

ABSTRACT

Title of dissertation: “DEVOTED TO THE INTERESTS OF HIS RACE”:
BLACK OFFICEHOLDERS AND THE POLITICAL
CULTURE OF FREEDOM IN WILMINGTON, NORTH
CAROLINA, 1865-1877

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This dissertation examines black officeholding in Wilmington, North Carolina, from emancipation in 1865 through 1876, when Democrats gained control of the state government and brought Reconstruction to an end. It considers the struggle for black office holding in the city, the black men who held office, the dynamic political culture of which they were a part, and their significance in the day-to-day lives of their constituents. Once they were enfranchised, black Wilmingtonians, who constituted a majority of the city’s population, used their voting leverage to negotiate the election of black men to public office. They did so by using Republican factionalism or what the dissertation argues was an alternative partisanship. Ultimately, it was not factional divisions, but voter suppression, gerrymandering, and constitutional revisions that made local government appointive rather than elective, Democrats at the state level chipped away at

the political gains black Wilmingtonians had made.

**“DEVOTED TO THE INTERESTS OF HIS RACE”:
BLACK OFFICEHOLDERS AND THE POLITICAL CULTURE OF FREEDOM
IN WILMINGTON, NORTH CAROLINA, 1865-1877**

by

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Abbreviations

AMA	American Missionary Association Archives, microfilm at McKeldin Library, University of Maryland, College Park
DU	Duke University, David M. Rubenstein Rare Book and Manuscript Library, Durham, N.C.
FSSP	Freedmen and Southern Society Project, University of Maryland, College Park (followed by the project's file number in brackets)
<i>JNH</i>	<i>Journal of Negro History</i>
<i>JSH</i>	<i>Journal of Southern History</i>
NARA-CP	National Archives and Records Administration, College Park, Md.
NARA-DC	National Archives and Records Administration, Washington, D.C.
NCDAH	North Carolina Department of Archives and History, Raleigh, N.C.
NCC	North Carolina Collection, Louis Round Wilson Special Collections Library, University of North Carolina, Chapel Hill
<i>NCHR</i>	<i>North Carolina Historical Review</i>
NHCPL	New Hanover County Public Library, Wilmington, N.C., Local History Collection
RG 105	Record Group 105: Records of the Bureau of Refugees, Freedmen, and Abandoned Lands
RG 393	Record Group 393: Records of United States Army Continental Commands, 1821-1920
UNCW	University of North Carolina, Wilmington, N.C., Manuscripts Collection, Special Collections Department, William Madison Randall Library

Introduction

In a society where only masters had been statesmen, black officeholders were revolutionary. They represented the transformation of slave into citizen. Even more, they were often the linchpin of on-the-ground change in the lives of black Southerners after the Civil War. Recognizing the importance of having blacks in office, black residents of Wilmington, North Carolina, were already pushing for access to public office by the time Congress affirmed black men's right to vote and hold office with the Reconstruction Acts of 1867. As a result, in the city of Wilmington and surrounding New Hanover County, in both of which blacks constituted a majority of the population, black men held public office in significant numbers during Reconstruction. They served in a broad range of offices, both elective and appointive, from city council and constable to justices of the peace and treasurer, and from coroner and county assessor to public health officer and member of the school board.

While the Reconstruction Acts paved the way for the political participation of black men, it was not a foregone conclusion that black men would hold public office. The prospect of men exercising authority over white constituents underscored racial equality, and white Republicans were divided on that issue. In Wilmington in the spring of 1868, when the Republican Party's ticket was announced for the coming municipal election, its candidates were all white. Black Wilmingtonians were alarmed and made it clear that they would not vote for an all-white ticket. When white Republican leaders failed to add any black candidates, politically mobilized black Wilmingtonians broke from the party and organized their own alternative ticket. As a result, white Republicans eventually realized that they could not win without competing for black votes,

particularly at the local level, and in early July, sensing doom in an election only a few weeks away, the ticket was hastily reversed to include black candidates. Black Wilmingtonians had used their voting leverage to negotiate a “fair share” of public offices, but the Republican party delay in the ticket demonstrates that black officeholders had to be fought for.¹ In Wilmington, this fight was fought using faction, or, what this dissertation argues, was an alternative partisanship.

“‘Devoted to the Interests of His Race’: Black Officeholders and the Political Culture of Freedom in Wilmington, North Carolina, 1865-1877,” examines the struggle for black officeholding in Wilmington, the black men who held office, the dynamic political culture of which they were a part, and their significance in the day-to-day lives of their constituents. Within months of emancipation, black Wilmingtonians expressed their desire for not only the right to vote, but also the admittance of black testimony in court, inclusion on juries and the police force, and seats on the Board of Aldermen. They quickly recognized the importance of local officeholders when, during the first two years, after the war, power was returned to the antebellum ruling class. Oppressive laws intended to keep the city’s black residents in subordination were brutally enforced a police force that operated under the same mentality that had typified its duties as antebellum slave patrols. Police brutality was one of the most frequent complaints of black Wilmingtonians after the war, and its effects made clear the danger of exclusion from local governance. In 1865 and 1866, black Wilmingtonians staged a series of public

¹ Rebecca Scott uses the term “fair share” to describe the demand from postemancipation black citizens for representation, particularly in reference to intra-party demands for black candidates. See Rebecca J. Scott, *Degrees of Freedom: Louisiana and Cuba after Slavery, 1862-1914* (Cambridge, MA: Belknap Press of Harvard University Press, 2005), 9.

protests aimed at the criminal justice system. But it would be another two years and the election of black men to the Board of Aldermen before a biracial police force was organized.

“Devoted to the Interests of His Race” also explores what historians have generally described as “factionalism” and interprets it as a source of Republican weakness. In Wilmington, however, faction served as a way to increase the number of black candidates on Republican tickets. It builds the Republican Party from the ground up and molded it to the needs of freedpeople. The exclusion of black voters from all but the Republican Party presented the black electorate with a crisis in democracy. Indeed, without an alternative partisanship, the Republican Party held a monopoly over black votes, which explains the party’s early expectation that blacks would comprise a subservient voting bloc. As a result, faction became a necessary part of postemancipation black politics.

Certain features made alternative partisanship a successful strategy in Wilmington. Chief among them was this city’s large black population. At the time of the Reconstruction Acts, black voters constituted an electoral majority not only in the city as a whole, but in each of its four wards. Black Wilmingtonians were successfully able to mobilize their neighborhoods to elect black officeholders. An antebellum Whig stronghold, Wilmington also had a small but significant population of local white leaders, often businessmen, who ultimately embraced the Republican Party, as well as a white working class with some members who resided in mixed race neighborhoods and sometimes identified more readily with the Republicans rather than with the white gentry who dominated the Democratic party. A good many who called the city home before the

war also used alternative partisanship to carve out space for themselves within the Republican Party. As a result, black Wilmingtonians were not as dependent on Northern white Republicans (the so-called carpetbaggers) as they were in many parts of the South.

“Devoted to the Interests of His Race” joins a historical dialogue that seeks to understand the limitations and failures of Reconstruction. Discouraged by the limitations of the Civil Rights Movement, scholars in the 1980s reconsidered both the successes and failures of Reconstruction. Eric Foner’s *Reconstruction* was the decade’s definitive synthesis of the period. Warning his contemporaries who were content to watch the gains of the Civil Rights Movement fade, Foner argued that Reconstruction had failed to succeed because it had been cut short. At the same time, he underscored the power of the ballot and called attention to how much worse the postemancipation period would have been for former slaves without the political access and activism of Reconstruction. In his 1983 *Nothing but Freedom*, Foner used the term “revolutionary” to describe the political power exercised by the formerly enslaved in the United States after the Civil War. The votes of freedpeople elected Republicans to public office, and Foner argued that Republicans who held local office were the linchpin of the revolution. Their actions shaped the experience of Reconstruction on the ground, in freedpeople’s daily lives. Five years later, Foner turned his focus directly to black officeholders in an essay on grassroots politics that introduced a volume of biographies. Unlike earlier studies of black men who held office at the state and national levels, Foner’s scholarship maintained that local black officeholders were mostly former slaves and did not conform to the picture of the light-skinned, formerly free black men who dominated previous

historiography.²

Because black officeholders, like black people, were not monolithic, attempts to politically unite diverse communities often led to faction. In Wilmington, as elsewhere, faction eventually proved detrimental to Republican power. In his 1967 study of Reconstruction on the lower Cape Fear, including Wilmington, William McKee Evans interpreted Republican factionalism as the result of self-interested, office-seeking politicians, many of whom were naïve and ill-prepared blacks new to the game of politics. Evans concluded that Republican factionalism played a major role in enabling hostile Democratic state legislators to impose changes in the city charter that allowed Democrats to gain control.³

A major turning point in the historiography of black officeholders came in 1977 with Thomas Holt's *Black over White*. Using a combination of traditional historical archives and quantitative analysis, Holt argued that South Carolina's black Republicans were far from passive victims of local whites or manipulated tools of white carpetbaggers; rather, the state's Republican Party was in black hands. It was therefore black South Carolinians who were responsible for the failure of Republicanism and Reconstruction in the state. The roots of the problem were intra-racial, Holt claimed, pivoting on issues of color and class. Correlating voting records with analysis of the social backgrounds of black members of the state legislature, Holt found that the divide

² Eric Foner, "Black Reconstruction Leaders at the Grass Roots," in *Black Leaders of the Nineteenth Century*, ed. Leon Litwack and August Meier (Urbana: University of Illinois Press, 1988); Foner, *Freedom's Lawmakers*; Foner, *Nothing but Freedom*; Foner, *Reconstruction: America's Unfinished Revolution* (New York: Harper Collins, 1989).

³ W. McKee Evans, *Ballots and Fence Rails: Reconstruction on the Lower Cape Fear* (Chapel Hill: University of North Carolina Press, 1967).

between officeholders and their constituents was too great. The propertied, mixed-race, bourgeois elite, which was overrepresented among black legislators, was unable to appreciate the economic and social needs of the propertyless and darker-skinned masses.⁴

Noting the diversity of black communities, historians have continued to examine the effect of social background on what black officeholders did while they were in office. Michael Fitzgerald, in his study of Mobile, Alabama, has examined the rift between members of the free black elite and more militant ex-slaves. Members of the black elite maintained the economic station they had occupied before the war and thus were more likely to push for gradual changes or even maintenance of the status quo, while those who were formerly enslaved were more likely to push for radical social changes. As a result, Mobile's black population was divided, and intra-racial factions competed to elect the right black men to public office. In Fitzgerald, like Holt before him, they suggest that the social origins of black officeholders influenced the type of policies they supported and the constituents who supported them.⁵ While the first cohort of black officeholders in Wilmington tended to be a mixture of black and mixed-race elites and former slaves, the city's black elite championed universal male suffrage without restrictions based on property or education as early as the summer of 1865.

For Fitzgerald, Holt, and others, factionalism within the Republican Party led to the failure of Reconstruction and control by the Democratic Party. In his study of Reconstruction Florida, Canter Brown, Jr., makes a singular argument. Brown sees

⁴ Holt, *Black over White*.

⁵ Michael Fitzgerald, *Urban Emancipation: Popular Politics in Reconstruction Mobile, 1860-1890* (Baton Rouge: Louisiana State University Press, 2002).

Florida's Republican Party as divided between Southern white loyalists, Northern-born white transplants, black church leaders, and the general black population. Despite what he describes as the common cause of Reconstruction, a fractured Republican Party allowed Democrats to control the state legislature and then impose changes on city charters that reduced black power and allowed for even greater Democratic control.⁶ In *Urban Emancipation*, Fitzgerald provides the most thorough study of faction at the local level. Like others before him, he argues that faction prevented a unified Republican Party and thereby led to the end of Reconstruction. Nonetheless, Mobile was able to successfully elect and appoint a significant number of black officeholders to office. Such was also the case in Wilmington.⁷ What none of the studies that deal with faction during the Reconstruction period consider is the role that faction played in successfully electing black men to public office.

As in Wilmington, blacks in Mobile were particularly successful in electing black men to public office. In addition, as Fitzgerald points out, elective offices held great significance for black communities. Historians of black officeholders writing in the 1980s focused not only on who black officeholders were, but also on what they did in office. In the introduction to his 1982 edited volume, *Southern Black Leaders of the Reconstruction Era*, Howard Rabinowitz complained that most biographies of black officeholders were still designed to destroy early stereotypes, rather than to analyze how

⁶ Holt, *Black over White*; Canter Brown, Jr., *Florida's Black Public Officials, 1867-1924* (Tuscaloosa: University of Alabama Press, 1998).

⁷ Fitzgerald, *Urban Emancipation*.

they function.⁸ Each of the essays in the volume therefore investigated the ideologies and platforms of the officeholders under examination and considered how they gained, maintained, and finally lost power. David Rankin argued that New Orleans's antebellum free blacks were the first to take officeholding positions, but ultimately failed because they did not support equal rights for the formerly enslaved. Michael Chesson found that black men in Richmond had little success in obtaining seats on the city council during Reconstruction, taking their first seats in 1871 after Conservatives had regained control of local government. More recently, Donald Nieman demonstrated the relationship between black political power at the local level, including not only officeholding but also jury service, and successful implementation of Reconstruction legislation. Focusing on the administration of justice, Nieman has argued that black judges and juries were imperative to the ability of black postemancipation communities to obtain social justice and equal rights.⁹ The diverse results that have emerged from the investigation of black

⁸ Although most of the essays in the volume consider black leaders at the state and federal level, four deal with local black officeholders: Michael B. Chesson, "Richmond's Black Councilmen, 1871-1896"; Howard Rabinowitz, "Holland Thompson and Black Political Participation in Montgomery, Alabama"; David C. Rankin, "The Origins of Negro Leadership in New Orleans during Reconstruction"; Russell and Thornbery, "William Finch of Atlanta," all in *Southern Black Leaders of the Reconstruction Era*, ed. Howard N. Rabinowitz (Urbana: University of Illinois Press, 1982), 191-222, 249-89, 155-90, 309-334. In the introduction to *Southern Black Leaders* (xviii), Rabinowitz is critical of historians' use of biography in studies of black leadership in the South, noting that studies of Northern black leaders were situated in larger social histories. He elaborates on "functioned" as the "extent to which blacks were able to develop their own base of independent white support," the "difference in policies and eventual position in the party," the "recruitment pattern of black leaders," their "relationships with white leaders and each other," and the "divisions within the Republican party."

⁹ Rankin, "Origins of Negro Leadership in New Orleans during Reconstruction"; Chesson, "Richmond's Black Councilmen." Another volume on black leadership, *Black Leaders of the Nineteenth Century*, edited by Leon Litwack and August Meier, was published in 1991. Because it followed *Southern Black Leaders of the Reconstruction Era*, Litwack and Meier devoted "less space than we otherwise would have to Reconstruction leaders." Of the essays in that volume, only two pertain to Reconstruction, the essay by Eric Foner, "Black Reconstruction Leaders at the Grass Roots," and a second by Howard Rabinowitz, "Three Reconstruction

officeholders at the local level have thus uncovered deeper histories behind seemingly less consequential local politics.

Even Fitzgerald concedes that in Mobile the presence of a strong black electorate generally “overruled their squabbling leadership, insisting on a certain practical consistency.”¹⁰ The same was true in Wilmington, even among black officeholders themselves. When attacks on black power in local government became commonplace in the 1870s, black officeholders formed a solid bloc and consistently opposed the measures even when their white Republican counterparts did not. Likewise, Wilmington’s mobilized black communities shared a collective consciousness centered on their newly acquired freedom. As historians have found in other black communities of the Reconstruction era, black Wilmingtonians focused on the maintenance of freedom and acquisition of equal rights. Whatever their factional affiliations, Wilmington’s black officeholders embraced a political ideology perhaps best expressed by state representative William H. Moore when he claimed in a registry of North Carolina legislators to be

Leaders: Blanch K. Bruce, Robert Brown Elliott, and Holland Thompson,” both in *Black Leaders of the Nineteenth Century*, ed. Leon Litwack and August Meier (Urbana: University of Illinois Press, 1988), 191-217, 219-234. On the relationship between black political power at the local level and successful implementation of Reconstruction legislation, see Donald G. Nieman, “African American Communities, Politics, and Justice: Washington County, Texas, 1865-1890,” in *Local Matters: Race, Crime, and Justice in the Nineteenth Century South*, ed. Christopher Waldrep and Donald G. Nieman (Athens: University of Georgia Press, 2001), 201-24; Nieman, “African Americans and the Meaning of Freedom: Washington County, Texas, as a Case Study, 1865-1886,” *Chicago-Kent Law Review* 70, no. 2 (1994): 541-82; Nieman, “Black Political Power and Criminal Justice: Washington County, Texas, 1868-1884,” *JSH* 55 (August 1989): 391-420.

¹⁰ Fitzgerald, *Urban Emancipation*, 266.

“devoted to the interests of his race.”¹¹

For freedpeople, offices that affected daily life were central, but the significance of such black officeholders in the lives of their constituents has been largely ignored. Howard Rabinowitz argued that in the states of the former Confederacy Reconstruction black officeholders were relegated to minor political offices and were particularly excluded from high-ranking positions and offices that dealt with finance. He called attention to the racism that persisted after emancipation by pointing out that black men never fully obtained political equality, particularly in terms of officeholding. Focusing on the degree to which black men were relegated to “minor” offices from above, however, overlooks the ways in which their black constituents were able to use those offices from below.

It has been more than three decades since Eric Foner called attention to the importance of local black officeholders for postemancipation black communities, but few scholars have undertaken studies analyzing their impact.¹² Some historians have examined the social backgrounds of black officeholders during Reconstruction, but rarely their connections to their constituencies. Moreover, their studies have focused almost exclusively on the men who held federal and state offices, rather than local positions. Yet, as Foner pointed out, implementation of Reconstruction occurred at the local level, and the actions of sympathetic or unsympathetic local officials were influential in

¹¹ Randolph Abbott Shotwell and Nat Atkinson, *Legislative Record, Giving Passed* [sic] *Session Ending March, 1877: Together with Sketches of the Lives and Public Acts of the Members of the Houses* (Raleigh, N.C.: Edwards and Broughton, 1877), 9.

¹² Foner, *Nothing but Freedom*, ch. 2; Foner, “Black Reconstruction Leaders at the Grass Roots,” 219-34.

defining the boundaries of freedom within which ordinary people lived their lives.¹³

This dissertation analyzes black officeholders' impact at the local level in postemancipation Wilmington, North Carolina, where alternative partisanship—faction—became the logical response to political exclusion by one of the two major parties. It took root in Wilmington in part because of the resources black Wilmingtonians possessed. Bond provisions for local offices varied from state to state, but sureties typically had to own unencumbered real estate and live within the immediate jurisdiction of the office for which they posted bond. In Wilmington, for example, although many local offices became popularly elected positions during Reconstruction, most continued to require the posting of a bond, and black officeholders often found support through local financial and social networks in their communities.

¹³ One study that does consider the connection of a local black officeholder and his constituents is James M. Russell and Jerry Thornbery, "William Finch of Atlanta: The Black Politician as Civic Leader," in *Southern Black Leaders of the Reconstruction Era*, ed. Howard N. Rabinowitz (Urbana: University of Illinois Press, 1982), 309-34. According to Russell and Thornbery, Finch was "representative of a pioneering group of black leaders in Reconstruction Atlanta who regarded political activity [as] a civic duty rather than a means to promote Republican Party interests or their own careers." "Finch's leadership," they argue, "cannot be understood without paying close attention to the political environment in which he operated and the needs and nature of the black community he served. (309). For examples of studies of the social background of black officeholders at the state and national levels, see Elizabeth Balanoff, "Negro Legislators in the North Carolina General Assembly, July 1868-February 1872," *NCHR* 49 (January 1972): 22-55; Euline W. Brock, "Thomas W. Cardozo: Fallible Black Reconstruction Leader," *JSH* 47 (May 1981): 183-206; Joseph H. Cartwright, "Black Legislators in Tennessee in the 1880's: A Case Study in Black Political Leadership," *Tennessee Historical Quarterly* 32 (Fall 1973): 265-84; Edmund L. Drago, *Black Politicians and Reconstruction in Georgia: A Splendid Failure* (Baton Rouge: Louisiana State University Press, 1982); George W. Reid, "Four in Black: North Carolina's Black Congressmen, 1874-1901," *JNH* 64 (Summer 1979): 229-43; Alruthus Ambush Taylor, "Negro Congressmen a Generation After," *Journal of Negro History* 7 (April 1922): 121-71; Allen W. Trelease, "Republican Reconstruction in North Carolina: A Roll Call Analysis of the State House of Representatives, 1868-1870," *JSH* 42 (August 1976): 229-43. Luther P. Jackson was one of the earliest historians to consider local black officeholders (he identified black officeholders at the federal, state, and local level and examined their social backgrounds). In his study of postwar Virginia, see Luther P. Jackson, *Negro Office-Holders in Virginia, 1865-1895* (Norfolk, VA: Guide Quality Press, 1945).

Although, black Southerners were not a united constituency, most of them prioritized black officeholding and proved it at the ballot box. In *Degrees of Freedom*, Rebecca Scott considered the significance of black officeholders to their black constituents. Scott calls attention to the irony faced by black people who found it necessary to form race-based associations in order to break the color barrier preventing them from holding public office. In Wilmington, too, black organizations were among the earliest to call for black officeholders. For example, it was the city's all-black Equal Rights League that petitioned for black representatives on the Board of Aldermen and the police force in 1865. In Louisiana, Scott argued, blacks would sometimes vote outside of the Republican Party if doing so meant electing a black candidate — suggesting that, for black voters, it was more important to elect a black man than a white Republican.¹⁴ Dependent on black votes for their existence in the South, Republicans quickly learned that the election of black men to public office was a manifestation of political equality that to black voters was non-negotiable.

This dissertation builds on an understanding of postemancipation black communities developed by Elsa Barkley Brown. The behavior of ex-slaves, she argues, was founded on “a different and equally valid consciousness.” In Richmond Virginia, Barkley Brown argues, blacks operated simultaneously in an internal and an external sphere, the external sphere constituting the larger socio-political context, and the internal

¹⁴ Scott, *Degrees of Freedom*, 247. Scott challenges Eric Foner on this point in two important ways. First, she refutes his argument that black officeholding were exceptional to the United States by revealing active black political communities and officeholders in Cuba. More importantly for present purposes, she argues that black, as opposed to Republican, officeholders were central to black communities' chances for social justice during Reconstruction. In *Nothing but Freedom*, Foner argues that Republican officeholders, white or black, made the difference.

sphere founded on the experiences of slavery, freedom, and exclusion. This dissertation argues that faction should be viewed through this lens. Studies that automatically define faction as bad politics force on-the-ground postemancipation political mobilization into a narrative that may not fit. As Barkley Brown argues about postemancipation economic behavior, “[r]ather than accepting ex-slaves’ behavior as evidence of a different and equally valid consciousness which refutes our socially defined assumptions,” historians of Reconstruction often assume “an absolute norm and then proceed to demonstrate how well ex-slaves either did or did not measure up.”¹⁵ This dissertation attempts to apply Barkley Brown’s model to black politics in Wilmington, North Carolina.

Academic interest in social history has underscored the importance of black communities in local politics. Barkley Brown argue that, “forged in” the experience of slavery, war, and emancipation, a black public sphere developed in which freedom was understood “as a collective struggle.” Local institutions and organizations like churches, mutual-aid associations, and equal-rights leagues mobilized black Southerners at the local level. In Richmond, Virginia, Barkley Brown maintains, the black internal political sphere was extremely democratic in comparison to mainstream politics and included the voices and votes of women and children.¹⁶ Using black officeholders as a window into the dynamic political culture of which they were a part, this dissertation demonstrates the

¹⁵ Elsa Barkley Brown, “To Catch the Vision of Freedom: Reconstructing Southern Black Women’s Political History, 1865-1880” in *African American Women and the Vote, 1837-1965*, ed. Ann D. Gordon (Amherst: University of Massachusetts Press, 1997), 69-74.

¹⁶ Elsa Barkley Brown, “Negotiating and Transforming the Public Sphere: African-American Political Life in the Transition from Slavery to Freedom,” in *The Black Public Sphere: A Public Culture Book*, ed. The Black Public Sphere Collective (Chicago: University of Chicago Press, 1995), 49; Barkley Brown, “To Catch the Vision of Freedom.”

ways in which black officeholders in Wilmington reflected a grassroots internal political arena. For example, when black Wilmingtonians sent Abraham Galloway to the North Carolina Constitutional Convention, he proposed votes for women, a stance reflecting the black organizations in Wilmington from which Galloway emerged, and their collective understanding of citizenship and voting that, as in Barkley Brown's Richmond, included women.

By the end of the nineteenth century, black political rights were gone in Wilmington. In 1898, in the only coup in U.S. history, black officeholders were driven from the city or murdered, ending black political participation at a date unusually late in the timeline of Southern history. “Devoted to the Interests of His Race” does not consider events in Reconstruction Wilmington as part of an inevitable progression toward the political exclusion of the next century. Rather, it seeks to capture a dynamic period of rapid change and inestimable possibilities that was facilitated by the alternative partisanship of Wilmington's black communities. To be sure, multiple parties (faction) divided the Republican Party and thereby opened the door to the election of Conservative-Democrats. However, the numbers of Conservative-Democrats elected as a result of alternative partisanship still left them in the minority. Indeed, it would require extralegal and undemocratic measures to wrest control from the hands of Republicans, alternatives or regulars. Even then, Conservative-Democrats could not completely prevent black officeholding until the bloody coup of 1898.

Chapter 1, “‘In This Land We Will Remain’: Emancipation and Community Mobilization, 1865,” explores early visions of freedom in Wilmington's black communities and their mobilization to formal enfranchisement, including demands for

political inclusion. The role of black Wilmingtonians in establishing schools and churches was just one example of early community organization. Events that took place at the Front Street Methodist Episcopal Church provide evidence of black communities' desire and ability to control their own institutions. In the weeks after emancipation, parishioners at Front Street Methodist struggled with the white pastor of the church to appoint a black minister, control church policies, and in particular, to abolish the segregated seating that relegated black members, who comprised the overwhelming majority of the church's membership to the gallery. The chapter also details black Wilmingtonians' participation in statewide mobilization through the Equal Rights League and the first North Carolina Freedmen's Convention, to which black Wilmingtonians elected delegates at local mass meetings.

Chapter 2, "'Exposed to Danger Night and Day': The Consequences of Political Exclusion, 1865-1867," explores the harsh realities of daily life in the absence of political equality. Despite the ability of black Wilmingtonians to mobilize within their own communities, black Wilmingtonians found themselves struggling to maintain their freedom in the two years after emancipation. Abusive apprenticeship, police brutality, and unjust treatment in the courts were all the result of local policies sanctioned by state law. In day-to-day life, black oppression lay in local enforcement of the law and in the action or inaction of such city and county officials as the mayor, justices of the peace, constables, and the police.

Chapter 3, "Defining Citizen, Defining Statesman: The Fight for Black Officeholding, 1867-1869," introduces black political participation after the Reconstruction Acts of 1867. It discusses the struggle for black officeholders and the

first elections that placed black men in public office. The centerpiece of the chapter is the 1869 municipal election in which black Wilmingtonians first used faction to force the Republican Party to nominate black candidates. The chapter demonstrates success of black Wilmingtonians in nominating candidates from the ground up through active participation at mass meetings and nominating conventions.

Chapter 4, “‘The Question of Color’: Race, Faction, and Partisanship, 1869-1870,” describes the success of faction in constructing black power in Wilmington and the significance to the city’s black residents of the election of black men to public office. It uses the 1870 municipal election, which resulted in a black majority on the Board of Aldermen, as a means to highlight alternative politics as a successful strategy for achieving black power. The chapter also demonstrates the risks of faction, which, dividing Republican votes, ultimately allowed Conservative-Democrats to squeeze into local office. As a result, in 1870, Wilmington elected its first Conservative state senator and representative since the passage of the Reconstruction Acts. The chapter ends by setting the stage for attacks on the black power that prevailed in Wilmington by state the legislature, where Conservative-Democrats had general control.

Chapter 5, “‘A Degredation Worse than Death’: The Assault on Black Political Power, 1870-1877,” explores how appeals based on white supremacy convinced white voters to turn back the democratic advances of the 1868 constitution in order to overturn black power. It traces the campaign of the Democratic-dominated state legislature to undermine, if not destroy, black power in Wilmington. However, through systematic voter suppression, gerrymandering, and constitutional revisions that made local government appointive rather than elective, Democrats at the state level chipped away at the political

gains black Wilmingtonians had made.

Chapter 1

“In This Land We Will Remain”: Emancipation and Community Mobilization, 1865

On Christmas Eve, 1864, most slaves along the lower reaches of North Carolina’s Cape Fear River were probably preparing, as they did every year, for Jonkonnu. Masked revelers donned colorful, ostentatious costumes that portrayed customary folk characters like House Head, Belly-woman, and Policeman. Marching from house to house and plantation to plantation, they beat drums and strummed jaw bones, singing, in call-and-response style, songs that mocked slavery in general and their masters in particular. Each Christmas, the week-long celebration turned the world upside down, if only symbolically and ever so briefly. In 1864, however, the blessings of Jonkonnu would be both more extraordinary and more long-lasting.¹

Just after 8 a.m. on Christmas morning, a very real fight for freedom began. Union troops commanded by General Benjamin Butler, along with a fleet of iron-clads and men-of-war, launched an attack on Fort Fisher, which protected the entrance to the Cape Fear River. The assaulting forces included more than 9,000 soldiers, half of whom were black. Thirty miles upriver lay Wilmington, North Carolina’s largest city, with a prewar population of 9,552. It was the Confederacy’s last remaining port and a vital supply line for General Robert E. Lee’s Army of Northern Virginia.²

¹ Elizabeth A. Fenn, “‘A perfect equality seemed to reign’: Slave Society and Jonkonnu,” *NCHR* 65 (April 1988): 127-53. Wilmington, a port city with longstanding connections to the Caribbean, was one of the only places Jonkonnu took root on the U.S. mainland.

² Henry M. Turner, “Notes by the Way of Wilmington, N.C.,” 25 December 1864, in *Christian Recorder*, 14 January 1865; *Wilmington Daily Journal*, 26 December 1864; William McKee Evans, *Ballots and Fence Rails: Reconstruction on the Lower Cape Fear* (Chapel Hill: University of North Carolina Press, 1966), 20 n34. For Wilmington’s population, see U.S.

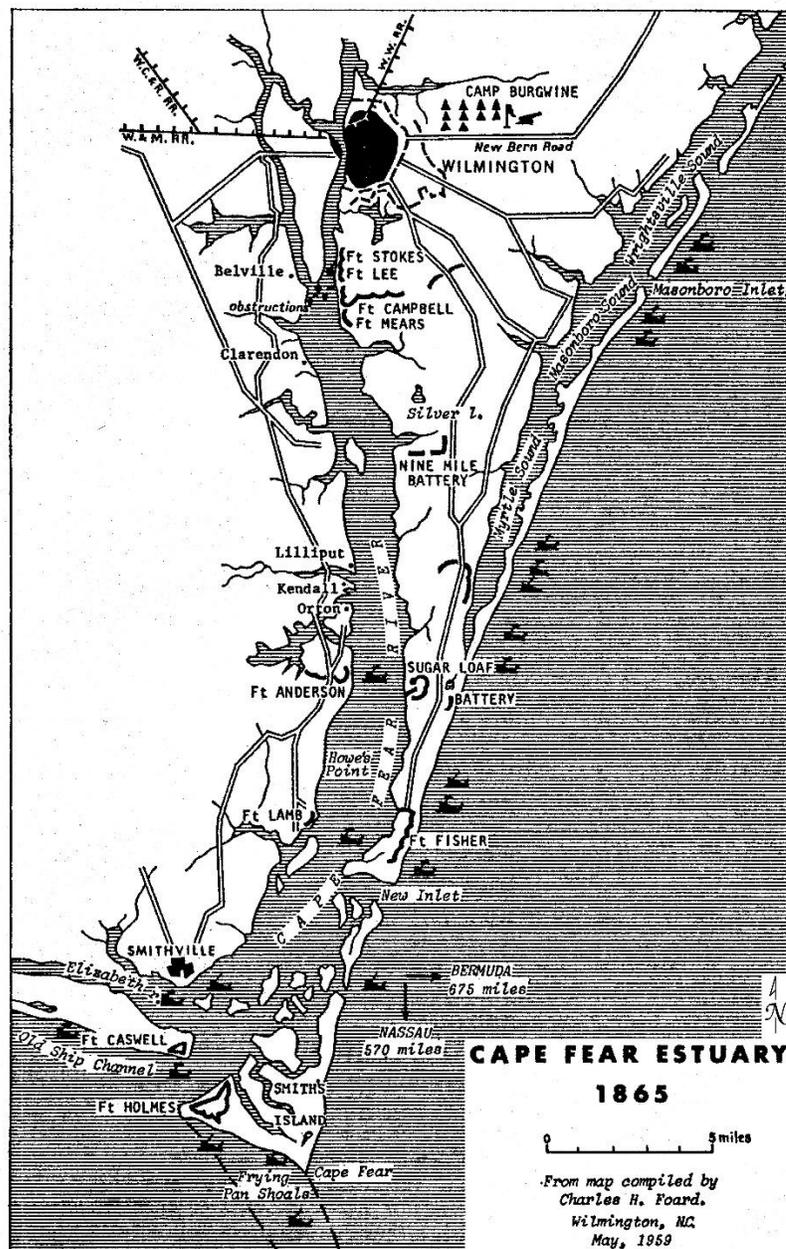


Figure 1.1. Cape Fear Estuary, 1865. Reprinted with permission from William McKee Evans, *Ballots and Fence Rails: Reconstruction on the Lower Cape Fear* (Chapel Hill: University of North Carolina Press, 1966), 5.

Census Office, *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* (Washington: Government Printing Office, 1864), 359. On Wilmington's significance as the last remaining Confederate port, see Chris Fonvielle, Jr., *The Wilmington Campaign: Last Departing Rays of Hope* (Mechanicsburg, PA: Stackpole Books, 2001); John G. Barrett, *The Civil War in North Carolina* (Chapel Hill: University of North Carolina Press, 1963), 262-85.

Fort Fisher was strategically positioned at the base of a string of sounds that formed a natural barrier along North Carolina's Atlantic coast. Competing currents crashed against sandbars in a treacherous stretch of water that came to be known as the graveyard of the Atlantic. The coastal geography had helped keep the Union at bay and the Confederacy alive for almost four years. The Union's ships had proved no match for blockade runners with the skills and experience to keep the Port of Wilmington open and, with it, the flow of imported goods.³

Although the Christmas attack failed, the freedom bell had tolled for slaves in the Cape Fear region. Ever since the war broke out, they had been capitalizing on its disruptions. Risking their lives, men, women, and children had sometimes traveled more than 100 miles to reach Union military lines or the blockading ships. Now the attack on Fort Fisher signaled the imminent arrival of their emancipation from bondage. As word traveled along the Cape Fear, the news alerted slaves that Union forces were nearby and on the offensive. In response, the number of fugitives increased. Many of them, native-born and experienced watermen, strengthened the Northern assault by providing strategic intelligence on how to penetrate the heretofore impregnable port.⁴

³ Fonvielle, *Wilmington Campaign*, ch. 1, 5.

⁴ Chaplain H. M. Turner, "Army Correspondence," 11 February 1865, in *Christian Recorder*, 4 March 1865. Many slaves along the Cape Fear were skilled watermen and, from the inception of the war, used those skills to reach the U.S. Navy's blockading ships. See David Cecelski, *Waterman's Song: Slavery and Freedom in Maritime North Carolina* (Chapel Hill: University of North Carolina Press, 2001). Once there, they supplied Union forces with valuable intelligence, particularly about the eastern North Carolina waterways. See, for example, Wm. H. Macomb to Rear Adm. S. P. Lee, 2 November 1862, Commander's Letters, vol. 1, p. 80, Letter Books of Officers of the United States Navy at Sea, Naval Records Collection of the Office of Naval Records and Library, RG 45, NARA-DC [FSSP T-626]; Lieut. Edward Hooker to S. P. Lee, 26 January 1863, Squadron Letters, vol. 5, pp. 85-86, North Atlantic Squadron, Naval Records Collection of the Office of Naval Records and Library, RG 45 [FSSP T-592]; Commdr O. S. Glisson to Flag Officer Goldsborough, [January 1862], vol. 2, North Atlantic Squadron,

In Wilmington, the city's white residents also heard the toll of freedom's bell. Old men and boys were posted on guard duty so that regular soldiers could brace for white Southerners' worst fear: the arrival of black soldiers, the return of prodigal slaves. South and east of the city, plantation owners packed up and prepared to evacuate, corraling as many of their human chattel as possible. Out of either spite or blind optimism, some of these people were locked in slave pens for safekeeping until their owners' return. Although many were left on the plantations to continue production amidst the fighting, masters and mistresses generally took their most valuable slaves with them as they fled to the interior. In the city, too, white families readied themselves for a hasty exit. Hattie Fennet informed a cousin that she could hear the sound of shells hitting Fort Fisher every night as she and her mother packed to leave before the Yankees reached Wilmington. The two women had "done nothing but move from place to place" for the past two years, and, as they contemplated what would be their last retreat, the mother lamented that she felt "as if she had no home."⁵

Just over two weeks after the failed assault on Fort Fisher, General Ulysses S. Grant, commander of the Union armies, ordered General Alfred Terry to launch a second

Letters from Officers Commanding Squadrons, Naval Records Collection of the Office of Naval Records and Library, RG 45, NARA-DC [FSSP T-586]; David Cecelski, *The Fire of Freedom: Abraham Galloway and the Slaves' Civil War* (Chapel Hill: University of North Carolina Press, 2012), 48-51, 57-66; Richard Reid, *Freedom for Themselves: North Carolina's Black Soldiers in the Civil War Era* (Chapel Hill: University of North Carolina Press, 2008), 104-8.

⁵ Wilmington *Daily Journal*, 26 December 1864; Evans, *Ballots and Fence Rails*, 20; Hattie G. Fennet to Cousin Mag [Margaret Cronly], January 15, 1865, Cronly Papers, Correspondence, 1863-1867, Box 1, DU. On white North Carolinians' fear of black soldiers, see Reid, *Freedom for Themselves*, ch. 1; Roberta Sue Alexander, *North Carolina Faces the Freedmen: Race Relations during Presidential Reconstruction* (Durham, NC: Duke University Press, 1985), 10-12.

attack. By January 16, 1865, the fort had collapsed in an explosion that lit up the morning sky and Union troops, including approximately 1,600 black soldiers, had begun their march up the Cape Fear River toward Wilmington. As they advanced, slaves left their homes to join them. Local whites reported that one such slave, Lem Brown, was seen guiding a federal unit. As former slaves marched alongside the soldiers in blue, they brought freedom to slaves still on the rice plantations that lined the river. With ex-slaves demonstrating their readiness to fight for freedom, recruitment became a priority for the Union army, one that the black chaplain of the 1st U.S. Colored Infantry, Henry M. Turner, enthusiastically took up in the town of Smithville, at the mouth of the Cape Fear. Even before Union forces reached Wilmington, reported Sergeant J. H. Payne of the 27th U.S. Colored Infantry, black men were swiftly enlisting.⁶

On February 22, Confederate forces retreated from Wilmington and the Union army entered the city. General Terry led a procession that included black soldiers straight through the center of the city, down Market Street to Water, where the mayor, John Dawson, awaited them, along with a group of prominent Wilmington gentlemen. Dawson formally surrendered the city and then met with General Terry at City Hall to accept the official terms of occupation. As black Wilmingtonians celebrated in the streets and cheered with black soldiers, one elderly white man turned away in disgust, tossed his

⁶ On the Wilmington campaign and the fall of Fort Fisher, see Fonvielle, *Wilmington Campaign*; Barrett, *Civil War in North Carolina*, 262-85. On the army's advance up the Cape Fear River, see Evans, *Ballots and Fence Rails*, 20. On former slaves seen marching with the Union army, see Walter Gilman Curtis, *Reminiscences of Wilmington and Smithville – Southport* (Southport, NC: Southport Historical Society, 1999), 39-41. On black recruitment, see Turner, "Army Correspondence," 4 February 1865, in *Christian Recorder*, 25 February 1865; Second Sergt. J. H. Payne, 28 February 1865, in *Christian Recorder*, 18 March 1865.

arms in the air, and exclaimed, “Blow Gabriel, blow, for God’s sake blow.”⁷

George Arnold, a hospital steward in the 4th U.S. Colored Infantry, whose division had withstood much of the fighting and suffered the heaviest casualties, recognized the significance of black soldiers’ participation in taking Wilmington. The city, he observed, was “the place where all the southern and some of the northern men have made their piles of money—the once thriving city of the Confederacy; the place noted for its slave market!” Where once it was illegal for a black person to be out after 9 p.m., “or to puff a ‘regalia,’ or to walk with a cane, or to ride in a carriage! Negro soldiers!” Arnold exclaimed. In the month that followed Union occupation, freedom parades comprising both black soldiers and local black citizens became a regular occurrence, complete “with banners floating! with their splendid brass bands and drum corps, discoursing the National airs and marches.” For former slaves, the ability to move about the city at will was one of the first enactments of freedom, and the organized marching of black people was an early indication of their collective mobilization.⁸

Black Wilmingtonians took to the streets literally jumping for joy to welcome the

⁷ Lingurn Skidmore Burkhead, “History of the Difficulties of the Pastorate of the Front Street Methodist Church, Wilmington, N.C., for the Year 1865,” *Historical Papers of Trinity College* 8 (1909): 37-38; Evans, *Ballots and Fence Rails*, 22-23 (quotation on 23).

⁸ Arnold, “Through the Carolinas,” 29 March 1865, in *Christian Recorder*, 15 April 1865. On casualties in the 4th U.S. Colored Infantry, see Fonvielle, *Wilmington Campaign*, 346-48. On George Arnold, see 4th U.S. Colored Infantry, Compiled Military Service Records of Volunteer Union Soldiers Who Served with the U.S. Colored Troops, Records of the Adjutant General’s Office, RG 94, NARA-DC (microfilm #1820/reel 31). On the significance of freedom parades, see Kathleen Ann Clark, *Defining Moments: African American Commemoration and Political Culture in the South, 1863-1913* (Chapel Hill: University of North Carolina Press, 2005), 17-19; Alexander, *North Carolina Faces the Freedmen*, 16-20, 78-83. Julie Saville has also emphasized the importance of public demonstration in mobilizing black communities; see Julie Saville, *The Work of Reconstruction: From Slave to Wage Laborer in South Carolina, 1860-1870* (New York: Cambridge University Press, 1994), 172-75.

black soldiers who marched in freedom's army. "The whole city seems to be alive with 'Africans' of all sorts and sizes and sexes and ages," wrote one of the city's white clergymen. "They sing and shout; and preach and pray; and drink and swear; and fiddle and dance; and laugh and yell—'Ye-ah, ye-ah' de bottom rail on de top at las'!" As the men of the 4th U.S. Colored Infantry passed through the city, "[a]t almost every door was a bucket of water; and, in many places, ladies gave bread and meat to the boys, saying, 'Tis the best we have.'" Young and old, men and women, the city's black residents crowded the streets in celebration. One man, nearly ninety-three years old, said he had been too weak to leave his house since the previous July, but the music of the Union troops "had revived him, and he felt so happy that he came out; and there he stood, with his long white locks and his wrinkled cheeks, saying, 'Welcome, welcome!'" Upon witnessing such epic scenes, Sergeant John W. Pratt of the 30th U.S. Colored Infantry was speechless; all he could do was cry. "We could then truly see what we had been fighting for," wrote Sergeant N. B. Sterrett of the 39th U.S. Colored Infantry. As he took one old woman's hand, she exclaimed, "it seems like the good Lord has opened the heavens and handed you down in answer to my prayer."⁹

One woman saw her son for the first time since he had escaped slavery; he marched into Wilmington with the 37th U.S. Colored Infantry. Another black soldier described the scene: "'There goes my son!' exclaimed a lady. 'Which one?' asked a

⁹ For the statement by the white clergyman, see Burkhead, "History of the Difficulties," 64. On the reception accorded black soldiers by the city's black residents, see Arnold, "Through the Carolinas," 29 March 1865, in *Christian Recorder*, 15 April 1865; John W. Pratt, "Letter from North Carolina," 28 February 1865, in *Christian Recorder*, 18 March 1865; Sergeant N. B. Sterrett, "Letters from the 39th Regiment USCI," 11 March 1865, in *Christian Recorder*, 1 April 1865.

corporal. ‘That one, just gone ahead!’ And, sure enough, it was her son. She overtook him and embraced him; and how proudly she felt, none but those similarly situated can ever feel.” How difficult it must have been for the son to leave his mother, not knowing if she would survive the dangers of slavery and war. How powerful it must have been to march back into the city with a U.S. eagle on his buttons and a musket on his shoulder. “He had left his home a slave, but had returned in the garb of a Union soldier, free, a man,” the fellow soldier wrote.¹⁰

Sam, a soldier in one of the black regiments under General Terry, had a powerful reunion of his own when, during the Union advance on Sugar Loaf about five miles north of Fort Fisher, he captured his former master as a prisoner of war. “‘I’s e got ’im boys—I’s e done got ’im,’” he declared. “‘Got who?’ inquired some one. ‘I’s e got my old massa, boys. I tuk ’im in, I did. He’s my prisoner, ole massa is.’” Responded the captured slaveholder, “‘Yes, Sam has the advantage of me just now.’” According to an observer, “the face of each [man] reflect[ed] his feelings beyond the power of words to express or pen to describe.”¹¹

As the reality of emancipation settled in for blacks and whites alike, the boundaries of freedom were immediately tested. Upon his arrival in Smithville, Chaplain Turner found that “[t]he white people, nearly without an exception, showed a bitter and chagrined countenance, while the blacks appeared timid and doubtful.” On his second morning in the village, Turner was sent for by an elderly woman who informed him over

¹⁰ Arnold, “Through the Carolinas,” 29 March 1865, in *Christian Recorder*, 15 April 1865.

¹¹ Quoted in B. F. Thompson, *History of the 112th Illinois* (Toulon, IL: Stark County News Office, 1885), 299-300.

breakfast that, although she herself had always been free, she was joyous that the Union army had come. That evening she requested Turner's presence again. Soon after he arrived, several white women entered her yard and demanded her wood pile. It was "Yankee wood, and not theirs," she responded. An argument ensued, with the intruders cursing her and calling her a liar, to which she fired back, "I am no more a liar than you are." Enraged by such impudence, the white women "grabbed up several clubs, and leaped at the door, using the most filthy language in the vocabulary of indecency." At that point they saw Turner for the first time. Rising from his seat, he told the women "Halt" and identified himself as a U.S. officer. "Well, are you going to allow that negro to give us impudence," they asked, to which Turner replied, "You gave her impudence first." What the women must have been thinking at that moment is almost unimaginable, but they pressed on, feeling a need to educate the black man in blue. "What, we give a negro impudence! We want you to know we are white, and are your superiors. You are our inferior, much less she." "Well," replied Turner in words that must have cut deep, "[a]ll of you put together would not make the equal of my wife, and I have yet to hear her claim superiority over me." The declaration elicited a response from the women that Turner likened to wild dogs barking.¹²

The outraged women marched straight to the local military headquarters and demanded Turner's arrest. But the bottom rail really was on top, and Turner was evidently never even spoken to about the incident. The very next day, he encountered the same women on the streets of Smithville, where the refusal of either party to relinquish

¹² Turner, "Army Correspondence," 4 February 1865, in *Christian Recorder*, 25 February 1865.

the sidewalk caused a collision. That evening, Turner spread word that he would preach to the black residents of the village. Expecting eighteen or twenty people, he must have been surprised when more than 100 turned out. Before a crowd of every color, size, and sort, Turner delivered words on “freedom, liberty, and justice to all men, irrespective of color” that, he reported, “produced the wildest excitement I ever witnessed.” He then announced another service the following evening, and at the appointed hour, the Smithville courthouse hosted the region’s inaugural meeting of the African Methodist Episcopal (AME) Church. The location reflected the revolution occurring along the lower Cape Fear, for black people had previously been prohibited entry into the building.¹³

As a new spirit of independence appeared among many of the formerly enslaved, they encountered resistance from local whites. When freedpeople tried to resume agricultural operations, they were thwarted at every turn by whites who saw them simply as slaves unprotected by masters and thus as targets for theft and abuse. In March, General Joseph Hawley, commander of the District of Wilmington, expressed doubt that the rice industry would ever recover. In Hawley’s estimation, the chief obstacle was the gangs of white men who were destroying crops and stealing food, furniture, and bedding from former slaves who continued to work in the fields. Even in cases where freedpeople

¹³ Ibid. The African Methodist Episcopal (AME) Church was founded at the end of the eighteenth century in Philadelphia as a means for black Methodists to worship without racial discrimination. On the AME Church during Reconstruction, see Walter H. Conser, Jr., *A Coat of Many Colors: Religion and Society along the Cape Fear River of North Carolina* (Lexington: University of Kentucky Press, 2006), 161-62; Reginald F. Hildebrand, *The Times Were Strange and Stirring: Methodist Preachers and the Crisis of Emancipation* (Durham, NC: Duke University Press, 1995); Clarence E. Walker, *Rock in a Weary Land: The African Methodist Episcopal Church during the Civil War and Reconstruction* (Baton Rouge: Louisiana State University Press, 1982), ch. 2.

were growing only enough food to subsist, few of them made it through the planting season unmolested; most had their plow horses and mules stolen before the ground could be broken. General Hawley, who had instituted a program in which tools and abandoned property were leased to freedmen, had guards placed at several of the plantations where former slaves were attempting to plant crops. A Union officer charged with reestablishing farming on abandoned lands also emphasized the need for security. He suggested an armed black picket with a communication network among neighboring plantations to serve as a warning system.¹⁴

For former slaveholders, mastery was difficult to relinquish, and Union military occupation and emancipation had done little to change their hearts and minds. If anything, they became more hostile toward black people. They regularly assured one another of the merits of slavery and pointed to the widespread poverty and suffering of freedpeople as evidence that they were better off in slavery than in freedom. Indignant that almost all her slaves had left her, one former mistress in Wilmington suggested that “[o]ur negroes are just as free now as very poor whites. which is not very free.” “I am done with them,” she declared, adding half-heartedly, “I wish them well.” The only slaves who had remained, she told her cousin Clara, were Minda in the kitchen and Hattie and her sister. Rather than reflect on why the others had chosen to leave, she reassured both herself and her cousin that their bondage had been benevolent. “My servants were slaves only in name,” she maintained. “They were abundantly clothed & well fed. I kept

¹⁴ Brig. Genl. J. R. Hawley to Bvt. Brig. Genl. Abbott, 23 March 1865, Letters Received, ser. 1380, Post of Wilmington, RG 393 pt. 4, NARA-DC. See also Samuel S. Ashley to Brig Genl. J. R. Hawley, 2 June 1865, Letters Received, ser. 1380, Post of Wilmington, RG 393 pt. 4, NARA-DC. For the suggestion of a black picket, see Capt. E. Lewis Moore to Bvt. Brig. Genl. Abbott, 1 April 1865, Letters Received, ser. 1380, Post of Wilmington, RG 393 pt. 4, NARA-DC.

nothing from them I eat myself, and they never worked for me after night unless to wash up supper dishes. now how much better are they off[?]" Although Clara had asked her "to say to Minda that you rejoiced she was free, I did not deliver that message," the unreconciled mistress reported. Minda, she insisted, had chosen to stay under the same terms in which she had worked as a slave. In fact, however, Minda had claimed at least one crucial new right. Should her husband, who had also contracted with the family, find better work someplace else, Minda told her former mistress she would relocate with him. Her protestations to the contrary notwithstanding, the mistress-turned-employer must have realized that Minda's ability to change jobs and move freely constituted a fundamental break with the constraints of slavery.¹⁵

Mobility—choosing where one physically took his or her person—was among the first enactments of freedom. The city of Wilmington and the county of which it was a part, New Hanover, had a strong attraction for former slaves fleeing the chaotic countryside. The army-occupied forts and plantations lining the Cape Fear River became destinations for hundreds of ex-slaves hoping to start anew. In March, General Joseph C. Abbott, commander of the post of Wilmington, visited the plantations near Fort Anderson, which was located about halfway between the city and the mouth of the Cape Fear, hoping to confiscate estates for use by displaced ex-slaves. Abbott was surprised at the size of the plantations. The slave quarters on Orton plantation alone numbered 100

¹⁵ [Illegible] Taylor to Michael Cronly, 18 May 1865, and Mary Ann Murphy to my dear friend Clara, October 11, 1866, both in Cronly Papers, Correspondence, 1863-1867, box 1, DU. On slaveowners' response to emancipation, see Eugene D. Genovese, *Roll, Jordan, Roll: The World the Slaves Made* (New York: Vintage Books, 1976), 97-112; Thavolia Glymph, *Out of the House of Bondage: The Transformation of the Plantation Household* (New York: Cambridge University Press, 2008), 32-62; James L. Roark, *Masters without Slaves: Southern Planters in the Civil War and Reconstruction* (New York: W. W. Norton, 1977), 68-108.

cabins, and he estimated that 1,000 people could be housed there. With additional housing, he believed the plantation could support 10,000 people in the coming year. By April 11, General Hawley, who had been appointed superintendent of freedmen, had signed a decree confiscating not only Orton, but also Kendall, Lilliput, and Pleasant Oaks plantations to house black refugees in what became known as “freedmen’s camps.”¹⁶

Former slave William McLaurin, a future officeholder, launched his public career in one of the new camps. Cabins and plots of land had to be assigned to the refugees who were pouring in, and rations had to be distributed. The New Hanover County native was hired at \$30 per month to dispense rations. The Reverend Samuel Ashley, a Northern white evangelist for the American Missionary Association who served as assistant superintendent of freedmen, reported that McLaurin “is very competent reliable and usefull [*sic*] and I desire to retain him.”¹⁷ Amidst a rapidly growing black population, Northern military authorities needed black leaders to help bring order out of chaos.

Wilmington itself filled with people fleeing the disruptions of war. In 1860, the federal census of the city had reported 5,202 white residents and 4,350 black, 3,777 of whom were slaves. By 1870, the white population had increased by only 324, to a total of 5,526. Meanwhile, the black population had jumped to 7,920, an increase of 82 percent. War and emancipation transformed a city with a small white majority into one with a large black majority. In addition to former slaves and displaced whites,

¹⁶ Genl. J. C. Abbott to Lewis Moore, 30 March 1865, Letters Received, ser. 1380, Post of Wilmington, RG 393 pt. 4, NARA-DC; Wilmington *Herald*, 15 June 1865; Evans, *Ballots and Fence Rails*, 58.

¹⁷ Ashley quoted in Robert B. Beath to Maj Chas J. Wickersham, 2 September 1865, Reports of Operations, Semimonthly, Monthly, and Quarterly Reports, ser. 2464, NC Assistant Commissioner, RG 105, NARA-DC (microfilm #843/reel 22).

Wilmington was a site for prisoner release in the war's final days. The advancing Union army sent between 6,000 and 7,000 white and black refugees, 1,000 to 2,000 sick and wounded soldiers, and 8,600 Union prisoners of war, many of them diseased, to the Cape Fear region. A March 1865 military report estimated that the city's population had increased two and a half times in a matter of days. Although every abandoned mansion and shack was full, refugees still filled the city streets. Much of this increase was temporary, but the city's 1870 population suggests both white departures and the immigration of large numbers of freedpeople.¹⁸

One thing was certain: the influx into the city demanded immediate action, since overcrowding of Southern cities in the spring and summer seasons often resulted in horrific cases of pestilence and epidemic disease. Yellow fever, for example, had devastated New Bern, North Carolina, after Union liberation of the city in 1862 led to a population boom. In the spring of 1865, the lower Cape Fear was on the verge of a smallpox epidemic, with former slaves especially hard hit. Between March 17 and May 31, an average of thirty freedpeople died each day at the Fort Anderson freedmen's camp. While mortality in the camps was staggering, Wilmington itself avoided a major epidemic. One reason was the opening of the only public smallpox hospital in North

¹⁸ U.S. Census Office, *Population of the United States in 1860*, 359; U.S. Census Office, *Ninth Census of the United States, 1870*. Volume 1, *Statistics of the Population of the United States* (Washington: Government Printing Office, 1872), 224. For the number of refugees, wounded soldiers, and prisoners of war, see U.S. War Department, *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies*, 128 vols. (Washington: Government Printing Office, 1880-1901), ser. 1, vol. 47, pt. 1, 164-65. On the Union prisoners, see also four unsigned memoranda, "received 1606 fed prisoners for exchange," 27 February 1865, "1180 paroled Union soldiers," 28 February 1865, "711 Fed prisoners sent to Wilmington lines for exchange," 28 February 1865, "1,000 Fed prisoners sent to Wilmington lines for exchange," 1 March 1865, Letters Received, ser. 1380, Post of Wilmington, RG 393 pt. 4, NARA-DC.

Carolina. Of the 740 patients treated in the hospital between October 10, 1865, and July 7, 1866, fewer than 100 were white. Perhaps more significant to disease prevention was the role of the federal military authorities in city cleanup. In late May, 1865, even the *Wilmington Herald*, which was not known for its appreciation of the Union army, had to admit that “owing to the admirable cleanliness of our streets and places under military orders, the city was never more healthy than at the present time.”¹⁹

Black men arriving from the countryside were immediately organized into teams to clean the city, work that not only aided in disease prevention but also introduced newcomers to local black communities. It is likely that black leaders in the neighborhoods known as Brooklyn and Dry Pond assisted in the cleanup operations, particularly considering the success with which they were carried out and the ease with which the cleanup teams subsequently merged into those neighborhoods. Dry Pond, situated on Wilmington’s south side, was facetiously named, given its propensity to be more wet than dry. Although it had a sizable black majority, its residents were a diverse mix of poor whites, slaves, and free blacks; with the exception of a few well-off black families, it was overwhelmingly working class. Brooklyn also became home to new

¹⁹ On Wilmington’s avoidance of a major epidemic, see J. B. Purcell, M.D., *Wilmington in Health and Disease* (Wilmington, NC: *Journal Print*, 1867), 12-18; Evans, *Ballots and Fence Rails*, 39; Reggie L. Pearson, “‘There are Many Sick, Feeble, and Suffering Freedmen’: The Freedmen’s Bureau’s Health-Care Activities during Reconstruction in North Carolina,” *NCHR* 79 (April 2002): 153-54. On the yellow fever epidemic in New Bern, see Cecelski, *Fire of Freedom*, 135-37. On deaths in the Fort Anderson freedmen’s camp, see Jim Downs, *Sick from Freedom: African-American Illness and Suffering during the Civil War and Reconstruction* (New York: Oxford University Press, 2012), 69. On Wilmington as the only town in North Carolina to support a smallpox hospital, see Pearson, “‘Many Sick, Feeble, and Suffering Freedmen’,” 153; Purcell, *Wilmington in Health and Disease*, 15. Dr. Purcell argued that the local government was more effective than federal occupation in preventing an epidemic; the city hospital, he maintained, saved more lives than the military-run freedmen’s hospitals. For the *Herald’s* admission, see *Wilmington Herald*, 30 May 1865.

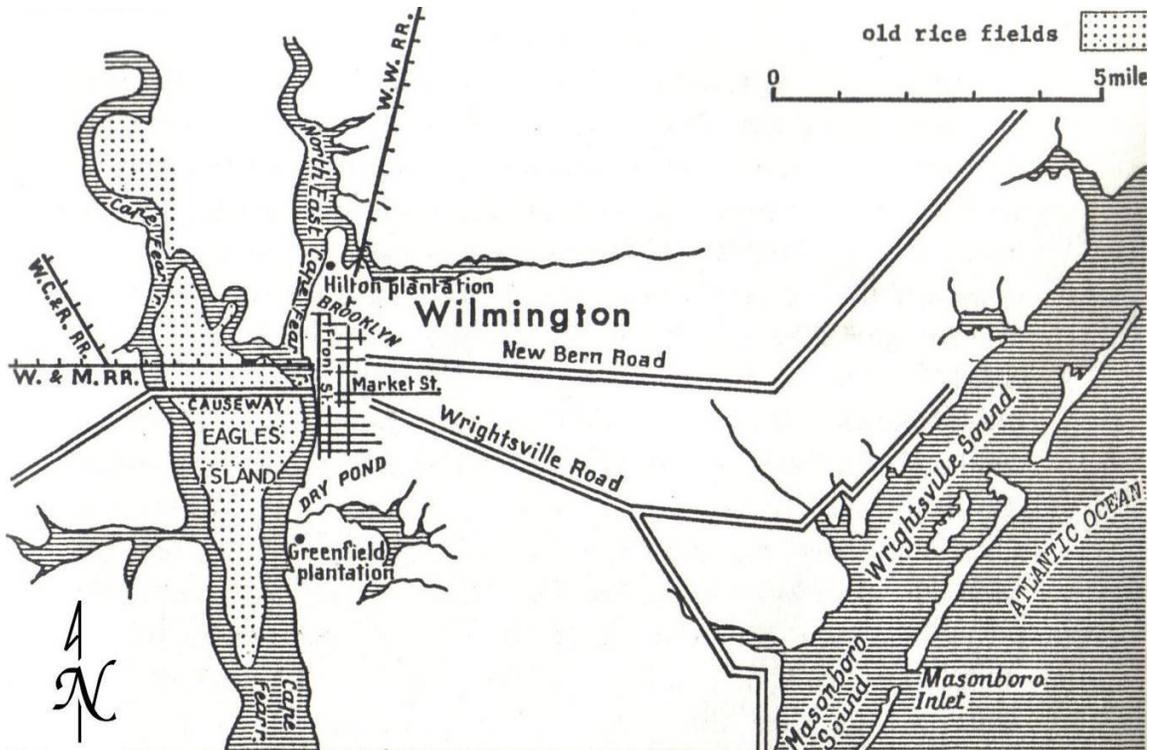


Figure 1.2. Wilmington Area. Reprinted with permission from William McKee Evans, *Ballots and Fence Rails: Reconstruction on the Lower Cape Fear* (Chapel Hill: University of North Carolina Press, 1966), 169.

arrivals from the countryside. Located on the city's north side, Brooklyn was bound by the tracks of three railroads—the Wilmington, Charlotte, and Rutherford; the Wilmington, Columbia, and Augusta; and the Wilmington and Weldon—and by the Cape Fear River to the west. Almost entirely black, Brooklyn's residents were both slave and free, rich and poor. The closely-knit enclave appears to have carved out space for the new rural migrants.²⁰

²⁰ On blacks being organized to clean the city, see U.S. War Department, *Official Records*, ser. 1, vol. 27, pt. 1, 164-65. On Dry Pond, see Beverly Tetterton, *Wilmington: Lost but Not Forgotten* (Wilmington, NC: Dram Tree Books, 2005), 112-14; Evans, *Ballots and Fence Rails*, 105, 172. On Brooklyn, see Tetterton, *Wilmington*, 109-11; Evans, *Ballots and Fence Rails*, 172. Brooklyn and Dry Pond contained populations of similar size, and together they were home to the vast majority of the city's black population. In 1875, for example, the two

Immediately south of Brooklyn lay Campbell Square, locus of much of the city's black mobilization. Bounded by Campbell Avenue to the north, Sixth Street to the east, Red Cross to the south, and Fifth Street to the west, the square had been deeded to the city in 1846 for the public use of the black population. Its donor, William Campbell, was a white Wilmingtonian who had taken an interest in the welfare of the city's black residents. After emancipation, Campbell Square became the center of black activity. In 1865, at least two black churches began holding services in buildings on the square, and their provision of relief to the needy made it the starting point for many urban transplants. By 1868, five of the city's seven black churches were located on or within two blocks of Campbell Square.²¹

For former slaves, one benefit of the city as opposed to the countryside was the availability of such institutions as churches. After emancipation, black churches served as in-place institutions from which to mobilize in the cause of freedom. Although independent black churches had been illegal prior to the war, black Wilmingtonians had played active roles in the biracial, white-controlled churches they attended. In fact, black

neighborhoods combined had 2,300 registered black voters, while the remainder of the city had only 185. See below, chapter 5.

²¹ For the location of the city's black churches, see William M. Reaves, *Strength through Struggle: The Chronological and Historical Record of the African-American Community in Wilmington, North Carolina, 1865-1950*, ed. Beverly Tetterton (Wilmington, NC: New Hanover County Public Library, 1998), 76, 102, 176. By the time of the war, William Campbell was no longer a resident of Wilmington, having moved to Louisiana. He had also sold some of his large landholdings to members of elite free black families, including the Sampsons, Kellogs, and Merricks. See Reaves, *Strength through Struggle*, 176-77. By 1850, the only Campbells listed in federal census for New Hanover County were free people of color. See 1850 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 2 February 2009).

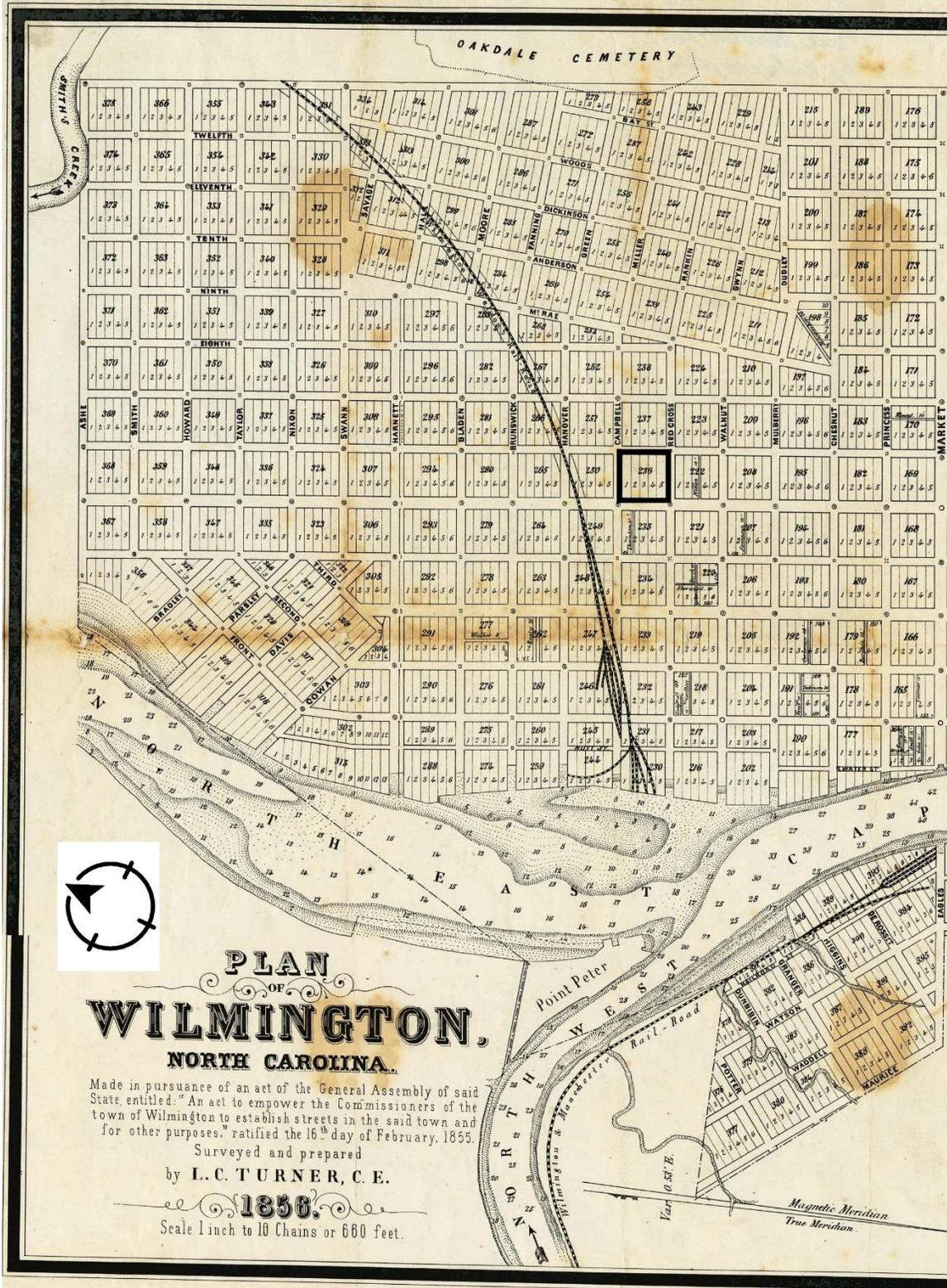


Figure 1.3. Plan of Wilmington, North Carolina, 1856. NCC, <http://docsouth.unc.edu/fpn/jones/support4.html> (accessed 21 July 2015). Campbell Square (block 236) has been outlined in black. (Continues on next page.)

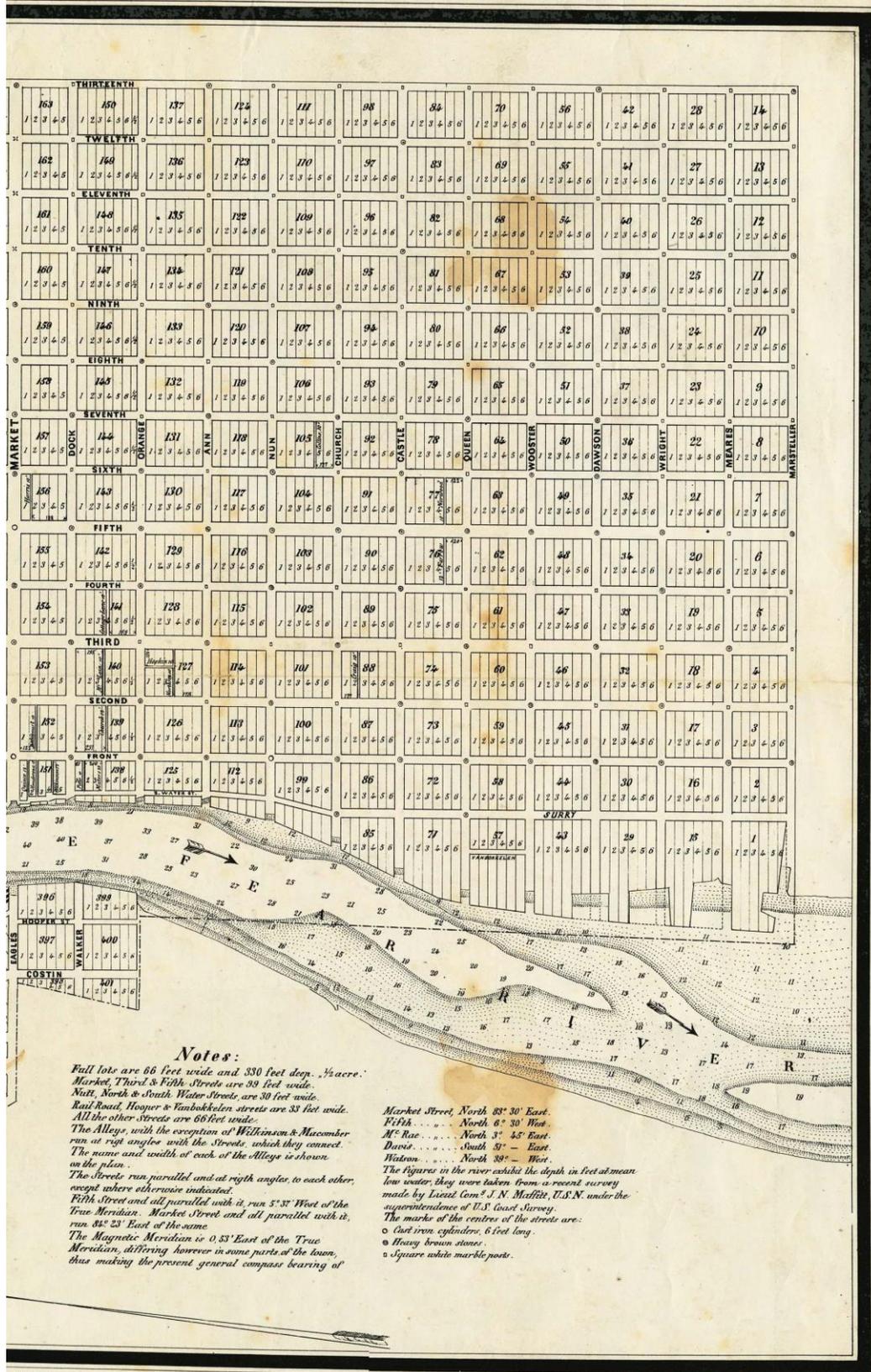


Figure 1.3 (continued).

Methodists and Baptists had long selected their own black elders and deacons and held Sunday afternoon meetings without the attendance of the white pastor. These church officers would play central leadership roles in the months after emancipation.³⁸

One such church leader was George Price, Sr. Price, a slave, had served the Methodist church since the 1840s as both an elder and a lay preacher. He was a renowned plasterer whose reputation as a craftsman was beyond reproach. The ornamental plasterwork he sculpted with his son, George W. Price, Jr., in Wilmington's City Hall and the Bellamy Mansion was considered some of the finest of its kind in the state. Their work is still celebrated today. As skilled urban craftsmen, members of the

³⁸ On the significance of the church in Wilmington both before and after emancipation, see Annual Return of the M.E. Church South, 1842, and Annual Return of the M.E. Church South, 1854, both in Annual Returns of the M.E. Church South, 1832-1854, NHCPL; Conser, *Coat of Many Colors*, 161-62; Peter P. Hinks, *To Awaken My Afflicted Brethren: David Walker and the Problem of Slave Resistance* (University Park: Pennsylvania State University Press, 1997), 12-13; James Walker Hood, *One Hundred Years of the African Methodist Episcopal Zion Church; or, The Centennial of African Methodism* (New York: A.M.E. Zion Book Concern, 1895), 401; Sandy D. Martin, *For God and Race: The Religious and Political Leadership of AMEZ Bishop James Walker Hood* (Columbia: University of South Carolina Press, 1999), 58-60; William Walls, *The African Methodist Episcopal Zion Church: The Reality of the Black Church* (New York: A.M.E. Zion Publishing House, 1974), 188-89. On the more general significance of black churches after emancipation, see Roberta Sue Alexander, "North Carolina Churches Face Emancipation and the Freedmen: An Analysis of the Role of Religion during Presidential Reconstruction, 1865-1867," *University of Dayton Review* 9 (Winter 1972): 47-65; Kenneth K. Bailey, "The Post-Civil War Racial Separations in Southern Protestantism: Another Look," *Church History* 46 (December 1977): 453-73; Katharine L. Dvorak, *An African-American Exodus: The Segregation of the Southern Churches* (Brooklyn, NY: Carlson Publishing, 1991), 121-25; Robert L. Hall, "'Yonder Come Day': Religious Dimensions of the Transition from Slavery to Freedom in Florida," *Florida Historical Quarterly* 65 (April 1987): 411-32; Matthew Harper, "Emancipation and African American Millennialism," in *Apocalypse and the Millennium in the American Civil War Era*, ed. Ben Wright and Zachary W. Dresser (Baton Rouge: Louisiana State University Press, 2013), 209; Hildebrand, *Times Were Strange and Stirring*, ch.1; Wilbert Jenkins, *Seizing the New Day: African Americans in Post-Civil War Charleston* (Bloomington: Indiana University Press, 1998), ch. 6; Leon F. Litwack, *Been in the Storm So Long: The Aftermath of Slavery* (New York: Knopf, 1979), 464-69; William E. Montgomery, *Under Their Own Vine and Fig Tree: The African-American Church in the South, 1865-1900* (Baton Rouge: Louisiana State University Press, 1994), 111-16, 145-51, 231-33; John T. O'Brien, "Factory, Church, and Community: Blacks in Antebellum Richmond," *JSH* 44 (November 1978): 509-36; Walker, *Rock in a Weary Land*, ch. 1-2.

Price family, despite being enslaved, lived somewhat autonomous lives. They found their own work, collected their own wages, obtained their own housing (in Brooklyn), and lived on their own, paying their master a fixed amount at the end of each month.³⁹

Most urban slaves labored under strict rules with no independence and little mobility. Often they lived in close quarters with their owners, especially those engaged in domestic service. Skilled artisans like the Prices were, however, sometimes permitted to hire themselves out. Indeed, so prevalent was the practice that in 1835 the state legislature authorized the Wilmington town commissioners to appoint a superintendent of slaves who would register hired slaves, collect their wages, and pay their owners. Although no superintendent was actually appointed until 1854, the creation of the position signaled something of the importance of slave hiring in the city.⁴⁰

Wilmington boasted some of the state's most skilled and best-paid slave craftsmen, including carpenters, brick masons, and plasterers. Some among this class had

³⁹ For George Price's service in the church, see Annual Returns of the M.E. Church South, Front Street (Grace) Methodist Church, NHCPL. On the Prices' plasterwork and their self-hire arrangement with their owner, see Catherine W. Bishir, "Urban Slavery at Work: The Bellamy Mansion Compound, Wilmington, North Carolina," *Buildings and Landscapes: Journal of the Vernacular Architecture Forum* 17 (Fall 2010): 13-32; Catherine W. Bishir and Beverly Tetterton, "Price Family," *North Carolina Architects and Builders: A Biographical Dictionary* (Raleigh, NC: Copyright & Digital Scholarship Center, North Carolina State University Libraries, 2010), <http://ncarchitects.lib.ncsu.edu/people/P000475> (accessed 4 April 2011).

⁴⁰ On the position of superintendent of slaves, see Alan D. Watson, *Wilmington, North Carolina, to 1861* (Jefferson, NC: McFarland, 2003), 188-89. On slave hiring in the urban South, see Harlan Greene, Harry S. Hutchins, Jr., and Brian E. Hutchins, *Slave Badges and the Slave-Hire System in Charleston, South Carolina, 1783-1865* (Jefferson, NC: McFarland, 2004), ch. 2; Jonathan D. Martin, *Divided Mastery: Slave Hiring in the Antebellum South* (Cambridge, MA: Harvard University Press, 2004), ch. 6; John J. Zaborney, *Slaves for Hire: Renting Enslaved Laborers in Antebellum Virginia* (Baton Rouge: Louisiana State University Press, 2012), ch. 1. On slaves who hired out their own labor in Wilmington, see Cecelski, *Fire of Freedom*, 6-8. Lacy Ford discusses the differences between urban and rural slavery as well as differences among urban slaves. See Lacy Ford, *Deliver Us from Evil: The Slavery Question in the Old South* (New York: Oxford University Press, 2009), 245-51.

been able to acquire not only skills, but also capital, property, or both. The Sadgwar were one such family of enslaved artisans. David Elias Sadgwar, the patriarch, was born in 1817 to white parents, but was reared as a slave, married an enslaved woman, and identified as black. Trained as a carpenter, Sadgwar owned his own shop in 1870, by which time he had become one of the wealthiest black men in the city.⁴¹ Although such men constituted only a small proportion of the city's slaves, the Prices, the Sadgwar, and other skilled craftsmen played an important part in the city's postwar political mobilization. Several of them would be officeholders in the years to come.⁴²

While most free blacks in North Carolina owned no property at all, New Hanover County led the state in free black property ownership. In 1860, the county's 767 free blacks owned real estate valued at \$37,720, and a few free black families owned slaves.⁴³

⁴¹ David Sadgwar is described as a white-complected black man by both nineteenth- and twentieth-century sources. At one point, his "racial appearance" helped him escape slavery, but he was tracked down in New York, arrested, and returned to his master in Wilmington. See William McKee Evans, *Open Wound: The Long View of Race in America* (Urbana: University of Illinois Press, 2009), 290n16. He was born to white parents but was reared as a slave by an enslaved woman whom he regarded as his mother, thus leading to his racial identification. His identification as black was further confirmed by his long domestic relationship with a black woman named Fanny Merrick, also a slave, with whom he had seven children. See *Wilmington Star*, 31 August 1907, 27 February 1917; pages from Sadgwar Family Bible, Bill Reaves Collection, NHCPL; Reaves, *Strength through Struggle*, 455. Sadgwar's sons would become important officeholders during Reconstruction, and his daughter, Caroline, who became an international opera singer, would marry Alexander Manly, the black newspaper editor whose article lambasting the racism of anti-miscegenation rhetoric was the catalyst for the 1898 Wilmington massacre.

⁴² Catherine W. Bishir discusses the significance of black artisans to black political culture in New Bern; see *Crafting Lives: African American Artisans in New Bern, North Carolina, 1770-1900* (Chapel Hill: University of North Carolina Press, 2013), 176-83.

⁴³ Of the 10,331 black people reported in the 1860 federal census for New Hanover County, only 7 percent were free. See U.S. Census Office, *Population of the United States in 1860*, 352-54. On free blacks in North Carolina, see John Hope Franklin, *The Free Negro in North Carolina, 1790-1860* (Chapel Hill: University of North Carolina Press, 1943). According to Franklin, the law recognized free blacks' property rights, and until 1835 the small number of free black men who could satisfy the property requirements for voting also enjoyed suffrage

The propertied free blacks who lived in the city itself were generally artisans. One such family was the Howes. The family patriarch, Alfred Howe, who was born in 1817, the same year as David Sadgwar, owned a carpentry shop before the war, as well as a significant stretch of city property along South Third Street in the drier eastern section of Dry Pond. In 1870, he owned real estate valued at \$2,000 and \$1,000 in personal property.⁴⁴ An 1865 article in the *AME Christian Recorder* directed its readers to Alfred

rights. Thereafter, however, the state increasingly cracked down on free blacks. While their property rights were generally upheld by North Carolina courts, white hostility toward free blacks increased, and they were often driven from their land and denied legal redress for stolen property.

⁴⁴ Alfred Howe was the son of Oboto, whose father was an Ibo chieftain. Captured by British slavers in the mid-eighteenth century, Oboto was sold to the Walker plantation on the western bank of the Cape Fear River in Brunswick County and renamed Anthony Walker. Soon after his arrival in North Carolina, Anthony Walker, a trained builder in his homeland, was willed to Colonel Robert Howe. Not long before the American Revolution, after a particularly violent storm, Walker organized the other slaves and, despite language barriers, showed them how to repair the devastated slave quarters. The core of that building crew apparently formed a construction team that continued to make improvements within the quarters. When Colonel Howe saw what the men could do, he pulled them from the field, making them plantation builders. Previously, local planters had hired builders from England to construct barns, storehouses, and houses, but Howe began to hire out his building crew for such work. To increase their productivity, his wife taught the men English. Alfred Howe's mother was Tenah, a Native American Tuscarora who as a baby had been left behind in a raid; childless, the Howes raised the baby as their own. When Tenah Howe came of age, she was courted by a nephew of the Howes and also by Anthony Walker. After a physical confrontation with the nephew, Anthony Walker received permission to marry Tenah with the stipulation that all children of the marriage would take the surname Howe. Colonel Howe also wanted the children of the union to be free. Upon his death, he manumitted Anthony and granted him all rights to the valuable carpentry business begun that long ago stormy night. By 1870, the Howe family, descendants of Anthony Walker and Tenah Howe, owned the entire Wilmington city block of South Third Street between Queen and Castle. See Nada R. McDonald Cotton, "The Walker-Howe Family of Wilmington, North Carolina, in New Hanover County" (typescript), Family History and Biography file, Bill Reaves Collection, NHCPL; Reaves, *Strength through Struggle*, 408-10; Frederick Howe Free Color Pass, 1861, and Alfred Howe Free Color Pass, 1861, MacDonald-Howe Papers, UNCW; Walker-Howe Family History, MacDonald-Howe Family Papers, UNCW. According to Peter Hinks, Anthony Walker may have been the father of David Walker, the black Wilmingtonian who, after moving to the North, penned the 1829 pamphlet *The Appeal*, one of the most significant abolitionist publications of its time. See Hinks, *To Awaken My Afflicted Brethren*, 12-13. For the value of Alfred Howe's property in 1870, see U.S. Census, 1870 Population, New Hanover County, NC, p. 86, www.ancestry.com (accessed 2 February 2009).

Howe if they desired information on “Schools, Mercantile enterprises, Mechanical affairs, lectures, exhibitions, &c., &c.” in Wilmington. “Much could be said on the enterprising spirit of the colored Wilmingtonians,” the article continued, “but you will soon learn these facts, by their commendable acts,” thereby extolling the promise of Wilmington as a center of postemancipation black progress. Alfred Howe was a symbol of Wilmington’s potential. “Howe is for general advancement,” the article declared, “not only in an educational point of view, but is exceedingly anxious to see colored men make this place a great commercial base.”⁴⁵

In Wilmington, as elsewhere in the urban South, the existence of an economically stable black propertied class undergirded postemancipation businesses, churches, and schools. The urban black elite, free and enslaved, had long placed a high value on education. Black Wilmingtonians, according to Chaplain Henry M. Turner, “recognized power in an educational ideal, exceedingly marvellous for the limited capacity hitherto allowed to their intellectual development.” Education had continued despite the state laws of 1831 and 1832 that prohibited the teaching of slaves. The central figure in this development was James Drawborn Sampson, a free black resident of the city. Born a slave in 1801, Sampson was the wealthiest black man in New Hanover County in 1860. The son of a white plantation owner in Sampson County, northwest of New Hanover, Sampson was trained as a carpenter. When he was eighteen, his father took him to Wilmington, manumitted him, and set him up in his own shop, including several enslaved boys whom he was to instruct in the trade. Family tradition has it that the father told his

⁴⁵ H. M. Turner, “Colored Men of Enterprise,” 12 April 1865, in *Christian Recorder*, 29 April 1865.

son, “Do for them as I have done for you.” Although James Sampson did not manumit the boys, several of them became renowned carpenters in their own right, and, despite the laws prohibiting the education of slaves, they could all read and write at the close of the war.⁴⁶

Risking the penalty of a public lashing, James Sampson sponsored a school on his property where a handful of free black and slave children were taught by a private instructor originally hired to teach his ten children. When the authorities learned of the school, they immediately closed it. But the school carried on in secret, and when representatives of the American Missionary Association arrived in Wilmington soon after the fall of Fort Fisher, they discovered Sampson’s school already in existence. Its teachers—Sampson’s daughter Franconia (Fannie), Kate Cowan, and Mary Day—were all members of the city’s free black elite. Two of Alfred Howe’s daughters would also become teachers in the years after the war; one of them, Mary Washington Howe, who had attended a Quaker school in Philadelphia, became one of Wilmington’s most important educators.⁴⁷ It is likely that all five women received their early education at

⁴⁶ Reaves, *Strength through Struggle*, 460; James B. Browning, “James D. Sampson,” *Negro History Bulletin* 3 (January 1940): 56. Of the \$37,720 in real property held by free blacks in New Hanover County in 1860, James Sampson owned a startling share, some \$26,000. For Turner’s comments, see “Army Correspondence,” 4 February 1865, in *Christian Recorder*, 25 February 1865. On black education in Wilmington before the Civil War, see Franklin, *Free Negro in North Carolina*, 168-69. Sampson’s failure to free the enslaved boys placed in his charge may have resulted from the severe restrictions imposed on manumission during the final years of the antebellum period, for which see Franklin, *Free Negro in North Carolina*, 211-13, 222-25.

⁴⁷ Browning, “James D. Sampson,” 56; Mary Day to American Missionary Association Headquarters, n.d. August 1865, J. G. Langley to Rev. J. E. Strieby, 18 March 1865, and Report of William Rudy, 31 March 1865, all in North Carolina, AMA, microfilm reel 150; “History of the Williston Industrial School” (typescript), MacDonald-Howe Family Papers, UNCW; “Gregory Normal Institution” (typescript), MacDonald-Howe Family Papers, UNCW; Deed of

Sampson's school.

In March 1865, after visiting Wilmington, a correspondent for the *New York Anglo-African* reported that “no city can boast a more intelligent class.” He credited the Sampson school for the culture of learning he had found. Yet, it was not merely the presence of a black elite that accounted for the extent of black literacy. Laws prohibiting the teaching of slaves to read and write were not enacted until the 1830s. By the time they were imposed, some black Wilmingtonians were already literate. In addition, the nature of urban slavery was such that an educated slave could potentially produce larger profits, particularly when he operated his own artisan business. As a result, some masters were willing to ignore the laws prohibiting education, or at least to turn a blind eye when their skilled slaves violated them.⁴⁸

Black education expanded quickly in postemancipation Wilmington. Within weeks of the fall of Fort Fisher, four schools were in operation, and by the time the Reconstruction Acts were passed two years later there were fourteen. Chaplain Turner observed that the city's black residents had “a high appreciation of the beneficial advantages of education.” In March 1865, at one of the first mass meetings of black Wilmingtonians, calls for schools could be heard throughout the crowd. A few days later, when the teachers of the Sampson school opened classes in the basement of Front Street Methodist Church, 400 children were in attendance. In April, a school opened on

Alfred and Mary Howe, MacDonald-Howe Papers, UNCW, Silas Martin to Miss Amy Bradley, 5 January 1867, Documents Relating to Public Education in New Hanover County, UNCW.

⁴⁸ *Anglo-African*, 25 March 1865, quoted in Cecelski, *Fire of Freedom*, 172. On the availability of education in Southern cities and the ability of urban slaves to benefit from it, see Ford, *Deliver Us from Evil*, 245.

South Third Street with fifteen men and ten women as students, each paying tuition of fifty cents a month. Just blocks away, at the corner of South Seventh and Church streets, another school opened with thirty-eight adult students (eighteen men and twenty women). And one block further, at the corner of South Seventh and Nun, was a school with 127 grammar students, 100 primary students, and 50 industrial students. On the north side of the city, two schools had opened in the vicinity of Campbell's Square by the summer. AMA missionary Samuel Ashley supervised a school on the Sixth Street side of the square. Another school opened one block down, at North Fourth Street and Campbell, and yet another, located five blocks southeast of Campbell Square on Chestnut Street, had twenty-two students and required tuition of seventy-five cents a month.⁴⁹

The city's black students showed amazing fortitude in their desire to learn. Despite the fact that black proponents of education sought to reach illiterate whites as well as former slaves, most white Wilmingtonians saw the rapid establishment of black-organized schools as a threat. Still reeling from war and defeat and struggling to reassert their supremacy, the city's whites sometimes targeted black schoolchildren. In one instance in May, a black girl was severely beaten while on her way to school. Yet, on July 1, the last day of school, when a Northern teacher asked a class of black students if they were eager to be dismissed for the remainder of the summer, "not a hand was

⁴⁹ On the establishment of schools in postwar Wilmington, see *Christian Recorder*, 15 April 1865, 1 July 1865, 2 September 1865. By June 1865, one school was in operation at St. Luke's AME Zion Church, and another of sixty pupils was being conducted in the basement of Front Street Baptist Church. See "Letter from J. C. Gibbs," 15 April 1865, in *Christian Recorder*, 6 May 1865. For Turner's observation, see "Army Correspondence," 4 February 1865, in *Christian Recorder*, 25 February 1865. The March 1865 mass meeting is described in Cecelski, *Fire of Freedom*, 269n9.

raised.”⁵⁰

Black churches led the way. First Presbyterian Church sponsored a day school whose students’ examination performance in reading, arithmetic, geography, recitation, and singing, according to one observer, “reflected great credit on their preceptor, a colored man of considerable education, who like all men of merit, shuns notoriety.”⁵¹

Black Wilmingtonians’ thirst for education attracted the attention of Northern aid societies. The American Missionary Association (AMA) was the first to join the city’s black leaders in establishing schools. Local AME and AME Zion leaders organized a Methodist mass meeting on March 20, 1865, to hear W. L. Coon, an agent of the AMA, discuss a possible relationship between his association and the city’s black communities. General Hawley had already authorized Coon and the AMA to establish schools in Wilmington. After being introduced by the chairman, Coon gave a brief history of his organization and its work with freedpeople since the beginning of the war, and then offered AMA support for the black schools in Wilmington.⁵²

⁵⁰ On Wilmington students’ desire for education, see J. G. Langley to George Whipple, 31 May 1865, and S. C. Deffin to George Whipple, 1 July 1865 (quotation), North Carolina, AMA, microfilm reel 151; H. M. Turner, “Army Correspondence,” 4 February 1865, in *Christian Recorder*, 25 February 1865; “Letter from J. C. Gibbs,” 15 April 1865, in *Christian Recorder*, 6 May 1865; Cecelski, *Fire of Freedom*, 269n9. On black proponents of education trying to include poor whites, see Turner, “Army Correspondence,” 4 February 1865, in *Christian Recorder*, 25 February 1865.

⁵¹ J. S. Thompson, “A Few Strange Incidents from the South,” in *Christian Recorder*, 30 September 1865. The author noted that First Presbyterian was home to several black men “of considerable education.” It is likely that the school’s preceptor was Frederick Sadgwar. The Sadgwar family played an important role in education, and Frederick Sadgwar had studied at Lincoln University in Pennsylvania before returning to Wilmington and establishing a school. He also taught freedmen out of the Sadgwar family carpentry shops along North Eighth Street. See Reaves, *Strength through Struggle*, 456.

⁵² On the March 20 mass meeting, see Kate Cowan, “Letter from Wilmington,” 20 March 1865, in *Christian Recorder*, 8 April 1865. On the AMA’s work establishing schools in the postemancipation South, see Joe M. Richardson, *The American Missionary Association and*

The meeting's large attendance—men, women, and children—made evident the active role black Wilmingtonians intended to take in the establishment of education. After Coon's remarks, several other speakers addressed the assembly, offering their thoughts on the proposed collaboration. Among them were John Nixon, a member of one of Wilmington's elite, mixed-race, free families, Owen Burney, a former slave, and George W. Price, Jr., also a former slave and the son of an elder at Front Street Methodist Church. All who spoke approved of cooperation with the AMA, and, on the motion of William H. Hunter, the black chaplain of a regiment stationed in the city, the meeting resolved "That we, the colored people of Wilmington, desire the A.M.A. to establish schools and missions for our benefit, and that we pledge to said A.M.A. our hearty and undivided co-operation." Reporting the proceedings to the *Christian Recorder*, Kate Cowan, who had taught at the secret, pre-emancipation Sampson school and would become a mainstay of black education in Wilmington, captured the expectation of the

Southern Blacks, 1861-1890 (Athens: University of Georgia Press, 1986); Joe M. Richardson, *Christian Reconstruction: The American Missionary Association and Southern Blacks, 1861-1890* (Athens: University of Georgia Press, 1986). On the education of freedpeople in Union-occupied North Carolina during the war, see Judith Browning, "'Bringing Light to our Land . . . When She was Dark as Night': Northerners, Freedpeople, and Education during Military Occupation in North Carolina, 1862-1865," *American Nineteenth Century History* 9 (March 2008): 1-17. On the education of freedpeople in the postemancipation South more generally, see Ronald E. Butchart, *Northern Schools, Southern Blacks, and Reconstruction: Freedmen's Education, 1862-1875* (Westport, CT: Greenwood Press, 1980); Ronald E. Butchart, *Schooling the Freedpeople: Teaching, Learning, and the Struggle for Black Freedom, 1861-1876* (Chapel Hill: University of North Carolina Press, 2010); Herbert G. Gutman, "Schools for Freedom: The Post-Emancipation Origins of Afro-American Education," in *Power and Culture: Essays on the American Working Class*, ed. Ira Berlin (New York: Pantheon, 1987), 260-97; Litwack, *Been in the Storm So Long*, 471, 499; Christopher M. Span, "'I Must Learn Now or Not at All': Social and Cultural Capital in the Educational Initiatives of Formerly Enslaved African Americans in Mississippi, 1862-1869," *Journal of American History* 87 (Spring 2002): 196-205; Heather Andrea Williams, *Self-Taught: African American Education in Slavery and Freedom* (Chapel Hill: University of North Carolina Press, 2006). On the role of black churches in education, see Montgomery, *Under Their Own Vine and Fig Tree*, 140-50.

city's black communities that any plans regarding their future be brought before them for a vote.⁵³ Despite the fact that General Hawley had already authorized the AMA to establish schools, black Wilmingtonians actively participated in the process. They expected to have a voice in decisions regarding black schools. That Coon addressed a meeting of the city's blacks, submitted his ideas to them, and sought their approval suggested that he recognized the power and organization that existed on the ground in Wilmington's black neighborhoods.

The success of the AMA during the first year of freedom demonstrated the importance of education to black Wilmingtonians. Local enthusiasm for education also inspired Northern missionary Amy Morris Bradley to move to Wilmington in 1866 to establish schools for poor white children; her work was sponsored by the Soldiers' Memorial Society of the American Unitarian Association. But teachers, whether black or white, male or female, Northern or Southern, undertook postemancipation education at their own peril. The *Wilmington Journal* accused Bradley of being part of a New England conspiracy to indoctrinate students with "Free-Lovism, Communism, Universalism, Unitarianism, and all the multiplicity of evil teachings that corrupt society and overthrow religion." Yet Bradley's focus on the white children of Dry Pond rather than its black children seems to have reduced white animosity. Not long after the

⁵³ Kate Cowan, "Letter from Wilmington," 20 March 1865, in *Christian Recorder*, 8 April 1865. Meetings like the one described are evidence of what Joyce Hollyday argues in her study of the AMA's education campaign in the South. "[A]ll across the South," she writes, "from Nashville to New Orleans; in Alexandria, Virginia, and Talladega, Alabama; in Savannah, Georgia, and Wilmington, North Carolina, and corners unknown—African Americans were pioneers in their own education." See *On the Heels of Freedom: The American Missionary Association's Bold Campaign to Educate Minds, Open Hearts, and Heal the Soul of a Divided Nation* (New York: Crossroad Publishing, 2005), 2.

establishment of her school, local whites embraced her. By contrast, the white men and women who taught at black schools continued to face hostility. They were cursed on the streets and blamed for “enticing” black children from their work. One Northern teacher was seized from his bed at night and taken into the woods, where he was beaten for “keeping a nigger school” and threatened with worse if he did not desist. White Wilmingtonians often complained that Northern teachers had come to the South to promote racial integration. In January 1866, Samuel Ashley warned AMA headquarters that black and white teachers should not travel together in the South. “[T]here are very few places at the North where it would be wise to do this,” he acknowledged, but to travel together in the South “is to bring your white teachers, at once, in such sharp contact with the prejudices of the Southern people that their (the teachers) situation is made almost militant.”⁵⁴

Despite the opposition faced by those involved in early postwar education, by 1866, Wilmington boasted day and night schools that taught both adults and children. The city’s black residents not only enthusiastically endorsed the role of the American Missionary Association and the Soldiers’ Memorial Society in establishing schools, but also pushed for a commitment to education from the federal government. In an early insight into black Southerners’ ideas regarding the importance of universal education and

⁵⁴ On the opposition to white backers of black schools, see Thomas Barton to Allan Rutherford, 10 January 1867, B-15 1867, Letters Received, ser. 2892, Wilmington, NC, Superintendent of the Southern District, RG 105, NARA-DC [FSSP A-793]. For Ashley’s warning, see S. S. Ashley to Pres. S. Hunt, 22 January 1866, North Carolina, AMA, microfilm reel 150. On Amy Bradley, see David Y. Sellers, *Miss Amy Morris Bradley: The Story of a Woman from Maine Who Spent Many Years in the Service of Free Education in Wilmington, N.C.* (Wilmington, NC: David Y. Sellers, 1970), 5; Dianne Cashman, *Headstrong: The Biography of Amy Morris Bradley, 1823-1904* (Wilmington, NC: Bradford Publishing, 1991), 166.

the proper role of government in bringing it into being, some of the city's black residents petitioned Congress in 1866 for the establishment of a federal bureau of education "to devise means which shall secure to every child, born in the United States, a competent education, without regard to locality, color, sex, or conditioning [*sic*]." The petitioners enunciated an ideology of community elevation that saw public provision of education for both black and white as part of the process of emancipation. "[I]n the name of four millions of freedmen, who now ask for that education which slavery forbade," the petition appealed; "in the name of a still larger number of 'poor whites,' who need that instruction which slavery withheld; and finally in the name of justice, humanity and religion we most respectfully and earnestly present our prayer."⁵⁵

Racial equality was not, however, a concept necessarily shared by white educational leaders. Some of the Northern agents sent to oversee school operations for the AMA had little regard for the black teachers they found already at work. Black teacher Mary Day, who was heading a school when the AMA arrived, found herself replaced by a Northern white teacher six weeks after the Northern association took control. Although Day stayed on as a teacher, she refused an official commission from the AMA. In August 1865, she protested to the AMA's national headquarters that she had been teaching at the school since March but had received a total of only \$26.20 in pay when \$10-\$15 per month was the going rate for teachers. Day was a dedicated teacher who provided her students with books at her own expense, and she was outspoken in her desire for homegrown black teachers. "North Carolina is my native

⁵⁵ Petition of Colored Citizens of Wilmington, 25 June 1866, 39A-H8, Senate Committee on Judiciary, Petitions and Memorials, 39th Congress, Records of the United States Senate, RG 46, NARA-DC [FSSP E-52].

state,” she declared. “I am proud to say that I am a daughter of the south, with no taint of yankeeism in my veins. I have never accepted a commission tho’ several have offer[e]d to procure one for me, for the reason (if you will pardon a vulgarism) a burnt child dreads the fire—”⁵⁶

In June, nine AMA teachers petitioned the AMA headquarters to have J. G. Langley, the association’s superintendent of schools in Wilmington, removed from his position. “Mr Langley’s treatment of the colored people is unkind and extremely harsh,” the petitioners claimed. In addition, “[h]is treatment of the Teachers is very unjust and often insulting, and we think it would be doing any corps of teachers injustice to send them out under his superintende[nce].” Even more serious allegations were brought against Langley in September when a black teacher appealed for his removal “because she was afraid to stay alone in the house; he had tried to violate her person.”⁵⁷ It is no wonder that black Wilmingtonians insisted on the involvement of black communities, particularly black leaders and black teachers, in the operation of schools in their communities.

Black Wilmingtonians’ insistence on shaping freedom for themselves did not stop with schooling. They sought equal participation in all aspects of social, economic, and political life. White officials, however, were not prepared to share power with ex-slaves.

⁵⁶ Mary Day to American Missionary Association Headquarters, n.d. August 1865, North Carolina, AMA, microfilm reel 150. On black teachers’ insistence on playing an active role in schools for black children, see Richardson, *Christian Reconstruction*, 195-205.

⁵⁷ W. W. Wheeler et al. to the Secretaries of the American Missionary Association, 20 June 1865, North Carolina, AMA, microfilm reel 150; J. D. McLanlin to Rev. George Whipple, 14 September 1865, North Carolina, AMA, microfilm reel 150. Apparently no action was taken, as Langley continued to hold his position.

On June 26, 1865, North Carolina's provisional governor, William W. Holden, who had been appointed by President Andrew Johnson in May, announced his appointees for justices of the peace in New Hanover County, as well as Wilmington town commissioners. All of them were white. Thirty-one of the forty magistrates were new to the position, but the town officials consisted largely of the same men who had been ejected from office following Union occupation. After applauding the surrender of former mayor John Dawson in February, black Wilmingtonians now looked on in dismay as he and his administration were returned to office. They were not, however, prepared to accept exclusion from local governance. In early July, the city's black fire companies and local chapters of the Equal Rights League petitioned the reinstated mayor and town commissioners for what the shocked officials described as "a participation in the Offices and appointments of this Board, say Policemen and Inspectors of fuel for the Town." The petitioners, they reported, also objected to some of the justices of the peace appointed by the governor, "insist[ing] that they should have been consulted."⁵⁸

Alarmed by the petition, Mayor Dawson and the commissioners asked Governor Holden to take "some speedy action." "Our own colored population are assuming a somewhat dictatorial spirit," they complained, citing the request for black appointees.

⁵⁸ William W. Holden, appointment of James Shackelford et al. as commissioners of Wilmington, 26 June 1865, Governors' Papers, NCDAH. For Holden's appointment of New Hanover County justices of the peace, see Paul D. Escott, *Many Excellent People: Power and Privilege in North Carolina, 1850-1900* (Chapel Hill: University of North Carolina Press, 1985), 92. The black Wilmingtonians' petition is described in John Dawson et al. to His Excellency W. W. Holden, 12 July 1865, and Bvt. Brig. Genl. Saml A. Duncan to Maj. C. A. Cilley, 26 July 1865, both in *Freedom: A Documentary History of Emancipation, 1861-1867*, ser. 3, vol. 1, *Land and Labor, 1865*, ed. Steven Hahn, Steven F. Miller, Susan E. O'Donovan, John C. Rodrigue, and Leslie S. Rowland (Chapel Hill: University of North Carolina Press, 2008), 131-35. The petition itself has not been found.

They were therefore “somewhat apprehensive that when the Municipal Government is organized and an attempt is made to assume and exercise authority not in accordance with the views of this particular class, resistance will be made.” Despite a June 12 proclamation in which Holden had pointedly told black North Carolinians that they should not expect to exercise political rights, black Wilmingtonians “still insist that they are entitled to all the social and political rights of white citizens.” Holden’s response to the town officials declared that “[t]he colored people are now free and will be protected and respected as long as they are obedient to the laws,” but “if they resist the laws and shed blood they must abide the consequences.” At the same time he forwarded copies of the correspondence to General Thomas H. Ruger, the federal military commander in North Carolina, “with an earnest appeal to take the matter immediately into his consideration.” He asked General Ruger to “arm the Police Guard of New Hanover and also furnish [Mayor Dawson] with arms and ammunition.”⁵⁹

Warning of “smothered revenge to-wards [*sic*] the whites” and the potential of “a riot, or even something worse,” the reinstated town officials cited the presence of black soldiers as a particular threat. In the event of organized resistance by the city’s black population, “the colored Troops could not be controlled by their officers, and would take sides with the colored citizens.” Dawson and the commissioners therefore asked that black troops be removed from the city, that local blacks be disarmed, and that the police force be doubled and its pay increased. The political mobilization of the city’s black

⁵⁹ John Dawson et al. to His Excellency W. W. Holden, 12 July 1865, in *Land and Labor, 1865*, ed. Hahn et al., 131-33; W. W. Holden to the Mayor and Commissioners of the Town of Wilmington, 15 July 1865, and W. W. Holden to Major General Ruger, 15 July 1865, Governors’ Letter Books, p. 19, NCDAH.

residents worried the Dawson administration as much as the presence of black troops. Black Wilmingtonians no longer kept their opinions to themselves, the city officials reported. Conversations that revealed “an insurrectionary spirit” were frequently overheard on the streets, and the discussants were “not very careful to conceal” their views.⁶⁰

Compounding the alarm of the restored civil authorities was the evidence of organization on the part of the black petitioners, who wrote as representatives of the black fire companies and the Equal Rights League. The league was also believed to be behind a May 10 petition to President Johnson from “the Colored Men of the State of North Carolina” that had requested “the privilege of voting.” It had cited black men’s role in fighting for the Union as justification for the extension of political rights. “It seems to us that men who are willing on the field of danger to carry the muskets of a republic, in the days of Peace ought to be permitted to carry its ballots,” the petitioners declared.⁶¹

The Equal Rights League had been founded in 1864 at the National Convention of Colored Men held in Syracuse, New York. The convention brought together 145 black men from eighteen states, including 16 from Union-occupied parts of the South. The only attendee from North Carolina was Abraham Galloway, an escaped slave from Wilmington, who was representing New Bern. As president of the convention, Frederick Douglass announced its purpose. “We are here to promote the freedom, progress,

⁶⁰John Dawson et al. to His Excellency W. W. Holden, 12 July 1865, in *Land and Labor, 1865*, ed. Hahn et al., 131-33.

⁶¹ The petition was printed in the New York *Anglo-African*, 3 July 1865.

elevation, and perfect enfranchisement, of the entire colored people of the United States,” he declared. In an address “to the People of the United States,” the convention called not only for equal civil rights, but for political equality. “We are asked, even by some Abolitionists, why we cannot be satisfied, for the present at least, with personal freedom; the right to testify in courts of law; the right to own, buy, and sell real estate; the right to sue and be sued. We answer, ‘Because in a republican country, where general suffrage is the rule, personal liberty, the right to testify in courts of law, the right to hold, buy, and sell property, and all other rights, become mere privileges, held at the option of others, where we are excepted from the general political liberty.’”⁶²

By June 1865, three chapters of the Equal Rights League had been organized in Wilmington. Of their approximately 600 members, one-third were women. The league and its overtly political agenda were a source of consternation for white Wilmingtonians, who claimed that it was a secret society with insurrectionary intentions. Upon investigation, however, the new commander of the District of Wilmington, General Samuel A. Duncan, found no foundation for such fears. “No evidence whatever can be discovered of any *secret* organizations among the negroes,” he reported. Several Equal Rights Leagues were in existence, “branches of the National E. R. League established at Syracuse N.Y. in 1864,” but their constitution, by-laws, and records “are open for inspection; members may be admitted without regard to age, sex, or *color*; their meetings are public; and their object is both honest and laudable,—being as set forth in the 1st Sec.

⁶² National Convention of Colored Men, *Proceedings of the National Convention of Colored Men, Held in the City of Syracuse, N.Y., October 4, 5, 6, and 7, 1864; with the Bill of Wrongs and Rights, and the Address to the American People* (Boston: J. S. Rock and Geo. L. Ruffin, 1864), 9, 59.

of the Constitution of the State League,” which Duncan quoted as follows: “To encourage sound morality, education, temperance, frugality, industry, and promote every thing that pertains to a well-ordered & dignified life, and to obtain by appeals to the mind and conscience of the American People, or by a legal process when possible, a recognition of the rights of the colored people of the nation as American citizens.”⁶³

The ultimate objective of the Equal Rights League was political rights, which its members saw as part and parcel of freedom. “We claim to have fully earned the elective franchise,” the Syracuse convention had asserted; “and that you, the American people, have virtually contracted an obligation to grant it, which has all the sanctions of justice, honor, and magnanimity, in favor of its prompt fulfillment.” If civil government was to be restored, black Wilmingtonians wanted a share of its appointments and a voice in its policies. To Mayor Dawson, whose seat had barely cooled before he was returned to office, such expectations demonstrated “a dictatorial spirit.” Governor Holden assured the town officials that they had “acted rightly in not appointing any of the colored people to office.” The right to hold office depended first on the right to suffrage, and that was a matter to be decided by the state constitutional convention that would convene later in the year. “Should the colored people attempt by armed force to obtain control of public affairs, or to avenge suffered wrongs or grievances at the hands of the whites,” Holden assured the worried mayor, “they will be visited with swift and condign punishment.”⁶⁴

⁶³ For the composition of the city’s chapters of the Equal Rights League, see *Wilmington Herald*, 12, 15 August 1865; Cecelski, *Fire of Freedom*, 176. For Duncan’s report, see Bvt. Brig. Genl. Saml A. Duncan to Maj. C. A. Cilley, 26 July 1865, in *Land and Labor, 1865*, ed. Hahn et al., 133-35.

⁶⁴ For the address of the Syracuse meeting, see National Convention of Colored Men, *Proceedings*, 57-58. For Dawson’s views and Holden’s response, see John Dawson et al. to His Excellency W. W. Holden, 12 July 1865, in *Land and Labor, 1865*, ed. Hahn et al., 131-32; W.

General Ruger responded to Holden's appeal by ordering an investigation into the likelihood of a black uprising in Wilmington. The assignment went to General Duncan, who pronounced the insurrection fears "utterly groundless, & absurd in the extreme." "[I]t is true that 'negroes are insolent & domineering' to a certain extent," Duncan acknowledged, "the acts complained of, being in most cases failures to observe certain of the proprieties & conventionalities of social life; but it is believed that the whites are far more insolent & domineering, both in their manners and their words & actions." As for the city's black leaders, Duncan found that "the leading men among the colored population, seem possessed of excellent sense on the questions affecting their peculiar relations," and, "while they deprecate existing inequalities & disabilities, recognize fully the worse than folly of resorting to any other than legitimate means for the correction of existing abuses and unjust distinctions." They did intend to pursue equal rights, but only by peaceful means. "Acknowledging as they do the fact that thro' patience & forbearance lies the shortest route to the full possession of their rights," Duncan wrote, "I doubt not that all their influence will be in favor of wise & prudent counsels, & that they will discountenance & repress any tendency to rash & revolutionary action."⁶⁵

General Duncan may, however, have failed to grasp white Southerners' conception of "revolutionary." The revolution occurring in Wilmington in 1865 was in everyday events. The spirit of freedom was everywhere that summer, in interactions among citizens of every class and color. In August, for example, Bailey Adcock, an

W. Holden to the Mayor and Commissioners of the Town of Wilmington, 15 July 1865, Governors' Letter Books, p. 19, NCDAH.

⁶⁵ Genl. Samuel A. Duncan to Maj. C. A. Cilley, 26 July 1865, in *Land and Labor, 1865*, ed. Hahn et al., 133-35.

elderly German fortune teller, was arrested for telling fortunes at the market. To the arresting officers Adcock retorted that “times were not as they were once—that the whole country was free, and he intended exposing his cards and telling fortunes whenever he liked.” (The officers saw matters differently and took him to jail.)⁶⁶

One black woman turned the tables on a white man with whom she was intimately involved when he tried to whip her in the streets. Seizing the switch, she lashed him instead, cutting his skin in several places as an amused crowd of little black boys looked on. Her case was rare, of course. In postwar Wilmington, the results of such behavior could be lethal. One week earlier, an ex-slave named Louisa Moore had been murdered by her former master, G. W. Moore, with whom she was living at a waterfront brothel. Their quarrel apparently started when she refused to serve him dinner but escalated when she declared that she would ask the Freedmen’s Bureau for transportation costs to leave town and be rid of him. The former master demanded that she accompany him to his Long Creek estate, twenty miles north of the city. He had followed her to multiple locations, attempting to persuade her to return. This time, when she once again refused, he shot her in the abdomen.⁶⁷ In postemancipation Wilmington, every day was a struggle for the most basic things in life. Neither home, family, nor control of one’s own person was guaranteed, and the resulting struggles were nothing if not revolutionary.

Any official recognition of black authority or independence was a threat to white supremacy and therefore revolutionary. Black fire companies, for example, which were nothing new, now caused conflict. For Wilmington, with its windy climate and docks

⁶⁶ *Wilmington Herald*, 21, 22 August 1865.

⁶⁷ *Ibid.*, 22 June 1865.

stocked with tar and turpentine, volunteer fire companies were a public necessity. But in July 1865, the city's white fire companies boycotted an inspection called by the Chief Engineer when they learned that the black companies would also take part. The three black companies, "neatly uniformed and presenting a clean and creditable appearance," reported in full, with the "Vigilant," "Fire-King," and "Go-Ahead" engines all present. The white fire companies' failure to appear drew the ire even of the city's Conservative newspaper, the *Herald*, which speculated that their absence "certainly could not have been an objection to turning out at the same time as these negro companies." After all, the paper noted, black and white fire companies had assembled together during the war. That statement prompted protests from the white companies that they had never turned out with the black companies and never would. One letter, signed "A Member of the Howard," went so far as to challenge the *Herald's* commitment to white supremacy. "[I]f you or the Chief Engineer think a negro your equal," he seethed, "I do not." The *Herald* quickly denied the charge.⁶⁸

At that point, one of the black fire companies, the Vigilant, entered the fray. Responding directly to "A Member of the Howard," the Vigilant declared that its members regretted any "hard feelings" between the companies, all of which were invested in the city's common good. While it was true that the white and black companies had never appeared on the streets together, "it certainly is not the desire of the members of the 'Vigilant' and other companies, to parade, or contend with them in *any* way." But, the letter pointedly informed the *Herald's* readers, members of the Vigilant intended to do their duty "regardless of the feelings entertained by the white companies

⁶⁸ Ibid., 22, 25 July 1865.

toward us.” “[A]s to our merits and superiority as a fire company,” the letter closed, “judging by the late events, I think the public will yield us the palm.”⁶⁹

In the summer of 1865 everything was political. The black fire companies mirrored the neighborhoods they served.⁷⁰ Their public dialogue with their white counterparts underscored both a desire to control their own neighborhoods and social institutions and a demand for equal standing with the city’s white residents. Possibly exacerbating the conflict between the fire companies was the recent restoration of the city’s wartime public officials to office. Indeed, the *Herald*’s ire initially stemmed from the disrespect shown the Chief Engineer. The paper had been applauding the reinstatement of the Dawson administration, and the white fire companies’ boycott was an affront to the restored officeholders. With power already returned to the city’s preemancipation authorities, members of the Vigilant Company must have been disgusted to discover that the white fire companies demanded further exclusion of blacks from any semblance of public participation. Their letter was perfectly timed, as it appeared on the same page as the notice of Mayor Dawson’s swearing in.⁷¹

Public exhibitions of racial equality were unsettling to white Wilmingtonians and

⁶⁹ *Ibid.*, 26 July 1865.

⁷⁰ By 1866, there were four black fire companies in Wilmington. In the Brooklyn neighborhood was Brooklyn Fire Company No. 4, located on North Fourth Street between Bladen and Brunswick. Fire King Engine Company No. 2 was located in Dry Pond, on the southeast corner of South Front and Nun streets. Vigilant Fire Company No. 3 was situated on South Second Street, between Market and Dock streets, right at the wharf, and Fire Engine Company No. 1 on North Third Street was directly across from City Hall. See Frank D. Smaw, *Wilmington City Directory: Including a General and City Business Directory for 1865-66* (Wilmington, NC: Fulton & Price, 1866); Reaves, *Strength through Struggle*, 185-86. The names of many of Wilmington’s future black officeholders can be found in the rosters of these fire companies.

⁷¹ *Wilmington Herald*, 26 July 1865.

conflicted with any expectations they may have had that the reinstatement of local government would also restore racial hierarchy. The presence of black soldiers constituted perhaps the greatest challenge. Accordingly, Wilmington's white citizens repeatedly sought to rid the city of uniformed black men. In mid-June, Alfred Moore Waddell, a member of one of the gentry's oldest families, wrote to Governor Holden "at the request of a number of the most intelligent and respectable citizens of Wilmington." Waddell assured the governor that "our people behave with remarkable propriety," but black soldiers and black civilians instigated by them "have excited serious and well-grounded fears for the safety of our unarmed and defenceless people." Insisting that their concern was not the result of panic or prejudice, Waddell argued that because black soldiers received more latitude from the military authorities than white soldiers, their detrimental effect on black Wilmingtonians was "growing worse every day." "[U]nless there is a change for the better, it will inevitably result in *massacre*," he predicted. "We desire a white garrison if possible." The presence of black soldiers undermined white efforts to constrain the aspirations of black Wilmingtonians. "The negroes firmly believe that all the property is theirs of right," Waddell warned, "and that every day of delay in the assertion of their rights is rendering their claim weaker; and they are strengthened in this belief by their teachers and preachers." Moreover, "[t]hey believe that the Govt will wink at the attempt to assert even by force of arms, these ideas, and will maintain them in their claim of equality." Even when they were read an official denial of their rights to property, even when told so by an agent of the Freedmen's Bureau, "they are utterly incredulous, and become impatient until their faith is bolstered by assurances from the

negro soldiers or others of like ideas.”⁷²

Black soldiers exercised an authority previously reserved for white men, and public confrontations between the city police and members of the U.S. Colored Troops reminded whites how tenuous their grasp was over free men as opposed to slaves. If anything sharpened the transformation taking place across the South, it was black soldiers and the fear they instilled in white Southerners. For them, the armed black men serving in the ranks of the victorious enemy were nothing short of revolutionary. For most former slaves, by contrast, the presence of black men in federal uniform was proof not only that freedom was real, but that anything was possible.⁷³

On July 25, 1865, the very day a new chief of police, former Confederate General Robert Ransom, was sworn in, a black sergeant arrested him for unlawfully carrying a weapon and “led him a prisoner before a hooting throng” to the provost marshal, who, after hearing the case, discharged him. Its outcome notwithstanding, the arrest had served as a powerful example of black power to those who witnessed it. The crowd,

⁷² A. M. Waddell to Gov. Wm. H. Holden, 17 June 1865, Governors’ Papers, NCDAH; emphasis in the original. Waddell’s letter captured either a genuine fear that blacks were planning a property revolution or a political rhetoric of revolution that was intended to persuade the governor that black soldiers should be removed. As for black soldiers receiving more latitude than whites, the documentary record indicates that the opposite was true. See, for example, Anonymous Soldier to Sec. Edwin M. Stanton, 11 March 1866, A-62 1866, Letters Received, ser. 360, Colored Troops Division, Records of the Adjutant General’s Office, RG 94, NARA-DC [FSSP B-206]. See also Reid, *Freedom for Themselves*, 154, 164-67, 174-75, 282, 284-89, 291, 293-95.

⁷³ On the revolutionary implications of black military service, see Ira Berlin, Joseph Reidy and Leslie S. Rowland, *Freedom’s Soldiers: The Black Military Experience in the Civil War* (New York: Cambridge University Press, 1998), 38-50; Joseph T. Glatthaar, *Forged in Battle: The Civil War Alliance of Black Soldiers and White Officers* (Baton Rouge: Louisiana State University Press, 1990), 32-33; Reid, *Freedom for Themselves*, xviii-xliii; John David Smith, ed., *Black Soldiers in Blue: African American Troops in the Civil War Era* (Chapel Hill: University of North Carolina Press, 2004), 1-3.

including black soldiers, remained on the streets until late into the night despite Mayor Dawson's personal efforts to disperse them. According to the *Herald*, "[t]he soldiers were openly abusive, in several instances, to the mayor, and seemed to delight in insulting him and defying his power."⁷⁴

On August 1, less than a week later, a clash erupted between a black soldier and a policeman. In the melee, the soldier stabbed the policeman, whereupon the officer shot the soldier, wounding him. Then another black soldier opened fire on the police officer. Stabbed and shot, the policeman was dragged by black soldiers before the provost marshal but immediately discharged. Angered by his release, a crowd of black soldiers and civilians surrounded City Hall. While the provost marshal ordered the crowd to disperse, Mayor Dawson organized a mob that assailed the crowd with clubs. That night, armed bands of black soldiers and civilians attacked the police as they made their rounds, mortally wounding Thomas DeVane, a Confederate veteran. On August 2, the entire police force, Mayor Dawson, and the town commissioners resigned in protest. The mayor and the commissioners appealed to Governor Holden, once again requesting the removal of black soldiers from Wilmington and 100 rifles or navy revolvers with which to arm both the police and white citizens. "We candidly believe," they wrote, "that the colored population of this town would not be disorderly & could be controlled if they were not incited by the presence & acts of the military & we regret to state that the

⁷⁴ John Dawson et al. to His Excellency W. W. Holden, 3 August 1865, enclosing Statement of Captain of Police, 15 July 1865, Governors' Papers, NCDAH; *Wilmington Herald*, 26 July 1865. The quoted description of Ransom's arrest is from Evans, *Ballots and Fence Rails*, 79n43.

disorder is confined chiefly to that class.”⁷⁵

Governor Holden agreed. He not only restored the Dawson administration to office for a second time, but also appealed to President Johnson, forwarding the mayor’s and commissioners’ request for the removal of black soldiers, vouching for the respectability of the signers, and suggesting that the soldiers “be removed to the forts or kept entirely away from the towns.”⁷⁶ At the heart of white complaints about black soldiers was their effect on black civilians. “Counting upon the sympathy of the garrison now here, they may insult the whites with opprobrious epithets,” complained the *Wilmington Herald*, “demand privileges that their race nowhere enjoys, assume to dictate when, where, how and for how much they will work, and generally pursue such a course as to make them obnoxious and intollerable [*sic*].” Black soldiers were to blame. “There is no disguising the fact that the resident black population is fearfully demoralized,” the *Herald* contended. “It is demoralized through the sympathy of the garrison of the town.” “[I]n their intercourse with black residents,” claimed the *Herald*, “[the soldiers] have infused such ideas and awakened such dissatisfaction at their condition among the latter, that the safety of the community is really in peril.”⁷⁷ It was easy to ascribe the changed

⁷⁵ John Dawson et al. to His Excellency W. W. Holden, 3 August 1865, Governors’ Papers, NCDAH; *Wilmington Herald*, 3, 4, 5 August 1865; Evans, *Ballots and Fence Rails*, 80.

⁷⁶ W. W. Holden to His Excellency the President of the United States, 10 August 1865, Governors’ Papers, NCDAH. Johnson responded that he had sent General George Meade, commander of the Military Division of the Atlantic, south “for the purpose of inspecting all the troops with the power to assign them as the interest of the country seems to demand.” Johnson urged Holden to meet with Meade and “confer with him freely as to the disposition of the forces in North Carolina.” “I have no doubt,” Johnson added, “[that] all will be arranged satisfactorily.” See Andrew Johnson to William W. Holden, 30 August 1865, in *The Papers of Andrew Johnson*, vol. 8, ed. Paul Bergeron (Knoxville: University of Tennessee Press, 1989), 681.

⁷⁷ *Wilmington Herald*, 10 July 1865.

behavior of local black people to the presence of black soldiers because freedom coincided with the arrival of black troops. Furthermore, doing so allowed former slaveholders to perpetuate the idea that their slaves had been contented until the Yankees poisoned their minds.

Black soldiers were a convenient scapegoat. Their presence prevented ex-slaves from recognizing “that their emancipation from slavery has not made the whites their slaves, nor given them any superiority over their former masters,” the *Herald* complained. The freedpeople “will have to learn that the whites are still the privileged class.” “The whites only may vote and hold office,” the paper emphasized; “they must and will control the public affairs,—make all the laws and execute them. If the blacks, acting under the advice of bad counsellors, presume too far and demand too much, they will surely accomplish their own destruction.”⁷⁸ The message was clear. Black soldiers would not be able to protect the freedpeople for long. Local white men would be back in power. It was no wonder that the restoration of all-white civil government alarmed black Wilmingtonians or that they demanded political rights of their own.

The expectation of equality that freedpeople exhibited on the streets of Wilmington was not taught them by black soldiers. Black military service did, however, provide them and black people across the nation with a powerful argument for suffrage. Even before war’s end, they had regularly cited the sacrifices of black soldiers as grounds for the vote. “Are we good enough to use bullets, and not good enough to use ballots?” the National Convention of Colored Men had asked in 1864. “May we defend rights in the time of war, and yet be denied the exercise of those rights in time of peace? Are we

⁷⁸ Ibid.

citizens when the nation is in peril, and aliens when the nation is in safety? May we shed our blood under the star-spangled banner on the battle-field, and yet be debarred from marching under it to the ballot-box?" So too did black North Carolinians in New Bern cite the military service of black men when they told President Johnson, "We want the privilege of voting." "It seems to us that men who are willing on the field of danger to carry the muskets of Republica in the days of Peace ought to be permitted to carry its ballots," they declared, "and certainly we cannot understand the justice of denying the elective franchise to men who have been fighting for the country, while it is freely given to men who have just returned from four years of fighting against it." Black North Carolinians had voted in the past, they also pointed out. "As you were once a citizen of North Carolina, we need not remind you that up to the year 1835 free colored men voted in this State, and never, as we have heard, with any detriment to its interests."⁷⁹

A black sergeant stationed in Wilmington similarly cited black military service to emphasize the injustice of exclusion from public power. "Here the black man, though having fought to bring peace to the distracted country, after the victory is obtained, can have no voice in making the laws which are to govern his future destiny in this country," he informed the *Christian Recorder*. "No, but he must sit in a state of perfect dormancy,

⁷⁹ National Convention of Colored Men, *Proceedings*, 57-58; New Bern petition, 10 May 1865, in *New York Daily Tribune*, 19 May 1865. On the links between military service and claims to equal citizenship, see Reid, *Freedom for Themselves*, xxxviii-xlvii; John David Smith, "Let Us All Be Grateful That We Have Colored Troops That Will Fight" and Noah Andre Trudeau, "Proven Themselves in Every Respect to Be Men: Black Cavalry in the Civil War," all in *Black Soldiers in Blue*, ed. Smith, 1-75, 227-48, 249-76, 276-305; Glatthaar, *Forged in Battle*, 146, 224-30, 234-58; Jim Cullen, "'I's a Man Now': Gender and African American Men," in *Divided Houses: Gender and the Civil War*, ed. Catherine Clinton and Nina Silber (New York: Oxford University Press, 1992), 76-95.

as though he were under slavery's cruel power still.”⁸⁰ African Americans claimed equal citizenship on the basis of the military service of black men, and the presence of black soldiers on the streets of Wilmington was a constant reminder of that claim.

Expectations of full citizenship were also rooted in ongoing struggles for control over local community institutions. Events at Front Street Methodist Church, whose black and white congregants fought for more than a year over church leadership, demonstrate the intersection of politics and daily life. Methodism was the most popular religious denomination among Wilmington's black residents, and Front Street Methodist was central to black life in the city. William Meredith, a white missionary from the West Indies, was probably most responsible for the church's strong roots in Wilmington. In the late eighteenth century, while traveling northward from Charleston in search of a place to settle and preach the gospel, Meredith had found in Wilmington “sheep without a shepherd.” The flock he stumbled upon was an organized group of black men and women who were receptive to his message and undoubtedly to his passion for spreading the gospel to those who were enslaved, a passion not initially shared by the city's whites. At one point, Meredith was arrested, but he was soon released after he refused to stop preaching through the bars of the jail. With tithes scraped together by the all-black congregation, Meredith purchased land for a meetinghouse and built houses on the surrounding lots that were rented to free blacks. When local whites burned the meetinghouse in 1798, Meredith and his parishioners gathered at the Market House and publicly shamed the arsonists. “As they loved fire so well,” Meredith proclaimed across the market, “God had given them enough of it.” The reprimand was intended to strike a

⁸⁰ Q.M. Sergt. J. H. Payne, 12 August 1865, in *Christian Recorder*, 19 August 1865.

chord with white Wilmingtonians, who had been ravaged by fire over the past several years, by suggesting the wrath of God. Once again, the black parishioners rose to the occasion and with their own money and labor built a new meetinghouse in 1799, Front Street Methodist Church.⁸¹

It was not until 1803, after Meredith's death, that the church reported any white members, noting that the congregation numbered 878 blacks and "a few whites." The church building was deeded to the head of the Methodist Episcopal Church of the United States, Bishop Francis Asbury, who, although not himself in Wilmington, spent close to a decade trying to build a white membership in the city and convince a white minister to stay. Unable to do so, he appointed black stewards to oversee the black members, who were clearly the bulk of the congregation. The black congregants thus conducted the day-to-day operations of the church. Not until after the arrival of the Reverend William Capers sometime between 1810 and 1813 did the white membership become significant enough for blacks to be removed from seats on the main floor and consigned to a gallery that the black parishioners themselves constructed. "[T]he negro meeting-house was become the Methodist church," Capers boasted. Thus, black parishioners at Front Street Methodist had long held separate prayer meetings and chosen their own elders and deacons.⁸² With black church officers still alive who had been among Meredith's flock,

⁸¹ Hinks, *To Awaken My Afflicted Brethren*, 15-17. Hinks discusses the significance of Methodism to black Wilmingtonians as a realm of autonomy and equality and points out that Meredith's recollections indicate that an organized group of black worshippers was already present when he arrived. Hinks links David Walker to this specific black community and maintains that the Methodist experience established an environment in which protest like that of Walker could develop.

⁸² *Ibid.*, 17-20; Reaves, *Strength through Struggle*, 94-95.

Front Street Methodist was one of the first battlegrounds where freedom and daily life merged following Union occupation of the city.

On the first Sunday after the fall of Fort Fisher, the Reverend Lingurn Skidmore Burkhead, the white pastor of Front Street Methodist Episcopal Church, South, awoke early to attend a sunrise prayer meeting in the basement of the church's red brick building on the corner of Front and Walnut streets, where the Brooklyn neighborhood met the Cape Fear River. A sunrise service was held every Sunday by the church's black congregants, though the pastor did not regularly attend. But this morning Burkhead was "anxious to hear their exercises and to witness the spirit which they might manifest in the first Sabbath of their political freedom." The basement was crowded to capacity, and Burkhead took a seat near the altar, where he could "see and hear everything that should transpire."⁸³

Halfway through the service, Burkhead was stunned to learn that a black clergyman was in attendance. The account he later penned made no attempt to disguise the contempt with which he viewed the visitor. "[A] colored chaplain, Rev. W. H.," he wrote, "with all the grandeur of 'the gentleman from Africa,' with the 'finishing touches of Boston,' hitched unto the 'Southern slave,' marched up the aisle and took the seat usually vacated for the pastor, but which he had on that occasion left unoccupied." After another song and prayer, the chaplain, William H. Hunter, an officer in the 4th U.S. Colored Infantry, was introduced. "[S]tretching himself to his full size and displaying to the best advantage for a profound impression his fine uniform," Chaplain Hunter

⁸³ Burkhead, "History of the Difficulties," 41. Burkhead had been appointed to the pastorate by the Methodist Episcopal Church, South, on Christmas Day, 1864, just as Union forces launched their first attack on Fort Fisher.

addressed the congregation in what one black parishioner called “the grate freedom surmen.” Every line evoked a response from the congregation.

My brethren and friends (Amen), I rise to address you, but I scarcely know what line of thought to pursue (hallelujah, Amen, etc.). When a thousand thoughts crowd upon my mind it is difficult to select that which will be more appropriate than the rest. (Oh, yes! Amen). A few short years ago I left North Carolina a slave (hallelujah, oh, yes); I now return a man. (Amen). I have the honor to be a regular minister of the Gospel in the Methodist Episcopal Church of the United States (glory to God, Amen) and also a regularly commissioned chaplain in the American Army. (Amen). I am proud to inform you that just three weeks ago today, as black a man as you ever saw, preached in the city of Washington to the Congress of the United States; and a short time ago another colored man was admitted to the bar of the Supreme Court of the United States as a lawyer. (Long, loud and continued applause, beating on benches, etc.). One week ago you were all slaves; now you are all free. (Uproarious screamings). Thank God the armies of the Lord and of Gideon has [*sic*] triumphed and the Rebels have been driven back in confusion and scattered like chaff before the wind. (Amen! Hallelujah!) I listened to your prayers, but I did not hear a single prayer offered for the President of the United States or for the success of the American Army. (Amen! O, yes, I prayed all last night, etc.). But I knew what you meant. You were not quite sure that you were free, therefore a little afraid to say boldly what you felt. I know how it is. I remember how we used to have to employ our dark symbols and obscure figures to cover up our real meaning. The profoundest philosopher could not understand us. (Amen! Hallelujah! That’s so). I could honor the President of the United States; I honor all men who are in authority under him, but I honor more highly the private in the ranks who goes forward to the front to meet the whizzing Minnie, etc. etc.

Afterward, the only thing Burkhead and his black parishioners agreed upon was that the sunrise meeting that day was “never-to-be-forgotten.”⁸⁴

⁸⁴ Burkhead, “History of the Difficulties,” 35, 42-43, 115-18. For the reference to Hunter’s sermon as “the grate freedom surmen,” see “Letter of James Scull, A Leader,” n.d. 1865, in Burkhead, “History of the Difficulties,” 117. Born a slave in North Carolina, Chaplain William H. Hunter had returned with the 4th U.S. Colored Infantry; see Arnold, “Through the Carolinas,” 29 March 1865, in *Christian Recorder*, 15 April 1865. The black man who had preached to the U.S. Congress was Henry Highland Garnett, a New York minister who delivered an address celebrating passage of the Thirteenth Amendment by the House of Representatives and pressing Congress to complete the work of freedom by enacting equal rights for freedpeople. See Michael Vorenberg, *Final Freedom: The Civil War, the Abolition of Slavery, and the Thirteenth Amendment* (New York: Cambridge University Press, 2001), 211-12. The black man who had been admitted to the bar of the U.S. Supreme Court was John Rock, a Boston lawyer; on February 1, the day after House passage of the Thirteenth Amendment, Senator Charles Sumner presented Rock for admission to the bar and Chief Justice Salmon P. Chase swore him in. See

For those in attendance, the events at Front Street Methodist were not merely symbolic demonstrations of freedom. George Arnold, a Kentucky native who had come to Wilmington with the 4th U.S. Colored Infantry, described the scene. “Eloquence never flowed so freely as on that day,” he wrote: “few in the church could say their eyes were dry.” Chaplain Hunter was one of them. “Mr. Hunter himself was born a slave on this very soil; sixteen years previously he left the state a slave,” Arnold explained. “But now he has come to the land of his birth an officer in the United States Army. Was not that congregation of citizens proud of him? Yes! they are; they will never cease to remember him.” Whereas Burkhead had earlier advised the church’s black congregants “to possess their souls in patience and peace” upon the arrival of freedom and “to carefully refrain from all extravagance,” Hunter stood before them with word of a black clergyman preaching to Congress and a black lawyer admitted to the bar of the nation’s highest court. It was a powerful message of racial equality and black accomplishment.⁸⁵

The next day Burkhead met with the church’s black leaders. Front Street Methodist was a predominantly black church with a long history of black leadership. Of its 1,400 members in 1865, more than 900 were black, and church records show that as early as the 1840s Colored Leaders Meetings, Colored Lovefeasts, and Colored Society Meetings were taking place every Sunday. Moreover, the black members had for decades been selecting their own church leaders, including George Price, Sr., William

Alexander Tsesis, *The Promises of Liberty: The History and Contemporary Relevance of the Thirteenth Amendment* (New York: Columbia University Press, 2010), 33.

⁸⁵ Arnold, “Through the Carolinas,” 29 March 1865, in *Christian Recorder*, 15 April 1865; Burkhead, “History of the Difficulties,” 39, 43. Arnold described Hunter’s sermon as “[t]he first sermon ever delivered in Wilmington, N.C., by a colored man.”

Cutlar, William Kellogg, James Sampson, and Harry Merrick.⁸⁶ Burkhead, on the other hand, had been the church's pastor only since Christmas. And yet, on this late February day, barely two months after his appointment, he felt himself entitled to lecture them about their obligations. "Among other things, I told them the present was no time to slacken our efforts to glorify God and save the souls of men," Burkhead later recalled. "That despite our best efforts I feared many would make 'shipwreck of the faith' and be lost."⁸⁷

In response, the church's black leaders did some lecturing of their own. They had never before had an opportunity to hear a black man preach, they told Burkhead, particularly one as educated as Chaplain Hunter, and they wanted to do so now, "as Brother Hunter was in the City." In fact, they wanted Burkhead to invite Hunter to preach in the church. That, to Burkhead, was unthinkable. As pastor of both white and black congregants, he would issue no such invitation. He suggested that the pastorless Fifth Street Methodist Church, an all-black congregation now that its white members had fled the city, "invite their colored brother to preach down there." The black leaders, undeterred, "insisted with some vehemence that Hunter should preach in 'Front Street Church' and that *I should invite him*," Burkhead later recalled. "I reminded them that *I had control* of the pulpit, as their pastor, and that I was responsible for the preaching

⁸⁶ For the racial composition of the church's membership and an account of the role of the black members, see Col. Allan Rutherford to Genl. Whittlesey, 28 May 1866, vol. 251, pp. 135-36, Registers of Letters Received, ser. 2891, Wilmington, NC, Superintendent of the Southern District, RG 105, NARA-DC [FSSP A-812]. In 1842, Front Street Methodist had 835 black members and 202 white members; in 1854, there were 797 black and 207 white parishioners. See Annual Return of the M.E. Church South, 1842, and Annual Return of the M.E. Church, South, 1854, both in Annual Returns of the M.E. Church South, 1832-1854, NHCPL.

⁸⁷ Burkhead, "History of the Difficulties," 47.

done there by my consent. I did not recognize their right to dictate to me whom I should invite into my pulpit.” According to James Scull, one of the black men present, Burkhead also suggested that their actions might be premature. “[S]uppose General Lee should Attack this place with his army [sic] and retake it,” he warned, “then you all would see trouble.” During that first month after Union occupation of the city, Burkhead regularly reminded his congregation that the Confederacy could still emerge victorious and black people had therefore best behave themselves. He admonished the black congregants “to commit no depredations upon the whites” or “array themselves against the whites” lest the Confederates retake the city and blacks find themselves “severely punished.” Worse still, “they might stand a good chance to be destroyed *as a race*, for they could never contend single-handed and successfully against the white man.”⁸⁸

Burkhead then asked the church’s black leaders if they were trying to get rid of him, adding “that if they desired to get me out of the church and install Hunter, I would not think of giving my consent; but if on the other hand they simply desired to gratify their curiosity, inasmuch as they seemed *so anxious*, I would give my consent for Hunter to preach to them one, two, three or more Sabbaths in the afternoon.” The men assured Burkhead that they did not wish to oust him. By Burkhead’s own account, removing him from his position would have been difficult, as “it would greatly shock all our views of propriety and social status.” Burkhead also played on their sympathy, reminding them that “I have no home to go to nor means [sic] to support [sic] my family” and that almost all the white members of the church had left the city. What would become of him and his

⁸⁸ Letter of James Scull, A Leader, n.d. 1865, in Burkhead, “History of the Difficulties,” 115-16; Burkhead, “History of the Difficulties,” 39. Emphasis in the original.

family if the black members forsook him now? If he left Wilmington for Confederate-held territory, he would be forced to leave everything and start over. He then asked if they would stand by him, to which “they all answered we will stick with you Mr. B.” But they persisted in their demand that Chaplain Hunter, too, be allowed to deliver the Lord’s message. Burkhead was aghast at their insistence that he “invite Hunter into the pulpit and *occupy it with him* when he should preach!” He told them “emphatically” no. Noticing that his blunt refusal had surprised them, Burkhead surmised that “[t]hey . . . were disposed to conclude that I must be a very great sinner because I would not exchange pulpit courtesies with the rev. African Gentleman!”⁸⁹

One week later, on the first day of March, Front Street Methodist’s black congregants informed Burkhead that they no longer required his services. They then informed General John M. Schofield, the Union military commander in North Carolina, that they wished to “secede” from the M.E. Church, South, and affiliate with the African Methodist Episcopal Church and asked for protection “in the worship of God according to the dictates of our own consciences.” Taking matters one step further, they also sought possession of the church property. “We do not desire to prevent the white members of the Congregation from worshipping in said church with [us] as before the war,” they wrote, but “we deny the right of a minority, and so small a minority, to govern.”⁹⁰

⁸⁹ *Ibid.*, 49, 53, 115-18; emphasis in the original.

⁹⁰ Burkhead, “History of the Difficulties,” 50, 74; Col. Allan Rutherford to Genl. Whittlesey, 28 May 1866, vol. 251, pp. 135-36, Registers of Letters Received, ser. 2891, Wilmington, NC, Superintendent of the Southern District, RG 105, NARA-DC [FSSP A-812]. The letter to General Schofield is quoted in W. M. Poisson to Andrew Johnson, 18 April 1866, P-53 1866, Letters Received, ser. 2452, NC Assistant Commissioner, RG 105, NARA-DC [FSSP A-559]; the original letter has not been found.

In response, General Schofield issued an order calling for an investigation of “the A.M.E. Church in Wilmington” and, in the meantime, dividing church time between the white and black congregants. This arrangement Burkhead would not accept. For him, the question was one of law: The M.E. Church, South, had legal claim to the property, and pastors were appointed by the bishop, not selected by the congregation. Burkhead must have been shocked to see his church referred to as an African Methodist Episcopal Church. He responded scathingly. Front Street Methodist was part of the M.E. Church, South, *not* the AME Church, Burkhead railed against the black parishioners. “They claim this church upon the same principles that they claim the entire South,” he objected.⁹¹

Even more radical than demanding a black minister was claiming the church property. A portion of the land on which the church was situated had decades earlier been designated “for the exclusive use of their race” in the provision that deeded Campbell Square to black Wilmingtonians, the black church leaders pointed out. Because they were prohibited from holding the deed on account of their race, it had been held for them by a pastor long since deceased. The question at hand was whether that pastor’s conveyance of the property to the church trustees, who at the time were members of the M.E. Church of the United States, had become void when the church seceded to become the M.E. Church, South. Furthermore, if the Front Street Church property had been willed to the trustees for the use of black Wilmingtonians, could they, now free

⁹¹ Special Orders No. 22, Headquarters Department of North Carolina, 5 March 1865, vol. 361, Orders and Circulars, ser. 44, Records of the Adjutant General’s Office, RG 94, NARA-DC; Burkhead, “History of the Difficulties,” 56-59, 97 (emphasis in the original).

men, leave the M.E. Church, South, and take possession of it?⁹²

After investigating in accordance with Schofield's order, General Duncan, the district commander, concluded that he had "no doubt but that at last the entire property passed under contrroll [*sic*] of the trustees, and is *legally* vested in them for the benifit [*sic*] of the M.E. Church, South." Duncan added, however, that he believed it "a fair question for future judicial decission [*sic*], whether the cesession [*sic*] of a large majority of a society as in this case does not legally entittle [*sic*] them to a share of the property they have been useing [*sic*], on the same principal [*sic*] in which the U.S. Supreme Court is said to have awarded to the M.E. Church, South, their church property when they seperated [*sic*] from the M.E. Church of the U.S." Not only did the black parishioners of Front Street Methodist demand their own minister, they also claimed the church building and the land on which it stood, property said to be valued at more than \$70,000. What was more, they claimed ownership collectively. No one man's name was submitted as title holder, not James Sampson, for example, or George Price, Sr., both of whom were respected and financially secure church elders. No, the black parishioners of Front Street claimed the property as a body.⁹³

⁹² Reaves, *Strength through Struggle*, 176-78; Col. Allan Rutherford to Genl. Whittlesey, 28 May 1866, vol. 251, pp. 135-36, Registers of Letters Received, ser. 2891, Wilmington, NC, Superintendent of the Southern District, RG 105, NARA-DC [FSSP A-812].

⁹³ Brevt. Brig. Genl Saml A. Duncan to Major C. A. Cilley, 31 July 1865, vol. 178 VaNc, pp. 198-201, Letters Sent, ser. 1821, District of Wilmington, RG 393 pt. 2, NARA-DC [FSSP C-3176]; emphasis in the original. The Supreme Court case to which Duncan referred was *Smith v. Swormstedt*, which ruled in favor of the separation of the Methodist Church into two parts, as well as a division of joint property; see 57 *U.S.* 288 (1853). Burkhead maintained that the Methodist Episcopal Church, South, had not seceded from the Methodist Episcopal Church of the U.S., but had been "consummated under a 'plan of separation.'" See Burkhead, "History of the Difficulties," 52. For the value of the Front Street Methodist Church property, see *Christian Recorder*, 6 May 1865.

Burkhead not only maintained that the trustees and pastor of Front Street M.E. Church, South, held title to the land and the building, but also argued that William Campbell, who donated Campbell Square to black Wilmingtonians, had never owned the lot where the church stood. Although it is quite probable that, never imagining the end of slavery, the church's white leaders had repeatedly told the congregation over the years that the land had been bequeathed to black Wilmingtonians for their use, if for no other reason than to bolster their own image as benevolent patriarchs, such statements would have made no difference to Burkhead's understanding of the case (or that of most white Southerners.). Years later, Burkhead asked his readers to suppose that Campbell *had* bequeathed the land for the use of black Wilmingtonians. So what, contended Burkhead. "As well might you say that because A. bought a piece of ground and built houses on it for the accommodation of his slaves, that now these slaves, as freemen, may go and take possession of B.'s land and houses!"⁹⁴ Yes indeed, black Wilmingtonians might well have responded, for just such notions of redistribution informed disputes across the South.

Burkhead's protestations notwithstanding, federal military authorities required him to compromise. On General Schofield's orders, Burkhead and Hunter sat down with the white adjutant of the 4th U.S. Colored Infantry to hammer out a plan for sharing the church. They agreed that each Sunday Burkhead would take the forenoon and Hunter the afternoon. After sealing the deal, however, Burkhead tried to restrain the social revolution taking place by urging Hunter to respect the current seating restrictions, which limited blacks to the gallery. This request, in Burkhead's words, "awakened new

⁹⁴ Burkhead, "History of the Difficulties," 86, 93, 104.

reflections in the mind of his ‘African Highness,’ and a cloud at once gathered upon his sable brow.” Burkhead then “said *emphatically*, ‘When I preach, I shall seat the white people in the body of the church and the colored friends in the gallery.’ This remark was *too much* for my visitors.” As Burkhead recalled, the adjutant sneered, “Wonder if there are any galleries in Heaven?” “To this thrust of the *white man* I made no reply,” continued Burkhead. “The Rev. African Chaplain was swelling out to remarkable ‘bigitiveness’ and squaring himself to give me a ‘poser.’” “I am an American citizen on all the Railroads, Steamboats and Public Hotels,” Chaplain Hunter declared. “I wish to know, sir, whether you will require me—a minister of the Gospel—to go into the gallery?” “I most certainly shall,” Burkhead fired back. “I have not the most distant idea of exchanging pulpit courtesies with you. If you do not go into the gallery should you go to hear me preach, you will be responsible for the violation of orders. If I go to hear you, I shall go into the gallery.” According to Burkhead, the “firm statement of my position seemed to rather mystify the Rev. Gentleman, and the interview closed, much to my relief.”⁹⁵

Hunter’s views on social equality appalled Burkhead. The truth was that questions of political and social equality were yet to be decided. While Wilmington had fallen to the Yankees, the war was not yet over. And freedom as envisioned by black Wilmingtonians remained unimaginable to their white neighbors. Burkhead’s expectation that he could dictate a seating arrangement premised on white supremacy during negotiations with a black chaplain in federal uniform demonstrated how inconceivable black concepts of freedom were to whites.

⁹⁵ Ibid., 66-67; emphasis in the original.

Burkhead's position no doubt prompted what happened next. On March 12, during Burkhead's sermon, some black people attempted to take seats among the white worshippers on the ground floor. Upon being asked to sit in the gallery, they refused. At this point, it was Burkhead who, feeling betrayed by the actions of his black congregants, turned to the military authorities. On March 14, he met with General Joseph Hawley, then the district commander, and asked that the traditional seating restrictions be enforced. According to Burkhead, Hawley assured him that "if the negroes did not occupy the gallery, or should attempt to crowd into the body of the church with the whites, he would issue an order forbidding any colored people from attending church when I should hold service." In a move that only exacerbated the situation, Hawley "also promised to prevent our church from being used as a school-room by the negroes."⁹⁶

Prohibition of the school was a heavy blow. Formerly the clandestine Sampson school, it had reopened publicly in the basement of Front Street Methodist immediately following Union occupation of the city, with the same teachers who had previously taught on the Sampson property. At a ceremony celebrating the school's opening, Susie Sampson, "a tiny black colored girl" who was the youngest daughter of James Drawborn Sampson and a future schoolteacher, "delivered a speech about the taking of Wilmington by the Yankees." Evicting the school from the church was therefore an affront not only to black Wilmingtonians in general, but to the city's black elite in particular. Furthermore, by that time more than 700 students were attending the school.⁹⁷

⁹⁶ Ibid., 69-70.

⁹⁷ Walker-Howe Family History, MacDonald-Howe Family Papers, UNCW; "History of the Williston School," folder: Williston Industrial School, MacDonald-Howe Family Papers, UNCW; Arnold, "Through the Carolinas," 29 March 1865, in *Christian Recorder*, 15 April 1865.

General Hawley's response galvanized the black congregants to push for full control of Front Street Methodist Church. The church became a center of organized conflict. Ushers were heckled when they attempted to pass the collection plate in the gallery, seating restrictions were regularly challenged, and protests were choreographed for maximum impact. In late April, Burkhead requested a military order regarding church seating after, in his words, "a very large 'African Lady' came in and walked up the aisle, tossing herself most grandly, and looking from one side to the other, as though she expected some white gentleman or lady to invite her to a seat." "I politely asked her to take a seat in the gallery," Burkhead later recalled. "She did not regard my request and one of my friends in a firm tone of voice told her 'to go into the gallery.'" Although she reluctantly complied, "about a dozen negro soldiers arose and marched out of the church, making as much noise as possible." Burkhead congratulated himself that he had acted "with commendable patience" and, after the soldiers left, had continued the service. "But these soldiers stopped at the door and remained there until I dismissed the congregation, swearing that they would mob me when I came out of church. I walked out through the crowd, not knowing that they had made such threats, but 'no man laid hands on me.'" Burkhead told the district commander that he had been informed of a plot to murder him. General Duncan, who had by then assumed command, responded by placing a guard at the church entrance to enforce segregated seating arrangements.⁹⁸

Guard or no guard, the protests continued. Sunday after Sunday, black men and women took seats in the lower pews. Should a black congregant be ordered to remove to the gallery, he or she would quietly get up and leave the church, accompanied by most of

⁹⁸ Burkhead, "History of the Difficulties," 77-80.

the occupants of the gallery. In a letter published in the *Herald*, one black congregant pointed out the irony of a man of God who in effect turned worshippers from the church. Burkhead, who was commissioned “to preach the gospel to *every creature*—a gospel that seeks to bring to heaven all colors, classes, tribes and tongues of mankind,” excluded “the larger portion of his congregation” from the church. Burkhead responded with a letter of his own. Had one or two black soldiers occasionally taken seats on the ground floor, he argued, he would have politely spoken to them in private, but “men and women are drilled to do this from Sabbath to Sabbath.” Burkhead’s account of the June 13 visit of Presiding Elder D. B. Nicholson of the M.E. Church, South, to observe the celebration of the Sacrament of the Lord’s Supper revealed just how organized the protests had become. To Burkhead’s horror, a large number of black citizens and soldiers arrived early that day and took seats in the lower pews.⁹⁹ By the end of the summer of 1865, the church had become a battleground in which the foot soldiers were everyday black Wilmingtonians performing repeated acts of peaceful disobedience.

The demand for black ministers was not unique to Front Street Methodist. In 1867, when black worshippers at St. Paul’s Episcopal Church purchased a building on the corner of Sixth and Mulberry, the new St. Mark’s Episcopal boasted a black preacher and an open seating policy. Black congregants at the city’s oldest Baptist church, Front Street Baptist, located six blocks from Front Street Methodist, had been allowed to go their own way in 1864, less than two months before the first attack on Fort Fisher. The new First African Baptist Church was erected in Brooklyn on Walnut Street between Fourth and

⁹⁹ Wilmington *Herald*, 20, 21 June 1865 (emphasis in the original); Burkhead, “History of the Difficulties,” 77.

Fifth, one block from Campbell Square, under the leadership of a newly ordained black pastor named Thomas Parker. Born into slavery in 1830 in Gates County, North Carolina, Parker had been taken to Wilmington, where he received the Baptist baptism in 1863, not long before the separation of First African Baptist from Front Street Baptist. Not all of the latter's black members left for First African, some choosing to remain with the old church, and, in May 1865, as Front Street Methodist was embroiled in bitter battle over black preachers, Front Street Baptist granted Edward Eagles, a longtime deacon who had remained with the old church, a license to preach the gospel "to his Negro brothers." Eagles would eventually be officially ordained.¹⁰⁰

Prior to the war, First Presbyterian Church was home to a predominantly Northern-born business class. Four of the city's five sawmill operators, for example, belonged to First Presbyterian. Perhaps as a result, a number of black carpenters, both free and enslaved, had also worshipped at the church. While most of the Northern transplants fled the city during the war, the black parishioners remained and used the occasion of Union occupation to place the Reverend J. C. Gibbs, who had arrived with the U.S. Colored Infantry, in the pulpit. As in most cases, the black congregants were unable to gain possession of the church property, but within two years they had

¹⁰⁰ J. C. Gibbs, "Churches – Their Condition," 15 April 1865, in *Christian Recorder*, 6 May 1865; *Christian Recorder*, 27 January 1866; Reaves, *Strength through Struggle*, 75-77, 125-28; John Marcus Kester, *Historical Sketch of the First Baptist Church, 1808-1933* (Wilmington, NC: s.n., 1933), 24; Rev. J. A. Whitted, D.D., *A History of the Negro Baptists of North Carolina* (Raleigh, NC: Presses of Edwards & Broughton, 1908), 86-87. On the departure of black congregants from white-led biracial churches after emancipation, see Dvorak, *African-American Exodus*, 121-25; Montgomery, *Under Their Own Vine and Fig Tree*, ch. 2; Litwack, *Been in the Storm So Long*, 464-69. Matthew Harper finds that prior to emancipation the great majority of blacks in North Carolina and Virginia worshipped under the oversight of white leadership, but by 1870, 90 percent belonged to independent black congregations. See Harper, "Emancipation and African American Millennialism," 209.

purchased their own building on Chestnut Street and resumed services. Many of the city's skilled artisans were former First Presbyterian members who now worshipped at Chestnut Street, including wheelwright Duncan Holmes and carpenters Alfred Hargrave, Owen Burney, David Sadgwar, and James Cutlar.¹⁰¹

The church was the first setting in which black Wilmingtonians demanded equality on an organized scale. Of the twelve churches in Wilmington in 1860, black people worshipped at eight.¹⁰² Of those eight, seven—all but the Catholics—had divided into separate white and black congregations by 1867. Black parishioners did not reject the doctrines of their denominations, but they did reject policies that defined them as second-class members. If equality could not be experienced in the Lord's house, where could it?¹⁰³

The extent of organization present within the churches in the wake of emancipation reflected the de facto religious autonomy black Wilmingtonians had achieved during slavery. The speed with which they mobilized to control the pulpit came

¹⁰¹ Reaves, *Strength through Struggle*, 137-38; J. C. Gibbs, "Churches – Their Condition," 15 April 1865, in *Christian Recorder*, 6 May 1865.

¹⁰² The twelve churches were Front Street Presbyterian, Chestnut Presbyterian, Front Street Methodist, Fifth Street Methodist, St. James Episcopal, St. John's Episcopal, St. Paul's Episcopal, St. Thomas Catholic, Front Street Baptist, Orange Street Baptist, Freewill Missionary Baptist, and St. Paul's Lutheran. All but the last three had black members. See Reaves, *Strength through Struggle*, 73-142.

¹⁰³ Across the South, struggles over equal standing in churches began immediately after emancipation, particularly in cities where black congregations had often experienced considerable autonomy. Furthermore, churches everywhere became early centers of black social and political mobilization. In many cities, including Wilmington, they were home to the first black schools and political meetings. See, for example, Dvorak, *African-American Exodus*, 121-25; Montgomery, *Under Their Own Vine and Fig Tree*, 111-16, 145-51, 231-33; Litwack, *Been in the Storm So Long*, 464-69; Bailey, "Post-Civil War Racial Separations in Southern Protestantism," 453-73; Hall, "'Yonder Come Day,'" 411-32; O'Brien, "Factory, Church, and Community," 509-36.

as a surprise to whites because it revealed a structure already in place through which to make such claims. The rapidity of black mobilization in Wilmington astonished even some blacks. AME Zion missionary James Walker Hood, one of North Carolina's most influential religious figures, found to his surprise that the AME Church had beaten him to the area.¹⁰⁴ Although that outcome was mostly a matter of chance—the arrival of local-born AME minister William Hunter with the Union army—it was also a result of the longstanding strength of black church leadership in the city.

When Hood arrived in Wilmington in April 1865, he found an all-black congregation of thirteen at St. Luke's Methodist Episcopal Church, the church to which Burkhead had proposed to consign Chaplain Hunter. The parishioners of St. Luke's informed Hood that they had been worshipping there since 1861, had recently begun to absorb disgruntled black worshippers from Front Street Methodist, and had already allied with the AME Church. Hood persuaded St. Luke's to affiliate with the AME Zion Church instead, touching off a minor feud between Hood and Hunter, as well as between Hood and George Price, Sr., an elder from Front Street Methodist who had relocated to St. Luke's. The dispute led Price to return to Front Street. Chaplain Henry Turner, who had organized an AME church in Smithville, south of Wilmington, wrote to the *Christian Recorder* of the competition between the AME and AME Zion churches in Wilmington, which he considered "shameful." Arguing that the city's black Methodists did not understand the difference between the two denominations, Turner advocated "unity of the Southern Methodists." Even if Turner was correct, he may have missed the significance to freedpeople of the act of choosing their own church affiliations. That some chose

¹⁰⁴ Hood, *One Hundred Years of the African Methodist Episcopal Zion Church*, 401.

AME Zion and others AME hints at the diversity within the city's black population. St. Luke's remained AME Zion, while Front Street's black parishioners considered themselves AME and eventually left to form a new AME church. Indeed, AME strength in the Wilmington area reflected the historical significance of Front Street Methodist to black Wilmingtonians and the AME's ability to secure the loyalty of church elders who were deeply rooted in the city's communities.¹⁰⁵

By the summer of 1865, black mobilization was well under way in Wilmington, and a local black leadership had already taken shape. Nevertheless, when elections were announced for delegates to a state constitutional convention that would meet in Raleigh on October 2, black North Carolinians, like their counterparts across the South, were entirely excluded. In response, black leaders in Wilmington and in New Bern called for a statewide "Convention of the Freedmen of North Carolina" to meet in Raleigh on September 28, just before the opening of the constitutional convention. A circular announcing the freedmen's convention called for each county in the state to send as many delegates as it was entitled to elect to the lower house of the state legislature. "[L]et delegates be sent to represent you," the circular declared. "[L]et the entire Colored population of North Carolina assemble in their respective town-ships, and speak their views on this all important subject." The circular described black participation in the political process as the fulfillment of prophecy. Emancipation was not only the end of slavery, but the beginning of black liberty and an awakening:

Freedmen of North Carolina Arouse! *Men and Brethren:*
Lo! The waking up of Nations

¹⁰⁵ Ibid., 401, 549; Martin, *For God and Race*, 58-60; Walls, *African Methodist Episcopal Zion Church*, 188-89; Henry M. Turner, "Chaplain Hunter and Rev. Mr. Hood Contending for a Church – A Shameful Contest," *Christian Recorder*, 1 April 1865.

From Slavery's fatal sleep.
The voice of the Universe,
Deep, calling unto deep.
These are the times foretold by the Prophets, "when a Nation shall be born in a day," the good time coming.

It was time to "shake off the bonds, drop the chains, and rise up in the dignity of men," the circular proclaimed. "Rally, old men; we want the council of your long experience. Rally, young men; we want your loyal presence, and need the ardor of youth to stimulate the timid. And, may the Spirit of our God come with the people to hallow all our sittings, and wisely direct all our actions."¹⁰⁶ The freedmen's convention was the first effort since emancipation to organize blacks from across the state. White men might exclude black North Carolinians from the state constitutional convention, but they could not silence prophecy.

In Wilmington, public meetings related to the freedmen's convention competed with those related to the constitutional convention. A nominating meeting to select delegates to the constitutional convention took place on August 12. The very next night, black Wilmingtonians held a meeting of their own; on the agenda was discussion of the upcoming freedmen's convention. A meeting to elect delegates to the freedmen's convention took place September 21, the day Governor Holden had set for the election of delegates to the constitutional convention.¹⁰⁷

At the August 12 nominating meeting for the constitutional convention, the all-white attendees passed five resolutions embracing reunion. The first resolution rejoiced

¹⁰⁶ *Wilmington Herald*, 13, 14, 15, 23, 27 September 1865; Evans, *Ballots and Fence Rails*, 88; Alexander, *North Carolina Faces the Freedmen*, 17-31; "Freedmen of North Carolina Arouse!" 28 August 1865, in *New Berne Times*, 31 August 1865.

¹⁰⁷ *Wilmington Herald*, 13, 14, 23 September 1865.

in peace and the end of the war, the second pledged support for President Andrew Johnson, and the third thanked Governor Holden “for his patriotic efforts to restore North Carolina to her position as a state of the union.” The fourth resolved “[t]hat above all other periods in her history the present is a time when North Carolina needs in her councils *her wisest and best men*.” The final resolution acknowledged the end of slavery “as a *fixed fact*” and called on the delegates to the constitutional convention to adopt an amendment to the state constitution forever abolishing slavery in the state. After the five resolutions had been unanimously approved, one member of the audience urged that “in altering the constitution the convention must bear in mind that it must be altered in strict conformity with President Johnson’s expressed views or the state would not be received into the union.” Another stressed “the absolute necessity of the convention’s rescinding the secession ordinance and of acting in the matter of slavery abolition and the suffrage question.” At that point, “the Hon. Samuel J. Pearson [*sic*]” arose “to make a few remarks on submitting an addenda [*sic*] to the resolutions.” Pearson agreed that the white citizens of the state were loyal. Yet “they had both in convention and legislature, in private and public life been strong and enthusiastic supporters of the Confederate government, and he was opposed to any man who was ashamed to acknowledge what he had done during the war.” He then proposed another resolution: “That we request our delegates in the convention to vote against any proposition to extend the right of suffrage to persons of African descent or any proposition to disfranchise for a term of years, or longer, persons who have taken the amnesty oath or received a special pardon from the president.” The resolution was unanimously approved.¹⁰⁸ The question of suffrage was

¹⁰⁸ Wilmington *Herald*, 13 September 1865. “Samuel J. Pearson” was most likely Samuel Jones Person, who represented New Hanover County in the House of Commons from

clearly on the minds of not only black people.

The very next night, New Hanover County's black residents responded with a mass meeting at Front Street Methodist Church. "The African population, in full force, assembled last night in mass convention on the political status of their race in this country," reported the *Herald*. The meeting opened with "an old time methodist hymn," after which "[s]everal speeches were made by 'American citizens of African descent.'" The most prominent speaker was Abraham Galloway, who had traveled from New Bern to address the freedpeople of his home town. What he had to say energized the audience. Countering the previous night's white optimism regarding the state's rapid readmission to the union, Galloway declared that North Carolina "never would get back into the union without negro suffrage." Political rights were essential. "He didn't want social equality with the whites," the *Herald* reported. "[H]e didn't want to marry any white man's daughter—but he did want political equality for the negro: or he was willing to compromise the matter," that is, to accept suffrage restrictions as long as they were the same for both black and white. "Grant the right of suffrage to every white or black man in North Carolina who can read and write," Galloway reportedly declared, "then he said

1860 to 1865. Person had served as a superior court judge in the 1850s and was considered for the Democratic gubernatorial nomination in 1858. A supporter of secession, he served as an officer in the state quartermaster department. See *The Papers of Jefferson Davis*, vol. 11, ed. Lynda Lasswell Crist, Barbara J. Rozek, and Kenneth H. Williams (Baton Rouge: Louisiana State University Press, 2003), 230n1; John Livingston, *The Law Register: Comprising the Lawyers in the United States: The State Record; Containing the State and County Officers, the Organization, Jurisdiction, and Terms of the Courts for Every State and Territory: The Official Directory for the United States; Containing the Officers of the Federal Government . . . the Officers and Terms of the Federal Courts: The Collector's Assistant: Giving the Laws for Collecting Debts, Executing Deeds, Verifying Claims, and Taking Testimony, with Forms for Every State . . . the Whole Constituting an Official and Business Union Directory* (New York: Merchants' Union Law Company, 1866), 586.

that he did not believe the majority of white voters would be so great by thousands.”¹⁰⁹ Galloway knew that many of the state’s whites were illiterate and would be disfranchised by a literacy requirement.

John P. Sampson, the son of James D. Sampson, the free black carpenter who had sponsored a secret school on his property, also spoke that evening. His oration linked education to the success of emancipation, calling it “the groundwork of all advancement.” “He believed that the negro with proper advantages was capable of arriving at an enlightened position,” reported the *Herald*. Unlike Galloway, however, Sampson insisted upon universal male suffrage, without restrictions. Despite that more radical position, the *Herald* was impressed by Sampson’s speech. “However much the reporter’s opinions on suffrage may differ from the speaker, he feels himself bound to express his true sentiments as regards the speech of John Sampson,” read the account in the *Herald*. “It was a truly eloquent effort, high-toned and sensible, rife in rhetorical ability and purity of diction.”¹¹⁰

On September 21, New Hanover’s blacks and whites elected delegates to their respective state conventions. The white residents did so unenthusiastically. “[T]here was but very little feeling manifested among the people as to who should represent them,” the *Herald* reported. The black residents did so in a mass meeting that the *Herald* described as “one of the largest gatherings of the kind ever before in council in this city.” Baffled by the turnout, the *Herald* could conceive of no reason why freedpeople would be taking up politics. The paper’s comments also hinted at differences between black and white

¹⁰⁹ *Wilmington Herald*, 13, 14 September 1865.

¹¹⁰ *Wilmington Herald*, 14 September 1865.

political cultures. When large placards posted about the city announced that the black meeting would take place at Front Street Methodist Church, the *Herald* judged it “rather in bad taste to use a church for such purposes”; blacks should meet at city hall if they intended to be political. Either in response to that suggestion or simply because city hall could seat more people, the meeting’s venue was indeed changed. Despite the last-minute relocation, the hall filled to capacity. “The crowd would no doubt have been larger still but for the change in the place of meeting at a late hour in the day . . .,” the *Herald* reported. “The hall was perfectly jammed, however, and many were seeking admittance, but to no purpose.” The paper had been complaining all week of low voter registration among the county’s whites. The large and enthusiastic turnout of politically charged blacks stood in stark contrast. Even the *Herald*, no fan of black politics, was impressed. “The affair reflected great credit upon the freedmen, and the orderly, dignified and attentive disposition shown among them was well worthy of emulation.”¹¹¹

If the *Herald* saw no reason for freedpeople to organize politically, the speakers at the September 21 mass meeting clarified their goals. The meeting’s star was John P. Sampson, who was rapidly making a name for himself as a political leader. Barely thirty years old, Sampson, who was educated at Ohio’s Oberlin College, had recently returned to Wilmington from Cincinnati, where he edited *The Colored Citizen*. Sampson “is well known here,” the *Herald* reported. “In fact, he is a native of this city, and his father . . . was looked upon as a man of more than ordinary intelligence and worth.” The paper’s

¹¹¹ On white turnout at the polls, see *Wilmington Herald*, 22 September 1865. For criticism of the placard announcing the September 21 mass meeting, see *Wilmington Herald*, 21 September 1865. On the meeting itself, see *Wilmington Herald*, 23 September 1865. For complaints about low voter registration among whites, see *Wilmington Herald*, 15, 18, 19, 20 September 1865.

reporter was favorably impressed by the younger Sampson. “He is quite young, and appears to be younger than he really is,” the *Herald* continued. “He is of fine appearance personally, of light color, well dressed, agreeable manners, graceful and easy, and seems to have complete control of language.” In his speech to the assembled freedpeople, Sampson once again demanded full political rights, which he described as “the all important subject of universal suffrage.” “We ask this government for the immediate, unconditional, and universal enfranchisement of the black man in every state in this union,” he declared. “We claim that without this his liberty is a mockery.” Without the vote, “you might as well retain the name of slavery for his condition; for if he is not the slave of the individual master he is the slave of society, and holds his liberty as a privilege, not as a right. He is at the mercy of the mob, and has no means of protecting himself.”¹¹²

Next, Sampson addressed those who could not comprehend black demands for the vote. “It may be asked why we want it?” he observed. His answer was crystal clear. “We want it because it is OUR RIGHT, first of all. No class of men can, without insulting their own nature, be content with any deprivation of their rights.” Moreover, he declared, “freedom without the right to vote for the man of your choice is worse than slavery and its protection not as good.” In a democracy, the denial of suffrage was a particular affront. “I want the elective franchise, as a colored man, because ours is a peculiar government, based upon a peculiar idea, and that idea is universal suffrage,” Sampson asserted. “If I were in a monarchical government, where the few bore the rule and the many were subject, there would be no special stigma resting upon me, because I

¹¹² *Wilmington Herald*, 23 September 1865.

did not exercise the elective franchise.” Such was not the case in the United States, where exclusion from the polls “is to make us an exception; to brand us with the stigma of inferiority.” Point by point, he countered the standard arguments against black enfranchisement: “It is said that we are ignorant; I admit it; but if we know enough to be hung, we know enough to vote. If we know enough to pay taxes to support the government, we know enough to vote. Taxation and representation should go together. If we know enough to shoulder a musket and fight for the flag—fight for the government, we know enough to vote. If we know as much when sober as an Irishman knows when drunk, we know enough to vote on good American principles.”¹¹³

The Civil War, which began “in the interest of slavery on both sides bids fair to end in the interest of liberty on both sides,” Sampson observed. “The south was fighting to take slavery out of the union, and the north fighting to keep it in the union, the south fighting to get it beyond the limits of the United States constitution, and the north fighting to retain it within those limits, the south fighting for new guarantees, and the north fighting for the old guarantees;—both despising the negro, both insulting the negro.” The slaves, however, “endowed with wisdom from on high,” had acted on entirely different assumptions and in so doing had transformed the meaning of the war. “[T]hey continued to come into our lines,” Sampson reminded his eager listeners, many of whom had themselves been fugitives, “treading their way through bogs and fens, over briars and thorns, fording streams, and swimming rivers, pointing out the dangers that threatened the union army.” Indeed, black people had been the only Southerners who were truly loyal to the Union. Now it was the Union’s turn to be true to them by granting them the

¹¹³ *Wilmington Herald*, 23 September 1865.

right to vote. His oration was received with rousing applause and a motion to send him to Raleigh as one of the county's delegates to the freedmen's convention. Without further discussion, the assembly approved the motion. The meeting then selected William Smith and John Nixon as the county's other two delegates. Smith, who was from Pitt County, some 100 miles west of New Hanover, had made his way to Union lines sometime before 1864, when he enlisted in the 37th U.S. Colored Infantry in Norfolk, Virginia. He had returned to North Carolina with the 37th, which was one of the units that liberated Wilmington. Nixon came from a landowning, free, and mixed-race family whose New Hanover County farm was valued at \$1,500 in 1850; after the war, he moved into the city and became active in politics.¹¹⁴

On September 26, the day before the delegates to the freedmen's convention left for Raleigh, another meeting was held to raise funds for their travel and to rally the community they would represent. Posters on street corners announced the 4 p.m. meeting, this time at the city's black cemetery. All three delegates were scheduled to speak. Perhaps as a result of the time of day, the meeting initially consisted almost entirely of women and boys, who gathered in the shade of the graveyard's overhanging trees. As afternoon became evening, others "came by two's and three's and at times by

¹¹⁴ Wilmington *Herald*, 23 September 1865. On Smith, see 37th U.S. Colored Infantry, Compiled Military Service Records of Volunteer Union Soldiers Who Served with the U.S. Colored Troops, Records of the Adjutant General's Office, RG 94, NARA-DC (microfilm #1993/reel 47). On Nixon, see 1850 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 2 February 2009). John Nixon's entire family was active in Wilmington politics. Four Nixon brothers, including John, were public servants; two served on the police force. All four were literate. One of them, Delaware, owned \$4,000 in real estate and \$500 in personal property in 1870. See Delaware Nixon, 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, <http://www.ancestry.com> (accessed 2 February 2009).

half-dozens, until near two hundred were in harmony.” John Nixon, who spoke first, addressed the crowd from atop a “goods-box.” “[T]hey were on the road to the promised land,” he told them, “but were yet in the wilderness.” He promised to go to the convention “to do the best he could for his hearers who had sent him.” He then raised the issue of suffrage, which he framed as a key component of equal rights. “He was asking to be acknowledged a free and independent citizen of the United States,” to have “equal rights and coequal rights,” the *Herald* reported. “He asked nothing more, and would be satisfied with nothing less.” Simply put, “he wanted all rights, chief of which was the right to vote like a white man.” Unlike Sampson, however, Nixon did not insist upon universal male suffrage. For him, the key was equality. “He did not care whether it was based upon ‘qualified, universal suffrage’ or not, but he wanted it.”¹¹⁵

After Nixon’s speech, “calls were made for ‘Sampson, Sampson,’ from all parts of the multitude,” reflecting his popularity with the crowd. The *Herald*, by contrast, was apparently beginning to sour on Sampson, who, according to its reporter, “indulged in a flight of fancy and imagination,” then closed by appealing for \$80, the amount the rally hoped to raise for the delegates’ travel expenses. The *Herald* had even less appreciation for the third delegate, William Smith, who was said to have “[given] it to them in broken doses, about suffrage, the great and living God, their living in an enemy’s country, and Andy Johnson with Mr. Lincoln and three years ago.” Smith “so completely ‘obfuscated’ the whole affair that some of the crowd found themselves on the wrong street to their homes after departing,” the *Herald* mockingly reported.¹¹⁶

¹¹⁵ Wilmington *Herald*, 27 September 1865.

¹¹⁶ *Ibid.*

The contrasting sentiments of whites and blacks in New Hanover County were also reflected in the *Herald's* critique of the graveyard meeting. In the *Herald's* estimation, freedpeople should not be wasting their time and money on political pursuits. “[T]his meeting was a grand failure,” the paper declared, “and was entirely unnecessary, plainly showing that these people have ‘mass meetings on the brain.’” “They are of course free to act and do as they please, about such matters,” the *Herald* continued, “but the poor ignorant creatures among them, would be doing their race a greater benefit beyond question by giving their money to the needy all about them than investing it in the quackery of negro conventions.”¹¹⁷ The county’s black residents, by contrast, recognized the power of grassroots contributions to the movement for political rights. The ability of New Hanover County’s blacks to send a full delegation to the state freedmen’s convention rested not on the pocketbooks of a few well-off antebellum free blacks, but on the backing of the masses, including men, women, and children.

The “Colored Convention” met in Raleigh on September 29. Abraham Galloway who was representing the New Bern area, called the meeting to order. Raleigh’s Loyal AME Church (also called Lincoln Church) was filled to its 400-person capacity, with half of the gallery occupied by women.¹¹⁸ In all, 117 delegates from thirty-five counties took

¹¹⁷ Ibid.

¹¹⁸ Half of the gallery had been reserved for women; see *Christian Recorder*, 28 October 1865. Elsa Barkley Brown argues that the black internal political sphere was extremely democratic in comparison to mainstream politics and included the voices and votes of women and children as well as men. See Barkley Brown, “To Catch the Vision of Freedom: Reconstructing Southern Black Women’s Political History, 1865-1880,” in *African American Women and the Vote, 1837-1965*, ed. Ann D. Gordon (Amherst: University of Massachusetts Press, 1997), 66-99, and “Negotiating and Transforming the Public Sphere: African-American Political Life in the Transition from Slavery to Freedom,” in *The Black Public Sphere: A Public Culture Book*, ed. The Black Public Sphere Collective (Chicago: University of Chicago Press, 1995), 111-50.

part. Most of them were former slaves. Upon the arrival of delegates from places in the interior of the state where fear of retribution had made it impossible to hold official nominating meetings, it was decided to conduct the convention as a mass meeting so that unofficial delegates could speak and have a vote.¹¹⁹

At this first statewide meeting of black North Carolinians, the delegates' agendas differed greatly. The eastern part of the state was well-represented, with New Bern, Beaufort, and Wilmington all sending full delegations. These men were more radical in their politics than those from central and western North Carolina, and they had much higher expectations. One observer described John Sampson, for example, as "a young man of ability, liberal education in Northern schools, and somewhat wordy radicalism." One of the New Hanover County delegates (name not given) proposed "to demand admittance to the White Convention, under instructions from his constituents." Most of the other delegates deemed this suggestion "absurd and foolish, and likely to result so badly for the colored people." The eastern delegates sought equality, including full political rights. Indeed, many of them believed that without political rights, other rights were impossible to maintain. "We ain't noways safe, 'long as dem people makes de laws we's got to be governed by," an unnamed Wilmingtonian told a Northern reporter. "We's got to hab a voice in de 'pintin' [appointing] of de law-makers." At a mass meeting in New Bern, Abraham Galloway had famously told the packed audience that

¹¹⁹ Convention of the Freedmen of North Carolina, *Official Proceedings* (Raleigh, N.C.: The Convention, 1865), 4-6; *Christian Recorder*, 28 October 1865; Alexander, *North Carolina Faces the Freedmen*, 22. Such propensity toward full participation had become customary in postwar black politics. In Wilmington, for example, one white observer mocked black meetings for their tendency to "appoint as many officers as possible." See Burkhead, "History of the Difficulties," 82.

whites feared black votes because they knew black voters would elect him mayor. While the idea of a black mayor or the admittance of blacks to the official constitutional convention may have seemed unattainable or even outrageous to freedpeople in most parts of North Carolina, the delegates from the eastern counties of the state were less hesitant.¹²⁰

Although the convention's delegates were diverse, most of them had been slaves and only about a dozen were from out of state. According to one observer, scarcely a quarter of the delegates were literate. "[T]he great majority were mechanics and plantation hands," he wrote, "men who had grown up in ignorance, whose forms were bent with long labor, whose faces expressed patient endurance rather than thought or any passion, and who for the most part sat mute on the benches." Some, another Northern observer remarked, "are dressed in the very cheapest of homespun, are awed by the very atmosphere of a city, [and] speak a language that no Northern white man can understand." But to them, "as to all men," he continued, "by travel and association there had come enlargement of view, enlargement of desire and aspiration, a new sense of freedom, and a new purpose to labor for their rights." Most of the delegates represented

¹²⁰ *Wilmington Herald*, 14 September 1865, 15 September 1865, 23 September 1865, 27 September 1865; Evans, *Ballots and Fence Rails*, 88. For the description of John Sampson, see Sidney Andrews, *The South since the War: As Shown by Fourteen Weeks of Travel and Observation in Georgia and the Carolinas* (Boston: Ticknor & Fields, 1866), 124. For the differences in political activism between eastern North Carolina and other parts of the state, see Alexander, *North Carolina Faces the Freedmen*, 17-31; John Richard Dennett, *The South as It Is: 1865-1866* (New York: Viking, 1965), 149-54. For the proposal to demand admittance to the state constitutional convention, see *Christian Recorder*, 28 October 1865. For the statement of the unnamed Wilmington man to the Northern reporter, see Whitelaw Reid, *After the War: A Southern Tour: May 1, 1865, to May 1, 1866* (Cincinnati: Moore, Wiltach & Baldwin, 1866), 52. For Galloway's statement to the New Bern meeting, see David Cecelski, "Abraham H. Galloway: Wilmington's Lost Prophet and the Rise of Black Radicalism in the American South," in *Time Longer Than Rope: A Century of African American Activism, 1850-1950*, ed. Charles M. Payne and Adam Green (New York: New York University Press, 2003), 48.

localities with white majorities and without black soldiers. In such places, blacks had had to meet in secret to select delegates, and those delegates had risked their lives to make the trip to Raleigh, often departing in the dark of night. Indeed, some black people in the interior had opposed holding a convention at all, fearing that it was too dangerous to do so.¹²¹

A few delegates expressed reluctance to welcome men born outside North Carolina. One even went so far as to criticize “one or two delegates born in this State, but educated in the schools and under the influences of the North.” “We meant it for a Convention of our own people,” he told an observer. The delegates in question evidently represented the eastern portion of the state; “these outsiders from Wilmington and New Bern shall not control us,” the critic added.¹²²

Equality before the law took center stage at the convention. One of its most vocal proponents was Isham Sweat, a free black barber from Wilmington who was representing Cumberland County, two counties to the northwest of New Hanover, where he had taken a position with the Freedmen’s Bureau. Sweat was a fierce proponent of equal legal rights, though not suffrage. Perhaps his experiences in Cumberland County, as opposed to Wilmington, explain his more moderate stance on suffrage. Perhaps his work with the Freedmen’s Bureau had convinced him that legal rights were of more immediate importance. “They say we don’t know what constitution means,” Sweat began as he took the podium. “But if we don’t know what the Constitution is, we know enough to know

¹²¹ Dennett, *The South as It Is*, 149-54 (quotations on 150); Andrews, *The South since the War*, 59-60. For other descriptions of the delegates, see *Christian Recorder*, 28 October 1865; Alexander, *North Carolina Faces the Freedmen*, 18-21; Cecelski, *Fire of Freedom*, 181-82.

¹²² Andrews, *The South since the War*, 59-60, 124 (quotation).

what justice is.” “I can see for myself down at my own court-house,” he declared, citing experiences that must have resonated with every black man, woman, and child in earshot. “If they makes a white man pay five dollars for doing something today, and makes a nigger pay ten dollars for doing something tomorrow, don’t I know that ain’t justice?” Even those who had been slaves yesterday, had no difficulty understanding justice today. “They’ve got a figure of a woman with a sword hung up thar, sir; Mr. President, I don’t know what you call it,” Sweat said. “‘Justice,’ ‘Justice,’” the audience called out. “[W]ell,” Sweat continued, “she’s got a handkercher over her eyes, and the sword is in one hand and a pair o’ scales, don’t I know the nigger is always mighty light? Don’t we all see it? Ain’t it so at your court-house, Mr. President?”¹²³ For Sweat and many other delegates, securing justice in local courts was central to making freedom a reality.

Several speakers expressed confidence that freedom was within reach in the South. As the great majority of those present were native to North Carolina, this message, too, must have resonated widely. James H. Harris, a delegate from Raleigh who had been born free and was self-educated, “labored to show the colored people that their best friends were the intelligent white class in the South, and not the people at the North.” Harris was well traveled by this time, having left for Ohio after the Civil War broke out, spent time in Canada, and visited settlements of American blacks in Liberia and Sierra Leone. In 1863, he had returned to the U.S., where he helped organize the

¹²³ Dennett, *The South as It Is*, 151. For Sweat’s background, see Isham Sweat, 1850 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, <http://www.ancestry.com> (accessed 2 February 2009). Sweat represented Cumberland County in the state House of Representatives during the 1868-69 term before returning to Wilmington in 1870 and opening a barber shop on the corner of North Water and Grace streets. See Reaves, *Strength through Struggle*, 471.

28th U.S. Colored Infantry in Indiana. He therefore knew something of Northerners. The Emancipation Proclamation, he told the convention, “was not the result of a benevolent crusade, as many supposed,” but had been issued as “a law of necessity, as a military measure.” He cited Northern white prejudices that evinced “diabolical and murderous hate” against black people. In the South, black people were the foundation of every branch of the mechanic arts and the cultivation of the soil, whereas in the North they faced exclusion in almost every area of employment. The North, he declared, “was no place for the colored man to look for an asylum.” To the black North Carolinians who had assembled from across the state to plan their future, Harris concluded by saying that he “had traveled 40,000 miles in search of a better country—he had made the circuit of the West India islands and gone over to Africa, but he had now returned to his native State of North Carolina, where he intended to live, to die, and be buried.”¹²⁴

The delegates resolved to return to their homes and organize chapters of the Equal Rights League to fight for equality before the law. As a testament to the strength of Wilmington as a political center, the delegates agreed to move the league’s state headquarters from Raleigh to the eastern port city. They also resolved to publish a newspaper out of Wilmington, but nothing seems to have come of the plan. In a final move, the delegates established a committee to draft a formal address to the state constitutional convention, which was meeting just blocks away. The resulting address underscored, as had the convention itself, the importance of equal rights before the law.

¹²⁴ Andrews, *The South since the War*, 124. For Harris’s speech, see *Christian Recorder*, 28 October 1865. For biographical information on Harris, see Eric Foner, *Freedom’s Lawmakers: A Directory of Black Officeholders during Reconstruction*, rev. ed. (Baton Rouge: Louisiana State University Press, 1996), 96-97; Cecelski, *Fire of Freedom*, 184-85.

“We most earnestly desire to have the disabilities under which we formerly labored removed,” it read, “and to have all the oppressive laws which make unjust discriminations on account of race or color wiped from the statutes of the State.”¹²⁵ Here was a powerful prescription for the men who were about to remake the state’s organic law.

At the same time, the address emphasized the insecurity of ex-slaves’ families and their desperate economic circumstances. “Our first and engrossing concern in our new relation is, how we may provide shelter and an honorable subsistence for ourselves and families,” the delegates declared. The address called for specific policies, including the hope “that some provision may be made for the care of the great number of orphan children and the helpless and infirm.” Even more, it focused on labor conditions, calling for “such encouragement to our industry as the proper regulation of the hours of labor and the providing of the means of protection against rapacious and cruel employers and for the collection of just claims.” “[M]ust there not be mutual cooperation?” the address asked rhetorically. “As our longer degradation cannot add to your comfort, make us more obedient as servants, or more useful as citizens, will you not aid us by wise and just legislation to elevate ourselves?” Public education was one means of elevation. “We desire education for our children, that they may be made useful in all the relations of life,” the address declared. But family stood foremost among freedpeople’s concerns.

¹²⁵ *Convention of the Freedmen of North Carolina*, 13; Andrews, *The South since the War*, 63-64; *Christian Recorder*, 28 October, 1865; *Wilmington Herald*, 13 November 1865; Cecelski, *Fire of Freedom*, 186; Evans, *Ballots and Fence Rails*, 93. The committee that prepared the address to the constitutional convention consisted of James H. Harris, John R. Good, George A. Rue, Isham Sweat, and John Randolph, Jr., none of whom represented New Hanover County.

“We invoke your protection for the sanctity of our family relations,” they appealed to members of the constitutional convention. “Is this asking too much?”¹²⁶

The black delegates reminded the white delegates meeting down the street that they too were Southerners and that cooperation between black and white North Carolinians was essential. During the war, “it was impossible for us to remain indifferent spectators,” but they asked white Southerners to “do us the justice to admit that we have remained throughout obedient and passive.” “Do you blame us that we have, meantime, prayed for the freedom of our race?” they asked. The delegates ended with an emphasis on their attachment to their homeland and its people. “Though associated with many memories of suffering, as well as of enjoyment,” they declared, “we have always loved our homes and dreaded as the worst of evils, a forcible separation from them. Now that freedom and a new career are before us, we love this land and people more than ever before.” North Carolina was home. “Here we have toiled and suffered; our parents, wives and children are buried here; and in this land we will remain unless forcibly driven away.”¹²⁷

Only five months after the end of the war, black North Carolinians had organized a convention at the state capital and prepared an address that was formally received by the state constitutional convention. Yet any hope that white North Carolinians were listening would quickly dissipate. Delegates to the constitutional convention did agree

¹²⁶ *Journal of Freedom*, 7 October 1865; *Convention of the Freedmen of North Carolina*, 12-13; Andrews, *The South since the War*, 63-64.

¹²⁷ *Convention of the Freedmen of North Carolina*, 13; *Christian Recorder*, 28 October, 1865; *Journal of Freedom*, 7 October 1865; Dennett, *The South as It Is*, 175; Alexander, *North Carolina Faces the Freedmen*, 19, 25-30; Cecelski, *Fire of Freedom*, 187.

that somehow newly freed black people had to be absorbed into the legal fabric. To that end, they adopted a resolution “to constitute a commission to prepare and report to the Legislature a code of laws in regard to freedmen.” But when the commission presented its recommendations to the General Assembly in January 1866, they revealed a desire to steer the state back toward white supremacy.¹²⁸

If the *Wilmington Herald*'s account of the freedmen's convention was any indication of how white North Carolinians more generally would respond, freedpeople had a rocky road ahead of them. “Just what the negro population of this state are aiming at it is difficult to conceive,” the *Herald* claimed. While the paper had never been supportive of black political mobilization, its report of the proceedings in Raleigh took a more caustic tone than had previously been the case. The convention's packed house and stirring orations had made it clear that freedpeople were serious about equality. White Northerners, the *Herald* believed, were to blame. “Now how seriously wicked appears the conduct of those fanatical agitators at the north who have inspired all this useless political tom-foolery among the ignorant blacks, the result of all which will merely be disappointment,” the paper fumed. The *Herald* seemed unable to credit black Wilmingtonians with any political skills or understanding at all. Even John Sampson, whom the paper had described so flatteringly just days earlier, had become just another puppet of Northern men. Sampson was “once owned, we believe, in this town,” the *Herald* reported. He “ran away to Ohio and got a little smattering of knowledge there,

¹²⁸ North Carolina Constitutional Convention, 1865-66, *Journal of the Convention of the State of North Carolina, at Its Session of 1865* (Raleigh, NC: Cannon & Holden, Printers to the Convention, 1865), 44. The legislation proposed by the commission is discussed below, in chapter 2.

and set himself up, under the patronage of Salmon P. Chase, as an editor and orator.” Any respect the paper had accorded Sampson before the convention was gone.¹²⁹

The coming year would challenge not only the community mobilization that black Wilmingtonians had achieved during the months immediately following the war, but also the safety and security of the city’s black neighborhoods. Emancipation remained uncharted territory, and the earliest struggles to define freedom took place in daily contests on the ground. A full year after Chaplain Hunter’s “grate freedom surmen,” the battle for Front Street Methodist Church ended in defeat for the black parishioners. In April 1866, when “the dust of war had settled,” officials of the M.E. Church, South, announced that they had located the deed to the church property, and it proved that Front Street’s black members had no claim. The issue was settled once and for all.¹³⁰

Reflecting the sentiments of many whites throughout the former Confederacy, the white leaders of Front Street Methodist, in a letter to President Andrew Johnson notifying him of the discovery of the deed, expressed a profound desire for the world to be as it once was. “We are perfectly willing,” they told the president, “for the negroes to come and sit in the gallery as they have been accustomed to do and listen to the word of truth as preached by our Pastor.” The Rev. Burkhead was still willing “to preach one sermon for the exclusive benefit of the negro every Sabbath afternoon when he is able if they remain in his charge & conform to the rules of the church as we have been in the habit of doing for years.” But the world would never again be as it once was. Indeed, “the Difficulties

¹²⁹ *Wilmington Herald*, 29 September 1865. Salmon Chase, the chief justice of the U.S. Supreme Court, was an abolitionist from Ohio.

¹³⁰ Burkhead, “History of the Difficulties,” 113.

of the Pastorate of the Front Street Methodist Church,” as Burkhead titled his account, intensified black Wilmingtonians’ desire for their own black leaders.¹³¹

The events at Front Street Methodist Church were a microcosm of developments in Wilmington as a whole. Denied representation in the city government, black Wilmingtonians tried to secure control of their own communities, of which churches were the central institutions. They did so both in order to improve their day-to-day lives and as a stepping stone to political rights. Invoking democratic principles, they based their claim to the church on their numerical majority. At Front Street Methodist, the largest black church in the city, they had selected their own leaders since the late eighteenth century. Black tithes had paid for the bricks that formed the building, and black hands had laid them. If black Wilmingtonians could not demand leadership of the people, by the people, and for the people there, they would find it no place and freedom would be gone before it had ever been grasped.

Stuck somewhere on the border between slavery and citizenship, former slaves were left with nothing but freedom.¹³² With Burkhead back in the pulpit of Front Street Methodist and black parishioners cordoned to the gallery, most of the church’s black members felt they had no choice but to depart. Their exodus did not, however, signify acquiescence to white rule. The 642 members of Front Street Methodist who left the church they and their kin had attended for generations, both former slaves like William

¹³¹ W. M. Poisson to His Excellency President Johnson, 18 April 1866, P-53 1866, Letters Received, ser. 2452, NC Assistant Commissioner, RG 105, NARA-DC [FSSP A-559]; Burkhead, “History of the Difficulties.”

¹³² The phrase is borrowed from Eric Foner, *Nothing but Freedom: Emancipation and Its Legacy* (Baton Rouge: Louisiana State University Press, 1983).

McLaurin and wealthy free blacks like the Sampsons, withdrew into the predominantly black Brooklyn neighborhood, where they founded what would become one of the city's most politically active churches, St. Stephen's AME.¹³³

Despite the relatively late arrival of Union forces in Wilmington, the city's black residents had used the existing structures of urban slavery to achieve a remarkable degree of mobilization by the end of 1865. In cities like Nashville, New Bern, New Orleans, Norfolk, Memphis, Natchez, and Vicksburg, where Union occupation had come much earlier in the war, former slaves had enjoyed a longer time to organize churches, schools, mutual-aid associations, and political organizations prior to the final Confederate surrender. In cities like Savannah, Wilmington, Charleston, and Mobile, by contrast, it was not until the final months of war that black mobilization could emerge into the open.¹³⁴

¹³³ St. Stephen's was constructed on the Campbell land deeded years earlier for the use of "the colored population of the city." See Col. Allan Rutherford to Genl. Whittlesey, 28 May 1866, vol. 251, p. 135, Registers of Letters Received, ser. 2891, Wilmington, NC, Superintendent of the Southern District, RG 105, NARA-DC [FSSP A-812]; Burkhead, "History of the Difficulties," 75; W. M. Poisson to His Excellency President Johnson, 18 April 1866, P-53 1866, Letters Received, ser. 2452, NC Assistant Commissioner, RG 105, NARA-DC [FSSP A-559]; J. A. Rumph to Capt. R. T. Frank, 6 June 1866, vol. 69 VaNc, p. 54, Letters Sent, ser. 3276, Department of North Carolina, RG 393 pt. 1, NARA-DC.

¹³⁴ On the relationship between Union occupation and black communities across the urban South, see Don Doyle, *New Men, New Cities, New South: Atlanta, Nashville, Charleston, Mobile, 1860-1910* (Chapel Hill: University of North Carolina Press, 1990), ch. 3; Howard N. Rabinowitz, *Race Relations in the Urban South, 1865-1890* (New York: Oxford University Press, 1978), ch. 2. On black political mobilization in New Orleans, see John W. Blassingame, *Black New Orleans, 1860-1880* (Chicago: University of Chicago Press, 1973), ch. 2; Joseph Logsdon, and Caryn C. Bell, "The Americanization of Black New Orleans, 1850-1900," in *Creole New Orleans: Race and Americanization*, ed. Arnold R. Hirsch and Joseph Logsdon (Baton Rouge: Louisiana State University Press, 1992), 230-37; David C. Rankin, "The Impact of the Civil War on the Free Colored Community of New Orleans," *Perspectives in American History* 11 (Dec. 1977): 409-16; Gilles Vandal, "Black Utopia in Early Reconstruction New Orleans: The People's Bakery as a Case Study," *Louisiana History* 38 (Fall 1997): 437-52. On black political mobilization in Memphis, see Kenneth W. Goings and Gerald L. Smith, "Unhidden' Transcripts: Memphis and African American Agency, 1862-1920," *Journal of Urban History* 21 (1995): 388-

The first year of freedom had demonstrated what black Wilmingtonians already knew, that social, economic, and political freedom began at the grassroots, in their neighborhoods. Approximately 85 percent of the city's black population had been enslaved in 1860. After the fighting stopped, thousands of additional ex-slaves left the countryside and made their way to the city, most of them establishing new homes in Brooklyn and Dry Pond. Wilmington's black communities seem to have absorbed these newcomers without serious disruption. Still, the organization of postemancipation black neighborhoods necessitated churches and schools, fire companies and police protection, homes and sanitation. For individual freedpeople, obtaining work and a basic subsistence was only the beginning. Without protection of their property and equality under the law, black communities would have to mobilize for self-defense and care of the dependent. Now comprising a majority of the population, black Wilmingtonians took the reins in community cleanup, provision for the sick and needy, and the establishment of schools. They developed community leaders, funded black fire companies to protect their homes, and turned to black soldiers for defense. Creating a new world out of the ashes of slavery

94; Armstead Robinson, "Plans Dat Comed From God: Institution Building and the Emergence of Black Leadership in Reconstruction Memphis," in *Toward a New South? Studies in Post-Civil War Southern Communities*, ed. Orville V. Burton and Robert C. McMath, Jr. (Westport, Conn.: Greenwood Press, 1982), 93-102; Altina L. Waller, "Community, Class, and Race in the Memphis Riot of 1866," *Journal of Social History* 18 (Winter 1984): 233-46. On black political mobilization in Charleston, see William C. Hine, "Black Politicians in Reconstruction Charleston, South Carolina: A Collective Study," *Journal of Southern History* 49 (November 1983): 555-84; Wilbert Jenkins, *Seizing the New Day: African Americans in Post-Civil War Charleston* (Bloomington: Indiana University Press, 1998), ch. 2; Bernard E. Powers, Jr., *Black Charlestonians: A Social History, 1822-1885* (Fayetteville: University of Arkansas Press, 1994), ch. 8; John P. Radford, "Social Structure and Urban Form: Charleston, 1860-1880," in *From the Old South to the New: Essays on the Transitional South*, ed. Walter J. Fraser, Jr., and Winfield B. Moore, Jr. (Westport, Conn.: Greenwood Press, 1981), 88-91. On black political mobilization in Mobile, see Michael Fitzgerald, *The Union League Movement in the Deep South: Politics and Agricultural Change during Reconstruction* (Baton Rouge: University of Louisiana Press, 2000), 21-40.

fell for the most part to the former slaves themselves. Their battle had just begun.

Chapter 2

“Exposed to Danger Night and Day”: The Consequences of Political Exclusion, 1865-1867

New Year’s Day, 1866, was unlike anything Wilmington had ever seen. “The great feature of the day was the turnout of the colored people,” a correspondent informed the *Christian Recorder*. In a procession of 3,000, the city’s black residents marched to the tune of the “Star Spangled Banner” in celebration of the third anniversary of the Emancipation Proclamation. “In this motley crowd all ages and sexes, sizes and conditions, were represented,” the *Daily Herald* reported, “from the old woman in specks to ‘the babe in the arms of its mother.’” The event was orchestrated by the local Equal Rights League. As a band played, the marchers wound through the streets to join another 3,000 in the predominantly black neighborhood of Brooklyn, where the Reverend William H. Banks of First African Baptist Church led a throng of celebrants in prayer at an altar erected for the occasion. Afterward, other local black leaders, including the Reverend P. P. Hedges of First Presbyterian Church and Hezekiah Reed, one of the wealthiest black men in the city, addressed the crowd, as did Samuel Ashley, the Northern white missionary who was serving as district superintendent of schools for the Freedmen’s Bureau.¹

The celebration reflected the new world in which black Wilmingtonians now

¹ “Letter from Wilmington, N.C.,” 13 January 1866, in *Christian Recorder*, 27 January 1866; *Wilmington Daily Herald*, 2 January 1866. According to the letter in the *Christian Recorder*, the procession ended at “Mr. Dickenson’s ground,” most likely a reference to James Dickenson, who lived in the north end of Brooklyn. On Dickenson, see William M. Reaves, *Strength through Struggle: The Chronological and Historical Record of the African-American Community in Wilmington, North Carolina, 1865-1950*, ed. Beverly Tetterton (Wilmington, NC: New Hanover County Public Library, 1998), 444.

lived. The organization of such a large event demonstrated the strength of the city's black churches and associations and their ability to mobilize their members. Local black leaders were featured throughout the day, and for a moment it seemed as though the entire city had embraced black freedom. Most whites, however, remained indoors, contemptuous of the procession through the streets.² Such contrasting responses would reappear over the course of the coming year as black mobilization met backlash from whites determined to hold on to white supremacy and their control over black lives.

Local mobilization was more important than ever as black Wilmingtonians welcomed their first New Year's Day in freedom. Since emancipation, they had faced violent hostility, legal oppression, and exclusion from city services. With little recourse under the law and at the mercy of a justice system focused on enforcing their subordination, black Wilmingtonians summoned their own resources. Public displays like parades signaled their determination to continue the struggle for full freedom. Furthermore, such large gatherings were a method of mobilization in and of themselves. Wilmington's historically black neighborhoods constituted a critical mass that contained the elements necessary to resist postemancipation oppression, including community organizations, a black propertied class, and a local black leadership. The emergence of independent black churches was particularly important, and they were intimately connected to the social and political mobilization taking place in black neighborhoods. Indeed, churches became the epicenter of the struggle for black political rights. Within their walls, Equal Rights League meetings were held, strategy was debated, delegates to

² "Letter from Wilmington, N.C.," 13 January 1866, in *Christian Recorder*, 27 January 1866.

state and national meetings were elected, and policies were refined. For black Wilmingtonians, churches were vital political spaces.³

Black churches also offered resources that helped ex-slaves withstand oppression and exclusion. Many black Wilmingtonians turned to the churches for basic survival. After the city government was restored in July 1865, white officeholders refused to provide public relief to the city's black residents. In one case, the mayor himself turned away a destitute twelve-year-old boy, spitefully telling him to seek assistance from the federal military authorities. City funds were for whites only. Black Wilmingtonians would have to rely on themselves.⁴

Women, who were pivotal in fundraising efforts within the churches, were also active in a variety of community organizations. Associations like the Daughters of Allen and the Ladies Aid Circle, both affiliated with the African Methodist Episcopal (AME) Church, were in full swing by the summer of 1866; they were instrumental in supporting black churches, schools, and celebrations. After federal authorities denied black members' claim to Front Street Methodist Church, the black parishioners left to establish their own congregation. By January 1, 1867, the Ladies Aid Circle, with a membership

³ Evidence of use of black churches for political meetings appears in criticism by the local press; see, for example, *Wilmington Herald*, 23 September 1865. On the emergence of independent black churches after emancipation, see Katharine L. Dvorak, *An African-American Exodus: The Segregation of the Southern Churches* (Brooklyn, NY: Carlson Publishing, 1991); William E. Montgomery, *Under Their Own Vine and Fig Tree: The African-American Church in the South, 1865-1900* (Baton Rouge: Louisiana State University Press, 1994); Leon Litwack, *Been in the Storm So Long: The Aftermath of Slavery* (New York: Knopf, 1979), 464-69; Kenneth K. Bailey, "The Post-Civil War Racial Separations in Southern Protestantism: Another Look," *Church History* 46 (December 1977): 453-73; Robert L. Hall, "'Yonder Come Day': Religious Dimensions of the Transition From Slavery to Freedom in Florida," *Florida Historical Quarterly* 65 (April 1987): 411-32; John T. O'Brien, "Factory, Church, and Community: Blacks in Antebellum Richmond," *Journal of Southern History* 44 (November 1978): 509-17.

⁴ For the boy turned away by the mayor, see *Wilmington Herald*, 12 August 1865.

of nearly 100, had taken the lead in financing the construction of St. Stephen's AME Church. Black women hosted activities like fairs and performances that were as much demonstrations of freedom as practical means of generating funds. Vital organizations like the Equal Rights League were also dependent on the fundraising of women to hold meetings and pay the travel expenses of delegates to statewide meetings. So integral were women to the mobilization of black Wilmington that at the July 11, 1866, meeting of the Literary Aid Society the question for debate was "*Resolved*, That woman has more power than man." Of the men discussing the issue, Gamaliel Rourke, Edward Reed, and George Mabson—all of whom would become black political leaders—argued in the affirmative. At the end of the debate, the group concluded that women had more power than men.⁵

White Wilmingtonians were appalled by the new world former slaves were making. To them, nothing must have appeared to be as it should: black people meeting and talking politics, black women in leading roles, where black people met, what they said. Whites criticized the city's blacks for conducting political business in churches and at the cemetery, unable to conceive of either setting as appropriate political space. Reporting on a political meeting at the black cemetery, the *Herald* ridiculed the location as "a very grave place for a grave meeting." For black Wilmingtonians, however, all space was political space. The *Herald* also noted that the cemetery meeting included a large number of women and children. Puzzled as to why they would be present at a

⁵ For the Literary Aid Society debate, see *Christian Recorder*, 1 September 1866. On women's fundraising role in postemancipation black churches, see Julius H. Bailey, *Around the Family Altar: Domesticity in the African Methodist Episcopal Church, 1865-1900* (Gainesville: University Press of Florida, 2005), 35-62.

political gathering, the paper claimed that the event “brought but few of the freedmen together, unless the female element can be included under that denomination.” Black political culture seemed foreign and perhaps threatening to the city’s whites. Indeed, the public displays of freedom so regularly conducted by the city’s black communities, which included women and children as well as men, may have strengthened white commitment to black exclusion and white supremacy.⁶

Established political practices offered little room for such bottom-up participation. At the time of the Civil War, North Carolina was one of the least democratic states in the South. Political affairs were largely reserved for the propertied. Until 1857, voters for state senators had to own at least fifty acres of land, and even after the constitutional amendment ratified that year, only taxpayers could cast a ballot. Representation in the Senate was apportioned not on the basis of population, but on the amount paid in property taxes, an arrangement that gave the wealthy eastern counties greater weight. In the House of Commons, representation was based not only on the free population but also on three-fifths of the slave population, giving the eastern counties added strength in that house as well. Officeholding requirements strongly privileged the propertied. Candidates for governor had to own an estate valued at \$2,000 or more. Senators had to own at least 300 acres of land, and members of the House of Commons at least 100. Planters constituted more than a third of the General Assembly, the highest percentage in

⁶ *Wilmington Herald*, 21, 27 September 1865. On white commitment to black exclusion and white supremacy, see Paul D. Escott, *Many Excellent People: Power and Privilege in North Carolina, 1850-1900* (Chapel Hill: University of North Carolina Press, 1988), ch. 5; Eric Foner, *Reconstruction: America’s Unfinished Revolution, 1863-1877* (New York: Harper & Row, 1988), 203-5.

the Upper South, and 85 percent of the legislators owned slaves.⁷

The General Assembly chose both superior court judges and judges of the state's supreme court, all of whom served for life. The General Assembly also selected justices of the peace for each county, who were then commissioned by the governor. They too held their positions for life. The justices of the peace in each county made up the county court, which appointed all other county officials except the sheriff and two clerks of court, the only officeholders elected by the voters. In addition to its judicial responsibilities as the court of common pleas and quarter sessions, the county court administered all county business, from levying taxes, and appropriating public funds to caring for the poor, apprenticing orphans, and constructing and maintaining roads and bridges. When a new criminal court was established for New Hanover County in February, 1867, its judge was also elected by the General Assembly and commissioned by the governor to serve for life. In the new criminal court, as in the superior courts and the courts of common pleas and quarter sessions, only freeholders could serve as jurors.⁸

⁷ On the elite character of North Carolina government, see Escott, *Many Excellent People*, ch. 1 (voting and officeholding requirements on pp. 15-27). For the percentage of slaveholders and planters in the General Assembly, see Ralph A. Wooster, *Politicians, Planters and Plain Folk: Courthouse and Statehouse in the Upper South, 1850-1860* (Knoxville: University of Tennessee Press, 1975), 40.

⁸ For the selection of superior and supreme court judges by the legislature and their lifetime appointment, see Guion Griffis Johnson, *Ante-Bellum North Carolina: A Social History* (Chapel Hill: University of North Carolina Press, 1937), 622, 625-26. For the service of county justices of the peace for life, see Escott, *Many Excellent People*, 16. On the composition and duties of the county courts, see Johnson, *Ante-Bellum North Carolina*, 622, 625-26; Paul Woodford Wager, *County Government and Administration in North Carolina* (Chapel Hill: University of North Carolina Press, 1928), 16-17, 44-45, 57. For the law creating the new criminal court, see "An Act to Establish a Criminal Court in the County of New Hanover," 11 February 1867, *Public Laws of the State of North Carolina, Passed by the General Assembly at the Session of 1866* (Raleigh, NC: Wm. E. Pell, Printer to the State, 1866), 41-46. Proponents of the new court argued that an increase in crime since the war had so heavily burdened the county court that it was unable to attend to its administrative responsibilities. See *Wilmington Daily Journal*, 17 January, 17 February 1867. For the qualifications for jury service, see North

New Hanover County, like the state's other eastern counties, had long been committed to such elitist governance. While calls for greater democracy issued from the poor white and yeoman citizens of the western part of the state, the eastern counties, grounded in large plantations and ruled by the slavocracy, fought tooth and nail to restrict political participation. In the state as a whole, the political divide was between the concentrated wealth of the east and the small farmers of the west. Many western whites found particularly odious the power of state officials over local government. Creating what Paul D. Escott calls a "squirarchy," the elite members of the General Assembly appointed the justices of the peace who controlled county government, resulting in the domination of county courts by powerful local families, sometimes for generations.⁹

In November 1865, North Carolina held its first gubernatorial and legislative elections since the war. Also on the ballot were the ordinances adopted by the state convention. At the elections, the state's all-white voters ousted Provisional Governor William Holden in favor of Conservative Jonathan Worth. In New Hanover County, Worth received 693 votes to Holden's 76. The Holdenites, however, won a majority in both houses of the General Assembly. New Hanover sent Holdenite Edward D. Hall, who ran on a National Union Party ticket, to the Senate. John R. Hawes and Robert H. Cowan were elected to the House of Commons, and although it is not clear whether they were Holden or Worth supporters, they both appeared in *Herald* campaign announcements alongside Hall. For the only county offices that were elective—superior

Carolina, *Revised Code of North Carolina, Enacted by the General Assembly at the Session of 1854* (Boston: Little, Brown, 1855), 161.

⁹ Escott, *Many Excellent People*, 15-30.

court clerk, county court clerk, and sheriff—there was little competition. Samuel R. Bunting, a Confederate veteran, was elected sheriff by a landslide.¹⁰

In the state as a whole, the election demonstrated the disdain many white North Carolinians felt for the ordinances repudiating secession and approving emancipation. While both were duly ratified, many voters refused to participate in the process. In New Hanover County, with vote totals far lower than those in the gubernatorial race, the ordinance repealing secession was ratified by 142 to 66, but the emancipation ordinance was approved by only 118 to 96. Upper Black River township, which was composed almost entirely of large plantations, overwhelmingly rejected both ordinances (repudiation of secession by a vote of 27 to 3; emancipation by 27 to 2). Another township, Piney Woods, ratified the anti-secession ordinance by a large margin, but rejected emancipation 12 to 8. The county's other townships easily ratified both ordinances, with the exception of Wilmington, where the votes were close. The city's voters overturned secession 59 to 35 and approved emancipation 51 to 41.¹¹ Neither the county's nor the state's white voters had embraced emancipation with much enthusiasm. Nevertheless, local control was back in the hands of those very men and the officeholders

¹⁰ For the election results, see *Wilmington Herald*, 11 November 1865. Both gubernatorial candidates had supported the Confederacy after initially opposing secession; Worth had remained loyal to the Confederate cause and gone down with the ship by holding a state-level position in the administration of Governor Zebulon Vance, while Holden was a founding member of a peace party that proposed to save slavery at the expense of independence. Worth's victory in 1865, argues Otto Olsen, demonstrated the strong Confederate sentiment still held by most white North Carolinians. See Otto Olsen, "North Carolina: An Incongruous Presence," in *Reconstruction and Redemption in the South*, ed. Otto Olsen (Baton Rouge: Louisiana State University Press, 1980), 159-63. On men aligned with Holden winning control of both houses of the General Assembly, see *Wilmington Herald*, 31 October 1865, 1 November 1865.

¹¹ *Wilmington Herald*, 11 November 1865.

their state representatives would soon appoint.

If anything, emancipation had strengthened the resolve of the antebellum elite to constrict political power. Without slaves as taxable assets, it was only a matter of time before the eastern counties' representation in the state Senate diminished in accordance with their reduced payment of taxes. Perhaps this prospect was at least partially responsible for a January 1866 plan by a committee of Wilmington's white elite to have the General Assembly incorporate Wilmington as a city. Status as an incorporated city would give the local elite direct control over local governance. If the eastern portion of the state were to lose power in the state legislature, city government would still be in elite hands. The proposed city charter established annual elections for a mayor and eight aldermen, who were responsible for appointing a city marshal, a police force, a clerk, a treasurer, three inspectors of provisions and cotton, three inspectors of timber and lumber, two inspectors of wood, and six naval stores inspectors. The city marshal would serve as chief of police, head of the fire department, and tax collector. Under the charter, men eligible to vote for representatives in the state House of Commons could also vote in city elections if they had been residents of the city for at least six months and of their ward for at least thirty days or owned property valued at \$2,000 or more in the ward. More significant to keeping political power in the hands of the elite was the requirement that both mayor and aldermen own property valued at \$1,000 or more.¹²

¹² "An Act to Incorporate the City of Wilmington," 1 February 1866, *Private Laws of the State of North-Carolina, Passed by the General Assembly at the Session of 1866* (Raleigh, NC: Wm. E. Pell, Printer to the State, 1866), 27-40. Bryant Whitlock Ruark discusses local sentiment about the incorporation of Wilmington; see "Some Phases of Reconstruction in Wilmington and the County of Hanover," *Historical Papers of the Trinity College Historical Society*, 1915 (reprint, New York: AMS, 1970), 97. Prior to the incorporation of Wilmington as a city, seven elected commissioners presided over township business. Wilmington was one of only a few

Easily approved by the General Assembly, Wilmington's incorporation was ratified 358 to 240 by the town's voters on March 8, 1866. In the first city election, which was held at the same time as the ratification vote, Adrian H. Van Bokkelen defeated incumbent John Dawson for mayor by a vote of 352 to 240. Van Bokkelen, a manufacturer who had been born in New York, represented the city's commercial elite. He had lived in North Carolina since at least 1840, when he married Evelina Smith in New Bern. On the eve of the Civil War, he owned \$35,000 in real estate and another \$45,000 in personal property, including sixty-four slaves. The newly elected aldermen, all of whom were also members of the city's commercial class, appointed Robert Ransom, a former Confederate general, to the position of city marshal. The names Van Bokkelen and Ransom must have sent chills up the spines of the city's freedpeople. Many black Wilmingtonians remembered the new mayor from an incident in which he had whipped one of his slaves, a man named Hampton Brown, so severely that, unable to withstand the pain, he threw himself into the Cape Fear River and drowned himself. Ransom, the incumbent town marshal, had already earned a reputation for police brutality in the city's black neighborhoods.¹³

townships in North Carolina to elect its commissioners; it had done so since the colonial era. See Alan D. Watson, *Wilmington, North Carolina, to 1861* (Jefferson, NC: McFarland, 2003), 17.

¹³ For the election results, including ratification of the city charter, see *Wilmington Herald*, 9 March 1866. In 1840, Van Bokkelen resided in New Bern, but he had relocated to Wilmington by 1850. See A H Vanbokkelen [*sic*], 1840 U.S. Census, Population Schedule, Newbern, Craven County, NC, <http://www.ancestry.com> (accessed 26 April 2016); Marriage Bond of Adrian Van Bokkelen, Jr., and Evelina Smith, 12 December 1840, Craven County Marriage Bonds, NCDAH, <http://www.ancestry.com> (accessed 26 April 2016); A H Van bokkelen [*sic*], 1850 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, <http://www.ancestry.com> (accessed 2 February 2009). For Van Bokkelen's birthplace, occupation, and property ownership on the eve of the war, see A H Van Bokkilin [*sic*], 1860 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, <http://www.ancestry.com> (accessed 2 February 2009); A H Van Bokkilin [*sic*], 1860 U.S. Census, Slave Schedule, Wilmington, New Hanover County, NC, <http://www.ancestry.com> (accessed 2 February 2009).

Wilmington's black neighborhoods were left open to attack. Amid voluminous complaints by black Wilmingtonians to the Freedmen's Bureau and local military officials in 1866, very few criminal cases came before the mayor's court. Considering the number of complaints to the bureau, the relatively few court cases suggest not a lack of crime, but a lack of redress.¹⁴ As late as February 1867, Colonel Allan Rutherford, the bureau superintendent headquartered in Wilmington, was still trying to convince prominent citizens in his district that "it was in their interest to protect the freedmen." "[A] continuance of these outrages," he warned, "would surely draw away the negro population. And as a natural result, increase the cost of labor and reduce the value of their lands."¹⁵ But to no avail. Black Wilmingtonians had virtually no protection under the law.

At best, local officials were unsympathetic and unresponsive. In August 1865, a city investigator named J. C. Williams dismissed an inquiry by the Freedmen's Bureau regarding complaints that freedpeople were being abused. Williams claimed to know of no instance in which blacks had been denied the right to hold property, robbed of turpentine, ejected from farms they had rented, or hunted by dogs, "with this exception

Of the eight aldermen, four were merchants, two were bankers, one was a lawyer, and one a druggist. See S. D. Wallace, Richard J. Jones, James Green Burr, J. H. Ryan, Oscar G. Parsley, W. H. Lippit, W. A. Wright, and A. E. Hall, 1860 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, <http://www.ancestry.com> (accessed 23 May 2016). For the appointment of Ransom, see *Wilmington Daily Journal*, 22 March 1866. On Hampton Brown, see William McKee Evans, *Ballots and Fence Rails: Reconstruction on the Lower Cape Fear* (Chapel Hill: University of North Carolina Press, 1966), 169.

¹⁴ Roberta Sue Alexander, *North Carolina Faces the Freedmen: Race Relations during Presidential Reconstruction, 1865-1867* (Durham, NC: Duke University Press, 1985), 142-43.

¹⁵ Lt. Col. Allan Rutherford to Col. Jacob F. Chur, 12 February 1867, Governors' Papers, NCDAH.

that one, Luis [surname illegible], was seen by me hunting for a negro with one *cur* dog about three weeks ago, and immediately when he was informed by me that it was contrary to existing orders, he straightway desisted remarking that he had not heard of such orders and that his niggers were thereafter at liberty to go wherever, & to do as they pleased.” In response to charges that black children were being tied up by their thumbs to coerce them back into slavery, Williams similarly refuted the allegations with the exception of one case, a young boy who, he admitted, had indeed been tied up by the thumbs. However, Williams was “happy to say,” the police had informed him that “it was not done to make him serve his old master but for using contradictory Languag[e].”¹⁶ Williams’s response reflected the entitlement to discipline black bodies that law enforcement officials assumed to be the prerogative of whites. To Williams’s way of thinking, a white citizen confronted by a black child’s “contradictory Languag[e]” had a perfect right to tie up that child by the thumbs.

Even worse than inaction were the actions of some local officials. All too often, the police themselves terrorized black neighborhoods. Raiding and robbing black homes became so commonplace in Wilmington in the two years following the end of the Civil War that the police sometimes invited their friends to take part. When the victims presented a case for ownership in the courts, their claims were summarily dismissed on the assumption that people of African descent were liars by nature. The police argued that since slaves had no legal claim to property, anything in the possession of a black person was held illegitimately and therefore subject to confiscation. Black

¹⁶ J. C. Williams to Col. Clinton A. Cilley, 14 August 1865, and J. C. Williams to Maj. Oliver, 24 August 1865, both in Governors’ Papers, NCDAH. Emphasis in the original.

Wilmingtonians were forced to sit back and watch as their homes were “broken open, beds torn apart and thrown on the floor, and even trunks opened and money taken” by members of the city’s police force. Primary among the property seized from black citizens were weapons. Ever since the restoration of the Dawson administration in July 1865, city authorities had made it a priority to disarm black Wilmingtonians. Indeed, local law enforcement used the excuse of disarming dangerous black communities as justification for their raids of black homes.¹⁷

In June 1866, Wilmington police beat eighty-five-year-old George Moore with clubs in his own Brooklyn home. With no charge or reason stated, they then dragged him down a set of steps and outside, where they continued to beat him. When Moore’s grandson William attempted to protect his grandfather, the officers drew their guns and fired at him and into the Moores’ house. George Moore’s wife Elsie, who must have watched with horror, later told Freedmen’s Bureau agents that her aged and infirm husband had made no attempt to resist. Adding insult to injury, the officers also destroyed the Moores’ fence and stole property from their house. Both George Moore and William Moore were arrested and dragged through the streets to the guardhouse, where they were confined until they were released on bail. The next day, police returned to the Moores’ house and raided it again, this time arresting another of Moore’s grandsons, William H. Jones, and jailing him until he was released later that afternoon

¹⁷ Testimony of Brevet Lieutenant Colonel W. H. H. Beadle, 4 April 1866, in U.S. Congress, *Report of the Joint Committee on Reconstruction*, Part 2, *Virginia, North Carolina, South Carolina*. (Washington, DC, 1866), 269-72. Beadle, a Freedmen’s Bureau officer in Wilmington, maintained that because slaves had not been legally permitted to own property prior to emancipation, the police assumed that any property in the possession of freedpeople had been stolen. See also Evans, *Ballots and Fence Rails*, 71-72.

after giving bail in the amount of \$1,000. Colonel Rutherford, the Freedmen's Bureau superintendent, contacted the mayor twice on the Moores' behalf, but received no reply. He then called on Justice of the Peace J. J. Connally, reporting that no charges had been stated and that when the elder Moore appeared before a judge, he was simply told that "the case had been settled." Connally seemed sympathetic; indeed, he told Rutherford that he regarded George Moore as "a very quiet, nice old man." Although Connally agreed to issue a warrant for the offending officers' arrest, he warned Rutherford that the Moores had little likelihood of obtaining justice because all the witnesses were black, and "the law did not allow the testimony of Colored Witnesses to convict a white man." The seven black witnesses who were prepared to testify against the police officers counted for nothing. Ultimately, Connally himself heard the case, but despite witness accounts that George Moore had been badly beaten without reason, it was dismissed because it lacked the white witnesses required by law.¹⁸

David Waters was also "set upon by police" in his own home. After spending the night in jail for defending himself, Waters told the mayor's court that he had thought the officers were robbers. He was fined \$10 and released; the theft and destruction of his property were not addressed. When Waters took his complaint to the Freedmen's Bureau, Colonel Rutherford protested to Mayor Van Bokkelen about the officers'

¹⁸ Affidavit of George Moore, 25 June 1866, and Affidavit of Elsie Moore, 25 June 1866, both enclosed in Col. Allan Rutherford to Colonel C A Cilley, 3 July 1866, R-103 1866, Letters Received, ser. 2452, NC Assistant Commissioner, RG 105, NARA-DC [FSSP A-560]; Col. Allan Rutherford to Col C A Cilley, 3 July 1866, Col. Allan Rutherford to A. H. Van Bokkelen, Esq., 30 June 1866, and Col Allan Rutherford to A. H. Van Bokkelen, 3 July 1866, all filed as R-98 1866, Letters Received, ser. 2452, NC Assistant Commissioner, RG 105, NARA-DC [FSSP A-560]; Col Allan Rutherford to Col Clinton A. Cilley, 19 July 1866, R-110 1866, Letters Received, ser. 2452, NC Assistant Commissioner, RG 105, NARA-DC [FSSP A-560]. The amount of bail paid by George Moore and William Moore is not known.

conduct, saying that they had “committed gross injustice.” Rutherford recommended their censure and asked that the \$10 fine be returned to Waters. The mayor insisted that Rutherford, having heard only one side of the story, had no grounds for making such a recommendation. Rutherford then forwarded a report about the case up the federal chain of command, but General Thomas H. Ruger, commander of the Department of North Carolina, concluded that interference was not warranted at that time. He advised Rutherford to document future cases more fully in order to substantiate claims that freedpeople could not obtain justice in the mayor’s court.¹⁹

Like other cities across the South, Wilmington increased the size of its police force after emancipation. For white Southerners, the need to control former slaves was pressing. In Wilmington, the call for a larger and more militarized police force followed a tumultuous summer of black mobilization, including the July 1865 petition by the Equal Rights League for black representation on the police force. In response to that “spirit of rebelliousness,” the town commissioners had approved a police pay raise and authorized town marshal Robert Ransom to recruit a force of 100 men. Ransom looked to his erstwhile Confederate soldiers to serve in the Wilmington police. Historians of postwar Southern police, who have found similar practices in other cities, have argued that the presence of ex-Confederate soldiers in the police force resulted in not only a lack of

¹⁹ Col. Allan Rutherford to Maj. C A Cilley, 5 July 1866, Letters Received, ser. 2892, Wilmington, NC, Superintendent of the Southern District, RG 105, NARA-DC (microfilm 1909, roll 69, frames 62-64). On the David Waters case, see Complaint of David Waters, n.d., Letters Received, ser. 2892, Wilmington, NC, Superintendent of the Southern District, RG 105, NARA-DC (microfilm 1909, roll 69, frames 21-22); Col. Allan Rutherford to A. H. Van Bokkelen, Esq., 18 May 1866, Letters Received, ser. 2892, Wilmington, NC, Superintendent of the Southern District, RG 105, with endorsement by A. H. Van Bokkelen, 18 May 1866, and Bvt. Maj. Genl. Ruger to Bvt. Col. Allan Rutherford, 24 May 1866, Letters Received, ser. 2892, Wilmington, NC, Superintendent of the Southern District, RG 105, NARA-DC [FSSP A-674].

confidence among the cities' black populations, but outright police brutality against them. In Wilmington, the dramatically expanded police force came directly from the ranks of an army that had spent the last four years engaged in violent conflict. Bitter from defeat, these men were unleashed on black people desperately trying to carve out freedom.²⁰

Law enforcement in New Hanover County reflected the same mentality that had typified antebellum slave patrols. Indeed, the postwar Wilmington police force included many former slave catchers.²¹ In addition, the state legislature in its 1866 session reinstated the state militia, which had been an intrinsic part of the slave system. Under the antebellum legal code, the militia was to be called out in cases of "insurrection among slaves or free persons of color" or "alarming" activity by outlaws or "negroes." The 1866 law struck out the word "slaves" and phrases like "runaway negro," but the remainder of the prewar militia law remained in place. Under its terms, justices of the peace could

²⁰ For the quotation, see *Wilmington Herald*, 10 July 1865, and John Dawson et al. to His Excellency W. W. Holden, 3 August 1865, Governors' Papers, NCDAH. For the expansion of the city police force and the pay increase, see *Wilmington Herald*, 8 August 1865. For the composition of Ransom's police force, see Evans, *Ballots and Fence Rails*, 80, 84, 137. On the postwar policing of Southern cities, see W. Marvin Delaney, *Black Police in America* (Bloomington: Indiana University Press, 1996), ch. 1; John Oldfield, "On the Beat: Black Policemen in Charleston, 1869-1921," *South Carolina Historical Magazine* 102 (April 2001): 153-68; Howard N. Rabinowitz, "The Conflict between Blacks and the Police in the Urban South, 1865-1900," *Historian* 39 (November 1976): 62-76; Dennis C. Rousey, *Policing the Southern City: New Orleans, 1805-1889* (Baton Rouge: Louisiana State University Press, 1996), ch. 4. These studies all argue that immediately after the war police forces in Southern cities became more militarized, grew in size, and were made up of former Confederate soldiers.

²¹ Paul McGreal et al. to Genl. Sickles, 27 March 1867, Letters Received, ser. 1380, Post of Wilmington, RG 393 pt. 4, NARA-DC; Warren Day et al. to Genl. Sickles, 27 March 1867, Letters Received, ser. 1380, Post of Wilmington, RG 393 pt. 4, NARA-DC [FSSP C-3424]; John R. Bunting to Brvt Lt Col R. F. Frank, 8 April 1867, vol. 11, p. 455, Registers of Letters Received, ser. 4110, Second Military District, RG 393 pt. 1, NARA-DC. In his study of New Orleans, Dennis C. Rousey describes a direct link between the police who served as antebellum slave control and the police departments established in the two years following emancipation. See *Policing the Southern City*, ch. 4, and, on the police as paramilitary slave patrol, ch. 1.

activate the militia, a provision that, to freedpeople at least, further emphasized the significance of local officeholders.²²

Justices of the New Hanover County Court were just as likely to ill-treat black people after emancipation as were members of the militia and the local police. In several cases, they personally abused former slaves. William Peden, a justice of the peace, and William A. Wright, who was chairman of the county court, beat, shot, and whipped a black man named Joseph Hall. John D. Walker, another justice of the peace, gave Lucy Smith a “severe and outrageous beating. Knocked her down and kicked her. Drove her off and would not let her take her children, numbering five, which he retained.”²³

In April 1866, Colonel Rutherford asked General Eliphalet Whittlesey, the Freedmen’s Bureau assistant commissioner for North Carolina, whether “whipping or letting or binding to servitude” were acceptable forms of punishment at the hands of the civil authorities or were “regarded as parts of the old slave code and will not be allowed.” In response, Rutherford was told that the subject had been referred to General Ruger and to General O. O. Howard, the Freedmen’s Bureau commissioner, “[b]ut no orders have been issued. It is therefore no longer in the power of this Bureau to interfere with the

²² Alexander, *North Carolina Faces the Freedmen*, 55-57. For the antebellum militia law, see *Revised Code of North Carolina, 1854*, 398-423. For the 1866 law, see “An Act to Re-enact Chapter Seventy, Revised Code, Entitled ‘Militia,’ and to Amend the Same,” 12 March 1866, North Carolina, *Public Laws, 1866*, 76-80. The law put New Hanover County in the same militia jurisdiction as Sampson County (6th Brigade), which must have alarmed many New Hanover County blacks. While conditions were difficult in New Hanover, Sampson County was gaining a reputation for being particularly brutal, and the militia would be made up of the very men who were committing the atrocities.

²³ Freedmen’s Bureau report about the beatings of Joseph Hall and Lucy Smith in Escott, *Many Excellent People*, 129.

execution of any sentence of Civil Court.”²⁴ As it had during slavery, black subordination continued to depend on the lash, but now administered at the hands of the law rather than individual masters. In theory, the law made no distinction in the punishment of white and black offenders. In practice, however, only one white man in Wilmington was sentenced to be whipped in the first months of 1866, and he was released before the sentence was carried out.²⁵ As the discrepancy demonstrated, it was not the law alone that defined freedom, but its implementation by local officeholders.

With black people lacking a voice in making or enforcing the law, the practice of simply taking their property became commonplace. Such seizures had major implications for the day-to-day lives of families trying to survive after emancipation. So frequent were such complaints by freedpeople in Wilmington that in October 1865 the local Freedmen’s Bureau superintendent asked Whittlesey, the assistant commissioner, what to do about former slaves who had purchased land before the war but did not hold the deed and were therefore vulnerable to having the property appropriated by the deed holders. He was told that the bureau had no power to intervene, since the law did not recognize property accumulated by slaves. Perhaps an “amicable settlement” could be reached by advising blacks to pay rent for the houses they had purchased, Whittlesey suggested.²⁶ In effect, their earlier purchase now amounted to nothing at all.

²⁴ Col Allan Rutherford to Bvt. Brig. Genl. E. Whittlesey, 21 April 1866, with endorsement by Lieut. Fred M. Beecher, 23 April 1866, Letters Received, ser. 2892, Wilmington, NC, Superintendent of the Southern District, RG 105, NARA-DC [FSSP A-781].

²⁵ Brevt. Maj. Chas I. Wickersham to Brevt Lt Col W. H. H. Beadle, 19 March 1866, B-93 1866, Letters Received, ser. 2452, NC Assistant Commissioner, RG 105 [FSSP A-514].

²⁶ Maj. Chas I. Wickersham to Col. E. Whittlesey, 11 October 1865, W-66 1865, Letters Received, ser. 2452, NC Assistant Commissioner, RG 105, NARA-DC [FSSP A-578]; Col. E.

Freedpeople were at an almost insurmountable disadvantage when it came to retaining or claiming property they had accumulated while they were enslaved. In 1865, Mary Ann McCullough went to the Freedmen's Bureau hoping to recover "a piece of ground" she had purchased in 1851, when she was a slave. The deed had been registered in 1862, she told the bureau agent, but some other person had subsequently taken possession of the plot, rented it out, and kept the proceeds. Likewise, after emancipation a white man named James Wilson claimed a tract of land that was in the possession of former slave Jeff James. Like most freedpeople, James had no official documentation to prove his claim, and the bureau agent to whom James appealed was therefore forced to conclude that the property must be turned over to Wilson.²⁷

Men and women who worked in trades dependent on tools and other property were particularly vulnerable to former masters who could, for example, retain the mule of a huckster and then extort rent from a woman who would otherwise have been an independent entrepreneur. In cities like Wilmington where many urban slaves had purchased their own tools and household items, confiscation of property acquired during slavery targeted skilled and semi-skilled black workers, choking off a nascent black working class. Others were victimized as well. Willey Lewis had purchased a mule

Whittlesey to Maj Chas I. Wickersham, 14 October 1865, vol. 7, p. 65, Letters Sent, ser. 2446, NC Assistant Commissioner, RG 105, NARA-DC [FSSP A-578].

²⁷ Statement of Mary Ann McCullough, n.d. 1865, vol. 251, p. 6, Registers of Letters Received, ser. 2891, Wilmington, NC, Superintendent of the Southern District, RG 105, NARA-DC [FSSP A-578]; Maj. Chas I. Wickersham to Col. E. Whittlesey, 11 October 1865, W-66 1865, Letters Received, ser. 2452, NC Assistant Commissioner, RG 105, NARA-DC [FSSP A-578]; Col. E. Whittlesey to Maj Chas I. Wickersham, 14 October 1865, vol. 7, p. 65, Letters Sent, ser. 2446, NC Assistant Commissioner, RG 105, NARA-DC [FSSP A-578]; Maj. Chas. I. Wickersham to Capt. [H. A. Cutler?], 10 October 1865, vol. 1, p. 31, Press Copies of Letters Sent, ser. 2882, Wilmington, NC, Superintendent of the Southern District, RG 105, NARA-DC.

found tagging along behind General Sherman's army and branded "U.S."; it was confiscated by New Hanover County authorities. In Rocky Point, an ex-slave community in the northern portion of the county, Ben Moore had erected a tar kiln on the property of his former master, with the master's consent, but now, he complained to the Freedmen's Bureau, the former master claimed the kiln. Both men agreed that the freedman had built the kiln, but, in the absence of legal recognition of the verbal agreements of the slave system, the bureau agent was forced to compromise: he ordered that Ben Moore either be compensated for his labor in constructing the kiln or be granted use of it at a reasonable rent.²⁸

When Wilmington wheelwright Duncan Holmes went his own way after emancipation, he took with him the tools of his trade. Holmes's former master had to let his erstwhile slave go, but what about his tools? Claiming ownership, the former master had Holmes arrested for larceny. Despite Holmes's assertion that he had purchased the tools with his own earnings, New Hanover County authorities agreed with the former master, and Holmes was indicted. No law recognized the customary practices of property ownership by slaves. Displaying legal savvy, Holmes petitioned to have his case tried before the Freedmen's Bureau or a federal court rather than a state court. When his petition was disapproved by General Ruger, Holmes appealed to General Howard, the head of the Freedmen's Bureau. Despite the fact that he could prove the items were his, Holmes wrote, he would never receive a fair trial because he had dared to challenge his former master and had aided "the Yankees" after federal troops occupied the city.

²⁸ Brevt. Maj. Chas. I. Wickersham to Mr. Hedly Moore, 12 September 1865, vol. 1, Press Copies of Letters Sent, ser. 2885, Wilmington, NC, Superintendent of the Southern District, RG 105, NARA-DC.

Holmes believed that his inability to receive justice was “because I am a colored man And have been working among the colored men Here trying to have them get education so that They will be able to know that Justice is Done Them under the laws.” He had received the support of Colonel Rutherford as well as General Whittlesey before being denied by General Ruger. “I am therefore compelled to Seek Justice from you,” he informed General Howard, “hoping you will Aid me in this case for we as colored people in Wilmington get little or no Justice Done To us.” Holmes had no faith in a judicial system composed of former Confederates. “General you know it is a hard case to have Justice done by a mans [*sic*] enemy,” he told Howard, “and that is Just the sort or kind of Court I am indicted by.”²⁹

Holmes’s claim that he could get a fair trial only in a Freedmen’s Bureau court or other federal court revealed an astute understanding of realities in Wilmington. Perhaps his membership in the city’s Chestnut St. Presbyterian Church was of assistance in maneuvering within the legal system. Home to a congregation predominantly comprising skilled former slaves, the church may have provided its members a forum in which to discuss and strategize postemancipation issues like the threat to Holmes’s livelihood. In addition, artisans like Holmes were prominent in local black political mobilization. Holmes’s letter to General Howard indicated that he had long been a community leader, and he may have been even more deeply politicized by the legal position in which he and other black Wilmingtonians found themselves after emancipation. It is not known

²⁹ Duncan Holmes to Col. Allan Rutherford, 4 May 1866, with endorsement by Gen. Thomas H. Ruger, 11 May 1866, and Duncan Holmes to Major Genl O. O. Howard, 17 May 1866, H-135 1866, Letters Received, ser. 15, Records of the Commissioner, RG 105, NARA-DC [FSSP A-2969].

whether Holmes ever recovered his property, but his case was clearly representative of a systemic problem. If slavery was to be remade into free labor, then the recognition of property rights was crucial.³⁰

Most former slaves had to start anew without even a portion of what they had accumulated through years of toil. As late as 1868, some were still attempting to reclaim property they had lost with emancipation. In Rocky Point, for example, former slave Phyllis Simpson was stripped of “all she had in the world.” After a lifetime of living on land owned by a Dr. Satchwell, she was evicted, and a county constable sent her and her children on their way destitute after taking their livestock and food.³¹

Weapons remained the property most susceptible to seizure. A gun belonging to freedman Haywood Miller was confiscated by the mayor after Miller laughed at a white man in the street. Miller complained to the Freedmen’s Bureau that he had a right to possess a pistol. When questioned by the local military authorities, the mayor insisted that he had been perfectly justified in taking the pistol from Miller as punishment for his disrespectful behavior. With little recourse under the law, black neighborhoods were targets for the city’s worst criminal elements. Local officials looked the other way while an armed gang calling itself “The Regulators” not only robbed and vandalized black homes, but also abused the residents both physically and psychologically. The police were either in collusion with or unconcerned about the plundering. In early 1867, complaints by both black and white Wilmingtonians reached Governor Worth, but to no

³⁰ Ibid. On the makeup of the Chestnut St. Presbyterian Church and Holmes’s membership in it, see Reaves, *Strength through Struggle*, 138.

³¹ Complaint of Phyllis Simpson, 18 February 1868, Letters Received, ser. 1380, Post of Wilmington, RG 393 pt. 4, NARA-DC.

effect. Police Chief Robert Ransom assured Worth that “the Regulator situation is much overblown,” and that response satisfied the governor.³²

The Equal Rights League recognized that without equality before the law, black people had only a tenuous grip on freedom. Indeed, at the state freedmen’s convention in 1865, the league had made civil equality its top priority. In a January 1866 address to “the citizens in Wilmington and Vicinity,” the league’s local president, William T. Cutlar, tried to counter negative impressions of the organization held by the city’s white residents. The Equal Rights League was not secret, he assured them, and they were welcome to join. “We are freemen,” he declared. “We therefore aspire to the condition and privileges of freemen.” “Is not this a natural aspiration?” he asked. “Is it not the dictate of self-respect? We ask for an opportunity to show that we are worthy to be free. We propose to attain the condition and privileges of freemen by becoming intelligent, by industry, by virtue and by piety. If our object is a noble one, worthy of freemen, the means proposed for attaining it are moral and peaceful.”³³

Such assurances that black Wilmingtonians intended to seek equality before the law only by peaceful means demonstrated the league’s awareness of local and state

³² Bvt. Lt. Col. R. F Frank to Bvt. Col. Rutherford, 5 April 1867, vol. 11, p. 455, Registers of Letters Received, ser. 4110, Second Military District, RG 393 pt. 1, NARA-DC; John A. Wilson to Col. Rutherford, 27 March 1867, W-7 1867, Letters Received, ser. 1380, Post of Wilmington, RG 393 pt. 4, NARA-DC; Allen J. Dentin & others to Gen. Canby, 9 June 1868, D-4 1868, Letters Received, ser. 4111, Second Military District, RG 393 pt. 1, NARA-DC [FSSP SS-127]; Genl Allan Rutherford to Bvt. Lt. Col. R. F. Frank, 29 February 1867, Letters Received, ser. 1380, Post of Wilmington, RG 393 pt. 4, NARA-DC; Gov. Jonathan Worth to Col. Bomford, 18 February 1867, Governors’ Letter Book 1865-1867, p. 347, NCDAH.

³³ William Cutler, President of the Equal Rights League, Wilmington, “Address of the Members of the Equal Rights League of Wilmington, N.C., to the Citizens of Wilmington and Vicinity,” January 1866, North Carolina, AMA, microfilm roll 152.

politics. Cutlar knew that whites feared black political participation. The city's burgeoning black mobilization terrified whites who believed that newly freed black people would become preoccupied with vengeance and domination. In the months immediately following the Civil War, the *Herald* had warned that the city was "slumbering on a volcano" and that when it erupted, whites would be at the mercy of blacks. The prospect of black voting, let alone officeholding, therefore alarmed most whites, and the reassuring stance of the Equal Rights League did not allay their fears. Indeed, the league's 1865 petition requesting a share of local appointive positions had prompted Mayor Dawson to request arms and additional police to protect the city's whites from the city's blacks.³⁴ Contrary to white fears, however, it was black Wilmingtonians who found themselves in danger, for the resumption of whites-only local and state government had solidified black North Carolinians' second-class status.

After a year of having their appeals for equality before the law go unheard, black Wilmingtonians took their demands to the streets. The justice system took center stage in their protests. In early 1866, black citizens and soldiers began staging demonstrations at the courthouse in response to the administration of public whipping as a court-ordered penalty for crime or the sale of prisoners into labor contracts when they could not pay court-assessed fines. Some such prisoners were being held for non-payment of jail fees even when they had been acquitted or had served out their jail terms. The protests were often spontaneous reactions to immediate injustice, performed by people intent upon preventing abuses that were happening before their eyes to their own townsmen. But

³⁴ Wilmington *Herald*, 10 July 1865. The 1865 petition and the mayor's response are discussed above, in chapter 1.

public protests, both spontaneous and organized, also demonstrated black visions of freedom. Black Wilmingtonians used their new right to gather in public both to assert a claim to equal rights and to make their struggle visible to those federal authorities still present in the city.³⁵

In March 1866, the New Hanover County Court of Common Pleas and Quarter Sessions convicted several black men of larceny and sentenced them to be publicly whipped. On Saturday, March 17, as one of them was about to receive his lashes from Sheriff Samuel R. Bunting, black Wilmingtonians, including some black soldiers, surrounded the courthouse and demanded that the whipping be called off. Law enforcement authorities attempted to disperse the crowd, but without success. The protesters held their ground, refusing to stand by while the stripes of slavery were administered in freedom. Meanwhile, several “colored men of good character” rushed to the office of Major Charles I. Wickersham, the Freedmen’s Bureau assistant superintendent at Wilmington, to report that a man was being whipped without black testimony having been admitted during his trial and that a white man convicted of the same crime and also sentenced to whipping had been released without lashes. Concerned

³⁵ For examples of public protests of the criminal justice system, see *Wilmington Dispatch*, 19 February 1866, 24 March 1866. For convictions of freedpeople with the punishment of being sold for a term to pay fine and court costs, see Bvt. Maj. Charles I. Wickersham to Lt. R. M. Drinker, 19 December 1865, enclosed in Bvt. Major Cha^s I. Wickersham to Col. E. Whittlesey, 26 December 1865, Case Files Relating to the Administration of Justice in North Carolina, ser. 2484, NC Assistant Commissioner, RG 105, NARA-DC [FSSP A-721]; Lt. Col Allan Rutherford to Capt J. F. Chur, 24 Sept 1866, Letters Received, ser. 2892, Wilmington, NC, Superintendent of the Southern District, RG 105, NARA-DC [FSSP A-778]. In an attempt to demonstrate the lawlessness of freedpeople in Wilmington, Bryant Ruark claims that between 1865 and 1868 “there were no less than ten riots of serious proportions.” See Ruark, “Some Phases of Reconstruction in Wilmington and the County of Hanover,” 100. Although I have not been able to identify all ten protests, public demonstration protesting the justice system was frequent during this period.

that the punishment might be a continuation of the slave code, Major Wickersham sent two orderlies to instruct the sheriff to halt the whipping. Meanwhile, Colonel William H. H. Beadle, superintendent of the bureau's Southern District of North Carolina, happened to pass by the courthouse and saw "an excited crowd of colored persons." Colonel Beadle sought out the mayor, whom he persuaded to write an order to stop the sheriff from carrying out the sentence until the matter could be investigated.³⁶

At issue for the bureau officials was whether the sentence had been handed down without the admission of black testimony. As it turned out, black testimony had not in fact been excluded, forcing Beadle to defend his actions as justified under the information he had been given, incorrect though it proved to be. Yet, the whipping of black convicts continued to be of concern to bureau officials. "It is true that the law makes no distinction on account of color," General Whittlesey, the assistant commissioner in North Carolina, informed General Howard. "But in the practical application colored men are publicly whipped, & white men discharged on the payment of a small fine, or giving bonds for future good conduct." Outraged by the inequality, Whittlesey also worried that whipping's "brutalizing influence on the community," so characteristic of slavery, "will

³⁶ For two of the cases being protested that day, see *State vs. Albert Moore*, Case No. 87, 17 March 1866, and *State vs. James McCormick*, Case No. 96, 17 March 1866, Records of the New Hanover County Court of Pleas and Quarter Sessions, pp. 147, 149, NCDAH. For accounts of the protest, see Brevt. Lt. Col. Wm. H. H. Beadle to Editor of the *Wilmington Herald*, 19 March, 1866, in *Wilmington Herald*, 20 March 1866; *Wilmington Dispatch*, 19 March 1866; Bvt Lt Col Wm H. H. Beadle to W. A. Wright Esq, 17 March 1866, filed with V-101 1866, Letters Received, ser. 12, RG 94 [FSSP K-239]; Bt. Major Chas. I. Wickersham to Brevt. Lt. Col. W. H. H. Beadle, 19 March 1866, filed as B-93 1866, Letters Received, ser. 2452, NC Assistant Commissioner, RG 105 [FSSP A-514]; Bvt Lt. Col Wm H. H. Beadle to Col. E. Whittlesey, 20 March 1866, enclosed in Col. E. Whittlesey to Maj. Gen. O. O. Howard, 4 April 1866, filed as N-90 1866, Letters Received, ser. 15, Records of the Commissioner, RG 105 [FSSP A-2942] (quotation).

excite combined resistance on the part of the blacks.”³⁷

Whittlesey’s worry was justified. Black Wilmingtonians’ demonstrations were a rejection of plantation-style punishments. Many black Wilmingtonians recognized that for the Freedmen’s Bureau the issue was a legal one about the admission of black testimony and equal implementation of the law. The “colored men of good character” who went to Wickersham’s office hoping to stop the whipping presented him with precisely those reasons to make their case. By the same token, Whittlesey correctly understood that to former slaves, the issue was much greater than testimony or unequal implementation of the law, important as those were. For the black protesters, corporal punishment—whipping in particular—simply had no place in the new world of freedom.

Beyond issues of legality and policy, the spectacle of the whole affair must have had quite an impact on both black and white Wilmingtonians. The orderlies dispatched by Major Wickersham to request a delay of the whipping were armed soldiers who entered the courtroom to the shock of those who had gathered. Some observers called for the arrest of both the orderlies and Wickersham for interfering with the court. Moreover, the orderlies were accompanied by Frederick Howe, a freeborn black carpenter who was probably one of the men who had brought the whipping to Wickersham’s attention. How must that scene have appeared to onlookers—Frederick Howe entering the courtroom in lockstep with armed orderlies to call off a whipping. However shocking to white observers, the orderlies failed to reach the sheriff in time to prevent the prisoner from being whipped, and by the time Colonel Beadle obtained a suspension order from the

³⁷ Col. E. Whittlesey to Maj. Gen. O. O. Howard, 4 April 1866, enclosing Bvt Lt. Col Wm H. H. Beadle to Col. E. Whittlesey, 20 March 1866, filed as N-90 1866, Letters Received, ser. 15, Records of the Commissioner, RG 105 [FSSP A-2942].

mayor, the sheriff had already carried out the sentence.³⁸ Nevertheless, the demonstration on March 17 revealed the determination of black Wilmingtonians to push for their own vision of equality. Furthermore, it featured black men like Howe who were willing to challenge the prevailing order.

If the March 17 protest illustrated black commitment to the cause of justice, it repelled white observers. As whites in Wilmington and elsewhere in the state tried to come to terms with emancipation, they rejected the idea that freedom required equality. Most of them could not imagine a world in which black people lived among them uncontrolled by whites. Just as former slaves mobilized to secure their freedom, white political leaders mobilized to establish a legal framework to perpetuate black subordination. The result was the laws commonly referred to as the black code.

The state legislature enacted North Carolina's black code in early 1866. It was based on measures recommended by the committee that Governor Holden had appointed at the behest of the constitutional convention "to Prepare and Report to the Legislature a System of Laws upon the Subject of the Freedmen." The committee's proposed legislation reflected two desires. The first was to control the labor of the former slaves. The second was to alleviate the alarm white North Carolinians felt in regard to the revolution that, they believed, had unleashed a dangerous and inferior population into their midst. To most white legislators, these tasks were one and the same.³⁹

³⁸ E. Whittlesey to Maj. Gen. O. O. Howard, 4 April 1866, enclosing Bvt Lt. Col Wm H. H. Beadle to Col. E. Whittlesey, 20 March 1866, filed as N-90 1866, Letters Received, ser. 15, Records of the Commissioner, RG 105 [FSSP A-2942].

³⁹ For the convention's request to Holden, see North Carolina, Constitutional Convention, 1865-66, *Journal of the Convention of the State of North Carolina at Its Session of 1865* (Raleigh, NC: Cannon and Holden, Printers to the Convention, 1865), 81, 86. For the committee's report, see North Carolina Constitutional Convention, 1865-66, Committee to

Throughout February and March, the General Assembly debated the committee's proposals. Some legislators wanted to create a subordinate status for black North Carolinians that would situate them in quasi-slavery. Others, aware that federal authorities and the Northern public were watching, believed that the only way to rid the state of federal interference was to create a semblance of legal equality. The debates that took place over those two months were an attempt to navigate between appeasing the North and maintaining as much as possible of the social order they had fought a bloody war to protect.

Of the nine bills proposed by the committee, only one, "A Bill Concerning Negroes, Indians, and Persons of Color and Mixed Blood," mentioned race explicitly. The discussion surrounding that bill's title underscored the anxiety generated by emancipation and the centrality of controlling black North Carolinians. The legislators quickly decided that "Indians" were not on the same low level as blacks and therefore ought to be removed from the bill. Debates regarding apprenticeship, vagrancy, and workhouses cited the lazy disposition of people of African descent, who would not work unless they were forced to do so. The committee that had recommended the measures argued that new laws were necessary because, as a result of emancipation, "the industry of the negro race had become greatly relaxed and demoralized, the natural consequence of which is an unsettled and roving disposition, a desire to avoid steady work, and a

Prepare and Report to the Legislature a System of Laws upon the Subject of the Freedmen, *Report of Committee, Raleigh, January 22nd, 1866* (Raleigh, NC: Wm. E. Pell, Printer to the State, 1866). Black codes across the South sought to use the law to hold black people in a subordinate position. See Foner, *Reconstruction*, 198-200; Eric Foner, *Nothing but Freedom: Emancipation and Its Legacy* (Baton Rouge: Louisiana State University Press, 1983), ch. 2; Theodore Brantner Wilson, *The Black Codes of the South* (University: University of Alabama Press, 1965), ch. 3.

disposition to pick up a precarious existence by pretended hunting of wild game.” All nine bills were referred to the House and Senate committees “having charge of the subject of the Freedmen.” The legislators clearly viewed all nine as part of a forthcoming black code.⁴⁰

Marriage, which was among the most significant of legal rights in the lives of postemancipation black families, elicited the least debate in the legislature. A law enacted on March 10, 1866, legitimized the unions of couples who were cohabiting, with the notable exception of interracial unions. Couples were required to appear before county court clerks or magistrates to register their marriages, with those who failed to do so by September 1, 1866, to be “deemed guilty of a misdemeanor, and punished at the discretion of the court, and their failure for each month thereafter, shall constitute a separate and distinct offense.”⁴¹ On August 11, 1866, in Wilmington, David Sadgwar and Fannie J. Merrick took advantage of the new law to register their union. They had already lived together as man and wife for twenty-three years. Their marriage demonstrates that Sadgwar, although born to white parents, identified and was identified by others as black. He had been reared by a slave woman from his infancy and later purchased his own freedom. Despite the fact that the state’s black code prohibited interracial marriages, his marriage to Fannie Merrick, a black woman, was not

⁴⁰ For the nine proposed bills, see Committee to Prepare and Report to the Legislature a System of Laws upon the Subject of the Freedmen, *Report of Committee*. For an overview of the committee’s proposals, see Alexander, *North Carolina Faces the Freedmen*, 41-42. On the anxiety emancipation created among white North Carolinians, see Escott, *Many Excellent People*, ch. 5.

⁴¹ “An Act Concerning Negroes and Persons of Color or of Mixed Blood,” 10 March 1866, North Carolina, *Public Laws, 1866*, 100-101.

questioned, and the marriage record described him as black.⁴²

Black testimony generated the most intense debate. That white Southerners opposed black legal rights came as no surprise. Even those who argued in favor of allowing black people to testify in the state's courts pointed out that the right would have limits: with all-white judges and juries who were familiar with black people and their propensity to lie, black testimony would "be taken for just its value." Nonetheless, opponents saw the admittance of black testimony as a step that elevated black people above their social capacity. Despite the fact that it was being proposed only in cases in which one or more of the parties was black, opponents could not conceive of a society in which black people occupied even a semblance of equal legal footing with whites. Better not to be readmitted to the Union at all, they contended, than live in a state that granted black people the right to testify in court against white defendants who were charged with crimes against black victims. After much debate, however, the legislators approved a law granting black testimony in cases "where the rights of persons or property of persons of color, shall be put in issue . . . and also in pleas of the State, where the violence, fraud or injury alleged shall be charged to have been done by or to persons of color." In cases involving white people alone, black testimony would remain inadmissible unless "the parties of record" consented. Moreover, the new testimony provision would go into effect only after jurisdiction over cases involving freedpeople had been fully returned to civil authorities. Further demonstrating white skepticism and discomfort with black testimony, the law provided that black witnesses always be instructed by the court to tell

⁴² Marriage Registration of David Sadgeword [sic] and Fannie Merrick, 11 Aug 1866, Marriage Registers (Black) New Hanover County, NCDH, located in www.FamilySearch.com (accessed 12 December 2012).

the truth.⁴³

The debates demonstrated the degree to which white legislators were unprepared for black legal equality. Nonetheless, several of the resulting laws were race-neutral on their face. The absence of race-specific language was no oversight, for North Carolina's legislators had to walk a fine line. In order to be readmitted to the Union, the former Confederate states needed to demonstrate to Congress that they had accepted emancipation and were taking steps to weave their black residents into the legal fabric. Moreover, Mississippi, South Carolina, and other states had already come under fire for enacting discriminatory laws that applied exclusively to black people.⁴⁴

The only law in North Carolina's new black code that pertained exclusively to blacks was "An Act Concerning Negroes and Persons of Color or of Mixed Blood," which became law on March 10, 1866. It defined as "persons of color" "negroes and their issue even where one ancestor in each succeeding generation to the fourth inclusive, is white." It included the marriage and testimony provisions described above and also prohibited interracial marriage. Another section, applicable solely to black men, made "[a]ssault with an intent to commit rape upon the body of a white woman" subject to the same penalty as rape itself—namely, death. Reflecting white North Carolinians' views of the proper status of ex-slaves, the law declared them "entitled to the same privileges and

⁴³ The testimony provision was part of "An Act Concerning Negroes and Persons of Color or of Mixed Blood," 10 March 1866, North Carolina, *Public Laws, 1866*, 102. For the quotation about the value of black testimony, see Alexander, *North Carolina Faces the Freedmen*, 41.

⁴⁴ For a description of North Carolina's black code, see Alexander, *North Carolina Faces the Freedmen*, 39-51. On Northern reaction to the black codes of Mississippi and South Carolina, see Foner, *Reconstruction*, 199-201.

subject to the same burthen and disabilities as by the laws of the State were conferred on, or were attached to, free persons of color, prior to the ordinance of emancipation.” While it then proceeded to repeal most of the antebellum code that governed slaves and free blacks, it retained the provisions that forbade the migration of free blacks into the state and prohibited free blacks from owning firearms or other weapons.⁴⁵

The new law also left in place discriminatory provisions of the antebellum code that required the binding of black children as apprentices whenever a county court determined that “the parents with whom such children may live do not habitually employ their time in some honest, industrious occupation” or when the parents were not married. In addition, the postwar law gave former masters priority in apprenticing black children. Apprenticeship remained subject to the discretion of the county courts, and white justices eagerly bound black children to white masters. Enforcement drew upon an anti-enticement law enacted on March 2, 1866. Although it was designed primarily to prevent an employer from hiring a worker who was already under contract to another employer, it was also used to punish parents who attempted to retrieve children who had been bound to white masters. After February 25, 1867, when the enticement law was amended to make the offense criminal rather than civil, it left parents and other relatives open to criminal charges as well as civil suits brought by those who held children under apprenticeship bonds.⁴⁶

⁴⁵ “An Act Concerning Negroes and Persons of Color or of Mixed Blood,” 10 March 1866, North Carolina, *Public Laws, 1866*, 99-105. For the provisions of the antebellum code that governed free blacks, see *Revised Code of North Carolina, 1854*, ch. 107.

⁴⁶ For the provisions of the antebellum code regarding apprenticeship, see *Revised Code of North Carolina, 1854*, ch. 5. For the 1866 enticement act, see “An Act to Prevent Enticing Servants from Fulfilling Their Contracts or Harboring Them,” 2 March 1866, North Carolina, *Public Laws, 1866*, 122-23. For the amended law, see “An Act to Amend an Act Passed at the

Many of North Carolina's new laws evidenced a belief that blacks were naturally depraved and in need of strict regulations binding them to work. Laws pertaining to vagrancy, workhouses, and intent to steal purportedly governed both black and white but allowed for disproportionate application to the state's black residents. The notion that black people were prone to theft guided enactment of a law criminalizing the "intent" to steal livestock, even if no animal was in fact taken. Although it originated as one of the nine bills proposed by the committee appointed to develop a black code, it included no reference to race. However, prosecutions for intent to steal cattle, horses, mules, and other livestock were pursued far more readily against blacks than against whites. Just passing through someone's property could now be viewed as an intent to steal and could therefore result in the same misdemeanor conviction as someone convicted of larceny.⁴⁷

Without black participation as justices or on juries, laws governing vagrancy were also implemented through the lens of white supremacy. North Carolina's new vagrancy law defined as a vagrant any propertyless person able to labor who "neglects to apply himself to some honest occupation for the support of himself and his family," or who spent his time "in dissipation, or gaming, or sauntering about without employment, or endeavoring to maintain himself or his family by any undue or unlawful means." Under the new law, vagrancy was punishable by a fine, imprisonment, or both, or the convicted

Session of the General Assembly, A.D. 1866, Chapter 58, Entitled an Act to Prevent Enticing Servants from Fulfilling Their Contracts, or Harboring Them," 25 February 1867, North Carolina, *Public Laws of the State of North Carolina, Passed by the General Assembly at the Sessions of 1866-'67* (Raleigh, NC: Wm. E. Pell, State Printer, 1867), 197-98.

⁴⁷ Committee to Prepare and Report to the Legislature a System of Laws upon the Subject of the Freedmen, *Report of Committee*, 7; "An Act to Punish Persons Pursuing and Injuring Horses and Other Live Stock, with Intent to Steal Them," 2 March 1866, North Carolina, *Public Laws, 1866*, 122.

vagrant could be sentenced to the workhouse “for such time as the court may think fit.”⁴⁸ The ability of courts to sentence those convicted of vagrancy to a workhouse at their discretion became a way to force black people back into compulsory labor. In April, 1866, the *Wilmington Dispatch* pointed out that “there are now from twenty to thirty negroes imprisoned in our county jail who have been spending several months there at public expense” because they could not pay the court fees in their cases. “In a workhouse, however, they would be enabled to earn by their labor the fees demanded.”⁴⁹

Other crimes that carried the penalty of a fine could also result in a labor sentence if the offender was unable to pay, because he or she could be bound out to the highest bidder as a means of paying the fine. Crimes penalized with labor were blatant attempts to force black people back to work. In 1915, historian Bryant Whitlock Ruark, writing against the “misrule” of Reconstruction, described a conversation with a Major W. A. Guthrie who recalled that “[i]n order to get labor, farmers adopted the plan of having negro criminals bound out to them, and they would pay the cost of cases.” “Nothing much was said of this practice,” Ruark observed, “for it would have been regarded in the North as a species of slavery.”⁵⁰

As the General Assembly opened its debate on the bills that became the black code, Colonel Whittlesey, head of the Freedmen’s Bureau in the state, warned Congress’s Joint Committee on Reconstruction that white North Carolinians “would re-establish

⁴⁸ “An Act to Punish Vagrancy,” 2 March 1866, North Carolina, *Public Laws, 1866*, 111.

⁴⁹ *Wilmington Dispatch*, 9 April 1866.

⁵⁰ Ruark, “Some Phases of Reconstruction in Wilmington and the County of Hanover,” 104.

slavery just as it was before, if there was no fear of any evil consequences from the [federal] government or from the people of other States.” “If not that,” he continued, “they would enact laws which would make the blacks virtually slaves.” In an act of shrewd diplomacy, Whittlesey promised Governor Worth that should racial distinctions be removed from the state’s laws, the bureau would turn over all cases involving blacks to the state and local courts. In the meantime, however, the bureau’s courts would continue to operate. The legislature adjourned without removing the offending provisions, however, so Governor Worth turned to the state convention, which reconvened in May 1866 to draft a new state constitution. In asking the convention to adopt ordinances eliminating overtly discriminatory provisions in both the new laws and the antebellum legal code, Worth argued that doing so would benefit both races. In the absence of slavery, he pointed out, black workers had no protection whatsoever. Without the legal ability to protect their property, blacks would be at the mercy of unscrupulous whites, would have no incentive to work, and would therefore fall back on their innate propensity for shiftlessness and laziness. It was therefore in the interest of both black and white that the governor encouraged the delegates to modify the laws so as to make them palatable to the federal authorities.⁵¹

In June 1866, the constitutional convention, eager to rid the state of Northern interference, followed the governor’s advice and approved ordinances that repealed or

⁵¹ For Whittlesey’s fear of the virtual reestablishment of slavery, see Testimony of Colonel E. Whittlesey, 3 February 1866, in *Report of the Joint Committee on Reconstruction*, pt. 2, 182. For Governor Worth’s address to the convention, which described Whittlesey’s promise, see North Carolina, *Journal of the Convention of the State of North Carolina at Its Adjourned Session of 1866* (Raleigh: Cannon & Holden, 1866), 4-6. See also Alexander, *North Carolina Faces the Freedmen*, 50-51.

modified the racial distinctions regarding the entry of free blacks into the state, the possession of arms, and the death penalty for intent to rape a white woman. The convention also repealed the proviso in the testimony law that had suspended its enactment until after all cases involving freedpeople were turned over to the civil courts.⁵²

The convention's modifications notwithstanding, both the laws themselves and the debates they engendered in the General Assembly had revealed the intentions of the state's white leaders. Black Wilmingtonians, who already recognized the danger created by political exclusion, were alarmed. As long as justice continued to be at the behest of white complainants and administered by white police, white judges, and white juries, genuine equality before the law was unlikely. Removal of the Freedmen's Bureau or any reduction in its jurisdiction would therefore render black Wilmingtonians helpless before a justice system committed to their oppression in principle, if no longer on paper.

In May 1866, on the eve of the constitutional convention's intervention, black Wilmingtonians rallied in defense of the Freedmen's Bureau. President Andrew Johnson had dispatched two inspectors, General James B. Steedman and General Joseph S. Fullerton, to investigate the necessity of the bureau in the Southern states. Johnson was in the midst of a battle with Congress over the bureau's future, and he sent the inspectors

⁵² "An Ordinance Repealing the Provisions of Section Nine, of an Act of the General Assembly, Entitled 'An Act Concerning Negroes and Persons of Color or of Mixed Blood,' and for Other Purposes," 10 June 1866, and "An Ordinance Concerning the Crime of Assault, with Intent to Commit Rape," 12 June 1866, both in *Ordinances Passed by the North Carolina State Convention, at the Sessions of 1865-'66* (Raleigh, NC: W. E. Pell, State Printer, 1867), 39, 59. The prohibitions of the entry of free blacks into the state and of their possession of arms were part of the antebellum code; they were repealed in the same ordinance that repealed the proviso in the testimony law.

to gather negative evidence about its operations. In Wilmington, Steedman and Fullerton called a meeting of the city's black residents at Front Street Methodist Church. More than 800 people turned out to attest to the bureau's importance in their communities. The generals instructed the crowd to select five former slaves "in whom you have confidence, and let them make their statements in your presence." Illustrating the extent of mobilization already present in the city, the five representatives who came forward, Elias Halsey, Duncan Holmes, John Nixon, William McLaurin, and Gamaliel P. Rourk (all future officeholders), appear to have been selected in advance.⁵³

The designated representatives emphasized concerns regarding freedpeople's inability to obtain justice. Elias Halsey got straight to the point. Without the Freedmen's Bureau, black Wilmingtonians were in danger, he declared. Halsey reminded audience members of times when even the bureau could not protect them. While he looked forward to a day when they would not need its assistance, for the time being, they did. "The gentleman [General Steedman] says he is here to find out how we are getting along," Halsey remarked. "I say we are just *squeezing* along under this protection. Many of us are almost *crushing* along." There was no justice for black people. "As far as I am concerned," Halsey told the inspectors, "remove the Freedmen's Bureau, and these people will be like the ship in the raging stream without a rudder. We would have no protection at all, and yet, sir, exposed to danger night and day." It mattered not "how a man conducts himself," Halsey continued, "if he is a colored man, he is exposed to

⁵³ Washington, D.C., *Daily Morning Chronicle*, 22 May 1866, and G P Rourke to Maj General O O Howard, 22 May 1866, both in *Freedom: A Documentary History of Emancipation, 1861-1867*, ser. 3, vol. 2, *Land and Labor, 1866-1867*, ed. René Hayden, Anthony E. Kaye, Kate Masur, Steven F. Miller, Susan E. O'Donovan, Leslie S. Rowland, and Stephen A. West (Chapel Hill: University of North Carolina Press, 2013), 129-35.

danger. Such prejudices have grown up, that let a man carry himself as he may, he is exposed to danger.” From all parts of the sanctuary came cries of “That’s so.”⁵⁴

William McLaurin, whose first official appointment had been distributing rations at a freedmen’s camp, also addressed Steedman and Fullerton. Black Wilmingtonians were not safe without the Freedmen’s Bureau, he insisted. While justice was not enacted by the bureau in every case, black Wilmingtonians could not coexist with their white neighbors without it. They had little protection under the law, and without the bureau they would be utterly helpless. “It is hard to see a colored man lodge a complaint, and not get justice from the bureau authorities, as has sometimes been done,” McLaurin conceded. “Yet, notwithstanding, the bureau *has* been the protection of the colored man and the white man too. Remove the Freedmen’s Bureau to-morrow, and in less than two weeks you will have to allay a riot in Wilmington.” Spotlighting the immediate need of black Wilmingtonians for personal safety as well as justice, McLaurin declared bluntly, “We are in danger *now*, with the Freedmen’s Bureau and the troops here to protect us. It would be better if we had been left in slavery and never brought out than to be left in the hands of our enemies.”⁵⁵

Like Halsey, McLaurin maintained that no matter “how a colored man may carry himself; we are all liable to insult,” to which the crowd again responded, “That’s so.” “If we say a word in reply,” McLaurin continued, “we are imprisoned and have twenty dollars to pay for release, or be in jail till the white man is willing to let us out.” If the Freedmen’s Bureau were removed, “a colored man would have better sense than to speak

⁵⁴ Ibid., 130-31; emphasis in the original.

⁵⁵ Ibid., 133; emphasis in the original.

a word in behalf of the colored man's rights, for fear of his life." When asked by General Steedman, "Do you think that the feeling toward the colored people is improving?," McLaurin responded, "Not fast," eliciting laughter from the audience. To the question "Do you think that the white people show any better disposition toward the colored people than they did six months ago?," he responded, "I do not."⁵⁶

Not fast, indeed. Both the new laws and those on the books before the war threatened to undermine freedom's promise. Even after the elimination of overt racial distinctions, prosecution and punishment were at the discretion of local officials. A suspected intention to steal a horse or cow could now, for example, be punished as larceny even if the animal was never in the purported criminal's possession. Vagrancy laws that ostensibly applied to both white and black could be disproportionately enforced against blacks; indeed, the legislators who had enacted the laws expected former slaves to be driven to such crimes out of economic necessity. Devoid of political power or any role in the administration of the law, black North Carolinians were at the mercy of a justice system invested in their subordination. When Wilmington's black leaders petitioned for the appointment of black men to the police force in the summer of 1865, they were making no random gesture, for police officers played central roles in the day-to-day lives of postemancipation black people. The campaign to save the Freedmen's Bureau was just one part of a large-scale mobilization to protect freedom. Black Wilmingtonians recognized that in order to guide the direction of emancipation, they needed to overcome political exclusion. Enactment and enforcement of the state's black code thus heightened awareness of the necessity of representation, particularly at the

⁵⁶ Ibid., 133.

local level, where the law allowed for considerable discretion. If black North Carolinians were ever to receive equal treatment under the laws, they needed equal opportunity to frame and implement them.

In September 1866, former slave Lucy Ross awoke on her farm in New Hanover County to men with guns invading her home. Jarred from sleep in the middle of the night, she recognized one of them as the county constable and another as her former overseer on the Russell plantation in Brunswick County. They were there to take her children. Like many families, the Rosses had left their old lives as slaves to start over on their own. Still in their night clothes, screaming for their mother, Ross's two daughters were seized by the armed men. The girls were taken off in the night to Wilmington, where, without their mother or any other family member present, the county court bound them to their former master, Daniel Russell, then locked them in the city jail "for safe keeping" until Russell could collect them.⁵⁷

Lucy Ross took her complaint to Colonel Allan Rutherford, the Freedmen's Bureau superintendent in Wilmington. While he was sympathetic, the bureau had ceded authority to the state and local courts. As a result, Rutherford informed his superiors on September 11, black children were being taken from their parents and bound to their former masters "as if the object was to re-establish the institution of Slavery to all intents." The New Hanover County Court had been in session only one day and he had

⁵⁷ Col. Allan Rutherford to Lieut. A. Coats, 13 September 1866, Affidavit of Lucy Ross, 24 September 1866, and Affidavit of William James, 24 September 1866, all filed with N-11 1867, Letters Received, ser. 15, Records of the Commissioner, RG 105, NARA-DC [FSSP A-2949].

already received enough complaints to be alarmed.⁵⁸

Parents who took matters into their own hands faced stiff penalties for trying to reclaim their children. Under the enticement act of March 2, 1866, planters to whom children had been bound could sue parents and other relatives who removed the children. Perhaps evidencing the persistence of black parents and relatives in trying to recover apprenticed children, the legislature added criminal penalties on February 25, 1867. Under the amended law, courts could impose a fine of up to \$100 and up to six months' imprisonment on anyone who removed an apprenticed child from his or her master.⁵⁹

Lucy Ross's brother, William James, was arrested the same night his nieces were abducted. He was charged with having tried to recover his own child from the Russell plantation. Despite the fact that he had a written order from Colonel Rutherford mandating the child's release, Daniel Russell had him arrested for trespass. James sat in jail awaiting trial until Rutherford intervened. Because it was a Freedmen's Bureau agent who had bound James's child to Russell, Rutherford's statement that he had annulled the apprenticeship was essential to James's release. Had the apprenticeship been made by

⁵⁸ Col. Allan Rutherford to Lieut A Coats, 11 September 1866, Letters Received, ser. 2892, Wilmington, NC, Superintendent of the Southern District, RG 105, NARA-DC [FSSP A-777]. Karin Zipf emphasizes the impact of the restoration of local government on apprenticeship numbers; see Karin Zipf, *Labor of Innocents: Forced Apprenticeship in North Carolina, 1715-1919* (Baton Rouge: Louisiana State University Press, 2005), 45.

⁵⁹ For the 1866 enticement act, see "An Act to Prevent Wilful Trespasses on Lands and Stealing Any Kind of Property Therefrom," North Carolina, *Public Laws, 1866*, 122-23. For the amended law, see "An Act to Amend an Act Passed at the Session of the General Assembly, A.D., 1866, Chapter 58, Entitled An Act to Prevent Servants from Fulfilling Their Contracts, or Harboring Them," North Carolina, *Public Laws, 1866- '67*, 197-98. For an overview of the injustice being visited on freedpeople by the county courts in removing their children by force and binding them out, see Col. Allan Rutherford to Maj. Gen J. C. Robinson, 1 November 1866, filed as N-219 1866, Letters Received, ser. 15, Records of the Commissioner, RG 105, NARA-DC [FSSP A-2945].

the county court rather than a bureau agent, James could have been confined the entire three months between his arrest and the next county court session. Jailing parents who attempted to recover their children created serious economic hardship, since they were unable to work while they awaited trial, and criminalizing such actions was a blatant means of controlling the lives of black families.⁶⁰

Men like Daniel Russell were able to take full advantage of the new regime. On the eve of the Civil War, Russell, who was one of the wealthiest men in the state, owned \$32,500 in real estate and a whopping \$221,102 in personal property, a sum that included his ownership of 199 slaves. He operated the second-largest turpentine farm on the Cape Fear and owned more than 25,000 acres of land.⁶¹ Following emancipation, he had the resources to send armed men across three counties—Robeson, Brunswick, and New Hanover—to seize the children of his former slaves, and county courts bound more than twenty of them to him in 1866. Russell had served as chairman of the Brunswick County Court for twenty years, giving him powerful political and legal connections and practical know-how.⁶² Newly free families found themselves powerless against former masters

⁶⁰ For the experiences of William James, see Bvt Brig Gen^l Allan Rutherford to Sam^l R. Bunting, Esq^f, 13 September 1866; Endorsement of Sam^l R. Bunting, Esq, 13 September 1866; Endorsement by Col. Allan Rutherford to Maj Gen J. C. Robinson, 13 September 1866, vol. 253, pp. 6-7, in Registers of Letters Received, ser. 2891, Wilmington, NC, Superintendent of the Southern District, RG 105, NARA-DC [FSSP A-779].

⁶¹ For the extent of Russell's propertyholdings, see 1860 U.S. Census, Population Schedule, and Slave Schedule, Town Creek, Brunswick County, NC, <http://www.ancestry.com> (accessed 2 February 2014). For his turpentine farm and acreage, see Zipf, *Labor of Innocents*, 93.

⁶² Zipf, *Labor of Innocents*, 93. Freedmen's Bureau correspondence provides a wealth of information about Russell's apprenticeships. See Col. Allan Rutherford to Lt. A. Coats, 13 September 1866, Jonathan Worth to Bvt. Maj. Genl. Robinson, 29 October 1866, Bvt. Maj. Genl. Jno. C. Robinson to Jonathan Worth, 30 October 1866, Jonathan Worth to Bvt. Maj. Genl. Robinson, 1 November 1866, Bvt. Maj. Genl. Jno. C. Robinson to Jonathan Worth, 3 November 1866, Jonathan Worth to Bvt. Maj. Genl. Robinson, 6 November 1866, Bvt. Maj. Genl. Jno. C.

like Russell who were part and parcel of a legal system designed to control them. That many families continued to challenge such men is a testament to the determination of former slaves to claim one of the most basic of liberties—the right to their children.

County courts exercised wide latitude in the matter of apprenticeship. The chronological age of a potential apprentice, for example, was subject to their interpretation, sometimes with serious implications. Testimony before the Congressional Joint Committee on Reconstruction revealed that in New Hanover County as well as neighboring Bladen, Brunswick, and Robeson counties, wage-earning men old enough to have children of their own were being bound to their former masters.⁶³

The apprenticeship of black children deprived black parents of the right to their sons and daughters, a right foundational to Southern society. It was not only a cruel way to separate children from their families; it also separated black families from their own means of production. When Joe Bright went to the Freedmen's Bureau for assistance in retrieving his six oldest children, who had been taken from his household and bound to their former master, he explained that he had rented land and depended on the children's

Robinson to Col. J. Bomford, 26 December 1866, Col. Allan Rutherford to Capt. J. F. Chur, 31 December 1866, Jonathan Worth to Col. Bomford, 2 January 1867, Bvt Brig Genl F. D. Sewell to Maj. Genl. O. O. Howard, 30 January 1867, and Bvt. Brig. Genl. F. D. Sewell and W. S. Mason to Jonathan Worth and Maj. Genl. O. O. Howard, n.d., enclosed in Bvt Brig Genl F. D. Sewell to Major General O. O. Howard, 30 January 1867, all filed as N-11 1867, Letters Received, ser. 15, Records of the Commissioner, RG 105, NARA-DC [FSSP A-2949]; Endorsement by Col. Allan Rutherford, 13 September 1866, vol. 253, pp. 6-7, Registers of Letters Received, ser. 2891, Wilmington, NC, Superintendent of the Southern District, RG 105, NARA-DC [FSSP A-779]; Geo W. Tipton to Genl Rutherford, 28 August 1866, enclosing Daniel L. Russell to Col. A. Rutherford, 23 August 1866, T-53 1866, Letters Received, ser. 2452, NC Assistant Commissioner, RG 105, NARA-DC [FSSP A-576].

⁶³ Testimony of Col. W. H. H. Beadle, 4 April 1866, in U.S. Congress, *Report of the Joint Committee on Reconstruction*, pt. 2, 270-71.

labor to help cultivate it.⁶⁴ Robbed of labor on their own farms and in their own shops, parents were often left with little alternative but to return to plantation labor in order to survive. Furthermore, as black people tried to reunite their families after slavery, apprenticeship gave former masters leverage to compel desperate parents to work under almost any terms just to be near their own children.

The law was being constructed and enforced by state and local authorities so as to exclude black North Carolinians not only from citizenship but also from basic rights to person, family, property, and labor. If the Civil War was meant to vindicate free labor, state and local governments presented major obstacles to principle becoming practice. Lucy Ross's complaint, like that of Joe Bright, was couched in free-labor terms. In an affidavit sworn before Colonel Rutherford, she claimed a right to the labor of her family. She presented evidence of her industriousness, reporting that with her brother William and her children she had acquired a plot of land, started a crop, and was preparing for their first harvest when William and the girls were taken. At the ages of eighteen and twelve, both girls were making vital contributions to the household's economy. Yet, after sitting in a jail cell with other former slave children, they and the others were transported back to their former master, Daniel Russell, to labor for his benefit.⁶⁵

⁶⁴ Joe Bright to Allan Rutherford, 26 April 1866, in *Land and Labor, 1866-1867*, ed. Hayden et al., 911. On the relationship between apprenticeship and black parental rights, see Zipf, *Labor of Innocents*, ch. 2-3.

⁶⁵ Affidavit of Lucy Ross, 24 September 1866, Affidavit of William James, 24 September 1866, Affidavit of Charles Aubrien, 24 September 1866, and Affidavit of James Ross, 24 September 1866, all filed with N-11 1867, Letters Received, ser. 15, Records of the Commissioner, RG 105, NARA-DC [FSSP A-2949]. Into early 1867, Ross was still fighting to get her daughters back from Russell. See Genl Allan Rutherford to Lt. A. Coats, 13 September 1866, Danl. L. Russell to Lieut. G. W. Tipton, 9 October 1866, Lt. G. W. Tipton to Genl Allan Rutherford, 12 October 1866, and *Ambrose vs. Russell*, n.d. January 1867, enclosed in Bvt Brig Genl F. D. Sewell to Major General O. O. Howard, 30 January 1867, all filed as N-11 1867,

No longer slaves, yet not entitled to all the rights of citizenship, black North Carolinians occupied a chaotic limbo in which they lacked both equal legal standing and political power. Because slaves had had no legal claim to property, freedpeople were regularly turned off plantations and out of their homes without their possessions, including household goods and the tools of their trades. In the case of former slaves like Lucy Ross, so long had black people been considered property that their former masters did not even recognize their right to their own children. Furthermore, without the ability to select the sheriffs, constables, and judges who enforced the law, freedpeople were at the mercy of public officials who mobilized existing institutions like apprenticeship in the interest of former slaveholders. In New Hanover, the result was legal oppression of the county's black residents, including the involuntary apprenticeship of former slave children by the county court.

The violence inflicted on black communities and the failure of local and state authorities to prosecute the perpetrators were major themes of the state freedmen's convention that met in Raleigh the first week of October, 1866. This time, New Hanover County sent only one delegate, Samuel Wilson. He was elected sergeant at arms, but was not vocal in the convention's proceedings. At the 1866 convention, the delegates placed a spotlight on the violence freedpeople were suffering across the state. "[O]utrages are being committed, such as killing, shooting, and robbing the unprotected people, for the most trivial offence, and, in many instances, for no offence at all," began the preamble to the convention's resolutions, and "those criminals who commit these fiendish outrages

Letters Received, ser. 15, Records of the Commissioner, RG 105, NARA-DC [FSSP A-2949]; Zipf, *Labor of Innocents*, 59, 93-95, 104.

are allowed to roam freely at large without being arrested for their crimes.”

Apprenticeship also assumed a leading role because it had intensified with the return of authority to local courts. “Whereas, In and through the counties of this State our children, the dearest ties of which binds [*sic*] us to domestic life, and which makes [*sic*] the ties of home endearing, are ruthlessly taken from us and bound out without our consent,” the delegates declared, “therefore, Be it resolved, That we earnestly protest against such violations, and will do all in our power to prevent its further continuation.”⁶⁶

The delegates resolved to establish local chapters of the Equal Rights League through which to shine a light on atrocities when they occurred. They hoped to publicize the crimes being committed against them in order to demonstrate the need for equal protection under the law. Outrages should be reported to the league headquarters, they declared, and to “newspapers throughout the country . . . so that the government and the world may know of the cruelties inflicted upon us, and the disadvantages under which we labor.”⁶⁷

The convention also addressed state and federal governing bodies. The delegates were keenly aware of the Southern states’ probationary status as they awaited readmittance into the Union, and they hoped to show the federal government and the Northern public that white Southerners were not the only politically aware citizenry in the former Confederacy. One resolution expressed the convention’s “profound gratitude” to the 39th Congress for the Civil Rights Act, the law extending the Freedmen's Bureau,

⁶⁶ North Carolina Freedmen’s Convention, *Minutes of the Freedmen’s Convention, Held in the City of Raleigh, on the 2nd, 3rd, 4th and 5th of October, 1866* (Raleigh, NC: Standard Book and Job Office, 1866); quotations on 14-15.

⁶⁷ *Ibid.*, 14-15.

and the proposed Fourteenth Amendment. In this resolution, the delegates not only demonstrated their familiarity with national political affairs, but also articulated a political agenda of their own: the hope “that a like spirit of justice and humanity may guide the acts of [Congress’s] 40th session until legislation shall protect equally the rights of all American people, without regard to race or color.” While calling attention to the laws and constitutional amendment approved by the 39th Congress, the delegates thus conveyed their expectation that those measures be only the beginning and not the end of steps to make their freedom secure.⁶⁸

Unlike the convention of 1865, the freedmen’s convention of 1866 dealt directly with political rights. Denouncing “taxation without representation,” the delegates cited their status as native-born North Carolinians and demanded “sacred rights as American citizens.” “An Address of the Freedmen’s Convention to the White and Colored Citizens of North Carolina” also employed the language of liberty. “We, the Colored people of North-Carolina,” it began, before reminding their “fellow-citizens” that “[o]ur fathers fought shoulder to shoulder with the white man in the Revolutionary war, and in the war of 1812.” References to the founding era did not end there. Indeed, the address quoted directly from the Declaration of Independence: “That all men are born free and equal, and that they are endowed by their Creator with inalienable rights. That among these are life, liberty and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed.” The

⁶⁸ Ibid. The Civil Rights Act, which was enacted over President Johnson’s veto, had become law on April 9, 1866. The law extending the Freedmen’s Bureau had been enacted over Johnson’s veto on July 16, 1866. Congress had approved the proposed Fourteenth Amendment on June 22, 1866, and sent it to the states for ratification.

convention's delegates, unlike the authors of the Declaration of Independence, did not proclaim revolution, but they did present "grievances." Emphasizing the pivotal role of political rights, their address attributed "the sufferings and outrages heaped upon us" to "our helpless and disqualified position for self-defence, resulting, as we think we can prove, from no greater cause than our long and unjust political disfranchisement." Like the Declaration of Independence before it, the convention's address challenged political exclusion as tyranny. The delegates also staked their claim to equal citizenship in "our loyalty to the general government, in the bloody struggle through which we have just passed." "Our fathers, brothers and sons bared their breasts to the fiery storm to save the Union," they emphasized. Without saying so explicitly, they thereby suggested that their claims exceeded those of most white North Carolinians.⁶⁹

If they were not to receive political rights, or until they did, the delegates challenged the humanity of those in power. "Can we look to you for protection or not, to shield us from the murderous hand?" they asked. "Oh, humanity, where is thy blush? Our defenceless wives and children, fathers, sons and brothers are beaten with clubs, robbed, shot and killed, in various localities, and the authorities regard it not. We beg you as white men in authority to shield our defenceless heads, and guard our little homes." Notwithstanding the humility of that appeal, the delegates concluded by asserting the demand for citizenship and political equality that had become the cornerstone of the Equal Rights League. "We claim by merit the right of suffrage, and ask it at your hands," they declared. "We believe the day has come, when black men

⁶⁹ Ibid., 14, 26-27.

have rights which white men are bound to respect.”⁷⁰

The arguments voiced at the 1866 freedmen’s convention were extensions of those developed by black community organizations rooted in the on-the-ground realities of daily life. The black men who put forward the convention’s claims had arrived in Raleigh with ideas formulated in the course of ongoing struggles to make freedom a reality. The everyday contests between black and white North Carolinians and the failure of the law to protect freedpeople’s rights had politicized even the most politically excluded.

In Wilmington, as elsewhere in the post-emancipation South, the fight for freedom was a bottom-up struggle. Oppressed by the police and the local courts, the city’s black communities were forced to organize for their own protection. The intensity of the oppression inflicted by local white officials increased the urgency of political mobilization and black political representation. After two years without a voice in local or state governance, black Wilmingtonians knew that freedom required access to the ballot, the bench, the jury, the board of aldermen, and the police. Implementation of emancipation occurred at the local level, and the actions of sympathetic or unsympathetic local authorities were influential in defining the boundaries of freedom within which ordinary people lived their lives. As a result, black Wilmingtonians quickly learned to

⁷⁰ Ibid., 26-27. The reference to rights white men were bound to respect demonstrated the delegates’ familiarity with the infamous language of Chief Justice Roger B. Taney in the U.S. Supreme Court’s 1857 *Dred Scott* ruling that had rejected black citizenship. Taney had characterized people of African descent as “*beings of an inferior order, and altogether unfit to associate with the white race, either in social or political relations; and so far inferior, that they had no rights which the white man was bound to respect.*” See Don E. Fehrenbacher, *Slavery, Law, and Politics: The Dred Scott Case in Historical Perspective* (New York: Oxford University Press, 1981), 189-91.

navigate the treacherous terrain of local politics. Not only did they appeal to public and private entities like the Freedmen's Bureau and the American Missionary Association; they also transformed existing neighborhood structures into political apparatuses that both covertly and overtly worked for social, political, and economic equality.

It had become increasingly clear that neither liberty nor equality would be granted by their fellow white citizens. Two years after emancipation, black Wilmingtonians found themselves still fighting for freedom. As another year dawned, oppression was on the rise. Without political rights, freedom was becoming a mirage. But black Wilmingtonians remained mobilized and kept the consequences of political exclusion on the public agenda through meetings of the Equal Rights League, orchestrated civil disobedience, and the establishment of independent organizations such as churches, schools, and mutual-aid associations. They made sure to pronounce every act of oppression intolerable, and, in the spring of 1867, the federal government at last heeded former slaves' call for political equality. Through petitions, appeals, complaints, protests, meetings, conventions, resolutions, and direct conflict, freedpeople proclaimed not only that the fight for freedom had just begun, but also that their own political enfranchisement was vital to its success.

Chapter 3

Defining Citizen, Defining Statesman: The Fight for Black Officeholding, 1867-1869

In the spring of 1867, black Wilmingtonians were struggling to maintain the freedom won by Union victory. Violence, intimidation, and police brutality had become daily realities. The all-white police force regularly raided black neighborhoods and black homes, stealing property and abusing residents. Freedpeople were disproportionately subjected to corporal punishment as penalty for crime, and they could obtain little or no redress for their grievances. The Wilmington office of the Freedmen's Bureau was receiving almost daily complaints about the forcible apprenticeship of black children. Without political rights, the city's black residents found themselves relegated to a second-class citizenship.

Abusive apprenticeship, police brutality, and unjust treatment in the courts were all the result of local practices sanctioned by state law. In day-to-day life, black oppression lay in local enforcement of the law and in the action or inaction of such city and county officials as the mayor, justices of the peace, constables, and the police. Without black suffrage, it had become clear, the South would never elect or appoint officials who would implement equality.

When the former Confederate states refused to ratify the Fourteenth Amendment, the federal government was forced to recognize what black Wilmingtonians had been pointing out all along: without black suffrage, freedom could not take root. On March 2, 1867, Congress passed "An Act to Provide for the More Efficient Government of the Rebel States" over the veto of President Andrew Johnson. It placed the recalcitrant states under military government and transformed their electorates by enfranchising black men

and at least temporarily denying the suffrage to men who had previously taken an oath of allegiance to the U.S. Constitution and then supported the Confederacy. Using the new suffrage standard, the former Confederate states were to elect delegates who would draft new constitutions, and those constitutions were required to include black male suffrage. The act divided the former Confederacy into five military districts, each under the command of a general appointed by President Johnson; North Carolina and South Carolina constituted the Second Military District, commanded by General Daniel E. Sickles.¹

On March 6, just four days after passage of the Reconstruction Act, a caucus of “the loyal Union members” of the North Carolina state legislature held a meeting at which they embraced black suffrage and called for a convention of like-minded men to meet in Raleigh on March 27. The caucus also “unanimously resolved that the Chairman of the meeting confer with the colored people of the State, and ascertain their views and wishes, with a view to a prompt and harmonious co-operation of all the loyal people of the State in the work of reconstruction.” On March 8, the caucus chairman, Ceburn L. Harris of Rutherford County, a state senator, addressed a meeting of black men in Raleigh. Explaining that he had been appointed “to consult with the colored people of the State, and to request their co-operation in the work of reconstruction under the late act of Congress,” Harris invited them to the upcoming convention. “The whites had called a preliminary council of reconstruction to meet in Raleigh, on the 27th,” Harris told them,

¹ “An Act to Provide for the More Efficient Government of the Rebel States,” 2 March, 1867, in *Statutes at Large, Treaties and Proclamations of the United States of America from December, 1865, to March, 1867*, vol. 14 (Boston: Little, Brown and Co., 1868), 428-29; Eric Foner, *Reconstruction: America's Unfinished Revolution, 1863-1877* (New York: Harper & Row, 1988), 272-76.

“and they desired that the colored people should do the same thing, in order that their delegates might meet ours here, and all the loyal men of the State be thus enabled to cooperate in re organizing [*sic*] the present State government.”²

The interaction between the two meetings reflected the uncharted terrain of biracial politics. Whites and blacks were mobilizing separately. Men from the same towns and counties saw themselves as distinct constituencies. At the March 8 meeting, Senator Harris asked the black men in attendance if they would vote for white unionists. He and other white political leaders understood that black voters now comprised an electorate to which they had to appeal. Harris therefore confirmed his own support for black suffrage and assured his listeners that the state’s white unionists sought black allies. “Keep your eyes ‘well skinned,’” he advised. “If you follow any one, let it be those you have well known and can rely upon.” The black men responded with a resolution to “stand by the loyal whites of the state of North-Carolina, and heartily accept their offer of co-operation.”³

The convention of 101 white and 46 black delegates that met on March 27 was among the first gatherings of a biracial electorate. As such, it reflected a new political world. The convention’s president entered the hall flanked by a white delegate on one side and a black delegate on the other. The galleries were “densely packed with colored people.” A black minister gave the opening prayer, and black and white men presented a

² For the meeting of the legislative caucus, see Raleigh *Daily Standard*, 7 March 1867; Wilmington *Daily Journal*, 9 March 1867. For the March 8 meeting of black men, see Raleigh *Sentinel*, 12 March 1867; Raleigh *Daily Standard*, 23 March 1867. For the statements by Harris, see Raleigh *Sentinel*, 12 March 1867. It is not known whether New Hanover County was represented at the March 8 meeting.

³ Raleigh *Daily Standard*, 23 March 1867.

nearly equal number of speeches at each day's session. Above the speaker's stand appeared the words "UNION, LIBERTY, EQUALITY." Conservative newspapers were thoroughly disgusted. "The Mongrel Convention" was the Raleigh *Sentinel's* headline. The Wilmington *Daily Dispatch's* was "The Black Republican Convention." Another story in the same issue of the *Dispatch* described the gathering as "the Holden miscegenationist meeting," a reference to former provisional governor William W. Holden, who had recently announced his affiliation with the Republican Party.⁴

White unionists, newly enfranchised black men, and a few prominent former Whigs celebrated their new political alliance under the auspices of the Republican Party. "It was determined by the Convention to unfurl the banner of the Republican Party," reported the Raleigh *Daily Standard*, Holden's newspaper. "Let every true Union man, without regard to race or color, rally to its defence. Let us go into the work of reconstruction, determined to overcome all obstacles, to persevere until Union, Liberty, Equality shall become household words upon the lips and in the hearts of our people."⁵

New Hanover County sent five delegates to the convention, two white and three black. None of the county's representatives in the House of Commons were among the delegates, nor was the state senator from the district that included New Hanover. Indeed, Senator Edward Hall and Representatives John Hawes and Robert Cowan all moved closer to the Conservative Party as a result of the Reconstruction Act. Instead, the white delegates from New Hanover were Joseph H. Neff, a native Wilmingtonian and ship

⁴ Raleigh *Sentinel*, 1 April 1867; Wilmington *Daily Dispatch*, 30 March 1867. For the composition of the convention, see Horace W. Raper, *William W. Holden: North Carolina's Political Enigma* (Chapel Hill: University of North Carolina Press, 1985), 93.

⁵ Raleigh *Daily Standard*, 2, 3 April 1867.

chandler who also operated a saloon in the city, and Lieutenant John L. Rhoades, who came to Wilmington in 1865 as an officer in a black regiment and had supervised a freedmen's camp in the county. Rhoades, an attorney, had accompanied Senator Harris when he addressed the meeting of black men in Raleigh a few weeks earlier. New Hanover's three black delegates, George W. Price, Jr., Gamaliel P. Rourke, and Edgar Miller, were all familiar personages in Wilmington's black neighborhoods. All three were active in the city's churches, mutual-aid associations, and mass meetings.⁶

The convention established a biracial Republican Party in North Carolina.⁷ Two years earlier, the state freedmen's convention had to petition the all-white state constitutional convention for equal rights. Now, black delegates to the first state Republican convention were being assured by white political leaders that this time they would be included in the remaking of North Carolina's constitution. When the delegates from New Hanover returned home, they set out to mobilize black voters.

On May 11, 1867, at a Robeson County railroad depot called Shoe Heel, some one hundred miles northwest of Wilmington, more than 600 black men and women and a number of whites gathered to discuss politics and hear the arguments of the region's leading black political minds. Among the speakers were George W. Price, Jr., William H. Moore, Edgar Miller, and George Mabson, all from Wilmington. They applauded the extension of suffrage and affirmed that black people both deserved and had earned the citizenship that was now within their grasp. "[I]f the Southern men would give the Colored people their Rights, the Colored people would catch up with them or go by

⁶ *Ibid.*, 30 March 1867. On Rhoades occupation, see *Wilmington Post*, 2 October 1867.

⁷ *Raleigh Daily Standard*, 30 March 1867.

them,” Price declared. Just twenty-three years old, Price was a native of Wilmington and a skilled plasterer. He had escaped bondage one rainy night in 1862 when he and seven other men rowed a canoe through “the graveyard of the Atlantic” until they were spotted by the *U.S.S. Cambridge* and taken aboard. Immediately after the war, he returned to Wilmington and soon thereafter married Sophie Sadgwar, daughter of prominent black carpenter and community leader David Sadgwar. He also became active in the mobilization for equal rights. Like many other black leaders in Wilmington, Price saw the vote and equality before the law as essential to the freedom he had risked everything to obtain. At Shoe Heel, he challenged those who hoped to relegate blacks to a second-class citizenship. White Southerners “were cowards for not giving them there [*sic*] rights,” he reportedly declared, much to the disgust of white attendees who were already alarmed by the large gathering of former slaves. After Price left the speaker’s stand, he was approached by white men who demanded that he retract his controversial words. When he refused, he was “set upon” with “violent demonstrations and insults.” Still, he refused to back down.⁸

Twenty-two-year-old George Mabson, a veteran of the black 5th Massachusetts

⁸ Statement of William H. Moore, 13 May 1867, and Statement of James Sinclair, 13 May 1867, both enclosed in Col. R. T. Frank to Capt. Allen Rutherford, 14 May 1867, Letters Received, ser. 1380, Post of Wilmington, RG 393 pt. 4, NARA-DC. E. K. Proctor, a white Republican who also spoke at the meeting, testified to similar language on Price’s part. See Statement of E. K. Proctor, 13 May 1867, enclosed in Col. R. T. Frank to Capt. Allen Rutherford, 14 May 1867, Letters Received, ser. 1380, Post of Wilmington, RG 393 pt. 4, NARA-DC. On George W. Price, Jr., see *Wilmington Semi-Weekly Post*, 23 July 1868; William B. Gould, IV, *Diary of a Contraband: The Civil War Passage of a Black Sailor* (Palo Alto, CA: Stanford University Press, 2002), 15-17; Catherine W. Bishir, “Urban Slavery at Work: The Bellamy Mansion Compound, Wilmington, North Carolina,” *Buildings and Landscapes: Journal of the Vernacular Architecture Forum* 17 (Fall 2010): 13-32; Catherine W. Bishir and Beverly Tetterton, “Price Family,” in *North Carolina Architects and Builders: A Biographical Dictionary*, <http://ncarchitects.lib.ncsu.edu/people/P000475> (accessed February 7, 2011).

Cavalry, also spoke that day. Mabson was the recognized son of his former owner, George W. Mabson, “a gentleman who stood high in Wilmington society.” In 1853, the elder Mabson had sent his eight-year-old son to Boston to be educated and to live as a free man. During the war, the younger Mabson had enlisted in the Union army to fight against slavery. He, like Price, had then returned to Wilmington to ensure that the war had not been fought in vain. At Shoe Heel, he too focused on black political equality. When he left the platform, he was met by Price and two other black speakers from Wilmington, Edgar Miller and William H. Moore, who informed him that they had just been “assaulted and abused” by a group of white men who were now threatening to shoot them on account of their words that day. They knew two of their assailants and later identified them as brothers John and English Gilchrist.⁹

About two hundred yards from the speaker’s stand, John Gilchrist and another of the assailants, Coy Sellers, again approached George Price and William H. Moore, demanding a retraction. “[Y]ou said something in your speech I do not like,” began one. “I have been a Confederate soldier & fought,” he continued, “[a]nd lack a damn sight now of being a Union man.” Price and Moore stood by their words, which, to the white men, must have been astonishing. After all, the black speakers had not only asserted black equality at a mass meeting, but had also called white men who withheld equality cowards. It was more than Gilchrist and Sellers could bear, and they too stood their ground. “[I]f you open your mouth, or say any thing [*sic*] against the Confederate cause,

⁹ Statement of Edgar Miller, 13 May 1867, and Statement of George Mabson, 13 May 1867, both enclosed in Col. R. T. Frank to Capt. Allen Rutherford, 14 May 1867, Letters Received, ser. 1380, Post of Wilmington, RG 393 pt. 4, NARA-DC. For more about George Mabson’s life in the North, see Gould, *Diary of a Contraband*, 30-32, 182-84.

I will murder you right here,” one of them threatened. “[W]hat I said on the Stand I stick to, and will not take it back,” Price defiantly replied, at which point Sellers raised a big stick. He flexed it as if to hit Price, who raised his arm to block the blow. Meanwhile, Gilchrist reached for what Price and Mabson believed to be a gun. The confrontation had, however, drawn the attention of additional white men, and some of them ushered Gilchrest and Sellers away, warning Price and Mabson that “they would come back with a bigger crowd.”¹⁰

When the black men returned to the boarding house where they were staying, they were “beset by Benjamin McLanchlin, John McLanchlin, John Gilchrist, — Wilkes and — Henderson, who with sticks and staves threatened to take immediate vengeance upon all the speakers, for words spoken at the meeting.” Gilchrist declared himself ready to “shoot the damned white and black niggers.” George Price and Edgar Miller were “peculiarly obnoxious to these men,” one observer reported, “and several times a deadly collision seemed inevitable[,] for the white men . . . held their sticks in the attitude of striking over the heads of Price and Miller.”¹¹

One of the white Republicans who spoke that day, E. K. Proctor, a Robeson County lawyer, later told a Freedmen’s Bureau agent that “insulting and abusive language was used towards the Speakers of the meeting by three drunken white men.”

¹⁰ Statement of George Price, 13 May 1867, enclosed in Col. R. T. Frank to Capt. Allen Rutherford, 14 May 1867, Letters Received, ser. 1380, Post of Wilmington, RG 393 pt. 4, NARA-DC.

¹¹ Statement of E. K. Proctor, 13 May 1867, and Statement of James Sinclair, 13 May 1867, both enclosed in Col. R. T. Frank to Capt. Allen Rutherford, 14 May 1867, Letters Received, ser. 1380, Post of Wilmington, RG 393 pt. 4, NARA-DC. The dashes substituting for the first names of Wilkes and Henderson appear in the original.

As the episode escalated to include death threats against the black speakers, “it produced symptoms of a dangerous nature among the colored people,” who felt protective of the black men who represented them. The Reverend James Sinclair, another white Republican from Robeson County, reported that he was “met not only with insults, but with threats of assassination” when he tried to play peacemaker. He warned that the black people who attended such mass meetings would no longer sit passively by “when they see their friends and instructors stricken down by the lawless ruffians who had tyrannized over them for years.”¹²

To Sinclair, the attempt to silence the black speakers was a “violation of that freedom of speech which is dear to every American.” Yet it was clear that the white men guilty of the assault would not be found guilty in any Robeson County court of law. In his statement to the Freedmen’s Bureau agent, Sinclair asked for justice, arguing that “[i]f these men are permitted to escape or evade punishment for their conduct at shoe heel on the 11th inst the next meeting of colored people will be attacked more vigorously than this one was, and blood will flow.” As it was, “it is impossible for any law abiding citizen to go into the interior of the county and address a public meeting of colored people without incurring the risk of having riot and bloodshed on his hands.”¹³

Price and Mabson were undaunted. Less than a month later, they were back on the campaign trail, mobilizing blacks for the ballot box. In Elizabethtown, a small

¹² Statement of E. K. Proctor, 13 May 1867, and Statement of James Sinclair, 13 May 1867, both enclosed in Col. R. T. Frank to Capt. Allen Rutherford, 14 May 1867, Letters Received, ser. 1380, Post of Wilmington, RG 393 pt. 4, NARA-DC.

¹³ Statement of James Sinclair, 13 May 1867, enclosed in Col. R. T. Frank to Capt. Allen Rutherford, 14 May 1867, Letters Received, ser. 1380, Post of Wilmington, RG 393 pt. 4, NARA-DC.

settlement in Bladen County some fifty miles up the Cape Fear River from Wilmington, the two again met with trouble after delivering political speeches. Conflict erupted between Mabson and a local white man, Argolus Smith, during Price's speech and continued after Price left the stand. Smith and a group of his friends followed Price and Mabson and confronted them about their "incendiary" language. Using "threatening words and gestures," the white men warned the two to leave town. Price and Mabson stood their ground and, despite the threats, again engaged in a heated argument regarding their political speech. Afterwards, the black leaders sought out a magistrate in Elizabethtown and reported that a group of white men had "endeavored to mob us." Receiving "no satisfaction," they lodged a complaint at the Freedmen's Bureau office in Wilmington the next day. They identified their attackers as William Sutton and a local lawyer whose surname name was Richardson. When the bureau superintendent contacted the Bladen County sheriff, he responded that Mabson and Price had "provoked the ill will" of the white men with the "*very inflammatory and bitter language*" they had spoken. According to the sheriff, Price and Mabson were to blame for the incident.¹⁴

So revolutionary were the events occurring across the South that it simply did not seem plausible, let alone legal, to white officials that black men like Price and Mabson could take the stage and proclaim white men cowards. So new was black citizenship that whites felt justified in attempting to exercise control over the speech of their black fellow citizens. Yet Price and Mabson insisted upon their right to be included in politics and

¹⁴ Statement of George Mabson, enclosed in Capt. Allen Rutherford to Col. R. T. Frank, 14 May 1867, Letters Received, ser. 1380, Post of Wilmington, RG 393 pt. 4, NARA-DC; Col R. T. Frank to Capt. Allen Rutherford, 17 June 1867, Letters Received, ser. 1380, Post of Wilmington, RG 393 pt. 4, NARA-DC (emphasis in the original).

exercised their freedom of speech with a sharp rhetoric that was becoming characteristic of southeastern North Carolina. Universal male suffrage was anchored to notions of masculinity, and public displays of courage were important in constructing a new black political identity. Black political leaders hoped to become officeholders as well as voters. In order to do so, they had to be seen as statesmen, and no Southern statesman would suffer public insult, particularly during a political rally of his constituents at which he was a speaker.

It was imperative for men like Price and Mabson to appear undaunted in such public showdowns. If they permitted white men to silence them or treat them with blatant disrespect, they and other black men with political aspirations would lose standing in the eyes of their constituents. At Elizabethtown, a white man in the audience openly mocked Mabson and black political leaders in general. According to the man who did the mocking, Mabson retaliated by “rudely” ejecting him from his seat. Hearing the disturbance behind him, Price, who was at the podium, raised his fist into the air and “dared” the white men present to “wade in if they felt like it.” Shaking his fist, he proclaimed one black arm tantamount to five white ones.¹⁵

The son of George W. Mabson was not about to suffer an insult from a white man who did not even have the respect to rise from his chair to challenge him. The younger Mabson identified himself as a prominent gentleman of his community. Tall, light-skinned, and thin, he was described as “prepossessing” and “presenting the ghostly

¹⁵ Statement of A. P. Smith, 17 June 1867, enclosed in Capt. Allan Rutherford to Col. R. T. Frank, 18 June 1867, Letters Received, ser. 1380, Post of Wilmington, RG 393 pt. 4, NARA-DC; Col R. T. Frank to Capt. Allen Rutherford, 17 June 1867, Letters Received, ser. 1380, Post of Wilmington, RG 393 pt. 4, NARA-DC.

appearance of a sage philosopher and statesman.”¹⁶ Perhaps it was his privileged background that made him think he had a right to eject a white man from his seat, argue politics with him on a public road, and then complain to the authorities that the man had tried to intimidate him into softening his speech. Mabson not only believed he had such rights; he acted on that belief at a political rally, in front of hundreds of black voters. Such testimony to black freedom, in so public a confrontation, must have been exhilarating for young men like Mabson and Price. Dangerous as such bold behavior was, it must also have felt liberating.

Like Price and Mabson, Abraham Galloway, who became one of Wilmington’s most prominent black officeholders, presented himself as a political leader with the strength and fortitude to combat white oppression. Unapologetically black and also undeniably descended from one of North Carolina’s most elite white political families, Galloway often reminded white listeners of his bloodline. “[T]he best blood in Brunswick County flowed in my veins,” he once famously declared, “[a]nd if I could do it, in justice to the African race, [I] would lance [my]self and let it out.” Galloway, a bricklayer, had escaped from slavery in 1857 with his friend and fellow artisan Richard Eden, a barber by trade. The two men had stowed away in the cargo hold of a schooner and made their way North. As a slave, Galloway, like Price, had hired his own time, paying his master, Marsden Milton Hankins, \$180 per year and providing for his own

¹⁶ *Wilmington Weekly Journal*, 6 August 1869, 20 June 1871; Gould, *Diary of a Contraband*, 30; William McKee Evans, *Ballots and Fence Rails: Reconstruction on the Lower Cape Fear* (Chapel Hill: University of North Carolina Press, 1966), 139; William M. Reaves, *Strength through Struggle: The Chronological and Historical Record of the African-American Community in Wilmington, North Carolina, 1865-1950*, ed. Beverly Tetterton (Wilmington, NC: New Hanover County Public Library, 1998), 431. The quoted description of Mabson appears in *Wilmington Weekly Journal*, 6 August 1869.

housing, food, and clothing. After his escape, Galloway immediately became part of the movement for emancipation. In Canada West, a refuge for those fleeing American racial oppression, he explored the possibilities of black emigration. During the war, he was an activist in Union-occupied New Bern, North Carolina, negotiating black military service with federal officials and mobilizing black soldiers and spies. He attended the 1864 meeting in Syracuse, New York, where the Equal Rights League was established. By 1867, he had returned to Wilmington an accomplished political activist. At an 1867 mass meeting in Lumberton, to the west of Wilmington, he told a crowd still uncertain of the realities of black officeholding that the only office he wanted was vice president of the United States and that when President Johnson died, he would be president. On political tours to rally voters, Galloway regularly referred to the prospect of his becoming mayor or president.¹⁷

Historian David Cecelski captures something of Galloway's appeal when he writes that Galloway was "renowned for a severe sense of honor and a fearless readiness to defend it, a trait that could only have endeared him to former slaves, for whom honor had always been a white man's prerogative." Galloway regularly carried a pistol in his belt, in clear sight, notes Cecelski. "Yet, he could not have seemed reckless or foolhardy. For all his bravado, there was a disarming quiet about Galloway; patience, tact, and wariness had helped him to survive too many dangers not to be a part of him." At the

¹⁷ David Cecelski, "Abraham H. Galloway: Wilmington's Lost Prophet and the Rise of Black Radicalism in the American South," in *Time Longer Than Rope: A Century of African American Activism, 1850-1950*, ed. Charles M. Payne and Adam Green (New York: New York University Press, 2003), 47, 54 (quotation), 56; David Cecelski, *The Fire of Freedom: Abraham Galloway and the Slaves' Civil War* (Chapel Hill: University of North Carolina Press, 2012), 6-8, 17, 68, 190, 200.

same time, Galloway “laughed loud and often, and he must have had a sweet side, for everywhere the young man went black Carolinians crowded around him as if he were a prophet.”¹⁸

Galloway referred to himself as a Southern gentleman, and he spoke a political language rooted in honor and localism. In 1868, by which time he was a state senator from New Hanover County, he was insulted by a white senator from Craven County during a debate on the racial makeup of New Bern’s city council. Galloway responded “that he would hold the Senator from Craven responsible for his language, outside of this Hall; and . . . that, if hereafter, the Senator from Craven insulted him, he would prove to him the blood of a true Southron.”¹⁹

Galloway, Mabson, and Price were natural politicians. Armed with the support of the people in their communities, they campaigned throughout the lower Cape Fear in the months leading up to the election for delegates to the state constitutional convention. They did so using the political rhetoric and the theater of honor that had historically characterized Southern statesmen. At the same time, black electoral politics introduced a bottom-up political ideology predicated on the notion that the former slave was equal to the former master.

Grassroots organizing by freedpeople in Wilmington produced and sustained political leaders like Galloway. It was also instrumental in the establishment of the Republican Party. Republican clubs quickly sprang up in Wilmington’s First and Third Wards, which roughly corresponded to the Brooklyn and Dry Pond neighborhoods,

¹⁸ Cecelski, “Abraham H. Galloway,” 46.

¹⁹ Galloway quoted in *ibid.*, 56.

respectively. Galloway in particular championed the Republican cause. During an hour-long oration delivered to an organizing meeting at Wilmington's Thalian Hall Opera House on July 19, he "confessed himself wholly devoted to the Republican Party," and in August he promoted the establishment of "Campaign Clubs" in each of the city's wards that would discuss "the political questions of the day" and select delegates who would carry the will of the people to the city nominating convention.²⁰

The swift mobilization of the state's blacks underscored the significance of black voters to Conservatives as well as Republicans. A few Conservatives even accepted an invitation to speak at the state Equal Rights Convention that met in Raleigh on April 22, 1867. There, they addressed the black delegates with seeming respect. "*Friends and Fellow-Citizens,*" began Seaton Gales, the first Conservative speaker. "My *friends* you have always been, and my *fellow-citizens* you now are." The two individuals he had held as slaves "nursed my infancy," Gales reminisced, "and in *their* old age I tried to do my duty to them, so far as I was able. They sleep in yonder graveyard, and I honor and revere their memories."²¹ Themes of a shared Southern homeland would emerge again and again as Southern-born black political leaders struggled with Northern-born white Republicans for equal standing within the Republican party and as white Southerners endeavored to exploit those intra-party conflicts. Such themes were grounded in a political culture of localism and kinship. Acknowledgment of kin who "sleep in yonder graveyard" appealed to black men as fellow Southerners. To be sure, the Conservatives

²⁰ *Wilmington Daily Post*, 7 August 1867, 8 September 1867; *Wilmington Daily Journal*, 20 July 1867.

²¹ *Wilmington Journal*, 26 April 1867. Gales was not the only white speaker who cited personal connections to his former slaves.

were not actively campaigning for black votes, and they made no secret of the fact that they opposed black enfranchisement. Moreover, for former slaves, life under postwar Conservative rule had been characterized by brutality and repression, and the antebellum memories Conservatives drew on were probably not as congenial to their black countrymen as they seem to have been for them. At the same time, however, Conservative references to “yonder graveyard” reminded black delegates why they remained in the South, why so many had returned to the South, and why they were fighting so hard for political power in the South.

In Wilmington, local Conservatives took a mixed approach to black enfranchisement. While the *Star*, a Conservative newspaper, mocked the very idea of black voters and black officeholders, the *Journal*, also Conservative, reported the inaugural meeting of the North Carolina Republican Party from a standpoint that seemed to prefer native black political leaders to their Northern white counterparts. Indeed, the rhetorical pitting of black Republican against white Republican would distinguish the *Journal* in Wilmington’s local media war. “[S]uch a motley collection of bankrupt politicians, broken down place hunters, and second-class demagogues, were never before collected together in one meeting in North Carolina,” the *Journal* wrote of the white men at the Republican convention. Its account of New Hanover’s Edgar Miller and the other black delegates, however, took a more conciliatory tone. “For those of the colored delegates who were present, with an honest desire to better the condition of their race, flattered by the interested attention and importance given them by designing men, we have no words of reproach,” the paper maintained. But it also issued a warning: “When the novelty of the new order of things wears away, . . . the future will prove what the past

has demonstrated, that the friends of the black man are those with whom they were reared; that the interest of the whites and blacks in this section is the same, and that which injures the former, will most certainly act disastrously upon the latter.”²²

Conservatives used the issue of testimony in courts of law to call into question white Republicans’ commitment to black rights. With thinly disguised glee, the *Journal* reminded its readers that during the 1866 reconvened constitutional convention, three of the white Republicans invited to address the Equal Rights Convention in Raleigh had voted against removing the restrictions on black testimony. Ignoring the fact that the convention had modified the black code only under threat of continued federal intervention, the *Journal* maintained that had it not been for the favorable votes of prominent former Confederates, the changes would not have been made.²³ The Conservative campaign to cast doubt upon the Republican Party in the eyes of black voters thus reflected a curious political dynamic. Most Conservatives had supported black testimony only as a means to satisfy federal demands. Yet, in the face of black political empowerment, Southern white men appealed to the newly enfranchised black population by summoning up a shared past and a shared homeland. Black and white Southerners *knew* each other, they claimed, while the “Yankees” were unpredictable foreigners.

One Conservative leader used officeholding to question the bond between black and white Republicans. At a late April mass meeting in the black community of Dudley’s Grove in New Hanover County, Wilmington Conservative Benjamin Robinson

²² *Wilmington Journal*, 5 April 1867.

²³ *Ibid.*, 15 March 1867.

called the crowd's attention to the fact that white Republicans remained silent on the topic of black officeholding. "[The white Republican] armed you with the ballot," Robinson declared; "he gave you the freedmen's [*sic*] privilege, and yet he says nothing . . . about your having a right to hold office here."²⁴

Sentimental appeals to a shared Southland and charges of white Republican racism were not the only means by which Conservatives sought to sever the connection between black and white Republicans. Above all, Conservatives held to a belief that the black citizen could be controlled as had the black slave. In May, AMA missionary Martha Kellogg reported that Conservative employers in Wilmington were trying to bribe their black employees to vote Conservative. (Despite the freedpeople's poverty, she noted, the employers had met with little success.) Other Conservatives took a harder line, pledging to blacklist Republicans. In November, Jacob Murphy would complain that he had been driven from his land by Henry Murphy, who was now destroying his crops, because he had voted Republican. Blacklisting had its limits, however, because it was difficult for white Wilmingtonians to give up the services of black people. Recognizing the problem, the editors of the *Wilmington Star* spoke for other whites contemplating a boycott of black musicians when they suggested that white players be trained so that "[w]e will then be no longer dependent upon a Radical band for our musical enjoyment." Such wishful thinking notwithstanding, the Rose Bud Brass Band continued to be the city's most popular band for the next two decades. Although its members included radical black voters, black political leaders, and soon-to-be black officeholders, the band was revered throughout the state and performed at the social events of some of

²⁴ *Wilmington Journal*, 3 May 1867.

Wilmington's most prestigious Conservatives.²⁵

Setting politics aside for good music was understandable, but the inability of Conservatives to stick to their economic boycott of black Republicans was also rooted in vanity. "We had better let the white barbers alone," quipped the *Conservative Star* while reporting that a few "intensely Democratic white barbers" in a short-lived shop "shaved our people in more senses than one."²⁶ Humor notwithstanding, white Wilmingtonians were so dependent on black labor that political boycotts in hiring never gained enough momentum to be significant.

However much Conservatives may have believed they could induce, intimidate, or coerce black men to vote with them, they were not seeking political union with blacks. Both in Wilmington and in the state as a whole, Conservatives never hesitated to remind black North Carolinians that they opposed black enfranchisement, and their campaign against the Republican Party sought to impress upon black voters that white Republicans also saw blacks as inferior. The truth was that despite the Republican Party's dependence on black votes, its white leadership remained apprehensive about black political equality, particularly where officeholding was concerned. Most white Republicans envisioned some sort of subordinate political citizenship for blacks under the leadership of white officeholders. Black votes were one thing, but the specter of black men exercising

²⁵ Martha Kellogg to George Whipple, 4 May 1867, North Carolina, AMA, microfilm roll 152. For Jacob Murphy's case, see Complaint of Jacob Murphy, 25 November 1867, and Affidavit of Daniel Blane, 2 December 1867, Letters Received, ser. 1380, Post of Wilmington, RG 393 pt. 4, NARA-DC. On the Rose Bud Brass Band, see *Wilmington Star*, 16 March 1872, 17 March 1874, 7 June 1876, 19 January 1877; Reaves, *Strength through Struggle*, 62; Evans, *Ballots and Fence Rails*, 159.

²⁶ *Wilmington Star*, 22 September 1868; Evans, *Ballots and Fence Rails*, 159.

authority over whites alarmed many white Republicans, even those regarded as radicals.

Black Wilmingtonians recognized that white Republicans were reluctant to embrace black officeholding. Perhaps as a result, some black leaders hesitated to toss all their community's eggs into the Republican basket. At an August 17 mass meeting on the Upper Black River, just outside Wilmington, black political leader Edwin Jones prophesied that a Joshua would emerge at the proper time to lead them and then told the predominantly black crowd of 500-600 that they would receive no assistance from General Sickles, the commander of the Second Military District, or from the post commander in Wilmington, Lt. Colonel Royal T. Frank. Black people had freed themselves, Jones declared, and black soldiers were responsible for Northern victory. "[I]f the negroes had not joined the Yankees," he asserted, "the Yankees never would have whipped the South." Freedom was the doing of God and black soldiers, and, Jones proudly told the gathering, "he had told the Yankees so." "[I]f the South had made the same offer to them that the North did, they would have fought for the South and given it independence," Jones contended, possibly speaking as much to the white Republicans in attendance as the blacks. Jones revealed the independent political spirit found in black neighborhoods when he warned white Republicans that "he had not the most confidence in the Yankees, & . . . was watching them."²⁷

Local whites were alarmed not only by Jones's inflammatory language, but also by the gathering's martial atmosphere. Jones had marched to address the crowd at the head of a procession of 200 with drums, flags, and guns. He had sent three spies to the

²⁷ Jones quoted in John A. Corbett, J.P., et al. to Col. R. T. Frank, 22 August 1867, Letters Received, ser. 1380, Post of Wilmington, RG 393 pt. 4, NARA-DC.

meeting place in advance “to see that the way was clear.” While he spoke, thirty armed men stood posted around him, and Jones told the crowd that he could have brought “a guard of soldiers with him” but “had not so as to save the neighborhood the annoyance of soldiers.”²⁸ Such political theater signaled to black voters that Jones possessed a power that was capable of protecting them and their communities. At the same time, it signaled to whites that he was ready to implement black equality by any means necessary, a message that, to judge from the alarm voiced in white complaints, must have seemed plausible.

The importance in 1867 of on-the-ground physical protection cannot be overstated. Black Wilmingtonians had been forced to stand by powerless while local white authorities used violence and intimidation to try to force them into a dependent, second-class citizenship. As black neighborhoods were in the process of visualizing a new political future, Edwin Jones presented an image of black power in which equality encompassed self-defense. Explaining why he had brought guards to the mass meeting, Jones suggested that “mischief might be done” and he therefore “came prepared for any emergency.”²⁹ Such concerns were not groundless. In the months since the passage of the Reconstruction Act, black political leaders like George Price and George Mabson had experienced physical and verbal abuse in response to their speeches at mass meetings. In the face of the very real danger aimed at black political leaders, rhetoric and theater like those of Edwin Jones were designed to demonstrate to black voters that protection would have to come from black people themselves. It was a powerful message, delivered only

²⁸ Jones quoted in *ibid.*

²⁹ Jones quoted in *ibid.*

weeks before a second Republican state convention on September 4. Black communities could rely on themselves. They did not need white Northerners.

Calls for self-reliance did not, however, mean flight from the Republican Party. Black Southerners felt an undeniable allegiance to the party that had sponsored their emancipation, the extension of civil rights, and the vote. From the outset, Republican affiliation afforded black communities their only chance at political participation. And black leaders had wasted no time before organizing within the established Republican framework because it was clear that the party would be instrumental in writing a new state constitution guaranteeing black political rights.

By the same token, North Carolina's white Republicans were well aware that black political leaders were integral to the party's success. Without black votes, Republicans had little chance of dominating the constitutional convention. On May 8, 1867, General Sickles announced that registration of male citizens twenty-one and older who were "not disfranchised for participation in the rebellion, or for felony at common law" would begin on July 15. The first step was for Sickles to appoint registrars, who had to be men who could take the test oath of 1862 swearing that they had never borne arms against the U.S. or given aid or encouragement to the rebellion.³⁰ In New Hanover County, white Republicans realized that black registrars would be essential to black registration. Thus, while prominent white Republicans like local white unionist Isaac Peck and Northern-born L. M. Barlow and Edward Hewlett were recommended for

³⁰ Maj. Gen. D. E. Sickles, General Orders No. 18, Second Military District, 8 May 1867, in *Wilmington Journal*, 10 May 1867.

appointment, so too did white Republicans submit the names of black men.³¹

When the registrars were announced on July 19, three of the nine men appointed for New Hanover County were of African descent. Henry Ephraim Scott was a native of Ohio who had come to Wilmington after the war, while Edgar Miller and George W. Price, Jr., were native Wilmingtonians. All three had mixed racial ancestry. Miller and Price, who had served as delegates to the Republican state convention, were the men denounced as “peculiarly obnoxious” in May when they refused to retract the words they had spoken at the Shoe Heel mass meeting. When Scott, Price, and Miller took their seats as registrars, they became New Hanover’s first black officeholders.³²

Despite his earlier announcement that registration would begin in July, it was not until August 1 that General Sickles specified the procedures for registration, which would be supervised by post commanders across the state. In Wilmington, registration fever quickly took hold. Black churches and fire houses posted copies of the required oath. On the baseball field, where black registrar Edgar Miller was a team organizer, men discussed when and where to register. Potential voters were mobilized any place a black man went. Preprinted copies of the oath flew out of registrars’ bags, prompting almost constant requests for more.³³

³¹ For examples of recommendations for registrar, see Committee to Col. R. T. Frank, Recommendations, 26 September 1867, Committee to Col. R. T. Frank, Recommendations, 30 September 1867, and H. E. Scott to Col. R. T. Frank, Registration Results, 30 September 1867, enclosed in Corlett et al. to Col. R. T. Frank, n.d. July 1867, Letters Received, ser. 1380, Post of Wilmington, RG 393 pt. 4, NARA-DC.

³² For the announcement of registrars, see Maj. Gen. D. E. Sickles, General Orders No. 60, Second Military District, 19 July 1867, in *Wilmington Journal*, 1 August 1867. On Scott, see Reaves, *Strength through Struggle*, 463.

³³ For the registration procedures, see Maj. Gen. D. E. Sickles, General Orders No. 65, Second Military District, 1 August 1867, in *Wilmington Journal*, 15 August. For mobilization

Registration began on August 15 and continued through early September. As black men registered, they revealed the potential political power of the county's black communities. Their numbers not only shocked Conservatives, but surpassed the expectations of the white Republican leadership. On the first day of registration in Wilmington, 326 black men registered compared to only 21 white men. At the conclusion of registration, black men constituted 67 percent of all registered voters in the city of Wilmington and 64 percent in New Hanover County as a whole.³⁴

Once registered, black men and the communities they represented used already-existent Republican clubs to prepare for the vote on the constitutional convention and the election of delegates. The county's black residents knew that Republican solidarity would be required in order to frame a new state constitution more favorable to black freedom and equality, and the inclusion of black men in partisan events like the state Republican convention in April had given them a sense of ownership in the party. At the same time, questions about the commitment of white Northerners like those raised by Edwin Jones forced blacks to discuss and debate what they wanted from the party. In

around registration, see *Wilmington Daily Journal*, 15, 16, 22 August 1867; 3, 4 September 1867. Miller was secretary of the Wilmington Baseball Association; see *Wilmington Post*, 22 August 1867. For examples of requests for printed copies of the oath, see Daniel Hull to William Birnie, 24 August 1867, and F. French to Col. Frank, 26 August 1867, Letters Received, ser. 1380, Post of Wilmington, RG 393 pt. 4, NARA-DC. The post commander at Wilmington requested blank oaths from Second Military District headquarters and was obliged with an express delivery of 5,000 on August 12. See A. J. Willard to Commanding Officer Post of Wilmington, 12 August 1867, Letters Received, ser. 1380, Post of Wilmington, RG 393 pt. 4, NARA-DC.

³⁴ For an announcement of the dates and places of registration in the county, see *Wilmington Daily Journal*, 4 August 1867. For the results of the first day of registration, see *Wilmington Post*, 16 August 1867. For the final results of voter registration, see *Wilmington Journal*, 15 September 1867; Gen. Edward Canby to His Excellency Jonathan Worth, 25 October 1867, Governors' Papers, NCDAH. In Wilmington, 776 white men and 1,555 black men were registered. In New Hanover County as a whole, 1,725 white men and 3,069 black men were registered.

doing so, black Wilmingtonians in effect molded the Republican Party to reflect their own interests.³⁵

In the days and weeks leading up to registration, black leaders had engaged in political theater that contributed to the mobilization of the city's black communities. On August 10, for example, Abraham Galloway had strolled into the upscale saloon of white-unionist-turned-Republican Joseph Neff. As Galloway told it, he was walking along the wharf when, upon passing Neff's bar, "I proposed to another Gentleman who was with me, to go in and have a drink." The bartender "very politely" told them that they were in the wrong place, whereupon Galloway defiantly asked the man if he took his orders from Colonel Frank (the post commander) on that matter. The bartender replied that he took his orders from Mr. Neff, at which point Galloway asked to speak to Neff directly. Joseph Neff must have known what he was in for when he saw Galloway standing at the bar. Probably trying to appease him, Neff explained that the only reason he did not serve blacks "was that white people would not like it." Having heard all he needed to hear, Galloway declared that he would take his complaint to Colonel Frank, eliciting a curse from Neff. Galloway's letter detailing the incident promised Colonel Frank the same course of action with which he had threatened Neff, that is, to move up the chain of command should he not receive satisfaction. "Now Col.," Galloway wrote, "you have to do things which certain classes of white people do not like."³⁶

³⁵ Julie Saville argues that freedpeople in South Carolina molded the Republican Party's platform and philosophy in accordance with their own visions of politics, society, and freedom. See Julie Saville, *The Work of Reconstruction: From Slave to Wage Laborer in South Carolina, 1860-1870* (New York: Cambridge University Press, 1994), 172-75.

³⁶ Abraham Galloway to Col. R. T. Frank, 11 August 1867, Letters Received, ser. 1380, Post of Wilmington, RG 393 pt. 4, NARA-DC. Just two months earlier, Neff had petitioned for exemption from a military order shutting down drinking establishments. The basis of his request

The performance at Neff's saloon was a microcosm of the political events occurring on the streets of Wilmington. Already harassed by Conservatives who deemed the establishment "a damn Yankee hole," Neff was now under pressure by black residents to ease traditional racial restrictions.³⁷ But Galloway's public demand on the Republican bar owner represented even more. His foray into Neff's establishment was a declaration that black votes would have to be earned by a commitment to black equality. In the coming city and state elections, Neff would be a candidate for mayor and Galloway a candidate for state senator; both would be elected. But at this early moment in Congressional Reconstruction, Galloway's appearance in Neff's bar, accompanied by "another gentleman" who was undoubtedly also black, let the budding white politician know that Republican leaders would be subject to the expectations and demands of their black constituents. Galloway was already a well-known political figure, and as Neff contemplated his own political aspirations, he must have been aware of the importance of black leaders to black votes. If black Wilmingtonians planned to mold the Republican Party to meet the needs of the black electorate that comprised its majority, then Abraham Galloway was starting with civil disobedience at the ground level when he asked for that drink.

Public displays of equality became even more significant as New Hanover County prepared for the election of November 19 and 20 at which voters would approve or

was not only that he paid "onerous taxes to state and county," but also that he served "Northern gentlemen." See Joseph H. Neff to Genl. D. E. Sickles, 18 June 1867, Letters Received, ser. 1380, Post of Wilmington, RG 393 pt. 4, NARA-DC. The establishment's upscale reputation underscored Galloway's act of civil disobedience.

³⁷ For the characterization of Neff's bar, see Joseph H. Neff to Genl. D. E. Sickles, 18 June 1867, Letters Received, ser. 1380, Post of Wilmington, RG 393 pt. 4, NARA-DC.

disapprove holding a constitutional convention and would also choose delegates to the convention that would ensue if that vote were in the affirmative. Abraham Galloway was a particularly skilled practitioner of such political theater, not only in public speeches, but in his day-to-day actions. His portrayal of himself in the mayor's seat or the president's mansion represented a politics of self-reliance that was extremely popular in the mobilized black communities of the lower Cape Fear. Wilmington in particular was alive with political debate. Late into the night, by the light of pitch-pine brands and tar barrels, the city's black residents discussed everything from potential candidates to the issue of equal access to local businesses that had been highlighted by Galloway's visit to Neff's establishment.³⁸

On September 24, Galloway addressed a torchlight procession of black citizens from the roof of the Wilmington market house. "My people stand here tonight fettered, bound hand [and] foot by a Constitution that recognizes them as chattel," he declared. Galloway and undoubtedly others in attendance that night fully understood that the constitution and the law were the ex-slaves' new oppressors. Yet Conservatives held to a belief that black voters were politically incompetent. As the election approached, Wilmington's Conservatives employed a two-part strategy. First, they continued to highlight the racism of white Republicans in order to create a rift between black voters and the white men who, Conservatives assumed, controlled black politics. Second, they employed a quiet-campaign strategy in the misguided belief that without seasoned white politicians guiding them, black men would fail to turn out on election day. But to the

³⁸ *Wilmington Journal*, 16 November 1867; *Wilmington Post*, 2, 3, 15, 16, 17 November 1867. On the use of pitch-pine brands and tar barrels at nighttime rallies, see Evans, *Ballots and Fence Rails*, 105.

surprise and dismay of Wilmington's Conservatives, turn out black voters did. Twice as many blacks as whites cast a vote. Black Wilmingtonians did not need white leaders to organize them. A homegrown black leadership was ready to accept the mantle of self-representation.³⁹

As a result of the voting, Abraham Galloway was overwhelmingly elected to serve as a delegate to the constitutional convention, becoming New Hanover County's first popularly elected black officeholder. He took his place alongside two white Northerners. One of them, Joseph C. Abbott, was a lawyer and former Union general from New Hampshire who had served as commander of the Post of Wilmington following federal occupation. After his discharge from military service, Abbott had returned to the city and became a lumber magnate. The other, the Reverend Samuel S. Ashley, was the AMA missionary who had been stationed in Wilmington since Union occupation and was now serving as Freedmen's Bureau superintendent of education for the state's southern district. At the constitutional convention, the three New Hanover County delegates would number among a total of 120, including 15 black men and 18 white Northerners. Republicans enjoyed an overwhelming majority, 107 to 13.⁴⁰

³⁹ On Galloway's speech at the market house, see *Wilmington Morning Star*, 25 September 1867, quoted in Cecelski, "Abraham Galloway," 53. William McKee Evans discusses the Conservative strategy of staging a quiet campaign; see Evans, *Ballots and Fence Rails*, 95.

⁴⁰ On Galloway, see Cecelski, *The Fire of Freedom*; Cecelski, "Abraham H. Galloway." On Abbott, see William S. Powell, ed., *Dictionary of North Carolina Biography*, vol. 1 (Chapel Hill: University of North Carolina Press, 1979), 2. On Ashley, see John L. Bell, "Samuel Stanford Ashley, Carpetbagger and Educator," *NCHR* 72 (October 1995): 456-83. For the composition of the constitutional convention, see John V. Orth and Paul M. Newby, *The North Carolina State Constitution* (New York: Oxford University Press, 2013), 19; Paul D. Escott, *Many Excellent People: Power and Privilege in North Carolina, 1850-1900* (Chapel Hill: University of North Carolina Press, 1985), 142.

Galloway's election was a statement regarding the type of officeholder black Wilmingtonians expected. He was a fierce advocate of equality and an outspoken politician who, following his escape from slavery, had built deep political connections not only within the state's black communities but within the Union army and the Republican Party as well. His mode of self-presentation was both strategic and spectacular. On the streets of Wilmington he was a striking symbol of freedom, a man who kept a pistol at his side, a man who would stroll into an elite bar and demand to be served, a man of honor. As a spokesman for the Republican Party, Galloway appealed to black and white workingmen. "[T]he war would emancipate the poor white man of the south, as well as the blacks," he proclaimed. He brought Republicanism to the people and encouraged them to spread its tenets wherever they went. In September 1867, at Raleigh's Tucker Hall, Galloway had directed the crowd to "go everywhere there is a black man or poor white man and tell him the true condition of the Republican Party."⁴¹

If the freedpeople of Wilmington sent Galloway to the constitutional convention to represent the city's historically oppressed, working-class people, if they felt that having one of their own in office would result in on-the-ground change, he did not let them down. At the convention, which met from January 14 through March 17, 1868, Galloway was a standout. He served on four committees: the Committee on the Judicial Department, the Committee on Rules of Order, the Committee to Examine Local Government, and the Committee on Counties, Cities, Towns, and Villages, Their

⁴¹ J. G. de Roulhac Hamilton, *Reconstruction in North Carolina* (New York: Columbia University, 1914), 243-46, 247 n.1; Evans, *Ballots and Fence Rails*, 95-97. On Galloway's class-based appeals, see Cecelski, "Abraham Galloway," 53. Galloway quoted in Cecelski, *Fire of Freedom*, 111.

Officers, Organization, Government and Powers. Throughout the proceedings, he was an outspoken advocate for a constitution grounded in the expansion of democracy and equal rights.⁴²

In line with ideas about property as the foundation of independent households, Galloway championed land ownership for the poor. “[A] household for each man” was one of the campaign catch phrases he brought with him to Raleigh. At the convention, Galloway proposed a heavy tax on large estates, \$1 an acre, in order to force their sale in household-sized parcels. Four months earlier, he had told a crowd at Lumberton that if elected to the constitutional convention, he would tax the “Rebs” so high that they would be forced to sell, allowing those historically excluded from land ownership an opportunity to buy.⁴³ In relying on taxation to push land onto the market, while assuming that access to land should be by purchase, Galloway appeared less radical than his counterparts who favored outright confiscation, but the taxation of large estates appealed to poor whites who had long criticized the power of the plantocracy, while confiscation suggested redistribution exclusively among former slaves. Taxation and sale promised to benefit those who could afford family-sized tracts of land regardless of race. Galloway’s understanding of the state’s political climate showed him to be a formidable politician

⁴² North Carolina, Constitutional Convention, 1868, *Journal of the Constitutional Convention of the State of North-Carolina, at Its Session 1868* (Raleigh, NC: Joseph W. Holden Convention Printer, 1868), 14, 22, 67, 84, 117, 187, 239, 250, 314-16, 376. For an overview of Galloway’s commitment to equal rights during the convention, see Cecelski, *Fire of Freedom*, 195-201.

⁴³ For Galloway’s advocacy of taxation to facilitate landownership, see Hamilton, *Reconstruction in North Carolina*, 243-46, 247 n.1; Geo. H. Kelley et al. to Col. R. T. Frank, 21 September 1867, Letters Received, ser. 1380, Post of Wilmington, RG 393 pt. 4, NARA-DC (quotations).

who was in tune with the Republican strategy of drawing the yeomen and poor whites of western North Carolina into the party.

At the same time, Galloway understood the distinct challenges facing the black communities from which he was elected. One of their most serious economic impediments was the loss of property acquired during slavery. Slaves had not been legally permitted to own land, houses, or personal property. Some had therefore made arrangements with whites to hold title for them. After emancipation, however, many white titleholders proved faithless, and black claimants found it impossible to lay legal claim to painstakingly-accumulated property. On February 19, Galloway presented a petition to the constitutional convention from the black citizens of Wilmington in relation to slave-owned property. The Committee on the Judicial Department, on which Galloway served, responded with an ordinance protecting property acquired by slaves prior to emancipation. “[W]henever it shall judicially appear that any person, while held as a slave, purchased and paid for any property, real or personal, and that a conveyance thereof was made to him or to any one for his use,” it provided, “such purchaser, or those lawfully representing him, shall be entitled to such property; anything in the former laws of this State forbidding slaves to acquire property to the contrary notwithstanding.” The convention approved the ordinance by a vote of 101 to 4.⁴⁴

Nor was Galloway’s fight for property rights limited to black and poor white men. Women, too, faced legal limitations when it came to holding property. As women

⁴⁴ “An Ordinance Protecting Property Purchased by Persons Held as Slaves,” 6 March 1868, *Constitution of the State of North-Carolina, Together with the Ordinances and Resolutions of the Constitutional Convention, Assembled in the City of Raleigh, Jan. 14th, 1868* (Raleigh, NC: J. W. Holden, convention printer, 1868), 53; North Carolina, *Journal of the Constitutional Convention, 1868*, 239, 323-24.

watched from the gallery, Galloway voted in favor of a successful constitutional provision to protect the real and personal property acquired by women prior to marriage. In Wilmington, Galloway's success had come at the hands of not only the men who voted, but the women who mobilized voters, organized fundraisers, and openly espoused their own concerns at the mass meetings that developed black political agendas. His support for the married women's property provision reflected a commitment to equality under the law that included gender.⁴⁵

While delegates like Galloway headed to the convention with the express purpose of creating a more egalitarian state constitution, the outnumbered Conservative delegates hoped at least to challenge the radical shifts in social hierarchies that were coming in with the tide of Reconstruction. Black political participation was their most immediate target. A minority report from the Committee on Suffrage set the tone. "[W]e do not regard the right to vote as natural or inherent, but conventional merely—to be regulated in such way as will best promote the welfare of the whole community," the report declared. "Upon this principle, women and minors have been excluded. Is there any reason why the negro should be advanced to a higher position?" Powerless though they were to obstruct black

⁴⁵ For the provision protecting married women's property, see *Constitution of the State of North-Carolina, 1868*, art. 5, sec. 6. For Galloway's vote in favor of it, see North Carolina, *Journal of the Constitutional Convention, 1868*, 219-20; Hamilton, *Reconstruction in North Carolina*, 269-70, 244. Elsa Barkley Brown argues that in Richmond, Virginia, black political culture embraced women and children as active participants. See Elsa Barkley Brown, "To Catch the Vision of Freedom: Reconstructing Southern Black Women's Political History, 1865-1880," in *African American Women and the Vote, 1837-1965*, ed. Ann D. Gordon, with Bettye Collier-Thomas, John H. Bracey, Arlene Voski Avakian, and Joyce Avrech Berkman (Amherst: University of Massachusetts Press, 1997), 66-99; Elsa Barkley Brown, "Negotiating and Transforming the Public Sphere: African-American Political Life in the Transition from Slavery to Freedom," in *The Black Public Sphere: A Public Culture Book*, ed. The Black Public Sphere Collective (Chicago: University of Chicago Press, 1995), 111-50.

suffrage, Conservatives were determined at least to put their opposition on the record.⁴⁶

Since black suffrage had the support of a large majority of the convention's delegates, officeholding took center stage in attempts to restrict black political equality. The prospect of black men exercising authority over whites was too much for many of the white delegates, Republican as well as Conservative. Conservatives proposed constitutional prohibition of anyone of African descent holding any executive office. Another proposal called for racially separate commands in the militia, and yet another provided that no white man ever be required to obey a black officer. Conservatives demanded that no white child be apprenticed to a black master and no black guardian be appointed for a white ward. These counter-revolutionary measures were all rejected. The Conservatives were unanimously in favor and the black delegates were unanimously opposed, but the proposals divided the white Republican delegates.⁴⁷

Knowing that the Republican Party depended on black votes, Conservatives used the constitutional convention to further their strategy of dividing black and white Republicans by pressing white Republicans on the issue of race. Conservatives not only recognized that most white Republicans were ambivalent about black equality, but were also aware of the fine line the party had to walk in regard to yeoman and poor-white North Carolinians. As astute as men like Abraham Galloway may have been in appealing to poor whites on the basis of class solidarity, they were proposing racial equality at a time when most whites could not conceive of elevating class identity over that of race. Should white Republicans come down in favor of racial equality, they would alienate

⁴⁶ North Carolina, *Journal of the Constitutional Convention, 1868*, 235-38.

⁴⁷ *Ibid.*, 162, 175, 383; Cecelski, "Abraham Galloway," 57.

many of the white voters with whom they were making inroads. Meanwhile, if they spurned racial equality, they would send ripples through politically powerful black communities that already questioned white Republicans' commitment to equal rights.

In a move designed to portray Republicans as the party of racial equality in the eyes of white voters, Conservatives introduced a resolution holding that black suffrage violated the laws of nature, which clearly distinguished between the races.

“[R]ecognizing the helpless condition of North-Carolina and the power of the Federal Government to force the acceptance of the terms of reconstruction proposed by Congress,” it read, “it is nevertheless the sense of this Convention that these measures known as the Reconstruction Acts are unconstitutional, unwise, unjust and oppressive; subversive of the rights and liberties of eight millions of people.” At issue was racial equality. “[T]he white and black races are distinct by nature,” the resolution continued, “and . . . efforts to abolish or abridge such distinction, and to degrade the white to the level of the black race, are crimes against the civilization of the age and against God.” Conservatives hoped to force Republicans to publicly refute views with which a majority of white North Carolinians agreed. Recognizing the trap, the Republican delegates tabled the resolution indefinitely, refusing to take a position one way or the other. Such Conservative posturing was not insignificant. In fact, it was shrewd political strategy, because, in many ways, the success of the Republican Party hinged on the question of race. A majority of the state's population was white, particularly in the western counties where Republicans hoped to gain adherents. Achieving that goal would be nearly impossible should whites become convinced that Republicans intended to promote racial equality. At the same time, Republicans wanted to keep black voters enthusiastic so that

they would show up and vote, particularly in the eastern part of the state where a black majority had the potential to give Republicans control.⁴⁸

Once drafted, the constitution had to be ratified by the same electorate that had selected delegates to the convention. The constitution submitted to the voters was the most democratic North Carolina had ever seen. In a radical departure from the previous constitution, it declared that “all men are created equal” and rejected the notion that political rights and privileges were dependent on the ownership of property. It provided for universal male suffrage, which would not only enfranchise black men, but also make those ex-Confederates who had been denied the vote in 1867 once again part of the electorate. It removed property requirements for voting and officeholding, and based representation in the state Senate on population rather than the amount of taxes paid. It called for the establishment of free schools for all North Carolinians between the ages of six and twenty-one, without requiring racial segregation. Nor did it include any prohibition of interracial marriage.⁴⁹

The new constitution democratized the judicial system in unprecedented ways. Previously appointed by the General Assembly for life, supreme court and superior court judges were now to be elected by the voters for eight-year terms. A superior court

⁴⁸ For the Conservative resolution, see North Carolina, *Journal of the Constitutional Convention, 1868*, 30-33 (quotation on 33). On Republican efforts to mobilize white voters, see James Alex Baggett, *The Scalawags: Southern Dissenters in the Civil War and Reconstruction* (Baton Rouge: Louisiana State University Press, 2003), 199-219. On the party’s strengths and weaknesses in mobilizing black and white voters, see Deborah Beckel, *Radical Reform: Interracial Politics in Post-Emancipation North Carolina* (Charlottesville: University of Virginia Press, 2010), ch. 2; Escott, *Many Excellent People*, 136-42; Gordon B. McKinney, “Southern Mountain Republicans and the Negro, 1865-1900,” *JSH* 41 (November 1975): 493-516.

⁴⁹ *Constitution of the State of North-Carolina, 1868*, art. 1, secs. 1 and 22; art. 6; art. 14.

session would be held in each county twice a year for two weeks. The superior courts had jurisdiction over civil actions where the damages exceeded \$200 or the title of real estate was in dispute and over criminal cases where the punishment exceeded a fine of \$50 or one month's incarceration. Criminal cases not exceeding those limits were the exclusive jurisdiction of justices of the peace, two of whom were to be elected by the voters of each city and township. Judges and justices of the peace were not the only positions to become popularly elected. A solicitor was to be elected in each judicial district to prosecute cases, and the voters in each township would elect a constable. Until townships were created and justices of the peace elected, the governor would appoint temporary justices of the peace. The constitution reduced the number of capital crimes to four (murder, rape, arson, and burglary) and provided for a penitentiary. Death, imprisonment, and fines became the only permissible punishments for crime; whipping, which had been a mainstay of the state's penal system, was consigned to the past.⁵⁰

County government was entirely transformed. The new constitution abolished governance by county courts made up of justices of the peace selected by the state legislature. In its place the constitution established county commissions, each consisting of five commissioners elected by popular vote. Commissioners had supervision over and control of the county's penal and charitable institutions, schools, roads and bridges, the levying of taxes, and county finances. Whereas the sheriff, superior court clerk, and

⁵⁰ For the democratization of the judicial system, see *Constitution of the State of North-Carolina, 1868*, art 4. For the election of justices of the peace, see art. 7, sec. 5. On authorized punishments, including the number of capital crimes and the provision for a prison, see art. 11. Previously, sixteen crimes had been punishable by death. See Bartholomew F. Moore and Asa Biggs, comps., *Revised Code of North Carolina, Enacted by the General Assembly at the Session of 1854* (Boston: Little & Brown, 1855), ch. 34.

county court clerk had previously been the only elective local officers, the new constitution called for the election of justices of the peace, coroner, register of deeds, and treasurer as well. Furthermore, the elected office of county court clerk was itself transformed. Popularly elected to two-year terms, clerks absorbed many of the duties previously performed by appointed county court justices. They had jurisdiction over such important day-to-day matters as the appointment of guardians, the apprenticing of orphans, and the audit of accounts of executors, administrators, and guardians. All county business would now be conducted by officials elected by the voters.⁵¹

Many yeomen and poor whites, especially those in the western part of the state, welcomed the democratic provisions of the new constitution as much as black North Carolinians did. Should it be ratified, Conservatives could find themselves at a serious political disadvantage. From their standpoint, the constitution's failure to uphold white supremacy was dangerous. But Conservatives were equally committed to the supremacy of property. "By abolishing the tax upon the polls, [the constitution] places the entire property of the people in the hands of those who pay no taxes," a Conservative circular protested. The new constitution did not in fact abolish the poll tax, but it eliminated its previous role as a source of general state revenues. Instead, the poll tax could now be used exclusively to fund education and poor relief. Moreover, the constitution required that state and county poll taxes combined not exceed \$2. Conservatives' commitment to maintaining the power of the propertied thus faced significant challenges, and not only among black voters. If Conservatives were to compete at all in a system of universal male suffrage, they would have to find a way to ensure the loyalty of all white voters,

⁵¹ *Constitution of the State of North-Carolina, 1868*, art. 2, 4, and 7.

even if that meant persuading them to vote against their own class interests.⁵²

The Conservatives' only hope of defeating the new constitution was to incite enough fear of black power to make white voters sacrifice the expansion of their own democratic rights that the constitution offered. By manipulating anxiety regarding racial equality, Conservatives hoped to reach those whites who had begun to sift into the Republican Party and induce them to choose racial solidarity over class. A circular addressed "To the White Men of North Carolina" and signed "ANTI CONSTITUTION" urged white men to vote against the constitution or face black judges, black officeholders, and black militia officers. Warning that a vote for the constitution meant acquiescence to black power, "ANTI CONSTITUTION" proclaimed that white men would never submit to or take orders from black men.⁵³

Black power would corrupt the white family, the circular cautioned. Such claims were designed to play on the basest fears of black domination. Under the proposed constitution, the circular warned, "*poor white orphan children may be bound to black masters!*" The thought must have horrified poor whites across the state. "Think, my friends, when you are about to vote, that you are setting up a Constitution under which your neighbor's orphan children or your own may some day *be lashed by a negro master, and reared as a menial in a negro family!* Shame, eternal shame, upon the white men of

⁵² For the constitutional provision that the proceeds of the poll tax be used exclusively for education and poor relief and for the \$2 maximum, see *Constitution of the State of North-Carolina, 1868*, art. 5, secs. 1-2. On the support of whites in the western part of the state for the new constitution, see Escott, *Many Excellent People*, ch. 6. For the quotation about the poll tax, see "To the White Men of North Carolina," n.d. 1868, NCC.

⁵³ "To the White Men of North Carolina," n.d. 1868, NCC.

North Carolina if they ever permit it!”⁵⁴

The public school system proposed in the constitution, Conservatives argued, would lead to an utterly unacceptable social equality. “They force them to go to school together, thus bringing them into the closest intimacy,” the circular charged. “The rich soil of their tender minds rapidly imbibes the impressions which surround them. They are taught that they are no better than their black companions. They sit upon the same benches, eat together, play together and study together.” Such interracial association would eventually lead to interracial marriage. In ratifying the constitution, Conservatives predicted, white men would surrender their daughters “*into the embraces of a barbarous negro!*”⁵⁵

“ANTI CONSTITUTION” urged white women, who would be especially vulnerable to the barbarity of black power, to reason with their husbands and sons. “As a general thing it does not become you to interfere actively in politics,” the circular acknowledged, “but where you and your children are sought to *be polluted* by negro association, your full weight should be extended to prevent it.” In effect, the appeal elevated the political authority of white women over that of black men. In the postemancipation South, white men perhaps believed that white women would be more easily controlled by their husbands and fathers than former slaves by their former masters. Or perhaps they simply had confidence that the white women of North Carolina were as committed to white supremacy as they were. Whatever the basis of the Conservatives’ appeal to white women, “ANTI CONSTITUTION” presented an idea that

⁵⁴ Ibid.; emphasis in the original.

⁵⁵ Ibid.; emphasis in the original.

would later gain currency across the South, namely, that strict gender boundaries might need to be sacrificed in order to maintain white supremacy. “If bad white men appeal to the brutal negro, surely good men may appeal to the noble women of the land,” the circular argued. “Let them dare say that negro men are better qualified to govern the country than white women.” Revolutionary times evidently called for revolutionary measures.⁵⁶

So dire would life be under the proposed constitution that the only recourse would be full-blown race war, the Conservative circular threatened. Blacks, it argued, “have never emerged from barbarism, except as slaves. Wherever this bondage has been removed, as a general rule, they have relapsed into barbarism.” “Why then should American freemen surrender into their savage and ignorant hands the destiny of our great Republic?” Doing so would mean being dragged down into “the rudest despotism.” Using the words of the Republican Party’s own gubernatorial candidate, “ANTI CONSTITUTION” quoted an ominous prediction once made by William W. Holden as he contemplated the prospect of emancipation. “[A] struggle would commence between the two races for the mastery,” Holden had declared, and “[e]very one knows how that struggle would terminate. Four millions of blacks would soon be reduced to a mere handful, they would be slaughtered by the whites, *until every hill and valley in the South would be stained with their blood.*” Race war was even more certain, the circular

⁵⁶ Ibid.; emphasis in the original. According to Glenda Gilmore, woman suffrage became an attractive option to white men in North Carolina at the end of the nineteenth century once it had become clear that black political power remained a reality. Unable to control the black electorate, white men hoped that, since white women outnumbered their black counterparts, giving women the vote would enable whites to reclaim political power. See Glenda Elizabeth Gilmore, *Gender and Jim Crow: Women and the Politics of White Supremacy in North Carolina, 1896-1920* (Chapel Hill: University of North Carolina Press, 1996), ch. 8.

threatened, in the face of the “attempt at negro equality” that the new constitution represented.⁵⁷

Conservative violence and terror intensified once the election to ratify the constitution and elect state and county officeholders was set for April 21, 22, and 23, 1868. The Conservative strategy for defeating the constitution was two-pronged. Convincing whites, particularly yeomen and poor whites, to reject ratification was one prong. Preventing blacks from voting was the other. Across the state, violence and intimidation were enlisted to try to keep black voters from the polls. In Wilmington, both Conservative newspapers reported favorably on the activities of an organization calling itself the Ku Klux Klan that warned of imminent danger awaiting those who dared to cross its members. New Hanover County militiaman Roger Moore, a distinguished Confederate cavalry commander, was appointed “Chief of the Division of the Ku Klux Klan in Wilmington.” The division, said to be “made up of the best blood in the South,” included many Confederate veterans who had served under Moore in the 3rd North Carolina Cavalry. The *Journal* had previously employed a divide-and-conquer strategy that attempted to split white and black Republicans by appealing to the city’s blacks. During the week leading up to the election, however, the *Journal* joined the *Star* in running stories that glorified the Confederate ghosts of fallen slave masters who drank blood from human skulls and rode at night with the Ku Klux Klan.⁵⁸

While the propaganda extolling the ghosts of former masters must have appeared

⁵⁷ “To the White Men of North Carolina,” n.d. 1868, NCC; emphasis in the original. It is unclear when or in what context Holden had made the quoted remarks.

⁵⁸ *Wilmington Morning Star*, 21, 28 March 1868; *Wilmington Weekly Journal*, 17, 18 April 1868; Evans, *Ballots and Fence Rails*, 98-102.

a bit theatrical to black Wilmingtonians, threats of reprisals against black voters and black political leaders were all too real. Workers found themselves at the mercy of employers who were often Conservatives. The constitutional convention had adopted an ordinance making voter intimidation a misdemeanor punishable by at least one month in jail or a fine of at least \$100. The *Star* denounced it in an editorial entitled “Tyranny.” The ordinance “would ‘intimidate’ *white* voters of North Carolina,” the paper protested, “and cause them to give up their right to employ whomsoever their wishes and judgment might suggest.” The paper warned black voters that “their services may be dispensed with, without violating the ‘ordinance’ in question.” At times, intimidation moved well beyond threats. Black political leader Duncan Holmes was twice assaulted on the streets of Wilmington by men with guns. In nearby Sampson county, Abraham Galloway was attacked by a man with a bowie knife while addressing voters at a mass meeting.⁵⁹

In early March, New Hanover’s black neighborhoods began holding mass meetings to choose men to represent them at the county Republican nominating convention, and on March 18 the convention selected candidates for state, county, and city offices.⁶⁰ For the Senate district that included New Hanover and Brunswick counties, the ticket offered Abraham Galloway (black) from New Hanover and Edwin

⁵⁹ The anti-intimidation ordinance was published with the new constitution. See “An Ordinance to Prevent the Intimidation of Voters,” 6 March 1868, *Constitution of the State of North-Carolina, 1868*, 75-76. For the *Star*’s discussion of the ordinance, see *Wilmington Star*, 5 April 1868 (emphasis in the original). For the assaults on Duncan Holmes, see *Wilmington Weekly Journal*, 17, 18 April 1868; Col. Allan Rutherford to Col. R. T. Frank, 13 January 1868, Letters Received, ser. 1380, Post of Wilmington, RG 393 pt. 4, NARA-DC. For the attack on Galloway, see Cecelski, *Fire of Freedom*, 202-3.

⁶⁰ *Wilmington Daily Journal*, 1, 4 March 1868; *Wilmington Morning Star*, 2, 6, 7, 11, 15, 19 March 1868.

Legg (white) from Brunswick. For the House of Representatives (as the House of Commons was renamed by the new constitution), the nominees were white Northerners Joseph C. Abbott and Llewellyn G. Estes, as well as George W. Price, Jr., the former slave who had represented New Hanover at the Republican state convention the previous year. Abbott, who had also served in the constitutional convention, would become one of the state's most prominent Republicans. Estes was a native of Maine who, like Abbott, had come to Wilmington with the U.S. army.⁶¹

For county office, the Republicans nominated several Northern-born white men: J. W. Schenck, a former Union colonel who had remained in Wilmington after his discharge from military service, for sheriff; New York-born James C. Mann for superior court clerk; New York-born Elias R. Wilson, who had been a mariner in Maryland before the war, for treasurer; dry goods merchant Robert S. Waldron for register of deeds; and, for surveyor, John L. Rhoades, the former officer of a black regiment and delegate to the Republican state convention. Black carpenter Owen Burney, an ex-slave who had become a local political leader, was nominated for coroner.⁶² For the five seats on the newly created county commission, the convention nominated only one white Northerner,

⁶¹ *Wilmington Morning Star*, 19, 21, 28 March 1868; *Wilmington Post*, 8 April, 1868; Evans, *Ballots and Fence Rails*, 126-27.

⁶² For the nominations, see *Wilmington Post*, 4 April 1868. For Schenck's Northern origins, see Evans, *Ballots and Fence Rails*, 138-39. For Mann's birthplace, see 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 2 April 2016). For the residence and occupations of Wilson and Waldron, see Elias R. Wilson, 1850 U.S. Census, Population Schedule, Baltimore, Baltimore County, MD, Robert S. Waldron, 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 25 May 2016). On Rhoades, see *Raleigh Daily Standard*, 30 March 1867. On Burney, see 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 2 April 2016).

New Jersey-born E. M. Shoemaker, who had come to Wilmington after the war. The other four nominees were local white men: Edward Hewlett, age twenty-eight, a Wilmington painter; Stephen Keyes, a forty-six-year-old schoolteacher; and sixty-year-old Rufus Garriss and thirty-four-year-old Archibald E. Taylor, both of whom were farmers.⁶³

Although Owen Burney was in fact the Republicans' only black nominee for county office, the *Star* stoked fears of black officeholding by reporting that Frederick Howe of the well-to-do black Howe family was a nominee for county commissioner. It is possible that Howe was discussed as a potential candidate in Republican circles, particularly among black voters. It is also possible that the *Star* falsely reported him as a nominee because a black candidate fit into the paper's narrative of black domination. The *Star* also reported Thomas Rivera as a candidate for county commissioner and erroneously described him, as well as Hewlett and Garriss, as black. In the *Star*'s account, four of the five Republican nominees for the county commission were black men. Yet, when the final Republican ticket was printed in the *Wilmington Post* on April

⁶³ For Shoemaker's birthplace, see 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 2 April 2016). For the residence and occupations of Hewlett and Keyes, see Elias R. Wilson, 1850 U.S. Census, Population Schedule, Baltimore, Baltimore County, MD, Robert S. Waldron, 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, Stephen Keys [*sic*], 1850 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, and Edward Hewlett, 1860 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 25 May 2016). Garriss was a well-off farmer who owned \$580 in real estate in 1850 and \$1,000 in real estate and \$600 in personal property in 1870; see 1850 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, and 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 2 April 2016). In the 1850 census, Taylor was described as Indian, but the 1860 census described him as white; see 1850 U.S. Census, Population Schedule and 1860 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 2 April 2016). In the 1860 census, he was described as a farmer living in his father's household, which was valued at \$4,000 in real estate and another \$4,000 in personal property.

2, Howe, Taylor, and Rivera were nowhere to be seen. Howe and Rivera had never been nominated, and Taylor had been replaced by white New Yorker James Wilson, who had come to Wilmington prior to the war and become a highly successful merchant. All five Republican nominees for county commissioner were white.⁶⁴

For all the Conservative uproar about black officeholders and inevitable black domination, only one black candidate appeared on the Republicans' county ticket. Perhaps Conservative race-baiting had successfully pulled a nascent local Republican Party away from black officeholding. Perhaps the party undervalued black officeholders. Whatever the reasons behind the overwhelmingly white ticket, the absence of black candidates revealed that although black voters were a numerical majority in New Hanover, they hardly controlled local politics. In fact, the fear of black officeholders obscured an entirely different but significant shift that favored white men of the commercial class over the gentry who had so long ruled the county.

The *Star* used the Republican nominations as anti-constitution propaganda. Given the backgrounds of the men the Republicans nominated for county offices, perhaps it is no surprise that Conservatives tried to steer white men away from the Republican Party by emphasizing the dangers of racial equality. "White men of Wilmington read the nominations, and see if you can stomach the disgusting mélange," the *Star* exclaimed. "Your representatives in the Legislature, your county and city officers, the men who are

⁶⁴ *Wilmington Morning Star*, 19 March 1868; *Wilmington Post*, 2 April, 1868. In 1860 James Wilson was a store owner with \$10,000 in real estate and \$10,000 in personal property; see 1860 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 2 April 2016). By 1870, he had acquired \$430,000 in real estate and \$10,000 in personal property; see 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 2 April 2016).

to make your laws and execute them, who are to *levy* your taxes and *collect them*, are to be squatters, renegades, and negroes, white-black men and black-white men.”⁶⁵

According to the *Star*, the March 18 Republican convention had also selected candidates for the municipal election that was scheduled for July 16. The Republican municipal ticket would not in fact be announced until shortly before the election, but many of the names the *Star* reported were ultimately nominees. The *Star* identified Joseph H. Neff, local white unionist, ship chandler, and saloon owner, as the Republican candidate for mayor, as well as eight nominees for the Board of Aldermen—five white (E. R. Brink, Silas N. Martin, James Wilson, George Z. French, and Llewellyn G. Estes) and three black (George Price, Sr., William Kellogg, and George Jackson). Of the white men, all had been born in the North, although Martin had been a resident of Wilmington for almost two decades by the start of the war. The black nominees had all been born in New Hanover County; Price and Jackson were ex-slaves, while Kellogg had been born free. All three were artisans, Kellogg and Jackson being carpenters and Price a plasterer. Price was the father of George W. Price, Jr., the Republican candidate for the state House of Representatives. The *Star* expected these names to be so shocking that they would mobilize Conservative voters to vote against the constitution. “Is there a white man in New Hanover county whose heart is not blacker than the skin of some of these nominees, who will not spurn this ticket at the polls?” Defeat the constitution, the paper reasoned, and Reconstruction would collapse. Referring to the constitution, the *Star* wrote, “Defeat that, and the CITY ELECTION WILL NEVER TAKE PLACE!”⁶⁶

⁶⁵ Wilmington *Morning Star*, 19 March 1868 (emphasis in the original).

⁶⁶ Wilmington *Morning Star*, 19 March 1868 (emphasis in the original). For the formal announcement of the Republican municipal ticket, see Wilmington *Journal*, 16 July 1868. On its

Notwithstanding its inaccuracies and exaggerations, the *Star*'s report of the March 18 Republican convention did recognize the very real expectation of local blacks that they would be able to elect their own to office. "The mass of the meeting was composed of negroes, who voted for whatever nominees the head men put up," the *Star* alleged. At the same time, the *Star* could not help but notice the importance of officeholding to black Wilmingtonians. "From the number of negroes on the ticket, it is evident that they are determined to be snowed under no longer," the paper remarked.⁶⁷

The upcoming election would be the party's first test in North Carolina, and white Republican leaders recognized that ratification of the constitution depended upon the enthusiasm of black voters. Despite the small number of black nominees, black voters were excited about their inclusion in the political process and rallied around the Republican candidates. With the fate of the new constitution at stake and black men nominated for both houses of the state legislature as well as for county coroner, the black majority had little choice but to accept the Republican ticket as a whole. Moreover, the prospective city ticket also included black men, a circumstance that promised a larger role for black officeholders in the future.

The black nominees of 1868 reflected the diversity that characterized black Wilmingtonians. Burney, an ex-slave, was an artisan who owned his own carpentry shop and had obtained his freedom prior to the outbreak of the Civil War. He was economically secure enough to post the \$5,000 bond required for the office of coroner,

white candidates for the Board of Aldermen, see Bryant Whitlock Ruark, "Some Phases of Reconstruction in Wilmington and the County of Hanover," in *Historical Papers of the Trinity College Historical Society*, 1915 (Reprint, New York: AMS, 1970), 98-99.

⁶⁷ *Wilmington Morning Star*, 19 March 1868.

partly with the assistance of Solomon Nash, a black man who had been free before the war and also owned his own carpentry shop. Later that year, Burney also accepted an appointive position as New Hanover County standard keeper, which required a \$500 bond. By contrast, Abraham Galloway and George W. Price, Jr., both of whom were ex-slaves, owned little property; having escaped slavery during or shortly before the Civil War, they returned to Wilmington following the conflict and became prominent and outspoken political leaders.⁶⁸ Because the new constitution eliminated property requirements for holding office, Galloway and Price would become the first common men elected to the state legislature from New Hanover County. Both of them had played critical roles in pushing for black political rights and agitating for equality. Their nominations underscored the resolve of the county's blacks for self-representation, a resolve that would be tested as the election approached.

In the last week of March, Ku Klux Klan riders hit Dry Pond, the biracial, working-class neighborhood that had become emblematic of the local Republican Party. Indeed, the press often described the Republican candidates as “the Dry Pond Ticket.” For the next four weeks, solitary horsemen rode through the streets at night, claiming to be the ghosts of Fort Fisher Confederates and of masters returned from the dead to punish disobedient slaves. But rather than intimidating black Wilmingtonians, such antics galvanized already-mobilizing communities. On the eve of a long-awaited struggle to

⁶⁸ Officeholder bond for Owen Burney, coroner, 1868, Registry of Official Bonds New Hanover County 1868-1875, vol. 1, p. 8, Office of County Commissioners, NCDAH; Officeholder Bond for Owen Burney, standard keeper, 1868, Registry of Official Bonds New Hanover County 1868-1875, vol. 1, 26, Office of County Commissioners, NCDAH. In 1870, Price owned \$300 in real estate and \$200 in personal property; see 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 7 April 2012). For Galloway's humble economic status, see Cecelski, *Fire of Freedom*, 216.

cast their first votes, the city's blacks were not about to be sidelined by spectacle.⁶⁹

Throughout the week before the election, black men and women marched in armed groups of ten to twelve, patrolling the streets in shifts to ensure that the Ku Klux Klan did not interfere with people campaigning or traveling to the polls. This armed response must have come as a surprise not only to the Klan, whose members ultimately could not penetrate black self-defense, but to local whites in general. Despite two years of police raids designed to disarm the city's blacks, the patrols brandished guns and fired them into the air to signal that they had bullets too. Those without guns carried sticks, knives, or fence rails.⁷⁰

General E. R. S. Canby, who had succeeded General Sickles as commander of the Second Military District, had designated three days for voting, April 21, 22, and 23. In Wilmington, voters arrived at the polls in large numbers on all three days. After the activity on the streets during the nights leading up to the election, many observers worried that violence and intimidation would plague the voting. The *Conservative Journal* warned its readers that the city's blacks were heavily armed and dangerous. While discounting the *Journal's* claim, the *Republican Post* gingerly asked black men to leave their guns at home. Once the voting began, however, there was little excitement. "So far it has been one of the most—if not *the* most—quiet and undisturbed election event that, in all our experience, we have ever known in Wilmington," reported the *Post*. The *Journal* likewise acknowledged that, to its surprise, the election was a respectable

⁶⁹ On the activities of the Klan, see *Wilmington Morning Star*, 21, 28, March 1868; Evans, *Ballots and Fence Rails*, 98-101.

⁷⁰ Evans, *Ballots and Fence Rails*, 99-102.

affair. “Contrary to all expectations the crowd around the polls in the several wards during yesterday, the first day of this great election now progressing, was not either dense or annoying,” the *Journal* reported on the 22nd. Despite the presence of black voters traveling to the polls in large groups throughout the day, “[a] most favorable opportunity was presented for white men to vote without inconvenience, and without that annoying delay and jostling which might have been expected.”⁷¹

Conservatives did accuse some underage black boys of fraudulently trying to vote. More serious were allegations by Republicans of attempted Conservative intimidation. “All manner of tricks have been employed by the Democrats [as Republicans consistently called Conservatives] in this contest,” wrote the *Post*, “such as requiring voters to list their property before voting, threatening to discharge their employees, bribery and fabulous stories of evil, known to be false, of men on our ticket.”⁷²

When the votes were counted, the Republicans had carried both Wilmington and the rest of New Hanover County. In New Hanover as a whole, 3,565 Republican ballots were cast compared to 2,238 Conservative ballots. In Wilmington, the figures were 2,033 Republican and 1,172 Conservative. The county approved the new constitution, which was also ratified in the state as a whole. In addition, the Republicans took control of the state government. William W. Holden was elected governor not only with the participation of 60,000 black voters, but with the votes of more than 30,000 whites as

⁷¹ *Wilmington Journal*, 22 April 1868; *Wilmington Post*, 22 April 1868. For the order designating the election dates, see Bvt. Major-General Ed. R. S. Canby, General Order No. 45, Second Military District, 23 March 1868, in *Wilmington Journal*, 1 April 1868.

⁷² *Wilmington Journal*, 22 April 1868; *Wilmington Post*, 22, 24 April 1868.

well, demonstrating the inroads that the party had made in the western section of the state, where the bulk of white Republicans lived. Republicans secured majorities of forty-one to nine in the state Senate and eighty-two to thirty-eight in the House of Representatives. A total of eighteen black men would take seats in the General Assembly, almost all of them from the state's eastern counties, including New Hanover's Abraham Galloway in the Senate and George W. Price, Jr., in the House of Representatives. New Hanover's other two representatives were white Republicans Llewellyn G. Estes and Joseph C. Abbott.⁷³

The Republicans won every New Hanover County office, including black candidate Owen Burney. Burney's election as coroner signaled that voters could seat black men in important positions within the criminal justice system that had previously been used to restrict freedom. In September, Governor Holden appointed Solomon Nash, the freeborn, mixed-race owner of a prosperous local carpentry shop, to serve as a provisional justice of the peace until the city and township elections. Nash, who had a reputation among the city's black population for being judicious and fair-minded, thus became the county's first black justice of the peace.⁷⁴

⁷³ For the election results in New Hanover County, see *Wilmington Journal*, 1 May 1868. For the statewide results, see Otto Olsen, "North Carolina: An Incongruous Presence," in *Reconstruction and Redemption in the South*, ed. Otto Olsen (Baton Rouge: Louisiana State University Press, 1980), 166. In September, Abbott resigned his seat in the state House of Representatives when the General Assembly elected him to the U.S. Senate. A special election held in October replaced him with George Z. French, a white Northerner who had come to Wilmington as a sutler with the Union army and stayed to make a fortune producing fertilizer. On the special election, see *Wilmington Post*, 4 October 1868. On the black men elected to the General Assembly, see Elizabeth Balanoff, "Negro Legislators in the North Carolina General Assembly, July 1868-February 1872," *NCHR* 49 (January 1972): 23-24; Hamilton, *Reconstruction in North Carolina*, 286.

⁷⁴ On Solomon Nash, see 1840 U.S. Census, Population Schedule and 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 2

The outcome of the April elections emboldened black Wilmingtonians. Having defied the Klan, ratified the new constitution, and elected three black men to state and county offices, they eagerly prepared for the July 16 election for mayor and aldermen. Yet, as the municipal election approached, white Republicans became increasingly dismissive of black voters and their leaders. Nominations had been made at ward meetings that led up to the March 18 Republican county convention. Now, however, the city's Republican Executive Committee ignored those nominations. When the *Star* leaked the Republican municipal ticket on May 14, every candidate was white. With the new constitution ratified and black voters having presented a solidly Republican voting bloc in the state and county elections, the party's white leadership had decided to campaign for the votes of Wilmington's white business class. All of the candidates for aldermen were businessmen, as was mayoral candidate, Joseph H. Neff.⁷⁵ The April 1867 words of Conservative Benjamin Robinson warning blacks that the white Republican "armed you with the ballot" but "says nothing . . . about your having a right to hold office" must have echoed in the ears of black Wilmingtonians.⁷⁶

Black Wilmingtonians were outraged by the betrayal. Attending Republican rallies in large numbers, they reminded the party's white leaders that black votes had won the April elections and that they had put their lives on the line to bring about that result. Members of the all-white New Hanover County Republican Committee stood their

April 2016). For his appointment as justice of the peace, see *Wilmington Daily Journal*, 13 September 1868. For his reputation, see Reaves, *Strength through Struggle*, 444.

⁷⁵ *Wilmington Morning Star*, 8, 14 July 1868.

⁷⁶ For Robinson's warning, see above, 000-00.

ground and called a meeting at which they advised black Republicans to wait a year before trying to run candidates of their own for city office. That advice left a bitter taste in the mouths of black political leaders who felt excluded not only from the ticket, but from the democratic process itself. Eight of them, including wheelwright Duncan Holmes and Alexander Price, brother of newly elected state representative George W. Price, Jr., formally protested their exclusion. Describing themselves as “we the people in the majority,” they appealed to General Canby for the appointment of an equal number of white and black candidates as nominees for the Board of Aldermen. “[B]ecause the peoples [*sic*] Choice was Received and now Refused,” they declared, “we are afraid to trust them for one year.” General Canby referred the appeal to the post commander at Wilmington, who informed the petitioners that they would have to resolve intra-party conflicts on their own.⁷⁷

As the municipal election approached, black officeholding became the most divisive issue in the city. Black Wilmingtonians’ protests regarding the all-white Republican ticket became louder, and intra-party divisions became increasingly visible. The Republican *Post* dug in its heels on the exclusion of black officeholders. In a running segment in the paper, a purportedly black Wilmingtonian known only as “TCHOPITOULAS” spoke directly to local black voters in the name of the Republican Party. “At this juncture of the game,” he declared, “it does seem strange that colored

⁷⁷ For examples of protest rallies, see *Wilmington Daily Journal*, 15 May 1868, *Wilmington Morning Star* 21 May 1868. The meeting between the protesters and the county Republican committee is described in the petition to General Canby. See Allen J. Dentin et al. to Gen. Edward Canby, 9 June 1868, D-4 1868, Letters Received, ser. 4111, Second Military District, RG 393 pt. 1 [FSSP SS-127]. For the post commander’s response, see endorsement by Maj J. J. Upsham, 20 June 1868, on the petition. For examples of protests closer to the election, see *Wilmington Daily Journal*, 8, 9, 10 July 1868.

men, for none other than selfish political purposes . . . should have no more regard for the welfare of our party, than to demand certain things which they see, if granted, can only result in serious injury to the cause.” “These men who tell colored men to hold office at all hazards, are not the men for us to be advised by,” “Tchopitoulas” insisted. “They tell us that our old masters would rather see us in office than ‘Yankees,’ [but] we don’t believe them.”⁷⁸

Employing arguments rarely heard in the city’s black communities “Tchopitoulas” advocated a cautious approach to political equality. “[D]on’t colored men plainly see that it is *only every now and then that it is even safe to place colored men in office, even by appointment*, without serious injury to the party?” he asked. “These men who are leading some by their evil-designed measures, who have neither a home, or a habitation, a trade or credit, a name or place, must not think they can lead this honest, industrious community. Men who have no other vocation than to stand on the street corners and plant the seed of political discord, whether they be white or black, cannot lead the colored people.”⁷⁹ Seemingly unaware of the propertied status of black officeholders like Justice of the Peace Solomon Nash and Owen Burney, the newly elected coroner, or the political prowess of former slaves like Abraham Galloway and George W. Price, Jr., “Tchopitoulas” dismissed black political equality.

⁷⁸ *Wilmington Semi-Weekly Post*, 21 May 1868. “Tchopitoulas” refers to a community of eighteenth-century Native Americans of the Gulf Coast region; it is likely that the word is of Choctaw origin. By 1798, a bayou in New Orleans bore the name. In the nineteenth century, it was adopted by black carnival Indians from Tchopitoulas Bayou. See William A. Read, *Louisiana Place Names of Indian Origin: A Collection of Words* (Tuscaloosa: University of Alabama Press, 2008), 63-64.

⁷⁹ *Wilmington Semi-Weekly Post*, 21 May 1868; emphasis in the original.

Making no secret of his disdain for Wilmington's "lamp post statesmen," "Tchopitoulas" urged black Wilmingtonians to "abstain from office." In June, he warned that if black Wilmingtonians demanded representation simply because they were a majority, they would be abandoned by the white majority in the North.⁸⁰ Yet, his insistence on party loyalty collided with the reality that a significant number of black Wilmingtonians ranked race above party. The issue in the city's black communities was self-representation. Galloway's achievements at the constitutional convention had demonstrated the importance of having a representative from within their own neighborhoods. If anything, local white Republicans' dismissal of the views of black Wilmingtonians after the state and county elections further solidified belief that black officeholders were critical to black freedom.

The local Republican Party's white leadership had seriously misjudged the political situation, and now, just weeks before the municipal election, the party was in crisis. It had become increasingly clear that the city's white business class would not vote Republican. Most of the men appointed to local government positions immediately after the war were unionists from the business class, so the Republicans were courting the very men who had just been ousted from office. Meanwhile, mass meetings within the city's black neighborhoods continued to discuss voting for the black candidates named in March.⁸¹ By trying to exclude black men from office, the party was burning its bridges to

⁸⁰ Ibid., 11, 18 June 1868.

⁸¹ For the prominence of business-class unionists among the officeholders of Presidential Reconstruction, see Roberta Sue Alexander, *North Carolina Faces the Freedmen: Race Relations during Presidential Reconstruction, 1865-1867* (Durham, NC: Duke University Press, 1985), 35. On mass meetings in the city's black neighborhoods, see *Wilmington Daily Journal*, 8, 9, 10 July 1868; *Wilmington Morning Star*, 8 July 1868.

the only reliable Republican majority.

At the eleventh hour, panicked white Republican leaders revised the municipal ticket to include two black candidates, William Kellogg, Jr., and George Price, Sr. In addition, three prominent black men, George Arnold, Gamaliel P. Rourke, and George Mabson, were invited to join the party's leadership. Two of them, Arnold and Rourke, addressed a mass meeting on the evening of July 13, three days before the election, to unveil a last-ditch Republican campaign aimed at black voters. Rourke reminded those in attendance that he "could see no name of any of his race on the so-called Conservative or Democratic ticket." He and Arnold became instrumental in convincing black Wilmingtonians, many of whom distrusted the white leadership, that the Republican ticket had in fact been revised to include black candidates.⁸²

In the end, the Republican Party dodged the looming showdown. Owing to a procedural irregularity in voter registration, the municipal election could not proceed. That would have left the city under the old Conservative officeholders, but on July 20, the state legislature stepped in with an act declaring the offices vacant, empowering the governor to fill them by appointment, and setting a new municipal election for January 4, 1869.⁸³ Meanwhile, however, the presumption that the city's black residents would be

⁸² *Wilmington Semi-Weekly Post*, 12, 13, 16 July 1868; Evans, *Ballots and Fence Rails*, 124-26. For the addition of Arnold, Rourke, and Mabson to the Republican leadership, see *Wilmington Semi-Weekly Post*, 13 July 1868.

⁸³ The new state constitution required an oath to uphold the constitution of the U.S. and the constitution of North Carolina in order to become a registered voter, and no such oath had been administered. The election therefore had to be postponed until the oaths could be administered and voters registered. See *Constitution of the State of North-Carolina, 1868*, art. 6, sec. 2; *Wilmington Semi-Weekly Post*, 30 July 1868; Evans, *Ballots and Fence Rails*, 126-27. For the legislature's intervention, see "An Act in Relation to Provisional Municipal Officers," 20 July 1868, in *Wilmington Journal*, 22 July 1868.

content with a second-class political citizenship had been exploded. Wilmington's black communities had mobilized to keep black officeholding on the agenda, and the white Republican leadership had had no choice but to reassure black voters of the party's commitment to their race by adding black candidates. On July 25, 1868, Republican governor William W. Holden confirmed the party's newfound recognition of the importance of black officeholders by filling the municipal vacancies with the candidates on the amended Republican ticket. Holden thus appointed Wilmington's first black aldermen, William Kellogg and George Price, Sr.⁸⁴

The fight, however, was not over. Despite the last-minute cancellation of the election, Conservatives had voted on the 16th, and the sheriff sanctioned the election. The next day, John Dawson, the Conservative candidate for mayor, assumed the mayor's seat, and he and the Conservative aldermen declared victory. When Governor Holden announced his appointments, the Conservatives refused to step down. "The Mayor of this city, Mr. Dawson, yesterday received a communication addressed to him as Mayor and signed by Joseph H. Neff, Holden's appointee, who 'wrote *himself*' Mayor, making formal demand for the surrender of the city government," the *Journal* reported on July 28. But the Conservatives, despite earlier protests regarding the registration procedures, now insisted that the July 16 election had been legitimate. Not until Holden wired for troops did they yield, whereupon the *Journal* congratulated Dawson and the Conservative aldermen for submitting to the governor's authority. "Knowing that our Mayor and Board of Aldermen . . . acted from the highest motives of prudence and policy for the welfare of the citizens, we have no words of censure for them," the *Journal* wrote, while

⁸⁴ For Holden's appointments, see *Wilmington Post*, 26 July 1868.

also making its own opinion clear: “We take it, therefore, that we must abide, as peaceful citizens, to the government of these men who have been forced, without law and contrary to the wishes of the people, upon us.”⁸⁵

The *Star* was equally acerbic. “At 12 o’clock,” it reported, “our worthy Mayor, Hon. John Dawson, slowly ascended the City Hall steps, and with his usual dignified and stately tread, entered his office (his to be no longer), where awaited him, in the full consciousness of his newly and illegally acquired power, the new Mayor, Mr. Joseph H. Neff.” For the second time in four years, Dawson surrendered the mayoral office. The *Star* described the scene: “In five minutes the work was done—the keys were transferred, seal turned over, receipts given, and the ex-Mayor, with a grave bow to his successor, left the building as quietly as he entered.” Those present that day were deeply impressed by what they witnessed. “The proceedings were carried on in deathless silence,” observed the *Star*, “not even the breathing of the large crowd of negroes, assembled to witness the performance, being audible.”⁸⁶

Notwithstanding Holden’s appointment of two black aldermen, the local Republican Party was still in hot water. As the *Star* was quick to point out, the Republicans continued to favor white officeholders. “The application of Anthony Howe, as respectable a colored man as lives in Wilmington, for the office of City Marshal, was respectfully [*sic*] ignored by the Aldermen,” the *Star* reported. “Not a vote cast for him.

⁸⁵ Evans, *Ballots and Fence Rails*, 127; *Wilmington Journal*, 28 July 1868 (emphasis in the original).

⁸⁶ *Wilmington Star*, 31 July 1868. See also Evans, *Ballots and Fence Rails*, 127.

It is all that the colored people have to expect of the Radical Party.”⁸⁷ So many black Wilmingtonians remained discontented that talk of an alternative Republican ticket for the January election began to emerge from the city’s black neighborhoods. Republican Party leaders labeled those who advocated an alternative ticket “bolters” and claimed that the “regulars” were the only true Republicans, as they were associated with the national party.⁸⁸ But the issue was more than one of labels and legitimacy. The threat of an alternative ticket represented a deep-seated struggle over ownership of the local party. The question was fundamental: Is a political party the property of its leaders or its base?

Undaunted, the alternatives continued to push for a ticket that would offer an equal number of white and black candidates for the eight alderman seats. Conservative newspapers, hoping to widen the rift among Republicans, encouraged an alternative ticket and devoted three days to stories about Anthony Howe’s rejection for the city marshal position. The Republicans responded by once again expanding the role of black men in the party leadership. Recognizing how effective George Arnold and Gamaliel P. Rourke had been in bringing black voters back into the Republican fold, the party appointed another five black men to party positions, including William McLaurin as treasurer.⁸⁹

⁸⁷ *Wilmington Star*, 8 August 1868.

⁸⁸ *Wilmington Journal*, 12 August, 22, 25 September 1868; *Wilmington Post*, 30 August 1868.

⁸⁹ *Wilmington Semi-Weekly Post*, 23 July 1868; *Wilmington Star*, 1 August 1868. For articles about Howe’s rejection, see *Wilmington Star*, 8 August 1868; *Wilmington Journal*, 12, 14 August 1868. In addition to McLaurin, the black men added to the party leadership were Joseph C. Hill, William Merrick, Edgar Miller, and George Price, Sr. See *Wilmington Post*, 23 August 1868.

Local Republican leaders may have hoped that the November presidential election would unite the party and end talk of an alternative municipal ticket, and black Wilmingtonians did indeed rally around the candidacy of General Ulysses S. Grant, playing important roles in the local Grant club. George W. Price, Jr., George Mabson, and Edgar Miller all took part in a public tour in support of Grant, speaking at ten events across New Hanover County in October.⁹⁰ In the balloting, Grant carried the county overwhelmingly, thanks no doubt to the work of black organizers. The outcome was another demonstration of the political power of black communities. When the election was over, however, the alternative campaign picked up where it had left off, still determined to put forward a ticket with an equal number of white and black candidates for alderman. Alternatives tried to coax members of the Grant club away from the regulars by suggesting William Kellogg, one of Holden's appointees to the Board of Aldermen, and Allen Denton, a black cook from the Brooklyn neighborhood, as nominees on an alternative ticket. They also asked Anthony Howe, who had been shunned when he applied to be city marshal, to run for alderman on an alternative ticket. He declined, but the alternatives had greater success with his brother, Alfred Howe, who became active at alternative meetings.⁹¹

As the idea of an alternative ticket continued to gain momentum, the Republican Party was once again forced to adapt. On December 8, the party announced its municipal ticket. Noticeable was the increase in black candidates for aldermen from two to three.

⁹⁰ *Wilmington Post*, 4, 15 October 1868.

⁹¹ *Wilmington Post*, 23 August, 15 November, 13, 24 December 1868. For Denton's occupation, see Frank D. Smaw, *Wilmington City Directory: Including a General and City Business Directory for 1867* (Wilmington, NC: Fulton & Price, 1866), 208.

William Kellogg remained on the ticket. George Price, Sr., was replaced with another black minister, Henry N. Jones. Also new to the ticket was none other than Anthony Howe. The damage, however, had already been done. Alternatives did not feel that black Wilmingtonians, as the party's base, should have had to beg for black candidates. When the alternatives announced their ticket on December 22, it included four black nominees for aldermen; in each of the city's four wards, one of the two candidates was black. "Let *me* offer for your votes four colored men, while the other ticket offers only three," proclaimed an announcement of the alternative ticket in the *Post*. In direct response, the Republicans increased their own black nominees from three to four, by adding George Arnold.⁹²

In striking contrast to the all-white municipal ticket the Republicans had announced the previous May, Wilmington's voters were now presented with two tickets containing black candidates. Both the alternative and regular Republican tickets offered a white candidate for mayor; the regular ticket was headed by native-born Wilmington businessman Joseph H. Neff, while the alternatives nominated lumber magnate James H. Chadbourn, a Northerner who had moved to Wilmington around 1850. Both tickets offered four black and four white candidates for aldermen. In contrast to the one black and one white candidate per ward offered by the alternative ticket, the regulars nominated two black candidates for the predominantly black First Ward, which included the Brooklyn neighborhood, and two white candidates for the predominantly white Second Ward, which consisted largely of wealthy waterfront property. The regular candidates for the First Ward were ex-slave George Arnold, who had arrived in Wilmington with the 4th

⁹² Wilmington *Post*, 8, 13, 24, 31 December 1868. Arnold was added on December 31.

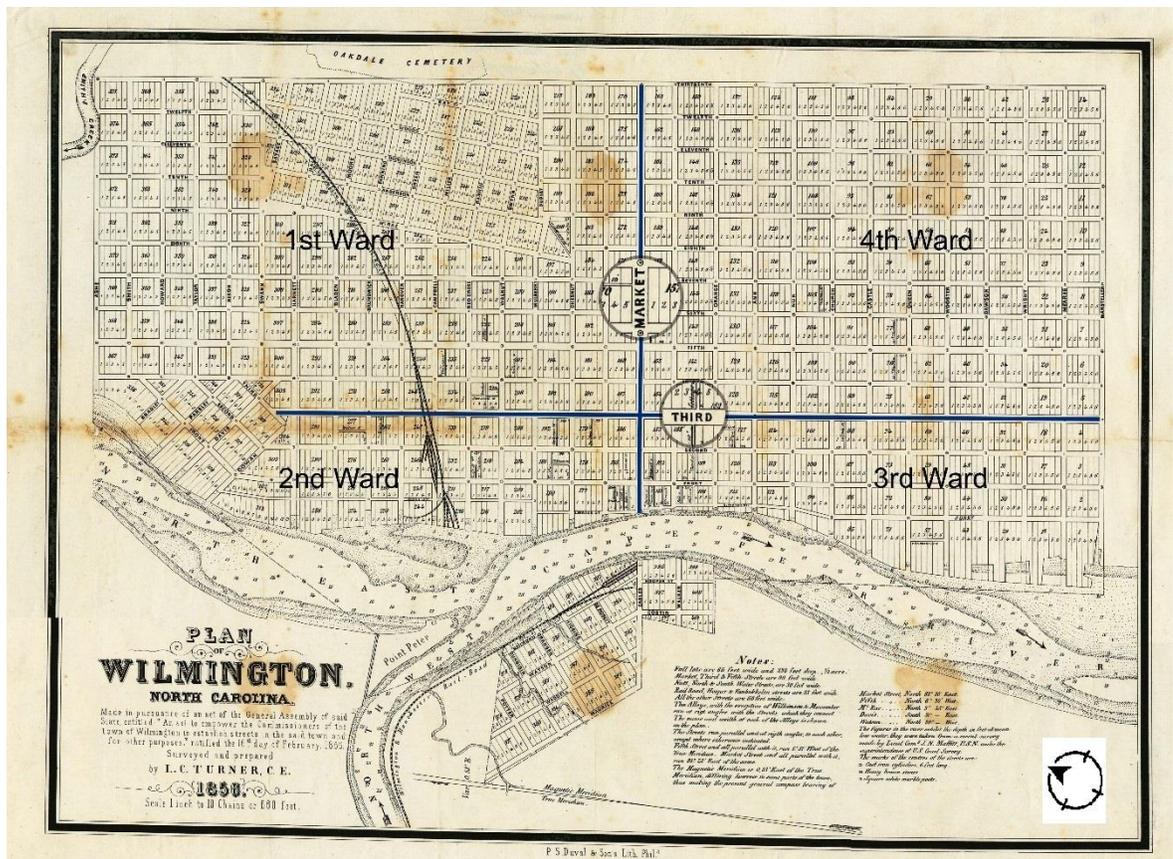


Figure 3.1. Wilmington Wards. Created using Plan of Wilmington, N.C., 1856 (see above, Figure 1.3), with ward boundaries as described in *Wilmington City Directory, Including a General and City Business Directory for 1865-66* (Wilmington, NC: Fulton & Price, 1866), 12-13.

U.S. Colored Infantry, and mixed-race carpenter William Kellogg, who had been free before the war. Both candidates for the Second Ward were white Northerners: Denard Rumley and James Wilson, neither of whom was a regular attendee of black political meetings. For the Third and Fourth Wards, the regular Republicans put forward one white and one black candidate each. For the Third Ward, which included Dry Pond, white Northern-born businessman H. S. Servoss and antebellum free-black carpenter Anthony Howe were the candidates, while those for the Fourth Ward, a predominantly black area of both working-class and middle-class households, were white Northern-born

fertilizer magnate George Z. French (who had already been elected to the state House of Representatives in a special election to replace Joseph Abbott) and black Wilmingtonian Henry N. Jones, an Episcopal clergyman.⁹³

The alternatives also nominated William Kellogg for the First Ward, thereby competing with the regulars for his allegiance. The white candidate was Lawson Rice, a navy veteran who had settled in Wilmington after the war and used his experience in his family's Massachusetts wood-working business to obtain a position at Joseph Abbott's Cape Fear Building Company. In white Wilmington circles, Rice ranked in the skilled working class or perhaps the lower tier of the middle class. He not only worked alongside black men, but was a regular attendee at black mass meetings. The alternative candidates for aldermen from the Second Ward were Levi A. Hart, a white native of Connecticut who had relocated to Wilmington prior to the war and was a partner in the Hart & Baily Iron Works, and mixed-race carpenter George W. Betts, who had been free before the war. For Third Ward aldermen, the alternatives offered white, New Hampshire-born Edward Kidder, who had settled in Wilmington in 1821 and operated a

⁹³ For the regular Republican ticket, see *Wilmington Post*, 31 December 1868. On Chadbourn, see Smaw, *Wilmington City Directory, 1867*, 69, 171; Leonard Wilson, ed., *Makers of America: Biographies of Leading Men of Thought and Action, the Men Who Constitute the Bone and Sinew of American Prosperity and Life*, vol. 2 (Washington, DC: B.F. Johnson, 1916), 579-81. On Rumley, see 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 2 February 2009). On Wilson, see 1850 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 2 February 2009). On the Howe family, see above, ch. 1. On Servoss, see T. M. Haddock, *Haddock's Wilmington, N.C., Directory and General Advertiser, Containing a General and Business Directory of the City, Historical Sketch, State, County, City, Government, etc., etc.* (Wilmington, NC: P. Heinsberger, 1871), 153. On French, see Evans, *Ballots and Fence Rails*, 114-15. See above, note 73, for the special election that had sent French to the House of Representatives. On the Fourth Ward, see *Wilmington Journal*, 15 September 1867; Evans, *Ballots and Fence Rails*, 168-69.

steam sawmill, and, in perhaps the most interesting battle between the two tickets, antebellum free black Alfred Howe, who stood against his own brother Anthony, a candidate on the regular ticket. The alternative candidates for the Fourth Ward were wealthy white businessman Silas Martin, who was born in Maine but had moved to Wilmington by 1840 and operated a sawmill, and Owen Dove, a black stevedore and native Wilmingtonian. All of the candidates on the alternative ticket except Rice had called Wilmington home prior to the war.⁹⁴

By election day, January 4, 1869, the mud was flying. The regular Republicans, now calling theirs the “straight” ticket, insinuated that “Democrats” were behind the alternative ticket, a claim that was both without foundation and insulting to the ticket’s black candidates and supporters. White Republicans warned that factionalism would split the party and ultimately result in Conservative victories at both the local and the state level. The Republican newspaper, the *Post*, had begun referring to the alternative Republicans as “bantlings.” The alternatives, still convinced that the “straight” Republicans could not be trusted, fired back, suggesting that black men who remained in the regular Republican Party had sold out to the white leadership. According to the *Post*,

⁹⁴ For the alternative Republican ticket, see *Wilmington Journal* 31 December 1868. On Rice, see Evans, *Ballots and Fence Rails*, 125. On Hart, see *Wilmington Daily Herald*, 21 October 1865; *Hart Carriage House*, New Hanover County Public Library Digital Archives, <http://cdm15169.contentdm.oclc.org/cdm/ref/collection/p15169coll2/id/124> (accessed 9 November 2014). On Betts, see 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 2 February 2009); Marriage Registration of George W Betts and Polley Merrick, 15 June 1845, Marriage Registers (Black), New Hanover County, NCDAH, located in FamilySearch, www.FamilySearch.com (accessed 23 October 2015). On Kidder, see 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 2 February 2009); *Wilmington Post*, 7 January 1869. On Martin, see Evans, *Ballots and Fence Rails*, 121-22; 1850 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 2 February 2009). On Dove, 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 2 February 2009).

the alternatives were calling the regulars “whitewashed Republicans.”⁹⁵

Black regular Republicans, who now comprised a significant portion of the local party leadership, took offense at any suggestion that they had played accommodator to the white Republican leadership. Addressing a mass meeting on the eve of the new year, George Arnold, one of the black men added to the party leadership and to the regular ticket, claimed that the “bolters” were the real threat to black officeholding. “Every white man on that ticket unless he signed that card which was published in the city papers [denying that he had agreed to appear on the alternative ticket], is an enemy to the colored man’s holding office, and that’s what’s the matter,” he declared.

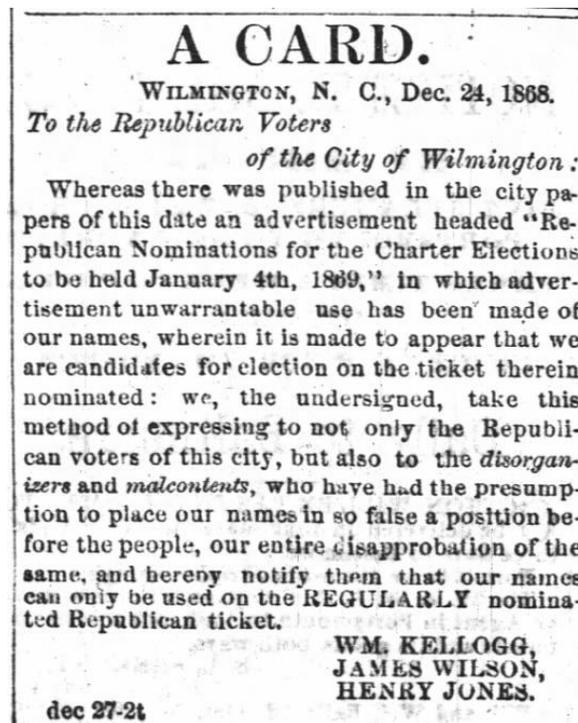


Figure 3.2. *Wilmington Post*, 3 January 1869.

⁹⁵ *Wilmington Post*, 31 December 1868, 3 January 1869; *Wilmington Semi-Weekly Post*, 3 January 1869.

“One of these candidates said they intended to take off all the white policemen and put on colored men. Now what do they mean by that? This would keep the colored people in good humor awhile and then after about three months they would be kicked out.” Arnold was not denying that the alternative ticket was designed to promote black officeholding; rather, he argued that such radicalism was ineffectual, that extremism was like a pendulum. Remove all white policemen today, he warned, and all black policemen will be removed tomorrow.⁹⁶

On January 1, 1869, three days before the election, state Representative George W. Price, Jr., addressed a “Colored Men’s Convention” at Wilmington’s city hall to celebrate the fifth anniversary of the Emancipation Proclamation. Intra-party divisions may have characterized the previous months, but Emancipation Day was an occasion for unity. “Oh what a grand and glorious thought, when we look back upon our past history, to find that we are occupying an advanced position in the scale of civilization,” Price began. “[N]o longer *contrabands of war*, no longer *freedmen* as on former occasions we stood, but to-day, my countrymen, we stand as *American citizens*, enjoying to the fullest extent all the rights and privileges, and bearing all the duties and responsibilities belonging to and devolving upon American citizens.”⁹⁷

Price reminded members of his audience of the struggles they had endured in order to obtain political rights. “Since we last met to celebrate the anniversary of our

⁹⁶ *Wilmington Post*, 31 December 1868. In “cards” like the one cited by Arnold, candidates nominated by the alternatives denied that they had agreed to appear on that ticket and asserted that they were candidates only on the regular Republican ticket. For an example, see figure 3.2.

⁹⁷ *Wilmington Post*, 7 January 1869; emphasis in the original.

emancipation or of the emancipation proclamation,” he told them, “our political horizon has been dark and lowering; the great political sea has been in one fearful commotion, and even the most expert and stout hearted felt as though our noble country would again be drenched in blood.” The fight for black political equality, Price told the crowd, had shaken the nation “to its very foundation stone.” He then addressed head-on the claim of Conservatives that the true friend of the black Southerner was the white Southerner. The Conservatives, he reminded his listeners, had earlier threatened another war should black men receive the vote. Their rhetoric had characterized black suffrage in end-of-days terms, yet now they told blacks to trust them and not white Northerners. “Fellow citizens,” Price warned, “be not deceived by the smiles and caresses of the Judas Iscariot of to-day.”⁹⁸

Price’s speech celebrated black suffrage as the fulfillment of the American Revolution. The world had finally been shown that “the tree of liberty, planted by our forefathers, and moistened with their blood, was not planted in vain,” he declared. “[T]heir children to-day are practically carrying out the great principles laid down by Thomas Jefferson in the declaration of American Independence, namely: that ALL MEN are born or *created* equal, and endowed by their creator with certain inalienable rights, among which are life, liberty, and the pursuit of happiness.”⁹⁹ The promise of democracy and equality must have seemed exhilarating that night.

On Monday, January 4, Wilmingtonians cast votes for black men on two different ballots, a regular Republican ticket and an alternative Republican ticket. The

⁹⁸ Ibid.

⁹⁹ Ibid.; emphasis in the original.

Conservatives nominated no candidates at all, leaving the *Journal* to urge “those citizens most vitally interested in the good and economical government of the city, to weigh well and dispassionately the personal character of the men who offer their names for Mayor and Aldermen.” “Several of the gentlemen have long been residents of this city,” the *Journal* continued. “They are known. Others are unknown, strangers in interest, in feeling, in association.” Clearly, the *Journal* saw white Northerners as the least preferable candidates. Despite the *Journal*’s appeal, however, Conservative voters showed little interest in the election.¹⁰⁰

When the votes were counted, the regular Republicans had carried the day, electing the mayor and all eight aldermen by large margins in all four wards. According to the *Star*, “the colored people supported, in respectable numbers, the ‘Bolter’s Ticket,’ and many white persons voted it, yet their exertions were not sufficient to insure success.” Voters from outside the city’s black communities were often confused by the multiple Republican tickets. In an article describing an overheard conversation between two black voters regarding “the Chadbourn Ticket,” the *Star* ridiculed their decision-making process. “‘You see,’ said this sable logician, ‘I knows all about this, and the principal part is, if you vote for the bolters, in two weeks you’ll have to carry *passes*, by G—d.’” Quipped the *Star*, “Wonder how he ‘larnt’ his smartness.” Yet, in an article entitled “Colored ‘Bolters’” that appeared on the very same page, the *Star* appeared almost respectful of those black voters who had supported the alternative Republicans. “Yesterday revealed the fact that many colored persons were in favor of the ‘Bolters,’”

¹⁰⁰ For the absence of a Conservative ticket and the lack of interest among Conservative voters, see *Wilmington Journal*, 3, 5 January 1869.

the paper reported. “One or two performed good service electioneering, and prominent among those was ‘Dave’ Cowan, a colored man of some intelligence, and, also, rank among his color. Dave was eloquent in his gestures as he presented his favorite ticket to voters approaching the polls. He assumed his most irresistible smile, and made his most ‘Chesterfieldian’ bow as he articulated ‘this ticket, gentlemen; this ticket.’”¹⁰¹

The intra-party battle over the municipal election had forced local Republican leaders to recognize that without Wilmington’s black communities there was no Republican Party in the city. The demand for black officeholders and the party’s initial refusal to nominate black candidates had led directly to the formation of an alternative political organization. The city’s white Republicans had found themselves campaigning not against the Conservatives, but against intra-party alternatives, a challenge that forced them to offer black candidates of their own. The result was a Board of Aldermen that was half black and half white.

The alternative Republicans did not disappear after 1869. Indeed, their numbers and power would increase in elections to come. By 1870, they had become a fully formed alternative political party, and once-staunch black regular Republicans like George Arnold had defected to it. What is more, rather than strengthening the Conservatives, as white Republicans had warned, the campaign for black officeholders cemented the Republican Party in the region by forcing it to reshape itself to better suit the desires of its predominantly black constituency. Republicans would go on to hold political power in Wilmington for the next thirty years, three times longer than in most of

¹⁰¹ *Wilmington Star*, 5 January 1869. Cowan was a mixed-race house carpenter who owned \$5,000 in real estate by 1870. See 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 11 June 2016).

the South. They would share office not with Conservatives by and large, but with men who ran as alternative Republicans. The alternative ticket may have been mocked as unsophisticated by white party leaders, but it was grounded in a political network that had been forged in slavery, war, and emancipation and was rooted in the city's black neighborhoods. In a very effective power play, black Wilmingtonians had made it clear that in Wilmington, *they* were the Republican Party.

In the twenty-two months between passage of the Reconstruction Act and the first municipal election in which black men voted, the city's Republican Party had been dramatically transformed. The change in rhetoric alone spoke volumes. In June 1868, white Republicans were heralding the rants of "Tchopitoulas" as he lambasted black politicians "who have neither a home, or a habitation, a trade or credit, a name or place" for daring to run for office. In stark contrast, white Republican George Z. French put the following question to a December 1868 gathering: "Is the dolt who has happened to inherit a few acres of land to be preferred to a man of sense who happens to be poor?" "Brains and not property are needed now," he answered. Similarly, the words of former slave George Arnold, secretary of the local Republican Party, reflected its newfound belief that men who were once slaves could be statesmen. Denouncing those who believed officeholders should be propertyholders, Arnold told a December 1868 mass meeting that property qualifications were "played out." "I worked for nothing all my life for a man who had property," he explained, "and that's why I have no property to day."¹⁰² Arnold's declaration was a far cry from the Republican rhetoric of just six months earlier that had exalted a propertied business class.

¹⁰² Wilmington *Semi-Weekly Post*, 31 December 1868.

That Republicanism came to the post-Civil War South by way of black voters, who naturally supported the party associated with emancipation and Reconstruction, is indisputable. However, it may be more accurate to say that Republicanism came to the South by way of black *officeholding*. Inarguably, the Republican Party would not have existed in the South without black votes. Yet black voters' allegiance to the party depended on full inclusion, the centerpiece of which was black officeholding. After centuries of slavery, racial identity and a demand for a share of political offices outweighed partisan loyalty. If the Republican ticket failed to meet the needs of the neighborhood, the neighborhood would flex its electoral power and construct its own, alternative ticket.

Black Wilmingtonians were not monolithic, and adherence to the Republican Party was not inevitable. Black Wilmingtonians did not toe a party line. Their partisanship was rooted in the churches, mutual-benefit societies, fraternal orders, and other social and political organizations of the city's black neighborhoods, not in the national or state Republican headquarters. Local black leaders had waited long enough for an opportunity to represent their communities, and if an existing party would not welcome them, they would form one that would. Arguments that alternative parties were a liability or that their adherents were unqualified were "played out." In Wilmington, the city's black residents were trying something new. They used collective action and alternative partisanship to counter political exclusion and steer the direction of the Republican Party. In so doing, they molded it into their own powerful instrument of radical change and reform.

Chapter 4

“The Question of Color”: Race, Faction, and Partisanship, 1869-1870

In the summer of 1869, Republican intra-party conflict reignited when Llewellyn Estes, one of New Hanover County’s representatives in the state House of Representatives, unexpectedly resigned his office. A special election to replace him was scheduled for August 5, the same day the county’s townships would elect clerks, constables, members of school committees, and justices of the peace. The campaign to replace Estes exposed many of the cracks in political identity and partisanship that had become evident during the two preceding elections, chief among them class, regional origin, and race. Black Wilmingtonians’ participation in state, county, and municipal campaigns over the course of the previous year had demonstrated the power of the ballot. Their success, particularly in the city itself, had not, however, quelled political factionalism. Rather, on-the-ground political organizing encouraged an alternative partisanship that embraced platforms organized around very real differences within the city’s black communities.¹

Estes, a native of Maine who had come to Wilmington with the U.S. army and then remained to establish roots as a businessman, had been elected to the House in 1868 along with George Z. French and George W. Price, Jr. Estes and French were white Northerners; Price was a former slave. New England-born French had become a prominent Wilmington Republican since arriving with the Union army as a sutler in early 1865. Purchasing an abandoned building, he had opened a store that sold such items as

¹ For the announcement of the special election to replace Estes, see A Proclamation by His Excellency Gov. Holden, 21 June 1869, in *Wilmington Post*, 4 July 1869.

clothing, tobacco, and liquor. French was a natural salesman, a characteristic that no doubt assisted his political career. By the fall of 1865, he was not only operating his store, but also speculating in land and marketing cotton and naval stores on commission. His most profitable enterprise developed from his preoccupation with fertilizer. In 1865, French began pushing a sewerage cart through the streets of Wilmington to collect the city's natural fertilizer. By the end of the decade, he had discovered limestone deposits on his prize plantation, "Excelsior," and opened a quarry, thereby pioneering the fertilizer industry that would become vital to the economy of the lower Cape Fear. In the eyes of many white Wilmingtonians, French personified the Yankee carpetbagger. Price had also spent time in New England after escaping from slavery, but he had returned to Wilmington at the end of the war with a distaste for white Northerners that aligned him with the alternative Republicans in the 1869 municipal election.²

From the moment Estes announced his resignation, the alternative Republicans, increasingly distinguished by their local roots and black leadership, recognized an opportunity to replace a white Northerner with one of their own. Yet, in a surprising move, the alternatives selected Solon V. Larkins as their candidate. Larkins, who was white, was an interesting choice for a party rooted in the city's black neighborhoods and known for championing black officeholding. The Wilmington-born bookkeeper was twenty-six years old, of humble origins, and espoused a working-class ideology. Like many other alternatives, he possessed a certain suspicion of Northerners. A Union

² *Wilmington Post*, 8 July 1869; *Wilmington Semi-Weekly Post*, 15 July 1869. On Estes, see William McKee Evans, *Ballots and Fence Rails: Reconstruction on the Lower Cape Fear* (Chapel Hill: University of North Carolina Press, 1966), 151-52. On French, see *Wilmington Post*, 8 July 1869; Evans, *Ballots and Fence Rails*, 115-18. On Price, see *Wilmington Semi-Weekly Post*, 15 July 1869.

veteran, a status often associated with the regular Republicans, Larkins was, however, also a Confederate veteran, having enlisted in the Union army after deserting the Confederate ranks.³

Larkins was not the first white man to be nominated by the alternatives. Just months earlier, their ticket for the municipal election had featured an equal number of white and black candidates. Larkins's nomination was, however, an unusual strategy in a special election for a single office. One possible explanation for his selection is that the alternatives expected the regular Republicans to nominate General Allen Rutherford, who had made a name for himself as Freedmen's Bureau superintendent of the state's Southern District. Perhaps Larkins appeared more competitive against Rutherford in an election that included the whole of New Hanover County, not Wilmington alone. The alternatives immediately began to raise questions about Rutherford in the press, alleging that he had made unsavory remarks about the character of some of the city's black women schoolteachers. The Republican *Post* countered with a salacious story of Larkins's having tried to "humbug colored women with the belief that he (L.) believed in amalgamation," a charge that, like the one against Rutherford, suggests the significance of black women in Wilmington's electoral politics.⁴

The decision to run Larkins against Rutherford underscored one of the divisions on which local faction pivoted: regional origin. When presented with the prospect of a Northern white Republican candidate, the alternative Republicans backed a Southern-

³ On Larkins, see Evans, *Ballots and Fence Rails*, 115-16, 153-55.

⁴ For the allegations against Rutherford, see *Wilmington Post*, 4, 15 July 1869. For the story about Larkins, see *Wilmington Post*, 29 July 1869.

born white Republican. At the same time, other black leaders, particularly those who had had positive experiences with white Northerners, either while living in the North or while serving in the Union military during the Civil War, stuck by their Northern Republican friends and remained regular Republicans.

As it happened, Rutherford declined the nomination. Recognizing an opportunity to tip black votes in their favor, the regular Republicans then chose Jonathan S. W. Eagles, a twenty-five-year-old carpenter and former slave who had served as a sergeant in the 37th U.S. Colored Infantry and bore a bayonet scar from the Battle of the Crater. Born and reared in Wilmington, Eagles was one of two sergeants on the city's police force, sat on the county Republican Party's Committee on Privileges and Elections, and served as adjutant for the local post of the Grand Army of the Republic (GAR). Like most black army veterans and most members of the GAR, Eagles was loyal to the regular Republican Party, and in the 1869 municipal election he had allied with the Northerners who had come South to fight for the Union cause.⁵

The selection of Eagles reflected a new commitment to black officeholding on the part of the local Republican Party. The party had begun to be molded by the city's powerful black electorate. While its leadership was still composed mostly of white men from the North, they had added black men to their ranks in response to the debacle of the

⁵ For Rutherford declining the nomination, see *Wilmington Post*, 9, 11 July 1869; *Wilmington Star*, 11 August 1868. On Eagles, see 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 2 February 2009); obituary for Jonathan Eagles, *Wilmington Messenger*, 1 July 1901. For the positions he held in 1869, see *Wilmington Star*, 11 August 1868; *Wilmington Post*, 11 July 1869. On his military service, see service record of Jonathan S. W. Eagles, Sergeant, 37th U.S. Colored Infantry, Compiled Military Service Records of Volunteer Union Soldiers Who Served with the U.S. Colored Troops, Records of the Adjutant General's Office, RG 94, NARA-DC (microfilm #1993/reel 33).

municipal election and had also come to terms with the fact that they needed black candidates in order to attract black votes. Even those white Republicans previously most opposed to black officeholding were now forced to publicly support Eagles for the good of the party. “Our gallant Eagles is determined to win his ‘Eagle’—perhaps a star—by carrying the First Ward away from ‘scamp’ Larkins and company,” trumpeted the *Post*. Despite his usual vitriol regarding the unreadiness of blacks to hold office, even editor Charles Grady toed the line. “The highest compliment we can pay him is to say that ‘he has done his duty,’” Grady wrote of Eagles, touting him as “a good city officer” and “a man of good character, and respectable standing.”⁶

State Senator Abraham Galloway was perhaps the region’s most prominent Republican and certainly the most prominent black Republican. In May, he had admonished attendees of a predominantly black mass meeting for their proposal to force the resignation of several Northern officeholders allegedly involved in financial scandals (a charge frequently leveled at “carpetbag” Republicans). Coming to the defense of the Northerners, Galloway accused the alternatives of selfishly seeking offices for themselves. “They are Northern men—and they came here when circumstances would admit their coming,” Galloway told the crowd. “They found you, sir, this meeting and myself slaves; they have remained with us; they have fought the good fight, and together we have achieved a more glorious victory than the most hopeful ever dreamed of.” The audience responded with applause. “[A]nd now we find that some of the very men whom they have done so much for are (I so call it) stabbing them in the back.” “Will you look right here in your own city, where there was in everything in the shape of an office, an

⁶ *Wilmington Post*, 11 July 1869.

equal division of the spoils,” Galloway continued, calling attention to the party’s recent adoption of racial inclusion. On July 1, as the Eagles-Larkins race got under way, the *Post* reprinted Galloway’s remarks under the headline “Colored Men Stand by the Republican Party.”⁷

The next day, the city’s Republicans began electing delegates to the official nominating convention that was set for July 17. First, Republicans in the Second Ward, the predominantly white area consisting largely of wealthy waterfront property, met at the courthouse and elected six delegates, three black and three white, all of whom voiced support for Eagles. Next, the Third Ward, which included the Dry Pond, met at the courthouse and elected four delegates, three black and one white. All four presented themselves as “Larkins men.” Compared to what was to follow, neither meeting was conducted with much excitement.⁸

When the Fourth Ward Republicans, predominantly black and a mix of working and middle class, met at Ebenezer Baptist Church on July 7, they were deeply divided. According to the Conservative *Star*, the regulars appointed a chairman and proceeded to elect delegates. However, “[a]fter the full corps of voters entered the building, the programme was changed,” and James Cutler, former president of the Equal Rights League, was elected to the chair. The meeting dissolved into disorder as regulars insisted

⁷ “Colored Men Stand by the Republican Party—Remarks of Hon. A. H. Galloway, delivered in the City Hall, Wilmington, N.C.,” 13 May 1869, in *Wilmington Post*, 1 July 1869.

⁸ For the nominating convention, including the procedures for electing delegates, see “Rooms Republican County Committee,” 29 June 1869, in *Wilmington Post*, 15 July 1869. “Wards and Townships will be allowed one delegate for every one hundred Republican voters,” the procedure stated, “and one for every fractional part of one hundred over fifty, cast at the election for President in November last.” For the Second Ward meeting, see *Wilmington Star*, 3 July 1869. For the Third Ward meeting, see *Wilmington Star*, 6 July 1869.

that the business of the meeting had already been carried out; indeed, many of them had left the hall. Meanwhile, alternatives stayed and ultimately voted on delegates. Two different tickets thus resulted from the ward meeting. Both sides stood by their tickets, which the *Star* described as the “carpet-bag ticket” and the “scalawag ticket.” The so-called carpetbag ticket, supporting Eagles, consisted of two black and two white delegates, while every delegate on the so-called scalawag ticket was black. Two days later, the *Star* still could not confirm which delegates were legitimate.⁹

The confusion at the Fourth Ward meeting paled in comparison to the chaos that prevailed at the meeting of the First Ward (the ward that included the Brooklyn neighborhood) on July 12. It was originally set to take place at First Baptist Church in Campbell’s Square, but, recognizing how large the attendance was likely to be, it was moved to City Hall. The meeting was rancorous from the start. For almost two hours, the attendees could not even agree on a chair. Finally, they elected George Mabson to the position. Wrangling over the ward’s nine delegates commenced from that point forward. According to the *Star*, “the carpet-bag clique easily controlled the appointment of delegates” until the alternatives tried to adjourn the meeting, many of them departing “very unceremoniously.” During the confusion of the day-long meeting, both regulars and alternatives somehow came away with elected delegates. Six of the nine selected by the regulars were black. As in the Fourth Ward, all of the alternative delegates were

⁹ On the Fourth Ward meeting, see *Wilmington Star*, 8, 9 July 1869. For one of many examples of the *Star*’s use of “carpet-bag ticket” and “scalawag ticket,” see *Wilmington Star*, 22 July 1869.

black. Once again there was no agreement as to which delegates were legitimate.¹⁰

The stage was set for a contested convention. Before “a large and variegated audience,” the July 17 county Republican nominating convention began where the ward meetings had left off, in contention. Mabson was nominated as chair. State representative George Z. French, chairman of the County Republican Committee, quickly called a vote on the motion and declared Mabson elected. Edgar Miller, one of the alternatives’ delegates from the First Ward, challenged that outcome, insisting that he had made another nomination before the vote. French refused to recognize Miller as a member of the convention, to which Miller responded, “neither do we recognize you, sir, (French) and Mabson as members of this Convention.” At last, the regulars moved to adjourn the convention in order to examine the credentials of the delegates and reconvene on Monday, July 19. The alternatives, however, remained in the hall after most regulars had left. With Mabson gone, they elected as chair William H. Moore, one of the black political activists who had participated in the Shoe Heel meeting with Mabson two years earlier, and established their own committee to validate delegates. Solon V. Larkins was then nominated as the Republican candidate for the state House of Representatives. What was more, the alternatives proceeded with the convention’s agenda, electing men to the county Republican Executive Committee.¹¹

On Monday, the regulars reconvened and nominated Jonathan Eagles for the state House of Representatives. They too elected a new county Executive Committee. There

¹⁰ *Wilmington Post*, 11 July 1869; *Wilmington Journal*, 13 July 1869; *Wilmington Star*, 13, 14 July 1869.

¹¹ *Wilmington Journal*, 18 July 1869; *Wilmington Post*, 17, 18 July 1869.

were now two separate and distinct Republican organizations in the county, each claiming legitimacy. Abraham Galloway addressed the regular convention. He denounced “defunct Republicans,” referring to the alternatives, and stressed loyalty to the party. He “had been rocked in a Republican cradle, though the son of a Democrat,” Galloway declared. Splitting the party put freedom at risk, he warned, because it gave Conservatives an opening. He concluded his remarks with a familiar attack on Larkins, insinuating, as had the *Post*, that Larkins mingled with black women; the charge was all the more striking because it came on the heels of Galloway’s allusion to his own mixed-race parentage. When Eagles addressed the regulars after accepting their nomination, he also emphasized party loyalty and assured them “that he would always vote *for the interests of the Republican Party*.”¹²

The two nominating conventions revealed some of the intra-Republican fractures at the root of the alternative-regular divide. At the July 19 regular convention, some speakers insisted that Eagles be supported because he was black. “If you colored people fail to vote for Eagles,” black alderman Allen Denton told the audience, “then if there is a hell on earth and you don’t fall into it and be damned, I’ll eat potatoes before they are grown.” Galloway charged the alternatives with color prejudice. “Certain bolting politicians talk about having all the intelligence on their side at the First Ward meeting,” Galloway observed. That claim was based on prejudices that favored those of mixed race. “He, himself was a mulatto,” Galloway declared, “and it was no credit to him because he was a bastard—but he would wager that there was more intelligence in that ward meeting in those thick woolly heads than the white men men [*sic*] on the other side

¹² *Wilmington Journal*, 17, 20, 23, 24 July 1869 (emphasis in original).

could boast of.”¹³

Regional origins were also a factor in the Republican split. George Price and other alternatives questioned the trustworthiness of Northern Republicans and warned that a small clique of white men from New England was pulling the strings of the regular Republican Party. If Galloway was the leader of the regulars among the city’s black population, Price had become the leader of the alternatives. Although Price identified as a Republican in the state legislature and the party recognized him as such, local regular Republicans considered all alternatives “bolters” and rejected their claim to the party name. The Republican *Post* accused Price of being controlled by Larkins.

“MENDACITY.—The monstrous mendacity of Mr. Price, who seems under the influence of the foul fiend ‘Larkins,’” read one headline. The Conservative *Star*, on the other hand, referred to Price as the most skilled politician of the bunch and suggested it was he who really pulled the strings.¹⁴

As the election approached, the *Post*, the city’s Republican paper, devoted page after page to bringing down Price. “I am compelled to communicate with you through the columns of the STAR,” Price responded in an open letter, “and explain to you why I have been assailed and falsely accused by a ‘Clique Sheet.’” Price asserted that his actions were an effort to protect the Republican Party from “the impositions of a foul and corrupt set of evil-designing, self-aggrandizing and cowardly hypocrites, and to promote the interests of those who have elevated me by their suffrages.” Referring to Price as

¹³ *Wilmington Journal*, 20 July 1869.

¹⁴ *Wilmington Post*, 11 July 1869; *Wilmington Journal*, 17, 30 July 1869; *Wilmington Star*, 20 July 1869.

“our idiotic misrepresentative,” the *Post* in turn called for his resignation and declared him “ineligible” due to his “monstrous mendacity.” According to the *Post*, “Mr. Price states in the ‘bolter’s journal’ [referring to the alternatives’ propensity to publish in the *Star* and the *Journal*] that he was ‘elevated’ by suffrages. He means he was ‘elevated’ by *whiskey* when he permitted himself to sign the trashy Larkinsy diatribe published in the *Star* as an ‘address to Democratic (Republican) voters.’” An emerging temperance movement that included many Northern transplants may have played a role in the *Post*’s use of drink as a critique. “Price Larkins bolters carry a portable bar room and offer their ‘Jersey lightning’ to all who are foolish enough to indulge in the vile fluid,” the *Post* charged. “It is very proper that a lot of drunkards should go about the country seeking to bribe honest voters; but we have too much confidence in the virtue of the masses.”¹⁵

Another way to discredit Price was to focus on rumors that he had deserted from the U.S. navy, a charge that underscored the appeal of the regular Republicans to Union veterans. “A DESERTER CAUGHT.—It would seem that misery loves company,” declared the *Post*, accusing both Price and Larkins of desertion, “[o]ne from the Confederate *volunteer* service—the other from the Union.” The paper cited a state senator from Beaufort who had served in the navy as a witness to Price’s having “cut his stick” and left the service. In the city’s black communities, Price’s rejection of the Union navy may not have seemed at variance with his identity as an alternative Republican who warned Southern blacks about Northern whites. In any case, attacks on his character by

¹⁵ For Price’s open letter, see *Wilmington Star*, 9 July 1869. For the references to “our idiotic misrepresentative” and to Price being “‘elevated’ by *whiskey*,” see *Wilmington Post*, 11 July 1869 (emphasis in the original). On the “Price Larkins bolters,” see *Wilmington Post*, 29 July 1869.

regular Republicans seem never to have diminished Price's political popularity.¹⁶

The Conservative *Journal* speculated that Price and the alternatives were an urban phenomenon, a faction born in Wilmington and devoid of power in the county's rural townships. It was in the countryside, the paper argued, that the election would be won. The alternatives appeared to agree with that assessment, because they spent the week before the election campaigning in the rural townships. "We are informed that the Larkins-Price speakers will no longer waste time in canvassing the city, which is their stronghold," wrote the *Star*, "but will thoroughly canvass the County where they are not so strong."¹⁷

In some respects, the *Journal's* observation was astute. Eagles won both the countryside and the election, taking eight of the twelve townships outside Wilmington. However, he also won in Wilmington, and the contest between the two men was closer in the countryside than had been predicted. Although Eagles secured decisive victories in six rural townships, including a landslide in Cape Fear where Larkins received not a single vote, he barely scraped by Larkins in Federal Point (26 to 25) and only narrowly won in Lincoln (119 to 104).¹⁸

In addition to the contest between Eagles and Larkins, each township elected a

¹⁶ *Wilmington Post*, 8, 11, 29 July 1869. One of the fellow slaves with whom Price escaped in 1862 said that Price "left Wilmington to join the *Cambridge*, but may have deserted thereafter." See William Benjamin Gould, *Diary of a Contraband: The Civil War Passage of a Black Sailor* (Palo Alto, CA: Stanford University Press, 2002), xix.

¹⁷ *Wilmington Journal*, 17 July 1869; *Wilmington Star*, 29 July 1869. For examples of rallies in the countryside, see *Wilmington Journal*, 19 July 1869; *Wilmington Star*, 28 July 1869, 1, 4, August 1869.

¹⁸ *Wilmington Journal*, 5, 6, 13 August 1869; *Wilmington Star*, 7, 10 August 1869.

clerk, a constable, three school committee members, and two justices of the peace.¹⁹ While rural New Hanover County voted predominantly Republican, Conservatives were more competitive in the countryside than they were in the city. Four townships (Federal Point, Columbia, Lincoln, and Harnett) elected Republicans to every office, but eight elected at least one Conservative. In Holly, all of the men elected were white and identified as Conservative, except for Eagles. In Grant, all of the men elected were white, including Larkins, but a mix of Conservatives and Republicans. In no township were black men elected to every position, but they did gain office in ten of the twelve. Particularly well represented on school committees, black men were elected to those positions in eight townships (Federal Point, Columbia, Holden, Cape Fear, Caswell, Lincoln, Harnett, and Masonboro). In Harnett two and in Holden all three of the men elected to the school committee were black. In five townships, black men were elected justice of the peace (Federal Point, Columbia, Holden, Cape Fear, and Harnett), and in Cape Fear both justices of the peace may have been black. Harnett elected the countryside's only black constable, and Union elected the only black clerk. Overall, the majority of rural townships elected a mix of black and white, Conservative and

¹⁹ For the township offices, see *Constitution of the State of North-Carolina, Together with the Ordinances and Resolutions of the Constitutional Convention, Assembled in the City of Raleigh, Jan. 14th, 1868* (Raleigh, NC: J. W. Holden, convention printer, 1868), art. 7, sec. 5. Wilmington elected six, rather than two, justices of the peace. The 1868 state constitution provided that each township elect two justices of the peace, with the added stipulation that “[t]he General Assembly may provide for the election of a larger number of Justices of the Peace in Cities and Towns and in those Townships in which Cities and Towns are situated.” See *Constitution of the State of North-Carolina, 1868*, art. 7, sec. 5. An April 1869 act provided that “[i]n every Township in which any City or Town is situated, or which may consist of a City or Town, the number of Justices of the Peace to be elected shall be two more than the number of wards in such City or Town.” See “An Act Concerning Townships,” 6 April 1869, *Public Laws of the State of North Carolina, 1868-’69*, 478-82.

Republican.²⁰

Perhaps the alternatives' rural campaigning had paid off, as Larkins did better than expected in the rural townships. However, the alternatives overestimated their strength in Wilmington. Only in George Price's Fourth Ward did Larkins or any other alternatives win. Larkins's loss in the Third Ward was particularly telling. During the campaign, the ward had elected alternatives, all self-proclaimed Larkins men, as its delegates. Three of the four were black, which suggests that race may have been a consideration in the voting. Perhaps many Third Ward voters who had elected black Larkins delegates were not as willing to vote for Larkins when a black candidate was also available.²¹

For white regular Republicans, the election demonstrated the bind in which they

²⁰ The racial description of the men elected is compiled from newspaper articles announcing their nominations. For Cape Fear, Columbia, Grant, Harnett, and Holly, see *Wilmington Star*, 27 July 1869. For Caswell and Franklin, see *Wilmington Star*, 28 July 1869; *Wilmington Journal*, 28 July 1869. For Federal Point, see *Wilmington Star*, 3 August 1869. For Holden, see *Wilmington Star*, 29 July 1869. For Lincoln and Masonboro, see *Wilmington Star*, 29 July 1869. For Union, see *Wilmington Star*, 28 July 1869. The men elected justices of the peace in Cape Fear township were Henry Ephraim Scott and Murphy Ward, Jr. Although both Eric Foner and William M. Reaves identify Scott as black, local newspapers do not describe him as such. A native of Ohio and Wisconsin-educated, he came to Wilmington after serving as Master of Transportation with Sheridan's army in the Shenandoah Valley. His Northern birth, the unlikelihood that both of the township's justices of the peace were black, and his description as white in an 1871 city directory and the 1880 federal census all suggest that he was white. For descriptions of Scott as black, see Eric Foner, *Freedom's Lawmakers: A Directory of Black Officeholders during Reconstruction*, rev. ed. (Baton Rouge: Louisiana State University Press, 1996), 190; William M. Reaves, *Strength through Struggle: The Chronological and Historical Record of the African-American Community in Wilmington, North Carolina, 1865-1950* (Wilmington, NC: New Hanover County Public Library, 1998), 463. For descriptions of Scott as white, see 1880 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 2 February 2009); T. M. Haddock, *Haddock's Wilmington, N.C., Directory and General Advertiser Containing a General and Business Directory of the City, Historical Sketch, State, County, City, Government, etc., etc.* (Wilmington: P. Heinsberger, 1871), 260.

²¹ For the election results in the city, see *Wilmington Star*, 6 August 1869.

found themselves. In 1868, they had not wanted to nominate black men at all, preferring instead white men of property, wealth, and education. Now they had been forced to offer black candidates in order to avoid being defeated at the polls by the alternative Republicans. As a result, black men were elected to a majority of the offices in the city. Regular Republicans Joseph Corbin Hill and Washington Howe, both black, were elected constable and clerk, respectively. Half of the city's six justices of the peace, Anthony Howe, William Merrick, Jr., and William M. Harriss (all regulars) were black. White regulars Edward Cantwell and Edgar H. McQuigg were also elected justice of the peace. At the same time, however, by nominating only one candidate for the six justice of the peace positions, Conservatives consolidated their votes and successfully elected John Conoley.²²

Concerns that the Republican factionalism taking shape in Wilmington would provide an opening for the Conservatives were not without merit. While alternative partisanship may not have opened the door to Conservative victories, it at least cracked a window. Conoley was not only elected justice of the peace but received the largest number of votes in every ward. To be clear, there was no Conservative ticket and

²² Ibid. Hill was a Wilmington-born mechanic; see Reaves, *Strength through Struggle*, 405. Howe was a free-born carpenter of mixed race; see Reaves, *Strength through Struggle*, 411. Merrick was a member of the regular Republican Executive Committee; see Chapter 3. It is unknown whether Merrick was born slave or free. In the 1870 census he is described as a magistrate who owned real estate valued at \$1000. No information has been recovered on Harriss. McQuigg was a Union veteran and former Freedmen's Bureau agent, and Cantwell was a local-born former Whig. On McQuigg, see *Wilmington Post*, 4 March 1869. On Cantwell, see Evans, *Ballots and Fence Rails*, 118, 163. Conoley was a native of Nova Scotia but had been living in North Carolina since at least the 1840s (his eldest son, who was twenty-four years old in 1870, was born in North Carolina); see 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 15 June 2016). In the 1860 census, Conoley is described as a merchant with \$8,000 in real estate and \$900 in personal property; see 1860 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 15 June 2016).

Conoley ran as an independent. But neither did he affiliate with either Republican ticket. Nevertheless, the Republicans had run a combined total of twelve candidates for the six justice of the peace positions, while Conservatives endorsed only one. Conoley's election thus demonstrated that the combined votes of white Conservatives in the city could beat a divided Republican electorate for at least one of six offices.

Whatever the longterm risks posed by factionalism, thus far it had delivered significant benefits for the city's black population. Rather than splintering the Republican Party out of existence, as the regulars had warned, Republicans dominated city and county politics. Furthermore, Wilmington's alternative partisanship had energized the black electorate and assisted in the molding of the Republican Party by black communities. Indeed, the fact that black men held public office at all in 1869 was a result of the city's alternative partisanship. While black Wilmingtonians were willing to elect white candidates, they were unwilling to participate in elections devoid of black candidates. The idea that there were no qualified black candidates was simply too absurd in Wilmington.

In Wilmington, faction empowered the city's black communities by expanding the democratic selection process and encouraging black candidates. The Republican Party found itself unable to squeeze the city's diverse black constituencies under one partisan umbrella. Instead, faction became a form of partisanship that served, in some ways, like a primary election among black voters. While black officeholders operated within what Elsa Barkley Brown refers to as "the political process external to the African American community," they were selected within an internal arena that was rooted in the

community's "public forums—the parades, rallies, mass meetings, and conventions."²³

Black Wilmingtonians insisted on a bottom-up process of nomination and debate.

Electoral politics was a process of grassroots community organizing that began in the spaces of black neighborhoods. It was from that political culture that the city's black politicians emerged. Eagles's election to the state legislature underscored this reality.

White regular Republican leaders may have selected Eagles with the expectation or at least the hope that he could be controlled, but his actions as an officeholder would reflect his commitment to the communities that elected him, and he would periodically defect from the regulars. Such was the fluid nature of black partisanship in Wilmington.

Black Wilmingtonians recognized the importance of local party leadership as a means of molding the Republican party from the bottom up. In 1868, the local Republican leadership had been forced to add black men to the party's executive committee in order to combat alternative politics. In 1869, the rise in the number of black men in party leadership positions was sharp. The county nominating convention had been contentious and contested. Ultimately it had split into two separate bodies. However, both conventions were composed primarily of black delegates. In turn, those delegates elected numerous black men to the two resulting executive committees. At the alternative convention, half of the twenty men elected to the County Executive Committee were black. On the other side of the local Republican aisle, an astonishing

²³ Barkley Brown argues that in Richmond, Virginia, as in other postemancipation Southern cities, there existed two "political arenas—an internal and an external one" and that, while "these arenas were related, they each proceeded from different assumptions, had different purposes, and therefore operated according to different rules." See Elsa Barkley Brown, "To Catch the Vision of Freedom: Reconstructing Southern Black Women's Political History, 1865-1880," in *African American Women and the Vote, 1837-1965*, ed. Ann D. Gordon (Amherst: University of Massachusetts Press, 1997), 74.

twenty of the twenty-five men elected to the County Executive Committee were black. The *Star* described the regular convention results with its usual sarcasm. “Of these twenty-five names but five, we believe, are white, the remaining twenty being black, very black, yellow, and light yellow.”²⁴ It is impossible to know whether the Republican Party would have placed black men in leadership positions, both within the party and as candidates for public office, without the threat posed by the alternatives. But the special election to replace Estes demonstrated that by the summer of 1869 local Republican leaders had fully recognized the importance of black officeholding to the party’s existence in Wilmington.

Even before the election, a headline in the Republican *Post* boasted of the “Practical Results of Reconstruction—Every Promise from the Republican Party Carried Out.” The article that followed highlighted black officeholding as a Republican achievement. “One year ago not a black man held an office in this county,” but now its black officeholders included “a Senator, a member of the House, a Coroner, a Standard Keeper, a Jailor, two Weighers of Rosin and a Deputy Sheriff, three in the Custom House, [and] Clerk of the City Market.” The *Post* was not finished, for the list continued: “half of the Police force, half of the Aldermen, a representative in each Inspectors department, a member of the Capitol Police at Washington, D.C., a Doorkeeper in the House of Representatives at Raleigh, one first class Clerk in the U.S. Treasury, a Commissioner to examine the architecture of building for Penitentiary, etc., etc. etc.”²⁵

The *Post*’s spotlight on promises fulfilled was intended to advertise the

²⁴ *Wilmington Star*, 20, 22 July 1869.

²⁵ *Wilmington Semi-Weekly Post*, 2 May 1869.

Republican commitment to racial inclusion. Local white Republican leaders may initially have balked at the idea of black officeholders, but in the end they did what all successful politicians must do: appease their voters on the issues they regarded as primary. In 1868 and 1869, that meant black officeholding. Although they had to yield on the issue, white Republicans did not necessarily understand why black officeholders were a priority to black communities. Indeed, they continued to argue that white officeholders could adequately represent black constituents.²⁶

For black Wilmingtonians, representation meant black officeholders, and they had

²⁶ Only a handful of historians have considered why black officeholders were important to black voters. Michael Fitzgerald, in his study of Mobile, Alabama, has directly examined the link between faction and black officeholding. He argues that in Mobile, members of the black elite maintained the economic station they had occupied before the war and thus were more likely to push for gradual changes or even maintenance of the status quo, while those who were formerly enslaved were more likely to push for radical social changes. As a result, Mobile's black population was divided and intra-racial factions competed to elect men to public office. See Michael Fitzgerald, *Urban Emancipation: Popular Politics in Reconstruction Mobile, 1860-1890* (Baton Rouge: Louisiana State University Press, 2002). If Fitzgerald is correct, then the social origins of black officeholders affected the policies they supported and the constituencies that supported them. Howard Rabinowitz seeks to understand how black officeholders "functioned" once in office. Looking at congressmen, as well as state and local officeholders, he argues that black officeholders emphasized issues of concern to black communities. Black state and local officeholders, for example, kept issues of relevance to local black communities on the agenda, making possible radical social measures like the expansion of public schools, the establishment of welfare facilities for former slaves, and equal access to public accommodations. See "Introduction," in *Southern Black Leaders of the Reconstruction Era*, ed. Howard N. Rabinowitz (Urbana: University of Illinois Press, 1982), xi-xxiv. Donald G. Nieman has demonstrated the relationship between black political power at the local level, including both officeholding and jury service, and the ability of freedpeople to secure justice in criminal proceedings. See "Black Political Power and Criminal Justice: Washington County, Texas, 1868-1884," *JSH* 55 (August 1989): 391-420. For an essay that considers the connection of a local black officeholder to his constituents, see James M. Russell and Jerry Thornbery, "William Finch of Atlanta: The Black Politician as Civic Leader," in *Southern Black Leaders of the Reconstruction Era*, ed. Rabinowitz, 309-34. According to Russell and Thornbery, Finch was "representative of a pioneering group of black leaders in Reconstruction Atlanta who regarded political activity [as] a civic duty rather than a means to promote Republican Party interests or their own careers." "Finch's leadership," they argue, "cannot be understood without paying close attention to the political environment in which he operated and the needs and nature of the black community he served."

already seen firsthand what having black men in office could mean in their lives. The new state constitution constructed with the participation of black delegates was the most democratic in North Carolina's history. In addition to enfranchising black men, it had abolished property requirements for voting and officeholding. It had transformed local government by making county officeholders popularly elected rather than appointed. The occupants of these positions exercised significant on-the-ground authority. In the words of the new constitution, county commissioners, for example, supervised "penal and charitable institutions, schools, roads, bridges, the levying of taxes and the finances of the County."²⁷ Schools had already become important institutions in the county's black communities. The construction and maintenance of roads in black neighborhoods had been practically non-existent, but that changed after 1868.

Black voters in New Hanover County had sent Abraham Galloway, one of their own, to the constitutional convention, and he had brought back democracy. The county's only black delegate at the convention, Galloway had served on both the Committee for Local Government that made county offices elective rather than appointive and the Committee on the Judicial Department that was responsible for introducing the popular election of judges.²⁸ Black voters expected black officeholders to be responsible to their constituents. Galloway's popularity, for example, had as much to do with his success in carrying out the wishes of black voters as it did with his personal charisma. Black

²⁷ *Constitution of the State of North-Carolina, 1868*, art. 7 sec. 2.

²⁸ The other two delegates from New Hanover were both Northern-born white men. See above, Chapter 3. For Galloway's participation in debates about the election of county officers and the election of judges, see North Carolina, Constitutional Convention, 1868, *Journal of the Constitutional Convention of the State of North-Carolina, at Its Session 1868* (Raleigh, NC: Joseph W. Holden Convention Printer, 1868), 314-16, 376-78.

officeholders were not mere symbolism. They had knowledge of black neighborhoods, which increased the likelihood that the new constitution would be implemented in the interest of specific community concerns.

After his election to the state senate, Galloway brought debates heard on the ground in Wilmington to the statehouse in Raleigh. In his first term he proposed a constitutional amendment extending the vote to women.²⁹ It was an issue that resonated with voters at home. In January 1869, black Wilmingtonians sent a delegation to the Colored Suffrage Convention in Washington, D.C., where woman suffrage was discussed. When the delegates, Gamaliel P. Rourk, William McLaurin, and William Cutlar, returned to Wilmington and presented their report to a mass meeting held on January 20, woman suffrage took center stage. The meeting resolved to debate the question “Ought women to have the right to vote” before the Wilmington Lyceum on January 25 and again on January 31. Both events were widely publicized and well attended. The first included readings by black teachers Fannie Sadgwar and Kate Cowan. Gamaliel P. Rourk, Duncan Holmes, and George Mabson were among those who debated in the negative. Former slaves R. B. Hunt, a minister, and Alfred Hargrave, owner of Hargrave and Sons blacksmith shop, argued in favor. On February 1, Galloway brought the issue to the state legislature when he proposed a constitutional amendment for equal

²⁹ *Journal of the Senate of the General Assembly of the State of North Carolina at Its Session of 1868- '69* (Raleigh, NC: M. S. Littlefield, State Printer, 1870), 209, 223. That same term, Galloway also supported a successful bill to protect married women from husbands who did not provide for their financial support. See *Journal of the Senate, 1868- '69*, 648; “An Act to Protect Married Women from the Wilful Abandonment or Neglect of Their Husbands,” 12 April 1869, *Public Laws of the State of North Carolina, 1868- '69*, 556-57.

suffrage regardless of sex.³⁰

The increasing presence of black men in public positions had immediate impact on freedpeople's day-to-day lives. Apprenticeship, implemented before the war by the all-powerful county court, which was made up of appointed justices of the peace who served for life, was now the responsibility of elected township clerks. In the August 1869 election for the township of Wilmington, both candidates for clerk had been black men. Apprenticeships were more likely to be administered without regard to color when the clerk was black. As a result, apprenticeship was no longer the exclusive prerogative of white men, for the elected clerks regularly apprenticed black children to black men and sometimes even apprenticed white children to black men. Black justice of the peace Joseph Corbin Hill, for example, had a white child bound to him in late 1869. The service of black men in local offices dramatically recast citizenship by validating the mastery of black men.³¹

³⁰ For the Colored Suffrage Convention, see *Wilmington Journal*, 17 January 1869. For the issue of woman suffrage, including the delegates' report from the Colored Suffrage Convention, see *Wilmington Post*, 21, 28 January 1869. On Sadgwar, see Reaves, *Strength through Struggle*, 455. On Cowan, see Reaves, *Strength through Struggle*, 289. On Hunt, see Reaves, *Strength through Struggle*, 289-90. On Hargrave, see Reaves, *Strength through Struggle*, 402-3. On the question of suffrage for women, Galloway was ahead of his time; his proposed amendment failed.

³¹ *Ibid.* Under an April 1869 act the duties of the clerk of the county court, including apprenticeship, had been the duty of township clerks. The clerk of the Board of Trustees assumed some of the duties previously performed by the antebellum late county court, including apprenticeship. See "An Act Concerning Townships," 6 April 1869, *Public Laws of the State of North Carolina, 1868-'69*, 478-82. The Board of Trustees consisted of the township clerk and the township's two justices of the peace, all of whom were elected biennially. See *Constitution of the State of North-Carolina, 1868*, art. 7, sec. 5. For the antebellum legal code under which apprenticeship was the responsibility of the county court, see above, Chapter 2. On the apprenticeship of a white child named John Ellis to Joseph Hill, see "White Slavery in North Carolina — Degredation [*sic*] Worse than Death," 20 July 1876, Broadside Collection, Special Collections Library, DU; "Jones County Paupers," editorial in *Newbern Times*, 19 August 1876,

Jury trials transformed the local criminal justice system, with the service of black men on juries being especially significant. On August 11, 1868, the first legislature elected under the new constitution approved “An Act to Establish Special Courts in the Cities of Wilmington and New-Bern.” The new court had jurisdiction over misdemeanors committed within the city where the penalty was a fine of less than \$50 or one month’s incarceration; it replaced the mayor’s court for such crimes. The judge of the special court was nominated by the governor and approved by the Senate for an eight-year term. Edward Cantwell, a local-born former Whig turned Republican, was the first judge of the Wilmington special court. The court’s most significant feature was its use of juries. No longer the exclusive domain of white freeholders, the jury pool was compiled from the state tax lists, which included both black and white, propertyless as well as propertied. Names on the jury list were then “written on small scrolls of paper of equal size and put into a box” and drawn for grand and petit juries “by a child not more than ten years of age.” Of the thirty-six men selected in January 1869 for the special court’s first grand jury, three were black, as was one of the twelve men selected for its first petit jury. These were the first black men to serve on juries for misdemeanor crimes in New Hanover County, and the use of juries for such trials was applauded by black Wilmingtonians who had so often felt powerless in the justice system.³²

NCC; Entry for Joseph C. Hill, 1880 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 2 February 2009).

³² “An Act to Establish Special Courts in the Cities of Wilmington and New-Bern,” 11 August 1868, *Public Laws of the State of North Carolina, 1868-’69*, 13-16. For the jury selection procedures, see *Constitution of the State of North-Carolina, 1868*, 9-11. For the jury list for the special court’s first term, see *Wilmington Star*, 5 January 1869. On the popularity of the special court in the city’s black communities, see *Wilmington Journal*, 21 August, 29 December 1868, 5 January 1869; *Wilmington Star*, 21 August 1868, 5 January 1869. Donald G. Nieman argues that

The Conservatives, by contrast, had nothing good to say about the new court. Summoning a jury for minor infractions was a waste of resources, they insisted. “Nothing, we conceive, can more clearly illustrate the lack of common sense existing in our present Disunion Legislature,” wrote the *Star*, “than the bill recently passed by them establishing in our city a Special Court.” Chief among the *Star*’s complaints the court’s expense. First, the salary of the judge and fees for witnesses would be paid by the taxpayers. Second, “by having its jurisdiction confined to the city alone, an immense amount of extra expense is entailed upon our county by having two grand juries instead of one,” a reference to the juries of the superior court. Another concern, argued the *Star*, was “the difficulty which will arise of determining whether a crime was committed within the exact corporate limits of the city, by the jury and consequently the probable acquittal of many guilty prisoners on this legal quibble.” Finally, the *Star* cited “the extra trouble required of our citizens in being compelled to serve on juries.” For freedpeople, by contrast, who had previously been subject to the arbitrary decisions of the mayor’s court, jury trials were not a burden but a significant step toward equal justice, especially when the juries included black men. If black Wilmingtonians had any complaint about the special court, it was that it was not democratic enough. Its judge, argued Abraham Galloway and others, should be elected, not appointed.³³

black judges and juries were vital to the ability of black postemancipation communities to obtain justice and equal rights before the law; see “Black Political Power and Criminal Justice.”

³³ For the *Star*’s criticism of the special court, see *Wilmington Star*, 21 August 1868. For other examples of Conservative complaints, see *Wilmington Journal*, 21 August, 29 December 1868, 5 January 1869; *Wilmington Star*, 21 August 1868, 5 January 1869. For complaints by black and white Republicans regarding the court, see *Wilmington Journal*, 1, 4, 7, 9 December 1869; *Wilmington Post*, 2 December 1869; *Wilmington Star*, 4, 15 December 1869. For

The transformation of the justice system to include black men constituted a revolution in local racial hierarchy. One of the most significant changes was the inclusion of black men in the city's police force. In August 1868, the first biracial Board of Aldermen appointed the city's first biracial police force—fifteen black officers and seventeen white. The men who served as Wilmington's first black police officers were residents of the Brooklyn and Dry Pond neighborhoods, and they were by and large working-class men of modest means. Unlike the black men elected and appointed to other public offices, who were generally mixed-race artisans and had often been free before the war, at least twelve of the fifteen black policemen were described as black rather than mulatto in the federal census, and only one appears to have been free prior to the war.³⁴

March Walker, one of the first black policemen, served on the force well into the 1890s.³⁵ Jonathan Eagles was also among the first cohort of black police officers. No doubt the stories of his continuing to fight after taking a bayonet at the Battle of the

Galloway's critique, see *Wilmington Weekly Star*, 26 November 1869; *Wilmington Journal*, 17 December 1869.

³⁴ The fifteen black policemen appointed in 1868 were James Anderson, Edward Bird, William Brooks, George Burden, Allen Denton, John S. W. Eagles, Joseph H. Harris, John Nash, Samuel Nixon, Alexander Price, Simon Richardson, Benjamin Shaw, John Statcher, Charles Southerland, and March E. Walker. Burden and Richardson could not be found in the census or in city directories. Of the thirteen located in the 1870 federal census, Nash is the only one described as mulatto; see 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 2 February 2009). Nash also seems to be the only one who was free before the war; for his antebellum status, see Reaves, *Strength through Struggle*, 444-45. On the appointment of the police force, see *Wilmington Star*, 11, 14 August 1868; Judy Ward Thompson, *History of New Hanover County Law Enforcement and Related Entities* ([Wilmington, NC?]: n.p., 1987), 4, NHCPL.

³⁵ *Wilmington Star*, 10 August 1887; *Wilmington Messenger*, 1 July 1901. Walker would be the last black man on the Wilmington police force until its desegregation in the late twentieth century.

Crater helped qualify him for the force and probably made for good publicity throughout his later political career. Police officer Simon Richardson was known about Wilmington as a brawny cheater of death. Described as “a well-formed, tall, copper colored man,” Richardson had accompanied local Confederate Captain Mort Nixon as a body servant during Nixon’s service in Hoke’s Brigade during the Civil War. He was shot three times “while gallantly bearing Capt. Nixon on the field at Greensboro.” Many a Wilmington storyteller must have gossiped about the time Richardson was struck by lightning and lived. Or the time he was assailed by two men, one white and one black, while he was reading, only partially-clothed, on his front stoop but nevertheless gave chase with two of his dogs. He kept as a memento the flattened bullet that had been meant to kill him.³⁶

After almost four years of freedom without protection from attacks on person and property, black Wilmingtonians welcomed officers of the law like Justice of the Peace Hill and policemen Walker, Eagles, and Richardson as much-needed guardians of their peace and security. The participation of black men in law enforcement was a necessity if former slaves were to live free lives, if their neighborhoods were to be safe and their property secure, and if justice was to be meted out without racial discrimination.

Black Wilmingtonians’ experience in the years between emancipation and the Reconstruction Acts had made them acutely aware of the dangers of hostile law enforcement. Black communities therefore demanded a voice in the implementation of justice. That voice started with the vote. The election of the aldermen who appointed the police, as well as the election of the sheriffs, constables, coroners, and justices of the

³⁶ On Richardson, see *Wilmington Star*, 10 April 1874, 21 July 1874, 29 July 1874, 10 August 1887; *Wilmington Weekly Star*, 17 December 1886; *Wilmington Daily Dispatch*, 12 August 1896, 4 September 1912, 5 November 1918.

peace who implemented law and order, introduced unprecedented checks and balances into the day-to-day lives of the city's blacks. Wary of potential police abuse, black Wilmingtonians insisted that the city's police force be subject to oversight. The Board of Aldermen not only appointed the policemen but also served as a review board that annually evaluated each officer's performance. In July 1869, black alderman George Arnold served notice that he intended to recommend the discharge of several policemen for inefficiency. A few weeks later, officers J. Monroe Johnson and Benjamin Shaw, both black, were discharged for disorderly conduct.³⁷

Following the establishment of biracial law enforcement, black complaints against the police dropped dramatically. Jail conditions improved, and a physician was appointed for the prisoners. The gibbet mounted atop Gallow's Hill was removed. After almost constant abuse of the city's black residents, 1869 was a year of relative peace. As even some Conservative whites had predicted, the protection of blacks' private property had a positive effect on the city's war-torn economy, for the workforce began to stabilize. Within months, the biracial police force of thirty-two men had achieved what the Union army and a county police force of over one hundred ex-Confederates had not or would not in the previous four years.³⁸

By 1870, black officeholders had transformed Wilmington. The presence of officials familiar with the needs of the city's neighborhoods resulted in basic safety and the protection of private property. The biracial Board of Aldermen for the first time in the city's history distributed an equitable share of the municipal tax receipts to the

³⁷ *Wilmington Star*, 30 March 1869, 19 July 1869, 14 August 1869.

³⁸ Thompson, *History of New Hanover County Law Enforcement*, 4.

working-class neighborhoods of Brooklyn and Dry Pond. Improvements to city infrastructure began as soon as Republicans took office. Roads were constructed and maintained. The Board of Aldermen established a public transportation system of horse-drawn cars that ran up and down Market and Front streets, carrying black workers between the docks at the southwestern end of the city, the center of town, and the railroad depots on the north end of the Brooklyn neighborhood. In 1870, the city announced in a front-page article entitled “Growth of Wilmington” that it would be receiving proposals for additional street lamps. Democratic process governed these changes. Citizens petitioned the Board for road improvements. By January 1870, 4th Street, the main road through the Brooklyn neighborhood, which had long been a muddy swamp, was leveled, planked, and sawdusted from Red Cross to Walnut.³⁹

City improvements did not just elevate daily life; they also meant jobs. Street repairs, road construction, public transportation, and the installation and lighting of city lamps all required labor. Black Wilmingtonians found themselves newly in a position to be hired for city jobs. In August 1868, William Merrick, Sr., having submitted the lowest bid, was hired by the Board of Aldermen as city lamplighter. When he died in an epileptic seizure one year later, the position was awarded to his son, William Merrick, Jr. By 1870, another son, eighteen-year-old Joseph Merrick, had become the city lamplighter, and his older brother, William, now age twenty-six, had become a justice of the peace.⁴⁰

³⁹ *Wilmington Star*, 21, 26, 28 January 1870; Andrew J. Howell, *The Book of Wilmington* (Ann Arbor: University of Michigan Press, 1979), 154.

⁴⁰ *Wilmington Star*, 14 August 1868; 11, 12, 21, 26 August 1869; *Wilmington Journal*, 2 February 1870; *Wilmington Post*, 3 February 1870; Reaves, *Strength through Struggle*, 437-39;

In 1870, Allen Denton, who had campaigned for Jonathan Eagles in 1869 in hope of electing a black man to the state House of Representatives, was placed in charge of employing thirty men to carry out city improvements. To the ninety street lamps already in the city on January 1, 1869, another forty were added. The bulk of the work was done in the predominantly black eastern portion of the city, which included both the First and Fourth Wards. The streets also received attention. “[T]he eastern portion of the city, so long unhealthy and avoided,” wrote the *Post* in 1871, reflecting on the city’s progress, “has been thoroughly ditched! The expense has not exceeded \$3,000,” which, according to the paper, “would have been cheap at almost any price, in view of the benefits derived.” Over the course of the year, Denton’s crew laid 6,050 feet of gutters and 755 feet of pavement. “Nutt Street has been much improved,” reported the *Star*, and plans were made to widen the street between ten and fifteen feet before any more houses were erected. The city approved the extension of Water Street, a main thoroughfare running north to south along the Cape Fear River, further north. Red Cross was extended east all the way to the newly incorporated Pine Forest Cemetery.⁴¹

The new cemetery stood as a symbol of black access to public space. Previously, black Wilmingtonians had struggled to bury their dead with dignity. The antebellum black burial grounds were in Campbell Square, the lot deeded to the city in 1845 for the use of the black population.⁴² By 1860, the city’s black population had grown so as to

William Merrick and Joseph Merrick, 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 30 April 2011).

⁴¹ *Wilmington Star*, 11 January 1870; *Wilmington Post*, 19 January 1871. For Denton’s appointment, see *Wilmington Star*, 11 January 1870.

⁴² On Campbell Square, see above, Chapter 1.

necessitate a larger area, and the town commissioners had therefore purchased fifteen acres of land located just east of exclusively white Oakdale Cemetery. But it took a law introduced by black officeholder George W. Price, Jr., in the state legislature in 1869 for Pine Forest, the new black cemetery, to be incorporated and developed. The law established a board of trustees comprising nine black men: Duncan Holmes, Owen Burney, David Sadgwar, William Kellogg, James Green, Solomon Nash, Henry Taylor, Alfred Hargrove, and Hezekiah Reid. In the fall of 1870, the land on which the cemetery was situated was surrendered to the trustees by the city-appointed Pine Forest board, which itself was half black. Even the *Star* predicted “[i]mprovements to commence at once.” “There is no reason why this cemetery should not vie with Oakdale in beauty and adornment,” the paper added.⁴³

Black Wilmingtonians embraced their new role in the public life of the city. In January 1870, black justice of the peace Joseph Corbin Hill exhibited his self-painted “Grand Panorama” at Thalian Hall. “Tableaux and Panorama” read the headline in the *Star*, which reported that the exhibition consisted of “a tableau, based on scenes and incidents described in the Bible.” The exhibit, which concluded with a 198-foot-long commemoration of “Moses in Egypt, or the Triumphs of Israel,” received such attendance and acclaim from the city’s black residents that their white counterparts

⁴³ On the 1860 purchase of fifteen acres, see Reaves, *Strength through Struggle*, 178-82. The town commissioners appointed a board to oversee Pine Forest. By 1870, four of its eight members were black. See Reaves, *Strength through Struggle*, 178; *Wilmington Herald*, 12 August 1865. For the incorporation of Pine Forest and the names of the first trustees, see “An Act to Incorporate the Pine Forest Cemetery Company, in the City of Wilmington,” 12 April 1869, *Private Laws of the State of North Carolina, Passed by the General Assembly, 1868-1869* (Raleigh, N.C., Holden & Wilson, 1869), 249-50. For the *Wilmington Star*’s coverage of the cemetery, see 26 August 1870, 6 September 1870. For the improvements that began in 1870, see *Wilmington Star*, 22 December 1875.

requested its extension “for the exclusive benefit of the white citizens.” Hill’s depiction of the exodus of the Israelites from bondage could not have been more appropriate. The exhibit was sponsored in part by one of the city’s fastest-growing black organizations, the Giblem Masonic Lodge, of which Hill was a member.⁴⁴

The Giblem Masonic Lodge had been established in Wilmington in 1866, and it quickly became a central institution in the political culture of the city’s black communities, sponsoring political meetings, musical and theater events, and Emancipation Day and Decoration Day parades.⁴⁵ Over the course of the 1870s, the decade with the city’s highest rate of black officeholding, a significant proportion of black officeholders belonged to Giblem. Moreover, the lodge provided crucial financial support for mass meetings and political speeches, patriotic celebrations and political parades.⁴⁶

Giblem men were vocal participants in the mass meetings that preceded the municipal election of January 4, 1870. As the regular/alternative split reignited, Giblem members were to be found on both sides, but they were more numerous in the alternative faction. The alternative political leaders most prominent in that year’s municipal campaign were Gamaliel P. Rourk, Duncan Holmes, Jacob Wise, Thomas Beck, George W. Price, Jr., Lawson Rice, John Sampson, Hezekiah Reed, and James Telfair; the last

⁴⁴ On the “Grand Panorama,” see *Wilmington Star*, 12, 13, 14, 16, 18 January 1870.

⁴⁵ Two black Masonic lodges were established in North Carolina in 1866, the King Solomon Lodge in New Bern and Giblem in Wilmington. In 1867, the Eureka Lodge was established in Fayetteville and the Widow’s Son in Raleigh. See Reaves, *Strength through Struggle*, 21.

⁴⁶ *Wilmington Star*, 25 June 1869, 30 March 1870, 3 October 1873, 14 November 1873; Reaves, *Strength through Struggle*, 22.

five were Masons. In December 1869, the five Giblem men set out to unite the Republican Party. Since the July 1869 county nominating convention, two Republican executive committees had been in operation, leading many Republicans to once again worry that running two tickets risked losing at least one seat, and perhaps more, on the Board of Aldermen. With the Republicans divided into competing tickets, Conservatives had been able to elect one of the city's six justices of the peace. Unwilling to take that gamble again, Republican leaders sought a compromise.⁴⁷

On Wednesday, December 8, the two executive committees met at City Hall and agreed to combine. The resulting Republican General Committee consisted of ten men from each ward and one from each of the twelve rural townships. Of the fifty-two committee members, half were black. The *Post* praised the compromise. "With union there is strength indeed," it declared, "which our enemies will find out at the coming election." The next day, members of the new committee met at the office of justice of the peace Joe Hill, an active member of the Giblem Lodge and a Republican leader respected by both sides. It is not known what transpired in Hill's office, but it seemed to accord with the *Journal's* claim that Republican reconciliation was only skin deep. "The breach between the extremists and those more conservative in their views, many of the latter class declare, cannot be healed in a day," the *Journal* had reported. "There is opposition

⁴⁷ *Wilmington Journal*, 3, 4, 7 December 1869. On Republican concerns about the risks of offering two tickets, see *Wilmington Star*, 9 December 1869. For the Masonic membership of Price, Rice, Sampson, Reed, and Telfair, see *Wilmington Star*, 6 September 1871, 7 December 1873, 22 June 1874, 24 June 1874, 24 June 1876, 24 June 1879; Frank D. Smaw, *Wilmington City Directory: Including a General and City Business Directory for 1865-66* (Wilmington, NC: Fulton & Price, 1866); Reaves, *Strength through Struggle*, 18-19.

still, which may be stifled, though, until after this election.”⁴⁸

Both the *Journal* and the *Star* also reported that, as part of the compromise, the leaders of both factions had agreed to nominate white lumber magnate Silas N. Martin as the Republican candidate for mayor, a decision that did not sit well with black Wilmingtonians who had not yet even elected delegates to the nominating convention. “Martin is a candidate whom the rank and file of the party regard as one whom it is attempted to force upon them,” reported the *Journal* from information gathered at a December 16 mass meeting. Black voters who expected to be part of the selection process felt coerced into accepting Martin’s nomination in the interest of party unity. They had no personal objection to Martin, according to the *Journal*, but resented the process by which he had been selected. “We do not know that they have any decided objection to Mr. Martin,” wrote the paper, “but a feeling of opposition has been awakened because he was a picked candidate in caucus.”⁴⁹

The municipal campaign exposed differences in the political culture of the two Republican factions. Black political power had ushered in a new style of politicking. In Wilmington’s black communities, political debates did not take place in secret, among gentlemen. They occurred in public, in mass meetings, in the streets, in churches, in cemeteries, and in people’s homes. One July afternoon in 1869, “[a]n old colored woman, who had been educated in the old school,” stopped in front of the courthouse to heckle Sheriff Schenck. “[A]ccustomed, as she said, to call things by the proper name,”

⁴⁸ *Wilmington Post*, 9 December 1869; *Wilmington Star*, 9 December 1869; *Wilmington Journal*, 11 December 1869.

⁴⁹ *Wilmington Star*, 9 December 1869; *Wilmington Journal*, 11, 17 December 1869.

the woman “asked with a serious look if Major *Scamp*, the Sheriff, was within.” The *Star* concluded that the “the old woman was a Larkins ‘man’ or an aunt, cousin, or some relation, of Price.” On another occasion a black woman “called at City Hall” regarding an ordinance that prohibited the sale of vegetables after 10 a.m. First she inquired as to whether the ordinance “applied to *her*, a poor ‘huckstress’ who earned an honest living by selling eatables to honest folks.” She was informed that it did, and her response must have made an impression on the *Star*, which concluded that she “will not let her ‘ole’ man vote for the present set at the next election.” When it came to debating public policies, anyone with a voice — man, woman, or child — was to be heard.⁵⁰

Mass meetings in particular invited the participation of all who attended and listened. Thus, when the city’s wards began holding meetings to nominate candidates for aldermen, black Wilmingtonians attended in large numbers and made it clear that they expected to be heard. Open to the public, the ward meetings were lengthy and sometimes contentious. If someone had something to say, inclusion was imperative. The Conservative *Star* found nothing to like in the new political culture. Indeed, the *Star* was always quick to mock black political proceedings. In an article entitled “The ‘Happy Family,’” the *Star* gleefully reported the intraparty divisions at a First Ward meeting to nominate candidates for aldermen. “To those who remember the good old *ante bellum* times, when Democrats and Whigs met in council and conducted their proceedings with all the dignity and decorum of men conscious of their responsibility to their country and

⁵⁰ For examples of participatory mass meetings, see *Wilmington Post*, 9, 16 December 1869; *Wilmington Star*, 1, 2, 14, 15 December 1869; *Wilmington Journal*, 3 December 1869. For the woman at the courthouse, see *Wilmington Star*, 29 July 1869. For the woman at City Hall, see *Wilmington Star*, 10 June 1869.

to posterity,” the paper complained, “the scenes witnessed on the night in question were not such as to impress them favorably with the future of their country, or with the progress of civilization and refinement in the community.” The *Star* pointed with disfavor not to the results of the meeting or the men selected as nominees, but rather to the style of discussion.⁵¹

To the Conservative newspaper, black politics were chaotic. The “tumult of discordant sounds, appeals to the chair and appeals from the chair, resolutions and counter resolutions, amendments and counter amendments, propositions and counter propositions” appalled the *Star*, which described the scene as one of “confusion” and “pandemonium.” The paper complained of multiple speakers talking at once until the chair called for order and was supported by “the rapping of sticks upon the floor.”⁵² Black political meetings were altogether too participatory for many white observers. For most black Wilmingtonians, however, this interactive style was the norm.

Conservatives were not the only Wilmingtonians who found such proceedings distasteful, or perhaps just difficult to control. By December 1869, the Northern-affiliated regular Republican faction had begun to criticize the exuberant nature of mass meetings, particularly those at which official nominations were made. Many Republican leaders, both white and black, had hoped to present a refined image at the December 20 citywide meeting to ratify delegates to the mayoral nominating convention. The Republican General Committee had organized a formal ball to be held that night at City

⁵¹ *Wilmington Star*, 16 December 1869. For other examples of open and inclusive ward meetings, see *Wilmington Star*, 17, 18 December 1869; *Wilmington Post*, 16, 19 December 1869.

⁵² *Ibid.*

Hall after the delegates were confirmed. The ball was considered a success by the city's newspapers, who all reported favorably on the event.⁵³ Its pleasantries did not, however, extinguish black Wilmingtonians' democratic fire.

On December 21, delegates from each of the city's four wards met for the mayoral nominating convention. The convention chairman, white Northerner Denard Rumley, began by "suggesting the propriety of enforcing the rule regarding the privacy of the Convention" whereby only the official delegates could be present during the deliberations. Such exclusivity was unheard of in black neighborhoods. George W. Price, Jr., objected. Stacy VanAmringe, a white Union veteran and local entrepreneur who was serving as sergeant-at-arms, sustained the privacy suggestion. Before a motion could be made, however, alternative Gamaliel P. Rourk, a candidate for alderman from the First Ward, moved that "the convention adjourn to the upper hall, and there hold a public convention denying admittance to none." His motion carried.⁵⁴ Partisan divisions may not have revolved solely around the issue of democratic participation, but awareness that the regular Republicans had attempted to close the nominating convention and that the alternatives were responsible for keeping it open quite possibly had an impact on the election.

The wrangling did not change the expected outcome. Once the convention reopened in the upper hall, Silas Martin received the nomination for mayor. His selection, however, had not been without controversy, and the vote was far from unanimous. Only fifteen of the twenty-two delegates voted for Martin on the second roll

⁵³ *Wilmington Post*, 16, 19, 23, 25 December 1869.

⁵⁴ *Wilmington Post*, 23 December 1869.

call. It is not clear who received the other seven votes, but it is possible that some of them went to white dry goods merchant John S. Higbee, a New York-born delegate from the Third Ward who on December 16 had announced himself as “the working man’s candidate.” More likely, however, it was incumbent mayor Joseph H. Neff who was Martin’s most serious competition. Neff had significant support in some wards, particularly the First and Third, which had sent Neff delegates to the convention.⁵⁵

Because aldermen served two-year, staggered terms, only four of the eight seats were up for election in 1870, one from each ward.⁵⁶ Of the four aldermen whose terms had expired, two were white, the Second Ward’s James Wilson and the Fourth’s George Z. French, and two were black, the First Ward’s George Arnold and the Third’s Anthony Howe. Howe and Wilson were candidates for reelection on the Republican Ticket, as were Owen Burney (black), the county coroner, who was nominated as First Ward alderman, and William Thurber, a former slave who had established a cooperage business, for the Fourth Ward.⁵⁷

⁵⁵ *Wilmington Post*, 21, 23 December 1869. For Higbee’s announcement of himself “as the workingman’s candidate,” see *Wilmington Post*, 16 Dec. 1869. It is not known whether Higbee came to Wilmington before or after the Civil War. In 1870, he resided alone in Wilmington, see 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 15 June 2016).

⁵⁶ The staggered terms of Wilmington’s Board of Aldermen were written into the city charter of 1866. In December 1868, the first state legislature elected under the 1868 constitution had amended the charter to provide for the election of eight aldermen in January 1869, half of whom would serve only a one-year term. See “An Act to Amend the Charter of the City of Wilmington,” 18 December 1868, *Private Laws of the State of North Carolina, Passed by the General Assembly, 1868-1869* (Raleigh, Holden & Wilson, 1869), 11-17. The four aldermen continuing on the Board were William Kellogg (black) from Ward 1, Denard Rumley (white) from Ward 2, Henry Servoss (white) from Ward 3, and Henry N. Jones (black) from Ward 4.

⁵⁷ For the Republican Ticket, see *Wilmington Journal*, 15 December 1869. On Thurber, see 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 2 February 2009).

Republican unity did not survive the convention. By December 23, alternatives were already discussing a new ticket, and on December 29, a “Citizens’ Ticket” appeared in the local newspapers. Dr. William W. Harris (also spelled Harriss), a graduate of the University of North Carolina and a former Confederate surgeon who had been assigned to Wilmington in 1863, was the mayoral candidate. Owen Burney, who was also on the Republican ticket, was the alternatives’ nominee for First Ward alderman. George Z. French, who the previous year had been elected Fourth Ward alderman as a regular Republican, was the Second Ward candidate. The Third Ward nominee was Anthony Howe, who had also been nominated by the regulars. Wilmington native Samuel Northrop, the owner of a sawmill, was nominated for the Fourth Ward. Only two of the four candidates for alderman on the Citizens’ Ticket, Burney and Howe, were black, and they were also on the regular Republican ticket.⁵⁸

The Citizens’ Ticket caught the attention of the Conservative press. Both the *Star* and the *Journal* came out in full support, claiming that partisan politics should not play a role in municipal elections and applauding the alternatives for attempting to fight the power of party. Perhaps the papers’ support was just an extension of the Conservatives’ familiar divide-and-conquer tactics. Both papers denied that the Citizens’ Ticket was a Conservative ticket, and none of the ticket’s candidates claimed affiliation with the Conservatives. Instead, both papers characterized the ticket as standing outside partisan

⁵⁸ For discussion of a separate ticket, see *Wilmington Post*, 23 December 1869. For the Citizens’ Ticket, see *Wilmington Journal*, 29 December 1869; *Wilmington Star*, 29 December 1869. On Harris/Harriss, see James Sprunt, *Chronicles of the Cape Fear River* (Edwards & Broughton Printing Company, 1916), 324. On Northrop, see 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 2 February 2015).

politics. “The Citizen’s [sic] Ticket, composed of men from all parties, representing every grade of political opinion, will best subserve the public weal,” the *Journal* claimed, “and we sincerely believe that our citizens should use their best endeavors to secure its success.” An ad in the *Star* read “Remember. — The ‘Citizens [sic] Ticket,’ is made up of men, irrespective of party, or color who are deeply interested in the welfare of the city, and who are pledged to RETRENCHMENT AND REFORM. As such, they are entitled to your votes.”⁵⁹

Conservatives may simply have been adopting a lesser-of-two-evils approach, but whatever the reason for their endorsement of the Citizens’ Ticket, the alternatives found themselves in an uncomfortable position. Indeed, association with Conservatives appears to have caused some defections. Anthony Howe, whose name appeared on both tickets for re-election as alderman from the Third Ward, withdrew from the Citizens’ Ticket, and incumbent alderman William Kellogg, who was not up for election, pulled his support from the alternative candidates and signed a card declaring himself a regular Republican. The Citizens’ Ticket replaced Howe with George Chadbourn, the white North Carolinian who had been the alternative candidate for mayor the previous year, leaving only one black candidate on the alternative ticket.⁶⁰ One year earlier, the alternatives had campaigned as the party with an equal number of black and white candidates and in so doing had broken the Republican Party’s preference for the white business class. Now, in an ironic twist, the alternatives put forward a ticket that could only be described as

⁵⁹ *Wilmington Journal*, 31 December 1869, 2 January 1870 (quotation); *Wilmington Star*, 2 January 1870 (emphasis in the original).

⁶⁰ For Howe’s withdrawal and Chadbourn’s nomination, see *Wilmington Journal*, 29 December 1869.

predominantly white and business class.

Incumbent mayor Joseph Neff, who had decided to run for reelection as an independent after failing to receive the Republican nomination, disassociated himself from the alternatives and declared his allegiance to the Republican Party, although he did not drop his independent bid. White Northerner George Z. French, on the other hand, reaffirmed his commitment to the Citizens' Ticket after the *Post* questioned his switch in allegiance. According to the *Star*, "Mr. Geo. R. [*sic*] French authorizes us to say that he *is* a candidate for Alderman on the Citizen's [*sic*] Ticket, the statement of a city paper to the contrary notwithstanding." "And, more than this," the *Star* added, "we beg to assure our friends that Mr. French will be triumphantly elected if the tax-payers of Wilmington will only poll three-fourths their strength."⁶¹

On January 3, 1870, the regular Republicans easily won the municipal election, electing Martin as mayor and all four of its candidates for aldermen. If Conservatives had hoped to encourage white men to vote, they failed. Fewer than 400 white Wilmingtonians cast a ballot. What was more, because three of the regulars' four candidates for alderman were black, the new Board of Aldermen would have a black majority (five black, three white).⁶² If Wilmington's intra-party competition operated like a two-party system, it appears to have successfully pulled the regular Republican Party into the arms of the city's black voters. Even in the face of the alternatives' predominantly white ticket, the regulars adhered to the promise of black officeholders.

⁶¹ For the card published by Kellogg, see *Wilmington Post* 3 January 1870. On French, see *Wilmington Star*, 2 January 1870.

⁶² *Wilmington Star*, 4 January 1870; *Wilmington Journal*, 2, 4 January 1870.

Only in the majority-white Second Ward was the regulars' candidate, incumbent James Wilson, white. Faction had successfully molded the Republican Party to suit the city's black neighborhoods.

A black majority on the Board of Aldermen of North Carolina's largest city was startling enough to reach at least one New York newspaper. "The Board of Aldermen of Wilmington, N.C., is composed of five negroes and three white men," the New York *Democrat* reported. "Neither of the niggers can read or write. North Carolina is reconstructed in the worst kind."⁶³ In reality, all five black aldermen could both read and write. When the story reached Wilmington, even the *Star* came to the defense of the city's government — in its own way of course — by suggesting that "some of the colored members of the Board, Alderman Howe for instance," should write to the editor of the *Democrat* "in order to disabuse his mind of the 'strange delusion' under which it is laboring in reference to the honorable Board's ability to write; and then subscribe to the DEMOCRAT, which will be conclusive evidence that it is able to read—we mean the colored portion of it."⁶⁴

Charles Grady, the New York-born editor of the Republican *Post*, also took offense at the black majority among the aldermen. On January 27, the *Post* began publishing stories that railed against black officeholders in a tone not much different from that of the New York *Democrat*. In an ongoing weekly segment called "The Question of Color" that ran between two and three columns in length, Grady slammed black Wilmingtonians for overzealous political ambition. In describing a political meeting at

⁶³ New York *Democrat* reprinted in Wilmington *Star*, 26 February 1870.

⁶⁴ Wilmington *Star*, 26 February 1870.

Moore's Saloon, the *Post* lamented not only the outcome of the recent election, but black suffrage itself. "In season, and out of season we have declared, 'all right,' when we knew as well as we knew the childish condition of the African intellect that all was not right, and possibly might be *all* wrong. Nevertheless, the deed is done, and colored voters must hereafter be respected in every state of the Union." Grady himself could summon little respect. "[W]e do not intend . . . to give publicity to speeches of stupid idiots who imagine that color creates Congressmen, and that blackness means brains," he wrote.⁶⁵

On January 5, just two days after the election, Henry Jones, one of the black aldermen elected in January 1869, died of consumption. Even the Conservative *Star* reported on his January 6 funeral with respect, reminding the city that all business was to be suspended for the day and flags flown at half-staff. The *Star* printed the procession route that would end at St. Paul's Episcopal, the church Jones had served as minister. The funeral procession was led by the black fire companies, the city authorities, and the police. Black Wilmingtonians of every class participated, arriving on foot and by carriage. According to the *Star*, the funeral "was attended with more ceremony and display than has ever before, perhaps, been observed in the funeral obsequies of a colored man." Yet Grady did not let up in the pages of the *Post*. Despite, or perhaps because of, the fact that Jones had been a staunch regular Republican and his vacant seat was filled by the appointment of George Chadbourn, a white alternative Republican, the tirade continued. With black Wilmingtonians still in mourning, Grady exacerbated partisan tensions with weekly anti-black rants that described black officeholders as "an ignorant

⁶⁵ Wilmington *Daily Post*, 27 January 1870 (emphasis in the original). Grady was referring to his refusal to publish news or letters from the alternatives.

and depraved class elevated to power by designing demagogues, and depraved darkies.”⁶⁶

While black Wilmingtonians were molding the Republican party to suit their needs and goals, Grady held fast to white political superiority. In “The Question of Color,” he painted a picture of black domination in which a black minority ruled over whites. “Thirty-six millions of whites will never permit the fragment of four million to depose the doctrine that intelligence must rule,” Grady proclaimed. For some black regular Republican leaders, Grady and the *Post* had become too much to take. Even Jonathan Eagles seemed to have soured on the regular Republican Party that had sponsored his election to the state legislature just six months earlier. At a mass meeting on February 2, according to the Conservative *Star*, Eagles “wore the most fashionable clothes, carried a cane of irreproachable style, and, said ‘D—n the carpet-baggers,’ or words to that effect.” The *Star* reported with ill-disguised glee that “Black Eagle, Chief of the Wampanoags, and Representative in the Legislature from New Hanover County,” had defected from the regular Republicans. “We are surprised,” the *Star* continued, “that they [black Wilmingtonians] have stood back so long and voted ignorant, incompetent, and too frequently dishonest, men [i.e., Northern whites] into office.” That a veteran Union man like Eagles seemed alienated from the clique of white Northerners becoming known as “the Ring” did not bode well for the regular Republicans.⁶⁷

⁶⁶ On Jones’s funeral, see *Wilmington Star*, 7 January 1870. For Grady’s diatribe, see “The Question of Color,” *Wilmington Post*, 27 January 1870.

⁶⁷ *Wilmington Post*, 27 January 1870; *Wilmington Star*, 3 February 1870. According to William McKee Evans, “the Ring” was composed of a handful of first- and second-generation settlers from New England. He identifies the principal members of “the Ring” as “George Z. French, and his brothers; James Wilson; David Heaton and his son, James C. Heaton; Colonel Flavel W. Foster; and the three Union generals, Joseph C. Abbott, Allan Rutherford, and S. H. Manning.” See Evans, *Ballots and Fence Rails*, 162-65.

Grady's contemptuous dismissal of black officeholders prompted Eagles, who was in the state capital for the spring session of the General Assembly, to respond in a letter to the editor of the Raleigh *Sentinel*, a conservative paper:

Mr. Editor: Dear Sir—I see an article in the Wilmington *Post*, headed 'The Question of Color.' The editor of the sheet says that he always advocated the adoption of the 15th amendment, and then goes on to say that the thirty six millions of whites will never permit the fragment of four millions to depose the doctrine that intelligence must rule. I, Mr. Editor, would like to know when he ever heard the negro, as he calls us, say any such thing? And furthermore, I would like to know who ever arrayed the colored people against one portion of the whites. I, sir, will leave that question for the redoubtable editor to decide. I suppose, Mr. Editor, you know who I mean.

I guess Mr. Editor, he is like the rest of these strangers that come down here, they stay a little while and if the black people don't give them an office they call us ignorant, but they have stuck their fingers in our eyes long enough, and if they expect to ride into office on our backs all the time and leave us nothing they are very much mistaken. Yes, Mr. Editor, and when we refuse to put them in office, they call us the 'fragment of four millions,' and more than that, they call us ignorant. Now let the gentleman reply, and tell the colored people what he means. I, Sir, as a representative of New Hanover and a North Carolinian demand it. I hope the people will not understand me to have a prejudice toward Northern men, but I do protest against such slander.⁶⁸

Eagles rejected Grady's picture of black domination, and his words regarding Grady's Northern birth must have hit regular Republicans hard. Eagles, a Union veteran, had previously stood by his Northern brethren, white as well as black. Although he assured readers that he had no prejudice against white Northerners, he challenged any notion they may have had that black Southerners should hand over offices to them. Eagles also admonished Grady on the floor of the state House of Representatives. On February 8, Eagles "arose to a question of privilege in regard to an attack upon him in the *Wilmington Post*," then proceeded to denounce Grady as "a scape gallow, who had

⁶⁸ Raleigh *Sentinel*, 31 January 1870, reprinted in *Wilmington Star*, 3 February 1870.

ravished a colored woman and had boasted of the vile act afterwards,” an accusation with powerful impact in black communities.⁶⁹

Eagles’s protests had no effect on Grady. Grady represented a segment of the Republican Party that resisted the influence of the city’s black Republicans, and he showed no signs of letting up. Editorials in the *Post* continued to question the political ability of Eagles and other black officeholders. In March, Grady published “Advice to Republicans” in which he once again extolled the white business class and warned that “[t]he Republican Party must stop sending men like Price and Eagles or ‘go up.’” Grady hoped to reclaim the party for the white business class from the hands of working-class men of both races. Working-class officeholders were a drain on the city’s pocketbook, he argued, because men of modest means required higher salaries than businessmen. Every day in the pages of the *Post*, Grady’s attacks on black officeholders exacerbated divisions of race and class within the Republican Party.⁷⁰

The *Conservative Journal* fanned the flames of Republican factionalism when it engaged the *Post*’s “The Question of Color” with its own segment, “The Color Question.” The *Journal* pointed to the controversy between Eagles and Grady as an example of Northern graft. “Eagles, one of the colored Representatives from this county, ‘speaks out in church,’ and is hard upon those strangers who have ridden into office upon the backs of the negroes and now complain when the blacks claim a reasonable share of the offices for themselves,” the *Journal* observed. Focusing on state-level political

⁶⁹ For Eagles’s statement in the House, see *Wilmington Journal*, 11 February 1870.

⁷⁰ For “Advice to Republicans,” see *Wilmington Post*, 6 March 1870. For other examples of Grady’s attacks, see *Wilmington Post*, 3, 9, 24 February.

scandals regarding misappropriation of funds for the construction of railroads, the *Journal* argued that if the numbers of white and black officeholders in the state had been reversed, “North Carolina would not have been in the condition she now finds herself.” “If Alfred Howe or any other honest colored man had been Governor of the State instead of Holden, such rogues as Littlefield and Andrew Jones would not have had the control of millions of our bonds by Executive appointment,” asserted the *Journal* with reference to Milton S. Littlefield, a New York banker and lobbyist, and Andrew J. Jones, the Northern-born president of the Wilmington & Weldon Railroad. Extolling John Sampson, another member of Wilmington’s mulatto elite, the *Journal* declared that “[i]f Sampson had been Treasurer of Wilmington instead of Durfee, our City Treasury would be some thousands of dollars better off. Under the management of colored men we do not think thieves would have had such a harvest, or would the credit of North Carolina been destroyed.” Not a single black man had been indicted in the recent scandals, the *Journal* noted. “There has been no Littlefield and Jones among the blacks to squander and gamble away the bonds of the State.” The *Journal* concluded that “white Radicals and not black, have brought reproach and dishonor upon North Carolina.”⁷¹

The *Journal*’s editor, Joseph Adolphus Engelhard, a Mississippi-born graduate of the University of North Carolina and Harvard Law School and a lifelong Democrat, was no champion of black suffrage or black officeholding.⁷² It is also important to note that the black men he praised at the expense of white Republicans were the most elite Wilmington had to offer. Engelhard was, however, an astute observer of Republican

⁷¹ *Wilmington Journal*, 4 February 1870.

⁷² Evans, *Ballots and Fence Rails*, 221-22.

factionalism, and his paper wasted no time before agitating the party's rifts. He recognized that black people now had electoral power, but he also understood that they were not monolithic and that regional origin was a potential wedge issue for the city's black Republicans.

Unlike Grady's Republican *Post*, even the Conservative *Star* seemed to understand that black officeholders benefited black communities. In August 1870, for example, the *Star* reported that the aldermen's plan to assist the black fire companies with the purchase of a steam engine "has been suffered to remain in *status quo* since the death of Henry Jones." Jones had been a proponent of appropriations for the fire companies, and with a black majority on the board it appears that an equal distribution of funds between the black and white companies was about to take place. It is unclear whether Jones's death and the resulting loss of the black majority were the only factors in stalling the arrangement, but the *Star* definitely drew a connection.⁷³

Without either a local or statewide black newspaper, Wilmington's black political leaders depended on the existing newspapers to convey their message. Because the *Post* was the only Republican paper in town, Grady's slights were even harder to bear. The *Post* was antagonistic to demands for black officeholders and regularly engaged in anti-black rhetoric. Ironically, the *Journal*, the newspaper of the Conservative Party that openly advocated black political exclusion, gave the alternative Republicans more positive press than the local Republican newspaper. In doing so, the *Journal's* intention was of course to divide local Republicans. Nonetheless, Wilmington's alternative partisanship was the means by which many black leaders found a voice in the pages of

⁷³ Wilmington *Star*, 26 August 1870.

the *Journal* while being excluded by the *Post*. At the same time, however, too close a connection to the Conservative papers had proven a liability in the last city election. Black Wilmingtonians were thus at a political disadvantage without a local black newspaper. Attempts to establish a black newspaper were few and far between. At the statewide freedmen's convention in 1865, the Equal Rights League had established a newspaper in Raleigh that was to circulate to chapters across the state, but it was short-lived. In November 1865, James Sinclair, an anti-slavery white unionist and Presbyterian minister from Robeson County, announced that he would edit a weekly newspaper in Wilmington beginning on December 15. "The *Southern Freedman* will be emphatically the black man's paper," he announced, "—the negro's own family journal." But it is appears that no issues were ever printed.⁷⁴

When he came under almost daily attack from Grady in the *Post*, alternative Republican George W. Price, Jr., countered in the pages of the *Journal*. Offering his own response to the *Post*'s "The Question of Color," Price penned an open letter to Grady in February 1870 that held him responsible for the split in the party and generally lampooned him as a carpetbagger:

It is currently rumored that Grady has packed up his real estate in his carpet-bag, viz: a copy of the *Post* 27th, two second-handed paper collars and three fine-tooth combs, and left for parts unknown. It is to be hoped that Mr. Grady's successor will have his brains in his head, and not in his heels, as was those of Mr. Grady's, (if any he had,) and that the paper may be published in the interest of the whole people and the good of the party, and not *run* for the benefit of a clique. When this is done we may boast of a Republican paper in Wilmington, and not till then.

⁷⁴ On the newspaper published by the North Carolina Equal Rights League, see above, Chapter 1. For the announcement of the *Southern Freedman*, see *Wilmington Herald*, 13 November 1865. Sinclair was born in Scotland and immigrated to Pennsylvania before settling in Robeson County in the 1850s. See *Wilmington Herald*, 13 November 1865; Evans, *Ballots and Fence Rails*, 93; David C. Chesebrough, *Clergy Dissent in the Old South, 1830-1865* (Carbondale: Southern Illinois University Press, 1996), 66.

We may then have a paper in which our political discussions may be characterized by reason, logic, courtesy and common sense, but not until then. . . . I would recommend for the party that the said Grady be discharged from the management of the *Post*, so that the silken cord that binds together our party may not be severed by the influence of such combustible and destructive material as the C. L. Grady, from Washington, *alias* Georgia, *alias* God knows where.⁷⁵

After allowing Grady's anti-black rhetoric to go unchallenged for months while simultaneously expecting unanimous support from Wilmington's black voters, the white regular Republican leadership was finally forced to act. Representative of the party of freedom or no, Grady was alienating local black leaders and driving them to the alternatives. His attacks went too far for black men who expected respect as free men and political leaders. Wilmington was, after all, a Southern city where Alfred Moore Waddell, a member of the white gentry, had caned Grady for calling him a gambler and a debtor in the pages of the *Post* and where the editor of the *Herald* had been challenged to a duel by a physician upon whom the paper cast suspicion in connection with a recent death.⁷⁶

At an April 5 meeting of the county Republican General Committee, black Wilmingtonians demanded that action be taken against Grady. "The colored element," reported the *Journal*, demanded the removal of the [*Post*'s] present editor, Grady." Black Wilmingtonians argued that the paper belonged to the Republican Party, and it was therefore up to the party to select its editor. Indeed, the *Post* depended on financial support from the local Republican Party, which levied an assessment on local Republican

⁷⁵ *Wilmington Journal*, 13 February 1870. There is no evidence that Grady had in fact left Wilmington at this time.

⁷⁶ Evans, *Ballots and Fence Rails*, 220. On Grady having been caned and the editor of the *Herald* having been challenged to a duel, see Evans, *Ballots and Fence Rails*, 223.

officeholders, a circumstance that made the paper's anti-black rhetoric even more divisive. Demonstrating the gravity with which white Republican leaders viewed the paper's disrespect and contempt for black Republicans, Sheriff John W. Schenck, long a defender of the *Post*, joined in calls for Grady's removal.⁷⁷

On May 26, state Representative George Z. French joined Schenck in an open letter to Grady. We "noticed with pain your article on the 'Question of Color,' and its effect upon the colored people," they wrote. They reminded Grady that blacks "in this section of the State have almost alone composed the Republican Party." Then they concluded by diplomatically offering Grady a chance to explain himself. "We are in hope that your true views and intentions in writing that article have been misconstrued," they wrote, "and that you can make an explanation that will show to the people that you have at heart their interest, and above all the interest of the great, *progressive* Republican party." In response, Grady for the first time adopted a conciliatory tone. "The well known character of the writers of the above letter, and their influence among the colored people," Grady wrote, "makes it incumbent upon us to respectfully reply to queries we thought we had answered in another way." He expressed "faith in the speedy elevation of a people so ambitious and deserving of assistance." More significant was the disappearance of "The Question of Color" from the pages of the *Post*.⁷⁸

While black men increasingly expected to be treated as equals, most of the city's white residents remained unreconciled to black freedom, much less equality. The same

⁷⁷ *Wilmington Star*, 5 April 1870; *Wilmington Journal*, 5 April 1870; Evans, *Ballots and Fence Rails*, 220. No vote on the question of removing Grady has been recovered.

⁷⁸ French and Schenck's letter and Grady's response both appeared in *Wilmington Post*, 26 May 1870 (emphasis in original).

year black men became a majority on the Board of Alderman, alderman William Kellogg made the news in all three city papers when he demanded that a white store owner who repeatedly called him by his first name address him with the same respect he would a white man of similar status. “[Y]ou called me *William*,” Kellogg declared, reminding the merchant that he had a “handle.” “My name is Kellogg—*Mr.* Kellogg, they call me.” Addressing him again as “William,” the merchant shot back, “I think that you are a ——— fool.” A heated argument ensued that ended in Kellogg’s forcible removal from the store. Kellogg took the shop owner to court, where Edward Cantwell, the white Republican who was judge of the city’s special court, ruled that no law required one man to “mister” the other.⁷⁹

Black men, even those who held public office, were regularly denied the respect accorded white men on the streets of Reconstruction Wilmington. Yet alderman Kellogg demanded his right to a title. Perhaps Kellogg’s status in the antebellum free black elite prompted him to demand his “handle.” If that be so, his recent election to the Board of Aldermen would have made the shop owner’s slight sting all the more. As an officeholder, he was unwilling to permit a white man to address him discourteously in a public place. For decades, after all, white men had demanded that black people, slave and free, address them as “mister,” with severe penalty for violations.

In a similar incident, again in Judge Cantwell’s court, alderman Anthony Howe was appearing as a witness when John Holmes, a white attorney, addressed him as “Anthony.” Howe objected. Judge Cantwell was undoubtedly accustomed to hearing

⁷⁹ *Wilmington Post*, 8 March 1870; *Wilmington Star*, 8 March 1870; *Wilmington Journal*, 8 March 1870.

black men called by their first names, but such familiar address of a city alderman in a court of law prompted action from the Southern-born Republican judge. Cantwell demanded that counsel address Howe by his surname and with respect.⁸⁰ Political equality facilitated social equality. Kellogg's and Howe's status as aldermen made their demands to be treated as equals not only more legitimate, but more public as well. Stories about both episodes appeared on the front pages of the local papers. Such disputes between black aldermen and white citizens showcased black expectations of equality and provided examples for other black Wilmingtonians.

Expectations of equality were most visible in the public arena. In freedom, black Wilmingtonians laid equal claim to city spaces. Once excluded from certain aspects of city life, freedpeople occupied public space not only as a means of asserting their freedom, but as a natural part of citizenship. The city was for the people, and black Wilmingtonians expected to benefit from and enjoy all it had to offer. On May 2, 1870, in one of the most elaborate demonstrations of their new access to public space, black Wilmingtonians came together to celebrate ratification of the Fifteenth Amendment, which guaranteed universal male suffrage. The sky was overcast that day, with "clouds, dark and lowering." The *Star* captured the drama of the morning, the "galloping horses, with urgent riders with sashes of orange, purple, and blue, dashing through the street [and] carriages rolling through the avenues leading to their several rendezvous." By 10 a.m., rain was falling at a steady drip, "enough to dampen the ardor of any participant in a public demonstration," but despite the weather, the grounds of Thalian Hall were thronged and the streets were full of people. All of the city's black churches and

⁸⁰ *Wilmington Star*, 17 June 1870.

associations were out for the jubilee. People came from all over the state to march through the streets of what was becoming North Carolina's black capital. Employers were asked to allow their "colored laborers, artizans [*sic*], mechanics and house servants a holiday, in order that as many of us as possible may meet together on the occasion."⁸¹

The celebration was organized by a Committee of Arrangements that included representatives from each New Hanover County township, including Wilmington. Black leader William McLaurin, the county Republican Party treasurer, was chief marshal of the event. Officeholders played a prominent role in the parade. Members of the Board of Aldermen, both black and white, marched in formation. Police Captain Delaware Nixon, justice of the peace Joe Hill, alderman George Arnold, and state representative George W. Price, Jr., were featured prominently at the front of the ranks. The Raleigh Brass Band accompanied special guests and elderly citizens who marched by carriage. The city's renowned Rose Bud Band, which included local black politicians John Nash and Allen Evans, led the procession of associations, including Grand Army Republic No. 1, the Draymen's Association, the Stevedores, and the Laborers. The fire companies showed off their recently repaired fire engine, the "Vigilant," drawn by two fine horses. Closing the procession was the Wilmington Brass Band No. 3 leading the D. P. Seaton Christian Association, the Sons of Lavender, and a group of black citizens from Raleigh.⁸²

⁸¹ For the celebration planning, see *Wilmington Star*, 14 April 1870; *Wilmington Journal*, 16 April 1870. For a description of the celebration, see *Wilmington Post*, 5 May 1870. For the request to let black laborers have the day off, see *Wilmington Post*, 17 April 1870. The Fifteenth Amendment had been ratified on March 30, 1870.

⁸² *Wilmington Journal*, 5, 16 April 1870; *Wilmington Post*, 5 May 1870.

Together, they marched up Princess Street to Fourth Street, then along Fourth to Red Cross and down Red Cross, toward the Cape Fear River, to Front Street, where they headed south to Market Street, then through the center of downtown to City Hall on Third Street. Banners and transparencies proclaimed the convictions of the city's black communities. "The Ballot the Free man's Badge," read one. "Ready pay for honest toil and labor," demanded another. Some marchers carried messages of democracy and equal rights. "The People shall rule" one banner declared. "The Ballot to all" read another. "Justice, Integrity and Equality" was printed on yet another. "Fifteenth Amendment GRANT-ed" proclaimed a banner linking Republican president Ulysses S. Grant to the achievement of the vote. Another honored "George Washington the Father of his Country—Abraham Lincoln the Savior of our Liberties—U. S. Grant the Preserver of the Nation." Using a familiar language of liberty, the marchers portrayed the Fifteenth Amendment as a realization of the promises of the American Revolution. "The Independence of 1776 achieved in 1870" was one slogan. "The Nation's second Birth" proclaimed another.⁸³

The procession concluded at Dudley's Grove, a popular meeting place near the Dry Pond neighborhood, where the ceremonies commenced with a prayer by William T. Carr, pastor of Wilmington's First Colored Presbyterian Church. Two of the state's most prominent white Republicans, U.S. Senator Joseph C. Abbott, a former Union general and resident of Wilmington, and Congressman Alfred Dockery, a North Carolina former Whig who also resided in Wilmington and represented the congressional district that included New Hanover County, addressed the crowd. Then it became apparent that the

⁸³ *Wilmington Post*, 5 May 1870.

celebration would have to move to City Hall due to the rain, although many worried that the building could not accommodate “the immense number present.” At first it seemed that many of the celebrants had headed home rather than brave the showers, “but before a half hour had elapsed, the same faces were seen returning, their forms clad in dry clothing,” the *Post* reported, “and City Hall was jammed as it never was before, or probably never will be. Gallery, circle, parquette, vestibule and lobby, one crushing, worrying, noisy throng of men, women and children.”⁸⁴

When George Mabson took the stage at City Hall, the first black man to address the assembly, he delivered a significantly different message than had Abbott and Dockery. While the two white Republicans, Abbott from the North and Dockery from the South, had applauded the Fifteenth Amendment and the achievement of black suffrage, they had spoken of it as the final battle in the war for black liberty. The war was over. It had ended in victory with ratification of the Thirteenth, Fourteenth, and now Fifteenth amendments. By contrast, Mabson’s speech was the story of a fight just begun, a campaign initiated rather than concluded by the Fifteenth Amendment. Black people remained unequal in the eyes of law, Mabson declared. “While it is true that a great battle has been fought and won, won too by the Republican Party, the mission of that party is not consummated.” It was now time to implement the Fifteenth Amendment, and Mabson, a lawyer, pointed to the law as the place to begin. “Upon the statute books of this nation the word white still remains,” he continued. “Our laws are still unequal. The Irishman or German may come to this country and become one of its citizens, but the son of Africa, because under the dispensation of Providence born black, is denied this great

⁸⁴ *Wilmington Star*, 16 April 1870; *Wilmington Post*, 5 May 1870.

privilege; and until we strike out the word ‘white’ from our naturalization laws, which is the last remaining vestige of slavery, we will have failed to do an essential thing to make citizenship to the colored men of America, glorious and sublime.”⁸⁵

Such differences in priorities and political vision made many black Republicans prefer black candidates. In his attempt to join in the “jubilee,” Dockery did not exude the same ardor as Mabson. In fact, the white North Carolinian’s speech was lackluster. And who could blame him? As he himself mentioned repeatedly, the day was dark and rainy. He spoke at the beginning of the day’s events, before the celebration was moved to City Hall. And he told the audience that he was cutting his remarks short because of the weather. But once at City Hall, he was given a chance to speak again, this time after Mabson’s powerful more-to-be-done speech. Dockery stumbled through some remarks about not being prepared to speak twice and having done his part at Dudley’s Grove. The difference between the two men’s speeches seemed all the more significant because the upcoming August 4 election for federal, state, and county offices was just a few months away. The celebration was the largest campaign opportunity before the election, and Dockery was up for reelection to the U.S. House of Representatives. His principal black supporters, perhaps not surprisingly given his Southern roots, were associated with the alternative faction. Meanwhile, Mabson, a staunch regular Republican, had thrown his support to Andrew Jones, a white Northern-born transplant who was president of the Wilmington and Weldon Railroad. That Dockery could not compete with Mabson’s speech at the Fifteenth Amendment observance was bad enough. More conspicuous and problematic must have been his inability to explain why he had been absent on the day of

⁸⁵ *Wilmington Post*, 5 May 1870.

the House vote on the amendment.⁸⁶

Black officeholders shared their constituents' investment in advancing equal rights. By 1870, public life in Wilmington had been transformed by black officeholding. The end of slavery had not, of itself, allowed black people to assemble in public or form their own businesses, churches, and associations. Only the implementation of policies that removed restrictions prohibiting black citizens from owning certain types of businesses (the sale of alcohol, for example) enabled the construction of new black public spaces. Before black men sat on the Board of Aldermen, Anthony Howe, with all his wealth, could not get a drink in the city where he paid his taxes. Abraham Galloway's ejection from Neff's Saloon had made news in the local papers the year before the first election of black men to public office.⁸⁷ The city charter of 1866 had, on paper, eliminated racial restrictions that prohibited blacks from selling spirituous liquors, but the granting of liquor licenses was a responsibility of the Board of Aldermen, and it was not until the election of Republicans, including black Republicans, to the board in 1869 that a black man received such a license.⁸⁸

William H. Moore was the successful applicant. Thirty-two years old in 1869 when he turned his barber shop into a saloon, he was the son of well-known black abolitionist Thomas H. Jones, a manumitted expatriate from Wilmington. As a child,

⁸⁶ In February 1869, Dockery had missed the vote in the U.S. House of Representatives when the Fifteenth Amendment was under consideration. See *Wilmington Post*, 5 May 1870; *Wilmington Journal*, 2 August 1870. Jones was one of the railroad men that the *Journal* had described as corrupt rogues when arguing that native-born black men were preferable to untrustworthy white Northerners.

⁸⁷ Galloway's ejection from Neff's Saloon is described above, in Chapter 3.

⁸⁸ *Wilmington Post*, 25 March 1869.

Moore had fled to the North with his parents, spending his youth in Brooklyn, New York, and working for the New York *Anglo-African* as a young man. By 1866, he had returned to Wilmington, married Mary Catherine Howe, the daughter of Alfred Howe, and was agitating for political rights, operating a barber shop, and working as a painter. He also moonlighted as a detective, obtaining a contract with the city in 1868. His detective work allowed him to successfully request the right to carry a firearm. In 1867, Moore had become one of Wilmington's first black officeholders when he was appointed a voter registrar, a position he carried out to the loathing of local whites. "By his insolence and impertinent questions," the *Conservative Journal* had complained, "he rendered himself particularly obnoxious."⁸⁹

Black officeholding facilitated the establishment of Moore's saloon, and the saloon's establishment in turn facilitated and transformed local black politics. Like many

⁸⁹ *Wilmington Journal*, 12 April 1868. After being manumitted, Thomas H. Jones and Mary R. (Moore) Jones had fled Wilmington when the statewide crackdown on free blacks of the late 1840s and 1850s put them "in constant fear of re-enslavement." Jones sent his wife and all their children but one to New York in 1849 and joined them soon thereafter. In New York, he became a prominent abolitionist. His activism took him to St. John, Canada, for a time and to Boston, where a sort of chain migration pattern became established between the lower Cape Fear and the Massachusetts port city. William H. Moore was a cousin of fellow political leader George L. Mabson, who was a great-nephew of Moore's mother. See Thomas H. Jones, *The Experience of Rev. Thomas H. Jones, Who Was a Slave for Forty-Three Years. Written by a Friend, as Related to Him by Brother Jones* (New Bedford, MA: E. Anthony & Sons, 1865), 5-7, 32-45, 48, 73, 80. In January 1863, the *Anglo-African* identified William H. Moore as a director of the African Civilization Society, giving his address as 147 Mott St., New York. See Gould, *Diary of a Contraband*, 30-31, 308, 317. Moore continued to be interested in black newspapers. In 1876, he tried to publish a paper in Wilmington, *The Poor Man's Friend*; see *Wilmington Star*, 13, 25 March 1876. Beginning in the late 1880s, he was a black newspaper distributor in Wilmington; see *Wilmington Star*, 9 October 1889. In the 1918 city directory, he was described as a book printer and sign painter; see *Wilmington City Directory* (Wilmington, NC: Hill Directory Company, 1918). For Moore's occupation as a painter, see *Smaw's Wilmington Directory*, 1866. For his occupation as a barber, see *Wilmington Star*, 2 June 1870, 6 September 1870; Reaves, *Strength through Struggle*, 440. On his appointment as a voter registrar, see *Wilmington Journal*, 19 April 1867.

a bar before and since, Moore's Saloon became one of the city's leading political meeting places. The church, along with people's homes and shops, had been the first spaces where black people could gather to discuss, confer, and debate. City Hall became an important political meeting spot once black Wilmingtonians gained equal access to the building. But the black-owned saloon was exciting new political space. Despite its small size, gatherings at Moore's Saloon were "large and enthusiastic." "[W]here, oh! where did they put the 'commonality?'" the *Journal* asked in jest after describing the place as "a room of the enormous dimensions of about 12 x 18 feet." Regardless of size and rain or shine, when the saloon itself was full, folks spilled out into the street to talk politics.⁹⁰

For freedpeople, politicking demanded active participation. Mass meetings, political rallies, and political debates were expressions of joy and freedom for those who had so recently been slaves. Saloons represented a particular type of locals-only community space where patrons could speak freely, perhaps even more freely than they could in a church, a private home, or City Hall. At the same time that the saloon was black-only space, however, it was also exclusive space. It may have reflected new freedoms afforded by access to public space, but it also represented a social division of public space based on gender. Whereas women and children were daily found within the walls of churches and homes or in public places like the Market House and picnic grounds, the saloon was reserved for men. To the extent that black politics took place in the saloon, black women became less central to the discussions.

As usual, white Republicans were full of warnings and paternalistic advice about blacks' new access to saloons. That people were going to drink was clear, and,

⁹⁰ *Wilmington Journal*, 7, 8, 9 June 1870.

“recognizing this,” Grady wrote in the *Post*, “we, as reasonable men, must seek to confine the sale of liquors into the hands of discreet and respectable men.” The *Post*’s solution was government regulation. The government, “by a rigid inspection of all beverages offered for sale; by licensing of only men of good standing, and punishing with the utmost severity unlicensed and adulterating dealers, may advance the cause of temperance more than all the total abstinence regulations ever adopted,” Grady claimed. The city of Wilmington should “set the example and by a system of inspection root out all the low dram shops where poison is sold to laboring men, who but for this would be good and respectable citizens.”⁹¹ Stiff taxation was another strategy to keep dram shops on the high rather than low end. In April 1869, the Board of Aldermen levied a \$50 monthly tax on operating a barroom, a prohibitively high amount for an ordinary working man, white or black. The tax was supported principally by the regular wing of the Republican Party, especially its white Northern-born members.⁹²

Although his saloon was clearly not one of those described in the *Post*’s plea for respectability, William H. Moore received a liquor license from the Board of Aldermen in July, 1869. Moore’s Saloon most definitely sold drinks to “laboring men.” Located at 4 Water Street, near the docks that lined the Cape Fear River and amidst the hucksters, the market, and the port, Moore’s Saloon was in the heart of working-class Wilmington. It was easily accessible from both Dry Pond and Brooklyn. It was also accessible by

⁹¹ For Republican warnings, see H. S. Servoss to Maj. Upsham, 12 May 1868, Letters Received, ser. 1380, Post of Wilmington, RG 393 pt. 4, NARA-DC. For Grady’s editorial, see *Wilmington Semi-Weekly Post*, 27 June 1869.

⁹² For the tax, see *Wilmington Semi-Weekly Post*, 29 April 1869. If the saloon had a billiard table, \$5 was added to the monthly tax. A bagatelle table added \$3 per month, and a bowling alley \$5. If the bar retailed liquor to go, an additional \$17 was charged.

steamer and boat. For the cost of \$1, a person could ride the *Little Sam* steamer from the Upper Black River neighborhoods of New Hanover County right to the saloon.⁹³

Moore's Saloon underscored the regional, class, and racial divisions among Wilmington's Republicans. The white Northerners in the party's ranks generally adhered to an ideology that mandated working-class behavior rooted in industry and thrift. Some of them had come to the South with a missionary zeal that proposed to create a working class out of erstwhile slaves. Black Wilmingtonians found themselves viewed with antipathy when they violated middle-class Northern principles of prudence and self-control. Temperance was one such principle, and it was intimately connected to Northern views regarding appropriate conduct. The suggestion by the Republican *Post* that the liquor business be confined to "good men of standing" may have been a product of Charles Grady's standard rhetoric about black inferiority, but it reflected the views of many Northern transplants. Accordingly, Moore's Saloon was targeted by white regular Republicans from the moment it opened its doors. In February 1870 Moore was charged with selling liquor on Sunday, an offense that could have resulted in the bar's closure. He appeared in court on February 26 and, in accordance with his jack-of-all-trades reputation, conducted his own defense. He was found not guilty.⁹⁴ His prosecution, however, brought to light a major difference within the Republican Party regarding the behavior of freedpeople.

⁹³ *Wilmington Journal*, 4 July 1869. On the *Little Sam*, see *Wilmington Semi-Weekly Post*, 27 June 1869; *Wilmington Weekly Star*, 6 January 1871.

⁹⁴ For an example of Northerners' advocacy of temperance, see *Wilmington Semi-Weekly Post*, 27 June 1869. On Moore's prosecution, see *Wilmington Journal*, 27 February, 8 March 1870.

The fall 1870 federal, state, and county elections once again revealed the diversity of opinion that could be found both within the local Republican Party and in the city's black communities. Particularly contentious was the race for U.S. Congress from North Carolina's Third District, which included New Hanover and twelve other counties. The Conservative Party, now calling itself the Conservative-Democrat Party to ally itself with the national Democratic Party in the federal election, nominated Alfred Moore Waddell, a former Confederate colonel, member of one of the Cape Fear's oldest aristocratic families, and resident of Wilmington. In an 1867 speech to a black audience at a meeting organized by Gamaliel P. Rourk at Wilmington's First Baptist Church, Waddell had expressed support for the Republican Party and for extending the suffrage to educated, property-owning black men. "Now I am going to tell you what you all want to know and have been waiting to hear," he had stated before addressing the question on everybody's minds: "I wonder if that man is a Republican?" "In North Carolina there is but one party organization that I have heard of or known of and that is the Republican party," he had declared. "For my part, in future, I expect to vote with the Republican party in all reasonable measures." That future had, however, proved to be extremely short-lived. By 1870, Waddell had become a leading Conservative and denied having ever supported even a limited black suffrage.⁹⁵

The Republican frontrunner, incumbent Oliver H. Dockery, who was also a

⁹⁵ *Wilmington Journal*, 19 June 1867. On Waddell's 1867 appeal to black Wilmingtonians, see also Jerome Anthony McDuffie, "Politics in Wilmington and New Hanover County, North Carolina, 1865-1900: The Genesis of a Race Riot" (PhD diss., Kent State University, 1979), 56, 64, 68. In addition to New Hanover, the counties in the Third Congressional District were Anson, Bladen, Brunswick, Columbus, Cumberland, Harnett, Montgomery, Moore, Richmond, Robeson, Sampson, and Stanly.

resident of Wilmington, had undergone his own political transformation in the years since the war. A veteran of the Confederate army, Dockery had left the service during the war and become a strong proponent of peace and reunion. His family was part of the gentry class in Richmond County and had a longstanding Whig background. In 1865, he had opposed extending the suffrage to black men. After the passage of the Reconstruction Acts in 1867, however, he played a central role in the formation of the state Republican Party, and by 1868 he had come to recognize the necessity of campaigning among black voters. Like many of the party's white former Whigs, Dockery had shifted toward the alternative faction by 1870. The regular Republicans hoped to replace him in the 1870 election and had begun suggesting candidates to run against him, including fertilizer magnate George Z. French, apparently back in the regulars' good graces, and Northern-born postwar transplant Andrew J. Jones, the scandal-ridden president of the Wilmington & Weldon Railroad, who was Dockery's main competition.⁹⁶

The New Hanover County Republican convention was scheduled to meet on June 1, 1870, in Wilmington to select not only a candidate for Congress, but also candidates for the state legislature and for county offices, including register of deeds, treasurer, county commissioners, coroner, surveyor, and sheriff. On May 26, townships began holding meetings to elect delegates to the convention. All four wards in the city held meetings on Friday, May 27. Chief among the concerns at the ward meetings was the nomination for sheriff. The alternatives had decided to support Owen Burney, who had served as the county's first black coroner and had subsequently been elected to the Board

⁹⁶ Wilmington *Star*, 31 March 1870. On Dockery, see Evans, *Ballots and Fence Rails*, 94, 118.

of Aldermen. Burney's nomination came as a surprise to the regulars, who expected the uncontested nomination of incumbent sheriff John W. Schenck, who was white. The First, Second, and Fourth wards elected delegates with little debate. Those from the First and Fourth Wards were identified as Burney men, while the Second Ward delegates unanimously supported Schenck. The Third Ward's delegates did not, however, reflect a consensus. After much "disorder and confusion," the ward's regulars pushed through delegates who supported Schenck, but the alternatives planned to repudiate them. Once again, it looked as though local Republicans were headed for a contested convention.⁹⁷

The *Conservative Journal* recognized the importance of the upcoming Republican convention. "The County Convention, which is to assemble here next Wednesday, June 1st, bids fair to prove the most exciting yet held here by the Radicals," the paper reported. "The contest is entirely among themselves, a Radical nomination to office in this county being equivalent to an election."⁹⁸ The contest during the nominating process between alternatives and regulars was decisive in local elections. Black Wilmingtonians, too, knew that the county Republican convention was where officeholders were chosen.

First on the convention's agenda was nominations for the state legislature. Regular Republican George Mabson was easily nominated for the House of Representatives, as were alternatives John Sampson and George W. Price, Jr., the latter of whom was an incumbent. All three were black. Black justice of the peace Hill nominated Abraham Galloway, New Hanover's leading black political figure, to return to the state Senate from the district that included New Hanover and Brunswick counties.

⁹⁷ *Wilmington Post*, 12 May 1870; *Wilmington Daily Journal*, 28, 29 May 1870.

⁹⁸ *Wilmington Post*, 12 May 1870; *Wilmington Daily Journal*, 28, 29 May 1870.

For the second senate seat, the Brunswick County Republican Committee endorsed via letter the incumbent Edwin Legg, a white Republican from Massachusetts who had called Smithville home since the end of the war. Galloway, however, objected to his senate colleague's nomination, declaring that "he would support any good Radical from Brunswick, but would not vote for E. Legg." In the senate, Galloway explained, "[Legg] had voted to exclude colored people from riding the cars with whites, and said that his wife should not ride with colored women." According to the *Journal*, Galloway emphasized the insult embedded in Legg's statement by declaring that "[h]e would let Mr. Legg know that his wife was as pure and virtuous as Legg's." Galloway's nomination was, as expected, unanimously approved. Consideration of Legg was postponed to the next day.⁹⁹

The convention next took up the hotly contested nomination for county sheriff. Alternative George W. Price, Jr., nominated Burney, whereupon "cries of 'No, no,' from Schenck's men" filled the hall, along with "cheers from Burney's party." The convention descended into discord as supporters of each candidate talked up their man. When the vote was called, Burney defeated Schenck by twenty-three to twenty-one. "The nomination of Burney fell like a bombshell among the discomfited carpetbaggers," reported the gleeful *Journal*. George Z. French and several other white Republicans "retired in disgust, exhibiting the mortifying spectacle of shrewd Yankees outwitted by a North Carolina negro," the *Journal* continued. The paper reserved its final jab for the

⁹⁹ *Wilmington Journal*, 3 June 1870. Legg was born in Massachusetts, as was a son who was ten years old in 1870, indicating that Legg had not moved to the South until after the war. See 1870 U.S. Census, Population Schedule, Smithville, Brunswick County, NC, www.ancestry.com (accessed 23 June 2016).

defeated Schenck, who “doubtless left cursing his misfortune in having been born white.”¹⁰⁰

The nominations for county sheriff and the state House of Representatives reflected the reality that both factions claimed ownership of the Republican Party. At the time of the 1868 national, state, and county elections, the alternative faction had not yet emerged. The exclusion of black candidates from the municipal ticket a few months later had given birth to that movement. Now, only two years later, some of the black men elected to state and county positions had defected to the alternatives, including George W. Price, Jr., and Owen Burney. The 1870 elections were the fourth contest in which the alternatives took part, and their strength was clearly increasing. As a result, both factions sought greater control over the nominating process. In the leadup to the January 1870 municipal election, the regular Republicans had attempted to exclude the public from the mayoral nominating convention by restricting participation to official delegates, a proposal that had been soundly rejected. At the time, the alternatives had charged the regulars with denying the input of the people at large. But now, six months later, it was the alternatives who employed exclusionary tactics. On June 2, 1870, the second day of the county nominating convention, the alternatives, led by George W. Price, Jr., Owen Burney, and Gamaliel P. Rourke, all black, as well as white alternative Lawson Rice, met at the Giblem Masonic Hall before the convention’s scheduled 10 a.m. start time. The delegates in attendance, “styling themselves the County Nominating Convention,” called the convention to order and pushed through Dockery’s nomination for Congress. When the rest of the delegates received word of what had transpired, they were outraged and

¹⁰⁰ *Wilmington Journal*, 2 June 1870.

used the news to mobilize the crowd that had assembled at the previously announced convention location and time.¹⁰¹

In Wilmington it was customary to conduct open nominating conventions that included not only delegates, but the public as well. The alternatives' power play therefore left a bitter taste in the mouths of many black Wilmingtonians. Dissenters called a public meeting to be held at Moore's Saloon the next night on, June 3. At that meeting, between seventy-five and one hundred black Wilmingtonians, including delegates from seven of the county's twelve townships, expressed their "disapprobation with [*sic*] the action of the late Nominating Convention." Regular Republican William McLaurin, the New Hanover County Republican Party treasurer, opened the meeting. He began by declaring "the actions of a body styling themselves the County Nominating Convention null and void." "That said body," he continued, "failed to carry out the intent of the people who had commissioned them." McLaurin denounced the organizers of the secret meeting as "a clique engineered by Messrs. Rice, Price, Burney, Rourke & Co."¹⁰²

Rural delegates to the county convention, who had traveled to Wilmington to cast their votes, had largely been excluded by the alternatives who seized control of the Republican congressional nomination. At the meeting in Moore's Saloon, Jonathan Eagles "assured the country delegates that their ill-treatment found sympathy in his bosom, and that he would support them in calling a new convention." He also denounced

¹⁰¹ *Wilmington Post*, 9 June 1870.

¹⁰² The organizers of the June 3 meeting at Moore's Saloon were William H. Moore, John Evangelist, William McLaurin, Henry Cherry, John Bell, Joe C. Hill, Joshua Russ, and Jonathan Eagles, all of whom were black. While most of them were regular Republicans, Moore and Eagles had been known to attend alternative meetings. On the meeting and its organizers, see *Wilmington Post*, 9 June 1870; *Wilmington Star*, 4 June 1870.

the increasingly elitist political views of some local black leaders. In particular, he indicted “sham Republican” John Sampson, who, he claimed, had said “he would not be caught with ‘ignorant niggers’ and did not believe in uneducated men being free.”¹⁰³

A second protest meeting comprising both official delegates and many of their constituents assembled at City Hall on June 7. The meeting’s chair, Solon V. Larkins, the white alternative Republican who had run against Eagles in the 1869 special election for the state House of Representatives, explained to those in attendance that they were gathered “for the purpose of expressing our disapprobation of the recent Convention—so-called—held in the Masonic Hall.” Some black Wilmingtonians at the City Hall meeting leveled charges that the delegates at the Masonic Hall convention had taken bribes, were “beastly drunk during deliberations,” or had been plied with liquor for their votes.¹⁰⁴

As appalling as the exclusivity of the secret Masonic Hall convention were indications that some elite black political leaders were trying to buy the votes of poor delegates. One delegate was reportedly bought off with three hams and a barrel of flour. Another was accused of having sold his vote for seventeen pounds of coffee. Such charges of the moneyed attempting to influence delegates of lesser means were particularly distasteful. Black justice of the peace Joe C. Hill denounced the ticket that had emerged from the rogue convention of alternatives and praised a delegate at the secret meeting who had refused to be bought. “Mr. Chairman,” Hill declared, “there was a gentleman, Mr. Joshua Russ, who Rice [alternative Lawson Rice] told that if he would

¹⁰³ *Wilmington Post*, 9 June 1870; *Wilmington Star*, 4 June 1870. John Sampson was a member of the prominent mixed-race Sampson family.

¹⁰⁴ Both protest meetings are described in the *Wilmington Post*, 9 June 1870.

work for the nomination of Owen Birney [for sheriff], he would give him as much work as he could do for a year; but like a gentleman, and a true hearted Republican, he refused it. Where will it end if we follow such men as Rice, who are degrading the Republican Party?" From Hill's listeners came the response "in h—." ¹⁰⁵

George W. Price, Jr., and the other organizers of the Masonic Hall convention may have been trying to wrest control from the regulars, but their tactics were starting to look uncomfortably similar to those of their opponents. In the past, black Wilmingtonians had objected to even the suggestion of closed nominating conventions. The bold maneuver that had allowed the alternatives to capture the official Republican nomination for Congress had worked, but at a price, for black Wilmingtonians resented any attempt to bypass the voice of the voters. Republicans found themselves in another intensely contested race.

While the alternatives' anti-Northern sentiments had found a receptive audience among some black Wilmingtonians, they had pushed others into the ranks of the regulars. At the first protest meeting at Moore's Saloon, regular Republican William McLaurin "appealed to all Republicans, especially the colored element, to stand by him and defeat the unwise purpose of Mr. Price, who had declared his intention to array them against white Republicans." Likewise, despite his critique earlier in the year of "strangers who have ridden into office upon the backs of the negroes," Jonathan Eagles insisted that he would "never desert 'carpetbaggers'—with them he would sink or swim." At the same meeting, George Arnold, who had come to Wilmington with the 4th U.S. Colored Infantry, proudly proclaimed himself "a soldier Carpet-Bagger, and would never draw

¹⁰⁵ *Wilmington Post*, 9 June 1870.

any distinction in the party. He knew no man by his color or nativity.” And William H. Moore, often the first to call and host alternative meetings, declared that “[h]e knew no Republican by his color—was an impartial friend to all classes—and would stab to political death any Republican who dared raise such an issue in New Hanover county.”¹⁰⁶ Such dramatic defense of Northern white Republicans underscored the factional divisions that were grounded in race and regional origins.

Out of the protest meetings emerged the “New Movement.” Unable to reclaim the official Republican ticket, a group of regulars that included George Mabson, Joe Hill, and George Arnold, calling themselves “New Movementers,” began organizing to put together a competing ticket. On June 28, they announced in the *Journal* that they would hold a New Movement nominating convention in the township of Rocky Point, a stronghold for regular Republicans, on Saturday, July 2. William H. Moore was elected chair at that convention, and its speakers included Eagles, Arnold, and Mabson, all of whom used the occasion to once again denounce the actions of the alternatives. According to the *Journal*, “[a] county ticket was put into nomination, but the names were not divulged.” Rather, the ticket was presented the following Wednesday at a ratification meeting at the Grand Army of the Republic building.¹⁰⁷

As expected, Andrew Jones was nominated for Congress. Galloway and white Northerner B. D. Morrill, who had moved to Brunswick County after the war, were

¹⁰⁶ Ibid.

¹⁰⁷ The first reference to the “New Movement” is in the *Wilmington Journal’s* report of a meeting of regular Republicans held at City Hall; see 17 June 1870. For the Rocky Point nominating convention, see *Wilmington Journal* 28, 30 June 1870, 3 July 1870. For the ratification meeting, see *Wilmington Journal*, 7 July 1870.

nominated for the state senate. George Z. French, George Mabson, and William McLaurin were the candidates for the state House of Representatives. Incumbent John W. Schenck received the nomination for sheriff. The five nominees for the county commission were prewar Northern transplant Silas N. Martin, schoolteacher Archibald R. Black, who was a native North Carolinian, and incumbent commissioner E. M. Shoemaker, all white, and two black men, ex-slave carpenter Alfred Lloyd and free-born coachmaker James Lowrey. For coroner, the New Movementers nominated white local-born county commissioner Edward Hewlett; for treasurer, white Union veteran Stacy VanAmringe; for surveyor, white Virginia-born port warden William B. Whitehead and, for register of deeds, white New Hanover County native and real estate agent William J. Bivens. They called their candidates the People's National Republican Ticket.¹⁰⁸

The day after the New Movementers' ratification meeting, a mass meeting was organized for Dockery to address the people. His performance was a disappointment. "To say that his effort was weak," wrote the *Journal*, "that, for a man occupying his position before the people of the Third Congressional District, his speech was pointless and feeble, would be drawing it rather mild." Dockery stammered through an explanation as to why he supported general amnesty, which would reinstate suffrage rights to men who had previously taken an oath of allegiance to the U.S. Constitution and then supported the Confederacy. Even worse, he "squirmed and wrangled like an eel" on

¹⁰⁸ For the nominations, see *Wilmington Journal*, 7 July 1870. On Whitehead, see 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 20 June 2016). On Bivens, see 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 20 June 2016); *Haddocks City Directory*, 5. On Black, see 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 8 April 2009). On Lloyd, see Reaves, *Strength through Struggle*, 430. On Lowrey, see Reaves, *Strength through Struggle*, 431.

the subject of the state militia act of March 1870, which had laid the groundwork for Governor Holden to deploy the state militia to combat Ku Klux Klan violence. Since its passage, Conservatives had been leading a charge to repeal the act. Dockery's wavering gave pause to black Wilmingtonians who wanted reassurance that their government would provide protection against the Klan and other terrorist groups. By contrast, Abraham Galloway had championed the measure, pushing it through with a motion to reconsider after it was initially defeated in the senate. As a result, it had finally passed on the third reading by a vote of eighteen to seventeen. To Conservatives, however, Dockery's failure to condemn the use of the militia during peacetime was evidence of government overreach. Dockery's performance at a mass meeting designed to showcase him was so inept that, according to the *Journal*, it inspired the Conservatives to offer a candidate for Congress for the first time since black men had received the vote. "We are now fully impressed with Dockery's weakness as a candidate," concluded the paper's report of the event. "So much so, in fact, that we are convinced that it is our policy to nominate his *successor in Congress*." The *Journal* suggested former Confederate Colonel Alfred M. Waddell.¹⁰⁹

The next day, black Wilmingtonians took matters into their own hands. Posters plastered throughout the city called for a Republican meeting on July 15 that was to

¹⁰⁹ *Wilmington Journal*, 8 July 1870 (emphasis in the original). For the militia act, see "An Act to Amend Chapter Seventy, Section Eighty-Three, of the Revised Code, and Section Six of an Act Entitled 'An Act to Organize the Militia of North Carolina, Ratified the Seventeenth Day of August, One Thousand Eihjt Hundred and Sixty-Eight'," 26 March 1870, *Public Laws of the State of North Carolina, Passed by the General Assembly, 1869-'70* (Raleigh, NC: Holden & Wilson, 1870), 211-12. For Galloway's motion and the Senate vote, see *Journal of the Senate of the General Assembly of the State of North Carolina at Its Session of 1869-'70* (Raleigh, NC: M. S. Littlefield, State Printer, 1870), 570-71.

exclude officeholders and politicians. Lemuel Brown, who had fled slavery with the Union army in 1865, chaired the meeting. He intended that every voice be heard, whether alternative or regular. The meeting was heated. As usual, the format confused the *Journal*. Attendees spoke over one another, the paper reported, and speakers engaged in dialogue with the audience. To the paper, that style of politicking looked like chaos. To those in attendance, however, the session was an inclusive exchange that sought to find common Republican ground prior to the Republican nominating convention. A second meeting was held on July 21 “for the purpose of endeavoring to reconcile the differences between them,” but to no avail. The Dockery men “would rather, they say, fight it out for Dockery,” reported the *Journal*, “as they are confident that they can elect him.”¹¹⁰

At the August 5 election the alternatives, who were united behind Dockery, presented the official Republican county ticket, which had been adopted at the Masonic Hall convention. Galloway was a candidate for the state Senate. Edwin Legg was the candidate for the other Senate seat, and John P. Sampson, George W. Price, Jr., and white grocer John G. Bulcken were the nominees for the state House of Representatives. The other candidates were Owen Burney for sheriff; justice of the peace Henry Ephraim Scott for register of deeds; incumbent John L. Rhoades for surveyor; merchant William Monroe for coroner, and Stacey VanAmringe for treasurer. All but Burney were white. The nominees for county commissioner were white incumbents Stephen Keyes and Rufus Garriss, Daniel C. Davis, a wealthy white farmer from Connecticut who had settled in New Hanover County after the war, and the first two black candidates for the office,

¹¹⁰ *Wilmington Journal*, 9, 10, 16, 28 July 1870; *Wilmington Star*, 15, 16 July 1870.

James Lowery and William Waddell, the latter of whom was a mixed-race house carpenter from Wilmington.¹¹¹

Sensing opportunity in the Republican disarray, the Conservatives acted strategically and focused their attack. For Congress, they nominated Alfred M. Waddell, a highly recognizable figure among white voters. Noticing the contentious race between Legg and Morrill for one of the district's two state Senate seats and the united backing of Abraham Galloway for the other, the Conservatives offered only one candidate, former Confederate officer Charles McClammy, a member of the county's gentry. For the state House of Representatives, they nominated a full slate of three candidates— Samuel Ashe, a member of one of the county's aristocratic political families, James S. Hines, a well-off farmer in Rocky Point township, and attorney Edwin W. Kerr, a member of a wealthy agricultural family in the township of Franklin—to fight it out with the six men nominated by the two Republican factions. The Conservatives hoped to win at least one seat.¹¹²

Conservatives also ran candidates for every county office except sheriff. For treasurer they nominated Owen Fennell, Jr., a local-born store clerk; for coroner, George

¹¹¹ *Wilmington Journal*, 4 August 1870. On Bulcken, see *Haddocks City Directory*, 70. On Monroe, see *Haddocks City Directory*, 157. On Davis, see 1860 U.S. Census, Population Schedule, Stonington, New London County, NC, www.ancestry.com (accessed 2 July 2016); 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 2 July 2016). On Waddell, see Reaves, *Strength through Struggle*, 476-77. On Lowery, see Beverly Tetterton, *A Biographical Dictionary of New Hanover County, NC Commissioners* (Wilmington, NC: New Hanover County Public Library, 2010), 431; *Haddocks City Directory*, 260.

¹¹² *Wilmington Journal*, 4 August 1870. On McClammy, see *Wilmington Journal*, 22, 23 July 1870. On Ashe, see Evans, *Ballots and Fence Rails*, 106, 155. On Hines, see 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 20 June 2016). On Kerr, see 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 20 June 2016).

H. Kelley, an Illinois-born produce broker; and for surveyor, real estate broker John K. Brown. The Conservatives also ran five candidates for the county commission: James F. Simpson, George F. Walker, William L. DeRosset, a wealthy local-born merchant, John C. Heyer, a wealthy German-born grocer, and Scottish boat builder Archibald R. Black. All of the Conservative candidates were white and had lived in North Carolina for at least a decade by the time of the Civil War.¹¹³

On August 3, the day before the election, New Hanover County Republicans made one last attempt at unity. The resulting “Compromise Ticket” placed Dockery at its head and accepted Price for the state House of Representatives. At least one alternative, William McLaurin, was persuaded to drop his candidacy. Debate at the meeting became so contentious that Abraham Galloway, Jonathan Eagles, and George Mabson were arrested for disorderly conduct. After their arrest, the meeting, led by George W. Price, Jr., moved from City Hall to the Market House, where speeches and debates could be heard until late into the night.¹¹⁴

¹¹³ *Wilmington Journal*, 4 August 1870. On Fennell, see 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 20 June 2016). Kelley had been born in Illinois, but a son who was twenty-seven years old in 1870 was born in North Carolina, indicating that Kelley had moved to the South well before the war. See 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 20 June 2016). On Brown, see *Haddocks City Directory*, 40, 68. No information has been located on Simpson or Walker. On DeRosset, see 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 20 June 2016). Heyer’s son, who was sixteen years old in 1870, was born in North Carolina, indicating that Heyer had moved to the state before the war. See 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 20 June 2016). On Black, see *Wilmington Daily Journal*, 4 August 1870; Tetterton, *A Biographical Dictionary*, 19; 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 8 April 2009).

¹¹⁴ On the August 3 meeting, see *Wilmington Journal*, 4 August 1870; *Wilmington Post*, 11 August 1870.

When the votes were counted, North Carolina's Third Congressional District had elected Alfred M. Waddell, Conservative, to the U.S. House of Representatives; in New Hanover County, however, Dockery won a large majority.¹¹⁵ Abraham Galloway was easily reelected to the state Senate, but he headed to Raleigh alongside Conservative Charles McClammy, the split within the Republican Party having prevented either of the white Republican nominees from realizing a majority. George Mabson, however, was reelected to the state House of Representatives, together with white Republican George Z. French and white Conservative Samuel Ashe. Both Mabson and French had run on the People's National Republican Ticket. George Price's political wrangling had backfired, possibly causing him to lose the election. He was replaced by Ashe, who gained a seat historically held by members of his family.¹¹⁶ What had started as an all-black Republican ticket for the state House of Representatives had been fractured into two Republican tickets, each with one white and two black candidates, that ultimately resulted in the election of only one black man to the state's lower house. The consequences of the alternative strategy about which many Republicans had warned had come to fruition.

In a letter to the *Post*, a Wilmingtonian calling himself "Republican" blamed the Republican losses on the party's lack of unity and warned that Conservative victory would lead to a "reign of terror" if Republicans did not win back the lost offices at the

¹¹⁵ For the election results, see *Wilmington Weekly Star*, 12 August 1870. Waddell served four terms before being defeated in 1878 by Daniel Lindsay Russell, who ran on the Republican-Greenback Ticket. In 1898, Waddell was a leading organizer of the bloody Wilmington Massacre. See LaRae Umfleet, *A Day of Blood: The Wilmington Race Riot* (Raleigh: North Carolina Office of Archives and History, 2009), 77.

¹¹⁶ *Wilmington Post*, 11 August 1870.

next election.¹¹⁷ Locally, however, Republicans mostly retained power, and black Wilmingtonians gained their first seat on the county commission. While Conservative John C. Heyer was elected to the county commission, so was James Lowery, who became the first black man to hold that office. Lowery, who owned a home in the Brooklyn neighborhood and a profitable coach-and-carriage-making business in the center of the city, had been the only candidate for county office to appear on both Republican tickets.¹¹⁸ Wilmington's Republican strength was becoming exceptional, however. Conservatives won control of the state legislature in 1870, making North Carolina one of the first states to begin what white Southerners called "Redemption," that is the wresting of power from their black brethren in the name of white supremacy.¹¹⁹

Then, on September 1, 1870, as Republicans braced for a Conservative state legislature, Abraham Galloway suddenly died. Although he had been rumored to be ill, his death at the age of thirty-three stunned the city. Galloway had seemed invincible. So unexpected was his passing that his widow was left without any means of support, prompting Wilmington's black neighborhoods to spring into action. George Mabson led the charge, creating a benefit fund for the support of Martha Ann Galloway and her two young children, John and Abraham Jr.¹²⁰ On September 3, black North Carolinians

¹¹⁷ Ibid.

¹¹⁸ For the election results, see *ibid.*

¹¹⁹ Otto Olsen, "North Carolina: An Incongruous Presence," in *Reconstruction and Redemption in the South*, ed. Otto Olsen (Baton Rouge: Louisiana State University Press, 1980), 183.

¹²⁰ For Galloway's death, see Cecelski, *Fire of Freedom*, 213-18. For the creation of a benefit fund, see *Wilmington Post*, 23 April 1871; *Wilmington Star*, 23 April 1871. By 1880, Martha Ann Galloway and the children had returned to her hometown of Beaufort, North Carolina, where she was listed as a head of household in the year's census. See Cecelski, *Fire of*

assembled to mourn one of their own heroes of freedom. More than 6,000 people filled the city's streets. The funeral procession included 100 carriages, "[t]he colored Masons, in their regalia, the firemen in their uniform, and the various colored societies."

Mourners stretched half a mile down Market Street and wound their way to St. Paul's Episcopal Church, where they filled the sanctuary to capacity and spilled out into the street. According to one newspaper account, Galloway's homegoing was the largest funeral the state had ever witnessed.¹²¹

After a year of constant political bickering, leaders from both sides of the Republican aisle came together to mourn one of their own. Black Wilmingtonians continued to eulogize Galloway during the week following the funeral. Regulars Gamaliel P. Rourke, George Arnold, and Joe Hill and alternatives John P. Sampson and George W. Price, Jr., all delivered speeches honoring Galloway in the days that followed.¹²² Galloway was esteemed by both alternatives and regulars. Both Republican factions had claimed him and nominated him without fail. While he chastised the alternatives at times, he never turned his back on them.

To black Wilmingtonians, Galloway represented freedom's highest hopes. He thought big and expected others to catch up. "[H]is naturally gigantic mind far outleaped the bounds of its culture," wrote the *Raleigh Standard* in a tone that conveyed lament as much as awe. He was a true revolutionary. He advocated women's rights on the floor of

Freedom, 280 n.2; Martha Ann Galloway, 1880 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 2 February 2009).

¹²¹ *Wilmington Star*, 2, 3, 4 September 1870. David Cecelski provides an excellent description of Galloway's funeral; see *Fire of Freedom*, 213-14.

¹²² *Wilmington Star*, 7 September 1870; *Raleigh Weekly Standard*, 7 September 1870.

the state senate at a time when even those in his own circle and community could not grasp the concept. After an unsuccessful proposal to approve a constitutional amendment allowing women the vote during his first legislative session, he proposed it again the very next year. Had he not died, the legislative session of 1871 would probably have been confronted with the issue once again.¹²³

Black Wilmingtonians were left with the task of replacing “their guiding star” (as the *Christian Recorder* referred to Galloway) in the state Senate. William H. Moore was mentioned as a possible successor, a nomination he embraced by stating that he, like Galloway, was “the candidate of laboring men.”¹²⁴ Galloway’s longtime political ally George Mabson was also put forward. In the end, however, the Republican Party of the Third District nominated George W. Price, Jr., as its candidate for Galloway’s senate seat at a November 4, 1870, nominating meeting. In his acceptance speech, Price declared his commitment to the Republican Party and insisted that “the party differences which had prevailed during the late campaign had all been healed.” Price was a controversial choice. As a result of his political methods, he had lost the last election after a contentious campaign. Perhaps in an attempt to appear humble as he stepped into Galloway’s shoes, Price promised to do better, assuring his constituents “that what ‘he ‘lacked in ability, he would make up in devotion to the interests of the Republican Party.’”¹²⁵

Not everyone at the nominating meeting supported Price. Some, starting with

¹²³ *Journal of the Senate, 1868- '69*, 209, 223; *Journal of the Senate, 1869- '70*, 466.

¹²⁴ *Christian Recorder*, 24 September 1870; *Wilmington Star*, 6 September 1870.

¹²⁵ *Wilmington Star*, 5 November 1870.

William H. Moore, looked with skepticism upon Price's sudden alliance with the party's white Northerners. Moore denounced Price as a deserter from the U.S. navy and called his loyalty into question, "having betrayed the trust which had been confided to him heretofore." Moore then announced his own intention to run for the seat as an independent and his determination "'to fight the Building Association, the Town Hall and the whole concern' from now until the election." To appeals for unity from some of Price's supporters, Moore responded that "he didn't brag on his muscle, but there was no use trying to shut him up; he would fight it out on that line if he kept them there until 12 o'clock." When the chairman of the meeting asked Moore to yield the floor, he "wheeled round, extended his arm and defiantly answered, '*I shan't do it.*'" Some in attendance tried to "put him off the stand," to which Moore retorted, "they *couldn't do it*" and was echoed by his own supporters "they *shouldn't do it.*" When the *Star's* reporter left the meeting at 10 p.m., Moore still held the floor and Joe Hill was appealing to him to take "only five minutes," but Moore "declined to accept the courtesy of the gentleman." The *Star* concluded that "we suppose, he adhered to his determination to 'fight it out on that line.'"¹²⁶

On November 10, 1870, the Third District elected George W. Price, Jr., to the North Carolina state Senate over independent black candidate William H. Moore and Conservative candidate Marsden Bellamy, a white member of the rice-plantation gentry.¹²⁷ Perhaps Price's victory could be attributed to his political fearlessness. Perhaps the recent loss of his house seat to Conservative Samuel Ashe energized his

¹²⁶ Ibid.

¹²⁷ Ibid., 10 November 1870. On Bellamy, see Evans, *Ballots and Fence Rails*, 57.

supporters. Or perhaps his recent alliance with the Republican establishment paid off. In any case, his election to succeed Galloway, who had been his principal political opponent among local black voters, demonstrated the complexity of electoral politics in Wilmington.

Galloway's death hit the city hard. In retrospect, it would become clear that 1870 was a watershed year on the lower Cape Fear. While black Wilmingtonians had achieved their greatest degree of power since emancipation, the political climate elsewhere in the state was threatening. The statewide Conservative victories of 1870 would resonate in Wilmington in the years to come. For Wilmington's Republicans, winning elections that extended beyond the borders of New Hanover County became increasingly difficult.

Alternative partisanship — faction — had proven both a useful tool and a dangerous weapon. It had led to a greater number of black nominees and more black men within the party leadership. It had forced Republican leaders, black and white, to pay attention to black neighborhoods, to campaign in them, to put their residents in the police force, to pave their streets, to light their street lamps. Faction was the tool used by black Wilmingtonians to mold the Republican Party into their own. At the same time, alternative partisanship had negative consequences. In many ways, Wilmington's black political power was contained by New Hanover's county lines. Faction had become a liability in elections for state legislative positions, and the loss of Republican power in Raleigh would eventually undermine Republican control of local government.

Even after black men had successfully demonstrated their ability in positions of public responsibility, many whites, Republicans as well as Conservatives, believed that the political ascendancy of former slaves should be restricted and controlled. While

many white Northerners evinced missionary-like zeal in their efforts to convert the South to the ways of wage labor, the inclusion of black people in positions within the political power structure was more troubling. The political success of black men alarmed many whites and suggested that the revolution had moved too fast, too soon, an apprehension Conservatives were able to use to political advantage in the 1870 campaigns for both state and Congressional offices.

Black Wilmingtonians, however, would cling tightly to a political culture that was rooted in their neighborhoods and expressed their commitment to full participation. The mass meetings so often mocked in white newspapers were the foundation of black politics, and the ideas that came out of battling until late into the night with everyone from the richest black man in town to the poorest were the wellspring of black political culture. As the seeds of exclusivity sprouted in Wilmington's politics and grew in the coming years, some Republicans tried to restrict nominating meetings to official delegates or refused to attend meetings with "ignorant country niggers." It had become clear that the idea of a solid black voting bloc in a city as diverse as Wilmington was a fallacy.¹²⁸

The emergence of parties rooted in the city's black neighborhoods revealed differences in political philosophies that were based on regional origins, class, race, and color. These differences necessitated open political dialogue as part of a new, more inclusive democracy. They guided the on-the-ground implementation of freedom. Attempts to squeeze the city's black voters into a single party were, in effect, attempts to

¹²⁸ The quotation is from *Wilmington Post*, 9 June 1870, which attributed it to John Sampson.

control black voters and rein in black power. Competing Republican factions functioned like a primary election in the internal political sphere of postemancipation Wilmington. They also reflected black Wilmingtonians' desire not to be confined to a single party on the basis of race. Because the Conservatives were committed to black exclusion, black Wilmingtonians did not have access to two established political parties. There was no chance of politically molding the Conservative Party. Rather, black citizens had to construct their own internal partisanship in order to engage in partisan debate and make local politics work for them.

As black Wilmingtonians molded the Republican Party in a way that challenged the two-party system, Conservatives pushed back, defining partisanship primarily in terms of a racial binary. During the 1870s, the Conservative Party would gain the allegiance of most of the state's white voters, but many of them first had to be convinced to vote against their own class interests on the basis of white supremacy. In time, the Conservatives would manage to strip away many of the democratic changes achieved under the Constitution of 1868, and even before then their control of the state legislature would enable them to take incremental steps to weaken black power in Wilmington.

Chapter 5

“A Degredation Worse than Death”: The Assault on Black Political Power, 1870-1877

On Christmas morning, 1871, black Wilmingtonians gathered at the head of Market Street overlooking the Cape Fear River for a grand tournament. Twelve knights, all black men in full armor, assembled for a festive joust on horseback. After completing the course with the most rings on his lance, Charles Madsey, Knight of Just Began, took first place and the top prize, a silver watch and chain. Following the joust, the victorious Knight of Just Began, followed by second-place Knight of Orange, who took home a silver cup, and third-place Knight of Haymount Hill, who received a gold ring, led the crowd in a parade through the city, accompanied by the Rose Bud Brass Band. The festivities concluded with a grand ball at City Hall where the victor crowned a lady of his choice the Queen of Love and Beauty.¹

During the 1850s, medieval tournaments had become popular among Wilmington's gentry, part of a cult of nobility practiced by the slavocracy. But neither the knights of 1871 nor their audience were members of the city's white gentry. In May of that year, George W. Price, Jr., had established the all-black Wilmington Tournament Association (WTA), and beginning that December, WTA-sponsored events competed with Jonkonnu as the black community's main event of the Christmas holiday season. Like their forerunners among the white elite, the tournaments were predicated on exclusivity, in this case a hierarchy of skill and status. Furthermore, as popular as the tournaments were, they were more passive than participatory for everyone but the

¹ Wilmington *Star*, 27 December 1871.

jousters themselves. People gathered mainly as spectators. They were male-centered, hierarchical events that differed dramatically from the boisterous egalitarianism of Jonkonnu.²

Like Jonkonnu, the WTA tournaments were deeply political. Jonkonnu had been a protest of slavery in which slaves donned exaggerated costumes to mock masters and critique mastery in general. Jousting appropriated the trappings of nobility to claim a status previously restricted to elite white men. Nobility and honor had long defined the gentry to whom social, economic, and political power belonged, and slaveholding was their foundation. Emancipation, however, challenged the premise that slave masters were nobles, as well as the premise that slaves were not. White Wilmingtonians could not help but take notice of the black Queens of Love and Beauty and their chivalrous knights, for the spectacle turned their own supremacy on its head. Historian William McKee Evans reports that formation of the WTA resulted in a decline in the memberships of white medieval associations. “The sight of Negro Sir Galahads jousting with each other,” writes Evans, “may have helped members of the elite classes to have seen the quixotic character of their own performances.”³ Black tournaments did not fit into the model of white supremacy. Indeed, sable knights and tawny queens shattered its social construction.

² *Wilmington Star*, 16 April 1871, 24, 27 December 1871. For background on tournaments in Wilmington, see William M. Reaves, *Strength through Struggle: The Chronological and Historical Record of the African-American Community in Wilmington, North Carolina, 1865-1950*, ed. Beverly Tetterton (Wilmington, NC: New Hanover County Public Library, 1998), 59.

³ William McKee Evans, *Ballots and Fence Rails: Reconstruction on the Lower Cape Fear* (Chapel Hill: University of North Carolina Press, 1967), 213.

The economic social, and cultural achievements of black Wilmingtonians struck daily blows against white supremacy. “[It] was in the area of black economics more than any other,” argues historian Leon Prather, “that [Wilmington] moved toward democratization.” Unlike most cities in both the North and the South, where black businesses were confined to black neighborhoods, black-owned businesses in Wilmington dotted the downtown streets, an indication that they profited from white as well as black customers. Black entrepreneurs had almost exclusive control of the city’s shoe stores, restaurants, and barber shops and entrepreneurship extended to black women as well as men. By 1871, at least two women, Jane Dickson and Mary Holmes, were proprietors of laundry services run out of their homes. Prior to the Civil War, forty-one free black women in New Hanover County worked as seamstresses, and there is little reason to believe that such work dropped off as a result of emancipation.⁴

Black Wilmingtonians, did not, however, find themselves on an equal par with white businesses. While the city’s black businesses made significant gains in the period between 1869, when black men first served in public office, and 1876, whites still controlled the city’s economy. Examination of the city’s Registry of Licenses to Trades

⁴ Leon H. Prather, *We Have Taken a City: Wilmington Racial Massacre and Coup of 1898* (Cranbury, NJ: Associated University Press, 1984), 19. In his memoir, John C. Dancy, a black Republican who served as federal Collector of Customs, described business and housing in Wilmington as racially mixed; see *Sand against the Wind: The Memoirs of John C. Dancy* (Detroit, MI: Wayne State University Press, 1966). In her study of the Wilmington Branch of the Freedman’s Bank, Susan O’Donovan found that residential patterns, like business patterns, were racially mixed suggesting a relatively low degree of racial segregation. See O’Donovan, “Mapping Freedom’s Terrain: The Political and Productive Landscapes of Wilmington, North Carolina,” in *After Slavery: Race, Labor, and Citizenship in the Reconstruction South*, ed. Bruce E. Baker and Brian Kelly (Gainesville: University of Florida Press, 2013), 187. On antebellum seamstresses, see John Hope Franklin, *The Free Negro in North Carolina, 1790-1860* (Chapel Hill: University of North Carolina Press, 1943), 134-35. On black-dominated businesses, see Evans, *Ballots and Fence Rails*, 159; Reaves, *Strength through Struggle*, 288-92.

reveals that only a handful of blacks registered a business in the trade office. Those who did were all described as mulatto in the census.⁵

Wilmington also became the state's black professional capital, and the black professionals who found success there served the city's black working and middle classes. By 1869, Dr. G. W. Thomas, M.D., had opened a medical practice in the city. State Senator George Mabson earned a law degree at Howard University in 1869, then returned to Wilmington to become the first black man in the state to pass the bar. State Representative George W. Price, Jr., opened a land agency that encouraged black land ownership at twenty-five cents an acre. In the 1871 city directory, he advertised "Land for the Poor" and forty-acre plots for \$10, "Twenty-five cents an acre in one year, and five years in which to pay the balance." (See fig. 5.1.) The North Carolina Colored Mutual Enterprise Company, a joint-stock venture, was organized at the Wilmington Freedman's branch of the bank on September 13, 1870, for "all colored people who are interested in the welfare and prosperity of their race."⁶

⁵ Registry of Licenses to Trades, 1869-1876, NCDAH.

⁶ For G. W. Thomas's medical practice in the city, see *Branson's North Carolina Business Directory* (Raleigh, NC: Branson & Jones, 1869), 21. For George Price's land agency, see T. M. Haddock, *Haddock's Wilmington, N.C., Directory and General Advertiser Containing a General and Business Directory of the City, Historical Sketch, State, County, City, Government, etc., etc.* (Wilmington, NC: P. Heinsberger, 1871), 113; William H. Bernard, *Bernard's Wilmington and Fayetteville Directory and Handbook of Useful Information 1866-'7* (Wilmington, NC: Bernard's Printing and Publishing House, 1866), 113; *Wilmington Star*, May 27, 1869. On the North Carolina Colored Mutual Enterprise Company, see *Wilmington Star*, 9, 13 September 1870.

Land for the Poor!

3,000 ACRES
OF LAND IN 40 ACRE FARMS.

Three thousand acres of good farming lands, situated near Town Creek, in Brunswick County, will be sold to settlers, at from \$2 50 to \$5 00 an acre.

The tract will be cut up into

40 ACRE LOTS,

AND SOLD FOR

25 Cents an Acre, Cash.

Twenty-five cents an acre in one year, and five years in which to pay the balance.

**TEN DOLLARS CASH,
BUYS A FARM OF FORTY ACRES.**

This is a rare chance to secure a farm and a home.

Apply to

**GEO. W. PRICE, Jr.,
Agent,
Wilmington, N. C.**

At Office of Mechanic's Association, over S. M. West's Auction Rooms.

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Figure 5.1. "Land for The Poor," 1871.

Source: T. M. Haddock, *Haddock's Wilmington, N.C., Directory and General Advertiser, Containing a General and Business Directory of the City, Historical Sketch, State, County, City, Government, etc., etc.* (Wilmington, NC: P. Heinsberger, 1871), 113.

The opening of the Freedman's Bank branch in 1869 encouraged economic security and was widely used by freedpeople who opened accounts not only in their own names, but for their children. Opening a savings account for one's one-year-old son or daughter reflected a sensibility that planned for economic security and generational improvement. But the importance of economic stability did not stop at the household. By 1873, more than forty businesses, churches, and mutual-aid associations had accounts

at the bank.⁷

Susan O'Donovan's study of the records from the Wilmington branch of the Freedman's Bank suggests that many black Wilmingtonians brought resources out of slavery. "[I]f those clerks and the records they left can be believed," she argues, "the black people of Wilmington exited bondage armed with an enviable array of social and institutional resources; attributes not shared by the vast majority of the nation's ex-slaves and attributes that could serve them as both shield and sword in a long-fought struggle over freedom's meanings."⁸ Local black capital funded local black politics. The factionalism that defined the Wilmington political style and promoted black officeholding was made possible by the dollars of the city's black working and middle classes. Because of the presence of such resources, black politics in Wilmington were not wholly dependent on white Republican benefactors. Without such independent resources, black Wilmingtonians may not have been able to develop the alternative Republican politics that forced black candidates upon reluctant white Republicans.

The black men who rose to political leadership in Wilmington, particularly those who held offices that required the posting of a bond, were, by and large, artisans, both formerly free and formerly enslaved. They regularly stood as their own primary sureties.⁹ Alderman William Kellogg, free before the war, county coroner Owen Burney,

⁷ On the Freedman's Bank in Wilmington, see O'Donovan, "Mapping Freedom's Terrain." On the Freedman's Bank more generally, see Carl R. Osthaus, *Freedmen, Philanthropy, and Fraud: A History of the Freedman's Savings Bank* (Urbana: University of Illinois Press, 1976).

⁸ O'Donovan, "Mapping Freedom's Terrain," 179-80, 192.

⁹ See, for example, Officeholder Bond for George W. Price Sr., Inspector of Wood and Shingles, 1868, Registry of Official Bonds New Hanover County 1868-1875, vol. 1, p. 15; Officeholder Bond for Owen Burney, Standard Keeper of the County of New Hanover, 1868,

a former slave, and the Howe brothers, who had purchased their freedom as young men, all of whom were carpenters, regularly posted their own officeholder bonds. If a bond was more than a man could provide on his own, he generally found support from within the local black elite. Antebellum free black carpenter Solomon Nash, for example, was the primary surety for Owen Burney when he served as coroner and for William J. Kellogg when he was appointed inspector of wood and shingles.¹⁰ They were all affiliated with the alternative Republicans, and their bond arrangements speak to the ability of men of means to challenge candidates funded by the regular Republicans.

In Wilmington, as in many Southern cities that had long been dependent on black labor, many whites held ingrained beliefs that blacks were innately better suited than

Registry of Official Bonds New Hanover County 1868-1875, vol. 1, p. 26; Officeholder Bond for Owen Burney, coroner, 1869, Registry of Official Bonds New Hanover County 1868-1875, vol. 1, p. 8; Officeholder Bond for Duncan Holmes, Inspector of Provisions and Forage, 1869, Registry of Official Bonds New Hanover County 1868-1875, vol. 1, pp. 35-36; Officeholder Bond for William J. Kellogg, Inspector of Wood and Shingles, 1870, Registry of Official Bonds New Hanover County 1868-1875, vol. 1, p. 28; Officeholder Bond for Duncan Holmes, Inspector of Forage and Provisions, 1870, Registry of Official Bonds New Hanover County 1868-1875, vol. 1, pp. 90-91; Officeholder Bond for Duncan Holmes, Inspector of Provisions, and Hay and Cotton &c., 1875, Registry of Official Bonds New Hanover County 1868-1875, vol. 1, p. 135; Officeholder Bond for Solomon W. Nash, Constable, Registry of Official Bonds New Hanover County 1868-1875, vol. 2, pp. 13-14, all in Office of County Commissioners, NCDAH.

¹⁰ On Nash, see Carter G. Woodson, *Free Negro Owners of Slaves in the United States in 1830: Together with Absentee Ownership of Slaves in the United States in 1830* (Ann Arbor, MI.: Negro Universities Press, 1968); James Browning Blackwell, "The Free Negro in Ante-bellum North Carolina," *NCHR* 15 (January 1938), 358-75. On Kellogg, see 1840 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 2 February 2009); 1850 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 2 February 2009); 1860 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 2 February 2009); 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 2 February 2009); For funds secured by Solomon Nash, see officeholder bond for William J. Kellogg, Inspector of Wood and Shingles, 1868, Registry of Official Bonds New Hanover County 1868-1875, vol. 1, p. 26; Officeholder Bond for Owen Burney, coroner, 1869, Registry of Official Bonds New Hanover County 1868-1875, vol. 1, pp. 35-36, within Office of County Commissioners, NCDAH.

whites for certain types of work. The end of slavery did not change those beliefs, and in the postemancipation city black workers were the backbone of the economy. Wages earned by black workers bolstered black neighborhoods, particularly after the protection of black-owned property that followed from the election of black aldermen and the appointment of black police. It was this reinvestment in community that supported black politics.

Unlike some postwar Southern cities, Wilmington did not industrialize. It was in traditional businesses that the city's economy rebounded after the war. Black women continued to fill virtually all domestic-service positions. Once logging in the piney woods of Wilmington's hinterland resumed, the city's sawmills did big business. While black men readily found work at the mills, much of that employment was sporadic. A majority of the workers employed at Silas Martin's mill in 1866, for example, worked less than one month. Shipping was the most important business in Wilmington, and dock work, including the loading and unloading of ships, was plentiful. Despite a brief attempt to replace black dock workers with Irishmen, black men would continue to perform that work as they had for more than a hundred years. The expansion of railroads after the war turned Wilmington into a major railroad center, with five lines that moved large quantities of lumber, turpentine, rice, peanuts, and guano. All employed black labor, thereby contributing to the migratory character of much postemancipation work.¹¹

¹¹ On Silas Martin's sawmill, see Silas N. Martin to Maj. Genl O. O. Howard, 11 March 1867, in *Freedom: A Documentary History of Emancipation, 1861-1867*, ser. 3, vol. 2, *Land and Labor, 1866-1867*, ed. René Hayden, Anthony E. Kaye, Kate Masur, Steven F. Miller, Susan E. O'Donovan, Leslie S. Rowland, and Stephen A. West (Chapel Hill: University of North Carolina Press, 2013), 549-50. On postwar labor in general, including the shipping and fertilizer industries, see Prather, *We Have Taken a City*, 19. William McKee Evans notes the enthusiasm

The emerging black urban working class engaged not only in electoral politics, but also in labor organizations. Perhaps reflecting the centrality of dock work, the city's earliest labor organization appears to have been the Stevedore's Association. In September 1865, black stevedores walked off the job while loading the steamer *Enterpe* after the captain refused to pay a higher hourly wage. By 1870, the Stevedore's Association was one of the city's leading labor organizations, and it regularly participated in Republican rallies and parades. By 1874, William Henry Howe, brother of black aldermen Anthony Howe and Alfred Howe, was a boss stevedore and active labor organizer. He was also a former policeman, captain of the Brooklyn Zouaves militia company, and one of the alternative Republicans who in 1874 ran on the protest Citizens' Ticket.¹²

As early as February 1869, just one month after the first election of black men to city office, the Labor Association of Wilmington (LAW) formed. The biracial LAW was resolved not to be affiliated with any political party and to be a voice for the working man. The association met every Thursday at the Giblem Masonic Hall on Market Street, in the center of the city. Three of Wilmington's prominent black political leaders, Robert Sweat, Duncan Holmes, and Allen J. Denton, were founding members of the LAW. All three also served on the police force and on the executive committee of the local Republican Party. In March 1870, wheelwrights Holmes and Sweat were appointed by

over the hiring of seventeen Irish Democrats to replace black workers on the docks, but no increase in white labor resulted. See Evans, *Ballots and Fence Rails*, 159.

¹² On the Stevedore's Association, see *Wilmington Star*, 14, 16 April 1870; Reaves, *Strength through Struggle*, 238. On William Henry Howe, see Reaves, *Strength through Struggle*, 415.

Governor Holden to coveted state inspector positions, Inspector of Provisions and Forage and Naval Stores Inspector, respectively.¹³

Black men comprised the bulk of Wilmington's tradesmen, including mechanics, furniture makers, jewelers and watchmakers, painters, plasterers, plumbers, blacksmiths, stonemasons, brickmasons, and wheelwrights. The Workingman's Association of Wilmington (WAW), an association of black artisans, was also organized in 1869 after black men first took political office. It met at City Hall. The WAW represented a collective that included carpenters, brick masons, painters, and plasterers. Carpenter Joseph Sampson, one of the wealthiest black artisans in the city, was elected to represent the WAW at the Colored National Labor Convention in Washington, D.C., that same year.¹⁴

By 1870, the city's labor organizations included the Cooper's Association, the Drayman's Association, and the Enterprise Society. That same year black sawyers initiated a strike at Northrop & Cumming Steam Saw Mill. In 1874, a group of mechanics organized under the name of the Plebeian Brotherhood to provide support for unemployed, injured, or ill mechanics and their families. Members of the Brotherhood included some of the city's most important black political leaders, including George Price, Jr., Hezekiah Reed, Samuel Merrick, and James Walker. In the 1880s, the city's black labor organizations would become even more active.¹⁵ Perhaps such organization

¹³ *Wilmington Semi-Weekly Post*, 25 February 1869; 11, 29 March 1869.

¹⁴ *Wilmington Star*, 31 January 1869, 4 November 1869, 7 November 1869; Reaves *Strength through Struggle*, 325-26.

¹⁵ On the presence of labor organizations by 1870, see *Wilmington Star*, 31 January 1869, 4 November 1869, 7 November 1869. On the sawyers' strike, see Reaves, *Strength through Struggle*, 325-26. On the Plebeian Brotherhood, see *Wilmington Star*, 29 January 1874, 4

explained why artisans, as a group, found success as businessmen on par with their white counterparts.¹⁶ They were also extremely likely to hold political office. Of 109 black officeholders identified in newspapers and other local sources as having served between 1868 and 1876, at least 36 were artisans.

While the most work available to black men and women in Wilmington offered low pay, the city did afford many of its black residents new opportunities to participate in local business. As a result, a growing black economic sector drove a black business boom. For black Wilmingtonians, life had been transformed. The significance of the black officeholder was not only the racial equality he symbolized, but also what he brought to the table as a member of an historically unrepresented community with distinct social, economic, and political needs and his ability to represent that group in the public arena. Black officeholders kept neighborhood issues on the public agenda, and they were invested in the construction of safe and sound black communities. Biracial government had resulted in increased rights under the law, new property rights, new political spaces, and growing economic independence.

In Wilmington, the money of the masses supported not only political campaigns,

February 1874; Deborah Beckel, *Radical Reform: Interracial Politics in Post-Emancipation North Carolina* (Charlottesville: University of Virginia Press, 2010), 89. On the growth of labor organizations in the city in the 1880s, see Reaves, *Strength through Struggle*, 326-27.

¹⁶ Ransom and Sutch argue that antebellum free black artisans were unable to compete after the end of slavery and the introduction of white competition. This, however, was not the case in Wilmington, where both free black and enslaved populations prospered after emancipation. See Ransom and Sutch, *One Kind of Freedom*, 35-39, 147-48, 346; Delmas Haskett and Bill Reaves, *New Hanover County 1865 Tax List*, (Wilmington, N.C.: New Hanover County Public Library, 1990). The Wilmington 1865 tax list contained the names of fourteen African Americans who paid property taxes that year. Among them were Elvin Artis, Alfred Howe, James Galley, and William Kellogg, all carpenters.

both regular and alternative, but also the structures that enabled black politicization. The money raised by churches and mutual-aid associations from everyday people kept the churches and lodges running to be sure, but it also supported schools, fire houses, militia companies, and tournament associations.¹⁷ Black associational life expanded dramatically in the 1870s and 1880s. By the end of the 1870s, the city boasted three lodges of the Grand Order of the Odd Fellows, and in the 1880s they were joined by the Free Love Lodge, which constructed a three-story building on South Seventh Street in the Dry Pond neighborhood. On October 2, 1873, the last brick was laid for the Giblem Masonic Lodge building. Located on the corner of Princess and Eighth Streets in the First Ward, it became an active civic center and still stands today.¹⁸

In 1875 the Giblem Lodge launched the Giblem Industrial Fair Association and on December 27-29 of that year hosted what may have been the first black industrial fair in the nation. The fair was divided into three arenas. In the Floral Hall, set up on the first floor, attendees could view quilts, embroidery, needle work, cotton crafts, baskets, cloth flowers, ladies' clothing and hats, hair styling, and unusual rocks. In the Agricultural and

¹⁷ Several historians argue that an ethos of mutuality guided economic life in postemancipation black communities. See, for example, Elsa Barkley Brown, "Negotiating and Transforming the Public Sphere: African-American Political Life in the Transition from Slavery to Freedom," in *The Black Public Sphere: A Public Culture Book*, ed. The Black Public Sphere Collective (Chicago: University of Chicago Press, 1995), 111-50; Elsa Barkley Brown, "To Catch the Vision of Freedom: Reconstructing Southern Black Women's Political History, 1865-1880" in *African American Women and the Vote 1837-1965*, ed. Ann D. Gordon et al. (Amherst: University of Massachusetts Press, 1997), 66-99; Thomas Holt, "An Empire over the Mind': Emancipation, Race, and Ideology in the British West Indies and the American South," in *Region, Race, and Reconstruction: Essays in Honor of C. Vann Woodward*, ed. J. Morgan Kousser and James M. McPherson (New York: Oxford University Press, 1982), 283-313; Lawrence W. Levine, *Black Culture and Black Consciousness: Afro-American Folk Thought from Slavery to Freedom* (New York: Oxford University Press, 1978), ch. 3.

¹⁸ Reaves, *Strength through Struggle*, 18-23.

Mechanical Hall on the second floor, food items were displayed, including pickles, wines, varieties of sweet potatoes, peanuts, peas, pumpkins, gourds, collards, rice, and turnips. Also on exhibit were boots, shoes, woodwork, winding stairs, steel and iron tools, blacksmith's anvils, cast iron furnaces, carts, and guns. The third arena was the Grounds, upon which were displayed carriages, buggies, wagons, livestock, and fowl. Spectators marveled at oddities like an alcohol-preserved sea monster, souvenirs from the Henry Berry Lowrey outlaw gang, and a stone from the Great Wall of China obtained by John A. Sharpless during his travels to China as a servant to Admiral Jenkins of the U.S. *Colorado*.¹⁹

The fair's board, which included black officeholders Joe Hill and William Kellogg, promoted the fair as a way "to show the world what our colored people can do in the way of farming, mechanism, art, needlework, cabinetwork, masonry, blacksmith, stock-raising, etc." George Price served as chief marshal, with Owen Dove holding the position of first assistant marshal and George Mabson chief of the military. Indeed, the officers of the fair were a who's who of the city's black officeholders, with Owen Burney, William H. Moore, Henry Brewington, Duncan Holmes, Joseph Sampson, Anthony Howe, and Hiram Hankins all designated as assistant marshals. The fair opened with a flag-raising at the Giblem Lodge and a parade through the city. The flag, which was created for the event, was blue and white with red lettering and two embroidered ears of corn. Music was provided by the Rose Bud Brass Band. The speakers included Justice of the Peace Joe Hill and John H. Smyth, a delegate to the recent constitutional

¹⁹ *Wilmington Star*, 12 December 1875, 19 December 1875, 28 December 1875, 29 December 1875, 30 December 1875, 31 December 1875; Reaves, *Strength through Struggle*, 57-59.

convention. On the final day of the fair, the Wilmington Tournament Association jostled in the afternoon and hosted a grand ball at City Hall in the evening.²⁰

The city's newspapers described the industrial fairs and tournaments as more dignified events than the "perfect pandemonium" of the political debates that took place in mass meetings and in the streets and taverns. Parades and public drilling by black militia companies were more orderly and even the Conservative *Star* seemed to approve of the Atlantics Cadets' establishment of a junior regiment of boys between the ages of sixteen and twenty that would "promote physical strength of the body through exercise and drill." Perhaps most symbolic of the dramatic shift in power that had occurred on the Lower Cape Fear was the resurrection of the area's oldest and most prestigious military company, the Wilmington Light Infantry, which had previously been made up exclusively of members of the white gentry. When black Wilmingtonians began drilling under the name in 1874, they intentionally called on antebellum notions of respectability and tradition. Mixed-race North Carolina Senator George Mabson, who was the recognized son and namesake of a member of Wilmington's antebellum white gentry, was named First Captain.²¹

In the 1870s, one strategy of Wilmington's black political class was to embrace respectability as a way to combat Democratic portrayals of wild and unready blacks dominating their white superiors. Black Wilmingtonians knew such characterizations

²⁰ Wilmington *Star*, 5 May 1875, 26 October 1875, 17 November 1875, 1 December 1875, 8 December 1875, 12 December 1875, 29 December 1875, 30 December 1875, 31 December 1875; Reaves, *Strength through Struggle*, 58. The fair became an annual event, and in 1879 it became statewide and moved to Raleigh.

²¹ Wilmington *Star*, 17 December 1872; 7 June 1874; 26 September 1875; Reaves, *Strength through Struggle*, 106, 335.

were inaccurate, but white Democrats, as well as some white Republicans, would never be swayed, no matter how much evidence was presented. Nevertheless, the politics of respectability played a prominent role in black social and political life.

By 1870, the city boasted two black literary clubs, the Colored Literary Society, of which officeholders George Price and William Cutlar were members, and the Wilmington Literary Association. In addition to conducting night schools for adults, members of the societies discussed and debated current and classic works of literature.²² Black political clubs turned their attention to global affairs, including the abolition of slavery around the world. A permanent organization was established in the city in recognition of Emancipation Day, which acquired a more global cast. In 1873, an Emancipation Day celebration focused on abolition in Cuba, with speakers delivering addresses “in favor of universal liberty, and sympathy for the enslaved brethren in Cuba.” In December 1874, a Haitian political leader, Madame Parquet, “known as the black Miss Anna E. Dickenson,” delivered a lecture on Haiti at St. Stephen’s Church and another at City Hall entitled “The Negro- Past, Present and Future.”²³

The crown jewel of Reconstruction Wilmington’s biracial political experiment was a county-wide public school system operated by township school committees. By 1872, in addition to a number of private schools, Wilmington had two public schools accommodating approximately 450 white children and 500 black children, and the city

²² Reaves, *Strength through Struggle*, 9-10; *Wilmington Star*, 25 August 1870.

²³ On the literary clubs, see Reaves, *Strength through Struggle*, 9-10; *Wilmington Star*, 25 August 1870. On the Emancipation Day observance, see *Wilmington Star*, 1, 2 January 1873; Reaves, *Strength through Struggle*, 4. On Madame Parquet, see *Wilmington Star*, 29 December 1874, 30 December 1874; Reaves, *Strength through Struggle*, 105.

school committee hoped to budget \$3,000 for a four-month term of 1,250 pupils and fifteen teachers. The State and Peabody funds would contribute half the cost, leaving \$1,500 to be raised by taxation. “It costs tax payers less to educate the children than to keep up the Courts, prisons and police necessary to punish the crime engendered by ignorance,” argued the city’s school committee in a letter to the *Star* highlighting “the interest at stake” for both blacks and whites. The letter was part of a successful campaign to rally public support for the necessary three-cent property tax.²⁴ In the years to come, the New Hanover County school system would stand as a symbol of the success of Reconstruction and biracial government.

In preparation for the State Educational Convention to be held on July 9, 1873, the Republican *Evening Post* urged New Hanover County educators to attend. “New Hanover county and the city of Wilmington are considerably in advance of the majority of the counties in the State,” bragged the *Post*. “In North Carolina, we may say with out fear of contradiction [that] New Hanover starts at the head of all the counties in the matter of education. It is therefore of great importance that she shall be fully represented in the Convention.”²⁵

Soon there were public night schools in every ward for adults who worked by day.²⁶ By 1868, black churches, where the roots of black power reached deepest, had

²⁴ Wilmington *Star*, 25 September 1872; “History of the Williston Industrial School,” MacDonald-Howe Papers, UNCW.

²⁵ Wilmington *Evening Post*, 16 April 1873.

²⁶ “History of the Williston Industrial School,” MacDonald-Howe Papers, UNCW.

opened eight schools that served 588 students.²⁷ The Reverend M. B. Johnson at First Baptist began a night school in the fall of 1870.²⁸ The Sabbath School of St. Stephen's A.M.E. started with forty students in 1866 and by 1873 had ten times that many. Within another year it had grown by another 200 students, and black justice of the peace Joe Hill proudly served as superintendent of the 600 students.²⁹

The city's two largest black schools, Peabody in Brooklyn and Williston in the Dry Pond, were started under the Freedmen's Bureau but quickly taken over by the American Missionary Association (AMA). However, in 1873, after a four-year partnership with black leaders, particularly the Howe family, the Williston Graded School building was purchased by the Wilmington Board of Education for \$3,000, making it the first black school to be added to the city's system of free schools. Alfred Howe was on the city school committee. Under city ownership, Williston expanded to offer industrial education, including classes in domestic science, cooking and sewing, and agriculture.³⁰

The purchase of Williston by the city also opened the door for previously passed-over black educators to become part of the school staff. Once public, the school operated

²⁷ Reaves, *Strength through Struggle*, 145.

²⁸ *Wilmington Star*, 21 September 1870.

²⁹ *Wilmington Star*, 11 October 1871, 19 November 1872, 23 September 1873; 9 January 1874; Reaves, *Strength through Struggle*, 9-10, 105.

³⁰ Two Northern philanthropists, George Peabody and Samuel Williston, both natives of Massachusetts, funded what were called "free colored schools." See Reaves, *Strength through Struggle*, 145; "History of the Williston Industrial School," MacDonald-Howe Papers, UNCW. "Alfred Howe, colored, was sworn in as a member of the city public free school committee by Mayor Wilson yesterday," reported the *Wilmington Star* on 10 February 1873.

like other city institutions in which blacks expected a fair share of leadership positions, and soon after its purchase by the city, the all-white AMA teachers were replaced by local black teachers. In 1875, Alfred Lind, a prominent local educator and astronomer, became the General Superintendent of Wilmington Schools. Lind was a Jamaican immigrant who the *Star* believed to be the first black man in North Carolina to receive naturalization papers.³¹

Black middle-class women particularly benefited from teaching opportunities at the Williston School. Mary Washington Howe, a member of one of the city's most prominent black families and the daughter of officeholder Alfred Howe, was one of the first teachers hired. Educated at a Quaker normal school in Philadelphia before she returned home to Wilmington, Howe would eventually become Williston Industrial School's first, and still only, female principal, a position she would hold for twenty years. More generally, the school system led to greater political recognition of women in New Hanover County. In 1870, Amy Morris Bradley, the New England white missionary who had spent the last year working for education in the city and running a school for poor whites in Dry Pond, was appointed county school examiner, the first woman appointed to public office in the county.³²

³¹ *Wilmington Star*, 21 March 1875.

³² John Thomas Howe, Mary Washington's brother, also became a teacher at Williston. He later edited a short-lived local newspaper, *The Wilmington Weekly Observer*, in 1892 and was elected to the North Carolina House of Representatives in 1897. See Margaret Supplee Smith and Emily Herring Wilson, *North Carolina Women: Making History* (Chapel Hill: University of North Carolina Press, 1999), 183; Reaves, *Strength through Struggle*, 409; "History of the Williston Industrial School," MacDonal-Howe Papers, UNCW; *Wilmington Weekly Star*, 21 January 1876. On the appointment of Amy Morris Bradley, see David Y. Sellers, *Miss Amy Bradley: The Story of a Woman from Maine who Spent Many Years in the Service of Free Education in Wilmington, N.C.* (Wilmington, NC: David Y. Sellers, 1970), 170.

Social segregation united black Wilmingtonians in political ways that transcended the Republican Party. Churches, schools, fraternal lodges, saloons, fire houses, and private homes were all racially separate spaces. At the same time, they were bases of political activism. Black Wilmingtonians thus shared common ground regardless of partisanship. Fire companies, a necessity in every neighborhood, often reflected ward politics. The Brooklyn Fire Engine Company was one of the largest in the city and included volunteers who came from every sector of the neighborhood's black life. The poor and the propertied, young and old, antebellum free blacks and former slaves, and people of every shade of blackness served together at the engine house on North Fourth Street between Bladen and Brunswick. As its members travelled to participate in parades and balls and met with mayors and other public officials across the state, the company was a symbol of black achievement and status. Some fire companies bore political names. The J. C. Abbott Fire Engine Company was named for Republican U.S. Senator Joseph C. Abbott, a Union general from New Hampshire who had remained in Wilmington after the war and established a lumber business. The first president of the Wilmington Fire Bucket Company was Simon A. Richardson, one of the first black members of the police department, who was well-known throughout the city as a force to be reckoned with, having defied death on many occasions. The Wilmington Fire Bucket went by the name "First Ward Fire Company" in reference to the ward it served.³³

In Wilmington, neighborhoods like Brooklyn and Dry Pond were tightly-knit voting units. After the attempt by the legislature to redistrict the city on the basis of taxable property, black Wilmingtonians started Republican clubs in neighborhoods

³³ Reaves, *Strength through Struggle*, 185-99.

throughout the city. The clubs' purpose was to harness the power of the city's political mobilization. Clubs discussed political strategy and policy and organized registration and voting drives to ensure high turnout. Club members came from the ranks of both alternative and regular Republicans. In 1875, the Fourth Ward Republican Club, which included part of the Dry Pond neighborhood, elected George Price club president, alderman Owen Burney first vice-president, county commissioner James Lowery second vice-president, and Henry Brewington treasurer. All four were alternative Republicans. The election of regular Republicans Emanuel Nichols, Charles Mallett, Sr., Joseph E. Sampson, and Valentine Howe as additional vice-presidents demonstrates the unity that prevailed despite alternative partisanship in the city's predominantly black wards.³⁴

The social solidarity of Wilmington's black neighborhoods was tied to the city's bottom-up political organizing. In local elections where the black majority had a strong electoral advantage, alternative partisanship allowed for a sort of electoral primary season within the city's black communities during which engaged voters had access to officeholders and prospective officeholders. Such ground-up democratic engagement was the essence of black power in Wilmington. The process of alternative politics ultimately resulted in higher numbers of black candidates and officeholders. Ironically, however, the success of black power in Wilmington made the city the principal target of a Democratic general assembly bent on reasserting white control.

While Reconstruction had revolutionized Southern society by codifying formal racial equality, it had done little to change the sentiments of white Southerners who clung to the superiority of a white master class. In North Carolina, however, the

³⁴ *Wilmington Star*, 19 February 1875, 17 September 1876.

Reconstruction Acts of 1867 and state constitution of 1868 had led to in a successful Republican Party that was founded on black majorities in the eastern part of the state and yeomen and poor whites in the western counties. In order to reclaim political power from the Republicans, who had carried the 1868 elections, Conservatives had to either convert white voters in the west or exclude black voters in the east, or both. Converting the state's western whites would be no easy feat. They and many other of the state's poorer and working-class whites were sold on Republicanism, and they worried that if the Conservatives regained power, they would restore property requirements for voting, and undo the constitutional reforms that had made county government elective rather than appointive. Conservatives therefore tip-toed around their party's elitist philosophy and promoted the specter of black domination to frighten whites away from the Republicans. The fear of black rule was the most effective weapon Conservatives possessed in their battle for the political allegiance of the state's whites. The Conservative campaigns of the 1870s were therefore characterized by charged political propaganda designed to unite white North Carolinians around white supremacy, take control of the state government, and implement policies that would suppress black power.³⁵

The North Carolina Republican Party, meanwhile, acted with a naive political optimism that facilitated its own undoing. As historian Otto Olsen argues, Republicans seemed to expect normal two-party politics, while Conservatives embraced open hostility toward a party they viewed as upstart ex-slaves and outside agitators. No sooner had the revolution begun than Conservatives launched a counter-revolution designed to destroy

³⁵ Paul D. Escott, *Many Excellent People: Power and Privilege in North Carolina, 1850-1900* (Chapel Hill: University of North Carolina Press, 1985), ch. 6.

the Republican Party by whatever means necessary. Yet the state's white Republicans were by and large conciliatory and defensive as the party tried to fend off Conservative attacks. As soon as Conservatives gained control of the general assembly in the 1870 elections, they set out to use voter suppression to return the state to those who, in their view, represented its property, virtue, and intelligence of the state.³⁶

Having achieved majorities in both houses of the general assembly, Conservatives promptly began to chip away at Republican power. On December 14, 1870, the House of Representatives voted to impeach Governor William W. Holden, citing in particular his role in the Ku Klux Klan wars that had taken place earlier in the year. Holden's deployment of the militia to put down the Klan after the assassination of three prominent Republicans was used by the Conservatives as political propaganda to argue that the Republican administration was subjecting the state to military rule and using violence against its white citizens to prop up black power. Such propaganda worked, and on December 17, the Senate agreed to conduct a trial. The ensuing trial concluded on March 15, 1871, with Holden's conviction and removal from office. His impeachment was a warning to other Republican governors who might think of using the militia to defend against Klan and Klan-like terrorism.³⁷

³⁶ Otto Olsen, "North Carolina: An Incongruous Presence," in *Reconstruction and Redemption in the South*, ed. Otto Olsen (Baton Rouge: Louisiana State University Press, 1980), 174-75, 184-89. William McKee Evans uses the phrase "property, virtue, and intelligence" as the title of his sixth chapter, and he quotes the Raleigh *Observer's* prediction that appointments by the governor would result in officeholders who would "represent the property, virtue, and intelligence of the people." See *Ballots and Fence Rails*, 173.

³⁷ *Wilmington Journal*, 15, 17, 24 December 1870, 15 March 1871; Olsen, "North Carolina," 182-84. Holden was suspended from office during the trial and replaced by Lt. Governor Tod R. Caldwell, who assumed the office permanently upon Holden's removal.

Meanwhile, new Hanover County's newly elected Conservative legislators, Charles McClammy and Samuel A. Ashe, wasted no time before launching attacks on the changes black suffrage and black governance had introduced in Wilmington. One of their first steps was a bill to abolish the special courts in Wilmington and New Bern. The court had been the source of some divide among the city's Republicans. Some Wilmingtonians, including Abraham Galloway before his death, had argued that its judge should be elected, not appointed. General Allen Rutherford, former Freedmen's Bureau superintendent, had declared that he "was opposed to any Court that gave such power into the hands of any one man." In December 1870, however, facing the loss of jury trials in local criminal cases, black Wilmingtonians rallied behind the court, and the Board of Aldermen protested that "the special court has been useful in restraining crime and punishing disorder in this city, and, in the opinion of this Board, said Court is still necessary."³⁸

On December 11, hoping to remind Wilmingtonians why the special court had been desired in the first place, the *Post* reprinted the 1868 petition, signed by U.S. revenue officers, shipmasters, attorneys, merchants, dealers in lumber and naval stores, and six of the eight city aldermen (including all three of the black aldermen), that had called for its creation. The reprinted petition was accompanied by a letter from black

³⁸ The bill to abolish the special court was introduced on December 8, 1870; see North Carolina, *Journal of the House of Representatives of the General Assembly of the State of North Carolina at its Session, 1870-'71* (Raleigh, NC: The Senate, 1871), 89. For the Republican debate regarding the court, see *Wilmington Star*, 4 December 1869; *Wilmington Journal*, 1, 4, 7 December 1869; *Wilmington Post*, 2 December 1869. For Galloway's critique, see *Wilmington Journal*, 17 December 1869. For black Wilmingtonians rallying around the court, see *Wilmington Post*, 11 December 1870; *Wilmington Journal*, 10 December 1870. For the Board of Aldermen's support, see *Wilmington Journal*, 14 December 1870.

officeholder and lawyer George Mabson, who reminded readers of the “improved condition of the public morals and the public peace” since the court’s establishment.³⁹ Meanwhile in the state Senate, George W. Price, Jr., tried to amend the bill to provide that “[t]he question be submitted to the voters of the city of Wilmington.” His amendment failed, and the special court was abolished on March 30, 1871.⁴⁰

Charles McClammy and Samuel Ashe had entered office recounting firsthand the horror of corrupt carpetbaggers and boisterous black officeholders holding power over whites, and they were determined to break the Republican grip on Wilmington. On December 3, 1870, Ashe introduced a bill in the House that constituted the first strike against democratic government in Wilmington. McClammy sponsored the measure in the Senate, and it became law on December 20. Commonly referred to as the McClammy-Ashe Act, “An Act Concerning the City of Wilmington” redrew ward boundaries so as to try to give the minority white population equal representation with the black majority on the Board of Aldermen. First it redefined the municipal boundaries by excising sections of the city to the north, east, and south that were all predominantly black. Then it redistricted the city’s four wards into five, with each ward to elect two aldermen. (See fig. 5.2.) The new law also replaced the aldermen’s two-year, staggered

³⁹ *Wilmington Post*, 11 December 1870. A new petition in support of the court, “Petition to continue city court December 11, 1870,” appeared in the same issue; it was signed by black aldermen Thomas Jones, Anthony Howe, and William Kellogg (all elected as part of the alternative party), as well as black city and county officials Joe Hill, Owen Burney, and Duncan Holmes.

⁴⁰ For Mabson’s letter, see *Wilmington Post*, 11 December 1870. For Price’s attempt to have the bill voted on by Wilmington voters, see *Wilmington Journal*, 14 December 1870. For the law abolishing the court, see “An Act to Abolish the Special Courts of the Cities of Newbern and Wilmington,” 30 March 1871, *Public Laws of the State of North Carolina, Passed by the General Assembly, 1870-’71* (Raleigh, NC: Holden & Wilson, 1871), 242.

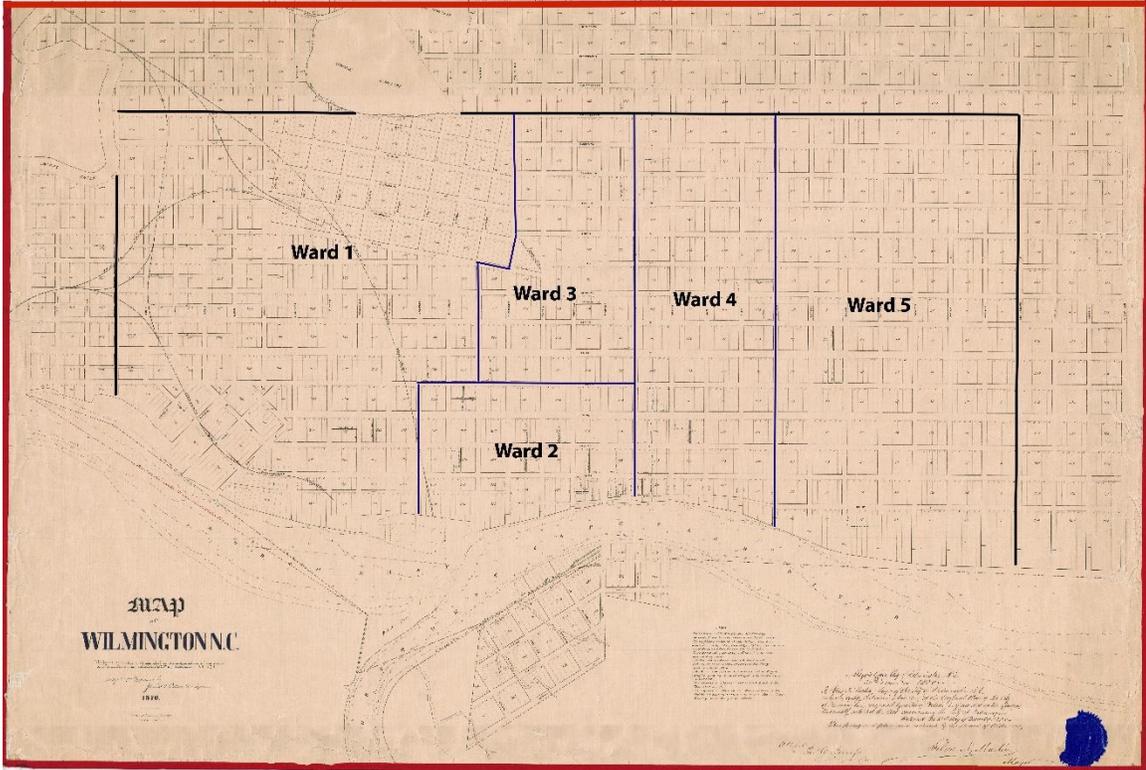


Figure 5.2. Wilmington Municipal Boundaries and Wards, 1870. Created using Map of Wilmington, 1870, NCDAH, and “An Act Concerning the City of Wilmington,” 20 December 1870, *Private Laws of the State of North Carolina, Passed by the General Assembly, 1870-'71* (Raleigh, NC: Holden & Wilson, 1871), 22-29.

terms with one-year terms and provided that, beginning in 1872, municipal elections would be held on the first Monday in May instead of in January. Finally, it provided that the mayor would no longer be elected by a citywide popular vote. Instead, the aldermen would select a mayor from among their own ranks.⁴¹

In the new First Ward, Brooklyn was still the largest neighborhood, but added to

⁴¹ *Journal of the House of Representatives of the General Assembly of the State of North Carolina, 1870-'71*, 65; North Carolina, *Journal of the Senate of the General Assembly of the State of North Carolina at its Session, 1870-'71* (Raleigh, NC: The Senate, 1871), 219, 408; “An Act Concerning the City of Wilmington,” 20 December 1870, *Private Laws of the State of North Carolina, Passed by the General Assembly, 1870-'71* (Raleigh, NC: Holden & Wilson, 1871), 22-29.

it was the northwestern, predominantly black section of the city that included the docks and subtracted was a strip along the center of the city that included some white middle-class homes. The new Second Ward lost the predominantly black docks to the north and retained the wealthiest homes. The Third Ward included none of its former area. Instead it comprised a strip along the center of the city that had formerly been part of the First Ward. The new Fourth and Fifth Wards carved up what had been the predominantly black Third and Fourth while slicing off the wealthy and middle-class homes along the center of the former Third and Fourth Wards and moving them into the new Second and Third Wards. The Fifth Ward included the Dry Pond, previously part of the Third Ward, as well as the working-class black homes that had previously made up the bulk of the Fourth Ward. (Compare fig. 3.2 and fig. 5.2.) Only in Brooklyn's First Ward and Dry Pond's Fifth Ward were there still large black majorities. The Second Ward had a small white majority, and the Third and Fourth were approximately half black and half white. (See below, Table 5.1.)

In the hope of impeding black voting, the act also instituted stiff penalties for voter fraud, however inadvertent. Anyone found guilty of registering or voting in the wrong ward was subject to thirty days in jail and a \$100 fine. Registers and inspectors of elections could be penalized for "any fraudulent or illegal act in discharge of any one of the duties incident to his office" by at least thirty days in jail or a fine of at least \$300.⁴² The penalties were severe, particularly for working-class voters whose jobs were often

⁴² "An Act Concerning the City of Wilmington," 20 December 1870, *Private Laws of the State of North Carolina, 1870-'71*, 22-29. Under the act, fifteen registers and inspectors of elections were to be appointed by the Board of Aldermen at least fifteen days prior to each municipal election.

migratory, moving them from ward to ward. The act's focus on voter fraud must have read more like voter intimidation to many Wilmingtonians, for it proposed to fine and jail men for what may have been unintended errors. Conservatives had made no secret of their desire to return politics to men of means, and they must have hoped that threats against registrars, inspectors, and voters would suppress the political participation of those too frightened to risk prosecution.

The bill passed, but not without a fight by Wilmington's two black legislators, George W. Price, Jr., in the Senate and George Mabson in the House. Price vowed to fight the "hasty legislation in the Lower House" and tried unsuccessfully to have the question submitted to the voters of Wilmington. In the House, Mabson also fought the measure, but his white Republican counterpart, George Z. French, seemed nonchalant at best. When French was recognized on the floor, he postponed the discussion, citing a lack of solid footing on the subject. Mabson was incensed, complaining that French's postponement left him unable to deliver his own well-prepared remarks on the topic. "You noticed, probably, that I did not vote on the Wilmington bill," he wrote to the *Post*. "It was because I desired to make a motion to reconsider." But "Ashe very discourteously declined to withdraw his demands for the previous question in order to allow me to speak, and you see that I was denied that privilege." Ashe's response was to be expected, but the actions of French, Mabson's fellow Republican, were not. "I was prepared to speak at large on the bill," Mabson declared, but he had allowed French to speak first, expecting to deliver his own remarks in a conclusion argument. "I have been fighting that bill ever since its introduction," wrote Mabson, "and did speak on it while it was before the House on its second reading, but no publicity was given to it by the

[Raleigh] *Standard*.” Mabson was critical of his white fellow Republican not only for failing to take the bill as seriously as he had, but for not yielding the floor to him.⁴³

The McClammy-Ashe Act struck at the heart of local black politics. What was worse, some of the state’s white Republicans had not rallied in opposition to it, either failing to show up to vote on it, as had George Z. French, or voting with the Conservatives. The outcome was not only a blow to local black power, but also a sign that in the Conservative-controlled general assembly white Republican resolve was weakening.⁴⁴ The city’s democratic, ground-up politics was rooted in the electoral power of the city’s black neighborhoods, where black power was built on successfully electing black men to public office. The McClammy-Ashe Act redistricted voting wards so as to reduce the impact of the city’s black majority and give greater weight to the white minority.

Recognizing that attempts to restrict democracy were designed to limit black power, regular and alternative black Wilmingtonians had united against the McClammy-Ashe Act. Alternative George W. Price, Jr., who had been elected to fill Abraham Galloway’s seat in the state Senate, denounced it in the local press. “How will our people

⁴³ *Wilmington Post*, 22 December 1870. For Price’s unsuccessful effort to allow the question to be submitted to Wilmington voters, see North Carolina, *Journal of the Senate of the General Assembly of the State of North Carolina, 1870-’71*, 606. Mabson is recorded as having voted against the bill on December 17, 1870. See *Journal of the House of Representatives of the General Assembly of the State of North Carolina, 1870-’71*, 138.

⁴⁴ In 1870, the Senate was made up of thirty-three Conservatives and seventeen Republicans. In the House, there were seventy-two Conservatives and forty-six Republicans. The McClammy-Ashe Act passed in the Senate by a vote of twenty-seven to eight and in the House by fifty-one to thirty. These margins were large enough to reflect either Republican absence for the vote or Republican votes in the affirmative, or both. See North Carolina, *Journal of the House of Representatives of the General Assembly of the State of North Carolina, 1870-’71*, 137-38; North Carolina, *Journal of the Senate of the General Assembly of the State of North Carolina, 1870-’71*, 168.

like the McClammy and Ashe amendment to the city charter, which disfranchises a great portion of our fellow citizens, taking the choice of selecting the Mayor out of the hands of the people and putting it in the hands of the Aldermen[?],” Price asked. Under the new law, he pointed out, “four hundred negroes in the First Ward will be equal only to three hundred whites in the second ward.” The *Post*, however, was more sanguine about the effects of the act. “[W]e tell our friend Price that ‘the people’ will show their will and wisdom at the polls in electing such Aldermen as will vote for SILAS N. MARTIN,” Grady argued, implying that if the voters elected staunch Republicans as aldermen, they in turn, would elect Martin mayor. To Grady, the democratic process was not as important as the election of Republicans. “The *intent* of the new ‘conservative’ city bill, is of course to virtually make, as Mr. Price says, three hundred democrats equal to fourteen hundred Republicans; but we can even beat this little arrangement if our voters all do their duty and each one promptly registers and votes for the right men.”⁴⁵

Grady espoused a conservative brand of Republicanism, one that may have been appealing to fellow white Republicans. He seemed to intimate that the new law would put an end to local Republican factionalism by making a divided vote a liability. Thus far, regular Republicans, who had long warned that factionalism would result in Conservative victories, had been proven wrong, at least at the local level. Moreover, admonitions against faction had not succeeded in squeezing Wilmington’s diverse black population into a single party. The McClammy-Ashe Act, however, redistributed the city’s voting population so as to make Republican control of city government possible only if the party was united.

⁴⁵ *Wilmington Post*, 22 December 1870.

The municipal election of January 9, 1871, would be the first conducted under the new law. At the close of voter registration, the impact of redistricting was obvious. (See table 5.1.) Except in Wards 1 and 5, the black majorities that had been previously

Table 5.1. Registered Voters in Wilmington, by Race, 1871

	Black	White	Total
Ward 1	668	156	824
Ward 2	219	278	497
Ward 3	230	208	438
Ward 4	260	258	518
Ward 5	377	179	556
Total	1,754	1,079	2,833

Source: *Wilmington Star*, 8 January 1871.

obtained in all four wards had been eliminated or greatly reduced. Ward 2 had a white majority. In Ward 3, which had been carved from the predominantly black First Ward, the black majority was only twenty-two, and in the Fourth, just two. Almost 29 percent of the city's black voters had been jammed into Ward 1, which included the Brooklyn neighborhood. Its total number of voters was almost twice that of Ward 3, which had the smallest total. Black voters had also been concentrated into Ward 5, which included the Dry Pond. By creating wards with highly unequal numbers of voters and putting the black population disproportionately into two wards, redistricting had opened the door to

possible Conservative victories in as many as three wards.⁴⁶

For the first time since the Reconstruction Acts, Conservatives therefore rolled out a full municipal ticket. For aldermen, their First Ward nominees were John C. Heyer, a German-born grocer who had been elected to the county commission in 1870, and a man named John Nixon. Nixon's name must have caused a stir among the ward's black voters, whose minds no doubt turned to mixed-race house carpenter John N. Nixon, who was active at political meetings in the city. Even he assumed as much and published a card in the *Star* expressing thanks "for the compliment tendered me by my friends" but graciously declining the nomination and declaring his support for the Republicans. The *Star* clarified in the same issue, assuring its readers that "John Nixon, colored" was not the John Nixon who had been nominated. Thus, in the ward with the largest black population, both Conservative candidates for alderman were white.⁴⁷ The Conservatives' Second Ward candidates were wealthy grocer Alex Adrian and well-off merchant Roger Moore, both white. Two well-off men, German-born grocer John G. Bauman and gas company agent Richard J. Jones, received the Conservative nominations for the Third Ward, and for the Fourth Ward, the Conservatives nominated wealthy merchant Basilia G. Worth and Irish-born banker Isaac B. Grainger. In the Fifth Ward, the candidates were barkeeper William H. Biddle and Isaac W. King, a well-off farmer born in North

⁴⁶ For the registrations results, see *Wilmington Star*, 8 January 1871.

⁴⁷ *Wilmington Journal*, 24 December 1870; *Wilmington Star*, 1 January 1871. For the mixed-race Nixon's assumption that he was the nominee and the *Star*'s response, see *Wilmington Star*, 3 January 1871. John Nixon was not an uncommon name in Wilmington and no white John Nixons have been identified in census records. It is, therefore, not known who the John Nixon nominated was. Perhaps Conservatives hoped black voters would be confused by the name.

Carolina. None of the Conservative candidates had Northern roots, and all were white.⁴⁸

Republicans unified against the threat of losing power in the city and offered a single ticket that included both regulars and alternatives. Their nominees were all familiar personages in the city's black neighborhoods. In the First Ward, both candidates were black: William Kellogg, who had pulled his support from alternative candidates in the 1870 municipal election, and Owen Burney, who was a leading alternative. In the white-majority Second Ward, both candidates were white regular Republicans: Silas Martin and Denard Rumley. In the Third, which included the outskirts of the Brooklyn neighborhood, one candidate was black—wealthy, mixed-race Joseph E. Sampson, who was an alternative—and one was white—regular Republican R. P. Barry, a New York-born merchant who had moved to Wilmington after the Civil War. In the Fourth Ward, where white and black voters were evenly balanced, both Republican candidates were white: H. S. Servoss, a regular, and alternative James H. Chadbourn. The candidates in the black-majority Fifth Ward, Anthony Howe and William Thurber, were both black regular Republicans (although alternatives had twice nominated Howe).⁴⁹

⁴⁸ Heyer, Adrian, and Bauman all hailed from Hanover, Germany. On Adrian, see Aldrich Adrian, 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 21 June 2016). On Moore, Bauman, Worth, Grainger, Biddle, and King, see 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 21 June 2016). Although King was nominated as a Conservative in 1871, he had converted to Republicanism by 1877, when he was assaulted for a speech he made at a Republican mass meeting. "Heretofore he has had a respectable standing for one of his style, but now even his brothers hate him," a Wilmingtonian wrote to a kinsman of King. "I want all who have been friends to him to turn the cold shoulder hereafter and let him associate with his Nigger Equals, he does not belong to the white people any longer, but to the Nigger Scallowags [*sic*] and Carpet Baggers." King had become a preacher of the Free Will Baptist Church in Dry Pond, which was home to the bulk of the Republican Party's white voters in the city. King's conversion is perhaps indicative of the strength of Republicanism among white voters in that section of the city. Letter quoted in Evans, *Ballots and Fence Rails*, 174-75.

⁴⁹ *Wilmington Journal*, 24 December 1870; *Wilmington Star*, 1 January 1871. Eight of the ten Republican candidates were incumbents, including the current mayor, Silas N. Martin, as

Encouraged by Conservative wins elsewhere in the state, the *Star* and the *Journal* both tried to galvanize the city's white voters. With only two days left to register, the front page of the *Star*'s January 6 issue advised "Conservatives, do your duty—Register and vote!" The second page proclaimed that "Your duty, Conservatives of Wilmington is to register yourselves, to see that all whom you can persuade to do so, register and then work like beavers until the sun shall sink on the day of election." On January 7, the *Journal* published an editorial entitled "Do Your Duty," in which it chastised white men who had not yet registered. The *Journal* estimated that 250 potential white voters had yet to do so. "Who are they and where are they?" the editorial asked. "If these men will do their duty the city is safe from Radical rule." At least eight men, all black, were charged under the new voter-fraud provisions for registering in the wrong ward; one of them was alderman Anthony Howe, although the charges against him were later dropped.⁵⁰

Despite their efforts, Conservatives lost in every ward. Having swept the election, the Republican aldermen, five white and five black, elected Silas Martin mayor. Even after the redistricting imposed by the general assembly, the city's Conservatives were no match for a united Republican Party. Perhaps as was to be expected, the Republicans won in landslides in the First and Fifth Wards. In the Third Ward, Barry won by forty-five votes and Sampson by forty-three, both margins on par with the racial

well as Kellogg, Burney, Rumley, Chadbourn, Servoss, Howe, and Thurber. On Barry, see 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 21 June 2016).

⁵⁰ *Wilmington Star*, 6 January 1871; *Wilmington Journal*, 7 January 1871. For other examples of the newspapers' campaign among white voters, see *Wilmington Journal*, 1, 3, 4, 5, 6 January 1871; *Wilmington Star*, 1, 3, 4, 5, 7 January 1871. For men charged with voter fraud, see *Wilmington Journal*, 5, 7, 14, 15 January 1871.

balance of the ward's registered voters. Likewise, in the Fourth Ward Chadbourn won by a margin of sixty-seven and Servoss by forty-two. Most alarming to the Conservatives were the results in the white-majority Second Ward, where Silas Martin won by almost 100 votes.⁵¹ The architects of the McClammy-Ashe Act must have been sorely disappointed by its failure to undermine Republican control of the city's government.

Conservatives cried foul and attributed the results to fraud. "That fraud was practiced was apparent to all," declared the *Journal*, "but it was probably more manifest in the Second Ward than elsewhere. There it is undeniable, for, with a white registered majority of 59, Mr. Martin received a majority of 95 over Mr. Adrian and 100 over Col. Moore, and D. Rumley, a man notoriously unpopular with his own party, received majorities of 69 and 74." No charges of fraud were ever brought against voting officials in the Second Ward, where it is more likely that Republican election strategy simply worked. Indeed, the election results suggest that the white business class the Republicans had so long coveted may finally have embraced the party. In the last two elections, Republicans had run predominantly white, business-class candidates in the wealthy, white, mid-city neighborhood that now made up Ward 2. The *Journal* believed that "Mr. Martin's majority may be partially accounted for by the defection of some weak-kneed Conservatives."⁵²

The failure of the McClammy-Ashe Act to undermine Republican control in Wilmington demonstrated that the Conservatives needed a more thoroughgoing strategy

⁵¹ For the election results, see *Wilmington Journal*, 10 January 1871; *Wilmington Post*, 19 January 1871.

⁵² *Wilmington Journal*, 10 January 1871.

to put the nail in the coffin of black power. Elective local government itself became the target, but only a new constitution could reverse the democratic control the 1868 constitution had instituted. In February 1871, the Conservatives therefore proposed holding a new state constitutional convention that might deliver the deathblow to Reconstruction, but were unable to gain the required two-thirds majority in either house of the state legislature. Undeterred, they passed an act to put the question of calling a convention to the voters in a referendum. Republican Governor Tod R. Caldwell, along with four of the five justices of the state Supreme Court, declared the proposed referendum unconstitutional, as it had failed to gain the constitutionally-required two-thirds majority. In response, the legislature censured the governor and the court, and ordered county sheriffs to place the referendum on the ballot at the August 1871 elections. Conservatives believed they could win in a statewide vote. One reason was that violence and intimidation had successfully reduced Republican votes in many parts of the state. Conservatives had gained control of the General Assembly in 1870 because they had taken fifteen counties from the Republicans, and Klan violence had been a factor in at least ten of those counties.⁵³

Returning the state to the control of men of property, virtue, and intelligence

⁵³ For the referendum act, see North Carolina, *Journal of the Senate of the General Assembly of the State of North, 1870-'71*, 331-32; "An Act Concerning a Convention of the People," 8 February 1871, *Public Laws of the State of North Carolina, Passed by the General Assembly, 1870-'71* (Raleigh, NC: Holden & Wilson, 1871), 119-25. For the first referendum being declared unconstitutional, see *Wilmington Post*, 16 February 1871. For the law ordering sheriffs to place the convention question on the August ballot, see "An Act to Submit the Question of 'Convention,' or 'Not Convention,' to the People, and to Provide for the Election of Delegates," 3 April 1871, *Public Laws of the State of North Carolina, 1870-'71*, 326-32. On Ku Klux Klan violence having led to a decline of Republican voters in at least ten of the fifteen counties gained by Conservatives, see Olsen, "North Carolina," 183.

required turning back the democratic gains of the 1868 constitution. With the state legislature already under Conservative control, returning to appointive rather than elective county government would eliminate black officeholders and return power to elite white men. One strategy was to vilify the officeholders who had been elected under the 1868 constitution. Officeholders drawn from the ranks of ignorant former slaves and corrupt Yankee carpetbaggers had imposed heavy costs on the state's tax payers, the Conservatives charged. In Wilmington, for example, the *Journal* rallied Conservative voters on election day, August 3, 1871, by promising that a new constitution would "economize our Government." It would "abolish annual sessions of the Legislature" and "lessen the number of office holders." "Throughout the State," the *Journal* campaigned, "the cry is 'The People and their Rights. Vs. the Office Holders and their Pockets. By staying away from the polls to-day, you give one vote for the supremacy of the officeholders.'"⁵⁴

In Wilmington, the August 1871 election would choose township school committees, justices of the peace, clerks, and constables. George Z. French had resigned his seat in the state House of Representatives in early July, and, by order of the governor, his replacement would also be elected that day. But the item on the ballot that was on everyone's mind was the proposal to call a new constitutional convention. North Carolinians would vote for or against a new convention and also elect delegates who would serve in the case of an affirmative vote. In New Hanover County, every campaign was colored by the convention question. The Conservative *Star's* report on the July 6 Republican County Convention claimed that there was "little or no enthusiasm

⁵⁴ Wilmington *Daily Journal*, 3 August 1871.

manifested” about calling a convention and optimistically hoped that the Republicans were failing to rally their voters. Ward nominating meetings, too, had transpired with comparatively little excitement. The *Star* attributed the relative calm to the use of a “secret session,” or closed convention, which it reported was “much to, the dissatisfaction of a large number of the faithful, who wanted to have a ‘finger in the pie.’”⁵⁵

Many Republican leaders must have seen a reining-in of the city’s boisterous democracy as necessary in order to counter Conservative propaganda. But participatory politics had become foundational to black Wilmingtonians’ understanding of democracy. Excluded altogether by the Conservatives, black Wilmingtonians had created a multi-partisan style of politicking that used nominating meetings and conventions as a sort of primary election through which they could mold the Republican Party from the bottom up. The July 6 county convention may have concluded with little excitement, but on July 27, a mass meeting at the Market House demonstrated that black Wilmingtonians did not intend to be left out of the political process. Black Wilmingtonians rallied around the constitution of 1868, undermining the *Star*’s hope for a new constitutional convention. But their unity in defending the 1868 constitution did not prevent them from disavowing the closed nominating convention and employing anti-Republican rhetoric. The *Star* was ready with a story reporting an out-of-control, ignorant mass of black voters. It fit easily into the Conservative narrative that was designed to turn white voters against popular local elections. Friday morning’s *Star* headline read, “The Radical Meeting Last Night—

⁵⁵ For French’s resignation, see *Wilmington Star*, 6 July 1871. For the county nominating convention, see *Wilmington Star*, 7 July 1871. For the ward meetings, see *Wilmington Journal*, 4 July 1871; *Wilmington Star*, 5, 7 July 1871.

Incendiary Speeches and Free Fight.”⁵⁶

The *Star* struggled with democracy when black voters were involved. The paper used images of black mass meetings to discredit participatory politics, while simultaneously suggesting that contention within the meeting had been the result of “the expression of Conservative sentiments by several of the colored people present, who boldly maintained their right to think and vote as they saw proper.”⁵⁷ Although there is virtually no evidence of black support for the Conservatives, black Wilmingtonians did indeed maintain the right to think and vote as they saw proper, which included the right of the people to have their political say and to consider political alternatives.

As the election approached, reporters for the *Journal* happened upon another mass meeting, this one in Rocky Point, one of the townships for which Republican leaders had nominated candidates during the closed convention in Wilmington. While the “Radical pow-wow was in progress,” the paper reported, about fifty blacks, “mostly women and boys,” were “lounging about the depot.” “The only white person visible,” the story continued, “was Gerken or Gerkens, the new Radical convert. Within the building were some fifty negroes, standing up in a circle, in the center of which ‘Cheap Jim’ Heaton was speaking” not about reducing democracy in the state, but about increasing it. Jim Heaton, a white politician who had come to Wilmington with his father after the end of the Civil War, was the Republican candidate for French’s legislative seat, and his

⁵⁶ *Wilmington Star*, 30 July 1871.

⁵⁷ *Wilmington Star*, 30 July 1871. It is more likely that the reporter heard anti-Republican rather than pro-Conservative sentiments. The paper provided no details about the Conservative sentiments that were allegedly expressed, and research for this dissertation has uncovered less than a handful of instances in which blacks in Wilmington expressed support for Conservative views.

message that day was woman suffrage, a subject that could not have been lost on Wilmington's black voters, particularly not an audience composed in large part of women and children.⁵⁸

Conservatives, meanwhile, tried to awaken white men. On election day, the *Journal* urged them to vote. "For the sake of all that you hold dear, white man, go to the polls to-day and Vote!" the paper exhorted. "[W]e must do our duty. We must poll twenty-two hundred votes for Convention. Few counties in the State will cast so many. We must act to-day so that we can refer with pride to our record, and join in the shouts of victory which we shall have aided to achieve We can do it if we will."⁵⁹

To the dismay of the Conservatives, however, New Hanover County's Republicans swept the field. Jim Heaton won the seat in the state House of Representatives. In Wilmington, Joe Hill was reelected constable. Two black men, Nathan G. Sampson and James K. Cutlar, were elected to the school committee alongside white Republican J. G. Bulcken. S. T. Potts, a white Republican, was elected township clerk. Conservatives even lost John Connoley's seat as justice of the peace. Justices of the peace Edward Cantwell, William H. Merrick, and Anthony Howe were all reelected. Newly elected as justice of the peace were E. S. Woodford and R. S. Waldron, both white, and two black men, James A. Lowrey, who was already serving as a county commissioner, and William McLaurin. As a result, four of Wilmington's seven justices of the peace were now black men. Statewide, North Carolina's voters defeated the call

⁵⁸ *Wilmington Daily Journal*, 2 August 1871. On Heaton, see Evans, *Strength through Struggle*, 161 n.33.

⁵⁹ *Wilmington Daily Journal*, 3 August 1871.

for a new constitutional convention by a vote of 95,252 to 86,007. New Hanover County voted “no” overwhelmingly, but the rest of the state did not seem so sure. While the convention went down to defeat, a majority of the convention delegates would have been Conservatives had the referendum been approved.⁶⁰ Despite an apparently swelling Conservative tide, democracy would have to be reined in by other means.

When the convention vote failed to go the Conservatives’ way, charges of fraud were immediate, particularly in Wilmington. Had it not been for fraudulent votes, the *Wilmington Journal* insisted, the city’s vote would have favored calling a convention by a “twenty-five to forty majority.” Once again, charges of fraud concerned the behavior of predominantly black First Ward voters. The *Journal* told its readers that “the shameless corruption and intimidation which characterizes the elections in the First Ward has come to a pass that requires the interference of the strong arm of the law, and demand at the hands of our citizens and their representatives their most serious attention.” The paper laid the blame squarely on the black masses: “Imprudent and drunken negroes crowd up every avenue of approach to and so surround the polls that it is with difficulty that gentlemen can vote. The polls are taken possession of by negroes, some of them candidates themselves, who pay no attention to the rights of the white people or the laws of the State, and who wantonly insult our most venerable and worthy citizens.” Witnesses allegedly claimed that black men “who desire to vote with the white people, are seized by violence and forced to vote at the dictation of the mob.”⁶¹

⁶⁰ *Wilmington Star*, 6, 7, 8 August 1871; Olsen, “North Carolina,” 186. Had a convention been called, George Mabson would have been the delegate from New Hanover County.

⁶¹ *Wilmington Journal*, 5 August 1871.

“From all sides we hear of frauds practiced during the election held on Thursday,” wrote the *Journal*. “It is asserted that none of the poll-holders in this city were sworn in, as was required by law,” the *Journal* charged, “and that in the First Ward, the Register’s wife would receive the names of applicants for registration, and would return them to her husband when he came home at night, to be by him entered on the books, without being sworn.” The *Journal* called on the general assembly to offer “relief for the long suffering and patient white citizens of the First Ward.” “If the County Commissioners and Board of Aldermen will not give us Poll-holders who will do their duty faithfully,” the paper proposed, “they must be appointed through a special act.” The paper also proposed the establishment of “two or more voting precincts in the Ward so that the fraudulent voters could be more easily detected.” The *Journal* did not place all the blame on the poll-holders, who had done the best they could in the face of an unruly mob. “They did their duty as nearly as we could expect bitter partisans to do it,” the *Journal* conceded, “and we have no complaints to make.” Indeed, the *Journal* claimed to have witnessed poll-holder decisions that were “usually correct and just” throughout the day. “[A]ll that could be properly complained of,” was a “too willing disposition to believe the statements of ignorant negroes, and to question the oaths of intelligent foreigners.” The *Journal* pointed to the rural townships as well. “At Rocky Point it is confidently asserted that there were 24 more votes polled than were on the registration books.” In Franklin, the vote “should probably be thrown out as the Radical register there turned over his books to another party.” So should the votes from Masonboro, where “we hear that 13 negroes voted very early in the morning and before the polls were opened.” The solution, according to Conservatives, was to cease the local appointment of poll-holders and

registrars in favor of state appointments.⁶²

Later, the *Journal* backtracked a bit with respect to registration in Wilmington's First Ward. After having leveled charges that the registrar's wife had done the registering, the paper wrote three days later that it "did not desire to be understood as charging any fraudulent conduct upon the part of the registrar, Joseph E. Sampson." Perhaps class played a role in the *Journal's* disclaimer. "There is no colored man in this city who bears a more unexceptional character," the *Journal* maintained, "and we have the assurance of gentlemen who were at the polls, that he conducted himself most worthily. We only referred to this illegal registration as a fact, which ought to vitiate the election in this Ward." While the *Journal* stood by its position that the votes should be thrown out, it once again insinuated that the poll-holders were simply not prepared to carry out their duties. "We are satisfied that it resulted from inadvertence and misunderstanding as to his duty. We will be the last to reflect upon the conduct of any one, white or colored, unless we have undoubted evidence of a corrupt intent."⁶³ Perhaps membership in the right class still protected some black men from public insult.

Poor people received no such leeway. Charges of voter fraud attacked working-class voters who tried to find ways to vote that would accommodate their work locations and schedules. The McClammy-Ashe Act prohibited certificates of removal, which allowed voters who had recently relocated to prove residency in the ward in which they intended to vote. Thus, men whose migratory work might take them from township to township could easily be excluded from registration. Furthermore, Conservative

⁶² *Wilmington Journal*, 5 August 1871.

⁶³ *Wilmington Journal*, 8 August 1871.

employers could release workers close to election time, forcing them off their property and into another ward. Restrictions on certificates of removal also addressed another concern of many white Conservatives, that of tying blacks, who were no longer bound by slavery, to one job. Prohibiting certificates of removal not only attempted to prevent blacks who had relocated from voting, it also sought to tie an increasingly mobile, recently freed population to a particular location, and hence to a particular job, if they intended to vote.⁶⁴ Voter fraud had become a ruse to impose new regulations aimed at restricting black votes. The changes imposed by the McClammy-Ashe Act of 1870 had not sufficed to eliminate Republican control of the city of Wilmington, and the Conservative state legislature would therefore amend the city's voting procedures.

In November 1871, Senator Charles McClammy and Representative Samuel A. Ashe introduced a bill to amend the 1870 law. It proposed to elect the city's aldermen by cumulative suffrage. Under its provisions, a ballot could contain ten different candidates or the same candidate ten times, or any variation in between. This procedure would allow Conservatives to concentrate their votes. Initially, the bill received little support in the Senate, where it was postponed until January. Ashe had greater success in the House of Representatives, where he argued that cumulative voting would "make it possible for the white race, comprising the bulk of the property holders to secure partial representation on the Board of Aldermen" while at the same time respecting the city's black majority. After passing the House of Representatives, the bill returned to the

⁶⁴ For the prohibition of certificates of removal, see "An Act Concerning the City of Wilmington," 20 December 1870, *Private Laws of the State of North Carolina, 1870-'71*, 28. Helen G. Edmunds, writing of a later period, argues that certificates of removal were themselves a strategy to check the black Republican. See *The Negro and Fusion Politics in North Carolina, 1894-1901* (Chapel Hill: University of North Carolina Press, 1951) 68.

Senate, which enacted it into law on February 8, 1872.⁶⁵

The new law also tackled voting fraud by establishing the position of election challenger, which was to be filled by the mayor on application of any candidate for alderman. One election challenger was authorized to attend the polls in each ward and challenge any voter or election inspector during the voting or as votes were counted after the polls closed. The penalty for inspectors who were found not to have fulfilled their duties was imprisonment for three months to one year.⁶⁶ Control of the polls had become a Conservative priority.

Meanwhile, Republicans in Wilmington struggled with their multi-partisan style of politicking as the May 6, 1872, municipal election approached. After a closed county Republican nominating convention on April 8, black Wilmingtonians once again organized their own open nominating meeting that allowed the people to voice their opinions. At that meeting, the people selected the same nominees who had been chosen at the closed convention, prompting the Republican *Post* to deduce that “the proposition to bolt is fast dying out, and we are indeed glad to see it.” The mass meeting had turned into a “ratification meeting” that endorsed the already-nominated candidates. According

⁶⁵ North Carolina, *Journal of the Senate of the General Assembly of the State of North Carolina at its Session, 1871- '72* (Raleigh, NC: The Senate, 1872), 168; North Carolina, *Journal of the House of Representatives of the General Assembly of the State of North Carolina at its Session, 1871- '72* (Raleigh, NC: M. S. Littlefield, 1872), 321-22; “An Act to Amend ‘An Act Concerning the City of Wilmington, Ratified the Twentieth Day of December, in the Year of Our Lord One Thousand Eight Hundred and Seventy,’ Being Chapter Three, Private Acts of One Thousand Eight Hundred and Seventy and One Thousand Eight Hundred and Seventy and One Thousand Eight Hundred and Seventy-One,” 8 February 1872, *Private Laws of the State of North Carolina, Passed by the General Assembly, 1871- '72* (Raleigh, NC: Holden & Wilson, 1872), 139-40. For Ashe’s arguments in favor of cumulative suffrage, see *Wilmington Journal*, 17 January 1872; *Wilmington Morning Star*, 13 April 1872.

⁶⁶ “An Act to Amend ‘An Act Concerning the City of Wilmington’,” 8 February 1872, *Private Laws of the State of North Carolina, 1871- '72*, 139.

to the *Post*, the result “was the best thing that could have happened to the Republican Party of New Hanover. It fully sustained the fact that the people had become tired and weary of discord and disaffection, and that they intended to stand by the regular nominations, united and undivided.”⁶⁷

The issue at the heart of the news report was, however, more complex than the *Post* realized. If “the people had become tired and weary of discord and disaffection” they would not have shown up en masse at a meeting that protested their exclusion from the official Republican convention. The issue for the majority of people at the mass meeting may not have been the candidates themselves, but the process by which they had been selected. In 1872 as in 1869, the demand for participation represented a deep-seated struggle over ownership of the local Republican party. The same fundamental question still pertained: Is a political party the property of its leaders or its base? The *Post* once again warned that a vote for any candidate other than those on the regular Republican ticket was “a vote in favor of Democracy!” (meaning the Democratic party). “Let that be distinctly understood,” the paper emphasized. The *Post* was still trying to claim the party for the formal Republican leadership. “If a man refuses to submit to the regular nomination, made in Republican convention according to the law, he is not acting with the Republican Party and has no right to claim allegiance to it,” the paper declared.⁶⁸

Alternative politics remained very much alive in New Hanover County, especially in Wilmington, and the *Post* knew it. At the same time, black voters seemed to be aware of the growing need for Republican unity. Given the increasing assaults by the

⁶⁷ *Wilmington Post*, 11 April 1872.

⁶⁸ *Ibid.*

Conservative-dominated general assembly, there was legitimate debate to be had regarding the presentation of a united front. At the same time, black Wilmingtonians had reservations about being squeezed into a Republican Party that did not always have their interests at heart.

In 1872, Wilmington's municipal election took place on May 6, as mandated by the 1870 changes in the city charter. Despite Republican unity, cumulative voting resulted in the first Conservatives on the Board of Aldermen since the enactment of black suffrage. Of the ten aldermen elected in 1872, four were Conservatives and six were Republicans. Two of the Republicans were Northern-born whites, one was a white Southerner, and three were black Southerners. In 1870, the city's voters had given the board a black majority. Now, just two years later, black representation had been reduced to only three of ten aldermen. Moreover, Republican strength on the board had been reduced from 100 percent to 60 percent. All ten aldermen were propertyholders, and the three black men were all of mixed race.⁶⁹

The city's Fourth of July celebration in 1872 reflected the growing elitism in local politics. The festivities revolved around the city's black militia companies. The black militia that had formed in 1868 included the Wilmington Rifle Guards, the Charles

⁶⁹ The men elected to the Board of Aldermen in 1872 were Conservatives Isaac B. Grainger, Francis W. Kerchner, Robert S. Radcliff, and John C. Heyer; white Republicans Edwin R. Brink, James Wilson, and Denard Rumley; and black Republicans Owen Burney, William H. Thurber, and Joseph E. Sampson. See *Wilmington Star*, 8 May 1872. Kerchner was a wealthy grocer; see 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 2 July 2016). Radcliff was a well-off brickmason; see 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 2 July 2016). Edwin R. Brink was a wealthy, white, New York-born Republican who had apparently relocated to North Carolina after the war (his youngest child, who was seven in 1870, had been born in Ohio); see 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 2 July 2016).

Sumner Light Infantry, the Brooklyn Zouaves, and the Wilmington Dragoons. The July 4th events included a parade led by the militia companies and a target-shooting competition. Black officeholders George Price, Alfred Howe, George Mabson, and John Brown served as judges. Sixty-six men competed, with three shots each. Private William Johnson took the customary first prize of a silver watch.⁷⁰ The first-prize watch, second-prize silver pitcher and waiter, and third-prize set of silver tea spoons reflected the elite and domestic intentions of the event, and the focus on the militia with all of its masculine pomp contrasted sharply with the oil-bucket, torch-lit celebrations of the immediate postwar period in which men, women, and children had intermingled en masse. Wilmington's black leaders seemed to be finding political capital in presenting a more traditional tableau.

Neither the recent political losses on the Board of Aldermen nor the growing elitism stifled the city's alternative politics. That Conservatives had been elected to the Board of Aldermen despite Republican unity may in fact have intensified alternative sentiments. As Wilmingtonians prepared to vote on August 1 for state and county offices as well as for U. S. congressman, Republicans could not come to agreement. Contrary to the *Post's* optimism of earlier that year, the disposition to bolt was hardly dying out, and the rift once again revolved around closed nominating procedures. At the election, Wilmington's voters were therefore presented with three tickets: the Republican Ticket, the People's Ticket (the alternatives), and the Conservative Ticket. The Conservatives, however, did not bother to run a county ticket, instead choosing to focus on the reelection

⁷⁰ See *Wilmington Evening Post*, 5 July 1872; *Wilmington Journal*, 6 July 1872. Second prize went to Private Joseph Shaw and third prize to Thaddeus Howard. On the black militia, see *Wilmington Star*, 5 May 1872; Evans, *Ballots and Fence Rails*, 138-39, 213.

of Colonel Alfred M. Waddell to Congress against the single Republican candidate, Neill McKay, a white North Carolinian from Harnett County.⁷¹ As a result, Republicans addressed the city's alternative partisanship differently for county offices than they did for state positions.

In late July, sixty-year-old former slave and wood inspector Jacob M. Wise, an independent black candidate for the state House of Representatives, publicly rejected the idea of affiliation with any political party. He used the language of slavery and freedom to defend his decision to run as an independent:

INDEPENDENCE AND FREEDOM.—The many calls upon me by my Republican friends to define my position in regard to the County nominations, I hereby announce myself an independent candidate for the position of Representative in the next General Assembly. My platform is freedom from the lash of slavery, and the lash of party. Honesty and intelligence, Civil Rights and equality before the law.⁷²

Other candidates also wrestled with party loyalty. White candidate William H. Gerken, who had been active at black mass meetings, withdrew from the People's Ticket amid what seemed to be an internal political crisis. In an open letter renouncing his candidacy, he took a stand against closed nominating conventions and indicated that the Republican convention that had nominated county candidates without the participation of the people had spurred his campaign. At the same time, he acknowledged the need for Republican solidarity. "True, after repeated declinations, I at last allowed my name to be placed upon the People's Ticket," he wrote, "but after due consideration, I have arrived at the

⁷¹ For the regular Republican Ticket, see *Wilmington Post*, 30 July 1872. For the Conservative Ticket, see *Wilmington Journal*, 19 July 1872. For the People's Ticket, see *Wilmington Star*, 31 July 1872. On McKay, see *Wilmington Evening Post*, 6 July 1872; *Wilmington Star*, 7 July 1872.

⁷² *Wilmington Post*, 23 July 1872.

conclusion that the questions at issue are of too great importance to the Republican party to admit a division in our ranks.”

While I do not or cannot endorse the action of the Rocky Point Convention as a whole, still the important questions which will be brought before the next Legislature, are, in my opinion, of such a character as will need every Republican vote in that body so as to insure defeat, and in view of the fact, that my name might be the cause of losing one of the members from this County, and assist in the defeat of our candidate for Congress, I hereby inform my friends that I am no candidate, and cannot at this time serve them in that capacity.⁷³

Once Conservatives had gained control of the state, there were dangers to alternative politics. Cumulative voting, for instance, was perfectly tailored to enable Conservatives to take advantage of Wilmington’s alternative Republican partisanship. If Conservative voters united around a few Conservative candidates, they could compete with a fractured black electoral majority. However, in the county, without tactics like cumulative suffrage, black voters remained as mobilized as ever, and Conservatives knew it, as evidenced by their failure to run candidates for county office.

Nor did Conservatives run candidates for the general assembly. Their reasons were probably twofold. For starters, the legislature had recently redistricted state senate districts in such a way as to place New Hanover County into its own district, District Twelve, which was to be represented by one senator. (District Thirteen still comprised Brunswick County and now the county of Bladen as well.) For New Hanover’s single Senate seat, George Mabson and George W. Price, Jr., both black, faced off once again, Mabson running on the Republican Ticket and Price on the People’s Ticket. For the county’s three seats in the House of Representatives, the Republican Ticket and the People’s Ticket both ran William McLaurin and Alfred Lloyd, making it unlikely that

⁷³ *Wilmington Post*, 16 July 1872.

Samuel Ashe, the Conservative incumbent, could win. Perhaps recognizing the likelihood of a loss, Ashe had announced in March that he would not seek re-election, then took a position on the state Conservative Executive Committee. For the county's third House seat, the regulars ran incumbent Jim Heaton and the alternatives black farm laborer George W. Bordeaux. For county office, the Republican Ticket offered Joe Hill (black) for register of deeds, Edwin R. Brink (white) for treasurer, and incumbent James W. Schenck (white) for sheriff, while George W. Bordeaux (black) and two white men, George Hooper and S. H. Manning, were the corresponding candidates on the People's ticket. For county commission, both tickets ran Silas N. Martin, who in May had been elected to the city's Board of Aldermen and then returned to the mayor's chair. The regulars also nominated two black men, George W. Bordeaux and James A. Lowrey, and two white men, Augustus H. Morris and incumbent E. M. Shoemaker. The other county commission candidates on the People's Ticket were white North Carolinian A. R. Black as well as Samuel Nixon, Aaron Kellogg, and Samuel Davis, all three of whom were black.⁷⁴

⁷⁴ For the redistricting of Senate seats, see "An Act Concerning Representation in the Senate," 8 February 1872, *Public Laws of the State of North Carolina, Passed by the General Assembly, 1871-'72* (Raleigh, NC: Theo. N. Ramsay, State Printer and Binder, 1872), 262-64. On Ashe's decision not to run, see *Wilmington Journal*, 13 March 1872. On Bordeaux, see 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 2 July 2016). George Hooper was a white Republican from Maine who had resided in North Carolina for at least thirteen years, as his only child who was eleven years old in 1870 had been born in North Carolina. See 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 2 July 2016). S. H. Manning was a white Republican born in Maine; it is not known when he moved to New Hanover County. See 1880 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 2 July 2016). Morris was a well-off, white, North Carolina-born carriage trimmer; see 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 2 July 2016). Samuel Nixon was a local-born son of black police captain Delaware Nixon; see 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 2 July 2016). Carpenter Aaron Kellogg was the younger brother of officeholder William Kellogg; see 1870 U.S. Census, Population Schedule,

On August 1, 1872, the regular Republican ticket dominated New Hanover's state and county offices. Although Neill McKay defeated Alfred Waddell in New Hanover, Waddell prevailed in most of the congressional districts other counties, and the Conservatives therefore reelected Waddell to Congress. In six of the eleven counties that made up the congressional district, Waddell won by triple digits. In another three, the margin was smaller, with Waddell winning by no more than thirty-three votes. Only in New Hanover and Bladen counties did McKay win, by 213 votes in Bladen and a decisive 1,278 in New Hanover. The regular Republicans claimed every state and county office with the exception of A. R. Black from the People's Ticket who beat out Republican George Bordeaux, and Henry A. Colvin, an independent candidate for surveyor who seems to have run uncontested. Tod R. Caldwell was reelected governor, winning easily in New Hanover County. Republicans reclaimed all three of the county's seats in the state House of Representatives, electing black officeholders Alfred Lloyd and William McLaurin, as well as Jim Heaton, who was white but whom Conservatives often characterized as black because of his tendency to associate with blacks. In the race for the state Senate, Republican George Mabson defeated the incumbent George W. Price, Jr., for the seat once held by Abraham Galloway. Black men thus held three of the four seats representing New Hanover County in the General Assembly, and the fourth was a white Republican with close ties to the city's black communities.⁷⁵ New Hanover County increasingly, however, stood alone as a beacon of Republican strength.

Wilmington, New Hanover County, NC, www.ancestry.com (accessed 2 July 2016). Samuel Davis was a local-born black laborer; see 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 2 July 2016).

⁷⁵ For the election results, see *Wilmington Post*, 11 August 1872.

Conservatives retained control of the General Assembly and continued their white-supremacist campaign against elective local government. The power of the legislature over the charters of municipal governments was already a chink in the armor of black power, and the Conservatives also had designs on elective county government.

With the presidential election approaching in November, the state's Conservatives continued their scare tactics with propaganda that focused on the danger of black domination in New Hanover County. In early August, the *Wilmington Journal* reprinted a story from the *Raleigh Sentinel* claiming that Governor Caldwell "has sent one hundred guns to the negro company of New Hanover. The arsenal is said to contain some 250 Springfield rifles." The *Sentinel* further reported that the governor had received several more boxes of guns and warned that "[t]hey are too late for this election, but in ample time for the November election." On November 5, President Ulysses S. Grant was easily reelected in New Hanover County and also carried the state as a whole.⁷⁶ The victory in New Hanover County apparently came without the aid of armed black companies, as no evidence has been found to support the *Sentinel's* claim. Despite Conservative attacks and alternative partisanship, Republican power in New Hanover County remained solid. At the same time, Republican strength in a county with a black majority played directly into the hands of Conservative agitators.

In Wilmington, Republicans continued to hold power. While Democrats (as Conservatives were now officially calling themselves) continued to use cumulative voting to their advantage, Republicans too had adjusted their strategy. For the municipal

⁷⁶ For the allegations that Governor Caldwell armed black companies in New Hanover, see *Wilmington Journal*, 6 August 1872. For the presidential election results, see *Wilmington Journal*, 6 November 1872.

election of May 3, 1873, Republicans united on a single city ticket just as they had in 1872. This time, however, they ran only one candidate in each of the three wards where Democrats had the greatest power, thereby allowing Republicans in those wards to concentrate their votes on the party's single candidate. As a result, Republican candidates William Canaday, Lawson Rice, and James Wilson, all white men, won in the Second, Third, and Fourth Wards, respectively. Of course, three white Democrats were also elected from those wards; they were Roger Moore, Alex Adrian, and S. H. Fishblate, the latter becoming the only new Democrat on the board. Fishblate was a postwar New York transplant to Wilmington, a rarity among the city's Democrats. At the same time, the First Ward elected two black Republicans, Henry Brewington, a former slave laborer from the Brooklyn neighborhood, and Jacob Wise, who had declared liberty from the lash of party the previous year. Likewise, the Fifth Ward, which included Dry Pond, also elected two black Republicans, William H. Banks, a Virginia-born Baptist preacher, and Hiram Hankins, a farm laborer. The *Wilmington Star* lamented that so respectable a man as incumbent Isaac B. Grainger had been defeated by the likes of Hiram Hankins. While seven of the ten men elected to the Board of Aldermen were Republicans, only four were black.⁷⁷

⁷⁷ For the Republican Ticket, see *Wilmington Post*, 1 May 1873. For the Democratic Ticket, see *Wilmington Star*, 2 May 1873. For the election results, see *Wilmington Evening Post*, 7 May 1873. Canaday was a white, local-born, former city marshal; see 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 2 July 2016). Fishblate's twenty-four-year-old son was also born in New York, suggesting that Fishblate had come to Wilmington after the war; see 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 2 July 2016). On Brewington, see 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 2 July 2016); Reaves, *Strength through Struggle*, 379. William H. Bank had recently moved to Wilmington; his youngest son, three-year-old William, Jr., had also been born in Virginia. See 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com (accessed 2 July 2016). On Hankins, see 1870 U.S. Census, Population Schedule, Wilmington, New Hanover County, NC, www.ancestry.com

The Republicans had thus regained much of the ground lost to cumulative voting in 1872, but the black presence on the board had dropped from the share it enjoyed before redistricting under the McClammy-Ashe Act of 1870. Until the general assembly began legislating attacks on local governance in Wilmington, the city had steadily elected black men to at least half of the seats on the Board of Aldermen. Since Conservatives took control of the legislature, those numbers had begun to dwindle. Redistricting and cumulative voting may not have accomplished a Conservative takeover of the city government, but they had resulted in more white aldermen.

Cumulative voting seemed to have run its course, and Democrats had recognized its limitations even before the election. When Republicans rolled out their seven-candidate ticket, an editorial in the *Star* asked, “What then do the Conservatives propose to do? Shall we organize or let the election go by default?” The question they faced was whether to run four candidates, as they had in 1871, or reduce their number to three, thereby conceding the weakened effectiveness of cumulative voting now that the Republicans were also concentrating their votes on fewer candidates. “Our opponents acknowledge our ability to elect three Aldermen,” the *Star* observed. “Are we to take what they give, or shall we attempt to elect four?” Perhaps more to the point was the *Star*’s concern that there simply were not enough white registered voters in the city to win four positions on the Board of Aldermen if the Republicans united around just seven candidates. “The city election will be held to-morrow week, but people who are not properly registered will not be allowed to vote,” the paper warned. “See that your name

(accessed 2 July 2016). For the *Star*’s critique of Hankins’s election, see *Wilmington Star*, 7 May 1873. Hankins defeated Grainger by only twenty votes.

is on the books before Saturday night, or you can't 'cumulative' worth a cent."⁷⁸

Despite their losses on the Board of Aldermen, Conservatives were able to use their minority to exploit Republican factionalism. When it came time to elect a mayor, the board was in chaos. The Republican board members were unable to unite on a candidate. In tight votes between incumbent mayor James Wilson and newly-elected William Canaday, the board's three Conservatives shifted their votes around so as to prevent a majority. In so doing, they brought city business to a halt and exacerbated the divide within the Republican Party.⁷⁹

Almost two weeks later, still without a new mayor, some of the aldermen tried to resume city business. On May 16, Lawson Rice, a local white Republican of humble birth and a well-known participant at both regular and alternative mass meetings, moved to pay the city street workers while the board's business was suspended. James Wilson objected arguing that until the board was properly organized, nothing should be done. Another alderman asked whether the payroll had already been made out. It had, but Wilson stood his ground, maintaining that no money could be paid out without the mayor's signature. The chairman of the board, white regular Republican H. S. Servoss, tried to move to consider the motion, but Wilson refused to recognize him. Alderman Rice demanded to know if Wilson intended to continue to interfere with the duties of the chairman and threatened to have him arrested and removed from the room. The motion was called. It failed by tie a vote, five to five. One week later, Wilson lost reelection to the mayor's seat when the board finally elected white regular Republican William

⁷⁸ *Wilmington Star*, 27 April 1873.

⁷⁹ *Wilmington Evening Post*, 5, 16, 23 May 1873; *Wilmington Star*, 15 May 1873.

Canaday.⁸⁰

North Carolina's voters may have defeated the Democrats' efforts to call a new constitutional convention, but the Democrats could still use their control of the state legislature to make changes in Wilmington's city government. In December 1873, "An Act Relating to the City of Wilmington" ended annual municipal elections and ordered them to be held biennially, purportedly as a way to reduce costs. The law also allowed Democrats, disappointed that Republicans had successfully maneuvered around cumulative voting, time to regroup before the next municipal election.⁸¹

Alternative Republicans objected to the shift to biennial elections and as what would have been the May 1874 election date approached, they challenged the new law and petitioned the Board of Aldermen to proceed with the 1874 election. The board responded that "under existing laws they have no power to grant the request of the petitioners," and suggested "that their views could be more lawfully and orderly carried out by an application to the Legislature, and not to a body that are but the creation of the General Assembly." Nevertheless, the alternatives proceeded, conducting nominating meetings in each ward and holding what can only be called a protest election on Monday, May 11. The following day, the "elected aldermen" met at the courthouse, elected former mayor James Wilson as the new mayor, and adopted a resolution claiming legitimacy under the laws in place when the May 1873 election was held. "[T]en aldermen were elected to serve for one year, ending on the first Monday of May, 1874,"

⁸⁰ *Wilmington Evening Post*, 5 May 1873, 16 May 1873.

⁸¹ "An Act Relating to the City of Wilmington," 3 December 1873, *Laws and Resolutions of the State of North Carolina, Passed by General Assembly at its Session 1873-'74* (Raleigh, NC: Josiah Turner, Jr., State Printer and Binder, 1874), 272-73.

read the resolution's preamble. They therefore resolved that James Wilson was the newly elected mayor and demanded "the seal and other property belonging to the city."

Nothing became of their protest. The law requiring biennial elections had provided for the extension of the incumbent aldermen's terms for another year, and the *Star* and the *Journal* mocked the dissenters, referring to them as the "new Board of Aldermen, so-called." The Republican *Post* didn't mention the protest election at all. Fruitless though their action was, the alternatives had demonstrated that they could mobilize voters in Wilmington.⁸²

In August, the Conservatives, now officially calling themselves Democrats, failed to gain any county offices in New Hanover, and once again, the county did not send a single Democrat to the general assembly. White regular Republican Edward Cantwell, who had earlier served as judge of the special court, was elected to the Senate. All three men elected to the House of Representatives were black: regular Republican Henry Brewington and two alternative Republicans, incumbent Alfred Lloyd and William H. Moore. For the second time, not a single one was Northern-born man. In addition, George Mabson came close to being elected to the U.S. Congress from the state's Third District, which included New Hanover County.

Eastern North Carolina's black majority made the region unresponsive to the propaganda of white supremacy that was winning over white voters elsewhere in the state. Without manipulation by the general assembly, the east could resist Democratic

⁸² For the alternative plan to call for the city election, see *Wilmington Journal*, 4 April 1874; *Wilmington Star*, 11, 15 April 1874. For the alternatives' petition and the board's response, see *Wilmington Star*, 4 April 1874. For the election held by alternatives, see *Wilmington Star*, 3 May 1874; *Wilmington Journal*, 12 May 1874. For the alternative aldermen's meeting, see *Wilmington Journal*, 12 May 1874.

control. Indeed Eastern North Carolina remained a Republican stronghold despite intrusive state legislation. In Wilmington, Democrats held three of the ten seats on the Board of Aldermen, but Republicans continued to dominate both city and county government, and, as a result of alternative politics, the county had elected black men to three of its four seats in the General Assembly.

The rest of the state, by contrast, was rapidly falling into Democratic hands. Their sights still set on control of the state's largest city, Democrats developed a plan to once again redistrict Wilmington in such a way as to make the votes of the white minority outweigh those of the black majority. This time their approach was to redraw the ward boundaries in accordance with the value of taxable property rather than population or number of registered voters. On January 28, 1875, Edwin Kerr, the Democratic senator from Sampson County, which adjoined New Hanover, introduced a bill to once again amend Wilmington's city charter. He submitted it on a day that New Hanover County's senator, Edward Cantwell, was absent. After one day of deliberation, the Committee on Corporations recommended passage of the bill. Cantwell, now present, objected and insisted that, as the senator representing the people to be affected, any such bill should be submitted only by him. He asked that the bill be recalled. That request was denied. On January 28, 1875, Cantwell, along with Edgecombe County Senator William P. Mabson, the younger brother of George Mabson, tried to preserve partial democracy by moving that the bill be amended to place control of the city in two distinct bodies, one based on taxable property and the other on population. This, too, was rejected.⁸³

⁸³ North Carolina, *Journal of the Senate of the General Assembly of the State of North Carolina at its Session, 1874-'75* (Raleigh, NC: The Senate, 1875), 222-25, 255-56, 263; Jerome

In the House of Representatives, New Hanover County's three representatives, Alfred Lloyd, Henry Brewington, and William H. Moore, all objected to the bill. Then, as it became increasingly clear that the Democratic majority would prevail, they, like Cantwell in the Senate, recommended a bicameral city governing board, to no avail. When they argued that bicameralism had worked for the founding of the nation, Democrats replied that the taxpayers of the founding era did not have to be protected from blacks. In desperation, New Hanover's representatives tried to amend the city charter to return the residency requirements for voting to the ninety days that had been law prior to the McClammy-Ashe Act of 1870. That too failed. On February 3, 1875, the redistricting bill became law. Cantwell filed a formal protest, for which he was mocked in Wilmington's Conservative papers. The *Star* celebrated enactment of the amendment and dismissed Cantwell as "having some insane idea that he really represented the white people of New Hanover County" when in fact he was serving "their oppressors, the negroes of Wilmington."⁸⁴

Cantwell and the Republican majority in Wilmington attempted to show that they very much represented the city's whites. The new amendment increased the residency requirements for aldermen from thirty days to one year in the city and ninety days in the

Anthony McDuffie, "Politics in Wilmington and New Hanover County, North Carolina, 1865-1900: The Genesis of a Race Riot" (Ph.D. diss., Kent State University, 1979), 86-88.

⁸⁴ North Carolina, *Journal of the House of Representatives of the General Assembly of the State of North Carolina at its Session, 1874-'75* (Raleigh, NC: M. S. Littlefield, 1875), 332-50, 548-58, 693, 718; "An Act to Amend the City Charter of Wilmington," 3 February 1875, *Laws and Resolutions of the State of North Carolina, Passed by General Assembly at Its Session, 1874-'75* (Raleigh, NC: Josiah Turner, Jr., State Printer and Binder, 1874), 462-70; *Wilmington Weekly Journal*, 5 February 1875; *Wilmington Star*, 31 March 1875. Jerome McDuffie provides an excellent and detailed description of the events leading to the passage of the law to redistrict the city; see McDuffie, "Politics in Wilmington and New Hanover County," 88-89.

ward. It divided the city into three wards on the basis of taxable property, the First Ward having taxable property valued at \$1,375,550, the Second Ward \$1,377,750, and the Third Ward \$1,367,585. (See fig. 5.3.) Republicans soon discovered that the value of

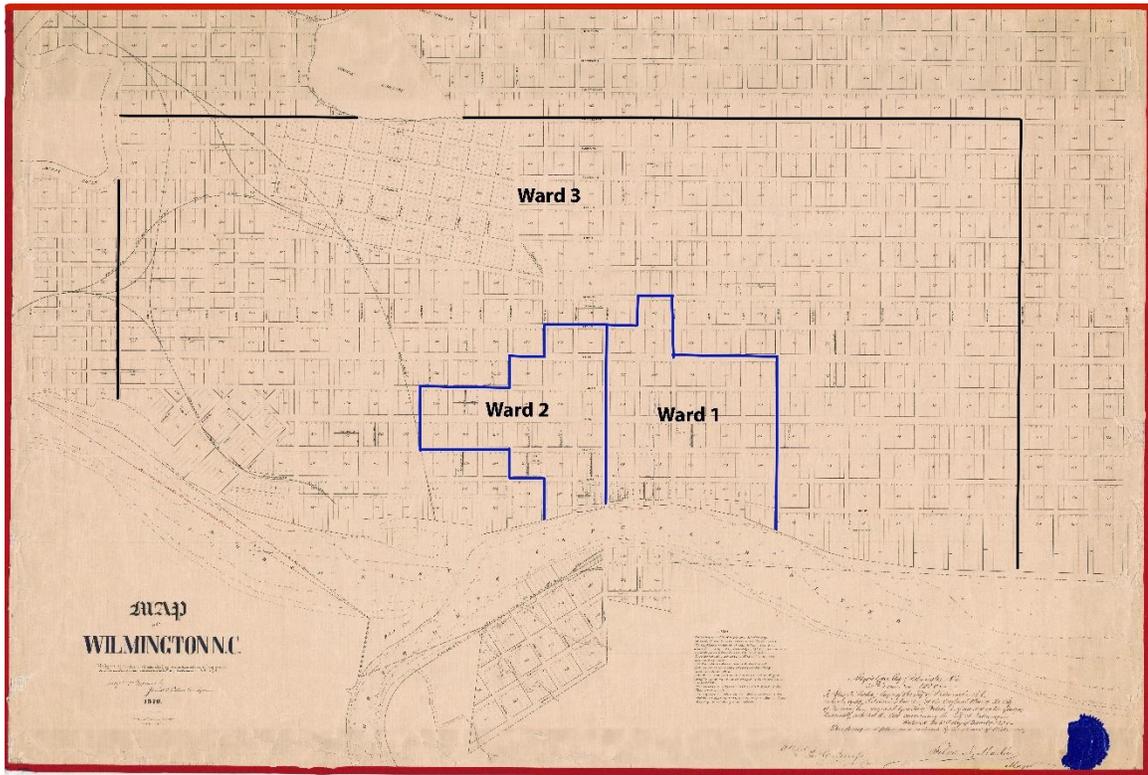


Figure 5.3. Wilmington Wards, 1875. Created using Map of Wilmington, 1870, NCDAH, and “An Act to Amend the City Charter of Wilmington,” 3 February 1875, *Laws and Resolutions of the State of North Carolina, Passed by General Assembly at Its Session, 1874- '75* (Raleigh, NC: Josiah Turner, Jr., State Printer and Binder, 1875), 462-70.

property in the First and Second Wards, which were predominantly white, had been overestimated by \$200,000 to \$500,00, while that in the predominantly black Third Ward had been underestimated by nearly \$70,000. In reality, the taxable property in the Third Ward was roughly equal to that of in the First and Second Wards combined. The nearly 3,000 registered voters of the Third Ward received the same representation on the Board of Aldermen as did fewer than 500 in each of the other two wards. While voters along in

the predominantly black Third Ward outnumbered the total population of the other two wards combined. When white Democrats warned that blacks would use violence to resist the amended charter and that white men therefore needed to stick together against their black oppressors, the working-class white men in the Dry Pond who comprised most of the new ward's 800 white voters were not the white people the Democrats had in mind. Democrats called for returning governance to the rule of property, virtue, and intelligence. Indeed, in many respects, white supremacy was a ruse to return power to the antebellum elite.⁸⁵

Legal challenges issued from Wilmington immediately. The first came from Alderman Duncan Holmes, the former slave whose political career had begun when he petitioned for redress after his former master confiscated his wheelwright's tools, and a black citizen named David Gay. On March 6, 1875, they filed a petition in the U.S. circuit court for eastern North Carolina that sought to block the special election scheduled for March 11 to elect a new Board of Aldermen under the newly amended city charter. They based their challenge on the inequality in both population and property established by the amendment, but the judge dismissed the petition on the grounds that they lacked the standing to sue. Any legal challenge, according to the court, would need to come from aldermen who claimed to have been illegally voted out of office, who would need to file a "writ of *quo warranto*" (an order challenging a person's right to hold office). The ruling meant that the election would have to take place before a challenge could be

⁸⁵ McDuffie, "Politics in Wilmington and New Hanover County," 90-96.

filed.⁸⁶

The second challenge came from the Republican-dominated Board of Aldermen, which passed a resolution calling for an appeal to the North Carolina Supreme Court. The four Democratic aldermen did not participate in the vote on the resolution, and on March 10, the day before the special election, they resigned their offices so that they would not be part of the challenge the Republican aldermen planned to file. The city's Republican voters also rejected the amendment to the city charter and therefore refused en masse to participate in the special election. On election day, 160 votes were cast in the First Ward, 193 in the Second, and, in the predominantly black Third Ward, 266, fewer than 5 of which were by black voters. On March 13, nine Democrats who had been elected aldermen in the special election, including the four who had resigned on the eve of the election, attempted to take office, but the Republican members of the pre-election Board of Aldermen refused to yield to them. The Democrats elected in the special election threatened the Republican aldermen with conviction under section 22 of the amended city charter, which stipulated that any alderman who refused to relinquish office could be punished by a \$2,000 fine and two years in prison. But, backed by the city's biracial police department, the Republican aldermen stood their ground and informed the Democrats that they would see them in court.⁸⁷

The newly elected Democrats took their case to the New Hanover County

⁸⁶ On the case brought before the federal circuit court, see *Wilmington Journal*, 7 March 1875, 8 March 1875, 9 March 1875, 10 March 1875.

⁸⁷ On the actions by the Board of Aldermen, see Minutes of the Wilmington City Council, 2 March 1875, 4 March 1875, 13 March 1875, NCDAH; *Wilmington Journal*, 14 March 1875. For the election results, see *Wilmington Journal*, 12 March 1875; *Wilmington Star*, 12 March 1875.

Superior Court, and, following the advice given to Duncan Holmes and David Gay by the U.S. circuit court, filed a writ of *quo warranto*. The presiding judge was John Kerr, a Democrat, who on April 28 issued a decision in favor of the petitioners. Arguing that majority rule was a “despotic theory,” he upheld the amended city charter and the validity of the March 11 election. The Republican aldermen appealed Kerr’s decision to the state supreme court, which still had a Republican majority. The case was heard on June 16. Representing the Republican aldermen was Daniel L. Russell, Jr., a white Republican, who argued that democracy depended on “one man, one vote.” On July 6, 1875, the North Carolina Supreme Court ruled in favor of the Republican aldermen, declaring that the amended city charter violated the 1868 state constitution, that residency requirements longer than thirty days were also unconstitutional, and that property qualifications for voting are “now regarded as antiquated.”⁸⁸

The effort to reduce black political power in the city of Wilmington may have failed, but for Democrats, the battle was not over. In February 1875, the Democratic-controlled state legislature redrew the boundaries of New Hanover County so as to reduce the extent of Republican power and create a new county that might be expected to elect Democrats. The measure was introduced by John D. Stanford, a Democratic senator from Duplin County who claimed to represent Democratic petitioners from New Hanover

⁸⁸ On the case before the New Hanover County Circuit Court, see Minutes of the New Hanover County Superior Court, 1873-1876, NCDAH; *Wilmington Journal*, 29 April 1875; *Wilmington Star*, 29 April 1875; *Wilmington Post*, 30 April 1875; McDuffie, “Politics in Wilmington and New Hanover County,” 100-101. For the Republican appeal, see *Van Bokkelen v. Canaday*, 73 N.C. 198, 179-89, NCDAH; *Wilmington Journal*, 18 June 1875; J. G. de Roulhac Hamilton, *Reconstruction in North Carolina* (New York: Columbia University, 1914), 280, 600. Interestingly enough, Daniel L. Russell, Jr., who represented the Republican aldermen, was the son of Daniel L. Russell, Sr., who had gained a reputation in the years immediately following the war for apprenticing black children at an alarming rate. See above, Chapter 2.

who resided in the rural northern portion of the county. The petitioners, Stanford contended, did not feel adequately represented by New Hanover's Republican senator, Edward Cantwell. Stanford's bill proposed to carve a new county to be named Pender—for Confederate General William D. Pender, who had been killed at the battle of Gettysburg—out of the northern two-thirds of New Hanover. The creation of Pender reduced New Hanover County to little more than the city of Wilmington and, in place of New Hanover's three representatives in the House of Representatives, allowed one to New Hanover and one to Pender. While the new county still possessed a slight Republican majority, its planters believed that they could control the votes of their black laborers, most of whom were sharecroppers, once they "cut them loose from the Radical ring of Wilmington" and from the political resources of the city's black population.⁸⁹

The city of Wilmington had long been the hub of Republican power in New Hanover County. Many Democrats believed that eliminating Republican control of Wilmington was central to gaining Democratic control of the entire state. Wilmington was the state's largest city and its most important commercial center. Symbolically, therefore, it simply looked bad, in the eyes of Democrats, for Wilmington to stand as an example of black power and Republican success. In addition, many Democrats were convinced that black power in the city rested on the mobilization of poor and ignorant blacks from the rural portion of the county. Without the influence of the city's black political leaders, they believed rural blacks could be easily controlled by powerful former

⁸⁹ For the creation of Pender County, see "An Act to Establish a New County by the Name of Pender," 16 February 1875, *Laws and Resolutions of the State of North Carolina, 1874-'75*, 93-94; McDuffie, "Politics in Wilmington and New Hanover County," 104. For the quotation regarding planters in the new county, see *Wilmington Journal*, 29 January 1875.

masters. And without the support of black voters in the countryside, the city's black politicians would lose their electoral muscle and fall by the wayside.

The redistricting that reduced the political power of New Hanover County was not only a response to electoral numbers. It was an attempt to undermine the mobilized black political culture that was centered in Wilmington. The new Pender County included townships like Rocky Point and Lincoln that were important bases of black political power. Some of the largest mass meetings of the postemancipation period had taken place in Rocky Point. Furthermore, it was home to some of the region's most prominent and powerful black officeholders, including the deputy tax collector for New Hanover County, John Bell, the county register of deeds, George Bordeaux, the Nixon brothers, Samuel and Lewis, who served on Wilmington's police force, and Alfred Lloyd, who represented New Hanover County in the state House of Representatives. Indeed, it is a wonder that Democrats expected blacks in Pender County to be so easily controlled.

The Democratic miscalculation was revealed when Republicans won all the Pender County offices in the first election.⁹⁰ That defeat reaffirmed the frustrated Democrats' commitment to changing the 1868 state constitution. At the 1874-1875 legislative session, they had already used every strategy at their disposal to try to destroy the last bastions of Republicanism in the state. In February, they had enacted a law intended to place power in the hands of white Democrats by redistricting Wilmington on the basis of taxable property. That had failed. That same month they had carved up New Hanover County, creating Pender, with their sights set on Democratic control in that county, but that too had failed. The last remaining plan was to call a convention that

⁹⁰ *Wilmington Star*, 17 April 1875.

would amend the state constitution.

In Wilmington, regular and alternative Republicans had stood united against the amended city charter, but the proposed to call a constitutional convention exposed a deep divide not only between the city's white and black Republicans, but also between the regular and alternative factions. New Hanover County's state senator, white Republican Edward Cantwell, supported the bill, thereby reminding black Wilmingtonians that some white Republicans had supported the 1870 McClammy-Ashe Act that struck the first blow at the city charter and resulted in a loss of Republican seats on the Board of Aldermen. In the House, by contrast, New Hanover's three black representatives, William H. Moore, Henry Brewington, and Alfred Lloyd, fought the bill to the bitter end. First, they tried to have the question of a convention submitted to the voters of the state. That failed. The Democrats finally gained the support of some white Republicans by agreeing to an act that prohibited the prospective constitutional convention from amending the homestead provision, the laborers' and mechanics' lien, or the rights of married women to be financially protected against neglect or abandonment by their husbands. The bill was then passed by both houses of the General Assembly on March 19, 1875, and a convention date was set for September 6, 1875.⁹¹

Reflecting how closely divided the state was, the delegates elected to the convention on August 5, 1875, included fifty-eight Republicans, fifty-eight Democrats, and three Independents. New Hanover County sent three Republicans, George Z. French, Stephen H. Manning, and John H. Smyth. Smyth was one of the convention's six black

⁹¹ "An Act to Call a Convention of the People of North Carolina," 19 March 1875, *Laws and Resolutions of the State of North Carolina, 1874-'75*, 303-6.

delegates. The convention began by amending the very provisions of the 1868 constitution that had resulted in the invalidation of that year's effort to redistrict Wilmington's wards by taxable property rather than votes or population. Another amendment increased residency requirements for voting from thirty days to ninety. Yet another reduced the number of justices on the state supreme court from five to three. Democrats claimed doing so would reduce excessive state expenses, but it was also a way to more quickly replace Republican justices with Democrats. Even more significant was an amendment that would make it possible to eliminate local elective government; it gave the general assembly "full power by statute to modify, change, or abrogate" the existing constitutional provisions regarding county government, including the selection of county commissioners and justices of the peace. The amendments adopted by the constitutional convention, would, if ratified by the voters in August 1876, give the General Assembly broad authority to reverse the democratic reform in county governance that were a centerpiece of the 1868 constitution.⁹²

After having lost the statewide referendum for a new constitutional convention in 1871 and having seen representation of property rather than people in Wilmington struck down by the state supreme court in 1875, Democrats took no chances as the August 1876 vote approached. They delivered an onslaught of propaganda designed to ensure overwhelming white support this time around. The key for Democrats in 1876, as it had been in 1871, was to reduce black votes and gain white ones. Violence and intimidation may have worked to reduce black votes in the center of the state, but the eastern and

⁹² *Constitution of the State of North Carolina, as Amended by the Constitutional Convention of 1875*, art. 6 sec. 1, art. 4 sec. 6, art. 7 sec. 14.

western sections seemed immune to Ku Klux Klan politicking. Nevertheless, Democratic propagandists were savvy students of state politics who were able to use east and west against each other.

Across the state, Democrats launched attacks portraying New Hanover County's black officeholders as symbols of black domination that were designed to frighten the state's white voters into ratifying the constitutional amendments. Democratic newspapers published accounts of black officeholders apprenticing white women, children, and elderly residents to black men and argued that the only way to end such horrors was to strip counties with black majorities of their elective government. By ratifying the amendments, Democratic newspapers assured whites, they would be making but a small sacrifice in order to come to the aid of their white brethren in the east. In the face of black power, democracy should take a back seat.⁹³

In one broadside, "White Slavery in North Carolina – Degredation [*sic*] Worse than Death," Democrats recounted alarming stories of white paupers in Jones County, which was located between Wilmington and New Bern, two urban centers of black political power. "Lucy Lockley, (white) aged and blind was bid off by [an] ignorant negro who can neither read nor write," the broadside reported. "Sam'l Mets, (white and blind) having a wife and several children, was bid off by a negro Commissioner at \$5.00 per month."⁹⁴ (See figure 5.4.) Another broadside, also headed "White Slavery.

⁹³ Benjamin Askew, "White Slavery in North Carolina — Degredation [*sic*] Worse than Death," 20 July 1876, and "White Slavery. Degredation [*sic*] Worse than Death. White Men of the West, your Eastern Brethren ask you to Assist them," 20 July 1876, both in Broadside Collection, Special Collections Library, DU.

⁹⁴ Askew, "White Slavery in North Carolina — Degredation [*sic*] Worse than Death."

Degradation Worse than Death.” added “White Men of the West, your Eastern Brethren ask you to Assist them.” After recounting the Jones County horrors, it took

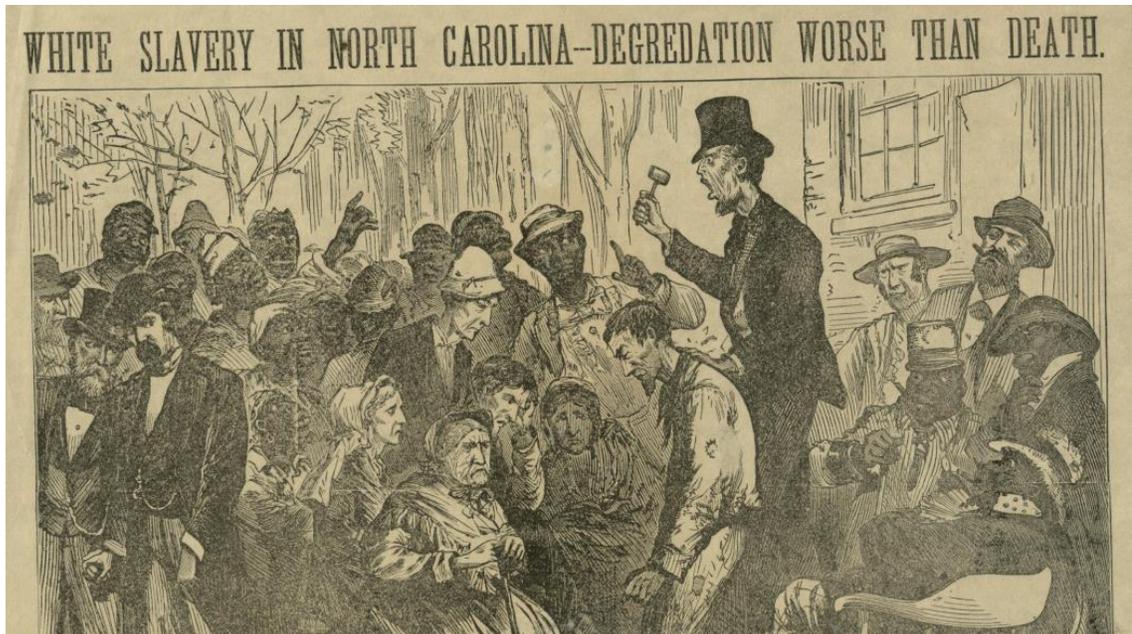


Figure 5.4. “White Slavery in North Carolina — Degredation [*sic*] Worse than Death.” 1876. Source: Benjamin Askew “White Slavery in North Carolina: Degredation [*sic*] Worse than Death: White Men in North Carolina Help Your Eastern Brethren by Voting for the Constitutional Amendments” (Np: np, 1876). Broadside, DU.

direct aim at Wilmington. “Also, at Wilmington, New Hanover county,” it read, “a hard-working and respectable white man named Charles Ellis died just before the war, leaving a widow and two boys. The eldest boy went into the war and was killed. The widow rented one of her out houses to a negro named Joseph Hill. Mrs. Ellis died. Joseph Hill then took possession of her house, and also took possession of her little boy (Johnny.)” Demonstrating the danger inherent in the election of Republican judges, the broadside reported that “Maj. J. C. Mann, the Radical Judge of Probate, gave the legal custody of Johnny to the negro, Joe C. Hill, who has for eight years lived in the boy’s house, and has had Johnny Ellis as his servant, waiting on him and nursing his negro children.” In the

Democratic telling Joe Hill, a respected man of means, was living in the boy's home after essentially stealing it from the boy's widowed mother with the help of his radical judicial allies. The broadside then dropped a final bombshell on its white readers by informing them that "Joseph C. Hill is the negro candidate for the House of Representatives from New Hanover."⁹⁵

More than the current candidate for the North Carolina legislature, Joe Hill was one of Wilmington's first black officeholders. He had served as an election registrar in 1868 and election judge in 1869. In the latter year, he was elected justice of the peace, constable, and second vice-president of the Executive Committee of the New Hanover County Republican Party. Elected Wilmington city clerk in 1871 and register of deeds in 1874, Hill would also be successful in his 1876 bid for the North Carolina House of Representatives. Indeed, he would continue to hold local offices until well into the 1880s. He was a literate mechanic who belonged to the local thespian club, a popular artist in both black and white circles, and superintendent of the Sunday school at St. Stephens A.M.E. Church. That he did in fact house little ten-year-old John Ellis is documented by 1870 census records that show both Ellis and a fifteen-year-old black girl named Rosanna Clark residing in the Hill home as non-family members. Since Hill was one of the most respectable citizens in Wilmington, there was no reason *not* to bind the boy to him. Indeed, he was a perfect image of black respectability. But the Democratic controversy underscored a period of revolutionary racial change in a society in which,

⁹⁵ "White Slavery. Degredation [*sic*] Worse than Death. White Men of the West, your Eastern Brethren ask you to Assist them."

historically, hierarchy was inextricable from race.⁹⁶

Republicans attempted to rebut Democratic claims of “white slavery,” but their responses only confirmed a reality that most white Southerners found shocking. For white Republicans who had come from the North, the real issue was the Southern practice of assigning paupers to the person who offered to care for them for the smallest sum. In a *New Bern Times* editorial, Republicans paper reminded readers “[t]hat the custom of disposing of county paupers was a practice inaugurated by a Democratic County Court, that it existed for years before the war, and the Republican Commissioners having had so ancient a precedent established did not care to change it.” Furthermore, the editorial continued, the “attempt to create the impression that poor white people are, because of their poverty forced to reside with colored people, is an unblushing perversion of the facts. We confess the system of letting paupers out to the lowest bidder is a bad one, as without regard to color, the poor people may find bad, so-called protectors, but having been established years ago by the Democracy they are alone responsible for its existence.”⁹⁷ Such arguments, however, missed the point of Democratic outrage. The system itself was not the issue. What offended the Democrats and, they hoped, all white North Carolinians was its implementation without regard to race. Yet Republicans defended equal administration of the law in a way that probably served only to further vilify black officeholders. “[A]nnually at a regular meeting of the County Commissioners,” the editorial explained, “the names of the paupers are announced, with their age, sex and condition, and are bid for by persons who are not supposed to know

⁹⁶ On Hill, see Reaves, *Strength through Struggle*, 405.

⁹⁷ “Jones County Paupers,” *Newbern Times*, 19 August 1876, NCC.

their color, and this right can be debarred no citizen.”⁹⁸ While it may have been some small consolation to poor white voters that Republicans wanted to do away with the bidding-out system, their defense that they implemented it without regard to color would have alarmed them, particularly those who feared that they, too, might one day be paupers.

Democrats had mounted a campaign of fear in which bankruptcy was imminent for poor whites and yeomen and in which, if black men were allowed to retain political power, they would become those white men’s masters. When one looked at a city like Wilmington where black men did in fact hold a majority of offices, where Joe Hill was respectable, white paupers could be placed in the custody of black men, such a reality seemed not only plausible, but a danger worth sacrificing to prevent. It was fears like these that convinced white voters to relinquish their own local power by allowing a return to appointive rather than electoral county governance.⁹⁹

What is amazing about Wilmington was that Joe Hill did remain respectable. He had clearly had the Ellis boy apprenticed prior to 1870, as the child was listed in his household in the census of that year, yet Ellis’s binding to Hill had not led to widespread indignation among whites in the city. The city’s Democratic newspapers never expressed outrage or, for that matter, reported the apprenticeship at all. Joe Hill consistently held office without white controversy. In fact, Wilmington’s Democratic papers, unlike their Republican counterparts, rarely mentioned black power or black domination until it became the centerpiece of the state-wide Democratic platform. After all, black power in

⁹⁸ Ibid.

⁹⁹ Ibid.

the Reconstruction South was far from being about black domination over whites. Rather it had consistently been about equality, a fair share of offices, and a political voice.

The backlash against black political equality resulted in a series of Republican defeats at the polls that greatly affected Wilmington's ability to stave off attacks from the state legislature. In the August 1876 election, North Carolinians elected Democrat Zebulon B. Vance governor, retained control of the general assembly, and ratified the constitutional amendments. Republican loss of the governor's office meant that appointments to the state militia and the state supreme court, two of the last bastions of Republican power, would now be filled by the Democratic governor.¹⁰⁰

In 1877, Democrats delivered the final blow to local elected government. "An Act to Establish County Government," which became law on February 27, 1877, ended the election of county commissioners and justices of the peace and provided that they instead be appointed by the general assembly. With elective county government eliminated, Democrats in the state legislature next revived plans to redistrict Wilmington into wards based on taxable property, and this time they were successful. A new city charter divided the city into five wards, each to be represented by two aldermen. (See fig. 5.5.) Like the earlier plan, the wards contained significantly unequal populations. This time Brooklyn and Dry Pond remained distinct wards, each represented by two aldermen. Gallows Hill, predominantly white, was divided into three wards, each with two aldermen. Although Gallows Hill contained only 21 percent of the city's population, its residents thus elected 60 percent of the aldermen. And this time there was no Republican-dominated state supreme court to step in. In the resulting election Democrats

¹⁰⁰ *Wilmington Journal*, 18 August 1876.

took control of the Board of Aldermen, electing six of the ten aldermen. Only two men elected were black.¹⁰¹

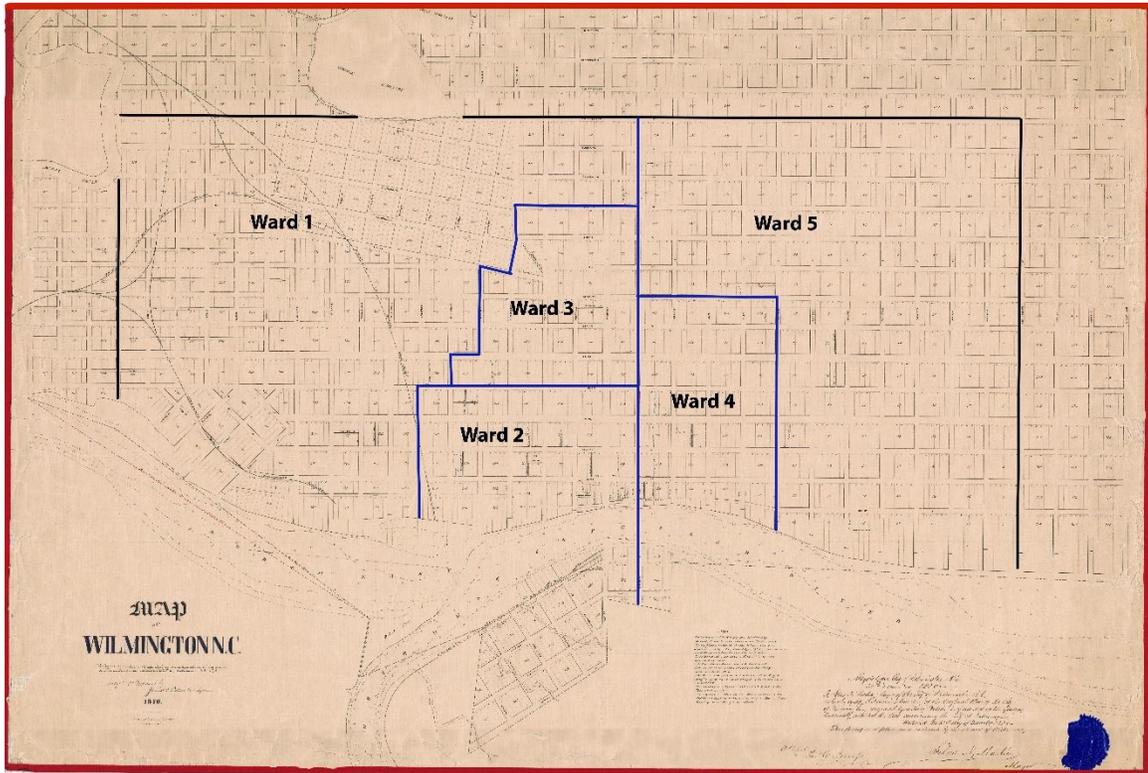


Figure 5.5. Wilmington Wards, 1877. Created using Map of Wilmington, 1870, NCDH, and “An Act to Organize a Government for the City of Wilmington,” 6 March 1877, *Laws and Resolutions of the State of North Carolina, Passed by the General Assembly at Its Session, 1876-'77* (Raleigh, NC: The News Publishing Company, State Printer and Binder, 1877), 376-86.

The general assembly had successfully contained Reconstruction. The redistricting allowed Democrats to take control of the city’s Board of Aldermen. Even in

¹⁰¹ “An Act to Establish County Government,” 27 February 1877, “An Act to Organize a Government for the City of Wilmington,” 6 March 1877, both in *Laws and Resolutions of the State of North Carolina, Passed by the General Assembly at Its Session, 1876-'77* (Raleigh, NC: The News Publishing Company, State Printer and Binder, 1877), 226-29, 376-86. Registered voters in Brooklyn and Dry Pond combined numbered 2,300, while those on Gallows Hill were 1,150. See Evans, *Ballots and Fence Rails*, 172.

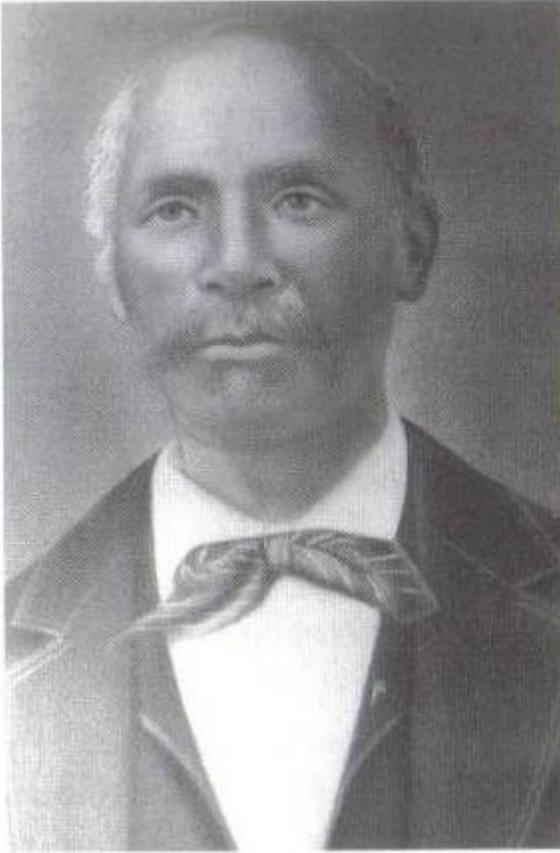
Wilmington, where the roots of black power ran deep, voter suppression and redistricting had rendered black officeholding a shadow of its former self. Yet, despite overwhelming constraints, black Wilmingtonians were still able to elect black men to municipal office, and black men continued to hold positions on the police force. Even in the face of a hostile state government, as long as black Wilmingtonians retained the vote, they could retain at least some grip on local political power and thereby preserve more of the gains of emancipation. Black Wilmingtonians continued to mobilize and therefore retained their grip, however tenuous, on the black political power they had grasped in the aftermath of war and emancipation.

Unlike many other parts of the South, black men held public office in Wilmington and New Hanover County until the end of the century. An alliance between Republicans and Populists took back control of the state government in 1894 and returned the election of county officeholders to the voters. But that would be short-lived. As late as 1896, black power was still strong enough in Wilmington that, despite Democratic redistricting, four of the ten men elected to the Board of Aldermen were black. They were the end of an era. In 1898, in the only coup in U.S. history, black officeholders were driven from the city or brutally murdered, ending black political participation at a date unusually late in the timeline of Southern history.¹⁰² It would take political terrorism and the constitutional disfranchisement of black men to finally bring down the curtain on the black political power hard-won in the aftermath of slavery.

¹⁰² John Haley, "Race, Rhetoric, and Revolution," in *Democracy Betrayed: The Wilmington Race Riot of 1898 and Its Legacy*, ed. David Cecelski and Timothy B. Tyson (Chapel Hill: University of North Carolina Press, 1998), 207-24; Prather, *We Have Taken a City*.

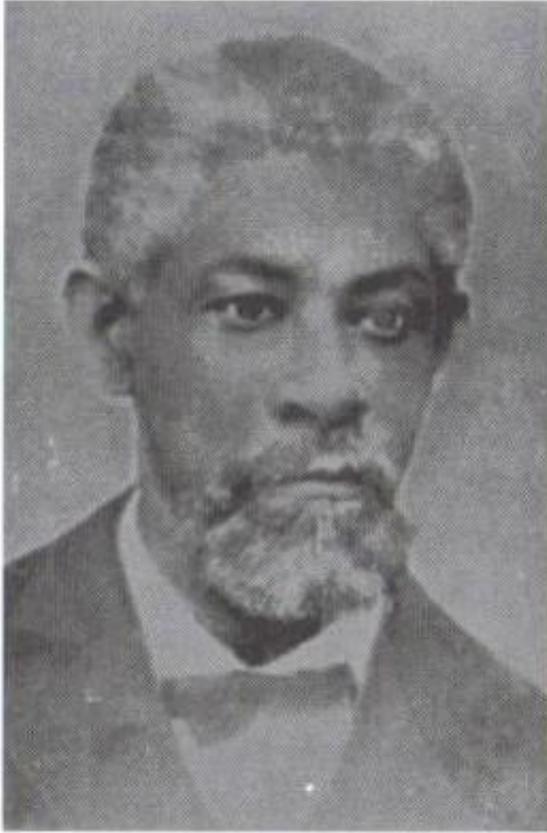
Appendix

Images and Biographies of Select Officeholders



Henry Brewington was born c. 1839/40 in North Carolina; his date of death is not known. It is not known whether he was slave or free prior to emancipation. His public service included fireman for the Fire Engine Company No. 1, located in the center of Wilmington, on North Third Street across from City Hall; New Hanover County Justice of the Peace (1868); Wilmington City Alderman (1871-1874); North Carolina House of Representatives (1874); New Hanover County Republican Executive Committee (1876); Special Police Deputy (1877); and assistant secretary of the New First Ward Republican Club in Wilmington (1878). Brewington's occupation was "laborer," and he resided in the Brooklyn neighborhood on North Fifth Street, between Bladen and Harnett streets. He was a member of the Order of Good Samaritans, Mount Airy Lodge No. 2.

Photo reprinted from William M. Reaves, *Strength through Struggle: The Chronological and Historical Record of the African-American Community in Wilmington, North Carolina, 1865-1950*, ed. Beverly Tetterton (Wilmington, NC: New Hanover County Public Library, 1998), 379.



James K. Cutlar was born a free person in 1836 in North Carolina; his date of death is not known. His public service included Inspector of Naval Stores (1870); elected officer of Pine Forest Cemetery (1875); New Hanover County Republican Executive Committee (1876); and Inspector of Customs, Port of Wilmington (1887). He resided on the border between the Dry Pond neighborhood and the city center, on the corner of South Sixth and Ann streets. A carpenter by trade, Cutlar was a member of the Wilmington Grand Order of Odd Fellows, Free Love Lodge No. 1469. He attended Chestnut Street Presbyterian Church.

Photo reprinted from William M. Reaves, *Strength through Struggle: The Chronological and Historical Record of the African-American Community in Wilmington, North Carolina, 1865-1950*, ed. Beverly Tetterton (Wilmington, NC: New Hanover County Public Library, 1998), 383.



Abraham Galloway was born a slave c. 1836, in North Carolina. After two assassination attempts on his life, he died expectedly of fever and jaundice in 1870 at the age of thirty-three. His public service included delegate to the North Carolina Freedmen's Conventions of 1865 and 1866; delegate to the state Constitutional Convention (1867); and North Carolina State Senator (1868-70). A bricklayer by trade, he resided in the city's Brooklyn neighborhood, on North Fourth Street. He belonged to the Giblem Masonic Lodge and attended St. Paul's Episcopal Church.

Image reprinted from William M. Reaves, *Strength through Struggle: The Chronological and Historical Record of the African-American Community in Wilmington, North Carolina, 1865-1950*, ed. Beverly Tetterton (Wilmington, NC: New Hanover County Public Library, 1998), 395.



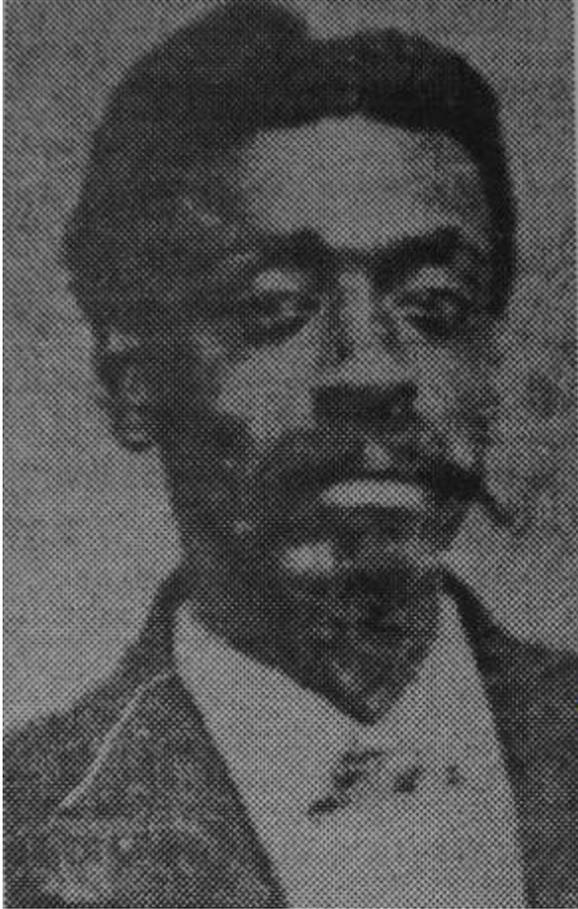
Mary Washington Howe was born a free person in 1852 in North Carolina and died in 1900. Her public service included teacher at the Williston School beginning in 1874 and principal of the Williston School from 1884 until her death. She resided in the Brooklyn neighborhood, on the corner of Campbell and Anderson streets, and attended St. Mark's Episcopal Church.

Photo reprinted from William M. Reaves, *Strength through Struggle: The Chronological and Historical Record of the African-American Community in Wilmington, North Carolina, 1865-1950*, ed. Beverly Tetterton (Wilmington, NC: New Hanover County Public Library, 1998), 153.



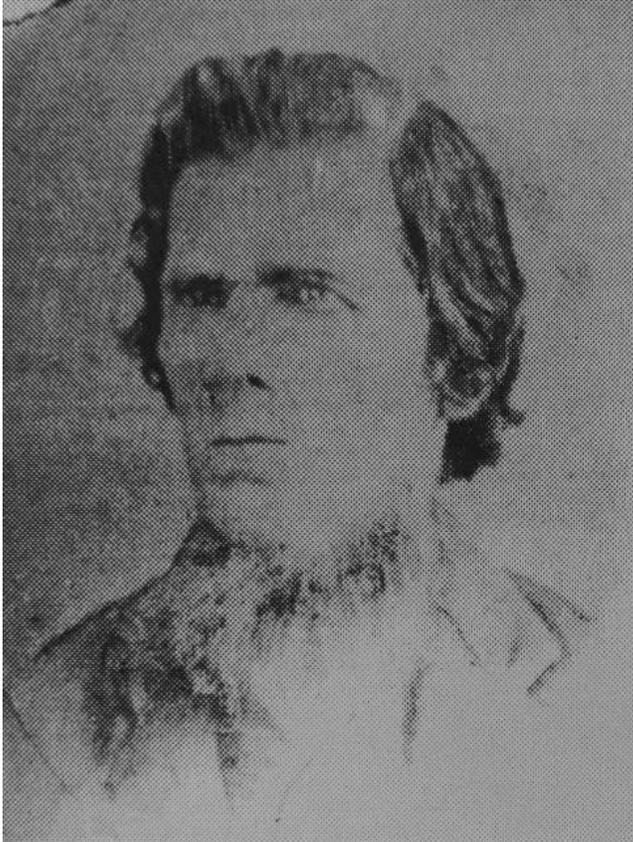
Valentine Howe was born a free person c. 1834/35 in North Carolina and died December 3, 1904. His public service included fireman for the Cape Fear Steam Fire Engine Company (1865-1898); foreman of the Cape Fear Steam Fire Engine Company (1879); and president of the North Carolina Volunteer Fire Association (1894-1898). A carpenter by trade, he resided in the city's Dry Pond neighborhood, at 520 South Ninth Street, and attended St. Mark's Episcopal Church.

Photo reprinted from William M. Reaves, *Strength through Struggle: The Chronological and Historical Record of the African-American Community in Wilmington, North Carolina, 1865-1950*, ed. Beverly Tetterton (Wilmington, NC: New Hanover County Public Library, 1998), 199.



William H. Moore was born a slave in 1837, in New Hanover County, North Carolina, and died in 1918. His public service included voter registrar (1867); constable and detective for the mayor of Wilmington (1869), justice of the peace, Cape Fear Township (1872); North Carolina House of Representatives (1874-75); justice of the peace (1875); and North Carolina Senate (1876-77). He was a printer and news dealer by trade and the owner of Moore's Saloon on 4 Water Street, a popular working-class political hangout. Moore lived on the border between the Brooklyn neighborhood and the city center, on North Fifth Street between Walnut and Mulberry streets. He attended St. Luke's AME Zion Church.

Photo reprinted from William M. Reaves, *Strength through Struggle: The Chronological and Historical Record of the African-American Community in Wilmington, North Carolina, 1865-1950*, ed. Beverly Tetterton (Wilmington, NC: New Hanover County Public Library, 1998), 440.



David Elias Sadgwar was born in 1817; his date of death is not known. Despite having been born to white parents, he was reared as a slave by a slave woman and identified as black. Trained as a carpenter, he owned his own carpentry shop by 1870 and became one of the wealthiest black men in the city. In 1866, he married Fanny Merrick, a former slave with whom he had had a long domestic relationship. They had seven children. His sons would become important officeholders during Reconstruction. His daughter, Caroline, became an international opera singer who married Alexander Manly, the newspaper editor whose article lambasting the racism of anti-miscegenation rhetoric was used by white Wilmingtonians as the catalyst for the 1898 massacre that resulted in the only political coup in U.S. history. David Sadgwar's public service included delegate to the Republican state convention (1868). He resided in the Brooklyn neighborhood, on the corner of North Fifth and Brunswick streets, and helped found the Chestnut Street Presbyterian Church in 1867.

Photo reprinted from William M. Reaves, *Strength through Struggle: The Chronological and Historical Record of the African-American Community in Wilmington, North Carolina, 1865-1950*, ed. Beverly Tetterton (Wilmington, NC: New Hanover County Public Library, 1998), 455.



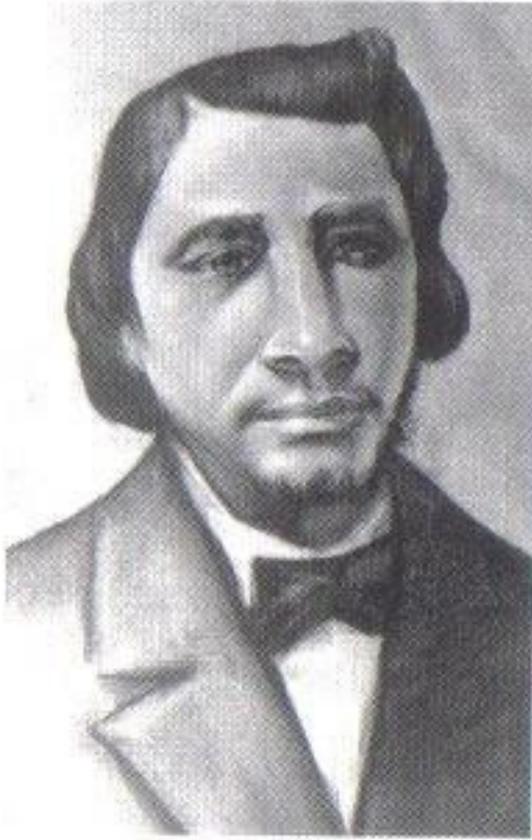
John P. Sampson was born a free person in 1836 in New Hanover County, North Carolina; public records indicate that he was still alive in 1916, but his date of death is not known. His public service included delegate to the North Carolina Freedmen's Convention (1865); representative on the New Hanover Executive Committee of the Republican Party (1869); Wilmington city clerk (1869); New Hanover County assessor (1870); New Hanover County treasurer (1870); and Wilmington city alderman (1874). He was a teacher and a newspaperman. Sampson resided on the border between the Brooklyn neighborhood and the city center, at 602 Walnut Street, and attended St. Mark's Episcopal Church.

Photo reprinted from Eric Foner, *Freedom's Lawmakers: A Directory of Black Officeholders during Reconstruction*, rev. ed. (Baton Rouge: Louisiana State University Press, 1996), 188.



John H. Smythe was born a free person in 1844 in Richmond, Virginia, and died in 1908. He was educated in Philadelphia and graduated from the Institute for Colored Youth, a Quaker institution, in 1862 at the age of twenty. Smythe studied drawing and painting and was the only African-American admitted to the Academy of Fine Arts at Philadelphia. His public service included New Hanover County Examiner for the Board of Education (1874). While a student at Howard Law School, he held several government positions in Washington, D.C., including clerk for the Freedmen's Bureau (1870); clerk in the Census Office of the Department of the Interior (1872); internal revenue agent for the Treasury Department (1872); and internal revenue storekeeper, a position that required a \$20,000 bond (1872); delegate to the North Carolina Constitutional Convention (1875). In 1873, he was appointed clerk in the principal office of the Freedman's Savings and Trust Company (popularly known as the Freedman's Savings Bank), in Washington, D.C., a position that sent him to Wilmington by 1874, where he settled and opened a law office.

Photo reprinted from William M. Reaves, *Strength through Struggle: The Chronological and Historical Record of the African-American Community in Wilmington, North Carolina, 1865-1950*, ed. Beverly Tetterton (Wilmington, NC: New Hanover County Public Library, 1998), 466.



William Henry Waddell was born a free person in 1847 in New Hanover County, North Carolina; his date of death is not known. His public service included fireman for Fire Engine Company No. 1, located in the center of Wilmington, on North Third Street across from City Hall (1866); and superintendent of City Improvements (date not known). A carpenter by trade, he resided on the border between the Dry Pond neighborhood and the city center, at 921 Dock Street, and was a member of the Wilmington Grand Order of Odd Fellows, Free Love Lodge No. 1469.

Image reprinted from William M. Reaves, *Strength through Struggle: The Chronological and Historical Record of the African-American Community in Wilmington, North Carolina, 1865-1950*, ed. Beverly Tetterton (Wilmington, NC: New Hanover County Public Library, 1998), 476.

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North Carolina

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Superintendent of Education
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