WAR WITHIN THE STATES:
LOYALTY, DISSENT, AND CONFLICT IN SOUTHERN PIEDMONT COMMUNITIES, 1860-1876

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A dissertation submitted to the faculty at the University of North Carolina at Chapel Hill in partial fulfillment of the requirements for the degree of Doctor of Philosophy in the Department of History in the School of Arts and Sciences.

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ABSTRACT

Adam Hendricks Domby: War Within the States:
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Although the American Civil War is often thought of as a sectional contest, southerners not only fought against northern troops. Southerners also clashed with their neighbors, leaving a divided postwar South. The social networks of countless southerners were ripped asunder and reformed during the war. Wartime loyalties, divisions, conflict, and a legacy of dissent continued to influence southern communities throughout Reconstruction. This dissertation examines how internal conflicts between neighbors reshaped the wartime South and left lasting divisions into Reconstruction.

This dissertation considers dissent and internal division in the three piedmont communities centered in Forsyth County, North Carolina; Loudoun County, Virginia; and Floyd County, Georgia. All three counties experienced intra-community conflict, neighborly violence, and anti-Confederate dissent, which continued to shape postwar society in ways scholars have largely overlooked. The multidimensional loyalties and wartime experiences of dissenters in different localities led to unique divisions within each shattered community. During Reconstruction, however, the divisions left by neighborly conflict continued to influence communities in similar ways across the South.

In each community, in-fighting among neighbors created fissures along lines far more complex than Unionist against Confederate. These divisions continued to shape postwar society in previously unrecognized ways. This "war *within* the states," driven by the complex loyalties of

dissenters, continued to be fought in churches, court cases, politics, business, efforts at disfranchisement, and, at times, in the streets.

Utilizing both Historical Geographic Information Systems (HGIS) and social network mapping, this dissertation provides new insights into our understanding of Civil War-era society. Reconstruction conflict was often rooted in the social fragmentation of war. Within many southern neighborhoods, the reordering of social structures was hampered by intra-community conflict far more than by sectional divisions. Indeed, much of the conflict during Reconstruction was a manifestation of the struggle by southerners to settle scores as they restructured communities that had been severely disordered by the war's disruption of social networks.

To my parents.

ACKNOWLEDGEMENTS

There are too many people who contributed in some way to thank all of them, but some deserve special note. To start, I wish to thank the Virginia Historical Society, UNC's Faherty Fund, UNC's History Department, the Center for the Study of the American South, UNC Carolina Digital Library and Archives, and the Andrew W. Mellon Foundation for funding my research and graduate education. Additionally, I must thank the National Humanities Center for providing additional income while I was in graduate school. Numerous organizations put on conferences that provided me opportunities to test my ideas and arguments along the way, among them the Filson Historical Society, the Historical Society of North Carolina, and the North Carolina's Civil War Sesquicentennial Committee.

While countless archivists helped me in the many archives I used, a few bear special note: Richard Starbuck at the Moravian Collection, Frances Pollard at the Virginia Historical Collection, and Matt Turi and Laura Brown at the Southern Historical Collection. Mary Larson provided me a photo of Calvin Dial. John Souder not only provided me access to the documents he has collected at the Waterford Foundation Archives, but he also graciously took me on a tour of Waterford and answered any questions I had about Loudoun County. He is as great a gentleman as he is a scholar.

Numerous professors have also read parts of this dissertation, but first and foremost my advisers, W. Fitzhugh Brundage and Joseph Glatthaar, deserve note. Rarely do graduate students enjoy working with one adviser as greatly as I enjoyed working with both of them. The opportunities and feedback given me by Fitz and Joe made this dissertation possible. The rest of

my committee similarly provided important feedback crucial in shaping my understanding of the past. William Barney's expertise and expansive knowledge made this project far more interesting. Malinda Maynor Lowery's insights and the training in Native American history she provided helped shaped my conceptions of loyalty and identity. Though in another time zone, Victoria Bynum provided amazing feedback, and I look forward to meeting her in person someday soon. Other professors who helped shape my dissertation included Wayne Lee, John Chasteen, and Heather Williams.

Maia Call was an able research assistant who helped me examine statistically and spatially the soldiers from Forsyth County. Rarely, does a graduate student get to work with such a hardworking undergraduate (and now graduate) student outside of class. I look forward to seeing what she does in the future. I could not have attempted the creation of a database without Julia Jennings, who has proved to be as good a friend as she is a colleague. Rebecca Dobbs taught me to create maps. Doreen Thierauf saved me a trip by checking some documents for me. Alex Remington and Anne and Tomek Kott ensured I always had a comfortable bed whenever visiting Washington, D.C., while Meggie Greene and Jen Chiu kept me from being homeless in Philadelphia. Not only did my friends provide me a place to sleep, but their support and friendship also made research trips seem more like vacation than work.

I would never have gone to graduate school without the encouragement of David Blight, K. David Jackson, and Aaron Sachs. Many others inspired me over the years to pursue history, including, but not limited to, David Millians, Peter Richards, Donna Ellwood, and Tom Pierce.

Among the numerous people who have commented on my dissertation, I have received excellent feedback from Barton Myers, David Silkanet, Hilary Green, and Mark Bradley. Keith Bohannon shared his own research with me and directed me to numerous documents that proved

crucial for my study of Floyd County. David Williard shared his research on R.E. Wilson and Forsyth County. Wilbur Burt, Mary Larson, Margaret Neel, Joan Murray, Larry LaCorte, and Lee Sherrill all aided me in my research in various ways as well.

One doesn't make it through graduate school alone. Many classmates have read chapters of my dissertation at various times and all of them deserve credit. My graduate school cohort likely dread the name Dial as much as Forsyth residents did due to all they had to hear about my research in class. But their patience and feedback ensured the project grew into something far larger than I ever imagined. Liz Lundeen, John "Rocky" Rhodes, Cheryl Dong, and Sara Bush all read early pieces of writing from my research. Pearl Young, Anne Thayne Kott, and Paris Ward copy edited chapters. Julie Ault, Laura Brade, Erin Corrales-Diaz, Leslie Hempson, Josh Lynn, Brittany Lehman, Warren Milteer, Ryan Peaks, and Alex Ruble not only read chapters, visited archives with me, and helped me hash out ideas, but as some of my closest friends for the past five years, they also provided many hours of laughter and happiness outside of my work. I only hope my contributions to their work were half as helpful as they were to mine. Numerous others deserve thanks, but for brevity I will list their names, as they know what they did: Wynne Beers, Eric Burke, Brad Proctor, Meg Martin, Ashley Mays, Karen Patterson, Tera Crews, Denise Levitan, Natasha Smith, Linus Brundage, Chris Cameron, Leonard Lanier, Tommy Sheppard, and countless others who contributed in some way to my research and my graduate school experience. Of all my friends who read pieces of my dissertation, though, I must thank above all others Lauren Simpson. Lauren read every chapter and ensured my prose was polished and intelligible. Any grammatical mistakes in this text are likely a product of me ignoring her advice, and I look forward to reading more of her writing in the future.

Writing a dissertation not only requires aid in research and writing but also assistance in keeping the writer happy and productive. The many bike rides with Scott Krause, Bryan Ward, and my other cycling friends kept me sane. Thanks for making sure I didn't forget to exercise, letting me draft, and not dropping me too often. And I must thank David Hamilton, who started as my roommate but became one of my best friends. He gave me a social circle I might never have met otherwise. He ensured I never took myself too seriously and that I took breaks to enjoy the little things in life, such as late-night chicken nuggets, *Star Trek*, dioxygen difluoride, chess, and porch time.

The history department staff, especially Joyce Loftin, Renee Mcintire, Adam Kent, Violet Anderson, and Diana Chase, helped me navigate the bureaucracy at UNC. Joy Jones deserves special thanks for going beyond the call of duty repeatedly to ensure I never forgot a form.

Family makes a huge difference in graduate school and life. Though only one of my grandparents remains alive to read my dissertation, I would not be here without them, and I hope this makes all of them proud. My aunts and uncles, Mark, Gayle, Michael, Margy, and Mya, were all gracious hosts for me when I traveled to do research. Mark, Chester, and Jeff ensured I took a break every year to go backpacking, even if only for a few days. Their willingness to accommodate my scheduled ensured I was able to hike with them, even when "my life" got in the way of trips. To my sisters, Emma and Sarah, who grew up getting dragged along to historic sites that they always found boring, thanks for putting up with me. I could not ask for better sisters. I hope they read more of this dissertation than just the acknowledgments. Not everyone is lucky enough to have not one but two sisters who are smarter than them; I am. To Matthew, who came along towards the end of the process, though you cannot read this yet, I hope one day you will understand how you helped your uncle finish his dissertation: your mother swore I wouldn't

be allowed to visit you if I didn't get those last chapters written. Lexington also came along near the end, but she ensured I took occasional breaks to go on walks, throw a stick, or play in the creek. Those breaks kept me going, and her cuddles always give me a smile. And, of course, I cannot imagine finishing this without Jennifer's constant support. Whether in fair Verona or just Davis Library, we always have fun together.

Lastly, special thanks go to my parents, Alice and Art, who have always been my biggest supporters and have nurtured my love of history. They took me to battlefields, museums, and historic sites growing up, even when they found them boring. I was fortunate to have the parents I did. The list of all that they have done for me would require an entire dissertation to compile. I cannot thank them enough, which is why I dedicated this dissertation to them.

TABLE OF CONTENTS

List of Maps

List of Images

Introduction

The murder of James Flynt was anything but impersonal. Flynt, a recusant conscript—the nineteenth-century equivalent of a draft dodger—had been hiding from Confederate forces in the North Carolina Piedmont. But on March 14, 1865, a detachment of the 1st North Carolina Sharpshooters, under the personal command of Major Reuben E. Wilson, captured Flynt in Forsyth County, North Carolina and summarily executed him. The day before, the Sharpshooters had riddled with bullets the body of Jacob Loss, a free person of color. Two days after Flynt's murder, the Sharpshooters marched three white prisoners from the Forsyth County jail into the woods. On Wilson's order, the men placed their rifles against the prisoners' chests and fired, never revealing to their victims "the cause of their punishment." The Sharpshooters left the bodies along the side of the road, just north of the city of Winston, as a warning to others who failed to support the Confederacy.[1]

It is striking that of the over fifty men captured by the Sharpshooters that March, only these five were executed. At first glance, the dead—two deserters, one free person of color, and

[1] For the best accounts of these murders, see Adam Domby, "'Loyal to the Core from the First to the Last:' Remembering the Inner Civil War of Forsyth County, North Carolina, 1862-1876" (M.A., University of North Carolina at Chapel Hill, 2011), 1–7. Additionally, see David Williard, "'Vengeance Is Mine, I Will Repay': Desertion, Killing, and Judgment in North Carolina's Western Piedmont, 1865-1866," *Journal of the Civil War Era* 2, no. 1 (March 2012): 31–57. For primary sources on these killings, see Record Book, Forsyth County Superior Court, Spring Term 1866,1373-1375,1390-1406, Forsyth County Criminal Action Papers, North Carolina State Archives, North Carolina Division of Archives and History, Raleigh, NC (cited hereafter as NCDAH); William Shultz and John Nissen to Jacob Cox, May 10, 1865, in File on R.E. Wilson, M347 *Unfiled Papers and Slips Belonging in Confederate Compiled Service Records*, RG 109, NARA. accessed via *Footnote.com* (http://www.footnote.com: accessed December 2010) (cited as Misc. file henceforth); C. Daniel Crews and Lisa D Bailey, eds., *Records of the Moravians in North Carolina: 1856-1866*, vol. XII (Raleigh: Division of Archives and History, North Carolina Department of Cultural History, 2000), 6561, 6573, 6601, 6606, 6698. Julia Jones to Alexander Jones, March 19, 1865, in the Jones Family Papers #2884, Southern Historical Collection, The Wilson Library, University of North Carolina at Chapel Hill (SHC).

two recusant conscripts—lacked obvious characteristics that separated them from the many captives whom they let live. Yet, after closer scrutiny, it becomes clear these killings can best be understood in the context of an "inner war," or inner wars, that raged across the South during the Civil War. These killings were part of deeply personal conflicts between Confederates and southern dissenters during the American Civil War that divided neighborhoods and led men who knew each other intimately to kill one another.[2] Instead of isolated events, these shootings represented the culmination of a war *within* the states.

The official and personal overlapped in southern communities during the Civil War, and personal vendettas frequently spurred intra-community violence along the home front. In the case of the Sharpshooters, all of the men involved—the executioners and the executed—were from Forsyth or neighboring Yadkin County.[3] Wilson likely selected Flynt for death based on information provided by Wilson's aunt, Julia Jones, who almost assuredly informed her nephew

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[2] William T. Auman, "Neighbor Against Neighbor: The Inner Civil War in the Central Counties of Confederate North Carolina" (Ph.D., University of North Carolina at Chapel Hill, 1988). Auman's term the "inner war" proves useful in describing much of the conflict fought along the home front.

[3] A.C. Cowles to Isaac Jarrett, esq., March 24, 1865, Jarrett-Puryear Family Papers, Rare Book, Manuscript, and Special Collections Library, Duke University; Misc. file of R.E. Wilson; Compiled Service Record for Samuel Spears, of the 1st NC Sharp Shooters, in *Compiled Service Records of Confederate Soldiers Who Served in Organizations from the State of North Carolina*, National Archives Microfilm Publication M270, RG 109, National Archives and Records Administration, Washington, D.C., accessed via *Footnote.com* (http://www.footnote.com: accessed March 2010) (cited as CSR for Samuel Speers, 1st SS henceforth). Samuel Speers had previously never been identified. Documents only refer to the fifth victim as "Speers"; however, using census data and an extensive search of military records, it became clear no other Speer of Yadkin fit the bill. The 1880 Census shows his wife as a widow. Additionally, his father's will lists him as living in 1864, but the probate of the will shows him as dead in 1868. See Samuel Speers, "Will of Sam Speers" 1864 (probated 1868), filed in Yadkin County, NCDAH, Raleigh, NC. A listing of many Yadkin soldiers is in the appendix of Frances Harding Casstevens, *The Civil War and Yadkin County, North Carolina: A History: With Contemporary Photographs and Letters* (Jefferson, N.C.: McFarland & Co., Inc., Publishers, 1997). See 1860 U.S. Federal Census, Population Schedule, *Eighth Census of the United States*, National Archives Microfilm Publication M653, RG 29, National Archives and Records Administration, Washington, D.C.: accessed via *Ancestry.com* (www.ancestry.com, November 2010) (cited as 1860 Census henceforth); 1880 U.S. Federal Census, Population Schedule, *Tenth Census of the United States*, National Archives Microfilm Publication T9, RG 29, National Archives and Records Administration, Washington, D.C.: accessed via *Ancestry.com* (www.ancestry.com, November 2010) (cited as 1880 Census henceforth).

that Flynt and his family had sheltered a party of deserters that had threatened her husband. Indeed, the night before his men shot Flynt, Wilson spent the evening at the Jones' home.

Flynt's actions challenge the traditional narrative of conflict along the home front. He was not a deserter, and, in fact, he may have had an exemption from conscription.[4] Moreover, his brother and uncle were militia officers tasked with rounding up deserters. Still, Jones and her family felt the Flynts "were all disloyal," and Wilson probably acted on his aunt's views.[5] The major had personal reasons for wanting the other victims dead. One of them, Samuel Speer, had deserted from the Sharpshooters multiple times and almost certainly knew his executioners. Desertion, particularly from Wilson's own elite unit, offended Wilson's deep sense of honor and views on the proper social order. Circumstantial evidence links another victim, Samuel Kelly, to a band of Yadkin County deserters that sent death threats to Wilson's brother-in-law, a member of the Home Guard.[6]

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[4] J.C. Zimmerman to M.J. Spease, March 27, 1865, in the James C. Zimmerman Papers, Rare Book, Manuscript, and Special Collections Library, Duke University. Additionally, a letter from Julia Jones recounting all of the rumors after the shootings mentions that a Flynt "had a discharge." Unfortunately, her letter was not specific on which Flynt (Julia Jones to Alexander Jones, March 19, 1865, Jones Family Papers, SHC). Other sources confirm that Flynt was not attached to the military. For example, see Misc. file for R.E. Wilson.

[5] Julia Jones to "Jimmy," July 13, 1864; Alexander Jones to Julia Jones, March 30, 1865; Julia Jones to Alexander Jones, March 19, 1865; all of the Jones Family papers, SHC. Julia frequently wrote to her son James, a soldier under Wilson's command, about the troubles the Flynts caused. For example, "My Dear Jimmy," July 16, 1864, Jones Family Papers, SHC reports that one of the Flynts' neighbors reported a party of sixteen of them moving around in1864. The rest of the Jones Family Papers from the war years also contain periodic mentions of the Flints.

[6] CSR for Samuel Spears, 1st NC Sharp Shooters; CSR for Samuel L. Kelly, 38th NC; Auman, "Neighbor Against Neighbor," 242. Lewis Brumfield, *Wouldn't You Like to Have Known Them?* (Yadkinville, N.C.: L.S. Brumfield, 1992), 28, 31. See also Faye Jarvis Moran, "Bitting Family Tree," *The Jarvis Family & Other Relatives*, http://www.fmoran.com/bitting.html, (accessed March 2010). The band was led by a man named Sam Davis. Paulette Carter found that Samuel Davis and Samuel Kelly are first cousins once removed. Samuel Kelly's paternal grandmother was also a Davis, according to the family tree. See Paulette Carter, "Kelly Family Heritage," created by user PauletteCarter1947, accessed via *Ancestry.com* (www.ancestry.com, March 2010). The exact links between Kelly and Davis family remain to be searched. However, the 1850 census places Kelly living near a Samuel Davis (age 10). Auman found evidence of a Sam' Davis threatening Bitting, and all three (Bitting, Davis, and Kelly) have Yadkinville listed as their post office in 1860. Another victim, Huff, may also have been linked to this band. See 1850 U.S. Federal Census, Population Schedule, *Seventh Census of the United States*, National Archives Microfilm Publication M432, RG 29, National Archives and Records Administration, Washington, D.C.: accessed via *Ancestry.com* (www.ancestry.com, November 2010) (cited as 1850 Census henceforth).

The close social proximity between these and other belligerents in this war *within* the states, in which neighbors fought each other, shaped postwar society within many southern communities and undermined efforts at reconciliation throughout Reconstruction. This inner war, which pitted local Confederate authorities against deserters, draft dodgers, and other dissenters, left a legacy of division, distrust, and violence in the postwar South. Unlike the hundreds of thousands of deaths on the battlefield, these casualties were part of a conflict in which the combatants had lived next to each other, had gone to the same churches, had shared friends, or had even been friends before the war.

While historians have long recognized the personal nature of conflict along the home front, they have too often overlooked the continued import of local wartime discord when examining Reconstruction and reunion. Historians have studied the reconciliation between North and South, but how southern communities healed—or failed to heal—internally has been less central to many studies of post war sectional reconciliation and the memory of the war.[7] Historians have greatly expanded our understanding of the formation of Lost Cause mythology, ex-Confederate culture, and the historical memory of the war. But when examining the social impacts of the war, historians still have not adequately examined those enemies who had to continue interacting with one another after the war: southerners who fought other southerners. Examining specific southern communities reveals that the close spatial and social proximity

[7] For excellent examples on the divides between North and South being healed, see David W Blight, *Race and Reunion: The Civil War in American Memory* (Cambridge, Mass.: Belknap Press of Harvard University Press, 2001); Paul Herman Buck, *The Road to Reunion, 1865-1900*, 1st Vintage ed. (New York: Vintage Books, 1959); Edward J Blum, *Reforging the White Republic: Race, Religion, and American Nationalism, 1865-1898* (Baton Rouge: Louisiana State University Press, 2005). A few historians have looked at the lasting divides. For example, see Victoria E Bynum, *The Free State of Jones: Mississippi's Longest Civil War* (Chapel Hill: University of North Carolina Press, 2001); Jonathan Dean Sarris, *A Separate Civil War: Communities in Conflict in the Mountain South* (Charlottesville: University of Virginia Press, 2006); Domby, "'Loyal to the Core from the First to the Last:' Remembering the Inner Civil War of Forsyth County, North Carolina, 1862-1876"; Victoria E Bynum, *The Long Shadow of the Civil War: Southern Dissent and Its Legacies* (Chapel Hill: University of North Carolina Press, 2010).

between local enemies exacerbated the wounds left by the war within the states, resulting in protracted enmities into Reconstruction and beyond.

Additionally, conflict between white southerners during Reconstruction complicates studies of historical memory that have treated white southerners as a block in opposition to black southerners. Although David Blight's "three overall visions of Civil War memory," one for northern whites, one for southern whites, and one for African Americans, aptly describes battles of memory at the national level, at the local level, within southern communities, a more complex model of the war's legacy is necessary.[8] Indeed, some white dissenters not only became close allies and even friends with African Americans but they also opposed the rise of the Lost Cause version of the past.

Intrasectional reconciliation faced as steep challenges as intersectional reconciliation about which we know much more. In addition to a North–South divide there were also thousands of small divisions among southerners found in communities across the war-torn South. These South–South divides could not be healed at veterans' reunions celebrating soldiers' shared memories of heroics on the battlefield; the execution-style killing of deserters from one's own community or regiment hardly provided grounds for celebration. The five killings in Forsyth, for instance, led to a series of acrimonious court cases after the war, as well as fist fights on the streets of North Carolina. The most vehement proponents of disfranchisement of former Confederates were not the Radical Republicans of the North or former slaves in the South; instead, they were white dissenters who had been persecuted by their neighbors. During the constitutional conventions of 1868 and 1869, white southern Republicans specifically targeted for disfranchisement those neighbors who had persecuted dissenters during the war. Indeed,

[8] Blight, *Race and Reunion*, 2.

Reconstruction era conflicts were often manifestations of the struggle by southerners to settle wartime scores as they restructured communities that had been severely disordered, not just by emancipation, but also by the war's violence.

While North and South may have reunited politically after the war, many southern communities remained sharply divided into Reconstruction and beyond. This dissertation explores the lasting impact of Civil War intra-community conflict within three communities: Forsyth County, North Carolina; Loudoun County, Virginia; and Floyd County, Georgia (see Map #1).[9] The first half of this dissertation traces how internal conflicts between neighbors reshaped society in the wartime Confederacy, while the second half explores the Reconstruction-era legacies of wartime intra-community violence. All three counties experienced intra-community conflict and anti-Confederate dissent, which contributed to extreme divisions that continued to shape postwar society in ways scholars have largely overlooked. The multifaceted loyalties and distinct wartime experiences of dissenters in different localities led to unique divisions within each shattered community.

While the exact lines of division varied, two things remained constant across all three communities. First, the war created fissures within the communities that fell along lines far more complex than a Unionist and Confederate binary. Indeed, dividing communities into wartime factions of any sort is often impossible, as individuals straddled identities and maintained allegiances to family and friends whose political views differed. For this reason, the dissertation lays social networks over political and military allegiances when analyzing social fragmentation within communities. Second, in all three communities, the divisions that emerged during the war continued to shape postwar society in previously unrecognized ways. The war within the states,

[9] I often extend my study over county boundaries as communities and social networks are not bound by artificial lines, but the communities I study are centered in these areas.

driven by the complex loyalties of dissenters, continued to be fought in churches, court cases, politics, business, efforts at disfranchisement, and, at times, in the streets. Reconstruction conflict was often rooted in the social fragmentation the war created. Indeed, within many southern neighborhoods, the reordering of social structures was hampered by intra-community conflict far more than by sectional divisions.

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The war not only divided—it also generated new social networks based upon wartime loyalties that shaped Reconstruction violence and southern politics. To expose these networks requires a careful examination of the relationships between small groups of neighbors. Closely investigating specific communities enables the mapping of nineteenth-century social networks, which reveals some of the enduring social, political, and cultural impacts of wartime violence among neighbors (see Social Network Map #1). Southerners made alliances and enemies that defied rigid partisan labels like "uncompromising Unionist" and "die-hard Confederate." Studying a single community allows for the unearthing of detail necessary to study social networks, but also potentially limits a historian's ability to draw broader conclusions about the South as a whole. To allow the scrutiny necessary for social networks while still seeking larger conclusions, I selected three communities so that the specifics of each community could be compared to the others.

Each community, due to its geographic location and unique wartime history, provides different insights into the nature of dissent, loyalty, and conflict in the South. Forsyth County, North Carolina, deep within the Confederate lines—Union forces arrived the day after Lee surrendered—remained firmly in Confederate territory the entire war. Because of its distance from the seat of war, ambivalent Forsyth residents could avoid taking a stance on the war until

the institution of conscription in 1862. By contrast, Loudoun County, Virginia, on the banks of the Potomac, was crisscrossed by both armies; throughout the war, at least one army was never more than a county away. Loudoun's proximity to Union forces provided an easy escape for residents who were unsatisfied with the Confederacy, but it also ensured that residents could not avoid interacting with troops from both armies, forcing them to declare, repeatedly, their loyalty one way or the other. Moreover, efforts in 1861 to muster the county militia meant many Loudoun residents faced mandatory military service in the first months of the war. Finally, deep in the South, the war in Floyd County, Georgia, had three distinct phases: a Confederate period from 1861 until May 1864, Union occupation from May until November 1864, and a period of lawlessness when neither Union nor Confederate authorities were present from November 1864 until the end of the war. The absence of any authority and the presence of lawless gangs led citizens of all political persuasions to band together to protect themselves.

This local focus also allows for the use of Historic Geographic Information Systems (HGIS) to provide a spatial context for the research through mapping the communities. To study neighborly violence one must know who neighbors are. Mapping the homes of southerners also reveals spatial patterns of dissent within communities. Certain neighborhoods contained more dissenters than others—implying neighbors may have influenced one another's loyalties. Mapping the homes of individuals across the entire South would have been impossible, but by focusing on three communities, this dissertation balances the need for close study with the ability to make broader generalizations about the South as a whole.

Examining postwar conflict in these communities provides a window into the wider legacy of the war within the states that was experienced across the South. In all three localities, spatial proximity and small social distance were crucial to the lasting nature of the conflict that

characterized the war within the states. In Floyd, for example, the sometimes surprising bonds made in the face of wartime brigands shaped postwar politics, violence, and friendships, allowing a fire-eating secessionist to become a prominent Republican. In Forsyth, bitterness toward former Confederates ensured that the majority of the county voted Republican throughout Reconstruction. Meanwhile, Loudoun's antebellum social networks were torn apart as former friends and neighbors refused to associate with each other after the war. Throughout the dissertation similarities appear to show continuity across the South, while variations between communities demonstrate the diverse ways that dissent and loyalty functioned during the Civil War.

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Some Civil War histories have played down intra-community and extralegal violence, leaving an impression that they were surprisingly absent in the American Civil War, at least compared to other civil wars.[10] The ugliest topics of the Civil War have at times largely been excluded from some history books, in part due to the influence of the idealized memories of the conflict that developed during the second half of the nineteenth century.[11] Historians, however, have long worked to include the less noble side of the war. Georgia Lee Tatum's 1934 work, *Disloyalty in the Confederacy*, was the first major study to examine dissenters across the South. Conditioned by the Lost Cause movement, however, many historians of the early twentieth century had little interest in tales of dissent. While Tatum's book was often overlooked by

[10] For a variety of reasons, some have argued that the Civil War was not even a civil war. See David Armitage, "'Secession and Civil War,'" in *Secession as an International Phenomenon: From America's Civil War to Contemporary Separatist Movements*, ed. Don Harrison Doyle (Athens: University of Georgia Press, 2010), 43–46.

[11] For example, only recently have historians, such as Crystal Feimster, begun challenging the assertion that "the Civil War was a low-rape war." (Crystal Nicole Feimster, *Southern Horrors: Women and the Politics of Rape and Lynching* (Cambridge, Mass.: Harvard University Press, 2009), 20; Crystal Nicole Feimster, "General Benjamin Butler & the Threat of Sexual Violence During the American Civil War," *Daedalus* 138, no. 2 (Spring 2009): 126–34).

historians of the period, the topic has recently seen a resurgence in interest. In 1981, Phillip Paludin's microhistory, *Victims: A True Story of the Civil War*, presented a careful examination of one Appalachian community torn apart by the war. William Auman's 1988 dissertation, "Neighbor against Neighbor: The Inner Civil War in the Central Counties of Confederate North Carolina," detailed what he deemed an "inner war" within North Carolina's Piedmont.[12] The term "inner war" has proved useful in understanding a conflict that was at times truly separate from the major battles of the Civil War.

Studies continue to be published each year examining the least civil aspects of civil war, and this dissertation builds upon the works of scholars who have focused on intra-community conflict. For example, Jonathan Dean Sarris argues that "local interests dominated north Georgian's [sic] reactions to the conflict."[13] In fact, according to Sarris, both Unionists and Confederates were motivated by local factors instead of the wider war. Sarris' work joins that of other historians who have argued for acknowledging the importance of local issues on wartime loyalties.

The traditional division of southerners into Confederates versus Unionists has also increasingly been challenged. For example, Judkin Browning argues that in Eastern North Carolina, "loyalty […] was often quite fluid and driven by practicalities."[14] Browning compares shifting loyalty to the taking on and off of different masks, an apt description for dissenters across the occupied South. This dissertation contends that beneath those masks that southerners

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[12] Auman, "Neighbor Against Neighbor." For another example of a single county being examined included, see Bynum, *The Free State of Jones*.

[13] Sarris, *A Separate Civil War*, 183. For another work with interesting views on local memory of violence, see John C. Inscoe, *Race, War, and Remembrance in the Appalachian South* (Lexington: University Press of Kentucky, 2008). Inscoe looks at the Appalachian region as separate from the rest of the South.

[14] Judkin Browning, *Shifting Loyalties: The Union Occupation of Eastern North Carolina* (Chapel Hill: University of North Carolina Press, 2011), 4.

showed the world, historians can frequently find far more complicated identities. Identity was not merely an outward claim to loyalty, but also one that helped to define an individual's place in the world. When conditions shifted, individuals did not just switch masks; rather, the old ones melted as new ones were forged and renegotiated. Moreover, competing loyalties—to family, community, friends, and personal honor—frequently carried equal or greater weight than any sense of nationalism. These loyalties divided communities across far more lines than "Unionist" and "Secessionist," leading to conflicts within communities that pitted neighbors who might otherwise be expected to be allies against one another. Trying to lump residents into one of two categories—or even three (with the inclusion of a neutral camp)—too often fails to depict the reality experienced by Southerners during the Civil War. During the war within the states, there was frequently no simple way to define or delineate allegiances and loyalty. As David Brown argues, "we need to move beyond the either/or mode of thinking that categorizes southerners only as loyal or disloyal during the war."[15]

Divisions frequently formed among individuals who challenged the conventional labels of Unionist or Confederate. As Michael Fitzgerald argues, "secession and war […] created a diverse constituency of whites who thought of themselves as 'Union' men." Many self-proclaimed "Unionists" served as Confederate postmasters, worked in factories, or even hunted deserters as a means of avoiding conscription themselves. Fitzgerald further points out that these "Unionists" were not always allied with each other: "Unconditional Unionists often found the compromised 'Union' men on the other side during the war, sometimes as draft agents or local

[15] David Brown, "North Carolinian Ambivalence: Rethinking Loyalty and Disaffection in the Civil War Piedmont," in *North Carolinians in the Era of the Civil War and Reconstruction*, ed. Paul D. Escott (Chapel Hill: University of North Carolina Press, 2008), 31.

militia."[16] If left ill-defined, the label "Unionist" might include at the same time a local elite who used political connections to be appointed as a local Confederate official and the principled "Union man" who lost the very same position for refusing to take an oath to the Confederacy. The diversity of individuals who were labeled "Unionists" therefore ranged across "poles of Union sentiment, lumped together under a common name, along with every possible position in between."[17]

Because of the complexity of wartime loyalties, I use the term "dissenter" where others might use "Unionist." This word choice is intentional. "Dissenter" does not presume to define motivations. "Unionism," in contrast, implies a political motivation for the dissenter's resistance to the Confederacy. "Dissenter" encompasses anyone who actively or passively—through words, deeds, or inaction—resisted Confederate authority at any point in the war and for any reason. Dissenters included diehard Unionists who joined the Union army in 1861 and individuals who fed deserters. Between those two lay a vast assortment of individuals who also were at times dissenters. Dissenters included any who resisted Confederate authority, whether through opposing conscription, desertion, becoming a guerilla, hiding recusant conscripts, joining the Union army, fleeing to the North, simply arranging an exemption from conscription through a military contract, or aiding resisters by feeding or concealing them. Not all supported the Union, though all opposed Confederate authority in some manner. Some dissenters opposed conscription more than secession. Other supported the Union almost incidentally, a product of their shared enemy. There are limits to my definition of dissenter. Merely disagreeing with a policy of the Confederacy does not constitute dissent; acting on that disagreement does. At times the motives

[16] Michael W. Fitzgerald, *Splendid Failure: Postwar Reconstruction in the American South* (Chicago: Ivan R. Dee, 2007), 16–17.

[17] Fitzgerald, *Splendid Failure*, 17.

of an individual help determine if they fit the category of dissenter. Did a cobbler garner an exemption because he felt he served the Confederacy best by providing quality boots or did he just wish to avoid Confederate service? Often we are unable to know if an individual was a dissenter or not. Ultimately, the concept of dissent is more important than the individual labels, especially when examining divisions within communities. By expanding who we look at as historians we gain new perspectives.

If at times the term dissenter seems too broad, encompassing all but the most diehard Confederates, that is because southern society was not easily divided up into neat groupings. The wide range of individuals whom I include within my study—any whom might be considered disloyal by their neighbors—further demonstrates the complexity of loyalties within the South. Decisions regarding loyalty made by southerners rarely depended on one factor and were often open for renegotiation later. Divisions from the war within the states were not necessarily between Unionist and Confederate or even dissenter and Confederate. Instead, the fissures that divided the south were often first and foremost between individuals.

In discussing the war, I reserve the term "Unionist" for those dissenters who openly voted against secession and who continued to politically oppose the Confederacy even after secession became fact. In Forsyth, most of the dissenters examined were pushed into dissent by the actions of others, making the term Unionist inaccurate. In Loudoun, many dissenters chose to take the title Unionist themselves, although others had it forced upon them by their neighbors.

Additionally, in discussing Reconstruction (during chapters five through seven), I use the term "Unionist" to refer to the political and social identity of self-proclaimed "Unionists." Both "dissenter" and "Unionist" are nebulous terms—at least, as I use them—because loyalty and disloyalty are subjective. Indeed, in examining the impact of conflict within each community, it

becomes clear that what constituted a Unionist during Reconstruction was never fully agreed upon. Individuals frequently disagreed over who had been loyal and disloyal during the war.

Recently, scholars have begun looking at the lasting impacts of home-front struggles, a project this dissertation builds upon. Sarris, for example, finds that postwar political and social allegiances corresponded to wartime allegiances. Victoria Bynum's *The Long Shadow of the Civil War: Southern Dissent and Its Legacies* is perhaps the best study of the wide geographic scope of intra-communal violence and its lasting legacies within individual communities across the South.[18] Her examination of kinship networks and their role in dissent is extremely influential in my own work, as I expand her approach to include networks of friends, enemies, and other relationships in addition to family.[19] Both Bynum and Sarris are part of a growing

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[18] Bynum, *The Long Shadow of the Civil War*.

[19] For Forsyth area, see Auman, "Neighbor Against Neighbor"; William Auman, *Civil War in the North Carolina Quaker Belt: The Confederate Campaign Against Peace Agitators, Deserters and Draft Dodgers* (Jefferson, North Carolina: McFarland & Company, Inc., 2014); Michael Shirley, *From Congregation Town to Industrial City: Culture and Social Change in a Southern Community* (New York: New York University Press, 1994); Bynum, *The Long Shadow of the Civil War*; Casstevens, *The Civil War and Yadkin County, North Carolina*. For more on North Carolina dissent, see Barton A. Myers, "'Rebels Against a Rebellion' Southern Unionists in Secession, War and Remembrance" (Ph.D., University of Georgia, 2009); Barton A. Myers, *Rebels against the Confederacy: North Carolina's Unionists* (New York: Cambridge University Press, 2014); Browning, *Shifting Loyalties*. For information on Loudoun County, see John M. Souders and Taylor M. Chamberlin, *Between Reb and Yank: A Civil War History of Northern Loudoun County, Virginia* (Jefferson, North Carolina: McFarland & Company, Inc., 2011); John E. Divine, Bronwen C. Souders, and John M. Souders, *To Talk Is Treason: Quakers of Waterford, Virginia on Life, Love, Death and War in the Southern Confederacy* (Waterford, VA: Waterford Foundation, Inc, 1996); John M Souders, *A Pocket Guide to Waterford's Civil War* (Waterford, Va.: Waterford Foundation, 2012); Michael Stuart Mangus, "'The Debatable Land': Loudoun and Fauquier Counties, Virginia, during the Civil War Era" (Ph.D., The Ohio State University, 1998). *Between Reb and Yank* is by far the most comprehensive county history. For more on Floyd County and the surrounding area, see Keith Scott Hebert, "Civil War and Reconstruction Era Cass/Bartow County, Georgia" (Ph.D. Disertation, Auburn University, 2007); Wade Banister Gassman, "A History of Rome and Floyd County, Georgia, in the Civil War." (M.A., Emory University, 1966). For more on Georgia, see David Williams, Teresa C. Williams, and R. David Carlson, *Plain Folk in a Rich Man's War: Class and Dissent in Confederate Georgia*, 1st ed. (University Press of Florida, 2002). This list is hardly exhaustive but should serve as a starting point for readers interested in the topic. For other excellent studies of individual communities, see Casstevens, *The Civil War and Yadkin County, North Carolina*; Wayne K. Durrill, *War of Another Kind: A Southern Community in the Great Rebellion* (New York: Oxford University Press, 1990); Bynum, *The Free State of Jones*; Robert C. Kenzer, *Kinship and Neighborhood in a Southern Community: Orange County, North Carolina, 1849-1881* (Knoxville: University of Tennessee Press, 1987); Barton A. Myers, *Executing Daniel Bright: Race, Loyalty, and Guerrilla Violence in a Coastal Carolina Community, 1861-1865* (Baton Rouge: Louisiana State University Press, 2009); Phillip Shaw Paludan, *Victims: A True Story of the Civil War*, 1st ed. (Knoxville: University of Tennessee Press, 1981).

group of scholars expanding the traditional temporal boundaries of the war to include events before Fort Sumter and after Appomattox.[20] The reperiodization that Bynum and Sarris have contributed to the field makes sense in light of their focus not on armies but upon communities.

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This dissertation challenges traditional approaches of viewing southern society by dividing communities into discrete categorical wartime factions. In addition to examining a wider swath of "dissenters" who resisted or opposed Confederate authorities during the war, this dissertation examines conflict not only by distinguishing various factions but also by charting the social networks that undergirded the complex and shifting loyalties of southerners.

Social network mapping and analysis has seen a drastic growth over the past thirty years. Advancements in computers allow complex analysis of previously unmanageable amounts of data. Today, intelligence agencies and militaries use social network analysis in fighting insurgencies and terrorist networks. The National Security Agency uses cell phone metadata, showing who spoke to whom, for network analysis as part of their anti-terrorism efforts.[21] Yet,

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[20] For another challenge to the 1860-1865 bounding of the war, Diane Burke and Jonathan Halperin Earle, eds., *Bleeding Kansas, Bleeding Missouri: The Long Civil War on the Border* (Lawrence, KS: University Press of Kansas, 2013).

[21] James Risen, and Laura Poitras, "N.S.A. Gathers Data on Social Connections of U.S. Citizens," *New York Times*, September 28, 2013, http://www.nytimes.com/2013/09/29/us/nsa-examines-social-networks-of-us-citizens.html. Social networks can be used for studying public health, sociology, anthropology, political science, literature, and pretty much any other social science or humanities field. For just a sample of recent studies see, M.C. Alexander and J.A. Danowski, "Analysis of an Ancient Network: Personal Communication and the Study of Social Structure in a Past Society," *Social Networks* 12, no. 4 (1990): 313–35; Bruce A. Desmarais et al., "Measuring Legislative Collaboration: The Senate Press Events Network," *Social Networks* 40 (January 2015): 43–54; Sebastian Ramirez et al., "Diffusion of Non-Traditional Cookstoves Across Western Honduras: A Social Network Analysis," *Energy Policy* 66 (March 2014): 379–89; Paolo Parigi and Laura Sartori, "The Political Party as a Network of Cleavages: Disclosing the Inner Structure of Italian Political Parties in the Seventies," *Social Networks* 36 (January 2014): 54–65; *Mapping the Republic of Letters*, 2013, http://republicofletters.stanford.edu/index.html# (accessed December 2, 2014); Richard Heidler et al., "Relationship Patterns in the 19th Century: The Friendship Network in a German Boys' School Class from 1880 to 1881 Revisited," *Social Networks* 37 (May 2014): 1–13; Andreas Herz, "Relational Constitution of Social Support in Migrants' Transnational Personal Communities," *Social Networks* 40 (January 2015): 64–74; Claire Lemercier, "Formal Network Methods in History: Why and How?," *Hyper Article En Ligne-Sciences de l'Homme et de La Société*, 2009, http://halshs.archives-ouvertes.fr/docs/00/52/15/27/PDF/lemercier_rural_networks.pdf.

most historians have been relatively slow to begin using social networks as a lens to understand the past. In large part, the failure to use social networks is due to the large amount of relational data needed, which is often impossible to gather from extant documents. While the data necessary for the large-scale computation that social scientists use in examining present-day issues may be difficult for historians to gather, many of the concepts derived from network analysis nevertheless can be applied.[22]

Portions of social networks in southern communities can be mapped on the basis of extant primary sources. If a letter was written, a fight was reported between a deserter and a militia officer, or a deserter was spotted at someone's house, a line can be drawn connecting individuals to represent the relationship between individuals, positively (friendship) or negatively (enmity). As a network is re-created with individuals as nodes and relationships represented by lines connecting them, a social network map of the community emerges—a Facebook for the nineteenth century, if you will (see Social Network Map #2 and #3).

The study of social networks has opened up new directions for historians to research. Unlike traditional social history methods, which typically focus upon individuals' attributes, social network analysis allows historians to examine the connections among multiple figures. Historians often focus on the analytical triad of race, class, and gender, which, while all useful constructs, are "categories of difference."[23] In contrast, social network analysis focuses on the connections between individuals or organizations. After all, individuals of different races, genders, and classes are still connected to various degrees. Social networks provide an important

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[22] For more on social networks see, Charles Kadushin, *Understanding Social Networks: Theories, Concepts, and Findings* (New York: Oxford University Press, 2012); Ian McCulloh, Helen Armstrong, and Anthony N. Johnson, *Social Network Analysis with Applications* (Hoboken, NJ: Wiley & Sons, Inc., 2013).

[23] Rita Dhamoon, *Identity/Difference Politics: How Difference Is Produced, and Why It Matters* (Vancouver: University of British Columbia Press, 2010), 63.

counterpart to the "categories of difference," especially in explaining behavior seemingly contrary to an individual's self-interest. Instead of dividing individuals into a finite number of categories, social networks analysis studies the links among people. An individual's place in their social network is often as important to his identity as his or her race, gender, or class. Put another way, people can be as influenced by their friends and acquaintances as they are by their economic situation, race, and gender. Analysis of gender, class, and race remain important, indeed crucial, to any understanding of dissent.[24] In fact, the traditional triad is often useful in analyzing social network maps. Gender, race, and political affiliations can all be overlaid upon a social network map as well (see Social Network Map #4). Historians have established many of the ways that the war fundamentally realigned racial, class, and gendered relations in the South, but the conflict also realigned social links within communities. The war within the states destroyed friendships as neighbors fought one another; simultaneously, new friendships were forged as individuals made alliances to survive. With the addition of new friends and the "unfriending" of old ones, the networks of friends visible in our imagined Facebook would have been quite different in 1860 and 1865.

Using social networks also provides a new way of conceiving of loyalties. Friendships are rarely governed entirely by political beliefs or military factions. Individuals have many loyalties: to nation, to family, and to friends, to name a few. To divide a community into camps (such as Unionist and Secessionist) is a useful analytic conceit that I occasionally utilize in this dissertation. But it is also useful to employ a social network model, looking at interpersonal

[24] For an example of how important gender's is in understanding dissent see: Victoria Bynum, "'War within a War': Women's Participation in the Revolt of the North Carolina Piedmont, 1863-1865," *Frontiers: A Journal of Women Studies* 9, no. 3 (1987): 43–49; Victoria E Bynum, "Occupied at Home: Women Confront Confederate Forces in North Carolina's Quaker Belt," in *Occupied Women: Gender, Military Occupation, and the American Civil War*, ed. Alecia P. Long and LeeAnn Whites (Baton Rouge: Louisiana State University Press, 2009), 155–70.

relationships instead of political loyalties or class. A secessionist's friends might not agree with him on the need for disunion, or a Confederate volunteer's siblings might oppose his decision to enlist. Even so, friendships and kinships were not necessarily broken due to differing views. Indeed, usually it was the government-sponsored persecution of dissenters that divided communities.

Reconstruction intra-community conflict was in many ways a continuation of the war within the states. The complexity of wartime divisions and social networks influenced their Reconstruction legacy. Indeed, the wide variety of individuals who claimed they were Unionists, the complex nature of loyalty, and the importance of social networks in determining allegiances undermined long-term efforts to use "inner war" loyalties as a tool for vengeance or lasting political power.

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Intra-community violence was not always inflicted upon civilians by soldiers. The inclusion of the Loudoun and Floyd communities allows me to combine studies of civilian dissenters with studies of organized guerrilla units. Many military historians of organized guerilla warfare have overlooked guerilla units' connections to the conflict found within communities. Yet, guerilla conflict and the neighborly violence of less organized resistors share many similarities: the irregular nature of the violence, at times the extreme cruelty, and most importantly, the personal relationships between enemies. Indeed, guerillas were often, at least in part, an offshoot of the war within the states that was fought within communities, and the impacts of such personal violence were lasting in both cases.

While the strategic impact and importance of guerillas and intra-community conflict during the war within the states is still debated, there is no question that intra-community conflict caused by the war had an impact upon communities during Reconstruction. Unfortunately, historians examining guerillas often end their considerations in April 1865. For example, Daniel Sutherland's *A Savage Conflict: The Decisive Role of Guerrillas in the American Civil War* (2009) focuses on the strategic impact guerrilla violence had on the outcome of the war. Sutherland argues against the prevailing view of guerrilla warfare as a "sideshow," contending instead that guerrilla warfare "helped decide the outcome of the Civil War."[25] Similarly, Robert Mackey's *The Uncivil War: Irregular Warfare in the Upper South, 1861–1865*, concludes that the failure of guerrilla warfare in the western theater convinced Lee to surrender.[26] These studies on the strategic importance of irregular conflict have helped touch off a debate over the importance of guerilla warfare, a debate I do not intend to weigh in on.[27] Most extent scholarship on irregular fighters focuses on their role in determining the outcome of the conventional war and consequently ends in 1865. The second of half of this study moves beyond 1865 to examine the lasting ramifications of wartime intra-community conflict. Regardless of the impact irregular warfare and home front conflict had upon the Confederate war effort, this dissertation reveals the undeniable impact wartime neighborly violence had upon Reconstruction. Instead of addressing *why* the South lost, my research focuses on the impact the "inner war" had upon southern

[25] Daniel E Sutherland, *A Savage Conflict: The Decisive Role of Guerrillas in the American Civil War*, 1st ed. (Chapel Hill: University of North Carolina Press, 2009), xiii. See also Daniel E Sutherland, ed., *Guerrillas, Unionists, and Violence on the Confederate Home Front* (Fayetteville: University of Arkansas Press, 1999).

[26] Robert Russell Mackey, *The Uncivil War: Irregular Warfare in the Upper South, 1861-1865* (Norman: University of Oklahoma Press, 2004).

[27] For a discussion on the importance of guerillas and the widening of military history see Barton A. Myers, "The Future of Civil War Era Studies: Military History," *The Journal of the Civil War Era* 2, no. 1 (March 2012); Stephen Berry, "Forum: The Future of Civil War Era Studies," *The Journal of the Civil War Era* 2, no. 1 (March 2012); both accessible at http://journalofthecivilwarera.com/forum-the-future-of-civil-war-era-studies/; see also Sutherland, *A Savage Conflict*.

communities, and for many southerners, the conflicts brought about by the Civil War did not end in 1865.

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The first half of the dissertation is organized by county and explores the various wartime experiences within each county. In chapter one, examining just a few dissenters in Forsyth County, North Carolina, reveals the diversity of motives for and means of dissent. Additionally, the chapter notes the division that formed in Forsyth County as a breakdown of civil society over the course of the war ultimately led to the killing of numerous dissenters. The dissertation moves northward for the second chapter to examine how loyalty functioned along the Potomac in Loudoun County, Virginia. Stuck between the lines in a "debatable land" that was repeatedly occupied—first by one side, then by the other, and then by none—residents were pushed to choose a side in the conflict sooner than in Forsyth due to public votes on secession, an early call-up of the militia, and constant interaction with troops from both sides.[28] Additionally, the community experienced additional divisions due to locally-raised Union and Confederate guerilla units, which not only battled each other but also made mass arrests of civilians. Neighbors pointing each other out for arrest led to hundreds of Loudoun civilians spending time in northern and southern prisons. The chapter concludes by examining how social networks changed in Loudoun due to the war. Chapter three moves to the Deep South to examine dissent and intra-community conflict in Floyd County, Georgia, from secession until the Federal withdraw in the winter of 1864. The chapter explores how the war divided the community, caused fissures, and led to a breakdown in law and order. Additionally, it examines the insecurity that resulted from refugees and the depopulation of the region. The chapter argues that dissent

[28] Court Marital of J.S. Palmer, Case #NN-1971, Records of the office of the Judge Advocate General, RG 153, NARA.

and disillusionment with the Confederacy increased due to conscription and Union occupation. These first three chapters serve to introduce each community to the reader.

While the war within the states broke up antebellum social networks, it also created new networks. Chapter four focuses on loyalty, community, and conflict in the no-man's land that the Union's withdrawal from Rome created. As the lawlessness seen in chapter three increased, the few remaining residents of all races and political persuasions were forced to form new alliances to battle gangs of deserters, bandits, and guerillas. The lawlessness seen in this chapter—as well as the first three—was replicated across the South to various degrees.

As the first four chapters each focused on one community during the Civil War, the last three chapters turn to Reconstruction, examining the three communities together. Chapter five looks at the war's impact upon community dynamics and social networks. To demonstrate how communities reordered socially, the chapter focuses on lasting divisions in churches, in social organizations, and between neighbors and former friends. The chapter then moves the Southern Claims Commission and Republican political organizing to examine the social networks the war created during Reconstruction. In doing so, it becomes clear that a "Unionist" political identity—one based on anti-Confederate dissent—existed in many communities, but lacked the power that the Lost Cause narrative carried for many southern whites. Attempts to create a solid Unionist postwar identity based on historical support of the Union were less successful than Democrats' efforts to use racial identity to garner support among white voters. The Unionist identity lacked a firm foundation. For all but the most "Unconditional Unionists," attempts to explain one's wartime experience as one of principled dissent required mental massaging, if not extreme contortions of memory. Still, during Reconstruction, Republicans (and a few Democrats)

successfully used the social networks that dissenters created during the war to aid their political campaign.

Chapter six turns to two arenas where the war within the states continued to be fought: in the courts and in continued violence. After the war, a series of criminal and civil cases unfolded in all three communities as dissenters attempted to prosecute their wartime tormentors. Though these cases rarely concluded in convictions, they display the fissures that continued to divide society. The chapter contends that racial, political, and personal acts of violence often originated at least in part in wartime disagreements.

The final chapter concludes that Republican efforts to disfranchise former Confederates were as much a product of bitterness at their wartime mistreatment as they were attempts at political gain. Indeed, Republicans—often former dissenters—wanted to disfranchise their personal persecutors far more than the Confederate leadership. Piedmont representatives were among the leading advocates for disfranchisement. Their efforts to disfranchise neighbors demonstrate not only how divided communities remained due to personal vendettas but also how Piedmont Republicans disagreed on who should be included under the label of wartime "Unionist." The failure of a shared experience to unite dissenters both decreased the postwar political power of appeals to Unionism and undermined efforts to disfranchise former Confederates. Ultimately, the vast assortment of dissenters who might be defined as Unionists weakened efforts to create a postwar "Unionist" identity premised on wartime dissent. Disagreements between dissenters on what constituted loyalty ultimately helped doom local and statewide attempts to disfranchise former Confederates.

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Many of the methodologies and conclusions drawn from this dissertation can likely be applied across wide swaths of the southeastern Piedmont. These counties were not aberrations. Indeed, the 1860 census presents three counties that are in many ways statistically representative of the southern Piedmont. All three had an average family size of between five and six members (see Map #2). Forsyth and Floyd both had population densities of about thirty people per square mile, while the presence of multiple towns (Leesburg, Waterford, Hillsboro, and Lovettsville) meant Loudoun's was slightly higher at forty-two people per square mile (see Map #3).

Politically, the counties provide a cross-section of the antebellum political spectrum of the Piedmont. Forsyth leaned Democratic. During congressional races from 1852 through 1858, the Democratic candidate received between 50.6 and 55 percent of the vote, and in 1856, presidential candidate James Buchanan received 57.5 percent of the county's vote. Floyd was more closely divided, tending to swing Democratic in congressional elections but remaining competitive in presidential elections. Whig presidential candidates William Henry Harrison and Zachary Taylor both eked out victories there, winning just over 50 percent. With the exception of Polk in 1844, no presidential candidate won more than 52 percent of the vote in Floyd between 1840 and 1860. In contrast, Loudoun was a Whig stronghold in which the Democratic candidate for president never received more than 31 percent of the county's vote during the two decades leading up to the war (see Maps #4-6).[29]

Like most of the communities in the southern Piedmont, a substantial minority of the population in these three communities was enslaved. Floyd had the largest percentage of the three counties with 39 percent of the total population enslaved, while in Forsyth, slaves only

[29] Jerome M. Clubb, William H. Flanigan, and Nancy H. Zingale, *Electoral Data for Counties in the United States: Presidential and Congressional Races, 1840-1972*, (Ann Arbor, MI: Inter-university Consortium for Political and Social Research [distributor], 2006). Buchanan received 30.2 percent.

accounted for 13 percent of the population. Loudoun's slavery statistics fell between the two, with the enslaved population accounting for about a quarter of its total population. Slaves made up between 10 and 40 percent of the population in much of the Piedmont (see Map #7). Slavery had a presence in each county, but at least demographically, slaveholders did not dominate the counties. In each of these communities less than 7 percent of the free population owned slaves, as was common in most of the Piedmont (see Maps #8-10). Still, though demographically similar, these communities had unique wartime experiences that directed the nature of their postwar experiences, and the ensuing seven chapters explore the similarities and differences among them.

But no matter the differences among communities, some things remained the same across the southern Piedmont and, perhaps, the South as well. In each of these communities, loyalty was more complex than a Unionist and Confederate binary. In every community, the complexity of loyalties influenced the social divisions that civil war created. The social networks of countless southerners were ripped asunder and reformed during the war, and wartime loyalties, divisions, and conflict continued to influence the lives of these southerners throughout Reconstruction. The extent to which internal dissent, intra-community conflict, guerrilla warfare, and home-front violence contributed to the Confederacy's defeat remains a debated topic, but that the war within the states reshaped southern society and played an important role in the course of Reconstruction and reunion is undeniable.

Chapter One: "The Loyal Citizens Are Greatly in the Minority"
Contingent Loyalties in Forsyth County, North Carolina

In October 1864, John D. Holder joined a group of local militia and home guard members as they left Forsyth County, North Carolina. Holder was one of several militia officers in the party. Previously the militia's duties had largely consisted of hunting for deserters and draft dodgers around Forsyth and neighboring counties. This time the militia had been called up and ordered east to reinforce Confederate troops at Goldsboro. But these men were not going east; instead they traveled west, headed for Union lines. While Holder had been willing to search for deserters and recusant conscripts, when his time came to fight for the Confederacy, he fled northward.[1]

Holder's party was not alone in its desire to escape Confederate service. The same week that Holder left, a squad of the Forsyth home guard—more devoted to the Confederacy than Holder's party—captured another large group of men attempting to flee. Holder managed to avoid his former compatriots who hunted him, but, his good fortune was short lived. Confederate authorities in southwestern Virginia captured Holder and many of his comrades. Instead of slipping through into Union lines, Holder ended up a prisoner in Richmond's Castle Thunder along with the others who had earlier failed to make it to Union lines.[2]

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[1] "Disloyalty in Forsyth," *People's Press*, October 27, 1864; "Another Good Haul," *Western Sentinel* November 3, 1864; *Western Sentinel*, Oct 27, 1864; "Arrested," *People's Press,* November 3, 1864; Among the other officers were likely Lewis Smith and William Vest though it is not possible to be 100% certain. For lists of militia officers see: Gerald Wilson Cook, *The Last Tarheel Militia, 1861-1865: The History of the North Carolina Militia and Home Guard in the Civil War, and Index to Over 1,100 Militia Officers* (Winston-Salem, N.C.: G.W. Cook, 1987), 158–162, 133, 140.

[2] "Another Good Haul," *Western Sentinel* November 3, 1864.

Stories such as Holder's reveal a part of the war unfamiliar to most readers of Civil War histories. It is a story full of death threats, arson, robbery, murder, and mayhem. It is a story of a civil war, not merely *the* Civil War that armies of the North and the South fought, but *a civil* war that fractured communities. Though largely forgotten, these episodes complement traditional military history's clearly identified battle lines and belligerents, adding complexity to our understanding of the issues at stake. In addition to slavery and Union, at the local level, conflicts over local issues and personal vendettas also broke out in southern communities across the South. Viewing the war as between North and South becomes an oversimplification once it becomes clear the Civil War was fought between neighbors as well as between regions. Put simply, in addition to being a "War *Between* the States," the Civil War was a war fought *within* the Southern states and the worst violence of this "inner war" was frequently as personal and situationally dependent as it was premised on firm unmoving political ideologies.[3]

Depicting the home front violence as a conflict between Union loving deserters and diehard Confederate deserter-hunters—each fighting for a set of principles—obscures the reality of the war fought at home. Dissenters included volunteers who deserted after a year of service, as well as members of the home guard—whose responsibility it was to hunt deserters during much of the war—who later fled north when ordered to the front in October 1864.[4]

The experiences of just a few Forsyth County dissenters demonstrates that ideological and political explanations for intra-community violence and dissent fail to encompass the actual wartime experiences of many southerners. The worst violence of this "inner war" was as

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[3] William T Auman, "Neighbor Against Neighbor: The Inner Civil War in the Central Counties of Confederate North Carolina" (Ph.D., University of North Carolina at Chapel Hill, 1988).

[4] For examples of home guard fleeing see "Another Good Haul," *Western Sentinel,* November 3, 1864, for more on deserters see Joseph T. Glatthaar, *General Lee's Army: From Victory to Collapse* (New York: Free Press, 2008), 408–420.

frequently personal and pragmatic as it was ideological. Indeed, violence often originated out of an effort to intimidate local authorities, free captured allies, or out of revenge. Though love of Union surely played a role in many dissenters' decisions, patriotism was often only one of many motivating factors, and loyalty remained contingent for many in Forsyth County. A focus on political ideologies and identities, might lead one to overlook other critical material factors that shaped historical figures' decisions. Dissent against the Confederacy was frequently based not on abstract love of Union but on more immediate concerns. Religion, family obligation, kinship links to the North, as well as pragmatic self-interest all influenced dissenters' decisions and actions. Many dissenters were personally and ideologically opposed to conscription as much as they were against secession. Local events, especially efforts to enforce conscription, often alienated individuals who might otherwise have supported the Confederacy. Intra-community violence, for example, often originated out of an effort to intimidate local authorities, free captured allies, or out of a thirst for revenge. And a dissenter's enemies and allies frequently divided along prewar ties instead of wartime politics.

This "war within the states" was not simply a contest between Unionists and Confederates or loyal and disloyal southerners. Instead, there were a multitude of factions all with different and, at times, conflicting goals. A member of the home guard might search for recusant conscripts while simultaneously hiding deserters who were relatives. 150 years after the events defining any individual's allegiances remains difficult. Confederate volunteers who later deserted and resisted Confederate efforts to return them to the front lines were not Unionists or even anti-Confederates. But they resisted Confederate authority and in so doing became dissenters.

Dissent grew in Forsyth throughout the war as more individuals went from ambivalent bystanders to active resistors against the Confederate state. Though opposition to the Confederacy did not grow linearly, in general dissenters' numbers increased over the course of the war. While Confederate victories and the Emancipation Proclamation increased the resolve of some whites to support the Confederacy, conscription, taxes, impressments of crops, and harassment by Confederate troops led others to resent the fledgling Southern government. During the early years of the war, Confederate victories caused many southerners to jump on the bandwagon of a seemingly blessed cause. Later, men who had served increasingly long terms of service watched as casualties mounted and the Confederate Army sustained setback after setback, so morale suffered. As Gary Gallagher has argued, Confederate morale rose and fell with the fortunes of the Army of Northern Virginia.[5] The connection between the success of Lee's Army and the support for the war at home was especially true in regions such as Forsyth County, where the majority of local troops were serving under General Lee. But even victory on the battlefield failed to convince some southerners to support the Confederacy—especially when those victories came with a high cost in blood.

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As a whole, Forsyth County had never been particularly supportive of secession. The secession crisis reached North Carolina in February 1861 when the state held a referendum on whether or not to convene a secession convention. In Forsyth, voters overwhelmingly opposed secession, with 83 percent casting their ballot against a convention. At only one polling place did support for a convention exceed 20 percent.[6] At the same time, voters cast ballots for the

[5] Gary W Gallagher, *The Confederate War* (Cambridge, Mass.: Harvard University Press, 1997), esp. 8–13.

[6] "Forsyth County," *People's Press*, March 8, 1861. This anomalous precinct's apparent support for secession may actually just reflect low turnout instead of widespread support.

representatives who would attend a secession convention should the measure win. In Forsyth only the Union party nominated candidates as secession advocates failed to find anyone willing to be their standard bearers.[7] Statewide, the referendum was defeated. Only after the firing on Fort Sumter and Lincoln's call for troops did North Carolina finally secede, and it did so by legislative action, not by popular vote. As countless historians have pointed out, Lincoln's call for troops undoubtedly increased support for the secession in Forsyth. *Rage militaire* had clear if fleeting impact, spurring some to enlist. Pressure brought by family members, attempts to impress females, and dreams of adventures during a short war led others to join up. Still, even those who in hindsight might have been expected to support the Confederacy did not always do so.

Fundamental to any analysis of dissent is one crucial question: who were these dissenters? The intra-community conflict that erupted across Forsyth during the Civil War pitted individuals—often neighbors—against each other, and so to understand the conflict fully a biographical approach is revealing. Tracing the life of a few dissenters—with additional anecdotes about the dissent of others—displays vividly many of the factors that influenced the way the inner war played out in Forsyth County. The wartime experiences of just a few dissenters demonstrate the varied ways some white southerners resisted Confederate authority. Most importantly, to understand why dissent played out in such a multitude of ways one must recognize how varied were the backgrounds of dissenters and the roots of their dissention.

On the eve of the Civil War, Forsyth County was a diverse agricultural community. Samuel Yokley, like almost all his neighbors, grew corn and wheat while also raising pigs, sheep, and cattle. As many of his neighbors did, Samuel also harvested a crop of oats. In the

[7] "State Convention - Members Elected," *People's Press*, March 8, 1861.

1860 census, 47 percent of county residents with listed occupations were farmers, by far the most common profession. Additionally, another 660 individuals (28 percent) listed their occupation as day or farm laborers, and hundreds of others—including Yokley's sons—with no listed occupation, likely worked on their parents', families', or neighbors' farms.[8] With millers and overseers added, around 77 percent of free residents with a listed occupation worked in agriculture as their primary profession. Merchants, doctors, and craftsman also frequently kept small farms as well. Though the small town of Bethania had two tobacconists, tobacco remained a minor crop.[9] Only after the war did the combined town of Winston-Salem become synonymous with tobacco.

Although primarily agricultural, and despite lacking a rail line, Forsyth County was not without industry. In Salem, the extremely wealthy Fries Family ran a tannery and one of the 39 textile mills in North Carolina in 1860; together these two enterprises employed over 80 individuals. Additionally, the county had a robust wagon and carriage industry with at least

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[8] 1860 U.S. Federal Census, Population Schedule, *Eighth Census of the United States*, National Archives Microfilm Publication M653, RG 29, National Archives and Records Administration, Washington, D.C.: accessed via *ancestry.com* (www.ancestry.com, March 2012), cited as 1860 Census henceforth. Because they live along the edge of the county, the Yokleys actually appear on the Davidson County census. However, they owned land in both counties and the deserters in the family hid within Forsyth County. See also Forsyth County Genealogical Society and United States Census Office, *The 1860 Federal Census and Supplementary Schedules of Forsyth County, North Carolina* (Winston-Salem, N.C.: Forsyth County Genealogical Society, 1988), v; Andrew Yokley testified in Claim of Jacob Charles (10957), Forsyth County, in *Records of the Southern Claims Commission, 1871-1880, Disallowed Claims,* National Archives Microfilm Publication M1407, RG 233, National Archives and Records Administration, Washington, D.C., Accessed via *Fold3.com* (www.fold3.com, March 2012) (cited as Disallowed SCC, NARA henceforth); Davidson County North Carolina, in *Agricultural and manufacturing census records of fifteen southern states for the years 1850, 1860, 1870 and 1880 Agriculture and Manufacturing Census Records,* (Chapel Hill, N.C.: Microfilmed by The University of North Carolina Library) Cited as 1860 Farm Schedule. See also Joseph C. G. Kennedy, *Agriculture of the United States in 1860: Compiled from the Original Returns of the Eighth Census, Under the Direction of the Secretary of Interior* (Washington: Government Printing Office, 1864), 104–107.

[9] Forsyth County Genealogical Society and United States Census Office, *The 1860 Federal Census and Supplementary Schedules of Forsyth County, North Carolina*, 248.

seven individual businesses involved.[10] These industries helped connect the community to larger regional and national markets. The 35 pounds of wool the Yokleys and their slaves sheared in 1860 might very well have been bought by the Fries mill, but much of the industrial output of the community occurred at home. Almost every farm produced some home manufactures to use and trade for other necessities and luxury goods. Yokley's 4 milk cows, for example, produced 100 lbs. of butter, a valuable commodity to sell on the larger market. Additionally, his beehives produced 120 lbs. of honey and 10 lbs. of beeswax, much of which he would have sold.[11]

At first glance, one might expect Samuel Yokley to have been a secessionist. Already prosperous in 1860, the 45 year-old farmer owned multiple farmsteads along the border of Forsyth and Davidson County and held stock in the North Carolina Railroad. Yokley was also heavily invested in the South's peculiar institution. With 150 acres under production, he needed the additional manpower provided by his fourteen slaves.[12] Yokley's ownership of slaves made him atypical of his community. Though an agricultural community, slavery was not a driving force in the day to day life of many farmers in the Piedmont. Forsyth's population consisted primarily of non-slaveholders. In a population of over 10,000, only 304 owned one or more slaves. Slaves made up less than 14% of the population. Those who owned slaves usually owned

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[10] Forsyth County Genealogical Society and United States Census Office, *The 1860 Federal Census and Supplementary Schedules of Forsyth County, North Carolina*, 248. Patrick Huber, *Linthead Stomp: The Creation of Country Music in the Piedmont South* (Chapel Hill: University of North Carolina Press, 2008), 6.

[11] 1860 Farm Schedule, Davidson County.

[12] Claim of Samuel D Yokeley (10959), Davidson County, North Carolina, in *Southern Claims Commission Approved Claims, 1871-1880,* Records of the Accounting Officers of the Department of the Treasury, RG 217, National Archives and Records Administration, accessed digitally via *Fold3.com* (www.fold3.com, March 2012) cited as Approved SCC, NARA henceforth. Confederate Citizens File for Samuel Yokeley*, Confederate Papers Relating to Citizen or Business Firms,* National Archives Microfilm Publication M346, RG 109, Washington, D.C.: National Archives and Records Administration, accessed digitally via *Fold3.com* (www.fold3.com, March 2012); *1860 U.S. Federal Census - Slave Schedules*, United States of America, Bureau of the Census. Eighth Census of the United States, 1860. National Archives Microfilm Publication M653, Washington, D.C.: National Archives and Records Administration, 1860. accessed via *Ancestry.com, (www.ancestry.com,* November 2010) cited as 1860 Slave Schedule henceforth. 1860 Farm Schedule, Davidson County; 1860 Census.

only a few. While the average number of slaves held was just under six, eighty five of Forsyth's slave owners owned just one slave, and another forty nine owned two. Yokley's fourteen slaves put him in the upper echelon of slave owners. Only fourteen of Forsyth's residents possessed the twenty or more slaves necessary to be exempt from conscription under the twenty-slave rule during the Civil War.[13]

Instead of making Yokley a secessionist, his investment in human chattel actually led him to oppose secession. A prewar Whig, Yokley opposed secession because he believed such a rash action would likely result in slavery's abolition. The Yokley family was never enthusiastic about the Confederacy, and they belonged to a substantial portion of the Piedmont's population that remained unconvinced of the need for a new slaveholders' republic. Yokley recognized that war might ruin his prosperity, which was predicated on his properties continued protection by the Federal government. The Confederacy's impressment of slaves and heavy tax-in-kind on crops, as well as Lincoln's Emancipation Proclamation would all confirm his fears that he faced the loss of substantial wealth due to the war. As the conflict developed, the family's opinion of the Confederacy would only diminish.[14]

To the north, on the far edge of the county, lived Samuel Stoltz, a well-to-do farmer. His farm along the banks of Buffalo Creek was spread out over 200 acres.[15] A leading community member, he served as a local justice of the peace and was friends with prominent businessmen,

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[13] Joseph C. G. Kennedy, *Agriculture of the United States in 1860*, 235.

[14] "Whig Convention," *The Weekly Raleigh Register,* 4/20/1859; Claim of Samuel D Yokeley (10959), Davidson County, Approved SCC, NARA. The spelling of Yokley varies. For the sake of readers I have used one version throughout the text, but have used the individual variations for each document in the footnotes.

[15] Forsyth County Genealogical Society and United States Census Office, *The 1860 Federal Census and Supplementary Schedules of Forsyth County, North Carolina*, 228. For location of farm see E.A. Vogler, "Map of Forsyth County, North Carolina: Compiled from Surveys of the Land Office, Salem NC and Other Maps," November 1863, The Moravian Archives, Winston Salem N.C.

religious, and civic leaders. Like the Yokleys, Stoltz opposed secession. However, Stoltz was significantly more vocal about his love of Union even after the fall of Fort Sumter. While Yokley had seen secession as a bad economic decision, Stoltz, who owned no slaves, valued Union far more than property.[16]

Samuel Stoltz fit the textbook definition of a "Unionist." Years after the war, a prominent dissenter would recall, "he always denounced secession in the bitterest terms. He was the bitterest against secession of any man that ever I met."[17] In 1861, the Confederacy demanded Stoltz take a loyalty oath to retain his post as a justice of the peace. When he refused, Stoltz lost the position. Though Samuel was too old for conscription himself, the introduction of conscription in 1862, forced Samuel's son, Constantine, to avoid service by hiding in the woods and in neighbors' barns. Samuel provided food and shelter to his son as well as other deserters and recusant conscripts. As a well-known "Union Man," Stoltz received threats, had his farm ransacked by Confederate soldiers, and was even assaulted by his neighbor for his political views. Though the harassment was a product of his dissent it no doubt further alienated Stoltz from the Confederacy. Whatever the impact of the abuse, Stoltz continued denouncing the Confederacy throughout the war.[18] The Stoltz family suffered for their uncompromising devotion to the United States Government, and they would not soon forget it.

Stoltz's ideologically driven and uncompromising devotion to the Union made him atypical of dissenters. He was so devoted that he met the exacting standards of the postwar Southern Claims Commission and received compensation for a horse taken by Union troops at

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[16] Claim of Samuel Stoltz (15085), Forsyth County, Approved SCC, NARA; Crews and Bailey, *Records of the Moravians V. XII*, XII:6536, 6592., Major W S. Worth to Jno P. Vest, August 9, 1867 in Book of Letters Sent From Greensboro Post, Letters Sent Book, RG 393 Part 4, Entry 515, NARA.

[17] Peter A Wilson in Claim of Samuel Stoltz (15085), Forsyth County, Approved SCC, NARA.

[18] Claim of Samuel Stoltz (15085), Forsyth County, Approved SCC, NARA.

the end of the war. His successful claim put Stoltz in a very small group; of the fifty three claims submitted to the Southern Claims Commission by self-proclaimed Unionists from Forsyth County, only nine were successful. For every Stoltz family, there were many more who were not "uncompromising Unionists" who nevertheless resisted the Confederacy. Instead these men, who initially tried to continue their lives while avoiding being drawn into the war, might be called forced dissenters. Some of those initially ambivalent dissenters ended up being the most violent anti-Confederates.[19]

In 1861, politics was not always the first priority of many future dissenters. On the other end of the socioeconomic spectrum from the Yokley and Stoltz families was the Dial family. Martha Dial had six children, including three sons: Calvin, James, and Thomas Wilson (who went by "Wilse"). We know little about their sisters, but the boys' early lives can be pieced together through fragmentary evidence. The Dial brothers experienced tragedy and hardship in their youth; their father died when they were children. The boys had not come from money; their father had been an illiterate farmer and his death sometime between 1847 and 1850 forced their family into a perilous financial situation.[20] By 1850, the family was no longer living together due to their poverty. In the absence of any systematic welfare programs, antebellum communities utilized public funds to support the poor and destitute. Until the county built a "poor house" in the 1850s, orphans and the destitute children were housed by individual families at the public's

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[19] Claim of Samuel Stoltz (15085), Forsyth County, Approved SCC, NARA. See both approved and disapproved claims or for a paper index see Gary B Mills, *Southern Loyalists in the Civil War: The Southern Claims Commission* (Baltimore, Md.: Genealogical Publishing Co., 1994). The term "uncompromising Unionist" is used in many SCC claims. The Southern Claims Commissioners often used the term to describe someone who they determined to be loyal. Historians have often equated the findings of the commissioners with how loyalty and "unionism" functioned within southern communities. I reject this approach to understanding loyalty. As chapter five discusses, social network analyses shows that to the members of the community, Unionists included a much broader range of individuals than the Claims Commission did.

[20] 1840 and 1850 Census; Calvin, Wilse, and James Dial to "Quail Hunter," July 29, 1863 in Wilse Dial Letter, Southern Historical Collection, The Wilson Library, University of North Carolina at Chapel Hill, (SHC).

expense until they were old enough to be apprenticed.[21] As Martha was unable to support any of her sons, Calvin and James lived as "paupers" at a local farmer's home, though the six year-old Calvin occasionally stayed with his mother.[22] Their older brother, Wilse, who by 1850 was 12 year old, served as an apprentice to a blacksmith.[23] Six years later, all three brothers had been apprenticed to different local employers.[24]

Though separated, the Dials retained a strong sense of kinship. By 1860, the family was again living together, while Wilse and his brothers worked as day laborers to pay the bills.[25] The work paid poorly, probably averaging around fifty cents for a full day of labor.[26] Perhaps because of their exceptional poverty—in fact they were one of the poorest families in the region—the Dial boys looked out for each other, as well as provided for their mother and sisters.[27] Little is known about the Dials' lives during 1861. None of the brothers was old enough to vote, and given their socioeconomic status it seems doubtful they exercised much influence in the community. The boys in any case had little interest in going off to fight for the Confederacy, as their world was likely focused much more on the daily rhythms of work and the ever present threat of destitution.

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[21] 1850 Census; Adelaide L. Fries, *Forsyth: The History of a County on the March* (Chapel Hill, N.C.: University of North Carolina Press, 1976), 126.

[22] 1850 Census; In 1850 Calvin was counted twice: once as a pauper living with his brother James away from his mother (Calvin Dial, aged 7) and another time with his mother (Calvin Diel, aged 6).

[23] 1850 Census.

[24] "Wards, Apprenticed Children, Intestates and Testators Found in Vol I Forsyth County Court of Pleas and Quarter Sessions," *The Forsyth County Genealogical Society Journal* IX, no. 4 (Summer 1991): 36.

[25] 1860 Census. Though only Wilse is listed as a day laborer in the census, it is likely his brothers also worked as day laborers.

[26] Forsyth County Genealogical Society and United States Census Office, *The 1860 Federal Census and Supplementary Schedules of Forsyth County, North Carolina*, 249.

[27] 1860 Census.

During the first year of the war, many families, who were ambivalent toward the Confederacy but unwilling to oppose it outright, went about their lives with relatively few major disruptions. The advent of conscription in 1862, however, marked a major milestone in shifting many individuals' attitudes towards the Confederacy. Conscription could push even the most ambivalent and circumspect citizen into taking a stance on the war. But the Confederacy was struggling by March 1862. The original one-year enlistments of the volunteers of 1861 would soon expire, and North Carolina needed more troops. In those counties unable to fill their recruitment quota, a draft was instituted, and a month later, the Confederate Congress instituted general conscription across the South.[28]

Among those drafted in Forsyth County was Wilse Dial. Within six months, however, Wilse deserted and returned home to hide in the woods with his two brothers, James and Calvin.[29] Unfortunately for the brothers, in the summer of 1863 the Forsyth militia attempted to capture them. The Dials had wished to be left alone, but when word reached them that Captain Aquilla Hunter had issued orders to shoot the young men if they resisted arrest, the Dial brothers sent a death threat to the aptly named Hunter. They warned and cursed Hunter, threatening that "if yo ever hunt us a gin i will put lead in yo[.] god dam your hell fired soll [*sic*]." Always protective of family, they demanded Hunter leave their mother alone and reminded him that they

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[28] For the best history of Conscription in North Carolina see Memory F. Mitchell, *Legal Aspects of Conscription and Exemption in North Carolina, 1861-1865,* (Chapel Hill: University of North Carolina Press, 1965).

[29] Compiled Service Record of Thomas W. Dial, of the 48th NC in "Compiled Service Records of Confederate Soldiers Who Served in Organizations from the State of North Carolina," National Archives Microfilm Publication M270, RG 109, Washington, D.C.: National Archives and Records Administration, accessed via *Fold3.com* (www.fold3.com, accessed March 2012), cited as CSR henceforth; though his CSR does not say he was drafted explicitly, given the dates he entered service and other evidence he was almost certainly drafted. According to his CSR Thomas Dial enlisted March 18, 1862 (deserted by September 2, 1862). The draft in Forsyth occurred on March 18, 1862 (Crews and Bailey, *Records of the Moravians V. XII*, XII:6463.) The Moravian records provide the names of multiple draftees from the Freidberg neighborhood. For example, both Augustin and John Crouch are mentioned in the Moravian records as draftee. All three men were enrolled on March 18th B J Atwood. (CSR Thomas W. Dial, John Crouch, and Augustin Crouch, 48th NC. "Head Quarters 71st Regiment," *People's Press,* March 7, 1862; "The Draft-Volunteering," *People's Press,* March 14, 1862; *People's Press,* April 4, 1862.

knew where he lived. To ensure Hunter understood their seriousness, the letter concluded: "if this dont give yo warning enough[,] the next warning we will give yo with powder and lead. take the hint in time."[30]

The letter not only provides an excellent example of dissenters attempting to deter their Confederate-sympathizing neighbors from arresting them but also preserves the mindset of the Dials, explaining why they were actively resisting the Confederacy. In the Dials' eyes Hunter's decision to hunt for them was unjustified, because "we have never done yo any harms for yo to hunt for us." They had not actively opposed the Confederacy, but since Hunter had targeted them their letter noted, "we will give yo something to hunt for hereafter." Indeed, the Dials felt Hunters decision to target them made no sense and lamented "if sutsh [such] men as yo[u] are is christians of heaven i want to know who is the hippocrits [*sic*] of hell." [31]

Why the Dials were specifically hunted is unknown. Perhaps they were already suspected of stealing due to their impoverished economic status. Perhaps Wilse's status as a deserter led to the family to being singled out. Hunter may also have suspected the Dials of being involved in earlier gunfights with the militia.[32] Whatever led Hunter to focus his attention on the Dials, it was the Confederacy's persecutions that led the Dials to decide to attack Confederates. According to the Dials' letter, the boys only stole from secessionists because the Confederacy had declared war on them, forcing them to go into hiding. The Dial boys made clear in their threat to Hunter, that they had tried to avoid being drawn into the conflict, but the Confederacy

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[30] Calvin, Wilse, and James Dial to "Quail Hunter," July 29, 1863 in Wilse Dial Letter, SHC.

[31] Calvin, Wilse, and James Dial to "Quail Hunter," July 29, 1863 in Wilse Dial Letter, SHC.

[32] In the letter the Dials refer to no long being at Sprinkle's house. This may refer to Hugh Sprinkle a prominent deserter in neighboring Yadkin County who was involved in the Bond School shootout. For more on Hugh Sprinkle see Casstevens, *The Civil War and Yadkin County, North Carolina*, esp. 268. The reference may also be to another shootout between home guard members and deserters that historians have yet to uncover as the Sprinkle surname was very common in Forsyth and surrounding counties.

forced them to pick a side and so they reluctantly declared themselves "United States regulars."[33] Conscription and the home guard had made Unionists out of the Dials.

How Hunter reacted to the letter is unknown, but the Dials were true to their promise of armed resistance. Though Hunter failed to capture the brothers, the 21st North Carolina Infantry had better luck when they searched the county for deserters later that fall. Discovered by a detail of Confederate infantry, the three brothers fought back. In the ensuing shootout James received a mortal wound, and his brothers were both arrested. For his desertion and resistance, a court martial sentenced Wilse "to be shot with musketry." At 11am, March 24, 1864, as the snow on the ground melted around them, a firing squad raised their weapons and Thomas Wilson Dial "met death quietly and stolidly," leaving Calvin as the sole surviving brother.[34]

The Dial, Stoltz, and Yokley families all resisted Confederate authority, but they did so beginning at different times, for different reasons, in different ways, and with different results. These three families represent distinct types of dissenters. On one end of the spectrum was the unconditional Unionist Samuel Stoltz, while on the other was the forced anti-Confederate Calvin Dial. Dissenters' approaches to resisting the Confederacy were as varied as their motivations. The Dial brothers were perhaps the most violent resistors within Forsyth County, and yet they were far less ideologically attached to the Union than the Stoltz family. Self-preservation, intimidating their personal enemies, and, likely, a thirst for revenge drove the brothers to attack Confederate homes. While Samuel Stoltz spoke out against the Confederacy, the Dials violently

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[33] Calvin, Wilse, and James Dial to "Quail Hunter," July 29, 1863 in Wilse Dial Letter, SHC; for another take on the Dial's see Auman, "Neighbor Against Neighbor," 242–244.

[34] Your Affectionate Mother" to "My Dear Son," October 29, 1863, Jarrett-Puryear Family Papers, Rare Book, Manuscript, and Special Collections Library, Duke University; CSR of Calvin Dyal, 21st NC; S. H. Walkup, Typed Transcription of Journal in the S. H. Walkup Papers, #1401, SHC; Record of Court Martial Book; Chapter 1, Volume 198, 1864-1865, p. 56; Records of the Adjutant and Inspector General's Department, RG 109, NARA; Theo. Frank to Elizabeth Frank, March 24, 1864, in the Frank Family Papers, #3980-z, SHC.

struck back against efforts to coerce them into supporting the Confederacy. Conscription, it appears, created some of the most violent dissenters. However, the growth of the Confederate state also drove many toward less active forms of resistance.

Conscription did not force every dissenter to take up arms like the Dials. When conscription was instituted, Samuel Stoltz's son, Constantine, immediately took to the woods. Later on he slipped through to Union lines as did his younger brother John. But though his family opposed the Confederacy from the start of the war, Constantine avoided direct conflict with Confederate authorities.[35] In fact, local home guard members may have actually helped hide him.[36] Some dissenters found less furtive ways to avoid service than hiding in the bushes. Those wishing to avoid military duty often did so through legal means. Many found ways to serve the Confederacy, and thus gain an exemption, without actually having to join the Army. While opposed to the war, Andrew Yokley—Samuel Yokley's brother—was far from uncompromising in his resistance. Like his older brother Samuel, Andrew also lived along the southern edge of Forsyth County. He initially hired a substitute to avoid service, but when the Confederate Congress repealed the rule allowing substitutes, he obtained an assignment to "a detail to haul wood for the Rail Road." Only when that exemption became prohibitively expensive did Andrew join Constantine Stoltz and the countless others hiding in the forests of North Carolina.[37] Some reluctant citizens obtained appointments as local officials such as postmasters, tax collectors, or

[35] Claim of Thomas S. Stoltz (14728),in Forsyth County, Disallowed SCC, NARA; Claim of Tandy Kiser (14299), Forsyth County, Allowed SCC, NARA; Claim of Samuel Stoltz (15085), Forsyth County, Allowed SCC, NARA.

[36] His brother Thomas Stoltz served two months in the Militia (Claim of Thomas S. Stoltz (14728), Forsyth County, Disallowed SCC); Additionally, his father's farm was next to Allen Flynt's Farm. The Flynt family, discussed in the introduction, was suspected of disloyalty.

[37] Claim of Andrew Yokley (10729), Davidson County, Disallowed SCC.

even conscription officers to avoid active military service.[38] A few men were rumored to have begun businesses that benefited the Confederate military solely to obtain exemptions for themselves as well as their friends and family.[39]

Conscription represented a turning point within southern communities, drastically affecting everyday life along the home front, as it created outlaws by driving deserters and conscripts into hiding in the woods. Before the institution of conscription, only a few deserters, who had initially volunteered for service, were in hiding in the woods from Confederate authorities. Those not in service continued farming or working in other occupations without any legal dilemmas. However, after April 1862, for those of military age, ambivalence was no longer an option. For a year after Fort Sumter, Samuel Yokley had continued his daily routines—just as the Dials had—as war raged in Virginia. In the spring of 1862, however, the option of neutrality quickly disappeared. Too old to serve himself, Samuel watched as the Confederacy conscripted two of his six sons as well as his younger brother. Within a month all three conscripts deserted and returned home to hide in the woods for the remainder of the conflict. Samuel's fourth son joined his brothers hiding in the woods as a recusant conscript during the latter part of the war. Though Samuel Yokley had no way of knowing it until after the war, his eldest son, who had moved west before the war, enlisted in Federal service and was killed in Arkansas at the hands of guerrillas. The Yokley family, then, included deserters, recusant conscripts, detailed workers,

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[38] See for example Claim of Spencer Waggoner (10723), Forsyth County, Disallowed SCC; Waggoner arranged for his son to be appointed postmaster so he would not be conscripted.

[39] "The Words of Many" to ZBV, n.d., NCAH 1279, *Papers of Zebulon Vance*, role 26; Henry W. Ayer to Gov. Z. B. Vance, November 10, 1862, as printed in Christopher M. Watford, *The Civil War in North Carolina* : Soldiers' and Civilians' Letters and Diaries, 1861-1865 (Jefferson, N.C.: McFarland, 2003), 79–81.

and a Federal volunteer. One of his sons eventually escaped to Tennessee during the war. All of the Yokleys considered themselves to be "Union men."[40]

Anti-Confederate sentiment grew throughout the war, intensifying the opposition conscription provoked. Volunteers who had signed up for a one year of service were not allowed to return home when their enlistment expired. The spring and summer of 1862 witnessed a significant increase in the number of volunteers who deserted as men who felt they had done their duty took "French leave." Joseph Brewer, for example, had volunteered in the initial excitement of war. Along with many others from Forsyth, he enlisted for twelve months with the 21st North Carolina. Seventeen months later, in December 1862, Brewer had had enough and deserted. Eventually, he returned to his unit. Perhaps social stigma, fear of capture, or a change in opinion led Brewer to report back for duty in February 1863. During the Gettysburg Campaign in July 1863, however, he slipped away once again and surrendered to Union forces. Brewer soon took the oath of allegiance and enlisted in the United States Army. He spent the rest of the war at Fort Leavenworth guarding against Indian attacks.[41]

Though Brewer's example demonstrates that even the loyalty of Confederate volunteers remained contingent, conscripts were significantly more likely to desert. Of 776 identified

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[40] Claim of Samuel D Yokeley (10959), Davidson County, Approved SCC, NARA; Claim of Andrew Yokley (10729), Davidson County, Disallowed SCC, NARA; Andrew Yokley, also testified in Claim of Jacob Charles (10957), Forsyth County, Disallowed SCC, NARA; CSRs of D. P. Yokley, Joseph Yokeley, and Jefferson Yokeley 48th NC; Compiled Service Record of Andrew J Yokley, of the 7th Cavalry, *Compiled Service Records of Volunteer Union Soldiers who Served in Organizations from the State of Missouri*, National Archives Microfilm Publication M405, Washington, D.C.: National Archives and Records Administration, accessed digitally via *Fold3.com* (www.fold3.com, March 2012) CSR henceforth; one source indicates another relative, John Yokley, was also in hiding: see Christopher M. Watford, *The Civil War in North Carolina: Soldiers' and Civilians' Letters and Diaries, 1861-1865* (Jefferson, N.C.: McFarland, 2003), 116. For information regarding their oldest son see also: "Pension File for Andrew J. Yokley," Company E, 7th Missouri Cavalry, Application 316237 (Mother), Certificate: 303843, NARA.

[41] CSR for Joseph Brewer, 21st NC. Compiled Service Record of Joseph H. Brewer, of the 4th US Volunteers in *Compiled Service Records of Former Confederate Soldiers Who Served in the 1st Through 6th U.S. Volunteer Infantry Regiments 1864-1866,* M1017, Washington, D.C.: National Archives and Records Administration, accessed digitally via *Fold3.com* (www.fold3.com, April 2012).

Forsyth residents who entered Confederate service by the end of 1863 at least 180 deserted or went absent without leave according to their compiled service record. Of the approximately 293 Forsyth men who volunteered for service in 1861 only 50 (17 percent) deserted or went AWOL, and only 28 (less than 10 percent) did so before 1863. In contrast, 104 of the 401 Forsyth men (26 percent) known to have entered service in 1862 are recorded as having left their unit without authorization by wars end. Those who entered service in 1863 were even more likely to desert. The records of 27 of the 90 Forsyth residents (31 percent) who entered service during the third year of the war list them as deserters or AWOL. Unfortunately the records of those who entered Confederate service in 1864 are far too incomplete to provide any meaningful measurement of their desertion rates.

Forced military service was not the only aspect of conscription that angered Forsyth residents. The conscription laws included a series of rules allowing exemptions to those of a certain social or economic means, infuriating many who were too poor to avoid service. The discriminatory twenty-slave rule, for instance, that exempted slave owners with twenty slaves or more from service, unsurprisingly alienated many poor non-slaveholders as well as more modest slave owners. Though the rule applied to less than twenty individuals in Forsyth, the principle of economic favoritism behind it garnered widespread resentment. Additionally, a rule allowing individuals to hire a substitute further upset those unable to afford such an option. Substitutes could not be eligible for conscription themselves and were, therefore, hard to come by and extremely expensive. Of over 900 Forsyth soldiers examined only twelve have been identified as substitutes.[42] Though the small number of substitutes from Forsyth may partially be due to poor record keeping and the propensity of some to look outside their community for substitutes, it is

[42] I used the CSRs of soldiers identified as from Forsyth. My research assistant, Maia Call, than coded them into an access database to allow statistical studies. For more on substitutes see Glatthaar, *General Lee's Army*, 399.

clear that most citizens could not afford one: one area man was reported to have paid two thousand dollars for a substitute.[43] They also presented a moral quandary to devout, principled Union man. All this is not to say that the Civil War was a class conflict or that desertion was tied strictly to economic status. While class resentments played a role, at times impoverished individuals were among the most diehard Confederate, and those of means were found among the ranks of deserters and dissenters. Indeed, Samuel Stoltz ranked in the top 10 percent of the community by wealth, yet his son hid in the woods to avoid service.[44]

Moreover, actions by local Confederate authorities often alienated white southerners as much as national or statewide events did. War taxes and the impressment of supplies and slaves infuriated many in the South, but efforts to stifle a budding insurgency, enforce Confederate laws, and find deserters further aggravated the local population instead of pacifying dissent. Samuel Yokley's postwar testimony to the Southern Claims Commission reveals a traumatic wartime experience that exacerbated his disaffection for the Confederacy. Confederate loyalists, Samuel recalled a decade later, threatened to burn his farm "because [his] boys would not fight for the Confederacy and [he] protected them." In addition to these threats, Confederate troops arrested the elderly man three times. The authorities always freed him eventually, but arrests of suspected dissenters bred resentment towards the new nation. In the fall of 1863, Captain John Gilmer of the 21st North Carolina arrested Samuel in an attempt to force his sons to return to service. Samuel, who was lightly clad and lacked a coat, spent a cold night under arrest at a local school. In the morning, Samuel refused to accompany the troops any further. According to his

[43] For an account of the cost of a substitute see Solomon Hege to C. A. Hege, August 21, 1862, Constantine Alexander Hege Papers, 5158-z, SHC. The Hege papers detail one family's unsuccessful attempt to find a way to get their son out of the army legally.

[44] Claim of Samuel Stoltz (15085), Forsyth County, Approved SCC, NARA; 1860 Census.

postwar account, the twenty-two year old Captain "ordered a portion of his men to shoot me; they immediately surrounded me and presented their guns at me." But Samuel called the soldier's bluff and told the brash young man, "if you kill me you will only have one old man out of the way." After a few moments, Captain Gilmer and his men marched away, leaving Samuel alone in the school. Samuel was lucky; the 21st North Carolina killed multiple dissenters during their sweep of the Piedmont for deserters, including James Dial. Still, Samuel's experiences engendered no affection for the Confederacy, and instead intensified his allegiance to the Union. As the Yokleys' response suggests, continued and violent attempts to enforce conscription by local authorities may have created more "Union men" than any act of the Confederate government, including secession.[45]

As the war progressed anti-Confederate sentiment increased throughout Forsyth. By April 1864, for example, Calvin Dial, the once ambivalent pauper, had become perhaps the most feared anti-Confederate in Forsyth County. The deaths of his two older brothers at the hands of Confederate troops eliminated any remaining feelings of affection Calvin might have ever held for the Confederacy. Forced to serve in the 21st North Carolina—the unit responsible for his brothers' deaths—Calvin soon deserted.[46] Returning home, he began a spree of violence that led a local paper to describe him as the "notorious deserter named Dial." Calvin headed a gang of deserters who terrorized the northwest corner of Forsyth County. Robbing the homes of Confederate families, burning barns of prominent secessionists, and firing on home guard

[45] Claim of Samuel Yokeley (10959), Davidson County, Approved SCC, NARA; CSR for John Gilmer, 21st NC.

[46] CSR for Calvin Dyal, 21st NC; Dial may have actually deserted twice and been captured the first time; for evidence of this see: "List of prisoners" dated December 10, 1863, Manuscripts, Folder 3431, Other Records, RG 109, NARA; and also Record of Court Martial Book, Chapter 1, Volume 197, p. 12, Records of the Adjutant and Inspector General's Department, RG 109, NARA.

members, Dial's gang embarked on a private war.[47] Dial was far from alone in his opinions and many residents sympathized with him.[48] What made Dial stand apart from other deserters was his openly violent form of dissent.

Men like Calvin Dial were neither heroic Unionists nor poor criminals taking advantage of lax law enforcement. The reality was far more complicated. These crimes had political and personal messages attached to them. While not directly aimed against the South's ability to make war, many attacks were acts of local terrorism, designed to inspire fear and discourage attempts to capture deserters. Calvin's gang did not raid random houses, but rather targeted ardent secessionists, home guard members, and others they deemed their personal enemies. If Calvin and his accomplices had stolen indiscriminately, they would have quickly alienated the very people upon whom they relied to protect them. Indeed, Calvin was so well liked that Confederate sympathizer Julia Jones worried that if Dial was killed near their home, "it will make matters worse. He has many friends."[49] Calvin's attacks, in short, were aimed not at material gain but at his enemies.

Still, bushwhackers occasionally robbed people for material reasons, and crimes of opportunity did occur. Especially as shortages increased and food became scarce, theft became a means of survival for some dissenters. But when deserters became indiscriminate they risked losing the support of the local population. One of Dial's compatriots, a deserter named Freeman, was captured in February 1865 after he broke into Jonathon Spease's still and became heavily intoxicated. Subsequently, Freeman went to the home of Israel Spease, whose father owned the

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[47] "Accidently Shot," *People's Press,* December 15, 1864; Julia Jones to "Jimmy," July 13, 1864, Jones Family Papers, SHC; Julia Jones to Alex Jones, February 8, 1865, Jones Family Papers, SHC; *Western Sentinel*, January 12, 1865; "Deserter Shot," *Western Sentinel*, March 2, 1865.

[48] Julia Jones to Alexander Jones, March 3, 1865, Jones Family Papers, SHC.

[49] Julia Jones to Alex Jones, February 8, 1865, Jones Family Papers, SHC.

aforementioned still. Whether Freeman had previous interactions with the Spease family remains unknown, but loitering at the home of someone whose family he had just robbed was a foolish decision. When Freeman began causing problems, Spease sent his daughter to round up help and Freeman ended up in jail. It is worth noting, however, that the daughter appealed to neighbors for assistance, and it was their disapproval of Freeman's actions, not the tracking of the home guard, that led to his downfall.

It seems likely that the Spease family was friendly towards at least some deserters. The Speases' political leanings are unknown, but Spease was hardly a law abiding Confederate himself. In fact, it was Freeman's transgressions against Spease's illegal still—outlawed because alcohol production wasted precious grain—that led to his arrest.[50] Dial and his gang almost certainly knew the family and it seems plausible that the Spease family would have preferred to have avoided contact with the authorities.[51] The family does not appear to have been full of hardcore Confederates. In fact, Jonathon's son had gone absent without leave on June 1, 1863 and was "presumed to be in Forsyth Co." until he returned on March 6, 1864—though it is unclear if he returned of his own accord or under guard. After capture at Spotsylvania Courthouse, however, he enlisted in the Union army, before dying of diarrhea on June 5, 1864.[52] Given Calvin's protective nature towards his mother and sisters, it seems unlikely he would have alienated the Spease family who lived two houses over in 1860.[53] Most deserters, Dial included, were careful not to be indiscriminate in their robberies.

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[50] Julia Jones to Alex Jones, February 8, 1865, Jones Family Papers, SHC.

[51] In 1860, Calvin lived next door to Jonathon Spease's 670 acre farm. Calvin and his brothers might have been hired during the harvest and his family may have rented from the Spease family. It seems unlikely that they would have risked angering their mother's landlord (1860 Census; 1860 Farm Schedule).

[52] CSR for James E Speace, 33rd NC, M 270; and CSR for Jonathon E Spease 1st US Volunteers, M1017.

[53] 1860 Census.

Of all the dissenters in Forsyth, Confederates feared Calvin Dial the most. He became almost a folk hero for dissenters in Forsyth County, who followed his exploits through rumors as well as in the newspapers. Not every resident admired him though; Bethania resident and Confederate Sharpshooter, James Jones thought that "it certainly would be a great blessing to the community if Dial could be caught & it would be a greater [one] to know that he was executed."[54] So skilled was Calvin at alluding Confederate authorities and so destructive an enemy to authorities that newspapers reported about his exploits by name, referring to the "artful deserter, well known throughout this community, by the name of Dial."[55] No other Forsyth dissenter ever achieved Calvin's prominence.[56] Though Calvin Dial attacked secessionists, he was not a Unionist so much as an anti-Confederate. His attacks originated from hatred and a desire for revenge. While Calvin attacked devout Confederates and secessionists in part for their political allegiance, most dissenters were more circumspect and hesitant to take up arms.

Even the life of the most violent Forsyth dissenter challenges a traditional binary of Confederate against Unionist. When the home guard searched for Calvin, they were more likely to accidently shoot themselves than they were to capture the infamous deserter or another member of his band.[57] Yet in late February, a wounded Calvin was carried through Bethania on his way to the Forsyth jail. Two men who were avoiding service themselves by pretending to be recruitment officers had captured Dial along with another prominent member of his gang, likely

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[54] James B. Jones to "Brother and Sister," February 19, 1865, Jones Family Papers, SHC; "Deserter Shot," *Western Sentinel*, March 2, 1865. As mentioned earlier Julia Jones, James' mother disagreed with her son's assessment as she feared retaliation if Dial was shot.

[55] "Deserters Shot," *Western Sentinal*, March 2, 1865.

[56] When Forsyth Residents wrote friends about the capture of deserters during the 1863 sweep of the county, they always mentioned the Dials when giving a list of deserters. For example J.H. Shaffner wrote his fiancé about "the arrest of such characters as the Dials, Brendle, and Marshall." J. H. Shaffner to Carrie L. Fries, November 1, 1863, Fries and Shaffner Papers, SHC.

[57] "Accidently Shot," *People's Press,* December 15, 1864.

for reward money. When Dial and his partner had attempted to escape, their captors shot Calvin in the hip. Dial's compatriot fared worse, receiving a mortal wound. Where Confederate authorities failed, deserters had succeeded.[58] Confusing loyalties further, within a week one of Dial's captors murdered the other. Initially, the murderer claimed Dial's friends had committed the deed for revenge, which seemed a plausible explanation at the time, especially given Dial's popularity among disaffected members of the community. By the time the authorities realized the truth, the murderer had vanished with a large sum of money. His exact identity remains unknown but later reports indicate the two men may have even been friendly with Dial before turning on him for reward money.[59] Thus, the difficulty in reconstructing loyalties originates in part from the confusing reality of Civil War home front alliances.

Family loyalty frequently trumped all other allegiances. Samuel Yokley's third arrest for hiding his sons resulted in a revealing conversation regarding the roots of his resistance. After a night in the Forsyth County courthouse "without anything to eat," Samuel was eventually dragged before an enrolling officer, who announced his intent to enroll one of Yokley's sons. Samuel declared that his son "did not belong to the Confederate service [as] he was 16 years of age." He refused to allow his son to be taken, threatening to "spend the last dollar, the last nigger & the last horse before they should have him." Central to Samuel's resistance was protecting his son. Upon learning that Yokley owned slaves the enrollment officer asked the farmer why as a

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[58] "Deserters Shot," *Western Sentinel*, March 2, 1865; "Murder," *People's Press*, March 9, 1865; "Shot," *People's Press*, March 9, 1865; Julia Jones to Alexander Jones, March 3, 1865; Beverly Jones to Alexander Jones, March 12, 1865 in Jones Family Papers, SHC; A.P. Smith to Zebulon Baird Vance, March 3rd 1865, Zebulon Baird Vance Papers, Private Collections, *North Carolina Division of Archives and History, Raleigh, NC* (cited hereafter as PC, NCDAH).

[59] "Murder," *People's Press*, March 9, 1865; "Shot," *People's Press*, March 9, 1865; *Western Sentinel*, March 16, 1865; Julia Jones to Alexander Jones, March 3, 1865; Beverly Jones to Alexander Jones, March 12, 1865 in Jones Family Papers, SHC; A.P. Smith to Zebulon Baird Vance, March 3rd 1865, Zebulon Baird Vance Papers, PC, NCDAH.

slave owner he would not support the Confederacy. Yokley replied "that I had lived under the Government of the United States; & it's Constitution & Government had always protected me and my property." [60] The character of the Yokleys' resistance largely evolved not from patriotism but from family loyalty.

Although Samuel would give anything for his son, he was less willing to give his last dollar, slave, or horse for the Union. In fact, in April 1865, the day after a Federal cavalry force impressed his horse, Yokley attempted to protest to the unit's commander and retrieve his animal, but the troops left the area before he reached their encampment. [61] While the constant harassment and mistreatment by Confederate authorities ensured that by 1865 Yokley identified more strongly with the Union than the Confederacy, there were limits to the Yokleys' love of the flag as well as tangible reasons for the family's allegiance to the Union. Ideology and loyalty are always fluid. For Yokley, dissent remained first and foremost about protecting his sons, and secondly preserving his property.

A sense of patriotism almost certainly contributed additional motivation to the Yokleys' opposition to the Confederacy, but self-interest and family determined the manner of dissent and level of resistance. Unlike some dissenters who attacked the farms of secessionists and officers in the home guard to intimidate them, the Yokleys sought to avoid conflict. In fact, most who took to the woods tried to avoid any contact with Confederacy. As the war progressed and the Confederacy's hold on the countryside deteriorated, however, attempts at suppressing dissent grew increasingly desperate and oppressive, leading to increased violence. For most of the war, the Yokleys' resistance consisted of avoiding service and helping others on the run. The family

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[60] Claim of Samuel Yokeley (10959), Davidson County, Approved SCC, NARA.

[61] Claim of Samuel Yokeley (10959), Davidson County, Approved SCC, NARA; for a good account of Yokley's dealings with Union troops see Chris J. Hartley, *Stoneman's Raid, 1865* (John F. Blair, Publisher, 2010), 207–208.

never attacked the Confederate war effort directly by cutting a rail line, burning a bridge, or attacking a supply wagon. But in 1864, once one of Samuel's sons was captured by the home guard, the Yokley boys took up arms.

As the Confederate squad escorted three prisoners "tied with their hands behind them" along the plank road connecting Salem and High Point, around a dozen dissenters ambushed the soldiers. The three prisoners were soon cut loose and "set at liberty." At the head of the rescue party was none other than Samuel Yokley. Other rescuers included neighbors and at least one of Samuel's sons; the group likely included two or three more family members as well.[62] The goal of this attack was not to speed the fall of the Confederacy, though their perpetrators eagerly awaited its demise. Dissenters like the Yokleys avoided conflict with Confederates, only taking up arms to protect themselves and their family members. Unlike the Dials they did not continue attacking the Confederacy after the rescue but once more returned to hiding, relying on friends and family to support them.

The Yokleys were not the only family that protected their kith and kin. In February 1864, for instance, another "band of brother deserters" stopped the High Point coach from Salem and rescued one of their members.[63] And by March 1865, a local paper reported that, "It has become a common occurrence for the stage coach on the High Point road, to be attacked, and any

[62] Claim of Samuel Yokeley (10959), Davidson County, Approved SCC, NARA.

[63] "Rescued," *Peoples' Press*, February 2, 1865; Victoria Bynum has explored the importance of community and family in desertion in *Long Shadow of The Civil War.* Because of her comparative approach, Bynum confined her study to Guilford, Alamance, Orange, Randolph, Chatham, Montgomery, and Moore Counties. However, whereas she focused on Randolph as the center of resistance because it is the extreme example, I have picked Forsyth to study because it is so often overlooked. For the purposes of social mapping (see chapter 2 and 3), Forsyth is more typical of the Piedmont region, and in the end, county lines matter less than family ones.

deserter that might be on transportation, turned loose."[64] Even the local jail was not safe, as accomplices helped captured deserters escape from there as well.[65]

Allegiances formed across the spectrum of loyalties represented in Forsyth. Even after he joined his nephews and brothers hiding in the bushes, Andrew Yokely avoided attacking the Confederacy. When asked years later how he aided the Union, Andrew replied, "I did all that I could for the cause. I kept out of the army[…]" The root of Andrew's dissent and that of many other men in the woods was an effort to avoid Confederate service. During the war, Andrew joined the loosely affiliated network of dissenters known as the Heroes of America. His reasoning for joining the secret organization appears to have been passive and self-defensive in nature. He later recalled how the Piedmont-wide Heroes of America "was a protection for Union men, there was nothing bad or murderous about it."[66] The Heroes never attacked the Confederacy like an underground guerilla organization. Guerilla bands existed in North Carolina, but they were the exception and not the rule within the Forsyth community. Instead, the Heroes opposed conscription far more than the existence of the Confederacy itself. The group's primary purpose was to hide deserters and conscripts from Confederate troops. Most dissenters simply tried to survive; serving on a detail hauling wood for the Confederate railroads or paying for a substitute to fight in one's place was in no way antithetical to joining the Heroes. Additionally, taking up arms against the militia exposed dissenters to increased attention; it was far safer to avoid confrontation, while aiding those taking more active means of resistance.

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[64] "Deserter Shot," *Western Sentinel*, March 2, 1865.

[65] "Broke Jail," *People's Press*, January 26, 1865.

[66] Claim of Andrew Yokley (10729), Davidson County, Disallowed SCC, NARA.

George Hege found a means to avoid service himself that also benefited his family hiding in the woods: he joined the militia tasked with hunting deserters. Hege later recalled that "I was ordered out twice to hunt deserters[.] I never caught any[.] I could have caught them, I did not want to." His claim appears to be at least partially true as his nephews—who were recusant conscripts—were hiding next door. Family members of many nominal deserter-hunters enjoyed additional protections from capture. By joining the militia tasked with finding men who were laying out, Hege not only avoided service but he also ensured his own family would not be captured for much of the war. When Hege's militia company received orders to travel to eastern North Carolina to repel Union forces in 1864, he deserted rather than go to the front. Unlike John Holder who fled north, Hege stayed closer to home, joining his family members hiding in his neighbor's barn.[67]

The loyalty of some Forsyth residents is hard to unravel. At least two gunfights broke out at Alan Flynt's home in 1862, but who was fighting whom remains unclear. The unnamed assailants could have been Confederates hunting for Alan's son James—who refused to enter service—or deserters targeting another son, militia Captain DeWitt Flynt. Alan's brother, William, also served as a captain in the Forsyth militia. While on the surface the Flynts might appear a divided family, a devout secessionist living in the neighborhood considered the whole family disloyal. [68] Additionally, William Flynt was rumored to have notified citizens in the Bethania area of upcoming sweeps by the home guard, as a means of warning deserters. [69]

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[67] Claims of George Hege (10963) and Christian Shoaf (10965), both of Forsyth County, Disallowed SCC, NARA; Faye Jarvis Moran, "Shoaf Family," *The Jarvis Family & Other Relatives* (http://www.fmoran.com/shoaf.html, accessed December 2010).

[68] See Adam Domby, "'Loyal to the Core from the First to the Last:' Remembering the Inner Civil War of Forsyth County, North Carolina, 1862-1876" (M.A., University of North Carolina at Chapel Hill, 2011), 5–7.

[69] Wm. Flynt, "A Card," *Western Sentinel*, April 28, 1864.

Though he publicly denounced the rumor, William's nephew James Flynt was one of the five dissenters killed by Reuben Wilson in the last month of the war.[70]

Confederate authorities were not blind to the questionable commitment of many militia members. Just a few months before much of the militia deserted en masse, authorities attempted to round up deserters using the home guard. The call to muster with rations for five days led many to believe they were being sent out of the county. The commanders let the men believe they were leaving the area until they reached the outskirts of Salem, when they announced that each company was hunting deserters in a different portion of the county. While this deception disguised the real mission from deserters and others there were additional reasons for the subterfuge as well. Worries that the members of the home guard would purposefully leak their orders necessitated tight operational security. As the Forsyth home guard broke off into smaller patrols, the commanders were careful to compartmentalize all information; the orders of where to search were given to each hunting party separately so that those hiding in the bush could not be warned by members of the other search parties.[71]

While historians of Civil War dissent have often focused on deserters, the Yokleys, Stoltzs, and Dials illustrate another type of dissenter: the recusant conscript. James Dial, Constantine Stoltz, and Samuel M. Yokeley (the son of Samuel Yokley) all refused to fight but never entered Confederate service. Historians who have attempted to compare counties' loyalties by simply counting deserters overlook a crucial feature of the inner-war fought between dissenters and Confederate authorities. Large numbers of recusant conscripts from a locality

[70] See Domby, "'Loyal to the Core from the First to the Last:' Remembering the Inner Civil War of Forsyth County, North Carolina, 1862-1876," 5–7.

[71] J.W. Fries to Rufus Patterson, August 21, 1864, Patterson Papers, PC, NCDAH.

necessarily reduced the number of potential deserters there.[72] Deserters represented just one type of dissenter. It was not just deserters but other anti-Confederates as well who sapped the manpower of the South and contributed to a lawless home front. Each recusant conscript represented a potential soldier who was not fighting. While only 15% of the soldiers in the Army of Northern Virginia deserted, in some southern counties recusant conscripts may have been as prevalent as deserters. Some contemporary estimates put the number of men hiding in the bush around Forsyth in the hundreds and anecdotal evidence indicates many of those hiding in the bushes were actually recusant conscripts.[73] For example, of the five bushwhackers who frequented Christian Shoaf's barn as a place to sleep, only one ever served in the Confederate army. The others—including former militiaman George Hege—all took to the bush before they were forced into Confederate service.[74] While less of a concern to Confederate commanders focused on keeping the men they had, recusant conscripts helped create a lawless situation in the North Carolina Piedmont, which undermined morale of those in uniform.

The problem of desertion and dissent in Forsyth County grew throughout the war. In July 1864, for instance, newspapers reported that a band of around two hundred deserters had made camp just across the Yadkin River from Forsyth County. The home guard attacked their camp and dispersed the deserters. To put this in context, two hundred men equaled about half the strength of a Confederate regiment and required substantial organizing. Although the size of this band might be an exaggeration, there were clearly plenty of armed dissenters around. Sweeps

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[72] See for example Scott King-Owen, "Conditional Confederates: Absenteeism Among Western North Carolina Soldiers, 1861-1865," *Civil War History* 57 (2011): 349–379. King-Owen's paper has additional issues. For example, he calculated his rates from an incomplete published sources that often overlooked deserters instead of from CSRs. He should have used the CSRs to get a more accurate count, but even this would have at times reflected the record keeping of different units instead of actual desertion rates.

[73] "Is This To Be The Program," *Western Sentinel*, July 7 1864.

[74] Claims of George Hege (10963) and Christian Shoaf (10965), Forsyth County, Disallowed SCC, NARA.

gathered up a large number of deserters during September, but October brought new reports about large bands of deserters, Unionists, and recusant conscripts attempting to make it to Northern lines. Among those captured in October was John D. Holder, the former deserter-hunter turned deserter. [75] And although Holder attempted to escape, other members of the militia joined their former prey hiding out in Forsyth County.

As dissent increased over the course of the war the community members found themselves increasingly at odds with each other. The increasing number of dissenters hiding in the woods—as well as their supporters—led to a breakdown of civil society. The local papers were full of accounts of robberies. As food and other supplies became scarcer and Confederate script became all but worthless, crime became not only a means of intimidation but the only way to eat. In early March 1865, led by a well off slave owner, a group of residents of Forsyth County petitioned the governor for troops to suppress dissent. The petition specifically referred to a band of fifty to sixty deserters that had "formed themselves in to companies and squads […] and are going to the Residences of Loyal citizens at the dead hour of night." Additionally, these bands were known to burn what they did not steal and to lay in wait along roads for "loyal citizens." Dissent had grown so greatly that the petitioners declared that "the Loyal citizens are greatly in the minority."[76] Culminating in Major Reuben Wilson's murder of five dissenters in March 1865, the violence—inflected by southerners upon their neighbors—only got worse as the war came to a close.

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[75] "Is this to be the Program," *Western Sentinel*, July 7 1864; *People's Press,* July 28, 1864; "The Forsyth Home Guard," *People's Press,* September 29, 1864; "Disloyalty in Forsyth," *People's Press*, October 27, 1864; "Another Good Haul," *Western Sentinel* November 3, 1864; *Western Sentinel*, Oct 27, 1864; "Arrested," *People's Press,* November 3, 1864.

[76] Auman, "Neighbor Against Neighbor," 449, 354-356, "Where is Civil Law," *Western Sentinel*, August 4, 1864; "Mr. Editor," *Western Sentinel*, August 18, 1864; Wm Welborn et al' to his Excellency, Z. B. Vance, Zebulon Baird Vance Papers, PC, NCDAH; "Broke Jail," *People's Press*, January 26, 1865.

Chapter 2: "Between Hawk and Buzzard all the Time"
Loyalty, Division, and Unionism in Civil War Loudoun County, Virginia

On a stormy August night in 1861, Samuel Steer and Amasa Hough, Jr. slipped across the Potomac River into northern Virginia under cover of darkness.[1] They charted a course cross-country to avoid Confederate pickets, following fences to get to their homes in Waterford, Virginia. Though both were civilians— Quakers—who had come to Virginia to gather information for the Union Army, stationed just across the Potomac in Point of Rocks, Maryland. After a short, three-hour visit, they slipped back toward the north, crossing at Point of Rocks before morning. With them they brought sixteen slaves, who had decided they would rather be free than work on Confederate fortifications. Additionally, the two Virginians warned the Union troops that a Confederate force was on its way. Their counsel proved timely, and the Federal troops were well prepared when the enemy arrived.[2]

The Waterford foray, though brief, carried significant risks. In fact, Hough and Steer put themselves in danger every time they visited home. If a neighbor had seen them in Waterford, they would have risked arrest. Three years later, on a trip to visit his family, Steer would indeed be seized and spend two months in jail for his support of the Union.

Hough and Steer were some of the first dissenters to flee the Confederacy. Fearing for his life, the anti-secessionist Hough left Loudoun County, Virginia, just south of the Maryland

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[1] It was literally "A dark and stormy night."

[2] Claim of Amasa Hough (41788), SCC Approved, Loudoun County, VA, NARA. See also John M. Souders and Taylor M. Chamberlin, *Between Reb and Yank: A Civil War History of Northern Loudoun County, Virginia* (Jefferson, North Carolina: McFarland & Company, Inc., 2011), 55.

border, in the dead of night just days after Virginia's May 1861 vote on secession. Steer's vocal opposition to secession likely forced him to flee as well.[3] In the first days of the Civil War, fear of violence and conscription into the southern armies led many young men to flee northern Virginia even before any battles occurred. It was not the journey north that was dangerous: Maryland was just across the Potomac river from Loudoun County. The problem was that once they had fled from Virginia, locals marked them as Union sympathizers, and each return trip to visit families and friends incurred great risk.

The nature of Loudoun's war within the states was different than the conflict waged in Forsyth County, North Carolina. Whereas Forsyth remained far behind Confederate lines until the last days of the war, Loudoun residents found themselves in a "debatable ground" where "first one [side] would come there and then the other." [4] As a result, Loudoun's residents were accustomed to constant contact with troops from both sides, often within the space of a single day. At times, Loudoun residents did not even know whose lines they lay within, as they frequently found themselves between contending armies. This back and forth of Union and Confederate occupation, interspersed with periods when guerillas and occasional patrols represented the only authority, left Loudoun residents in a no-man's land.

Confederate and Union forces battled for control of Loudoun the entire war, and neither army ever fully controlled the county. Though Confederate forces occupied the county seat of Leesburg from June 1861 to March 1862, the northern tip of the county remained sandwiched between the armies. Loudoun's location so close to the Baltimore and Ohio Railroad and the

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[3] John E. Divine, Bronwen C. Souders, and John M. Souders, *To Talk Is Treason: Quakers of Waterford, Virginia on Life, Love, Death and War in the Southern Confederacy* (Waterford, VA: Waterford Foundation, Inc, 1996), 25; Souders and Chamberlin, *Between Reb and Yank*, 46. Souder postulates "treasonous" letters he had sent were intercepted by Confederate authorities.

[4] Court Marital of J.S. Palmer, Case # NN-1971, Records of the office of the Judge Advocate General, RG 153, NARA.

Chesapeake and Ohio Canal, both of which roughly followed the Potomac on the Maryland side of the river, made the county strategically important, and Union forces quickly moved to guard the Maryland side of river crossings in order to secure Union lines of communication, leaving those in Northern Loudoun between opposing forces. This proximity allowed northern Loudoun residents like Steer and Hough to escape easily to Union lines, but also left the area open to raiding. The lack of any constant force imposing order throughout the war left a consistently lawless region where Confederate guerillas and Union scouts not only fought each other, but also harassed the region's remaining civilians.

Despite its strategic location, Loudoun was never the site of major battles during the war. The most notable battle fought inside the county occurred at Balls Bluff on October 21, 1861, when a Union reconnaissance in force accidently stumbled into Confederate troops on top of the Virginia bluffs overlooking the Potomac River about two miles from Leesburg. Colonel Edwin Baker, then a sitting U.S. Senator, received a fatal wound to his head during the battle. Confederate forces drove the Union troops back over the bluff and fired down upon the Union troops trapped on the shore. The three boats that the Union forces had used to transport their troops across from Maryland were soon swamped by overloading, trapping the men on the Virginia shore. Some men swam, others drowned, and many surrendered.[5] Confederate forces overwhelmingly routed the Union force with over 900 Federal soldiers killed, wounded, captured, or missing. The Confederate losses were comparatively minor, 36 dead and only 155 total casualties.[6] While devastating to Northern morale, the battle had little impact on control of

[5] For an overview of the battles, see James Morgan, *A Little Short of Boats: The Fights at Ball's Bluff and Edwards Ferry, October 21-22, 1861; a History and Tour Guide* (Ft. Mitchell, KY: Ironclad Publishing, 2004); Byron Farwell, *Ball's Bluff: A Small Battle and Its Long Shadow* (McLean, VA: EPM Publications, 1990); Ted Ballard, *Battle of Ball's Bluff* (Washington, D.C.: US Army Center of Military History, 2001).

[6] Ballard, *Battle of Ball's Bluff*, 52–53. Some estimates put the number of Union deaths as high as two hundred.

Loudoun County; Union forces progressed less than a quarter-mile into Virginia, and the majority remained within sight of the river the entire battle.

The first sustained penetration by Union troops into Loudoun began in February 1862, when Colonel John Geary moved his Pennsylvania infantry into Lovettsville, though scouts and raids had occurred before then. In March, Federal forces continued their advance and occupied Leesburg as Confederate troops retreated from a series of fortifications they had built around the town without giving battle.

While Loudoun would never again be the objective of a major offense, its location ensured armies from both sides crossed through the region repeatedly. After the Peninsula Campaign and the Union defeat at Second Manassas, Confederate forces briefly reoccupied (or, more aptly, passed through) the county, driving Union forces out of Leesburg as Lee's army advanced into Maryland before the battle of Antietam. In the aftermath of the Antietam campaign, forces from both armies passed through the county again as the seat of war moved south, leaving Loudoun nominally within Union lines. After the battle of Chancellorsville, the Army of the Potomac moved through Loudoun as they chased the Confederate forces northward towards the forthcoming clash at Gettysburg. Finally, in June 1864, Confederate troops returned to the county after General Jubal Early's raid on Washington ended with a retreat through Loudoun. Early's passage marked the last time a Confederate force of a division size or larger operated in Loudoun. Still, Confederate guerillas and Union troops continued to fight throughout the remainder of the war.[7] Passing armies engaged in occasional skirmishes as well, but these

[7] For the best works giving an overview of Loudoun during the Civil War, see Souders and Chamberlin, *Between Reb and Yank*; Michael Stuart Mangus, "'The Debatable Land': Loudoun and Fauquier Counties, Virginia, During the Civil War Era" (Ph.D., The Ohio State University, 1998); Stevan Meserve, *The Civil War in Loudoun County, Virginia: A History of Hard Times* (Charleston, SC: History Press, 2008). *Between Reb and Yank* is the most comprehensive on northern Loudoun County of these works.

were less central to the Civil War experience for most of Loudoun's residents than the ceaseless guerilla warfare that characterized Loudoun's own war within the states.

Loudoun's proximity to Union supply lines, its abundance of rich and productive farm land, and its population of divided loyalties ensured a guerrilla conflict raged in the county throughout the war. Both the Union and Confederacy raised special regiments for scouting and guerilla warfare from among Loudoun's population to fight in the county. White's 35th Virginia Cavalry (which recruited primarily in Loudoun) and John Singleton Mosby's 43rd Virginia Cavalry (raised from residents of Loudoun and Fauquier Counties) emerged as two of the most feared guerilla units of the entire war. Regular infantry proved too slow to catch the Confederate guerillas, and Union cavalry lacked the local knowledge necessary to track down Mosby and White's men. The havoc that Mosby's Rangers and White's Comanches wrecked upon the Union rear compelled Union forces to respond by forming the Loudoun Rangers from Loudoun refugees who had fled north. Acting as an independent unit, the Loudoun Rangers applied many of the guerillas' tactics against them. At times, it seemed as if two insurgencies were fighting each other. Small parties of Confederate guerillas frequently skirmished with the patrols of the Loudoun Rangers, resulting in nearly constant small-scale conflict.

Though official units faced each other, Loudoun's inner war was not one of battles but of ambushes, assassinations, and skirmishes. Neither the Loudoun Rangers nor the locally-raised Confederate guerilla forces were intended primarily to fight in large battles. Rather, the units were devised to harm the enemy through hit and run tactics. Hunting down enemy soldiers and killing them while they were at home was a common practice for both sides. But, the killing of a man in front of his family was made no less traumatic by the fact that both the victim and the perpetrator wore uniforms.

These locally-raised units served an important military purpose, but they also tore apart the Loudoun community in ways that units from the Deep South or New England never could have. While personal relationships occasionally existed between members of opposing units in major Civil War battles, rarely did virtually everyone in a unit know members of a unit they repeatedly faced, as was the case in Loudoun. Both sides often exploited the knowledge of their local units by tasking them with impressing crops and other material resources from "disloyal" citizens. Those who had their crops raided or lost other property thus often knew their persecutors personally. Additionally, few regions had as many civilian prisoners in Richmond and Washington as northern Virginia. The locally-raised units frequently oversaw the arrest of enemy sympathizers, leading to prison stays for hundreds of Loudoun civilians, which further polarized the community.

While there remained a spectrum of loyalties, Loudoun's inner war pushed individuals toward the edges of the continuum of loyalty seen across the South. The combination of Loudoun's public ballot, early call-up of the entire militia, northern location, and continuous guerilla conflict forced many residents to support publicly one side or the other at some point in the war. For some, like Steer and Hough, flight across the border effectively declared their loyalty to the North, but even those who were ineligible for military service were often forced to take a side. Each time troops asked civilians to take a loyalty oath, provide intelligence on enemy forces, or inform on their neighbors, a decision point was reached. Once a Loudoun resident had been labeled a Union sympathizer, the subsequent harassment he might receive from Confederate troops and guerillas often cemented his sympathies toward the North, even if such loyalties had only been lukewarm beforehand. Additionally, the enlistment of Loudoun residents in the Union army likely moved the loyalties of their families. While some tried to maintain

neutrality or avoid notice, the war usually forced a decision upon Loudoun residents eventually, leading to a clearer division between Union and Confederate sympathizers than in Forsyth County.

While I avoided the term "Unionist" in characterizing Forsyth dissenters because the political character of the term did not fit many of North Carolina's dissenters, the term is more useful in explaining political association in Loudoun County. Mark Neely, who has studied Confederate political prisoners, has argued that the terms "Union Men" and Unionist "usually meant someone who had voted the Union ticket and now appeared to persist in opposing the work of the secessionists."[8] The importance of voting in this definition explains why women and African Americans were rarely referred to as Unionists.[9] While there are no records of how each man voted in Forsyth County, the same is not true in Loudoun, as Virginia did not have a secret ballot until after the war. The results of the May 23, 1861, election on secession provide an important historical benchmark for historians.[10] While it is important to recognize that political views changed over time, prewar loyalties generally dictated wartime affiliation in Loudoun. Some men, torn by competing loyalties to their nation and state, did vote against secession but ultimately sided with their state. Yet the reputation of Unionism, which a public vote against secession could provide, often led to harassment by southern troops, cementing previously tenuous anti-Confederate sentiments.

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[8] Mark Neely, *Southern Rights: Political Prisoners and the Myth of Confederate Constitutionalism* (Charlottesville: University Press of Virginia, 1999), 121.

[9] Neely, *Southern Rights*, 121.

[10] The results have since been published as Taylor Chamberlin, *Where Did They Stand?: The May 1861 Vote on Secession in Loudoun County, Virginia, and Post-War Claims Against the Government* (Waterford, VA: Waterford Foundation, 2003). Any time I refer to the way someone voted the information comes from this book.

This chapter focuses on how men with public reputations as Unionists or Secessionists interacted in a community where neither Union nor Confederates held a clear advantage in the region. By doing so, this chapter continues to address the fundamental question that the previous chapter posed: how did neighbors with at times conflicting and at times shared political views interact in the midst of war? The first part of this chapter considers how loyalty functioned differently in Loudoun than in Forsyth by examining how the nature of Virginia elections, militia call-ups, and guerilla warfare encouraged and sometimes compelled white men (as well as some white women) to pick sides. The second section examines how the conflict between locally-raised forces added a personal and bitter twist to an already violent civil war and further pushed Loudoun residents to choose a side.

Lastly, the chapter begins to explore the social impact of Loudoun's unique inner war. The chaos of war, combined with informants snitching on former friends, mass arrests of men of all political stripes, and government-sanctioned hostage-holding, ripped apart the social fabric of Loudoun County. Feuds and friendships formed along political lines as often as not, but the stress of war also left divisions between some of the most prominent Unionists, as Loudoun's community displayed many of the same traits of a complex and broken society seen in Forsyth. And while the war destroyed the prewar Loudoun community both physically and socially, it also created social networks that continued to influence the community long after the war ended, just as the war did in communities all across the South.

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On August 16, 1861, as a Confederate force approached Lovettsville, Virginia, a hamlet in the extreme northern end of Loudoun County not far from the Potomac River, a report of eight thousand Federal troops stationed ahead led to a halt. Anticipating battle, the Confederate

soldiers spread out, tearing down fences to provide "room to operate." The report of a Union force proved false, however, and the Confederates moved into Lovettsville unopposed. In fact, a Confederate soldier wrote his sister that upon arrival, they found "the place deserted by its occupants with the exception of some 3 or 4 women & some children […] all the citizens were Union men & had gone over to Maryland."[11] Another member of the Confederate expedition recounted that "the place which is filled with Home Made Yankees - were all out on a visit to Maryland."[12] The next morning, the troops moved south into "another disaffected neighborhood," the village of Waterford, where some of the men slept in the Quaker meeting house. A few civilians were arrested in Waterford, but others targeted for arrest had fled ahead of the army.[13] The men who left their homes in Lovettsville and Waterford were part of an ongoing migration of Loudoun dissenters who fled the South to avoid arrest and forced military service in the Confederate military.

The number of Loudoun residents who had sided with the North shocked Confederate soldiers from farther south. Even before war erupted, Loudoun's white anti-secessionists, concentrated most heavily in the northern part of the county, outnumbered those in almost any other county in the South. For many in Loudoun, ties of kinship, economics, and friendship aligned them more closely with the North than the South. Northern Loudoun was about as close to Philadelphia as to Richmond, and thanks to the Baltimore and Ohio Railroad—which stopped at Harpers Ferry, Virginia, and Point of Rocks, Maryland—a trip by rail to Philadelphia was

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[11] William Henry Tatum to Dear Sister, August 16, 1861, William Henry Tatum Papers, Virginia Historical Society, Richmond, VA (VHS).

[12] James Montgomery Holloway to "Dearest Annie," August 18, 1861, James Montgomery Holloway Papers, VHS.

[13] William Henry Tatum to Dear Sister, August 16, 1861, William Henry Tatum Papers, VHS. The prisoners would be just some of the earliest Loudoun residents arrested by the end of the war for their Unionist sympathies.

significantly faster and more direct than one to Richmond.[14] The Chesapeake and Ohio Canal, just over the Potomac from Loudoun, also helped ensure most crops from the northern end of the county were shipped northward instead of southward through the county. Furthermore, religion played a part in northern Loudoun's disconnect from the rest of the South, and indeed, the rest of the county. Two substantial congregations of the Society of Friends (Quakers) resided in Loudoun, one in Waterford and a second at Goose Creek. Lovettsville had been settled by German immigrants, many of whom belonged to the abolitionist Dunkard church. Several of the oldest and leading families in the region belonged to these anti-slavery faiths. Others who were not church members were nonetheless exposed to abolitionist and non-violent beliefs through everyday contact with their neighbors.[15]

Part of the reason for the strong pro-Union sentiment in the northern regions of Loudoun, around Waterford and Lovettsville, was that slavery had less of a hold there than it did in the southern reaches of the county. Although more than five thousand slaves resided in Loudoun in 1860, accounting for over a quarter of the county's population, most lived in the southern portions of the county.[16] In fact, 62 percent of the county's slaves lived in the "southern

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[14] Only with the completion of a rail line between Alexandria and Leesburg in 1860 was a direct route south established.

[15] From the early 1700s, Quakers had resided in the northwestern portion of the region. For overviews of Loudoun's antebellum history, see A. Glenn Crothers, *Quakers Living in the Lion's Mouth: The Society of Friends in Northern Virginia, 1730-1865* (Gainesville, FL: University of Florida Press, 2012); Brenda Stevenson, *Life in Black and White: Family and Community in the Slave South* (New York: Oxford University Press, 1996).

[16] *1860 U.S. Federal Census - Slave Schedules*, United States of America, Bureau of the Census. Eighth Census of the United States, 1860. National Archives Microfilm Publication M653, Washington, D.C.: National Archives and Records Administration, 1860. accessed via *Ancestry.com, (www.ancestry.com,* November 2010) cited as 1860 Slave Schedule. In contrast, slaves made up just under 16 percent in Forsyth County.

Loudoun" census district, which excluded much of the southeastern edge of the county and Leesburg.[17]

Northern Loudoun lacked the powerful planters that resided in southern Loudoun, and so slavery did not have the same economic, political, or social power there. Of the thirty-eight Loudoun slave owners who held twenty or more slaves, just four lived in communities north of Leesburg: two in the hamlet of Goresville which lay due north of Leesburg, and one each in Hillsborough and Waterford. Nine lived in Leesburg and twenty-five resided in the southern half of the county. Expanding the definition of large slave-owner reveals similar statistics. Only 19 of the 152 slaveholders with 10 or more slaves lived north of Leesburg.[18]

Slavery, however, created another population in Loudoun that hoped for Union victory. In addition to white unionists, the large number of slaves in the county provided Union troops with numerous informants throughout the war. When George Rust returned from Confederate service to check on his farm, one of his slaves slipped across the Potomac to inform to the Union forces there, which promptly raided the farm and captured the Confederate.[19] Union forces made numerous arrests of suspected Confederate spies and guerillas on the information provided by slaves. For example, Union forces arrested "George G. Harper, who was pointed out by a negro

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[17] 1860 Slave Schedule. The geographic information for many slaves is imprecise. However, 62 percent are listed as living in the Southern District of Loudoun. The remaining 38 percent of slaves in the 1860 census are on census pages where the enumerator left the location in the county blank. Some of these slaves likely lived around Leesburg. Loudoun's population included more slave owners than Forsyth, but human chattel remained the property of an elite group of the population. While, 51 percent of Loudoun's slave population were owned by slaveholders who possessed less than ten slaves, only four percent of the county's free population owned a slave, and less than 23 percent of all households included slave-owners. (Minnesota Population Center. *National Historical Geographic Information System: Version 2.0*. Minneapolis, MN: University of Minnesota, 2011 accessed at http://www.nhgis.org). Forsyth slave holding was actually even more elitist with 62 percent of slaves held by owners who possessed at least ten slaves

[18] 1860 Slave Schedule; 1860 Census; and Chamberlin, *Where Did They Stand?*, 7–29. These 19 men held an average of 14 slaves each. Large slave holders in the southern part of the county owned an average of 18 slaves each but included Elizabeth Carter who held over 100 herself.

[19] Souders and Chamberlin, *Between Reb and Yank*, 212.

as a spy from Richmond."[20] At times African-Americans worked with white Unionists to ensure intelligence reached Union forces.[21] Additionally, from the first months of the conflict, fugitive slaves proved a valuable source of intelligence to Union forces, particularly in regards to the situation south of Leesburg.[22]

The sixteen slaves who fled with Amasa Hough and Samuel Steer under cover of darkness in August 1861 were hardly the first or last slaves to run away from Loudoun County over the course of the war. Indeed, during the first ten weeks of 1862, Federal authorities interviewed more than forty-eight slaves who had escaped from Loudoun into Maryland, providing valuable intelligence to Union commanders.[23] These escaped slaves took advantage of the proximity of Union forces in nearby Maryland to escape bondage by crossing a river.[24] Most of these fugitives were male slaves, meaning they were more likely to be impressed and taken south by Confederate troops, and had no children to care for.[25] But free people of color and

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[20] *OR,* Series 2, Vol. 25, Part 1, 177. *OR* will be used as the abbreviation for United States War Department, *War of the Rebellion: Official Records of the Union and Confederate Armies*, 128 vols. (Washington, DC: Government Printing Office, 1880-1901)

[21] Souders and Chamberlin, *Between Reb and Yank*, 252.

[22] "Descriptions of Refugees, Deserters, and Contrabands, 1862," Entry 2223, RG 393 Part 2, NARA. For another example of slaves helping Yankees see Robert G. Davis to "Brother," April 28, 1862, Davis Family Papers, Library of Virginia, Richmond, VA (LVA). Numerous other letters in the Davis family papers also provide accounts.

[23] "Descriptions of Refugees, Deserters, and Contrabands, 1862," Entry 2223, RG 393 Part 2, NARA, and reports from E.J. Allen to General George McClellan, in George Brinton McClellan papers, Reels 15-19, Library of Congress, Washington, D.C. Federal authorities questioned at least forty-eight slaves and two free people of color during early 1862. A January 7, 1862, intelligence report for George McClellan included detailed information about Loudoun County and referred to an additional "seventeen persons, 'contrabands' and others, from whose aggregate statements" the report was based on. (E.J. Allen to General George McClellan, January 7, 1862, in George Brinton McClellan papers, Reel 15, Library of Congress, Washington, D.C.) Additionally, many more were likely never interviewed as they slipped past the Union pickets after dodging the Confederate ones. Given General Stone's reputation for returning slaves many fugitives wished to avoid Union troops as well as Confederate.

[24] By the fall of 1861, escaped slaves were being treated as contrabands of war (especially, if they had been working on fortifications) and freed.

[25] Already, many male slaves and free persons of color had been impressed to work on the fortifications alongside the militia.

entire families of slaves also fled north. For instance, though owned by different masters, Jacob and Mary Ann Jackson stole a horse and crossed the Potomac together along with their two children, aged two and three. Another escaped slave, having obtained permission from Union pickets, returned to Virginia by night to retrieve his wife, whose owner had lied to her about her runaway husband, saying he had been sold to Cuba. The former slave successfully returned to Union lines with his wife and their children.[26]

While some slaves took the first opportunity they saw to escape, others waited. Rumors that Union General Charles Stone had returned escaped slaves to their master likely discouraged some who might otherwise have fled.[27] These reports almost certainly originated due to Stone's controversial decision to return escaped slaves from Maryland to their masters, as Maryland had not seceded. Another wave of fugitives elected to run after hearing rumors that both slaves and free people of color would be forced to leave the county with an expected Confederate retreat. The gossip proved correct. On March 6, 1862, in the face of Union advance, Confederate forces withdrew from Leesburg forcing both the white militia and the impressed slaves who had been working on the fortifications to accompany them south.[28]

Unsurprisingly, the arrival of the Union army increased the rate of slaves fleeing the county. As one Loudoun woman noted, "when the Northern army came, there was a stampede

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[26] "Descriptions of Refugees, Deserters, and Contrabands, 1862," 25, 50-51, Entry 2223, RG 393 Part 2, NARA. When Union artillery began lobbing shells near the forts, the slaves were taken out of danger while the militia continued working, slaves being deemed more valuable than untrustworthy militia. This fact was not missed nor appreciated by the militia members.

[27] E.J. Allen to General George McClellan, February 25, 1862, in George Brinton McClellan papers, Reel 17, Library of Congress, Washington, D.C.

[28] Souders and Chamberlin, *Between Reb and Yank*, 96–97.

among the Negroes."[29] Realizing they would not be returned many fled. Elizabeth Osborne Carter, the largest slaveholder in the county, recorded in her diary that thirteen of her male slaves left with the Union army when they visited her farm on March 13, 1862.[30] Five days later she observed newly freed slaves passing her farm, headed north with passes provided by Union troops. On April 1, another slave rode off on one of Carter's horses. While the next day she noted another five slaves had left.[31] Slaves would continue slipping away throughout the war while others became insolent or demanded wages. Indeed, slavery began to die in Loudoun through attrition long before the Emancipation Proclamation.

In addition to a large slave population of potential Union supporters, Loudoun County was also home to a significant number of free people of color, who also readily sided with the Union. The 1,252 free people of color in Loudoun represented almost 6 percent of the county's entire population.[32] Like slaves, Loudoun's free people of color had no love for the Confederacy. Many were impressed into working on Confederate fortifications. Alfred Fox, managed to pay a hefty fee of $49.50 to avoid working on the fortifications around Leesburg in 1861, but others fled across the Potomac with their white pro-Union neighbors.[33] John Lewis lived in Lovettsville with a white farmer, William Cooper, who likely also employed him. When Cooper returned

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[29] Amanda Donohoe to Sisters, Transcription, April 2, 1862, Donohoe Family Papers SC 0021, Thomas Balch Library, Leesburg, VA (TBL).

[30] Elizabeth Osborne Carter, "Diary," Transcription, 1860-1872, Elizabeth Osborne Carter Diary, TBL.

[31] Elizabeth Osborne Carter, "Diary," Transcription, 1860-1872, Elizabeth Osborne Carter Diary, TBL.

[32] *National Historical Geographic Information System*; 1860 Census. By contrast, in Forsyth, the 218 free people of color made up less than 2 percent of the entire county's population. And in Floyd County, Georgia, the population of freed people of color was almost negligible. Georgia's restrictive laws on free people of color meant the entire state contained only 3,435 free people of color, 13 of whom lived in Floyd.

[33] Claim for Alfred Fox (36931), Loudoun County, VA, SCC Approved, NARA. See for example, E.J. Allen to General George McClellan, March 14, 1862, in George Brinton McClellan papers, Reel 18, Library of Congress, Washington, D.C.

from Leesburg with news that "all the colored and many of the white men in the county would be compelled to work on the fortifications near Leesburg" and that men of both races would soon be forced to take up arms, Cooper recommended that Lewis flee across the Potomac to Maryland. On February 10, 1862 Lewis did just that, leaving Virginia to ensure he remained free.[34] Others remained in Virginia and provided information to passing Union troops.[35]

Those free people of color who remained in Loudoun faced harassment from Confederate troops, guerillas, and their "rebel neighbors," just as white Unionists did.[36] Fox later claimed that his neighbors had "called [him] Yankee and said they would take [him] off to Richmond," due to his support of the North.[37] Harassment from his secessionist neighbors and desire for more freedom were just two of the reasons he supported the North by giving Union troops information and guidance. Family ties also led him to support the Union war effort; five of his nephews served in Union Army.[38] For Loudouners of all races, the presence of family in an army often swayed them to support that side.

Familial roots heavily affected the loyalty of Loudoun's white population as well. Many of Loudoun's inhabitants—especially Quakers—had family remaining in Pennsylvania or Maryland. The 1860 census indicates that at least 807 Loudoun residents (around 5 percent of the white population) were born in states that did not secede from the Union: 107 from Pennsylvania, 92 from New York, and 464 from Maryland. Eighteen residents even reported

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[34] E.J. Allen to General George McClellan, February 18, 1862, in George Brinton McClellan papers, Reel 17, Library of Congress, Washington, D.C.

[35] See for example, Claim of Joseph Rivers (37320), Loudoun County, VA, SCC Approved, NARA.

[36] Claim for Alfred Fox (36931), Loudoun County, VA, SCC Approved, NARA.

[37] Claim for Alfred Fox (36931), Loudoun County, VA, SCC Approved, NARA.

[38] Claim for Alfred Fox (36931), Loudoun County, VA, SCC Approved, NARA.

they were born in the abolitionist hotbed of Massachusetts. Additionally, more of Loudoun's residents were immigrants from multiple European countries that opposed slavery than from the other ten Confederate states combined.[39] Only twenty three residents had been born in the other states that seceded with Virginia. In total, at least 40 percent of the county's population was born in a free state, a border state, a foreign nation that did not have slavery, or in Loudoun County itself.[40] Given their familial, ideological, and economic links to the North, many northern Loudoun residents might be said to have been Southerners in residence only.[41]

The importance of Loudoun's northern links in determining loyalty is visible in how the county voted in elections leading up to secession. While certain neighborhoods in Forsyth and Floyd had Unionist reputations, in Loudoun, these distinctions were even clearer.[42] For instance, Loudoun supported Constitutional Union candidate John Bell during the 1860 election in large part due to overwhelmingly majorities in the northern precincts who opposed secession and

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[39] There were thirty one Loudoun residents born in various parts of Germany while twenty seven had been born in England. Ireland contributed a whopping 195, in contrast to the 23 born in Confederate states other than Virginia. At least 296 appear to be from Europe. Due to different enumerators within the county, many of the Virginia-born inhabitants in the northern precincts have a county listed as their birth place, while most of those in the southern half of the county list only their birth state. I searched the 1860 census on ancestry.com for various locations. Thus, there may be a few individuals from locations that I missed due to mistakes in Ancestry.com data entry.

[40] The northern-born residents were more concentrated in the northern part of the county. Most Waterford residents, for example, hailed from Loudoun or farther north.

[41] Loudoun's northern ties stand in stark contrast to the other communities in this study. Forsyth County, North Carolina's, free population was far more "southern" in its origin. Though many of the North Carolina Moravians had family in Northern states, an impressive 98.8 percent of Forsyth residents were born in states that joined the Confederacy. In Forsyth, only twenty-seven residents were born in free states and twenty-five in Europe. A whopping 97.4 percent of Forsyth residents were born in North Carolina. In Georgia, Floyd County's population included only 98 citizens (about 1 percent) born in free states while over 1,000 (approximately 12 percent) were from the secessionist hotbed of South Carolina. (1860 Census via Ancestry.com and Joseph. O.G. Kennedy, *Preliminary Report of the Eighth Census, 1860* (Washington: Government Printing Office, 1862), 250, 274, 287.)

[42] For examples in Forsyth, see Adam Domby, "'Loyal to the Core from the First to the Last:' Remembering the Inner Civil War of Forsyth County, North Carolina, 1862-1876" (M.A., University of North Carolina at Chapel Hill, 2011). For evidence of Unionists neighborhoods in Floyd County, Georgia, see, for example, Claim of Edmund Lumpkin (12562), SCC Approved, Floyd County, GA, NARA. See also Claim of John Partlow (15128), SCC Approved, Gordon County, GA, NARA for another mention of Unionist neighborhoods.

viewed Bell as a compromise candidate, capable of holding the nation together.[43] This anti-secession stronghold showed its character again during the May 23, 1861, vote on secession. While countywide, only 726 white male residents cast ballots against secession, compared to 1,626 who supported the referendum, the concentration of Quakers, Dunkards, and northern immigrants meant that the northern Loudoun communities of Waterford and Lovettsville opposed secession by a significant majority. In fact, 87 percent of voters in these two towns voted against leaving the Union.[44] In contrast to the overwhelming support for the Union in Waterford and Lovettsville, only 27 percent of Purcellville, in central Loudoun County, opposed secession in 1861. Similarly, in the county seat of Leesburg only twenty-two men (5 percent) voted against secession. And on the southwestern edge of the county, the Snickersville precinct polled only 3 of 119 votes cast (2.5 percent) against secession. Finally, in three of the county's southern precincts, residents voted unanimously for secession, helping to ensure that Loudoun's ultimate vote would be to break away from the Union.[45]

Even among Loudoun slave owners there was a geographic divide on how they voted. While 36 percent of non-slave holding voters opposed secession in Loudoun, only 8 percent of Loudoun slave owners (thirty-seven men) in the county voted against secession, the vast majority of whom resided in the northern part of the county. 70 percent of those slave-owners voting

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[43] Souders and Chamberlin, *Between Reb and Yank*, 27. The results also included eleven votes for Lincoln. Likely others would have voted for him but feared retaliation for such a vote. Unfortunately, we do not know who the eleven brave (and perhaps foolish) men were.

[44] Chamberlin, *Where Did They Stand?*, 4.

[45] Chamberlin, *Where Did They Stand?*, 1–5. Loudoun's geographically divided vote stands in stark contrast to many other southern counties. For example, Forsyth County voted in a much more consistent fashion on the issue of secession, notwithstanding the fact that North Carolina's secession vote was held in March 1861 before the firing on Fort Sumter. In contrast to the massive variation between Loudoun's precincts, there was a clear majority in every Forsyth polling place against secession with no neighborhood giving more than 26 percent of its votes to support a secession Convention. Support for secession ranged from 3.26 percent to 25.33 percent, a twenty-two-point difference, compared to an over eighty-point difference in Virginia. ("Forsyth County," *People's Press*, March 8, 1861). No secession vote was held in Georgia to compare to the North Carolina and Virginia votes.

against secession resided in Waterford or Lovettsville. Indeed, a slight majority of voting slave owners from these two districts actually opposed secession, though their support pales in comparison to the 90 percent of non-slaveholders who opposed secession there.[46] Why slave-owners in the northern half of the county opposed secession is not entirely clear. Perhaps, their neighbors influenced some of their views. Perhaps, some recognized that war would almost certainly lead to their slaves running off. Perhaps, they just felt more tied to the North. Or perhaps more would have voted against secession in the South but they were dissuaded or forced not to.[47]

Virginia's vote of May 23, 1861, on ratifying the ordinance of secession represents the first of two decisions Loudoun men had to make in the early months of the Civil War that would largely determine whether they were viewed as Unionists or Confederates. With no secret ballot, Loudoun residents had to proclaim publicly their loyalty or abstain from voting altogether.[48] A substantial number of men eligible to vote, around 30 percent, including numerous prominent Loudoun citizens, avoided taking a stance during the election by not voting. While this absentee rate may seem small compared to today's decreased electoral turnout; the 1860 presidential election witnessed a 24 percent higher turnout than the secession ordnance a year later. Perhaps more striking, even the 1859 off-year gubernatorial election brought out 168 more voters than

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[46] Waterford slave-owners cast eleven votes for secession and eleven against, while in Lovettsville sixteen opposed secession and seven supported it.

[47] These calculations are based upon the vote records of 419 Loudoun slave holders (accounting for 63 percent of all slave owners, including women who were ineligible to vote). Note: I have subtracted the known slave holders out of the district totals to arrive at the non-slaveholder statistics. The voting records were taken from Chamberlin, *Where Did They Stand?*. While slave ownership was taken from the 1860 Census and 1860 Slave Schedule; for other statistics see also Joseph C. G. Kennedy, *Agriculture of the United States in 1860: Compiled from the Original Returns of the Eighth Census, Under the Direction of the Secretary of Interior* (Washington: Government Printing Office, 1864), 244.

[48] The results survived and were used extensively by the Southern Claims Commission after the war to disqualify erstwhile secessionists who claimed they were entitled to reimbursements for supplies taken by Federal troops during the war. They can now be found in Chamberlin, *Where Did They Stand?*.

the 1861 secession referendum.[49] If we take the 1860 election as a baseline, 579 Loudoun registered voters who typically showed up at the polls chose not to vote on secession.

Many of those who avoided voting likely did so for fear of arrest or of being forced to vote in favor of secession. Indeed, William Krantz of Philomont (in southern Loudoun) claimed after the war that he fled to Maryland on the day of the vote to avoid being forced into voting for secession.[50] Though he braved the polls to vote against secession, Unionist Richard Virtz felt the whole county "would [also] have voted so if they dared."[51] Their fears appear to have been well-founded: two men who voted against succession in Leesburg became some of the first political prisoners of the war, while a militia commander in Hillsboro reportedly attempted to intimidate voters by standing by the polls and threatening Unionists.[52] The fact that some southern Loudoun precincts polled no votes against secession indicates that there may have been additional cases of voter intimidation or fraud at work. Nonetheless, three northern precincts (including both Waterford and Lovettsville) poled a substantial majority against the ordinance, so in those districts voter intimidation alone cannot account for all the absentee voters.

Historian Taylor Chamberlin postulated that staying home represented an effort to remain neutral in the coming conflict.[53] Many residents undoubtedly hoped to pass through the secession crisis unnoticed. Knowing their vote would be public knowledge discouraged individuals who

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[49] Joseph C. G. Kennedy, *Population of the United States in 1860; Compiled from the Original Returns of the Eighth Census, Under the Direction of the Secretary of the Interior* (U.S. Government Printing Office, 1864), 502–503; Chamberlin, *Where Did They Stand?*, 4; "Election Returns," *Richmond Whig*, December 4, 1860. If we assume all 579 would have opposed secession (a questionable assumption, granted), then 44.5 percent of voters failed to support secession, even after the firing on Fort Sumter.

[50] Souders and Chamberlin, *Between Reb and Yank*, 39.

[51] "Descriptions of Refugees, Deserters, and Contrabands, 1862," 10, Entry 2223, RG 393 Part 2, NARA.

[52] Souders and Chamberlin, *Between Reb and Yank*, 39–40; Neely, *Southern Rights*, 120.

[53] Chamberlin, *Where Did They Stand?*, 4.

expected secession would be ratified anyway from going to the polls. Many of these absent voters only delayed an inevitable choice, however, as two months after the secession vote, Loudoun's white male residents faced a second decision that would color public assumptions regarding their loyalty.

While ambivalent residents in Forsyth County and many other areas of the South largely ignored the war for the first year, Loudoun residents had no such respite. Soon after the secession vote, Loudoun men reached a second critical decision: whether to serve in the Confederate military. While a draft did not begin in North Carolina until March 1862 (with general conscription beginning a month later), Virginia authorities called up the Loudoun militia in July 1861. Dissenters eligible for service could no longer simply stay home and hope to be overlooked. Unlike conscription across the rest of the South in 1862, there were far fewer exemptions for Loudoun men because they were being called up as militia to defend their home county from imminent danger. While the Confederate Conscription Law passed in April 1862 allowed for work exemptions to protect critical war industries, Virginia's antebellum militia laws had no such exemptions. In fact, while regulations excused certain professions from "ordinary duty," such as training and annual musters, almost every "able-bodied male citizen between the ages of eighteen and forty five" was explicitly eligible to be called up for "actual service."[54] Besides, with the county expected to fall into Union hands within days, exemptions for war industries would hardly be given. An exemption for physical disability—likely granted before

[54] *The Militia Law of Virginia: Published Pursuant to Act of March 2, 1858* (Richmond: Ritchie and Dunnavant, 1858), 3–6. For the best work on Confederate conscription, see Memory F. Mitchell, *Legal Aspects of Conscription and Exemption in North Carolina, 1861-1865,* (Chapel Hill: University of North Carolina Press, 1965).

the war—would almost certainly have been necessary to garner any exemption to Loudoun's militia call.[55]

How a man reacted to the militia call-up effectively declared his stance on the Confederacy, just as voting had served as a public statement on his view of secession. Forced to choose between fleeing or actively participating in rebellion, many men decided to visit family or friends across the Potomac. In fact, some fled even before the militia was called into active service. For example, when a militia company based in Hoysville—a tiny community between Lovettsville and Point of Rocks—met for their first scheduled muster after the war began, the men arrived to find both their captain and lieutenant missing as the officers had escaped to Maryland. The company reelected officers, but "a few weeks later upon actual call, [the captain's] successor followed the illustrious (?) [*sic*] example of his predecessor" and also absconded.[56] By January 1862, a member of the same company reported upon arriving in Maryland that "of the company we belonged to[,] 108 in number[,] all but about 30 have crossed."[57] In Waterford, it was much the same. At least twenty residents fled the first call-up of the militia, and less than half the town's company actually mustered.[58] Only ten men showed up on the day of the actual muster in Lovettsville; the rest remained home, in hiding, or crossed the Potomac.[59] Confederate officers considered those northern Loudoun militiamen who did actually

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[55] A few exemptions for members of Congress, postmasters, judges, county jailors, and, rather surprisingly, professors, did exist, but far fewer than those called up by Confederate conscription. *The Militia Law of Virginia*, 3–6.

[56] Company E, "Returns of Loudoun Militia," July 1861, Loudoun County Military Records, Box 1, TBL.

[57] "Descriptions of Refugees, Deserters, and Contrabands, 1862," 8, Entry 2223, RG 393 Part 2, NARA.

[58] Company D, "Returns of Loudoun Militia," Loudoun County Military Records, Box 1, TBL.

[59] Souders and Chamberlin, *Between Reb and Yank*, 49. Though hardly comprehensive, the extant militia muster roles identified some of the men who went "over river" in 1861. About two-thirds of these early refugees had no dependents relying on them, and most were skilled laborers, with an average age of just under twenty-five. "Returns

show up for service so untrustworthy that they determined not to arm them. Instead, the militia members were given shovels and other tools and forced to work on the fortifications around Leesburg.[60]

While some Loudoun residents had fled at the first militia call-up, others waited until they would have to trade their shovels for guns before they left the county, meaning the stream of refugees across the Potomac continued into 1862. Many of the 1862 refugees admitted they were spurred by reports that the militia would be compelled to take up arms or leave the county as the Confederate army retreated. The rumors were true, and both the white militia and the impressed African Americans laborers working on Leesburg's fortifications marched south under guard when Confederate forces retreated in March 1862. Although the exact number of Loudoun residents who fled to Maryland during the war may never be definitively established, it is evident that a significant number of eligible men in northern Loudoun County clearly dodged militia conscription. The *New York Times* estimated that by November 1862, "at least six hundred had fled the conscription" from Loudoun alone, which seems a reasonable estimate, based on available evidence.[61]

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of Loudoun Militia," Loudoun County Military Records, Box 1, TBL. See also 1860 and 1870 census for demographic information on the individuals.

[60] Souders and Chamberlin, *Between Reb and Yank*, 49; see also "Descriptions of Refugees, Deserters, and Contrabands, 1862," Entry 2223, RG 393 Part 2, NARA.

[61] "Letter from Lovettsville: Distribution of Our Advance Forces Imminence of an Encounter with the Enemy," *New York Times*, November 1, 1862. The names of twenty-one of the earliest refugees are known from Loudoun's militia records (Loudoun County Military Records, TBL), but contemporary accounts imply significantly more fled. On July 17, 1861, when "a party of 43 Union men from Loudon [*sic*] County" crossed into Maryland at Point of Rocks, they were simply following around 60 more that had passed through in the previous few days ("From Western Virginia," *New York Times*, July 18, 1861). See also Chamberlin and Souders, *Between Reb and Yank*, esp. 49. Many also crossed back and forth as Union troops advanced and retreated, going home to visit when it seemed safe to do so. Union troops did not begin keeping track of refugees crossing the Potomac until 1862. The reports of at least 66 of these interrogations—from the start of 1862 until March 10—survive, providing historians the names and narratives of this second wave of Loudoun refugees. These reports also allude to other unnamed and uncounted refugees and represent only those men who were interviewed. These 66 only represent those interrogated between January 1862 and March 10, 1862, after which much of the county was inside Union lines. These interrogations can be found in two locations: "Descriptions of Refugees, Deserters, and Contrabands, 1862," Entry 2223, RG 393 Part

Lewis Wine was typical of those who fled in 1862. At twenty-four years old, he, like the majority of the second-wave refugees, was under thirty and owned little property himself. Almost none of the northern-bound refugees owned slaves or had immediate family who did.[62] Wine had been born and raised near Waterford on the same farm as his father before him. On December 23, 1861, Wine followed orders to go to Leesburg to construct fortifications. But after four days working on the forts, he acquired a furlough and returned home for a visit. Once there, he put his affairs in order before fleeing on January 6, 1862, with two friends, both of whom were also single Loudoun natives in their early twenties.[63] Like Wine and his friends, the majority of refugees was unmarried and had no dependents tying them to their homes. In other words, those with the least to lose from fleeing did so. Richard Virtz, who escaped with Wine, explained to the Union officer interrogating them that his three older brothers continued to work on fortifications at Leesburg, though "they entertain Union sentiments like himself, but being men of families and some property they could not afford the sacrifice to leave, otherwise they would all do so."[64] Still, some refugees brought their families with them. And as the war continued, the impressment of Unionists' property accelerated and maltreatment of dissenters continued, strengthening the impetus for women and family men to flee.

2, NARA, and in reports found in the George Brinton McClellan papers, Reels 15-19, Library of Congress, Washington, D.C.

[62] Harrison Durrill was the only exception I found, and his father owned only one slave. Names are taken from "Descriptions of Refugees, Deserters, and Contrabands, 1862," Entry 2223, RG 393 Part 2, NARA, and in reports found in the George Brinton McClellan papers, Reels 15-19, Library of Congress, Washington, D.C. They were then cross-referenced against the 1860 Slave Schedule.

[63] "Descriptions of Refugees, Deserters, and Contrabands, 1862," 12, Entry 2223, RG 393 Part 2, NARA, and E.J. Allen to General George McClellan, January 8, 1862, in George Brinton McClellan papers, Reel 15, Library of Congress, Washington, D.C.

[64] E.J. Allen to General George McClellan, January 8, 1862, in George Brinton McClellan papers, Reel 15, Library of Congress, Washington, D.C.

Reports from refugees who reached Union lines indicate that in addition to those who fled, there were also "many hiding" in Loudoun County.[65] In one such case, Samuel Harrison was forced into service with a local militia unit but deserted on February 16, 1862, to hide out while he waited for a ripe time to cross Union lines. When his brothers-in-law decided to flee the state, he initially accompanied them toward the Potomac, but at the last moment, he "concluded to remain hidden until the arrival of the Union Army."[66] In another instance, Spencer M. Harris, who joined a voluntary militia unit before the war began, was called into service on April 21, 1861. He slipped away in early October and hid at his mother's home in Loudoun, "most of the time under the floor," until March of the next year, when he finally crossed the Potomac to safety.[67]

Many Loudoun residents who resisted conscription had always supported the Union to various degrees. Lewis Wine told interrogators that of forty-four men in his prewar volunteer company, only five were secessionist.[68] Another refugee from near Waterford reported in 1862 that "3/4 of the 56 Reg [the local militia regiment] are Union."[69] Though their political views may have helped spur Loudoun residents to abscond, the decision to flee was not nearly as detrimental to their own self-interest as a similar decision would have been in the Deep South, where escape was far more dangerous and with no prospect of protection from Union troops.

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[65] "Descriptions of Refugees, Deserters, and Contrabands, 1862," 19, Entry 2223, RG 393 Part 2, NARA.

[66] E.J. Allen to General George McClellan, March 7, 1862, in George Brinton McClellan papers, Reel 18, Library of Congress, Washington, D.C.

[67] E.J. Allen to General George McClellan, March 7, 1862, in George Brinton McClellan papers, Reel 18, Library of Congress, Washington, D.C; File #952 of Union Provost Marshal Papers, Two or More Civilians: 1861-1867, NARA Microfilm, M416, NARA, 1964; online at http://www.sos.mo.gov/archives/provost/provostPDF.asp (accessed April 24, 2014).

[68] E.J. Allen to General George McClellan, January 8, 1862, in George Brinton McClellan papers, Reel 15, Library of Congress, Washington, D.C.

[69] "Descriptions of Refugees, Deserters, and Contrabands, 1862," 37, Entry 2223, RG 393 Part 2, NARA.

While some of these refugees were diehard supporters of the Union, others were more concerned about their personal wellbeing. Many of the later refugees, especially those who fled in February 1862, had already spent time working on Confederate fortifications in Leesburg, but wished to avoid taking up arms for anyone. The majority of those who fled did not enlist in the United States military, but instead went north to find work and avoid fighting. In his interrogation by Union authorities, Wilson Barrett was unique in stating that he was "willing to enlist if cannot get work readily."[70] It appears he found work, however, as there is no record of him enlisting in the military.

Some citizens ineligible for militia duty also fled. Like the majority of his neighbors, Waterford widower and merchant George Pusey voted against secession.[71] In October 1861, drunken Confederate soldiers attempted to beat him for his reputation as a Unionist. Adding insult to injury, Confederate General Nathan Evans, who was stationed at Leesburg, arrested Pusey when the merchant complained about the attack.[72] But what, ultimately, drove the sixty-five-year-old to flee Loudoun County in January 1862? He explained to a Union interrogator that he had "left now because he sold out [to his business partner… and] did not like the Govt.—plenty of paper no specie."[73] In other words, the key to Pusey's decision was the fact that business was bad in the South. For Pusey, his choice proved wise. He survived the war and, upon returning to Loudoun, married a woman twenty-seven years his junior and retired comfortably.[74]

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[70] "Descriptions of Refugees, Deserters, and Contrabands, 1862," 49, Entry 2223, RG 393 Part 2, NARA.

[71] Chamberlin, *Where Did They Stand?*, 27.

[72] Rebecca Williams Journal Excerpts, Waterford Foundation Archives, 7-8 (WFA henceforth).

[73] "Descriptions of Refugees, Deserters, and Contrabands, 1862," 12, Entry 2223, RG 393 Part 2, NARA.

[74] *Virginia Marriages, 1851-1929* [database online]. Provo, UT, USA: Ancestry.com, accessed on Ancestry.com (April 24, 2014); see additionally the 1870 Census Population Schedule.

He forever bore a grudge against some of his neighbors who sided with the South, however, leading to a postwar lawsuit that continued into the 1880s.[75]

Maltreatment by Confederate troops who targeted those perceived as disloyal further alienated vacillating, indecisive, and ambivalent Loudouners, pushing them into the Union camp. Once an individual made the decision to flee from conscription, even if his decision was made simply out of fear, he was marked as a Unionist and therefore a target, along with his family, of impressment and harassment by Confederate troops. Even as early as the Confederacy's August 1861 advance into Lovettsville, "the homes of disloyal men" were entered, searched, and "stripped of everything to eat, drink and cook in."[76] Confederate soldiers also took personal property of all sorts, including bedding. A few months later, Loudoun refugees arriving in Maryland reported that "in consequence of the drafting [of] union men, and taking of their horses, wagons, grain, etc. the union sentiment is growing stronger and many who can, are leaving for the North."[77] One soldier writing home in August 1861 noted how fractured loyalty could be, as well as how divided the Loudoun community had already become just months into the war. The trooper wrote that he "had no idea there were so many Virginia Yankees in this section of the country – it seems all along the line of the Potomac that the people are half union men, but the others are true blues & I have been told that neighbors are at daggers draw in some cases" [78] Frequently, an anti-Secession voter could be transformed from an ambivalent "half

[75] See chapter five for more on this court case.

[76] James Montgomery Holloway to Dearest Annie, August 18, 1861, James Montgomery Holloway Papers, VHS.

[77] E.J. Allen to General George McClellan, January 7, 1862, in George Brinton McClellan papers, Reel 15, Library of Congress, Washington, D.C.

[78] William Henry Tatum to Dear Sister, August 24, 1861, William Henry Tatum Papers, VHS.

union man" into a "true blue" Unionist ready to help the cause of the North because of the mistreatment he endured at the hands of southern troops.

Persecution by secessionist neighbors also drove many who had opposed secession from the start further into the militantly pro-Union camp. For instance, George W. Baker's secessionist landlord, angry at his tenant's political views, gave the pro-Union farmer "notice to quit on the expiration of his lease in April next."[79] Having no reason to stay in the area, Baker joined many others who fled in March 1862 to the Union lines in order to avoid being forced into service. He would eventually enlist in the Loudoun Rangers, perhaps seeking an opportunity to avenge himself on his former landlord.

Not all harassment came from the Confederacy, however. Similar persecution by Union forces towards secessionists pushed loyalties in the opposite direction as well. In July 1862, for example, Ida Powell Dulany proclaimed that she "had been from the moment I saw Lincoln's war proclamation a secessionist from the bottom of my heart," though she also believed that "many persons in our neighborhood had been changed from Unionists to Secessionists by General Geary's treatment" of local civilians.[80] Dulany was referring to the commander of the 28th Pennsylvania Infantry, who was stationed with his regiment in Loudoun that July and had frequently commandeered supplies and arrested civilians.

In addition to provoking the anger of Loudoun citizens, persecution by Union soldiers also created refugees. Prominent secessionists risked arrest and harassment if they stayed in the county, especially if they had been a nuisance to their Unionist neighbors. For example, in March

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[79] E.J. Allen to General George McClellan, February 20, 1862, in George Brinton McClellan papers, Reel 17, Library of Congress, Washington, D.C.

[80] Ida Powell Dulany, *In the Shadow of the Enemy: The Civil War Journal of Ida Powell Dulany* (Knoxville: University of Tennessee Press, 2009), 112.

1862, George Long fled south with the Confederates, fearing persecution from Union troops because he had encouraged Confederate General D. H. Hill to arrest Unionists in the early days of the war.[81]

Because of Loudoun's proximity to the North, many residents who simply wished to minimize their involvement in the war judged that siding with the Union promised the most advantages. Unlike Forsyth County, North Carolina, which never saw a Union solider until the last weeks of the war, Loudoun County was clearly going to be the seat of the war from the beginning. Moreover, siding with the Union had benefits. For one, Union forces never attempted to force every able-bodied Loudoun man into service. Additionally, taking an oath of allegiance to the United States entitled families to some protection from Union impressing parties. Taking the oath also allowed one to buy supplies in Maryland, circumventing the Union blockade that created shortages across the rest of the South.[82] By contrast, attempts at staying neutral often meant that instead of one army ransacking your farm, both did. Thus, even when Loudoun residents were not ideologically attached to the Union, they might proclaim their allegiance to it in an effort to minimize the negative impacts of war on their families and livelihoods. Unlike in Forsyth, neutrality was never really an option for most Loudoun residents.

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Loudoun tavern keeper Charles Coleman fed anyone who paid him for the food he served, hoping to avoid conflict with troops from either side. His willingness to serve both sides,

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[81] Folders entitled "George Washington Long" #174-175 and #434-435, Department of Henrico Papers, Mss3 C7604a,VHS; an index exists on the microfilm version that provides easy direction to different individuals. See also Document C607, Letters to the Confederate Secretary of War, Reel 86, NARA Microfilm M437, NARA, 1965. Ultimately, if Long's own account is to be believe, he spent time in both Washington's Old Capitol Prison and Richmond's Castle Thunder, suspected by both sides of disloyalty.

[82] For the best work on trade over the Potomac during the war, see Taylor Chamberlin and James D. Peshek, *Crossing the Line: Civilian Trade and Travel Between Loudoun County, Virginia, and Maryland During the Civil War* (Waterford, VA: Waterford Foundation, 2002). See also Souder, 169-170.

however, backfired. Because he refused to take sides, Coleman received protection from no one. Confederates "abused" him for feeding Union soldiers and selling oats to the Federal army and denied Coleman's request for "a pass to go through their lines to get provisions."[83] In November 1861, Union troops arrested him for feeding Confederate pickets—a charge Coleman admitted was true, though he argued that they had paid for the meals "with their own money." Coleman remained in jail until June 1862 before being freed upon taking an Oath of Allegiance to the Union.[84] In this case, however, the oath seems to have provided little protection: in 1864, Union troops rearrested Coleman and imprisoned him for more than a month as a hostage for a citizen Confederate troops had arrested.[85] Coleman learned the hard truth, as many Loudoun residents did, that troops typically refused to accept that neutrality was an option.

Some Loudouners tried to avoid being involved, merely wishing to go on with their day-to-day existence. However, the proximity of the war to Loudoun made this exceedingly difficult for most men to accomplish. Conscription largely forced young white men into choosing between Union and Confederacy, and thus, by the end of the first year of the war, most Loudoun men of conscriptable age had either fled or were forced into Confederate service. By July 21, 1861, only one man reportedly remained in Lovettsville to attend church services.[86]

Women and elderly men had a slightly easier time convincing both sides that they were loyal. But all it took was one male in the family who was old enough to be conscripted, and that

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[83] *OR,* Series 2, Vol. 2, 1286-1288.

[84] *OR,* Series 2, Vol. 2, 1286-1288, and File #1358 of Union Provost Marshal Papers, Two or More Civilians: 1861-1867, NARA Microfilm M416, NARA, 1964, online at http://www.sos.mo.gov/archives/provost/provostPDF.asp (accessed April 24, 2014).

[85] "Selected Records of the War Department Relating to Confederate Prisoners of War, 1861-1865," M598, War Department Collection of Confederate Records, RG109, NARA, 1965, (accessed on Ancestry.com, April 24, 2014) cited as Civil War Prison Records, 1861-1865, M598.

[86] John H. Shober to George Shober, September 19, 1861, John H. Shober letter, personal papers collection, LVA.

crucial statement of loyalty—flee or join the Confederate army—had to be made. And even people ineligible from conscription had a hard time sitting out the entire war, as the constant contact with troops in northern Virginia required espousals of loyalty. Not only did Confederate and Union troops frequently demanded information from civilians, but both sides often requested civilians take oaths of allegiance, which, if broken, might have severe or fatal ramifications.

Even Quakers had trouble remaining neutral. Their abolitionist stance, combined with their refusal to fight for the Confederacy, made Confederate troops suspicious that many Quakers were secret Unionists. Many also fled, thus gaining a Unionist identity forced upon them. Brothers Nathaniel and Charles Janney were atypical Loudoun Quakers, as "they were almost the only young friends who did not go over the river."[87] Instead, the Janney boys remained home until they were arrested by Confederate authorities. While the Confederacy allowed Quakers to pay a conscientious objector fee to avoid service, the brothers refused to pay and support the war. Instead, they asked permission to consult their father. The Confederate officer in charge, apparently thinking they meant to consult their father on how to pay the fee, let them leave. In fact, the two boys asked their father how best to resist. When Confederate troops were sent to re-arrest the two men, who had failed to return, they hid in their father's mill. Fortunately for Nathaniel and Charles, they knew of an excellent hiding place from "their boyish days of 'hide and seek.'"[88] Though Confederates searched the mill twice, they failed to find the brothers. Like fleeing, hiding labeled the Janney family as Unionists in the minds of the Confederate troops, leading southern troops to take horses from the family farm multiple times during the war.

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[87] Susan Janney to Sallie Roberts and Anne Roberts, March 30, 1862, Allen and Roberts family papers, 1846–1931, HC.1155, Haverford College Quaker and Special Collections, Haverford, PA.

[88] Susan Janney to Sallie Roberts and Anne Roberts, March 30, 1862, Allen and Roberts family papers, 1846–1931, HC.1155, Haverford College Quaker and Special Collections, Haverford, PA.

Unfortunately for the Janneys, the family's efforts at pacifism also alienated some Union troops. While the patriarch of the family, James Janney, considered himself a loyal citizen of the United States, his peace testimony meant that he refused to "point out some Secessionists that [Union Troops] could take horse feed from." As a result, the Federal cavalry took his feed for their horses instead.[89] Thus, while Janney's religion encouraged him to remain neutral in the war, his failure to aid either side resulted in harassment from both.

Some Loudoun residents, ineligible for conscription, tried to hide their true feelings toward the Union or Confederacy from their neighbors. Not wanting to produce clothing at his Upperville factory for Confederate troops, John R. Holland relayed through a trusted friend that he wished for Union troops to come take the wool at his factory and damage the machinery (or take it), but he asked the troops to "leave the Impression in the neighborhood that you had no knowledge of [my] Union sentiments."[90] Otherwise, Holland feared he would be unable to remain at his home, which lay in a secessionist neighborhood.[91] Such dissembling also went in the other direction. After agreeing to testify in Richmond against a Union soldier on trial for the murder of a Confederate recruitment officer, some Loudoun residents requested that they be "arrested to prevent the suspicions of their Union neighbors."[92] Alienating Unionist neighbors might have led to their own arrest by Union forces.

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[89] Susan Janney to Sallie Roberts and Anne Roberts, March 30, 1862, Allen and Roberts family papers, 1846-1931 HC.1155, Haverford College.

[90] John B. Dutton to Col. Wells, March 19, 1864, Box 1, Entry 1468, Letters, Telegrams, and Other Records, 1862–1865, Records of the Provost Marshal, Defenses South of the Potomac, RG 393 Part 4, NARA; Claim of John R Holland (5170), SCC Disallowed, Fauquier County, VA, NARA.

[91] John B. Dutton to Col. Wells, March 19, 1864, Box 1, Entry 1468, Letters, Telegrams, and Other Records, 1862–1865, Records of the Provost Marshal, Defenses South of the Potomac, RG 393 Part 4, NARA; Claim of John R Holland (5170), SCC Disallowed, Fauquier County, VA, NARA.

[92] Cited in Souders and Chamberlin, *Between Reb and Yank*, 157.

In the final analysis, only a few men seem to have managed to walk the narrow path of satisfying both armies of their devotion to their respective causes. When troops from either side asked Lovettsville farmer Samuel George to transport hay with his team, he did so willingly, accepting payment for it from both armies.[93] When a neighbor was arrested by Confederate troops, George used his connections with the Confederate authorities to lobby for his release.[94] But he also gave information freely to Union soldiers, though he asked them to come to his house quietly and knock on his window so as to keep his support secret. While filing a postwar claim for compensation for property taken by Union troops, George even admitted that "rebels always treated me well."[95]

George was blessed with having no visible signs of disloyalty and multiple indicators of loyalty to the South. His status as one of the few slave owners in a neighborhood with a reputation for Unionism and abolitionism likely helped persuade Confederate troops that George was a supporter.[96] Most importantly, the fact that he was too old and his children were too young to be conscripted ensured that he need not commit visibly to either side. George's ability to be known as both a Unionist and a supporter of the Confederacy would not have benefited him in most parts of the South in 1861, but in Loudoun, it proved crucial to his escaping the war relatively unharmed. Few Loudoun residents were so lucky. Instead, they found that the war pushed them to one side or the other, dividing the community in the process. And even George

[93] Court of Claims Case File #1052 for Samuel George, Entry 22, Congressional Jurisdiction Case Files, RG 123, NARA.

[94] Court of Claims Case File #1052 for Samuel George, Entry 22, Congressional Jurisdiction Case Files, RG 123, NARA.

[95] Court of Claims Case File #1052 for Samuel George, Entry 22, Congressional Jurisdiction Case Files, RG 123, NARA.

[96] Court of Claims Case File #1052 for Samuel George, Entry 22, Congressional Jurisdiction Case Files, RG 123, NARA; 1860 Census; 1860 Slave Schedule; Souders and Chamberlin, *Between Reb and Yank*, 79. He owned six slaves.

failed to convince all his neighbors he was a loyal man—after the war, some Loudoun Unionists testified he had been a Confederate sympathizer.[97]

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On August 30, 1863, Leah Grubb recorded in her diary that "a squad of Yankees," consisting of around twenty Loudoun Rangers, "dashed up the road and back again." Later that evening, she returned to her writing, noting a passing Confederate soldier who was covertly following the Union troops. She observed, "sometimes we see Yankees one minute and rebels the next."[98] A month later, she witnessed how quickly the fortunes of war shifted when a party of "Yanks hunting rebels" visited her house looking for members of White's command. Shortly thereafter, the patrol spotted two Confederate officers and "started in hot pursuit after them but how soon the tune was turned." The two decoys led the Union patrol directly into an ambush consisting of "40 or 50 rebels." The Union troops turned tail and ran, followed by chasing Confederates, as a Union officer reportedly shouted, "come boys run boys, White's whole Battalion is after us."[99] Not a single soldier on either side died, and Federal causalities were somewhere between three and five men captured and a similar number wounded.[100] The war within Loudoun County that Grubb and other residents experienced was characterized by ambushes, scouting, and hit and run attacks, often with minimal casualties.

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[97] Court of Claims Case File #1052 for Samuel George, Entry 22, Congressional Jurisdiction Case Files, RG 123, NARA.

[98] Lucinda Copeland and Ronald Rose, *Civil War Diary of Leah Elizabeth Sally Ann Grubb*, 2013, 24. (*Diary of Leah Grubb* henceforth.) I am indebted to Lucinda Copeland for providing me a copy of the book.

[99] Lucinda Copeland and Ronald Rose, *Diary of Leah Grubb*, 27–29.

[100] Souders and Chamberlin, *Between Reb and Yank*, 205–206. Souder argues this attack may not have been prearranged but an accidental meeting.

In addition to revealing how fluid control of Loudoun remained throughout the war, Grubb's diary also presents historians with a better understanding of how local connections, civilian informants, and the constant presence of troops fundamentally differentiated Loudoun's Civil War from the war within the states experienced elsewhere. A few days after the skirmish between White and the Rangers, Grubb noted that a Yankee patrol showed up at an "apple butter boiling" and surprised three rebel soldiers there, including a friend of hers from White's Battalion named George Chamblin.[101] Visits home or to friends often resulted in capture. Fifteen days after Chamblin's arrest, a cousin serving in White's Cavalry visited Grubb's neighborhood while on leave. However, "the boys had been reported to [the Yankees] by some traitor. They boys only seven in number were too few to fight so of course they had to skedaddle." Five got away but two were captured, thanks to a Unionist neighbor.[102]

If questions of loyalty divided the Loudoun community into factions, the manner in which the war was fought embittered these factions against each other. The fighting in Loudoun had little strategic significance to the overall war, usually consisting of small shootouts between forces of less than forty men (and often, the soldiers involved on both sides could be counted on a single hand). Instead of large-scale military campaigns, the war within Loudoun usually appeared as a visceral fight for control of home, as many of the combatants in the war within Loudoun fought not for country but for control of their own community.

The local nature of warfare in Loudoun County ensured it was brutal and personal, even if the numbers killed were relatively small. Although much bloodier, major battles like

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[101] Lucinda Copeland and Ronald Rose, *Diary of Leah Grubb*, 28–29. Chamblin would eventually be exchanged for a Union prisoner and return to duty, only to be severely wounded in October 1864 escaping from a card game that Union soldiers raided.

[102] Lucinda Copeland and Ronald Rose, *Diary of Leah Grubb*, 31.

Gettysburg and Shiloh were also more anonymous than those smaller skirmishes fought in Loudoun. At the Battle of Gettysburg, for instance, when the 20th Maine famously held the Union left flank against all odds on Little Round Top, they faced soldiers from Alabama. No one in the 20th knew anyone in the Alabama regiments, and vice versa. There was no personal history or animosity other than that which is always carried between soldiers in opposing armies. However, in the war within the states, when units were drawn from local citizens, no such distance existed; both the Confederate and Federal units that fought over Loudoun were filled with Loudoun natives.

On June 8, 1862, to counter Confederate guerillas operating in Loudoun, the United States War Department authorized Waterford miller and refugee Samuel Means to raise a company of ninety-five local men to serve as scouts and cavalry in the Loudoun area.[103] Means immediately began recruiting from among the Loudoun refugees in Maryland to join his newly-christened Loudoun Independent Rangers. During the course of the war, the Rangers expanded to two complete companies, and over 240 men enlisted in the unit, most from Loudoun or a neighboring county.[104] The vast majority (87 percent) would have been eligible for conscription

[103] Souders and Chamberlin, *Between Reb and Yank*, 109–110. Multiple Loudoun residents had requested permission from the Union authorities to form Home Guard units specifically for use in the Loudoun region, before Means received approval.

[104] CSRs for the Loudoun Rangers, *Compiled Service Records of Volunteer Union soldiers who Served in Organizations From the State of Virginia, 1861-1865,* NARA Microfilm M398, NARA, 1963. For key works on the Rangers, see Briscoe Goodhart, *History of the Independent Loudoun Virginia Rangers. U.S. Vol. Cav. (scouts) 1862-65* (Washington, D.C.: Press of McGill & Wallace, 1896). However, Goodhart is at times biased, as he was a member of the unit. For the best modern work on the unit, see Souders and Chamberlin, *Between Reb and Yank*. For a view of the unit from their Confederate foes, see Frank M. Myers, *The Comanches: A History of White's Battalion, Virginia Cavalry, Laurel Brig., Hampton Div., A.N.V., C.S.A.* (Baltimore: Kelly, Piet and Co., 1871). While 240 men represented a small number of those who had fled Confederate conscription, they represented a significant amount of manpower to come from any single county in a Southern state. Historian Richard Current estimates that Virginia (once West Virginia is subtracted from the equation) only accounted for around 1,000 white Union soldiers. If Current is correct, this would mean the Loudoun Rangers represented almost a quarter of the white Union troops Virginia provided. See Richard Nelson Current, *Lincoln's Loyalists: Union Soldiers from the Confederacy* (Boston: Northeastern University Press, 1992), 216.

by Confederate forces had they remained home in Virginia instead of fleeing to Maryland.[105] Indeed, recruits were motivated by the Confederate forces' harassment of their families and themselves.

Loudoun residents who joined the Union Army usually choose the Rangers because, unlike regular army units, the Rangers were raised to remain and serve in the Loudoun area, something that was appealing to many residents. For most Rangers, the war was not about taking Richmond but rather protecting Loudoun. When Union commanders tried to move the unit to West Virginia, the unit nearly mutinied, and all of Company A. reportedly requested to be mustered out of service instead.[106] The Rangers thus provided Loudoun refugees a chance both to protect family and to avenge persecutions, ensuring an especially vicious conflict when they met their neighbors in combat.

In battle, the Loudoun Independent Rangers primarily faced two Confederate guerrilla units: Elijah V. White's 35th Virginia Cavalry (known as the Comanches) and John Singleton Mosby's 43rd Virginia Cavalry. Both Confederate units drew heavily from Loudoun and neighboring Fauquier County. It was these guerillas—often former neighbors—who commonly harassed Unionist families and who faced the Rangers in countless small engagements throughout the war.[107] Like the Rangers, many of those in White and Mosby's cavalry chose their units as a chance to stay close to home and also resisted efforts to transfer them away. One

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[105] CSRs for the Loudoun Rangers. For information on conscription eligibility, see Souders and Chamberlin, *Between Reb and Yank*, 135. Like the refugees from whom they were recruited, the Rangers tended to be younger than most Union soldiers. Of the 241 members of the unit with known ages, the average was 24 years old (but a median of only 22). The oldest member, however, was 59, and the youngest 17. Most were in their early 20s, with 73 percent of them being 25 or under.

[106] Souders and Chamberlin, *Between Reb and Yank*, 238.

[107] White's Cavalry was their foremost opponent, and the best work on them is by a former officer in the unit in Myers, *The Comanches*.

advantage to joining a guerilla unit was that the men usually spent the winters at their homes in Loudoun on a "dismounted furlough" and were able to visit their families regularly.[108] When Captain Frank Myers' Company A. of White's Cavalry was ordered to report to the Richmond area in March 1865, only twenty men showed up at the initial rendezvous, delaying departure another week while the unit waited for more men.[109] Even then, the company that marched south was a fragment of its size on paper. While other parties trickled southward later, many never left for Richmond. Instead, their commanding officer lamented, they chose to remain home. Others who made the journey south ended up deserting while fighting near Richmond, and by April 6, as Lee's Army retreated, fewer than twenty men remained in Myers' Company.[110] While war weariness contributed to some men's decision to remain home, others requested a transfer to Mosby's regiment because it would not be sent out of the vicinity of their homes, and they wished to continue fighting.[111] Others just continued fighting in Loudoun despite orders to proceed south.[112]

Familiarity with the landscape and population made the locally-raised Rangers and the Confederate guerillas more effective than forces from outside the community. They knew their neighbors' reputations, which proved especially helpful in determining who might volunteer

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[108] Court Marital of J.S. Palmer, Case # NN-1971, Records of the office of the Judge Advocate General, RG 153, NARA.

[109] Franklin McIntosh Myers, "Diaries of Franklin McIntosh Myers, Captain, Company A. 35th Battalion Virginia Cavalry, 1865 & 1867" Transcribed and Annotated by John E. Divine and John M. Souders, WFA, 2–14. (Myers "Diary" henceforth.) Additionally, the diary is accompanied by an unnumbered list of names from Myers' unit that includes notes about each soldiers' location and quality.

[110] Myers "Diary," WFA, 12 and the aforementioned list of names.

[111] Myers, "Diary," WFA, 3.

[112] For an account of one member of the 35th who operated entirely on his own, see John Mobberly, discussed later in this chapter. The most comprehensive work on him is Richard Crouch, *Rough-Riding Scout: The Story of John W. Mobberly, Loudoun's Own Civil War Guerrilla Hero* (Arlington, VA: Elden Editions, 1994).

intelligence about where their enemy might be hiding, and which homes were occupied by disloyal citizens. This familiarity also served to divide the community, as any action—especially impressment and killings—seemed personal. Rangers and White's Cavalry were by far the most effective impressers of horses and forage, leading them to be frequently assigned the task of rounding up supplies. Often foragers had orders to only take supplies from disloyal families—though it was left to the impressing party to determine who was loyal and which family to take from. The knowledge of who took items made victims feel impressment was a personal affront—and frequently it was—instead of an act of war. The situation was not improved by the fact that the Rangers and Confederate cavalrymen alike were known to take personal property for themselves while finding forage.

The economic impact of impressment and thefts committed by former neighbors was significant. By March 1864, Union sympathizer James Downey had lost fourteen horses and two mules to impressment, a loss over four years of twice as many horses as he had owned back in 1860.[113] While usually an espousal of loyalty or the fingering of a disloyal neighbor protected individuals from confiscation, there were no guarantees. Though Downey served as Speaker of the House in the rump "Alexandria legislature" set up by the Lincoln administration during the Civil War to replace the disloyal state government in Richmond and had been arrested by Confederates for disloyalty, Federal troops still took two of his horses. The rest were likely stolen by a core group of thieves made up of local Confederate soldiers and deserters, who made

[113] Court Martial of Charles Cooper Court, Case # NN-1908, Records of the office of the Judge Advocate General, RG 153, NARA; 1860 Farm Schedule.

a tidy profit for themselves as well over the course of the war. In the end, Downey estimated that he lost over $12,000 worth of property to Confederate troops alone.[114]

In addition to the lack of social distance between enemies, Loudoun residents were embittered by the additional fact that so many of those killed, wounded, or captured in the Ranger–Comanche guerilla conflict were not struck down in battle but while visiting family or friends. Loudoun Ranger Flemon Anderson was killed at home in 1864 while attending a Christmas party. A group of fewer than twenty Confederates from Mosby and White's units surrounded the party before bursting into the event and shooting Anderson down in front of his mother.[115] He had previously been captured by White's men at a ball he attended in February 1863. That time, Anderson's sister convinced a lieutenant in White's Cavalry to parole her brother instead of sending him to a prisoner of war camp in exchange for a dance. Anderson supposedly played the violin while his sister danced with his mortal enemy. Perhaps Anderson failed to learn from history or had a weakness for parties, but he certainly was not alone in his desire to visit family.[116] Federal troops also raided social occasions. For example, in October 1864, Union soldiers ambushed James Douglas of White's Cavalry when he arrived at a friend's home for a card game. Douglas had been accompanied by none other than former prisoner and apple butter aficionado George Chamblin, who sustained a severe injury and narrowly escaped

[114] Court Martial of Charles Cooper Court, Case # NN-1908, Records of the office of the Judge Advocate General, RG 153, NARA; Claim for James M. Downey (36977), Loudoun County, VA, SCC Approved, NARA.

[115] CSR for Flemon B. Anderson, Loudoun Rangers, NARA, and Goodhart, *History of the Independent Loudoun Virginia Rangers*, 179–178; Souders and Chamberlin, *Between Reb and Yank*, 309.

[116] Goodhart, *History of the Independent Loudoun Virginia Rangers*, 82. He had previously been embarrassed by running into his command as he escorted a young lady home from another ball.

being captured on a social outing a second time.[117] These small scuffles which hardly felt like acts of war likely resulted from informants betraying their neighbors.

Even engagements between roughly equal forces from local units usually involved small numbers and limited casualties. On the night of August 26, 1862, Samuel Means positioned two dozen Rangers of his force of seventy men to picket the roads leading into Waterford. Another party was sent out on a patrol, and some of the Rangers from Waterford, including Means, stayed at their own homes. The rest of the unit, between twenty and thirty Rangers, camped outside the Waterford Baptist Church. As Lieutenant Luther Slater stood guard over the camp, he saw movement in the darkness across the road from the church.[118] Calling out, "Halt! Who comes there?,"[119] the lieutenant was met with a volley of gunfire. A Confederate raiding force of around fifty soldiers under the command of Elijah White had crossed a farmer's field to the southeast of town, circumventing Means' guards. With the exception of a single dog barking—ignored by the Rangers—the Confederates had closed to within yards of the enemy camp without detection or warning.[120] The Union cavalryman took shelter in the church, and a gun fight erupted between them and White's Cavalryman, severely damaging the building. A few Rangers managed to slip out a rear window and escape, but after about two hours of firing back and forth, the Union forces surrendered, out of ammunition and with half their force wounded.

This battle, which involved roughly a hundred men, was one of the largest pitched fights fought between the Rangers and White's cavalry. It certainly had the most casualties. But though

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[117] Souders and Chamberlin, *Between Reb and Yank*, 294.

[118] There is some slight disagreement on the number of men at the church. See Souders and Chamberlin, *Between Reb and Yank*, 120–122; Goodhart, *History of the Independent Loudoun Virginia Rangers*, 32.

[119] Goodhart, *History of the Independent Loudoun Virginia Rangers*, 33.

[120] For the best account of this battle, see Souders and Chamberlin, *Between Reb and Yank*, 116–123. See also Goodhart, *History of the Independent Loudoun Virginia Rangers*, 33–37.

nineteen rangers had been taken prisoner and eleven wounded, only two Rangers died: Charles Dixon was killed during the battle, and his brother Henry died a few days later from a gut shot. Additionally, two Confederates died of their wounds.[121] Other skirmishes had similar outcomes for the Rangers. In fact, most of the men killed in White's Cavalry and the Loudoun Rangers died in encounters in which the casualties remained in the single digits.[122]

The small number of casualties in each battle combined with prewar social connections to lead many embittered Loudoun residents to view some wartime killings as murder. For example, in one of the first successful operations of the Loudoun Rangers, a local Confederate recruiting officer named James Richard Simpson was killed at his home in August 1862. This sense was heightened when rumors spread that one of the Rangers had shot Simpson after he tried to surrender, and sentiments grew darker due to the fact that Simpson likely knew his killers from before the war. [123] Simpson's death was not the first killing during the war that many Loudoun residents considered a murder. On July 22, 1861, Francis Bronaugh shot and killed a Unionist by the name of James Brislane when Brislane refused to take an oath of allegiance to the

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[121] Goodhart, *History of the Independent Loudoun Virginia Rangers*, 35–37. Slater had been wounded five times in his "temple, shoulder, arm, breast, hand." The worst wound came from a bullet that shattered his right humerus so badly that for over a year, "little pieces of bone would work out their way out."(Pension File for Luther W. Slater, Loudoun Rangers, Company A, NARA.) The nineteen prisoners were promptly paroled.

[122] According to Goodheart Briscoe, the foremost chronicler of the Loudoun Rangers and a member of the unit, out of 120 men in Company A., only 11 were killed by wounds received in action during the war. On September 2, 1862, a fight near Leesburg Company A. saw one man killed outright and five more wounded (one mortally). In October 1863, as the Rangers fought their way clear of a surrounded position near Charlestown, West Virginia, five Rangers from the company were wounded, one mortally. In fact, Company A. never recorded more than two deaths during any single day of fighting.

[123] Souders and Chamberlin, *Between Reb and Yank*, 117.

Confederacy. Bronaugh escaped justice by joining the Confederate army, while the Brislane family embarked on an ultimately futile effort to have him tried.[124]

Killing a single individual, even if he was a soldier on picket duty, felt like murder to many on both sides of the Potomac. On the night of October 24, 1861, twenty-three-year-old Private William E. Grubb watched the home of Samuel Means—future commander of the Loudoun Rangers—with orders to arrest the troublemaker if Means tried to visit his family. Little did Private Grubb realize that Means was not the only one hunted that night. Someone never positively identified sneaked up on the young soldier and shot him.[125] Like Simpson's death, many considered Grubb's killing a murder.

Grubb's sister, the diarist Leah Grubb, was heartbroken at the loss and embittered toward his killers. The tragedy was compounded when a second brother died from a friendly fire incident during a fight outside Waterford.[126] She prayed that once the Confederacy won the war, Jefferson Davis would "forbid that one traitor should ever live on Southern soil. May the spirits of these departed Heroes rise up against any traitor who would dare after fighting it no more, ask for protection under our Stars and Bars."[127] Her condemnation extended to her own family, including James W. Grubb, the son of her cousin, who served as a captain in the Loudoun Rangers.[128] Leah dearly regretted his decision, writing, "Poor Jim Grubb, I am sorry he is a

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[124] File for Frank Bernaugh in "Union Provost Marshals' File of Paper Relating to Individual Civilians," NARA Microfilm M345, NARA, 1967; CSR for Frances L Bronough, First Virginia Artillery; Souders and Chamberlin, *Between Reb and Yank*, 51.

[125] Lucinda Copeland and Ronald Rose, *Diary of Leah Grubb*, 13.

[126] Lucinda Copeland and Ronald Rose, *Diary of Leah Grubb*, 17–22, 86. She also lost at least two cousins and numerous friends.

[127] Lucinda Copeland and Ronald Rose, *Diary of Leah Grubb*, 38.

[128] Grubb served in the first Potomac Home Battalion Cavalry, a Maryland Unit that often scouted in Loudoun, before he transferred to become a Captain in the Loudoun Rangers.

traitor." Divisions went both ways, and James apparently felt no compulsion to protect his secessionist family. In fact, he personally oversaw the sacking of another cousin's farm in which his troops "hauled off ten loads of hay, killed poultry, took several pieces of bedclothes and anything else they wanted."[129] Truly, Leah noted in her diary, "many who are near us have grown cold toward us."[130] Of course, the same could be said of her own feelings toward Unionist relatives.

The war divided families as well as friends. When the nineteen Loudoun Rangers exited the Waterford Baptist church to surrender their arms to White's Cavalry in September 1862, they did not meet strangers from thousands of miles away. As one Confederate later recalled about the captured Rangers, "many of them were old friends, and had been schoolboys with some of White's men; and in one instance, brothers met: one Wm. Snoots, being a Sergeant in White's command, and the other Charles, a member of Means' Command. Rebel and Yankee had swallowed up the feeling of brotherhood, or rather, that feeling had intensified the bitterness and hatred with which enemies in the hour of conflict regard each other." Loudoun's civil war literally pitted brother against brother in a fight that included fewer than one hundred soldiers.[131]

The fact that divided loyalties within a single family was common in the community added to the personal nature of the war in Loudoun County. In August 1863, a northern relative visiting family in Loudoun wrote home about how terribly divided he found his Waterford relations. While Asa Brown "was a Union man," his wife supported the Confederacy. Two of Asa's sons served in the Confederate Army, while a third had fled across the Potomac to avoid

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[129] Lucinda Copeland and Ronald Rose, *Diary of Leah Grubb*, 31.

[130] Lucinda Copeland and Ronald Rose, *Diary of Leah Grubb*, 33.

[131] Myers, *The Comanches*, 102.

service.[132] Their differences were felt so deeply that the brothers "had to be watched and kept apart from friends to keep them from killing each other."[133] The Browns' extended family also found itself divided. Asa Brown's daughter, Amy Ann, was reportedly "rampant Union," but her sons from her two marriages, Thomas John Spates, James Fritz, and William Fritz, all served in the 35th Virginia under Colonel White. A fourth son, Minor Spates, had moved away before the war and now fought in the 68th Illinois, which for a time served in Loudoun county, leading to "skirmishes with White's Rebel Cavalry, to which his […] brothers belong."[134] The war had truly "sundered old friends and severed families."[135]

Strife between neighbors due to nominally military activities—especially impressment of horses—often led to conflicts that blurred the lines between military and personal actions. On May 12, 1863, Samuel Means' seventy-year-old father ran into Loudoun secessionist William S. Gray on the road near Leesburg. The meeting was bound to be tense, as both men had sons fighting on opposite sides of the conflict. The encounter turned violent when Gray recognized Means' horse as one taken from his own farm by the Loudoun rangers. When Gray demanded the other man return the horse, Means adamantly refused, and Gray pulled a knife, cutting the elderly Means on the neck in the ensuring fight. Gray left with the horse, but it would prove a pyrrhic victory. When Captain Means learned of the assault on his father the next day, he and a handful of his Rangers rode off in search of Gray, even though they had no official orders to do

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[132] Tom Sypherd to Fleming Josephus Sypherd, August 16, 1863, Sypherd Letter and Family History, WFA.

[133] Tom Sypherd to Fleming Josephus Sypherd, August 16, 1863, Sypherd Letter and Family History, WFA.

[134] Tom Sypherd to Fleming Josephus Sypherd, August 16, 1863, Sypherd Letter and Family History, WFA, also CSR for William Fritts, James Fritts, Thomas J. Spates, 1850 and 1860 census.

[135] Tom Sypherd to Fleming Josephus Sypherd, August 16, 1863, Sypherd Letter and Family History, WFA; Souders and Chamberlin, *Between Reb and Yank*, 113–114.

so. Seeking vengeance, the Rangers rode into Loudoun, found Gray farming in a field, and gunned him down within sight of his family.[136]

Gray's murder was not an isolated incident; the tensions caused by war erupted into numerous personal and deadly feuds between the Rangers and local Confederates. On April 5, 1865, as Confederate guerilla John Mobberly rode up toward Luther Potterfield's farm, he had no idea what awaited him. It is unclear why he went, perhaps to trade horses or meet a friend, but he certainly went thinking Potterfield's farm was safe. A companion stopped for water at a stream on the path to the house, but Mobberly rode on without apparent concern. As he neared the barn, he had just enough time to notice a group of civilians and Rangers lying in wait for him before their guns fired, and Mobberly fell dead as his compatriot escaped.

Little is known about Mobberly's prewar life, but by his death in April 1865, he had achieved a reputation as a "desperate villain."[137] He began his career in White's Cavalry, enlisting in 1862, and soon became known as a fearsome warrior before being captured on March 1, 1863. After his arrest, Union troops and Loudoun civilians both requested he not be exchanged due to the terror he brought upon the region. Despite these warnings, Union authorities sent him to Fortress Monroe to be exchanged in a matter of weeks, a decision many would regret.[138] By April 21, 1863, Union patrols were being dispatched into northern Loudoun County with orders specifically to track down Mobberly.[139]

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[136] Souders and Chamberlin, *Between Reb and Yank*, 178. See also Addison McKimmey, "The Loudoun Rangers," in Vertical File labeled Loudoun Rangers, TBL.

[137] *OR,* Series 1, Vol. 46, Part 3, 240-241.

[138] CSR John W. Mobberly, 35th VA Cavalry; Souders and Chamberlin, *Between Reb and Yank*, 168.

[139] *OR,* Series 1, Vol. 51, supplemental, Part 1, 117.

Mobberly excelled at Loudoun County's war of information gathering, foraging, and hit and run attacks. While a September 1864 muster roll for White's Cavalry listed him as a deserter, Mobberly's skill as a scout and guerilla seems to have earned him leeway in military matters. Though a private, Mobberly led a gang of between five and fifteen men who specialized in stealing horses, killing Union pickets, and robbing and extorting Loudoun residents, usually those the gang felt were not loyal to the Confederacy. While technically not with his unit, Mobberly routinely reported back to Captain Frank Myers of White's Cavalry with information about Federal troop deployments.[140] In April 1865, no less a man than the hero of Gettysburg Major General Winfield Scott Hancock condemned Mobberly's gang as "the worst band of guerilla's in Loudoun County."[141]

Without civilian aid, Mobberly would likely have never been caught. Aided by his knowledge of the region, Mobberly repeatedly avoided capture by Union troops. In early February 1865, for example, Mobberly narrowly escaped a Union scouting party that netted seven other guerillas.[142] Union soldiers nearly caught him again on the night of February 14, but he escaped into a blinding snowstorm.[143] By April, his band of around fifteen men had been whittled down to just four, the rest having been killed or captured.[144] Capturing Mobberly himself, however, proved impossible for Union troops. Yet Mobberly had so "badly scourged" the community that a group of Loudoun citizens offered to capture the guerilla leader as long as

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[140] Myers "Diary," WFA, 4.

[141] *OR,* Series 1, Vol. 46, Part 3, 868.

[142] *OR,* Series 1, Vol. 46, Part 2, 365.

[143] *OR,* Series 1, Vol. 46, Part 2, 567.

[144] Crouch, *Rough-Riding Scout*, 20. *Rough-Riding Scout* provides the most comprehensive account of Mobberly's life and what sources exist about him. I have relied heavily upon both it and *Between Reb and Yank* for this account of Mobberly. Most of the known details about Mobberly's life can be found in *Rough-Riding Scout*.

they would be rewarded sufficiently to "enable them temporarily to live elsewhere, which they will be compelled to do if they are successful."[145] The Union army accepted their offer, and two civilians, three Loudoun Rangers, and one former Ranger planned the successful ambush at Potterfield's farm.[146]

The men who killed Mobberly did so for personal reasons. If the fact that Mobberly had killed numerous Rangers and stolen horses from their families was not enough to inspire hatred, several members of the posse that gunned him down had specific personal vendettas against him. Earlier in the war, Charles Stewart, the sergeant in charge of the ambush, had been wounded in a skirmish with White's cavalry. Seeing the Union soldier lying bleeding on the ground, Mobberly rode his horse over Stewart, trampling him as Mobberly fired his revolver into Stewart's already broken body. Left for dead, Stewart nevertheless survived and returned to duty, intent on hunting down Mobberly.[147] Jacob E. Boryer, a German immigrant and blacksmith, had previously served as a Loudoun Ranger before being discharged due to injury. Were it not for government bureaucracy, a more personal motive for killing Mobberly might have been lost. Thankfully, on an otherwise mundane and routine form Boryer filled out in 1882 to gain a pension, the former Ranger recorded that after his discharge from service, he did no work for the U.S. Government, "except one time to help some soldiers to capture a murderer of pickets & my brother and horse thief in the community."[148] Boryer's brother was probably Frederick A. Boryer, who enlisted in the 8th Virginia (CSA) in May 1861. Wounded in the upper arm and captured at Gettysburg,

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[145] *OR,* Series 1, Vol. 46, Part 3, 240-241.

[146] *OR,* Series 1, Vol. 46, Part 3, 444-445.

[147] Souders and Chamberlin, *Between Reb and Yank*, 248.

[148] Pension File for Jacob E. Boryer, Loudoun Rangers, Company A, NARA. So far as I can establish, this fact has been overlooked by all previous historians of Mobberly.

Frederick was paroled and furloughed due to his injury. A single note on another government document, this time a Confederate muster role, provides us an additional clue to Jacob's motives and his brother's fate. On the muster role in question, next to Frederick's name is noted, "killed in affray with deserters July 18, 1864, Loudoun Co."[149] While it is impossible to ascertain the exact circumstances surrounding Frederick Broyer's death at the hands of Confederate deserters, and why Frederick (a Confederate soldier) and Mobberly fought remains unknown, Jacob Broyer clearly held Mobberly responsible for his brother's death.

Still, killing Mobberly held ramifications for those involved in the ambush plot. Just two days after Mobberly was killed, Potterfield's barn went up in flames.[150] The likely culprits were the surviving members of Mobberly's gang, but it would be the group's last hurrah. Between April 19 and 20, the last four remaining members surrendered at Harpers Ferry, gave their parole of honor, and returned home as civilians.[151] Though the war had officially ended, Mobberly's killers and his former gang members remained enemies. Their feud would continue during Reconstruction in a series of court cases in which both Potterfield and the gang's members faced potential criminal charges for their roles in the conflict.

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It is hardly surprising that civilians helped kill Mobberly or that they suffered for their actions. Mobberly had wreaked havoc upon his own community, robbing as much for his own gain as for the Confederate war effort. But as Potterfield learned while watching his barn burn, the decision to help one side in such a local and acrimonious conflict could result in severe

[149] CSR for Frederick A. Boryer, 8th Virginia Infantry.

[150] Christian Nisewarner Diary, 1861-1877 (SC 0040), TBL.

[151] CSRs for James Riley, James W. Tribby, John T. Tribby, 35th VA Cavalry.

consequences. Arson was a common deterrent used by irregular forces to discourage civilians from informing upon them. Indeed, guerillas also burned the barn of Hoysville farmer Sydney Williams, likely in retaliation for his testimony before a Union court martial brought against a captured Confederate guerilla charged with violating his oath of allegiance. The guerilla in question had stolen numerous horses and other possessions from Williams.[152]

In addition to arson and injury, the potential consequences of informing on one's neighbors included arrest and imprisonment. Loudoun farmer James Whiteman reportedly accompanied Confederate troops around his neighborhood to point out which men were loyal and disloyal while his brother, Joseph, kept track of which of his neighbors had horses to impress.[153] The Whitemans' role in persecuting their neighbors led to complaints to Union authorities, ultimately contributing to the brothers' arrest by the Loudoun Rangers in March 1863. Sent first to Fort McHenry, and later to Fort Delaware, the Whitemans remained in prison for months.[154] As civilians, the Whitemans were not alone in their prison experiences. When Confederate troops arrested Horatio Trundle, they were led by fellow Leesburg resident Charlie

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[152] Court Martial of Charles Cooper Court, Case # NN-1908, Records of the office of the Judge Advocate General, RG 153, NARA; see also John B. Dutton to J.J. Henshaw, June 18, 1864, and J.H. Taylor to unknown recipient, Box 1, Entry 1468, Letters, Telegrams, and Other Records, 1862 – 1865, Records of the Provost Marshal, Defenses South of the Potomac, RG 393 Part 4, NARA; *OR,* Series 1, Vol. 37, Part 1, 646; Souders and Chamberlin, *Between Reb and Yank*, 171.

[153] E.J. Allen to General George McClellan, February 27, 1862, in George Brinton McClellan papers, Reel 17, Library of Congress, Washington, D.C.

[154] Civil War Prison Records, 1861-1865, M598; File for James Wightman, "Unfiled Papers and Slips Belonging in Confederate Compiled Service Records," NARA Microfilm, M347, NARA, 1962, accessed via fold3.com. James was only released after taking the oath of allegiance in February 1864. (Civil War Prison Records, 1861-1865, M598; File for A.J. Wightman, "Unfiled Papers and Slips Belonging in Confederate Compiled Service Records," NARA Microfilm, M347, NARA, 1962, accessed via fold3.com.) Joseph had to wait until March 22, 1864, two days short of a year, before orders were issued for his release. (File for J.M.L. Wightman "Unfiled Papers and Slips Belonging in Confederate Compiled Service Records," NARA Microfilm, M347, NARA, 1962, accessed via fold3.com.)

Ball, who believed Trundle bore responsibility for his father's arrest by Union troops earlier that year.[155]

The imprisonment of civilians during the Civil War is often overlooked by historians, yet hundreds of Loudoun residents spent days, weeks, months, and occasionally even years in Union prisons for one reason or another. Refusing to take an oath, declining to provide information, being in the wrong place at the wrong time, earning a neighbor's accusation of disloyalty, or merely being present when a hostage was needed could all result in arrest. Periodic Union sweeps for Confederate guerillas occasionally resulted in Union forces passing through an area and simply "arresting nearly every man they met on the road."[156] Although the exact number of arrests by Union troops is unknown, at least 237 Loudoun civilians spent time in the Old Capitol Prison, while others spent time in prisons elsewhere or under guard by Union units before being released.[157] In March 1863—a slow month—Union troops arrested and imprisoned nineteen Loudoun residents in Fort McHenry on charges ranging from "being a spy and guide for White's guerillas" to "bushwacking and harboring guerillas."[158] In April of the same year, over sixty Loudoun civilians were arrested. Thirteen of the April arrestees were suspected members of

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[155] File for Henry A. Ball in "Union Provost Marshals' File of Paper Relating to Individual Civilians," NARA Microfilm M345, NARA, 1967; and Mary L. Mott to My Dear Father, June 28, 1862, Mott Family Papers, VHS. See also Souders and Chamberlin, *Between Reb and Yank*, 172.

[156] Court Marital of J.S. Palmer, Case # NN-1971, Records of the office of the Judge Advocate General, RG 153, NARA.

[157] For records of Old Capitol Prison, see Civil War Prison Records, 1861-1865, Reel 110, M598. I looked especially at the records for the Old Capitol Prison, as many civilians spent some time there, and the record keeper usually recorded where civilians were from. However, the records are most complete for 1863-1865, so earlier prisoners and prisoners sent to other prisons directly are missed in subsequent counts of prisoners from various periods.

[158] Civil War Prison Records, 1861-1865, M598, NARA; Files #4062 and #5280 of Union Provost Marshal Papers, Two or More Civilians: 1861-1867, NARA Microfilm M416, NARA, 1964, online at http://www.sos.mo.gov/archives/provost/provostPDF.asp (accessed April 24, 2014). At least six were later transferred to Fort Delaware.

Mosby's command, but most of the others had merely refused to take the oath of allegiance.[159] The majority of those arrested in April were exchanged or freed by the end of May, though some lingered into June. On June 21, an additional thirty-six Loudoun residents who did not want to take the oath of loyalty were arrested and confined to a prison ship for over a month before Federal authorities even considered their fate. Between July and September, most of them were either paroled or took the oath of allegiance.[160] Though most were freed or exchanged within months, the fact that well over one hundred Loudoun civilians were held without trial in just the three months of April, May, and June 1863 is startling—and similar arrests continued throughout the war. Occasionally, civilians arrested and then freed would be re-arrested before the end of the war.[161] At least one man was arrested without charges by Union troops three times.[162]

Confederate troops also arrested numerous Loudoun civilians for disloyalty. A March 22, 1862, announcement in the *Richmond Daily Dispatch*, for example, relates how "seventy-seven Union traitors from Loudoun county" arrived in the Confederate capitol by train two days previously.[163] Unfortunately, Confederate arrest records are less complete than their Union counterparts, so little is known about the total numbers of Loudoun residents who spent time in Richmond prisons, let alone the reasons for their incarceration.

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[159] Civil War Prison Records, 1861-1865, M598, NARA.

[160] Files #6202, # 6203, #6205, # 6238, # 6911 of Union Provost Marshal Papers, Two or More Civilians: 1861-1867, NARA Microfilm M416, NARA, 1964; File for William T. Weaver, in "Union Provost Marshals' File of Paper Relating to Individual Civilians," NARA Microfilm M345, NARA, 1967; File #1963, Turner Files, Case Files of Investigations by Levi C. Turner and Lafayette C. Baker, 1861-1866, NARA Microfilm M797, NARA, 1970; accessed via fold3.com (accessed April 29, 2014); *OR,* Series 2, Vol. 6, 126-127.

[161] Jonah Tavaner, for example, Civil War Prison Records, 1861-1865.

[162] Lucinda Copeland and Ronald Rose, *Diary of Leah Grubb*, 26.

[163] "Arrival of Union Traitors," *Richmond Daily Dispatch*, March 22, 1862.

While the identities and fates of these men remain unknown, documents for select prisoners have survived, providing insight into their experiences.[164] Confinement in southern prisons might only last for a few hours or days, but at times, prominent Union sympathizers were held for months or years. Those held for longer periods often ended up in Richmond prisons, such as Castle Thunder or Salisbury Prison in North Carolina. In one instance, Confederate troops arrested Armisted Magaha in December 1861 as he crossed the Potomac River and imprisoned him in Salisbury Prison in North Carolina for being an "avowed Unionist." As he lingered in prison in February 1863, he was not lonely for company from home. In addition to a friend arrested with Magaha, two other Loudoun residents were inmates at Salisbury. One of them, Leesburg doctor James W. Butler, had been arrested on the day of the secession vote back in May 1861 and would remain jailed for over 600 days.[165]

Like many of the prisoners from Loudoun, Magaha's neighbors caused his incarceration. Magaha's long imprisonment resulted from the testimony of a neighbor who served as a Confederate scout.[166] The neighbor claimed that Magaha had declared that he hoped Union forces "would hang Samuel Price, a justice of the peace of said county because he Price was

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[164] For more information on Confederate-held civilian prisoners, researchers should see *OR,* Series II; Letters to the Confederate Secretary of War, NARA Microfilm M437, NARA, 1965; Letters Received by the Confederate Adjutant General and Inspector General, NARA Microfilm M474, NARA, 1964; and Letters Sent by Secretary of War, NARA Microfilm M522, NARA, 1964; Department of Henrico Papers, Mss3 C7604a,VHS. They will find numerous letters from habeas corpus commissioners who determined if a prisoner should be released. The best secondary source on the topic is Neely, *Southern Rights*. I am indebted to Mark Neely for his advice on where to find documents. Additional information can be found in Frances Casstevens, *George W. Alexander and Castle Thunder: A Confederate Prison and Its Commandant* (Jefferson, NC: McFarland & Co., 2004). References appear about short prison stays throughout the historical record. For example William H. Gray, "Diary of William H. Gray," VHS, mentions Gray's stays in prison from June 2-August 13, and then August 22 through September 1, 1864.

[165] James A. Seddon, *Communication from the Secretary of War, [enclosing a List of the Civilian Prisoners in Custody at Salisbury, North Carolina, Under Military Authority]* (Richmond, VA, 1863). See also *OR,* Series II, Vol. 2, 1409, 1468, 1472, 1480. See also Souders and Chamberlin, *Between Reb and Yank*, 40.

[166] Souders and Chamberlin, *Between Reb and Yank*, 50, 361. See also *OR,* Series II, Vol. 2, 1409, 1468, 1472, 1480.

swearing the militia, and that Magaha would take pleasure in putting the rope around Prices neck."[167] This damning statement meant he was repeatedly passed over for release. Finally, near the end of February 1863, a Confederate Habeas Corpus Commissioner—responsible for determining the fate political prisoners—recommended Magaha's release if he took the oath of allegiance.[168] Dr. Butler was less fortunate. A March 5, 1863, report noted that he remained in prison awaiting exchange for a Union-held political prisoner.[169]

Both Union and Confederate forces arrested civilian hostages to exchange them for prisoners held by the enemy. Often, detained civilians were held hostages for specific citizens being held by the other side. After Federal revenue agent and Waterford native Samuel Steer was captured on June 12, 1864, the Loudoun Rangers responded by going through Loudoun County to "arrest Rebel Citizens."[170] Among those arrested for Samuel Steer was George Ayers. Union authorities granted Ayers the opportunity to travel to Richmond under parole to negotiate Steer's release.[171] The exchange was affected relatively quickly, and by August 20, Steer returned home, though other civilian hostages were kept for significantly longer periods.[172]

Steer's importance as a Federal agent likely led to his quick exchange via a special cartel. Others spent far longer awaiting exchange as Union and Confederate exchange commissioners

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[167] Document 9597, Letters to the Confederate Secretary of War, NARA Microfilm M437, Reel 22, NARA, 1965.

[168] Letters Sent by Secretary of War, January - April 1863, RG 109, CH 9, V 11, NARA, 144.

[169] Letters Sent by Secretary of War, January - April 1863, RG109, CH 9, V 11, NARA, 225; see also Document B315, Letters to the Confederate Secretary of War, NARA Microfilm M437, Reel 32, NARA, 1965 and Document T138, Letters to the Confederate Secretary of War, Reel 74, NARA Microfilm M437, NARA, 1965.

[170] *OR,* Series 1, Vol. 37, Part 1, 636.

[171] File #2639, Turner Files, Case Files of Investigations by Levi C. Turner and Lafayette C. Baker, 1861-1866, NARA Microfilm M797, NARA, 1970; and James J. Williamson, *Prison Life in the Old Capitol and Reminiscences of the Civil War* (West Orange, NJ, 1911), 44–45.

[172] Souders and Chamberlin, *Between Reb and Yank*, 263; Williamson, *Prison Life in the Old Capitol*, 44–45.

negotiated swaps of hostages and POWs. For example, after Confederate authorities arrested James Hamilton on June 26, 1864, Union troops took Leesburg farmer Joseph Meade hostage. Meade remained in several Union prisons until March 1865, spending most of his eight-month imprisonment at Fort Warren in Boston Harbor.[173]

Occasionally, hostages were directly responsible for the men they were held in lieu of. Loudoun resident Richard Haverner reportedly caused the imprisonment of a Union civilian guide, James Harry Sherman, so Union authorities took Haverner as a hostage.[174] Because of his role in persecuting his neighbors, Haverner remained in prison from June 10, 1863, until March 14, 1865, when he was finally exchanged for a different Confederate-held hostage.[175] Other times, however, the nearest enemy civilian available was taken. Because of Loudoun's location on the border, its civilians were ripe targets for arrest whenever a hostage was needed.

Loudoun's location in the center of a war zone meant that men often had no good options to avoid arrest. Publicly supporting the Union might quickly garner unwanted attention from Confederate guerillas—attention that might escalate to arrest for disloyalty. Siding openly with the Confederacy, on the other hand, might lead to a Union arrest as a hostage. Appeals to neutrality rarely satisfied jailers. After his arrest, Elias Love asked Confederate authorities to free

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[173] Civil War Prison Records, 1861-1865; File #3686, Turner Files, Case Files of Investigations by Levi C. Turner and Lafayette C. Baker, 1861-1866, NARA Microfilm M797, NARA, 1970; Files #10771, 10277 of Union Provost Marshal Papers, Two or More Civilians: 1861-1867, NARA Microfilm, M416, NARA, 1964; online at http://www.sos.mo.gov/archives/provost/provostPDF.asp (accessed April 24, 2014).

[174] Civil War Prison Records, 1861-1865; *OR,* Series 2, Vol. 5, 736-737; *OR,* Series 2, Vol. 6, 164; Files #1561 and #4075, Turner Files, Case Files of Investigations by Levi C. Turner and Lafayette C. Baker, 1861-1866, NARA Microfilm M797, NARA, 1970; this was likely Harvey Sherman.

[175] Files #1561, #4071, and #4075, Turner Files, Case Files of Investigations by Levi C. Turner and Lafayette C. Baker, 1861-1866, NARA Microfilm M797, NARA, 1970; Civil War Prison Records, 1861-1865. By the time he was released, James Harry Sherman had escaped to Union lines in eastern North Carolina after almost two years in Salisbury prison. (Taylor Chamberlin, John Souders, and Bronwen Souders, eds., *The Waterford News : An Underground Union Newspaper Published by Three Quaker Maidens in Confederate Virginia, 1864-1865* (Waterford, VA: Waterford Foundation, 1999) 8-2).

him, as he wanted no part in the conflict. Instead of offering to take an oath of allegiance to the Confederacy, however, Love stated that he "wishes to take the oath of allegiance to the country where he lives but cannot tell whether it is the Confederacy or the Union."[176] His unwillingness to take a stance failed to appease the Confederate interrogator who recommended he remain a prisoner because he was "obviously an intelligent man and quibbling about his allegiance."[177]

While men were arrested frequently with little cause, women seem to have maintained a degree of immunity from such actions due to their gender. Of 237 Loudoun civilians sent to the Old Capitol Prison in Washington D.C., a mere 6 were women. Only women viewed as actively dangerous to the northern or southern cause usually faced arrest for "aiding and abetting" the enemy.[178] Women who spent time in prison were often suspected of being spies. Loudoun resident Ann E. Scott, for instance, spent over two months as a prisoner of the Confederacy in Castle Thunder and in a second Richmond prison, Castle Goodwin, after she was caught repeatedly crossing the Potomac. The fact that Richmond newspapers closely followed her imprisonment, along with the plight of another woman in prison with her, attests to the fact that women were rarely the targets of arrest and imprisonment during the war.[179]

Once again, in the case of Scott, neighbors played a pivotal role in determining who remained free and who remained imprisoned. Scott claimed that, as a widow without support, she had crossed into the North to acquire coffee and sugar. Yet her neighbors told the

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[176] *OR,* Series 2, Vol. 2, 1486.

[177] *OR,* Series 2, Vol. 2, 1486.

[178] Civil War Prison Records, 1861-1865, M598. Female prisoners were also released far more quickly and with fewer restrictions than male prisoners, usually in a matter of days or weeks and often unconditionally.

[179] "List of prisoners confined in 'Castle Godwin' to March 15th, 1862," *Daily Dispatch*, April 3, 1862; "Arrests by the Provost Marshal's force," *Daily Dispatch*, March 10, 1862; "Released," *Daily Dispatch*, May 1, 1862. "Castle Goodwin," *Daily Dispatch*, May 21, 1862. Newspapers may have helped her case, as she was interviewed just a few days after an article on her imprisonment.

investigating Confederate Habeas Corpus Commissioner that, in truth, Scott was "separated from her husband and had a intrigue with a man over the lines." The investigator learned that her paramour had also been arrested but had already been released. While her neighbors' testimony condemned Scott's morals and veracity, they also led to her freedom. Ultimately, the commissioner recommended Scott be released because she could do the South no harm. [180] In June the Secretary of War ordered her release.[181] Luckily for Mrs. Scott's reputation, the Richmond newspapers that reported on her imprisonment and called for her release never confirmed the real reason for her forays across Union lines, though the Richmond *Daily Dispatch* alluded to the potential for something salacious, postulating that "perhaps [Scott] may have acted as a young widow anxious to distinguish herself in some department of human industry that the Confederate General [who ordered her arrest] could not appreciate."[182]

While the exact number of Loudoun residents imprisoned during the war remains unknown, the arrest of so many divided the community. Not only did neighbors point out whom to imprison, but they frequently were also involved in the actual arrests, as the Loudoun Rangers, White's Cavalry, and Mosby's guerillas were often tasked with arresting locals. The presence of locally raised troops, the blurring of civilian and military targets, and the small-scale but continuous nature of the war within the states in Loudoun unsurprisingly led to a heavily divided and distrustful community.

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[180] Document B545, Letters to the Confederate Secretary of War, Reel 33, NARA Microfilm M437, NARA, 1965; "List of prisoners confined in 'Castle Godwin' to March 15th, 1862," *Daily Dispatch*, April 3, 1862; "Arrests by the Provost Marshal's force," *Daily Dispatch*, March 10, 1862; "Released," *Daily Dispatch*, May 1, 1862. "Castle Goodwin," *Daily Dispatch*, May 21, 1862.

[181] "To Go Home," *Daily Dispatch,* June 6, 1862.

[182] "Released," *Daily Dispatch*, May 1, 1862; she was clearly still in jail though after this point ("To Go Home," *Daily Dispatch,* June 6, 1862; Document B545, Letters to the Confederate Secretary of War, Reel 33, NARA Microfilm M437, NARA, 1965).

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Though the local circumstances pushed individuals toward the edges of a continuum of different loyalties, not all divisions in Loudoun County were between Unionists and Confederates. In fact, Loudoun witnessed a heated feud between some of the county's most prominent and politically active pro-Union figures. Even among the refugees in Maryland, disputes created divisions that weakened Union control of the region. John Dutton, Samuel Means, J.W. Schooley, and Samuel Steer all fled across the Potomac from Waterford and settled in Point of Rocks, Maryland. While Dutton opened up a store in Point of Rocks, Steer and Schooley received Federal appointments there, Steer as aide to the revenue and Schooley as postmaster. Meanwhile, Means recruited and commanded the Loudoun Rangers, which often operated out of the town due to the importance of the river crossing there. Because of their respective roles, the four men ran into each other frequently. Steer's position required him to inspect any shipments going south, including those Dutton sold. Myers was supposed to help enforce the blockade of goods that might help the South, and Schooley was tasked with ensuring no treasonous mail passed through.

Despite their pro-Union sympathies and complementary jobs, however, animosity existed between Means and the other men almost from the start of the war. In fact, Means had even opposed Steer's appointment as revenue agent.[183] A dispute over a horse further exacerbated tensions. Dutton's horse, "Harry," had been impressed by Confederates before being recaptured by the Loudoun Rangers. In April 1863, Means refused Dutton's request to return the steed to its

[183] File #1361, Turner Files, Case Files of Investigations by Levi C. Turner and Lafayette C. Baker, 1861-1866, NARA Microfilm M797, NARA, 1970.

owner. Eventually, a superior officer intervened and forced Means to return the horse, leaving both men bitter about the situation.[184]

Despite their common cause, shared Virginia roots, and mutual enemies across the river, any suggestion of a working relationship dissolved in August 1863 when Steer publicly expressed his (accurate) opinion that Means did not have authorization to conscript Loudoun residents who fled to Maryland. Means confronted Steer, and an argument erupted in the streets over who had the authority to determine such matters. Means, who Steer later claimed "was under the influence of liquor," struck Steer "a tremendous blow on the head with his fist." He then attempted to strike Steer repeatedly as the Quaker deflected the Captain's punches.[185] Means also failed to get along with Dutton and Schooley. While Means was trying to beat Steer senseless, Steer claimed that Means said "he wanted to get hold of Mr. Dutton, as he intended to give him a beating and clean out the dam'd concern meaning Mr. Dutton, myself and the post master J.W. Schooley."[186]

The situation escalated after the fistfight. Dutton eventually filed a complaint that Means was a "habitual drunkard" and had "for many years been my bitter enemy," implying that prewar disputes may have contributed to their enmity.[187] In turn, Means harassed Dutton and threatened

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[184] J.B. Dutton to Anna Dutton, Transcription, April 28, 1863, Mary Frances Dutton Steer papers, WFA; Divine, Souders, and Souders, *To Talk Is Treason*, 48–49.

[185] File #1361, Turner Files, Case Files of Investigations by Levi C. Turner and Lafayette C. Baker, 1861-1866, NARA Microfilm M797, NARA, 1970.

[186] File #1361, Turner Files, Case Files of Investigations by Levi C. Turner and Lafayette C. Baker, 1861-1866, NARA Microfilm M797, NARA, 1970.

[187] File #1361, Turner Files, Case Files of Investigations by Levi C Turner and Lafayette C Baker, 1861-1866, NARA Microfilm M797, NARA, 1970.

to burn his store.[188] The disagreements between these leading Unionists climaxed when Means arrested Schooley and accused him of allowing uncensored letters to cross the Potomac in the hands of Confederate sympathizers. Additionally, he claimed Dutton, Steer, and Schooley allowed anyone to carry purchases across the border—a privilege supposedly reserved for loyal citizens—if they paid a bribe.[189] The back-and-forth accusations of law breaking continued with Dutton alleging Means had tampered with the mail.[190] In response, Means wrote to his superiors that "Dutton is known in this Vicinity to be one of the greatest smugglers on the line of the Potomac River."[191] Not surprisingly, an Army investigation concluded that "these charges have grown out of personal difficulties between Capt. Sam'l C. Means & John B. Dutton, and are not worthy of notice."[192] Only with the removal of Means from command for disobeying an order transferring his rangers to West Virginia did the accusations cease.[193] Neither a shared cause nor shared enemies could unite the Loudoun Unionists stranded in Maryland.

Internal conflict was not unique to Unionists, however; Confederate guerrillas also failed to get along at times. Even guerilla commanders like John Singleton Mosby and Frank Myers, captain of one of White's companies, had disagreements. For instance, Mosby's men infuriated Myers when they "conscripted" two of Myers' friends, including the brother of his future wife. Writing in his diary a few nights later, Myers put down his thoughts on the matter: "Mosby's

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[188] File #1361, Turner Files, Case Files of Investigations by Levi C. Turner and Lafayette C. Baker, 1861-1866, NARA Microfilm M797, NARA, 1970. For an excellent summery of their disagreements, see Souders and Chamberlin, *Between Reb and Yank*, esp. 193–194, 233–238.

[189] Souders and Chamberlin, *Between Reb and Yank*, 193–194.

[190] Souders and Chamberlin, *Between Reb and Yank*, 234–238.

[191] As cited in Souders and Chamberlin, *Between Reb and Yank*, 234.

[192] As cited in Souders and Chamberlin, *Between Reb and Yank*, 235.

[193] Souders and Chamberlin, *Between Reb and Yank*, 237.

men still around. Wish Keys [then commander of the Loudoun Rangers] would whip them out. I'd help him if he would let me. Don't like them one bit."[194] While this was likely an exaggeration, the tensions were real, and eventually necessitated a meeting—or what Myers called a "long talk"—to settle their differences. Though technically Mosby outranked Myers, it appears the two conscripts were transferred to Myers' company.[195] Mosby and Myers shared a mission, but they still failed to get along, at times to the detriment of the war effort.

Finally, while the war divided many, it also forged strange friendships. In contrast to his acrimony with Means, for instance, Unionist Samuel Steer remained friendly with some secessionists. In fact, when Union troops arrested William Shawen, Steer lobbied for his release because "instead of molesting or annoying his union neighbors," Shawen had "done all in his power to protect them and their property."[196] Thus, a tacit truce between some civilians with differing political views might develop when prominent secessionists attempted to arrange the release of civilians arrested by Confederate troops, and vice versa. After Confederate authorities arrested Waterford Quaker William Williams for his anti-secessionist views, for example, secessionist Thomas Edwards helped arrange his release. Additionally, through a lie of omission, Edwards hoodwinked Confederate General John Winder into providing the Quaker a pass to return home without having to take an oath of allegiance, which went against Williams' religious and political beliefs.[197] A few years later, when Edwards was arrested and held hostage in

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[194] Myers, "Diary," WFA, 6.

[195] Myers, "Diary," WFA, 7; CSRs for C. Shawen and Henry C. Bennett, 35th VA Cav.

[196] File for Wm. C. Shawen in "Union Provost Marshals' File of Paper Relating to Individual Civilians," NARA Microfilm M345, NARA, 1967.

[197] William Williams, "An Account of William Williams Taken Hostage by the Confederates in 1863," http://www.waterfordhistory.org/history/waterford-williams-williams-hostage.htm (accessed April 29, 2014).

retaliation for the illegal capture of Union soldiers under a flag of truce, Williams requested Edwards' release and even offered to be a substitute hostage if necessary.[198]

The depredations of guerillas on both sides drew some neighbors closer together than they had ever been before. Indeed, even some secessionists disliked Mosby and White's seizures of property from disloyal citizens, as they recognized such actions had larger ramifications. One local secessionist wrote to a family member that "these attacks [by White and Mosby] on them [Unionists] generally result in their making reprisals on us[.] unless our men could remain and protect our property it would be better for us if they staid [*sic*] away."[199] Fear of retaliation consistently united Loudoun residents who might otherwise not have gotten along.

Because neither side ever truly held Loudoun County, a power vacuum developed, which further led to some unexpected alliances. In response to the June 1864 arrests of ten secessionists as hostages—including Thomas Edwards—a group of "Loyal citizens" requested the secessionists' release. In their letter, they noted that:

> Ever since the advance of the Federal Army through this county under Col. Geary, we have been without any civil government, and without any regular protection from the army. The consequence has been, a spirit of lawlessness is now, and has been prevailing to a very alarming extent in our midst, which is deplored alike by the respectable men of all parties. – Armed men claiming to be soldiers are continually passing through the county committing all kinds of depredations. It is impossible to discriminate between those who are regularly in the army, and those who only claim to be.[200]

As was the case with impressment, the writers recognized that they might be arrested as the next set of hostages, and they concluded the letter with a plea to spare "this community from horrors

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[198]File #3198, Turner Files, Case Files of Investigations by Levi C. Turner and Lafayette C. Baker, 1861-1866, NARA Microfilm M797, NARA, 1970.

[199] John Peyton Dulany to [Richard Henry Dulany], N.D., Debutts Family Papers, VHS.

[200] File #3198, Turner Files, Case Files of Investigations by Levi C. Turner and Lafayette C. Baker, 1861-1866, NARA Microfilm M797, NARA, 1970; accessed via fold3.com (accessed April 29, 2014).

that must ever attend a system of general reprisals." Among the signatories were Asa Bond, who had already narrowly avoided becoming a Confederate hostage earlier in the war, and Robert Hollingsworth, the man who was arrested in Bond's stead.[201] Efforts to negotiate prisoner exchanges or simply to gain the freedom of neighbors are just some examples of men with differing political beliefs who found common ground and utilized prewar connections to temper the everyday horrors of war.

Prewar friendships occasionally proved stronger than the pull of wartime factions. Though Quaker James Janney hid his sons from Confederate recruiters and sympathized with the Union, he also refused to finger local secessionists so Union troops could impress supplies from them.[202] Instead, he loaned his own horses to neighbors rendered horseless due to impressment from both sides, regardless of their politics. Always a dutiful neighbor who believed in Christian charity, Janney's signature is easily found alongside those of other "Loyal Citizens" who pushed for the release of Union-held hostages.[203]

Though Janney managed to avoid conflict with most of his neighbors, he did not escape the war untouched. In addition to forage taken by Union troops, Mosby's men took two horses from him in April 1864. Local secessionists led by James Kilgour appealed to Mosby requesting the miller—who was crucial to the community's agriculture—be spared, even if he did sell grain

[201] File #3198, Turner Files, Case Files of Investigations by Levi C. Turner and Lafayette C. Baker, 1861-1866, NARA Microfilm M797, NARA, 1970; accessed via fold3.com (accessed April 29, 2014).

[202] Susan Janney to Sallie Roberts and Anne Roberts, March 30, 1862, Allen and Roberts family papers, 1846-1931 HC.1155, Haverford College.

[203] File #3198, Turner Files, Case Files of Investigations by Levi C. Turner and Lafayette C. Baker, 1861-1866, NARA Microfilm M797, NARA, 1970; accessed via fold3.com (accessed April 29, 2014); File for James W. McDaniel in "Union Provost Marshals' File of Paper Relating to Individual Civilians," NARA Microfilm M345, NARA, 1967.

north of the Potomac.[204] Mosby apparently ignored the request, instead taking more horses from Janney the next month.[205] Janney's friendship was not without some pull, however. When Kilgore served as White's 35th Virginia Cavalry's quartermaster for three months in 1863, he likely provided his friend Janney some protection from impressment.[206] After the war, Janney returned the favor, petitioning that some of his Confederate neighbors be pardoned and allowed to keep their land; among those for whom he petitioned was Kilgour, as well as at least two other signatories of the letter sent to Mosby on his behalf in 1864.[207]

Friendships between neighbors on opposite sides of the question of secession could provide some level of protection for everyone involved, but there were limits to the security loyalty could provide anyone in Loudoun County. In November 1864, that limit was reached for Unionists in Loudoun. The depredations and harassment of Union troops by Confederate guerillas, including Mosby and White, proved a major irritant to Sheridan's Army of the Shenandoah. Wishing to be rid of any threats to his rear, he ordered the destruction of all forage in Loudoun County, figuring that without provisions, partisans would not be able to operate there. Even the farms of the most vehement Unionist were explicitly not exempted from Sheridan's orders.

On November 30, 1864, Union troops moved through the northern half of the county destroying barns and crops, as well as commandeering large numbers of livestock with no

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[204] James Kilgour et al. to John S. Mosby, April 9, 1864, Confederate Miscellany MSS 20, Box 5, Emory.

[205] Souders and Chamberlin, *Between Reb and Yank*, 243.

[206] CSR for J Mortimer Kilgour, Confederate Officers.

[207] Files for Nathan Neer, John R White, J. Mortemer Kilgour, all in Virginia, in Case Files of Applications from Former Confederates for Presidential Pardons ("Amnesty Papers"), 1865-1867, NARA Microfilm, M1003, NARA, 1977, accessed on fold3.com; James Kilgour et al. to John S. Mosby, April 9, 1864, Confederate Miscellany MSS 20, Box 5, Emory. Neer, White, and Kilgour all signed the April 9, 1864, letter to Mosby.

distinction made as to who owned the farms. Over the next four days, they laid waste to the county's fertile farms. In just a few days, a single brigade involved in the raid reportedly destroyed "230 barns, 8 mills, one distillery, 10,000 tons of hay, and 25,000 bushels of grain."[208] Union troops took over 10,000 head of livestock (including cattle, sheep, horses, and swine) with them as they left the county a smoking wasteland.[209] The only silver lining to this raid was that Union troops did not purposefully burn homes.[210] Estimates of total damage done to both Unionists and other citizens ranged from $1 million to $7 million, and 250 Unionists later filed claims for lost property and livestock in excess of $260,000.[211]

The destruction ultimately proved ineffective in stopping Confederate guerillas and only served to create more refugees.[212] The war, unfortunately, lasted another five months, and the skirmishing and raiding would continue. More civilians would be arrested and imprisoned, and more horses impressed, further fracturing the community. Neighbors continued to fight and aid each other in ways that defy a binary loyalty. Though the war officially ended in Loudoun in April 1865, the suffering of its residents continued for years to come.

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[208] Craig H. Trout, "A Preliminary Index Loudoun County Farms Burned During the 1864 'Burning Raid' Based on 1865 Tax Records, Loudoun County, Virginia," Vertical File "Civil War Claims," TBL.

[209] Souders and Chamberlin, *Between Reb and Yank*, 304.

[210] Carrie Taylor and Hannah Stabler, December 3, 1864, Taylor Family Papers, TBL.

[211] Chamberlin, *Where Did They Stand?*, 40–43. See also Souders and Chamberlin, *Between Reb and Yank*, 304. For years, Unionists struggled and lobbied to gain compensation for their losses. (See, for example, Taylor Yardley to Rebecca Taylor Updegraff, May 26, 1865, Updegraff Family Papers, 1810-1929, Haverford College; Samuel M. Janney to John A. Carter, December 25, 1865, and Samuel M. Janney to Elizabeth Janney, February 8, 1866, both in Janney Papers, Friends Historical Library of Swarthmore College.) In 1873, they finally received compensation for the lost livestock, but the burned farms would never be paid for (Chamberlin, *Where Did They Stand?*, 40).

[212] Chamberlin, *Where Did They Stand?*, 36.

Chapter 3: "The people are so divided in feeling"
Dissent, Division, Desertion, and Depopulation in Floyd County, Georgia, January 1861–November 1864

On October 28, 1864, in the "dead hour of the night," around a dozen armed men awakened Charles Chambers and four other men, dragging them from their beds and into the cold to hang Chambers. Two Confederate soldiers, John Ward and William Light, oversaw the lynching, which one commentator called "one of the most cold blooded murders on record." Chambers' four companions managed to escape into the woods before they shared his fate, and their subsequent testimony ensured the event appeared in the historical record.[1]

The killing of Charles Chambers, is just one of the many acts of violence in northwest Georgia's inner conflict that pitted parts of an antebellum community against itself. It is probable that other killings similar to Chambers' remain unknown today, as his situation was not unique. Chambers was not a Union soldier, broke no law, and was given no trial. His only crime was that he worked for the United States government in the "building and keeping in repair the [railroad] tract in the vicinity of Cass Station" in northwest Georgia. His lynching was an act of terrorism, meant to inspire fear in any who might collaborate with the Federal forces. Ward and Light, who were from the area, had no orders to murder anyone, but by October 1864, the war had hardened them, and they felt no qualms about killing their neighbors.[2] Light, who was rumored to be a

[1] C.B. Blacker to Col C.C. Sibley, "A 1023," August 3, 1867, Entry 5782, Letters Received, 3rd Mil. District, Bureau of Civil Affairs, RG 393 Part 1, NARA. For testimony from this case, see also the enclosure with W.L. Goodwin to Col. J.F. Meline, "A 997," August 3, 1867, Entry 5782, Letters Received, 3rd Mil. District, Bureau of Civil Affairs, RG 393 Part 1, NARA.

[2] C.B. Blacker to Col C.C. Sibley, "A 1023," August 3, 1867, Entry 5782, Letters Received, 3rd Mil. District, Bureau of Civil Affairs, RG 393 Part 1, NARA.

deserter, reportedly killed several local men who had worked for the Federal Government in the Floyd and Cass County region.[3] These murders would leave a lasting bitterness in the area.

By October 1864, the war had fractured the community centered around Floyd County, Georgia. Located some fifty miles northwest of Atlanta, the county is situated on the edge of the Piedmont, with the foothills of the Appalachians occupying the northern edge of the county. The county seat of Rome is located in the center of the county at the confluence of the Oostanaula and Etowah rivers (becoming the Coosa). Rome was founded in the 1830s—it took more than a day—and by 1850, a spur rail line allowed cotton and other crops to be easily shipped from the town to distant markets via Atlanta, Savannah, Charleston, and Chattanooga.

During the Civil War, the county sat behind Confederate lines until May 18, 1864, when Union troops marched in. Northern forces occupied the region for six months, eventually withdrawing toward Tennessee on November 10, 1864.[4] Floyd presents an excellent opportunity to study loyalty, dissent, and intra-community conflict at three stages during the war in the Deep South: behind Confederate lines, during Union occupation, and when an absence of both Confederate and Union forces led to a lawless no-man's land.

Communities are most often defined by geographic features rather than county lines. In exploring the community centered around Floyd County, my dissertation often strays across the artificial county lines, to include not only those living in Floyd but also those in neighboring counties with close economic, social, and familiar links to Floyd and Rome, especially those in Cass County. Lying just to the east of Floyd, squarely in the Piedmont, Cass County residents

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[3] W.L. Goodwin to General John Pope, "A 1326," August 24, 1867, Entry 5782, Letters Received, 3rd Mil. District, Bureau of Civil Affairs, RG 393 Part 1, NARA.

[4] For an overview of the war, see Wade Banister Gassman, "A History of Rome and Floyd County, Georgia, in the Civil War." (M.A., Emory University, 1966). As the purpose of my dissertation is to look at specific issues across the South, I am unable to cover every historically significant event that occurred in each county.

were often tightly interconnected to Floyd before the war. Cass residents routinely visited friends and conducted business in Rome, while Floyd County residents frequently did business in Cartersville and Cass Station. For Rome residents, much of Cass County—renamed Bartow during the war after Francis Bartow, the first Georgian brigade commander killed in battle—was easier to access than parts of Floyd. Indeed, the hills and mountains on the northern edge of Floyd were less connected to Rome than much of Cass, especially those areas along the rail line.[5]

From January 1861, when Georgia seceded from the Union, until November 1864, when Union forces withdrew, Floyd County experienced massive population loss while simultaneously witnessing the slow breakdown of the antebellum social order, culminating in a chaotic near-anarchy. These two trends acted as a feedback loop: as further lawlessness forced residents to flee, the decrease in population encouraged lawlessness. Enlistment, conscription, and the flight of refugees all contributed to the emptying of Floyd County. Without a competent or sufficient force to stop them, deserters, guerillas, scouts, militia units, impressment agents, and an assortment of other instigators committed depredations throughout the war.

In addition to depopulation and lawlessness, the war experience of Floyd County from 1861–1864 was characterized by increasing division and discontent. As was true in Loudoun and Forsyth, conscription in Floyd angered many residents, alienating them from the Confederacy—and Unionists and other dissenters who resisted conscription soon found themselves persecuted by their neighbors. Union occupation further exacerbated tensions within the Floyd region, as the war *within* the states became part of the war *between* the states. Moreover, with Union forces in the vicinity, dissenters were able to retaliate with legal authority against their former persecutors.

[5] Polk County to the south, Gordon County to the northeast, and other nearby counties also occasionally make appearances when discussing the Floyd community, but because of the rail line, business, and social ties Cass/Bartow County was more deeply connected of Floyd.

When the Union army withdrew in 1864, just a fraction of the prewar population remained —a fraction full of conflict. Their withdrawal removed the last governmental authority tasked with keeping order and left the remaining residents to fend for themselves, forcing citizens of various political views to work together to survive the last six months of the war.[6]

The first half of this chapter examines Floyd's wartime experience while under Confederate control. The chapter begins by looking at the harassment dissenters faced during Floyd's Confederate period from January 1861 until May 1864 and how it created divisions within the community. This is followed by a summary of the breakdown of law and order during the same period. A lack of security for civilians combined with conscription to increase dissent and anti-Confederate feelings in Floyd. Due to the lawlessness and the coming of the Union army, the county experienced a mass exodus of refugees, while units from Floyd witnessed an influx of desertions, leading to more outlaws in the region.

The second half of the chapter addresses the period from May to November 1864 when Union forces occupied Rome. The presence of Union troops allowed harassment to progress into all-out civil war between neighbors: dissenters utilized the Union army's presence to persecute their former antagonists, and Confederate guerillas retaliated. These conflicts between neighbors flared for six months before the Union withdrawal led to a further depopulation of the region, and the steady war-long trend toward increased lawlessness collapsed into nearly complete anarchy. The chapter following will deal with the impact of the power vacuum created by Sherman's withdrawal, but this chapter explains how the community centered around Floyd

[6] For more on occupation and its impact see Stephen Ash, *When the Yankees Came: Conflict and Chaos in the Occupied South, 1861-1865* (Chapel Hill: University of North Carolina Press, 1995). For more on Disloyalty in Georgia see David Williams, Teresa C. Williams, and R. David Carlson, *Plain Folk in a Rich Man's War: Class and Dissent in Confederate Georgia*, 1st ed. (University Press of Florida, 2002); T. Conn Bryan, *Confederate Georgia.* (Athens: University of Georgia Press, 1953), esp. 137–155.

ended up the shattered remnant of its prewar self upon which lawless bands preyed during the final year of the war.

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Floyd County, like much of Georgia—indeed, like much of the South—was sharply divided on the issue of secession from the start of the war. Unlike Virginia or North Carolina, Georgia never held a popular referendum on secession. But white Georgians did elect delegates to a secession convention, and the election made manifest the divisions on the South's best course of action. Voters cast their ballot for either a secessionist who demanded immediate secession or a cooperationist who wished to continue within the Union while working out sectional differences. Although a majority of Floyd County voters supported the secessionist candidate, 43 percent of voters opposed him. Other counties in the region were similarly divided over whether to secede or take a more cautious wait and see approach. Neighboring Cass County elected a cooperationist candidate, William Wofford, by seventy-four votes.[7] Although not necessarily a vote against secession, the success of cooperationist candidates in northwest Georgia revealed a lack of enthusiasm for secession.[8]

When secession came, many former pro-Union men followed their state reluctantly, but others loudly proclaimed their allegiance to the United States. In perhaps the most striking example, for weeks after Georgia seceded, the Stars and Stripes flew in front of the Pickens County courthouse, forty-five miles to the northeast of Rome.[9] Floyd County had its own dissenters as well. Northern-born Floyd resident William Sheibley returned to his native

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[7] Michael P. Johnson, "A New Look at the Popular Vote For Delegates to the Georgia Secession Convention," *Georgia Historical Quarterly* 56, no. 2 (July 1972): 268.

[8] For more on this, see Keith Scott Hebert, "Civil War and Reconstruction Era Cass/Bartow County, Georgia" (Ph.D. Dissertation, Auburn University, 2007), 106-107.

[9] David Williams, *Bitterly Divided: The South's Inner Civil War* (New York: The New Press, 2008), 37.

Pennsylvania, where he helped raise and officer a regiment of Union volunteers.[10] Other residents also fought with the Union army. In April 1863, when Confederates led by Nathan Bedford Forrest routed a Union raid outside of Rome, among the captured were former Floyd residents.[11]

Most who wished to see the Confederacy fail kept their views to themselves, because opposing the Confederacy was dangerous.[12] Dissenters faced criminal prosecution for disloyalty, impressment of property, threats, and occasionally violence.[13] The experiences of William Sheibley's older brother, Peter, illustrates the harassment suspected Unionists in Floyd County could expect. Instead of fleeing Rome, Peter Sheibley tried to sit out the war. But, as in other communities, dissenters could not easily stay neutral. His northern ancestry, combined with his brother's enlistment for the Union, made the elder Sheibley brother inherently suspect. According to him, only luck, his status as a Freemason, and his "wife's people"—who were all, including his wife, prominent secessionists—prevented his death. Nearly a decade after the war, Sheibley recalled how a Confederate sympathizer had walked into his place of business holding a pistol. Bystanders stopped the man, who had intended to kill Sheibley for refusing to enter Confederate service. Not even his family provided him complete protection; as his own brother-

[10] 1860 Census Population Schedule, Court of Claims Case File #4997 for Peter Sheibley, Entry 22, Congressional Jurisdiction Case Files, RG 123, NARA. CSR and Pension for William Sheibley, 133 PA. Volunteers, NARA. For the best work on Sheibley, see David T. Dixon, "'Til Secession Do Us Part," *Georgia Backroads*, Summer 2012, 14–18.

[11] "The Yankee Prisoners at Rome," *Rome Tri-Weekly Courier,* May 15, 1863.

[12] See the Southern Claims Commission (especially in the denied claims) for numerous examples of individuals who later claimed they were loyal but hid their views. While not all of them were necessarily being honest or had selective memory, others clearly did keep their views private.

[13] For examples of persecution in Floyd County, see Nixon Papers, Microfilm, Northwest Georgia Document Preservation Program, Reel 47. See also the Southern Claims Commission claims of almost any county for examples of intimidation, impressment, etc. Because the court records are extremely fragmented and I discussed arrest and imprisonment in chapter two, this chapter will not focus on arrests and criminal prosecution. However, a larger study of county court records across the South remains an excellent future line of research.

in-law assaulted him at one point, possibly intending to kill him. Only the intervention—at great personal risk, no less—of a prominent free person of color, who talked Sheibley's in-law out of the assault, saved Sheibley from harm. By the summer of 1863, many local secessionists, including members of the militia unit, wished to hang the "low down Yankee," and one man threatened to drag Sheibley through the streets chained like a slave. He became known as such a notorious "tory" that the Forrest Artillery, a local home defense force, passed a resolution condemning Sheibley for his disloyalty and an angry mob burned him in effigy. In desperation, Sheibley took out an advertisement in the local newspaper announcing his willingness to sell out and move north.[14]

In many ways, Peter Sheibley was little different from most of his neighbors in Floyd County. Indeed, he would have blended into many of Georgia's Piedmont communities. Sheibley had been a farmer and schoolteacher before the war, and he and his neighbors primarily grew corn, wheat, and potatoes. Many Floyd farmers, including Sheibley, also grew oats, peas and beans, and cotton. But only the wealthiest farmers grew tobacco due to the large amount of labor such a crop demanded.[15] Without slaves, a cash crop of tobacco was simply not feasible, and Sheibley, like the vast majority of his neighbors, owned no slaves.[16] Though slaves made up 39 percent of Floyd's population of 15,195 residents, few white citizens actually owned slaves

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[14] Court of Claims Case File #4997 for Peter Sheibley, Entry 22, Congressional Jurisdiction Case Files, RG 123, NARA. Dixon, "'Til Secession Do Us Part," provides much of the background information on Sheibley, but additional information came from his Court of Claims appeal for his denied Southern Claims Commission claim. There are several typos in Dixon's footnotes. The correct claim number for Sheibley's claim is #4997.

[15] 1860 Agricultural Schedule, in *Copies of Nonpopulation Census Schedules for Georgia, documenting the period 1850 -1880*, microfilm T1137, NARA. Cited as 1860 Agricultural Schedule henceforth. See also Joseph C.G. Kennedy, *Agriculture of the United States in 1860: Compiled from the Original Returns of the Eighth Census, Under the Direction of the Secretary of Interior* (Washington: Government Printing Office, 1864), 22–24.

[16] *1860 U.S. Federal Census - Slave Schedules*, United States of America, Bureau of the Census. Eighth Census of the United States, 1860. National Archives Microfilm Publication M653, Washington, D.C.: National Archives and Records Administration, 1860. accessed via *Ancestry.com, (www.ancestry.com,* November 2010) cited as 1860 Slave Schedule.

themselves. Only 529 people, less than 6 percent of white residents in Floyd County, possessed any human chattel. In neighboring Cass County, there were only 425 slaveholders (3.7 percent of the total white population). Those select few who did own slaves rarely owned a large number. Within the two counties, over 50 percent of slaveholders owned six or fewer slaves, and over two-thirds owned fewer than ten slaves.[17]

But, unlike many of his neighbors, Sheibley's reason for not owning slaves was not a lack of means. He was not only significantly wealthier than most of his neighbors, but was one of the wealthiest men in the area. Sheibley owned 260 acres of cultivated land and an additional 400 acres of unimproved land; his land holdings were valued at between $16,000 and $20,000, and he held additional personal property valued at $18,000. His land alone was worth four times what the average farmer held—most landowning farmers owned fewer than 100 acres—and Sheibley could have expected his cotton crop to gross over $2,000 in 1860.[18] The reason Sheibley chose not to own slaves was his private moral opposition to the institution, likely a product of his upbringing. Though he married a Georgian, Sheibley was raised in Pennsylvania.[19]

Despite his wealth, Sheibley was faced with the continual possibility of conscription, a threat for dissenters across the South. Sheibley tried everything he could to avoid military

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[17] These slave owners possessed only a small portion of the human capital within Floyd and Cass Counties, just 23 percent of the slaves in the region. The few well-off planters with ten or more slaves owned the rest. North Georgia included an elite planter aristocracy that was as small as it was wealthy: in Floyd County, over 950 slaves (16 percent of all slaves in the county) were owned by just nineteen men. 1860 Census Population Schedule, Joseph O. G. Kennedy, *Preliminary Report of the Eighth Census, 1860* (Washington: Government Printing Office, 1862), 250; Joseph C.G. Kennedy, *Agriculture of the United States in 1860*, 22–24, 196, 226.

[18] 1860 Agriculture Schedule, 1860 Census Population Schedule, Joseph O.G. Kennedy, *Agriculture of the United States in 1860*, 196, 226. Newspaper articles from the period place the price of cotton anywhere from between 10 and 13 cents per pound. For example, see "Commercial," *Augusta Chronicle*, March 3, 1860.

[19] Only about 1 percent of Floyd's county's 1860 population had been born in a free state; 1860 Census Population Schedule; Court of Claims Case File #4997 for Peter Sheibley, Entry 22, Congressional Jurisdiction Case Files, RG 123, NARA.

service. When Confederate authorities staked out Sheibley's house in the hopes of compelling him into service, Sheibley hid in the woods. Eventually, in yet another example of personal loyalties and relationships trumping political affiliations, Sheibley convinced his next-door neighbor, Major Thomas Hamilton, the Confederate quartermaster for Rome, to allow the Union sympathizer to start making shoes, thus garnering an exemption from service. Hamilton knew Sheibley wanted the contract solely to avoid Confederate service, but he nevertheless helped his neighbor.[20] The exemption did not protect Sheibley from his other neighbors, who escalated their harassment after he received it.[21]

In general, getting an exemption for a job did not guarantee safety. Neighbors could both aid and hinder the efforts of men avoiding service, creating bonds and divisions between community members. After Charles Hill reportedly declared "he would have nothing to do with this war but would remain neutral," some of his neighbors requested his removal as a Confederate quartermaster, an office he took to avoid having to fight.[22] Although Hamilton and Sheibley had sustained a friendship despite their political differences, Hill and his neighbors in contrast lost all warm feelings they had once held for each other. Persecution and protection ensured some social ties were strengthened while others were sundered reshaping Floyd's social networks.

Violent resistance occurred in the region, even early during the war. Reports of dissenters banding together to protect each other from arrest or conscription surfaced in northwestern

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[20] Court of Claims Case File #4997 for Peter Sheibley, Entry 22, Congressional Jurisdiction Case Files, RG 123, NARA; Sheibley claimed Hamilton was a Union man "inwardly." Perhaps Hamilton was using the position to avoid service as well.

[21] Court of Claims Case File #4997 for Peter Sheibley, Entry 22, Congressional Jurisdiction Case Files, RG 123, NARA.

[22] Claim of Elizabeth Johnson (12311), Floyd County, SCC Disallowed, NARA.

Georgia, as early as December 1861. Then, a Gordon County man sent a letter to the Governor begging for reinforcements to suppress a band that protected dissenters from arrest or conscription.[23] It and similar bands, however, were more like neighborhood watches dedicated to mutual defense than guerilla groups fighting behind the lines. Throughout the war, resistance often remained locally focused against conscription, impressment, and taxes, and seldom targeted the Confederate war effort directly. In fact, a bigger threat than anti-Confederate militants were lawless elements whose motivations were strictly selfish: robbers, brigands, and rogues.

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Over the course of the war, the Confederacy's inability to maintain order within its territory greatly eroded support for the fledgling nation. Across the South, the absence of men led to crime waves. Even Floyd, located well behind the front lines, was no exception. Reports of crimes and arrests give historians a glimpse of some of the misdeeds that lawless elements committed and of the efforts to suppress them in northwest Georgia. For instance, during the final week of October 1863, the provost marshal arrested "quite a number of horse thieves." He failed to rectify the problem, however, and in November, the State Guard was ordered out to respond to "numerous complaints" about "depredations upon citizens by stragglers roaming through the country."[24] After weeks of "illegal impressments, horse stealing, and other outrages, deserving of punishment," the provost marshal at Rome finally reported on December 13, 1863 that he had "at last cleared this neighborhood of bad characters." At least four of the men he

[23] L.R. Ramsaur to Gov. Joseph Brown, December 14, 1861, Governor's Incoming Correspondence, Georgia State Archives, Morrow, Georgia. (GSA) See also Keith Scott Hebert, "Civil War and Reconstruction Era Cass/Bartow County, Georgia" (Ph.D. Dissertation, Auburn University, 2007), 166–167 .

[24] *Rome Tri-Weekly Courier,* October 29, 1863; *Rome Tri-Weekly Courier*, November 19, 1863; see also reports of robbery in the *Rome Tri-Weekly Courier*, October 31, 1863.

arrested, however, escaped from the poorly-guarded Rome jail shortly thereafter.[25] Many of the culprits were former—or current—soldiers in the Confederate army. Deserters, stragglers, and troops passing through all took liberties upon Floyd's population, a situation that would only worsen as the Union army came closer.

The proximity of the Confederacy's Army of Tennessee's winter quarters just to the north of Floyd in late 1863 and early 1864 further hindered efforts to maintain order in the county. In addition to deserters, soldiers marching to and from the front were wont to take liberties in "impressing" items for their personal use.[26] Stragglers often committed crimes of opportunity, and deserters heading home who passed through the region further contributed to the climate of danger and lawlessness. In turn, reports of family members in danger led some men to desert and return home. The fact that home was so close only made it easier to desert.

As the battle lines neared Floyd, Rome witnessed a rise in crime and lawlessness. In January 1864, while reporting on yet "More Burglary," the *Rome Tri-Weekly Courier* lamented the fact that "there are many rogues scattered through the country, and it behooves all to guard against their depredations."[27] On the same page, the paper recounted a story of "Another Gross Outrage and Daring Attempt to Robbery," providing details of J.B. Daniel's fight with a pair of robbers who had heard he held a large sum of cash.[28] Confederate authorities struggling to

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[25] John F. Cameron to Joseph E. Brown, December 13, 1863, Governor's Incoming Correspondence, GSA. Among those arrested may have been someone harboring a deserter (see *Rome Tri-Weekly Courier*, December 8, 1863).

[26] See, for example, an account of a convalescent camp causing issues around Rome in *Rome Tri-Weekly Courier*, November 3, 1863.

[27] "More Burglary," *Rome Tri-Weekly Courier*, January 19, 1864.

[28] "Another Gross Outrage and Daring Attempt to Robbery," *Rome Tri-Weekly Courier*, January 19, 1864.

restore order to the region were forced to dispatch troops from the front.[29] On March 4, 1864, a group of Confederate cavalryman charged a group of "skulks and deserters" out near Cedar Town and captured twenty deserters and ten conscripts, an event the *Courier* celebrated.[30] This capture, however, was just a drop in the bucket. On March 29, the paper reported that another expedition had embarked from Cartersville to again round up deserters in the region.[31] For every deserter caught, another slipped through the Confederacy's nets, endangering civilians in the area.

Until it ceased printing with the Union capture of Rome, the *Courier* continued listing a litany of crimes in each edition. For example, on April 7, 1864, it was reported that two men claiming to be from the 11th Texas robbed a local man. These rogues likely belonged to a gang of brigands that would cause Rome much misfortune in the coming months. The thieves took all their victim had, even cutting off his valuable coat buttons.[32] As late as April 29, 1864, just days before Union forces entered the area, a farmer in northern Floyd County got in a gunfight with a suspected deserter.[33] The mass straggling that accompanied the retreat of Army of Tennessee from Chattanooga to Atlanta only increased pressure on a community that had already lost much of its population to enlistment and refugees. The lawlessness that exposed residents to mortal danger motivated civilians to flee, undermined the morale of Floyd's Confederate soldiers, and encouraged men who could avoid service to stay home to protect their families.

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[29] See John F. Cameron to Joseph E. Brown, December 13, 1863, Georgia, Governor's Incoming Correspondence, GSA. See also articles throughout the *Rome Tri-Weekly Courier* during the war that detail prison escapes periodically.

[30] "More Good work" and "Communicated," *Rome Tri-Weekly Courier*, March 8, 1864.

[31] *Rome Tri-Weekly Courier*, March 29, 1864.

[32] "Robbery," *Rome Tri-Weekly Courier*, April 7, 1864.

[33] "Fight with a Deserter or a Spy," *Rome Tri-Weekly Courier*, April 30, 1864.

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In addition to the prominent and vocal dissenters like Sheibley or Hill, numerous civilians ambivalent about the Confederacy also resided in Cass and Floyd counties. C.W. Howard's attempts to raise a regiment in Kingston, in Bartow County, was one measure of the lack of enthusiasm for service. When he wrote the governor for enlistment authority in November 1861, Howard was confident he could raise a regiment, but by the following February, he noted that "a sad apathy prevails" in the region. Though he estimated that there were "1200 men in our county militia," he could not raise a regiment of volunteers. Howard initially believed the threat of a draft might spur men to enlist in his unformed regiment, but even that failed to fill Howard's unit.[34] Instead, men came up with imaginative ways to avoid service. As Howard explained to the governor, some men planned to "evade a draft by […] putting their names down on the lists of volunteer companies and hence withdrawing them after the draft is completed and before they are mustered into service."[35] Recognizing that many of the citizens who were ambivalent towards the Confederacy were nonetheless also opposed to the destruction that Union invasion forces and bands of deserters would bring to the region, the persistent Howard next attempted to raise a regiment that would be used solely for home defense. But this effort failed as well.[36]

Many factors inspired dissent in Floyd, but, as was true across the South, the instituting of conscription alienated many and diminished their enthusiasm for the Confederacy. Only the

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[34] C.W. Howard to Gov. Joseph Brown, November 11, 1861, Governor's Incoming Correspondence, GSA; C.W. Howard to Gov. Joseph Brown, February 9, 1862, Governor's Incoming Correspondence, GSA.

[35] C.W. Howard to Gov. Joseph Brown, February 14, 1862, Governor's Incoming Correspondence, GSA.

[36] C.W. Howard to Gov. Joseph Brown, June 18, 1862, Governor's Incoming Correspondence, GSA. See also Keith Scott Hebert, "Civil War and Reconstruction Era Cass/Bartow County, Georgia," 184-185. Eventually Howard joined an existing unit, though he continued to lobby various authorities for the authorization to create his own unit, including an artillery unit. CSR of Chas. W. Howard 63rd Georgia Infantry, NARA.

fall of the region to Union forces might have harmed local morale and support for the Confederacy more than conscription. Many white southerners were ideologically and personally opposed to being forced into Confederate service. As was the case in other communities, those who wished to avoid service tried a variety of options, ranging from open resistance to finding an exemption or hiring a substitute.

Many white Georgians attempted to avoid conscription through legal means. Some utilized substitutes until this loophole was closed later in the war, while others acquired exemptions of various sorts. While it is impossible to account for every individual during the war, in 1864, Georgia governor Joseph Brown ordered a census enumerating all conscription-eligible men not already serving. In addition to age and name, census takers also recorded the occupation and any exemption a man currently held. Although this census missed most of the men who were hiding in the bush, it provides a fair display of how those men living in the open in early 1864 avoided service legally.[37] A friendly doctor—or a well-paid one—might declare a dissenter disabled. Across Floyd and Bartow, counties at least 141 men garnered exemptions for disabilities, ranging from a "sore leg" to "arm amputated." While some were clearly disabled, others were of questionable veracity, and enrollment officers constantly worried about doctors helping sound men shirk their duty. Still, the vast majority of men could not claim they were disabled and instead had to find other ways of avoiding service.[38]

Work exemptions presented a common way to avoid conscription, but the ability to acquire one varied geographically. Living in an industrial area, or having the wherewithal to

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[37] Data for the following section garnered from See Nancy J Cornell, *1864 Census for Re-Organizing the Georgia Militia* (Baltimore: Genealogical Publishing Co., 2000), 18–33, 228–236. The GSA hold the original census, which includes the armaments owned by each individual. It can be accessed online at http://cdm.sos.state.ga.us:2011/cdm/landingpage/collection/1864.

[38] Others lied about their age or refused to provide it.

travel to one, could determine whether a man received an exemption. In those areas with key war industries more men were exempted. In Floyd County, only 57 of the 266 healthy men of conscriptable age in the 1864 militia census garnered an exemption due to their labor in a critical war industry (about 21 percent). In neighboring Bartow County, however, just under 600 men of military age and health were not serving; of these, at least 300 worked in key military industries or had government contracts. Even after accounting for prewar population differences, Bartow County had over three times as much of its prewar population working in military industries as Floyd County. At least 127 of those in Bartow with work exemptions worked for one company: the Etowah Manufacturing and Mining Company, which included an ironworks. Additionally, Bartow's location along the crucial Western and Atlantic Railroad that connected Atlanta to Chattanooga meant there were significantly more railway workers exempted there than in Floyd, which only hosted a spur line to Rome. Not all of these laborers were part of the prewar population, however. Many men moved to the region to take jobs that garnered exemptions. Of those at the Etowah Manufacturing and Mining Company, for example, at least nineteen listed places other than Bartow as their place of residence.[39]

It is impossible to know how many exempt men truly believed the Confederacy was best served by their work in industry and how many merely wished to avoid military service. Of course, for some, one likely justified the other. However, given the number of Southern Claims records that included witnesses and claimants who utilized exemptions, some surely sought exemptions solely to avoid service. Additionally, many of the exempt men's contemporaries suspected their devotion as well. For example, one anonymous letter writer publicly accused the

[39] Nancy J Cornell, *1864 Census for Re-Organizing the Georgia Militia*, 18–33, 228–236; prewar population data is garnered from the 1860 Census Population Schedule. See also Keith Scott Hebert, "Civil War and Reconstruction Era Cass/Bartow County, Georgia," 206.

Superintendent of the Western and Atlantic Railroad of giving spurious exemption papers to individuals not actually working on the railroad.[40]

Some civilian professions provided an exemption. Ministers, doctors, teachers, and newspaperman were all exempt from conscription for at least part of the war. For example, when Henry Gartrell entered service, he sold his newspaper, the *Rome Weekly Southerner*. Though Gartrell volunteered, and was in fact raising a cavalry company himself, the advertisement he placed in the *Courier* seeking a buyer for his paper was aptly titled, "Military Exemption For Sale."[41] Gartrell understood that many men were willing to pay to avoid military service. In fact, before the practice was outlawed in December 1863, some men hired substitutes to serve in their place, though most Georgians could not afford such an arrangement.[42] Even election to local office might provide a means to avoid service. One county candidate, Nathan Land, believed the man running against him did so solely because "the office will afford an exemption from the army."[43]

Governor Brown also attempted to exempt certain men from conscription. Brown built his political machine around patronage, and he used wartime jobs to create even more positions with which he could reward supporters. Many men obtained appointments to state office to avoid service, including tax collectors, postal clerks, and railroad agents. Additionally, Brown kept hundreds of men out of service by appointing them as militia officers.[44]

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[40] "A few words about exemptions and conscribing officers," *Rome Tri-Weekly Courier*, March 26, 1864.

[41] "Military Exemption For Sale," *Rome Tri-Weekly Courier*, January 28, 1864; CSR for Henry A. Gartrell, Captain Gartrell's Cavalry Georgia Cavalry, NARA

[42] Joseph T. Glatthaar, *General Lee's Army: From Victory to Collapse* (New York: Free Press, 2008), 403.

[43] Nathan Land to William Chunn, November 17, 1863, Chunn/Land Family Papers, GSA.

[44] Ridgeway Boyd Murphree, "Rebel Sovereigns: The Civil War Leadership of Governors John Milton of Florida and Joseph E. Brown of Georgia, 1861-1865" (Ph.D., The Florida State University, 2006), 89; William Scaife and

Political connections often were crucial in avoiding service in Georgia. In one instance, Susannah D. Roper complained to the governor that her son, James, lost his exemption as a tanner because a man on the local conscription board, "not being a friend, or patron" of James, wanted to open a tannery of his own. Because there were a limited number of exemptions, James lost his and was taken as a conscript. James' mother appealed to Brown's own sense of patronage, mentioning that one of the Governor's aides knew the family. [45]

Not only did Brown's favoritism decrease Confederate manpower, but it also angered citizens who failed to receive an exemption. In November 1863, a letter writer to the *Courier*, angry about the wealthy avoiding Confederate military service by serving in the state militia, satirically quipped, "I have heard of military officers whose business it was to remain in the army, but your officers [referring to the Georgia Militia] are the first ones of a military character, that I ever knew, whose business it was to keep out of the army."[46]

The ability of influential individuals to avoid service thanks to connections even rankled some supporters of the Confederacy. One citizen of Rome, going under the nom de plume "Henry C. Brutus," sardonically placed a spoof advertisement in the *Courier* offering a $10,000 reward "for a pair of spectacles that will enable me to see the patriotism that those Militia officers professed to have while they held commissions in the militia, and claimed exemptions on them." The author even promised to share the glasses, "if obtained," with any newspaper that

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William Harris Bragg, *Joe Brown's Pets: The Georgia Militia, 1861-1865* (Macon, GA: Mercer University Press, 2004), 3. Perhaps more than any other Civil War governor, Brown undermined the Davis administration's attempt to increase the Confederate government's powers. Much of his resistance was based on an unwillingness to give up control over potential patronage appointments. (Murphree, "Rebel Sovereigns," 77–93.)

[45] S.D. Roper to Governor Brown, May 9, 1864, Governor's Incoming Correspondence, GSA. Accessed via Ancestry.com. The letter has an endorsement indicating it was replied to on May 16, 1864, without any note of what was said in it. I checked the outgoing letters for Brown in the State Archives, which provided no clue to the response, unfortunately.

[46] "Gov. Brown's Substitution," *Rome Tri-Weekly Courier*, November 21, 1863.

printed his advertisement.[47] Others besides "Brutus" noted the sense of resentment exemptions created. C.W. Howard believed class resentment contributed to his failure to recruit enough volunteers to form a company, and local planter and adamant secessionist Godfrey Barnsley worried about the impact of "the insidious rumor that the poor are fighting the battles of the rich."[48] How pervasive and persuasive these grumblings were in Floyd County remains unclear, but growing discontent clearly worried many of the leading secessionists in northwest Georgia.

Confederate loyalists were not alone in their criticism of privileged neighbors avoiding service through appointments. Conscription divided men in Floyd between the exempt and the conscripted. Remembering the inability of dissenters to prevent their sons' conscription, Floyd County resident Seaborn White later recalled that while "a poor man had a poor chance in this country a rich man might have prevented a little."[49] While historians have shown that the wealthy actually served at equal or higher rates than non-slaveholders, many observers at the time felt otherwise.[50] As is so often the case, perception trumped facts when it came to influencing the course of events.

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Beyond the inequality of exemptions for the wealthy and connected, taxes also exacerbated class divisions. As early as September 1861, less wealthy farmers began questioning

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[47] Henry C. Brutus, "$10,000 Reward," *Rome Tri-Weekly Courier*, April 12, 1864.

[48] Godfrey Barnsley to Lucien Barnsley, December 27, 1862, George Scarborough Barnsley Papers, Southern Historical Collection, The Wilson Library, University of North Carolina at Chapel Hill, (SHC); C. W. Howard to Gov. Joseph Brown, February 9, 1862, Governor's Incoming Correspondence, GSA. See also Keith Scott Hebert, "Civil War and Reconstruction Era Cass/Bartow County, Georgia," 186.

[49] Approved Claim of Allen Alfred (12308), Floyd County, GA, SCC Approved, NARA; similar statements are found in numerous other claims.

[50] Glatthaar, *General Lee's Army*, 542. Glatthaar, however, is focused on soldiers and not those who never entered Confederate service. This may imply that recusant conscripts were more likely to view the conflict as a "rich man's war" than deserters. However, there appears to be no way to measure it.

the fairness of war taxes. In a letter to the *Courier*, one Floyd County resident wondered if it was fair "that the poor man should be taxed for the support of the war" when slavery caused the conflict. The anonymous writer suggested that the Confederacy "levy a direct tax on that species of property that brought about the war," slaves.[51]

In addition to the regressive taxes the Confederacy used to support the war, impressment of supplies by both Confederate authorities and imposters similarly angered Floyd residents, leading to petitions for relief for the poorest citizens.[52] While it seems doubtful that class resentment was the primary driving force in Confederate defeat, it certainly failed to win the Confederacy any friends in Floyd County.

Confederate efforts to suppress dissent often aroused further dissent. In an effort to make it easier to identify deserters, special passports were issued to male Romans who were exempt from the draft, angering some residents.[53] One prominent Confederate, R.S. Norton, bitterly recorded in his diary, "A white man cannot pass up and down Broad Street without a Permit. A negro can. Times are changing."[54] Although Norton remained a committed Confederate, others lost patience. They wondered, if the Confederacy became more repressive than Union had been what was the point of rebelling? Passports, impressment, and conscription seemed fundamentally at odds with the purported justifications for secession.

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[51] For more on the topic of class, see also Paul D. Escott, "Joseph E. Brown, Jefferson Davis, and the Problem of Poverty in the Confederacy," *The Georgia Historical Quarterly* 61, no. 1 (April 1, 1977): 63. See also Steven Hahn, *The Roots of Southern Populism: Yeomen Farmers and the Transformation of the Georgia Upcountry, 1850-1890* (New York: Oxford University Press, 1983), 126-128. See also: Williams, Williams, and Carlson, *Plain Folk in a Rich Man's War*.

[52] See, for example, Simpson Fouche to Braxton Bragg, "Petition" c1863, Simpson Fouche papers, SHC.

[53] "Passports," *Rome Tri-Weekly Courier*, November 26, 1863.

[54] R.S. Norton, "Diary," Transcription, 60, Norton-Towers Family Papers, Atlanta History Center.

There was not a linear or constant decrease in support for the Confederacy in north Georgia. After major victories, southerners' morale often rose.[55] White southerners' sense of nationalism waxed and waned with the Army of Northern Virginia's success and failures. Sometimes, acts by the North created new Confederates among formerly ambivalent white southerners. Confederate soldier G.B. Reasons, stationed at Rome, wrote to a friend on February 9, 1864, that "if Lincoln had never issued his Negro proclamation I would have been a union man to day." However, because of Lincoln's pledge to free southern slaves, he believed it was "my duty to fight as long as the war last and even longer if we should be subjugated."[56] Moreover, the mistreatment of southern women by Union troops further angered Reasons, and he plotted ways to move his family farther south to safety.

As the conflict progressed, war fatigue, ill treatment by local authorities, class resentment, and losses suffered by local units corroded community bonds within Floyd, just as they did elsewhere. Writing her husband from Cedartown, in the southwest corner of Floyd County, Medora Waddell traced how she and others on the home front experienced the war and the growing rifts within society. In June 1863, she wrote of a tableaux held to raise money for the troops, noting that "our little town has been a long time getting up any thing of the kind - the people are so divided in feeling, that nothing passes off pleasantly among them."[57] Part of the division came from the increasing toll upon the community that war took. Medora had reported to her husband in March of that year, "Cedartown is growing poorer every day" and the mail

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[55] Gary W. Gallagher, *The Confederate War* (Cambridge, Mass.: Harvard University Press, 1997).

[56] G.B. Reasons to W.L.A. Estes, February 9, 1864, Edwin L.B. Estes letter to W.L.A. Estes, Hargrett Rare Book and Manuscript Library, University of Georgia, Athens, GA (UGA), accessed online at http://hmfa.libs.uga.edu/hmfa/view?docId=ead/ms1691(m)-ead.xml (accessed online September 3, 2014).

[57] Medora Waddell to James D. Waddell, June 7, 1863, Waddell-Setze-McClatchey Family Papers, Box 1, Folder 15, Atlanta History Center

carrier between there and Rome could no longer afford a horse, so "I am sorry to say our only means of conveying it there is by foot - poor fellow don't you pity - him having to tramp forty miles every other day."[58] Her husband, serving in the Army of Northern Virginia, may have felt less sympathy for a mailman who was exempt from conscription. As the war progressed, even Medora, a staunch Confederate and wife of a Confederate officer, had her limits. In May 1864, she wrote to her husband, "I was hopeful until Rome was taken, now nothing hardly that could take place would surprise me."[59] For many residents in Floyd County, the fall of Rome to Union forces struck a mortal blow to their faith in the Confederacy, leading some to give up on it entirely. Once their homes fell to the enemy, many soldiers who felt the war was no longer being fought to defend their homes considered desertion.

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The option of desertion remained one of the only means out of the army short of injury or death. Desertion and draft dodging followed different paths in each locality in the South. In Loudoun County, conscripts began fleeing almost as soon as the war started; most of the north Loudoun militia members fled across the Potomac in July 1861 instead of mustering. For northern Virginians, fleeing across the border was a relatively simple matter. Recusant conscripts in Forsyth County, North Carolina, faced a long and dangerous journey to get to Union lines, so many instead attempted to hide out locally. Floyd's proximity to Union lines in Tennessee presented an intermediate distance between Forsyth's extreme isolation and Loudoun's proximity to the Union's front lines. By April 1862, Union forces controlled the Tennessee

[58] Medora Waddell to James D. Waddell, March 26, 1863, Waddell-Setze-McClatchey Family Papers, Box 1, Folder 15, Atlanta History Center.

[59] Medora Waddell to James D. Waddell, May 20, 1864. Waddell-Setze-McClatchey Family Papers, Box 1, Folder 20. Atlanta History Center.

River, and Floyd County conscripts eager to flee to Union lines could do so more easily and at less risk than could dissenters in the Piedmont of North Carolina. But if escape was possible, returning home would never be as easy as it was for deserters in northern Virginia. How many Floyd men decided to flee conscription remains unknown, unfortunately, as no records were kept of those who fled.

Much more is known about deserters from the region. As was the case in most localities, the institution of conscription and the arbitrary extension of one-year enlistments instated in April 1862 led some early volunteers who felt they had done their part to desert. On May 13, 1862, Rome newspapers began carrying advertisements for deserters, including a wanted notice for Thomas Barber, who refused to return to the service after his sick furlough expired.[60]

Visits and proximity to home often led men to desert. In the summer of 1863, members of the 40th Georgia returned home on parole after the surrender at Vicksburg. But some chose not to return to Confederate service after they were exchanged. Still, the majority (88 percent) of parolees from Vicksburg eventually returned to Confederate service.[61] Not surprisingly, most desertions before 1864 were from units in the closer Army of Tennessee instead of the Army of Northern Virginia.[62] Just as fleeing from Floyd was more difficult, returning home to Georgia from northern Virginia was difficult for many Georgia deserters. Disenchanted Georgians considering desertion from Lee's army had a far longer journey home than did Virginians or North Carolinians. When Longstreet's corps—full of troops from Tennessee, Alabama, and

[60] *Rome Tri-Weekly Courier*, May 13, 1862.

[61] Keith Scott Hebert, "Civil War and Reconstruction Era Cass/Bartow County, Georgia," 192.

[62] Keith Scott Hebert, "Civil War and Reconstruction Era Cass/Bartow County, Georgia," 205. Hebert looks at Bartow County, but the numbers for Floyd appear to be similar.

Georgia—was transferred from Virginia to Tennessee, there was, unsurprisingly, an increase in desertions in those units.[63]

The ebb and flow of desertion from Floyd County troops reflected conditions at home in Floyd no less than battle weariness. Historian Keith Hebert analyzed the records of soldiers from neighboring Bartow County to discover when desertion increased. Hebert discovered that out of the approximately 2,000 Bartow soldiers in the Confederate service that he analyzed, only 50 had deserted before 1864, and around 50 more deserted in 1864 before the start of the Atlanta Campaign—in other words, only about 5 percent of Bartow troops had deserted prior to that point. As Union troops neared the region, however, more Georgians began leaving their ranks. When the region fell under Union occupation, desertion skyrocketed as men returned home to their families. During the course of the Atlanta Campaign, Bartow County fell to Union forces, and 30 percent of Bartow residents in the Army of Tennessee deserted, six times the number who had previously deserted over the course of the entire war.[64]

The breakdown in law and order that accompanied the withdrawal of Confederate authorities worried Confederate soldiers, who recognized that if the southern armies continued retreating, their families would soon be within Union lines and without protection. While Loudoun residents knew from the start of the war there was a risk their homes would be invaded, in Floyd and elsewhere in the Deep South, occupation had seemed improbable if not impossible in 1861.

The fall of Rome likely created the largest impetus for desertion of the entire war. Even after Union forces occupied the city and cut off mail service to the Confederate army, news

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[63] Glatthaar, *General Lee's Army*, 414.

[64] Keith Hebert, "Civil War and Reconstruction Era Cass/Bartow County, Georgia," 192, 204-206, 235.

reports of bands of robbers in the region continued reaching soldiers at the front, heightening their concerns about their families.[65] In the final months of the war, Confederate desertion rates jumped as men from all over the South realized the war was lost and their families needed protection from robbers, guerrillas, and other deserters. Thus, the lawlessness in which deserters thrived further encouraged more desertion and refugeeing in a vicious circle.

Desertion, especially late in the war, should not always be equated with dissent. Frequently, desertion was driven not so much by a lack of Confederate loyalty as by the fact that men's identities were multifaceted and "Confederate" was not the most important part. Loyalty to family, their farms, or to their local community, all might take precedence. Increasing desertion rates, then, did not necessarily equate to increased dissent against the Confederacy, but instead could indicate that other factors, such as family pressures, had won out over their devotion to the Confederacy. Many of the men who slipped away from their units in late 1864 still supported the Confederacy, but family came before nationalism. While on the surface desertion might seem unmanly or dishonorable, in the mind of a Confederate deserter, it might be the most honorable and manly option available. Risking his life and reputation to protect his family was exactly what made him a man. After all, what could be manlier than protecting southern women? As Stephen Berry has pointed out, occupation by Federal troops meant a southern man had "failed in his most basic function—protecting his family."[66] Hence, soldiers found themselves torn between duty to their family and duty to their nation.

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[65] See, for example, "Evacuation of Rome," *Daily Constitutionalist* (Atlanta), May 20, 1864; "The Last from Rome," *Daily Constitutionalist* (Atlanta), May 21, 1864; "From the Georgia Front," *Charleston Mercury*, May 21, 1864; "Burning of Rome," *Macon Telegraph*, December 12, 1864; "Terrible State of Affairs in North-Georgia," *Weekly Standard* (Raleigh), March 8, 1865. After the fall of Rome to Union forces, mail service did not resume until March 1865 (R.S. Norton, "Diary," Transcription, p. 87, in Norton-Towers Family Papers, Atlanta History Center).

[66] Stephen W. Berry, *All that Makes a Man: Love and Ambition in the Civil War South* (New York: Oxford University Press, 2003), 195.

Even G.B. Reasons, who had enlisted in response to the Emancipation Proclamation and swore to continue fighting even if the South was subjugated, discovered the limits to his devotion to the C.S.A. In his February 1864 letter, Reasons informed a friend that he had sought a furlough "to get sallie to come south. The yanks are treating the ladys of middle Ten[nessee] very badly."[67] While Reasons displayed the making of a diehard Confederate—the mistreatment of women and the destruction of slavery angered many white southerners—his letter also revealed the Achilles' heel of many Confederates: family. His devotion to the Confederacy was more fickle then he had claimed or perhaps realized. Less than a year later, he deserted to Union lines to take the Oath of Allegiance because, as he told the Union officer processing him, he "has family."[68]

Confederate authorities recognized that family frequently both drove desertion and provided safety to those already hiding in the bush. In 1863, the *Courier* ran an article decrying letters advising sons to desert, titling those who wrote such letters "murderers."[69] Additionally, large rewards were offered for anyone who helped capture a deserter. In November 1863, General Beauregard even offered a twenty-day furlough to the service member of his or her choice for any individual who turned in "a skulker, [sic] deserter, or any other person or soldier absent without leave."[70] A month later, for the first time, the *Courier* reported the arrest of a Floyd County resident for "harboring a deserter."[71] Family members who hid deserters

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[67] G.B. Reasons to W.L.A. Estes, February 9, 1864, Edwin L.B. Estes letter to W.L.A. Estes, UGA, accessed online at http://hmfa.libs.uga.edu/hmfa/view?docId=ead/ms1691(m)-ead.xml (accessed September 3, 2014).

[68] CSR for Grandison B. Reasons, 32nd Tennessee Infantry.

[69] "Cause of Desertion," *Rome Tri-Weekly Courier*, October 27, 1863.

[70] *Rome Tri-Weekly Courier*, November 21, 1963.

[71] *Rome Tri-Weekly Courier*, December 8, 1864.

represented such a large threat that starting in January 1864 and continuing into March, every edition of the *Courier* included a copy of a December 22, 1863, law outlawing the harboring of deserters and recusant conscripts.[72]

These efforts to suppress and disparage desertion by Confederate authorities had little impact, however, because the Confederacy's own legitimacy was called into question by its failure to both maintain law and order at home and to stop the Union advance. Historian Joseph Glatthaar has shown how "enlistment or conscription amounted to a contract with the government."[73] In exchange for service, the soldiers expected their families would be protected. Instead, when the Army of Tennessee retreated toward Atlanta, the Confederacy left soldiers' families to the mercy of the Union forces as well as the lawless elements already in the region. Desertion might be distasteful, but the Confederate government had failed to uphold its end of the bargain.

In north Georgia, some deserters even continued to fight, albeit in local units.[74] As their homes fell under Union occupation, some Confederate soldiers decided they could do more for their cause by fighting near home, with or without permission. Such enlistments became such a problem that the *Courier* printed an article—at the military's request—alerting its readers "to the enlistment of deserters [in local defense forces] as a serious evil."[75] Desertion for the purpose of joining home defense forces accelerated in the last months of the war. General William Wofford, Cass County's former cooperationist representative to the secession convention, began

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[72] See, for example, "An Act," *Rome Tri-Weekly Courier*, January 2, 1864.

[73] Glatthaar, *General Lee's Army*, 411.

[74] Keith Scott Hebert, "Civil War and Reconstruction Era Cass/Bartow County, Georgia," 193, 204.

[75] "Enlistment of Deserters," *RC*, April 14, 1864. Other papers across the South also printed similar articles. See, for example, "Enlistment of Deserters," *Richmond Whig*, April 1, 1864.

organizing an ad hoc force from the deserters in northern Georgia to restore order amid the anarchy, which further encouraged desertion.[76] North Georgians in the Army of Northern Virginia understandably saw fighting with Wofford as preferable to defending Richmond. So many men deserted from the Army of Northern Virginia and then reported for duty in Georgia that Brigadier General George Anderson filed a complaint about Wofford's willingness to accept deserters.[77] Wofford apparently did nothing to stop the influx of men to his force; after all he needed troops with which to hunt down bands of violent criminals in the region. Otherwise his command would have had no manpower whatsoever.

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Rome's residents not only fled from the Confederate Army, they also fled from their homes. As the Union army inched closer to Floyd County in the spring of 1864, the county experienced unprecedented depopulation. In addition to the population drain brought by enlistments, conscription, and fleeing recusant conscripts, many Rome citizens ran in response to the lawlessness and imminent occupation by Union troops. In the months leading up to Johnson's retreat towards Atlanta, the *Courier* ran advertisements requesting individuals to come forward to settle up old debts as Romans prepared to flee.[78] Shortly before the county fell to Union forces, Georgia officials counted 500 white male civilians between 18 and 60 across the

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[76] Gerald J. Smith, *"One of the Most Daring of Men": The Life of Confederate General William Tatum Wofford* (Murfreesboro, TN: Southern Heritage Press, 1997), 139.

[77] *OR*, Series I, Vol. 46, Part III, 1355. *OR* will be used as the abbreviation for United States War Department, *War of the Rebellion: Official Records of the Union and Confederate Armies*, 128 vols. (Washington, DC: Government Printing Office, 1880-1901)

[78] "Exodus," *Rome Tri-Weekly Courier*, January 7, 1864; "Still moving away," *Rome Tri-Weekly Courier*, February 2, 1864; "Febris Emagratum—the epidemic Subsiding," *Rome Tri-Weekly Courier*, February 18, 1864; W.B. Hall, M.D. "Going to leave," *Rome Tri-Weekly Courier*, February 2, 1864; J.B. Underwood, "Settle Up," *Rome Tri-Weekly Courier*, February 2, 1864.

county, only about a fifth of the prewar population.[79] A final chaotic rush of refugees fled southward when the last trains left Rome and Union forces entered the city in May 1864.[80]

Many wealthier families removed not only themselves, but also their slaves, when it became evident the Union would eventually occupy the area. Seventy-three years after the war, former slave Jim Gillard's most vivid memories of the conflict remained his experiences as a refugee traveling from Rome to Columbus, Georgia, and then to Salem, Alabama. Other slave owners sent their human chattel along similar routes toward areas that Union troops were expected to bypass.[81]

African Americans found themselves pulled in two directions. While owners moved slaves away from the front toward the Confederate interior, slaves themselves increasingly ran away and toward the advancing Northern troops. So emboldened were slaves that many of those who had previously been considered the most loyal fled to freedom, surprising their owners. A "Stampede of Negroes" in February 1864 included the "hitherto faithful servants" of one slave owner as well as the "well known servants" of another.[82] After the war, one former Rome slave owner who fled in 1864 recalled that "those we depended most upon and trusted and believed

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[79] 1860 Census Population Schedule; 1864 Militia Census, which was abstracted in Nancy J. Cornell, *1864 Census for Re-Organizing the Georgia Militia*, 228–236, and accessed via Ancestry.com. The 1860 Census Population Schedule lists 2419 men of conscriptable age. The 1864 census count is likely low, as it does not account for most deserters and recusant conscripts who were in hiding.

[80] Senate Committee on Education and Labor, *Report of the Committee of the Senate Upon the Relations between Labor and Capital and Testimony Taken by the Committee*, vol. IV (Washington: Government Printing Office, 1885), 336–338.

[81] "Sold at Three Months for $350," in Federal Writers' Project of the Works Progress Administration, *A Folk History of Slavery in the United States From Interviews with Former Slaves, 1936–1938*. Vol. 1. 5 (Library of Congress, Washington, DC, 1941), accessed via Ancestry.com.

[82] "Stampede of Negroes," *Rome Tri-Weekly Courier*, February 6, 1864.

they would stay with us through it all, were the first to go."[83] Dennis Hill's slave, Simon, even became "runaway" though his left leg was missing above the knee and he walked with a crutch.[84]

Slaves were not the only Floyd residents fleeing north. As Confederate sympathizers fled south, dissenters and deserters began making their way to the relative safety of Union lines in increasing numbers. In April, Margaret Espey reported to her husband from northern Floyd County that "the Cox boys and Balls two sons are said to be gone to the Yankees."[85]

Union troops found a depopulated Floyd County. Arriving a week after Rome fell to Union forces, Corporal Lewis Roe found a city that before the war "must have had 3 or 4,000 inhabitants," but "now many of the dwelling houses are empty."[86] The massive movement in all directions of refugees—black and white, male and female, young and old—left a chaotic and contested space with little protection for anyone.[87]

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Conflict in Occupied Georgia

The arrival of Union forces sparked a series of events that turned the low simmering local struggle into a high-intensity conflict. Before the Union occupation, dissenters had been insulted, harassed, arrested, and even occasionally killed. Where before the community had been slowly

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[83] Senate Committee on Education and Labor, *Report of the Committee of the Senate Upon the Relations between Labor and Capital and Testimony Taken by the Committee*, IV: 328–329.

[84] Dennis Hills, "$25 Reward," *Rome Tri-Weekly Courier*, February 18, 1864. Simon was a loss for the Confederacy as well as his owner; he worked as a cobbler, a critical war industry.

[85] Margaret Espey to Joseph Espey, April 9, 1864, Joseph Espey Papers, SHC.

[86] Lewis Roe, *From Western Deserts to Carolina Swamps: A Civil War Soldier's Journals and Letters Home*, ed. John P. Wilson (Albuquerque: University of New Mexico Press, 2012), 95.

[87] The full extent of this will be discussed in the next chapter.

stressed and small tears had formed within antebellum networks, now society was ripped asunder as the Floyd region experienced war firsthand.

Union forces had long eyed the Western and Atlantic Railroad as a strategic objective. This critical rail line between Chattanooga and Atlanta passed through Bartow County, and while Rome lay just to the west at the terminus of a spur line, the city also sat on a critical river junction. In 1863, cutting the rail line between Chattanooga and Atlanta would have damaged a key supply route to Confederate troops operating in the western theater from Georgia, southern Alabama, and South Carolina. The railroad's importance led to a failed Union raid in April and May 1863 that resulted in the surrender of around 1,600 Federal troops to Confederate cavalry.[88] After the Union's capture of Chattanooga in September 1863, northwestern Georgia's strategic importance only increased as Sherman used the rail line to support his advance on Atlanta. To protect their flanks, Union forces had to push Confederate forces out of both Floyd and Bartow counties in their advance to capture Atlanta. Additionally, to secure their supply lines, the rail lines would have to be protected once Atlanta fell, requiring Union forces to remain in both counties for as long as Atlanta was occupied.

Divisions within society became clearer with the arrival of Sherman's forces, as more individuals began to openly proclaim themselves for the North. Many of those who had already been in hiding or helping others lay out came out of the woods and took the oath of allegiance.[89] The exact number who took the oath is unclear, but on October 26, 1864, Reuben Norton recorded in his diary that "General enrolment of the Citizens has been ordered, and their position

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[88] Robert Russell Mackey, *The Uncivil War: Irregular Warfare in the Upper South, 1861-1865* (Norman: University of Oklahoma Press, 2004), 175. See also *OR*, Series 1, Vol. 23 Part 1, 7.

[89] Floyd County Provost Marshal Records, 1864-1865, Microfilm, GSA; for example of Oaths, see for CSR Adonrum J. Lumpkin, in "Unfiled Papers and Slips Belonging in Confederate Compiled Service Records," M347, NARA (henceforth Miscellaneous Confederate CSR) Many of the Southern Claims Commission claims mention when claimants took the oath.

defined as to their Loyalty." [90] Citizens had register with the Union occupation force and to publicly state their loyalty, and there were clear advantages to proclaiming oneself a Unionist when asked by the Union army. However, helping Union forces or being identified as a Union sympathizer remained a dangerous proposition even with Federal forces occupying an area. The lawlessness of the Confederate period not only persisted but worsened due to the presence of Confederate guerillas and new deserters.

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Even though Union forces garrisoned Rome, Cartersville, Cass Station, and other towns, the rural areas surrounding towns frequently changed hands. On July 1, 1864, a Union officer in Cartersville warned his superiors, "from what I can learn, I am of the opinion that the neighborhood is infested with Guerrillas."[91] His fears proved correct, and in September, a local Union sympathizer reported that 240 guerrillas had attacked a supply train outside Cartersville.[92] Guerrillas created constant problems for both Union forces and civilians. Union wagon trains required a detail of troops for protection from the guerillas, bushwhackers, and Confederate cavalry raids. Pickets were routinely fired upon, killed, or captured by Confederate scouts.[93] During the month of June, one unit performing guard duty around Cartersville had eleven men captured by Confederate guerillas.[94] So effective were Confederate attacks on supply trains that

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[90] R.S. Norton, "Diary," Transcription, p. 76, in Norton-Towers Family Papers, Atlanta History Center .

[91] Col. William P. Innes to General Stedman, July 1, 1864, Entry 2657, Letters Received, District of the Etowah RG 393 Part 2, NARA.

[92] John Greenwood to General Smith, September 15, 1864, John Greenwood Letter, Abraham Lincoln Presidential Library, Springfield, IL.

[93] Charles F. Hubert, *History of the Fiftieth Regiment, Illinois Volunteer Infantry in the War for the Union* (Kansas City, Mo.: Western Veteran Publishing Company, 1894), 288.

[94] S.G. Clark to Adjutant General, July 4, 1864, File "C920," microfilm M619, Letters Received by the Office of the Adjutant General, Main Series, 1861-1870, RG 94, NARA, 1965.

the Union Army built a series of block houses along the railroad in which to station guards, and citizens who lived outside of towns but within three miles of the rail lines were ordered to relocate unless they demonstrated their loyalty.[95] These efforts were only partially successful, however, and Sherman's supply lines were never entirely secure.[96]

Closer to Rome, one finds a similar story of tenuous control of a supposedly occupied region. Foraging parties sent out from Rome constantly ran into guerrillas, resulting in ongoing patrols throughout the area.[97] On July 6, Corporeal Lewis Roe, a Union soldier in the Rome garrison, noted before a patrol left for Cave Spring that they would "probably have to fight with guerrillas as they are getting quite numerous around here lately."[98] He was correct; the patrol captured five Confederates and killed four more, though their efforts failed to eradicate the threat, leaving Unionist farmers at the mercy of Confederate scouts. A fortnight later, Roe noted that "they say the guerrillas are plundering everybody."[99] Soldiers could not go outside of the picket lines alone without fear of capture, as two members of the 7th Illinois learned in the first week of August when they were "gobbled up by guerrillas" after leaving the safety of the city to steal some food.[100] For three months, hardly a week went by without a patrol being fired upon. Then, after a last skirmish on September 15, "the excitement has died out […] the Rebs have

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[95] Keith Scott Hebert, "Civil War and Reconstruction Era Cass/Bartow County, Georgia," 250. See also Col. William P. Innes to General Stedman, August 8, 1864, Entry 2657, Letters Received, District of the Etowah RG 393 Part 2, NARA.

[96] The failure to fully secure north Georgia likely helped convince Sherman that the best course was to live off the land when he marched for Savannah.

[97] Charles F. Hubert, *History of the Fiftieth Regiment, Illinois Volunteer Infantry*, 284–288. See also Glenda McWhirter Todd, *First Alabama Cavalry, U.s.a.: Homage to Patriotism* (Bowie, MD: Heritage Books, 1999), 139–150.

[98] Roe, *From Western Deserts to Carolina Swamps*, 108.

[99] Roe, *From Western Deserts to Carolina Swamps*, 110.

[100] Roe, *From Western Deserts to Carolina Swamps*, 116.

vanished," wrote Roe.[101] By September 21, the absence of guerrillas worried Roe, who wrote in his diary, "All quiet on the Etowah, Not a shot has been fired by the pickets for some time. Have the guerrillas left our vicinity or are the planning some new mischief?"[102] The break was short-lived, however, and the guerrillas soon returned with even more daring. On October 19, under the cover of darkness, Confederates sneaked within 150 yards of a Union picket post outside of Rome before they were spotted, and the next night, numerous picket posts were fired upon. Those Union troops were lucky; on June 23, four pickets had been captured by guerrillas just across the Etowah River from Rome.[103] As these examples demonstrated, Union forces might control major towns, but the countryside remained a battleground.

Confederate Guerrillas exacerbated the unease and perception of danger by occasionally executing Union prisoners, especially guerrillas from locally-raised auxiliaries. On June 16, a captured member of the Rome garrison was "supposed to be taken and shot by guerrillas." On July 8, some Confederates captured and executed a member of the 1st Alabama Cavalry (USA) near Cave Spring. The 1st Alabama, a Union unit raised in northern Alabama but which included many Georgians, was stationed at Rome from June through October 1864 and was heavily used in rooting out Confederate scouts. In response to the killing of their fellow cavalryman, the Alabamians reportedly executed a Confederate prisoner and burned his home. Hardened by years of violence, Corporal Roe simply wrote, "such is war," in recounting the event.[104] Equipped with horses and superior knowledge of the terrain, the 1st Alabama (USA) was highly effective at

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[101] Roe, *From Western Deserts to Carolina Swamps*, 119.

[102] Roe, *From Western Deserts to Carolina Swamps*, 120.

[103] Roe, *From Western Deserts to Carolina Swamps*, 105.

[104] Roe, *From Western Deserts to Carolina Swamps*, 108, 110. For more on the Alabama unit, see Todd, *First Alabama Cavalry*.

capturing and killing enemy raiders. When locally-raised units were unavailable, Unionist civilians were often asked to accompany Union patrols as guides. If these guides were identified by Confederates, however, they could not thereafter safely travel outside garrisoned towns except with Union troops.[105] The effectiveness of these local auxiliaries may have contributed to Confederate reprisals against these "home made Yankees."[106]

Scouts and guerillas also frequently targeted civilian collaborators. A band of Confederate scouts hanged John Ferris for bringing wood and information to the Union forces in Rome. Similarly, John Ward and William Light lynched at least two men in Bartow County for hauling wood for Union trains. Union sympathizer and informant Benjamin Houk was dragged into the woods by Confederate scouts, avoiding the noose only because he was a Freemason.[107] Many white southerners were similarly threatened. One secessionist was almost killed three times, but was saved each time by revealing, like Houk, that he was a Mason.[108] Not everyone enjoyed the benefits of Masonic affiliation, however, and numerous civilians were killed by combatants. On July 18, 1864, reports reached Rome of "a man stripped and shot, a woman hacked with a sabre and lying out in the woods." The individuals who brought word of the atrocity also reported encountering "another tied and whipped, house set on fire, bed burning and child thrown into it." The event shocked Francis Dunn of the 1st Alabama (USA), who wrote in

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[105] Warren Akin, *Letters of Warren Akin, Confederate Congressman*, ed. Bell Irvin Wiley, Paperback Edition (Athens, Ga: University of Georgia Press, 2010), 28–29. This book can be accessed online at http://dlg.galileo.usg.edu/ugapressbks/pdfs/ugp9780820335551.pdf (accessed July 12, 2013).

[106] Akin, *Letters of Warren Akin*, 29.

[107] Approved Claim of Berry Houk (802), Gordon County, GA, SCC Approved, NARA. Many Masons similarly spared their brothers.

[108] Francis Thomas Howard, *In and Out of the Lines: An Account of the Incidents During the Occupation of Georgia by Federal Troops* (Washington: Neale Publishing Company, 1905), 39.

his diary, "this is worse than cannibalism but there is no doubt of its truth, the citizens were Union and the wretches who did the work guerrillas."[109]

Confederate scouts sought to terrorize Unionists into silence. When dispatching troops, Union soldiers relied heavily on the information Unionists brought them. For instance, when one farmer saw a local Confederate soldier passing by to visit his family, he sent his wife to alert the Union garrison in Kingston. The Union search parties almost caught the man twice, thanks to the tip provided by the informant. He and other informants, however, exposed themselves to grave danger, as local secessionists apparently suspected who had carried the information.[110]

As was true in Loudoun County, many Union informants in Floyd County tried to keep their assistance secret. For example, a Union lieutenant colonel ordered Benjamin Houk arrested in November 1864, even though Houk had nursed a Union soldier back to health. The officer reported that "to screen him [Houk] from rebel suspicion I treated him fully as severely as I did the other citizens and gave them all to understand that all that saved Mr. Houk's house from destruction was the fact that the wounded man could not be removed."[111] The officer's efforts to disguise his intent appears to have failed, as local Confederate sympathizers "thought it was a put up job for his [Houk's] protection."[112] News traveled far: writing from Richmond, Confederate Congressman Warren Aiken confided to his wife that if "Houk is a traitor I hope our scouts will hang him."[113] Not only was Houk worse than a Union soldier because he betrayed his homeland,

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[109] Todd, *First Alabama Cavalry*, 142.

[110] Akin, *Letters of Warren Akin*, 28.

[111] *OR*, Series 1, Vol. 39, Part 1, 648-649 and Approved Claim of Berry Houk (802), Gordon County, GA, SCC Approved, NARA.

[112] Approved Claim of Berry Houk (802), Gordon County, GA, SCC Approved, NARA.

[113] Akin, *Letters of Warren Akin*, 61.

but he was also suspected of having Union soldiers burn the homes of three local Confederates.[114] Two of these homes were owned by members of the Freemason's lodge Houk belonged to.[115] Whether Houk had suggested the burning of the homes or not, that north Georgians believed that a neighbor would do such a thing demonstrates the trajectory of the local war towards extremes.[116] Houk survived the war only because soldiers took him north into Tennessee, where he remained for most of the remainder of the conflict. After his removal north, a group of Rebel scouts used his home as their headquarters out of spite.[117] He was lucky that was all they did—in other cases, Confederates did far worse to prominent collaborators' property and family.

In an effort to protect Union sympathizers and collaborators from Confederate scouts, some militant dissenters formed home guard units during or even shortly before Union occupation. These units were diverse in their membership; they often included Union and Confederate deserters as well as recusant conscripts.[118] Organized locally "for mutual protection" from the ravages of local Confederate militia, deserters, stragglers, and Confederate troops, they seldom entered Union service officially, but often had a formal command structure and worked in concert with Union forces as scouts, guides, and skirmishers. Members of these units often focused on protecting their own property and attacking their chief aggravators rather

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[114] Approved Claim of Berry Houk (802), Gordon County, GA, SCC Approved, NARA.

[115] Minutes of Freemasons Cassville Lodge 136, April 20, 1867, MS 151, UGA; see chapter 5 for a full discussion of the impact of the war on Houk's social networks.

[116] Approved Claim of Berry Houk (802), Gordon County, GA, SCC Approved, NARA.

[117] Approved Claim of Berry Houk (802), Gordon County, GA, SCC Approved, NARA.

[118] John Azor Kellogg, *Capture and Escape: A Narrative of Army and Prison Life* (Wisconsin History Commission, 1908), 166–167, 173–174.

than larger strategic goals.[119] Shortly after one home guard unit formed, it even attempted to negotiate a truce with a local Confederate guerilla unit in an attempt to protect property and lives.[120] While the effort failed, the attempt is a testament to the role localism and local issues played in determining the loyalty of these units. Numerous such units were organized by Georgia native James G. Brown—who himself never entered Federal service for fear he might have to leave the area where his family resided—including a company in Cass County.[121] No muster lists survived so the membership of the Union home guard is hard to establish.[122] Although it is not apparent that Brown attempted to raise a company in Floyd, the county nevertheless produced numerous collaborators, who provided information and services to the Union war effort during the occupation.

As was the case in Loudoun County, the conflict between neighbors sometimes proved more vicious than that between northerners and southerners. Union commanders were frequently shocked and appalled at the brutality inflicted upon southerners by their fellow southerners. While Sherman and his bummers are often remembered as a heartless destructive tornado that crossed Georgia, the reality was more complex. Many local dissenters felt Northern forces were

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[119] John Azor Kellogg, *Capture and Escape*, 167, 179–180.

[120] John Azor Kellogg, *Capture and Escape*, 167, 179–180.

[121] For the best biography of Brown, see Robert Scott Davis, "The Curious Civil War Career of James George Brown," *Prologue*, Spring 1994, 16–31. Davis' account and his footnotes guided me throughout the following section on James Brown. For Brown discussing his desire to stay near home, see James G. Brown to Maj. Gen. J.B. Steedman, November 20, 1864, File on James G. Brown in Correspondence, Reports, Appointments, and Other Records Relating to Individual Scouts, Guides, Spies, and Detectives, 1862–1866, Entry 36, Records of the Provost Marshal General's Bureau (Civil War), 1861–1907, RG 110, NARA. Little is known about the Cass County unit other than its existence and that its commanders included Thomas Spencer and a man named Vaughan. James G. Brown to Thomas Spencer, July 18, 1864, File on James G. Brown in Correspondence, Reports, Appointments, and Other Records Relating to Individual Scouts, Guides, Spies, and Detectives, 1862–1866, Entry 36, Records of the Provost Marshal General's Bureau (Civil War), 1861–1907, RG 110, NARA; Akin, *Letters of Warren Akin*, 29. Spencer may have been a neighbor of Larkin Satterfield, the father of J.L. Satterfield discussed below.

[122] The unofficial nature of these units, much like that of the bands of deserters, means primary sources are scarce,

not bloodthirsty enough. In June 1864, James Brown, commander of the Union scouts in Georgia, wrote a scathing note from Bartow County complaining about a Northern officer he and his men had accompanied on a patrol. When they reached a secessionist's house above Cassville, the officer refused to allow him to take anything, even though Brown pointed out that the property was owned by Confederates. The officer apparently replied that "it did not matter, he should not suffer the property of any family Rebel or Union to be interfered with," only allowing horses and saddles to be taken. The officer even arrested Brown, only releasing him after the scout returned leather and thread he had taken with which to make bridles.[123]

While Brown was seemingly bloodthirsty on the surface—and clearly, he sought revenge—he also saw a military necessity in harassing his neighbors. He understood that in a this guerilla conflict,

> the Rebs are never going to run into our men, they must be followed, not waited for. As long as Secesh symps are allowed to remain unmolested they will always have news of our movement, and in a short time every Union man who has up to this hour risked his own home to aid us: will be afraid to say a word.[124]

Brown also understood what other previously persecuted men wanted and why, explaining to the general with some exaggeration, "a large majority of Northern GA are loyal true men, they can be managed so as to render efficient service but not if they see the very families who have oppressed and ruined them protected." Loyalty to the Union for many of these "loyal true men"

[123] James G. Brown to Major General Thomas, June 25, 1864, Folder James G. Brown, Entry 36 Correspondence Reports Appointments and Other Records Relating to Individual Scouts, Guides, Spies, and Detectives, RG 110, NARA.

[124] James G. Brown to Major General Thomas, June 25, 1864, Folder James G. Brown, Entry 36 Correspondence Reports Appointments and Other Records Relating to Individual Scouts, Guides, Spies, and Detectives, RG 110, NARA.

was contingent upon the Union facilitating their personal quest for revenge against their neighbors.[125]

These locally-raised irregular units had a deservedly mixed reputation for effectiveness. The officer who refused to allow Brown to take property from secessionists was not alone in his negative opinion of the local auxiliaries. While local auxiliaries were critical for the Union war effort, they were also extremely undisciplined and mercilessly violent. One Union commander begged his superiors,

> Cannot something be done with the home guards of Col. Ashworth. They are doing no good here but a great deal of harm. They steel and plunder among the citizens in the vicinity and create much ill feeling. I send 41 of the Home guard with Capt. McNeely on a scout the other day and only could bring four (4) back with him. He complains bitterly.[126]

Yet, these irregulars were also the most effective force for fighting Confederate guerillas and other lawless bands. In October, when a party of seventy-five men were "hanging and killing men and women" near Dalton, the commanding officer of the garrison there requested twenty-five of Brown's men, as they were both mounted and "well acquainted with the country."[127] Though the enemy was within six miles of the post, the expertise and speed of local auxiliaries was necessary to protect the local population. Without civilians and paramilitary home guard groups to inform and guide, anti-guerrilla operations would have been severely hampered. The same lack of social and physical distance that created bitter enemies also provided the crucial knowledge that made these locals valuable to the Union war effort.

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[125] James G. Brown to Major General Thomas, June 25, 1864, Folder James G. Brown, Entry 36 Correspondence Reports Appointments and Other Records Relating to Individual Scouts, Guides, Spies, and Detectives, RG 110, NARA.

[126] L. Johnson to Maj. S.B. Moe, September 30, 1864, "Volume 224," 10, Entry 2660, Copies of Telegrams Received, District of the Etowah, RG 393 Part 2, NARA.

[127] *OR*, Series I, Vol. 39, part III, 382.

With the arrival of Union forces the personal conflicts that had simmered throughout the war burst forth into open warfare. The war turned extremely personal, as both the Confederate guerrillas—often drawn from local units—and Brown's home guard frequently knew each other from before the war. Personal knowledge of their antagonists meant attacks upon each other were frequently viewed—often correctly—not as acts of war, but as personal quarrels. When Brown captured some cavalry accompanied by local citizen, the scout recognized him as the husband of "a school mate of mine." Because the man's wife was extremely pregnant and "his detention would kill her," the citizen begged Brown "as a man and a mason to let him go."[128] In an act of charity, Brown agreed, but unfortunately, the citizen was less than honest about his intentions. He and eight other men went to Brown's home, and as Brown recounted,

> taking and destroying everything in the place did not satiate them, though there was indeed enough: my mares all my stock—clothes that I had brought from the North and unfortunately a considerable amount of funds, but the fiends must literally strip and ill treat my children mere infants the eldest my boy but six years old, took the hat off his head and the shoes from her feet and left my aged father-in-law in such a condition there is but little hope of his surviving.[129]

Though Brown claimed in a request to pursue his personal nemesis that he had always treated his enemy well before, as he "endeavored to act as a man, and as a Christian," and that he did "not wish to retaliate"—a claim of questionable veracity—he pledged to hunt down these men who attacked Union sympathizers.[130] Brown must have been thrilled when he received tacit approval

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[128] James G. Brown to Major General Thomas, June 15, 1864, Folder James G. Brown, Entry 36, Correspondence Reports Appointments and Other Records Relating to Individual Scouts, Guides, Spies, and Detectives, RG 110, NARA.

[129] James G. Brown to Major General Thomas, June 15, 1864, Folder James G. Brown, Entry 36, Correspondence Reports Appointments and Other Records Relating to Individual Scouts, Guides, Spies, and Detectives, RG 110, NARA.

[130] James G. Brown to Major General Thomas, June 15, 1864, Folder James G. Brown, Entry 36, Correspondence Reports Appointments and Other Records Relating to Individual Scouts, Guides, Spies, and Detectives, RG 110, NARA.

to seek revenge when the military replied to his request: "If you can secure the men who committed depredations on your Father in Law and your property and family, he will have them tried and if convicted: Hung. In the mean time if you should happen to shoot them, in case you cannot arrest them, there would be no great harm done."[131] The fact that Brown requested and received permission to kill a former friend demonstrates how much antebellum social networks had been impacted by the war.

Guerrillas on both sides committed atrocities against their opponents. Captured Union home guard members were not granted the normal niceties granted belligerents during war and instead faced torture and death. One observer commented that the conflict between home guard units and their Confederate counterparts "was a war of extermination between them. No prisoners were taken by either side."[132] While perhaps a bit exaggerated, murders were not uncommon, and when a group of local Confederates caught one member of a Union auxiliary, they reportedly "tied him hand an' foot, mutilated him in the most horrid manner an' then, bleeding as he was, they hung him in a tree right in sight of his own house."[133] These outrages occurred across the region. While the 1st Alabama (USA) was stationed at Rome, word arrived that "one member of the regiment had his leg unjointed, was scalped and castrated."[134] Apparently, the castration and killing represented the third killing in an ongoing back and forth

[131] Captain J.R. Willard to James G. Brown, June 20, 1864, Folder James G. Brown, Entry 36, Correspondence Reports Appointments and Other Records Relating to Individual Scouts, Guides, Spies, and Detectives, RG 110 NARA. He also received permission to distribute captured arms to civilians to help hunt down guerrillas.

[132] John Azor Kellogg, *Capture and Escape*, 168.

[133] John Azor Kellogg, *Capture and Escape*, 164.

[134] Todd, *First Alabama Cavalry*, 146.

feud, as one member of the unit noted in his diary that the torture "was in retaliation for the shooting of a conscript officer who was shot for the killing of a brother of one of our men."[135]

The total number of men murdered in the Rome area during and after occupation remains unknown and likely will remain so, but it is clear that rates of violence escalated during the occupation.[136] Contributing to the rising death toll was a whole new set of victims created by Union occupation. Newly-freed African Americans, who were previously protected by their status as the property of white slave owners, found themselves a target if they seemed loyal to the Union. On August 27, 1864, for example, a Union patrol found the body of a black man shot by rebels.[137]

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White dissenters were not the only locals who voiced their distaste for the Confederacy once Union forces arrived. Federal soldiers found that slaves proved to be the most consummate Unionists in the South. Even before Union forces arrived to free them, African Americans often provided valuable intelligence and aid to Union forces. In addition to escaped slaves who provided information to advancing Union troops, escaped Union prisoners found slaves to be trustworthy guides as they made their way north. Slaves were often more willing to risk their

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[135] Todd, *First Alabama Cavalry*, 146. This was likely Henry Tucker who was tortured and killed in Alabama. More on this killing can be found William Hendon, *Hendon Brothers in the Civil War: A Divided Family* (Baltimore, Md.: PublishAmerica, 2007), 86.

[136] Often, little historical evidence exists about killings. A passing mention in an 1873 legal document that a man named "Partain claimed to be a Union man and he was killed" may be the only record of one such death. (Court of Claims Case File #4997 for Peter Sheibley, Entry 22, Congressional Jurisdiction Case Files, RG 123, NARA). For an earlier example of a deserter being killed with little evidence remaining see Wesley Olin Connor, "Diary of Wesley Olin Connor," 37, UGA. In this case, the Compiled Service Record for the soldier notes his death but not the cause. (CSR for W J Hydle, in Capt Can Den Corput's Co., Georgia Light Artillery, NARA). Although Hydle deserted or went AWOL three times, there is no mention of him being missing in his CSR. This is an example of why desertion rates calculated by CSRs should not be used to compare units. Differences in record keeping often led to more individuals recorded as missing in some units than others.

[137] Charles F. Hubert, *History of the Fiftieth Regiment, Illinois Volunteer Infantry*, 288.

own safety for escaping Union soldiers than were sympathetic anti-Confederate whites.[138] John Azor Kellogg, an escaped Union prisoner, relied upon slaves for guidance and provisions until one finally led him to a Union home guard unit.[139] Unsurprisingly, slaves risked extreme punishments for their actions. Confederate guerrillas frequently punished slaves found helping the enemy with death.[140]

With Union forces present to protect them, African Americans increasingly expressed their disdain for slavery and the Confederacy openly. Acts of disobedience upset slave owners, but with most of the men gone and Union forces now in charge, there was little the remaining white women could do. Many slaves fled towards garrisoned towns, while others demanded wages, and families long separated by the restrictions imposed by slavery moved in with each other. As Union forces approached, many white families tried to hide valuables and farm animals, but slaves often failed to help or even pointed out hidden items to Union troops. The Howard family of Bartow County found that "the negroes were perfectly wild with excitement and incapable of anything, so we undertook the task [of hiding the stock] ourselves." When the Union army passed in pursuit of the retreating Confederate army, eight of the Howard family's nine slaves went with them, recalled the owner's daughter, "with the single exception of our nurse, who" at age sixty-four, "was so feeble as to be a care instead of a help."[141]

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[138] Ann Fabian, *The Unvarnished Truth: Personal Narratives in Nineteenth-Century America* (Berkeley: University of California Press, 2000), 146–149.

[139] John Azor Kellogg, *Capture and Escape*, 157–161.

[140] Charles F. Hubert, *History of the Fiftieth Regiment, Illinois Volunteer Infantry*, 288.

[141] Francis Thomas Howard, *In and Out of the Lines*, 22 and 1860 Slave Schedule. In 1860, only about 3.5 percent of the slave population was over sixty (Joseph C.G. Kennedy, *Population of the United States in 1860; Compiled from the Original Returns of the Eighth Census, Under the Direction of the Secretary of the Interior* (U.S. Government Printing Office, 1864), xlviii).

With the arrival of Union forces, the stream of former slaves leaving their former owners increased from a trickle to a flood. Union foraging parties brought food to their comrades and freedom to the slaves who followed the troops back toward Rome, further depopulating the region.[142] One patrol in July toward the southwest of Rome returned with "80 negroes," presumably former slaves.[143] African Americans of all ages, genders, and occupations from around the area flooded into Rome, "leaving their masters and coming in [to town] to better their condition." From there, many went north. On June 18, one month after the Federal forces arrived, a train with 300 African-American women and children left Rome for Tennessee. While previously children had often discouraged slave parents from running away from masters, children now traveled to freedom with their parents: over half of the trainload were younger than twelve.[144] The behavior of slaves towards Union troops undermined the Confederacy both materially and psychologically, as the myth of the happy and loyal slave died along with the institution of slavery.[145]

The November 1864 withdrawal of Union troops from northwest Georgia, created another mass migration. Hearing rumors of a withdrawal, much of the remaining African-American population left Rome for areas where they would be safe from re-enslavement.

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[142] R.S. Norton, "Diary," Transcription, p. 71, in Norton-Towers Family Papers, Atlanta History Center. See also Akin, *Letters of Warren Akin*, 65. Spencer Runnels and William Carr became cooks for Union units when they passed through Rome. (CSRs for William Carr, 7th Illinois Cavalry and Spencer Runnels, 57th Illinois Infantry, NARA). Similarly, when Union forces arrived on the farm of Hayden Prior, they impressed multiple slaves as cooks as well as temporary teamsters to help remove three trips worth of supplies (Court of Claims Case File #14629 for Heirs of Hayden Prior, Entry 22, Congressional Jurisdiction Case Files, RG 123, NARA and CSR for March Pryor and William Middleton Pryor both of the 57th Illinois Infantry, NARA). Just one patrol from Rome to Cedar Town brought back eighty-seven contrabands. (Charles F. Hubert, *History of the Fiftieth Regiment, Illinois Volunteer Infantry*, 286) .

[143] Roe, *From Western Deserts to Carolina Swamps*, 108.

[144] R.S. Norton, "Diary," Transcription, p. 70-71, in Norton-Towers Family Papers, Atlanta History Center.

[145] The myth would be revived after the war.

Writing in his diary on November 11, Cornelius C. Platter, a Union soldier from Ohio, recorded the spectacle: "all the way from Rome to Kingston the road was lined with 'contrabands' of all ages sizes and sexes - It was indeed a novel sight to see these people fleeing from Slavery. Every one was loaded - some with bundles of clothes and bedding larger than themselves."[146]

The movement of the white population in north Georgia had also continued unabated after Union forces arrived. During Union occupation, some citizens of both races remained outside of garrisoned towns, but many soon realized that loyalty to a nation mattered little to the bands that roamed the countryside. Beyond Confederate guerillas and Union patrols, the lawless bands that had terrified the community during the first three years of the war continued their depredations. Union cavalryman Francis Dunn noted in his diary that in addition to Confederate guerillas, he and his men also hunted a band of "Texas Rangers" who were "a lot of horse thieves[,] feared as much or nearly as much by the Confederates as by our troops."[147] Dunn explained that the Rangers' "chief business is stealing horses and it is of no importance to [them] whether the horse belongs to a soldier or a citizen nor to what army the soldier may belong."[148] Residents who had been, "robbed without mercy by both sides," fled to garrisoned towns or out of the area entirely.[149] By October 31, 1864, shortly before the Union withdrawal, Warren Akin wrote to a friend that "there are but five men in Cassville." Of those five, two "reported themselves Union men" to the Yankees and likely left with the Federals' retreat.[150] Dunn and his

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[146] Cornelius C. Platter, Civil War Diary, 1864–1865, UGA, accessible online at http://dlg.galileo.usg.edu/hargrett/platter/001.php (accessed August 1, 2014).

[147] Todd, *First Alabama Cavalry*, 150.

[148] Todd, *First Alabama Cavalry*, 150.

[149] R.S. Norton, "Diary," Transcription, p. 71, in Norton-Towers Family Papers, Atlanta History Center.

[150] Akin, *Letters of Warren Akin*, 28–29.

fellow Union soldiers never captured the Rangers who plagued citizens in the area, leaving the Texans to continue terrorizing them after the Union forces withdrew.

As was the case with African Americans, white residents' migration from Floyd County was accelerated by rumors of withdrawal. In Rome, as Union forces prepared to retreat at the end of October, R.S. Norton recorded in his diary that "many of the Citizens are packing to go North."[151] On November 6, Lewis Roe noted that "crowds of citizens are down to the Depot waiting for transportation north," though due to the railroad being damaged by guerillas, no trains departed that day.[152] Some left due to fear of Confederate scouts, but others likely went with the Union because they feared the destruction of the city by Union forces as they withdrew.[153] While the homes of Rome escaped relatively unscathed by the withdrawal, Union forces destroyed almost the entire town of Cassville as they pulled out, leaving the remaining residents homeless.[154]

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Not every dissenter fled with the Union army. Some citizens of a variety of allegiances chose to stay, often in the hope that they might be able to protect their homes. Moreover, fleeing required economic resources that many farmers did not possess. The deserters, guerillas, scouts, and robbers that preyed on the community during the occupation also remained. On November 18, 1864, three weeks after the lynching of Charles Chambers—and eight days after the Union withdrawal—William Light and John Ward captured another former civilian employee of the

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[151] R.S. Norton, "Diary," Transcription, p. 80, in Norton-Towers Family Papers, Atlanta History Center.

[152] Roe, *From Western Deserts to Carolina Swamps*, 131.

[153] See for example, Akin, *Letters of Warren Akin*, 28.

[154] Keith Scott Hebert, "Civil War and Reconstruction Era Cass/Bartow County, Georgia," 280. They did so without regard to loyalty, as a Syler, who was a professed Union man, had his house destroyed. Where he moved next is unknown, but the entire town of Cassville was destroyed. Akin, *Letters of Warren Akin*, 61.

Union army, J.L. Satterfield.[155] Perhaps Satterfield planned to flee eventually, or perhaps he believed that with no Union presence in the area, the danger would disappear. Whatever the case, he was mistaken. Light put a noose around Satterfield's neck as he led him from his home. Satterfield's wife pleaded for her husband's life, "entreating them to let her husband go," and clung to the rope in an effort to save her husband, "but was forcibly torn away while Light hung her husband" in front of her.[156] As Union forces withdrew, they left a lawless, depopulated region, ripe for the picking by unscrupulous opportunists. Without the Union forces to check men like Light and Ward, violence and chaos would only increase in the final six months of the war.

While the occupation accelerated civil unrest into an "inner war" within Floyd County and its environs, the post-occupation period from November 1864 until the war ended would make the first few years of war seem comparably easy to the residents who remained. Up until November 1864, the war had divided and fractured the community, but while the next six months would see new fissures form, they would also witness the creation of new allegiances between former antagonists. New factions formed that pitted Confederate neighbors against other Confederate neighbors and allied Union informants with secessionist firebrands, as politics and petty bickering gave way to survival. And for years to come, these factions—more networks, really—that formed during the war would continue to influence postwar politics, commerce, and society, as well as Reconstruction violence.

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[155] The victim may have been John L. Satterfield, who had served in the 23rd GA Infantry before being discharged for disability in 1862 (CSR for J.L. Satterfield, 23rd GA Infantry, NARA).

[156] Lt. H. Dodt to Lt. Col. J.F. Ritter, September 21, 1867, Entry 1118, Letters Received, Retained Reports, and Other Records from Post at Rome, RG 393 Part 4, NARA; and "The Light Case," *Weekly Atlanta Intelligencer*, October 9, 1867.

Chapter 4: "Almost Wish for the Yankees Again"
The Ransoming Of Rome: Loyalty Between The Lines

As Floyd County Judge Lewis Burwell struggled for breath, he slowly regained consciousness. Lying prone in a mud puddle, he slowly became aware that the man holding a dagger to his chest was "threatening to cut his heart out, if he didn't give them ten thousand dollars." Moments before, Burwell had been suffocating as a group of criminals used a halter to hang him. He had tried to escape when the criminals began ransacking his house, but had been pistol whipped for his effort. Burwell—who had already lost $1,400 in gold, another $540 in assorted currency, and two gold watches when the same men had hanged him until he was "nearly dead" just a few days before—knew he could never find such a sum. Now, after being hanged by the neck for the second time in less than a week, Burwell begged for his life, explaining that his assailants had already taken all he had except for $500 deposited with a friend. The men forced Burwell up from the ground and sent a few men with him to retrieve his last remaining cash, threatening to burn his home if he failed to turn over the money.[1]

Mary Noble was quietly reading to her mother and daughters when the crowd of men arrived outside their home. She answered the door with a gun in hand, a testament to the dangers citizens faced in Rome, Georgia, in November 1864. Fearing that she was about to be robbed or worse, she intended to fight. Instead, she found a mud-covered Burwell at her door, the

[1] Mary Noble to Lelia Montan, November 20, 1864, Mary Noble Papers, Southern Historical Collection, University of North Carolina (cited as SHC henceforth), recounts the attack on Rome by Colquitt, including the quotes above. Other sources noted in later footnotes confirm the story and add further details. See for example Martha Battey to Robert Battey, November 17, 1864, Robert Battey papers, 1810-1894, Emory University.

marauders hanging back to avoid entering the range of her pistol. Burwell "seemed very much overcome" and was probably suffering from shock. After retrieving the money from the Nobles and handing it over to the brigands, he returned to the Nobles' house, his neck "swollen and scarred," and his face bruised from being hit with pistols. Mary put him to bed, and he stayed with the Nobles in the days following the attack. [2]

Three days earlier, on the morning of November 10, 1864, Union troops had withdrawn from Rome. That evening, a crowd of gray-clad soldiers led by a man claiming to be a "Captain Jack Colquitt" rode into town, and the citizens of Rome welcomed them as liberators.[3] The ever-dignified Mary Noble later recounted to a family member how the citizens rejoiced at their arrival: "the girls of Rome all went down to the river bank and welcomed them in, and committed a thousand extravagant undignified acts." By that night, however, it had become clear that Colquitt's men had not turned up to liberate Rome from the Yankees but instead to ransom the defenseless town, and many residents regretted their earlier excitement. With the storm to come, even the most die-hard secessionists had to wonder if occupation had not been preferable to the lawlessness of the no-man's land that emerged following the Union withdrawal.[4]

The Floyd County community presents historians with an excellent opportunity to study loyalty in the absence of authority. Certainly, bushwhackers and dissenters were not new to Floyd County in November 1864; however, in the absence of any effective political, civil, military, or legal authority after the Union withdrawal, residents witnessed the worst elements of humanity. For much of the war, the experience of Floyd was not entirely dissimilar from that of

[2] Mary Noble to Lelia Montan, November 20, 1864, Mary Noble Papers, SHC.

[3] Noble refers to him as "Capt. Colquett." But additional sources make clear he went by Jack Colquitt.

[4] Mary Noble to Lelia Montan, November 20, 1864, Mary Noble Papers, SHC, see also Martha Battey to Robert Battey, November 17, 1864, Robert Battey papers, 1810-1894, Emory University.

Forsyth, North Carolina, but that began to change on May 18, when Rome fell to Union troops. In contrast to Forsyth, which remained under Confederate control almost the entire war, Floyd County became an occupied territory as Sherman's supply lines passed through North Georgia. During the occupation, Floyd saw guerilla warfare and felt the hard hand of occupation and asymmetrical warfare that Loudoun County, Virginia had first felt three years earlier. The Floyd community's experiences, however, were distinct from those of the residents of Loudoun, through which troops from both sides constantly passed. Situated in the seat of war for most of the conflict and home to Mosby's raiders, Loudoun never had troops from both sides farther away than a neighboring county or the other side of the Potomac. But after Sherman cut his supply lines and headed for the sea on November 15, and the Confederacy's Army of Tennessee headed towards Tennessee, Floyd citizens found themselves between the lines—or, more accurately, left behind by both Confederate and Union forces. Depopulated by an exodus of refugees and ignored by both sides, Floyd County residents were left to fend for themselves, and so outlaws quickly took advantage of the power vacuum.[5]

Unfortunately for the townspeople, "Captain Colquitt" was not a Confederate officer there to maintain order, but instead was a private who deserted from the 11th Texas Cavalry—a unit that from time to time had been assigned to hunt deserters in northwest Georgia. He had organized a motley group of deserters, which preyed on civilians in North Georgia, though occasionally they may have attacked Union targets. His band was not detached to harass the rearguard of the enemy, as many citizens had thought when they arrived; instead, they came to pillage.

[5] A mail delivery would not occur until March 13, 1865: 122 days after Union forces withdrew. See R.S. Norton, "Diary," Transcription, p. 87, in Norton-Towers Family Papers, Atlanta History Center.

On the night after the Union withdrawal, Colquitt and his men raided Rome for the first time. After hanging Burwell (the first of the two times Colquitt's men strangled the poor man) and another resident to extract money, they threatened to shoot another Roman if he failed to pay up. The band then proceeded through town, ransoming individuals and ransacking houses in turn, remorselessly terrorizing the few remaining residents who had not fled with either the Confederate or Union withdrawals. The villains were ruthless, even taking a woman's false teeth.[6] For her part, Mary Noble, though she had hated the Union occupation, "almost wish[ed] for the Yankees again since we can't have a Confederate force to protect us, the Yankees never came into our house to trouble us."[7] A few days later, Colquitt's men repeated the deed, again hanging poor Burwell to extract his last few dollars while also robbing numerous additional victims.

This story of cruel brigandage inflected upon citizens demonstrates much about loyalty in the no-man's lands that occasionally developed when opposing armies pulled away from each other. With no Confederate or Union authorities nearby, local citizens had to fend for themselves. Two days after the Union withdrawal and Colquitt's initial looting, the remaining members of the Rome City Council called an emergency meeting. Faced with continued threats from Colquitt and others like him, the forty men who remained in Rome created a guard force to patrol the streets. Each able-bodied man patrolled the streets in six-hour shifts. In pairs, they protected both their own property and their absent neighbors' homes from looting and fire. Only

[6] Mary Noble to Lelia Montan, November 20, 1864, Mary Noble Papers, SHC.

[7] Mary Noble to Lelia Montan, November 20, 1864, Mary Noble Papers, SHC.

three men were exempted due to age or infirmity, among them the bedraggled and injured Lewis Burwell.[8]

The membership of the Rome patrol demonstrates the strange bedfellows war can create, bringing together former adversaries and forcing them to work together. While many of the patrol's members were Confederate loyalists and secessionists who had decided not to flee, others were staunchly anti-Confederate.[9] Among the members of the ad hoc police force, for instance, was Peter M. Sheibley, one of the most prominent dissenters in the area. Sheibley's brother, William, had fled north at the start of the war to organize a Pennsylvania infantry regiment, and local secessionists repeatedly threatened Peter for being a northerner. Sheibley is one the most easily identifiable and prominent dissenters for scholars of the region, and his anti-Confederate credentials are as unimpeachable as can be found in the South. Some of his secessionist neighbors hated Sheibley, an abolitionist who taught local African-Americans how to read, so thoroughly that they hanged him in effigy during the war. After the war, he was elected to office as a Republican and also filed a claim on the basis of his loyalty to the Union against the United States Government for property taken by federal troops.[10]

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[8] R.S. Norton, "Diary Microfilm, Drawer 283, Boxes 35-36, Georgia State Archives, Morrow GA (GSA); I also utilized a copy in Private Collection of Joseph T. Glatthaar; Minutes of the Rome City Council for November 12, 14, 16, 1864, Microfilm, Sara Hightower Regional Library (also available at GSA). See also George Magruder Battey, *A History of Rome and Floyd County, State of Georgia, United States of America: Including Numerous Incidents of More Than Local Interest, 1540-1922* (Atlanta: The Webb and Vary Company, 1922), 198–200, 206, 492.

[9] R.S. Norton, "Diary," Norton Papers, Microfilm, GSA; David T. Dixon, " 'Til Secession Do Us Part," *Georgia Backroads* (Summer 2012): 14–18. Dixon argues six individuals were "known Unionists." Sheibley was by far the most well-known of them. Dixon, who has studied the region extensively has written several other excellent articles on Rome which this and other chapters use including David T. Dixon, "Enemy on the Home Front: A Georgia Plantation Owner Works Against the Confederacy," *Georgia Backroads* (Summer 2011): 38–43; David T. Dixon, "To Laugh in One Hand and Cry in the Other : W.B. Higginbotham and the Black Community in Civil War Rome," *Georgia Backroads* (Winter 2011): 14–19.

[10] See for example David T. Dixon, " 'Til Secession Do Us Part."

Competing and hybrid loyalties often led men to take seemingly contradictory stances. As Jonathon Dean Sarris argues, "the warriors in north Georgia's Civil War fought primarily for local goals having to do with the safety and security of their mountain communities."[11] Sarris describes how "economic, familial, and situational" factors determined loyalty as much as ideological ones. Because of its location between authorities who might otherwise have controlled raiders, in Floyd—more so than in Forsyth and later than in Loudoun—inhabitants not only divided into the "pro- and anti-Confederate camps," but they also formed hybrid camps that had less to do with nationalism and more to do with protecting the community.[12] Rarely can these factions be characterized as strictly Confederate or Unionist; most had traces of both at times. It was the desire to protect life, family, and property that led the men of Rome to form their anti-Colquitt patrol, which included both Sheibley and devout secessionists. For example, serving alongside Sheibley in the Rome patrol was former conscript officer John Riley, who had tried to arrest Sheibley just a year earlier for avoiding conscription. At the time, Sheibley had been forced to hide from Riley in the woods until he was able to gain an exemption by acquiring a contract to make shoes.[13] Now, the former opponents worked together to protect their community from an immediate threat. In fact, Sheibley soon found that at times secessionists were his greatest allies. Sheibley's experiences demonstrate that the classic binaries of Unionist vs. Confederate, dissenter vs. loyalist, or even anti- vs. pro-Confederate fail to accurately capture the complex networks that wartime conditions created.

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[11] Jonathan Dean Sarris, *A Separate Civil War: Communities in Conflict in the Mountain South* (Charlottesville: University of Virginia Press, 2006), 2.

[12] Sarris, *A Separate Civil War*, 67.

[13] Court of Claims Case File #4997 for Peter Sheibley, Entry 22, RG 123, NARA.

To understand the social experience of Floyd residents a new paradigm based on networks is needed. By connecting pairs of individuals who were allies or adversaries instead of grouping individuals into sets based on political beliefs or even based upon their allies, a more dynamic and complex depiction of Floyd society can be achieved. For many north Georgians, the danger brought by lawlessness and the strength of personal networks overrode any consideration of politics when determining their actions. Many individuals with various, multifaceted, and changing loyalties allied with others with whom they disagreed politically to survive. Dividing these networks into camps is often an exercise in futility; two bands of mounted men, both nominally Confederate, might view each other with more hatred than they did Yankees. A dissenter might enjoy the protection of one Confederate officer but be nearly hanged or even shot by another. One man's close friends and allies might be each other's chief antagonists.

Colquitt's harassment of Rome should not have been a surprise to anyone, for though Jack Colquitt terrorized Unionists for their political allegiances, he also demonstrated his willingness to attack Confederates when the mood struck him or it seemed opportune. Colquitt and the other Texans who followed him had caused trouble before. In September 1863, a local defense unit, the Floyd Legion, had been called up to help build fortifications and round up deserters. A deserter from the 11th Texas—the unit from which Colquitt deserted and likely a member of Colquitt's gang—shot and mortally wounded George Montgomery, a prominent Rome citizen who was pursuing him.[14] In December, the man who killed Montgomery was finally captured, but he soon escaped when a dozen or more Texans broke him out of the Rome

[14] "Personal," *Rome Tri-Weekly Courier,* October 31, 1864; *Rome Tri-Weekly Courier,* November 5, 1863; "Obituary," *Rome Tri-Weekly Courier,* December 8, 1863.

jail at gunpoint.[15] In April 1864, reports of the 11th Texas robbing citizens on the road outside Rome added to citizens' fears of the Texans.[16] In October 1864, while Union forces were still present in the community, two Texans killed John Ellis, a Confederate soldier, and stole his horse. Ellis's loyalties are themselves a bit unclear; he may have been a deserter, and he reportedly stole the horse himself a month earlier.[17] While Ellis's politics are hard to trace, it remains clear that when Colquitt rode into town to hold its citizens at ransom, distinctions between deserter, Confederate scout, Union guerilla, and civilians mattered little to him.

The attacks on John Ellis and Lewis Burwell were not aberrations. Many of Colquitt's victims were Confederates or Confederate sympathizers. Indeed, no one was spared on account of politics when he ransomed Rome. Later, in February 1865, Colquitt's men stole around four thousand dollars that the State of Georgia had just distributed to support the indigent families of Confederate soldiers.[18] Free person of color William Higginbotham described Colquitt's gang well, saying, "they committed depredations on every body alike[:] rebels, secessionists, union men, women and children and all alike[.] they had no regard for politic[s] or religion."[19] Nearly a decade after the war, one former Confederate officer still vividly recalled that the "reputation of that command was bad; they were considered as outlaws and not belonging to any organization; that lawless band had no regard for anybody, loyal or disloyal, religion, politics, or anything else;

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[15] "Murderer Arrested," *Rome Tri-Weekly Courier*, December 22, 1863; "Jail Delivery," *Rome Tri-Weekly Courier*, January 14, 1864; there are conflicting accounts as to the killer but it was likely Henry T. Hill of Grayson, Texas.

[16] "Robbery," *Rome Tri-Weekly Courier*, April 7, 1864.

[17] Floyd County Superior Court Criminal Minute Books, Book B, 385-387, Microfilm, GSA.

[18] "Terrible State of Affairs in North Georgia," *Daily Constitutionalist*, February 11, 1865.

[19] Court of Claims Case File #4997 for Peter Sheibley, Entry 22, RG 123, NARA.

that was their general reputation"[20] Within the no-man's land of north Georgia, knowing whether someone was a Union or Confederate sympathizer was at times less important than local identities and what they had to offer. By the end of 1864, with Colquitt running rampant, any potential ally was worth keeping.

The networks Floyd residents created for mutual protection were not always effective. Sheibley personally faced Colquitt himself within two months of the Union withdrawal, and the ad hoc police force was unable to help him. In December 1864, Sheibley traveled to visit some of his property southeast of Rome and meet with his overseer. While he was there, Colquitt and two of his men captured Sheibley. Beaten by one of the deserters, his hat stolen by another, Sheibley pleaded with them not to hang him for being a spy. He insisted upon his innocence and "demanded a hearing before some women to whom he made his appeal." Colquitt sent one of his men—Adoniram Lumpkin, who was from Floyd county—to round up some secessionist women to serve on a jury.[21] What happened next is hard to explain. Why Colquitt chose the course he did remains unknown, since he left no writings himself, but the result underscores the surprising networks that formed during the last seven months of the war.

Without enough men available for a jury, Colquitt agreed to let local secessionist women try the man and respected their decision. Apparently, this instance was not the only time that such a solution was adopted for drumhead courts martial of suspected unionists. According to Lumpkin, "women were in the habit of controlling such cases generally [, and] we generally did as they said to do."[22] Allowing women to serve on a jury represented an extraordinary amount of

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[20] Court of Claims Case File #4997 for Peter Sheibley, Entry 22, RG 123, NARA.

[21] Court of Claims Case File #4997 for Peter Sheibley, Entry 22, RG 123, NARA.

[22] Court of Claims Case File #4997 for Peter Sheibley, Entry 22, RG 123, NARA.

power during the nineteenth century. Instead of calling for Sheibley's death, the three Confederate neighbors saved his life by asking for a private conference with Colquitt, where they somehow convinced him not to hang Sheibley. Instead, Sheibley was set at liberty, and he outlived at least two of his three captors.[23] While the Rome police force, consisting of all the men remaining in town, was unable to protect Sheibley, three secessionist women freed him without firing a shot.

Why did three apparently devout Confederate women protect a known Union sympathizer and likely collaborator? Admittedly, Sheibley's release was partially due to the women's recognition that "it would cause trouble for them" if they told Colquitt to lynch Sheibley. His friends, after all, might retaliate against them. But more than just trouble, the women likely realized that Sheibley now represented a potential ally. They knew Colquitt might treat Confederate women well on that day, but their Confederate loyalty and gender had not stopped rogues like him in the past. While prominent secessionists may have felt Sheibley "ought to be hung" in 1863, by late 1864—when neither Confederate nor Union authorities were present to ensure men with sociopathic tendencies like Colquitt were kept in check—southern sympathizers began to see men like Sheibley as allies.[24]

Networks changed over time, and allegiances had shifted by 1864. Though Sheibley had been threatened repeatedly and once had to hide in the woods to avoid being murdered or conscripted by Confederates, he was now a potential ally.[25] When the Confederacy held a location, firmly persecuting dissenters seemed sound policy, with no immediate or likely

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[23] Court of Claims Case File #4997 for Peter Sheibley, Entry 22, RG 123, NARA.

[24] Court of Claims Case File #4997 for Peter Sheibley, Entry 22, RG 123, NARA.

[25] Court of Claims Case File #4997 for Peter Sheibley, Entry 22, RG 123, NARA.

negative consequences for instigators. But in the confusion of conquest, occupation, withdrawal, and being left between forces, the value of nationalism and patriotism decreased. Allies were few and far between in the largely depopulated no-man's land of Floyd county, and any neighbor who was a friend seemed better than another enemy.

The loyalty of even the most fervent of individuals could be surprisingly complex. In some ways, Sheibley's loyalties were more nuanced then some of his neighbors understood. When Union forces arrived, Sheibley initially fled the area ahead of them, with much of his movable property, to a remote farm to avoid both armies. Years later, he testified that he did so to protect his secessionist wife, who was prone to fits, since the doctor had warned him that a battle nearby would likely upset her delicate condition. Only after the region settled into occupation—and remaining on a farm appeared more dangerous then returning to Rome—did his family migrate back to the Union-held town. One astute neighbor later recalled of Sheibley, though this could have described many of his neighbors, "his country was second.- His family first."[26] For anyone whose family came first, Colquitt and other deserters posed a much larger threat than any other consideration.

Sheibley's run-in with Colquitt was not the only time the Rome patrol failed to protect Rome's citizens. After Colquitt's men strangled Burwell a second time, they attempted to extort yet another resident, William Quinn, by hanging him. Quinn's wife shouted for help, and this time the town was ready for the brigands—sort of. Two patrolmen hastened to offer protection, but Colquitt's men promptly disarmed them. As the two hapless policemen were marched toward the woods for execution, they made a break for it. The raiders gunned down one of the fleeing

[26] Court of Claims Case File #4997 for Peter Sheibley, Entry 22, RG 123, NARA.

men, reportedly a secessionist, who died the next day, leaving multiple orphans.[27] In the final analysis, Rome's attempt at a joint police force that disregarded political allegiances achieved only limited success.

The membership of Rome's ad hoc police force almost certainly contributed to its inability to stop Colquitt's reign of terror. Every man remaining in the town had been exempt from conscription, many due to age or infirmity, and stood little chance against Colquitt's battle-hardened veterans. The dead man had not even owned a gun.[28] In fact, eleven of the thirty-eight men on the makeshift police force owned no gun in 1864. Even those who did own guns, often only possessed shotguns.[29]

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One of the reasons Colquitt was able to run roughshod over the region was that the war emptied Floyd County. Four-fifths of the resident adult male population had either left the area or taken to the bush before Union troops even arrived. Many of the remaining men fled with the Confederate army in the summer of 1864. In 1860, Rome's population had included 589 men between the ages of eighteen and seventy years; and by November 1864 only forty men between

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[27] Mary Noble to Lelia Montan, November 20, 1864; Battey, *A History of Rome and Floyd County*, 198–200; Martha Battey to Robert Battey, November 17, 1864, Robert Battey papers, 1810-1894, Emory. Sheibley identifies the dead man, Omberg, as a secessionist; see Court of Claims Case File #4997 for Peter Sheibley, Entry 22, RG 123, NARA;

[28] Militia Enrollment Lists for Floyd County, 1864, Manuscript Copy, GSA, online at http://cdm.sos.state.ga.us:2011/cdm/landingpage/collection/1864 (accessed September 3, 2013). The manuscript version includes gun ownership while the published version (accessible and searchable through ancestry.com) is abridged.

[29] Militia Enrollment Lists for Floyd County, 1864, Manuscript Copy, GSA; five are known to have owned shot guns.

those ages remained. Ninety-three percent of the prewar adult male population was absent, having entered service, moved, or fled.[30]

White citizens were not the only Floyd residents who fled. When it became clear that Union forces were withdrawing, many of the remaining newly-freed people followed lest they be re-enslaved. Judge Burwell had moved in with the Noble family, at least in part, because he was alone at home as "all, or nearly all his negros left him."[31]

Residents who fled Rome in fear had good reason to do so. Colquitt's ransoming of the city was just the beginning; by December 1864, Confederate General William Wofford reported that "bands of robbers are going through the country and taking any thing they want and killing who they please. […] There is no law of any kind in that section."[32] With the Atlanta railroad yards destroyed and the region already depopulated and despoiled, Union forces had little reason to visit Floyd County after November 1864. The Confederacy similarly might as well have forgotten about North Georgia; the next mail delivery would not occur until March 13, 1865, four months days after Union forces withdrew from Rome.[33]

The country was so empty and lawless that women had to protect themselves, an unheard of occurrence before the war. By the end of 1864, women often carried firearms to protect themselves, the presence of riffraff making it otherwise unsafe to travel. Women slept fully dressed in case raiders came in the night. One woman, her husband away at war, ran a group of

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[30] 1860 Census; 1864 Militia Census; Battey, *A History of Rome and Floyd County*, 198.

[31] Mary Noble to Lelia Montan, November 20, 1864, Mary Noble Papers, SHC.

[32] Warren Akin, *Letters of Warren Akin, Confederate Congressman*, ed. Bell Irvin Wiley, Paperback Edition (Athens, Ga: University of Georgia Press, 2010), 65.

[33] R.S. Norton, "Diary," Transcription, p. 87, in Norton-Towers Family Papers, Atlanta History Center.

thieves off at three a.m. by firing a repeater at them.[34] Other women whose husbands were absent moved in with neighbors for protection.[35] The same lack of men that led women to serve on the impromptu juries that Colquitt's men organized also forced them to be more self-sufficient than ever before.[36]

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While necessity created some allies among Floyd residents, prewar ties also played a role. Even when terrorizing Union sympathizers before the Confederate evacuation of Rome in May 1864, Colquitt frequently found his actions opposed by local Confederate authorities whose homegrown loyalties and friendships remained far stronger than any sense of allegiance to the Confederate cause—especially when that cause was nominally represented by a ruthless murderer. In the fall of 1864, Colquitt's men shot prominent Union supporter Thomas Gaddis in the head and left him for dead. The next day, the Texans robbed and beat a doctor traveling to care for the critically injured man. Soon after the shooting, Colquitt's men returned and took Gaddis's fourteen-year-old son, supposedly to force him into Confederate service, though perhaps they meant to absorb him into their own band. Twice, the boy ran away from them; the second time, instead of returning home, he went to Zachary B. Hargrove for protection.[37] As Confederate Provost Marshal for Floyd County, Hargrove found himself at times in the

[34] "Female Bravery," *Rome Tri-Weekly Courier,* January 30 1864.

[35] Akin, *Letters of Warren Akin*, 29.

[36] Very little has been written about the Civil War as a Refugee Crisis with a few notable exceptions. Mary Elizabeth Massey, "Southern Refugee Life During the Civil War," *The North Carolina Historical Review* XX, no. 1 (January 1943): 1–21; Mary Elizabeth Massey, "Southern Refugee Life During the Civil War," *The North Carolina Historical Review* XX, no. 2 (April 1943): 132–156. More recently a Yael Sternhell, *Routes of War: The World of Movement in the Confederate South* (Cambridge, Mass: Harvard University Press, 2012); Yael A. Sternhell, "Revolution in Motion: Human Mobility and the Transformation of the South, 1861-1865" (Ph.D., Princeton University, 2008).

[37] Approved Claim of Thomas J. Gaddis (13588) Floyd County, GA, SCC Approved, NARA.

contradictory position of enforcer of Confederate authority and protector of Unionists from Confederate vigilantes. In this case, he shielded the youth from further harassment.

Hargrove protected at least some Union sympathizers from depredations, and after the war, many Southern Claims claimants, including Peter Sheibley, utilized his testimony to prove their loyalty.[38] The claims commissioners viewed him as a trusted correspondent, and because of his role protecting dissenters during the war, one approved claimant, James Henry, even listed Hargrove, a former Confederate officer and self-avowed secessionist, as one of the prominent Unionists in Henry's neighborhood.[39] Dissenters held him in such high esteem that after the war, Hargrove rose to be one of the leading Republicans in the region. But while Hargrove clearly garnered the respect of many of his dissenting neighbors during the war, he was clearly not a dissenter holding a local office to avoid service. Hargrove volunteered for service in 1861 and helped raise a Confederate regiment in 1862 before resigning due to health issues. In addition to being appointed provost marshal for the Rome area, Hargrove even served as a Confederate scout during the Union occupation until he was captured by Union forces in October 1864.[40] After the war, Augustus Wright—who opposed secession in 1861—testified before Congress that:

> in the days of secession [Hargrove] was the worst fire-eater, I believe, I ever saw […] He deserves credit for some things; he came back with there with a military command , and did put down a set of infernal plunderers that robbed my poor

[38] Court of Claims Case File #4997 for Peter Sheibley, Entry 22, RG 123, NARA.

[39] Claim For James M. Henry (12560) Approved Claims, Floyd County, Georgia, NARA. Local histories allude to a fight between Hargrove and another notorious quasi-Confederate Guerilla, John Gatewood, but little is known about this, and it may be postwar myth as much as a reflection of wartime loyalty. (Battey, *A History of Rome and Floyd County*, 209.)

[40] "Homocide in Rome, GA," *Macon Weekly Telegraph,* February 14, 1868, see also Z. B. Hargrove and General Wayne, February 25, 1862, Incoming Correspondence for Adjutant General 1861–1914., GSA, via ancestry.com. See also CSRs for Z B Hargrove, 40th GA Infantry and 8th Georgia Infantry.

> people of bread and meat and everything on earth in the name of the confederate cause. He killed a good half dozen of them and threw them into the river in a week. I think he deserves the good will of the people there; he does mine, for I have reason to believe he saved my life. [41]

His work protecting the community engendered a sense of loyalty toward him by many in the region. Still, though many dissenters always recalled Hargrove's kindness toward them, other dissenters never forgave him for his role in enforcing Confederate policies regarding distilling liquor.[42]

While it took the complete collapse of law and order for some of the strange wartime allegiances to form, others were forged more easily, existing before the Union withdrawal and subsequent dissent into anarchy. There were diehards everywhere, and some locals would never get along with each other, no matter what the threat. But for other Floyd residents prewar loyalties and a belief in the right to express one's own opinions were always sacrosanct. Hargrove later recounted that although other men wished to hang dissenters like Sheibley who failed to support the Confederacy, he himself did not, for "while I was a Confederate, I was opposed to violence and he and I were brother masons and I felt called upon to prevent any extreme measures."[43] Like Thomas Hamilton, the Confederate quartermaster who provided Sheibley an exemption from conscription, Hargrove might enforce Confederate policy, but he felt no desire to harm his neighbors.

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[41] *Testimony Taken by the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States.*, vol. Georgia: Volume I (Washington, D.C.: Government Printing Office, 1872), 117.

[42] "Homocide in Rome, GA," *Macon Weekly Telegraph,* February 14, 1868; for prime examples of praise see Court of Claims Case File #4997 for Peter Sheibley, Entry 22, RG 123, NARA and approved Claim of Thomas J. Gaddis (13588) Floyd County, GA, SCC Approved, NARA.

[43] Court of Claims Case File #4997 for Peter Sheibley, Entry 22, RG 123, NARA.

The divisions created during the post-occupation period were not simple "locals versus outsiders" splits. Colquitt's men were not the only ones taking advantage of the lack of law enforcement in areas ravaged and depopulated by the war, and not all neighbors remained friendly. There were other men on crime sprees that have no known link to Colquitt. Twenty-year-old Wyly Nichols, a deserter from the 12th Georgia Cavalry, along with two other local men, robbed Zachary Baily of his mule and horse in the first few days after Union withdrawal. Nichols's two accomplices also took a second horse from another Floyd resident.[44] Lawlessness was not limited to men, either: in the aftermath of the Union withdrawal, Nancy Barnett assaulted her sixteen-year-old neighbor, Margaret Hudson.[45]

Even the conflict between Colquitt's gang and Hargrove's provost forces was not as simple as locals against outsiders. Colquitt often augmented his force of Texans with local Georgians who knew the terrain and local population. Among the brigands who nearly killed Lewis Burwell, for instance, were three local residents. Robert Barber and Early Billups were seventeen and nineteen, respectively, when they deserted from the 3rd Georgia Cavalry to join Colquitt's band of raiders. Burwell later identified both of them, along with William Terrell, a thirty-eight-year-old Floyd County farmer, as being among his attackers.[46] While the gang is often remembered as consisting of Texas deserters, it included numerous locals, and Colquitt's men and other gangs often recruited teenage residents and deserters from the area (often the only available locals left) into their gang.

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[44] Floyd County Superior Court Criminal Minute Books, Book B, p. 171-172, 176, Microfilm, GSA.

[45] Floyd County Superior Court Criminal Minute Books, Book B, p. 185, Microfilm, GSA; 1860 Census. The historical record unfortunately does not tell us what caused the fight.

[46] 1860 Census and Floyd County Superior Court Criminal Minute, Book B, 193-194 , GSA; Billup is listed as J.A.E. Billup in 1860 census but his identity is confirmed by the fact that his step father later helped him make bail.

Local recruits played a crucial role for the gang because they knew which local citizens could be trusted and which ones intimidated easily, as well as who was wealthy. In December 1864, when Colquitt and two of his men captured prominent dissenter Peter Sheibley, Colquitt's companions included a dark-haired local deserter named Adoniram Lumpkin. While holding Sheibley under guard, Colquitt sent Lumpkin to round up the local secessionist women who determined Sheibley's fate. Colquitt viewed men like Lumpkin as an extremely valuable resource due to their local knowledge. Whether Lumpkin wished to be part of the gang is unclear.[47]

Some of Colquitt's local recruits were surely unwilling participants. When two Texans set out on a mission to take a horse from John Ellis, they took Jerry Austin with them. Austin, at home in Floyd County on sick leave, had already refused two or three times to help retrieve the mare, stating that he "would not go with out […] some legal authority to take her." He could not, however, ignore the two heavily armed Texans' demand that he show them to Ellis's farm. There, the Texans shot Ellis and took the horse for their own use.[48] After Berry Houk, an informant for the Union army, fled neighboring Bartow County to avoid being killed by Confederate scouts, Confederate guerillas forced his son to guide them around his neighborhood.[49] He had little choice in the matter; refusing to aid men like Colquitt was not a healthy choice, especially when one's father was already suspected of being a Union spy.

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[47] Court of Claims Case File #4997 for Peter Sheibley, Entry 22, RG 123, NARA; File for Adonrum J Lumpkin, M347, "Unfiled Papers and Slips Belonging in Confederate Compiled Service Records," cited as Miscellaneous Compiled Service Records hence forth. Also CSR for Adoniram J Lumpkin, 13th Georgia Cavalry.

[48] Court Records of Floyd County, Floyd County Superior Court Minute Book #8, 391, GSA.

[49] Claim For Berry Houk (802) Gordon County, Georgia, SCC Approved Claims, NARA.

Alienating every local would have made it much harder for Colquitt to effectively terrorize the region. The Texan needed to intimidate some into helping him.

Lumpkin may also have wished to avoid interacting with Colquitt's men. His own story hints at a confused sense of loyalty. In 1863, he enlisted in the 16th Battalion Partisan Rangers. In August 1864, however, he deserted to Union lines and took the oath of allegiance, promising to stay north of the Ohio River for the duration of the war. Yet, he returned home to Floyd County. It might be tempting to assume he came back with the purpose of fighting for the Confederacy, but the truth seems more complicated. It is unlikely that he deserted to Union lines, took the oath of allegiance, and then returned home to continue the fight. He may have returned to see a new wife, whom he married on May 5, 1864, just days before the region fell to Union forces, only to find himself forced into Colquitt's gang.[50]

Perhaps by joining this gang, Lumpkin protected would-be victims of the Texans. Lumpkin appears to have been sympathetic or even friendly towards dissenters—even agreeing to testify for Sheibley's Southern Claims Commission case—and instead of beating the prisoner, as one of the other captors did, he merely traded hats with him, taking Sheibley's nicer haberdashery.[51] More telling is the fact that one of the "Rebel" women whom Lumpkin found to serve on Sheibley's jury appears to have belonged to a family full of well-known dissenters.[52]

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[50] Alabama Census of Confederate Soldiers, 1921, Georgia CSA Commands (Folder 2), Record for Adouirum Judson Lumpkin (accessed via ancestry.com, September 3, 2013). It appears Adoniram Lumpkin served first in the 18th Georgia Infantry. It seems likely that he joined the 18th, was discharged for health reasons, then later joined the 16th Cavalry (later the 13th) see CSR for A. J. Lumpkin 18th GA Infantry; File for Adonrum J Lumpkin, Miscellaneous Compiled Service Records; and CSR for Adoniram J Lumpkin, 13th Georgia Cavalry. The Census records lists his reason for leaving the service as taking the oath, which he did while in the 13th Cavalry, yet the census record also records that he enlisted in the 18th.

[51] Court of Claims Case File #4997 for Peter Sheibley, Entry 22, RG 123, NARA; CSR for Adoniram J Lumpkin, 13th Georgia Cavalry. The 16th was later changed to the 13th Cavalry.

[52] The woman's family (Formby) had multiple SCC claims and were often referred to as prominent Union supporters in other claims). Based on the location of the events and the name, the woman in question either had a

The most compelling evidence, though, is that Lumpkin's father was himself a dissenter, whom local secessionists had burned in effigy earlier in the war.[53]

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The bands of raiders that plagued Georgia during the war could be both extremely organized and large. A band led by John Gatewood reportedly included 150 men at one point.[54] With so many men, Gatewood's gang was large enough to worry Federal authorities in Chattanooga, who routinely sent patrols out hunting for him.[55] Other bands might be much smaller, with membership tending to fluctuate since, unlike a military unit, marauding bands had no muster roles and men could leave—at least in theory—by simply walking away.

Many of the gang leaders claimed to have legal authority for their actions from either the Union or the Confederacy. Bands often gained a reputation for being a Union- or Confederate-leaning force, based upon who they claimed authorized them to wreak havoc. For instance, after the war, Adoniram Lumpkin claimed Colquitt had been detailed by Confederate General Wheeler to "arrest all disloyal men and spies."[56] This claim may have been a lie told by Colquitt, or an attempt by Lumpkin to protect himself from accusations of being a rogue criminal. Regardless of Lumpkin's naivety or attempt at self-preservation, Colquitt had no such orders;

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husband who filed a claim, testified themselves for a claim, or lived next door to a family member who filed a claim. Claim For Obadiah Formby, (13614) Floyd County, Georgia, SCC Approved Claims, NARA; Claim For Edmund Lumpkin, (12562) Floyd County, Georgia, SCC Approved Claims, NARA.

[53] Court of Claims Case File #14036 for Heirs of Elijah Lumpkin, Entry 22, RG 123, NARA.

[54] *OR*, Series 1, Vol 39, part 3, 415, and *OR*, Series 1, Vol 39, Part 3, 208. *OR* will be used as the abbreviation for United States War Department, *War of the Rebellion: Official Records of the Union and Confederate Armies*, 128 vols. (Washington, DC: Government Printing Office, 1880-1901)

[55] *OR*, Series 1, Vol 39, Part 1, 616 -619 and *OR*, Series 1, Vol 39, Part 3, 415.

[56] Court of Claims Case File #4997 for Peter Sheibley, Entry 22, RG 123, NARA.

yet, he is often remembered as a Confederate.[57] A recent biography entitled *John Gatewood: Confederate Bushwacker* explicitly linked Gatewood with the Confederacy, although his only documented formal tie was as an army deserter.[58]

Few bands could be characterized as entirely Unionist or Confederate. Though Confederate deserters and recusant conscripts made up the bulk of the membership of the raiders, according to a Union scout's report, "many union Deserters belong[ed] to these bands" as well.[59] One band of rogue Georgians included both those who fled Confederate service and "a great many [who previously] belonged to the Yankee home guards," referring to the local units formed before and during the Union occupation to defend against Confederate scouts, guerillas, bands of deserters, and other raiders. When Sherman's army marched south and Thomas's forces withdrew towards Tennessee, the home guard unites found themselves without support and joined bands of bushwhackers themselves. Georgians often found it expedient to align with those who shared a common goal. A group of men "maurading" along the Coosawattie River to the northwest of Rome, reported a Georgia paper, "have joined these bogus organizations to keep from fighting."[60]

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[57] W. C. Dodson, *Campaigns of Wheeler and His Cavalry, 1862-1865* (Atlanta: Hudgins Publishing Company, 1899), 399.

[58] Larry Stephens, *John P. Gatewood: Confederate Bushwhacker* (Pelican Publishing Company, 2012). Another excellent resource on Gatewood is Robert Scott Davis, "Civil War Guerilla Fighter John P. Gatewood." *North Georgia Journal* (Autumn 2000): 56-58. see also Sarris, *A Separate Civil War*, 135–138.

[59] George M. Rose, "Statement of Geo. M. Rose," Correspondence, Reports, Appointments, and Other Records Relating to Individual Scouts, Guides, Spies, and Detectives, 1862 – 1866, Entry 36, Records of the Provost Marshal General's Bureau (Civil War), 1861 – 1907, RG 110, NARA; I am indebted to Keith Bohannon for graciously alerting me to this set of records. For more on size of the gang see also *OR*, Series 1, Vol 39, part 3, 415, and *OR*, Series 1, Vol 39, Part 3, 208.

[60] "Terrible State of Affairs in North Georgia," *Daily Constitutionalist*, February 11, 1865. This band was considered a Union supporting band.

Gatewood's band may have had firmer ideological commitments —it reportedly did not welcome former Union sympathizers—than other groups, but even its Confederate leanings had limits. While some Confederate authorities saw Gatewood as an effective force against the Union—a Mobile newspaperman even compared him to Francis Marion, the famed Swamp Fox of the Revolutionary War—most Georgians did not.[61] The Alabama reporter had apparently overlooked the fact that Gatewood frequently robbed Confederates. One Augusta paper reported that Gatewood's men "have done the Yankees and tories much harm; but they are also a terror to our own people, and on the whole do us much more than good." Shortly before this report, Gatewood's men stole $14,000 dollars in Confederate bills from Ellijay, Georgia, of which "there was not one dollar of it captured from a Yankee."[62] Historian Jonathon Dean Sarris may have put it best, writing, that Gatewood's loyalty was "vague and malleable."[63] The great Civil War satirist Ambrose Bierce recalled that "Gatewood was a 'guerrilla' chief of local notoriety, who was a greater terror to his friends than to his other foes."[64] While Gatewood may have preferred killing Unionists, a Confederate's money was still worth taking. To the people of Rome, Gatewood and Colquitt were two of a kind.

Feuds between groups that should have been natural allies demonstrate how tenuous a link to the Confederacy each band had. Regardless of their stated allegiances, the bands of raiders were not necessarily friendly with each other. In fact, though both were deserters from the Confederacy, Colquitt and Gatewood were as much at odds with each other and with other

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[61] "Gatewood, the Regulator," *Columbus Daily Enquirer*, November 4, 1864.

[62] "Terrible State of Affairs in North Georgia," *Daily Constitutionalist*, February 11, 1865.

[63] Sarris, *A Separate Civil War*, 135.

[64]Ambrose Bierce, *The Collected Works of Ambrose Bierce*, vol. 1 (Neale Publishing Company, 1909), 309.I would not have found this without Sarris, *A Separate Civil War*, 136.

bands of Confederate deserters as they were with Union men in the region. The two gangs' territories overlapped: Gatewood ranged from Polk County (south of Floyd) all the way into Tennessee.[65] Some reports even indicate that Colquitt may have been Gatewood's "most deadly foe."[66] Gatewood, for his part, was rumored to have killed multiple other guerilla leaders, both Union and Confederate.[67] According to one historian, "Gatewood's policy" was "to exterminate the other leaders and bands wherever he could."[68]

It is not surprising that Colquitt and Gatewood were rivals, given what we know of each man's personality. Gatewood's extra-legal career began as a guerilla and protégé of famed Confederate guerilla Champ Ferguson. He quickly began exhibiting behavior that could be described as sociopathic, at one point braining three Union soldiers with a rock in order to save ammo.[69] He was, by all accounts, extremely unstable and unpredictable, once sparing a man because, he said, "he had already killed a lot of men that day."[70] The total number of men he killed will never be known, but he once murdered twenty-five individuals, "including deserters, refugees, and innocent bystanders," in a two-day span.[71] Confederates even feared Gatewood. Ambrose Bierce's Confederate guards told the captured Union soldier to hide in the bushes each

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[65] Battey, *A History of Rome and Floyd County*, 205–206; Stephens, *John P. Gatewood*, 124.

[66] "Gatewood, the Regulator," *Columbus Daily Enquirer*, November 4, 1864; the paper refers to Colquitt as a Texas deserter named Colbert which is probably a typo.

[67] The only primary source I've found for this rumor is a newspaper article of questionable accuracy ("Gatewood, the Regulator," *Columbus Daily Enquirer,* November 4, 1864).

[68] Battey, *A History of Rome and Floyd County*, 206.

[69] Stephens, *John P. Gatewood*, 49–50, 69.

[70] As cited in Sarris, *A Separate Civil War*, 136.

[71] Sarris, *A Separate Civil War*, 136.

time they heard horses coming in case Gatewood's men happened along; they feared Gatewood would execute their prisoner out of hand.[72]

Even if the reports of Colquitt and Gatewood's feud were exaggerated, it remains clear that Colquitt and his ilk were far from friendly with many local Confederates. O. P. Hargis, a Confederate scout tasked with damaging the railroad near Cassville, recorded in his memories that he faced fire from both Union troops and "bush whackers" while behind enemy lines. Hargis failed to mention whether the "bush whackers" attacking him were Confederate deserters, Unionist guerillas, or some other group, but then again, perhaps he did not know.[73] Loyalty, after all, was as confusing then as it is now.

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Gatewood's irregulars, Rome's rag-tag patrol, and Hargrove's Confederate provost forces were not the only opponents who ran afoul of Colquitt. In 1865, Colquitt continued his raids, moving southward from Floyd County into Polk, where he encountered a family that made it their personal mission to hunt him and his men down.[74] The Prior family of Polk County—just south of Floyd—had not wanted to fight Colquitt. In truth, like many Georgians, John Prior wished to avoid military service altogether. In 1862, after serving a month in a cavalry unit, he hired a substitute from Floyd County to replace him and returned home.[75] In 1863, when drafted, "he refused to be mustered" and was labeled a "tory."[76] His younger brother, James, also

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[72] Bierce, *The Collected Works of Ambrose Bierce,* 310.

[73] O. P. Hargis, "Thrilling Experiences of a First Georgia Cavalryman in the Civil War," Confederate Miscellany Collection, Emory University, 9.

[74] The best discussion of localism is within Sarris *A Separate Civil War.*

[75] CSR for John T Prior, 1st Georgia Cavalry; 1860 census.

[76] CSR for John T Prior, Floyd Legion (State Guards).

received the same appellation.[77] After the war, the family continued to self-identify as Unionists, eventually applying for a claim through the United States Court of Claims in the early twentieth century.[78] Long before they made that claim, however, John and James, along with their father, Hayden, found themselves as leading civic figures in a lawless county after the withdrawal of Union forces. They formed a vigilante unit with neighbors and friends tasked with preserving the peace locally. Initially, the group arrested deserters and sent them on to the local jail. They soon found that arresting men and handing them over to local and Confederate authorities only bought the community a short reprieve. The prisoners were soon released and resumed their depredations, only now with especial anger toward their former captors. One night, in early 1865, John and James found Colquitt drunk in a Cedartown grocery store. There, they shot the inebriated man as many as eight times at point-blank range instead of attempting to arrest him. The result was exactly what one might expect: Colquitt died, and his men were enraged. On April 6, 1865, the gang retaliated by gunning down Hayden Prior and one of his slaves outside a friend's house, escalating the feud between the Priors and the Colquitt gang.[79]

In 1911, while testifying before the United States Court of Claims for remuneration, some members of the Prior family attempted to portray their decision to fight local raiders as one of loyalty to the Union. The family was intent on proving that Hayden Prior "was an intense

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[77] CSR for James Prior, Floyd Legion (State Guards).

[78] Court of Claims Case File # 14629 for Heirs of Hayden Prior, Entry 22, RG 123, NARA. See also United States House of Representatives, *House Report 632, Report to Accompany H. Res. No 470* , (House of Representatives, 61st Congress, 2nd Session, February 28, 1910); U.S. House, 61st Congress, 2nd Session, "H. Res 470, Resolution." Court of Claims Case File # 14629 for Heirs of Hayden Prior, Entry 22, RG 123, NARA.

[79] In theory it could have been in late December 1864. But it seems more likely to have been sometime in the first three months of 65. Houston R. Harper, *The Revenge of John Pryor: True and Thrilling Story of the Life of a Noted North Georgian*, 1897, http://archive.org/details/revengeofjohnpry00harp. The website contains a transcription of a 1897 newspaper article. The best modern handling of the Prior Colquitt fight is Gordon D. Sargent, "Bloody Legacy in Polk: A Frontier Family and Some Prior Commitments," *North Georgia Journal* (Summer 1995): 36–43.

Union man" and that Union forces had impressed $13,550 of supplies for the war effort, including twenty-five mules, a horse, four oxen, 2,400 pounds of flour, sixty hogs, two hundred foal, and one hundred twenty-five cases of tobacco. Though one—perhaps well-coached—witness testified that Hayden Prior "lost his life by the hands of rebel guerillas in spring of 1865 while in active opposition to the rebel cause," the testimony of others reveals the complexities of loyalty and the importance of local interests.[80]

The testimony of Hayden's own son, James Prior may have undermined the claim more than any other evidence. Asked how his father "aided and abetted" Union forces, James replied, "he didn't do anything there, he was quiet with both sides." This was not the story that the lawyer wanted the witness to relate. His other answers were similarly harmful to the case. Asked to explain which forces Colquitt commanded, James began, "he didnt [sic] command any forces only the scouts, on the Confederate side. He claimed to be a rebel, but....."[81] At that point, the lawyer cut him off, moving on to the next question before James could point out that Colquitt was hardly a Confederate. The lawyer had not been fast enough, though, and under cross-examination, the lawyer for the Government followed up on the train of thought, eventually making James acknowledge that Colquitt's men "claimed they belonged to the rebels, but they didnt [sic] belong no where except scouting around taking anything they could get their hands on." Asked if there had been any "regular forces of the Confederate army" in the region, James replied honestly, "No sir only these floating gangs over the country. That is how come us killing them, got so bad somebody had to do something." One can almost hear the family's attorney

[80] Court of Claims Case File # 14629 for Heirs of Hayden Prior, Entry 22, RG 123, NARA. So far as I have been able to establish no scholar has used this case file before in their study of either the Priors or Colquitt.

[81] Court of Claims Case File # 14629 for Heirs of Hayden Prior, Entry 22, RG 123, NARA. Ellipsis in original testimony.

face-palm himself as his percentage of any winnings disappeared with James's exceedingly honest answers. Contrary to the family's claim, necessity and self-preservation, not hatred of the Rebellion, had motivated them.[82]

Other witnesses further weakened the Priors' petition. When Union veteran Allen Hampton was questioned about Hayden Prior's efforts to aid the Union, he answered, "I never knowed him to assist. All I knowed him to do he had the guards round there to keep the soldiers from robbing." When asked how Hayden died, his response was similarly lackluster: "I suppose he lost his life trying to protect the women and children, keeping the robbers out of his neighborhood." Perhaps the most surprising witness on behalf of the claimant was Joseph Blance, a former Confederate volunteer and officer. Blance had helped raise one of the first regiments from Georgia and fought until Second Manassas, where, as he described it years later, "I had my feelings badly hurt and had to retire from active service" (he had lost his arm as a result of a battle wound). [83] Returning home, the crippled Blance commanded the local home defense forces responsible for rounding up deserters and conscripts, making him a surprising friend for a loyal Union man like Prior. Though they disagreed on politics, Blance and Prior remained friends during the war. Perhaps the jointly-held mission of deterring men like Colquitt helped maintain their prewar friendship through the conflict.

The Priors' response to Hayden's death had little to do with the larger war and instead revolved around local and family loyalties. In 1865, upon learning his father had been shot, John Prior immediately rounded up a few friends to pursue the murderers. John and his crew tracked

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[82] Court of Claims Case File # 14629 for Heirs of Hayden Prior, Entry 22, RG 123, NARA.

[83] Court of Claims Case File # 14629 for Heirs of Hayden Prior, Entry 22, RG 123, NARA. It took the clarifying question "Where you incapacitated on that day from further service?" to get the details of his "hurt feelings."

three of the gang responsible for Hayden's death into Alabama, where the posse gunned the murderers down. Realizing they had not yet caught their father's actual killer, however, just other members of the gang, the brothers continued their vendetta even after the war ended. Whenever the Prior brothers heard of one of the actual killers being in the area, they sought him out. Eventually, word came that the shooter was living in Haralson County, to the south. In early July 1865, along with two friends, James and John Prior surprised the killer, a man named Phillips, while he plowed a field. Phillips begged for his life and then fled; as he ran, John shot him in the back, calmly walked up to the doomed man, and shot him in the chest to ensure his death, all within sight of Phillips's wife and children.[84]

John then remounted and rode toward a house where another member of the group that murdered his father lived. Although the man had fled in advance, John did not stop his pursuit. Instead, he sought information about the man from sources as distant as Texas, and when word arrived that the man resided in Arkansas, he traveled there to kill him. The former gang member received a reprieve only because the man's brother-in-law talked John out of killing his sister's husband.[85]

Though the Priors called themselves Union men, they were far from friendly with all those who opposed the Confederacy. When escaped slave Hubbard Pryor enlisted in the United States Army in March 1864, he did so against the wishes of his owner, Hayden Prior. Pryor had run away before Union forces reached the region and made his way to Chattanooga. Having witnessed other slaves take the same chance—even before the war began, fugitives had fled the

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[84] Gordon D. Sargent, "Bloody Legacy in Polk: A Frontier Family and Some Prior Commitments," *North Georgia Journal* (Summer 1995): 36–43; Harper, *The Revenge of John Pryor*.

[85] Harper, *The Revenge of John Pryor*.

family's plantations—Pryor did everything he could to avoid returning to his former master's home. In October 1864, Pryor's unit surrendered when the Union garrison at Dalton, Georgia, was surrounded. When captured, Pryor apparently concealed his identity, choosing to work on a Confederate railroad gang rather than be returned to his owner. Only when the war ended did Pryor return to Polk County. Though both Pryor and the Priors nominally supported the Union, they did not see each other as allies. The wealthy white family may have opposed the Confederacy, but they had no qualms about slavery. In fact, the family owned over 150 slaves, making them the largest slaveholders in the region.[86]

In contrast to Hubbard Pryor, some of the Priors' former slaves were allies of the family. According to John Prior's account of the events, provided over thirty years after they unfolded, a "faithful Negro" helped in the search for his father's killers. Whether the former slave did so of his own free will, because he was forced to, or because he wished to protect his own family from Colquitt remains unknown. What is known is that John supposedly gave the man a horse and one of the pistols from the dead gang members, implying a relationship other than that of owner and slave. In 1860 the idea of arming a slave with a pistol was anathema to southern whites, but by 1865 things had changed. Perhaps by 1865 former slaves could see their former masters as allies of convenience, especially when faced with a sociopathic killer.[87]

Though secessionists constantly feared an interracial alliance among anti-Confederates, few dissenters were avowed abolitionists. According to one report from neighboring Gordon

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[86] Gordon D. Sargent, "Hubbard Pryor and the US Civil War," *North Georgia Journal* (Spring 1999): 32–34. The 1860 Census Slave Schedule shows multiple slaves as runaways; however they may be stray marks or from counting slaves up. (*1860 U.S. Federal Census - Slave Schedules*, United States of America, Bureau of the Census. Eighth Census of the United States, 1860. National Archives Microfilm Publication M653, Washington, D.C.: National Archives and Records Administration, 1860. accessed via *Ancestry.com, (www.ancestry.com,* November 2010) cited as 1860 Slave Schedule).

[87] Harper, *The Revenge of John Pryor*.

County, a white dissenter threatened to shoot a justice of the peace for calling him an abolitionist. The anxiety caused by the threat of interracial revolt was, furthermore, extremely real to many southerners. In the same letter, the author fearfully related rumors that "some of [the dissenters] say, in case of insurrection they will help the negroes."[88] How much of the talk of interracial revolt came from fear, and how much reality, is hard to judge. The nature of interracial alliances meant that they had to be even more secret than all-white dissenter networks. White dissenters could conspire with a white neighbor without necessarily raising suspicion. Conspiring with a neighbor's slave, however, was not only harder to do, but was also less useful—slaves typically had few resources to help a white dissenter—and significantly more dangerous.

Still, some whites and African-Americans clearly chose to help each other. Slaves and free people of color knew, through informal networks, which whites were trustworthy and which were not. One slave recalled of Wesley Shropshire, "the rebels always looked on Mr. Shropshire as a Union man and so did the colored people"[89] In another episode, after the death of a local "negro who was killed by Rebel Scouts as they said for giving information to the Federal forces," white farmer John Partlow threshed wheat for the man's widow. Partlow knowingly exposed himself to danger and received threats from rebel scouts for helping the black family.[90] White dissenters had an easier time deciding whom to trust. For white dissenters, it was significantly safer to discuss their political leanings with slaves than with whites who had

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[88] L. R. Ramsaur to Gov. Joseph Brown, December 14, 1861, Governor's Incoming Correspondence, GSA.

[89] Approved Claim of Wesley Shropshire (3163) Chattooga County, GA, SCC Approved, NARA. For an excellent discussion on Shropshire see David T. Dixon, "Enemy on the Home Front." For a discussion of the varied ties between slaves, masters, and free people of color see David T. Dixon, "To Laugh in One Hand."

[90] Approved Claim of John Partlow (15128) Gordon County, GA, SCC Approved, NARA.

unknown political leanings. For instance, Edmund Lumpkin was the first to tell former slave Steven Alfred that he was free, though Alfred did not believe him until Union troops arrived in the area. Years later, Alfred remembered that Lumpkin could discuss the war with the former slave "more freely than he did to white folks."[91]

Prewar ties often determined with whom African-Americans chose to confide. Peter Shiebley had close relationships with slaves and free people of color. In fact, it had been a prominent free person of color, William Higginbotham, who prevented an attack upon Sheibley by Shiebley's brother-in-law early in the war. Shiebley had secretly taught local free people of color including Higginbotham's nephew, how to read before the war.[92] In general, though, slaves had to be constantly vigilant about whom they spoke with. After the war, Sheibley testified about a neighbor that, "as a slave he was particularly cautious but owing to his knowledge of […] my friendship for his class he spoke more freely to me than any one else."[93] Only the most well-known unionists or even abolitionists were approached by slaves before emancipation. Being caught collaborating with the Union had even more devastating results for African-Americans than for whites. Later in the war, however, as the death of slavery became a reality interracial alliances began forming more easily.

Dissenting slave owners and their slaves also occasionally worked in concert against common enemies, though perhaps they did so for different reasons.[94] John Prior and his former slave joined together to hunt down the lawless elements who had killed both Prior's father and

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[91] Approved Claim of Edmund Lumpkin (12562) Floyd County, GA, SCC Approved, NARA.

[92] David T. Dixon, "To Laugh in One Hand," 15. See also Court of Claims Case File #4997 for Peter Sheibley, Entry 22, RG 123, NARA. Sheibley also appears to have taught slaves.

[93] Approved Claim of Albert Berrien (3558) Floyd County, GA, SCC Approved, NARA.

[94] For more on interactions between slave owners and slaves see Dixon, "To Laugh in One Hand."

one of his slaves. African-Americans—free and slave—clearly had a vested interest in ridding the neighborhood of Colquitt's men, just as Prior did, for lawless men like Colquitt killed ex-slaves just as quickly as their former masters. In another example, Willis Carr guided his master's two sons in their escape to Union lines. Whether compulsion or support for of the Union cause drove Carr's actions remains lost to history.[95]

Neighborhood slaves often associated closely with free people of color. With only thirteen free people of color enumerated in Floyd County in 1860, options for interactions with other free people of color were slim. Slaves and free people of color were frequently linked through kinship. Early in the war, William Higginbotham worked as a servant for a Confederate officer in exchange for the right to buy the freedom of his children, who were enslaved with their mother. The officer refused to sell them unless Higginbotham worked as his servant at the front. The Confederate likely feared his own slaves would flee if brought so close to Union lines, but he still wanted a servant. What on the surface might have appeared as a "Black Confederate" was thus actually a father displaying his love for his family.[96] Instead of voluntarily supporting the Confederacy, Higginbotham was coerced to aid the rebellion.

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After the Union withdrawal the Floyd region remained a strategic backwater for the remainder of the war, ignored by both sides. Only with the imminent end of hostilities did the area become a focus for military commanders. In the end, both Union and Confederate authorities found the situation so untenable that the two sides came to a sort of truce to destroy

[95] David T. Dixon, "To Laugh in One Hand," 16.

[96] David T. Dixon, "To Laugh in One Hand," esp. 14–15. See also Court of Claims Case File #4997 for Peter Sheibley, Entry 22, RG 123, NARA; like Sheibley, Higginbotham also testified in numerous SCC cases including those of slaves (see for example, Approved Claim of Allen Witcher (17094) Floyd County, GA, SCC Approved, NARA).

the bands of deserters. In early 1865, General William T. Wofford, a resident of Cassville, was ordered to take command of the Department of Northwestern Georgia "to collect stragglers and deserters in Northern Georgia and dissolve illegal organizations."[97] In April 1865, when Robert E. Lee ordered Wofford to try to cut communications with Chattanooga and Knoxville, Wofford ignored the orders. Instead, Wofford opened up communications himself with Union forces in order to arrange the transport of food to the northernmost counties. An agreement was eventually reached to allow the transport of provisions from Confederate lines to civilians behind Union lines.[98] During negotiations, Wofford informed Union General George H. Thomas that he would "ignore Confederate in favor of State authority."[99] The threat of further destruction by Union authorities in North Georgia—his home—if the truce broke was too much to risk on a foolhardy and pointless attack on Chattanooga or Knoxville. Wofford even warned Thomas when stragglers, including Gatewood, who were unwilling to follow Wofford's orders, reportedly planned to attack the Knoxville Railroad.[100] Protecting his community and home became Wofford's goal, and so as the war ended, even a Confederate general might find his allegiances to nation and homeland at odds with each other.

Wofford focused on restoring law and order to North Georgia. Surrender occurred later than it otherwise might have because Wofford was busy traveling around the county attempting to rid the county of bushwhackers. He even apologized to his Union counterpart, explaining, "I would have proposed an earlier date, but I am en route to one of the upper counties, where I have

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[97] *OR*, Series I, Vol 49, part 2, 1151.

[98] *OR*, Series I, Vol 47, part 3, 765, 767; *OR*, Series 1, Vol 46, part 3, 1391; *OR*, Series I, Vol 49, part 2, 355, 361.

[99] *OR*, Series I, Vol 49, part 2, 355.

[100] Gerald J. Smith, *"One of the Most Daring of Men": The Life of Confederate General William Tatum Wofford* (Murfreesboro, TN: Southern Heritage Press, 1997), 141.

an appointment to meet some of the men who have been bushwhacking, to the terror and injury of our unfortunate people."[101] For Wofford, the war between North and South was over, and the only thing that prevented his surrendering was the need to protect civilians from raiders. He openly stated during negotiations that "the protection of the citizens of upper Georgia" from bushwhackers led him to delay surrendering for fear that brigandage would escalate after the peace.[102]

As the war ended, Union commanders were faced with the question of what to do with the bushwhackers and raiders in their area of control. Wishing to bring about peace, Brigadier General H. M. Judah reported that he had fixed upon a course of action to deal with the bands of lawless men:

> Many of these men have been guilty of gross barbarities and deserve death, but out of consideration for the future peace and welfare of the country I deemed it the more politic course to ignore the past and get rid of them in the most summary manner. It was generally understood among them that, although by the terms of their parole they were not to be interfered with by military authorities, they were still liable to civil prosecution for offenses committed against the persons and property of the citizens of Georgia; and the most of them, as I am informed by General Wofford, are on this account prepared to leave the country as soon as paroled.[103]

Though Judah may have thought separation would solve the issues, he failed to realize how many of the offending individuals were not outsiders. The local nature of the intercommunity conflict ensured that the worst violence was often between neighbors who would continue to interact after the war. Though surrender had occurred, divisions and bitterness remained in many

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[101] As cited in Smith, *One of the Most Daring of Men*, 144. Smith's work provides the best account of Wofford's attempt to bring about law and order. Smith had access to privately held documents not available to most scholars. I relied heavily upon his biography of Wofford for the above few paragraphs on the end of the war and Wofford's role in it.

[102] *OR,* Series 1, Vol 49, Part 2, 456.

[103] *OR*, Series 1, Vol 49, Part 2, 804.

southern communities. While men like Gatewood or Colquitt (if he had not been killed) might leave for Texas, others still lived nearby, and civil authorities attempted to prosecute cases from the war during Reconstruction. Divisions that were the counterpart to the strange allegiances of war continued long after Wofford surrendered. The local nature of loyalty may have helped bring about reconciliation in some cases as well; the attempts of Rome's citizens to protect each other in 1864 likely helped erase some of the bitterness from earlier intra-community squabbles.

Recently, historians have pushed the idea of multi-facetted motives for choosing sides and have stressed the fluid nature of loyalty. Because of the fluidity of loyalty, the terms Unionist and Confederate are often inadequate to describe the conflicts within southern communities. Not uncommonly, the conflict was too confused to be able to describe either side as Union or Confederate, let alone define two camps. Even defining one camp is difficult. The networks of friendships and feuds were too complex. The nuanced differences among anti-Confederate, Unionist, and dissenter are themselves still inadequate to describe some individuals. While there were diehard Unionists and devout Confederates, it is the other, numerous, but often overlooked citizenry of divided loyalties that cannot be easily characterized that raise intriguing questions. Hargrove, Shiebley, Lumpkin, Colquitt, and the Priors demonstrate that in modeling communities networks are far more useful than simply coding individuals as loyal or disloyal. Connections (ties) between individuals (nodes) who interacted during the war—positively or negatively—create a network displaying both friends and foes. By analyzing the ties (social scientists call this "link analysis" or "social network analysis"), it becomes clear that the networks cannot be easily divided into camps.[104] While groups of closely connected individuals

[104] For an excellent introduction into the topic of social network analysis, Brian V. Carolan, *Social Network Analysis and Education: Theory, Methods & Applications,* (Thousand Oaks, CA: SAGE, 2013), esp, 43-49.

(often called cliques) exist, numerous individuals defy one-dimensional labeling by linking to some members of a clique with positive ties while having negative ones to others. The war's complex networks had lasting implications during Reconstruction, as social networks remained complex.

No one community experienced loyalty during the Civil War in the same way as any other. The importance of location, economy, demography, and individual personalities ensured that each area in the South witnessed dissent and intra-community conflict differently. For devastated North Georgia, political allegiances were simply too costly. The focus of most North Georgians by the end of the war was simply survival. While Loudoun County had experienced destruction—most notably during the "Burning Raid" of 1864 to deprive Mosby of resources—the periodic opening of trade over the Potomac, smuggling from the North, and the wealth of the county ensured few went entirely hungry. In contrast, by the summer of 1865, approximately thirty-eight percent of residents (over three thousand individuals) in Bartow County, Georgia were estimated to be "entirely destitute," and only thirty-six percent were estimated to have enough supplies to last until September 1, 1865. Over two thousand Bartow residents simply raised no crops that summer, having been unable or unwilling to get crops in the ground.[105] Many former Confederate soldiers returned home in April or May (or June, for some prisoners of war) destitute and unable to afford the draft animals, farming machines, seed, and labor needed to prepare and plant the fields that had lain fallow during the war. Forsyth, by comparison,

[105] *OR*, Series I, Vol 49, part 2, 1062; see also Smith, *One of the Most Daring of Men*, 142.

witnessed little destruction from Union forces. Stoneman's raiders took horses from the North Carolinians but burned no barns, houses, or crops.[106]

But while there were important differences in the three communities on which this dissertation focuses, there were also numerous similarities when observed in a general sense. All witnessed some form of dissent. All experienced violence and the creation of multiple alliances at home. All experienced intra-community conflict, and each community was devastated physically, economically, demographically, and socially to varying degrees and manners. Fundamental to the destruction of the antebellum order was the replacement of old networks with new ones, and these new networks had lasting implications during Reconstruction and beyond.

[106] In Forsyth County NC, only one factory was looted but otherwise the raiders passed through quickly moving on to destroy rail bridges and stealing horses as they passed.

Chapter 5: "Land of Desolation and Sorrow"
The Lasting Effects of the Civil War on Social Networks in Southern Communities.

As the Civil War entered its last phase in the winter of 1864–65, Sue Janney and her mother ascended a hill outside Hillsboro, Virginia, to observe the surrounding countryside. On reaching the crest of the hill, she "beheld a sight that I hope I may never look upon again." Janney gazed down upon plumes of smoke marking where her neighbors' barns burned. "As far as the eyes could reach-towards Mt. Gillead, Leesburg, Point of Rocks, and Waterford- smokes were rising in volumes [sic]," she recounted in a letter to her brother later that night, as "the sky all round the horizon looks like a sunset-reflections from flames." She lamented to her brother how "a terrible scourge has fallen upon the citizens of Loudoun" County as Sheridan's cavalry rode through northern Loudoun, destroying the supplies that supported Confederate guerillas as well as fed civilians.[1] A few days later, she wrote her brother again, but instead of her normal heading of "Hillsboro" at the top of her letter, she wrote from the "Land of Desolation and Sorrow."[2] Her description could have been applied to much of the South.

Horrendous physical destruction had changed the southern landscape by January 1865. Destruction followed Confederate and Union armies. We will never know precisely how many buildings were burned, how many houses were destroyed, or even how many acres of forest were consumed as firewood by the armies that marched across the South. One telling marker of the destruction was the loss of fences, as soldiers often used them as an easy source of fuel. In diary

[1] Sister Sue to Nathaniel Janney, November 30, 1864, Janney Family Papers, Haverford.

[2] Sister Sue to Nathaniel Janney, n.d., Janney Family Papers, Haverford. While not dated, it appears to be written December 4, 1864.

after diary, chroniclers mentioned mending and building fences in 1865 and 1866 far more often than in any previous or subsequent year. Traveling from Rome to Atlanta in 1865, R.S. Norton found "a perfect track of desolation, all fences gone, Houses burnt, hardly no land in cultivation, the principal parts [meaning business districts] of the Towns of Cartersville, Ackworth, Marietta and Atlanta are destroyed."[3] Upon arriving in Rome, Norton found destruction and loss at his own home. On February 22, 1866, the credit reporting institution R.G. Dun and Company noted in their rating ledgers (the forerunner of today's Dun and Bradstreet credit ratings) that Norton "is considered a very shrewd and successful bus man but lost vy [sic] heavily by the war." A few months later, a follow-up report recorded that Norton had been "badly injured by the raid."[4]

Norton was far from the only businessman to take a loss. The economic impact of such a destructive war is hard to overstate. Southern merchants lost their stock, farmers their crops, and businesses of all sorts went bankrupt. The Dun credit ledgers for Forsyth County, North Carolina, noted reports of good credit for cobbler Jesse A. Waugh in both June and December 1860, but by August 1866, his ability to pay was "doubtful." Then, in March 1867, Dun and Company noted Waugh was "out" of business, and two months later, the company simply stated the shoemaker was "broken."[5] In all three communities, similar reports abounded in Dun and Company's credit reports. In Loudoun County, the Dun credit reports for many store owners cease entirely after 1860 or 1861, or in other cases have the postbellum notation, "out of bus, still

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[3] R.S. Norton, "Diary," Norton-Towers Family Papers, Atlanta History Center, 103–104; for other examples of destroyed fences, see Robert Battey, to Mary, July 19, 1865. Robert Battey papers, MSS 361, Emory; and Senate Committee on Education and Labor, *Report of the Committee of the Senate Upon the Relations between Labor and Capital and Testimony Taken by the Committee*, vol. IV (Washington: Government Printing Office, 1885), 339.

[4] Georgia, Vol. 12, p. 181, R.G. Dun & Co. Credit Report Volumes, Baker Library Historical Collections, Harvard Business School.

[5] North Carolina, Vol. 10, p. 473, R.G. Dun & Co. Credit Report Volumes, Baker Library Historical Collections, Harvard Business School.

there," implying the owners had ceased operating their business but remained in the community. Only a few received reports like Waterford merchant S.A. Gover, who "was in bus during the war at Point of Rocks Md and no doubt made some money, consid good [sic]."[6] The informants of the Dun Company recognized the situation on the ground; the credit report of one fortunate Floyd County merchant included the report that he "made considerable money it is said during the war—a rare thing for a southerner."[7] The dramatic decrease in southerners' ability to pay their debts greatly impeded efforts at recovery and rebuilding.

The destruction of southern railroads, bridges, ferries, and other parts of the transportation network further hampered efforts to relieve the material suffering of southerners. Roads had gone unmaintained and needed repairs after four years of neglect.[8] Increased transportation costs, inflation, lack of specie, and decreased supply meant that in May 1865, goods sold at "2 or 3 times the former prices, and in some cases much higher."[9]

Perhaps the largest economic (and social) impact the war brought was the end of the South's peculiar institution: slavery. Economic historians have estimated slaves accounted for 44 percent of the Antebellum South's wealth. The war then wiped out more than three billion dollars' worth of southern wealth in four years by transforming, at least from a legal standpoint, property into people.[10]

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[6] Virginia, Vol. 24, p. 185, R.G. Dun & Co. Credit Report Volumes, Baker Library Historical Collections, Harvard Business School.

[7] Georgia, Vol. 12, p. 170D, R.G. Dun & Co. Credit Report Volumes, Baker Library Historical Collections, Harvard Business School.

[8] In many counties, grand juries lamented the state of the road and called for repair. See, for example, "General Presentments of Grand Jury of Floyd, Jan. Term, 1866," *Rome Weekly Courier*, January 26, 1866.

[9] R.S. Norton, "Diary," Transcription, 104, in Norton-Towers Family Papers, Atlanta History Center.

[10] Thomas D. Russell, "Slave Auctions on the Courthouse Steps: Court Sales of Slaves in Antebellum South Carolina," in *Slavery & the Law*, ed. Paul Finkelman (Madison, Wis.: Madison House, 1997), 339; Gregory S.

Fences, businesses, slavery, and passable roads were far from the only things absent in many southern communities. In countless communities, hundreds of men failed to return home intact. Some never returned and instead were buried in often unmarked graves across the South; others came back physically and psychologically maimed. The prevalence of PTSD and other mental health impacts of the war are impossible to diagnose retroactively, but the impact of war upon veterans' bodies was visible to all Americans.[11] Historians estimate that around 40,000 Americans returned home from the war missing a limb.[12] Major R.E. Wilson, who oversaw the execution of five deserters in Forsyth County, returned home missing one leg, thanks to a cannonball fired just a week before Lee surrendered. He was just one of at least 160 soldiers from Forsyth County who survived a wound of some sort.[13] Of these, at least twenty-six veterans filed claims for prosthetic limbs with the North Carolina state government.[14] Others lived the rest of their lives with a sleeve or pant leg pinned up, hobbling around on crutches or on a primitive prosthetic they bought themselves.

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Alexander, *Commodity & Propriety: Competing Visions of Property in American Legal Thought, 1776-1970* (Chicago: University of Chicago Press, 2008), 232.

[11] For more on mental health changes caused by the Civil War, see Eric Dean, *Shook Over Hell: Post-Traumatic Stress, Vietnam, and the Civil War* (Cambridge: Harvard University Press, 1997); David Silkenat, *Moments of Despair: Suicide, Divorce, & Debt in Civil War Era North Carolina* (Chapel Hill: University of North Carolina Press, 2011).

[12] Glenna Schroeder-Lein, *The Encyclopedia of Civil War Medicine* (Armonk, N.Y.: M.E. Sharpe, Inc., 2008), 15–17.

[13] Database of Military records of Forsyth Soldiers, Compiled by Maia Call and Adam Domby.

[14] Ansley Herring Wegner, *Phantom Pain: North Carolina's Artificial-Limbs Program for Confederate Veterans: Including an Index to Records in the North Carolina State Archives Related to Artificial Limbs for Confederate Veterans* (N.C.: Office of Archives and History, N.C. Dept. of Cultural Resources, 2004). Not all amputees filed for aid, only those who needed financial help. Many others bought their own. R.E. Wilson, for example, was not one of the twenty-six and opted to use a crutch instead of a prosthetic.

While the physical destruction was the war's most visible impact, the conflict also wreaked havoc on communities in less obvious ways. First and foremost, the war fractured communities themselves, breaking many prewar social bonds. While farmers rebuilt their literal fences during the first years of Reconstruction, more figurative fences also needed mending within southern communities. Some neighbors viewed each other with suspicion and hatred, and old friends no longer spoke to each other as feuds simmered, even after peace was officially declared. One North Carolina newspaper editor complained that "one of the saddest features attending the close of the late struggle between the North and South, is the enmity and bitterness left behind, consequent upon the general lawlessness and violence produced by the demoralization of society."[15] He described perfectly not only North Carolina but also divided communities across the South. The war had shattered antebellum social networks.

Looking at the war's impact upon social ties—both their destruction and creation—provides a more richly developed picture of the Reconstruction-era South. The new social networks that came out of the war, driven by wartime allegiances and adversaries, remained influential after the war. By examining how the connections between individuals changed, we can develop a better understanding of the postwar period. While surviving sources do not allow us to map everyone within a community, they can provide glimpses at sections of social networks. These slices of social networks reveal the continued influence of both positive and negative relationships between community members.

This chapter begins by examining some of the social fractures (or negative relationships) left within southern neighborhoods, churches, and social organizations. Examining social fissures reveals that the war *within* the states, fought between neighbors, left far more and much

[15] "Acts Committed During the War," *Wilmington Journal*, November 22, 1866.

deeper divisions within southern communities than the sectional "War Between the States." The many micro-fractures within divided communities reshaped antebellum social networks.

While the war disrupted antebellum social ties, it also created new bonds between wartime allies. These new social networks, which rested on shared wartime experiences, heavily influenced social life and community relations during reconstruction. After examining the divisions within communities, this chapter utilizes the Southern Claims Commission's records to recreate the social networks of individual dissenters, providing unique a look into Reconstruction-era communities. These social networks proved crucial in the creation of postwar political parties and a distinct Unionist political identity premised upon wartime dissent. In using the term Unionist throughout this chapter, I refer to the postwar political identity that largely consisted of wartime dissenters.

When the Republican Party expanded into the South, party leaders viewed both white and black dissenters as a natural constituency and worked to capture their votes. Examining Republican rhetoric and party organization provides a better understanding of the role Unionism and anti-Confederate dissent played in postwar political identities. In speeches, newspapers, and campaign circulars, Republican politicians portrayed themselves as the protectors of dissenters and cast their political opponents as the heirs of secession and Confederate conscription. As Republican politicians appealed to wartime loyalty for votes, they simultaneously attempted to utilize the social networks born of war to create a political machine. The creation of Union Leagues, semi-secret political clubs of Unionists, provided the Republicans with a nascent party apparatus. The Union Leagues proved crucial—at least for a few years—in organizing the South's Republican Party. Without the wartime divisions and friendships created by intra-community conflict, the Leagues would never have been as influential as they were. Finally, the

chapter concludes with a detailed examination of the 1876 North Carolina gubernatorial race, showing the importance networks and Unionist identities continued to have a decade after the war ended—networks and identities that could never have evolved without the persecution directed against dissenters and the consequent fragmentation of antebellum communities.

******Lasting Divisions During Reconstruction******

In 1866, a newly-arrived minister at the Friedberg Moravian Church noted in his diary that "ever since my entrance upon my duties I had been painfully sensible that the results of the war had left their sad effects upon this congregation." The acrimony remained so divisive that the minister believed that "political feeling was now as high as during the struggle, and the bitterness between the two parties threatened to wreck the church."[16] Friedburg was not the only congregation with problems; two and a half years after Appomattox, the same minister dreaded his monthly visit to preach at the Macedonia congregation just across the Yadkin River in Davie County. Returning home from his December 1868 visit, the minister wrote in his diary, "'Tis rather discouraging over there. The war has left a bad effect in dividing people politically. There never can be much accomplished over there."[17] Even before the war ended, at least one leading member of a Bethabara Moravian congregation had ceased attending church because he felt a preacher's sermons were too pro-Union.[18] These divisions, firmly rooted in the war, lasted long after the guns fell silent.

While views on national political issues caused some strife, local concerns and events caused far more of the intra-congregational bitterness. Numerous members of Friedburg's

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[16] C. Daniel Crews and Lisa D Bailey, eds., *Records of the Moravians in North Carolina: 1856-1866*, vol. XII (Raleigh: Division of Archives and History, North Carolina Department of Cultural History, 2000), 6661.

[17] C. Daniel Crews and Lisa D Bailey, eds., *Records of the Moravians in North Carolina: 1867-1876*, vol. XIII (Raleigh: Division of Archives and History, North Carolina Department of Cultural History, 2006), 6845.

[18] Crews and Bailey, *Records of the Moravians*, XII, 6588.

congregation died fighting for the Confederacy, but the congregation's membership also included former deserters and recusant conscripts. Perhaps most notable among them was former Confederate deserter John Crouch, whose older brother, Augustine, had been executed for desertion during the war. Augustine may well have been captured by members of his own congregation.[19] In 1863, in the midst of the war, the minister for the nearby Friedland church noted in his diary that the Home Guard "had been called out to secure the persons of deserters, etc., and as some of the children of members were discovered by said home guard there was considerable feeling against members who were serving in the Home Guard." [20] Forgiving someone who sent your child off to be executed was difficult for even the most pious Christian. In the aftermath of the war, Moravian clergymen constantly worried that "the remains of the political discords and dissentions are still to be traced, and these must all be worked off before the church can be blessed."[21] Healing congregations and the larger Forsyth community proved easier said than done.

The peace-loving brethren of Forsyth County were not the only denomination that found division within their congregations. A court battle over whether a Unionist or pro-Confederate faction of a split antebellum congregation owned Harmony Methodist church in Hamilton, Virginia, lasted fifteen years.[22] Another Loudoun church located in Hillsborough, Virginia, experienced a similar fight over control of their church, as did Winchester's Methodist Episcopal

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[19] Milton H. Fulp, "Brief History of the Late 'Confederate Guards,' Organized at Winston, Forsyth Co. N.C," *People's Press*, January 6, 1866; CSRs for Augustin and John Crouch, 48th NC; Crews and Bailey, *Records of the Moravians* XII: 6463. CSR for John Crouch, 48th NC. John deserted to Federal forces in August of 1864, where he sat out the rest of the war.

[20] Crews and Bailey, *Records of the Moravians*, XII, 6504.

[21] Crews and Bailey, *Records of the Moravians*, XII, 6659.

[22] See the next chapter for a complete discussion of this fight.

community.[23] While divisions existed in congregations across the South, disputes over ownership appear to have been more frequent in the border states where Northern and Southern conferences competed for ownership. So prevalent were divisions in Virginia's churches that the Virginia legislature recognized that "whereas divisions have occurred in some churches or religious societies," a legislative solution was required. They passed a bill into law in 1867 allowing for a majority vote in congregations to determine which branch of a church they should belong to.[24]

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In the midst of war, Loudoun County's Leah Grubb had confided in her diary, "some we once held in high esteem yea whom we loved dearly, whose hearts beat in unison with ours, are now far more distant with us than the stranger we meet. Oh why could not friends always be friends. This war surely has dissolved the friendships of many friends."[25] Many of the destroyed friendships Grubb lamented remained broken during Reconstruction. Even the oldest friendships often suffered due to the war, and the damage did not disappear quickly. In addition to churches, the war left fissures in other antebellum institutions. Secular social organizations displayed ruptures as former friends viewed each other with newfound hatred. Even fraternal orders and

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[23] Loudoun County (Va.) Chancery Causes, 1758–1912, "Petition of Salem Church," 1868-028, #M1092, Local Government Records Collection, Loudoun Court Records, Library of Virginia, Richmond, VA; Aliquis, "Letter From Loudoun County," *Alexandria Gazette*, October 28, 1868; "Church Difficulty Settled," *Baltimore Sun*, October 31, 1868; "Methodist Churches in Virginia in Trouble," *Baltimore Sun*, February 10, 1866. See also First Military District, Subdistrict of Alexandria, Virginia, "Register of Letters Received (Vol 105) October 11, 1867–July 7, 1868," 149, in Entry 2, Registers of Letters Received, RG 393 Part 3, NARA; and First Military District, Subdistrict of Alexandria, "Register of Letters Received (Vol 106), June 6, 1867–July 7, 1868," 262, in Entry 2, Registers of Letters Received, RG 393 Part 3, NARA; "Difficulty in a Virginia Church," *Rome Weekly Courier*, October 1, 1865.

[24] Virginia, *Acts of the General Assembly of the State of Virginia: Passed in 1866-67, in the Ninety-First Year of the Commonwealth* (Richmond: James E. Goode, Printer, 1867), 649–650.

[25] Lucinda Copeland and Ronald Rose, *Civil War Diary of Leah Elizabeth Sally Ann Grubb*, 2013, 33.

benevolence organizations could not escape the war unscathed by the division sowed by intra-community conflict.

The Freemasons have long held a reputation for rising above the fray during the war to help their brother Masons. A monument celebrating the bonds of friendship and obligation that Masons shared across enemy lines stands at Gettysburg. The monument depicts the mortally wounded Confederate General Lewis Armistead receiving aid from a Union officer and fellow Mason. Though the events depicted in the Gettysburg Monument likely never occurred, Masonry, as one scholar explained, "helped to ameliorate the suffering and misery in America's Civil War."[26] Indeed, membership within the Masons provided some protection for members. Belonging to the Masons saved prominent Georgia dissenters Peter Sheibley and Berry Houk, for example. Sheibley claimed he avoided persecution and received protection from provost-marshal Z.B. Hargrove in part because they were "brother masons."[27] Similarly, after a group of Confederate scouts captured him, Houk avoided hanging because of his Masonic membership.[28] Civil War memoirists repeatedly noted that flashing a Masonry sign often led to better treatment for prisoners.[29]

Though the bonds of Freemasonry helped protect individuals, the Masons as an organization experienced a rupturing of prewar bonds. The Cassville Lodge of Freemasons in Georgia, for example, suffered deep fissures. After the war, some of the members, led by James

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[26] Michael Halleran, *The Better Angels of Our Nature: Freemasonry in the American Civil War* (Tuscaloosa: University of Alabama Press, 2010), 7.

[27] Court of Claims Case File #4997 for Peter Sheibley, Entry 22, Congressional Jurisdiction Case Files, RG 123, NARA.

[28] Approved Claim of Berry Houk (802), Gordon County, Georgia, SCC Approved, NARA.

[29] For more on Mason's saving each other, see Halleran, *The Better Angels of Our Nature*. See also Francis Thomas Howard, *In and Out of the Lines: An Account of the Incidents During the Occupation of Georgia by Federal Troops* (Washington: Neale Publishing Company, 1905), 39.

Hendrix, even attempted to expel Houk from the organization for "gross unmasonic conduct" during the war.[30] A trial within the organization was held, complete with charges and pleas. Though not a court of law, the Masonic court could impose severe social ostracism. According to the charges, Houk had been "an accessory to the burning of the house of J M Denman[,] Linsey Hendrix[,] and John W Henderson two of [whom] were Master Masons."[31] Additionally, the accusers blamed Houk for the deaths of Linsey, Henderson, and two other men who died in prison after Houk allegedly identified them as Confederate supporters to Union troops. [32] He was also charged with "pretending that he was taken prisoner […] to hide his guilt or to scren [*sic*] him from the charge of reporting his neighbors," an essentially accurate accusation. While Union commanders considered Berry Houk a loyal informant, his neighbors viewed him as an opportunistic and unprincipled traitor.[33]

Houk's unwillingness to protect his neighbors, rather than his political allegiances, led to his brother Masons' attempt to expel him. In fact, had he been a firmly outspoken Yankee, he likely would have been viewed more favorably. Among the seven charges of which Hendrix accused Houk in the Masons' internal court was "being a Yank or Reb to suit his own convenience or interest during the whole Rebellion, or to use a famillur [*sic*] phrase for being pig and puppy generally." Though acquitted of the charges, Houk's presence remained unwelcome

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[30] Minutes of Freemasons Cassville Lodge 136, February 2, 1867, MS 151, Hargrett Rare Book and Manuscript Library, University of Georgia Libraries (UGA henceforth).

[31]Minutes of Freemasons Cassville Lodge 136, April 20, 1867, MS 151, UGA. Lin[d]sey Hendrix was likely related to the James M. Hendrix, the Freemason who brought the charges against Houk.

[32] Minutes of Freemasons Cassville Lodge 136 minutes, April 20, 1867. MS 151, UGA.

[33] Minutes of Freemasons Cassville Lodge 136 minutes, April 20, 1867, MS 151, UGA; See also *OR*, Series 1, Vol 39 Part 1, 647–649. *OR* will be used as the abbreviation for United States War Department, *War of the Rebellion: Official Records of the Union and Confederate Armies*, 128 vols. (Washington, DC: Government Printing Office, 1880-1901)

to some of his brother Masons and neighbors, and Houk moved to Gordon County soon after the war.[34]

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The war divided less formalized social groups, and after the destruction of their antebellum social circles, some dissenters felt alienated within their own communities. J.J. Henshaw of Lovettsville, Virginia, fled his home and the war in June 1863 and spent the rest of the conflict north of the Potomac River. He served as one of Loudoun's delegates to the pro Union "loyal legislature" that met in Alexandria during the war. Called to testify before Congress' Joint Committee on Reconstruction in 1866, and asked about "the general feeling of the rebel people in Loudon County," Henshaw explained, "Before I left the state […] my own warmest friends and most intimate associates were rebels who had belonged to the whig party generally before. Since I went back, with the exception, I think, of three families that I have met in the outskirts of my ride, I have not been invited to call [socially] and see one of my old friends."[35] His informal social network had been demolished, a common problem for dissenters.[36]

Dissenters were not the only ones who saw their social network reshaped by the war. Before the war, the Myers and Dutton families had been friendly. Frank Myers lived just outside of Waterford, while the Duttons lived in town. In August 1861, as part of the Confederacy's first

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[34] Minutes of Freemasons Cassville Lodge 136 minutes, August 18, 1867, MS 151, UGA; Approved Claim of Berry Houk (802), Gordon County, Georgia, SCC Approved, NARA.

[35] Joint Committee on Reconstruction, *Report of the Joint Committee on Reconstruction at the First Session Thirty-Ninth Congress, Part II, Virginia North Carolina, South Carolina* (Washington: Government Printing Office, 1866), 36.

[36] Had Henshaw lived in the twenty-first century, he might have complained that many former Confederates had 'defriended' him on Facebook. In 1877, over a decade after the war ended, one witness testified that a Floyd County claimant "was unpopular in his neighborhood ever since the war on account of his union sentiments during and since the war" (Claim of James M. Henry (12560), Floyd County, Georgia, Approved SCC, NARA).

roundup of disloyal citizens in the Waterford area, John B. Dutton—the Dutton patriarch—was arrested and taken to Leesburg. Thanks to the lobbying of friends and family, Confederate authorities soon released him, but they arrested him again the next year. This time, Frank Myers accompanied Dutton's daughter, who was a few years older than him, to Leesburg, where they lobbied for John Dutton's release. Upon his release, the Dutton patriarch fled across the Potomac to open a store. Myers' motives may have been neighborly, or perhaps he had romantic inclinations for Ms. Dutton. Whatever his reasons, he pushed for his neighbor's release in March 1862.[37]

Myers' relationship with the Dutton family subsequently changed quickly. Though Myers' father had voted against secession, Frank soon enlisted in Elijah V. White's Cavalry, a regiment that was frequently stationed in Loudoun as guerillas.[38] Myers showed a knack for commanding men and was promoted to captain, becoming one of the leading guerillas in the county, preying upon Unionists for fodder and other supplies. In November 1862—just months after his release from Confederate captivity—John Dutton wrote to the United States Army requesting they do something to help "Waterford—we have been annoyed to death with this house stealing band under White, Grubb, Troyhern, Myers, and god only knows who else."[39] The men in question, all members of White's 35th Cavalry, would continue haunting Dutton throughout the war. On June 17, White's Cavalry launched a surprise attack on Point of Rocks,

[37] Papers of Mary Francis Dutton of Waterford, Virginia, transcribed by Susan Herbert, Waterford Foundation Archives (WFA); also in John E. Divine, Bronwen C. Souders, and John M. Souders, *To Talk Is Treason: Quakers of Waterford, Virginia on Life, Love, Death and War in the Southern Confederacy* (Waterford, VA: Waterford Foundation, Inc, 1996), 36–37, 99.

[38] For best accounts of Myers life, see John M. Souders and Taylor M. Chamberlin, *Between Reb and Yank: A Civil War History of Northern Loudoun County, Virginia* (Jefferson, North Carolina: McFarland & Company, Inc., 2011); Divine, Souders, and Souders, *To Talk Is Treason*; Franklin McIntosh Myers, "Diaries of Franklin McIntosh Myers," 1867 1865, WFA. (Myers "Diary," WFA henceforth).

[39]File for John B. Dutton, M345, "Union Provost Marshals' File of Paper Relating to Individual Civilians," RG 109, NARA, 1967; Souders and Chamberlin, *Between Reb and Yank*, 151.

Maryland, forcing the Loudoun Rangers and Cole's Maryland Cavalry to flee. While there, the Confederates pillaged Dutton's store.[40]

By the time Captain Myers returned home in April 1865, the war had transformed him, the son of an anti-secessionist, into a diehard Confederate. He delayed taking the oath of allegiance until 1867 in the hope that war might again break out.[41] In October 1865, he and some others plotted "to help kill a Yanke [sic]," but the man left the area before the conspiracy ripened.[42] Later that month, he had trouble focusing on a sermon at church because a Yankee soldier attended the service, and Myers kept thinking about how he "could have capt'd him and killed him so easy."[43] Unable to let go of the Confederacy, his wartime loyalties continued to dictate his social relations after the war. Myers felt so unsatisfied in Loudoun that he considered leaving the country for Mexico rather than remain in the defeated South.[44]

The war destroyed Myers' antebellum social circle, embittering him towards many of his neighbors. Just as some Unionists felt estranged from their secessionist neighbors, Myers felt alienated from his Unionist neighbors. When wartime dissenter Charles Divine told Myers "he is one of my best friends," the former guerilla scorned him, writing in his diary, that "if he is I must say god help me for I can't depend on any earthly friends."[45] In 1865, Myers even refused to enter an uncle's home because his relative had supported the Union during the war.[46] Years after

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[40] Souders and Chamberlin, *Between Reb and Yank*, 183–184.

[41] Myers "Diary," WFA, 71.

[42] Myers "Diary," WFA, 36.

[43] Myers "Diary," WFA, 37.

[44] Myers "Diary," WFA, 43–45, 74.

[45] Myers "Diary," WFA, 39. For more on Divine during the war, see File for Chas W. Divine, "Union Provost Marshals' File of Paper Relating to Individual Civilians," NARA Microfilm M345, NARA, 1967.

[46] Myers "Diary," WFA, 27.

the war, Myers frequently refused to socialize with Unionists. Myers' dislike for dissenters ran so deeply that after the war, he tried avoiding Waterford, which he viewed as a "modern Soddom" of Unionism.[47] Each time Myers visited, he promised his diary that he would never visit again, though business or pleasure frequently brought him back, leading to another bout of loathing. For example, on October 5, 1867, he crassly wrote after one especially trying trip to the Waterford post office, "I'm not going into that mean white nigger den any more if I can help it," yet the next evening, he went again, this time to watch (and ridicule) a freedmen's meeting in Waterford.[48] It is hardly surprising that he ridiculed African Americans at a political gathering. While most of his Unionist neighbors joined the Republican Party, Myers became a Democrat.[49]

Though he seemingly disliked all Unionists and Republicans, Myers reserved his most bitter hatred for the man he once helped free. In July 1865, just a few months after being paroled, Myers wrote in his diary, "John Dutton says I am one of the worst rebels in Virginia and that I must be forced to take the oath or leave the U.S. I am a great mind to kill him and go."[50] Two years later, Myers still "felt like choking John B. Dutton" when he went to register to vote before "the grand high priest of the devil in Loudoun—John B. Dutton."[51]

Some breaches within the antebellum community remained so wide that residents occasionally moved away. After the war, notorious Forsyth deserter and terror to all secessionists Calvin Dial found himself in a precarious situation when hundreds of former Confederate

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[47] Myers "Diary," WFA, 78.

[48] Myers "Diary," WFA 83–84. Based on political meetings occurring around the county that month, this was likely a Republican political meeting. Myers referred to it as a "nigger meeting in Waterford. Funny. Equal to a menagerie." Who organized the meeting and if white Republicans also attended is unknown.

[49] He later became a deputy for Sheriff Elijah White.

[50] Myers, "Diary," WFA, 26.

[51] Myers "Diary," WFA, 71; see also Souders and Chamberlin, *Between Reb and Yank*, 352.

soldiers returned home to the very families he had harassed. He fled the region, lest someone angry over his treatment of their family kill him. Even had he avoided injury, finding work would have been difficult for a day laborer who had alienated many potential employers. The war literally cut Dial off from his prewar community, and he lived the rest of his life in West Virginia.[52]

Virginia also experienced the departure of a prominent dissenter. Though the war had ended over four years earlier, Thomas Hough's wool business still suffered in 1869 due to the conflict. His partnership with his brother appeared to be the problem, as some former customers refused to patronize the business because of his brother's past service in the Union Army as a Loudoun Ranger. The brothers finally agreed to end their partnership in 1869, when Thomas' brother moved to Maryland. In an effort to regain the business of his neighbors, Hough ran an advertisement in a local paper proclaiming the dissolution of their partnership, announcing that, "as many of my old Customers could not patronize me on account of my partner, who they say was one of Mean's gang. I hope they will now come and trade their wool or have their goods manufactured by one who always gave satisfaction and took no part in our late troubles."

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[52] "Fayette County Register of Marriages" for Calvin Dial and Mary Foster, accessed at West Virginia Department of Culture and History, http://www.wvculture.org/VRR/va_select.aspx (March, 2010); contrary to what the database says, the image of the original clearly indicates a date of October 17; additionally, the database says 1870, but it appears it is 1869 not 1870, which is confirmed by 1870 U.S. Federal Census, Population Schedule, *Ninth Census of the United States*, National Archives Microfilm Publication M593, RG 29, National Archives and Records Administration, Washington, D.C.: accessed via *Ancestry.com* (www.ancestry.com, November 2010), cited as 1870 Census henceforth. The 1870 Census already lists them as married under Calvin Dile; see also 1880 Census; 1900 U.S. Federal Census, Population Schedule, *Twelfth Census of the United States*, National Archives Microfilm Publication T623, RG 29, National Archives and Records Administration, Washington, D.C.: accessed via *Ancestry.com* (www.ancestry.com, November 2010) cited as 1900 Census henceforth; and 1910 U.S. Federal Census, Population Schedule, *Thirteenth Census of the United States*, National Archives Microfilm Publication T624, RG 29, National Archives and Records Administration, Washington, D.C.: accessed via *Ancestry.com* (www.ancestry.com, November 2010) cited as 1910 Census henceforth; West Virginia State Department of Health, "Certificate of Death #8812" for Calvin B Dyal, July 10, 1934, accessed at West Virginia Department of Culture and History, http://www.wvculture.org/VRR/va_select.aspx (March, 2010); Author's phone conversation with Margret Neel, February 11, 2011; Mrs. Neel is the great-granddaughter of Calvin Dial. She remembers conversations with Eunice Dial, Calvin's daughter, who cared for him in old age. For more on Calvin Dial, see Adam Domby, "'Loyal to the Core from the First to the Last:' Remembering the Inner Civil War of Forsyth County, North Carolina, 1862-1876" (M.A., University of North Carolina at Chapel Hill, 2011).

Unfortunately for Hough, his claims of neutrality appear to have fallen on deaf ears, and an arsonist soon destroyed his factory.[53]

Dissenters were not the only men unwelcome at home during Reconstruction. Major Reuben Wilson and his nephew Abraham Jones, both implicated in the notorious execution-style killings of multiple Forsyth dissenters, moved out of the state after the war. Though a jury acquitted Wilson in 1866, the trial failed to appease many of Wilson's accusers, and he remained tainted by the memory of the five murders. [54] In 1868, a member of the Jones family informed her sister that because there "were so many mean people here [Reuben] could never stay here […] Reuben is going to Geo-gay to live."[55]

The deepest divisions fostered by the Civil War originated in actions committed during the war *within* the states. Many former Confederates could forgive northerners for fighting for the Union far more easily than they could the local Unionists who had harassed them during the war. After the war, a woman who supported the Confederacy wrote a poem about her feelings toward Union supporters, concluding with the lines, "Should any take offense at this, / I would say to friend and stranger, / We respect a Union veteran, / But not a Loudoun Ranger."[56] Efforts at reuniting North and South faced a different set of barriers than those attempting reconciliation within southern communities.

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[53] T.W. Hough, "Removed," *Washingtonian*, July 16, 1869; "Virginia," *Richmond Whig,* October 1, 1869; Souders and Chamberlin, *Between Reb and Yank*, 354.

[54] For the best account of this trial and about his subordinates' trials, see David Williard, "'Vengeance Is Mine, I Will Repay': Desertion, Killing, and Judgment in North Carolina's Western Piedmont, 1865-1866," *Journal of the Civil War Era* 2, no. 1 (March 2012): 31–57. See also the next chapter, which will focus on this trial extensively.

[55] "Your Sister" to "My Dear Sister," April 27 1868, Jones Family Papers, SHC. Unfortunately, it is not clear which Jones sister was writing which. Court records show that other members of the sharpshooters involved in the March 1865 killings also fled the state to avoid persecution.

[56] Addison McKimmey, "The Loudoun Rangers," in Vertical File labeled Loudoun Rangers, Thomas Balch Library, Leesburg, VA.

Some local newspapers noted that continued tensions within communities were rooted in wartime intra-community strife and appealed for restraint. In September 1865, the *Rome Courier* published a piece entitled "Duties and Responsibilities" that exhorted every reader to "exert his utmost influence to reconcile differences, to quiet feuds, and prevent hostile encounters between neighbors." The article begged Georgians to avoid conflict with their neighbors, or, at the very least, bring that conflict to the proper venue—the courts—for adjudication. The article included an impassioned plea that alluded to the cause of the differences: "If you have been a Rebel, cease to hate your Union neighbor and try no longer to prejudice the community against him; if you cannot speak well of him, at least let him pass in silence, and have a fair chance to be respected." The paper also hinted at recent efforts by dissenters to avenge past grievances in its plea that "if you have been a Union man, don't taunt your neighbor for having been a Rebel, or be insinuating suspicions to the military or other federal officers that he is not sincere."[57] Apparently, forgiveness was hard to achieve after four long years of war.

******* New Social Networks and the Political Power of Unionism*******

In late October 1864, Charles Hauser and Phillip Mock secretly met and began walking from Forsyth County, North Carolina to Union lines. Their flight—as well as the flight of numerous other Forsyth Militia members—was spurred by North Carolina calling up the Forsyth Militia to reinforce Confederate troops in the eastern part of the state. Mock was forty and Hauser thirty-one, and they had become acquaintances only three years before the war began. But by the time they separated six weeks later in Hope, Indiana, they had become more "intimate" friends, looking out for each other as they risked arrest and imprisonment on their

[57] "Duties and Responsibilities," *Rome Weekly Courier*, September 14, 1865.

long journey.[58] Their friendship became part of a network of Forsyth dissenters that developed over the course of the war, and they remained friends long after the war ended.

With the destruction of antebellum community structures, new networks replaced old ones. As we have seen, friendships were sundered by war, but other friendships were born or strengthened by individuals who helped each other during the conflict. Indeed, surviving antebellum and new social connections often lessened the horrors of war. Each of the communities in this dissertation displayed during the war how social networks aided southerners with complex loyalties: Rome's ad hoc patrols that included dissenters, Unionists, and Secessionists defending each other against Colquitt's raiders, Loudoun's Unionists lobbying for the release of secessionist neighbors imprisoned as hostages, and Forsyth's home guard telling family members when to hide from their own patrols are just three examples of social networks' role in directing southerners' loyalties and actions. By examining who were friends and enemies during Reconstruction, we gain a better understanding of the long term social impact of war. Utilizing and adapting some of the techniques of social network analysis gives us a clearer picture of the war's impact on postwar society.

The Southern Claims Commission records of the 1870s provide one of the best sources for envisioning the networks of dissenters and Unionists that existed throughout Reconstruction. Individuals filed claims, complete with testimony from witnesses, attesting to both the value of the property taken and the claimant's loyalty. Commissioners examined the written testimony as well as wartime documents to determine if a claimant had really remained loyal to the Union

[58] Claim of Philip Mock (15720), Forsyth County, North Carolina, Approved SCC, NARA.

throughout the entire war and if the property had been taken by Union troops for military purposes.[59]

The testimony not only recounts the many sacrifices dissenters suffered for the Union, but it also provides historians a way to examine the friendships that the war created. Using the claims, historians can map out positive social relationships between individuals a decade after the war ended. For obvious reasons, claimants rarely called former Confederates as witnesses, so each affidavit to a claimant's loyalty provides a tie between two individuals (witness and claimant) who considered each other Unionists. Each witness can be represented on a network map by a node, which are connected to other nodes representing the individuals he or she testified remained loyal to the United States. Additionally, the standard questionnaire for claimants and witnesses included a request for a list of "the leading and best known Unionists of your vicinity during the war."[60] By mapping who listed whom as a Unionist in their testimony, we find a social network map of individuals considered "Unionists" within each community. In mapping out these links, it becomes clear that self-proclaimed Unionists made up an informal network instead of a clear and agreed-upon faction. Additionally, the social networks created during the war clearly continued to shape social and political interactions years after the conflict ended.

When Forsyth farmer Samuel Stolz called witnesses to prove his loyalty, none were lifelong friends, all having met him after he reached his mid-forties. D.H. Starbuck—an extremely prominent dissenter—testified he met Stoltz a decade before the war began, but only

[59] For the best works on the SCC, see Barton A. Myers, "'Rebels Against a Rebellion' Southern Unionists in Secession, War and Remembrance" (Ph.D., University of Georgia, 2009); Susanna Michele Lee, "Claiming the Union: Stories of Loyalty in the Post-Civil War South" (Ph.D., University of Virginia, 2005); Domby, "'Loyal to the Core from the First to the Last:' Remembering the Inner Civil War of Forsyth County, North Carolina, 1862-1876."

[60] Most SCC claims include a copy of the standard questionnaire, which changed a few times over the course of the 1870s.

became close or "intimate" friends in 1858. Stoltz befriended one of his witnesses during the war; when N.S. Cook testified in 1878 about Stoltz's loyalty, he informed the claims commissioners that he had been acquainted with Stoltz "for 20 years and have intimately known him for 17 years."[61] Their friendship dated back to 1861, and only after the secession crises began, or perhaps even after the war started, did the two men become close.[62] Asked to provide de facto character witnesses, one might expect a man born in Forsyth County in 1800 to find witnesses who had known him for most of his life. Instead, the oldest friend Stoltz had testify, Peter A. Wilson, met the farmer in 1846. Stoltz could hardly call upon his neighbor, whose son had whipped Stoltz for his outspoken support of the Union.[63] As Unionists and other dissenters attempted to use their new social networks to gain payment for items taken by Union soldiers during the war, friends who previously protected each other now testified for one another. Stoltz, Starbuck, Wilson, and Cook remained friends long after the war, working together as active Republican Party members in addition to their efforts to receive payment.[64]

By examining the social networks visible in the claims brought before the commission, it becomes clear that "Unionist" as a postwar identity in Southern communities bore only minor relation to the Southern Claims Commission's finding. Of 22,398 claims filed, only 7,092 were

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[61] Claim of Samuel Stoltz (15085), Forsyth County, North Carolina, Approved SCC, NARA.

[62] The secession crisis may in fact have brought some southerners together, as old parties fractured during the 1850s and new ones formed.

[63] Claim of Samuel Stoltz (15085), Forsyth County, North Carolina, Approved SCC, NARA.

[64] A Union Man, "For the Press," *People's Press*, April 17, 1868; "Union Meeting," *Daily Standard*, September 15, 1866. Stoltz's son also continued to remain active in Republican politics ("Forsythe County Republican Convention," *Tri-Weekly Carolina Era*, July 22, 1871). There are exceptions to this trend. For example John Watson who said he was not a Unionists after the war started testified for successful claimant Caleb Idol. Claim of Caleb Idol (10717) Forsyth County, North Carolina, Approved SCC, NARA.

approved.[65] Though the government rejected the rest, the testimony in the disallowed claims is frequently more revealing about the role of wartime loyalties and enmities upon Reconstruction-era social and political networks than those of the approved claims. While the decisions of the commissioners determined the fate of any remuneration, it had little impact on who local dissenters considered Unionists.

Social networks analysis shows that even the most principled Unionists (as defined by the government standards for an approved claim) frequently disagreed with the commission's findings. Samuel Stoltz had been whipped for his open support of the Union, and his son had hidden in the bushes with other recusant conscripts for much of the war. Stoltz's claim was one of just nine (out of fifty-three) from Forsyth County that the commission approved.[66] Though the commissioners and Forsyth residents all agreed Stoltz was the prototypical uncompromising Unionist, he frequently testified for claimants that the commissioners ruled disloyal. For example, Stoltz stated under oath that denied claimant William Fulk "was regarded by his loyal neighbors as a Union man," but the commissioners denied the claim because Fulk had worked in an iron works. To his neighbors, Fulk's decision to work in a military industry actually signaled his loyalty, as he took the job to avoid conscription. Additionally, the fact that Fulk hid deserters and privately spoke against the South proved his Union credentials to Forsyth dissenters.[67]

Unionism functioned differently in the South than it did in a political appointee's office in Washington. Stoltz testified for another denied claimant who sold a horse to the Confederacy, while his son also testified for at least two denied claimants. Stoltz's decision to testify for

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[65] Gary B Mills, *Southern Loyalists in the Civil War: The Southern Claims Commission* (Baltimore, Md.: Genealogical Publishing Co., 1994), x.

[66] Claim of Samuel Stoltz (15085), Forsyth County, North Carolina, Approved SCC, NARA. (three of those approved claims are missing); for full list of claims, see Mills, *Southern Loyalists in the Civil War*.

[67] William Fulk (15080), Forsyth County, North Carolina, Disallowed SCC, NARA.

denied claimants was typical of approved claimants. Conversely, many witnesses deposed for approved claims had their own claims rejected by the commission, such as Peter Wilson, who testified for Samuel Stoltz.[68] The records of the commission reveal an incongruence between locally-held and legal definitions of loyalty. The commissioners repeatedly denied the claims of anyone who held civil office during the war, served in the militia, or avoided conscription by working for the Confederacy. But to southerners, these "disloyal" actions often demonstrated an effort to avoid conscription and hence confirmed one's Unionist's credentials.

Indeed, efforts to avoid conscription and a willingness to protect other dissenters was often sufficient to prove one's Unionist credentials within southern communities.[69] An exasperated commissioner noted that one denied claimant in Forsyth "says he fed deserters from the rebel army while they were hid in the bushes […but] nearly every claimant in the neighborhood and in many other localities claims to have fed deserters –usually these deserters are their sons, brothers or other kindred, but not always." The unlucky claimant had hidden the son of Samuel Stoltz, so Stoltz understandably considered the man a Unionist of good standing.[70] The government insisted that the ubiquitous claim of feeding deserters failed to prove loyalty, but claimants continued to present resisting or avoiding conscription as a sign of their loyalty. The commission's rulings, which were not always publicized, carried little influence within

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[68] Claims of William Fulk (15080) and John Speace (14840), both of Forsyth County, North Carolina, Disallowed SCC, NARA; Claim of Samuel Stoltz (15085), Forsyth County, North Carolina, Approved SCC, NARA. For other examples of disallowed claimants considered unionists by their approved neighbors, please see Testimony of Mathias Mastin in Claim of Philip Mock (15720), Forsyth County, North Carolina, Approved SCC, NARA; Claim of Thomas B. Lash (3501), Forsyth County, North Carolina, Approved SCC, NARA; Mathias Mastin (14839), Forsyth County, North Carolina, Disallowed SCC, NARA; the commission rarely questioned the veracity of a witness on the grounds that a witness was a denied claimant himself, tacitly recognizing at least some murkiness between Unionist and disloyal citizens existed.

[69] For more on Unionist identities, see Domby, "'Loyal to the Core from the First to the Last:' Remembering the Inner Civil War of Forsyth County, North Carolina, 1862-1876."

[70] Claim for John Speace (14840), Forsyth County, North Carolina, Disallowed SCC, NARA. John Speace also had the son of Samual Stoltz as one of his witnesses.

southern communities with regards to who was considered a Unionist. The importance of the government's opinion was, therefore, largely limited to the monetary value of the claim.

Across the South, the complexities of loyalty made getting a claim approved extremely difficult for even the most renowned Unionist. The case of Rome's Peter Sheibley, beaten by Colquitt's men, threatened with death, and constantly harassed by Confederates, is illustrative. Because Sheibley sold shoes to the Confederacy to avoid service and rented property to the Confederacy that would have been otherwise confiscated, the commission denied his claim. Government lawyers justified their findings by arguing that, "cupidity seems to have gotten the upper hand of his loyalty."[71] However, Sheibley was perhaps the most prominent dissenter within the entire county, constantly called as a witness and listed as a Unionist by both approved and disallowed claimants.[72] No one in Floyd County questioned Sheibley's Unionist credentials, yet his claim was repeatedly denied by the Federal government.[73]

When individuals who dissenters considered to be a Confederate tried to claim the mantle of Unionism for monetary gain, they rarely succeeded in getting their claims approved.[74] The worst, most patently absurd cases were thrown out without investigation. When the owners of Rome's Noble Iron Works, a company that had cast cannon for the Confederacy, filed a claim, the commissioners disallowed it outright, declaring, "How these claimants could file a claim […and] swear that they never voluntarily furnished any stores, supplies or other material aid to

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[71] Court of Claims Case File #4997 for Peter Sheibley, Entry 22, Congressional Jurisdiction Case Files, RG 123, NARA.

[72] For example see Claim of Seaborn White (12307), Floyd County, Georgia, Approved SCC, NARA; Claim of Thomas J. Gaddis (12588) Floyd County, Georgia, Approved SCC, NARA.

[73] Court of Claims Case File #4997 for Peter Sheibley, Entry 22, Congressional Jurisdiction Case Files, RG 123, NARA; Sheibley appealed his claim the Court of Claims later and again it was denied.

[74] See for example the Claim of Ashrael R. Smith (12209), Floyd County, Georgia, Disallowed SCC, NARA.

the Confederate army or navy passes our comprehension, unless we accept the truth of the doctrine of total depravity."[75] Investigations by the commission and interviews with trusted local informants led to the rejections of less obvious cases of avarice. Occasionally, anonymous informants undermined claims.[76]

Still, some claims were less clear-cut than Stoltz or Noble's, and sometimes no consensus existed regarding who should be included as a "Unionist." Because Unionists belonged to a loosely-defined network of dissenters and their allies, disagreements among dissenters over who should be considered a Unionist periodically occurred. At times, the commission denied compensation on the grounds that a claimant's neighbors testified against him. Waterford merchant Samuel Steer, an avowed Union sympathizer—having served as a Federal revenue agent in Maryland during the war while his daughters published a pro-Union newspaper, *The Waterford Times*—became a trusted informant to the commissioners. He reported that Townsend M. Paxson was "disloyal," leading to Paxson's claim being rejected.[77] Yet James Downey, the former speaker of Virginia's "rump legislature" convened under Francis Pierpoint's loyal government in Alexandria during the war, agreed to testify for Paxson.[78] Additionally, the founder of the Loudoun Rangers, Samuel Means, had argued for Paxson's release in September 1863 after Union troops arrested the man, asserting Paxson would "not do anything against the

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[75] Claim of John, James, Samuel, and William Noble (20996), Floyd County, Georgia, Disallowed SCC, NARA.

[76] See for example Claim of John P. Greenwood, (17260) Floyd County, Georgia, Disallowed SCC, NARA; Greenwood had sent a letter to Union forces warning them of Confederate troop movements. John Greenwood to Gen Smith, September 15, 1864, in John Greenwood Letter, Abraham Lincoln Presidential Library.

[77] Claim for Townsend M. Paxson (12457), Loudoun County, Disallowed SCC, NARA. For more on Steer and his daughters, see Taylor Chamberlin, John Souders, and Bronwen Souders, eds., *The Waterford News: An Underground Union Newspaper Published by Three Quaker Maidens in Confederate Virginia, 1864-1865* (Waterford, VA: Waterford Foundation, 1999); Divine, Souders, and Souders, *To Talk Is Treason*.

[78] Claim for Townsend M. Paxson (12457), Loudoun County, Disallowed SCC, NARA.

Government."[79] Once again, competing definitions of loyalty led to a dispute. The fact that Paxson voted for secession led to his claim being rejected.

Personal difficulties frequently played a role in disagreements as to a claimant's loyalty. While Downey and Means agreed about Paxson, the two prominent Unionists disagreed regarding Thomas Appel's loyalty. Downey insisted Appel was disloyal, even testifying before a special commissioner, while Means swore to his loyalty. Asked to explain the discrepancy, Means responded that the disparity was "based upon a prejudice caused by a quarrel between them James M. Downey and Thomas Appel." Apparently, Appel had failed to pay Downey rent for the house he resided in during the war.[80]

Social networks and postwar politics helped dictate how an individual's loyalty was remembered. Because postwar politics were so frequently tied to wartime loyalties, joining the Democratic Party frequently harmed a claimant's chances of getting approval from the Southern Claims Commission. Loudoun County citizens disagreed over whether former slave-owner Samuel George should be considered a Unionist. While former Union soldiers and an ex-scout testified as to his loyalty, leading Waterford Unionists William Williams and John B. Dutton swore he had been disloyal. Part of the dispute arose from George's postwar political views: he failed to support the Republican Party, instead choosing to "act entirely with the rebel party since the war."[81] Unionists like Dutton felt that loyalty to the Union required a postwar commitment to Reconstruction as well. George's socializing and political affiliation with Democrats thus

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[79] Souders and Chamberlin, *Between Reb and Yank*, 201. In reality, Paxson had voted for secession.

[80] Claim for Thomas Appel (41690), Loudoun County, Approved SCC, NARA. Downey and Means' disagreement on Appel's character does not appear to have damaged their own relations, as Means had testified in favor of Downey's approved claim a few years earlier. (Claim for James M. Downey (36977), Loudoun County, Approved SCC, NARA). Means, it is worth noting, only met Appel in 1863.

[81] Court of Claims Case File #1052 for Samuel George, Entry 22, Congressional Jurisdiction Case Files, RG 123, NARA. Souders and Chamberlin, *Between Reb and Yank*, 94. Souder calls him a "pragmatist."

represented evidence to some dissenters that he had been a Confederate. An explicit connection between loyalty and postwar politics often appeared in Southern Claims Commission testimony. For example, in 1871, Ransom Philips, a Forsyth County Union League member attempting to prove his loyalty to the commission, swore, "I never have, nor will ever vote for a secessionist. I voted Republican ticket straight through all the time."[82]

Acceptance into the network of Unionists by other dissenters was partially dependent upon how an individual's treatment of his neighbors during the war was remembered. In some cases, just protecting dissenters might lead one to gain the postwar title of Unionist; one *approved* Georgia claimant even listed the former Confederate Provost Marshall for Rome, Zachariah B. Hargrove—a self-avowed secessionist—as a prominent Unionist.[83] Though a staunch Confederate, Hargrove retained the respect of many Floyd County dissenters because he protected them while a Confederate officer. He was also rumored to have fought during the war against feared Confederate brigand John Gatewood, who preyed upon north Georgians of all loyalties.[84] Hargrove's personal actions toward his neighbors during the war were so notable that he was able to parley them into political capital during Reconstruction. His inclusion as a Union man may also have been partly due to his postwar role as a Republican politician.

******Politics, Social Networks, and Attracting Unionists ******

[82] Claim of Ransom Phipps (10716), Guilford County; North Carolina, Disallowed SCC, NARA.

[83] Claim for James M Henry (12560) Floyd County, Approved SCC, NARA.

[84] George Magruder Battey, *A History of Rome and Floyd County, State of Georgia, United States of America: Including Numerous Incidents of More Than Local Interest, 1540-1922* (Atlanta: The Webb and Vary Company, 1922), 209.

In 1869, a "union of the Republican vote with the moderate democrats" that included "the entire Negro vote" elected the pro-Reconstruction Democrat Hargrove as Mayor of Rome.[85] However, during his tenure in office, the rise of the Ku Klux Klan as a powerful political force led Hargrove to break with the party and join the Republican Party. Though now labeled a radical, his reputation in Rome led some local Democrats to support his candidacy. Their support was not enough, and, now running as a Republican, he lost his re-election campaign.[86] Still, Hargrove continued to be an influential Rome Republican, ultimately becoming postmaster for the town after an unsuccessful bid for Congress as the Republican candidate.[87]

As a former secessionist and Confederate officer, Hargrove was relatively unusual in his ability to appeal to both parties. While a few prominent Confederates, most famously John Singleton Mosby and James Longstreet, joined the Republican Party, most became committed Democrats. Indeed, Hargrove initially aligned with the Democrats before changing parties in response to Klan violence, a political move that worked due to his fair treatment of Union sympathizers during the war and his later attempts to prosecute Klan members. After leaving the Democratic Party, Hargrove utilized the Unionist community's respect to rise into the local Republican leadership. In addition to philosophical differences between the parties, the social networks that controlled the Republican Party establishment were unwelcoming to most former Confederate officers, but Hargrove's social network included prominent Republicans who owed

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[85] File 6044 for Z.B. Hargrave, Petitions and Other Documents Concerning the Removal of Political Disabilities, July 1867–March 1871, Entry 2, Records of the House Select Committee on Reconstruction, RG 233, NARA; *Testimony Taken by the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States*, vol. Georgia: Volume I (Washington, D.C.: Government Printing Office, 1872), 117.

[86] *Testimony Taken by the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States*, Georgia: Volume I: 117.

[87] "Local Leaflets," *Marietta Journal*, June 20, 1889; and "The Third Party In Rome," *Atlanta Constitution*, April 14, 1892. Hargrove later broke from the Republicans, at times supporting third-party populist candidates ("The Republican Scheme," *Atlanta Constitution*, April 14, 1892; "Talking Politics," *Atlanta Constitution*, June 18, 1894).

him their life due to the protection he gave them during the war.[88] Hargrove represents just one example of how both ideology and social networks based on wartime loyalties drove Reconstruction politics. His belief in law and order and the social networks seen in the testimony of the Southern Claims Commission propelled him into the Republican Party.

Hargrove's success as a Republican was uncommon. During Reconstruction, the Republican Party became the refuge of dissenters and Unionists, to the point that 'Unionist' became nearly synonymous with 'Republican.' From the first elections during Reconstruction, the nascent Republican Party in the South targeted African Americans, white Unionists, and other dissenters for votes. In 1866, when the *People's Press*, a Republican paper, called for "the Unionists of Forsyth" to appoint delegates for a party convention on the basis of their "loyalty and patriotism," it was just one of many attempts to welcome dissenters into the party of Lincoln.[89] After Republicans won an election in April 1868, the *Press* declared the victory "a great Union triumph" over the attempts of "the *rebels* to carry the county, and break down and crush the indomitable spirit of the Union men of Forsyth."[90] On a superficial level, Republicans' constant referral to their supporters as "Union men" and "Unionists" may seem a matter of cynical semantics, but the Republicans used a variety of tactics to attract wartime dissenters to their ranks; Republican rhetoric, candidates, and the party's organization all worked to make the Republican Party a natural home for dissenters.[91]

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[88] *Testimony Taken by the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States*, Georgia: Volume I: 117.

[89] "Forsyth County," *Weekly Standard*, September 5, 1866.

[90] "For the Press," *People's Press,* April 24, 1868.

[91] See, for example, "For the Press," *People's Press,* April 24, 1868, or almost any edition of the People's Press from 1866–1870.

The Republican Party often nominated as candidates prominent wartime dissenters, who then publicly proclaimed their Unionist past. For example, Peter Sheibley represented Floyd County at Georgia's 1868 Constitutional Convention. To the north, Forsyth County voters elected prominent Republican Peter Wilson to the North Carolina State Senate in 1868 after local papers publicized his role in a wartime peace movement.[92] Given the Republican Party's campaign strategy, it can hardly be surprising that within the answers found in Southern Claims Commission testimony to the question "Who were the leading and best known Unionists of your vicinity during the war?" postwar Republican candidates were often mentioned.[93] Both Sheibley and Wilson, among other politicians, appear on the lists of prominent Union men in later depositions for the Southern Claims Commission.[94] Not only could being a leading Unionist during the war boost one's electoral chances, but by campaigning on their wartime records, Republican politicians reminded claimants of their pasts as Union supporters. When asked who was a leading Unionist a decade before, many witnesses likely thought to themselves, "Who are prominent Republicans today?"

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[92] Testimony of Peter A. Wilson, in Claim of Samuel Stoltz (15085), Forsyth County, North Carolina, Approved SCC, NARA; "Salisbury Convention," *The Union Republican*, May 25, 1876; "Forsyth Republican Meeting," *The Union Republican*, July 6 1873; "Justices of the Peace For Forsyth County," *People's Press*, July 8 1865; "Superior Court Week," *People's Press*, April 10, 1868 (Wilson ran as the Republican Candidate for the legislature) ; N.S. Cook, Smith Frazier sen., M. Masten, T.T. Best and P.A. Wilson, "To the Editors of the People's Press," *People's Press*, April 17, 1868; "Official Vote of Forsyth," *People's Press,* May 1, 1868 (Wilson elected to Senate). For more on Wilson as a member of the peace movement, see David D Scarboro III, "An Honorable Peace: The Peace Movement in Civil War North Carolina" (Ph.D., Trinity College, 1981), 151–237.

[93] For example, in Forsyth, one of finds Sheriff Mathias Masten and U.S. District Attorney D.H. Starbuck. Numerous other leading Republicans in Forsyth also had their claims denied. A government investigator in the 1870s reported that he interviewed Wilson's "neighbors, both secessionists and union men, and they all" called him a Unionist, but commissioners denied Wilson's claim because he had hired a substitute to avoid conscription (Claim of Peter A. Wilson (3521), Forsyth County, North Carolina, Disallowed SCC, NARA).

[94] In Floyd County, Georgia, William B. Higginbotham, a freeperson of color, friend of Sheibley's, and prominent Republican was also frequently called. For example, Claim of William H. Webb (2306), Floyd County, Georgia, Disallowed SCC, NARA.

Republicans eager to be the party of dissenters not only portrayed themselves as Union-loving loyalists, but they also often referred to Conservative and Democratic Party leaders as "secessionists" or "rebels" in an effort to tie them to the failed Confederacy.[95] In 1868, the *People's Press* exhorted readers to "pay no attention to the movements of this *rebel clan*, operating under the cloak of *Conservatism*."[96] One Forsyth County dissenter argued in a public letter to the *People's Press* that those opposed the 1868 Constitution were the same men who "called Union men traitors and cowards. The same men, or set of men, who swore they would shoot or hang every Union man, as soon as the Confederacy was established."[97] He even made the local connection between Conservatives and those who attacked their neighbors explicit, arguing that conservatives were "the same [men] who shot and approved of the shooting of Huff and Flynt."[98] By linking his opponents to the county's most infamous killing of dissenters—when Major R.E. Wilson executed five dissenters in March 1865—the author made the election part of a continuing neighborhood conflict between wartime opponents. All politics is local, after all.

Republicans recognized which Confederate policies angered southern white dissenters most and used them for political purposes. In Davidson County, just south of Forsyth, a meeting of piedmont Republicans—including some Forsyth residents—not only lambasted "the secessionists who […] are responsible for the hundreds of thousands of lives sacrificed," but also called for "permanent" disfranchisement for any who "voted for, sanctioned, or countenanced"

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[95] A True Union Man, "The Rebel Speakers at Court," *People's Press*, April 7, 1868.

[96] "Beware!" *People's Press*, April 3, 1868; "under the cloak of *Conservatism*" was also used in "County Convention," *People's Press,* November 8, 1867.

[97] A Union Man, "For the Press," *People's Press*, April 17, 1868.

[98] A Union Man, "For the Press," *People's Press*, April 17, 1868.

the Confederacy's "conscript and tithing laws."[99] The *Daily Standard*, one of North Carolina's leading Republican papers, included yet another reason to vote for Grant in the 1868 Presidential election:

> Who passed the conscript law during the late rebellion? The rebel Democratic party. Who now asks these poor conscripts to vote for Seymour and Blair and another rebellion? The rebel Democratic war party.[100]

The newspaper exploited the bitterness that conscription, more than any other Civil War-era law—including secession—garnered from Reconstruction Republicans.

Republicans also used dissatisfaction with conscription as a means to garner support for their policy agenda. While touting Republican efforts to mandate education and provide free schools, a North Carolina Republican, calling himself "A True Union Man," argued that Democrats refused to educate "the children of poor conscripts, whom they forced into the army to be slaughtered." [101] Appeals to unity against continued oppression by Confederates helped counter the efforts of Democrats to use race to attract former white dissenters to their party.

Reconstruction-era Republican platforms, resolutions, speeches, and newspaper articles stressed the Republican Party's continuing role in protecting Unionists and other dissenters. By arguing that electing conservatives was dangerous for dissenters, Republicans attempted to create a dichotomy between Unionist and Confederate. An 1866 rally that some Forsyth Republicans attended urged Congress to "make provision for the protection of Union men of the South until order shall be fully restored."[102] Responding to the passage of an act providing amnesty to

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[99] "Great Republican Mass Meeting in Lexington, Davidson County," *Weekly Standard*, August 14, 1867. Disenfranchisement is covered more fully in chapter seven.

[100] *Daily Standard*, October 7, 1868.

[101] A True Union Man, "The Rebel Speakers at Court," *People's Press*, April 17, 1868.

[102] "Public Meeting in Guilford," *Weekly Standard*, September 5, 1866.

Confederate soldiers for crimes committed during the war, a Forsyth County Republican Party meeting held in 1867 resolved that "we desire to see protection extended to such men as moved by conscientious motives, deserted the Rebel army, and loving the Union, endeavored to fight for it, or at least not to fight against it."[103] These and similar resolutions were clear attempts to attract deserters and recusant conscripts to the party, and purposely left open to interpretation what level of dissent was necessary to be considered a Unionist.

While Republican leaders wished to utilize fear of Confederates to motivate their base, they also worked to expand the definition of Unionist as much as possible to attract more voters. An 1868 newspaper advertisement from "The Union Men of Forsyth County" invited "all men who love the *Union*, and are for peace, law and order, and opposed to a renewal of the horrors of *Secession* and *Rebellion*" to attend a mass meeting supporting Grant for president.[104] The message was clear: nothing more than a fear of returning to war and the accompanying lawlessness was needed to justify a vote for Grant.

As part of their effort to widen their base and bolster the support of former dissenters, especially those who had opposed conscription, Republicans in Forsyth even attempted to create an annual celebration commemorating local militia members fleeing to Union lines. In October 1864, when the Forsyth Militia was called up to reinforce Confederate forces in the eastern half of the state, a large number of them fled across the Appalachian mountains. Many had previously served in the militia and Home Guard rounding up deserters. A cynic might point out that only upon their own conscription did they decide it was time to flee and not support the Confederacy. But while it was not the most romantic war story, Republican leaders made do, calling the annual

[103] "Republican Meeting at Union Cross," *Weekly Standard*, April 3, 1867.

[104] The Union Men of Forsyth County, "Union Republican Mass Meeting," *People's Press*, July 31, 1868.

event a commemoration of "Johnson's Raid with loyal men to the United States forces," or the "exodus of Union men to the U.S. Forces."[105] These labels sounded better than Johnson's mass fleeing of ambivalent southerners from military service or what in 1864 papers had called it: a "stampede" of the militia.[106] Each October from 1866 through at least 1870, a massive celebration was held at Chalk Level, in northern Forsyth County, commemorating the event's anniversary.[107] Organizers in 1867 expected "at least four or five thousand" attendees.[108]

Organizers used the festivities as a way to gather former dissenters and tout the Republican agenda with political speeches by leading Republicans. In 1868, organizers arranged for the U.S. District Attorney for the District of North Carolina, D.H. Starbuck, and other leading Republican politicians to give speeches. The speakers encouraged attendants to support the new state constitution, pointing out "that the same leading *rebels* who attempted to destroy the Union by sword, in 1861, are now among the most active in opposing the ratification of the new State Constitution."[109] Such events helped keep alive the community of dissenters that formed during the war by fusing historic commemoration with contemporary politics.

Some conservative newspapers conceded deserters to the Republican Party, and even helped push them into the Republican fold. Conservatives derided the Chalk Level event as a celebration "of men who were 'too loyal' to aid the Confederacy, but too cowardly to fight for

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[105] Celebration," *People's Press*, September 27, 1867; "The Chalk Level Meeting," *People's Press*, October 26, 1866.

[106] *Western Sentinel*, October 27, 1864.

[107] "Chalk Level Celebration," *Greensboro Patriot*, October 20, 1870; see also: J.L.J., "Celebration," *Raleigh Register*, September 10, 1867; One of the Crowd, "Union Meeting at Chalk Level," *Daily Standard*, October 23, 1866.

[108] "Celebration," *Raleigh Register*, September 10, 1867.

[109] "Republican Meeting at Chalk Level," *People's Press*, April 3, 1868.

the Union," decrying their supposed "loyalty" as "cowardice."[110] The author continued his harangue against the attendees of the annual October celebration with a declaration that, "if there is a being upon the face of the earth that stands lower in the scale of humanity than a man who deserts from the army, after having voluntarily entered it, it must be the man who was too cowardly to fight on either side and took [to] the bushes."[111]

While deserters might feel unwelcome among conservatives, getting them to the polls on Election Day required Republicans to quickly build a party structure where no party had existed before. The Chalk Level celebration—always held in October, the month before elections—which aimed to get dissenters excited about the Republican Party, was only one part of building a party based upon wartime loyalties. In addition to political fetes and festivals, Republicans depended on the same networks of dissenters visible within Southern Claims Commission records to support their campaign efforts. These networks were often at least partially formalized in new Unionist organizations, most notably the Union or Loyal League, a Republican-affiliated, quasi-secret society that worked to register white and black dissenters to vote for Republican candidates. While the formation of a new political party in the South depended on dissenters' social networks to organize voters, the Leagues in turn heightened and worked to perpetuate the social networks that the war within the states did so much to create.

As an auxiliary to the Republican Party's official party infrastructure, the Union League oversaw what modern political operatives would call grassroots "get out the vote" operations. Members helped register African-American voters, explained to them the benefits of voting Republican, and made sure Republicans got to the polls. Each county had a council that oversaw

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[110] "'Oh, Shame! Where Is Thy Blush?'" *Greensboro Patriot*, October 14, 1869.

[111] "'Oh, Shame! Where Is Thy Blush?'" *Greensboro Patriot*, October 14, 1869.

local operations, while state and national councils oversaw strategic decisions.[112] At its peak, the Union League was a massive organization. In 1867, the president of the Georgia Union League, Henry Farrow, reported lodges existed in all but 15 of Georgia's counties and that over 27,830 white men belonged to the League in Georgia.[113]

As the Union League established itself in the South after the Civil War, it incorporated existing Unionist organizations into its membership. In North Carolina, secret organizations that formed to protect dissenters during the war provided the foundation for the postwar Republican organizations.[114] In Forsyth County, the Red Strings and Heroes of America had formed during the war as loosely-affiliated secret organizations devoted to protecting dissenters from conscription.[115] The Heroes of America evolved into a complex secret society that included passwords, secret signs, and routes of escape established for conscripts on the run.[116] These organizations easily transitioned into the nucleus for the postwar Union Leagues of the

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[112] For the best works on the Union League, see Michael Fitzgerald, *The Union League Movement in the Deep South: Politics and Agricultural Change During Reconstruction* (Baton Rouge: Louisiana State University Press, 1989); Austin Drumm, "The Union League in the Carolinas" (Ph.D., University of North Carolina at Chapel Hill, 1955); Clement Mario Silvestro, "None but Patriots: The Union Leagues in Civil War and Reconstruction" (Ph.D., The University of Wisconsin, 1959); Susie Lee Owens, "The Union League of America: Political Activities in Tennessee, the Carolinas, and Virginia, 1865–1870." (Ph.D. Disertation, New York University, 1947). The author feels obliged to mention J.G. de Roulhac Hamilton's work as being a typical example of the Dunning school, J.G. de Roulhac Hamilton, "The Union League in North Carolina," *Sewanee Review* 20 (1912): 485.

[113] Alan Conway, *The Reconstruction of Georgia* (Minneapolis: University of Minnesota Press, 1966), 146.

[114] The best works on North Carolina's Union League and the Heroes of America are Drumm, "The Union League in the Carolinas"; William Auman and David D. Scarboro, "The Heroes of America in Civil War North Carolina," *North Carolina Historical Review* 58, no. 4 (1981): 327–63. The formation of the Heroes is further discussed in Auman's excellent dissertation as well as his recently published book: William T. Auman, "Neighbor Against Neighbor: The Inner Civil War in the Central Counties of Confederate North Carolina" (Ph.D., University of North Carolina at Chapel Hill, 1988); William Auman, *Civil War in the North Carolina Quaker Belt: The Confederate Campaign Against Peace Agitators, Deserters and Draft Dodgers* (Jefferson, North Carolina: McFarland & Company, Inc., 2014).

[115] Claim of Tandy Kiser (14299), Forsyth County, North Carolina, Approved SCC, NARA.

[116] *Rituals of the First and Second Degrees, Heroes and United Heroes of America* (Charleston, WV: Moore and Brother, Printers, 1864). For more on the Union Leagues and the Heroes of America in the North Carolina piedmont, see Drumm, "The Union League in the Carolinas," 11–16.

Republican Party in North Carolina's piedmont, providing a readymade party infrastructure.[117] The Union League gained numerous wartime dissenters in North Carolina when the Heroes and other organizations officially merged with the Union League sometime after the war.[118] Other white dissenters joined the Union League after the organizations merged.[119] All initiates had to state they believed that "Secession is Treason" and take an oath to only support loyal (i.e., Republican) candidates for elected office.[120]

The League organized mass meetings, rallies, and barbeques where members socialized and listened to Republican speakers. In Forsyth County, the Union League and Heroes of America helped organize Chalk Level's annual celebration of desertion.[121] Not only did the Heroes and League formalize existing wartime networks of dissenters, but they also created new ties as new members joined. Joining the organization also required acceptance by a community of former dissenters. Members approved all new members, and any initiate who received three votes against him was rejected.[122]

The Union League's white membership peaked in early 1866, and then began to decline in late 1866 and early 1867 as the organization began to accept African-American members.

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[117] Drumm, "The Union League in the Carolinas," 11–13.

[118] Claim of Philip Ball (2304), Davidson County, North Carolina, Approved SCC, NARA. Roberta F. Cason, "The Loyal League in Georgia," *Georgia Historical Quarterly* 20, no. 2 (June 1, 1936): 125-153.

[119] For example, Benjamin Snider joined after the surrender (Claim of Benjamin J. Snider (10960), Forsyth County, North Carolina, Disallowed SCC, NARA).

[120] Union League of America, *Ritual, Constitution and By-Laws of the National Council, U.L. of A., Together with All Necessary Information for the Complete Working of Subordinate Councils* (Washington: Great Republic Office, 1867), 8–9. The Heroes of America oath required members to state they were "binding myself under no less penalty than to have my head shot through" (*Rituals of the First and Second Degrees, Heroes and United Heroes of America*, 6).

[121] In fact, in 1867, the Union League or Heroes held a grand council meeting the evening of the October celebration. ("Celebration," *People's Press*, September 27, 1867).

[122] Union League of America, *Ritual, Constitution and By-Laws of the National Council, U.L. of A.*, 28;

While the Union League's leadership tried to convince white dissenters they shared interests with freedmen, many white dissenters refused to accept racial equality.[123] In response to the inclusion of so many African Americans, some Leaguers revived the Heroes of America in 1867 as a separate organization for white Republicans.[124] Social organizations affiliated with the Republican Party were often racially divided, with freedmen and white Unionists belonging to separate lodges. In Bartow County, Georgia, white Republicans formed a racially segregated "Republican Club" to support the party, and on the afternoon of August 22, 1868, the club passed resolutions calling for the replacement of a local government official who belonged to the Democratic Party. Later that evening, a meeting of black Republicans "concurred in and unanimously adopted" the same resolutions.[125]

Other disputes over League membership appear rooted in wartime division. While the national leadership wished to include any potential Republican voters as members, in the South, many members resisted such a liberal policy. In north Georgia, state leaders of the League "endeavor[ed] to get the loyal men who were hunted down during the war to lay aside their prejudices."[126] The persecuted Georgians, however, resisted working with reformed Confederates turned Republicans.

William Woods Holden, *Third Annual Message of W.W. Holden, Governor of North Carolina* (Raleigh: Jo. W. Holden, 1870), 232.

[123] William Woods Holden, *Third Annual Message of W.W. Holden, Governor of North Carolina* (Raleigh: Jo. W. Holden, 1870), 232–235.

[124] Drumm, "The Union League in the Carolinas," 14; David D Scarboro III, "An Honorable Peace," 318. See also "State Against Wm. Andrews and Others," *Weekly Standard*, September 7, 1870.

[125] The resolutions can be found in a folder titled "Bartow—Negros—Republicans," Box DOC 1912, RG 4, Sub Group 2, Series 46, "File II Counties, Names, Subjects," Georgia State Archives, Morrow, GA.

[126] Henry P. Farrow to General John Pope, August 18 1867, "A1217," Letters Received Third Military District, Bureau of Civil Affairs, Entry 5782, RG 393 Part 1, NARA.

Little is known about the actual workings of the Union League; newspapers articles on the organization were rarely informative about the society's actual activities.[127] Historians who gave credence to Democratic newspaper reports turned the League into a boogeyman that justified the rise of the first Klan.[128] Accusations of violence, corruption, and intimidation of African-American voters proliferated in the conservative newspapers of the late 1860s and in turn shaped early scholarship on the League.[129] Given the available evidence, little is known about local councils' roles in interracial disputes between freedmen and their former owners. As they were secret societies, even finding a council proved challenging at times. For example, though an Army officer found no secret societies in Loudoun in 1867, the Union League already existed there, and reportedly remained active in 1874.[130]

If the 1874 report is true, Loudoun's organization lasted far longer than most local councils. In most of the South, the League was a memory by 1872. Georgia's League dissolved after the 1868 presidential election but had already begun its decline before then.[131] In addition to the admission of African Americans, leading some white dissenters to leave the organization, disputes between the Republican Party and the national leadership of the Union League saw the

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[127] For example, see "Secret Organizations," *Cartersville Express*, April 10, 1868.

[128] For some examples, see Hamilton, "The Union League in North Carolina"; Roberta F. Cason, "The Loyal League in Georgia," *The Georgia Historical Quarterly* 20, no. 2 (June 1, 1936): 125–53; Walter L Fleming, "The Formation of the Union League in Alabama," *The Gulf States Historical Magazine* 2, no. 2 (September 1903): 73–89.

[129] One author even wrote that it became "one of the most diabolical organizations in American history" (Owens, "The Union League of America," 401).

[130] Sidney B. Smith to S.P. Lee, October 14, 1867, RG 393 Part 3, Entry 3, Miscellaneous Records, NARA; Thomas Williams gave testimony to the Southern Claims Commission in which he mentions his membership. (Claim of John Leslie (11230), Loudoun County, Disallowed Claims, SCC) see also Souders and Chamberlin, *Between Reb and Yank*, 252; Owens, "The Union League of America," 453.

[131] *Testimony Taken by the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States*, Georgia: Volume I:48–59, 50, 55, 108, 150, 447.

League's influence diminish.[132] Some African Americans withdrew from the League when conservatives began encouraging whites to fire any freedmen who belonged to the organization.[133] What drove the final nail in the League's coffin was the rise of the Klan across the South in 1868 and 1869. As Klansmen targeted Union League leaders for harassment, torture, and death, the remaining League chapters disappeared.[134] The League, however, had already begun its decline by the time the Klan appeared on the scene. In many places—Rome, Georgia, among them—the organization had disbanded before the Klan even arrived on the scene.[135] By 1870, the Union Leagues had died off across most of the South due to intra-party fights, racial division, intimidation, and the rise of the Ku Klux Klan.[136] But while the organization lasted, it helped facilitate the networks created by civil war and bolstered Republican political power.[137]

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The legacy of the war was constantly contested during elections as Republicans attempted to retain and enlarge their base while Democrats worked to convince white wartime

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[132] *Testimony Taken by the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States*, Georgia: Volume I:48, 447; Silvestro, "None but Patriots," 366–370.

[133] Silvestro, "None but Patriots," 371, 391.

[134] Bradley David Proctor, "The Reconstruction of White Supremacy: The Ku Klux Klan in Piedmont North Carolina, 1868 to 1872" (M.A., University of North Carolina at Chapel Hill, 2009), 23, 26; Silvestro, "None but Patriots," 401–403.

[135] *Testimony Taken by the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States*, Georgia: Volume I: 48–49, 51, 54–55, 68, 108.

[136] For more on North Carolina's Union League history, see Louis P. Towles, "Union League," *NCpedia*, 2006, http://ncpedia.org/union-league.

[137] Drumm, "The Union League in the Carolinas," 15. The Heroes existed at least into June 1869, (J.L. Johnson, "H.O.A." *People's Press,* June 4, 1869) In 1869, the leader of the North Carolina Heroes of America was the Forsyth doctor, John L. Johnson, who oversaw Chalk Level's annual celebration of desertion. Johnson had been a founding member of the Heroes during the war as well. See also William T. Auman and David D. Scarboro, "Johnson, John Lewis," *NCpedia*, 1988, http://ncpedia.org/biography/johnson-john-lewis.

dissenters that their party had not persecuted them during the war. A close examination of one race, the North Carolina 1876 gubernatorial race between Zebulon Vance and Thomas Settle, provides insight into how politically powerful a Unionist identity remained a decade after the war. Though the formal Union Leagues may have largely disappeared, the networks of white southerners who considered themselves Unionists and usually voted Republican remained a key voting bloc. Both parties spent time and money appealing to wartime dissenters.

White Unionists were viewed as one of the few swing blocs in the 1876 gubernatorial election. The Democrats, dedicated to black disenfranchisement and supported by white paramilitary activity, made little effort to gain the votes of freedmen. Vance refused to even hold debates in counties with black majorities.[138] Settle could count on receiving nearly unanimous support from the African-American population, but both candidates knew that the Republicans still needed a substantial portion of the white vote in the western half of the state to win. In an effort to keep dissenters in their ranks, the Republican Party nominated "a well-known Unionist," William Smith, as its candidate for lieutenant governor and publicized his wartime loyalty.[139] While broadcasting the Unionist credentials of Settle and his running mate, the party also attacked Vance for his past as the wartime governor of the state, and specifically for the persecution of deserters. In response, Democrats defended Vance's record and attempted to attract dissenters to the Democratic banner with a variety of tactics. Throughout the campaign, the parties waged a constant battle over the Civil War and its legacy, presenting conflicting versions of the past as they angled for the votes of wartime dissenters.[140]

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[138] Gordon B. McKinney, *Zeb Vance: North Carolina's Civil War Governor and Gilded Age Political Leader* (Chapel Hill: University of North Carolina Press, 2004), 308.

[139] "Beware of Lying Circular," *The Union Republican*, October 5, 1876.

[140] For the best account of this election statewide, see McKinney, *Zeb Vance*, 321-322. For the best discussions on memory in this election, see Steven E. Nash, "The Immortal Vance: The Political Commemoration of North

The Republican Party worked to ensure that the wartime treatment of Unionists, deserters, and other dissenters became the foremost campaign issue of the election, hoping that the 1876 election would act as a referendum on the war within the states. In a textbook example of opposition research, Republican newspapers across the piedmont of North Carolina reprinted Vance's wartime orders against deserters as well as letters requesting reinforcements to suppress dissent. Alongside Vance's wartime letters, Republican newspapers often printed accounts of wartime abuses, torture, and murder by Confederate authorities, carrying the implicit and often explicit statement that Vance bore some responsibility for these atrocities. One article, subtitled "Vance and His Minions Hang an Innocent Girl A Few Months Before the Surrender," claimed that Home Guard members nearly strangled a young girl to death but were acquitted because this "deed of unparalleled infamy" was done on Vance's personal orders.[141] Settle utilized a similar approach in his campaign speeches by quoting Vance's letters about deserters during debates. However, when reading from his opponent's wartime orders during speeches, Settle often changed the word "deserters" to "Unionists" as a means of broadening the category of victims that Vance persecuted during the war.[142]

In 1876, over a decade after the war ended, Republicans still included anti-Confederate planks in their platform. The National Republican Platform that year included the line, "We charge the Democratic party with being the same in character and spirit as when it sympathized

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Carolina's War Governor," in *North Carolinians in the Era of the Civil War and Reconstruction*, ed. Paul D. Escott (Chapel Hill: University of North Carolina Press,, 2008), 269–94; Jeffery J. Crow, "Thomas Settle Jr., Reconstruction, and the Memory of the Civil War," *The Journal of Southern History* 62, no. 4 (1996): 689–726. Nash is focused on the memory of Vance over a longer time span. Additionally, while Nash is interested in Vance's rhetoric and narrative, this essay focuses on Settle's use of the past. Crow sees a failure of the Republican Party, whereas I see a nearly successful utilization of memory to continue Reconstruction. While the strategy failed, it seems likely most white voters for Settle voted on the war issue, while as many white Democratic voters may have voted for reasons of race as for memory.

[141] "Fiendish Outrage!" *The Central* (Lexington, NC), September 2, 1876.

[142] McKinney, *Zeb Vance*, 309.

with treason."[143] The Republican Party of North Carolina's platform was even more explicit and once again used conscription to anger Forsyth residents, stating:

> We regard the nomination of Vance as an insult to every Union man whose confidence he betrayed; to every conscript whom he persecuted; to every Confederate soldier whose life was endangered or whose comrade was slain in useless battle to promote his unholy ambition; to every orphan whose sire he thrust into the forefront of battle to die in vain; to every man who has accepted the results of the war in good faith or who looks to future of the nation with hope.[144]

Even the local Forsyth County Republicans passed their own resolution declaring "that the people of this country are indebted to the Republican party for the preservation of the Union as a nation, while its opponents, the Democratic party, threw the weight of its influence in favor of secession, Civil War, and ruin, and is now the representative party of all that class of men who hate the Union, and seek to deprive the masses of the rights guaranteed them by the Constitution."[145] Republicans believed they could win the election based on the issues of secession, conscription, desertion, and wartime treatment of dissenters; in essence, they wanted a vote on the legacy of the Confederacy and the war within the states.

Democrats recognized that "such Union localities as Forsyth" could not be won by appealing to the love of the Confederacy.[146] Instead, Vance attempted to portray himself as a friend to deserters in counties with large numbers of them.[147] While praising Vance, the

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[143] "Republican Platform," *The Union Republican*, October 5, 1876.

[144] "Platform," *The Union Republican*, October 5, 1876.

[145] "Forsyth Republican Meeting," *The Union Republican*, July 6, 1876.

[146] "Beware of Lying Circular," *The Union Republican*, October 5, 1876; Paul D. Escott, *Many Excellent People: Power and Privilege in North Carolina, 1850-1900* (Chapel Hill: University of North Carolina Press, 1985), 137–138.

[147] For an example of Vance being portrayed as a friend to a deserter, see "Political Notes," *People's Press*, September 8, 1876. See also "Truth Will Out," *People's Press*, September 18, 1876, which recounts how Vance helped a deserter whose property was taken by the Home Guard. In an extremely twisted turn of logic, Democrats even tied the suspension of habeas corpus during the war to the more recent suspension during Klan violence to present Settle as the persecutor of deserters. ("Settle the Exhausted," *People's Press*, August 24, 1876.)

Democratic Party also attempted to undermine Republican candidates' credentials as Unionists. Just as Republican newspapers worked constantly to link Vance to the most notorious abuses of the war, Democrats attempted to connect Settle to prominent abuses, including the widely-known Shelton Laurel massacre, where Confederate soldiers executed thirteen civilians.[148] Democrats also presented evidence that Settle prosecuted deserters during the war as a state solicitor.[149] Democratic circulars and newspapers even disseminated claims that Smith, Settle's running mate, was "guilty of hunting deserters with bloodhounds."[150] Given Vance's wartime office, Democratic efforts to present Settle as the true enemy of dissenters could never have been entirely convincing or as rhetorically powerful as Republican attacks on Vance's war record.[151]

In addition to defending Vance's past and attacking Settle for similar crimes, Democrats also tried to wash the stain from "the bloody shirt." While the Republican Party presented their opponents as the heirs of secession and the progenitors of the Confederacy, the Democratic Party worked to shift the focus elsewhere. The Democratic platform resolved, "that in this the Centennial year of our existence, we invite all patriots to ignore all dead issues, to disregard the prejudices engendered by past events, and unite with us in the effort to restore a constitutional, honest, economical and pure administration of the Government."[152] In this resolution were the major components of North Carolina's Democratic Party's western strategy: reclaim the mantle

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[148] "Settle Quibbles," *People's Press*, September 14, 1876. For the best work on this massacre, see Phillip Shaw Paludan, *Victims: A True Story of the Civil War*, 1st ed. (Knoxville: University of Tennessee Press, 1981).

[149] "Vance and Settle at Rutherfordton," *People's Press*, August 3, 1876; *People's Press*, October 5, 1876; "Settle as the Deserter's Friend," *People's Press*, August 31, 1876.

[150] "Beware of Lying Circular," *The Union Republican*, October 5, 1876, see also "More Testimony from 'the Standard,'" *People's Press*, September 14, 1876, and "Jarvis Proves the Bloodhound Charge Against Smith," *The Landmark*, October 10, 1876.

[151] "Settle Quibbles," *People's Press,* September 14, 1876; "Truth Will Out," *People's Press*, September 18, 1876.

[152] "Our Platform," *People's Press*, October 26, 1876; the use of such imagery and its interplay with race is worthy of further examination, as is the reclaiming of the founding fathers by Democrats from Republicans.

of patriotism, present Republicans as corrupt, and convince voters the Civil War was a dead issue.

Democratic newspapers argued the war distracted from pressing contemporary issues, such as corruption and racial mixing. Democratic publications printed numerous accounts of former deserters declaring their intent to vote for Vance regardless of their wartime differences. After one former Republican in Forsyth County supposedly declared his intent to vote for Vance, Democratic papers heralded his decision as a sign that the war should no longer divide the white vote. The *People's Press*, which by 1876 was owned by a Democrat, exclaimed:

> Farmer Grubbs […] declares he has voted the Republican ticket ever since the war, but after hearing the discussion at Salem he is convinced no honest Republican can continue to endorse such a party, and he shall vote for Vance. It is plain the bloody shirt doesn't wave well. The deserters themselves are sick of it.[153]

The article continued with another anecdote. While at the debate in Salem, a man supposedly asked, "What in the deuce is that fellow talking of desertion for?" The unnamed man purportedly continued, "I'd a great sight rather he'd tell me how to make some bread and meat for my children—durn him—I was a deserter myself and I'm going to vote for Vance."[154] In a rather transparent attempt to place race over the past, a former deserter allegedly declared himself a strong Vance supporter because "he feels the centennial year, and wishes to be a white man and

[153] "The Campaign," *People's Press*, September 14, 1876.

[154] "The Campaign," *People's Press*, September 14, 1876. "Grubbs" may refer to Joseph Grubbs, a former deserter, or Jesse Grubbs, a Republican Party member (CSR for Joseph Grubs, 21st NC, and "Forsyth Republican Meeting," *The Union Republican*, July 6, 1876).

with the white men stand."[155] Here lay the crux of the Democratic message to white Republicans: forget the war and remember we are all white.[156]

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The ultimate defeat of Settle by Vance struck a blow to the power of dissent-based rhetoric. But although the bloody shirt would never again be utilized so intensively, Republican efforts to do so had actually been quite effective. Forsyth's results display just how contested the memory of the war within the states remained in 1876 and reveals a more complicated picture of the effectiveness of each campaign's narrative. Because of the centrality of competing versions of the past in the public debates, voting patterns reflect how voters received conflicting narratives of the war within the states. Though the campaign revolved around the interconnected issues of "race, class, and memory," the war always took top billing in Forsyth's Republican campaign literature.[157] The simple fact that Settle won the county implies that many voters had not forgiven Vance, and precinct or township level results reveal far more. In one section of the count, Old Town, Settle received only 37 percent of the entire vote (as much as half of which may have been from black voters), while in a second precinct, Abbots Creek, the Republican captured nearly 75 percent of the vote (including an estimated 69 percent of the white vote), vividly displaying divisions within the county.[158] Comparing the geography of dissent and the

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[155] "Truth Will Out," *People's Press*, September 18, 1876.

[156] Most of this section is based upon my master's thesis. More on the campaign of 1876 can be found Domby, "'Loyal to the Core from the First to the Last:' Remembering the Inner Civil War of Forsyth County, North Carolina, 1862-1876," 50–61, 78–81.

[157] Nash, "The Immortal Vance: The Political Commemoration of North Carolina's War Governor," 274.

[158] Township-level results for this entire section taken from "Official Vote of Forsyth County, 1876," *Union Republican,* September 16, 1876. For an explanations of how the votes were calculated, see Appendix 2 in Domby, "'Loyal to the Core from the First to the Last:' Remembering the Inner Civil War of Forsyth County, North Carolina, 1862-1876," 76–79. Put simply, I calculated the minimum possible support of whites with an extremely conservative model, based on 100 percent turnout of African-American voters in those precincts. I used the 1880

results of 1876 suggests that Settle's version of the war played a role in determining how Unionists voted.

While no wartime neighborhood was homogenous in its loyalty, some had contained more dissenters than others, and these centers of dissent overwhelmingly supported Settle. "The Southeast part of this county," a Forsyth paper had reported in 1864, included "the vicinity where most of the depredations [by deserters] have been committed."[159] That same region, Abbotts Creek, gave Settle almost three-quarters of its vote in 1876, the most of any township. [160] Indeed, three townships situated along the southern edge of the county—Broadbay, Southfork, and Abbotts Creek—all voted for Settle over Vance. Even without the support of black voters, Settle could have won these townships. Broadbay, especially its rural southern edge, had been home to numerous deserters and recusant conscripts during the war. Asked to identify the Unionists in the area, Samuel Yokley, who lived along the southern border of the Broadbay Township, recalled in 1878 that "in fact the greater part of my neighbors" were Union men.[161] Circumstantial evidence supports Yokley's recollection. Militia districts elected their officers, so a district's choice of leaders reflected its inhabitants' politics. [162] Broadbay's militia

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census to determine potential number of black voters (which, given population trends, means I likely overestimated the number of black voters).

[159] "Another Barn Burnt," *Western Sentinel*, September 8, 1864.

[160] Township Boundaries were taken from: Calvin Miller, "Map of Forsyth County, N.C." (Salisbury, N.C.: [C.M. Miller], 1907), "Map of Forsyth County, North Carolina," (1898), and the author's composite map.

[161] Claim of Samuel D. Yokeley (10959), Davidson County, North Carolina, Approved SCC, NARA. Other claims in the Broadbay region included Claims for Christian Shoaf (10965), George Hege (10963), and Emanuel Tesh (10958), all of Forsyth County, North Carolina, Disallowed SCC, NARA.

[162] The idea to use militia elections to learn the views of population was first used by Wayne K. Durrill, *War of Another Kind,* 53-66. A complete analysis of militia officers' politics is a project needing attention.

company elected John Nissen captain. Suspected of disloyalty during the war, it was Nissen who had requested Reuben Wilson's arrest for the murder of deserters in 1865.[163]

Northern portions of the county also showed a correlation between centers of dissent and voting patterns. The area encompassed by the Bethania Township had been overrun by deserters in 1865. Significantly, along with Broadbay and Abbotts Creek, Bethania was among the Forsyth neighborhoods with the most Southern Claims Commission claimants per resident. The Bethania region included the homes of both abused Union sympathizer Samuel Stoltz and murder victim James Flynt. An adamant secessionist writing Governor Vance in November 1863 complained that "in Bethania […] are several men (tories) that have an influence over a considerable part of this county, and in fact over some adjoining ones." [164] The wartime influence of these leading citizens appears to have persisted: Settle won Bethania with 56 percent of the total vote, garnering at least 40 percent of the white vote.

The concurrence of wartime loyalty and voting patterns is also visible in Forsyth's Democratic strongholds. Vance won both Kernersville and Belews Creek in 1876. Twelve years earlier, a local paper reported a fire in the Belews Creek area was most likely *not* started by a deserter, "but more likely [by] a person of the community, there being no deserters from that section, or known to be in this neighborhood." To the south, Kernersville had contained one of the few effective militia companies during the war. In October 1864, a group of Kernersville

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[163] William Shultz and John Nissen to Jacob Cox, May 10, 1865, Misc. file for R.E. Wilson, NARA; "The Words of Many" to ZBV, *The Papers of Zebulon Vance*, [microfilm] edited by Gordon McKinney and Richard McMurry (University Publications of America, 1987), Reel 27, Document NCAH 1279.

[164] Lizzie Lee to Z.B.V., November 29, 1863, *Papers of Zebulon Vance*, reel 20, NCAH 9273. The Jones Family Papers for the years 1862-1865 contain numerous anecdotes about this area, especially involving the Flynt Family. See, for example, Julia Jones to "Jimmy," July 13, 1864, Jones Family Papers, SHC.

militiamen even captured twenty-four conscripts from Forsyth and Guilford Counties attempting to make it to Union lines.[165]

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For years after the war, politics remained a reflection of each community's wartime past. While Forsyth County Republicans successful mobilized dissenters by appealing to wartime loyalty and simultaneously utilizing social networks to help turn out voters, Republicans in other localities often proved less successful during elections. The dissenter-heavy precincts of Waterford and Lovettsville, Virginia—full of Quakers, Unionists, and other dissenters—opposed secession by a wide majority in 1860 and 1861 and became Republican strongholds during Reconstruction. In the 1871 elections, for example, the Republican candidates for State Senate, House of Delegates, and Clerk of the Circuit Court garnered between 60 percent and 71 percent of the votes cast in Waterford and Lovettsville.[166] Loudoun's residents recognized that the political leanings in northern Loudoun were partially a product of the past. The residents of Lovettsville "were before the war intensely Whig, and during the war Union men; now they are Radicals," observed one local commentator.[167] However, while the northern portions of the county overwhelmingly voted Republican, Leesburg and the southern part of the county voted

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[165] "More Incendiarism," *Western Sentinel*, September 15, 1864; [No title], *Western Sentinel*, October 27, 1864. While not conclusive, the correlation between wartime centers of dissent and white Republican support implies Settle's version of the past resonated with many voters. And though election results show trends, the community divided along lines far too complex to easily draw maps. Each neighborhood included some white Republicans and some Democrats. Even in Abbotts Creek, Vance received at least 30 percent of the white vote. Still, countywide, a substantial minority of Forsyth's white voters—probably around a third—chose to vote for Settle. The estimation of "around a third" holds true countywide using the minimum possible support model as well as by less conservative models.

[166] "Loudoun County Official," *Democratic Mirror*, November 15, 1871; I have included Luckett's Store as part of Lovettsville as it is just to the south of town, and as a newly-created postwar polling place, it drew from the historic Lovettsville community. Less than 30 percent of the rest of the county's vote went to the candidate supported by Waterford and Lovettsville.

[167] Aliquis, "Loudoun County--No. 6," *Alexandria Gazette*, February 26, 1870.

for conservatives. During the 1871 election, the rest of the county voted for Democrats so overwhelmingly that Republicans only received around 34 percent countywide.[168]

At times, a candidate's actions during the community's internal war mattered more than their party. Candidates who had persecuted their neighbors did worse in the Republican strongholds of northern Loudoun County than any other Democratic candidates. In an 1866 election, the Republican candidate for countywide office received a massive 96 percent of the vote in Waterford.[169] In contrast, the winning candidate, former Confederate guerilla Colonel Elijah White, received a mere eight votes in Waterford, presumably because few from the area had forgiven White for the numerous depredations he and his men had committed upon the community.[170]

In Georgia, as in North Carolina, Democrats attempted to use a candidate's role in the Civil War to appeal to some dissenters. When William T. Wofford ran for Congress as a Democrat in 1865, newspapers trumpeted his service as a Confederate general. But instead of discussing his time serving under Robert E. Lee in the Army of Northern Virginia, the Democratic press focused on his last assignment as commander of the Confederacy's Department of Northern Georgia. In supporting his candidacy, the *Rome Courier* reminded readers of Wofford's role ending the reign of terror brought by deserters and guerillas, recounting how before he arrived in Georgia, "the deplorable condition of the country was such that neither men, women nor child could lie down at night with any certainty of being safe from robbers till morning—Men were dragged from the beds at night and hanged, or otherwise

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[168] "Loudoun County Official," *Democratic Mirror*, November 15, 1871.

[169] "Loudoun County," *Democratic Mirror,* May 30, 1866; The Republican also received 89 percent of the vote in Lovettsville.

[170] "Loudoun County," *Democratic Mirror,* May 30, 1866.

murdered." The paper asserted that it was thanks to Wofford that things got better as "the order he restored; the security he gave to the people, […] shows with what determination he labored."[171] The strategy worked, and Wofford won almost 70 percent of the vote in Floyd County.[172] Though elected, his Confederate service ensured the Republican-controlled Congress in Washington refused to seat him.[173] Democratic Party leaders recognized that a candidate's behavior towards his community during the war might matter more than his actual views on secession, his political leanings during the war, or the party to which he belonged.

Wofford's attempts to attract the votes of wartime dissenters were likely aided by a few other factors. Wofford's main opponent, James P. Hambleton, was a militant former fire-eater who ran on a platform of restricting the freedoms of African Americans.[174] Before the war, Hambleton had published a "black list" of "abolition houses," northern merchants unsupportive of the South, urging his readers to avoid using them.[175] And, in 1866, he would name his newborn son John Wilkes Booth Hambleton.[176] Floyd County's Republican Party failed to field an opponent after an Atlanta Unionist named J.A. Stewart initially entered the race, only to withdraw shortly after Wofford announced his candidacy. Stewart likely recognized the fact that

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[171] Etowah, "Mr. Editor" *Rome Weekly Courier*, November 2, 1865.

[172] "Official Results for Floyd County," *Rome Weekly Courier*, November 16, 1865.

[173] Gerald J. Smith, *"One of the Most Daring of Men": The Life of Confederate General William Tatum Wofford* (Murfreesboro, TN: Southern Heritage Press, 1997), 151–152.

[174] "Official Results for Floyd County," *Rome Weekly Courier*, November 16, 1865; "To the Voters of the Fourth District," Daily Intelligencer, October 24, 1865; "The Constitution States Amid Chaos," *The Atlanta Constitution,* June 16, 1895, p. 9.

[175] Franklin M. Garrett, *Atlanta and Environs: A Chronicle of Its People and Events, 1820s-1870s* (Athens: University of Georgia Press, 2011), 454. See also "Hambleton," *Chicago Daily Tribune*, February 15, 1876

[176] "Hambleton," *Chicago Daily Tribune*, February 15, 1876; 1870 Census.

Wofford would beat him, and by bowing out gracefully, he helped ensure Wofford defeated Hambleton.[177]

Because the war *within* the states played out differently in each community, Reconstruction politics also differed between communities. In geographically divided Loudoun County, Republicans usually nominated a vocal Unionist from the northern portion of the county, but their candidate almost always lost countywide offices due to the prevalence of former Confederate sympathizers in the southern half of the county. In contrast, in dissenter-heavy Forsyth County, a Unionist past helped politicians win elections, while in the Floyd community in Georgia, resistance against lawless elements during the war became a trumpeted qualification. In each of these communities, the wartime intra-community conflict reshaped politics, social networks, and society in fundamental, enduring, and interconnected ways.

Throughout Reconstruction, on a daily basis, in the mundane interactions between neighbors, the Civil War continued to influence fragmented communities. Social changes brought by the war affected the daily lives of southerners for years to come. In churches, politics, and social networks, divisions remained a visible and painful legacy of the war. Complex fissures and unmappable social networks were a product of the multifaceted nature of Civil War loyalties and allegiances. These wartime networks heavily influenced the social life of southerners in the decades after the war, and they grew as they became the foundation of a political party that had no official infrastructure before 1865. Southern Republicans attempting to use networks and rhetoric to create a Unionist political identity that encompassed dissenters of

[177] Conciliator, "J.A. Stewart for Congress," *Rome Weekly Courier*, October 26, 1865; J.A. Stewart, "Circular Letter," *Rome Weekly Courier*, October, 12, 1865; "For Congress—The Seventh Congressional District," Daily Intelligencer, November 3, 1865; J.R. Stevens, "To the Voters of the 7th Congressional District," *Rome Weekly Courier*, November 9, 1965. A Unionist named Cole from Atlanta also ran in the district but only received one vote, implying his candidacy was never made public or advertised in Floyd County (Smith, *One of the Most Daring of Men*, 151).

all sorts had various levels of success, but dissent, multi-layered loyalties, and complex divisions of the war *within* the states continued to shape southern society in the years after Appomattox.

Chapter 6: "The Last Mad Spurt of War"
Court Cases and Reconstruction Violence as Part of the Long Civil War

On May 10, 1865, a month after Federal troops arrived in Forsyth County, John Nissen and William Shultz wrote to a Union general requesting the arrest and trial of Major Reuben E. Wilson for the murder of "one negro man, and four white men, two of them having no connection with military service whatever." The victims had been killed in March 1865 after Wilson returned home from Virginia at the head of his battalion with orders to round up deserters and conscripts. The killings, which had shocked the community with their brutality and pointlessness, became an important test case in Forsyth County for those wishing to prosecute former Confederates during Reconstruction.[1]

Nissen and Shultz's letter moved up the chain of command, and within two weeks, orders were issued for Wilson's arrest. On May 25, Wilson was located in a private citizen's home in Richmond, Virginia, recovering from the amputation of his leg after an unfortunate encounter with a shell the month before.[2] U.S. troops imprisoned Wilson in Raleigh, but his case soon became a *cause célèbre* in North Carolina, even leading the 1865 North Carolina constitutional convention to pass a resolution requesting his release in October. Finally, when General Ulysses S. Grant visited the city in November, he ordered Wilson's release.[3]

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[1] William Shultz and John Nissen to Jacob Cox, May 10, 1865, in File on R. E. Wilson, *Unfiled Papers and Slips Belonging in Confederate Compiled Service Records* National Archives Microfilm Publication M347, RG 109, NARA, accessed via fold3.com (cited as Misc file henceforth).

[2] Misc. file for R. E. Wilson.

[3] "Acts Committed During the War," *Wilmington Journal*, November 22, 1866; "A resolution," *Raleigh Sentinel*, October 31, 1865. For the dates of Grant's visit, see Andrew Johnson, *The Papers of Andrew Johnson: February–July 1866*, ed. Paul H. Bergeron (Knoxville: University of Tennessee Press, 1992), 489.

Wilson's legal troubles were only beginning, however. Upon his arrival in Forsyth, civil authorities arrested him, intending to try him for murder.[4] A Forsyth judge moved the case to Rockingham County in order to find an unbiased jury, as Forsyth remained far too divided for a fair trial.[5] Charges were also leveled against seven of Wilson's soldiers who had pulled the triggers at his orders. Although all the defendants would eventually be acquitted or have their charges dropped, the failure to convict does not diminish the importance these cases played in perpetuating wartime conflicts.[6]

As both a continuation of the conflict by legal means and a contest over the memory of the war, the trial of R.E. Wilson presented two narratives of the inner war. To Nissen, Shultz, and the families of his victims, Wilson committed cold-blooded murder when he "barbarously put to death" the five dissenters. Nissen and Shultz's letter highlighted the fact that the dead were "executed without any due form of either civil or military law […] without any trial by Court Martial, or any investigation of the charges preferred against them."[7] To them, the fact that it was wartime could not excuse the killing of civilians. Wilson, in sharp contrast, viewed the killings as an act of war. He did not deny his part in the deaths, but rather argued the killings were legitimate wartime deeds. According to a sympathetic journalist, Wilson's orders gave him

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[4] "Acts Committed During the War," *Wilmington Journal*, November 22, 1866.

[5] "Forsythe Superior Court," *Raleigh Sentinel*, April 17, 1866.

[6] "Forsyth Superior Court Minute Book, 1849-1869," 303–07, 320, 324, 341, 347–348, 464–465, North Carolina Division of Archives and History, Raleigh, NC, (NCDAH henceforth),

The other defendants were Henry Hester, John Sapp, Moses Woodhouse, James Jones, Nathaniel Crowder, Thomas Close, and William Henshaw. For the best article on this trial, please see David Williard, "'Vengeance Is Mine, I Will Repay': Desertion, Killing, and Judgment in North Carolina's Western Piedmont, 1865–1866," *Journal of the Civil War Era* 2, no. 1 (March 2012): 31–57. See also Adam Domby, "'Loyal to the Core from the First to the Last:' Remembering the Inner Civil War of Forsyth County, North Carolina, 1862-1876" (M.A., University of North Carolina at Chapel Hill, 2011).

[7] William Shultz and John Nissen to Jacob Cox, May 10, 1865, in Misc file for R. E. Wilson.

"every discretionary power, and a strict charge from his commanding general, that in the performance of his duty to use *'powder and ball freely*.' Indeed, it was understood that his instructions were to make examples."[8]

The war fought within Forsyth shaped Wilson's views of dissenters, and his experiences fighting against his neighbors shaded how he remembered dissent as well as how he viewed the killings. Born into a wealthy family, Wilson immediately volunteered when the war began, and his company elected him second lieutenant even though he was only in his early twenties. After the April 1862 reorganization of his company into the elite First North Carolina Battalion Sharpshooters, Wilson was promoted to captain. But his luck changed at the battle of Cedar Mountain in August 1862, where he received wounds to both his right forearm and left leg.[9]

While recovering back home in neighboring Yadkin County, (just across the river from Forsyth) Wilson learned about the war within the states from his sick bed. He heard about the outrages committed by deserters and others hiding in the bush. In particular, Wilson was exasperated by the numerous local deserters, including about a half-dozen men from his own company.[10] Wilson's brother-in-law, who also served as trustee for Wilson's trust fund, even received death threats from "a crowd of tories and conscripts." [11]

Wilson's exhibited his palpable frustration when in May 1863 he wrote the Confederate Secretary of War to inform him of the problem. Because a recent court ruling kept the state

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[8] "The Case of Capt. R. E. Wilson," *Western Sentinel*, November 8, 1866; see also "State News," *Weekly Sentinel*, November 19, 1866.

[9] CSR for Reubin E. Wilson, 1st NC Sharp Shooters, NARA.

[10] CSR for Reubin E. Wilson, 1st NC Sharp Shooters, NARA. Much of my account of R.E. Wilson's life comes from Frances Harding Casstevens, *Tales from the North and the South: Twenty-Four Remarkable People and Events of the Civil War* (Jefferson, N.C.: McFarland & Co., 2007), 254–274, esp. 259–260 for this section.

[11] William T. Auman, "Neighbor Against Neighbor: The Inner Civil War in the Central Counties of Confederate North Carolina" (Ph.D., University of North Carolina at Chapel Hill, 1988), 242. For information on trust fund, see Lewis Brumfield, *Wouldn't You Like to Have Known Them?* (Yadkinville, N.C.: L.S. Brumfield, 1992), 28.

militia from arresting deserters, Wilson asked that the Confederacy grant him permission to capture these traitors, as he could "get no assistance from the militia officers."[12] The Secretary failed to issue Wilson the authority to hunt deserters down, however, and the distaste Wilson felt persisted.[13]

In early 1864, Wilson returned to duty as the Provost Guard for Kinston, North Carolina, where he played a role in the execution of twenty-two captured Union soldiers convicted of deserting from Confederate service. Wilson's exact role in the execution remains unclear, but as Provost Marshal, he likely guarded the prisoners during their trial and until execution, before turning them over to another command for the actual hanging.[14] In a letter to his aunt, Wilson celebrated the execution of disloyal southerners, writing, "we give them their dues down here, arrest every disloyal man we can find. Since I have been in Kinston there has been (22) twenty-two men hung here they were all deserters." By the time the war ended, Union authorities suspected Wilson of taking part in the murder of thirty men.[15] The additional three victims appear to have been Union POWs.

For Wilson, killing dissenters was no worse than killing Yankees. In fact, it might even have been a preferable task. Wilson viewed dissenters as traitors and had no patience with them. Wilson would dislike the comparison but his view of dissenters sounds eerily similar to their

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[12] R.E. Wilson to Hon. James A. Seddon, May 22, 1863, Reel 116, M437, Letters Received by the Confederate Secretary of War 1861-1865, RG 109, NARA.

[13] Frances Harding Casstevens, *The Civil War and Yadkin County, North Carolina: A History: With Contemporary Photographs and Letters* (Jefferson, N.C.: McFarland & Co., Inc., Publishers, 1997), 282; Casstevens, *Tales from the North and the South*, 259.

[14]United States War Department, *Murder of Union Soldiers in North Carolina*, 39th Congress, 1st Session, House of Representatives, Executive Document No. 98 (Washington: Government Printing Office, 1866), 21-25, 36, 40, 42-43, 45.

[15] Reuben Wilson to Julia Jones, as quoted in Casstevens, *Tales from the North and the South*, 263. For the count of thirty, see Misc file for R.E. Wilson. In addition to the five dead in Forsyth and twenty-two in Kinston, one document implies that Wilson supposedly shot three Union soldiers after he was captured.

view of him. At the core of these cases was how dissent should be remembered: were dissenters upstanding patriots or criminals deserving of summery execution?

Fortunately for Wilson, he escaped the fate he celebrated meting to dissenters and was acquitted, even though there was ample evidence to justify a guilty verdict. In the end, Thomas Settle, the solicitor for the region, "agreed to the rendering a verdict of '*not guilty*,' in all the charges whereof the defendant stood indicted." The dropping of charges appears to be part of a plea agreement, as Wilson immediately "agreed to a compromise in all the civil suits for damages that had hitherto been instituted against him by paying to the parties claiming such sums of money as were then agreed upon as being satisfactory."[16] The exact amount paid is unclear, but Settle appears to have been trying to heal the divides within the community by finding a compromise between guilt and innocence. Still, Wilson did not escape consequence free: though officially "not guilty," he remained tainted in his community by the memory of the five murders.[17]

Unsurprisingly, the trial failed to appease many of Wilson's accusers, and the community remained at odds with itself. In fact, Settle's decision to end the case probably further polarized the community. In 1868, a member of the Wilson's family informed her sister that because there "were so many mean people here [Wilson] could never stay here[…] Reuben is going to Geo-gay to live."[18]

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[16] "State News," *Raleigh Sentinel*, November 10, 1866. The civil case appears to be for the murder of David Huff, "Forsyth Superior Court Minute Book, 1849–1869," 341, NCDAH.

[17] "The Case of Capt. R. E. Wilson," *Western Sentinel,* November 8, 1866. For the best account of this trial and his subordinates' trials, see Williard, "'Vengeance Is Mine, I Will Repay': Desertion, Killing, and Judgment in North Carolina's Western Piedmont, 1865-1866."

[18] "Your Sister" to "My Dear Sister," April 27 1868, Jones Family Papers, Southern Historical Collection, The Wilson Library, University of North Carolina at Chapel Hill (SHC).

The trial also appears to have strengthened Wilson's Confederate identity, further dividing a community that struggled to forgive his actions. He clung to his Confederate past for the rest of his life, never missing an opportunity to flaunt his service. After the war, he went by "Major R.E. Wilson" and carried calling cards that read, "First N.C. Battalion Sharp Shooters, Confederate States Army."[19] A prominent leader in the United Confederate Veterans, Wilson kept his unit's old battle flag, which he displayed at the numerous reunions he attended. He likely carried the banner with him when he marched—or hobbled—in Jefferson Davis's funeral. As an officer in the United Confederate Veterans, Wilson fought to protect the memory of the Confederacy and his own reputation—likely further angering the families of those he executed.[20]

The Wilson trial was one among many in Forsyth County and the South. Indeed, cases like Wilson's are an often overlooked part of Reconstruction legal history, which usually focuses on those cases that reached the high courts. While the military trial of Henry Wirz, for example, is known to many historians, the thousands of individuals charged for wartime crimes in county courts across the South have garnered much less attention. Across the South, local courts tried people for crimes committed during the war, including simple larceny, assault and battery, forcible trespass, arson, assault with intent to kill, and murder. In Forsyth County, at least thirty-seven individuals were charged with wartime crimes, while at least fourteen men were charged with similar crimes in Loudoun County, and a minimum of eleven cases were brought against

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[19] Casstevens, *The Civil War in Yadkin County*, 113; Brumfield, *Wouldn't You Like to Have Known Them*, 29; Casstevens, *Tales from the North and South*, 272. A calling card is in the Jones Family Papers, SHC.

[20] He was also likely a Klan member. Klan membership is not proven, but it seems likely given all of the facts about him. Additionally, two earlier biographers believed he was a Klansman: Casstevens, *Tales from the North and the South*, 273; Brumfield, *Wouldn't You Like to Have Known Them?*, 29. As much as Brumfield wants to excuse Wilson for being a Klansman, Brumfield's assertion that Wilson was involved "only in its very early days, when only Confederate officers of the finest families were members" seems overly kind. I do not accept that the Klan was ever one of North Carolina's more benevolent institutions. Especially given his war and postwar record, it seems likely Wilson would have been a Klan sympathizer, if not leader. Casstevens was privy to excellent oral traditions, so her belief that Wilson was a Klan member adds additional weight to the supposition that he was such.

twenty individuals in Floyd County, Georgia. Unfortunately, the judicial records in all three counties often fail to distinguish when a crime occurred, so the number of indictments for wartime crimes was likely significantly higher.[21] Often newspapers, letters, or other sources besides the court records are necessary to establish if the origins of a case were during the war. Therefore, these seventy-one defendants represent only those that were easily identifiable as a product of the war. Numerous other cases almost certainly failed to clear the grand jury.

Postwar trials for wartime activities represent a contest of remembrance, for, in addition to the freedom of the defendant, the very memory of the war was at stake. These trials display a public debate over the conduct of the war within the states. While historians of historical memory often focus on how the causes of the war or major battles were remembered, these court cases provide a glimpse at the first contests over if and how the war within the states would be remembered. Some defense attorneys chose not to contest the facts about what transpired, but instead questioned whether their client's actions could be considered a crime, leaving the jury to decide whether killings were murders or casualties, whether the taking of a horse was impressment or robbery.

Ultimately, however, convicting the persecutors of dissenters proved nearly impossible, and so dissenters sometimes resorted to violence as more immediate means of gaining justice or at least vengeance. An eastern North Carolina paper reporting on the Wilson case explained the dilemma faced by divided communities:

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[21] Loudoun County Criminal Case Files, Loudoun County Court House, Leesburg, VA; "Loudoun County Court Minute Books," Loudoun County Court Records, Library of Virginia, Richmond, VA (LVA); "Forsyth Superior Court Minute Book, 1849–1869," NCDAH; "Floyd County Superior Court Minute Books" and "Floyd County Superior Court Criminal Minute Book, Book B, 1858–1877," accessible on microfilm at the Georgia State Archives, Morrow, GA, (GSA) or Sara Hightower Regional Library, Rome, GA. In addition to the eight men involved with Wilson, at least twenty-three other individuals were charged in cases where a plea of amnesty was entered. The majority of these cases can be found in "Forsyth Superior Court Minute Book, 1849–1869," 346–350, NCDAH.

> In certain portions of our State, especially in the extreme Western counties, where communities and districts were divided in their support of the State and Confederate Government, we are sorry to see that the enmities and ill-feelings, engendered then, are still rankling in the hearts of many, and in some neighborhoods the most deplorable condition of affairs exist. The criminal and civil dockets of their courts are crowded with indictments and suits for offences or injuries committed upon one another during the war. The efforts of their best citizens and the advice of friends have failed in many instances of stopping these prosecutions, and in not a few cases, violence, even to the taking of human life, has attended these unhappy affairs.[22]

While courtroom testimony provided a narrative of past events, these Reconstruction fights between wartime opponents illustrate the importance the war continued to play, as belligerents risked arrest, injury, or, in some cases, death to continue the feuds the war created.

While the first half of this chapter looks at trials, the second half addresses this more violent venue in which wartime feuds continued. Like the court cases, fights between wartime opponents also reflected the continuing conflict that the war within the states created. Reconstruction violence was not always solely racial in nature. Often, Reconstruction violence had multiple sources as the political, personal, and racial tensions that covered the South overlapped. Reconstruction violence, including some Klan violence, had its root in many causes, particularly wartime divisions. Moreover, intra-community conflict during the war frequently triggered later acts of violence, leading to yet more court cases.

Trials and violence present unique windows into Reconstruction society. The divisions war left within communities often appear as stark distinctions during court cases and fights, where sides and factions in wartime feuds—normally hidden in a complex network of individual relations—for a moment became clearly delineated. In trials and within street brawls and fist fights, one finds contestations over the meaning of the war within the states. Frequently, these

[22] "Acts Committed During the War," *Wilmington Journal*, November 22, 1866.

fights not only continued wartime feuds, but were also contests over how the war within the states should be remembered.

***** Trials *****

On August 15, 1865, the three former Confederate guerrillas who had burned Luther Potterfield's barn in retaliation for the killing of their leader, John Moberly, were charged with arson in Loudoun County.[23] The prosecutors, however, dropped the case in November 1865 before it ever went to trial. Some cases brought for wartime actions went to trial in Reconstruction Loudoun County—for example, a jury found the defendant not guilty of stealing a horse in *Commonwealth of Virginia v. William R. Jones*. But most cases ended like the larceny charges against John H. Myers, brought for stealing a horse in 1864: dismissed.[24] In sum, only a few of Loudoun's cases went to trial, and of the fourteen identified individuals in Loudoun charged for crimes committed during the war, none were convicted.[25]

In addition to these criminal cases, victims of wartime crimes often brought civil suits against their persecutors. On the same day that prosecutors dropped criminal charges against Major Wilson in North Carolina, Wilson settled a civil case paying an undisclosed sum to the family of one of his victims. Similar civil suits were brought elsewhere. With the reopening of

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[23] File 1865-013, *Commonwealth v. James Riley, John Tribby, James Tribby, and George Chamblin*, Loudoun County Criminal Case Files, Loudoun County Court House, Leesburg, VA; "Loudoun County Court Minute Book, July 1861–October 1866," 111–112, 129–130, 149, Loudoun County Court Records, Reel 90, LVA.

[24] "Loudoun County Court Minute Book, July 1861–October 1866," 389, Loudoun County Court Records, Reel 90, LVA. Interestingly, Myers was almost certainly a Confederate deserter acting of his own accord. (CSR for John H. Myers, Sixth Virginia Cavalry, NARA).

[25] "Loudoun County Court Minute Book, July 1861–October 1866," Loudoun County Court Records, Reel 90, LVA and Loudoun County Criminal Case Files, Loudoun County Court House, Leesburg, VA. Not all of the court records specify when a crime happened, so it is hard to establish how many actually were charged. The timing of some cases is difficult to explain. Not until 1869 did prosecutors charge Henry Russell with beating a Union army informant with a club while serving in Mosby's Cavalry four years earlier. The charges, however, were dismissed in April 1869 without trial, as the statute of limitations had expired (File 1869-011 for *Commonwealth v. Henry H. Russell*, Loudoun County Criminal Case Files, Loudoun County Court House, Leesburg, VA.).

the Loudoun County courts in August 1865, Virginia Unionists brought multiple suits against former Confederate Guerilla Captain Frank Myers totaling at least $4,400 "for misconduct during the war."[26] During the War, Myers' company of local cavalry competed with Mosby's men for the title of most feared partisans. They had frequently "impressed" items—occasionally items with no military value—from local dissenters. Though eventually dismissed, the suits demonstrate how hard feelings remained and likely further embittered Myers toward his neighbors.[27]

The postwar charges were almost always directed at individuals who had attacked members of their own community during the war. Wilson, Myers, and the other Confederate soldiers charged with wartime crimes were not just any Confederates; they were not even leading secessionists. In fact, both Wilson and Myers had been too young to vote for secession. In most cases, political views played little role in determining who was charged with crimes—instead, a man's conduct toward his neighbors mattered most. Wilson's accusers knew him, and they knew the killings were personal. Deserters, guerrillas, home guard members, and others tasked with hunting deserter were charged more frequently than any other group.[28] In almost every case, the

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[26] Franklin McIntosh Myers, "The Diaries of Franklin McIntosh Myers: Captain, Company A 35th Battalion Virginia Cavalry, 1865 and 1867," transcribed and annotated by John E. Divine and John M. Souders, Waterford Foundation, Archives (WFA), p. 30; Myers "Diary" henceforth.

[27] For the best works on the unit, see John Divine, *35th Battalion Virginia Cavalry* (Lynchburg, VA: H.E. Howard, 1985); John M Souders and Taylor M Chamberlin, *Between Reb and Yank: A Civil War History of Northern Loudoun County, Virginia* (Jefferson, North Carolina: McFarland & Company, Inc., 2011); Frank M. Myers, *The Comanches: a History of White's Battalion, Virginia Cavalry, Laurel Brig., Hampton Div., A.N.V., C.S.A.* (Baltimore: Kelly, Piet and Co., 1871).

[28] In Forsyth County, charges included forcible trespass, assault and battery, and murder. At least twenty-one of them appear to have been related to hunting deserters. For example, among twelve men charged together for an act of forcible trespass, five have been identified as either in the militia or senior reserves, organizations tasked with arresting deserters during the war. "Forsyth Superior Court Minute Book, 1849–1869," 346, NCDAH; CSRs for J.M. Plunkett, A. Dwiggins, and J.W. Newman all of the 7th NC Senior Reserves, NARA; Stephen Bradley, ed., *North Carolina Confederate Militia Officers Roster: As Contained in the Adjutant-General's Officers Roster* (Wilmington, N.C.: Broadfoot Pub. Co., 1992), 193. The others seven likely were as well, as one of the men was also charged with murdering a deserter in a separate case.

defendant had assaulted, murdered, or robbed members of their home communities; most defendants had lived in either the county in which they were charged or an adjourning one prior to the war. Rarely were individuals from outside the community charged with wartime crimes.

The use of the courts to persecute enemies was not limited to former Unionists. Luther Potterfield not only failed to see the arsonists who burned his barn convicted—he was also investigated for murder charges himself. While maneuvering for the (failed) indictment of the arsonists, Potterfield concurrently wrote to Union authorities requesting a "written order authorizing the shooting of Mobely," as he had been "accused of killing the Guerrilla John Mobley without having any authority."[29]

With the reestablishment of civil government, Unionists and dissenters alike across the South feared being charged with crimes. In 1866, just across the river from Forsyth County, the Yadkin County sheriff attempted to arrest a recusant conscript returning from the North, where he fled during the war. Before fleeing, though, the conscript had shot and killed a militia officer sent to arrest him. The conscript escaped from the sheriff and rode to the Union garrison at Salisbury. In the end, a visit by a United States Army colonel quashed the proceedings.[30]

The inner war in the Deep South also generated court cases. Charges were filed against a range of defendants by aggrieved parties in Floyd County, Georgia. For example, prosecutors charged Jerry Austin with robbery for his part in the October 1864 killing of John Ellis, arguing that Austin stole Ellis' horse after two Texans gunned the man down. Austin presented a twofold defense, claiming he had been forced to accompany the Texans against his will and that the horse

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[29] File for Luther H. Potterfield, M345, Union Provost Marshals' File of Papers Relating to Individual Civilians, 1861–1867, RG 109, NARA. Postwar petitions to Congress from dissenters also attest to the successful prosecution of Union men in North Carolina's courts, as discussed in chapter seven.

[30] Folder 18881, M416, Union Provost Marshals' Files Relating to Two or More Civilians, NARA, 1964; Casstevens, *The Civil War and Yadkin County*, *North Carolina*, 92–93.

he took had been stolen by Ellis in the first place.[31] In January 1867, a jury acquitted him.[32] In another example, among the numerous men charged for robberies committed during the months of lawlessness in 1864 were three members of Colquitt's gang who had helped hang Judge Burwell in November 1864.

As was true in Loudoun, gang members in Georgia were not the only ones charged with crimes. While the majority of Floyd's cases originated from depredations committed by brigands during the lawless period experienced in late 1864, Z.B. Hargrove was charged with stealing a ferry boat during the time he served as Rome's Confederate Provost Marshall. Because the boat was taken for military purposes, he was quickly acquitted.[33] In one of the stranger cases brought about by the war, Paschal Brisentine was charged with "larceny after trust had been delegated" for using the labor of another man's slave.[34]

Despite their best efforts, Floyd County Unionists struggled to convict former Confederates for wartime persecutions. Lewis Knowles and William Martin, for example, were indicted together for two robberies committed during the winter of 1864–65, but juries acquitted them of both.[35] In a slightly more satisfying outcome, a settlement reached between Lewis Burwell and the men who hanged him resulted in the prosecutor agreeing to drop charges.[36] In at

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[31] Floyd County Superior Court Minute Book 8, 1862-1867, 385-391 "Floyd County Superior Court Criminal Minute Book, Book B, 1858-1877," 168, GSA.

[32] "Floyd County Superior Court Criminal Minute Book, Book B, 1858-1877," 168-169, GSA.

[33] "Floyd County Superior Court Minute Book, Book 8, 1862-1867," 345-346, GSA.

[34] "Floyd County Superior Court Criminal Minute Book, Book B, 1858–1877," 220–22, GSA.

[35] "Floyd County Superior Court Criminal Minute Book, Book B, 1858–1877,"171-172,176-178, GSA; "Floyd County Superior Court Minute Book 8, 1862-1867," 244, GSA; in the first case, charges were dropped for Knowles after a jury acquitted Martin for the crime.

[36] "Floyd County Superior Court Criminal Minute Book, Book B, 1858–1877," 193-194, GSA.

least four Floyd County cases, juries acquitted former Confederate soldiers and deserters, while prosecutors dropped the charges in three others.

Some juries recognized the unique circumstances that Floyd County residents had faced due to the destruction and anarchy the war brought. Though Romulus Pass and his son Adolphus were clearly guilty of stealing hogs from Wallace Warren in January 1865, the jury found that "in view of the […] condition of the country at the time of the commission of the offense […] and the great straights to which many of our citizens were reduced for want of adequate substance we the jury find the defendants not guilty"[37] According to later reports, "By Gracious!" exclaimed the shocked plaintiff, "they found Pass guilty and then pardoned him."[38]

Unfortunately, testimony from most of the Floyd cases has not survived, but extant documents from neighboring Bartow County provide detailed information about two trials, offering a clearer picture of the lengths to which dissenters went in seeking justice and the difficulties they faced in gaining a conviction. [39] In late 1864, after Union forces occupied the region, Bartow residents William Light and John Ward had returned to Bartow from the Confederate army. While there, they hanged multiple Union collaborators, including Charles Chambers and J.H. Satterfield. Though the families of the victims wanted revenge after the war, they were initially unable to even get charges proffered by Bartow County authorities. Indeed, it took almost three years for an arrest to occur, in part because a former Confederate guerilla served as county sheriff during the first years of Reconstruction.

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[37] "Floyd County Superior Court Criminal Minute Book, Book B, 1858–1877," 244-245, GSA.

[38] "Bill Arp's Letter," *The Graphic*, July 11, 1901.

[39] The exception to the rule about testimony is the Austin case, in which some testimony ended up preserved in the regular superior court records.

Finally, in May 1867, local dissenters convinced military authorities to remove the sheriff from office, which opened the way for prosecuting Ward and Light.[40] The new sheriff, W.L. Goodwin—who had employed Chambers during the war in gathering wood for the railroad—went to "considerable trouble" to have the men arrested. The murder of his employee gave Goodwin a personal stake in the case, and he later told military authorities, "I made this a test case, knowing some of the circumstances myself, and being satisfied that the evidence of guilt would be so positive that there could not be doubt."[41] With charges finally proffered, the trial for Chamber's death occurred in July 1867. The testimony graphically recounted how on October 28, 1864, clothed in blue overcoats, Ward and Light had burst in on a group of sleeping men and forced them outside before hanging Chambers. Still, even with all the evidence, and "not a single particle of rebutting testimony being given [….] the jury returned in a very short time with a verdict of not guilty."[42]

The result dismayed Goodwin and other dissenters. Goodwin and the prosecuting attorney wrote military authorities requesting that the men "be arrested and tried before a military tribunal."[43] C.B. Blacker, the Freedmen's Bureau agent for the region, also wrote to Federal authorities in Atlanta, appealing for aid on behalf of "the friends of Charlie Chambers who was hung for the great crime of being a union man." Adding insult to injury, the same jury that exonerated Light and Ward also convicted a freedman of murder on testimony that was "not

[40] "Bartow County - Removal of the Sheriff and Deputy Sherriff," *Weekly Cartersville Express*, May 21, 1867; Warren Akin, *Letters of Warren Akin, Confederate Congressman*, ed. Bell Irvin Wiley, Paperback Edition (Athens, Ga: University of Georgia Press, 2010), 28–29. See Chapter 7 for more on the removal of Sherriff Aycock.

[41] W. L. Goodwin to Col. J. F. Meline, "A 997," August 3, 1867, Entry 5782, Letters Received, 3rd Military District, Bureau of Civil Affairs, RG 393 Part 1, NARA. This letter included enclosures with testimony from the case.

[42] W. L. Goodwin to Col. J. F. Meline, "A 997," August 3, 1867, Entry 5782, Letters Received, 3rd Military District, Bureau of Civil Affairs, RG 393 Part 1, NARA.

[43] W. L. Goodwin to Col. J. F. Meline, "A 997," August 3, 1867, Entry 5782, Letters Received, 3rd Military District, Bureau of Civil Affairs, RG 393 Part 1, NARA.

half as strong."[44] Dissenters in the area were disheartened to see that "it was impossible to convict any one [*sic*] but a poor Negro or a unfortunate union man."[45]

How had Ward and Light been acquitted? The defense claimed—though they presented no evidence or testimony—that the men had been acting as Confederate soldiers. Though Ward and Light were rumored to be deserters, and it seems unlikely that they had official orders to murder civilians, the jury recognized that convicting a Confederate soldier of doing his duty would have exposed numerous local citizens to prosecution. Just as with the Wilson case in North Carolina the year before, the precedent of a conviction would have had serious ramifications for former Confederates within the community. Tellingly, numerous jurors were among those who might have faced indictment had prosecutors succeeded in this test case. Ten of the jurors had served in the Confederate Army, while an eleventh acted as a "scout" during the war. The only juror with no Confederate service was reportedly "a steady old man but bitter Rebel."[46] With a sympathetic judge aiding the defendants and no way to pack the jury with dissenters, convictions proved all but impossible.

Selecting juries often swung cases. In Walker County, Georgia, north of Floyd County, a dissenter was charged with stabbing a member of Gatewood's gang who had attacked him. The jury originally included "three federal soldiers and union men," but they were replaced before

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[44] C. B. Blacker to Col C. C. Sibley, "A 1023," August 3, 1867, Entry 5782, Letters Received, 3rd Military District, Bureau of Civil Affairs, RG 393, Part 1, NARA.

[45] C. B. Blacker to Col C. C. Sibley, "A 1023," August 3, 1867, Entry 5782, Letters Received, 3rd Military District, Bureau of Civil Affairs, RG 393, Part 1, NARA.

[46] Jury List in "A 1327," Entry 5782, Letters Received, 3rd Military District, Bureau of Civil Affairs, RG 393 Part 1, NARA.

the trial commenced.[47] In a telling example of a dissenter being prosecuted after the war by former Confederates, the man was convicted and fined $250, leading to appeals to military authorities. General Pope deemed the penalty too small, however, to warrant military interference in a civil case.[48] Jury selection proved key in preventing convictions of former Confederates. Asked before Congress in 1866 if a Union man could receive redress in Loudoun's courts, John Henshaw replied that using the current system of jury selection by lot, "I do not believe that you could get an impartial jury hardly in our county to try a case between an avowed Union man and an avowed secessionist."[49] To gain a conviction would require the selection of twelve Union men, an unlikely occurrence even with "no less than seven hundred loyal men in the county."[50] For dissenters, justice in the courts all too often proved impossible to gain.

Usually only Unionists ended up being convicted of wartime crimes. Military authorities, however, choose to intervene in the case of Ward and Light. Unable to try them again for the same crime, prosecutors determined to try them for another murder, that of J.H. Satterfield. The men had been released after their acquittal, so Sherriff Goodwin lobbied the army for assistance in arresting them. On August 6, three days after their acquittal, General John Pope sent orders for a military detachment under the command of a sergeant to arrest the two men.[51] Additionally, the

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[47] J. G. Waters to Lt. H. Dodt, "A 1394," August 27, 1867, Entry 5782, Letters Received, 3rd Military District, Bureau of Civil Affairs, RG 393 Part 1, NARA. Letter was written from Rome about a case in Lafayette, Georgia, in Walker County.

[48] Endorsements on J. G. Waters to Lt. H. Dodt, "A 1394," August 27, 1867, Entry 5782, Letters Received, 3rd Military District, Bureau of Civil Affairs, RG 393 Part 1, NARA.

[49] Joint Committee on Reconstruction, *Report of the Joint Committee on Reconstruction at the First Session Thirty-Ninth Congress* (Washington: Government Printing Office, 1866), 38.

[50] Joint Committee on Reconstruction, *Report of the Joint Committee on Reconstruction at the First Session Thirty-Ninth Congress*, 38.

[51] Captain G. K. Sanderson to Colonel C. C. Sibley, August 6, 1867, Entry 1118, Letters Received, Retained Reports, and Other Records, 1867–1868, Post at Rome, RG 393 Part 4, NARA.

sergeant and sheriff enlisted the help of three members of the Satterfield family to help hunt down their kin's killer.[52] On August 23, the detail captured Light, thanks to a tip from a wartime dissenter.[53] The prisoners were kept under a military guard for fear that local sympathizers might spring them. Conservative papers, unaware of or ignoring the fact that the charges were related to a second killing, cried foul and accused the military of instituting a case of double jeopardy.[54]

In September 1867, the case went to trial, and the outcome again disappointed dissenters.[55] Though Light had ordered Satterfield hanged in front of the victim's wife and no one disputed his role in the death, a jury once again acquitted him.[56] The prosecution argued that Light was a deserter with no immunity from charges, but the jury seemed unwilling to convict a former Confederate. Though the defense offered no evidence of orders authorizing Satterfield's execution, the jury may have been convinced that Light had been in the region under Confederate orders in part because William Wofford served as their attorney. Wofford's service as the Confederate general who suppressed the bands of guerillas that terrorized the community in 1865 gave his interpretation of events an authority that no prosecuting attorney could match.[57]

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[52] Lester Skinner to Lt. Dodt, August 14, 1867, Entry 1118, Letters Received, Retained Reports, and Other Records, 1867–1868, Post at Rome, RG 393 Part 4, NARA.

[53] Lester Skinner to Lt. Dodt, August 23, 1867, Entry 1118, Letters Received, Retained Reports, and Other Records, 1867–1868, Post at Rome, RG 393 Part 4, NARA. Ward reportedly offered to turn himself in, if his lawyer, General Wofford, recommended it.

[54] "A Remarkable Case," *Weekly Atlanta Intelligencer*, September 25, 1867; "The Light Case," *Weekly Cartersville Express*, September 27, 1867.

[55] "The Light Case - His Aquittal and Release," *Daily Intelligencer*, September 28, 1867. See also "The Light Case," *Daily Intelligencer*, October 4, 1867; "The Light Case," *Weekly Atlanta Intelligencer*, October 9, 1867.

[56] L. H. Dodt to Bvt. Lt. Col. L. F. Ritter, September 21, 1867, Entry 1118, Letters Received, Retained Reports, and Other Records, 1867–1868, Post at Rome, RG 393 Part 4, NARA.

[57] "The Light Case," *Weekly Cartersville Express,* September 27, 1867. W. L. Goodwin to Henry Farrow, September 25, 1867, Entry 1118, Letters Received, Retained Reports, and Other Records, 1867–1868, Post at Rome, RG 393 Part 4, NARA. There are numerous letters about the case in both Entry 1118, Letters Received, Retained Reports, and Other Records, 1867–1868, Post at Rome, RG 393 Part 4, NARA, and Entry 5782, Letters Received, 3rd Military District, Bureau of Civil Affairs, RG 393 Part 1, NARA. Wofford also served as the attorney for the

Even the prosecutor recognized the odds, and as the jury deliberated, he sent a letter to military authorities explaining, "should they return a verdict of not-guilty I see nothing more that can be done. I think it a most atrocious case of murder and a verdict of not guilty will convince me that it is impossible to convict anyone for killing a union man."[58] His fears were confirmed, and the solicitor for the county never again charged a former Confederate for a wartime murder.

Dissenters in many communities tried one or two of their worst tormenters as test cases, but when those charges failed to stick, they ceased actively prosecuting cases. Often, prosecutors filed a nolle prosequi (a legal filing intended to end prosecution of the case) or settled any remaining charges for the court costs. Other times, charges or indictments remained on the books for years, and at each session of court, they were simply held over again for the next session.[59] How many more indictments might have been requested had they been successful in getting convictions will forever remain unknown.

Eventually, legislation brought an end to many of the remaining cases. On December 22, 1866, just days after the acquittal of Reuben Wilson, the North Carolina legislature passed a bill providing "a general amnesty and pardon to all officers and soldiers of the State of North Carolina, of the late Confederate States armies, or the United States, for offenses committed

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unfortunate freedman sentenced to death at the same time as Light and Ward's first trial in August ("Sentenced to be Hung," *Weekly Atlanta Intelligencer*, August 14, 1867).

[58] H. P. Farrow to Col. James F. Meline, September 23, 1867, Entry 5782, Letters Received, 3rd Military District, Bureau of Civil Affairs, RG 393 Part 1, NARA. Still, the lawyer felt that if acquittal came, Light should be released and the ruling allowed to stand.

[59] The court records of Loudoun County, Virginia (Loudoun County Courthouse and LVA), Forsyth and Yadkin Counties, North Carolina (NCDAH and Yadkin County Public Library), and Floyd, Bartow, and Gordon Counties, Georgia (GSA and Sara Hightower Regional Library, Rome, GA), have all been examined in coming to this conclusion. For example, in Forsyth County, multiple cases remained on the books in the spring of 1868, two years after the amnesty law, for defendants who had fled, and were finally declared "nol pros." ("Floyd County Superior Court Criminal Minute Book, Book B, 1858–1877," 464–465, GSA.

against the criminal laws of the State of North Carolina."[60] The act provided amnesty for militiamen, home guard members, local police, and soldiers in either army. Noticeably absent, however, were those who resisted Confederate authorities without joining the Union army. Thus, men like Calvin Dial, who had robbed so many Confederate families and been in gunfights with the Forsyth County home guard, gained no legal protection, while Wilson would have received amnesty had he not already been acquitted. The two Forsyth representatives, Elijah Teague and Peter Wilson, both prominent dissenters, opposed the measure, but their opposition was not enough.[61]

The impact in Forsyth was immediate. In March 1867, at least twenty-eight Forsyth defendants "plead amnesty" to charges that included murder, forcible trespass, and assault and battery, thus ending their court battles.[62] In all, at least thirty-four people in Forsyth were acquitted, pled amnesty, or had charges dropped unprosecuted because they were eligible for amnesty. Prosecutors dropped numerous other cases whose details remain unknown around the same time. Many of these may have originated from wartime actions as well.[63]

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[60] *Public Laws of the State of North-Carolina, Passed by the General Assembly, at the Sessions of 1866 '67* (Raleigh: Wm. E. Pell, 1867), 6.

[61] *Journal of the House of Commons of the General Assembly of the State of North Carolina at Its Session of 1866 '67* (Raleigh: Wm. E. Pell, 1867), 104–105. See also "The State Elections," *People's Press*, October 26, 1866. Teague was likely a member of the Heroes of America or the Union League ("The Chalk Level Meeting," *People's Press*, October 26, 1866).

[62] "Forsyth Superior Court Minute Book, 1849–1869," 327, 346–350, NCDAH. These defendants were a product of ten cases.

[63] "Floyd County Superior Court Criminal Minute Book, Book B, 1858–1877," 303–350, 462–465, GSA. Many cases that were dropped do not include a reason listed, so there may have been more. Additionally, some men had pled guilty in 1866 to trespass and assault and battery charges that were likely from the war and were fined "one Penny and costs" (see for example, "Forsyth Superior Court Minute Book, 1849–1869," 325, NCDAH). The remaining three wartime defendants were slaves accused of poisoning a young girl. Their fate is unclear, but it appears the two accomplices were either acquitted or pardoned while the killer, Jane Grunert, escaped from prison after being sentenced to death ("Forsythe Superior Court," *Daily Standard*, April 19, 1866; "Sentenced to be Hung," *Charlotte Democrat*, April 23, 1867; "Reprieved," *Charlotte Democrat*, May 7, 1867; see also Jennifer Bean Bower, *Winston & Salem: Tales of Murder, Mystery, and Mayhem* (Charleston, SC: The History Press, 2007), 49–53).

Even after the passage of amnesty, however, some dissenters continued attempting to prosecute those who had maltreated them. As a delegate to North Carolina's 1868 constitutional convention, Teague supported a proposal to revoke the amnesty act.[64] He was joined by a delegate from Davidson County, Isaac Kinney, who, during debate over the amnesty amendment, explained, "my feelings will not allow me to look over the very many crimes that have been committed against my people."[65] Though the proposal passed, the North Carolina Supreme Court later ruled the law revoking amnesty unconstitutional on the grounds that it represented an ex post facto law, because amnesty had already been granted in 1866.[66]

Georgia similarly passed two amnesty acts in February and March 1866 that provided amnesty as well as instructed solicitors and judges to forgo prosecuting any criminal case brought "against all soldiers in the service of the Federal or Confederate armies for any offence committed under the orders of a superior officer, authorized to give such orders during the late war."[67] Once again, the amnesty provided no legal protection to deserters or dissenters. An oversight, that likely resulted from the fact that the legislature at that point had been elected solely by white voters. Not until Military Reconstruction began did Georgia have restrictions based upon participation in the war instituted for who could vote or serve in office, so former Confederates dominated the Georgia legislature when Amnesty was passed. The same Georgia

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[64] *Journal of the Constitutional Convention of the State of North-Carolina at Its Session 1868* (Raleigh: Joseph W. Holden, Convention Printer, 1868), 435–436, http://docsouth.unc.edu/nc/conv1868/conv1868.html.

[65] "Proceedings of the Convention," *Weekly Standard*, March 18, 1868.

[66] See S. F. Phillips, *North Carolina Reports: Cases Argued and Determined in the Supreme Court of North Carolina, June Term 1868, Jan. Term 1869, and June Term 1869*, vol. LXIII (Raleigh: Nichols & Gorman, Book and Job Printers, 1869), 140–145; Williard, "'Vengeance Is Mine, I Will Repay': Desertion, Killing, and Judgment in North Carolina's Western Piedmont, 1865-1866," 51.

[67] *Acts of The General Assembly of the State of Georgia, Passed in Milledgeville, at an Annual Session in December 1865, and January, February, and March 1866.* (Milledgeville, GA: Boughton, Nisbet, Barnes & Moore, 1866), 245–246.

legislators also chose Alexander Hamilton Stephens, the former vice-president of the Confederacy, as a senator and passed laws restricting the rights of freedmen.[68] Interestingly, Georgia's amnesty law allowed for civil suits to continue and required defendants in criminal cases to prove they acted under orders to gain amnesty. As seen by the Light Case, however, juries sometimes ignored that requirement.

Where amnesty failed to end the cases, conservative political power ensured de facto amnesty. Once courts returned to the control of secessionists and former Confederates, efforts to prosecute crimes committed during the war tended to fail or simply cease altogether. For example, the 1868 acquittal of William R. Jones for an 1864 robbery of Bernard Taylor in Loudoun County is hardly surprising, considering the situation at court—and the fact that county sheriff Elijah V. White, Jones's former commander, selected the jury. One sympathetic observer commented that White "deserves great credit for the excellent selection made by him and his deputies of gentleman for venire men. It looked more like the old time Loudoun Circuit Court grand juries […] It was the most solid venire I ever saw."[69] This description was code for men who would not convict former Confederates. Half the jury that Jones faced had voted for secession in 1861, while only two had opposed it. At least five had family members who served in the Confederate military, and one of them even had a son who had served as a scout himself.[70]

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[68] C. Mildred Thompson, *Reconstruction in Georgia: Economic, Social, Political, 1865-1872,* (Savannah: Beehive Press, 1972), 139–144. See also Joseph Grégoire de Roulhac Hamilton, *Reconstruction in North Carolina* (Raleigh, NC: Presses of Edwards & Broughton, 1906), 173.

[69] Aliquis, "Letter From Loudoun County," *Alexandria Gazette*, March 17, 1868.

[70] File 1868-036, *Commonwealth v. William R. Jones*, Loudoun County Criminal Case Files, Loudoun County Court House, Leesburg, VA. Taylor Chamberlin, *Where Did They Stand?: The May 1861 Vote on Secession in Loudoun County, Virginia, and Post-War Claims Against the Government* (Waterford, VA: Waterford Foundation, 2003). See also "Loudoun County Court Minute Book # 18, 1866-1868," 393–394, 445, Loudoun County Court Records, Reel 107, LVA.

While the pool was not as blatantly biased as that in the Light case, this jury would never have convicted a soldier of a crime committed while in the service of the Confederacy.

Unionists had foreseen this problem in advance. Loudoun dissenters and even Governor Pierpoint had written to a local Army commander shortly after White's election, asking for his removal as sheriff because he was "a bad rebel."[71] A year later, some citizens still continued writing to military authorities in the hope that White would be removed, and a meeting of local Republicans led by John Dutton called for the removal of the "paroled Rebel Guerilla, and his six Rebel Guerilla Deputies."[72]

Still, a conviction was not always necessary to avenge oneself upon a wartime foe. In August 1865, Forsyth County authorities arrested a former member of the North Carolina Senior Reserves, John Newman, and charged him with shooting a deserter during the war. A Union general reportedly intervened, freeing Newman with the remark "that if Newman could be punished, every other Confederate soldier could."[73] In May 1866, however, prosecutors again arrested Newman for the same crime. This time, the grand jury neglected to indict him and again set him free. Conviction may not have been the sole goal of the prosecutor, as one newspaper editor believed the purpose of charges that would surely fail was "to harass and break Newman up, by the payment of costs and fees."[74] Often, dropped cases included a settlement that stipulated court costs would be covered by the defendant. Between fees and lawyers' bills, even

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[71] First Military District, Subdistrict of Alexandria, "Register of Letters Received (Vol. 106), June 6, 1867–July 7, 1868," 149, 182, 260 in Entry 2, Registers of Letters Received, RG 393 Part 3, NARA; see also First Military District, Subdistrict of Alexandria, Virginia, "Register of Letters Received (Vol. 105) October 11, 1867–July 7, 1868," 127–128, in Entry 2, Registers of Letters Received, RG 393 Part 3, NARA.

[72] "The Offices In Loudoun Co.," *Alexandria Gazette*, June 18, 1868; Souders and Chamberlin, *Between Reb and Yank*, 347.

[73] *Western Sentinel*, May 4 1866; See also *People's Press*, May 5, 1866; "Deserters Kidded, &c," *Western Sentinel*, August 25, 1864.

[74] *Western Sentinel*, May 4, 1866.

an acquittal, settlement, or dropped case might cost a defendant a significant amount of money. Additionally, he might spend days or weeks in prison awaiting trial. Major R.E. Wilson, for example, spent over five months in military prisons before his case was transferred to the civilian courts for trial.[75]

Even with the failure to obtain convictions, newspaper reports about similar cases across the South may have inspired new attempts to prosecute wartime enemies. The Salem *People's Press* reported that in Randolph County, North Carolina, southeast of Forsyth, "the old citizens such as were called loyal during the days of the Southern Confederacy are prosecuting the bushwhackers and robbers; and, on the other hand, the bushwhackers, who now set themselves as *par excellence* Union citizens, are indicting the Militia officers and such as acted by their orders for assaults and batteries, forcible trespasses, false imprisonments and murder."[76] As a result, the newspaper informed readers, "many of the citizens will be broken by the prosecutions and civil suits for damages."[77] An August 1865 report in the Leesburg *Mirror* concerning a Confederate soldier who had been convicted in Jefferson County, West Virginia, may have inspired Loudoun Unionists to charge their enemies in court.[78]

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Though attempts at prosecuting individuals in the criminal courts had largely ceased by 1870, cases stemming from the war, continued to work their way through the courts long after the war. The question of church ownership in Loudoun County not only displays the

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[75] "Acts Committed During the War," *Wilmington Journal*, November 22, 1866.

[76] "Randolph Superior Court," *People's Press*, April 14, 1866.

[77] "Randolph Superior Court," *People's Press*, April 14, 1866.

[78] *Mirror*, August 9, 1865. For other examples of cases that might have inspired charges, see also "Indictment of Ex-Confederates," *Mirror*, August 16, 1865; "A Bloody Record," *Mirror*, August 16, 1865.

fragmentation of antebellum social groups, it also demonstrates the way the civil courts were used to seek vengeance upon wartime enemies.

In 1844 the issue of slavery had sundered the Methodist Episcopal Church in the United States into two factions, the Methodist Episcopal Church and Methodist Episcopal Church South. Many of the Methodist churches in northern Virginia remained within the northern branch of Methodism. In March 1861, at a meeting in Staunton Virginia, the Baltimore Conference of the Methodist Episcopal Church [Northern], which included many of the congregations in Northern Virginia, voted to separate from the Methodist Episcopal Church in response to an anti-slavery resolution approved at the national body's conference the year before. However, not everyone agreed with the Staunton conference's attempt to secede from their national body, leading to a split and the formation of two Baltimore conferences both claiming to be the "real" conference. In February 1866 the Staunton branch voted to join the Methodist Episcopal Church South, while the break off group stayed with the northern denomination.[79]

While the debate played out at the conference level, secession and the war also divided individual Methodist congregations. Harmony Church in Hamilton, Loudoun County had remained within the northern Methodist Episcopal Church until war flared. Subsequently, however, a southern pro-slavery faction (allied with the Staunton convention) gained control of the church. After the war, a fight erupted over the ownership of the property between two factions of the ante-bellum church membership, when some members requested that the military return the chapel and the parsonage to the northern Methodist Episcopal Church's Baltimore conference. The dispute pitted the majority of the prewar members who wanted to join the "southern Methodists" against the small minority who wished to remain in "the northern

[79] Virginia Supreme Court of Appeals, *Cases Decided in the Supreme Court of Appeals of Virginia* (Richmond: R. F. Walker, Superintendent Public Printing, 1880), 428–444, 963.

Methodist church."[80] In February 1866, after investigating the matter, Federal soldiers ejected the southern congregation to allow the northern faction to use the chapel. The southern faction however resisted the movement. A few weeks later, United States soldiers arrested five members of the southern group after they removed "a bible, hymn book, Sabbath school library, and a pine table," from the church.[81]

The dispute got uglier. While traveling to a church south of Loudoun, the northern preacher responsible for Harmony Church's circuit "was attacked by three or four men, taken from his horse and pretty severely beaten." After rifling his wallet—and finding it empty—the men threatened the preacher, leaving him "with the understanding, that in so many hours (a day or two) he should leave; if not, he would fare worse the next time."[82] It was obvious to all that this was no robbery, but an act of intimidation.

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[80] *Alexandria Gazette,* Feb 8, 1866; Joint Committee on Reconstruction, *Report of the Joint Committee on Reconstruction at the First Session Thirty-Ninth Congress, Part II, Virginia North Carolina, South Carolina* (Washington: Government Printing Office, 1866), 39.

[81] *Washingtonian*, February 23, 1866; "Religious Intelligence," *Richmond Examiner*, March 23, 1866; "Methodist Churches in Virginia in Trouble," *Baltimore Sun*, February 10, 1866. For a time the southern congregation was forced to meet at steam mill instead. See Ella Gertrude and Annie Tavenner Peugh, "Centenary of Harmony Methodist Episcopal Church, South, Hamilton-Purcellville Charge, Winchester District, Baltimore Conference, 1833-1933" (Hamilton, VA, 1933), Harmony United Methodist Church. Thanks are due to Robin Good and Sylvia Ratcliff for providing me a copy of this document which helped me track down many of the other sources used to discuss the Harmony Church. Additionally, for how the military dealt with the issue see First Military District, Subdistrict of Alexandria, "Register of Letters Received (Vol 106), June 6, 1867 - July 7, 1868," 78, 84, 87, 244, in Entry 2, Registers of Letters Received, RG 393 Part 3, NARA; see also "Letters Sent, June 1867 – July 1868," 4-5,10, 12-13, in Entry 1, Letters Sent, Subdistrict of Alexandria, First Military District, RG 393 Part 3, NARA. The testimony of J. J. Henshaw before congress may have played a role in the ejection of the southern congregation. (Joint Committee on Reconstruction, *Report of the Joint Committee on Reconstruction at the First Session Thirty-Ninth Congress, Part II, Virginia North Carolina, South Carolina*, 39).

[82] Joint Committee on Reconstruction, *Report of the Joint Committee on Reconstruction at the First Session Thirty-Ninth Congress, Part II, Virginia North Carolina, South Carolina*, 39. See also Betty Morefield, "The Freedmen's Bureau in Loudoun County, Virginia: Getting Started June 1865-March 1866," *The Bulletin of the Loudoun County Historical Society*, 2007, 64–67.

The quarrel eventually went to courts and continued as both sides contested for control of the church.[83] The southern congregation gained possession of the church in either 1867 or 1868 after a majority of the congregation voted to move to the Methodist Episcopal Church South. But bitter feelings lingered and the members who wished to stay with the northern branch of the church may have been excluded from the vote.[84] The lawyer for the northern congregation, a Waterford Unionist, announced his intent to appeal, leading one Loudoun conservative to plead for him to reconsider, entreating him to "LET US HAVE PEACE."[85]

Peace would not be easily achieved. The 1868 ruling failed to settle the issue and in 1871, seven members of the northern faction sued for the right to worship at the church, continuing the dispute for another eight years.[86] The plaintiffs included George Pusey who had fled the county in 1862 due to persecution and a lack of business opportunities.[87] The case went before a circuit court judge in May 1873 and the judge's October decision for the northern faction was

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[83] "Religious Intelligence," *Richmond Examiner*, March 23, 1866; C. F. Humphrey to Bvt Capt. Sidney B. Smith, June 27, 1867, Entry 1, Letters Sent, Subdistrict of Alexandria, First Military District, RG 393 Part 3, NARA; C. F. Humphrey to Bvt Capt. Sidney B. Smith, June 27, 1867, Entry 3, Letters, Orders, Rosters, and Other Records, 1867 – 1868, Subdistrict of Alexandria, First Military District, RG 393 Part 3, NARA; C. F. Humphrey to Bvt Capt. Sidney B. Smith, July 5, 1867, Entry 1, Letters Sent, Subdistrict of Alexandria, First Military District, RG 393 Part 3, NARA; Sidney B. Smith to Maj. J. Stewart, July 8, 1867, Entry 3, Letters, Orders, Rosters, and Other Records, 1867 – 1868, Subdistrict of Alexandria, First Military District, RG 393 Part 3, NARA; Maj. Stewart to Bvt Col. S. F. Chalfin, July 12, 1867, Entry 1, Letters Sent, Subdistrict of Alexandria, First Military District, RG 393 Part 3, NARA.

[84] "Church Difficulty Settled," *Baltimore Sun*, October 31, 1868; See also "Methodist Churches in Virginia in Trouble," *Baltimore Sun*, February 10, 1866. Aliquis, "Letter from Loudoun Co.," *Alexandria Gazette*, October 28, 1868.

[85] Aliquis, "Letter from Loudoun Co.," *Alexandria Gazette*, October 28, 1868. William B Downey, the lawyer, was the son of James Downey (See chapter 2). In 1876, the same conservative author noted in describing Hamilton that it was the location of "the Harmony M.E. Church, the subject of a law suit between the two branches of the church Methodist"(Aliquis, "Letter from Loudoun," *Alexandria Gazette*, June 12, 1876).

[86] Loudoun County (Va.) Chancery Causes, 1758-1912. *Harmony Methodist Episcopal Church v. Asa M Janney etc.*, 1873-071, M2205. Local Government Records Collection, Loudoun Court Records, LVA.

[87] Loudoun County (Va.) Chancery Causes, 1758-1912. *Harmony Methodist Episcopal Church v. Asa M Janney etc.*, 1873-071, M2205. Local Government Records Collection, Loudoun Court Records, LVA; Loudoun County (Va.) Chancery Causes, 1758-1912. *Methodist Episcopal Church v. Robert Hoskinson etc.*, 1882-018, M1518. Local Government Records Collection, Loudoun Court Records, LVA.

immediately appealed.[88] Finally, in 1879 the case reached the Court of Appeals of Virginia which upheld the circuit court ruling.[89] The Court of Appeals ruled that Pusey and his co-plaintiffs had not surrendered membership when they fled the area due to war, and that the church belonged to the northern branch of the Methodist church. The decision ended with a personal note from the judge, declaring "I will only add, that it is a matter of regret, that there should ever be a necessity for bringing controversies between religious bodies to the civil courts for decision."[90]

While the case played out in the Virginia courts, the Methodist Episcopal Church's national leadership tried to heal sectional wounds. Though Virginia's highest court ultimately ruled in 1879 that the northern branch owned Harmony Church events outside of Virginia further complicated the title to the land. At an 1876 meeting held in Cape May, New Jersey, leaders of the northern and southern Methodist denominations met, and in an effort intended to "remove all obstacles to formal fraternity between the two churches," the northern Methodist Episcopal Church transferred ownership of the Harmony property to the Methodist Episcopal Church South. Thus, though local northern Methodists won their case, their own national governing body had already given up their claim to the property three years earlier. Even the 1876 Cape May agreement between national bodies failed to finally settle the issue, instead only muddling questions of ownership further. Unfortunately for the southern congregation, the lawyer

[88] "Interesting Case," *Alexandria Gazette*, May 15, 1873; "Loudoun Circuit Court," October 30, 1873.

[89] Appeals, *Cases Decided in the Supreme Court of Appeals of Virginia*, 428–444. This ruling provides the best overview of the case up to that point.

[90] Appeals, *Cases Decided in the Supreme Court of Appeals of Virginia*, 444.

entrusted with the document proving the handover died before he filed it with the Loudoun County Court and the paperwork was lost.[91]

Control of the church returned to the courts again when the pro-Union members sued the southern congregation for back rent (plus interest) for using the church during the original appeals process that had lasted from 1867 until the 1879 ruling in favor of the northern bloc. In 1881, the court ruled that rent was indeed owed by the Southern members for the period from 1867 until the 1876 Cape May meeting which transferred the property to the Methodist Episcopal Church South. Ultimately, a lien on the southern congregation for the rent led to the building being sold at auction on the Loudoun County courthouse steps on January 21, 1881, a decade and a half after the lawsuits began. A member of the Methodist Episcopal Church South paid $1,100 for the building (just barely covering the lien).[92] In the end, unpaid bills settled an

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[91] Ella Gertrude and Annie Tavenner Peugh, "Centenary of Harmony Methodist Episcopal Church, South, Hamilton-Purcellville Charge, Winchester District, Baltimore Conference, 1833-1933" (Hamilton, VA, 1933), Harmony United Methodist Church. Additionally, during the 1880 Methodist Episcopal Church's General Conference held in Cincinnati, Harmony church's status was once again debated when a Virginia delegate unsuccessfully questioned the legality of the Cape May handover because the issue had been before the court at the time. See, "General Conference Proceedings," *Northern Christian Advocate* (Syracuse, NY), May 27, 1880; "Methodist General Conference," *The Sun*, May 15, 1880; Methodist Episcopal Church General Conference, *Journal of the General Conference of the Methodist Episcopal Church, held in Cincinnati, Ohio, May 1-28, 1880* (New York: Phillips & Hunt, 1880), 141, 160,176. 251–252. See also Loudoun County (Va.) Chancery Causes, 1758-1912, *Trusties of Methodist Episcopal Church, South v. John Hough, etc.*, 1882-019, M1520. Local Government Records Collection, Loudoun Court Records, LVA.

[92] Loudoun County (Va.) Chancery Causes, 1758-1912, *Trusties of Methodist Episcopal Church, South v. James B. White, etc.*, 1882-017, M1519. Local Government Records Collection, Loudoun Court Records, LVA; Loudoun County (Va.) Chancery Causes, 1758-1912, *Trusties of Methodist Episcopal Church, South v. John Hough, etc.*, 1882-019, M1520. Local Government Records Collection, Loudoun Court Records, LVA; Ella Gertrude and Annie Tavenner Peugh, "Centenary of Harmony Methodist Episcopal Church, South," 1933, Harmony United Methodist Church, Hamilton, VA; Loudoun County (Va.) Chancery Causes, 1758-1912. *Methodist Episcopal Church V. Robert Hoskinson etc.*, 1882-018, M1518. Local Government Records Collection, Loudoun Court Records, LVA; "Virginia News," *National Republican,* January 25, 1881. The southern congregation's argument that they had paid for repairs to the building decreased the amount owed but did not erase the debt.

issue that the army, courts, the national bodies, and the competing congregations failed to settle themselves.[93]

Occasionally, trials for postwar actions served as means to convict wartime criminals. Before the war, Landon Lovett had been regarded as a "highly respectable young man" with a promising carrier as a clerk. With the exception of his participation in a duel, which fortunately "was made ridiculous by the failure to load the pistols," he avoided trouble.[94] During the war, however, he became a notorious horse thief while nominally serving under Mosby. By war's end, he had alienated so many Loudoun residents—Unionists and secessionists alike—that when put on trial for horse rustling and murdering a freedman in 1866, he "made oath in open court, that upon the trial of the cases for felony now pending in the court, he believe there is such a prejudice in the county of Loudoun that he cannot safely be tried by a jury selected in said county."[95] He was likely correct that his wartime actions influenced jury members, but the court disagreed, leading to his conviction of both crimes. Lovett was sentenced to fifteen years in the penitentiary —fourteen of them for stealing horses and one for the murder.[96]

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[93] Later that year, at the March 1881 annual meeting of the Baltimore Conference of the Methodist Episcopal Church South, the issue continued to anger some southerners as delegates debated if the attempt to charge rent was "a violation of both the letter and the spirit of the Cape May agreement" or just a violation of the spirit of it. A resolution was passed to bring up the violation at the national meeting ("Baltimore Conference M. E. Church South," *Baltimore Sun,* March 16, 1881; see also "Baltimore Conference M. E. Church South," *Baltimore Sun*, March 12, 1881).

[94] "Horse Thief Captured," *Evening Star*, (Washington, D.C.), August 28, 1877.

[95] Files 1866-05 for *Commonwealth v. Landon Lovett*, Loudoun County Criminal Case Files, Loudoun County Court House, Leesburg, VA. See also File 1866-06. The murder occurred on an election day, implying politics may have played a role, though only circumstantial evidence supports this theory. ("Loudoun County, Va.," *Alexandria Gazette,* October 11, 1866).

[96] Files 1866-05 for *Commonwealth v. Landon Lovett*, and 1866-06 for *Commonwealth v. Landon T. Lovett, George Campbell, and Edward S. Wright*, both in Loudoun County Criminal Case Files, Loudoun County Court House, Leesburg, VA; "Penitentiary Bound," *Alexandria Gazette,* November 1, 1866; Souders and Chamberlin, *Between Reb and Yank*, 356.

The fact, that Lovett, a white man, was convicted of killing a freedman—albeit only sentenced to one year for that crime—displays vividly how little regard the all-white jury held for him. The community members, including former Confederates, he had victimized for years had little tolerance left. The war, and the habits Lovett gained during it, ruined his life. He continued his criminal pastimes and was twice sent to the Virginia state penitentiary for stealing horses, as well as a third term in a West Virginia prison. He died violently when he attacked his nephew with a razor, and his own kin hit him in the head with the sharp side of a hatchet.[97] Criminals like him, born of war, desensitized to violence, and alienated from their communities, continued to leave long-lasting strains within the south that often led to more violence, which in turn led to more trials, a vicious circle.

***** Violence *****

In March 1867, shortly before the removal of the Bartow County sheriff led to the arrest and trials of John Ward and William Light, their victim's mourning father, Larkin Satterfield, ran into "Captain Terrel, who was a Confederate scout of considerable notoriety." Satterfield was likely frustrated with the failure of the court system to even charge his son's killers, and in the streets of Cartersville, Satterfield accused Terrel of participating in his son's murder, beginning an argument that would have grave consequences. Exactly who attacked whom remains unclear, but Satterfield got the better of his opponent and fatally stabbed Terrel. Following the altercation, Satterfield gave himself up to authorities, but a jury acquitted him two years later on the grounds

[97] "Landon Lovett Killed," *Baltimore Sun*, April 26, 1897.

that it was self-defense.[98] While Ward and Light escaped justice, for Satterfield, at least one member of the party that murdered his son got his just reward.

The killing of Terrell was just one of many violent altercations rooted in wartime indemnity. Reconstruction is often portrayed by historians as a time of great violence, and rightfully so. Reconstruction violence sometimes originated from wartime foes turning to violence after the courts failed. Other times, angry neighbors never tried the courts and simply carried on with their personal fights in the streets of southern communities. While many acts of violence occurred specifically between personal enemies, other fights represented more general fights over the legacy of the war. Historians often focus on the political and racial nature of wartime violence, but they all too often overlook the personal sources of political fights. Given that Reconstruction political factions originated out of wartime loyalty, it is hardly surprising that the personal and political overlapped frequently.

Postwar violence often targeted wartime opponents. In March 1868, a group of Bartow County residents wrote to the garrison in Rome complaining that "a lawless gang of men […] are constantly threating all union citizens with violence and to distroy [*sic*] their property."[99] The petitioners, among them a Confederate deserter turned United States Army volunteer, requested that a garrison of five soldiers be located in their community to protect them.[100] The gang reportedly included "a dozen or more members" and had shot a freedman—likely mortally—in

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[98] "Affray at Cartersville," *Weekly Cartersville Express*, March 22, 1867; "The Late Affray at Cartersville," *Macon Weekly Telegraph*, March 29, 1867; "Mere Mention," *The Constitution*, April 3, 1869.

[99] G. W. Cunningham, et al, to Lt. Col. Ritter, March 7, 1868, Entry 1118, Letters Received, Retained Reports, and Other Records, 1867–1868, Post at Rome, RG 393 Part 4, NARA.

[100] CSR for William S. Barton, 2nd US Volunteers, (Galvanized Yankees), NARA.

the hip, whipped a freedwoman, and shot her father's dog for no discernible reason.[101] The military post in Rome ultimately recommended the request be rejected. In a testament to how pervasive postwar conflict was, a U.S. Army captain tasked with looking into the situation reported, "I do not think there are very more lawless and desperate men there, than can be found in nearly every county in this state."[102] The overly optimistic officer believed civil government should be able to handle the issue or the officials should be replaced. The civil authorities seemed to be too weak, however, to stop the thugs who targeted African Americans and Unionists. When a local justice of the peace issued a warrant against members of the gang, he found himself threatened and "badly abused" as well.[103]

These violent episodes frequently pitted individuals with specific personal grudges. For instance, after the war, former Confederate provost marshal and protector of dissenters Z.B. Hargrove opened a drugstore and enjoyed the business of many of Rome's citizens. Though Hargrove was accepted as a Republican and respected by many of the Union-sympathizing neighbors he had protected, not all North Georgians remained pleased with the pharmacist. In February 1868, two armed men from Polk County entered his store and demanded satisfaction for Hargrove's seizure of their illegal still during the war. Hargrove attempted to explain that the action had been under orders and not of his choosing, but the men demanded "blood." Hargrove asked them to return in an hour, promising that he "would be prepared to give them satisfaction." When they returned, however, Hargrove met them in the street with a shotgun for a showdown

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[101] J.D. Reagan to "Commanding Officer, Post of Rome, Ga." March 4, 1867, Entry 1118, Letters Received, Retained Reports, and Other Records, 1867–1868, Post at Rome, RG 393 Part 4, NARA.

[102] C.M.B. Lord to Lt. H. Dodt, March 9, 1868, Entry 1118, Letters Received, Retained Reports, and Other Records, 1867–1868, Post at Rome, RG 393 Part 4, NARA.

[103] J.D. Reagan to "Commanding Officer, Post of Rome, Ga." March 4, 1867, Entry 1118, Letters Received, Retained Reports, and Other Records, 1867–1868, Post at Rome, RG 393 Part 4, NARA.

better suited to the Old West than Reconstruction Georgia and warned the moonshiners not to come any closer. One of the two ruffians—a man named Bowen—raised his pistol and fired, striking the druggist in the hand. Hargrove then "discharged [his shotgun's] contents of buckshot into the body of his assailant" while the second man fled.[104] Bowen died shortly thereafter of his wounds, reportedly leaving behind a widow and children.[105]

While Hargrove was never charged for the killing—it had been self-defense, after all—the violence brought about by wartime invective often led to new court cases. On the night of December 5, 1865, former Loudoun Ranger William Hardy and ex-secessionist John Gregg were both intoxicated and smoking cigars in a Waterford store when Hardy "commenced bragging about his gun." Gregg apparently said something about Hardy's gun that the former Ranger disagreed with, and Hardy demanded he retract it. When Gregg refused, Hardy pulled off his coat—a classic way of upping the ante—leading Gregg to remove his, too. Hardy left the store, returning a few minutes later with friends, fellow former Loudoun Ranger Charles Curry and a Union soldier. Then Hardy called Gregg a "god damned rebel son of a bitch" and announced his intent to "whip him," while Curry "invited Gregg to go out of the store." When Gregg refused to take the matter outside, Hardy began "throwing his arms about," forcing Gregg to fight back. After Gregg knocked Hardy over, Curry grabbed Gregg and hauled him outside the store, where the fight began in earnest. Hardy and Curry were joined by the soldier and Hardy's younger brother, and all four laid into poor John Gregg.[106]

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[104] "Homicide in Rome, GA," *Macon Weekly Telegraph,* February 14, 1868; "Homicide in Rome," *Cartersville Express*, February 14, 1868.

[105] "Got What he Went After," The Athens Post (Athens Tennessee), February 14, 1868; "Homicide in Rome," *Georgia Weekly Opinion*, February 18, 1868.

[106] File 1866-040, *Commonwealth v. Charles Curry and William Hardy*, Loudoun County Criminal Case Files, Loudoun County Court House, Leesburg, VA.

The situation rapidly spiraled out of control, and Gregg's murder was only narrowly avoided when a bystander managed to stop Hardy's brother from hitting him with a rock. Thankfully, the store owner helped Gregg back inside and locked the door behind him. While the drunken Union veterans tried to beat down the front door, their victim escaped out the back and went to the nearest doctor. When his attackers learned where Gregg had absconded to, they followed him there. The fight finally ended at the doctor's office when Gregg hit Curry with a chair and made his escape into the night.[107] The court fined the two former rangers, though the Federal soldier who joined them in the assault escaped punishment.[108]

Even a decade after the war, wartime opponents continued to battle each other in court and in the streets. A jury acquitted James Russell (formerly of the 8th Virginia) of malicious wounding after he cut the brachial artery of Samuel Hough (previously in the Loudoun Rangers) in a drunken knife fight in 1875.[109] Members of the Rangers and the 8th Virginia had faced each other during the Civil War and continued to do so during Reconstruction. This fight was just one of many in which wartime loyalties clearly played a part in instigating the conflict.

Some of the postwar violence between wartime-based factions occurred even without a specific wartime feud to trigger it. In 1866, with the Army withdrawn from Forsyth County, emboldened former rebels attempted to thwart what they saw as a pro-Union event, leading to reports reaching Raleigh and Washington, D.C., that "a few rowdy rebs attempted to prevent the

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[107] File 1866-040, *Commonwealth v. Charles Curry and William Hardy*, Loudoun County Criminal Case Files, Loudoun County Court House, Leesburg, VA.

[108] Aliquis, "Letter from Loudoun County," *Alexandria Gazette*, December 1865; Souders and Chamberlin, *Between Reb and Yank*, 355. Interestingly, John Gregg's own role as a Confederate is unclear other than that he was a secessionist. It appears he may have fled across the river to avoid service during the war.

[109] Aliquis, "Letter Form Leesburg," *Alexandria Gazette,* January 23, 1875; "News of the Day," *Alexandria Gazette*, January 29, 1875; "Loudoun County Items," *Alexandria Gazette,* March 19, 1875; Souders and Chamberlin, Between Reb and Yank, 355; "Loudoun Circuit Court," Alexandria Gazette, April 30, 1875.

celebration of the 4th of July, by the Union men in Salem."[110] Early on the morning of the Fourth, a group of former Confederates had spiked the ceremonial cannon slated to be used in that evening's celebrations. Those who felt a stronger allegiance to the United States managed to drill out the spike and commenced a celebratory firing. At that point, "the secesh, in a crowd, rushed on the second time, and got into a general fight, […] but before it was over, they got a genteel whipping."[111] A few of the Confederates were even arrested. While relating the fight over the cannon, a local Republican remarked, "we have more disloyalty, amongst us now, or with the secesh rebels, than existed twelve months ago. They are constantly speaking, hard things, of the U.S. government, and giving other utterances, of disloyalty." In an attempt to maintain the peace, Salem banned fireworks from within the city limits the next year.[112]

Patriotic celebrations often led to violence by inciting anger among former Confederates. In Bartow County, similar tensions erupted with an added racial element. On August 17, 1867, Republicans held a mass meeting in Cartersville, after which freedmen and women paraded through town behind the American flag. A white bystander threw a rock at the Stars and Stripes, shouting, "if three or four of you will follow me, I will tear down that flag." No one followed the instigator, and instead, United States infantryman—who happened to be in Cartersville to hunt down William Light—chased the unrepentant rebel out of the town. Without the detachment of

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[110] H.A. Morris, C.C.C. "Court Order," *People's Press,* August 18, 1865; B.S. Hedrick to Jonathan Worth, August 1, 1866, in Jonathan Worth, *The Correspondence of Jonathan Worth*, ed. Joseph Grégoire de Roulhac Hamilton, vol. 2 (Raleigh: Edwards & Broughton Printing Co., 1909), 718.

[111] "Fourth of July," and "Local and Miscellaneous," in *People's Press*, July 13, 1866; J.L. Johnston to Benjamin Hedrick, March 18, 1867, Benjamin Hedrick Papers, Rare Book, Manuscript, and Special Collections Library, Duke University.

[112] "Fourth of July," *People's Press*, July 13, 1866; J.L. Johnston to Benjamin Hedrick March 18, 1867, Benjamin Hedrick Papers, Rare Book, Manuscript, and Special Collections Library, Duke University; C. Daniel Crews and Lisa D Bailey, eds., *Records of the Moravians in North Carolina: 1867-1876*, vol. XIII (Raleigh: Division of Archives and History, North Carolina Department of Cultural History, 2006), 6774–6775. Another fight broke out on the Fourth of July, 1867, though the cause is unknown. In Wilkes county in 1867, "armed rebel ruffians" attacked unarmed Republicans on the Fourth of July ("Outrage in Wilkes County," *Salem Observer*, July 12, 1867).

troops present, more serious violence could have occurred.[113] Unfortunately, troops could only be in so many places at once, and so violence against African Americans was common in Reconstruction Georgia. Many whites objected to African Americans demonstrating their political views and asserting their rights, but the fact that the flag was specifically targeted suggests which symbols most offended former Confederates.

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In addition to loyalty and wartime vendettas, race also drove postwar violence, and as was the case with the trials, racially-motivated political violence can be viewed as a contest over the meaning of the war. Violence can be viewed as an attempt to determine what had been won during the war, and whether the Union victory meant blacks were politically and socially equal? Obviously, former Confederates and Klansmen opposed this interpretation of the war, as they fought to ensure complete white social, political, and economic dominance in the South. In the early twentieth century, at the age of ninety-five, Eli Mullican, a Forsyth County native and Union army volunteer, recalled the "Ku Klux Klan, an organization as brutal as savage ingenuity could invent or hellish vengeance execute" as being "the last mad spurt" of the war.[114] This was not, however, merely the selective remembrance of an old Union soldier decades after the fact. After masked Klansmen visited Republicans one night in 1868, the *Peoples Press* drew a direct link between Klan members and the Confederacy, referring to the Klansmen as rebels. The editor firmly tied Klan membership to the war within the states, telling Klansmen, "your days of shooting down Union men in this county, without giving them one hour's notice to meet their

[113] "The Republican Demonstration on Saturday," *Weekly Cartersville Express*, August 23, 1867. Lester Skinner and Lt. H. Dodt, August 22, 1867, Entry 1118, Letters Received, Retained Reports, and Other Records, 1867–1868, Post at Rome, RG 393 Part 4, NARA; Lester Skinner to Lt. H. Dodt, August 18, 1867, Entry 1118, Letters Received, Retained Reports, and Other Records, 1867–1868, Post at Rome, RG 393 Part 4, NARA.

[114] Eli W. Mullican Reminiscence, #5411-z, SHC, p. 8.

God, were numbered and passed away when your tyrannical Confederacy went up, and we declare to you, to-day, that we are willing to forgive, but we cannot forget."[115] This recalling of wartime murders—in this case, likely referring to the quintuple homicide overseen by R.E. Wilson in March 1865—proved a powerful political tool against Democratic assertions that supporting Republicans made one a traitor to one's race.

Reconstruction violence, especially between ex-Confederates and their former slaves, often signified an attempt to reassert an antebellum social order, to turn back the clock, or to create a new social order that continued to divide by skin color. These violent episodes were part of a contest over the legacy of the war, as former Confederates attempted to reverse or turn back some of the effects of emancipation and Confederate defeat. When freedman William Roberts objected to how Bartow County landowner John Cook divided the crops the two men had farmed together and attempted to explain "his rights," Cook "beat him and threaten[ed] to kill him."[116] White landowners, accustomed to obedience from slaves, frequently used violence when a freedman failed to work fast enough. [117] One Loudoun farmer even boasted of "having made 'good hands' of colored people hired to him by the Bureau by beating and threatening to kill them."[118] If a Freedmen's Bureau agent was not nearby, filing a complaint was difficult, time-

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[115] Republican, "Communication," *People's Press*, August 7, 1868.

[116] Cartersville Field Office, "Register of Complaints, Volume (216)," 94–95, Reel 55, M1903, Records of the Field Officers for the State of Georgia, Bureau of Refugees, Freedmen, and Abandoned Lands, 1865–1872, RG 105, NARA, 2003. Because the records for Rome's agent are less detailed as to what happened, I have used many Bartow cases. There were numerous assaults and batteries in Floyd as well, but little detail survives about each case. Perhaps because a full Union garrison resided at Rome, while Bartow County only occasionally hosted small detachments stationed there, Bartow appears to have experienced slightly more acts of racial violence than Floyd County in the first few years of Reconstruction.

[117] Cartersville Field Office, "Register of Complaints, Volume (216)," Reel 55, M1903, Records of the Field Officers for the State of Georgia, Bureau of Refugees, Freedmen, and Abandoned Lands, 1865–1872, NARA, 2003.

[118] "Miscellaneous Reports and Lists," *The Freedmen's Bureau Online*, accessed July 31, 2014, http://freedmensbureau.com/washingtondc/outrages2.htm.

consuming, and often ultimately fruitless. Not all agents were sympathetic to former slaves' complaints, and in some localities, the agents did more for poor whites than black residents. Even those that did attempt to aid freedmen and women often lacked the force and authority to impose their decisions.[119] For example, in Floyd County, the Freedmen's agent spent much of his time settling wage disputes when farmers refused to pay the freedmen they had hired, referring cases of violence to the civil courts.[120]

Political activism by African Americans—perhaps the most upsetting sign of the overturn of the prewar social order to many former Confederates—frequently led to violence. Former Confederates, occasionally disenfranchised themselves, often threatened African Americans with violence or eviction if they voted, leading to complaints to the Freedmen's Bureau.[121] However, the Bureau could do little to protect African Americans in their day-to-day life. In one instance, after the local Freedmen's agent intervened when a Bartow County landowner threated to fire anyone who voted for the Republican candidate for governor, white vigilantes went looking for the agent's informant. In the middle of the night, they dragged one freedman into the woods, beat

[119] For some of the difficulties facing former slaves, see Betty Morefield, "The Freedmen's Bureau in Loudoun County, Virginia: Getting Started June 1865-March 1866," *The Bulletin of the Loudoun County Historical Society*, 2007, 36–72. Loudoun's agent was apparently incompetent and corrupt, the perfect example for a Dunning School historian. In Floyd County, Democratic papers lauded the appointment of Lewis D. Burwell as the new agent because he was "thoroughly acquainted with the disposition and habits of the negro," never a good sign for the freedmen. ("Agent of the Freedman's Bureau," *Rome Courier*, February 15, 1866).

[120] Rome Field Office, "Register of Complaints, Volume (344)," Reel 76, M1903, Records of the Field Officers for the State of Georgia, Bureau of Refugees, Freedmen, and Abandoned Lands, 1865–1872, RG 105, NARA, 2003.

[121] For examples, see Cartersville Field Office, "Register of Complaints, Volume (216)," 42–45, 100–101, Reel 55, M1903, Records of the Field Officers for the State of Georgia, Bureau of Refugees, Freedmen, and Abandoned Lands, 1865–1872, RG 105, NARA, 2003.

him and shot him through both legs, severely wounding him, and ensuring he would literally be unable to stand up for his rights.[122]

Like Union men trying to avenge wartime wrongs, African Americans also had trouble getting justice. In many localities, the civilian courts rarely even examined a case brought by a black plaintiff without the insistence of a Freedmen's Bureau agent, and in those few cases brought to trial, the accused were usually acquitted. After detailing nine cases of murder or attempted murder by white perpetrators in his district, the Freedmen's Bureau agent stationed in Rome reported to his superiors that, "not one of the above cases […] were acted upon by the civil authorities until requested by Agents of the Bureau."[123] After the freedwoman Louisa White was murdered in Floyd County, the local Freedmen's agent reported to his superiors that the "supposed murderer [was] never arrested nor the case investigated by the Civil Authorities."[124] A similar Bartow County murder in December 1865 was ignored and "no complaint even made to civil authorities."[125]

Filing a complaint about maltreatment often just further endangered a freedman's life.[126] On August 2, 1868, David Vaughn and Green Scott stopped freedman Samuel Saxton on the

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[122] Cartersville Field Office, "Register of Complaints, Volume (216)," 84–87, Reel 55, M1903, Records of the Field Officers for the State of Georgia, Bureau of Refugees, Freedmen, and Abandoned Lands, 1865–1872, RG 105, NARA, 2003.

[123] "List of Freedmen Murdered or Assaulted," 38-39, Reel 32, M798, Records of the Assistant Commissioner for the State of Georgia, Bureau of Refugees, Freedmen, and Abandoned Lands, 1865-1869, RG 105, NARA, 1969; Robert Davis, *The Georgia Black Book: Morbid, Macabre & Sometimes Disgusting Records of Genealogical Value*, vol. 1 (Greenville, SC: Southern Historical Press, 1982), 236–238.

[124] "Reports Relating to Murders and Outrages 1865 - 1868, List of Freedmen Murdered or Assaulted 1867," *The Freedmen's Bureau Online*, accessed July 31, 2014, http://freedmensbureau.com/georgia/gaoutrages2.htm.

[125] "Reports Relating to Murders and Outrages 1865 - 1868, List of Freedmen Murdered or Assaulted 1867," *The Freedmen's Bureau Online*, accessed July 31, 2014, http://freedmensbureau.com/georgia/gaoutrages2.htm.

[126] Cartersville Field Office, "Register of Complaints, Volume (216)," 74-75, Reel 55, M1903, Records of the Field Officers for the State of Georgia, Bureau of Refugees, Freedmen, and Abandoned Lands, 1865–1872, RG 105, NARA, 2003.

road and attempted to steal his horse. When Scott brandished a knife and Vaughn fired a pistol at Saxton, the freedmen fled. Saxton complained to the Bartow County Freedmen's Bureau agent, who then arranged for warrants to be issued. On August 19, while Saxton was sitting in a store, Scott walked in and confronted him about the warrant. Saxton's explanation that the warrant was in response to Scott's accosting him on the road a few weeks before enraged the white man. Taking hold of Saxton's collar, Scott whipped out his knife, swearing he "would cut his damn throat." Scott stood his ground and drew his own knife, telling his assailant with bravado, "cut away." Fortunately for all involved, Scott backed off. The Freedmen's agent had Scott and Vaughn arrested, but the very same day, Scott was tried for the first attack and "set at liberty," as there was "not sufficient testimony to convict or bind over" the case to the next court date. For the second offense, he was set at liberty on a "peace bond" requiring him to avoid trouble or forfeit fifty dollars.[127] It seems unlikely Samuel Saxton felt safer thanks to the work of the Bureau.

North Georgia's civil courts almost never convicted a white man of assaulting a black man, and usually did not even hear the case. For example, Charles P. Dean came from a wealthy slave-owning family in northern Floyd County and served as a Confederate officer.[128] On September 1, 1866, Dean assaulted a freedman and a freedwoman, who had likely been his family's slaves before emancipation. Civil authorities brought the case before a grand jury after the Freedmen's agent referred it to them—in other words, insisted they take it up—but the grand

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[127] Cartersville Field Office, "Register of Complaints, Volume (216)," 74-75, Reel 55, M1903, Records of the Field Officers for the State of Georgia, Bureau of Refugees, Freedmen, and Abandoned Lands, 1865-1872, RG 105, NARA, 2003.

[128] 1860 Census; *1860 U.S. Federal Census - Slave Schedules*, United States of America, Bureau of the Census. Eighth Census of the United States, 1860. National Archives Microfilm Publication M653, Washington, D.C.: National Archives and Records Administration, 1860. accessed via *Ancestry.com, (www.ancestry.com,* November 2010) cited as 1860 Slave Schedul; CSR for Charles P. Dean, 1st Confederate Infantry, NARA. The family had thirty-four slaves.

jury declined to indict. In response, the agent rearrested Dean, placed him under bond, and insisted the veteran be tried. But the court simply "postponed [the case] from one session of court to another." In Floyd County, delaying a trial indefinitely was a common technique used to avoid prosecuting white assailants of black victims. About the only penalty the Freedmen's agent was able to impose on Dean was to compel him to pay the wages due the family that he had heretofore refused to pay.[129]

Even in those rare times a case was heard, the unforgiving and complex legal system left illiterate and uneducated freedman to navigate it alone and at an extreme disadvantage, as the following case shows. On August 7, 1868, a white man named Mason Jones assaulted freedman William Hutchinson. The Floyd County Freedmen's agent once again "referred to civil authorities" the case, which once again promptly disappeared.[130] A second assault occurred in July 1869, and Hutchinson accused Jones of shooting a pistol at him with the intent to kill. Unable to ignore another case involving the same parties, the court instead ruled the matter one of "malicious prosecution" and charged Hutchinson $10.50 in costs for bringing the case. Furthermore, the judge ordered that if the freedman failed to pay, "that he be arrested and confined until said sum" was paid. Later that day in a separate case, Hutchinson was convicted of stealing a hog and sentenced to pay a fine, or if unable to pay, "that he be placed in the chain gang of Floyd County" for a month. The official records left the amount to be paid blank, as there was apparently no chance of him paying either fine.[131] A year later, Hutchinson remained

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[129] Rome Field Office, "Register of Complaints, Volume (344)," Reel 76, M1903, Records of the Field Officers for the State of Georgia, Bureau of Refugees, Freedmen, and Abandoned Lands, 1865-1872, RG 105, NARA, 2003. The victims were also named Dean, implying that Charles Dean's father was their former owner.

[130] Rome Field Office, "Register of Complaints, Volume (344)," Reel 76, M1903, Records of the Field Officers for the State of Georgia, Bureau of Refugees, Freedmen, and Abandoned Lands, 1865-1872, RG 105, NARA, 2003.

[131] "Floyd County Superior Court Criminal Minute Book, Book B, 1858-1877," 253-254, GSA.

on the chain gang.[132] For Hutchinson, the attempt to get justice left him imprisoned for over a year.

When the rare white defendant was convicted of attacking freedmen, the punishment was often significantly less than if the victim had been white. In nearby Chattooga County, Georgia, after Bill McWhoter hanged freedman Badger Hawkins by the neck three times to force him to confess that he found some lost money, the court determined that McWhoter should be "simply fined ten dollars & costs."[133] By comparison, black defendants frequently suffered significantly harsher penalties than this for relatively minor crimes.

In late 1869 and early 1870, the Klan, through violence and intimidation, became a dominant political force in the South. Just days before the 1870 election, forty Klansmen rode around the Floyd County countryside, visiting freedmen and a few white Republicans and warning them that leaving their homes on the day of the election would be hazardous to their health. To make sure they were taken seriously, the Klansman whipped multiple freedmen, including William Garrett and William Bradham, "for being almost too smart."[134] Like earlier efforts to prosecute racial violence, attempts to prosecute Klan members often proved futile, and none were convicted in Floyd County.[135]

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[132] 1870 Census.

[133] "Reports Relating to Murders and Outrages 1865 - 1868, List of Freedmen Murdered or Assaulted 1867," *The Freedmen's Bureau Online*, accessed July 31, 2014, http://www.freedmensbureau.com/georgia/gaoutrages4.htm. See also Rome Field Office, "Register of Complaints, Volume (344)," Reel 76, M1903, Records of the Field Officers for the State of Georgia, Bureau of Refugees, Freedmen, and Abandoned Lands, 1865-1872, RG 105, NARA, 2003.

[134] *Testimony Taken by the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States*, Georgia: Volume I (Washington, D.C.: Government Printing Office, 1872), 75.

[135] *Testimony Taken by the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States*, Georgia: Volume II (Washington, D.C.: Government Printing Office, 1872), 627–628.

Moreover, whites who attempted to prosecute Klansmen frequently found themselves threatened.[136] Brought before a Joint Select Committee of the United States Congress tasked with investigating Klan violence, the former Confederate provost marshal of Rome, Z. B. Hargrove, testified alongside several other Floyd residents about the Klan in his region. Though a member of the Democratic Party after the war, Hargrove's longstanding belief in law and order—even in the midst of the Civil War—meant he refused to sanction vigilante violence to achieve political goals. In the end, Hargrove left the Democratic Party, or as he put it, "I expect it quit me," because he stood against the Klan.[137] Hargrove's desire to prosecute Klansman not only forced him into the Republican Party, but also put him in danger. He informed Congress that he "kept two double-barreled guns at [his] side and a repeater under [his] pillow," and that Klansman had stayed away from his home because they knew they would lose men if they attempted to kill him.[138] Even recommending to one's black employees that they defend themselves might make white Georgians Klan targets.[139]

Klan violence proved highly effective politically. The Klan not only intimidated African Americans, for in addition to black voters, "a great many good white men" were too frightened to vote.[140] Hargrove noted that in the 1870 election, "there were some eight hundred and fifty colored registered voters, and some five hundred white persons, who acted with the republican

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[136] *Testimony Taken by the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States*, Georgia: Volume II (Washington, D.C.: Government Printing Office, 1872), 674–675.

[137] *Testimony Taken by the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States*, Georgia: Volume I: 87.

[138] *Testimony Taken by the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States*, Georgia: Volume I: 77.

[139] *Testimony Taken by the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States*, Georgia, Volume II: 676.

[140] *Testimony Taken by the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States*, Georgia: Volume I: 81.

party; and about seven or eight hundred of them did not vote in the election at all."[141] With the majority of white and black Republican voters considering themselves "Union Men" or "Loyal Men," political violence often continued to fall along wartime loyalties as well as political.

But Klan violence was not solely about electoral politics. These horrible deeds were also about reasserting the social, gender, and racial hierarchy that the war had upset. As illustrated by the whippings of Garrett and Bradham for being too intelligent, Klansman targeted African Americans viewed as stepping out of line—in that case, for trying to get an education. Klansmen later destroyed a schoolhouse in the Floyd region and then whipped a nearby freedman.[142] Often, racial violence aimed to destroy economic competition and ensure African Americans did not become more successful than whites. Hargrove noted that around April 1871, a gang of Klansmen went around "whipping a great many colored men, driving them away from their homes, breaking up their little farming operations, taking their horses away, &c."[143] Their goal, Hargrove believed, was to "drive them away from the country."[144] Many African Americans moved into towns where the presence of Freedmen's agents, sheriffs, or federal troops provided some semblance of protection.[145]

Sexual control and maintaining a gendered, racial hierarchy remained especially important to some Floyd County Klansmen. Klan members shot freedman Joe Kennedy because

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[141] *Testimony Taken by the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States*, Georgia: Volume I: 75.

[142] *Testimony Taken by the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States*, Georgia: Volume I: 41–42, 75.

[143] *Testimony Taken by the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States*, Georgia: Volume I: 78.

[144] *Testimony Taken by the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States*, Georgia: Volume I: 78.

[145] The testimony taken by the committee repeatedly refers to numerous individuals who fled their former homes.

"he had married this mulatto girl, and they did not intend he should marry so white a woman as she was." They then beat the woman for marrying "so black a negro as [Kennedy] was." Adelia Horton, Anna Bryant, and an additional woman, whose name Hargrove could not recall, were all "violated" after being "badly abused." [146] Asked to clarify what he meant by "abused," Hargrove confirmed that Klansmen raped the women. Klansmen shot Wash Calhoun three times, which "crippled and ruined him for life," because he had married a woman whom one of the men had formerly "kept as a mistress."[147] Asked about the threat of miscegenation from white women marrying black men, Hargrove testified before Congress, "No, sir; it is all on the other foot. […] I mean that colored women have a great deal more to fear from white men."[148]

Any attempt to achieve equality or to disrupt white hegemony could lead to a visit from the Klan. Many victims of violence were simply accused of "impudence" toward a white person; this might include not yielding the road or speaking impolitely to a white person, disagreeing with a white employer, or even just asserting that freedmen had rights. In other cases, freedmen's only crime was the color of their skin.[149] In some instances, violence likely stemmed from multiple sources, including wartime vendettas, wartime loyalties, postwar politics, social control, and race.

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[146] *Testimony Taken by the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States*, Georgia: Volume I: 75–76.

[147] *Testimony Taken by the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States*, Georgia: Volume I: 79.

[148] *Testimony Taken by the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States*, Georgia: Volume I: 82–83.

[149] *Testimony Taken by the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States*, Georgia: Volume I: 32, 36, 66–67, 113, 125.

Klan violence led to more trials, notably in North Carolina, where in 1871, Forsyth County native and U.S. District Attorney Darius H. Starbuck prosecuted Klansmen from North Carolina for depredations against both black and white citizens. Though none of the Klansmen tried were from Forsyth, these trials nevertheless helped bring old Forsyth enmities back to the surface once again.

Occasionally physical fights were direct continuations of disagreements previously argued in the courtroom. On the evening of August 19, 1871, a one-legged man in Confederate uniform approached Starbuck. The Confederate veteran, none other than Major R.E. Wilson, demanded they settle a "difficulty" between them, and then asked Starbuck if he "had a friend or desired a friend" to be present. Confused, the district attorney asked him what he meant, to which Wilson replied that he believed Starbuck "had volunteered to prosecute him for shooting deserters."[150] In fact, Starbuck tried to explain, he had been employed by the estate of David Huff to sue Wilson in civil court but had nothing to do with the criminal indictment, and he suggested they ask one of the other lawyers who had brought the indictment in the 1866 case to settle the issue. Unsatisfied, Wilson wanted to settle the question immediately, and then "pointed to a couple of pistols lying there and asked [Starbuck] to take [his] choice."[151] At this point, Wilson's early question about desiring a friend began to make sense to Starbuck. Dueling had been illegal since 1802 in North Carolina, but the fact that Wilson thought the U.S. District Attorney might participate may speak to the veteran's mental state. Attempting to calm the angry veteran, Starbuck promised Wilson a written explanation. There may have been confusion

[150] "A Kuklux Trial," *Greensboro North State*, April 15, 1873.

[151] "A Kuklux Trial," *Greensboro North State*, April 15, 1873.

between parties as to when the reply would be given, or Starbuck may never have intended to write one.[152]

Starbuck and Wilson had a fraught personal history. According to newspaper reports, Wilson "had long felt aggrieved by Mr. Starbuck's persistent and repeated persecutions."[153] Another paper reported Wilson's anger had recently flared after Starbuck "made some remark derogatory to Maj. R. E. Wilson, between whom and Mr. S. there is an old grudge, and the remark was repeated to Maj. Wilson."[154] Because Wilson refused to accept that killing disloyal southerners had been a crime, any implication that the veteran was a murderer constituted a slander that not only besmirched his name but also that of the Confederacy.

Caught up in antebellum notions chivalry and honor, Wilson's identity was fundamentally based on a specific narrative of the war: a narrative in which killing disloyal men was not a crime but an act of war. Starbuck's prosecution of the Confederate for murder, even if only in a civil case, clearly challenged that memory.[155] The first thing Wilson recalled each morning when getting dressed was the war. The veteran could hardly avoid thinking of the war as he pulled his pants on over his missing limb. It was not embarrassment or shame, however, that Wilson felt when he saw his stump, but pride. When photographed for *Confederate Veteran* magazine, Wilson spurned the traditional shoulders-up portrait many veterans preferred,

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[152] "A Kuklux Trial," *Greensboro North State*, April 15, 1873. For information on the legality of dueling, see Matthew A. Byron, "Crime and Punishment: The Impotency of Dueling Laws in the United States" (Ph.D., University of Arkansas, 2008), 24–25.

[153] "Fight At The Depot," *Salisbury Examiner,* August 25, 1871.

[154] "Row In Salisbury Between Citizens and U.S. Officials," *People's Press,* August 25, 1871.

[155] Initial reports were unclear on the exact cause of the fight, but a third paper, noted the disagreement grew "out of a suit or prosecution instituted against Capt. Wilson soon after the close of the late war," referring to the murder trial that ended in Wilson's acquittal ("Fight At The Depot," *The Old North State*, August 24, 1871). There was some question as to Wilson's rank, as official documents refer to him as Captain. However, it appears he likely received a brevet or a field promotion, as newspapers from during the war refer to him as Major. See Casstevens, *Tales from the North and the South*, 272.

especially those missing an appendage. Instead, his photo shows Wilson holding both his crutches in the air so they cannot be missed, and his stump is placed prominently over his good leg to make sure all can see his sacrifice.[156] His public persona became a caricature of a former, or perhaps not so former, Confederate officer. Calling the execution of deserters "murder" challenged his identity as a noble warrior of the Lost Cause. Wilson's world had been destroyed in the war, and he refused to give up an idealized view of the Confederacy as well as his role in fighting for it.

The next morning, when the major and two friends arrived at Starbuck's hotel to receive his reply, the district attorney had already checked out. Infuriated by yet another perceived slight, an irate Wilson went looking for Starbuck. Along with two heavies, William Beard and Lucio "Bull" Mitchell, Wilson caught up to Starbuck as the attorney rode the omnibus to the Salisbury train station with United States District Judge George Brooks and the Clerk of the Court, a Mr. Larkins.[157] At first, Starbuck engaged Wilson in quiet conversation, but their argument became increasingly heated until, as they arrived at the train station, Wilson erupted. The judge later recalled that Wilson "charged Starbuck with having treated him badly and told him a falsehood, continuing to denounce him with further use of profane language." At that point, Starbuck called Wilson "a liar or rascal," or according to some accounts, told the one-legged man he "was an insolent fellow."[158]

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[156] "Maj. R. E. Wilson of Winston," *Confederate Veteran*, May, 1898; see also "Maj. R. E. Wilson Dead," *The Winston-Salem Journal* , March 9, 1907; "Faithful to Lost Cause," *Washington Post*, March 9, 1907, pg. 2.

[157] "A Kuklux Trial," *Greensboro North State*, April 15, 1873. A predecessor to the modern autobus, an omnibus was essentially a horse-drawn bus.

[158] George Brooks, "The Late Difficulty at Salisbury," *People's Press*, Sept 15, 1871; "A Kuklux Trial," *Greensboro North State*, April 15, 1873; see also Casstevens, *Tales from the North and the South*, 273; Brumfield, *Wouldn't You Like to Have Known Them?*, 28–30.

The additional insult proved too much for the honor-obsessed Confederate, who physically assaulted Starbuck. Larkins quickly moved to assist Starbuck, prompting Beard and Mitchell to enter the fray. When Judge Brooks demanded to know what was going on, Beard grabbed the judge by his neck and "with great strength pressed [Brooks] down on the seat, declaring with the oath that [the judge] should not interfere with his friend." Larkins and another bystander managed to free Judge Brooks, enraging Beard, who "turned with great fury and seemingly with intenser passion upon Mr. Larkins, hurling him with such violence from the omnibus that he fell to the ground." Beard then leapt down and began kicking the prostrate Larkin in the head. The judge, with the help of the same bystander, managed to pull Beard off Larkin, but the furious ex-Confederate broke free and attacked the staggering clerk, "again felling him to the ground with a single blow." As Beard was "stamping" Larkin, Brooks could not "remember ever to have seen a human being so infuriated with anger as [Beard] seemed to be." Due to the ferocity of the attack, the judge "had good reason to believe that Beard would have killed Mr. Larkins unless prevented immediately." Brooks took his gold-headed cane and hit Beard in the head twice "with all the power and skill [he] possessed," shattering the stick.[159] The former Confederates were eventually arrested, but Beard, Larkin, and Starbuck "were pretty seriously bruised before they could be parted."[160]

Newspaper reports of the vicious brawl exposed how strongly the divisions over the inner war remained in North Carolina. Republican papers across the state depicted Brooks's caning of Beard as a last resort to save Larkins, "a feeble man […] who was being badly hurt." But where

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[159] George Brooks, "The Late Difficulty at Salisbury," *People's Press*, Sept 15, 1871; "A Kuklux Trial," *Greensboro North State*, April 15, 1873; see also Casstevens, *Tales from the North and the South*, 273; Brumfield, *Wouldn't You Like to Have Known Them?*, 28–30.

[160] "Fight at the Depot," *Old North State*, August 24, 1871; "Disgraceful Scene in Salisbury," *Raleigh Sentinel,* August 23, 1871. As far as I know, there is no relation between Preston Brooks and George Brooks other than they both carried canes.

Republican papers published accounts favorable to Starbuck, Democratic publications sided with Wilson. The *Raleigh Sentinel* announced joyously in a headline, "A One-legged Soldier Whips Starbuck," and lamented the "disgraceful scene" of "a U.S. Judge, a U.S. District Attorney and a U.S. District Court Clerk in 'The Ring.'" The paper reported the caning as unwarranted because Brooks "was not struck by any of the parties but pushed back out of the way." The rather partisan editor complained that Judge Brooks "over stepped the bounds of justice by ordering the arrest of only part of those engaged in the affair, since it was simply an assault and battery growing out of an old personal difficulty between two citizens."[161] Initially arrested for contempt of court, Wilson, Beard, and Mitchell eventually faced indictments for "a conspiracy against the body and life of Starbuck." But Democratic papers lampooned these charges, concluding that if the defendants "had designs against [Starbuck's] life (which no one here believes) they certainly chose a very remarkable way of showing it." The implication was clear: Starbuck would have been dead had Wilson tried to kill him. Whether he intended to kill Starbuck or not, the fact that a one-legged man would attack a larger, able-bodied man is a testament to the importance Wilson put on how five dissenters' deaths were remembered.[162] Implying Wilson was a murderer represented a potentially deadly insult to him.

As with other acts of violence coming out of the war, in addition to anger over postwar persecution, Reconstruction politics and racial ideology may have contributed to Wilson's outburst. One of the most prominent dissenters in Forsyth County during the war, Starbuck had helped orchestrate a peace movement that pushed for North Carolina to leave the Confederacy

[161] "Fight at the Depot," *Old North State*, August 24, 1871; "Disgraceful Scene in Salisbury," *Raleigh Sentinel,* August 23, 1871.

[162] "Bound Over to November," *Carolina Watchman,* October 6, 1871; "Disgraceful Scene in Salisbury," *Raleigh Sentinel,* August 23, 1871.

and pursue peace with the Union on its own.[163] After the war, he became one of the most influential Republican leaders in Forsyth County, even garnering the nickname "Boss Starbuck" from Democratic papers.[164] Starbuck was so well-connected to the party's leadership that President Johnson appointed him district attorney for the state shortly after the war ended.[165]

Unsurprisingly, Starbuck remained a political as well as a personal enemy of Wilson's six years after the war. When the fight occurred in 1871, Starbuck was in the midst of prosecuting the most important cases of his career. Shortly before Wilson approached Starbuck, the court had adjourned from a special session dedicated to prosecuting Ku Klux Klan members.[166] Whether Wilson was formally a Klansman or not, he certainly sympathized with them, and an early-twentieth-century hagiographer of Wilson conceded he likely belonged to the Klan.[167] The judge did not miss this connection between Klan violence and the attack, and he initially had the men arrested under the Ku Klux Act, thinking that the ongoing Klan trials had led to the fight.

Wilson fought not only to protect his name against his long-held enemies, but also to preserve a positive memory of the Confederacy and the racial hierarchy that defined the

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[163] For more on Starbuck's role in the peace movement, see David D Scarboro III, "An Honorable Peace: The Peace Movement in Civil War North Carolina" (Ph.D., Trinity College, 1981), 151–152, 237–238, 242; Auman, "Neighbor Against Neighbor," 306.

[164] Testimony of D.H. Starbuck for Claim of Peter Adams Wilson (3521), Forsyth County, North Carolina, Disallowed SCC, NARA; N.S. Cook, Smith Frazier Sen., M. Masten, T.T. Best and P.A. Wilson, "To the Editors of the People's Press" *People's Press*, April 17, 1868; "Republican County Convention," *People's Press*, September 28, 1876.

[165] Worth, *The Correspondence of Jonathan Worth*, 2: 691, 718, 794, 821, 824, 901, 1078. Because of Starbuck's Unionist credentials and the political nature of the postwar murder trials, the Jones family had even considered hiring Starbuck to defend Wilson's nephew for the murder of Jake Loss, one of the five men killed under Wilson's orders (William A. Hauser to Beverly Jones, April 1866, Jones Family Papers, SHC). Instead, Starbuck was hired by one of the victims' family to sue Wilson.

[166] Casstevens, *Tales from the North and the South*, 273; Randolph Abbott Shotwell, *The Papers of Randolph Abbott Shotwell*, vol. 3 (The North Carolina Historical Commission, 1929), 11–15. "Fight at the Depot," *Salisbury Examiner*, August 25, 1871; Brumfield, *Wouldn't You Like to Have Known Them?*, 29.

[167] Brumfield, *Wouldn't You Like to Have Known Them?*, 29.

antebellum South. In his mind, Wilson remained a soldier, never marrying. In 1890, the Greensboro *Patriot* reported that the "Unreconstructed Rebel" Major Wilson "swore [at the end of the war] he would never doff the grey and he wears it yet."[168] Twelve years later, a newspaper article recalled that the back of Wilson's calling cards—decorated with Confederate flags—bore the following statement:

> If I ever disown, repudiate or apologize for the cause for which Lee fought and Jackson died, let the lightnings of Heaven rend me, and the scorn of all good men and true women be my portion. Sun, moon, stars, all fall on me when I cease to love the Confederacy "'tis the cause, not the fate of the cause, that is glorious"[169]

Wilson viewed Starbuck as a slanderer, a Unionist, a Republican, and likely as a southerner disloyal to his country and race. Thus, as Wilson never accepted the South's surrender, Starbuck remained an enemy. Former Confederates could justify Klan violence against Republicans—frequently former dissenters—when in their minds, the war continued to be fought, though the tactics and strategies changed to fit the circumstances.

It took almost two years for Starbuck's attackers to stand trial for assault. In April 1873, all three men were acquitted on the basis that the former Confederates had not conspired to attack Starbuck because he was the district attorney, but only "to injure him as an individual."[170] As such, the case belonged in state court, not federal. Still, as with earlier failed efforts to convict former Confederates of war crimes, suits like this one, even if unsuccessful, cost the defendants.

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[168] Quoted in "An Unreconstructed Rebel," *News and Observer,* June 5, 1890.

[169] "He Never Surrendered," *High Point Enterprise*, June 11, 1902.

[170] "A Kuklux Trial," *Greensboro North State*, April 15, 1873; "Decided at Last," *Greensboro Patriot*, April 16, 1873.

The case had repeatedly been postponed by the prosecutors, and in the end, Wilson spent a reported $1500 dollars on his defense.[171]

Wilson's long-running feud with dissenters, fought with both legal arguments and fists, represents just part of the war's legacy. The numerous court cases and street fights of Reconstruction were as much a legacy of the war as they were a product of postwar politics. Race and politics remained intricately tied to the war and its legacy throughout Reconstruction. Often, race, politics, and wartime grudges all came together—as in the case of Wilson—to inspire legal and physical disputes within southern communities. Though the southern armies had surrendered, the fights begun during the war within the states continued to be fought in new venues.

[171] "Maj. Reuben Wilson," *Southern Home*, Charlotte, April 21, 1873; "Decided At Last," *People's Press*, April 24, 1873.

Chapter 7: "A Free Country with a Vengeance!"
The Failed Disfranchisement of Former Confederates

On August 2, 1867, the first day of voter registration in Rome, Georgia, Reuben S. Norton attempted to enroll. After standing in line behind his former slave, whom he had owned for "15 or 16 years," Norton was told by the officials that he could not register, on the grounds that before the war he had served as a Rome alderman. That his former slave registered while he was turned away infuriated Norton. Because Norton had supported the Confederacy after having served in elected office before the war, the three Republican registrars turned him away when he asked to put his name down in the registration book. In his diary that evening he expressed his outrage, writing, "This is a free country with a vengeance!" Vengeance was a fitting term to describe the desires of many dissenters-turned-Republicans who tried to disfranchise their neighbors.[1] The conflicts of war continued during Reconstruction, as old adversaries moved their fights into the realm of electoral politics.

Stories like Norton's highlight the legacy of intercommunity conflict during the Civil War Era. Divisions emerged during the war and continued afterward, as wartime feuds reappeared at voter registrations, in constitutional conventions, and at the ballot box. Across the South, wartime dissenters sought to keep their former Confederate persecutors from returning to political power by restricting enfranchisement and eligibility for electoral office to loyal men. More than just political battles for control of the government and its spoils, these campaigns to

[1] R.S. Norton, "Diary," Transcription, 106, in Norton-Towers Family Papers, Atlanta History Center. I use the term disfranchise (which was the term used in the 1860s) instead of the contemporary term disenfranchise.

disfranchise and disempower former Confederates were motivated by the desire for revenge, for protection from further harassment, and for justice.

This chapter examines fights over disfranchisement and the related topic of eligibility for elected office during the first four years of Reconstruction. This chapter begins by examining Republican efforts to disfranchise former Confederates during the run-up to the 1867 special elections for delegates to the state constitutional conventions. These conventions, mandated by Congress for former Confederate states to reenter the Union, are scrutinized in the second half of the chapter. The local efforts to bar former Confederates during registration reveal the continuing divisions within communities, while the convention debates on disfranchisement expose why disfranchisement failed as a lasting means for Republicans to control southern state governments.

Efforts by Republicans to disfranchise their neighbors were often continuations of the wartime feuds between dissenters and their antagonists (typically ex-Confederate authorities or vehement secessionists). At the local level, registrars—often former dissenters and at least nominal Republicans—repeatedly tried to disfranchise neighborhood secessionists and other individuals who had persecuted them during the war. Many of those initially barred by overzealous registrars, however, successfully challenged the decisions and registered even before the 1867 election.

Many of the delegates tasked with rewriting state constitutions attempted to enshrine some form of disfranchisement in the new constitutions, but it was easier said than done. Because in many ways southern communities are better understood as networks, delineating individuals into distinct camps remained difficult for delegates. Ultimately, difficulties agreeing on definitions of loyalty and disloyalty doomed to failure most efforts to disfranchise ex-

Confederates. Because the majority of Republican delegates failed to agree on a legal standard for disfranchisement, both Georgia and North Carolina failed to disfranchise former Confederates in their new constitutions. Virginians' efforts to disfranchise former Confederates went to a popular vote where the proposal failed to satisfy the majority of voters. Though unsuccessful, efforts at disfranchisement garnered noticeable support in both Loudoun and Forsyth Counties.

While relatively unsuccessful, post-war efforts to disfranchise prove extremely revealing about social dynamics in southern communities. These fights over enfranchisement highlight the local nature of American democracy. Efforts to bar voters and office holders were frequently personal, local, vindictive, and premised on self-preservation. Localism, a thirst for revenge, and the continuing animosities of war shaped conflicts over the ballot during Reconstruction. By 1870 the issue was moot in North Carolina, Virginia, and Georgia, as nearly every adult white male could vote because of the terms in each state's new constitution.

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Presidential Reconstruction witnessed the rapid return to power of antebellum and Confederate political figures. In late 1865 voters of Floyd County, Georgia elected a former Confederate general to represent them in Congress.[2] As the war ended, the conservative Reconstruction governor of Virginia requested the state assembly (made up solely of delegates from Northern Virginia) to re-enfranchise former Confederates, and by June 1865 almost every adult white male in Virginia could once again vote.[3] In October 1865, Virginia voted for

[2] "Official Result in Floyd County," *Rome Weekly Courier*, November 16, 1865. In fairness, the Confederate general, William Wofford, likely garnered some Unionists votes due to his role suppressing deserters in the last months of the war (Etowah, "Mr. Editor," *Rome Weekly Courier*, November 2, 1865).

[3] Richard G Lowe, *Republicans and Reconstruction in Virginia, 1856-70* (Charlottesville: University Press of Virginia, 1991), 32–33.

congressmen to represent them in Washington. Though the northern precincts of Loudoun County overwhelmingly voted for the Republican candidate—in Waterford the tally was 122 votes for and 5 votes opposed—his opponent, who refused to take the test oath, overwhelmingly defeated him countywide.[4]

The course of Presidential Reconstruction horrified many wartime dissenters. Many Republicans advocated for maintaining "political disabilities" of some form to ensure that disloyal men did not lead the South. In a June 1865 letter to Governor Francis Pierpoint, Samuel Janney of Loudoun County conceded that democratic principles and political reality meant that the vote should be extended to all men of age, regardless of race or wartime loyalty. While Janney believe that too radical a disfranchisement policy would delegitimize any elected government, he also argued that rebels must be restricted from holding office for "five or seven years."[5]

The Reconstruction Acts fundamentally changed the political calculus in the South by reorganizing the southern political system. By the start of 1867, Republican dissatisfaction with Presidential Reconstruction had reached a tipping point. Black codes, race riots, the rejection of the Fourteenth Amendment by southern legislatures, and a return to power of Confederate leaders infuriated many national Republicans. Thus, on March 2, 1867, frustrated with obstinate and unrepentant southerners and a president who seemed to side with them, Republicans in the United States Congress passed the First Reconstruction Act over President Andrew Johnson's

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[4] "The Result in Loudoun," *Democratic Mirror*, October 19, 1865. See also "Virginia Politics," *New York Times*, October 18, 1865; Taylor M Chamberlin and John M Souders, *Between Reb and Yank: A Civil War History of Northern Loudoun County, Virginia* (Jefferson, North Carolina: McFarland & Company, Inc., 2011), 349–350. McKenzie disappointed some dissenters in 1869 when he supported the removal of Confederate disabilities. He said he had "deemed it time that the Southern people were forgiven" ("Political," *Alexandria Gazette,* May 14, 1869). He likely did so because he recognized that many white voters approved of it. He said he had "deemed it time that the Southern people were forgiven" ("Political," *Alexandria Gazette,* May 14, 1869).

[5] Samuel M. Janney to Francis Pierpont, June 24, 1865, Executive Papers of Governor Francis Harrison Pierpont, 1865-1868, Library of Virginia, Richmond, VA (LVA).

veto, instituting what became known as Congressional or Military Reconstruction. The act required southern states to pass the Fourteenth Amendment in order to reenter the Union, dissolved existing state governments, provided for military oversight of the South, and divided the region into five military districts. It further mandated a new constitution for each unreconstructed state. From late 1867 through early 1868, constitutional conventions assembled in every former-Confederate state except Tennessee (which had been re-admitted under Presidential Reconstruction). These conventions were meant to restructure a stable and fair civil government that would ensure black enfranchisement and equality before the law. Delegates to the conventions included African Americans, wartime dissenters, northern transplants (often called "carpetbaggers"), and even a few former secessionists, leading to the nickname "Black and Tan" conventions because of their racial makeup. Before the conventions could meet, however, delegates had to be elected.[6]

The Fourteenth Amendment played a crucial role in determining who could vote for delegates. The Amendment is best remembered for settling (at least temporarily) the question of black enfranchisement, but it also included one of the first outlines for the disfranchisement of former Confederates within its third section, explicitly barring certain individuals from holding office:

> No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the

[6] For the best work on these conventions see Richard Hume and Jerry B. Gough, *Blacks, Carpetbaggers, and Scalawags: The Constitutional Conventions of Radical Reconstruction* (Baton Rouge: Louisiana State University Press, 2008). For more on North Carolina see Stephen Appell, "The Fight for the Constitutional Convention: The Development of Political Parties in North Carolina During 1867" (M.A., University of North Carolina at Chapel Hill, 1969). James Lancaster, "The Scalawags of North Carolina, 1850-1868" (Ph.D., Princeton University, 1974), esp. 192–406. Other important works worth noting about politics in this era, which I relied heavily upon in this chapter, include Lowe, *Republicans and Reconstruction in Virginia*; Austin Drumm, "The Union League in the Carolinas" (Ph.D., University of North Carolina at Chapel Hill, 1955). Conversations with Nicole Etcheson, while we were both fellows at the Virginia Historical Society, helped me realize the importance of disfranchisement in how dissenters remembered and continued their personal wars after Appomattox. Additionally, the work of William Russ also addresses the Conventions in a well-researched, though extremely biased and often racist way.

> United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may, by a vote of two-thirds of each House, remove such disability.[7]

While limited to office holding, the language provided a template for statewide efforts at disfranchisement. Additionally, the second section of the amendment explicitly allowed disfranchisement "for participation in rebellion," giving a subtle nod to southern Republicans to bar former Confederates.[8] While the Fourteenth Amendment was crucial in preparing the language and setting the precedent that disfranchisement was acceptable, the Reconstruction Acts provided a firmer legal foundation for many of the efforts to bar Confederates from both political office and the polling booth.

On March 23, 1867, Congress passed the so-called Second Reconstruction Act. It gave the particulars of how the military would oversee the reestablishment of loyal civil governments in the South. Among the many tasks it set forth was the registration of voters and the election of delegates to state conventions, so that each state could then rewrite its constitution. The generals in charge of each district had to find prospective registrars who could take the 1862 Iron-Clad oath requiring them to swear that they had never voluntarily aided the Confederacy.[9] It would be up to these registrars, almost always Republicans and frequently prominent wartime dissenters who had suffered during the war, to interpret the rules on who qualified to register.

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[7] Fourteenth Amendment as cited in Frederick Hosen, ed., *Federal Laws of the Reconstruction: Principal Congressional Acts and Resolutions, Presidential Proclamations, Speeches and Orders, and Other Legislative and Military Documents, 1862-1875* (Jefferson, NC: McFarland & Co., 2010), 38–39. See also William A. Russ, "Registration and Disfranchisement Under Radical Reconstruction," *The Mississippi Valley Historical Review* 21, no. 2 (September 1934): 163.

[8] Hosen, *Federal Laws of the Reconstruction*, 38–39.

[9] For information on who was appointed see Russ, "Registration and Disfranchisement Under Radical Reconstruction," 166–169. For text of oath see "The Iron-Clad Oath," *New York Times*, December 6, 1877.

As written, the law barred only those who had *both* supported the Confederacy *and* had also previously served in a political or civil office which had required they take an oath of loyalty to the United States Constitution. Merely supporting the Confederacy could not itself justify disfranchisement because Congress did not intend to disfranchise all former Confederates. The Reconstruction Acts required individuals who wished to register to take an oath of allegiance to the United States that included the declaration, "I have not been disfranchised for participation in any rebellion or civil war against the United States;[…] I have never been a member of any State legislation, nor held any executive or judicial office in any State and afterwards engaged in insurrection or rebellion against the United States, or given aid or comfort to the enemies thereof." Though the terms of who could vote were thus legislatively mandated, they remained unclear. The meaning of "aid and comfort," for instance, was murky, as did which officeholders Congress had meant to exclude.[10]

What constituted "executive or judicial office in any State" remained ill-defined and open to interpretation.[11] Tasked with overseeing the elections, the military and civil authorities were flooded with letters from southerners bearing questions about registration and eligibility. Did serving as a county Justice of the Peace count, for example?[12] Did serving as mayor or alderman during the war make one ineligible?[13] If a man had served as a magistrate and taken an oath to

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[10] Hosen, *Federal Laws of the Reconstruction*, 53–57.

[11] Hosen, *Federal Laws of the Reconstruction*, 58–62.

[12] For a discussion on confusion across the south see Russ, "Registration and Disfranchisement Under Radical Reconstruction," esp. 163–166, 171–173.

[13] See for example: Wm. A Jennings to Francis Pierpont, August 17, 1865, Executive Papers of Governor Francis Harrison Pierpont, 1865-1868, LVA; Sheriff M. Masten and N S Cook to Major W S Worth, May 27, 1867, in Post at Greensboro, North Carolina, Letters Received and Records Relating to Registration and Elections at Greensboro Post, 1867, Entry 517, RG 393 Part 4, NARA. The received letters of many southern military posts (across RG 393, NARA) are full of similar letters.

the Confederacy, could he serve as a registrar let alone vote?[14] So much confusion remained after the Second Reconstruction Act that on July 19, 1867, Congress passed the Third Reconstruction Act, which included a clarification of what offices should be considered an "executive or judicial office in any State," though some confusion still remained about local offices.[15] What constituted aiding the Confederacy remained ambiguous as well.

Republicans disagreements on how to implement some form of disfranchisement often centered on what constituted a loyal southerner, as the question of who had "engaged in insurrection" persisted as a hotly debated topic in the lead up to registration. For example, did serving as a conscript or volunteering under extreme social pressure qualify as aiding the Confederacy? As the 1867 elections neared, newspapers ran a multitude of articles assessing who could register to vote and run for office.[16] When Forsyth County resident, Republican, and U.S. District Attorney for North Carolina, Darius Starbuck, wrote a letter to North Carolina papers giving his official opinion on who could take the "test oath" (and thus retained eligibility to vote), the *Raleigh Register*, a Republican daily, disagreed with Starbuck's opinion. Starbuck argued that individuals forced into service or who took office or a contract with the Confederate government to avoid conscription had rendered aid only "under *coercion*, to save himself from having to fight against the Union," and thus remained eligible to vote. Even taking an oath to the Confederacy, if taken "to keep from fighting against the Union, or to prevent some violent 'war man' from getting the office," could be viewed as an act of resistance in Starbuck's view.[17] The

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[14] Wm McMullan to Headquarters, November 7, 1867, Entry 517, RG 393, Part 4, NARA.

[15] Hosen, *Federal Laws of the Reconstruction*, 58–62. Even this clarification did not cover every eventuality.

[16] For examples see: "Who Can Register!," *Weekly Cartersville Express*, June 21, 1867; *People's Press*, November 15, 1867; "Who Will Be Entitled to Vote," *Cartersville Express*, September 18, 1868; "A Succinct Statement of the Military and Supplemental Acts," *Weekly Cartersville Express*, April 5, 1867.

[17] D. H. Starbuck, "Communication," *The Raleigh Register*, September 27, 1867.

paper objected that under Starbuck's construction nearly anyone who did not volunteer in the first year of the war could claim to be a Union man and no one could prove otherwise. The editors of the *Register* were appalled that Starbuck's interpretation essentially gutted the test oath of its power, writing that they believed "the language of the oath requires that those who take it shall swear to certain *facts*, not to their intentions." [18] Because loyalty during the war had frequently been unclear and multifaceted, after the war the question of exactly who should be allowed to vote—or serve in office—remained murky.[19] Starbuck's aim was to ensure that no dissenter was inadvertently kept from voting, while the editors of the *Register* prioritized keeping Confederates from the polls. In the end, the generals in each district—as well as their subordinates—had to decide what Congress had intended with the Reconstruction Acts.

No matter how the law was interpreted, because few individuals had both held antebellum office *and* participated in the rebellion, disfranchisement under the Reconstruction Acts could never have guaranteed Republican domination in the South.[20] Even some conservative commentators recognized how generous the Reconstruction Acts were concerning the issue of enfranchisement. Loudoun's *Democratic Mirror* celebrated that Federal law only disfranchised "Legislators, and Justices of the peace, *and no other person,* and *these* are not

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[18] D. H. Starbuck, "Communication," *The Raleigh Register*, September 27, 1867; *The Raleigh Register*, September 27, 1867. For more on Starbucks interpretation see William A. Russ, "Radical Disfranchisement in North Carolina, 1867-1868," *The North Carolina Historical Review* 11, no. 4 (October 1934): 278.

[19] For more on this topic see Russ, "Registration and Disfranchisement Under Radical Reconstruction," 173; Russ, "Radical Disfranchisement in North Carolina, 1867-1868," 278–279.

[20] Russ, "Registration and Disfranchisement Under Radical Reconstruction," 177. Because of the limited scope of Congress' ban and the small number ineligible to take the oath, the number of disfranchised men could never have been large enough to alone lead to Republican control of North Carolina, Georgia, or Virginia. Russ equated black voters with Republican control, though he himself acknowledged race was not always the only factor. He used the term "africanization" to refer to a state that had a majority of voters who were black. According to Russ, in only two states could a black majority have been created through disfranchisement: Louisiana and Mississippi. Tens of thousands of black voters were the crucial factor in ensuring a majority for Republicans in North Carolina, Virginia, and Georgia, but white Republicans remained an important constituency as well.

disfranchised unless they [supported the Confederacy]."[21] One northern Virginian politician estimated that 10,000 "greatly exceeds the number" of disfranchised voters in the entire state, which meant less than eight percent of the state's 131,080 adult white men should have faced any issues registering.[22] Similarly, the *Cartersville Express* estimated that no more than "eight or ten thousand" would be disfranchised in Georgia.[23] Amid all the confusion, it soon became clear that the vast majority of former Confederate soldiers would be able to vote under even the most stringent reading of the law.

Lenient interpretation of the laws by some military authorities meant the actual number of former Confederates barred from voting was even smaller than forecasted by the *Mirror* and the *Express*. In Georgia, the military authorities used a standard, similar to Starbuck's, which relied upon the intent of former office holders instead of their actions. The rules were enforced so leniently that one Floyd resident, enquiring about his eligibility, was informed by military authorities that "the decision of the question you proposed, can best be made by yourself. Read the Oath, —If you can take it, you Can register, —if not, not."[24] In essence, the military authorities allowed the former Confederate to decide his own fate.

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Even after Congressional and military efforts to clarify procedures, the actual registration of Southerners failed to proceed smoothly. In multiple jurisdictions, additional orders had to be issued by the military to clarify who could vote and serve. In addition to overruling some registrars' dubious challenges, the military authorities in North Carolina issued two circulars: the

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[21] "Register! Register!" *Democratic Mirror*, June 12, 1867.

[22] "The Importance of Registering," *Democratic Mirror*, June 12, 1867.

[23] "Who Is Disfranchised in Georgia," *Weekly Cartersville Express*, May 31, 1867.

[24] As cited in Russ, "Registration and Disfranchisement Under Radical Reconstruction," 173.

first, more general, clarified the meaning of the third Reconstruction Act on August 27, 1867, and the second, issued a month later, provided specific examples of inappropriate challenges noted by military authorities in the initial set of returns from the registrars across the state.[25]

Even when registrars understood the regulations, they did not always follow directions. Some registrars determined on their own that certain neighbors should not be enfranchised. Indeed, many of the examples of unsuitable challenges given in the October 1867 circular clearly targeted local registrars who implemented their own standards. Among the reasons North Carolina registrars had offered for rejecting applicants in the first month of registration were: "Home guard during the war," "for arresting deserters and forcing them back to the rebel army," "Opposing reconstruction in public; (violent secesh)," "feeding confederate Soldiers," "Aiding son in Confederate service," "in company with raiders when a man was shot," and even merely "conscripted."[26]

For some local registrars, who should register was less a matter of what the law allowed than what they felt was right. Registrars varied in their zeal for disfranchisement and their willingness to follow directions. In Davidson County, just to the south of Forsyth County, chief registrar Isaac Kinney held firm opinions about who should vote, regardless of what the law said. As a leading local Republican and former member of the Heroes of America, Kinney advocated for the disfranchisement of anyone who voluntarily supported the Confederacy, and to wit, he refused to enroll volunteers to the Confederate army. When some residents challenged Kinney's enforcement of the law, Kinney vowed that he would "resign his place before he will obey anybody's instructions requiring him to register applicants who voluntarily aided the war

[25] Headquarters Second Military District, "Circular," August 27, 1867; Headquarters Second Military District, "Circular," October 31, 1867; both can be found in a bound volume of General Orders for the Second Military District kept at the North Carolina Collection at the Wilson Library, University of North Carolina at Chapel Hill.

[26] Headquarters Second Military District, "Circular," October 31, 1867.

whether they ever held office or not."[27] Kinney's anger at his family's mistreatment and persecution during the war drove him to seek revenge and to keep unrepentant rebels from registering. Although he knew that the rules specified that he should be less stringent, Kinney ignored them, arguing that disloyalty alone should be adequate grounds for disfranchisement. Kinney's stance must not have angered too many Davidson residents; Davidson county voters overwhelmingly elected him as a delegate to the state's constitutional convention the following year.[28] During debate at the convention, Kinney gave a speech in which he proudly recounted how he had "prevented a young man from registering, who told him that he fought in the Confederate army, and would do so again."[29]

Just a few miles north of Kinney's Davidson County district, John P. Vest oversaw registration for half of Forsyth County, and like Kinney, Vest attempted to root out unrepentant rebels during registration. The U.S. Army reprimanded Vest, explicitly forbidding him from asking applicants "did you volunteer in the Confederate Army? Did you desire the success of the rebel cause? Were your sympathies with the south during the war? What would you do in the event of another war?"[30] Vest's use of unauthorized standards to determine who should vote clearly led to the rebuke, yet his efforts to disfranchise former Confederates continued upon completion of his duties as registrar. In July 1868, as a member of the State House, Vest voted

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[27] J.H. Conrad et al. to Major Wm. S. Worth, August 16, 1867, Entry 517, RG 393 Part 4, NARA.

[28] *Journal of the Constitutional Convention of the State of North-Carolina at Its Session 1868* (Raleigh: Joseph W. Holden, Convention Printer, 1868), 103, accessible at http://docsouth.unc.edu/nc/conv1868/conv1868.html.

[29] "Special Orders-Sufferage," *Daily Sentinel*, February 22, 1868. For more on Kinney see Lancaster, "Scalawags of North Carolina," 215; Hume and Gough, *Blacks, Carpetbaggers, and Scalawags*, 264.

[30] Joseph Wilson to J.P. Vest, September 14, 1867, Post at Greensboro, North Carolina, Letters Sent, May – December 1867, Entry 515, RG 393 Part 4, NARA. Part of the problem may have been former Confederates gloating about their ability to register. See for example Jno P. Vest to Major W.S. Worth, September 7, 1867, Entry 517, RG 393 Part 4, NARA.

against petitioning Congress for the removal of political disabilities for those still proscribed by the Fourteenth Amendment.[31]

While personal political aspiration may have contributed to his efforts, Vest also had good reason to hate some leading Confederates in the community. His sister's nephew was James Flynt, whom Reuban Wilson shot in the last months of the war. Additionally, his daughter would marry Flynt's brother in 1868. Not surprisingly, of the fifty men Vest is known to have attempted to bar from voting, at least seven had been militia officers tasked with hunting deserters during the war.[32] Across the North Carolina Piedmont, efforts to disfranchise personal enemies overstepped the bounds prescribed by Congress. Those who had persecuted recusant conscripts and deserters during the war often found the ire of dissenters focused upon them well after the conflict had ended. Just north of Forsyth, in Stokes County, for instance, a registrar attempted to stop "conscript hunters" from registering, leading the Army to squash his efforts with the explanation that the war-time pursuit of conscripts did not justify disfranchisement because such actions did not necessarily imply office holding before the war.[33] Registrars often disfranchised men known to them personally. Vest owned land within 500 feet of disfranchised voter Henry Moser. Former militia officer and prominent industrialist Henry Fries, who had injured his arm hunting Calvin Dial, likewise possessed property within 1000 feet of Vest's

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[31] *Journal of the House of Representatives of the General Assembly of the State of North Carolina at its Session of 1868,* (Raleigh: N. Paige, Printer to the State, 1868), 61.

[32] Francis Moran, "Vest Family," The Jarvis Family and Other Relatives, http://www.fmoran.com/vest.html (accessed August 26, 2013); and "North Carolina County Marriage Index For Forsyth County," 136, North Carolina State Archives, North Carolina Division of Archives and History, Raleigh, NC (cited hereafter as NCDAH), accessed via North Carolina, Marriage Collection, 1741-2004 on Ancestry.com (accessed August 26, 2013).

[33] Joseph W. Wilson to Walker Gann, August 23, 1867, Entry 515, RG 393 Part 4, NARA. He had to have taken an oath to the United States before the war *and then* rebelled.

farm's boundary when Vest attempted to disfranchise him.[34] Vest also refused to enroll William Clayton, the brother of the man who beat fellow registrar Samuel Stoltz with a horse whip for Stoltz's pro-Union views.[35]

As well as enforcing their own rules on who should vote, many long-suffering dissenters created their own procedures for registration. If the registrars followed orders—a questionable assumption—they recorded every challenged man's name and on what grounds they refused to register him.[36] The military would then review each challenged voter and have the final say. In some counties (such as Bartow), registrars apparently followed the rules issued by federal authorities by allowing each objectionable candidate to take the oath of allegiance and recording his name and the challenge in the registration book. Yet the appointed registrars—often neither lawyers nor, at times, even literate —frequently ignored their instructions and instead simply turned objectionable applicants away. When former city alderman Reuben Norton attempted to register in Rome, registrars sent him away, refusing even to let him take the oath of allegiance. Not one of the 217 names dutifully entered in the registration books the day Norton was turned away included an objection next to it.[37] Had the registrars followed directions, his name would have appeared in the book, albeit crossed out and with a reason for rejection written next to it.

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[34] E.A. Vogler, "Map of Forsyth County, North Carolina: Compiled from Surveys of the Land Office, Salem NC and Other Maps," November 1863, The Moravian Archives, Winston Salem N.C.; Jno P. Vest to Major W.S. Worth, September 26, 1867, Entry 517, RG 393 Part 4, NARA. See also H.W. Fries to Major Worth, August 28, 1867, Entry 517, RG 393 Part 4, NARA.

[35] Claim of Samuel Stoltz (15085), Forsyth County, Approved SCC, and Vest to Major W.S. Worth, September 26, 1867, Entry 517, RG 393 Part 4, NARA.

[36] The rules differed slightly for each Military District on where to record the information as the forms were slightly different. For an example of instructions see Allen D. Candler, *The Confederate Records of the States Georgia: Compiled and Published under the Authority of The Legislature by Allen D. Candler, A. M., LL. D.,* Vol. VI, (Atlanta GA: Chas P. Byrd, State Printer, 1911), 95-105.

[37] R.S. Norton, "Diary," Transcription, 106, in Norton-Towers Family Papers, Atlanta History Center. His name does not appear in the 1867 registry or accompanying oath books. I carefully checked the date he registered for any possible misspellings. Only 45 of the names were listed as white. The next day was more equal as white voters came out in a stronger force with 209 whites registered alongside 199 black men. See "Return of Qualified Voters under

Extant voter registration books reveal how registration occurred in various localities. Though Forsyth's registration books no longer exist, those of neighboring Davidson County provide clues to how registration occurred in central North Carolina. The registration books used by half of Davidson County registrars do not list a single objection, implying they failed to record rejected applicants. The other half of the registrars, led by Kinney, recorded some of applicants with challenges in the registration books. Contemporary evidence, however, indicates that Kinney sent additional men away with no notation that they attempted to register in the books, as multiple men whose names did not appear in the registration books filed complaints with the army about being turned away.[38]

Some registrars changed their manner of recording rejected applicants over time. The same three men oversaw registration in neighboring Bartow and Floyd Counties, yet they recorded a third as many objections in Floyd County as they did in Bartow. The rules appear to have been closely followed during Bartow's registration, but when Floyd's subsequent turn for registration arrived, only those applicants whose eligibility confused the registrars had their names and challenges entered in the books for subsequent review.[39] Otherwise, it appears the registrars simply turned away applicants they deemed ineligible. Norton, who had been turned away due to his prewar service as a Rome alderman, was certainly not the only applicant turned

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the Reconstruction Act For Floyd County," 1867, Office of the Governor, Georgia State Archives, Morrow, Georgia, (GSA) via Ancestry.com (accessed August 26, 2013).

[38] "Return of Qualified Voters under the Reconstruction Act For Bartow County," 1867, Office of the Governor, GSA, via Ancestry.com (accessed August 26, 2013); "Registry of Voters in Davidson County, 1867," NCDAH; about half the registries are signed by Kinney. Among those without objections are the eventual (likely 1868 in some cases) registrations of some of the men who complained to military authorities after Kinney turned them away in 1867. For a list of men rejected who do not appear in the books see J.H. Conrad et al. to Major Wm. S. Worth, August 16, 1867, Entry 517, RG 393 Part 4, NARA.

[39] Additionally, those with extenuating circumstances leading the registrars to reluctantly bar them were often recorded as well. In these cases (discussed later in the chapter) the registrars hoped the military would overrule their challenge. For example, a dissenter who kept his office as a county judge during the war to avoid service but was a staunch Republican after the war would likely be noted in this way or just allowed to register.

away in Floyd without registrars recording the rejection. After a former Justice of the Peace registered, the registrars recorded apologetically next to his name that they "forgot he was a [Justice of the Peace] until he had regestrd [*sic*]," implying that otherwise the officials would not have written his name in the book at all.[40]

It is hard to establish why the registrars apparently followed different procedures in Floyd and Bartow County. The registrars visited Bartow County first in July 1867, and perhaps were initially unsure of who was entitled to vote and consequently were much more cautious about recording objections. By August, however, when they began registering Floyd voters, they had grown more confident in turning individuals away without recording why. The registrars had clearly gained a better sense of what the military accepted and what would be reversed. While in Bartow the military officials overrode half of the challenges, in Floyd County, only around a third were overturned.[41] One Bartow applicant had even been challenged merely on the grounds that he had been a "Great Advocate of Rebellion."[42] The passage of the Third Reconstruction Act in mid-July may have clarified the rules enough that the local officials felt more confident taking liberties regarding their record keeping. The tendency of the military to override registrars' earlier decisions might have discouraged spurious challenges, or it might have led registrars to decide not to record the registration attempts of some rejected applicants. The registrars may have felt too many of their earlier rejections had been overridden by the military authorities and hoped to circumvent the rules simply not presenting those cases that might be overruled. Not

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[40] "Return of Qualified Voters under the Reconstruction Act For Floyd County," 1867, Office of the Governor, GSA, via Ancestry.com (accessed August 26, 2013).

[41] "Return of Qualified Voters under the Reconstruction Act For Floyd County," 1867, Office of the Governor, GSA, via Ancestry.com (accessed August 26, 2013); "Return of Qualified Voters under the Reconstruction Act For Bartow County," 1867, Office of the Governor, GSA, via Ancestry.com (accessed August 26, 2013).

[42] "Return of Qualified Voters under the Reconstruction Act For Bartow County," 1867, Office of the Governor, GSA, via Ancestry.com (accessed August 26, 2013).

recording rejected applicants made it harder for the military to override the registrars decisions. The case of Norton, the former Rome alderman who was turned away without any official record of the event, lends credence to this interpretation. Whatever the reason, the registrars did not follow instructions when they turned men away from even taking the oath of allegiance.[43]

Not all attempts at disfranchisement were based on wartime persecutions and politics. Some Republican attempts at disfranchisement were merely instances of self-serving political opportunism. In Georgia, one man reportedly tried to get rid of a potential opponent for elected office by disfranchising him.[44] In Bartow County, William Steadiman refused to take the oath of allegiance from the black registrar administering them, and so the registrars refused to enroll him. Later, after a white man began administering the oath, Steadiman snuck back into line and registered. Upon realizing that they had been tricked, the registrars attempted to block his registration but the military authorities overruled the registrars, deeming racism undue grounds for barring voters.[45]

Even those instances of disfranchisement not directly linked to wartime conflict frequently had roots in the war. Some former Confederates goaded the registrars. The Forsyth registrars wrote to the commander of the army post at Greensboro to ask what do about "a man that comes up and takes the oath to register and there states that he is disloyal and that if the united states [*sic*] were in war that he would take sides with which ever side that he thought was

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[43] Norton should have been allowed to take the Oath according to the orders provided by the military authorities (see Allen D. Candler, *The Confederate Records of the States Georgia:*), 95-105).

[44] Lt. H. Dodt to Capt. Lord, August 22, 1867, in Post at Rome, Georgia, Letters Received, retained reports, and other, 1867-1867, Entry 1118, RG 393 Part 4, NARA. This case was investigated by soldiers in Rome but was in Haralson County.

[45] "Return of Qualified Voters under the Reconstruction Act For Bartow County," 1867, Office of the Governor, GSA, via Ancestry.com (accessed August 26, 2013).

right."[46] A refusal to acknowledge Reconstruction authorities often led to objections to potential voters. In Loudoun County, Dr. William Cross was reportedly "rejected for refusing to answer the question of age, residency in the State, where born, &c., denying the right of the Board to ask such questions after he had taken the oath treating the officers of the Board contemptuously, denying the power and the authority of the Board, and also the General commanding."[47] Another man actually requested his registration be challenged by the officials, apparently making a political statement.[48] Tensions remained high at registration locations throughout the process.

The restoration of political rights to adversaries often alarmed local Republicans. Republicans fought not only for political office and revenge, but also to protect themselves from the same men who had assailed them during the war. Control, or at least a voice, in both local and state governments became crucial for the protection of dissenters who remained in the minority in many communities. After the war, petitions from dissenters for protection from their wartime persecutors flooded Washington. One 1866 petition from Forsyth and surrounding counties sheds light on the stakes these elections carried. Bearing 394 names, the petitioners requested Federal intervention because the same men who had persecuted dissenters during the war were "still in the ascendancy. Our civil Tribunals, seem to be governed, and ruled by them, and our destinies, as it were, are in the palms of their hands." The petitioners pointed out that those in office now were the same men who had torn "some of our wives […] from our suckling babes," arresting dissenters' families in an effort to force recusant conscripts and deserters to come in from the bushes. The former Confederates had tortured women, "to wit, their hands have been put under, fence rails, and hung by, their thumbs, in order, to exsort [*sic*] from them the

[46] Jno P. Vest to Major W S Worth, September 7, 1867, Entry 517, RG 393 Part 4, NARA.

[47] Sometimes, "Loudoun County," Alexandria Gazette, August 7, 1867.

[48] Sometimes, "Loudoun County," *Alexandria Gazette*, August 7, 1867.

hiding places, of their husbands, and sons." They had robbed loyal men and made captured dissenters "walk from 25 to 90 miles, barefooted through the snow." Now, the persecuted dissenters pointed out, loyal men had recently been indicted for "crimes" committed during the war, while attempts to prosecute former Confederates had been "thrown out of court."[49] The stakes in local elections of magistrates and other officers were far higher in the late 1860s than in the present day.

Even before implementation of the Reconstruction Acts, efforts had begun across the South to restrict certain former Confederates politically and remove those who won local offices by appealing to military authorities. Republicans in Georgia protested former Confederates serving in office—specifically those who had harassed them during the war. Numerous letters from Rome and Bartow objected to the election of judges and justices of the peace who were former secessionists. Judge Milner of Bartow County, who oversaw the cases when John Ward and William Light were acquitted of murder multiple times, was one of many officials who Republicans saw as unworthy of the public trust. The presence of the "pardoned secessionist" Judge Milner on the bench made prosecuting wartime crimes and lawsuits for compensation extremely difficult.[50] Had dissenters sat quietly by there would never have been a trial in the first place. Shortly before the arrest of Light and Ward, local dissenters successfully lobbied the military to remove the local sheriff, William Aycock, for "gross neglect of duty," as "criminals have escaped, and loyal men have been unable to secure justice through negligence or

[49] B.S. Hendrick et. al, "Memorial to the President" July 25, 1866, in *Andrew Johnson Papers*, Series 1, Reel 23, (Washington : Library of Congress, 1960).

[50] Quote from Augustus R. Wright to General John Pope, July 19, 1867,Third Military District. Bureau of Civil Affairs, Letters Received, Entry 5782, RG 393 Part 1, NARA. There are numerous other similar letters requesting the removal of local officials from the Rome area within Entry 5782, RG 393, Part 1, NARA. Interestingly, Wright served in the Confederate Congress but was a peace candidate and opposed secession.

connivance."[51] Without the removal of Aycock, and the appointment of his Republican replacement, W.L. Goodwin, Ward never would have been arrested.

Usually, the loudest complaints regarded those former Confederates who continued persecuting dissenters or had a history of particularly egregious behavior towards members of the community. The election of former Confederate officers who had tormented the local community during the war became a common grievance in areas where Republicans constituted a minority. Sheriff Aycock had himself scouted for the Confederacy and been chased by Union forces hunting Confederate guerillas.[52] Just a day after registration began in Floyd, Rome's city marshal and his son were "arrested by the military on the charges of having bushwacked during the war."[53] Still, Republicans welcomed some former Confederates who had not persecuted dissenters during the war—most notably Zachariah B. Hargrove, who had fought bands of criminals around Rome in 1864 and 1865. How an individual had treated his neighbors mattered more than his wartime political loyalties to many voters.

After former Confederate guerilla Colonel Elijah V. White's election as Loudoun County Sheriff, Federal authorities received numerous letters requesting White's removal. During the war, White and his men had been a terror to dissenters, arresting suspected Unionists, impressing supplies, robbing homes and stores, and fighting the Loudoun Rangers. A Union soldier sent to investigate postwar accusations that White abused his power as sheriff reported to his superiors, "Mr. White and his deputies seem to be obnoxious to the union people owing to them being

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[51] "Bartow County - Removal of the Sheriff and Deputy Sherriff," *Weekly Cartersville Express*, May 21, 1867.

[52] Warren Akin, *Letters of Warren Akin, Confederate Congressman*, ed. Bell Irvin Wiley, Paperback Edition (Athens, Ga: University of Georgia Press, 2010), 28–29. Not surprisingly, in April 1868, Aycock's attempt to register was challenged. His Oath in an Oath Book that accompanied registration has "excluded" written across it, implying the challenge was successful. See Oath for W. L. Aycock, in "Reconstruction Registration Oath Books for Bartow County" via ancestry.com (accessed September 4, 2013).

[53] R.S. Norton, "Diary," Transcription, 106, in Norton-Towers Family Papers, Atlanta History Center.

stationed in Loudoun County during the war depredating on them at that time, and not on account of any present official action."[54] Regardless of the reason for his neighbors dislike, White was no reconstructed Confederate and his opponents knew it. He encouraged his former men to take the oath as a means of fighting against the Yankees, and fears that White might persecute dissenters were not unwarranted. White clearly still held the Confederacy in high regard; in January 1866, he even named his new puppy "Jefferson Davis."[55]

While often viewed as unscrupulous attempts to gain office for powers sake—and for some Republicans it was just such an opportunity—for many wartime dissenters, efforts to bar former Confederates from office represented a continuing effort to obtain justice for wartime crimes.[56] Even if White avoided any outright signs of disloyalty, his election as sheriff severely hampered efforts to prosecute former Confederates in the civil courts as many of those indicted had served under the sheriff at the time of the crime and could utilize that fact in their defense. Additionally, during Reconstruction, county sheriffs in Virginia impaneled the jury for trials. White, who along with his deputy Frank Myers had both already seen suits from the war against them dropped, would never have selected a jury of dissenters likely to convict their former subordinates.[57] In Georgia, Sherriff Aycock and Judge Milner similarly presented roadblocks to prosecuting war crimes.

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[54] Quote from, "Volume 306," p. 139-140, "Letters Sent by the Military Commissioner of the 19th Division of Virginia," Entry 5312, RG 393 Part 1, NARA, for numerous letters complaining see also "Volume 105," p. 105 and "Volume 106,"p. 149, 182, 260, "Registers of Letters Received," Entry 2, RG 393 Part 3, NARA.

[55] Elijah V. White, "Lost," *Democratic Mirror,* August 1, 1866; In July 1866, the puppy ran off—perhaps he was a Unionist—and White put out a reward notice. Whether the dog was found remains unknown.

[56] See for example Russ, "Radical Disfranchisement in North Carolina, 1867-1868," 275.

[57] Joint Committee on Reconstruction, *Report of the Joint Committee on Reconstruction at the First Session Thirty-Ninth Congress, Part II, Virginia North Carolina, South Carolina* (Washington: Government Printing Office, 1866), 33; See for example the case of John Tribby who had served in Whites unit and was tried for burning a barn after the war in the Loudoun County court records which was discussed in the previous chapter.

Throughout 1867, southerners sent letters to northern congressmen begging for harsher policies regarding political disabilities. Immediately after the passage of the First Reconstruction Act, a group of North Carolina dissenters—including leaders in the Heroes of America and the son of Davidson County registrar Isaac Kinney—wrote Congressman Thaddeus Stevens complaining that three-fourths of the current state legislature (elected in 1865, before the Reconstruction Acts set the stringent eligibility requirements) were "diametrically opposed to the Congress of the United States." The letter's authors feared that "having passed through four years of war, and two years unparaleled [*sic*] persecution since the surrender on account of our devotion to the Union" that the United States Congress might "enfranchize [*sic*] the rebels to soon" and leave the Government in disloyal hands and that "Union men will be crushed out."[58] Dissenters understood that maintaining political disabilities ensured control of the government as well as protection from persecution.

Some former dissenters, including Waterford's chief registrar John Dutton, saw forcing ex-Confederates to register as a means of forcing them to renounce the Confederacy, since the oath required to register included a pledge not to rebel again. In effect, the act of registration would ensure former depredators never again committed their wartime behavior. In 1865, Dutton reportedly wanted to force Frank Myers, who Dutton considered "one of the worst rebels in all Virginia," to take the oath of allegiance, the first step in regaining one's suffrage rights. Myers refused, unwilling to let go of the Confederacy, writing in his diary in October 1865, "I want everybody to vote, but I can't make up my own mind to take the oaths prescribed and vote myself. I do sincerely pray & hope that the issue between the radicals of the north and elsewhere and the conservative men of the country everywhere may be left once more to the sword. I am

[58] Thaddeus Stevens, *The Selected Papers of Thaddeus Stevens: Volume 2: April 1865 - August 1868*, ed. Holly Byers Ochoa and Beverly Wilson Palmer, vol. 2 (Pittsburgh, PA: University of Pittsburgh Press, 1998), 266–268.

not satisfied with the decision of the war." Had he taken the oath he would have pledged not to rise against the Union ever again. Unwilling to concede defeat, Myers refused to register. Not until 1867 did the still unrepentant Confederate sign his name to be "registered as loyal to the United States."[59] So long as he refused, the war merely remained on hold and Myers was just a paroled prisoner. The use of registration as a way to force Dutton's reluctant neighbors to accept Union victory meant that disfranchisement remained a relatively minor part of postwar social conflict in Loudoun. No reports of registrars suppressing former Confederate votes, like those recorded in Davidson and Forsyth County, were ever reported in Loudoun. Instead, registrars in Loudoun apparently followed rules to the letter.

Not all Loudoun Republicans agreed with Dutton's course, and in fact, it appears many Northern Loudoun residents remained opposed to removing political disabilities. In 1865, a popular referendum was held on a constitutional amendment to allow former Confederates to take political office in Virginia. The county voted overwhelmingly in favor of allowing former Confederates to hold office, but there remained a few places where opposition to the removal of ex-Confederates' political disabilities remained strong. Over 90 percent of voters opposed the amendment in Waterford (115 to 7) and Lovettsville (113 to 11), accounting for almost eighty percent of the opposing votes received countywide. [60] Recognizing the danger of losing power to former Confederates intent on restoring the antebellum social and political order, numerous dissenters in Northern Loudoun wanted to keep their Confederates neighbors out of the political process as long as possible.

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[59] Franklin McIntosh Myers, "The Diaries of Franklin McIntosh Myers: Captain, Company A 35th Battalion Virginia Cavalry, 1865 and 1867," transcribed and annotated by John E. Divine and John M. Souders, Waterford Foundation Archives, Waterford, VA (WFA), 71. Myers "Diary" henceforth.

[60] "The Result in Loudoun," *Democratic Mirror*, October 19, 1865; Chamberlin and Souders, *Between Reb and Yank*, 349–350.

For years after the war, Loudoun dissenters remained divided on the issue of political disabilities, though a significant portion wished to see restrictions on political rights retained. In 1869, when Virginians voted on ratification of their new constitution, they also voted on separate articles that would disfranchise former Confederates who held office before the war and forbid anyone who had provided voluntary aid to the Confederacy from holding office. Support for disfranchisement and restricting office holding was clear from the voting results, with 1,303 Loudoun residents supporting the clause restricting the franchise of some former Confederates and 1,188 voting to bar former Confederates from office. If one assumes all African American voters turned out and supported these amendments—likely a faulty assumption—then at least 332 whites still opposed returning all the rights of citizenship to their neighbors.[61] A Loudoun resident writing to an Alexandria paper in 1870 noted that the people of Waterford "are very strongly radical in their sentiments, and seem disposed, in many instances, to hold on to the disfranchisements imposed by the 14th Amendment," though the feeling seemed to be softening over time with "a growing tendency to good will."[62] How much of the softening was real, and how much was a product of the author being a booster for the county is uncertain, but clearly some disagreement continued throughout Reconstruction over the issue of how best to handle political disabilities in Loudon County.

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[61] Ulysses S. Grant, *Message of the President of the United States, Communicating, in Compliance with a Resolution of the Senate of December 9, 1869, Information Relating to the Action Which Has Been Had in the District of Virginia Under the Act "Authorizing the Submission of The Constitutions of Virginia, Mississippi, and Texas to a Vote of the People, and Authorizing the Election of State Officers Provided by the Said Constitutions, and Members of Congress*, Executive Document No. 13 (41st Congress, 2nd Session, January 10, 1870), 106. For an explanation of each amendment voted on see "Virginia," *Commercial Advertiser*, (New York, NY), May 12, 1869; "Loudoun County," *Alexandria Gazette*, July 7, 1869.

[62] Aliquis, "Loudoun County--No. 7," *Alexandria Gazette*, March 2, 1870.

In the final analysis local Republican efforts to disfranchise former Confederates in the Forsyth, Loudoun, and Floyd communities must be judged a failure. Though some men may have been barred from voting, disfranchisement's impact appears limited, at least in local elections within the three communities studied. Other communities likely had different experiences, as voter registration and subsequent elections played out differently even within the three communities in this study.[63]

Congress's standards were certainly not strong enough to bar a substantial number of former Confederates in most localities. Even with the most restrictive—and at times illegal—interpretation of the rules by rogue registrars, the private nature of most objections generally limited the number of challenges to only those applicants the officials personally knew and disliked. Full investigations could not be made into every applicant's past, so unless a registrar knew each personally, applicants usually went unchallenged. In spite of his extra unauthorized questions, John Vest of Forsyth still only challenged 50 citizens, about six percent of the 798 white applicants who attempted to register in his precincts. The fifty men turned away by Vest, some of whom successfully challenged their rejections, would not have tilted the balance of power locally.[64]

Many rejected applicants, furthermore, did not accept their disfranchisement quietly. In Forsyth County, John Waddell and Henry Fries wrote to the military authorities in Greensboro after the registrars turned them away. The military overruled the registrars, and both Waddell and Fries were able to vote in 1867, the former even running for sheriff in 1868. In Davidson County,

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[63] Ample room remains for future scholars to study disfranchisement across the South, especially in the most evenly divided districts, where a few votes may have made the difference, as well as at the state level when the aggregate number of disfranchised across many communities could have influenced close state wide elections.

[64] Jno P. Vest to Major W S Worth, September 27, 1867, Entry 517, RG 393 Part 4, NARA. Vest registered about half the county.

nine former Confederates wrote the nearest army post's commander requesting assistance in ending Isaac Kinney's arbitrary rulings on enfranchisement during the initial registration in 1867. In the end, many of these rejected men registered successfully as well, though some of them may have been delayed long enough to keep them from voting in the 1867 election when Kinney won his seat to the convention.[65]

The white Republican vote—not disfranchisement—was the crucial factor in ensuring *local* Republican control in Forsyth County during Reconstruction.[66] As long as states barred African Americans from voting, Republicans faced an extreme disadvantage in state-wide elections. In Forsyth County's local campaigns, however, the number of white Republicans mattered far more than the extent of Confederate disfranchisement. For example, the 1868 elections for county sheriff pitted Mathias Masten, who had avoided service by being sheriff during the war and who was regarded by leading Republicans as a Union man, against John Waddell, who Forsyth registrars had attempted to disfranchise.[67] Waddell lost overwhelmingly. Assuming every registered African American voted for Masten, Waddell still only managed to attract twenty-eight percent of white voters. Taking into account those black registered voters who neglected to vote, Waddell likely received an even smaller share of the white vote.[68]

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[65] Still, their registration would not have tipped the balance, as the race was not close (*Journal of the Constitutional Convention of the State of North-Carolina at Its Session 1868*, 103).

[66] Adam Domby, "'Loyal to the Core from the First to the Last:' Remembering the Inner Civil War of Forsyth County, North Carolina, 1862-1876" (M.A., University of North Carolina at Chapel Hill, 2011), 80–83.

[67] Masten was regarded after the war by dissenters as a "well known and decided union man prior to and during the war;" see Claim of Matias Masten (14839), Forsyth County, Disallowed, SCC; Claim of Samuel Stoltz (15085), Forsyth County, Approved SCC; "Official Vote for Forsyth," *People's Press*, May 1, 1868; Jno D. Waddell to Major W.S. Worth, September 25, 1867, Entry 517, RG 393 Part 4, NARA.

[68] "Registration Returns," *Raleigh Register*, November 15, 1867; registration numbers can be also taken from multiple letters regarding registration in Entry 517, RG 393, Part 4, NARA. The results are slightly different depending on the source but are within 20 voters registered of each other (or around 1 percent). Either source provides a clear majority of Republicans.

Support for war-time dissenters remained strong in Forsyth. Former Forsyth registrar John Vest won a seat in the North Carolina General Assembly on the same day as Masten's election victory with a nearly identical margin. Similarly, Israel G. Lash, who had endeavored to gain the Republican nomination for Governor earlier that year on a platform that he was "a life long Union-man," who "never bowed the knee to Secession and Rebellion," also won a seat in Congress, destroying his opponent 1205 to 293.[69] In addition to 437 registered black voters, the more than 700 white Republican voters were the key to Republican control of Forsyth County.[70] The Republicans held the clear advantage in Forsyth even without those 50 men being barred.[71]

Other factors also contributed to the decisive Republican victory in North Carolina. Conservatives in much of the state disagreed on whether to support holding a convention, oppose it, or ignore the 1867 election entirely. In some localities, Conservatives failed to vote, hoping to delegitimize the election through low turnout, effectively guaranteeing Republican delegates. Only seven districts in North Carolina elected Conservative candidates to the state's 1867 convention. One historian estimated that so many Conservatives failed to vote in North Carolina that Republicans won almost fifty percent of the state's white vote in 1867, but only received "as much as one-fourth the potential white vote."[72]

In other communities, however, former Confederates-cum-Conservatives organized more successfully. Loudoun Democrats soon regained control of the county government. One could argue the Republicans in Loudoun County helped ensure their own political demise, due to their

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[69] "The Demand of the General Government," *Daily Raleigh Register,* March 7, 1868; "Official Vote for Forsyth," *People's Press*, May 1, 1868.

[70] "Official Vote for Forsyth," *People's Press*, May 1, 1868; "Registration Returns," *Raleigh Register*, November 15, 1867.

[71] State level elections are another question all together.

[72] Lancaster, "Scalawags of North Carolina," 274, 259–261.

lack of interest in disfranchisement. In addition to lenient registrars, however, there were many more important reasons for Loudoun's quick return to conservative control, including the local press, the actions of local political leaders, demographics, district lines, African American emigration away from the area, and dirty tricks.[73]

Unlike the ambivalent veterans of Forsyth, prominent ex-Confederates in Loudoun encouraged their former comrades to take the oath of allegiance, register, and vote. Former guerilla Captain Frank Myers had little interest in participating in the political system of the hated United States. He loathed the Yankees too much to want to have anything to do with them. He dreamed instead of fleeing the country and joining Maximilian's army in Mexico or of restarting the Rebellion and continuing the fight against the North. He had no intention of registering or voting until he received a visit in June 1867 from his former commander, Colonel Elijah White. White encouraged Myers to take the oath immediately as a way to continue the fight against Yankees. Myers wrote in his diary a few nights later, "I'm in the notion of being registered. Think I'll have to do it, but I do mortally hate to take an oath to support the US Government. That is the only way to fight the devils now though, and it is fighting the old boy with fire sure enough."[74] Myers struggled for days, waffling between losing his "honor and self respect" by taking the oath and doing his "duty" and registering. In the end, he "registered before the grand high priest of the devil in Loudoun—John B. Dutton," who had been Myers' antebellum friend. The decision to register tore at Myers even as he made it. Later that evening, he wrote that he was "sworn to be a liar—fool—villain and nigger. Ain't white any more. Ain't

[73] I will not discuss emigration in this chapter as it is simply too large a topic and relates to many non-electoral factors. Loudoun saw a decrease in black population of over 15% in the 10 years following the war. As the African American population decreased by over 1000 the white population grew slightly (217 individuals) even after accounting for all the casualties of war. See United States Census Office, *Ninth Census of the United States: Statistics of Population: Tables I to VIII Inclusive.* (Washington: Government Printing Office, 1872), 69–70.

[74] Myers, "Diary," WFA, 69; See also "Take the Oath," *Democratic Mirror,* September 7 1865.

honest any more. Honor has gone at last. Am registered as loyal to the United States and no honest, honorable, sensible, decent white man can be that." Myers justified the decision to himself by viewing the oath as a way to continue the fight against the "Waterford ruffians," whom he hated so dearly.[75] Had it not been for the leadership of White, however, Myers and many other demoralized veterans might never have registered.

The conservative press in Loudoun was also extremely vocal in encouraging white men to register and in clarifying who could register. A week before the June 18, 1867 registration, the *Democratic Mirror* printed no less than four articles in one edition on the topic. One article implored readers to register "and save our State from the inevitable doom that awaits it, if we fail to do so."[76] Another article informed white citizens it was their "duty" to register. The paper benefited from the fact that registration directions received from General Schofield seem to have been clearer and more succinct than those given in North Carolina. The paper claimed that there should be "not half a dozen men in Loudoun disfranchised, except those who *previous* to the war were either magistrates or members of the Legislature, and not even these, unless they were afterwards engaged in 'the rebellion.'"[77]

Demographics and district lines determined elections far more than disfranchisement in Loudoun. In the northern section of the county—primarily Waterford and Lovettsville—Republicans represented the majority, but a Conservative majority prevailed in the rest of the county. While Floyd and Forsyth had Republican and Democratic leaning neighborhoods,

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[75] Myers, "Diary," WFA, 73.

[76] "Register! Register!" Democratic Mirror, June 12, 1867; See also "The Importance of Registering" *Democratic Mirror*, June 12, 1867; "Who can Register", *Democratic Mirror,* April 10, 1867; "The Duties of the Hour," *Democratic Mirror,* March 20, 1867.

[77] The Duty of the Hour," *Democratic Mirror,* June 12, 1867.

Loudoun's divisions were significantly starker.[78] While Lovettsville elected Luther Potterfield, a former Loudoun Ranger and killer of John Moberly , as town constable in May 1866, the county selected Potterfield's war time opponent and former Confederate guerilla commander, Elijah V. White, as sheriff. Given that White was the defendant in at least one postwar lawsuit over his wartime impressment of goods from a Waterford merchant, it is hardly surprising that White received only eight out of the 216 votes cast in Waterford. Yet even with eighty-nine percent of the vote in Lovettsville and ninety-six percent in Waterford, White's Republican opponent only received thirty-seven percent of votes cast countywide.[79] Loudoun's residents recognized that the political variance in the counties were partially a product of the war. The residents of Lovettsville "were before the war intensely Whig, and during the war Union men; now they are Radicals," observed one 1870 commentator.[80]

The geography of dissent had a lasting impact on post-war politics in Loudoun. Wartime dissenters had been concentrated in the Lovettsville and Waterford neighborhoods. Though the northern edge of the county was staunchly Republican, the southern half of the county, as well as Leesburg, diluted the Republicans' electoral power. In election after election, the Lovettsville and Waterford polling places went for the Republican candidate who lost, while the rest of the county voted for the eventual (Democratic or Conservative) winner.[81] In the 1871 elections, the State Senate, House of Delegates, and Clerk of the Circuit court candidates who garnered between sixty and seventy-one percent of the votes cast at polling places in the dissenter-heavy

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[78] For Forsyth neighborhoods see Domby, "'Loyal to the Core from the First to the Last:' Remembering the Inner Civil War of Forsyth County, North Carolina, 1862-1876," 59–62.

[79] "Loudoun County," *Democratic Mirror,* May 30, 1866.

[80] Aliquis, "Loudoun County--No. 6," *Alexandria Gazette*, February 26, 1870.

[81] For a short but excellent summery of Reconstruction politics in Loudoun see Chamberlin and Souders, *Between Reb and Yank*, 349–350, 352–353.

Waterford and Lovettsville received only around thirty-four percent countywide. The disfranchisement of over 900 Loudoun voters would have been required to ensure that a Republican candidate won all five seats up for election that year.[82] This represented a number of voters that exceeded some estimates of the number of white Republicans in the county.[83] Only the most extreme and unpopular proposals for disfranchisement would have even neared such numbers, and the chief registrar for one of the two most radical districts in the county did not even want to disfranchise former Confederates! Northern Loudoun County remained a Republican stronghold in a Democratic county for years after the war, but except at the most local level the party of Lincoln wielded little power.[84] Had the county been broken into thirds, things might have been different, but the Republicans never managed to control many county-wide offices because of the size of the electorate. Republican influence further decreased when Waterford was gerrymandered into a conservative township in 1870.[85]

The actual number of former Confederates disfranchised in Loudoun never neared the 900 necessary to give control to Republicans. In Leesburg, Virginia—the most populous of the county's ten precincts—registrars only challenged 14 of 391 (less than four percent) white applicants.[86] After registration was complete, local observers estimated that the number

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[82] "Loudoun County Official," *Democratic Mirror*, November 15, 1871; I have included Luckett's Store as part of Lovettsville as it is just to the south of town, and as a newly created post-war polling place it drew from the historic Lovettsville community. Less than 30% of the rest of the county's vote went to the candidate supported by Waterford and Lovettsville. To win even one seat in the State Senate—the closest any Republican came—would have required 799 Conservative voters to be disfranchised.

[83] Sometimes, "Loudoun County," *Alexandria Gazette*, August 7, 1867. The article estimated that in addition to the 992 registered black voters who would almost surely vote Republican that 850 white Radicals would also vote for the Republican candidates. This estimate appears to have overestimated the number of Republicans who would turn out to vote in the county by at least 500 voters.

[84] Chamberlin and Souders, *Between Reb and Yank*, 353.

[85] Chamberlin and Souders, *Between Reb and Yank*, 353. For more on the gerrymandering details see: Aliquis, "Letter from Loudoun Ce.,"[*sic*] *Alexandria Gazette,* April 29, 1870.

[86] "Letter From Loudoun County," *Alexandria Gazette*, June 25, 1867.

disfranchised did not exceed 200 for the entire county (or below six percent of otherwise eligible voters), leading at least one commentator to believe that almost twice as many chose not to register voluntarily as the registrars barred.[87] In fact, if military records are accurate, than he may have overestimated the number rejected. According to the official tallies of the 1867 registration only 97 "white" and 6 "colored" voters were successfully challenged in the entire county.[88]

Voter intimidation, ballot box stuffing, and other dirty tricks by Loudoun Democrats likely more than compensated for any ex-Confederates disfranchised. In 1865, when Loudoun voters cast their ballots on whether to allow former Confederates to hold political office, some polling places likely experienced fraud or intimidation, as evidenced by the failure of a single voter to oppose the amendment in 7 of 15 polling places within the county. [89] Former Confederates often proved far more effective at disfranchising their opponents than Republicans did. In 1865, some Virginians who had fought in the Union Army were turned away when they tried to vote on the grounds that they had lost their residency by being away from home while fighting in the Union army.[90] Within a year of the war ending, a bill was introduced in Virginia that would have required five years of uninterrupted residency to vote in the State of Virginia. Dissenters believed the bill aimed to discourage northerners from immigrating to the state as well

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[87] "Letter From Loudoun County," *Alexandria Gazette*, July 24, 1867.

[88] "Number of Registered Voters, First Military District, State of Virginia, 1867—9," Entry 5252, Lists of Registered and Rejected Voters, RG 393, Part 1, NARA; In 1869 twenty-seven white men and two freemen were rejected. The number turned away statewide according to military records was 4411 voters in 1867 and 255 in 1869. In contrast 642 "colored" applicants were turned away in 1869 (283 in 1867). In 1867, 16,363 whites were barred from voting statewide while 120,101 white Virginians registered without a challenge (Hanes Walton, Donald Richard Deskins, and Sherman C. Puckett, *The African American Electorate: A Statistical History*, vol. 1 (Thousand Oaks, CA: CQ Press, 2012), 245). The accuracy of some of these numbers is questionable, or they may include those who never tried to register. At exact accounting of those disfranchised remains to be accomplished.

[89] At an eighth polling place only one man voted against the amendment. "The Result in Loudoun," *Democratic Mirror*, October 19, 1865; Chamberlin and Souders, *Between Reb and Yank*, 349–350.

[90] Lowe, *Republicans and Reconstruction in Virginia*, 34.

as to "prevent those who left the State and went north, and took part against the rebellion, from exercising their rights as citizens when they come back, because they have lost their residence in Virginia."[91]

Dirty tricks also undermined Republican efforts to control local politics across the South. In the 1868 presidential election, Democrats in Forsyth County reportedly distributed tickets with Ulysses S. Grant's name at the top but with Democratic electors listed below. Illiterate voters—who were disproportionately freedmen—might have unknowingly voted for the Democratic candidates.[92] In Bartow County, Georgia, white employers tried to force their black workers to cast a Democratic ticket, threatening to fire any employee who voted any other way. Military authorities arrested a Loudoun planter in 1869 when he threatened to "discharge his colored employees," if they voted for a Republican.[93] In North Carolina, similar threats of losing their homes and jobs panicked Republican leaders.[94] White and black Republicans in Georgia found themselves intimidated upon arriving at polling locations and at least one Democrat reportedly voted twice.[95] Violence and threats of violence became political tools for Democrats and Conservatives. Shortly before the 1868 presidential election, Ku Klux Klan members began visiting Forsyth Republicans and threatening them with lynching if they failed to change their

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[91] Joint Committee on Reconstruction, *Report of the Joint Committee on Reconstruction at the First Session Thirty-Ninth Congress, Part II, Virginia North Carolina, South Carolina*, 38. See also J.L. Dyson to Francis Pierpont, September 5, 1865, Executive Papers of Governor Francis Harrison Pierpont, 1865-1868, LVA. The issue of disfranchising Union men is also discussed in Chamberlin and Souders, *Between Reb and Yank*, 351.

[92] "Election News," *People's Press*, October 30, 1868.

[93] *Annapolis Gazette*, July 1, 1869.

[94] Thomas Settle to Albion Tourgee, August 8, 1868, in Albion Winegar Tourgée *Albion Winegar Tourgée papers, 1801-1924*, (Cleveland, Ohio : Micro Photo Division, Bell & Howell Company, 1967), Roll 6, Document 860.

[95] J.C. Jones et al. to Thomas Rugar, "Statement of Facts Concerning the Last Election," May 1868, Governor's Incoming Correspondence, GSA. Freedmen's Bureau, "Letters Sent (From Cartersville) Vol. I," August 1867, 23, 41, 126, 127, M1903, Roll 55, NARA.

party affiliation.[96] Across the South the combination of dirty tricks, voter suppression, and weight of numbers countered disfranchisement's impact on democratic vote tallies.

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After registration ended, voters elected delegates to the constitutional conventions, extending what had been local fights to the state level. As these multiracial "black and tan" conventions met from 1867 through 1869, one of the most contested issues was who should be allowed to vote. [97] The North Carolina Convention provides a prime example to examine wartime dissenters' and southern Republicans' views on disfranchisement.

Voter eligibility was one of the most widely debated topics in North Carolina's 1868 constitutional convention, but after two months of debate, enfranchisement was not restricted in the final constitution. In a statement published alongside the new constitution, two delegates to the convention provided an official explanation as to why the newly drafted constitution provided for full enfranchisement:

> While giving suffrage to the colored people, the Convention has not been so inconsistent with itself, and with the great principles of Republican government, as to deny it to any portion of the whites. It is an undeniable monument to the wisdom, and equity, and magnanimity, of the Union people of North-Carolina, that in three years after the close of a bloody and devastating civil war, in which wrongs and outrages were endured that can never be forgotten, they have framed a Constitution, in which not a trace of animosity or vindictiveness can be found; in which the wrongs of the past are ignored for the sake of the peace of the future, and all who are now true to their country, are invited to participate in its government. Such wise forbearance is certain of its reward in the approval of reflecting men now, and of all posterity.[98]

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[96] "Communication," *People's Press* August, 7, 1868; successful passage of disfranchisement laws at the state level would likely just have given the conservative practitioners of such dirty tricks a principled high ground with which to defend their morally questionable behavior.

[97] By far the best general work on these conventions see Hume and Gough, *Blacks, Carpetbaggers, and Scalawags*.

[98] *Journal of the Constitutional Convention of the State of North-Carolina at Its Session 1868*, 484–485.

As with most modern press releases, the reality was far more complex than the spin given in official statements. Not every delegate had wished to see such "forbearance," "wisdom, and equity, and magnanimity;" instead, many—in fact a majority—had opposed leniency at the start of the convention. The decision to include generous enfranchisement language had not been a forgone conclusion when the convention first met.

Delegates constantly introduced, debated, amended, and voted on amendments and resolutions that would have limited or regulated voting eligibility. The North Carolina convention even appointed a "Committee on Suffrage and Eligibility to Office" to sort through all the proposals regarding who should be allowed to vote and serve. At least twenty-one proposals were referred to the committee, and, on at least 10 of the 54 days the North Carolina convention met, substantial debate was held about suffrage by the full convention.[99] The legacy of intra-community conflicts was evident in many of these attempts to bar men from the polling booth. One rejected proposal, for example, would have disfranchised "those who, during the late rebellion, inflicted, or caused to be inflicted, or were accessory to the crime of inflicting any cruel or unusual punishment upon any officer, soldier, sailor, marine, employee, or citizen of the United States, or in any manner violated the rules of civilized warfare," a clear swipe at guerillas, impressment agents, enrollment officers, and men engaged in the suppression of dissent.[100] The Virginia convention had exactly the same proposal introduced as well.[101]

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[99] How often the committee met remains unknown. While the convention's *Journal* details what topic was debated, what was introduced, and votes taken, it does not provide the specifics of the debate. For that information one must turn to the newspapers of the day. The three with the best coverage for North Carolina are the *Standard,* the *Sentinel,* and the *Register,* all published in Raleigh.

[100] *Journal of the Constitutional Convention of the State of North-Carolina at Its Session 1868*, 234.

[101] William H. Samuel, *The Debates and Proceedings of the Constitutional Convention of the State of Virginia* (Richmond: Printed at the Office of the New Nation, 1868), 381.

North Carolina's Piedmont delegates largely favored some form of disfranchisement and played a crucial role in attempts to limit the vote. Of the nine representatives from Forsyth and the surrounding counties of Stokes, Surry, Guilford, Yadkin, Davidson, and Davie, all but one voted against the removal of all disabilities on January 1, 1868. A month and a half later an amendment came to a vote that, if passed, would have inserted language into the constitution that resolved "That the Congress of the United States be respectfully requested to relieve all the people of North-Carolina from all disabilities and disqualifications imposed by the proposed Fourteenth amendment to the Constitution of the United States, or by what is known as the Reconstruction Acts of Congress." Not one of the nine Piedmont delegates voted in favor of it.[102]

The drive to disfranchise former Confederates was not the product of vindictive "carpetbaggers" but of southerners targeting their own neighbors. [103] William Rodman, a conservative Republican from eastern North Carolina, found the strongest push for disfranchisement came from North Carolinians. In a letter to a disfranchised friend on the issue of disfranchisement he wrote, "When I first talked with the members I was satisfied they would be liberal [regarding enfranchisement]. My mistake was that I saw little or nothing of the Western men who form the illiberal [*sic*] portion. It did not occur to me that our own people would be proscriptive when the Yankee are not but such is the fact."[104] Rodman, who represented the coastal county of Beaufort, would have viewed Forsyth as part of Western North Carolina.

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[102] *Journal of the Constitutional Convention of the State of North-Carolina at Its Session 1868*, 97, 413.

[103] William Russ viewed Albion Tourgee as the father of Disfranchisement in North Carolina (Russ, "Radical Disfranchisement in North Carolina, 1867-1868," 280.)

[104] William B. Rodman to David Miller Carter, February 23, 1868, David Miller Carter Papers # 143, Southern Historical, Wilson Library, UNC. See also Judith Connor Smith, "A Redeemer as Republican: William B. Rodman at the North Carolina Constitutional Convention of 1868" (M.A., East Carolina University, 1987), 69.

Piedmont dissenters were among the staunchest supporters of disfranchisement. In fact, a Forsyth county native and wartime dissenter put forward one of the most restrictive and radical disfranchisement amendments proposed during all of Reconstruction. In the midst of debate over the future of the state, Forsyth delegate Elijah Teague introduced a resolution that would have ensured Republican control of the state for years to come by disfranchising those who opposed him and his allies. The resolution, which provided "that the County registering boards shall have the power to disfranchise all and every person, that aided and abetted, gave comfort and their influence with intent to dissolve or break up the United States government, before or in time of or since the rebellion, or have been or are throwing obstructions in the way of reconstruction," sparked outrage among conservatives.[105] The resolution would have effectively allowed registration boards controlled by Republicans to disfranchise anyone who disagreed with them.

Teague was joined in his efforts to disfranchise former Confederates by Piedmont delegates who had been persecuted during the war. Stokes County delegate Riley F. Petree had reasons for wanting revenge upon local Confederates. Petree, who lived three miles north of the Forsyth County border, had been arrested early in the war for vocally supporting the Union. He was lucky, as the authorities soon released him with a warning. His brother, however, was arrested during the war as a Union spy and member of the anti-conscription organization Heroes of America and was sent to Castle Thunder.[106] In October 1864, Riley Petree fled along with numerous Forsyth militia members (and multiple future Piedmont registrars) when it became clear the militia would soon be forced into Confederate service. He spent the remainder of the

[105] "Mr. Teague's Resolutions," *Daily Sentinel*, January 25, 1868.

[106] Claim of Riley F. Petree (15869), Stokes County, Disallowed, SCC; *OR*, Series 3, Volume 4, 816; *OR* is the standard abbreviation for United States War Department, *War of the Rebellion: Official Records of the Union and Confederate Armies*, 128 vols. (Washington, DC: Government Printing Office, 1880-1901). Francis Moran, "Petree Family," The Jarvis Family and Other Relatives, http://www.fmoran.com/petree.html,(accessed August 27, 2013).

war in Cincinnati, while neighbors back in North Carolina threatened to confiscate his property, giving Petree one more reason to want to see those neighbors disfranchised.[107]

The motivations of these proponents of radical disfranchisement have at times been viewed as cynical attempts at maintaining political power. But a desire for revenge and justice motivated many Republicans. While giving a speech to the convention delegates, former Davidson county registrar Isaac Kinney proudly told of how "he had stated upon his canvas and he felt so now, that he was in favor of disfranchising all that Congress had put under the ban, for life."[108] Kinney declared that, "he, if it was his power, would provide that no Minister of the Gospel, who had prayed for the success of the Confederacy, should vote."[109] He had no qualms about Republican principals being undermined by restricting the vote and explained that "as for taxing those men thus deprived of their rights he would tax their property as long they held a dollar's worth in this state." [110] Vindictive as his stance was, Kinney's position was not centered on him maintaining office but on the fact that "he could not for his life forgive them and not one of them should, by his vote, be admitted to the ballot box."[111]

Each delegate had a constituency that put him into office, implying many voters did not find their viewpoints and thirst for vengeance too extreme. Teague's stance had been well publicized by the local papers before his election as a delegate to the convention. The conservative *Western Sentinel* had denounced him as a candidate for the North Carolina House

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[107] Claim of Riley F. Petree (15869), Stokes County, Disallowed, SCC; see also Claim of Philip Mock (15720), Forsyth County, Approved SCC has the testimony of Charles Hauser, another registrar who fled.

[108] "The 'Constitutional Convention,' (So-called.)," *Daily Sentinel* February, 22, 1868; these would have included all those covered by the Fourteenth Amendment and the Reconstruction acts.

[109] "The 'Constitutional Convention,' (So-called.)," *Daily Sentinel* February, 22, 1868.

[110] "The 'Constitutional Convention,' (So-called.)," *Daily Sentinel* February, 22, 1868.

[111] "The 'Constitutional Convention,' (So-called.)," *Daily Sentinel* February, 22, 1868.

of Commons in 1866 because he supported the disqualification of every "militia officer, Home Guard officer, Sheriff, Clerk, Magistrate or Constable" who sided with the Rebellion.[112] Teague won the seat anyway, and, a year later, his constituents sent him back to Raleigh to represent them at the constitutional convention.[113] In fact, he won his seat with eighty-three percent of the vote.[114] Many of his supporters were white southerners and likely wartime dissenters. According to one historian of the convention, statewide results of the 1867 "election suggests that scalawag [or white Republican] strength was firmly grounded in the peace movement," that existed during the war. Kinney's election appears to support that conclusion.[115] When Teague won his seat at the convention in 1867, a minimum of one third of white voters supported him (assuming every registered African American turned out and voted for him).[116]

After similar debates to those held in North Carolina, Georgia's convention also failed to include participation in the Civil War as grounds for a political disability, although the new constitution allowed disfranchisement for participating in a duel.[117] Floyd County elected the long-suffering Peter Sheibley, but his appointment as convention secretary meant he failed to record any votes himself, so his stance on disfranchisement during the convention is unclear.[118]

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[112] "The Nominees," *Western Sentinel*, September 18, 1866.

[113] For more on the men who were elected to office that were former dissenters see Lancaster, "Scalawags of North Carolina."

[114] *Journal of the Constitutional Convention of the State of North-Carolina at Its Session 1868*, 103.

[115] Lancaster, "Scalawags of North Carolina," 277.

[116] Lancaster, "Scalawags of North Carolina," 267. As mentioned earlier, Kinney also definitively won his district.

[117] Georgia Constitutional Convention, *Journal of the Proceedings of the Constitutional Convention of the People of Georgia: Held in the City of Atlanta in the Months of December, 1867, and January, February and March, 1868, and Ordinances and Resolutions Adopted* (Augusta, GA: E.H. Pughe, Book and Job Printer, 1868), 543; North Carolina also forbade dueling, but on penalty of losing the ability to hold office. *The Constitution of the State of North Carolina Annotated* (Raleigh, NC: Office of the Secretary of State, 1921), 36.

[118] Georgia Constitutional Convention, *Journal of the Proceedings of the Constitutional Convention of the People of Georgia*, 18. For the best work on Virginia's convention see Richard L. Hume, "The Membership of the Virginia

Still, one wonders if Peter Sheibley might have opposed any extremely stringent requirement given his own experience protecting Rome with friendly Confederates against raiders during the war. The Georgia Convention of 1868 petitioned Congress to remove the disabilities of specific individuals who had proved their loyalty or were adherents of Reconstruction. Delegates drafted a list of men who deserved to be allowed to vote and serve in office to include with the petition. Among the eight Floyd residents listed, presumably selected by Sheibley, were two members of the ad-hoc patrol Sheibley and the remaining men of Rome had formed in November 1864 in response to Colquitt's depredations.[119] Once again, it seems, wartime networks trumped wartime political stances.

Virginia's convention played out differently than Georgia and North Carolina's when it came to disfranchisement. Not surprisingly, Loudoun elected a Confederate veteran to Virginia's convention. Though Loudoun's delegate opposed disfranchisement, enough Virginia delegates supported the inclusion of some form of disfranchisement that the proposed constitution actually ran afoul of the United States Congress, ultimately leading to the 1869 popular referendum on enfranchisement in which over 1,300 Loudoun voters supported at least some limits on the political rights of former Confederates. [120]

In the end, all three states failed to include harsh disfranchisement measures in their new constitutions, much to the chagrin of some delegates. While Teague and Kinney staunchly advocated for disfranchisement, many other delegates, including Riley Petree, waffled,

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Constitutional Convention of 1867-1868: A Study of the Beginnings of Congressional Reconstruction in the Upper South," *The Virginia Magazine of History and Biography* 86, no. 4 (October 1978): 461–484.

[119] P. M. Sheibley, *Relief from Political Disabilities : Preamble and Resolution of the Constitutional Convention of Georgia, Asking Congress to Remove Political Disabilities from All Citizens of Georgia*. (House Select Committee on Reconstruction., April 4, 1868). Interestingly also among those listed was William Aycock a former guerilla and Former Confederate General W. T. Wofford.

[120] By far the best general work on these conventions is the previously mentioned Hume and Gough, *Blacks, Carpetbaggers, and Scalawags*.

supporting some efforts at restricting voting and office holding but not others.[121] This failure to agree on a method, rather than the principle, of disfranchisement ultimately undid many of the efforts to limit the vote.

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Why did all of three states fail to pass harsh measures in the end? Why did so many dissenters fail to support these efforts? Why did some dissenters who initially pushed for voting restrictions end up supporting constitutions that included full enfranchisement? In Virginia, resistance at the national level in the United States Congress led to a popular referendum which overrode the eligibility restrictions in the proposed constitution. In North Carolina and Georgia, however, the delegates chose to leave disfranchisement out of the final constitution on their own. Eric Foner argues that efforts to lure "white conservatives into the [Republican] party," and black delegates "uncomfortable with a policy that appeared to undermine the party's commitment to manhood suffrage" were key factors in the defeat of measures such as Teague's.[122] A desire for peace and the principles of American democracy surely convinced some to support a more liberal enfranchisement rule, and the strongest advocates for disfranchisement were white war-time dissenters who had been persecuted by neighbors. Yet even many of dissenters ultimately supported the final constitutions without any disfranchisement clause. In the end, the complexities and fluidity of wartime loyalty and networks made disfranchising Confederates problematic even for those delegates who wanted to see some restrictions maintained.

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[121] *Journal of the Constitutional Convention of the State of North-Carolina at Its Session 1868*. For more on disfranchisement votes see Hume and Gough, *Blacks, Carpetbaggers, and Scalawags*, 126, 153–154.

[122] Eric Foner, *Reconstruction : America's Unfinished Revolution, 1863-1877*, 1st Perennial Library ed. (New York: Harper & Row, 1988), 324.

For the crafters of these disfranchising amendments, finding a definition of disloyalty to use that a majority of delegates found acceptable often proved impossible, leading some delegates to eventually accept more liberal enfranchisement laws. Indeed, every proposed definition of loyalty to delineate voter eligibility failed to satisfy some bloc of the Republican coalition. As was often the case with drafting laws, the devil was in the details. The fluidity of loyalty during the war made it difficult to find a set of appropriate rules that would ban only former Confederates. The crux of the problem was that for every legal definition of disloyalty that banned an ex-Confederate, some pro-Reconstruction Republican might also lose the right to vote. The critical and unresolvable problem was how to create a legal standard that could properly address the shades of loyalty and networks of allegiances formed during the war.

The Fourteenth Amendment already barred some Republicans from voting. During North Carolina's convention, one constituent wrote to Kinney asking the delegates to address what he saw as a major problem, namely that "we have several hundred of as good and loyal as men as there are upon this continent of America, who, by the Reconstruction acts of Congress, are disqualified from voting or holding any office—who, I think, should be relieved of their disabilities." [123] In some Piedmont counties, more dissenters than secessionists may have been barred from office holding under the Fourteenth Amendment. Still, the constituent opposed blanket forgiveness, having argued previously that former Confederates "ought to be taught that treason should be made odious. *Their Children ought to say, 'My father was disfranchised on the ground of endeavoring to destroy the best government that ever the sun from high Heaven looked down upon.'*"[124] Only through becoming Republicans should former Confederates' disabilities be

[123] "For the Standard," *Daily Standard,* January 24, 1868.

[124] "The Convention—The Standard," *The Raleigh Register*, September 13, 1867. The writer W.F. Henderson has his own interesting history during Reconstruction.

removed, felt the writer, because supporting conservatives was tantamount to continuing the rebellion.

The thought of potentially disfranchising additional loyal men troubled many Republican delegates. Convention delegate G.W. Welker of Guilford County opposed some of the most restrictive language for fear that "the proposed amendment would disfranchise the best Union men in the State, who took office at the hands of Union men to protect them," as well as those who "had in good faith returned to their allegiance."[125] But Welker also acknowledged that, "there were men here still defiant and rebellious; [and] they could not surely expect to have all the right and privileges of true and 'loyal' men."[126] Much of the debates around disfranchisement centered on finding the balance between disfranchising the worst Confederates without also disfranchising key Republican voting blocs.

The incidental disfranchisement of Republicans was not a new problem to many of the convention delegates. After the passage of the Reconstruction Act, which included statutes that disfranchised many former Confederate officeholders, dissenters and Republicans objected immediately. In August 1867, Raleigh's *Tri-Weekly Standard* had pointed out "that thousands of Union men sought and accepted office during the war to save themselves from being forced into a traitorous rebellion to fight against the Union which was the idol of their hearts, and the objects of their affections." But, the paper pointed out, these men held office "not to aid the rebellion but to save themselves from being conscripted."[127]

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[125] "The 'Constitutional Convention' (So-Called)," *Daily Sentinel*, February 25, 1868.

[126] "The 'Constitutional Convention' (So-Called)," *Daily Sentinel*, February 22, 1868.

[127] "Registration—the intent of the party offering to Register must be Considered," *Tri-Weekly Standard,* August29, 1867.

Local registrars faced a similar problem of whether to enforce the letter or the spirit of the law in the summer of 1867. During registration, Forsyth registrar Samuel Stoltz had written the local Union commander that, "we would like to be instructed as to Union men holding office before the war and accepted the same office under Confederate authority in order to check the Confederate authorities such as magestrates [*sic*] that were union men all the time, ought they to register[?]"[128] Numerous comments and explanatory remarks in registration books alluded to men who technically should have been disfranchised but who registrars allowed to vote anyway. In Bartow County, the registrars noted that one man was "Justice of the peace before the war, also during the war, but held the office to keep out of the army alone[, and] gave no other aid or comfort." In this case, as with many others, it appears he was allowed to vote.[129] In Floyd county, the registrars allowed one repentant ex-Confederate to register, noting that he was "Deputy Sheriff before the war and voted for secession [but] is now a full reconstructionist and is enfranchised by the Tennessee Legislature."[130] By simply allowing Republicans to register who should have been challenged, registrars had an easier time dealing with these dilemmas then convention delegates who had to create a legal standard to apply across the state.

Delegates failed even to agree on who should be included in the disfranchised class. While Forsyth's Teague might have wanted every "militia officer, and Home Guard officer" to lose their vote, some of his key political allies did not agree.[131] During the war, Stokes County Delegate Riley Petree had hunted deserters when he served in the home guard, though he

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[128] Samuel Stoltz to Major W.S. Worth, August 30, 1867, Entry 517, RG 393 Part 4, NARA.

[129] See Thomas Couch, "Return of Qualified Voters under the Reconstruction Act For Bartow County," 1867, Office of the Governor, GSA, via Ancestry.com (accessed August 26, 2013).

[130] See William B. Cooper, "Return of Qualified Voters under the Reconstruction Act For Floyd County," 1867, Office of the Governor, GSA, via Ancestry.com (accessed August 26, 2013).

[131] "The Nominees," *Western Sentinel*, September 18, 1866.

claimed he had been forced to or he would have faced conscription himself. Thus, under some proposals, Petree risked losing his ability to vote or serve in office.[132] Many Confederate sympathizers who had protected Unionists and who were now loyal Republicans would be harmed as well.[133]

Surry County delegate Samuel Forkner opposed some of the disfranchisement proposals for personal reasons as well. During the war, he avoided conscription by serving as a colonel in the North Carolina Militia, commanding Surry County's 73rd Militia Regiment.[134] Like Riley Petree, his own ability to vote was threatened by some proposals. Because of their varied experiences during the war, Welker, Teague, and Kinney supported the harshest measures available at all times, while Forkner and Petree voted for more lenient enfranchisement policies, though all five considered themselves Union men and were seen as such within their communities.[135]

Teague's failed resolution leaving decisions about eligibility up to local registrars represented an ingenious, if disingenuous, effort to get around the issue of defining loyalty. Allowing county registering boards to disfranchise anyone who aided the rebellion would have authorized local Republicans to decide what made a man loyal in each precinct. The addition of barring anyone "throwing obstructions in the way of reconstruction," would have provided for the disfranchisement of less radical dissenters—as well as personal enemies—who might vote for Conservatives. While bordering on being a blatant power grab, the proposal made sense in

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[132] Claim of Rile F. Petree (15869), Stokes County, Disallowed, SCC.

[133] For example Z.B. Hargrove in Floyd County. See: *Testimony Taken by the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States.*, vol. Georgia: Volume I (Washington, D.C.: Government Printing Office, 1872), 73–74.

[134] Stephen Bradley, ed., *North Carolina Confederate Militia Officers Roster: As Contained in the Adjutant-General's Officers Roster* (Wilmington, N.C.: Broadfoot Pub. Co., 1992), 199.

[135] *Journal of the Constitutional Convention of the State of North-Carolina at Its Session 1868*, esp. 373–374.

light of the problems faced in defining the grounds for disfranchisement.[136] But Teague's proposal was too blatant and too dangerous—if Conservatives gained control of registration the board might disfranchise Republicans—for most delegates to support.

The mandated enfranchisement of African Americans within the new constitutions further complicated efforts to disfranchise former Confederates. Many white Republicans were troubled by the prospect of enfranchising all freedmen on the basis of their race, while simultaneously barring some whites on the basis of their beliefs and past behavior. Moreover, some Republicans opposed to the enfranchisement of African Americans saw enfranchising as many former Confederates as possible as crucial for the future of the Republican Party.

The case of Surry County delegate Samuel Forkner reveals the connections Piedmont Republicans' drew between race and enfranchisement. Forkner was unquestionably considered a Unionist by his own community, serving as assistant vice president of a local Union League council. He feared, however, that the convention bordered on delegitimizing the new constitution in the eyes of many North Carolinians.[137] Part of Forkner's resistance to disfranchisement was that he pragmatically foresaw political trouble if the convention paired the disfranchisement of whites with the enfranchisement of freedmen, warning "that the white men of the West were not prepared to look with favor upon this thing of 'negro equality' and if it was coupled with any extensive proscription of white men, wo be unto *the party*!"[138] As the Fourteenth Amendment and the Reconstruction acts ensured the new constitution would guarantee African American enfranchisement, there was no way to include disfranchisement within the constitution without

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[136] "Mr. Teague's Resolutions," *Daily Sentinel*, January 25, 1868.

[137] Record book of the Hamburg Lodge of the Union League of America, 1867, in the Brower Family Papers, #994-z, Southern Historical Collection, The Wilson Library, University of North Carolina at Chapel Hill.

[138] "'Reconstruction' (So-Called) Machine," *Daily Sentinel*, February 22, 1868.

the implicit coupling that Forkner feared. Forkner voted against many of the amendments that would have disfranchised former Confederates explicitly, even publicly challenging the convention's authority to disfranchise anyone. [139] Yet Forkner did not advocate for universal enfranchisement and opposed proposals aimed at removing all disabilities from North Carolinians.[140] While he would not link disfranchisement with black enfranchisement in the new constitution, he wished to at least leave in place the federally imposed restrictions included in the Fourteenth Amendment and the Reconstruction Acts.[141] Forkner was not alone in his discomfort with black enfranchisement being paired with whites losing rights.

Even some the staunchest supporters of black enfranchisement occasionally resisted efforts to disfranchise former Confederates. On June 7, 1865, Loudoun Quaker and self-identified "loyal man" Yardley Taylor wrote to the anti-black suffrage Republican Governor of Virginia, Francis Pierpont, that the South should avoid voting altogether in the near term and remain under military control. Recognizing that given "such strong evidence of the loyalty of the black man, his bravery in battle it would be shear injustice to deprive him of [the vote]," he also felt that "to place [black men] now on an equality in political rights with ourselves, is so humiliating to their former masters that they can hardly be expected to acquiesce in it." Taylor argued that the military authorities should eventually oversee elections and that by having the army declare "that all men having evidence of permanent common interest with and attachment to the community have the right of suffrage, in accordance with the 'bill of rights' of all the

[139] "The 'Constitutional Convention' (So-Called), *Daily Sentinel*, February 22, 1868, Forkner, it is worth noting, considered himself a western North Carolinian as opposed a Piedmont resident.

[140] "The 'Constitutional Convention' (So-Called), *Daily Sentinel*, February 22, 1868.

[141] *Journal of the Constitutional Convention of the State of North-Carolina at Its Session 1868*, 413–414.

constitutions of Virginia," the precedent of universal male suffrage could be set.[142] His principles and his desire to avoid a second rebellion led Taylor to see enfranchisement of every man by Federal fiat as the only option.

While the delegates failed to define a way to disfranchise selected former Confederates, a majority still opposed complete and total enfranchisement. Most Republican delegates still wanted some political disabilities left. In yet another attempt to circumvent the difficulties inherent in defining loyalty, the convention appointed a committee to prepare lists of individuals "disqualified to hold office, by the fourteenth Article of the Constitution of the United States," but that "have evidenced that they are in hearty accord with the Reconstruction measures of Congress."[143] A petition to the United States Congress was then prepared, requesting the removal of the political disabilities of those men. The list of individuals recommended for relief included 10 individuals from Forsyth County, presumably recommended by Teague or one of the other Piedmont representatives.[144] By cherry-picking individuals, Republicans hoped to enfranchise friends while not opening the doors to every Confederate. A similar attempt was made in Georgia and another proposed in Virginia.[145]

As the North Carolina convention neared is conclusion, a final attempt to widen the enfranchisement was made by proponents of universal enfranchisement. On March 12, the

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[142] Yardley Taylor to Francis Pierpont, June 17, 1865, Executive Papers of Governor Francis Harrison Pierpont, 1865-1868, LVA.

[143] *Journal of the Constitutional Convention of the State of North-Carolina at Its Session 1868*, 414.

[144] *Journal of the Constitutional Convention of the State of North-Carolina at Its Session 1868*, 416. In totally 59 individuals in Forsyth are known to have been disfranchised or almost disfranchised either through a registration process or through deciding not to register knowing they would not have succeeded. The 10 who were considered loyal by Teague and his fellow delegates represent almost 17% of all known disfranchised voters in Forsyth County. Additionally, at least two of those 59 had their disfranchisement overturned by military authorities. Similarly two of the men disfranchised in Bartow can be found on a voters list of 70 names from 1869 ("Return Constables Election 936th District G.M.," April 3, 1869, File titled "1866-1869 voter lists," Cartersville Historical Museum, Cartersville, GA.

[145] Samuel, *The Debates and Proceedings of the Constitutional Convention of the State of Virginia*, 221, 729.

former Democrat, secessionist, Confederate volunteer, and rebel colonel turned conservative Republican William Rodman proposed amending the petition of names to instead request that Federal legislatures "relieve all the people of North-Carolina from all disabilities and disqualifications imposed by the proposed fourteenth amendment to the Constitution of the United States, or by what is known as the Reconstruction Acts of Congress."[146] Not surprisingly, Welker, Teague, and Kinney all voted against changing the petition, and even Forkner and Petree opposed the amendment, unwilling to request the enfranchisement of every former Confederate. In fact, only 26 of 101 voting delegates supported the change. The other three-quarters rejected the amendment advocating for immediate and complete restoration of rights to all North Carolinians.[147] The majority of delegates might not have been able to use the new constitution to deny "the great principles of Republican government, […] to any portion of the whites" but they would be damned before they advocated for the removal of the few remaining barriers to universal adult male suffrage that remained in place.[148]

The failure of conventions to include stringent disfranchisement clauses in their new constitutions originated from multiple sources, but none caused as much division within the pro-disfranchisement bloc as the issues of how to define loyalty and delineate who should lose their

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[146] *Journal of the Constitutional Convention of the State of North-Carolina at Its Session 1868*, 413. For info on Rodman see Mary Bayard Clarke, *Live Your Own Life: The Family Papers of Mary Bayard Clarke, 1854-1886* (Columbia: University of South Carolina Press, 2003), 253; Lancaster, "Scalawags of North Carolina," esp. 229, 230, 279, 285.

[147] *Journal of the Constitutional Convention of the State of North-Carolina at Its Session 1868*, 413. For background on delegates see Hume and Gough, *Blacks, Carpetbaggers, and Scalawags*, sec. Appendix D; Lancaster, "Scalawags of North Carolina."

[148] *Journal of the Constitutional Convention of the State of North-Carolina at Its Session 1868*, 484. Georgia had a similar committee and appeal to congress but the convention was more forgiving and the final petition was amended to request the removal of all disabilities. In the end, the Fourteenth Amendment was harsher then Georgia's constitution creating a minor crisis as it was unclear whether those barred under the Fourteenth Amendment could vote to ratify the new constitution, but even under the rules set by the Fourteenth Amendment, former Confederate General John B. Gordon was eligible to run for Governor. For more on Georgia's Convention and dissenters efforts to disfranchise them see William A. Russ, "Radical Disfranchisement in Georgia, 1867-71," *Georgia Historical Quarterly* 19, no. 3 (September 1, 1935): 189–190.

political rights. The wartime reality continued to hamper efforts to create a clear identity of "Unionist" that all delegates agreed upon—or at least enough to form a majority—and that was serviceable in writing laws. Voter enfranchisement was just one of many venues where dissenters during the postwar years struggled to create a usable political and social identity of "Unionist."

The attempts of Republicans to disfranchise former Confederates are strikingly dissimilar from the later, more-widely remembered and more successful efforts by Democrats to disfranchise African Americans in the Jim Crow era. While African Americans were disfranchised based on race around the turn of the century, the fact that the constitutions passed by southern states in 1868 and 1869 explicitly enfranchised based on race—guaranteeing black men the right to vote—actually undermined support among white Republicans for wider scale disfranchisement who saw hypocrisy and political suicide in simultaneously disfranchising whites. In contrast to Jim Crow laws, which barred almost all African Americans from voting in southern states, most efforts to bar former Confederates from voting were extremely targeted at individuals whose past treasonous actions or continued resistance to Federal authority justified the proscription. In Virginia, Georgia, and North Carolina whites were initially disfranchised at a rate of only 12%, 9.8%, and 9.9% respectively.[149] Given how many southerners had taken up arms against the elected government this is a surprisingly small number.

While Republicans in 1868 struggled to define which former Confederates should be barred, writing laws and amendments to disfranchise based on race proved relatively simple and straightforward. In 1902 for example, North Carolina and Virginia instituted literacy tests that kept the majority of African Americans from voting. Six years later Georgia also established a

[149] Walton, Deskins, and Puckett, *The African American Electorate*, 1:243.

literacy test.[150] In all three states grandfather clauses protected white voters from ever having to take the unfairly administered tests. The laws circumvented the Fourteenth Amendment by never mentioning race explicitly. North Carolina's law, for example, allowed even illiterate North Carolinians to vote so long as they or their ancestor had been eligible to vote on January 1, 1867. Because African Americans did not gain the right to vote until after that date, the clause had the de-facto effect of disfranchising only African Americans.[151] Poll taxes shrunk the electorate even smaller. In 1867, 105,832 African American men registered to vote in Virginia, representing 46.8% of the electorate. In 1902, the 21,000 black voters statewide made up just 4.7% of Virginia's registered voters. Georgia and North Carolina witnessed similar reductions of their black electorate from over forty percent of registered voters to less than four percent in the forty years following Reconstruction.[152]

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On October 19, 1867, just two and a half months after being turned away when he tried to register, Reuben Norton took the oath of allegiance as he successfully registered to vote. Ultimately, many of those initially turned away from registering would be able to vote for the election of delegates to the convention, and almost all would be able to register before the congressional and presidential elections of 1868.[153] Local efforts to proscribe the rights of former Confederates failed in part due to the lack of power held by registrars and the military's willingness to override local officials when they overstepped their authority. Because the

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[150] Walton, Deskins, and Puckett, *The African American Electorate*, 1:329.

[151] George Hovis, *Vale of Humility: Plain Folk in Contemporary North Carolina Fiction* (University of South Carolina Press, 2007), 227; *The World Almanac & Book of Facts* (New York: Newspaper Enterprise Association, 1902), 156; *The Constitution of the State of North Carolina Annotated*, 24–25.

[152] Walton, Deskins, and Puckett, *The African American Electorate*, 1:360.

[153] See for example Norton, who ultimately was able to register.

military provided additional instructions, rebuked overly zealous registrars, and dismissed the unauthorized and spurious challenges registrars recorded, countywide efforts to disfranchise opponents saw only minimal success.

While southern whites loved to revile "Radical Republicans of the North," former wartime dissenters from the South often tried the hardest to oppress their neighbors.[154] The national rules established by the Fourteenth Amendment and Reconstruction Acts were so lenient that their impact on election results would always have been negligible. The Reconstruction Acts only disfranchised prewar office holders who had also supported the Confederacy. In contrast, some southern white Republicans wanted far more stringent requirements to suppress the vote of their wartime persecutors. Although Kinney and Teague ultimately failed to disfranchise their neighbors, in the short term their effort may have demoralized many ex-Confederates and embittered them further, fracturing their communities deeper.

Two days before Norton took the oath, former Confederate turned Republican Zachariah B. Hargrove had also registered to vote. The cases of Norton and Hargrove exemplify the problems faced by those who wished to legally disfranchise wartime antagonists. The case for disfranchising Hargrove under the Reconstruction Acts was stronger than that for barring Norton. Hargrove had been a mail agent during the Buchanan administration (a Federal post) and volunteered as a Confederate officer, while Norton had only served in the Rome City Council and held a contract with the Confederacy. Yet few in Floyd County wished to see the rights of Hargrove, a man who had protected the entire community during the war, curtailed. Though he supported the Democratic presidential nominee, Horatio Seymour, in the 1868 election, by 1869

[154] "We Don't Care if We Can't" *Georgia Weekly Telegraph, Journal & Messenger, (Macon, GA),* July 08, 1881.

Hargrove was already allied with local Republicans and was known as a "Reconstruction man."[155]

The same flexibility that had made loyalty during the war so complex to characterize, continued to play a role in politics after the war. Finding a definition of loyalty continued to hamper efforts to exclude former Confederates from the political process. In 1865, as secessionists began to take local offices across the state, one dissenter wrote to the Governor to complain. In the letter he referred to both the "loyal" men and the "moderate loyal men" as being better suited for office holding than a secessionist.[156] He recognized the very shades of blue and grey necessary to describe any individual's role in the war and that ultimately helped doom efforts at disfranchisement.

Efforts at disfranchisement represented an attempt to both secure the fruits of victory and repay neighbors for wartime abuses, but the combination of racism, self-interest, political pandering, national politics, principle, and the complexity of loyalty doomed the effort. While the memories of the war led many to pursue vengeance, the complexity of loyalty ultimately undermined efforts to use selective enfranchisement as a tool for both revenge and political power. By 1869, Republicans in all three states had essentially given up efforts to disfranchise former Confederates. But elections represent just one of many ways that bitter memories continued to impact communities during Reconstruction. Though they may have failed in their endeavor to disfranchise their wartime enemies, wartime quarrels would continue for years to come.

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[155] *Testimony Taken by the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States.*, Georgia: Volume I:73.

[156] Leroy Edwards to Francis Pierpont, August 16, 1865, Executive Papers of Governor Francis Harrison Pierpont, 1865-1868, LVA.

Conclusion: Forgetting Dissent

Until his dying day, Major Reuben E. Wilson obsessed over his former service, taking every opportunity to broadcast his status as a Confederate veteran. He remained an active member of Confederate veterans' organizations, even attending the 1893 reinterment of Jefferson Davis in Richmond as a delegate for the Confederate Survivors Association of Augusta. He had moved to Georgia from Forsyth, North Carolina due to the animosity toward him there, but he returned to live in Winston-Salem during the 1890s, when apparently, tempers had sufficiently cooled.[1]

On March 8, 1906, almost 42 years to the day after he ordered the execution of five men during the closing months of the war, Wilson died at 65 years of age in his sister's Winston-Salem home. His obituary told the tale of a man obsessed with his Confederate service, recounting how Wilson "never wore anything but the Confederate uniform and his shroud was the battle flag presented to him by his lady friends of Yadkin County on his promotion as Major." His pallbearers were former Confederate soldiers, and the flower bearers for his funeral were members of the United Daughters of the Confederacy.[2] His funeral was even conducted by the chaplain of the local United Confederate Veterans.[3] He was buried as he lived: as a

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[1] "Laid to Rest," *Wilmington Messenger*, June 1, 1893; "Funeral Ceremonies," *Weekly Star*, June 2, 1893; "Memorial Day," *Union Republican*, April 25, 1895; "Personal and General," *Union Republican*, April 26, 1894; "Maj. Wilson's Gift," *Western Sentinel*, December 3, 1903.

[2] "Death of Maj. R. E. Wilson," *Union Republican*, March 14, 1907, 6.

[3] William S. Powell, *Dictionary of North Carolina Biography*, vol. 5, P-S (Chapel Hill: University of North Carolina Press, 1994), 320.

Confederate. There was no mention of the 1865 killings, nor the 1866 trial or the 1871 fight with U.S. District Attorney D.H. Starbuck that resulted from those killings.

Although the outsized role the war continued to play in Wilson's life is clear, the role the memories of wartime dissent played in the postwar life of individual dissenters frequently remains unclear. Some dissenters remained lifelong Republicans. Wilson's nemesis, Starbuck, remained a leading Republican until his death in 1887.[4] Former recusant conscript C.C. Stoltz also remained a leading Forsyth County Republican into the 1890s.[5] For some, a hatred for the Confederacy may well have been constitutive of their postwar sense of self—the mirror image of Wilson's love for all things Confederate. But for others, their anti-Confederate past may have played only a minor role in their post-bellum life, appearing only when useful in some manner—for example, when testifying before the Southern Claims Commission. Today, few southerners know much about the history of dissent or its postwar legacy.

The complexities of loyalty divided southern communities in manifold ways during the Civil War. But while these divisions continued to play a role in postwar politics, court cases, and social relations, they are largely forgotten by the individuals who live in these communities today. Only Loudoun County still retains a robust memory of Unionism. Exactly how the bitterness from the court cases, violence, and social division of Reconstruction healed is not always clear. Perhaps it never did for some individuals. For men like Wilson, it likely took death for his old feuds to be put aside. But apparently the divisions—at least those between white dissenters and former Confederates—rarely passed on to the next generation. Instead, white

[4] "Death of Judge D.H. Starbuck," *Union Republican*, June 2, 1887. At the time of his passing, he was a member of the Winston Board of Commissioners, an elected office.

[5] "Forsyth County Convention," *Union Republican*, July 24, 1890.

racial identity proved more powerful a uniting force than the memory of wartime persecution was a dividing one.

Wilson's obsession with the Confederacy creates a stark contrast to the memory of some of the wartime dissenters who had lived near him. Returning to the experiences of North Carolina's Yokley family provides insights into why dissent was largely forgotten in popular conceptions of the war. Samuel Yokley brought one of the regions few approved Southern Claims Commission claims. His son, David Pinkney Yokley, had been conscripted in August 1862 but deserted a month later with his brother and uncle. It was either David or his brother whom the Home Guard had captured in 1864, and either as captive or rescuer, David almost certainly participated in the rescue mission that freed the captured deserter.[6]

Despite his wartime experiences, David Yokley does not appear to have been especially tied to the Union. David's second marriage to a sixteen-year-old, born a decade after the war, endured until his death. What he told his young bride of the war remains unknown, but it seems likely he failed to mention his wartime resistance. In a 1930 application for a pension based on David's Confederate service, his widow answered "no" to the question "was your late husband a deserter?" The application was denied, but only because her age—55 instead of the minimum 60—made the young widow ineligible for a pension. In fact, David's aunt actually received a pension for her late husband's entire month of service before he deserted. More striking still, David's wartime dissent failed to deter him from applying for a Confederate pension. Though in theory ineligible due to his desertion—not to mention his lack of service—David claimed to have

[6] CSR for D.P. Yokley, Joseph Yokeley, and Jefferson Yokeley of the 48th NC, Claim of Samuel Yokeley (#10959).

been a loyal Confederate, and he received a pension until his death in 1926. For sixty dollars a year, David erased his past.[7]

In the end, Unionist memory failed to sustain a useable counter-narrative to the Lost Cause. Though Republicans attempted to use a memory of dissent to mobilize voters, ultimately, these efforts proved less successful and lasting than appeals to racial unity and white supremacy. The postwar Unionist identity was built on unstable foundations. The focus on patriotic motivations and divided communities instead of shared experiences, skin color, or geographic location created inherent weaknesses within Unionist memory.

In contrast, the Lost Cause version of the past enabled reconciliation between whites. Almost all southern whites were welcome to share in the glories of the Lost Cause, but to be a white Unionist required uncompromising devotion to the flag and persecution by other white southerners. According to the Lost Cause narrative, many dissenters had not even dissented: deserters only left to provide for their families, those with work exemptions provided important material support against overwhelming odds, and even fighting for the Union proved one's manhood.[8] Recusant conscripts and African Americans remained the only category that failed to have a place in the Lost Cause narrative.

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[7] "Soldier's Application for Pension" for D.P. Yokley, 12/32/1923, and "Widow's Application for Confederate Pension" for Mrs. D.P. Yokley, 8/6/1926, Filed in Davidson County, Box 6.654, North Carolina State Archives, North Carolina Division of Archives and History, Raleigh, NC (cited hereafter as NCDAH); "Widow's Application for Confederate Pension" for Cordelia Yokeley, 7/7/1924, Filed in Forsyth County, Box 6.654, NCDAH; "Widows entitled to Forsyth County Pensions" reprinted in *The Forsyth County Genealogical Society Journal*, (Winter, 2005), V. 23 N.2, 134-135; The General Assembly of North Carolina, "Chapter 189: An Act to Amend and Consolidate the Pension Laws," in *Public Laws and Resolutions of the State of North Carolina Passed by the General Assembly* (Raleigh: Mitchell Printing Company, 1921), 481–87.

[8] For an excellent example of Lost Cause proponents welcoming deserters, see Julian S Carr, Speech [fragment], folder 32, in the Julian Shakespeare Carr Papers #141, Southern Historical Collection, The Wilson Library, University of North Carolina at Chapel Hill. The speeches in the Carr papers provide an amazing overview of efforts to create a white memory of the Civil War. For the best discussion on the lost cause, see David W. Blight, *Race and Reunion: The Civil War in American Memory* (Cambridge, Mass.: Belknap Press of Harvard University Press, 2001); David W. Blight, *Beyond the Battlefield: Race, Memory & the American Civil War* (Amherst: University of Massachusetts Press, 2002); Gaines M. Foster, *Ghosts of the Confederacy: Defeat, the Lost Cause, and the*

Increasingly, the memory of the Confederacy worked to unite whites along racial lines by celebrating the honor and bravery of the white race, while Unionist memory continued to depend upon a memory of division and persecution, thus dividing neighbors and even families. As the number of former dissenters decreased due to death and emigration, Democratic politicians, too young to have fought, presumably became more politically acceptable than their Confederate predecessors. With the end of the Southern Claims Commission and the introduction of Confederate pensions, even the monetary incentive to celebrate dissent was replaced by new motivation to proclaim a Confederate affiliation.[9] In the face of the Lost Cause, Jim Crow, and the resurgent white supremacist hold on power at the turn of the century, memories of dissent simply failed to remain useful.

Additionally, the wide variety of individuals who had resisted Confederate authority in various ways and for different reasons meant that creating a narrative of dissent that fit the experiences of all dissenters proved difficult. Just as debates over who had been loyal derailed efforts to disenfranchise former Confederates during Reconstruction, they also weakened efforts to create a shared "Unionist" memory of the war based around dissent. The wide variety of individuals who claimed they were Unionists, the complex nature of loyalty, and the importance of social networks in determining allegiances, which undermined long-term efforts to use "inner war" loyalties as a tool for vengeance or lasting political power, also weakened efforts to commemorate and transmit a memory of dissent to the next generation.

Emergence of the New South, 1865 to 1913 (New York: Oxford University Press, 1987); Carol Reardon, *Pickett's Charge in History and Memory* (Chapel Hill: University of North Carolina Press, 1997).

[9] For the more on the memory of Unionism in North Carolina, see Barton A. Myers, "'Rebels Against a Rebellion' Southern Unionists in Secession, War and Remembrance" (Ph.D., University of Georgia, 2009), 221–256. See also Phillip Shaw Paludan, *Victims: A True Story of the Civil War*, 6th print. / with a new pref. (Knoxville: University of Tennessee Press, 2004); John C. Inscoe, *Race, War, and Remembrance in the Appalachian South* (Lexington: University Press of Kentucky, 2008).

Today, members of the Yokley family remember nothing of their anti-Confederate roots. Samuel's son Andrew died in Federal service, killed in an ambush in Missouri by Confederate guerillas. Though the family had not known his enlistment or death until after the war, Yokley used his son's death in the Union army as proof he was a Unionist in his successful claim.[10] Additionally, Samuel collected his son's back pay, and his wife applied for her son's pension in 1884.[11] Yet once the monetary incentive to remember Andrew's service disappeared, so did a need to recall his sacrifice. In 1982, an amateur genealogist tracing her family's heritage recalled that Andrew supposedly died "of a pistol wound reportedly inflicted by Jesse James while working with the Pony express." The Pony Express ceased operation in 1861, three years before Andrew actually died, and Jesse James was barely 14 at the time. Instead of celebrating Andrew's devotion to Union, the family created a heroic story that disconnected his death from the war entirely.[12]

As historians of the Civil War era increasingly look at the history of Unionism and dissent, studies of historical memory present a unique opportunity to understand the war in new ways.[13] Historians of the "inner war" should not neglect the creation and ultimate failure of

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[10] Pension and CSR for Andrew J. Yokley, 7th Missouri Cavalry (USA), NARA.

[11] Pension and CSR for Andrew J. Yokley, 7th Missouri Cavalry (USA), NARA.

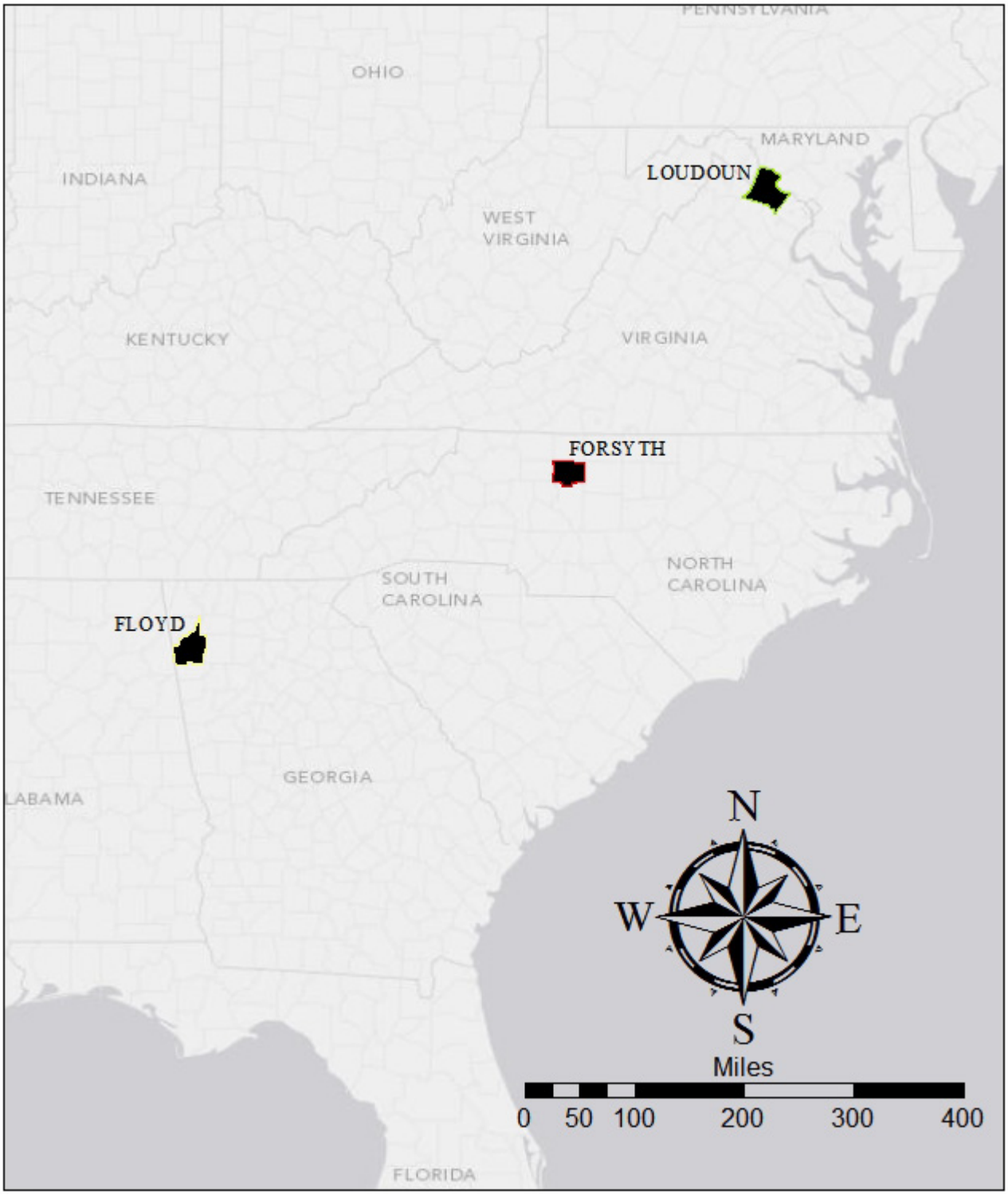
[12] Francis Y. Kestler, "Amos Yokley," in *The Heritage of Davidson County, 1982,* North Carolina Genealogical Society of Davidson County (Lexington, N.C.: Genealogical Society of Davidson County, 1982), 639; "Claim of Samuel Yokeley (#10959)"; Andrew J. Yokley (co. E, 7th Mo. Cavalry) index card; imaged from *Organization Index to Pension Files of Veterans Who Served Between 1861 and 1900*, T289 (Washington, D.C.: National Archives) Accessed from *Footnote.com* (http://www.footnote.com: accessed December 2010); For an excellent bio on James, see T.J. Stiles, *Jesse James: Last Rebel of the Civil War* (New York: A.A. Knopf , 2002). Nowhere in the biography does the Pony Express appear.

[13] For a few examples of memory studies informing studies of Unionism, see Brian K. Fennessy, "The Re-Construction of Memory and Loyalty in North Carolina, 1865-1880" (M.A., University of North Carolina at Chapel Hill, 2014); Steven E. Nash, "The Immortal Vance: The Political Commemoration of North Carolina's War Governor," in *North Carolinians in the Era of the Civil War and Reconstruction*, ed. Paul D. Escott (Chapel Hill: University of North Carolina Press, 2008), 269–94.

Unionist counter-narratives. The Yokleys embraced the identities of both Unionist and Confederate when convenient. The family vividly demonstrates that dissenters were not passive in the creation of an amnesia of dissent. The Yokleys not only display the complexity of wartime loyalties but also provide insights into why Unionism was forgotten. As was often the case in the southern Piedmont, above all other loyalties, the Yokleys were loyal to family.

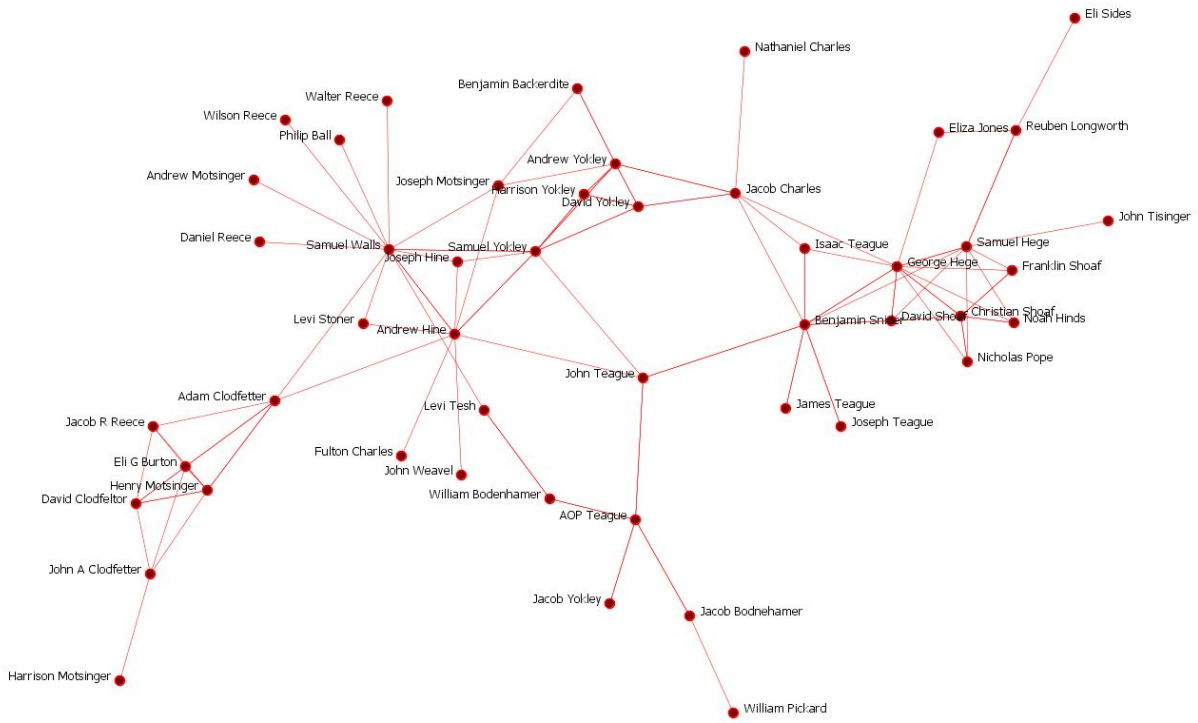
These are but just a few possibilities and influences that helped set the stage for an ultimate whitewashing of memory and the erasure of dissenters from the mainstream narrative of the war. Exactly why dissenters disappeared from the collective memory is a topic for another dissertation. It is enough to say for now that much remains to be learned about the legacy of the war *within* the states.

Floyd, Forsyth, and Loudoun Counties



Map # 1: Location of Study
(GIS Data from: *Atlas of Historic County Boundaries*, curtesy of Newberry Library; arcGIS, ESRI.)

Social Network Map#1:
Example Network Map of Friendships Between Dissenters in Southern Forsyth County



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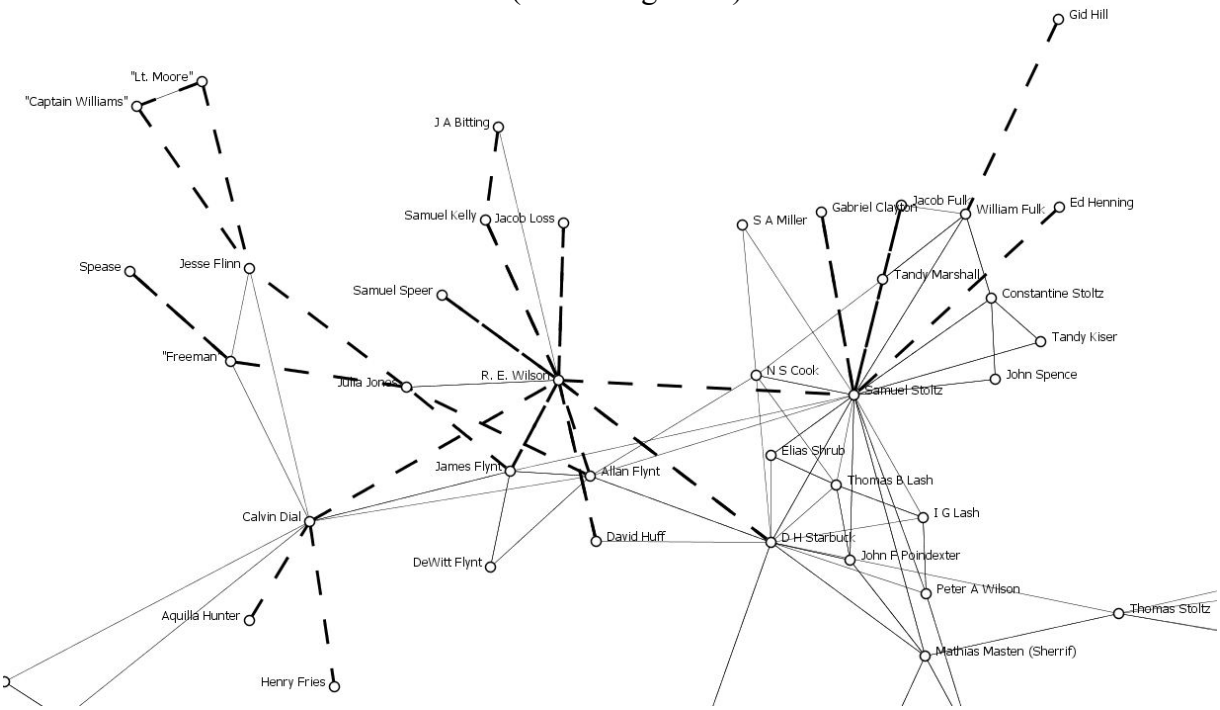
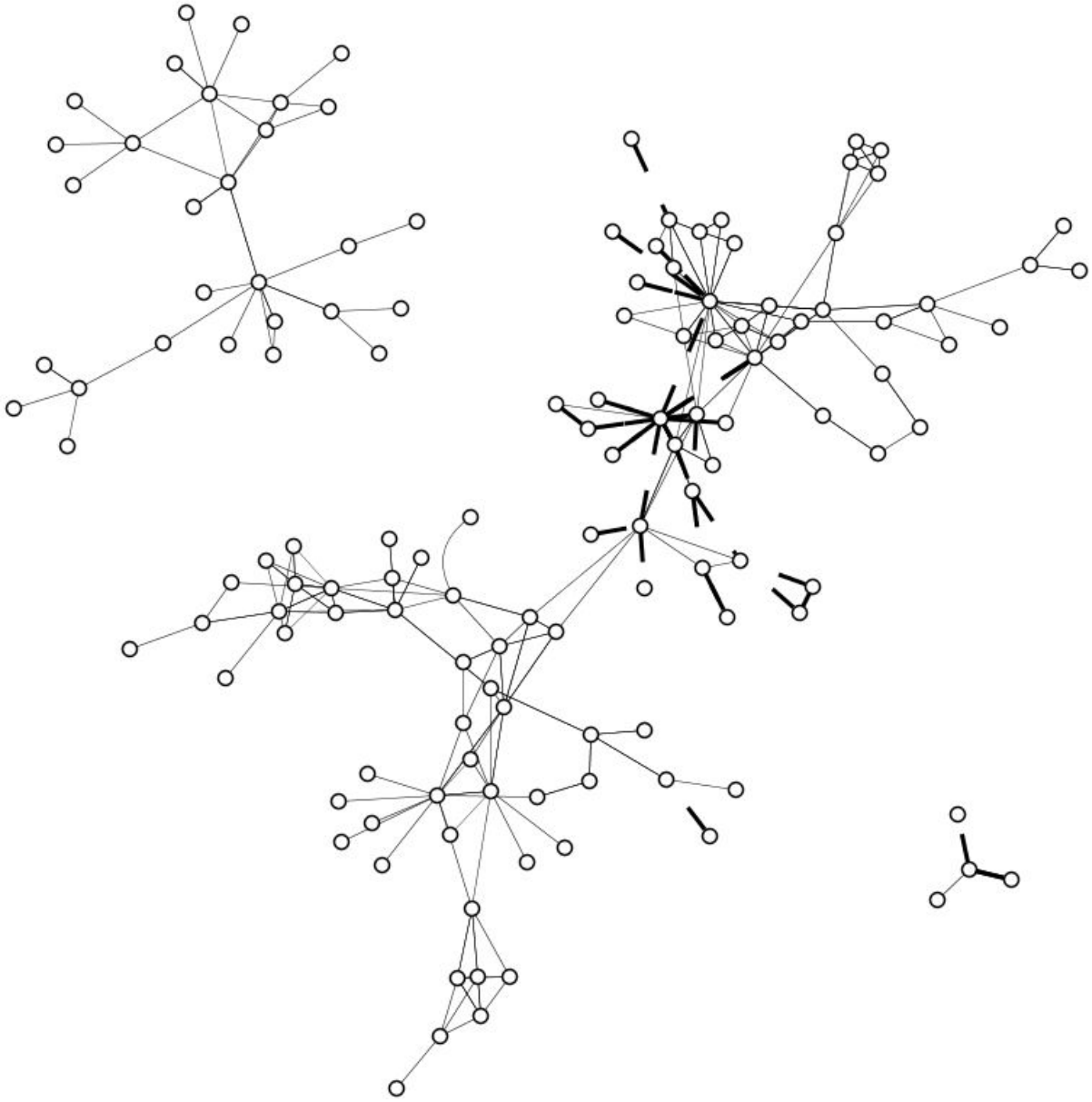
Based off Southern Claims Commission Records (built using ORA)

Social Network Map #2: Posative and Negative Relationships om Northern Forsyth
(built using ORA)



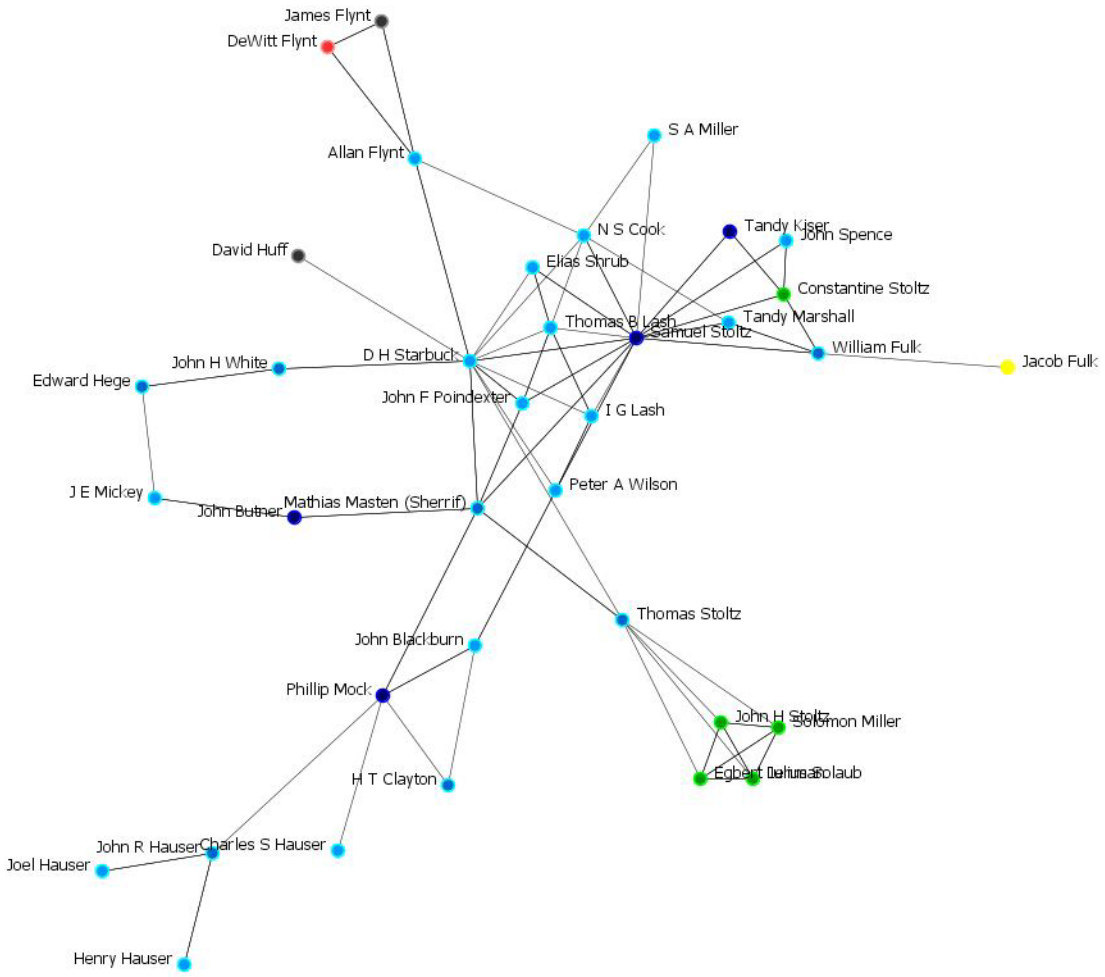
Thick dashed lines connect enemies
Thin solid lines connect friends

Social Network Map #3: Example of Partially Reconstructed Social Network
(built using ORA)



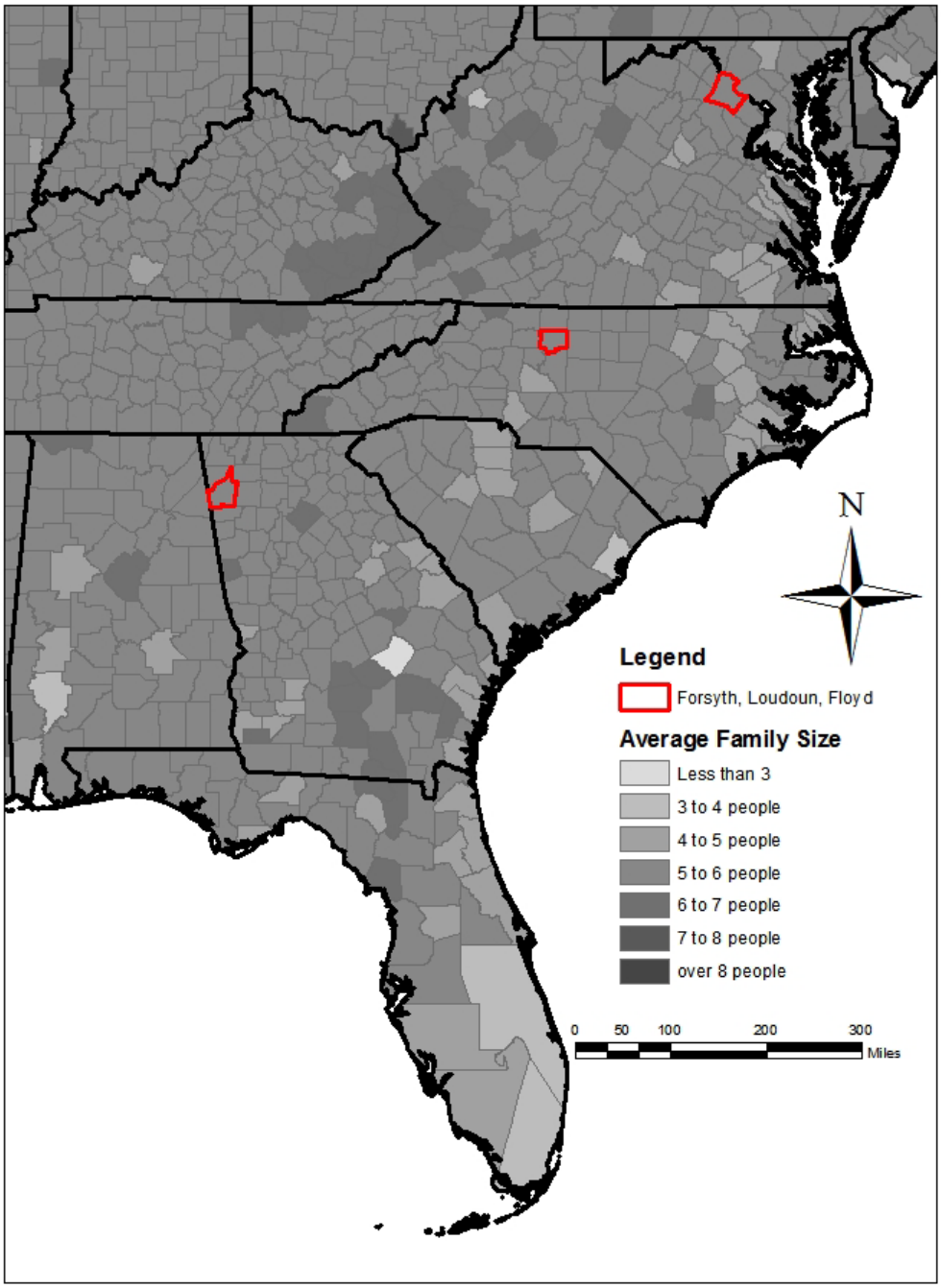
Thick dashed lines connect enemies
Thin solid lines connect friends

Social Network Map #4:
Northern Forsyth County Dissenters.



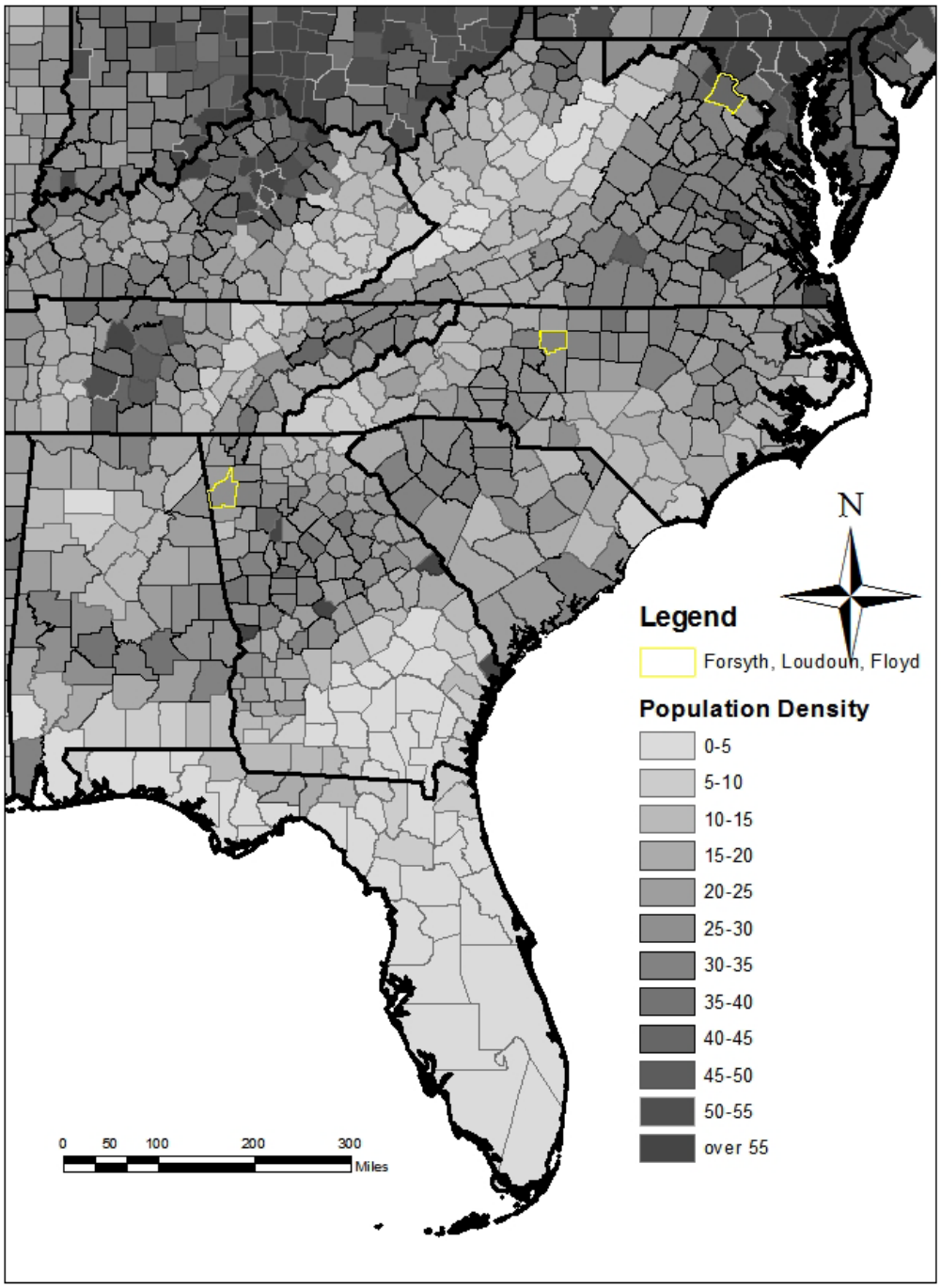
Green Node: Recusant Conscript
Light Blue Node: Self-proclaimed "Unionist" (including denied Southern Claims Commission claimants)
Dark Blue Node: "Unionist" with Approved Southern Claims Commission Claim
Yellow Node: Unclear political views
Grey Node: Victim of Major R.E. Wilson
Red Node: Member of Forsyth Militia

Based off Southern Claims Commission Records (built using ORA)



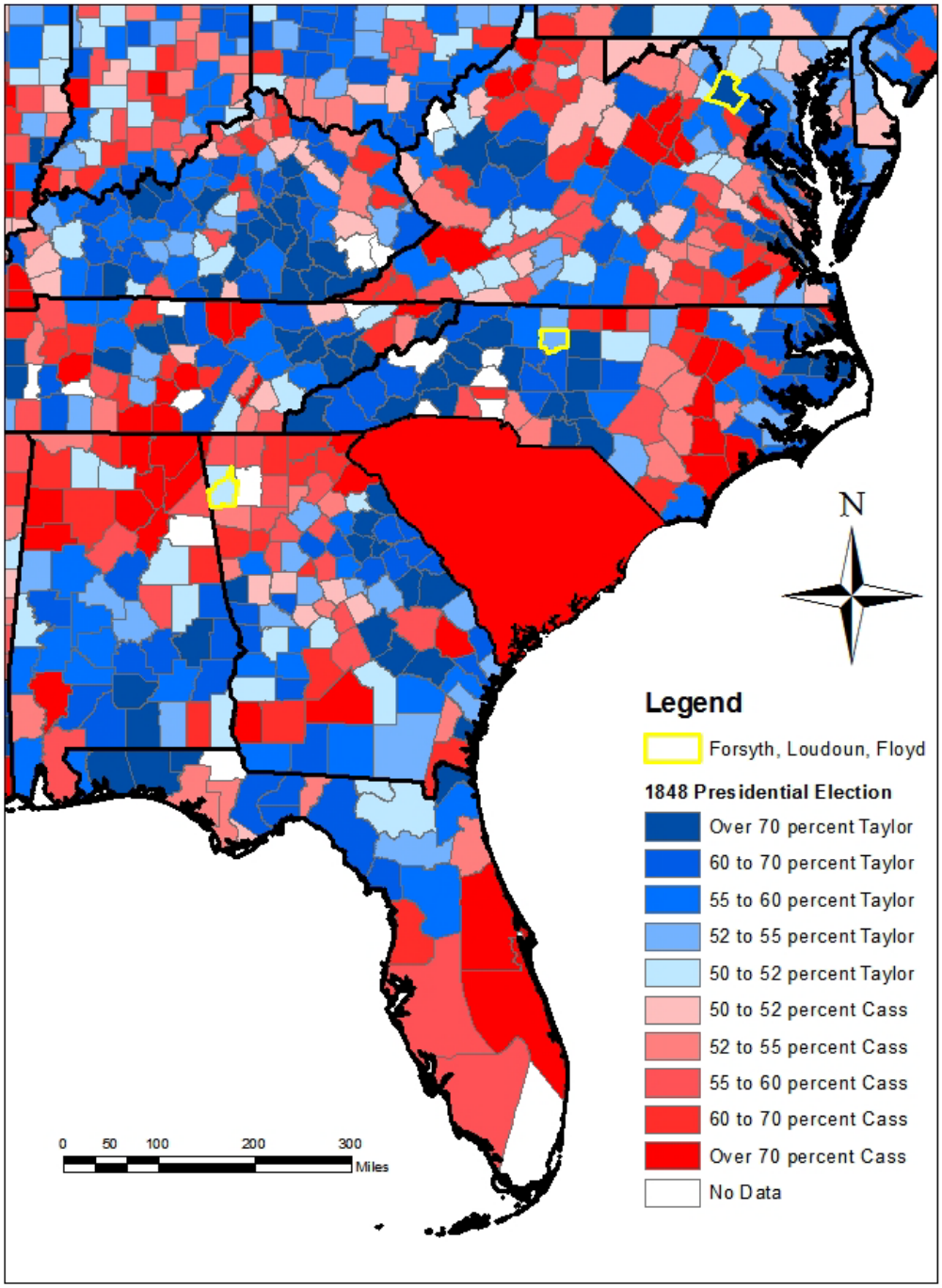
Map # 2: Average Family Size in Free Households[1]

[1] Historical Census Browser. Retrieved October 2014, from the University of Virginia, Geospatial and Statistical Data Center: http://mapserver.lib.virginia.edu/. Minnesota Population Center. *National Historical Geographic Information System: Version 2.0.* (Minneapolis, MN: University of Minnesota 2011).



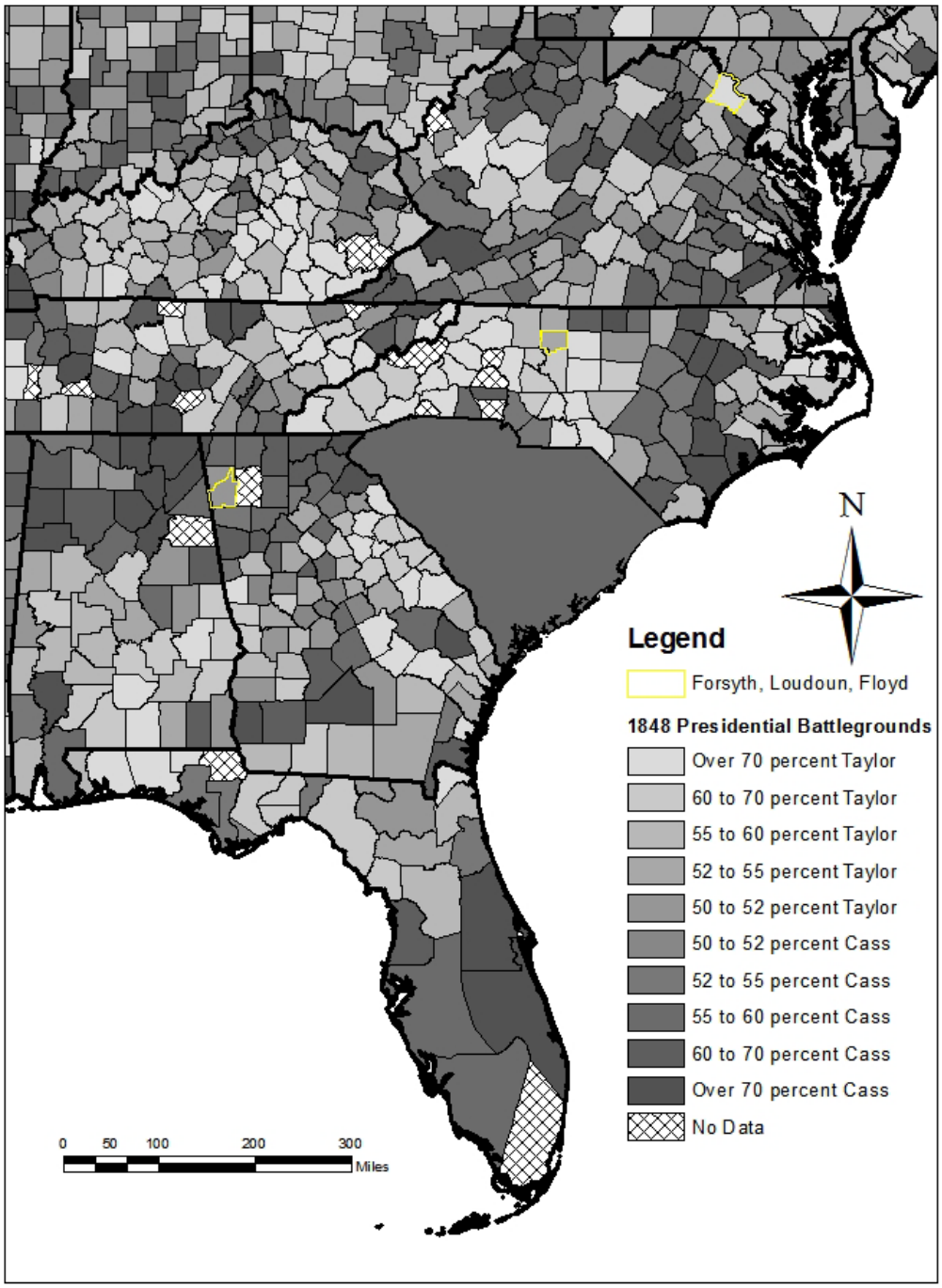
Map # 3: Population Density[2]

[2] Historical Census Browser. Retrieved October 2014, from the University of Virginia, Geospatial and Statistical Data Center: http://mapserver.lib.virginia.edu/. Minnesota Population Center. *National Historical Geographic Information System: Version 2.0.* (Minneapolis, MN: University of Minnesota 2011).



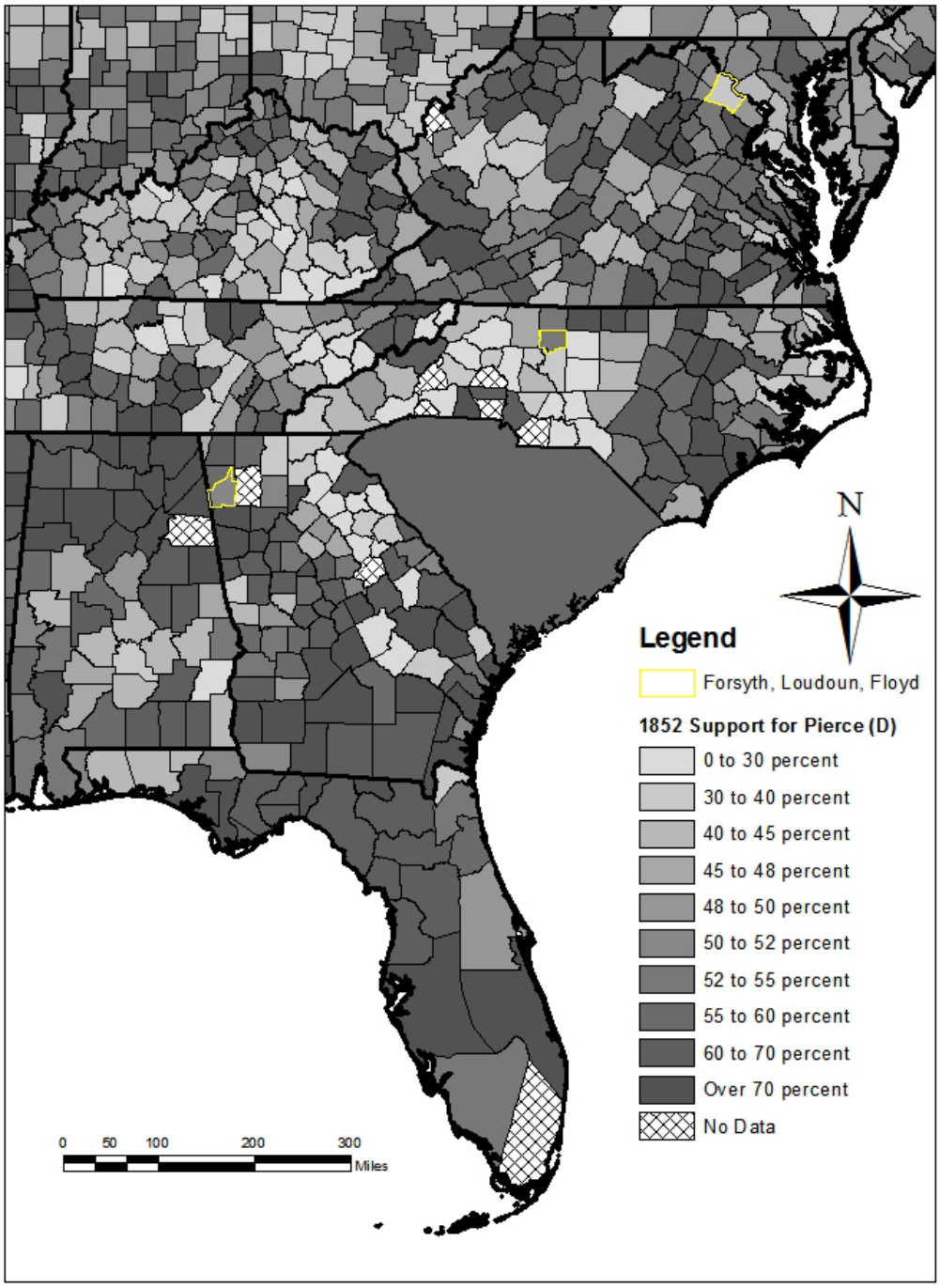
Map # 4: 1848 Presidential Election[3]

[3] Jerome M. Clubb, William H. Flanigan, and Nancy H. Zingale, *Electoral Data for Counties in the United States: Presidential and Congressional Races, 1840-1972*, (Ann Arbor, MI: Inter-university Consortium for Political and Social Research [distributor], 2006); Minnesota Population Center. *National Historical Geographic Information System: Version 2.0.* (Minneapolis, MN: University of Minnesota 2011); *Atlas of Historic County Boundaries*.



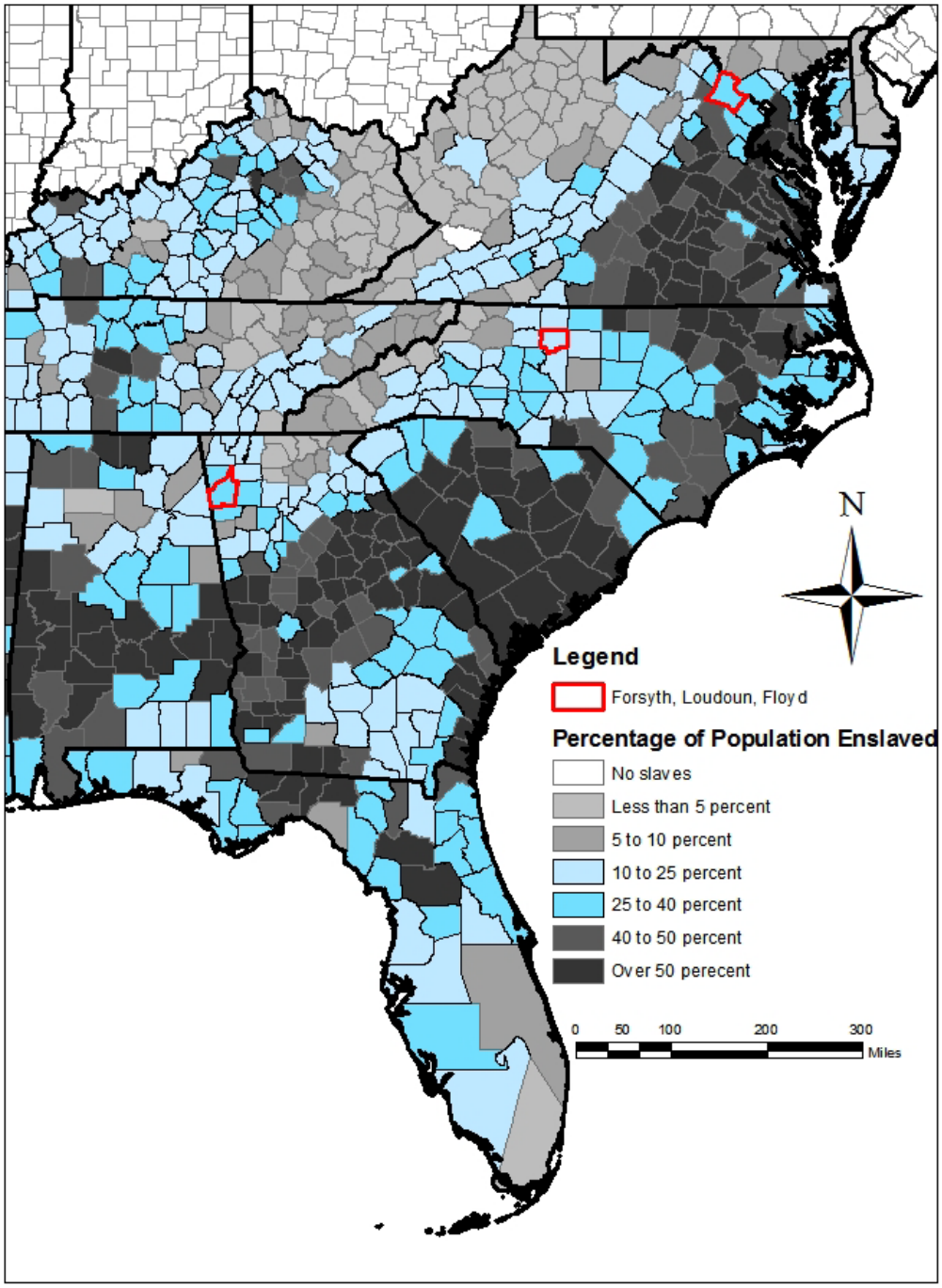
Map #5: Support For Lewis Cass (Democrat) in 1848[4]

[4] Jerome M. Clubb, William H. Flanigan, and Nancy H. Zingale, *Electoral Data for Counties in the United States: Presidential and Congressional Races, 1840-1972*, (Ann Arbor, MI: Inter-university Consortium for Political and Social Research [distributor], 2006). Minnesota Population Center. *National Historical Geographic Information System: Version 2.0.* (Minneapolis, MN: University of Minnesota 2011); *Atlas of Historic County Boundaries.*



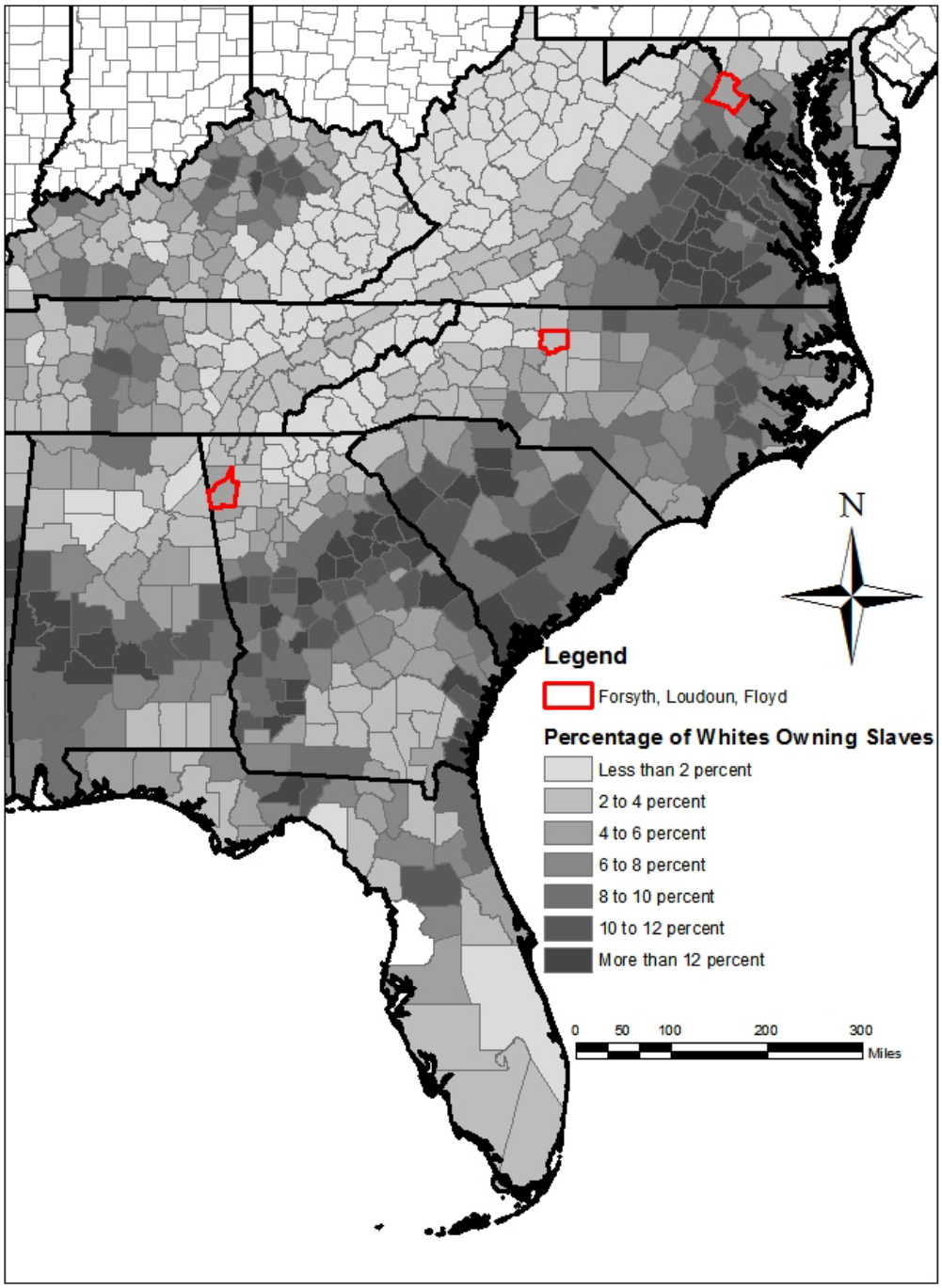
Map #6: Support for Franklin Pierce (Democrat) in 1852[5]

[5] Jerome M. Clubb, William H. Flanigan, and Nancy H. Zingale, *Electoral Data for Counties in the United States: Presidential and Congressional Races, 1840-1972*, (Ann Arbor, MI: Inter-university Consortium for Political and Social Research [distributor], 2006). Minnesota Population Center. *National Historical Geographic Information System: Version 2.0.* (Minneapolis, MN: University of Minnesota 2011); *Atlas of Historic County Boundaries.*



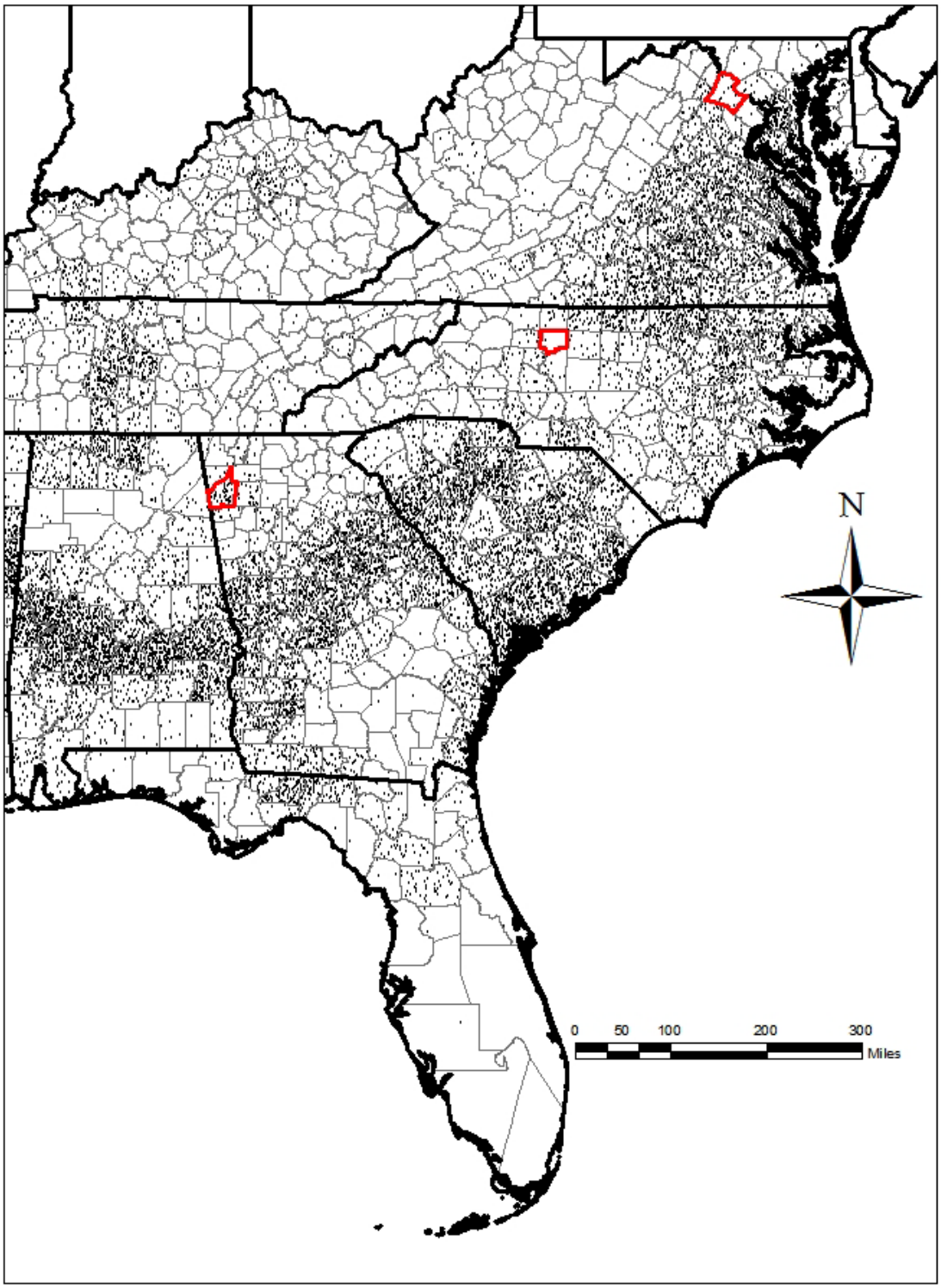
Map #7: Slave population as a Percentage of the Population
Highlighting areas with between 10 and 40 Percent of the Population Enslaved[6]

[6] Historical Census Browser. Retrieved October 2014, from the University of Virginia, Geospatial and Statistical Data Center: http://mapserver.lib.virginia.edu/; Minnesota Population Center. *National Historical Geographic Information System: Version 2.0.* (Minneapolis, MN: University of Minnesota 2011); *Atlas of Historic County Boundaries.*



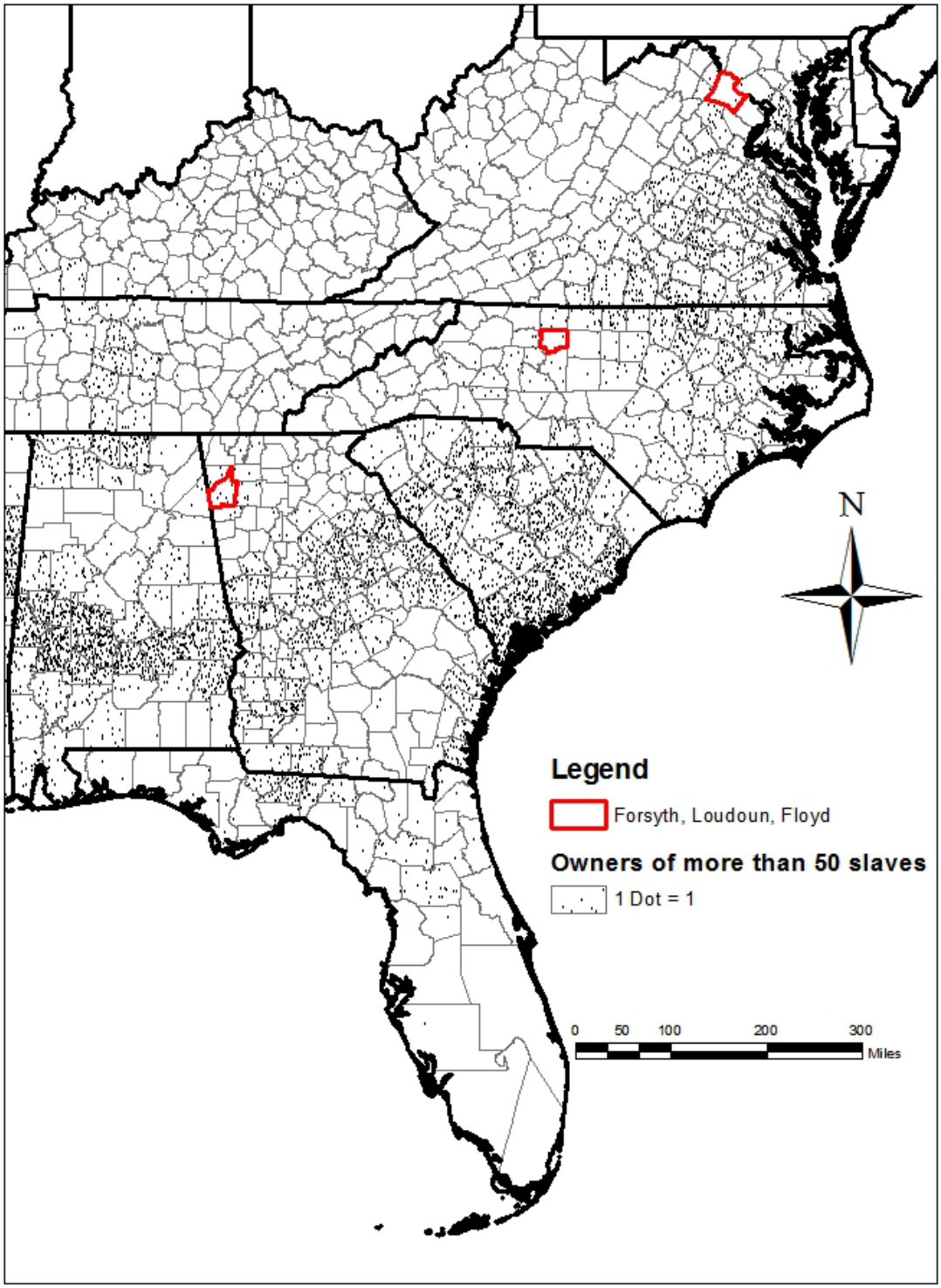
Map #8: Percentage of White Population Owning Slaves[7]

[7] Historical Census Browser. Retrieved October 2014, from the University of Virginia, Geospatial and Statistical Data Center: http://mapserver.lib.virginia.edu/; Minnesota Population Center. *National Historical Geographic Information System: Version 2.0.* (Minneapolis, MN: University of Minnesota 2011); *Atlas of Historic County Boundaries.*



Map #9: Individuals Owning 30 or More Slaves[8]

[8] Historical Census Browser. Retrieved October 2014, from the University of Virginia, Geospatial and Statistical Data Center: http://mapserver.lib.virginia.edu/; Minnesota Population Center. *National Historical Geographic Information System: Version 2.0.* (Minneapolis, MN: University of Minnesota 2011); *Atlas of Historic County Boundaries.*



Map #10 Individuals Owning 50 or More Slaves[9]

[9] Historical Census Browser. Retrieved October 2014, from the University of Virginia, Geospatial and Statistical Data Center: http://mapserver.lib.virginia.edu/; Minnesota Population Center. *National Historical Geographic Information System: Version 2.0.* (Minneapolis, MN: University of Minnesota 2011); *Atlas of Historic County Boundaries.*

Social Network Map #5 Part of a Larger Social Network Map For Forsyth County

Green Node: Recusant Conscript
Light Blue Node: Self proclaimed "Unionist" (including denied Southern Claims Commission claimants)
Dark Blue Node: "Unionist" with Approved Southern Claims Commission Claim
Yellow Node: Unclear political views
Grey Node: Victim of Major R.E. Wilson
Pink Node: Member of Forsyth Militia
Red Node: Secessionist/Confederate soldier
Dashed Red Connection: Enemies
Blue Connection: Friendship
Purple Connection: Circumstantial evidence indicates positive relationship.

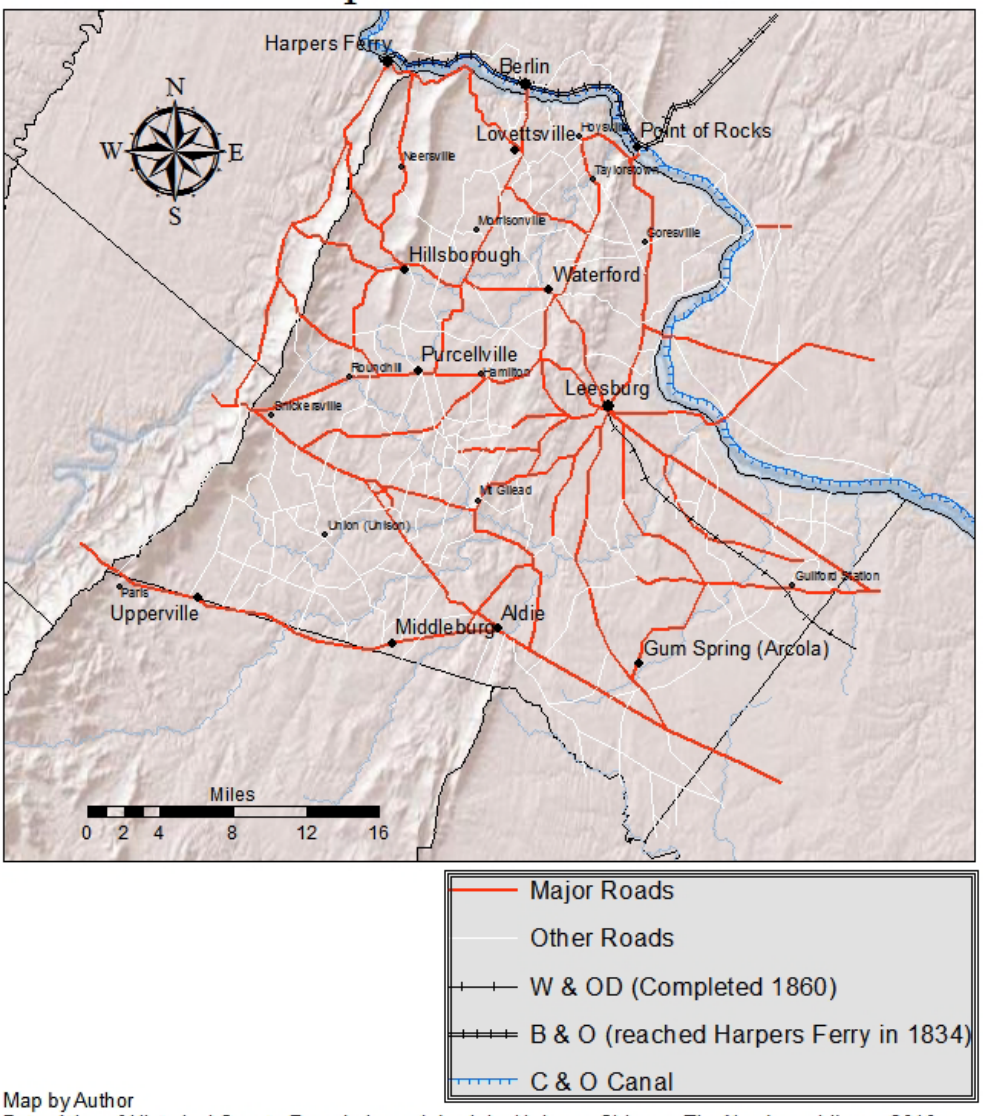
Map #11:

Northern Loudoun County

Atlas of Historic County Boundaries; ESRI.

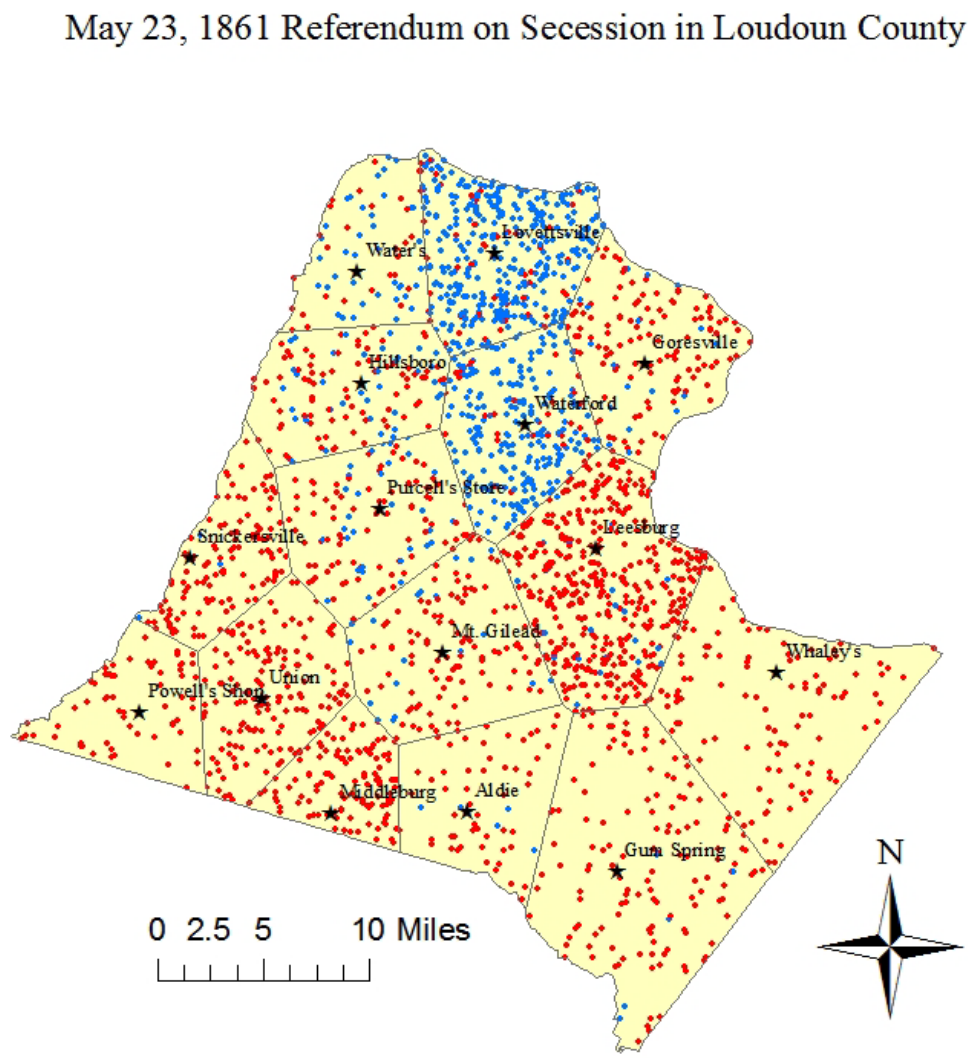
Map #12:

Transportation in Loudoun



Map by Author
Data: Atlas of Historical County Boundaries, ed. by John H. Long. Chicago: The Newberry Library, 2010. Available online from http://www.newberry.org/ahcbp; (accessed September 23, 2014).
Shaded Relief Map, ESRI, 2009; Roads from "Map of Loudoun County and part of Clarke County, Va., Jefferson County and part of Berkeley County, W. Va., and parts of Montgomery and Frederick counties, Md," 1864, LOC, Geography and Map Division, Washington, D.C; and "Map of Loudoun County, Va., and parts of Fairfax County, Va., Jefferson County, W.Va., and Washington and Frederick counties, Md." LOC, Geography and Map Division, Washington, D.C.

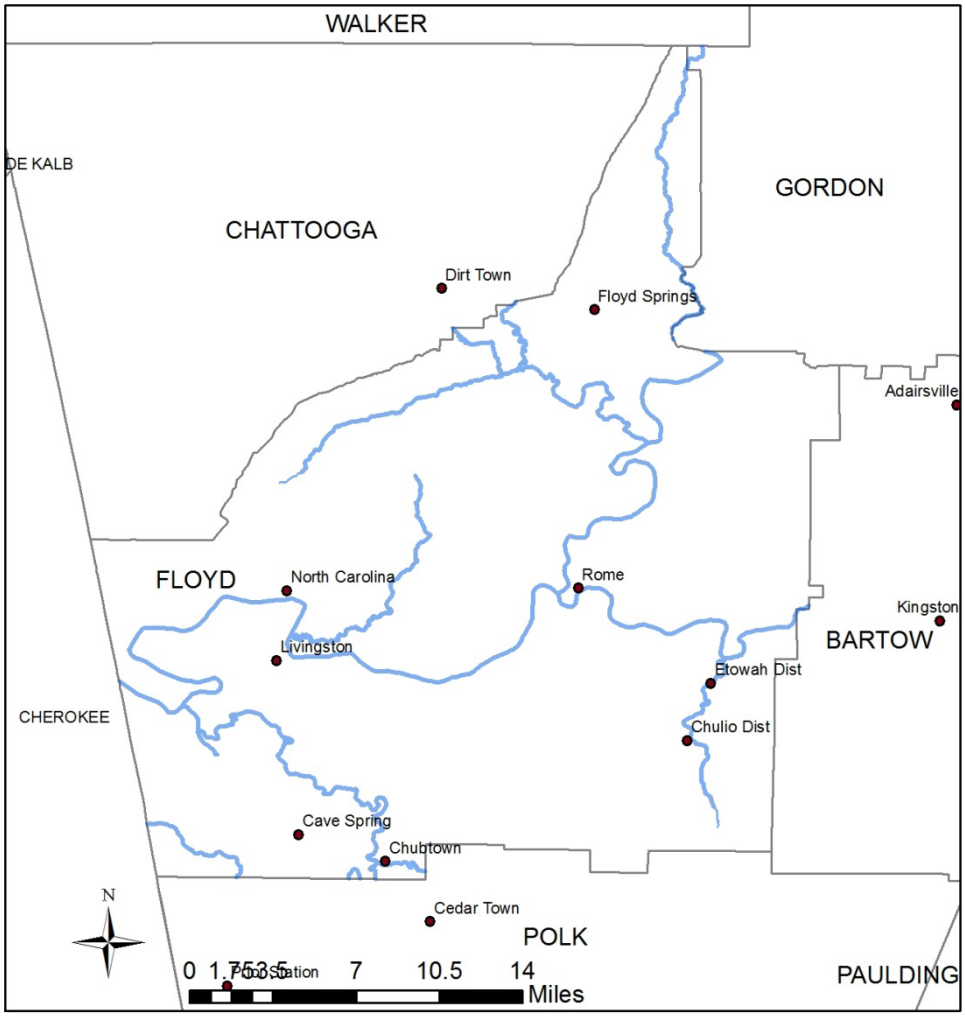
Map # 13:



Each dot equates to one vote: red for secession and blue against
(location is based on polling locations and does not indicate specific residences).
Stars represent polling locations.

Map produced by author.
Source of information: Taylor M. Chamberlin, *Where Did They Stand? The May 1861 Vote on Secession in Loudoun County, Virginia, and Post-War Claims against the Government* , (Waterford, VA: Waterford Foundation, 2003)

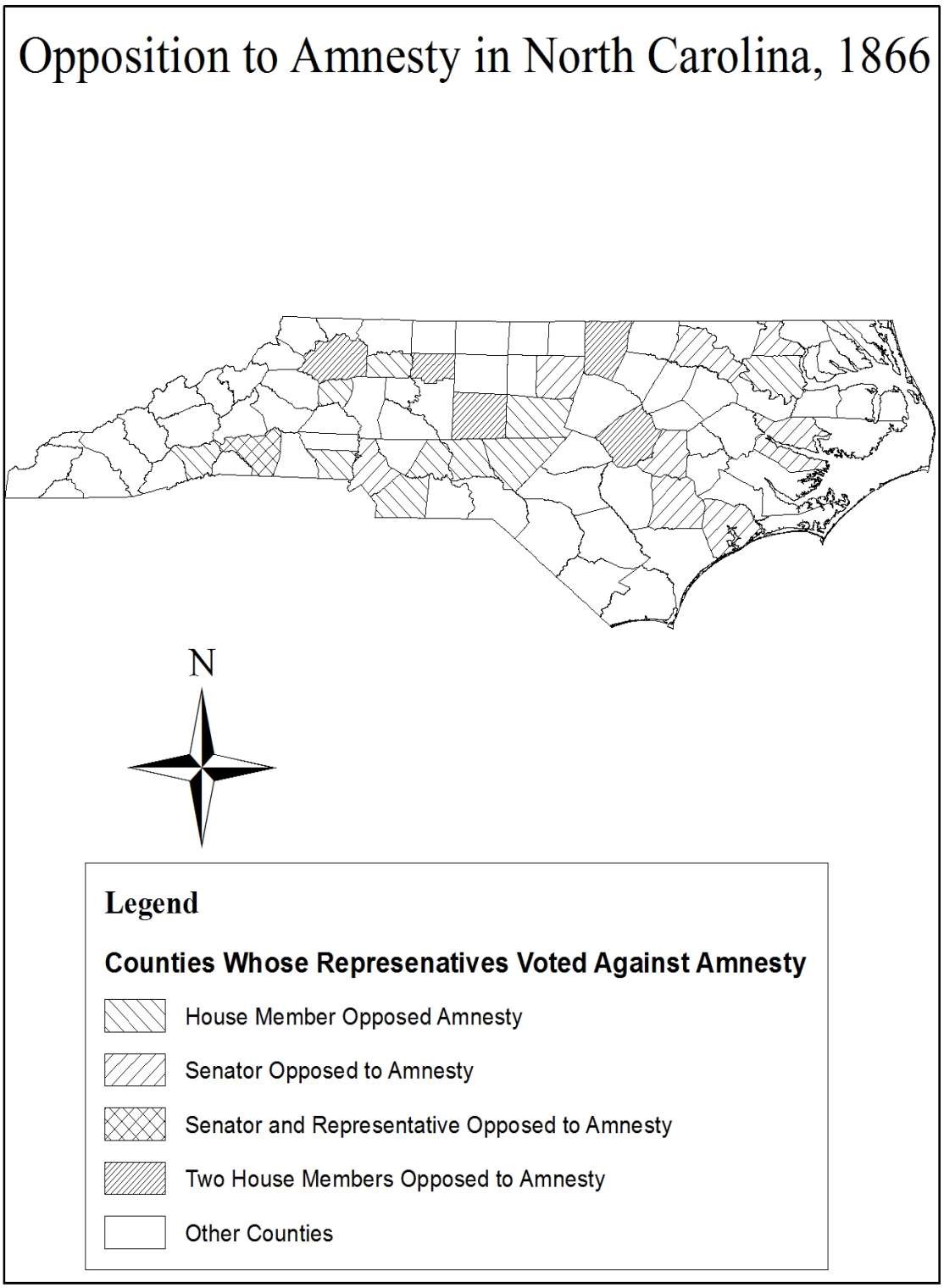
Map #14:



Floyd County Vicinity

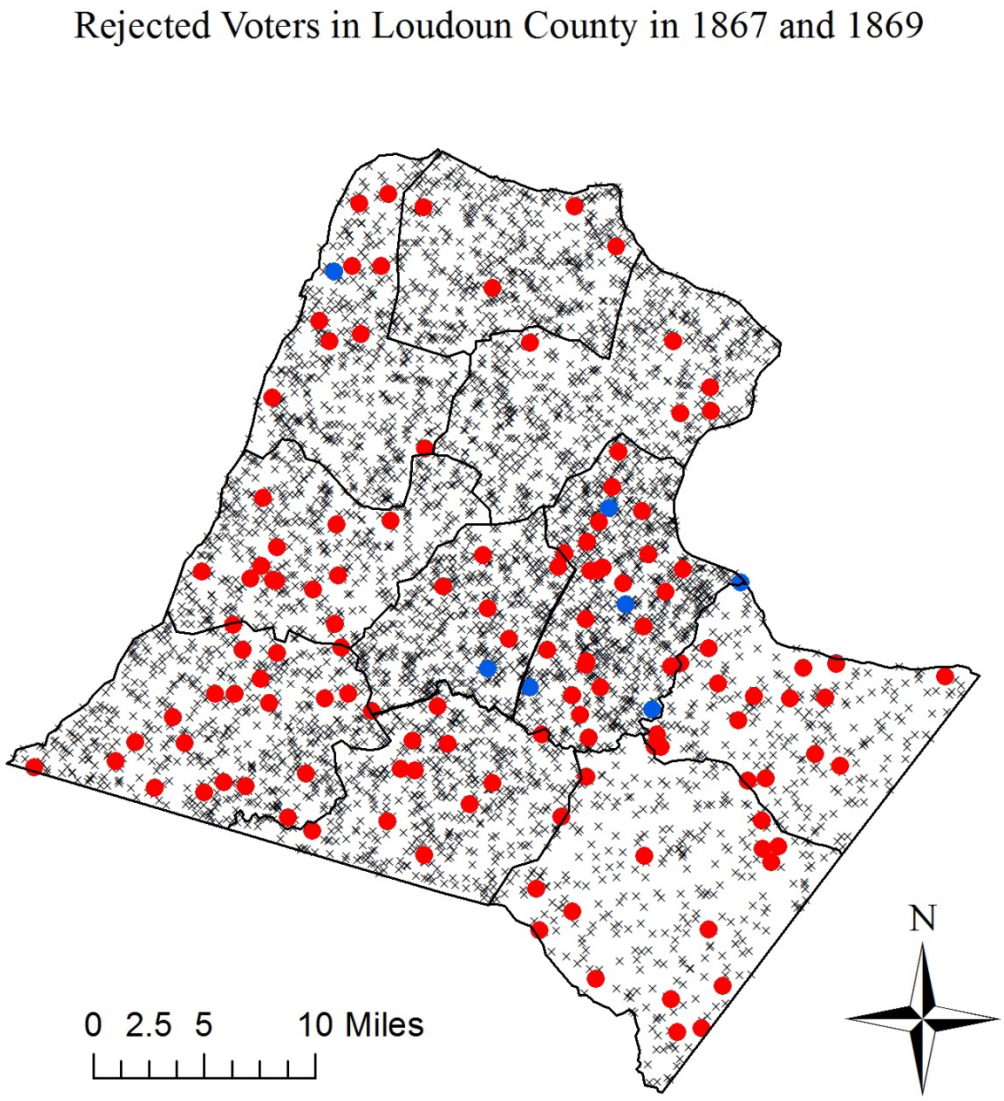
Atlas of Historic County Boundaries; Georgia Department of Transportation; ESRI.

Map #15:



Atlas of Historic County Boundaries; Journal of the House of Commons of the General Assembly of the State of North Carolina at Its Session of 1866 '67 (Raleigh: Wm. E. Pell, 1867); *Journal of the Senate of the General Assembly of the State of North Carolina at Its Session of 1866-'67* (Raleigh: Wm. E. Pell, 1867),

Map #16:

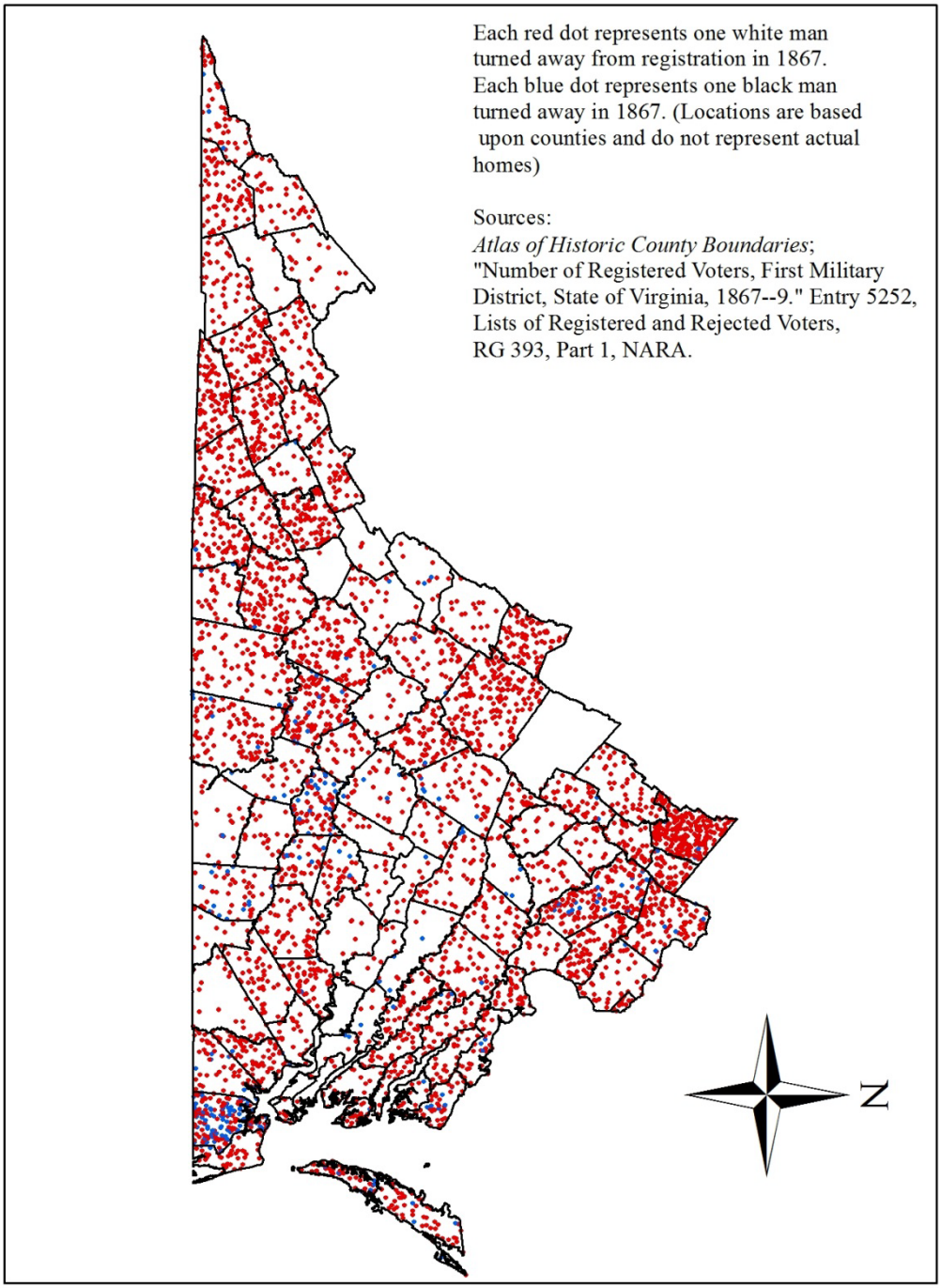


Each dot equates to one rejected applicant to register: red for white and blue for black.
X marks represent accepted voters.
(location is based on polling locations and does not indicate specific residences).

Map produced by author.
Data from "Number of Registered Voters, First Military District, State of Virginia, 1867--9." Entry 5252, Lists of Registered and Rejected Voters, RG 393, Part 1, NARA; Yardley Taylor. "Map of Loudoun County, Virginia." Philadelphia: Thomas Reynolds & Robert Pearsall Smith, 1854. LOC; ESRI; *Atlas of Historic County Boundaries*.

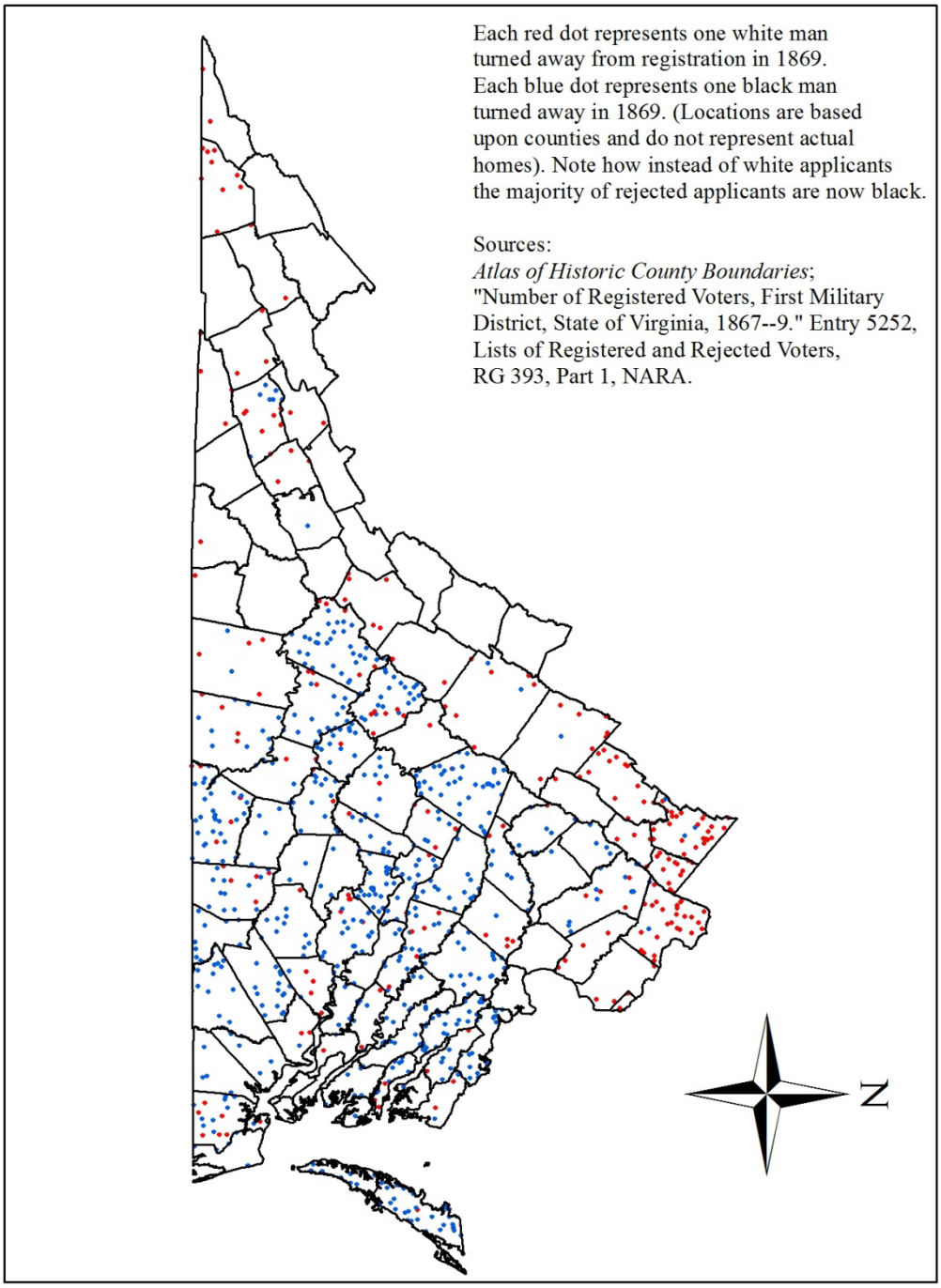
Map #17:

Rejected Voters during 1867 Registration

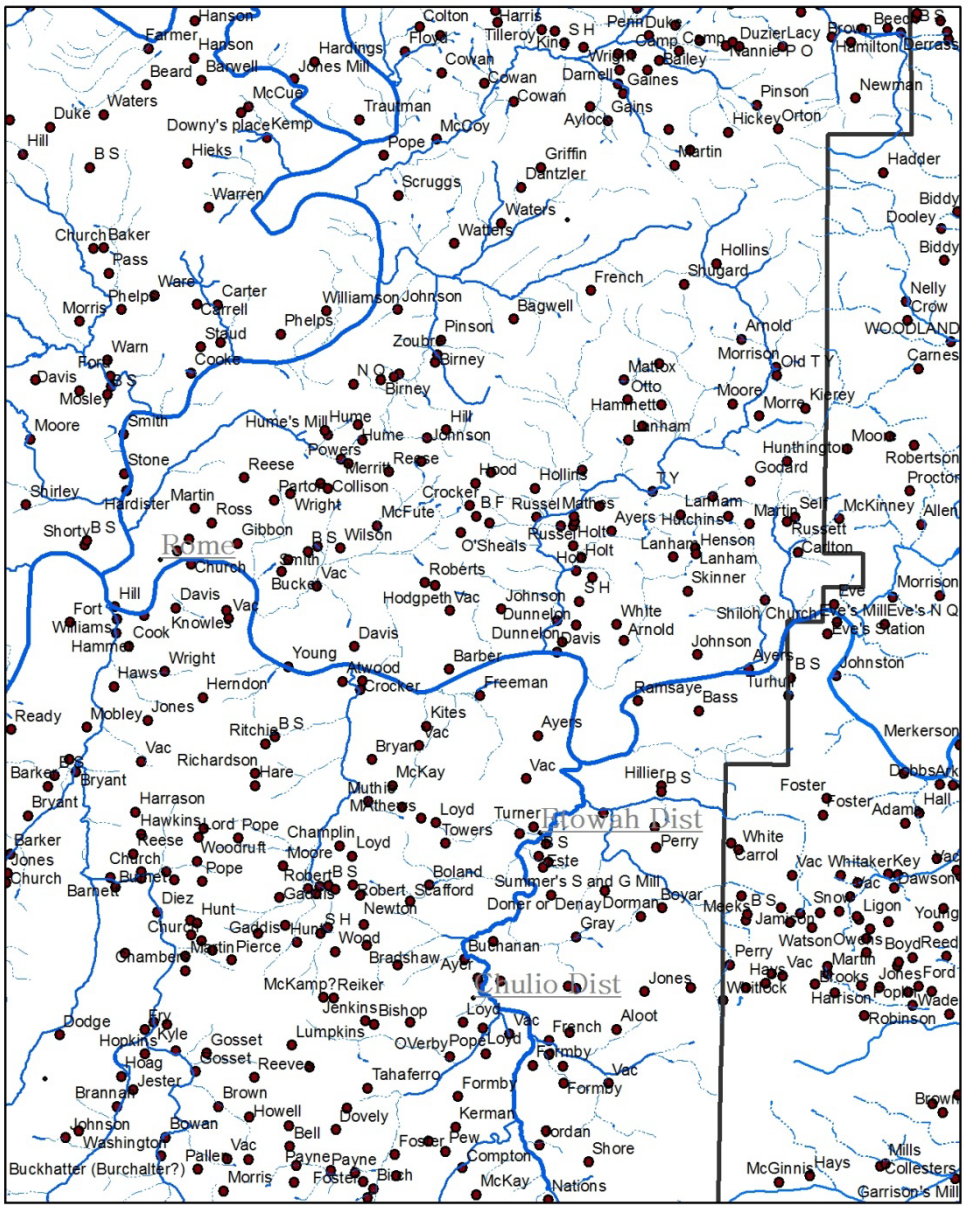


Map #18:

Rejected Voters during 1869 Registration

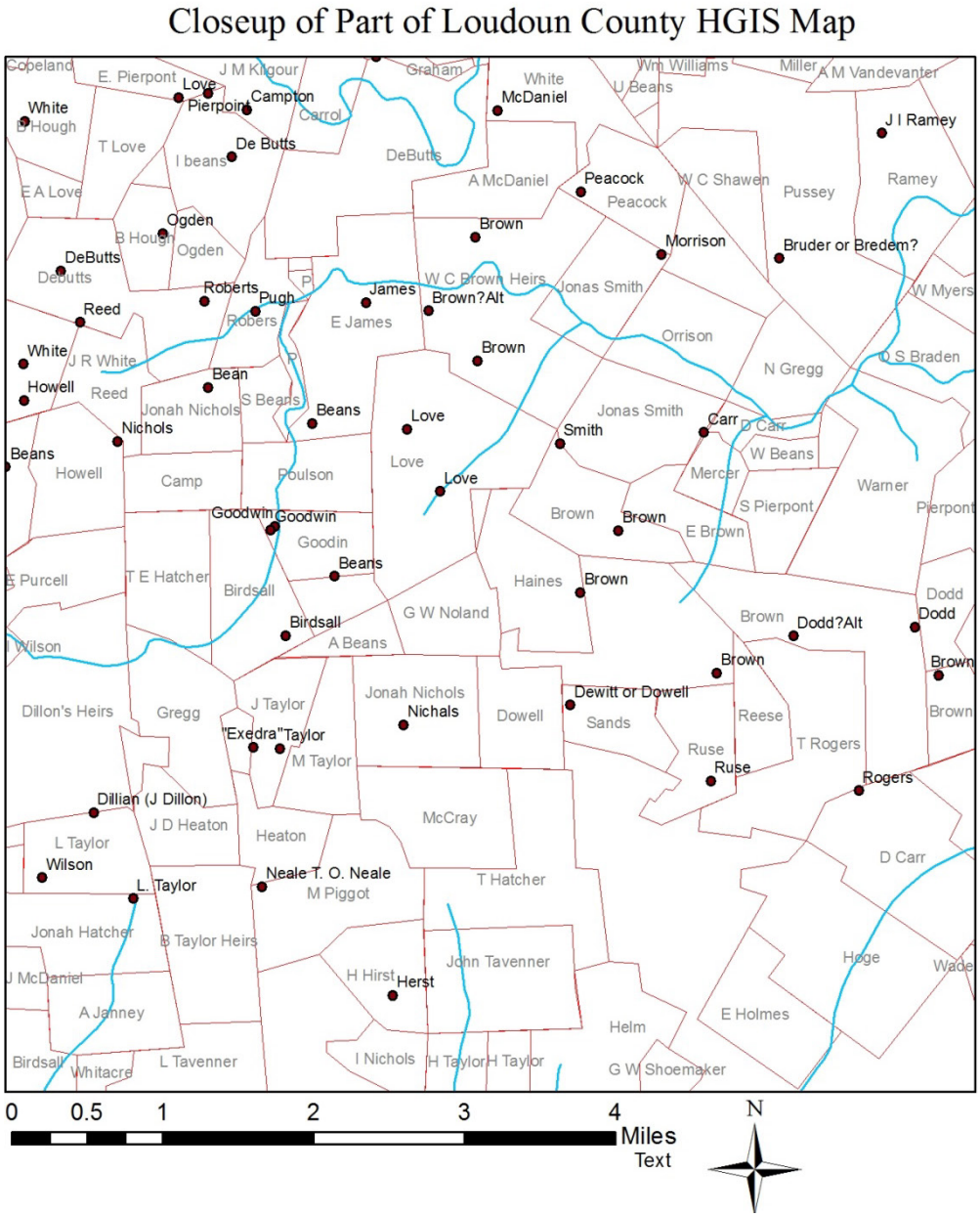


Map #19:



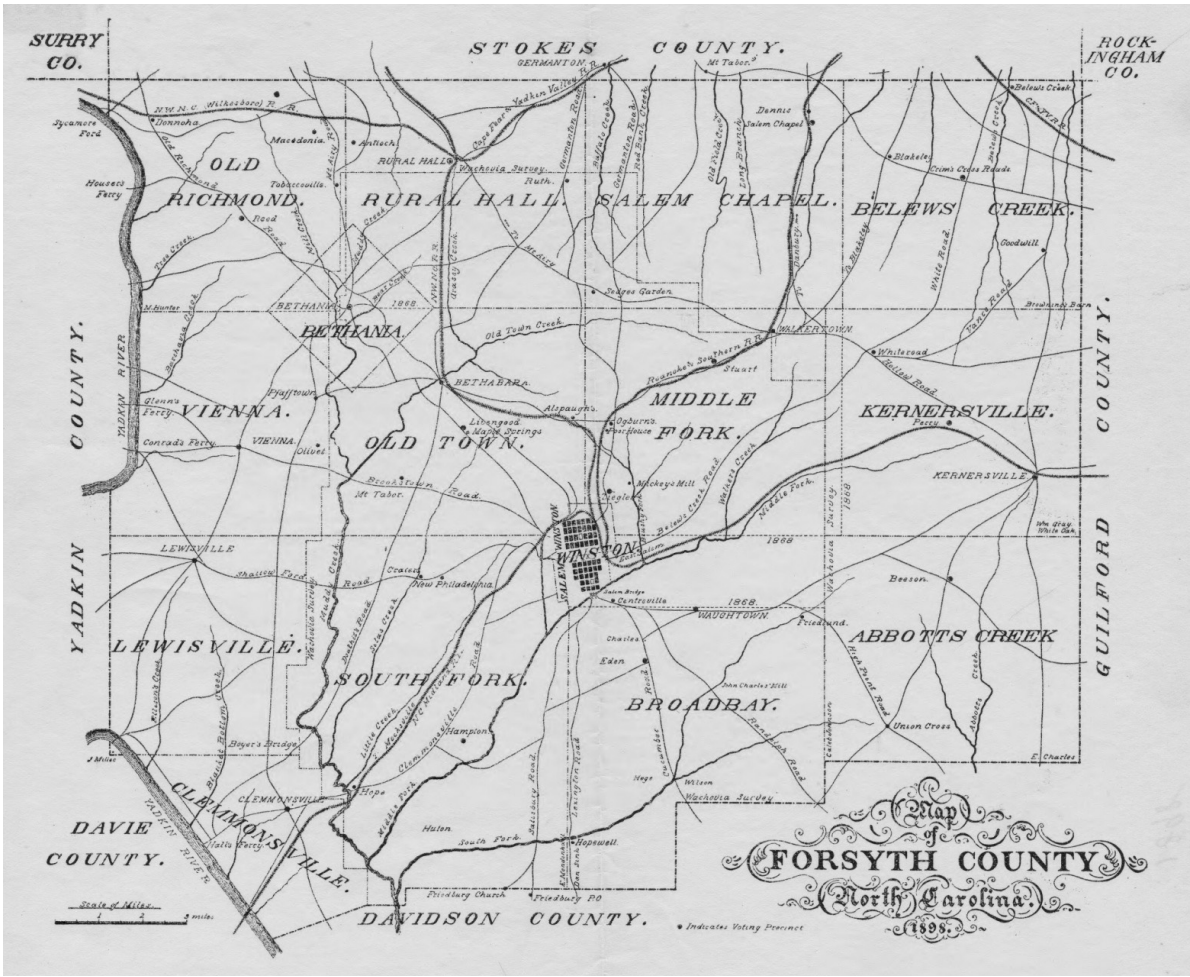
Section of HGIS Map of Floyd and Bartow/Cass Counties

Map #20:



Land Ownership Boundaries based on: Wynne C. Saffer, "Loudoun County Virginia: 1860 Land Tax Maps," TBL; Home Locations Based off: Hotchkiss map collection, LOC; LC Civil War Maps, LOC; Geographic Information from: ESRI; USGS 7.5minute maps;

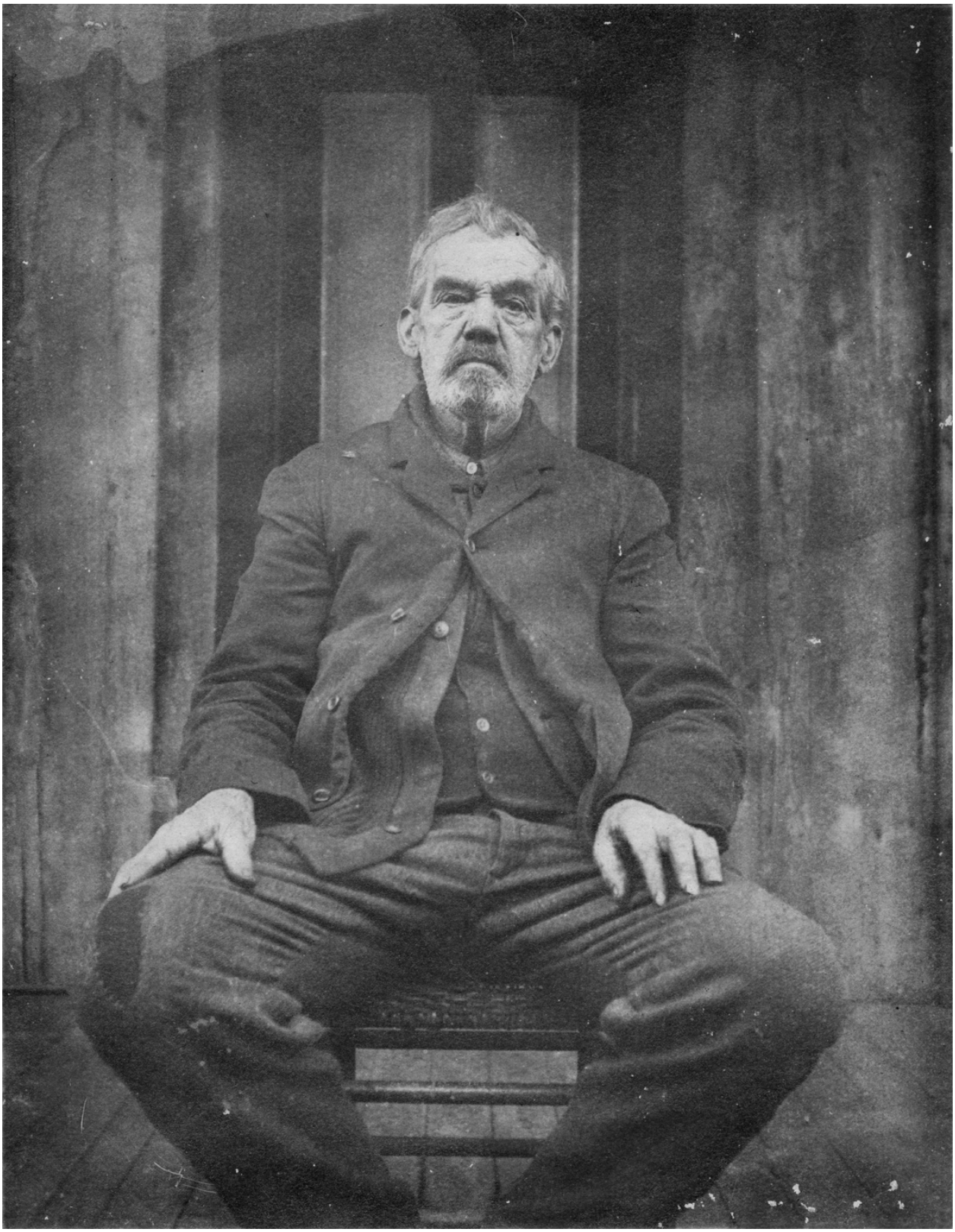
Map #21: Forsyth County Townships



"Map of Forsyth County, North Carolina," 1898. This item is presented courtesy of the North Carolina Collection at the University of North Carolina at Chapel Hill

A Young Reuben E. Wilson
From the Author's Private Collection

Reuben E. Wilson in his Later Years
Confederate Veteran, May 1898, p. 222



Calvin Dial in Later Life
Courtesy of Mary Larson

Bibliography

Primary Sources
Manuscripts

Atlanta History Center, Atlanta GA
Norton-Towers Family Papers
Waddell-Setze-McClatchey Family Papers

Abraham Lincoln Presidential Library, Springfield, IL
John Greenwood Letter

Baker Library Historical Collections, Harvard Business School, Boston, MA
R.G. Dun & Co. Credit Report Volumes

Cartersville Historical Museum, Cartersville, GA
1866-1869 Voter Lists
Cartersville Express
The Weekly Atlanta Intelligencer

Duke, Durham, NC
Benjamin Hedrick Papers
Godfrey Barnsley Papers
Huldah Annie Briant Papers
James C. Zimmerman Papers
Jarrett-Puryear Family Papers
John F. Poindexter Papers

Emory, Atlanta, GA
Confederate Miscellany
Godfrey Barnsley Papers
Robert Battey Papers

Georgia State Archives (GSA), Morrow, GA
1864 Census for Re-Organizing the Georgia Militia
Bartow County Court Records
Chunn/Land Family Papers
Floyd County Court Records
Gordon County Court Records
Governor's Incoming Correspondence
Governor's Outgoing Corrsepondence
Nixon Papers, Microfilm, Northwest Georgia Document Preservation Program, Reel 47.
Norton Papers
Returns of Qualified Voters under the Reconstruction Act
Reconstruction Registration Oath Books

Hargrett Rare Book and Manuscript Library, (UGA), Athens, GA
Cornelius C. Platter Diary
Edwin L.B. Estes letter to W.L.A. Estes
Godfrey Barnsley Papers
Minutes of Freemasons Cassville Lodge 136
Diary of Wesley Olin Connor

Haverford College Quaker and Special Collections, Haverford, PA
Allen and Roberts family papers
Janney Papers
Updegraff Family Papers

Friends Historical Library of Swarthmore College (FHL), Swarthmore, PA
Baltimore Yearly Meeting Records
Fairfax Monthly Meeting Records
Janney Papers
Miscellaneous Manuscripts
Rebecca Williams Diary

Library of Congress (LOC), Washington, DC
George Brinton McClellan papers
Hotchkiss map collection
LC Civil War Maps

Library of Virginia (LVA), Richmond, VA
Davis Family Papers
Executive Papers of Governor Francis Harrison Pierpont, 1865-1868.
John H. Shober Letter
Personal Papers Collection
Stinson P. Everill Letter
Samuel L. Janney Papers

Loudoun County Courthouse, Leesburg, VA
Loudoun County Court Records

Moravian Archives, Winston-Salem, NC
Vogler, E.A. "Map of Forsyth County, North Carolina: Compiled from Surveys of the Land Office, Salem NC and Other Maps," November 1863. The Moravian Archives

National Archives and Records Administration (NARA), Washington DC
Record Groups (RG)
RG 15, Records of the Department of Veterans Affairs
RG 29, Records of the Bureau of the Census
RG 94, Records of the Adjutant General's Office
RG 109, War Department Collection of Confederate Records,
RG 110, Records of the Provost Marshal General's Bureau

RG 123, Records of the United States Court of Claims
RG 153, Records of the Office of the Judge Advocate General
RG 217, Records of the Accounting Officers of the Department of the Treasury
RG 233, Records of the U.S. House of Representatives
RG 393, Records of United States Army Continental Commands, 1821-1920

Selected NARA Microfilm

M258, Compiled Service Records of Confederate Soldiers Who Served in Organizations Raised Directly by the Confederate Government, 1963.

M266, Compiled Service Records of Confederate Soldiers Who Serviced in Organizations From the State of Georgia

M268, Compiled Service Records of Confederate Soldiers Who Served in Organizations from the State of Tennessee, 1960.

M270, Compiled Service Records of Confederate Soldiers Who Served in Organizations from the State of North Carolina, 1960.

M276, Compiled Service Records of Volunteer Union Soldiers Who Served in Organizations From the State of Alabama, 1964.

M311, Compiled Service Records of Confederate Soldiers Who Served in Organizations from the State of Alabama. 1961.

M323, Compiled Service Records of Confederate Soldiers Who Served in Organizations from the State of Texas, 1961.

M324, Compiled Service Records of Confederate Soldiers Who Served in Organizations from the State of Virginia, 1961.

M331, Compiled Service Records of Confederate General[s] and Staff Officers, and Nonregimental Enlisted Men, 1962.

M345, Union Provost Marshals' File of Paper Relating to Individual Civilians, 1967.

M346, Confederate Papers Relating to Citizen or Business Firms, 1982.

M347, Unfiled Papers and Slips Belonging in Confederate Compiled Service Records, 1962.

M384, Compiled Service Records of Volunteer Union Soldiers Who Served in Organizations From the State of Maryland, 1963.

M398, Compiled Service Records of Volunteer Union soldiers who Served in Organizations From the State of Virginia, 1861-1865, 1963.

M401, Compiled Service Records of Volunteer Union Soldiers who Served in Organizations From the State of North Carolina, 1963.

M403, Compiled Service Records of Volunteer Union Soldiers Who Served in Organizations From the State of Georgia, 1962.

M405, Compiled Service Records of Volunteer Union Soldiers who Served in Organizations from the State of Missouri, 1964.

M416, Union Provost Marshal Papers, Two or More Civilians: 1861-1867, 1964.

M432, Seventh Census of the United States, 1850.

M437, Letters to the Confederate Secretary of War, 1965.

M474, Letters Received by the Confederate Adjutant General and Inspector General, 1964.

M522, Letters Sent by Secretary of War, 1964.

M593, Ninth Census of the United States

M598, Selected Records of the War Department Relating to Confederate Prisoners of War, 1861-1865, 1965.

M619, Letters Received by the Office of the Adjutant General, Main Series, 1861-1870, 1965.

M653, Eighth Census of the United States, 1860, 1967.

M797, Case Files of Investigations by Levi C Turner and Lafayette C Baker, 1861-1866, 1970.

M798, Records of the Assistant Commissioner for the State of Georgia, Bureau of Refugees, Freedmen, and Abandoned Lands, 1865-1869, 1969.

M843, Records of the Assistant Commissioner for the State of North Carolina, Bureau of Refugees, Freedmen, and Abandoned Lands, 1865-1870.

M1003, Case Files of Applications from Former Confederates for Presidential Pardons ("Amnesty Papers"), 1865-1867, 1977.

M1017, Compiled Service Records of Former Confederate Soldiers Who Served in the 1st Through 6th U.S. Volunteer Infantry Regiments 1864-1866, 1978.

M1055, Records of the Assistant Commissioner for the District of Columbia Bureau of Refugees, Freedmen, and Abandoned Lands, 1865-1869, 1980.

M1048, Records of the Assistant Commissioner for the State of Virginia, Bureau of Refugees, Freedmen, and Abandoned Lands, 1865-1869, 1988.

M1407, Barred and Disallowed Case Files of the Southern Claims Commission, 1871-1880, 1987.

M1658, Southern Claims Commission Approved Claims: Georgia, 1871-1880, 1992.

M1902, Records of the Field offices for the District of Columbia, Bureau of Refugees, Freedmen, and Abandoned Lands, 1865-1870, 2002.

M1903, Records of the Field Officers for the State of Georgia, Bureau of Refugees, Freedmen, and Abandoned Lands, 1865-1872, RG 105, NARA, 2003.

M1909, Records of the Field Offices for the State of North Carolina, Bureau of Refugees, Freedmen, and Abandoned Lands, 1865-1872, 2004.

M1913, Records of the Field Offices for the State of Virginia, Bureau of Refugees, Freedmen, and Abandoned Lands, 1865-1872, 2006.

M2094, Southern Claims Commission Approved Claims, 1871-1880: Virginia, 2005.

T9, Tenth Census of the United States.

T624, Thirteenth Census of the United States, 1910.

T625, Fourteenth Census of the United States, 1920.

T626, Fifteenth Census of the United States, 1930.

T1137, Copies of Nonpopulation Census Schedules for Georgia, documenting the period 1850 - 1880.

North Carolina Collection (NCC), Chapel Hill, NC
Second Military District Circulars

North Carolina State Archives (NCDAH), Raleigh, NC
Confederate Pension Applications
Forsyth County Court Records
Patterson Papers
Registry of Voters in Davidson County
Rockingham County Court Records
Yadkin County Court Records
Zebulon Baird Vance Papers

Sarah Hightower Regional Library, Rome, GA
Diary of Reuben Norton
Minutes of Rome City Council
Noble Brothers and Co. Papers

Southern Historical Collection (SHC), Chapel Hill, NC
Brower Family Papers
Constantine Alexander Hege Papers
David Miller Carter Papers
Eli W. Mullican Reminiscence
Frank Family Papers
Fries and Shaffner Papers
George Scarborough Barnsley Papers
Jones Family Papers
Joseph Espey Papers
Julian Shakespeare Carr Papers
Mary Noble Papers
S. H. Walkup Papers

Simpson Fouche papers
Wilse Dial Letter
Zebulon Vance Papers

Thomas Balch Library (TBL), Leesburg, VA
Wynne C. Saffer, "Loudoun County Virginia: 1860 Land Tax Maps"
Christian Nisewarner Diary
Donohoe Family Papers
Elizabeth Osborne Carter Diary
Loudoun County Military Records
Taylor Family Papers
Vertical Files

Virginia Historical Society (VHS), Richmond, VA
Charles Fenton James Letters
Debutts Family Papers
Department of Henrico Papers
First Military District Papers
James Montgomery Holloway Papers
Joseph T. Divine Commonplace Book
Loudoun County Court Records
Mott Family Papers
Waterford News
William Henry Tatum Papers

Waterford Foundation Archives (WFA), Waterford, VA
Diaries of Franklin McIntosh Myers
Dutton-Steer Daybook
Elisha Walker Diary and Papers
Mary Frances Dutton Steer papers
Rebecca Williams Journal Excerpts
Sypherd Letter and Family History

West Virginia Department of Culture and History, Charleston, WV
Fayette County Register of Marriages
West Virginia Death Certificates

Selected Newspapers
Alexandria Gazette
Annapolis Gazette
Atlanta Constitution
Atlanta Intelligencer
Augusta Chronicle
Baltimore Sun
Carolina Watchman
Cartersville Express

Charleston Mercury
Charlotte Democrat
Chicago Daily Tribune
Columbus Daily Enquirer
Confederate Veteran
Daily Constitutionalist
Democratic Mirror
Georgia Weekly Opinion
Georgia Weekly Telegraph, Journal & Messenger
Greensboro North State
Greensboro North State
Greensboro Patriot
High Point Enterprise
Loudoun Mirror
Macon Telegraph
Macon Weekly Telegraph
National Republican
New York Times
News and Observer
Northern Christian Advocate
Old North State
People's Press
Raleigh Sentinel
Richmond Dispatch
Richmond Whig
Rome Daily Courier
Rome Tri-Weekly Courier
Rome Weekly Courier
Salem Observer
Salisbury Examiner
Southern Home
The Central
The Weekly Raleigh Register
The Winston-Salem Journal
The Old North State
Union Republican
Washintonian
Weekly Standard
Weekly Cartersville Express
Western Sentinel
Wilmington Journal

Microfilm Collections

Agricultural and manufacturing census records of fifteen southern states for the years 1850, 1860, 1870 and 1880 Agriculture and Manufacturing Census Records. Chapel Hill: The University of North Carolina Library.

Federal Writers' Project of the Works Progress Administration, *A Folk History of Slavery in the United States From Interviews with Former Slaves, 1936–1938*. Library of Congress, Washington, DC, 1941.

Johnson, Andrew. *Andrew Johnson Papers*. Washington : Library of Congress, 1960.

Tourgée, Albion Winegar *Albion Winegar Tourgée papers, 1801-1924*. Cleveland, Ohio : Micro Photo Division, Bell & Howell Company, 1967.

Vance, Zebulon B. *The Papers of Zebulon Vance,* edited by Gordon McKinney and Richard McMurry. University Publications of America, 1987.

Online Primary Sources

Williams, William, "An Account of William Williams Taken Hostage by the Confederates in 1863." *The History of Waterford, Virginia: A National Historic Landmark.* Accessed April 29, 2014. http://www.waterfordhistory.org/history/waterford-williams-williams-hostage.htm .

Digital Library of Georgia, *Georgia Historical Newspapers,* Accessed December 5, 2014. http://dlg.galileo.usg.edu/MediaTypes/Newspapers.html?Welcome

The Freedmen's Bureau Online. Accessed July 31, 2014. http://www.freedmensbureau.com/

Selected Subscription Based Online Collections

Fold3.com (formerly Footnote.com)
Ancestry.com
Newspapers.com
Genelogybank.com
Gale 19th-Century U.S. Newspapers
ProQuest Congressional
ProQuest Historic Newspapers

Databases and Datasets Used

Historical Data Systems, Inc. *American Civil War Research Database.* Alexandria, VA: Alexander Stress Press.

National Park Service. *Civil War Soldiers and Sailors Database*, http://www.nps.gov/civilwar/soldiers-and-sailors-database.htm

Inter-university Consortium for Political and Social Research. *United States Historical Election Returns, 1824-1968* [Computer File]. ICPSR00001-v3. Ann Arbor, MI: Inter-university Consortium for Political and Social Research [distributor], 1999-04-26. http://doi.org/10.3886/ICPSR00001.v3

Call, Maia Averyl and Adam Domby, "Civil War Soldiers of Forsyth County, North Carolina."

Siczewicz, Peter. *U.S. Historical Counties*. Dataset. Emily Kelley, digital comp. *Atlas of Historical County Boundaries*, ed. by John H. Long. Chicago: The Newberry Library, 2011. Available online from http://publications.newberry.org/ahcbp.

Minnesota Population Center. *National Historical Geographic Information System: Version 2.0*. Minneapolis, MN: University of Minnesota, 2011 accessed at http://www.nhgis.org).

Published Primary Sources

Acts of The General Assembly of the State of Georgia, Passed in Milledgeville, at an Annual Session in December 1865, and January, February, and March 1866. Milledgeville, GA: Boughton, Nisbet, Barnes & Moore, 1866.

Acts of the General Assembly of the State of Virginia: Passed in 1866-67, in the Ninety-First Year of the Commonwealth. Richmond: James E. Goode, Printer, 1867.

Akin, Warren. *Letters of Warren Akin, Confederate Congressman*. Edited by Bell Irvin Wiley. Paperback Edition. Athens, Ga: University of Georgia Press, 2010.

Bierce, Ambrose. *The Collected Works of Ambrose Bierce*. Vol. 1. Neale Publishing Company, 1909.

Bradley, Stephen, ed. *North Carolina Confederate Militia Officers Roster: As Contained in the Adjutant-General's Officers Roster*. Wilmington, NC: Broadfoot Pub. Co., 1992.

Candler, Allen D. *The Confederate Records of the States Georgia: Compiled and Published under the Authority of The Legislature by Allen D. Candler, A. M., LL. D.,* Vol. VI. Atlanta GA: Chas. P. Byrd, State Printer, 1911.

Chamberlin, Taylor, John Souders, and Bronwen Souders, eds., *The Waterford News : An Underground Union Newspaper Published by Three Quaker Maidens in Confederate Virginia, 1864-1865*. Waterford, VA: Waterford Foundation, 1999.

Crews, C. Daniel, and Lisa D Bailey, eds. *Records of the Moravians in North Carolina: 1856-1866*. Vol. XII. Raleigh: Division of Archives and History, North Carolina Department of Cultural History, 2000.

The Constitution of the State of North Carolina Annotated. Raleigh, NC: Office of the Secretary of State, 1921.

Cornell, Nancy J. *1864 Census for Re-Organizing the Georgia Militia*. Baltimore: Genealogical Publishing Co., 2000.

Dulany, Ida Powell. *In the Shadow of the Enemy: The Civil War Journal of Ida Powell Dulany*. Knoxville: University of Tennessee Press, 2009.

———. , eds. *Records of the Moravians in North Carolina: 1867-1876*. Vol. XIII. Raleigh: Division of Archives and History, North Carolina Department of Cultural History, 2006.

Forsyth County Genealogical Society, and United States Census Office. *The 1860 Federal Census and Supplementary Schedules of Forsyth County, North Carolina*. Winston-Salem, NC: Forsyth County Genealogical Society, 1988.

The General Assembly of North Carolina. *Public Laws and Resolutions of the State of North Carolina Passed by the General Assembly*, Raleigh: Mitchell Printing Company, 1921.

Georgia Constitutional Convention. *Journal of the Proceedings of the Constitutional Convention of the People of Georgia: Held in the City of Atlanta in the Months of December, 1867, and January, February and March, 1868, and Ordinances and Resolutions Adopted*. Augusta, GA: E.H. Pughe, Book and Job Printer, 1868.

Goodhart, Briscoe. *History of the Independent Loudoun Virginia Rangers. U.S. Vol. Cav. (scouts) 1862-65*. Washington, D.C.: Press of McGill & Wallace, 1896.

Grant, Ulysses S. *Message of the President of the United States, Communicating, in Compliance with a Resolution of the Senate of December 9, 1869, Information Relating to the Action Which Has Been Had in the District of Virginia Under the Act "Authorizing the Submission of The Constitutions of Virginia, Mississippi, and Texas to a Vote of the People, and Authorizing the Election of State Officers Provided by the Said Constitutions, and Members of Congress*. Executive Document No. 13. 41st Congress, 2nd Session, January 10, 1870.

Hamilton, Kenneth G., ed. *Records of the Moravians in North Carolina: 1862-1879*. Vol. XI. Raleigh: Division of Archives and History, North Carolina Department of Cultural History, 1969.

Holden, William Woods. *Third Annual Message of W.W. Holden, Governor of North Carolina*. Raleigh, NC: Jo. W. Holden, 1870.

Hosen, Frederick, ed. *Federal Laws of the Reconstruction: Principal Congressional Acts and Resolutions, Presidential Proclamations, Speeches and Orders, and Other Legislative and Military Documents, 1862-1875*. Jefferson, NC: McFarland & Co., 2010.

Howard, Francis Thomas *In and Out of the Lines: An Account of the Incidents During the Occupation of Georgia by Federal Troops*. Washington: Neale Publishing Company, 1905.

Hubert, Charles F. *History of the Fiftieth Regiment, Illinois Volunteer Infantry in the War for the Union*. Kansas City, Mo.: Western Veteran Publishing Company, 1894.

Johnson, Andrew. *The Papers of Andrew Johnson : February-July 1866*. Edited by Paul H. Bergeron. Knoxville: University of Tennessee Press, 1992.

Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States, *Testimony Taken by the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States*. Vol. Georgia: Volume I. Washington, D.C.: Government Printing Office, 1872

Joint Committee on Reconstruction. *Report of the Joint Committee on Reconstruction at the First Session Thirty-Ninth Congress*. Washington: Government Printing Office, 1866.

———. *Report of the Joint Committee on Reconstruction at the First Session Thirty-Ninth Congress, Part II, Virginia North Carolina, South Carolina*. Washington: Government Printing Office, 1866.

Journal of the Constitutional Convention of the State of North-Carolina at Its Session 1868.

Raleigh: Joseph W. Holden, Convention Printer, 1868.

Journal of the House of Commons of the General Assembly of the State of North Carolina at Its Session of 1866 '67. Raleigh: Wm. E. Pell, 1867.

Journal of the House of Representatives of the General Assembly of the State of North Carolina at its Session of 1868. Raleigh: N. Paige, Printer to the State, 1868.

Kellogg, John Azor *Capture and Escape: A Narrative of Army and Prison Life*. Wisconsin History Commission, 1908.

Kennedy, Joseph C. G. *Agriculture of the United States in 1860: Compiled from the Original Returns of the Eighth Census, Under the Direction of the Secretary of Interior*. Washington: Government Printing Office, 1864.

———. *Population of the United States in 1860; Compiled from the Original Returns of the Eighth Census, Under the Direction of the Secretary of the Interior*. U.S. Government Printing Office, 1864.

———. *Preliminary Report of the Eighth Census, 1860*. Washington: Government Printing Office, 1862.

Miller, Calvin. "Map of Forsyth County, N.C." Salisbury, NC: [C.M. Miller], 1907.

Methodist Episcopal Church General Conference, *Journal of the General Conference of the Methodist Episcopal Church, held in Cincinnati, Ohio, May 1-28, 1880*. New York: Phillips & Hunt, 1880.

The Militia Law of Virginia: Published Pursuant to Act of March 2, 1858. Richmond: Ritchie and Dunnavant, 1858.

Morehead, John Motley. *H. Res.* 470: *Resolution*. House of Representatives, 61st Congress, 2nd Session. February 28, 1910.

Myers, Frank M. *The Comanches: A History of White's Battalion, Virginia Cavalry, Laurel Brig., Hampton Div., A.N.V., C.S.A.* Baltimore: Kelly, Piet and Co., 1871.

Phillips, S. F. *North Carolina Reports: Cases Argued and Determined in the Supreme Court of North Carolina, June Term 1868, Jan. Term 1869, and June Term 1869*. Vol. LXIII. Raleigh: Nichols & Gorman, Book and Job Printers, 1869.

Public Laws of the State of North-Carolina, Passed by the General Assembly, at the Sessions of 1866 '67. Raleigh: Wm. E. Pell, 1867.

Roe, Lewis. *From Western Deserts to Carolina Swamps: A Civil War Soldier's Journals and Letters Home*. Edited by John P. Wilson. Albuquerque: University of New Mexico Press, 2012.

Samuel, William H. *The Debates and Proceedings of the Constitutional Convention of the State of Virginia*. Richmond: Printed at the Office of the New Nation, 1868.

Seddon, James A. *Communication from the Secretary of War, [enclosing a List of the Civilian Prisoners in Custody at Salisbury, North Carolina, Under Military Authority]*. Richmond, VA, 1863.

Senate Committee on Education and Labor. *Report of the Committee of the Senate Upon the Relations between Labor and Capital and Testimony Taken by the Committee*. Vol. IV. Washington: Government Printing Office, 1885.

Sheibley, P. M. *Relief from Political Disabilities : Preamble and Resolution of the Constitutional Convention of Georgia, Asking Congress to Remove Political Disabilities from All Citizens of Georgia*. House Select Committee on Reconstruction, April 4, 1868.

Shotwell, Randolph Abbott. *The Papers of Randolph Abbott Shotwell*. Vol. 3. The North Carolina Historical Commission, 1929.

Stevens, Thaddeus. *The Selected Papers of Thaddeus Stevens: Volume 2: April 1865 - August 1868*. Edited by Holly Byers Ochoa and Beverly Wilson Palmer. Vol. 2. Pittsburgh, PA: University of Pittsburgh Press, 1998.

Yardley Taylor. "Map of Loudoun County, Virginia." Philadelphia: Thomas Reynolds & Robert Pearsall Smith, 1854.

Testimony Taken by the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States. Vol. Georgia: Volume I. Washington, D.C.: Government Printing Office, 1872.

Testimony Taken by the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States. Vol. Georgia, Volume II. Washington, D.C.: Government Printing Office, 1872.

Rituals of the First and Second Degrees, Heroes and United Heroes of America. Charleston, WV: Moore and Brother, Printers, 1864.

Union League of America. *Ritual, Constitution and By-Laws of the National Council, U.L. of A., Together with All Necessary Information for the Complete Working of Subordinate Councils*. Washington: Great Republic Office, 1867.

United States Census Office. *Ninth Census of the United States: Statistics of Population: Tables I to VIII Inclusive.* Washington: Government Printing Office, 1872.

United States House of Representatives, *House Report 632, Report to Accompany H. Res. No 470*. House of Representatives, 61st Congress, 2nd Session, February 28, 1910.

United States War Department, *Murder of Union Soldiers in North Carolina*. 39th Congress, 1st Session, House of Representatives, Executive Document No. 98, Washington: Government Printing Office, 1866.

Virginia Supreme Court of Appeals. *Cases Decided in the Supreme Court of Appeals of Virginia*. Richmond: R. F. Walker, Superintendent Public Printing, 1880.

United States War Department. *War of the Rebellion: Official Records of the Union and Confederate Armies*. 128 vols. Washington, DC: Government Printing Office, 1880-1901

"Wards, Apprenticed Children, Intestates and Testators Found in Vol I Forsyth County Court of Pleas and Quarter Sessions." *The Forsyth County Genealogical Society Journal* IX, no. 4 (Summer 1991): 36.

"Widows Entitled to Forsyth County Pensions." *The Forsyth County Genealogical Society Journal,* 23, no. 2 (Winter 2005): 134–35.

Williamson, James J. *Prison Life in the Old Capitol and Reminiscences of the Civil War*. West Orange, NJ, 1911.

The World Almanac & Book of Facts. New York: Newspaper Enterprise Association, 1902.

Worth, Jonathan. *The Correspondence of Jonathan Worth*. Edited by Joseph Grégoire de Roulhac Hamilton. Vol. 2. Raleigh: Edwards & Broughton Printing Co., 1909.

Secondary Sources

Online Secondary Sources

Mapping the Republic of Letters: Exploring Correspondence and Intellectual Community in the Early Modern Period (1500–1800). Accessed November 23, 2011. https://republicofletters.stanford.edu/

"Moran, Faye Jarvis. *Jarvis Family and Other Relatives*. Accessed December 2, 2014. http://www.fmoran.com/.

Articles

Alexander, M.C., and J.A. Danowski. "Analysis of an Ancient Network: Personal Communication and the Study of Social Structure in a Past Society." *Social Networks* 12, no. 4 (1990): 313–35.

Auman, William T., and David D. Scarboro. "The Heroes of America in Civil War North Carolina." *North Carolina Historical Review* 58, no. 4 (1981): 327–63.

———. "Johnson, John Lewis." *NCpedia*, 1988. http://ncpedia.org/biography/johnson-john-lewis.

Berry, Stephen. "Forum: The Future of Civil War Era Studies." *The Journal of the Civil War Era* 2, no. 1 (March 2012).

Bynum, Victoria. "'War within a War': Women's Participation in the Revolt of the North Carolina Piedmont, 1863-1865." *Frontiers: A Journal of Women Studies* 9, no. 3 (1987): 43–49.

Cason, Roberta F. "The Loyal League in Georgia." *The Georgia Historical Quarterly* 20, no. 2 (June 1, 1936): 125–53.

Crow, Jeffery J. “Thomas Settle Jr., Reconstruction, and the Memory of the Civil War.” *The Journal of Southern History* 62, no. 4 (1996): 689–726.

Davis, Robert Scott “The Curious Civil War Career of James George Brown.” *Prologue*, Spring 1994, 16–31.

Desmarais, Bruce A., Vincent G. Moscardelli, Brian F. Schaffner, and Michael S. Kowal. “Measuring Legislative Collaboration: The Senate Press Events Network.” *Social Networks* 40 (January 2015): 43–54.

Dixon, David T. “Enemy on the Home Front: A Georgia Plantation Owner Works Against the Confederacy.” *Georgia Backroads*, Summer 2011, 38–43.

———. “ ’Til Secession Do Us Part.” *Georgia Backroads*, Summer 2012, 14–18.

———. “To Laugh in One Hand and Cry in the Other : W.B. Higginbotham and the Black Community in Civil War Rome.” *Georgia Backroads*, Winter 2011, 14–19.

Escott, Paul D. “Joseph E. Brown, Jefferson Davis, and the Problem of Poverty in the Confederacy.” *The Georgia Historical Quarterly* 61, no. 1 (April 1, 1977): 59–71.

Feimster, Crystal Nicole. “General Benjamin Butler & the Threat of Sexual Violence During the American Civil War.” *Daedalus* 138, no. 2 (Spring 2009): 126–34.

Fleming, Walter L. “The Formation of the Union League in Alabama.” *The Gulf States Historical Magazine* 2, no. 2 (September 1903): 73–89.

Hamilton, J. G. de Roulhac. “The Union League in North Carolina.” *Sewanee Review* 20 (1912): 485.

Harper, Houston R. *The Revenge of John Pryor: True and Thrilling Story of the Life of a Noted North Georgian*, 1897.

Heidler, Richard, Markus Gamper, Andreas Herz, and Florian Eßer. “Relationship Patterns in the 19th Century: The Friendship Network in a German Boys’ School Class from 1880 to 1881 Revisited.” *Social Networks* 37 (May 2014): 1–13.

Herz, Andreas. “Relational Constitution of Social Support in Migrants’ Transnational Personal Communities.” *Social Networks* 40 (January 2015): 64–74.

Hume, Richard L. “The Membership of the Virginia Constitutional Convention of 1867-1868: A Study of the Beginnings of Congressional Reconstruction in the Upper South.” *The Virginia Magazine of History and Biography* 86, no. 4 (October 1978): 461–84.

Johnson, Michael P. “A New Look at the Popular Vote For Delegates to the Georgia Secession Convention.” *Georgia Historical Quarterly* 56, no. 2 (July 1972): 259–75..

Kestler, Francis Y. “Amos Yokley.” *The Heritage of Davidson County, 1982.* North Carolina Genealogical Society of Davidson County, 639–40. Lexington, N.C.: Genealogical Society of Davidson County, 1982.

Lemercier, Claire. "Formal Network Methods in History: Why and How?" *Hyper Article En Ligne-Sciences de l'Homme et de La Société*, 2009. http://halshs.archives-ouvertes.fr/docs/00/52/15/27/PDF/lemercier_rural_networks.pdf.

Massey, Mary Elizabeth. "Southern Refugee Life During the Civil War." *The North Carolina Historical Review* XX, no. 1 (January 1943): 1–21.

———. "Southern Refugee Life During the Civil War." *The North Carolina Historical Review* XX, no. 2 (April 1943): 132–56.

Morefield, Betty. "The Freedmen's Bureau in Loudoun County, Virginia: Getting Started June 1865-March 1866." *The Bulletin of the Loudoun County Historical Society*, 2007, 36–72.

Myers, Barton A. "The Future of Civil War Era Studies: Military History." *The Journal of the Civil War Era* 2, no. 1 (March 2012).

King-Owen, Scott. "Conditional Confederates: Absenteeism Among Western North Carolina Soldiers, 1861-1865," *Civil War History* 57 (2011): 349–379.

Parigi, Paolo, and Laura Sartori. "The Political Party as a Network of Cleavages: Disclosing the Inner Structure of Italian Political Parties in the Seventies." *Social Networks* 36 (January 2014): 54–65.

Ramirez, Sebastian, Puneet Dwivedi, Adrian Ghilardi, and Robert Bailis. "Diffusion of Non-Traditional Cookstoves Across Western Honduras: A Social Network Analysis." *Energy Policy* 66 (March 2014): 379–89.

Russ, William A. "Radical Disfranchisement in Georgia, 1867-71." *Georgia Historical Quarterly* 19, no. 3 (September 1, 1935): 175.

———. "Radical Disfranchisement in North Carolina, 1867-1868." *The North Carolina Historical Review* 11, no. 4 (October 1934): 271–83.

———. "Registration and Disfranchisement Under Radical Reconstruction." *The Mississippi Valley Historical Review* 21, no. 2 (September 1934): 163–80.

Sargent, Gordon D. "Bloody Legacy in Polk: A Frontier Family and Some Prior Commitments." *North Georgia Journal*, Summer 1995, 36–43.

———. "Hubbard Pryor and the US Civil War." *North Georgia Journal*, Spring 1999, 32–34.

Towles, Louis P. "Union League." *NCpedia*, 2006. http://ncpedia.org/union-league.

Williard, David. "'Vengeance Is Mine, I Will Repay': Desertion, Killing, and Judgment in North Carolina's Western Piedmont, 1865-1866." *Journal of the Civil War Era* 2, no. 1 (March 2012): 31–57.

Book Chapters

Armitage, David. "'Secession and Civil War.'" In *Secession as an International Phenomenon: From America's Civil War to Contemporary Separatist Movements*, edited by Don Harrison Doyle. Athens: University of Georgia Press, 2010.

Brown, David. "North Carolinian Ambivalence: Rethinking Loyalty and Disaffection in the Civil War Piedmont." In *North Carolinians in the Era of the Civil War and Reconstruction*, edited by Paul D. Escott, 7–36. Chapel Hill: University of North Carolina Press, 2008.

Bynum, Victoria E. "Occupied at Home: Women Confront Confederate Forces in North Carolina's Quaker Belt." In *Occupied Women: Gender, Military Occupation, and the American Civil War*, edited by Alecia P. Long and LeeAnn Whites, 155–70. Baton Rouge: Louisiana State University Press, 2009.

Nash, Steven E. "The Immortal Vance: The Political Commemoration of North Carolina's War Governor." In *North Carolinians in the Era of the Civil War and Reconstruction*, edited by Paul D. Escott, 269–94. Chapel Hill: University of North Carolina Press, 2008.

Russell, Thomas D. "Slave Auctions on the Courthouse Steps: Court Sales of Slaves in Antebellum South Carolina." In *Slavery & the Law*, edited by Paul Finkelman, 329–264. Madison, Wis.: Madison House, 1997.

Dissertations and Theses

Appell, Stephen. "The Fight for the Constitutional Convention: The Development of Political Parties in North Carolina During 1867." M.A., University of North Carolina at Chapel Hill, 1969.

Auman, William T. "Neighbor Against Neighbor: The Inner Civil War in the Central Counties of Confederate North Carolina." Ph.D., University of North Carolina at Chapel Hill, 1988.

Byron, Matthew A. "Crime and Punishment: The Impotency of Dueling Laws in the United States." Ph.D., University of Arkansas, 2008.

Call, Maia Averyl. "A Rebel With A Cause: An exploration of the relationship between Confederate desertion and various socio-demographic variables, focusing on Forsyth County, NC." Honors Essay, University of North Carolina at Chapel Hill, 2012.

Domby, Adam. "'Loyal to the Core from the First to the Last:' Remembering the Inner Civil War of Forsyth County, North Carolina, 1862-1876." M.A., University of North Carolina at Chapel Hill, 2011.

Drumm, Austin. "The Union League in the Carolinas." Ph.D., University of North Carolina at Chapel Hill, 1955.

Fennessy, Brian K. "The Re-Construction of Memory and Loyalty in North Carolina, 1865-1880." M.A., University of North Carolina at Chapel Hill, 2014.

Gassman, Wade Banister. "A History of Rome and Floyd County, Georgia, in the Civil War." M.A., Emory University, 1966.

Hebert, Keith Scott. "Civil War and Reconstruction Era Cass/Bartow County, Georgia." Ph.D. Disertation, Auburn University, 2007.

Lancaster, James. "The Scalawags of North Carolina, 1850-1868." Ph.D., Princeton University, 1974.

Lee, Susanna Michele. "Claiming the Union: Stories of Loyalty in the Post-Civil War South." Ph.D., University of Virginia, 2005.

Mangus, Michael Stuart. "'The Debatable Land': Loudoun and Fauquier Counties, Virginia, during the Civil War Era." Ph.D., The Ohio State University, 1998.

Murphree, Ridgeway Boyd. "Rebel Sovereigns: The Civil War Leadership of Governors John Milton of Florida and Joseph E. Brown of Georgia, 1861--1865." Ph.D., The Florida State University, 2006.

Myers, Barton A. "'Rebels Against a Rebellion' Southern Unionists in Secession, War and Remembrance." Ph.D., University of Georgia, 2009.

Owens, Susie Lee. "The Union League of America: Political Activities in Tennessee, the Carolinas, and Virginia, 1865–1870." Ph.D. Disertation, New York University, 1947.

Proctor, Bradley David. "The Reconstruction of White Supremacy: The Ku Klux Klan in Piedmont North Carolina, 1868 to 1872." M.A., University of North Carolina at Chapel Hill, 2009.

Scarboro III, David D. "An Honorable Peace: The Peace Movement in Civil War North Carolina." Ph.D., Trinity College, 1981.

Silvestro, Clement Mario. "None but Patriots: The Union Leagues in Civil War and Reconstruction." Ph.D., The University of Wisconsin, 1959.

Smith, Judith Connor "A Redeemer as Republican: William B. Rodman at the North Carolina Constitutional Convention of 1868." M.A., East Carolina University, 1987.

Sternhell, Yael A. "Revolution in Motion: Human Mobility and the Transformation of the South, 1861-1865." Ph.D., Princeton University, 2008.

Books

Alexander, Gregory S. *Commodity & Propriety: Competing Visions of Property in American Legal Thought, 1776-1970*. Chicago: University of Chicago Press, 2008.

Ansley Herring Wegner. *Phantom Pain: North Carolina's Artificial-Limbs Program for Confederate Veterans: Including an Index to Records in the North Carolina State Archives Related to Artificial Limbs for Confederate Veterans*. Raleigh: Office of Archives and History, North Carolina Department of Cultural Resources, 2004.

Ash, Stephen. *When the Yankees Came: Conflict and Chaos in the Occupied South, 1861-1865*. Chapel Hill: University of North Carolina Press, 1995.

Auman, William. *Civil War in the North Carolina Quaker Belt: The Confederate Campaign Against Peace Agitators, Deserters and Draft Dodgers*. Jefferson, NC: McFarland & Company, Inc., 2014.

Ballard, Ted. *Battle of Ball's Bluff*. Washington, DC: US Army Center of Military History, 2001.

Battey, George Magruder. *A History of Rome and Floyd County, State of Georgia, United States of America: Including Numerous Incidents of More Than Local Interest, 1540-1922*. Atlanta: The Webb and Vary Company, 1922

Berry, Stephen William. *All That Makes a Man: Love and Ambition in the Civil War South*. New York: Oxford University Press, 2003.

Blight, David W. *Beyond the Battlefield: Race, Memory & the American Civil War*. Amherst: University of Massachusetts Press, 2002.

———. *Race and Reunion: The Civil War in American Memory*. Cambridge, MA: Belknap Press of Harvard University Press, 2001.

Blum, Edward J. *Reforging the White Republic: Race, Religion, and American Nationalism, 1865-1898*. Baton Rouge: Louisiana State University Press, 2005.

Bower, Jennifer Bean. *Winston & Salem: Tales of Murder, Mystery, and Mayhem*. Charleston, SC: The History Press, 2007.

Browning, Judkin. *Shifting Loyalties: The Union Occupation of Eastern North Carolina*. Chapel Hill: University of North Carolina Press, 2011.

Brumfield, Lewis. *Wouldn't You Like to Have Known Them?*. Yadkinville, NC: L.S. Brumfield, 1992.

Bryan, T. Conn. *Confederate Georgia.* Athens: University of Georgia Press, 1953.

Buck, Paul Herman. *The Road to Reunion, 1865-1900*. 1st Vintage ed. New York: Vintage Books, 1959.

Burke, Diane, and Jonathan Halperin Earle, eds. *Bleeding Kansas, Bleeding Missouri: The Long Civil War on the Border*. Lawrence: University Press of Kansas, 2013.

Bynum, Victoria E. *The Free State of Jones: Mississippi's Longest Civil War*. Chapel Hill: University of North Carolina Press, 2001.

———. *The Long Shadow of the Civil War: Southern Dissent and Its Legacies*. Chapel Hill: University of North Carolina Press, 2010.

Carolan, Brian V. *Social Network Analysis and Education: Theory, Methods & Applications,* Thousand Oaks, CA: SAGE, 2013,

Casstevens, Frances Harding. *Tales from the North and the South: Twenty-Four Remarkable People and Events of the Civil War*. Jefferson, NC: McFarland & Co., 2007.

———.*The Civil War and Yadkin County, North Carolina: A History: With Contemporary Photographs and Letters*. Jefferson, NC: McFarland & Co., Inc., Publishers, 1997.

———. *George W. Alexander and Castle Thunder: A Confederate Prison and Its Commandant*. Jefferson, NC: McFarland & Co., 2004.

Chamberlin, Taylor. *Where Did They Stand?: The May 1861 Vote on Secession in Loudoun County, Virginia, and Post-War Claims Against the Government*. Waterford, VA: Waterford Foundation, 2003.

Chamberlin, Taylor, and James D. Peshek. *Crossing the Line: Civilian Trade and Travel Between Loudoun County, Virginia, and Maryland During the Civil War*. Waterford, VA: Waterford Foundation, 2002.

Clarke, Mary Bayard. *Live Your Own Life: The Family Papers of Mary Bayard Clarke, 1854-1886*. Columbia: University of South Carolina Press, 2003.

Conway, Alan. *The Reconstruction of Georgia*. Minneapolis: University of Minnesota Press, 1966.

Cook, Gerald Wilson. *The Last Tarheel Militia, 1861-1865: The History of the North Carolina Militia and Home Guard in the Civil War, and Index to Over 1,100 Militia Officers*. Winston-Salem, NC: G.W. Cook, 1987.

Copeland, Lucinda and Ronald Rose. *Civil War Diary of Leah Elizabeth Sally Ann Grubb*, 2013.

Crothers, A. Glenn. *Quakers Living in the Lion's Mouth: The Society of Friends in Northern Virginia, 1730-1865*. Gainesville, FL: University of Florida Press, 2012.

Crouch, Richard. *Rough-Riding Scout: The Story of John W. Mobberly, Loudoun's Own Civil War Guerrilla Hero*. Arlington, VA: Elden Editions, 1994.

Current, Richard Nelson. *Lincoln's Loyalists: Union Soldiers from the Confederacy*. Boston: Northeastern University Press, 1992.

Davis, Robert. *The Georgia Black Book: Morbid, Macabre & Sometimes Disgusting Records of Genealogical Value*. Vol. 1. Greenville, SC: Southern Historical Press, 1982.

Dean, Eric. *Shook Over Hell: Post-Traumatic Stress, Vietnam, and the Civil War*. Cambridge, MA: Harvard University Press, 1997.

Dhamoon, Rita. *Identity/Difference Politics: How Difference Is Produced, and Why It Matters*. Vancouver: University of British Columbia Press, 2010.

Divine, John. *35th Battalion Virginia Cavalry*. Lynchburg, VA: H.E. Howard, 1985.

Divine, John E., Bronwen C. Souders, and John M. Souders. *To Talk Is Treason: Quakers of Waterford, Virginia on Life, Love, Death and War in the Southern Confederacy*. Waterford, VA: Waterford Foundation, Inc, 1996.

Dodson, W. C. *Campaigns of Wheeler and His Cavalry, 1862-1865*. Atlanta: Hudgins Publishing Company, 1899.

Durrill, Wayne K. *War of Another Kind: A Southern Community in the Great Rebellion*. New York: Oxford University Press, 1990.

Escott, Paul D. *Many Excellent People: Power and Privilege in North Carolina, 1850-1900*. Chapel Hill: University of North Carolina Press, 1985.

Fabian, Ann. *The Unvarnished Truth: Personal Narratives in Nineteenth-Century America*. Berkeley: University of California Press, 2000.

Farwell, Byron. *Ball's Bluff: A Small Battle and Its Long Shadow*. McLean, VA: EPM Publications, 1990.

Feimster, Crystal Nicole. *Southern Horrors: Women and the Politics of Rape and Lynching*. Cambridge, MA: Harvard University Press, 2009.

Fitzgerald, Michael. *The Union League Movement in the Deep South: Politics and Agricultural Change During Reconstruction*. Baton Rouge: Louisiana State University Press, 1989.

Fitzgerald, Michael W. *Splendid Failure: Postwar Reconstruction in the American South*. Chicago: Ivan R. Dee, 2007.

Foner, Eric. *Reconstruction : America's Unfinished Revolution, 1863-1877*. 1st Perennial Library ed. New York: Harper & Row, 1988.

Foster, Gaines M. *Ghosts of the Confederacy: Defeat, the Lost Cause, and the Emergence of the New South, 1865 to 1913*. New York: Oxford University Press, 1987.

Fries, Adelaide L. *Forsyth: The History of a County on the March*. Chapel Hill: University of North Carolina Press, 1976.

Gallagher, Gary W. *The Confederate War*. Cambridge, MA: Harvard University Press, 1997.

Garrett, Franklin M. *Atlanta and Environs: A Chronicle of Its People and Events, 1820s-1870s*. Athens: University of Georgia Press, 2011.

Glatthaar, Joseph T. *General Lee's Army: From Victory to Collapse*. New York: Free Press, 2008.

Hahn, Steven. *The Roots of Southern Populism: Yeomen Farmers and the Transformation of the Georgia Upcountry, 1850-1890*. New York: Oxford University Press, 1983.

Halleran, Michael. *The Better Angels of Our Nature: Freemasonry in the American Civil War*. Tuscaloosa: University of Alabama Press, 2010.

Hamilton, Joseph Grégoire de Roulhac. *Reconstruction in North Carolina*. Raleigh, NC: Presses of Edwards & Broughton, 1906.

Hovis, George. *Vale of Humility: Plain Folk in Contemporary North Carolina Fiction*. Columbia: University of South Carolina Press, 2007.

Hartley, Chris J. *Stoneman's Raid, 1865*. Winston-Salem: John F. Blair, Publisher, 2010.

Hendon, William. *Hendon Brothers in the Civil War: A Divided Family*. Baltimore, MD: PublishAmerica, 2007.

Huber, Patrick, *Linthead Stomp: The Creation of Country Music in the Piedmont South*. Chapel Hill: University of North Carolina Press, 2008.

Hume, Richard, and Jerry B. Gough. *Blacks, Carpetbaggers, and Scalawags: The Constitutional Conventions of Radical Reconstruction*. Baton Rouge: Louisiana State University Press, 2008.

Inscoe, John C. *Race, War, and Remembrance in the Appalachian South*. Lexington: University Press of Kentucky, 2008.

Kadushin, Charles. *Understanding Social Networks: Theories, Concepts, and Findings*. New York: Oxford University Press, 2012.

Kenzer, Robert C. *Kinship and Neighborhood in a Southern Community: Orange County, North Carolina, 1849-1881*. Knoxville: University of Tennessee Press, 1987.

Lowe, Richard G. *Republicans and Reconstruction in Virginia, 1856-70*. Charlottesville: University Press of Virginia, 1991.

Mackey, Robert Russell. *The Uncivil War: Irregular Warfare in the Upper South, 1861-1865*. Norman: University of Oklahoma Press, 2004.

McCulloh, Ian, Helen Armstrong, and Anthony N. Johnson. *Social Network Analysis with Applications*. Hoboken, NJ: Wiley & Sons, Inc., 2013.

McKinney, Gordon B. *Zeb Vance: North Carolina's Civil War Governor and Gilded Age Political Leader*. Chapel Hill: University of North Carolina Press, 2004.

Meserve, Stevan. *The Civil War in Loudoun County, Virginia: A History of Hard Times*. Charleston, SC: History Press, 2008.

Mills, Gary B. *Southern Loyalists in the Civil War: The Southern Claims Commission*. Baltimore, MD.: Genealogical Publishing Co., 1994.

Mitchell, Memory F. *Legal Aspects of Conscription and Exemption in North Carolina, 1861-1865*. Chapel Hill: University of North Carolina Press, 1965.

Morgan, James. *A Little Short of Boats: The Fights at Ball's Bluff and Edwards Ferry, October 21-22, 1861; a History and Tour Guide*. Ft. Mitchell, KY: Ironclad Publishing, 2004.

Myers, Barton A. *Executing Daniel Bright: Race, Loyalty, and Guerrilla Violence in a Coastal Carolina Community, 1861-1865*. Baton Rouge: Louisiana State University Press, 2009.

———. *Rebels against the Confederacy: North Carolina's Unionists*. New York: Cambridge University Press, 2014.

Neely, Mark. *Southern Rights: Political Prisoners and the Myth of Confederate Constitutionalism*. Charlottesville: University Press of Virginia, 1999.

Paludan, Phillip Shaw. *Victims: A True Story of the Civil War*. 1st ed. Knoxville: University of Tennessee Press, 1981.

Powell, William S. *Dictionary of North Carolina Biography*. Vol. 5, P-S. Chapel Hill: University of North Carolina Press, 1994.

Reardon, Carol. *Pickett's Charge in History and Memory*. Chapel Hill: University of North Carolina Press, 1997.

Sarris, Jonathan Dean. *A Separate Civil War: Communities in Conflict in the Mountain South*. Charlottesville: University of Virginia Press, 2006.

Scaife, William, and William Harris Bragg. *Joe Brown's Pets: The Georgia Militia, 1861-1865*. Macon, GA: Mercer University Press, 2004.

Schroeder-Lein, Glenna. *The Encyclopedia of Civil War Medicine*. Armonk, NY: M.E. Sharpe, Inc., 2008.

Shirley, Michael. *From Congregation Town to Industrial City: Culture and Social Change in a Southern Community*. New York: New York University Press, 1994.

Silkenat, David. *Moments of Despair: Suicide, Divorce, & Debt in Civil War Era North Carolina*. Chapel Hill: University of North Carolina Press, 2011.

Smith, Gerald J. *"One of the Most Daring of Men": The Life of Confederate General William Tatum Wofford*. Murfreesboro, TN: Southern Heritage Press, 1997.

Souders, John M. *A Pocket Guide to Waterford's Civil War*. Waterford, Va.: Waterford Foundation, 2012.

Souders, John M., and Taylor M. Chamberlin. *Between Reb and Yank: A Civil War History of Northern Loudoun County, Virginia*. Jefferson, NC: McFarland & Company, Inc., 2011.

Stephens, Larry. *John P. Gatewood: Confederate Bushwhacker*. Gretna, LA: Pelican Publishing Company, 2012.

Sternhell, Yael. *Routes of War: The World of Movement in the Confederate South*. Cambridge, MA: Harvard University Press, 2012.

Stevenson, Brenda. *Life in Black and White: Family and Community in the Slave South*. New York: Oxford University Press, 1996.

Stiles, T. J. *Jesse James: Last Rebel of the Civil War*. New York: A.A. Knopf , 2002.

Sutherland, Daniel E. *A Savage Conflict: The Decisive Role of Guerrillas in the American Civil War*. 1st ed. Chapel Hill: University of North Carolina Press, 2009.

———. ed. *Guerrillas, Unionists, and Violence on the Confederate Home Front*. Fayetteville: University of Arkansas Press, 1999.

Thompson, C. Mildred. *Reconstruction in Georgia: Economic, Social, Political, 1865-1872,*. Savannah, GA: Beehive Press, 1972.

Todd, Glenda McWhirter. *First Alabama Cavalry, U.S.A.: Homage to Patriotism*. Bowie, MD: Heritage Books, 1999.

Walton, Hanes, Donald Richard Deskins, and Sherman C. Puckett. *The African American Electorate: A Statistical History*. Vol. 1. Thousand Oaks, CA: CQ Press, 2012.

Watford, Christopher M. *The Civil War in North Carolina: Soldiers' and Civilians' Letters and Diaries, 1861-1865*. Jefferson, NC: McFarland, 2003.

Williams, David. *Bitterly Divided: The South's Inner Civil War*. New York: The New Press, 2008.

Williams, David, Teresa C. Williams, and R. David Carlson. *Plain Folk in a Rich Man's War: Class and Dissent in Confederate Georgia*. Gainesville: University Press of Florida, 2002.