Of the People
Jeanne Boydston
1944–2008
Historian, Teacher, Friend
# Brief Contents

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Preface

We are grateful that the first and second editions of *Of the People* have been welcomed by instructors and students as a useful instructional aid. Enhanced with even greater emphasis on American democracy and diversity, the third edition includes a new democracy feature and a version of the text is available with end-of-chapter primary source documents, both textual and visual, which help students draw connections among topics and think critically. In preparing the third edition, our primary goal has been to maintain the text’s overarching focus on the evolution of American democracy, people, and power; its strong portrayal of political and social history; and its clear, compelling narrative voice. To that end, the broad representation of Native Americans, African Americans, and other minority groups in this text shows the full diversity of the American people. One of the text’s strengths is its critical-thinking pedagogy because the study of history entails careful analysis, not mere memorization of names and dates.

History continues, and the writing of history is never finished. For the third edition, we have updated the following elements based on the most recent scholarship:

- **Chapters 10 and 11** integrate content on slavery and national development, as well as the politics of slavery and the abolition movement.
- **Chapters 13 through 15** were restructured and now include increased coverage of westward expansion, the growth of railroads and what this meant in terms of economic growth for the North and South (as well as the political economy of the Civil War), the emergence of the Republican Party, and a revised explanation for Reconstruction’s demise.
- **Chapter 30** now covers the span of years between 1989 and 2001 and includes increased coverage of domestic terrorism, an expanded discussion of African Americans in the post–civil rights era, as well as gay and lesbian rights.
- **The Epilogue** covers the onset of the war on terror, from September 11, 2001, to the present and provides an account of the Obama administration through 2014, the nation’s continuing response to challenging economic circumstances, including income inequality, and national security issues such as the controversy surrounding government surveillance and the emergence of ISIS.

At Gettysburg, Pennsylvania, on November 19, 1863, President Abraham Lincoln dedicated a memorial to the more than 3,000 Union soldiers who had died turning back a Confederate invasion in the first days of July. There were at least a few ways that the president could have justified the sad loss of life in the third year of a brutal war dividing North and South. He could have said it was necessary to destroy the Confederacy’s cherished institution of slavery, to punish Southerners for seceding from the United States, or to preserve the nation intact. Instead, at this crucial moment in American history, Lincoln gave a short, stunning speech about democracy. The president did not use the word, but he offered its essence. To honor the dead of Gettysburg, he called on Northerners to ensure “that government of the people, by the people, for the people, shall not perish from the earth.”
With these words, Lincoln put democracy at the center of the Civil War and at the center of American history. The authors of this book share his belief in the centrality of democracy; his words, “of the people,” give our book its title and its main theme. We see American history as a story “of the people,” of their struggles to shape their lives and their land.

Our choice of theme does not mean we believe that America has always been a democracy. Clearly, it has not. As Lincoln gave the Gettysburg Address, most African Americans still lived in slavery. American women, North and South, lacked rights that many men enjoyed; for all their disagreements, white southerners and northerners viewed Native Americans as enemies. Neither do we believe that there is only a single definition of democracy, either in the narrow sense of a particular form of government or in the larger one of a society whose members participate equally in its creation. Although Lincoln defined the Northern cause as a struggle for democracy, Southerners believed it was anything but democratic to force them to remain in the Union at gunpoint. As bloody draft riots in New York City in July 1863 made clear, many Northern men thought it was anything but democratic to force them to fight in Lincoln’s armies. Such disagreements have been typical of American history. For more than 500 years, people have struggled over whose vision of life in the New World would prevail.

It is precisely such struggles that offer the best angle of vision for seeing and understanding the most important developments in the nation’s history. In particular, the democratic theme concentrates attention on the most fundamental concerns of history: people and power.

Lincoln’s words serve as a reminder of the basic truth that history is about people. Across the 30 chapters of this book, we write extensively about complex events. But we also write in the awareness that these developments are only abstractions unless they are grounded in the lives of people. The test of a historical narrative, we believe, is whether its characters are fully rounded, believable human beings.

The choice of Lincoln’s words also reflects our belief that history is about power. To ask whether America was democratic at some point in the past is to ask how much power various groups of people had to make their lives and their nation. Such questions of power necessarily take us to political processes, to the ways in which people work separately and collectively to enforce their will. We define politics quite broadly in this book. With the feminists of the 1960s, we believe that “the personal is the political,” that power relations shape people’s lives in private as well as in public. Of the People looks for democracy in the living room as well as the legislature, and in the bedroom as well as the business office.

Focusing on democracy, on people and power, we have necessarily written as wide-ranging a history as possible. In the features and in the main text, Of the People conveys both the unity and the great diversity of the American people across time and place. We chronicle the racial and ethnic groups who have shaped America, differences of religious and regional identity, the changing nature of social classes, and the different ways that gender identities have been constructed over the centuries.

While treating different groups in their distinctiveness, we have integrated them into the broader narrative as much as possible. A true history “of the people” means not only acknowledging their individuality and diversity but also showing their interrelationships and their roles in the larger narrative. More integrated coverage of Native
Americans, African Americans, Latinos, and other minority groups appears throughout the third edition.

*Of the People* also offers comprehensive coverage of the different spheres of human life—cultural as well as governmental, social as well as economic, environmental as well as military. This commitment to comprehensiveness is a reflection of our belief that all aspects of human existence are the stuff of history. It is also an expression of the fundamental theme of the book: the focus on democracy leads naturally to the study of people’s struggles for power in every dimension of their lives. Moreover, the democratic approach emphasizes the interconnections between the different aspects of Americans’ lives; we cannot understand politics and government without tracing their connection to economics, religion, culture, art, sexuality, and so on.

The economic connection is especially important. *Of the People* devotes much attention to economic life, to the ways in which Americans have worked and saved and spent. Economic power, the authors believe, is basic to democracy. Americans’ power to shape their lives and their country has been greatly affected by whether they were farmers or hunters, plantation owners or slaves, wage workers or capitalists, domestic servants or bureaucrats. The authors do not see economics as an impersonal, all-conquering force; instead, we try to show how the values and actions of ordinary people, as well as the laws and regulations of government, have made economic life.

We have also tried especially to place America in a global context. The history of America, or any nation, cannot be adequately explained without understanding its relationship to transnational events and global developments. That is true for the first chapter of the book, which shows how America began to emerge from the collision of Native Americans, West Africans, and Europeans in the fifteenth and sixteenth centuries. It is just as true for the last chapter of the book, which demonstrates how globalization and the war on terror transformed the United States at the turn of the twenty-first century. In the chapters in between these two, we detail how the world has changed America and how America has changed the world. Reflecting the concerns of the rest of the book, we focus particularly on the movement of people, the evolution of power, and the attempt to spread democracy abroad.

Abraham Lincoln wanted to sell a war, of course. But he also truly believed that his audience would see democracy as quintessentially American. Whether he was right is the burden of this book.

**New to the Third Edition**

**“Struggles for Democracy” Feature**

This feature focuses on moments of debate and public conversation surrounding events that have contributed to the changing ideas of democracy, as well as the sometimes constricting but overall gradually widening opportunities that evolved for the American people as a result. It appears in each chapter.

**Number of Chapters**

The book has been condensed from 31 to 30 chapters: content from former Chapter 12, Slavery and the Nation, 1790–1860, has been distributed throughout Chapters 10 and 11.
in order to improve the chronological sequence of Volume I. Chapter 30, The Globalized Nation, has been revised to cover the span of years from 1989 to 2000.

**Epilogue**
We have made the addition of an Epilogue, “A Nation Transformed,” which covers the span of years from 2001 to 2014 and includes a limited number of features.

**New Additions to “American Portrait,” “American Landscape,” and “America and the World” Features**
These popular boxed features from the second edition have been updated with five new “American Portraits” and six new “American Landscapes.” “America and the World” remains as a feature in select chapters.

**Photos**
Approximately 10 percent of the photos have been revised throughout the chapters.

**Primary Sources**
A version of the text is available with end-of-chapter primary source documents, both textual and visual, designed to reinforce students’ understanding of the material.

**Hallmark Features**
- Each chapter opens with an “American Portrait” feature, a story of someone whose life in one way or another embodies the basic theme of the pages to follow.
- Select chapters include an “American Landscape” feature, a particular place in time where issues of power appeared in especially sharp relief.
- To underscore the fundamental importance of global relationships, select chapters include a feature on “America and the World.”
- Focus questions at chapter openings
- Time Lines in every chapter
- “Who, What”: This list of chapter-ending key terms helps students recall the important people and events of that chapter.
- Critical-thinking pedagogy: All chapters end with both Review Questions, which test students’ memory and understanding of chapter content, and Critical-Thinking Questions, which ask students to analyze and interpret chapter content.

**Supplements**

**For Students**
Oxford University Press offers a complete and authoritative package of supplementary material for students, including print and new media resources designed for chapter review, primary source reading, essay writing, test preparation, and further research.

**Student Companion Website at www.oup.com/us/oakes**
The open-access Online Study Center designed for Of the People: A History of the United States, Third Edition helps students to review what they have learned from the textbook as well as explore other resources online. Note-taking guides help students focus their
attention in class, whereas interactive practice quizzes allow them to assess their knowledge of a topic before a test.

- **Online Study Guide**, including
  - Note-taking outlines
  - Multiple-choice and identification quizzes (two quizzes per chapter, 30-question quizzes—different from those found in the Instructor’s Manual/Test Bank)
- **Primary Source Companion and Research Guide**, a brief online Research Primer, with a library of annotated links to primary and secondary sources in US history.
- **Interactive Flashcards**, using key terms and people listed at the end of each chapter; these multimedia cards help students remember who’s who and what’s what.

**Oxford First Source**

Oxford First Source is an online database—with custom print capability—of primary source documents for the US History Survey Course.

These documents cover a broad variety of political, economic, social, and cultural topics and represent a broad cross section of American voices. Special effort was made to include as many previously disenfranchised voices as possible. The documents in this collection are indexed by date, author, title, and subject, allowing instructors to identify and select documents best suited for their courses. Short documents (one or two pages) are presented in their entirety while longer documents have been carefully edited to highlight significant content.

Each document is introduced with a short explanatory paragraph and accompanied with study questions. The collection includes an *Introduction to Reading and Interpreting Primary Documents*, which introduces students to the concept of primary documents and explains several methods for reading, interpreting, and understanding them. It also explains how to set documents into their historical context and how to incorporate primary documents into papers, exams, and other assignments.

**For Instructors**

For decades American history professors have turned to Oxford University Press as the leading source for high-quality readings and reference materials. Now, when you adopt Oakes’s *Of the People: A History of the United States*, Third Edition, the Press will partner with you and make available its best supplemental materials and resources for your classroom. Listed here are several resources of high interest, but you will want to talk with your sales representative to learn more about what can be made available and about what would suit your course best.

**Ancillary Resource Center (ARC) at www.oup-arc.com**

This convenient, instructor-focused website provides access to all of the up-to-date teaching resources for this text—at any time—while guaranteeing the security of grade-significant resources. In addition, it allows Oxford University Press to keep instructors informed when new content becomes available. The following items are available on the ARC:

- Digital copy of **Instructor’s Manual**
- Computerized **Test Bank** including:
  - **Quizzes** (two per chapter, one per half of the chapter, content divided somewhat evenly down the middle of the chapter: 30 multiple-choice questions each)
• Tests (two per chapter, each covering the entire chapter contents, offering 10 identification/matching; 10 multiple choice; five short answer; two essay)
• Chapter-by-chapter PowerPoint Presentations with images and videos to illustrate important points
• Sample Syllabi
• Chapter Outlines
• In-Class Discussion Questions
• Lecture Ideas
• Oxford’s Further Reading List

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Available for sale on its own or as a package. Contact your local Oxford University Press representative to order Of the People, Third Edition + the Access Code Card for Dashboard. Please use the following package ISBNs to order.


A complete Course Management cartridge is also available to qualified adopters. Instructor’s resources are also available for download directly to your computer through a secure connection via the instructor’s side of the companion website. Contact your Oxford University Press sales representative for more information.

Other Oxford Titles of Interest for the US History Classroom
Oxford University Press publishes a vast array of titles in American history. The following list is just a small selection of books that pair particularly well with Oakes’s Of the People: A History of the United States, Third Edition. Any of these books can be packaged with Of the People at a significant discount to students. Please contact your Oxford University Press sales representative for specific pricing information or for additional packaging suggestions. Please visit www.oup.com/us for a full listing of Oxford titles.

WRITING HISTORY: A GUIDE FOR STUDENTS, FOURTH EDITION,
BY WILLIAM KELLEHER STOREY, PROFESSOR OF HISTORY
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Bringing together practical methods from both history and composition, Writing History provides a wealth of tips and advice to help students research and write essays for history classes. The book covers all aspects of writing about history, including finding topics and researching them, interpreting source materials, drawing inferences from sources, and constructing arguments. It concludes with three chapters that discuss writing effective sentences, using precise wording, and revising. Using numerous
examples from the works of cultural, political, and social historians, Writing History serves as an ideal supplement to history courses that require students to conduct research. The third edition includes expanded sections on peer editing and topic selection, as well as new sections on searching and using the Internet. Writing History can be packaged with Oakes’s Of the People: A History of the United States, Third Edition. Contact your Oxford University Press sales representative for more information.

THE INFORMATION-LITERATE HISTORIAN: A GUIDE TO RESEARCH FOR HISTORY STUDENTS, SECOND EDITION, BY JENNY PRESNELL, INFORMATION SERVICES LIBRARY AND HISTORY, AMERICAN STUDIES, AND WOMEN’S STUDIES BIBLIOGRAPHER, MIAMI UNIVERSITY OF OHIO

This is the only book specifically designed to teach today’s history student how to most successfully select and use sources—primary, secondary, and electronic—to carry out and present their research. Written by a college librarian, The Information-Literate Historian is an indispensable reference for historians, students, and other readers doing history research. The Information-Literate Historian can be packaged with Oakes’s Of the People: A History of the United States, Third Edition. Contact your Oxford University Press sales representative for more information.

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Women’s Rights and Woman’s Sphere (1988), and coeditor of Root of Bitterness: Documents in the Social History of American Women, second edition (1996). Her most recent article is “Gender as a Category of Historical Analysis,” Gender History (2008). She taught courses in women’s and gender history, the histories of the early republic and the antebellum United States, and global and comparative history, and she was the recipient of numerous awards for teaching and mentoring. Her BA and MA were from the University of Tennessee, and her PhD was from Yale University.

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Of the People
Reconstructing a Nation

1865–1877

COMMON THREADS

In what ways did emancipation and wartime Reconstruction overlap?

When did Reconstruction begin?

Did Reconstruction change the South? If so, how? If not, why not?

What brought Reconstruction to an end?

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Conclusion
John Dennett Visits a Freedmen’s Bureau Court

John Richard Dennett arrived in Liberty, Virginia, on August 17, 1865, on a tour of the South reporting for the magazine *The Nation*. The editors wanted accurate weekly accounts of conditions in the recently defeated Confederate states, and Dennett was the kind of man they could trust: a Harvard graduate, a firm believer in the sanctity of the Union, and a member of the class of elite Yankees who thought of themselves as the “best men” the country had to offer.

At Liberty, Dennett was accompanied by a Freedmen’s Bureau agent. The Freedmen’s Bureau was a branch of the US Army established by Congress to assist the freed people. Dennett and the agent went to the courthouse because one of the Freedmen’s Bureau’s functions was to adjudicate disputes between the freed people and southern whites.

The first case was that of an old white farmer who complained that two blacks who worked on his farm were “roamin’ about and refusin’ to work.” He wanted the agent to help find the men and bring them back. Both men had wives and children living on his farm and eating his corn, the old man complained. “Have you been paying any wages?” the Freedmen’s Bureau agent asked. “Well, they get what the other niggers get,” the farmer answered. “I a’n’t payin’ great wages this year.” There was not much the agent could do, but one of his soldiers volunteered to go and tell the blacks that “they ought to be at home supporting their wives and children.”

A well-to-do planter came in to see if he could fire the blacks who had been working on his plantation since the beginning of the year. The planter complained the workers were unmanageable now that he could no longer punish them. The sergeant warned the planter not to beat his workers as if they were still slaves. In that case, the planter responded, “Will the Government take them off our hands?” The agent suspected that the planter was looking for a way to discharge his laborers at the end of the growing season but before they had been paid. “If they’ve worked on your crops all the year so far,” the agent told the planter, “I guess they’ve got a claim on you to keep them a while longer.”

Next came a “good-looking mulatto man” representing a number of African Americans worried that they would be forced to sign five-year contracts with their employers. “No, it a’n’t true,” the agent said. They also wanted to know if they could rent or buy land to work for themselves. “Yes, rent or buy,” the agent said. But with no horses, mules, or ploughs, the former slaves wanted to know “if the Government would help us out after we get the land.” The agent had no help to offer, except for a note from the bureau authorizing them to rent or buy their own farms.

The last case involved a field hand who came to complain that his master was beating him with a stick. The agent told the field hand to go back to work. “Don’t be sassy, don’t be lazy when you’ve got work to do; and I guess he won’t trouble you.” The field hand left but...
came back a minute later and asked for a letter to his master "enjoining him to keep the peace, as he feared the man would shoot him, he having on two or three occasions threatened to do so."

Most of the cases Dennett witnessed centered on labor relations, which often spilled over into other matters, including the family lives of former slaves, their civil rights, and their ability to buy land. The freed people preferred to work their own land but lacked the resources to rent or buy farms. Black workers and white owners who negotiated wage contracts had trouble figuring out each other's rights and responsibilities. The former masters clung to all their old authority that they could. Freed people wanted as much autonomy as possible.

The Freedmen's Bureau was in the middle of these conflicts. Most agents tried to ensure that freed people were paid for their labor and were not brutalized as they had been as slaves. Southern whites resented this intrusion, and their resentment reached sympathetic politicians in Washington, DC. The Freedmen's Bureau became a lightning rod for the political conflicts of the Reconstruction period.

Conditions in the South elicited sharply different responses from lawmakers in Washington. At one extreme was President Andrew Johnson, who believed in small government and a speedy readmission of the southern states and looked on the Freedmen's Bureau with suspicion. At the other extreme were radical Republicans, who believed that the federal government should redistribute confiscated land to the former slaves, guarantee their civil rights, give African American men the vote, and take it away from those whites not loyal to the United States during the war. In between were moderate Republicans who at first tried to work with the president. But as reports of violence and the abusive treatment of the freed people reached Washington, Republicans shifted in more radical directions.

It went back and forth this way; policy makers in Washington responded to events in the South, and events in the South were shaped in turn by policies from Washington. What John Dennett saw in Liberty, Virginia, was a good example of this. The Freedmen's Bureau agent listened to the requests of former masters and slaves, his responses shaped by the policies established in Washington. But those policies were, in turn, affected by reports on Southern conditions sent back by agents like him and by journalists like Dennett. From this interaction the politics of Reconstruction, and with it a "New South," slowly emerged.

**Wartime Reconstruction**

Even as emancipation began, the US government began experimenting with reconstructing the Union. The two goals merged: by creating new, loyal southern states and making their abolition of slavery a condition for reunion, Lincoln could enact emancipation there without court challenge. Through a generous policy of pardons, he could encourage Confederates to make their peace with the Union, speeding the war's end.

Despite the chorus of cries for hanging Jefferson Davis from a sour-apple tree, few northerners wanted to pursue bloody punishments for the million Confederate soldiers who were technically guilty of treason. In the end, Confederate generals went home
unharmed to become lawyers, businessmen, and planters; General Robert E. Lee became a college president. No civil leader was hanged for treason, not even Jefferson Davis. Two years after his arrest, he walked out of prison, bailed out by northerners like editor Horace Greeley. In later years, former Confederates became senators, governors, and federal judges. Months before the war ended, northerners were raising money to rebuild the southern economy and feed its destitute people. What the North wanted was not vengeance, but guarantees of lasting loyalty and a meaningful freedom. Questions arose with no easy answers: What did it take to reunite America? Should it be restored, or reconstructed, and if the latter, how drastically? How far could yesterday’s enemies be trusted? What did freedom mean, and what rights should the “freed people” enjoy? In reconstructing society, how far did the government’s power go?

The Meaning of Freedom

“We was glad to be set free,” a former slave remembered years afterward. “I didn’t know what it would be like. It was just like opening the door and lettin’ the bird fly out. He might starve, or freeze, or be killed pretty soon but he just felt good because he was free.” Blacks’ departure came as a terrible shock to masters lulled into believing that their “servants” appreciated their treatment. Some former slave owners persuaded themselves that they were the real gainers of slavery’s abolition. “I was glad and thankful—on my own account—when slavery ended and I ceased to belong, body and soul, to my negroes,” a Virginia woman later insisted. Forced to do their own cooking or washing, other mistresses fumed at blacks’ ingratitude. In fact, many African Americans left, not out of unkindness, but simply to prove that they could get along on their own. White fears that blacks, once free, would murder their masters proved groundless.

Leaving the plantation was the first step in a long journey for African Americans. Many took to the roads, some of them returning to their old homes near the coasts, from which masters had evacuated as Union armies approached. Others went searching for family members, separated from them during slavery. For twenty years, black newspapers carried advertisements, appealing for news of a husband or wife long since lost. Those who had not been separated went out of their way to have their marriages secured by law. That way, their children could be made legitimate and their vows made permanent. Once married, men sought sharecropping contracts that allowed their families to live with them on plantations. Because black women across the South had become what the law called “domestic dependents,” husbands could refuse employers their wives’ services and keep them home. In fact, freedwomen were likelier to work outside the home than white women. They tended the family garden, raised children, hired out as domestics, and, as cotton prices fell, shared the work of hoeing and picking in the fields just so the family could make ends meet.

The end of slavery meant many things to freed people. It meant that they could move about their neighborhoods without passes, and that they did not have to step aside to let whites pass them on the street. They could own dogs or carry canes, which had always been the master’s exclusive privilege. They could dress as they pleased or choose their own names, including, for the first time, a surname.

Freedom liberated African Americans from the white minister’s take on Christianity. No longer were large portions of the Bible closed off to them. Most southern blacks withdrew from white churches and established their own congregations, particularly in...
the Methodist and Baptist faith. In time, the church emerged as a central institution in the southern black community, the meeting place, social center, and source of comfort that larger society denied them. A dozen years after the war, South Carolina had a thousand ministers of the African Methodist Episcopal Church alone.

To read the Gospel, however, freed people needed schooling. One former slave remembered his master’s parting words on this matter: “Charles, you is a free man they say, but Ah tells you now, you is still a slave and if you lives to be a hundred you’ll STILL be a slave, ’cause you got no education, and education is what makes a man free!” Even before the war ended, northern teachers poured into the South to set up schools. When the fighting stopped, the US Army helped recruit and organize thousands of northern women as teachers, but they could never send enough. Old and young spared what time they had from work, paying teachers in eggs or produce when coin was scarce. Black classes met wherever they could: in mule stables and cotton houses, even the slave pen in New Orleans, where the old auction block became a globe stand. Due to a lack of schoolbooks, they read dictionaries and almanacs. On meager resources, hundreds of thousands of southern blacks learned to read and write over the course of the next generation. The first black colleges would be founded in the postwar years, including Hampton Institute in Virginia and Howard University in Washington, DC. The American Missionary Association established seven, among them Atlanta and Fisk Universities.

Finally, freedom allowed freed people to congregate, to celebrate the Fourth of July or Emancipation Day, or to petition for equal rights before the law. Memorial Day may have begun with blacks’ gathering to honor the Union dead whose sacrifices had helped make them free.

**Experiments with Free Labor**

Many whites insisted that blacks would never work in freedom and foresaw a South ruined forever. Freed people proved just the opposite though. When Union troops landed on the Sea Islands off South Carolina in November, 1861, the slaveholders fled, leaving behind between 5,000 and 10,000 slaves. Within months the abandoned plantations of the Sea Islands were being reorganized. Eventually black families were given small plots of their own land to cultivate, and in return for their labor they received a “share” of the year’s crop. When the masters returned after the war to reclaim their lands, the labor system had already proven itself. Much modified, it would form the basis for the arrangement known as “sharecropping.”

The sugar and cotton plantations around New Orleans provided another opportunity to shape the future of free labor. When the Union army came to occupy New Orleans in 1862, the tens of thousands of field hands on these plantations were no longer slaves, but the landowners still held possession of the land. Unlike the Sea Islands, these plantations could not be broken up. And sugar plantations could not be effectively organized into small sharecropping units.

Hoping to stem the flow of black refugees to Union lines and cut the loss of black lives in the contraband camps, Union general Nathaniel Banks issued stringent regulations to put the freed people back to work quickly in Louisiana. At the time, Banks was the commander of the Department of the Gulf during the occupation of New Orleans and his policy, known as the Banks Plan, required freed people to sign yearlong contracts to work on their former plantations. Workers would be paid either 5 percent of the
proceeds of the crop or three dollars per month. The former masters would provide food and shelter, and African American workers were forbidden to leave the plantations without permission. Established planters welcomed the plan, but many critics protested that Banks had simply replaced one form of slavery with another; however, most freed people knew the difference and accepted the work conditions. The Banks Plan became the model for plantations throughout the lower Mississippi Valley.

Understandably, freed people wanted land of their own. Only then could they avoid working for their old masters on any terms. “The labor of these people had for two hundred years cleared away the forests and produced crops that brought millions of dollars annually,” H. C. Bruce explained. “It does seem to me that a Christian Nation would, at least, have given them one year’s support, 40 acres of land and a mule each.” As the war ended, many African Americans expected the government’s help in becoming landowners. Union general William Tecumseh Sherman heard an appeal from freed people on the Sea Islands. “The way we can best take care of ourselves is to have land,” they argued, “and turn it out and till it by our own labor.” Convinced, Sherman issued Special Field Order No. 15 granting captured land to the freed people. By June, 400,000 acres had been distributed to 40,000 former slaves.

**Lincoln’s Ten Percent Plan Versus the Wade-Davis Bill**

Lincoln moved to shape a postwar South based on free labor and to replace military control, Banks’s included, with new civil governments. However, wartime Reconstruction had to take Confederate resistance into account. Any terms the President set would need to attract as much white southern support as it could and hold out an inducement to those at war with the United States to return to their old loyalties. In December 1863 Lincoln issued a Proclamation of Amnesty and Reconstruction, offering a full pardon and the restoration of civil rights to all those who swore loyalty to the Union, excluding only a few high-ranking Confederate military and political leaders. When the number of loyal whites in a former Confederate state reached 10 percent of the 1860 voting population, they could organize a new state constitution and government. But Lincoln’s “Ten Per Cent Plan” also required that the state abolish slavery, just as Congress had demanded before admitting West Virginia to the Union earlier in the year. Attempts to establish a loyal government foundered, but circumstances in Louisiana proved more promising. Under General Banks’s guidance, Free State whites met in New Orleans in 1864 and produced a new state constitution abolishing slavery.

By that time, however, radical Unionists were expecting more. Propertied and well educated, the free black community in New Orleans pleaded that without equal rights to education and the vote, mere freedom would not be enough. Impressed by their argument, Lincoln hinted to Louisiana authorities that he would welcome steps opening the vote for at least some blacks. The hints were ignored.

Black spokesmen found a friendlier audience among radical Republicans in Congress, among them Thaddeus Stevens of Pennsylvania and Charles Sumner of Massachusetts. Believing that justice required giving at least some blacks the vote and setting a more rigorous standard of loyalty for white southerners than Lincoln’s plan offered, they shared a much wider concern that any new government must rest on statutory law, not presidential proclamations and military commanders’ decrees. They were not at all prepared to treat Lincoln’s “loyal” states as fit to return to Congress—not when so much of Louisiana and
Arkansas remained in Confederate hands and was excluded from the new constitution-making—not when a speckling of enclaves pretended to speak for the state of Virginia.

As doubts grew about Louisiana's Reconstruction, Congress edged away from Lincoln's program. In mid-1864, Senator Benjamin F. Wade of Ohio and Congressman Henry Winter Davis of Maryland proposed a different plan, requiring a majority of a state's white voters to swear allegiance to the Union before reconstruction could begin. Slavery must also be abolished and full equality before the law must be granted to African Americans. Lincoln pocket-vetoed the Wade-Davis bill to protect the governments that were already under way toward reform. However, he could not make Congress admit a single one of his newly reconstructed states.

Congress did not leave matters there. In March 1865, the Republicans established the Bureau of Refugees, Freedmen, and Abandoned Lands, commonly known as the Freedmen's Bureau. In the area of labor relations, the Bureau sometimes sided with landowners against the interests of the freed people. But it also provided immediate relief for thousands of people of both races. Indeed, of more than 18 million rations distributed over three years, more than 5 million went to whites in need. The Bureau joined with northern religious groups in creating some 4,000 black schools. It ran charity hospitals and provided medical services. Freed people came to Bureau agents for justice when white-dominated courts denied it and took counsel when labor contracts were to be negotiated. Some agents sided instinctively with the former masters. Most courted white hostility by protecting freed people from violence, settling their complaints, advising them on labor contracts, and seeing that employers paid as promised.

The Freedmen's Bureau also became involved in the politics of land redistribution and controlled the disposition of 850,000 acres of confiscated and abandoned Confederate lands. In July 1865, General Oliver Otis Howard, the head of the Bureau, directed his agents to rent the land to the freed people in 40-acre plots that they could eventually purchase. Many agents believed that to reeducate them in the values of thrift and hard work, the freed people should be encouraged to save money and buy land for themselves. A Freedman's Savings Bank helped many do just that.

Moderate and radical Republicans alike were determined to press for more than a nominal freedom for blacks. Equally important, Congress made it clear that it would insist on being consulted in any Reconstruction policy.

Presidential Reconstruction, 1865–1867

Andrew Johnson took office in April 1865 as a great unknown. Born in a log cabin and too poor to attend school, he began his career on a tailor's bench where he had shown grit and enterprise. In time he had risen to moderate wealth in the eastern Tennessee hill country, enough to own slaves, but he never forgot his humble beginnings. Before the war, he had defended slavery and the common man, called for taxpayer-supported public schools, and free homesteads. A courageous Union Democrat in wartime, he had run roughshod over Tennessee Confederates as military governor. He hated treason and the rich planters that he blamed for the war. Johnson deserved much of the credit for Tennessee abolishing slavery; however, he alarmed some radicals along the way who found more pardons than penalties in his policies. Convinced that a lasting reunion of the states could only come by earning white southerners' good will and determined to see the Thirteenth Amendment ratified quickly, the president started Reconstruction six
months before Congress convened and left it entirely in white hands. In doing so, he offended not only the radicals favoring a color-blind suffrage but also the moderates who believed that Reconstruction must be done by law and not executive order.

### The Political Economy of Contract Labor

Presidential Reconstruction began in late May 1865, when President Johnson offered amnesty and the restoration of property to white southerners who swore an oath of loyalty to the Union, excluding only high-ranking Confederate military and political leaders and very rich planters. He named provisional governors in seven seceded states and told them to organize constitutional conventions. For readmission to the Union and restoration of their full privileges, conventions must adopt the Thirteenth Amendment, void their secession ordinances, and repudiate their Confederate war debt. Most of the constitutional conventions met the president’s conditions, though with some grumbling and a lot of legal quibbling. Many made it clear that they still thought the South had been right all along. They only bowed to military force. “We have for breakfast salt-fish, fried potatoes, and treason,” a lodger at a Virginia boarding house wrote. “Fried potatoes, treason, and salt-fish for dinner. At supper the fare is slightly varied, and we have treason, salt-fish, fried potatoes, and a little more treason.”

Elections under these new constitutions would then choose civil governments to replace provisional authority. Only white men covered by the amnesty proclamation or subsequent pardons could vote, but by September Johnson was signing pardons wholesale. Secessionists flocked to the elections that followed the conventions. Freshly pardoned Confederates won some of the most prominent offices, former Confederate vice president Alexander Stephens among them.

White southerners welcomed Johnson’s leniency. Once pardoned, they petitioned for restoration of their confiscated or abandoned properties. In September 1865 Johnson ordered the Freedmen’s Bureau to return the lands to their former owners. By late 1865 former slaves were being forced off the 40-acre plots that the government agency had given them.

No sooner did conservative legislatures meet than they fashioned “Black Codes” defining, or rather confining, blacks’ new freedom. Some states ordered different punishments: fines for whites and whipping or sale for black offenders. Elsewhere, lawmakers forbade freed people from renting land, owning guns, or buying liquor. Vagrancy laws gave police wide discretion to collar any black and subject him or her to forced labor, sometimes for an old master. Apprenticeship statutes let the courts take away any black child without parents’ consent and bind him or her out to years of unpaid labor. Blacks were allowed to testify only in certain cases. They were taxed to pay for white schools, but the Johnsonian state governments provided them with none of their own.

Landowners gave their black employees as little as they could. With the legal machinery backing them up, they forced them into labor contracts that stipulated what they could do with their private time. One planter required his black workers to “go by his direction the same as in slavery time.” Others landowners denied them the right to leave the plantation without their “master’s” consent. Some arrangements allotted as little as a tenth of the crop in wages and many employers found an excuse to turn their field hands off unpaid as soon as the crop was in. It was no wonder that contract labor seemed to many freedmen slavery under a new name, or that thousands refused to sign any terms at the year’s end.
Resistance to Presidential Reconstruction

An undercurrent of violence underlay conservative control. In North Carolina, a resident wrote, the Negro was “sneered at by all and informed daily yes hourly that he is incompetent to care for himself—that his race is now doomed to perish from off the face of the Earth—that he will not work—that he is a thief by nature[,] that he lies more easily and naturally than an honest man breathes.” Blacks were assaulted for not showing proper deference to whites, for disputing the terms of labor contracts, or for failing to meet the standards that white employers demanded. Black churches were burnt, rebuilt, and burnt again. A Freedmen’s Bureau agent in Kentucky classified the incidents in just a few counties: twenty-three “cases of severe and inhuman beating and whipping of men; four of beating and shooting; two of robbing and shooting; three of robbing; five men shot and killed; two shot and wounded; four beaten to death; one beaten and roasted; three women assaulted and ravished; four women beaten, two women tied up and whipped until insensible; two men and their families beaten and driven from their homes, and their property destroyed; two instances of burning of dwellings and one of the inmates shot.” White witnesses refused to acknowledge what they knew to be true, white judges dismissed cases involving black defendants, and white juries invariably acquitted the offenders. If Johnson expressed content with the speedy restoration of loyalty in the South, a growing chorus of complaints from freed people and Unionists down South told a different story.

Congress Clashes with the President

Troubled by presidential Reconstruction’s failings, a Republican Congress refused to readmit former Confederate states without investigation. A Joint Committee on Reconstruction was formed to examine their loyalty and the safety of white and black Unionists’ rights. At the same time, moderate Republicans also wanted to establish a program for re-admission that Johnson would support. By expanding the power of the Freedmen’s Bureau and proposing a Civil Rights bill, they thought they had the makings of a compromise.

The first extended the Bureau’s life, strengthened its powers, and permitted it to set up courts that allowed black testimony. The second overturned the Dred Scott decision by granting United States citizenship to American men regardless of race. This marked the first time that the federal government intervened in states’ rights to guarantee due process and basic civil rights.
To Republicans’ amazement, Johnson vetoed both bills and in terms that made no compromise possible. Hinting that Congress had no right to reconstruct until the southern states were readmitted and doubting blacks’ fitness to enjoy the same civil rights as whites, the president declared reconstruction completed. Unable to override the Freedmen’s Bureau bill veto, Congress did pass the Civil Rights bill, which served as the foundation for section one of the Fourteenth Amendment, and later that summer a new Freedmen’s Bureau bill.

**Origins of the Fourteenth Amendment**

During the spring of 1866, the Joint Committee on Reconstruction proposed a Fourteenth Amendment to the Constitution, outlining the conditions that Republicans thought were essential for a just and lasting peace. Provisions guaranteed payment of the national debt and prevented payment of the Confederate one. Confederates who had held public office before the war were barred from office until Congress removed their disabilities. Replacing the Constitution’s three-fifths clause, which allowed slaves to be counted as three-fifths of a human being for the purpose of taxation and representation, representation in Congress would now be based on a state’s voting population. If freed blacks entitled southern states to additional House seats, that representation entitled blacks to the right to vote (see Table 15-1). “Happy will our disappointment be if this dry
stalk shall bud and blossom into Impartial Suffrage,” one radical wrote, doubtfully. Even if it did not, the South would return to Congress weaker in strength than it had left. But the crucial provision wrote civil rights guarantees into fundamental law, guaranteeing citizenship to all males born in the United States.

Deserted by the party that had elected him, Johnson fought on. He launched the National Union movement, a bipartisan coalition of conservatives whose goal was to defeat Republicans at the midterm elections. A railroad tour from Chicago and back to Washington allowed him to make his case to the American people. However, the National Union movement fizzled; hardly any Republican thought the proposed Amendment presented unfair terms for a defeated South. Johnson’s “Swing Around the Circle” tour ended in crowds trading insults with the president.

Two incidents confirmed northern fears that presidential Reconstruction had left southern Unionists defenseless. On May 1, 1866, after two drivers—one black, one white—had a traffic accident, Memphis police arrested the black driver. A group of black veterans tried to prevent the arrest and, as a result, a white crowd gathered and began rioting in the streets. Over the next three days, white mobs burned hundreds of homes, destroyed churches, and attacked black schools. Five black women were raped, and nearly fifty people, all but two of them black, were killed.

Three months later, violence of an explicitly political dimension broke out in New Orleans. Alarmed at former Confederates’ return to power in Louisiana, “Free Staters” sought to recall the state’s 1864 constitutional convention. They may have meant to open voting rights to some blacks or cut “rebels” out, but they never got the chance. On July 30,
1866, when a few dozen delegates assembled at Mechanics Institute, white mobs set on the convention’s supporters, who were mostly black. Led by police and firemen, many of them Confederate veterans, rioters opened fire on a black parade and broke into the convention hall. “The floor was covered with blood,” one victim remembered, “and in walking downstairs the blood splashed under the soles of my boots.” Blacks trying to surrender were gunned down. By the time the attackers dispersed, 34 blacks and 3 white supporters had been killed, and another 100 had been injured.

**Congressional Reconstruction**

The elections of 1866 became a referendum on whether Johnson’s policies had gone far enough to assure the permanent safety of the Union. But they also posed competing visions of what American democracy should mean. For President Johnson, “democracy” meant government by local majorities, which often meant white supremacy. For African Americans and a growing number of Republicans in Congress, genuine democracy demanded a firm foundation of equal civil and political rights. The sweep that followed brought in an even more solidly Republican Congress than before and doomed presidential Reconstruction. Congressional Reconstruction would be far different. It was an extraordinary series of events, second only to emancipation in its impact on the history of the United States.

**The South Remade**

Republicans had agreed on the Fourteenth Amendment’s provisions as a final settlement of the war’s issues. Southern states that ratified it would be readmitted, whether they enfranchised blacks or not. Tennessee ratified the amendment and was readmitted to Congress immediately. But in the remaining southern states, conservatives rejected the amendment by wide margins, and with the president’s encouragement. As unpunished assaults on Unionists and freed people continued, Congress lost patience. In the short run, the army could keep order, but a long-term solution was needed. Moderate Republicans came to agree with radicals: only by putting loyal men, regardless of race, in charge could a loyal, just South come into being. The only other alternative would be an open-ended national commitment to rule the South by force.

Although they were far from what radical Republicans had hoped for, in March 1867, Congress passed two Reconstruction Acts. Leaving the Johnsonian state governments in office, the acts declared them provisional and their officeholders subject to removal if they hamstrung the Reconstruction process. Ten ex-Confederate states were divided into five military districts and placed under army supervision (see Map 15–1). The army would register voters, both white and black, except for the comparatively small number disqualified by the not-yet-ratified Fourteenth Amendment. To regain congressional representation, each state must call a constitutional convention and draw up a new constitution providing for equal civil and political rights. Voters then must ratify it, and the newly elected governments must adopt the Fourteenth Amendment. Military oversight would end as civil authority replaced it. Thus, most white southern men had a say in constructing the new political order, and when those states were readmitted, they were granted the same rights as others. For all the laws’ limits, remaking state governments and requiring a broader male suffrage promised a Radical Reconstruction indeed.
The Impeachment and Trial of Andrew Johnson

Johnson could not stop Congressional Reconstruction. But he could temper it. Battling now to protect the executive’s powers, Johnson shared Democrats’ fears that Congress had veered far from the Constitution, placing military authority above civil authority and overturning what he saw as the natural order of society, where blacks were kept in subordination.

In vain, radical Republicans called for Johnson’s impeachment. Instead, Congress tried to restrain him by law. The Tenure of Office Act kept the president from removing officials who had been appointed in his administration with Senate confirmation. Another law required that every presidential order to the military pass through General Ulysses S. Grant. Johnson could still dismiss district commanders (and did when they interpreted their powers differently than he did), but as long as Grant headed the army and Edwin M. Stanton the War Department, Republicans felt that they had safeguarded the Reconstruction Acts against a potential coup.

Provoked by these challenges to his authority, Johnson issued interpretations of the Reconstruction Acts to permit wider conservative registration, forcing Congress into special session to revise the law with a Third Reconstruction Act. He issued broader amnesty proclamations for former Confederates, forced the dismissal of Republican officers, and, abiding by the Tenure of Office Act, suspended Stanton in August 1867. When the Senate reinstated him the following winter, Johnson ordered him ejected. “What good did your moderation do you?” radical Republican Thaddeus Stevens taunted moderates. “If you don’t kill the beast, he will kill you.” With the law seemingly broken, the House impeached Johnson.
The expected removal never happened. Rejecting Stevens’s argument that presidential obstruction was enough for conviction, senators required an intentional violation of law. The Tenure of Office Act’s wording was so unclear that it may not have applied to Stanton. When the president promised to restrain himself and selected a successor to Stanton that moderates trusted, the impeachment process lost momentum. In May, the Senate fell a single vote short of the two-thirds needed to convict. Within a month, Congress had readmitted seven southern states, thus limiting Johnson’s power to thwart Reconstruction in those states.

Radical Reconstruction in the South

With the help of Union Leagues, auxiliaries of the Republican Party whose goal was to mobilize and educate black voters, and with military protection against conservative violence in place, Radical Reconstruction transformed the cotton South dramatically. Within six months, 735,000 blacks and 635,000 whites had registered to vote. Blacks formed electoral majorities in South Carolina, Florida, Mississippi, Alabama, and Louisiana and in most states they found white support in the so-called scalawags, white Southerners who supported Reconstruction and Republican policies. Wartime Unionists, hill farmers neglected by planter-dominated governments, debtors seeking relief, development-minded businessmen seeking a new, more diversified South, and even some Confederate leaders and planters all welcomed Radical Reconstruction. Carpetbaggers, northerners who had come south to farm, invest, preach, or teach, were few in numbers, but they took a front rank among the leaders in black-majority states.

Starting in the fall of 1867, ten states called constitutional conventions, heavily Republican and predominantly, but not exclusively, white. The results of these conventions, so-called Black and Tan constitutions, guaranteed a color-blind right to suffrage, mandated public school systems, and overhauled the tax structure. They also included a right to bear arms in their bills of rights. Only a few states shut any Confederates out of the vote, and most of those that did removed the electoral disabilities before a year was out.

Achievements and Failures of Radical Government

Later caricatured as a dire era of “bayonet” and “negro rule,” Radical Reconstruction was neither. The Republican governments won in fairer elections and with greater turnouts than any that the South had known up until that time. Republican leadership remained overwhelmingly white and, for the most part, southern born. While some 700 blacks served in state legislatures, only in South Carolina and possibly Louisiana did they ever outnumber whites. No state elected a black governor, while only sixteen blacks served in Congress, two of whom were senators. Still, the contrast between what had been and what would follow as a result of Reconstruction was revolutionary. These Reconstruction legislatures were more representative of their constituents than most legislatures in nineteenth-century America (see Figure 15–1). While some African American officeholders were indeed illiterate, former slaves who did not own land, a disproportionate number came from the tiny prewar free African American elite of ministers, teachers, and small business owners. Freed people also filled hundreds of county offices. They served as sheriffs, bailiffs, judges, and jurors, offering the promise, at least, of a fair hearing in court for black defendants and litigants. Sharing power locally meant a greater chance for black communities to share in the benefits of public expenditures.
Republican rule delivered on its promises. The whipping post and debtor’s prison vanished. The new governments funded insane asylums, roads, and prisons. Homestead exemptions protected debtors’ real estate, and lien laws gave tenant farmers more control over the crops they grew and awarded artisans a first right to their employer’s assets. The right of married women to hold property in their own name was expanded. Across the Deep South, laws took on racial discrimination on streetcars and railroad lines, mandating equal treatment. Most important, most Reconstruction governments built or extended access to the free public school system to African Americans. Underfunded and segregated, those schools nonetheless boosted literacy rates, especially among freed people.

The Political Economy of Sharecropping

Radical Reconstruction made it easier for the former slaves to negotiate the terms of their labor contracts. Workers with grievances had a better chance of securing justice, as southern Republicans became sheriffs, justices of the peace, and county clerks, and as southern courts allowed blacks to serve as witnesses and sit on juries.

The strongest card in the hands of the freed people was a shortage of agricultural workers in the South. After emancipation, thousands of blacks sought opportunities in towns and cities or in the North. And even though most blacks remained in the South as farmers, they reduced their working hours in several ways. Black women still worked the fields, but they spent more time nursing their infants and caring for their children. And the children went to school when they were able. The resulting labor shortage forced white landlords to renegotiate their labor arrangements with the freed people.

The contract labor system that had developed during the war and under presidential Reconstruction was replaced with a variety of regional arrangements. On the Louisiana sugar plantations, the freed people became wage laborers. But in tobacco and cotton regions, where most freed people lived, a new system of labor called sharecropping developed. Under this system, an agricultural worker and his family typically agreed to work...
for one year on a particular plot of land, with the landowner providing the tools, seed, and work animals. At the end of the year, the crop was split, perhaps one-third going to the sharecropper and two-thirds to the owner.

Sharecropping shaped the economy of the postwar South by transforming the production and marketing of cash crops. Landowners broke up their plantations into family-sized plots, worked by sharecroppers in family units with no direct supervision. Each sharecropping family established its own relationship with local merchants to sell crops and buy supplies. Merchants became crucial to the southern credit system, because most southern banks could not meet the banking standards established by Congress during the Civil War. Storekeepers, usually the only people who could extend credit to sharecroppers, provided sharecroppers with food, fertilizer, animal feed, and other provisions during the year until the crop was harvested.

These developments had important consequences for white small farmers. More merchants fanned out into up-country areas inhabited mostly by ordinary whites, areas now served by railroads sponsored by the Reconstruction legislatures. With merchants offering credit and railroads offering transportation, small farmers started to produce cash crops. Thus, Reconstruction accelerated the process by which southern yeomen abandoned self-sufficient farming in favor of cash crops.

Sharecropping spread quickly among black farmers in the cotton South. By 1880, 80 percent of cotton farms had fewer than 50 acres, and the majority of those farms were operated by sharecroppers (see Maps 15–2 and 15–3). Sharecropping had several

Map 15–2  Sharecropping  By 1880 the sharecropping system had spread across the South. It was most common in the inland areas, where primarily cotton and tobacco plantations existed before the Civil War.
advantages for landlords. It reduced their risk when cotton prices were low and encouraged workers to increase production without costly supervision. Further, if sharecroppers changed jobs before the crop was harvested, they lost a whole year’s pay. But there were also advantages for the workers. For freed people with no hope of owning their own farms, sharecropping at least rewarded their hard work. The bigger the crop, the more they earned. It gave them more independence than contract labor.

Sharecropping also allowed the freed people to work in families rather than in gangs. Freedom alone had rearranged the powers of men, women, and children within the families of former slaves. Parents gained new control over their children. They could send sons and daughters to school or put them to work. Successful parents could give their children an important head start in life. Similarly, African American husbands gained new powers.

The marriage laws of the mid-nineteenth century that defined the husband as the head of the household were irrelevant to slaves, because their marriages had no legal standing. With emancipation, these patriarchal assumptions of American family law shaped the lives of freed men and women. Once married, women often found that their property belonged to their husbands. The sharecropping system further assumed that as head of the household the husband made the economic decisions for the entire family. Men signed most labor contracts, and most contracts assumed that the husband would take his family to work with him.
Sharecropping shaped the social system of the postwar South. It influenced the balance of power between men and women. It established the balance of power between landowners and sharecroppers. It tied the southern economy to agriculture, in particular to cotton production, impeding the region’s overall economic development.

The Gospel of Prosperity

Only a diversified economy could break the planters’ hold over a black labor force; railroads could lower farmers’ shipping costs and tap the South’s coal and iron resources. Economic development might even give the South an independence worth having: it was no longer required to look north for its investment capital or finished goods. A program that made all classes prosper seemed ready-made to recruit more whites for a party and push racial issues into the background. Republicans preached a “gospel of prosperity” that would use government aid to build a richer South and benefit ordinary white southerners. Reconstruction governments committed the states’ credit and funds to building its industrial base.

The strategy had big drawbacks. Diverting scarce resources to railroads and corporations left less for black constituencies’ needs, especially school systems. Inversions hesitated to invest in bonds issued by governments at risk of violent overthrow. Hungry corporations hounded the legislature for favors and made bribery their clinching argument. State-owned railroads were sold to private firms for a song—and a payoff. States already spending heavily to repair the damage of the war and to build new state services on a much-reduced tax base obligated themselves for millions more. As taxes soared, white farmers became increasingly receptive to Democratic claims that they were being robbed, their money wasted by swag-grabbing outsiders and ignorant black upstarts in office. The passage of civil rights bills, ending discrimination in public transportation, only alienated former scalawags further and stirred conservatives to bring the stay-at-homes to the polls. Everywhere, Republicans were split over how far to trust former Confederates. That division lost Virginia and Tennessee to the “Redeemers,” conservative white Democrats, in 1869. In Arkansas, two Republicans claimed the governorship in 1872, and two years later they raised armies to fight it out. The “Brooks-Baxter war” ended with the Democrat-backed contestant winning and a new constitution that put both Republicans out for good.

Republicans’ policy failures alone did not destroy them. Terrorism and economic pressure did. Everywhere planters used their power to keep black tenants from voting. White radicals found themselves shunned by society. They were denied credit or employment unless they left politics. As early as 1867, secret organizations were arising, bent on Reconstruction’s overthrow and the restoration of white dominance, which, effectively, meant bringing Democrats into power by threats, beatings, and killings. From the Carolinas to Texas, the Ku Klux Klan and similar organizations shot Republican lawmakers and burned black schools and churches. Teachers, party organizers, and white wartime Unionists all fell victim. Politically active blacks were threatened, driven from their homes, whipped, or shot. Their wives were raped and their homes plundered while Democratic newspapers defamed the victims. Intimidated juries dared not convict, and sheriffs dared not arrest. In Arkansas, Texas, and Tennessee, Republican governors mustered a white militia and broke the terrorist movement. Elsewhere they found themselves powerless or outgunned. Terrorism carried North Carolina, Alabama, and Georgia for the Democrats in 1870, crippling Reconstruction in the first state and effectively ending it in the other two. By 1872, Redeemers had regained control of the whole upper and border South. After that, they rigged the election laws to curb the black vote and put any Republican comeback out of reach.
Reconstruction had not been meant to work that way. Instead of being able to defend themselves, Reconstruction governments found themselves desperately dependent on national support. But that support had been dissipating ever since the passage of the Reconstruction Acts.

The Retreat from Republican Radicalism

A series of makeshift laws and improvisations, Congressional Reconstruction had stirred misgivings among moderate Republicans who were fearful of stretching the Constitution too far and uneasy with using the expanded authority that war had given them in peacetime. New steps, such as confiscating planters’ property, say, or a nationally funded school system, were out of the question. Even the Freedmen’s Bureau was cut back and, except for education, closed down completely when reconstructed states were readmitted to Congress. Public backlash against radicalism gave Democrats heavy gains in the 1867 elections. In order to survive, Reconstruction had to consolidate its gains and leave the new state governments to fulfill its promises.
Republicans Become the Party of Moderation

By then, the 1868 presidential campaign was under way. Running the war hero General Ulysses S. Grant for president, Republicans could offer a candidate who was above politics. His slogan, “Let Us Have Peace,” emphasized that the party meant to restore the Union, rather than advance radicalism. The platform endorsed Congressional Reconstruction and defended black voting in the South, but insisted that states not covered by Reconstruction should decide the issue of suffrage for themselves. Positioning themselves as protectors of the war’s accomplishments came all the more easily after Democrats nominated former New York governor Horatio Seymour on a platform declaring the Reconstruction Acts as illegal, null and void. Their fiercest spokesmen swore that if Democrats won, they would overturn the newly elected southern governments and install white conservative ones. Voiding those governments would invalidate the Fourteenth Amendment, ratified by southern legislatures; some partisans even argued that every measure passed since southern congressmen walked out in 1861 had no legal force. Bondholders, fearful that Democrats would turn their national securities into waste paper or pay them in depreciated “greenbacks,” thought Grant the safer choice, even without Republicans’ shouting that Seymour’s election would reward traitors and bring on civil war again.

Northern voters got a taste of what Democratic rule would mean in an epidemic of violence across the South. Riots and massacres in Louisiana and Georgia kept Republicans from voting and carried both states for Seymour. In the North, the outrages may have been decisive in electing Grant. Carrying the electoral college by a huge margin, he won the popular vote more narrowly with just 53 percent, and then only because of a heavy black turnout in his favor.

Reconstructing the North

Although Reconstruction was aimed primarily at the South, the North was affected as well, especially by the struggle over the black vote. The transformation of the North was an important chapter in the history of Reconstruction.

The Fifteenth Amendment and Nationwide African American Suffrage

Segregated into separate facilities or excluded entirely, denied the right to vote in nearly every state outside of New England, blacks in wartime fought to end discrimination in the North. Biracial efforts chipped away at many states’ discriminatory “Black Laws” and the Fourteenth Amendment eliminated the rest nationwide. Streetcar lines in some cities stopped running separate cars, black testimony was admitted on the same terms as white, and in a few northern communities, black children began attending white schools. Ending the color bar on voting and jury service proved to be more difficult: when impartial suffrage went on the ballot, most northern states voted against it (though most Republicans favored it and Congress mandated it in the territories and the District of Columbia).

The shocking electoral violence of 1868 persuaded Republicans that equal suffrage in the South needed permanent protection. In 1869 Congress added a Fifteenth Amendment to the Constitution forbidding the use of “race, color, or previous condition of servitude” as a bar to suffrage in the North as well as the South. For those states not yet
readmitted to the Union (Virginia, Mississippi, and Texas), it made ratification of the amendment an additional condition. On March 30, 1870, the Fifteenth Amendment became part of the Constitution.

As terrorism mounted, Congress legislated to protect a free, fair vote. The most important, the 1871 “Ku Klux” Act, gave the US government the power to suppress the Klan, even suspending the writ of habeas corpus. Grant moved cautiously, however, because the newly created Justice Department lacked both funds and personnel. Still, thousands of arrests and hundreds of convictions ended the Klan, restoring peace in time for the 1872 presidential elections.

Revolutionary as it was, the Fifteenth Amendment had serious limitations that would weaken its impact later. As the Supreme Court would note, it did not confer a right to vote on anybody. It simply limited the grounds on which it could be denied. States could impose property or taxpaying qualifications or a literacy test if they pleased, as long as the restrictions made no distinction on the basis of race. They could set up residency requirements or limit the vote to naturalized citizens, or to men.

**Women and Suffrage**

The issue of black voting added to tensions among northern radicals. Feminists and abolitionists had worked together in the struggle for emancipation, but signs of trouble appeared as early as May 1863 at the convention of the Woman’s National Loyal League in New York City. The League had been organized to assist in defeating the slave South. One of the convention’s resolutions declared that “there never can be a true peace in this Republic until the civil and political rights of all citizens of African descent and all women are practically established.” For some delegates, this went too far. They argued that it was inappropriate to inject the issue of women’s rights into the struggle to restore the Union.

With the war’s end, the radical crusade for black suffrage intensified debate among reformers. Elizabeth Cady Stanton and others pointed out the injustice of letting “Patrick and Sambo and Hans and Yung Tung” vote while propertied, educated women were denied suffrage. The Fourteenth Amendment, by privileging male inhabitants’ right to vote explicitly, appalled Stanton, and the Fifteenth Amendment’s failure to address gender discrimination at the polls only confirmed her suspicion that what one abolitionist called “the Negro’s hour” would never give way to one for women. Friendly to women’s suffrage though they were, abolitionists like Frederick Douglass and suffragists like Lucy Stone argued that the critical issue was the protection of the freed people. “When women, because they are women, are dragged from their homes and hung upon lamp-posts,” Douglass reminded an audience, “when their children are torn from their arms and their brains dashed to the pavement; when they are the objects of insult and outrage at every turn; when they are in danger of having their homes burnt down over their heads; when their children are not allowed to enter schools; then they will have an urgency to obtain the ballot.” In 1869, radical and abolitionist allies parted ways. The women’s suffrage movement divided into rival organizations, Stanton’s National Woman Suffrage Association and Stone’s American Woman Suffrage Association.

Some radicals, Charles Sumner among them, favored women’s suffrage, but most Republicans did not. The territories of Wyoming and Utah enfranchised women. Elsewhere, lawmakers let women participate in school-board elections, but voting reform went no further. Most states refused even to put the issue on the ballot. When they did so, it was voted down. Denying women’s appeal that as citizens they were entitled to vote,
the Supreme Court declared that the Fourteenth Amendment’s right of citizenship did not carry that right with it.

**The Rise and Fall of the National Labor Union**

Inspired by the radicalism of the Civil War and Reconstruction, industrial workers across the North organized dozens of craft unions, Eight-Hour Leagues, and workingmen’s associations, all designed to protect northern workers who were overworked and underpaid. They called strikes, initiated consumer boycotts, and formed consumer cooperatives. In 1867 and 1868, workers in New York and Massachusetts campaigned to enact laws restricting the workday to eight hours. Soon, workers began electing their own candidates to state legislatures.

Founded in 1866, the National Labor Union (NLU) was the first significant postwar effort to organize all “working people” into a national union. William Sylvis, an iron molder, founded the NLU and became its president in 1868. He denied any “harmony of interests” between workers and capitalists. On the contrary, every wage earner was at war with every capitalist, whose “profits” robbed working people of the fruits of their labor.

Under Sylvis’s direction, the NLU advocated a wide range of political reforms, not just bread-and-butter issues. Sylvis believed that through organization American workers could take the “first step toward competence and independence.” He argued for a doubling of the average worker’s wages. He supported voting rights for blacks and women. Nevertheless, after a miserable showing in the elections of 1872, the NLU fell apart. By then, Reconstruction in the South was facing serious challenges.

**The End of Reconstruction**

Events outside the South helped speed Reconstruction’s collapse. Reform-oriented Republicans felt alarm at the spread of political corruption after the war. Convinced, too, that full reconciliation must come, now that the war’s goals had been met, they broke with the party and abandoned their support for federal intervention in southern affairs. Additionally, a depression took voters’ minds off Reconstruction issues. By 1876 “Redemption” had carried white Democrats to power in all but a few southern states. Yet a hastily disputed presidential election and divided power would doom even those.

**Corruption Is the Fashion**

Never before had corruption loomed so large in the United States. With more money to spend, more favors to give, and more functions to perform, both state and federal governments found themselves besieged by supplicants, and officeholders found opportunities to turn a dishonest penny where none had existed before. In New York City, infamous state senator William M. Tweed used the Tammany Hall political machine to steal tens of millions of dollars. Senators bought their seats in Kansas and South Carolina, while Tennessee congressmen sold appointments to West Point. The Standard Oil Company allegedly controlled Pennsylvania’s legislature. As Henry Clay Warmoth, the governor of Louisiana put it, corruption was “the fashion.” He, incidentally, was very fashionable himself.

With an honest but credulous chief executive, Grant’s administration became notoriously corrupt. Customs collectors shook down merchants and used their employees to manage party conventions. With help from Administration insiders, the notorious
If biracial democracy had a chance anywhere in Reconstruction Louisiana, it was upstate in Red River parish. With African Americans outnumbering whites more than two to one, majority rule meant Republican government. As in so many other black counties, whites held the choicest offices: sheriff, tax collector, and mayor of the parish seat in Coushatta. A Vermont-born Union veteran, Marshall Harvey Twitchell, represented Red River in the state senate. Most of the wealth and nearly all the property stayed in native white hands, just as it had before the war. Blacks continued to raise and harvest the cotton on other people’s land.

Nevertheless, Reconstruction made a difference for African Americans. They elected members of their own race to the police jury that did most of the parish’s day-to-day governing. Several justices of the peace who handled minor civil cases were black. Farmers, field hands, and day laborers performed jury duty. What freed people wanted most, however, was what white conservatives had long denied them, a functioning public school system. Twitchell saw that they got one, with separate schools for whites and blacks. So prosperous was Red River under “Negro rule,” Twitchell bragged, that it was evident to “the most perfect stranger.”

Having the most votes was not enough, however. All the influential newspapers and nearly all the property and firepower in Red River parish remained with the Democrats. When hard times hit, Republicans’ enemies organized rifle clubs and a White League, which acted as the military arm of the Democratic Party. Unlike the Ku Klux Klan, it operated in the open and without disguises. By mid-1874, death threats against Republican officials were being posted on the streets of Coushatta. “Your fate is sealed,” one letter warned judges. “Nothing but your blood will appease us.” Alarmed, the police jury resigned and white Republicans left the parish.

That August, White Leaguers pretended to have uncovered a black plot to slaughter white residents. On that excuse, they arrested several dozen black Republican leaders and all the white parish officers. To save their lives, the officials resigned. The vigilantes promised them an armed escort out of the parish, but instead, it led them into an ambush. Mounted gunmen from the neighboring parish killed six prisoners. Later they rode into Coushatta and hanged two of the captured blacks as well. Absent on political business, Twitchell alone survived. When he returned in 1876, an unknown gunman shot him, costing him both arms. From then on, Republican majorities counted for nothing. Democrats did the voting and governing and thus radical Reconstruction’s gains melted away.

Coushatta’s fate was Louisiana’s. White Leaguers overthrew the governor in September 1874. Federal intervention restored him, but it could not save local Republican governments like Red River’s. “The State government has no power outside of the United States Army . . . no power at all,” an officer confessed. “The White League is the only power in the State.”
speakers Jay Gould and Jim Fisk tried to corner the nation’s gold supply and brought on a brief, ruinous panic on Wall Street. Grant’s private secretary was even exposed as a member of the “Whiskey Ring,” a group of distillers and revenue agents who cheated the government out of millions of dollars in taxes. Charges of making money swindling the Indians forced the Secretary of Interior out of office. Months later, the Secretary of War quit when investigators traced kickbacks to his wife. Having overcharged the government for supplies while building the Union Pacific Railroad, the fraudulent Credit Mobilier contracting firm shared mammoth profits with nearly a dozen top congressmen. The Republican platform, one critic snarled, was just a conjugation of the verb “to steal.”

Southern corruption reflected national patterns. In the worst states, both parties stole, bribed, and profited. But in the South, Democrats blamed such action on ignorant black voters and non-landowning white Republicans. Shifting the issue from equal rights to honest government, they insisted that clean, cheap government, run by society’s natural leaders (white and well-heeled), would benefit all races. Every scandal discredited Republican rule further, including the many upright and talented leaders, both black and white, that fought against corruption. This helped galvanize the opposition, destroying Republican hopes of attracting white voters and weakening support for Reconstruction. By 1875, northerners assumed the worst of any carpetbagger, even one fighting to cut taxes and block cheats.

**Liberal Republicans Revolt**

Voicing widely held concerns, a small, influential group of northern Republican intellectuals, editors, and activists challenged a political system that, in their view, rested on greed, selfishness, partisanship, and politicians’ keeping war hatreds alive. Known as “liberal Republicans,” they viewed bosses and political machines, which were out to loot...
the treasury, and special interests as detrimental to good government. They were weary of railroads receiving land grants, of steamship lines receiving subsidies, and government clerkships that were given to cronies. Decrying corruption and disenchanted with Reconstruction, they called for reform: a lower tariff, a stable currency system based on gold, a merit-based civil service system for appointments to office, and full, universal amnesty for former Confederates.

When Democrats announced a “New Departure,” accepting the three constitutional amendments, liberal Republicans took them at their word. Despairing of preventing Grant’s renomination, they nominated the eccentric, reform-minded editor Horace Greeley for president in 1872. The platform promised to end all political disabilities and reconcile North and South, in essence by ending all federal intervention on black southerners’ behalf. Desperate to win, Democrats endorsed the editor, their lifelong enemy, but thousands stayed home on election day rather than vote for him. Having cut the tariff and restored the office-holding rights of all but a handful of ex-Confederates, Republicans won many reformers back. Greeley lost in a landslide and died in a sanitarium less than a month later.

Grant’s reelection bought Reconstruction time, but it could not do more than that. Northerners, even Republican ones, became increasingly alarmed every time the national government used its power to act on behalf of Reconstruction governments and deal with issues that should be handled by local authorities. As a result, the president found it increasingly hard to justify intervening on the behalf of black voters.

“Redeeming” the South

In September 1873, America’s premier financial institution, Jay Cooke & Company, went bankrupt after overextending itself on investments in the Northern Pacific Railroad. Within weeks, hundreds of banks and thousands of businesses failed. The country sank into a depression that lasted five years. Unemployment rose to 14 percent as corporations slashed wages. Bitter strikes in textile plants, coal fields, and on the railroad lines ended in failure and violence. As America turned its attention to issues of corruption, labor unrest, and economic depression, Reconstruction took a backseat.

Between the corruption scandals buffeting the Grant administration and the economic crisis, northern voters’ interest in Reconstruction plummeted. Those who had favored government intervention to keep “Rebels” from coming to power no longer saw the need. Former Confederates stood by the flag as earnestly as Unionists. In the 1874 elections, Democrats made a dramatic comeback. For the first time since 1859, they carried the House, guaranteeing a deadlocked Congress. Outgoing Republicans made one last advance, passing Charles Sumner’s civil rights bill, which outlawed discrimination in public places. The law left segregated schools and cemeteries alone, and most southern establishments ignored even those provisions that did pass. But with Congress’s adjournment in March 1875, Republicans no longer had any chance of bolstering Reconstruction with legislation, or even funding an army big enough to protect a fair vote at the polls.

Supreme Court rulings made implementing Reconstruction legislation harder still. In the 1873 Slaughterhouse cases, a majority decided that the Fourteenth Amendment’s protection of equal rights under the law covered only those rights associated with national citizenship. Rights affiliated with state citizenship—for example, the right to butcher cattle when a Louisiana state law gave a monopoly to one particular firm—could
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Chapter 15: Reconstructing a Nation

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<td>Lincoln's Proclamation of Amnesty and Reconstruction</td>
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<td>1864</td>
<td>Wade-Davis Bill</td>
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<td>1865</td>
<td>Thirteenth Amendment adopted and ratified</td>
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<td></td>
<td>Freedmen's Bureau established</td>
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<td></td>
<td>Confederate armies surrender</td>
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<td>Lincoln assassinated; Andrew Johnson becomes president</td>
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<td>1866</td>
<td>Johnson creates provisional governments in the South; new civil governments begin</td>
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<td>Joint Committee on Reconstruction established by Congress</td>
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<td>Congress renews Freedmen's Bureau; Johnson vetoes it</td>
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<td>Civil Rights Act vetoed by Johnson; Congress overrides veto</td>
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<td>Congress passes Fourteenth Amendment</td>
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<td>1867</td>
<td>First, Second, and Third Reconstruction Acts passed</td>
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<td>1868</td>
<td>Johnson fires Secretary of War Stanton</td>
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only be upheld by the state. In 1876, the justices whittled down the national government’s power to protect black voters from intimidation and violence or even their right to bear arms and hold public meetings. In *Hall v. DeCuir* (1878), the Supreme Court invalidated a Louisiana law prohibiting racial segregation on public transportation. In the Civil Rights Cases of 1883, the Supreme Court declared that the Fourteenth Amendment did not cover discriminatory practices by private persons.

Even before the 1874 elections, southern Reconstruction was collapsing. As the number of white Republicans fell, the number of black Republicans holding office in the South increased. But the persistence of black officeholders only reinforced the Democrats’ determination to “redeem” their states from Republican rule. Blaming hard times on “carpetbagger” corruption and high taxes, conservatives mobilized voters across the South. They formed taxpayers’ leagues and armed themselves in White Leagues, paramilitary groups whose goal was to remove Republicans from office and prevent freedmen from voting. Even without much killing, crude appeals to white supremacy and harsh economic pressure forced most scalawags to drop out of politics, making it easier to draw a sharp color line. Paramilitaries were then able to apply violence and intimidation to keep blacks from the polls. By the fall of 1874, they were overthrowing local governments in Mississippi and Louisiana. In 1874, White Leagues took over the streets in New Orleans and briefly ousted the governor. Terrorism helped “redeem” Alabama that November, among other places.

That left two securely Republican states, both with considerable black majorities: South Carolina and Mississippi. In 1875, Democrats “redeemed” the latter in the most blatant show of force yet. Governor Adelbert Ames begged for help from Grant and was told to look to his own resources first. The election that followed was as quiet as White League shotguns could make it. In the end, enough blacks were kept from the polls and enough scalawags voted their racial prejudices to hand power to the Democrats. Within months they forced Ames’s resignation. In 1876, South Carolina whites adopted what became known as the “Mississippi Plan” with an even more open commitment to violent overthrow of the Republican majority. Mounted, armed men broke up Republican
rallies. In Hamburg, white paramilitaries put the local black militia under siege and, after their surrender, killed seven of them. “We write to tell you that our people are being shot down like dogs, and no matter what democrats may say,” one South Carolinian wrote the president, “unless you help us our folks will not dare go to the polls.” In Louisiana, Redeemer violence may have been worse still.

The Twice-Stolen Election of 1876

Amidst a serious economic depression, and with an electorate tired of Reconstruction, the Democrats stood a good chance of winning the presidency in 1876. The Democratic candidate, New York governor Samuel J. Tilden, had won a reputation for fighting thieves in his own party. On election night, Tilden won 250,000 more votes than his Republican opponent, Ohio governor Rutherford B. Hayes (see Map 15–4). But Republican “returning boards” in three southern states—Florida, South Carolina, and Louisiana—counted Hayes in and gave him a one-electoral vote victory.

Democrats swore that they had been cheated out of the presidency, though even without white violence and manipulation, Hayes probably would have won not just in the three disputed states but elsewhere in the South. Both houses of Congress deadlocked on counting the electoral votes. Cries of “Tilden or Blood” rang through the air. In the end, both sides compromised by choosing a special electoral commission to settle the matter. In an eight-to-seven vote, it awarded Hayes every disputed state. House Democrats could not stop “His Fraudulency” from being sworn in, but their southern members, cutting the best deal they could, agreed to drop their obstruction in return for assurances that Hayes would not aid in the survival of the last two Reconstruction governments. A month after taking office, Hayes withdrew the regiments guarding Republican statehouses in South Carolina and Louisiana; by that time Redeemer Democrats had full control of the states anyway. This order marked Reconstruction’s symbolic end. Hereafter, the president would emphasize goodwill between the North and South and trust Redeemers’ promises to protect black rights—a trust that was speedily betrayed.
Conclusion

Inspired by a vision of society based on equal rights and free labor, Republicans expected emancipation to transform the South. Freed from the shackles of the slave power, the region might yet become a shining example of democracy and prosperity. Twenty years later, events seemed to mock that promise. The South was scarcely more industrial than before the war and, as far as former slaves were concerned, far from completely free. Cotton, sugar, rice, and tobacco still defined the South’s economy far more than the hoped-for mines and mills. Only a small fraction of freed people had become landowners, and most of them would never escape poverty and dependence on propertied whites. After the Panic of 1873, sharecropping eliminated most blacks’ hope of real economic independence. As fears of a new rebellion dimmed, Republicans lost their zeal for federal intervention in the South. Republican state authorities could not save themselves, much less their black constituents. Chastened by Reconstruction’s defects, Americans began to turn their attention to the new problems of urban, industrial America.

Even so, the achievements of Reconstruction were monumental. Across the South, African Americans carved out a space in which their families could live more freely than before. Black and white men elected to office some of the most democratic state legislatures of the nineteenth century. Thousands of black workers had escaped a stifling contract-labor system for the comparatively wider autonomy of sharecropping. Hundreds of thousands of former slaves learned to read and write and were able to worship
in churches of their own making. Most important, Reconstruction added three important amendments to the Constitution that transformed civil rights and electoral laws throughout the nation. For the first time, the protections in the Bill of Rights would apply not just against national encroachment but that of the states as well. As a result of those changes in fundamental law, Reconstruction, then, was not so much a promise broken as one waiting to be fulfilled.

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Review Questions

1. What made congressional Reconstruction “radical”?
2. How did conditions for the readmission of states into the Union change over time?
3. How did Reconstruction change the South?
4. How did Reconstruction change the North?
5. What were the major factors that brought Reconstruction to an end?

Critical-Thinking Questions

1. Compare and contrast wartime Reconstruction, presidential Reconstruction, and congressional (radical) Reconstruction. What were the key differences between the three phases?
2. How critical was the failure of land redistribution for blacks? Was sharecropping an acceptable substitute for achieving economic freedom? Why or why not?
3. In what ways did the tactics of white supremacists in this period end up hurting their own cause?

For further review materials and resource information, please visit www.oup.com/us/oakes
Chapter 15: Reconstructing a Nation

Primary Sources

15.1 Petroleum V. Nasby
[David Ross Locke], A Platform for Northern Democrats (1865)

David Ross Locke, the editor of the Toledo Blade, made his fortune under another name: Petroleum V. Nasby, a fictional postmaster and sometimes pastor, whose letters gave a Republican spoof of what Copperhead Democrats believed. Bad spelling was a common way of signaling to readers that a piece was meant to be humorous, though Locke also meant to show that Nasby’s ideas were not only vicious and absurd but founded on a virtually illiterate ignorance.

Saint’s Rest (wich is in the Stait uv Noo Jersey), June the 23d, 1865

These is the dark days uv the dimokrasy. The misforchoons that befell our armies in front uv Richmond, the fall uv our capital, follered by the surrender uv our armies to Grant and Sherman, hez hurt us. Our leaders are either pinin in loathsome dunguns, incarseratid by the hevin-defyin, man-destroyin, tyrannical edix uv our late lamented President, or are baskin in the free air uv Italy and Canady. We hev no way uv keepin our voters together. Opposin the war won’t do no good, for before the next elecshun the hef uv our voters will hev diskivered that the war is over. The fear uv drafts may do suthin in some parts uv Pennsylvany and suthern Illinoy, for sum time yuit, but that can’t be depended on.

But we hev wun resource for a ishoo—ther will alluz be a dimokrasy so long as ther’s a nigger.

Ther is a uncompromising dislike to the nigger in the mind uv a ginooine dimekrat. The Spanish bullfighter, when he wants to inflame the bull to extra cavortin, waves a red flag afore him. When yoo desire a dimekrat to froth at the mouth, yoo will find a black face will anser the purpose. Therefore, the nigger is, today, our best and only holt. Let us use him.

For the guidance uv the faithful, I shel lay down a few plain rools to be observed, in order to make the most uv the capital we hev:

1. Alluz assert that the nigger will never be able to take care uv hisself, but will alluz be a public burden. He may, possibly, give us the lie by goin to work. In sich a emergency, the dooty uv every dimekrat is plane. He must not be allowed to work. Associashens must be organized, pledged to neither give him employment, to work with him, to work for anyone who will give him work, or patronize any wun who duz. (I wood sejest that sich uv us ez hev bin forchoonit enuff to git credit, pay a trifle on account, so ez to make our patronage worth suthin.) This course, rigidly and persistently follered, will drive the best uv em to stealin, and the balance to the poorhouses, provin wat we hev alluz claimed, that they are a idle and vishus race. Think, my brethren, wat a inspirin effeck our poorhouses and jails full uv niggers wood hev on the people! My sole expands ez I contemplate the deliteful vision.
2. Likewise assert that the nigger will come North, and take all the good places, throwin all our skilled mechanics out uv work by underbiddin uv em. This mite be open to two objecshuns, to-wit: It crosses slitley rool the 1, and white men mite say, ef there’s jist enuff labor for wat’s here, why not prohibit furriners from comin? I anser: It’s the biznis uv the voter to reconcile the contraicshun—he may believe either or both. Ez to the second objecshun, wher is the Dimekrat who coodent be underbid, and stand it even to starvashen, ef the underbiddin wux dun by a man uv the proud Caukashen race? And wher is the Dimekrat so lost to manhjood ez not to drink blood, ef the same underbiddin is dun by a nigger? The starving for work ain’t the question—it’s the color uv the cause uv the starvashen that makes the difference.

Nigger equality may be worked agin to advantage. All men, without distincshun uv sex, are fond uv flatrin theirselves that somebody’s lower down in the scale uv humanity than they is. Ef ‘twan’t for niggers, what wood the dimokrasy do for sumbody to look down upon? It’s also shoor to enlist wun style uv wimmen on our sides. In times gone by, I’ve notist gushin virgins uv forty-five, full sixteen hands high and tough ez wire, holdin aloft banners onto which wuz inscribd – “Save us from Nigger Equality.” Yoo see it soothed em to hev a chase uv advertising, 1st, That they wuz frail, helplis critters; and, 2d, That, anshent and tough ez they wuz, some wun wuz still goin for em.

Ef ther ain’t no niggers, central commities must furnish em. A half dozen will do for a ordinary county, ef they’re hustled along with energy. Ef they won’t steal, the central commities must do it theirselves. Show yer niggers in a township in the morning, an the same nite rob the clothes-lines and hen-roosts. Ever willin to sacrifice myself for the cause, I volunteer to do this latter dooty in six populous counties.

These ijees, ef follered, will, no doubt, keep us together until our enemies split, when we will reap the reward uv our constancy and fidelity. May the Lord hasten the day.

Petroleum V. Nasby
Lait Paster uv the Church uv the Noo Dispensashun


15.2 MISSISSIPPI BLACK CODE (1865)
Faced with the speedy emancipation of nearly half of Mississippi’s population, the first all-white postwar legislature set out to define what rights blacks should enjoy in freedom. Some of the most basic were guaranteed, including the right to marry and hold property, and to testify under certain limited circumstances. Others were denied, among them the right to vote, sit on juries, hold office, or intermarry with whites. Most controversially, the Apprentice and Vagrancy Laws created a structure, color-blind in its outward workings, that effectively allowed white authorities to commandeers blacks and force them into involuntary labor or even to sell their labor to white bidders at auction.

Apprentice Law
Section 1. Be it enacted by the legislature of the state of Mississippi, that it shall be the duty of all sheriffs, justices of the peace, and other civil officers of the several counties in this state to report to the Probate courts of their respective counties semiannually, at the January and July
Chapter 15: Reconstructing a Nation

terms of said courts, all freedmen, free Negroes, and mulattoes under the age of eighteen within their respective counties, beats, or districts who are orphans, or whose parent or parents have not the means, or who refuse to provide for and support said minors; and thereupon it shall be the duty of said Probate Court to order the clerk of said court to apprentice said minors to some competent and suitable person, on such terms as the court my direct, having a particular care to the interest of said minors:

Provided, that the former owner of said minors shall have the preference when, in the opinion of the court, he or she shall be a suitable person for that purpose.

Section 2. Be it further enacted, that the said court shall be fully satisfied that the person or persons to whom said minor shall be apprenticed shall be a suitable person to have the charge and care of said minor and fully to protect the interest of said minor. The said court shall require the said master or mistress to execute bond and security, payable to the state of Mississippi, conditioned that he or she shall furnish said minor with sufficient food and clothing; to treat said minor humanely; furnish medical attention in case of sickness; teach or cause to be taught him or her to read and write, if under fifteen years old; and will conform to any law that may be hereafter passed for the regulation of the duties and relation of master and apprentice:

Provided, that said apprentice shall be bound by indenture, in case of males until they are twenty-one years old, and in case of females until they are eighteen years old.

Section 3. Be it further enacted, that in the management and control of said apprentices, said master or mistress shall have power to inflict such moderate corporeal chastisement as a father or guardian is allowed to inflict on his or her child or ward in common law:

Provided, that in no case shall cruel or inhuman punishment be inflicted.

Section 4. Be it further enacted, that if any apprentice shall leave the employment of his or her master or mistress without his or her consent, said master or mistress may pursue and recapture said apprentice and bring him or her before any justice of the peace of the county, whose duty it shall be to remand said apprentice to the service of his or her master or mistress; and in the event of a refusal on the part of said apprentice so to return, then said justice shall commit said apprentice to the jail of said county, on failure to give bond, until the next term of the country court; and it shall be the duty of said court, at the first term thereafter, to investigate said case, and if the court shall be of opinion that said apprentice left the employment of his or her master or mistress without good cause, to order him or her to be punished, as provided for the punishment of hired freedmen, as may be from time to time provided for by law, for desertion, until he or she shall agree to return to his or her master or mistress:

Provided, that the court may grant continuances, as in other cases; and provided, further, that if the court shall believe that said apprentice had good cause to quit his said master or mistress, the court shall discharge said apprentice from said indenture and also enter a judgment against the master or mistress for not more than $100, for the use and benefit of said apprentice, to be collected on execution, as in other cases.

Section 5. Be it further enacted, that if any person entice away any apprentice from his or her master or mistress, or shall knowingly employ an apprentice, or furnish him or her food or clothing, without the written consent of his or her master or mistress, or shall sell or give said apprentice ardent spirits, without such consent, said person so offending shall be deemed guilty of a high misdemeanor, and shall, on conviction thereof before the county court, be punished as provided for the punishment of persons enticing from their employer hired freedmen, free Negroes, or mulattoes.
Section 6. *Be it further enacted,* that it shall be the duty of all civil officers of their respective counties to report any minors within their respective counties to said Probate Court who are subject to be apprenticed under the provisions of this act, from time to time, as the facts may come to their knowledge; and it shall be the duty of said court, from time to time, as said minors shall be reported to them or otherwise come to their knowledge, to apprentice said minors as hereinbefore provided.

Section 7. *Be it further enacted,* that in case the master or mistress of any apprentice shall desire, he or she shall have the privilege to summon his or her said apprentice to the Probate Court, and thereupon, with the approval of the court, he or she shall be released from all liability as master of said apprentice, and his said bond shall be canceled, and it shall be the duty of the court forthwith to reapprentice said minor; and in the event any master of an apprentice shall die before the close of the term of service of said apprentice, it shall be the duty of the court to give the preference in reapprenticing said minor to the widow, or other member of said master's family:

*Provided,* that said widow or other member of said family shall be a suitable person for that purpose.

Section 8. *Be it further enacted,* that in case any master or mistress of any apprentice, bound to him or her under this act shall be about to remove or shall have removed to any other state of the United States by the laws of which such apprentice may be an inhabitant thereof, the Probate Court of the proper county may authorize the removal of such apprentice to such state upon the said master or mistress entering into bond, with security, in a penalty to be fixed by the judge, conditioned that said master or mistress will, upon such removal, comply with the laws of such state in such cases:

*Provided,* that said master shall be cited to attend the court at which such order is proposed to be made and shall have a right to resist the same by next friend, or otherwise.

Section 9. *Be it further enacted,* that it shall be lawful for any freedman, free Negro, or mulatto, having a minor child or children to apprentice the said minor child or children, as provided for by this act.

Section 10. *Be it further enacted,* that in all cases where the age of the freedman, free Negro, or mulatto cannot be ascertained by record testimony, the judge of the county court shall fix the age.

**Vagrancy Law**

Section 1. *Be it enacted by the legislature of the state of Mississippi,* that all rogues and vagabonds, idle and dissipated persons, beggars, jugglers, or persons practising unlawful games or plays, runaways, common drunkards, common nightwalkers, pilferers, lewd, wanton, or lascivious persons, in speech or behavior, common railers and brawlers, persons who neglect their calling or employment, misspend what they earn, or do not provide for the support of themselves or their families or dependents, and all other idle and disorderly persons, including all who neglect all lawful business, or habitually misspend their time by frequenting houses of ill-fame, gaming houses, or tippling shops, shall be deemed and considered vagrants under the provisions of this act; and, on conviction thereof shall be fined not exceeding $100, with all accruing costs, and be imprisoned at the discretion of the court not exceeding ten days.
Section 2. Be it further enacted, that all freedmen, free Negroes, and mulattoes in this state over the age of eighteen years found on the second Monday in January 1966, or thereafter, with no lawful employment or business, or found unlawfully assembling themselves together either in the day or nighttime, and all white persons so assembling with freedmen, free Negroes, or mulattoes, or usually associating with freedmen, free Negroes, or mulattoes on terms of equality, or living in adultery or fornication with a freedwoman, free Negro, or mulatto, shall be deemed vagrants; and, on conviction thereof, shall be fined in the sum of not exceeding, in the case of a freedman, free Negro, or mulatto, $50, and a white man, $200, and imprisoned at the discretion of the court, the free Negro not exceeding ten days, and the white man not exceeding six months.

Section 3. Be it further enacted, that all justices of the peace, mayors, and aldermen of incorporated towns and cities of the several counties in this state shall have jurisdiction to try all questions of vagrancy in their respective towns, counties, and cities; and it is hereby made their duty, whenever they shall ascertain that any person or persons in their respective towns, counties, and cities are violating any of the provisions of this act, to have said party or parties arrested and brought before them and immediately investigate said charge; and, on conviction, punish said party or parties as provided for herein. And it is hereby made the duty of all sheriffs, constables, town constables, city marshals, and all like officers to report to some officer having jurisdiction all violations of any of the provisions of this act; and it shall be the duty of the county courts to inquire if any officers have neglected any of the duties required by this act; and in case any officer shall fail or neglect any duty herein, it shall be the duty of the county court to fine said officer, upon conviction, not exceeding $100, to be paid into the county treasury for county purposes.

Section 4. Be it further enacted, that keepers of gaming houses, houses of prostitution, all prostitutes, public or private, and all persons who derive their chief support in employments that militate against good morals or against laws, shall be deemed and held to be vagrants.

Section 5. Be it further enacted, that all fines and forfeitures collected under the provisions of this act shall be paid into the county treasury for general county purposes; and in case any freedman, free Negro, or mulatto shall fail for five days after the imposition of any fine or forfeiture upon him or her for violation of any of the provisions of this act to pay the same, that it shall be, and is hereby made, the duty of the sheriff of the proper county to hire out said freedman, free Negro, or mulatto to any person who will, for the shortest period of service, pay said fine or forfeiture and all costs:

Provided, a preference shall be given to the employer, if there be one, in which case the employer shall be entitled to deduct and retain the amount so paid from the wages of such freedman, free Negro, or mulatto then due or to become due; and in case such freedman, free Negro, or mulatto cannot be hired out he or she may be dealt with as a pauper.

Section 6. Be it further enacted, that the same duties and liabilities existing among white persons of this state shall attach to freedmen, free Negroes, and mulattoes to support their indigent families and all colored paupers; and that, in order to secure a support for such indigent freedmen, free Negroes, and mulattoes, it shall be lawful, and it is hereby made the duty of the boards of county police of each county in this state, to levy a poll or capitation tax on each and every freedman, free Negro, or mulatto, between the ages of eighteen and sixty years, not to exceed the sum of $1 annually, to each person so taxed, which tax, when collected, shall be paid into the county treasurer's hands and constitute a fund to be called the Freedman's Pauper Fund, which shall be applied by the commissioners of the poor for the maintenance of the poor.
of the freedmen, free Negroes and mulattoes of this state, under such regulations as may be established by the boards of county police, in the respective counties of this state.

Section 7. Be it further enacted, that if any freedman, free Negro, or mulatto shall fail or refuse to pay any tax levied according to the provisions of the 6th Section of this act, it shall be prima facie evidence of vagrancy, and it shall be the duty of the sheriff to arrest such freedman, free Negro, or mulatto, or such person refusing or neglecting to pay such tax, and proceed at once to hire, for the shortest time, such delinquent taxpayer to anyone who will pay the said tax, with accruing costs, giving preference to the employer, if there be one.

Section 8. Be it further enacted, that any person feeling himself or herself aggrieved by the judgment of any justice of the peace, mayor, or alderman in cases arising under this act may, within five days, appeal to the next term of the county court of the proper county, upon giving bond and security in a sum not less than $25 nor more than $150, conditioned to appear and prosecute said appeal, and abide by the judgment of the county court, and said appeal shall be tried de novo in the county court, and the decision of said court shall be final.


15.3 SHARECROPPING CONTRACT BETWEEN ALONZO T. MIAL AND FENNER POWELL (1886)

For Republicans, the essence of “free labor” was the contract, the notion that either a governing figure and his people, or a wealthy man and those who labored for him, both had to subscribe voluntarily to an explicit agreement outlining their mutual responsibilities in order for their relationship to be binding. Unfortunately, after the war, southern blacks freed from slavery but without land sometimes had little choice but to sign stringent labor contracts with landlords, who were often former slave owners. A system emerged known as sharecropping. The tenant, or “cropper,” would sign an annual contract to work a plot of land in return for a share of the crop. The following is a sharecropping contract from 1886, between a landlord named A. T. Mial and a sharecropper named Fenner Powell.

This contract made and entered into between A. T. Mial of one part and Fenner Powell of the other part both of the County of Wake and state of North Carolina—

Witnesseth—That the Said Fenner Powell hath bargained and agreed with the Said Mial to work as a cropper for the year 1886 on Said Mial’s land on the land now occupied by Said Powell on the west Side of Poplar Creek and a point on the east Side of Said Creek and both South and North of the Mial road, leading to Raleigh, That the said Fenner Powell agrees to work faithfully and diligently without any unnecessary loss of time, to do all manner of work on Said farm as may be directed by Said Mial, And to be respectful in manners and deportment to Said Mial. And the Said Mial agrees on his part to furnish mule and feed for the same and all plantation tools and Seed to plant the crop free of charge, and to give the said Powell One half of all crops raised and housed by Said Powell on Said land except the cotton seed. The Said Mial agrees to advance as provisions to Said Powell fifty pound of bacon and two sacks of meal per month and occasionally some flour to be paid out of his the Said Powell’s part of the
crop or from any other advance that may be made to Said Powell by Said Mial. As witness our hands and seals this the 16th day of January A.D. 1886.


15.4 JOSEPH FARLEY, AN ACCOUNT OF RECONSTRUCTION

Joseph Farley, born in 1843 in Virginia, ran away and joined the Union army. Later he was given a pension. “At that time I never thought about dying,” he remembers. “I never thought about anybody shooting me; I just thought about shooting them.” Interviewed in 1930 by a black student from Fisk University, he gave a rambling account, from which the postwar material has been excerpted. As with all distant recollections, Farley’s may have been affected by the lapse of time and the person conducting the interview.

It was a long, long time before everything got quiet after the war. On Franklin Street here I saw once 100 Ku Klux Klans, with long robes and faces covered. You don’t know anything of them. They were going down here a piece to hang a man. There were about 600 of us soldiers, so we followed them to protect the man. The Klan knew this, and passed on by the house and went on back to town and never did bother the man.

One time a colored soldier married a white woman over here at Fort Bruce. The man belonged to my company. His name was Sergeant Cook. About twenty of the soldiers went to the wedding, and they had about five or six white men who said he couldn’t marry this woman. Old Dr. Taylor . . . came over to marry them. He stood near me and I told him to go on and marry this couple or else someone here would die. He looked around and saw all these soldiers and he knew about us and that we meant for him to do as he had been told. He married them and we guarded our hack over to the war boat on the Cumberland. They went over to Nashville and lived there. They had a daughter whose name was Mrs. Gnatt. When they married was in 1866. Mrs. Gnatt could tell you her father was named Cyrus Cook. Guess you know you can’t do that now, no sir; you just can’t do that now. At one time a colored man could ride anywhere he wanted to, but now he can’t do it. I am one of the first voters of Montgomery County. They told me at one time that I was not to come to the polls or I would be met by 600 men on horses. So about six or eight hundred of us armed and went to the polls with our bayonets. That man that had told me that did not show up. So we voted, and voted for whom we wanted. At that time the Rebels who rebelled against this country could not vote and they said that these Negroes shouldn’t vote but we showed them. Of course, they came down and stood and looked at us but they didn’t bother us. We went there armed and prepared for fighting so that if they started anything, there would be trouble. When they mustered me out from the army, I brought my gun from Nashville right here to Clarksville and kept it twenty-five years. Finally I let an old soldier have it.

When I first came here we had no teachers here but white teachers. They would call the roll same as calling the roll for soldiers. They taught school in the churches before they had school houses. They used to go to school at night and work all day. Clarence C. White’s father, Will White, was the first teacher or principal of the school here in Clarksville.
When the War was over some of the colored returned to their white folks, but I didn’t want to be under the white folks again. I was glad to get out. Once, for fifteen years here, I run a saloon and livery stable. One time I worked on a boat. When I was on my first boat, one time I went to vote. A white man told me that if I voted Republican he would fire me, so I told him to fire me then. I just told him he could fire me right now for I didn’t want to work anyway. I went on and voted the Republican ticket, and they told me they liked my principle and I could go on and go to work.

I still got my discharge from way back in 1866. I keeps it and I mean to keep it as long as I live. I am proud of it.


15.5 EXCERPT FROM THE TESTIMONY OF GADSDEN STEEL FROM PROCEEDINGS IN THE KU KLUX TRAILS AT COLUMBIA, S.C. IN THE UNITED STATES CIRCUIT COURT, NOVEMBER TERM (1871)

Gadsden Steel, a black South Carolinian from York County, appeared as a witness before the joint congressional committee investigating terrorism in the Deep South. South Carolina’s governor had created a state militia, most of whose members were black. Among the targets of Ku Klux Klan violence were African Americans who voted Republican (that is, Radical), but particularly those who had enlisted. Any freed person who owned firearms risked midnight attack or confiscation of his weapons. Fearing for his safety, Steel moved to North Carolina after the attack.

Q. Were you a voter in York County?
A. Yes, sir.
Q. Vote at the last election?
A. Yes, sir.
Q. Are you twenty-one years of age?
A. Twenty-six.
Q. What ticket did you vote?
A. Voted the Radical ticket.
Q. Vote for Mr. Wallace?
A. Yes, sir.
Q. Now, tell the jury about the Ku Klux coming to your house last March, on the night that Jim Williams was killed; what they said and did and what you said, and all about it.
A. They came to my house on a Monday night...
open they couldn’t see me; and they came in and called for me to give up my gun, and I says
I has no gun; and when I spoke they all grabbed me, and taken me out into the yard.

Q. What sort of looking people were they?
A. They was all disguised, as far as I could see—they was all disguised, and struck me three
licks over the head, and jobbed the blood out of me, right forinst my eye, with a pistol; and
four of them walked around to Mr. Moore’s; and, when they started off, one touched the other,
and said let’s go around, and see this man, and then the crowd that had me taken me to
Mr. Moore’s, and asked Mr. Moore if I had a gun; and he said no, not that he knew of; and they
asked me if I had a pistol, and he said no; they asked if I belonged to that company; he said no.

Q. What company?
A. Jim Williams’ company; asked him was I a bad boy, and run about into any devilment; he
said no; I was a very fine boy, as far as he knew; they asked how I voted; he said I voted the Rad-}
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ical ticket; they says, “There, G—d d—n you, I’ll kill you for that”; they took me on out in the
lane, and says, “come out and talk to Number 6”; they locked arms with me, and one took me
by the collar, and put a gun agin me, and marched me out to Number 6; when I went out there,
he was sitting on his horse; I walked up to him; he bowed his head down to me, (illustrating
with a very low bow), and says, “How do you do,” and horned me in the breast with his horns;
had horns on the head about so long, (indicating about two feet;) I jumped back from him, and
they punched me, and said, “Stand up to him, G—d d—n you, and talk to him.” I told them
I would do so; he told me that he wanted me to tell him who had guns.

Q. Who said that?
A. No. 6; I told him I knew a heap that had guns, but hadn’t them now; they had done give
them up; well, says he, aint Jim Williams got the guns? I says I heard folks say that he has
them, but I do not know whether he has then or not. Then he says to me: “We want you to
go and show ups to where his house is; if you don’t show us to where his house is we will kill
you;” and then one looked up to the moon and says: “Don’t tarry here too long with this
d—n n--; we have to get back to hell before daybreak. It won’t do to tarry here too long.”

Says he, “get on.” There was a man standing to the right of me with his beast; his head was
turned from me; I stepped around and got on behind him and rode on around until they
turned towards the school house, about sixty yards down the road, and he asked me did
I want to go, and I told him no. Says I, the fix I am in, if you don’t do anything to me, may
kill me, I hadn’t nothing on but a shirt, pantaloons and drawers. They started in a lope then,
and he hollered to No. 6 that he could not keep up, that I was too heavy. Says he, “this God
damned n—is too heavy.” No. 6 hollows back to him, “let him down,” and he rode close
enough to the fence so that I could get down, and I stepped off; says he, “you go home and
go to bed, and if you are not there when we come along, we will kill you the next time we

call on you, we are going to kill Williams, and we are going to kill all these damned n—s
that votes the Radical ticket; run, God damn you, run.” I ran into the yard, and I heard
somebody talking near the store, and I slipped up beside the palings, and it was Dr. Love
and Andy Lindsey tallying, and Love seen me, and says, “Gadsden, did they hurt you?”
“No,” says I, “not much; they punched the blood out in two places, and knocked me two or
three times about the head, but they did not hurt me very much.” Says he, “you go to bed
and I don’t think they will trouble you very much.” I went home and put on my clothes . . .
and I waked the others up, and we all went out into the old field and laid there until the
chickens crowed for day, and went back to Mr. Moore’s, near the house, and lay there till
clear daylight, and I goes into the yard there, and Mr. Moore came to me and looked over
my face and seen where they had punched the blood out of me, and says then for me to go
on to my work and make myself easy, that they should not come and bother me any more; I never seen any more of them after that.

Q. Now, what time the next day did you learn that Jim Williams was dead?
A. It was about 8 o'clock, when I heard of it.

Q. Did you go down near him?
A. No, sir; I didn’t go. I was busy employed, and didn’t go. I didn’t quit my work to go. I was working at the mill, and some come there to the mill very early that morning and told it...

Q. Jim Williams was killed that night, was he?
A. Yes, sir. He was killed that night.