke

³ Samuel J. Tracy to Major General Daniel Sickles, August 29, 1867, Letters Received; Records of the Second Military District and Department of the South, Record Group 393; National Archives Building, Washington, DC; Mitchell County Petition, September 18, 1867, Letters Received; RG 393; NAB; Henderson County Petition, September 18, 1867, Letters Received; RG 393; NAB; David Coleman to Lt. Price, October 27, 1867, Letters Received; RG 393; NAB; David Coleman to E.H. Ludington, February 17, 1868, Letters Received; RG 393; NAB; Bvt. Col. E.W. Dennis to Louis Caziarc, March 30, 1868, Letters Received; RG 393; NAB.

County Unionist Tod R. Caldwell as the party's candidate for Lieutenant Governor. Still seeking the political power that eluded them in Presidential Reconstruction, mountain Republicans supported the ticket and constitution. Holden's victory seemed to answer the prayers of mountain Unionists. And black mountaineers contributed to that victory. In Buncombe, McDowell, and Burke counties, black voters swung the election in Holden's favor. Without that support, Holden likely would have lost the mountains.⁴

Presidential Reconstruction laid the groundwork for the changes wrought by Radical Reconstruction. The divisions between whites, facilitated by Confederate central policies during the war, continued into the Reconstruction period. Lower class whites joined the anti-Confederate coalition against the former slaveholder-dominated Conservatives. Although the Conservatives defeated their lower class challengers, the bitterness created by the struggle convinced the remaining anti-Confederates to unite with the mountain freedpeople. The freedpeople themselves had their own agenda during Presidential Reconstruction. Seeking independence from white domination, black mountaineers were frustrated by strong white opposition. Mountain whites, like southern whites elsewhere, opposed their former slaves' elevation beyond menial laborers. In the end, African Americans forced a compromise with white mountain landowners. Their refusal to work on any terms but shares gained them sharecropping. A desire to secure their full rights as citizens made an alliance with the lower class Unionists in the mountains attractive. And although the Conservatives would eventually thwart Radical

⁴ McKinney, *Southern Mountain Republicans*, 46; and *North Carolina Daily Standard*, November 25, 1868, pg. 2.

Reconstruction as well, African Americans had become active participants in postwar western North Carolina. Such gains would never have been possible without the Presidential Reconstruction experience.

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