Commission on History, Race, and a Way Forward

University of North Carolina at Chapel Hill

Resolution 001: To Recommend to Chancellor Kevin Guskiewicz the removal of the names of Charles B. Aycock, Josephus Daniels, Julian S. Carr, Thomas Ruffin, and Thomas Ruffin Jr. from, respectively, Aycock Residence Hall, the Josephus Daniels Building (Student Stores), Carr Building, and Ruffin Residence Hall.

We believe that these names warrant immediate action. The elder Ruffin, Aycock, Daniels, and Carr occupied high positions of influence and public trust. Ruffin served on the North Carolina Supreme Court from 1829 to 1852, and again from 1858 to 1859. For all but four of those years, he presided as chief justice. Among legal scholars, his ruling in *State v. Mann* (1829) is known as "the coldest and starkest defense of the physical violence inherent in slavery that ever appeared in an American judicial opinion." Aycock, Daniels, and Carr led the Democratic Party's white supremacy campaigns of 1898 and 1900. Aycock was a key strategist in both campaigns and ran as the party's gubernatorial candidate in 1900; Daniels, editor and publisher of the Raleigh *News and Observer*, served as chief propagandist; and Carr, a Durham industrialist and leader of the United Confederate Veterans in North Carolina, provided financial backing. Together, they fought to disenfranchise black men and to establish the regime of Jim Crow, which for more than half a century denied black North Carolinians equal justice and the fundamental rights of citizenship.

Thomas Ruffin Jr. was a lawyer, one-term legislator, and former Confederate officer. He served briefly as an associate justice on the North Carolina Supreme Court (1881-1883) but otherwise left no distinctive mark on jurisprudence.

Aycock, Carr, Daniels, and the elder Ruffin were not simply men of their times. Instead, they wielded power, wealth, and influence to define the historical moments in which they lived.

Evidentiary support for this recommendation is attached herewith.

We believe that other names on the landscape warrant action. We will make additional recommendations based on archival research and engagement with stakeholders on campus and in the broader community.

Approved by unanimous vote, July 10, 2020

For the Commission,

Patricia S. Parker

Patricia S. Parker

James Leloudis

Commission Members

James Leloudis (co-chair), Professor of History; Peter T. Grauer Associate Dean for Honors Carolina; Director, Johnston Center for Undergraduate Excellence

Patricia Parker (co-chair), Associate Professor and Chair, Department of Communication; Director, Graduate Certificate for Participatory Research

Ariana Avila, PhD Student, Department of Anthropology (2020-2021)

Delores Bailey, Executive Director, EmPOWERment Inc.; and Chapel Hill community member

Larry Chavis, Clinical Associate Professor of Strategy and Entrepreneurship, Kenan-Flagler Business School; Director, UNC American Indian Center

Giselle Corbie-Smith, Kenan Distinguished Professor of Social Medicine; Director, Center for Health Equity Research; Professor, Internal Medicine, UNC School of Medicine

Nicholas Graham, University Archivist, University Archives and Records Management Services, University Libraries

Ronald Harris, UNC Alum; Student, School of Medicine, Duke University

Amy Locklear Hertel, Chief of Staff to the Chancellor; Clinical Assistant Professor, UNC School of Social Work

Danita Horton, Graduate Student, School of Social Work (2020-2021)

Sherick Hughes, Professor, UNC School of Education; Founder and Director, Interpretive Research Suite & Carter Qualitative Thought Lab; Founder and Co-Director, Graduate Certificate in Qualitative Studies

Kenneth Janken, Professor, African, African American, and Diaspora Studies

Dawna Jones, Assistant Dean of Students, Student Affairs; Chair, Carolina Black Caucus

Joseph Jordan, Director, Sonja H. Stone Center for Black Culture and History; Adjunct Associate Professor, African, African American, and Diaspora Studies

Seth Kotch, Associate Professor, American Studies; Director, Southern Oral History Program

Danita Mason-Hogans, Project Coordinator, Critical Oral Histories, Center for Documentary Studies at Duke University; and Chapel Hill community member

Josmell Pérez, Director, The Carolina Latinx Center

Sydni Janell Walker, Undergraduate Student (2020-2021)

Graham Watkins, Undergraduate Student (2020-2021)

Aycock Residence Hall

The Board of Trustees named this building in 1928 to honor Governor Charles Brantley Aycock, Class of 1880.[1]

Aycock:

- **Spearheaded the Democratic Party's white supremacy campaign of 1898**
- **Condoned the use of violence to terrorize Black voters and their white allies**
- **Campaigned for governor in 1900 on a platform of white supremacy and Black disenfranchisement**
- **Embraced "White supremacy and Its Perpetuation" as the guiding principle of his political career**

Charles Brantley Aycock was born in 1859, the youngest of Benjamin and Serena Aycock's ten children. His parents owned a farm that sprawled across more than one thousand acres of fields and woodland in Wayne County. They were made prosperous by the labor of thirteen enslaved men, women, and children who cultivated that land. Benjamin was a fervid Confederate who served in the state senate through the end of the Civil War and into the early years of Reconstruction. In 1866, he supported passage of a Black Code that severely restricted the freedom of North Carolinians who were newly emancipated from slavery.[2]

Charles graduated from the University of North Carolina in 1880 and soon after established a legal practice in Goldsboro. He became an influential figure in state politics, and between 1893 and 1897 served by presidential appointment as U.S. attorney for the eastern district of North Carolina. In 1898, Aycock and UNC classmate Locke Craig – described in newspaper reports as "young apostles" of "white supremacy" – appeared together at a rally in Laurinburg, where they launched the Democratic Party's campaign to unseat a Fusion alliance of Black Republicans and white third-party Populists that had won control of the state legislature and the governor's office in the elections of 1894 and 1896.[3]

On the campaign trail, Aycock denounced "negro domination," complained of the "curse of negro jurymen" who sat in judgment of whites in the state's courts, and whipped up fear of Black men's alleged lust for white women. He and other party leaders encouraged loyal Democrats to organize "White Government" clubs in communities across the state and to muster squads of vigilantes known as Red Shirts for the purpose of terrorizing Black voters and their white allies. The worst violence occurred in Wilmington, where a white mob took up arms

---

[1] Minutes, June 11, 1928, oversize volume 13, Board of Trustees of the University of North Carolina Records, 1789-1932, #40001, University Archives, Wilson Library, University of North Carolina at Chapel Hill.

[2] Oliver H. Orr Jr., *Charles Brantley Aycock* (Chapel Hill: University of North Carolina Press, 1961), 5, 11, 14-16.

[3] Orr, *Charles Brantley Aycock*, 33, 36-85, 111-14; R.D.W. Connor and Clarence H. Poe, eds., *Life and Speeches of Charles Brantley Aycock* (New York: Doubleday, Page and Company, 1912), xii, 70; "White Men to the Front," *Wilmington Messenger*, May 13, 1898.

in the only municipal coup d'état in American history. They marauded through Black neighborhoods, killing wantonly along the way; burned the offices of Wilmington's Black newspaper; and forced the resignation of the city's Black and white Fusion board of aldermen.[4]

Red Shirts were the paramilitary arm of the state Democratic Party.
Laurinburg, N.C., 1898. Courtesy of the North Carolina Office of Archives and History.

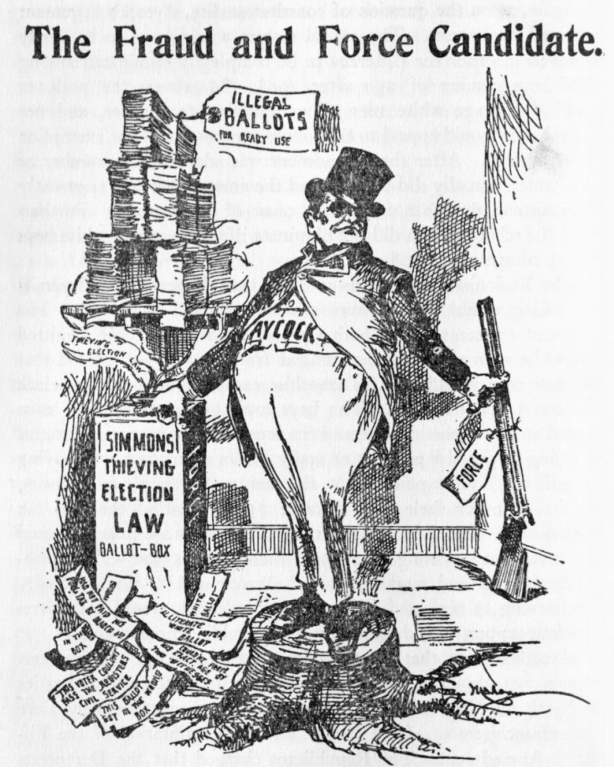
On Election Day, Democrats regained control of state government. They then moved to consolidate their hold on power and to lock Black North Carolinians into permanent subjugation. In the 1899 legislative session, they passed the state's first Jim Crow law, which required that train passengers be segregated by race, and drafted an amendment to the state constitution that, once approved by popular referendum in the next election, would impose a literacy test designed to strip Black men of the right to vote. As the Democrats' gubernatorial nominee in 1900, Aycock made ratification of the amendment the centerpiece of his campaign.[5]

---

[4] Orr, *Charles Brantley Aycock*, 114, 123-24, 131-32; H. Leon Prather, Sr., "The Red Shirt Movement in North Carolina, 1898-1900," *Journal of Negro History* 62 (April 1977): 174-84; LeRae Umfleet, *The 1898 Wilmington Race Riot Report*, 1898 Race Riot Commission, Research Branch, Office of Archives and History, North Carolina Department of Cultural Resources, May 31, 2006, https://bit.ly/3dLwkRg; David Zucchino, *Wilmington's Lie: The Murderous Coup of 1898 and the Rise of White Supremacy* (New York: Grove Atlantic, 2020). The red shirt was a symbol of the bloody sacrifice of Confederate soldiers who gave their lives to defend white rule and racial slavery.

[5] Paul D. Escott, *Many Excellent People: Power and Privilege in North Carolina, 1850-1900* (Chapel Hill: University of North Carolina Press, 1985), 259-60; Orr, *Charles Brantley Aycock*, 146-53, 157-160, 167-71. The amendment and the revised election law that subsequently put it into practice required that would-be voters wishing to register first demonstrate – "to the satisfaction" of local election officials – their ability to "read and write any section of the Constitution in the English language." That gave Democratic registrars wide latitude to exclude black men from the polls. The amendment also included a grandfather clause that exempted from the literacy test adult males who had been eligible to vote or were lineal descendants of men who had been eligible to

As in 1898, Red Shirts turned up at many of Aycock's rallies. More than one thousand white men, armed and on horseback, welcomed him to Hillsborough; in Clinton, a band of twelve hundred formed an honor guard that escorted him into town. The vigilantes reinforced Aycock's message: He and his party had given fair warning of their willingness – in Aycock's words – to "rule by force"; only a vote for white supremacy and Black disenfranchisement would restore peace and good order. For a majority of whites, Aycock's appeals to race hatred and threats of violence were persuasive. When ballots were counted, he and the constitutional amendment won by a margin of 59 to 41 percent. That victory marked the beginning of a new era of white rule that for more than half a century denied Black North Carolinians their fundamental rights as American citizens.[6]



Aycock's opponents used his own words to label him the "Fraud and Force Candidate" in the 1900 gubernatorial election. *The Caucasian* (Clinton, N.C.), June 21, 1900.

vote before January 1, 1867. That was a magic date, because it preceded the limited right to vote given to black men under the Military Reconstruction Act, passed in March 1867. The literacy test was thus designed to achieve the very thing the Fifteenth Amendment to the U.S. Constitution expressly outlawed – voter exclusion based on race. See *Laws and Resolutions of the State of North Carolina, Adjourned Session 1900* (Raleigh: Edwards and Broughton, and E.M. Uzzell, 1900), chap. 2; *Public Laws and Resolutions of the State of North Carolina, Passed by the General Assembly at Its Session of 1901* (Raleigh: Edwards and Broughton, and E.M. Uzzell, 1901), chap. 89, sec 12.

[6] Orr, *Charles Brantley Aycock*, 174-77; Prather, "Red Shirt Movement," 181-83; "Aycock at Snow Hill," *Morning Post* (Raleigh, N.C.), March 1, 1900; Connor and Poe, eds., *Life and Speeches*, 81, 218-19, 262-63; J. Morgan Kousser, *The Shaping of Southern Politics: Suffrage Restriction and the Establishment of the One-Party South* (New Haven, Conn.: Yale University Press, 1974), 193.

Aycock in the U.S. Capitol's Statuary Hall. Courtesy of the Architect of the Capitol.

After his death in 1912, state leaders memorialized Aycock as North Carolina's "Education Governor." They noted that he significantly increased school spending during his time in office, opposed lawmakers who tried to prohibit the use of white tax receipts for Black education, and launched a program to build hundreds of rural schoolhouses. For admirers, these accomplishments were reason enough to disregard the deadly price of white supremacy and to crown Aycock with what one devotee described as "a halo of justice and idealism." The Aycock Memorial Association erected a statue of the governor on the state capitol grounds in Raleigh in 1924. Eight years later, the state placed another likeness of Aycock in the U.S. Capitol's Statuary Hall, where it stands alongside the marble form of North Carolina's Confederate governor, Zebulon B. Vance.[7]

But there was more to the historical record, even on the narrow question of education. The Fusion lawmakers Aycock opposed in 1898 also valued North Carolina's public schools, and during their brief time in power, they funded instruction for Black and white children on an equal per capita basis. That contrasted with sharp disparities under Aycock's administration. By the end of his term in 1904, construction of new schoolhouses for whites was outpacing that for Blacks eight-to-one and per capita spending on the education of Black children was half that for whites.[8]

These figures are a reminder that Charles Aycock was a principal architect of the regime of Jim Crow, which denied Black North Carolinians equal justice and the basic rights of citizenship for more than half a century. As Aycock assured delegates to the Democratic state convention in 1900, "White Supremacy and Its Perpetuation" was the guiding principle of his political life.[9]

---

[7] Rupert B. Vance, "Aycock of North Carolina," *Southwest Review* 18 (April 1933), 288-306, quotation at 306; "Aycock Statue Unveiled Before Admiring Throng in State's Capital City," *Goldsboro News*, March 14, 1924; "Aycock Memorial Presented to State in Simple Ceremony," *News and Observer* (Raleigh, N.C.), March 14, 1924; "Keck to Design Aycock's Statue," *News and Observer* (Raleigh, N.C.), November 18, 1930; *Acceptance and Unveiling of the Statue of Charles Brantley Aycock* (Washington, D.C.: Government Printing Office, 1932).

[8] *Biennial Report of the Superintendent of Public Instruction for the Scholastic Years 1894-95 and 1895-96* (Winston: M.I. and J.C. Stewart, 1897), 45-46; *A Decade of Educational Progress in North Carolina, 1901-1910* (Raleigh: Office of the State Superintendent of Public Instruction, 1912), 12; *Biennial Report of the Superintendent of Public Instruction of North Carolina, Scholastic Years 1904-1905 and 1905-1906* (Raleigh: E.M. Uzzell and Co., 1907), part II: 97, 104, 131.

[9] "Address Accepting the Democratic Nomination for Governor," April 11, 1900, in Connor and Poe, eds., *Life and Speeches,* 224.

Since 2014, Aycock's name has been removed from campus buildings at Duke University, East Carolina University, and the University of North Carolina at Greensboro.[10]

UNC Commission on History, Race, and a Way Forward – July 10, 2020

Updated August 10, 2020

[10] "This Duke Dorm Is No Longer Named After a White Supremacist Former Governor," *Washington Post*, June 17, 2014; "ECU to Remove Gov. Charles B. Aycock's Name from Dorm," *News and Observer* (Raleigh, N.C.), February 20, 2015; "UNCG Drops Aycock's Name from Auditorium," *News and Record* (Greensboro, N.C.), February 18, 2016.

Carr Building

The Board of Trustees named this building in 1900 to honor Julian Shakespeare Carr, who studied at UNC in the mid 1860s and served as a trustee from 1877 until his death in 1924. Carr Building was a residence hall until the 1980s, when it was converted to office space. Carr provided the funds for its construction.[1]

Carr:

- **Provided financial underwriting for the Democratic Party's white supremacy campaign of 1898**
- **Used violence and condoned its use by others to suppress Black claims to equal citizenship**
- **Labored to legitimize the regime of Jim Crow by promulgating a false history of the Civil War and its aftermath**

Julian Shakespeare Carr was born in 1845, the third of seven children in the household of John W. and Eliza P. Carr. His father was a wealthy Chapel Hill merchant, who in 1860 owned $6,000 worth of real estate and $30,000 worth of personal property. Roughly a third of the latter sum derived from the value of nine enslaved men, women, and children who ranged in age from four months to forty years. Today, the combined value of John Carr's holdings would be $1.1 million, $390,000 of which would be represented by the people he held in bondage.[2]

The younger Carr studied at the University of North Carolina from 1862 to 1864, when he left to serve in the Confederate army. He returned for the 1865-66 academic year and then departed again in 1868, this time for Little Rock, Arkansas, where he worked in an uncle's business. A remembrance of him written many years after his death ascribed the move to

[1] Minutes, October 6, 1967, oversize vol. 11, Board of Trustees of the University of North Carolina (System) Records, 1932-1972, #40002, University Archives, Wilson Library, University of North Carolina at Chapel Hill; Kemp P. Battle, *History of the University of North Carolina*, vol. 2 (Raleigh: Edwards and Broughton Printing Company, 1912), 588-89. The building was named on the recommendation of the Board of Trustees' Committee on Memorials and Naming Buildings. Carr received a B.A. in 1911, when the university bestowed degrees on alumni, living and dead, who left their studies to fight for the Confederacy. See J.G.de R. Hamilton, "Return of the War Classes," *University of North Carolina Magazine*, New Series, 29 (October 1911), 16-24.

[2] Louise L. Queen, "Julian Shakespeare Carr," William S. Powell, ed., *Dictionary of North Carolina Biography*, vol. 1 (Chapel Hill: University of North Carolina Press, 1979), 330; 1860 U.S. Federal Census, Population Schedule, Chapel Hill, Orange County, North Carolina; 1860 U.S. Federal Census, Slave Schedule, Chapel Hill, Orange County, North Carolina. Census records are available online at Ancestry.com. The estimated value of John Carr's human property is based on an average individual value of $800 for the South's four million enslaved people in 1860. See Samuel H. Williamson, "Measuring Slavery in 2016 Dollars," https://bit.ly/2VX5H5L.

"wanderlust," but there is evidence to suggest that more serious considerations may have been at play.[3]

On September 12, 1865, Carr and a number of other students broke up a political meeting organized by newly emancipated Black residents of Chapel Hill. Newspaper accounts reported that "a general fight ensued, in which some of the students were pretty badly injured and the negroes roughly handled, pistols and sticks being freely used." Carr was arrested and then released on bail, secured by university president David L. Swain. We do not know how the case concluded, but three years later, in August 1868, Carr was involved in another assault. In this instance, he and his brothers – "on slight provocation," according to one witness – flogged a Black woman near the university campus. She subsequently took her case to Freedmen's Bureau officials headquartered in nearby Hillsborough. Again, the archival record goes cold, but it is clear that Carr was in danger of prosecution before a military tribunal. That may well be the explanation for his move to Little Rock. Such speculation is supported by Carr's public boasts that he had been a Klansman. "Back . . . when there was need of the Ku Klux Klan, I was one of them," he confessed, "and I am proud of that fact." So, it seems that the flogging incident was not a one-off act of violence but rather an expression of what a Raleigh newspaper described as the "intense rebel spirit" that prevailed in Chapel Hill. Over the course of the following year, surrounding Orange County and nearby Alamance and Caswell Counties became sites of some of the most intense Klan activity in the state. Had Carr not fled, he would have faced the very real prospect of imprisonment, or worse.[4]

Carr returned to Chapel Hill in 1870, and with his father's financial backing purchased a third interest in the W.T. Blackwell Tobacco Company in Durham. Carr had a genius for marketing. By the early 1880s, he had made Blackwell's "Bull Durham" tobacco an internationally recognized brand. The company shipped its product worldwide and had offices in Bombay and Shanghai. Carr took a special interest in China, where he supported the work of Methodist missionaries and later became a financier of the Chinese Nationalist revolution. Spreading the Gospel and dethroning China's last emperor were, for him, elements of a single project to open the country's vast market to American commerce. With similar shrewdness,

---

[3] Queen, "Julian Shakespeare Carr," 330; *Representative Men of the South* (Philadelphia: Chas. Robson and Co., 1880), 506-8; "Julian S. Carr Remembered for His Activities as Civil War General," *Daily Times-News* (Burlington, N.C.), October 24, 1962.

[4] "A Difficulty at Chapel Hill," *Sentinel* (Raleigh, N.C.), September 20, 1865; bail bond, Julian S. Carr, September 13, 1865, Records Relating to Civil Affairs, Raleigh Post, Records of U.S. Army Continental Commands, Record Group 393, National Archives, Washington, D.C.; Solomon Pool to John Pool, August 19, 1868, in Horace Raper ed., and Memory W. Mitchell, assoc. ed., *The Papers of William Woods Holden*, vol. 1 (Raleigh: Division of Archives and History, North Carolina Department of Cultural Resources, 2000), 355; untitled news item, *Daily Standard* (Raleigh, N.C.), August 14, 1868. Carr spoke proudly of his Klan membership. See "Traducers Shown to Be Slandering Their Own State and Their Own People," *News and Observer* (Raleigh, N.C.), October 16, 1908; "General Jule Carr on the Ku Klux Klan," *The Independent* (Elizabeth City, N.C.), November 4, 1921; "Sons of Veterans also Pick Klan Member as Chief," *Waco News-Tribune* (Waco, Tex.), April 13, 1923. On Klan violence, see Carole Watterson Troxler, "'To Look More Closely at the Man': Wyatt Outlaw, a Nexus of National, Local, and Personal History," *North Carolina Historical Review* 77 (October 2000), 403-33; Luther M. Carlton, "The Assassination of John Walter Stephens," *Annual Publication of Historical Papers*, series 2 (Durham, N.C.: Historical Society of Trinity College, 1898), 1-12.

Carr also maneuvered to buy out other Blackwell investors and establish a majority stake in the firm. Then, in 1898, he sold the business to James B. Duke's American Tobacco Company for the remarkable sum of $3,000,000. In the decades that followed, Carr used the profit from that sale to expand a business empire that included textile and hosiery mills, railroads, banks, and electric and telephone companies.[5]

Carr's wealth made him an influential figure in state politics. He was heavily involved in the Democratic Party's white supremacy campaigns in 1898 and 1900 against a Fusion alliance of Black Republicans and white third-party Populists that had controlled state government since 1894. Carr provided the financial backing for newspaperman Josephus Daniels, who acquired a failing Raleigh daily, the *News and Observer*, and transformed it into the propaganda arm of the party. Daniels filled the newspaper with stories and political cartoons that stoked fears of "negro domination" and Black men's purported lust for white women. To amplify that message, Carr and a small circle of associates paid to send the *News and Observer* and other loyal Democratic papers to more than 40,000 white households that otherwise had no subscriptions.[6]

On Election Day, 1898, Democrats took back control of the state legislature. Elated, Carr sent a note of gratitude to fellow industrialist Bennehan Cameron, whose cash donations had helped to finance the victory for "Anglo-Saxon manhood" and "WHITE SUPREMACY." To mark the occasion, he enclosed a souvenir badge adorned with his own image. Carr also fired off a triumphant telegram to President William McKinley. "Men with white skins," he exclaimed, "will rule North Carolina ever hereafter."[7]

---

[5] Queen, "Julian Shakespeare Carr," 330; *Representative Men of the South*, 509-10; Mena Webb, *Jule Carr: General Without an Army* (Chapel Hill: University of North Carolina Press, 1987), 236. On Carr's financial support for the Chinese Nationalist revolution, see Sterling Seagrave, *The Soong Dynasty* (London: Lume Books, 2018), 39-158; E.A. Haag, *Charlie Soong: North Carolina's Link to the Fall of the Last Emperor of China* (Greensboro, N.C.: Jaan Publishing, 2015); Bangnee Liu, "China's Role in the Postwar World," and Costen J. Harrell, "General Carr and the Education of Charlie Soong," in C. Sylvester Green, ed., *General Julian S. Carr: Greathearted Citizen* (Durham, N.C.: The Seeman Printery, 1946), 56-73.

[6] LeRae Umfleet, *The 1898 Wilmington Race Riot Report*, 1898 Race Riot Commission, Research Branch, Office of Archives and History, North Carolina Department of Cultural Resources, May 31, 2006, 62, https://bit.ly/3dLwkRg.

[7] Carr to Bennehan Cameron, December 30, 1898, series 1.2, folder 275, Bennehan Cameron Papers, 1866-1962, #03623, Southern Historical Collection, and mementos of the 1898 white supremacy campaign, North Carolina Collection, Wilson Library, University of North Carolina at Chapel Hill; "Shows Large Democratic

Over the next two years, Democrats set about securing that prophecy. They steered North Carolina's first Jim Crow law through the state legislature, elected Charles B. Aycock governor under the banner of white supremacy, and amended the state constitution to disenfranchise Black men by imposing a literacy test on prospective voters. The amendment hobbled the state Republican Party – which sought to save itself with a "lily-white" purge of Black members – and ushered in a half-century of one-party white rule.[8]

More than race hatred animated this new order. White supremacy was, at its core, a system of power and plunder that drove Black earnings down to near subsistence levels, reduced white wages by devaluing labor in general, and sustained itself with a racial ideology that persuaded even the poorest whites to see their economic interests as opposed to those of Blacks beneath them. The end effect was to trap the vast majority of Black North Carolinians on the land as a semi-bound labor force of sharecroppers and tenant farmers, and to make the wages paid in North Carolina's textile mills and tobacco factories some of the lowest in the nation. This was the Jim Crow regime that made Julian Carr and others of his class wealthy men.[9]

The economic logic of white supremacy helps to explain Carr's devotion to the Lost Cause. He led the United Confederate Veterans in North Carolina and proudly bore the title of 'General,' which the organization bestowed on him despite the fact that he never served above the rank of private. That position of honor and respect made Carr a regular and much-sought-after speaker at the dedication of Confederate monuments erected in the years following the white supremacy campaigns. At such an event in Chapel Hill in 1913, he delivered the now

---

Majorities, Col. J.S. Carr's Telegram to McKinley," *Charlotte Observer*, November 9, 1898. The badge in the illustration is decorated with a profile image of Julian Carr, chairman of the executive committee of the Durham County Democratic Party. The centerpiece of the state party's post-election "jubilee" in Raleigh was a "great mammoth arch" made of chrysanthemums that held aloft portraits of Carr, Josephus Daniels, and party chairman Furnifold Simmons. See "Raleigh's News Budget," *Wilmington Morning Star*, November 15, 1898.

[8] Paul D. Escott, *Many Excellent People: Power and Privilege in North Carolina, 1850-1900* (Chapel Hill: University of North Carolina Press, 1985), 259-60; J. Morgan Kousser, *The Shaping of Southern Politics: Suffrage Restriction and the Establishment of the One-Party South* (New Haven, Conn.: Yale University Press, 1974), 183-95; Helen G. Edmonds, *The Negro and Fusion Politics in North Carolina, 1894-1901* (Chapel Hill: University of North Carolina Press, 1951), 91-93, 213-14, 222. The amendment and the revised election law that put it into practice required that would-be voters wishing to register first demonstrate – "to the satisfaction" of local election officials – their ability to "read and write any section of the Constitution in the English language." That gave Democratic registrars wide latitude to exclude Black men from the polls. The amendment also included a grandfather clause that exempted from the literacy test adult males who had been eligible to vote or were lineal descendants of men who had been eligible to vote before January 1, 1867. That was a magic date, because it preceded the limited right to vote given to Black men under the Military Reconstruction Act, passed in March 1867. The literacy test was thus designed to achieve the very thing the Fifteenth Amendment to the U.S. Constitution expressly outlawed – voter exclusion based on race. See *Laws and Resolutions of the State of North Carolina, Adjourned Session 1900* (Raleigh: Edwards and Broughton, and E.M. Uzzell, 1900), chap. 2; *Public Laws and Resolutions of the State of North Carolina, Passed by the General Assembly at Its Session of 1901* (Raleigh: Edwards and Broughton, and E.M. Uzzell, 1901), chap. 89, sec 12.

[9] Robert R. Korstad and James L. Leloudis, *To Right These Wrongs: The North Carolina Fund and the Battle to End Poverty and Inequality in 1960s America* (Chapel Hill: University of North Carolina Press, 2010), 16-17. On white supremacy as a system of plunder, see Coates, "The Case for Reparations," *The Atlantic*, June 2014.

infamous speech in which he boasted of having “horse-whipped a negro wench until her skirts hung in shreds, because on the streets of this quiet village she had publicly insulted and maligned a [white] Southern lady." Carr appears to have been recalling the assault he committed in 1868.[10]

Carr told the story to underscore the purpose of UNC's newly installed Confederate monument and others of its kind. The statue honored all university men who fought for the Confederacy – the *living* as well as the dead, and most especially the veterans who, like Carr, enlisted in the postwar battle to restore white rule. For those men, service to the Confederate cause "did not end at Appomattox." In peacetime, they answered demands for racial equality with acts of terror. They "saved the very life of the Anglo-Saxon race," Carr declared. "Praise God." In Carr’s fevered imagination, the alternative could not have been worse: he believed with certainty that had he and other “heroes” shirked their duty, the South would have become “a Black Republic.”[11]

As the stories of Carr’s youth suggest, he had few qualms about the use of violence to enforce racial order. He made that clear in an 1899 speech on the subject of lynching. Carr linked vigilante killing to what he characterized as Black men’s bestial sexuality and a purported epidemic of Black-on-white rape. Quoting Rebecca Latimer Felton, an outspoken advocate of rough justice, he declared forthrightly, “’the black fiend who lays lustful hands upon a [white] woman cannot be killed too soon, and no punishment, legal or illegal, is too severe to be administered speedily.’” Carr traced lynching’s origins to the Reconstruction era and efforts to grant equality to newly emancipated slaves who were, in his view, unprepared for its responsibilities. That “blunder,” he contended, had left Black men’s impudence and licentiousness unrestrained. By this logic, there was but one way to put an end to lynching. The violence would stop when Blacks accepted white supremacy as Nature’s law and began to teach moral rectitude and “uprightness” in their homes, schools, and sanctuaries.[12]

Such reasoning defined what scholar Paul Mullins has described as Carr’s “raw paternalistic racism.” He could speak in one moment as a white-robed Klansman and act in the next as a generous philanthropist. In Durham, he provided much-needed funding for the North Carolina College for Negroes (now North Carolina Central University), supported the city’s leading Black church, and backed Black businessmen such as John Merrick, one of the founders of the North Carolina Mutual Life Insurance Company. To Carr’s way of thinking, these institutions offered Blacks the means to “make everlasting war upon the brute element of

---

[10] Webb, *Jule Carr*, 196; “Unveiling of Confederate Monument at University,” June 2, 1913, series 2.2, folders 26 and 27, Julian Shakespeare Carr Papers, 1892-1923, #00141, Southern Historical Collection, Wilson Library, University of North Carolina at Chapel Hill.

[11] “Unveiling of Confederate Monument at University”; untitled address to the United Daughters of the Confederacy, Chattanooga, Tennessee, series 2.2, folder 31a, Carr Papers.

[12] “Col. Carr on the Race Problem,” and “Col. Julian S. Carr on Lynching,” *Farmer and Mechanic* (Raleigh, N.C.), May 30, 1899; untitled speech, series 2.2, folder 30b, Carr Papers. On Rebecca Latimer Felton, see LeeAnn Whites, “Love, Hate, Rape, Lynching: Rebecca Latimer Felton and the Gender Politics of Racial Violence,” in David S. Cecelski and Timothy B. Tyson, *Democracy Betrayed: The Wilmington Race Riot of 1898 and Its Legacy* (Chapel Hill: University of North Carolina Press, 1998), 143-62.

[their] race." The onus was on Black people to *earn* the right to live without fear as free and equal citizens – a right that whites took for granted as an entitlement by birth. "I am and have been a friend of the negro, in the negro's place," Carr explained. "Whenever and wherever the negro has behaved himself . . . my disposition has been to lend him a helping hand."[13]

This concern for keeping Blacks in their place also appears to have steered Carr into support for the Nineteenth Amendment to the U.S. Constitution, which, when ratified in 1920, afforded women the right to vote. He provided financial backing for the North Carolina Equal Suffrage League and counseled its leadership on strategy and tactics. Though the closure of archives on account of the coronavirus pandemic has prevented a full investigation of the question, it seems reasonable to assume that Carr regarded woman suffrage, at least in part, as an important means of safeguarding the future of white supremacy. That was the view of two of his closest allies in the cause: Walter M. Clark, Chief Justice of the North Carolina Supreme Court, and Martha H. Haywood, publicity chairwoman of the suffrage league.[14]

Clark worried that an increase in the number of qualified Black voters was inevitable, either as a result of legal challenges brought against the disenfranchisement amendment to the state constitution or, more immediately, as a consequence of demands for equal citizenship made by the 25,000 Black North Carolinians who fought in World War I. He believed that there was "no other way to offset these votes" than to give white women access to the ballot box. The math seemed clear and compelling. "In North Carolina the white population is 70% and the negro 30%," Clark explained, "hence there are 50,000 more white women than all the negro men and negro women put together." Under these circumstances, could anyone doubt that "Equal Suffrage" for women would "strengthen . . . White Supremacy" and "make it more secure"? In an opinion column reprinted statewide, Martha Haywood echoed Clark's reasoning. "If white domination is threatened in the South," she declared, "it is therefore doubly expedient to enfranchise [white] women quickly in order that it be preserved." So, too, said U.S. Senator Furnifold Simmons, chief architect of the white supremacy campaigns of 1898 and 1900, and Josephus Daniels, whose newspaper Carr helped to elevate as the mouthpiece of white rule. Both men endorsed Haywood's plea in a broadside that was widely circulated by the suffrage league.[15]

---

[13] Paul Mullins, "A Digital Heritage of Confederate Memorialization: Julian Carr and Silent Sam," Archaeology and Material Culture, August 30, 2018, https://bit.ly/38YMbuI; Jean Bradley Anderson, *Durham County: A History of Durham County, North Carolina* (Durham, N.C.: Duke University Press, 1990), 259-60; Walter B. Weare, *Black Business in the New South: A Social History of the North Carolina Mutual Life Insurance Company* (Durham, N.C.: Duke University Press, 1993), 39-42, 51; undated speech in support of the disenfranchisement amendment to the state constitution, series 2.2, folder 21, Carr Papers.

[14] Over time, the state organization was known interchangeably as the Equal Suffrage League and the Equal Suffrage Association.

[15] Ida Husted Harper, ed., vol. 6, *The History of Woman Suffrage* (New York: J.J. Little and Ives Company, 1922), 491; "Equal Suffrage Convention," *Asheville Gazette-News*, September 15, 1914; Walter Clark, *Ballots for Both, An Address by Chief Justice Walter Clark, at Greenville, N.C., 8 December 1916* (Raleigh: Commercial Printing Co., 1917), cover page and 10; Martha Haywood, "No Man's Land," *Carter's Weekly* (North Wilkesboro, N.C.), August 20, 1920; Leonard Rogoff, *Gertrude Weil: Jewish Progressive in the New South* (Chapel Hill: University of North Carolina Press, 2017), 129-30. See also John James Kaiser, "Judicial Knight Errant: Walter Clark and the Long

Over the course of a lifetime, Carr gave hundreds of speeches to promulgate these understandings of the Civil War, its aftermath, and its implications for Black citizenship and American democracy. With that same goal in mind, he also labored to ensure that white children would be schooled in "the truths of Confederate history." In 1919, he joined the steering committee for a project undertaken by the United Confederate Veterans and the United Daughters of the Confederacy to censor what was written and taught about the slaveholding South and its war against the United States. The two groups distributed thousands of copies of a pamphlet titled *A Measuring Rod to Test Text Books and Reference Books in Schools, Colleges, and Libraries*. The publication offered a catechism of Confederate principles such as these: "Secession Was Not Rebellion," "Slaves Were Not Ill-Treated in the South," and "The War Between the States Was Not Fought to Hold the Slaves." Carr and the steering committee urged public school and college officials to reject textbooks that did not teach these truths and implored librarians to mark the title pages of offending scholarly works with the words "*Unjust to the South*" (emphasis in the original). This campaign to teach a false history of slavery, the Confederacy, and the origins of Jim Crow was remarkably effective; even today, its tenets persist in classroom lessons and public memory.[16]

In these many ways, Julian Carr devoted himself to the maintenance of white supremacy. He was not simply "a product of his time," as one biographer has claimed. He instead labored as a master builder of one of the darkest eras in American history – a time marked by extra-legal violence and legalized injustice that made a mockery of the nation's professed values.[17]

Duke University's Board of Trustees removed Carr's name from a campus office building in December 2018. The structure was named for him in 1930 in recognition of the gift of land on which the university's East Campus was built.[18]

UNC Commission on History, Race, and a Way Forward – July 10, 2020

Updated August 10, 2020

Progressive Era in North Carolina" (Ph.D. dissertation, University of North Carolina at Greensboro, 2015), chap. 6; Joyce Weaver, "Biographical Sketch of Martha Helen Haywood," Biographical Database of NAWSA Suffragists, 1890-1920, Alexander Street, https://bit.ly/2EmvaQ5; "Makes for White Supremacy," *The Woman Citizen*, August 21, 1920. In August 1920, Tennessee became the thirty-sixth sate to ratify the Nineteenth Amendment, making woman suffrage the law of the land. North Carolina legislators did not approve the amendment until 1971, followed only by their counterparts in Mississippi, who finally yielded 1984.

[16] Mildred Lewis Rutherford, *A Measuring Rod to Test Text Books and Reference Books in Schools, Colleges, and Libraries* (Athens, Georgia: [United Confederate Veterans], [1919]: Karen Cox, *Dixie's Daughters: The United Daughters of the Confederacy* (Gainesville: University Press of Florida, 2003), chap. 7.

[17] Webb, *Jule Carr,* 193.

[18] "Julian Carr's Name Will Be Removed from a Duke University Building," *News and Observer* (Raleigh, N.C.), December 2, 2018. The building had been named for Carr in recognition of the gift of land on which Duke's East Campus was built. See "Julian S. Carr and the Carr Building," University Archives, Duke University Libraries, https://bit.ly/2BGsuMi.

Josephus Daniels Building

The Board of Trustees named this building in 1967 to honor Josephus Daniels, who studied law at UNC in 1885 and served as a trustee from 1901 until his death in 1948. The building has housed the Student Stores since its opening in 1968.[1]

Daniels:

- **Shaped strategy for the Democratic Party's white supremacy campaigns of 1898 and 1900**
- **Positioned the *News and Observer* as the propaganda arm of the party and used political cartoons and sensationalist reporting to demonize Black voters and politicians as a threat to whites**
- **As Secretary of the Navy, promoted Jim Crow segregation in the federal bureaucracy and racial subjugation in U.S.-occupied Haiti**
- **Opposed President Harry S. Truman's Committee on Civil Rights and its call for an end to Jim Crow segregation**

Josephus Daniels was born in 1862, one of three brothers in the household of Josephus and Mary Daniels. His father died in a military operation near the end of the Civil War, and young Josephus later grew up in Wilson, where his widowed mother moved to be close to her kin. Daniels began his career in journalism as a teenager. By the time he was twenty-three, he owned three newspapers: the Wilson *Advance*, Kinston *Free Press*, and Raleigh *State Chronicle*. In 1894, he purchased the Raleigh *News and Observer* out of bankruptcy, with financial backing from Julian Shakespeare Carr, the son of a Chapel Hill merchant who had made his fortune in tobacco and cotton manufacturing in Durham. Daniels quickly made the paper into one of the most influential publications in the state, largely by positioning it as the semi-official mouthpiece of the Democratic Party in the white supremacy campaigns of 1898 and 1900.[2]

In the elections of 1894 and 1896, a Fusion alliance of Black Republicans and white third-party Populists won control of both the state legislature and the governor's office. In quick succession, they undertook an expansive program of social investment, particularly in the equitable education of Black and white children, and enacted reforms that put local government squarely in the hands of voters and safeguarded free and equal access to the ballot box. In March 1898, Daniels and two close friends – Furnifold M. Simmons and Charles B. Aycock, both rising stars in the state Democratic Party – met in New Bern to outline a strategy for defeating their Fusion adversaries in the next election, rolling back reforms that promised

---

[1] Memorial resolutions for Josephus Daniels, February 16, 1948, series 1, vol. 3, and October 6, 1967, series 1, vol. 11, Board of Trustees of the University of North Carolina (System) Records, 1932-1972, #40002, University Archives, Wilson Library, University of North Carolina at Chapel Hill; "New building is Named for Daniels," *Daily Tar Heel*, October 7, 1967.

[2] Lee A. Craig, *Josephus Daniels: His Life and Times* (Chapel Hill: University of North Carolina Press, 2013), chaps. 1-5.

political and social equality for Black North Carolinians, and establishing the system of racial subjugation that would come to be known as Jim Crow.[3]

What followed was a vitriolic and violent campaign to restore white rule. Day after day, Daniels filled the pages of the *News and Observer* with scurrilous stories – often demonstrably false or at least partially fabricated – that demonized Black men as sexual predators, maligned the masculinity of white men who voted for Black candidates, and decried rampant corruption among Black officeholders. Years later, he confessed that he was "never very careful about winnowing out the stories or running them down." White voters, frenzied by appeals to their racial fears, "would believe almost any piece of rascality," Daniels said. "The propaganda was having good effect."[4]

Daniels used political cartoons to stoke white anger, fear, and resentment. He relied on Norman E. Jennett, a young artist who had joined the *News and Observer's* staff in 1895, to fashion powerful visual weapons.[5]

The Vampire That Hovers Over North Carolina.

The cartoon above, published on September 27, 1898, depicts Black political participation as a monster springing from the Fusion ballot box. Historian Glenda Gilmore has noted that the drawing was directly inspired by Furnifold Simmons, who, as chairman of the state Democratic Party, "chose as the central metaphorical figure of the [1898] campaign the

[3] Glenda E. Gilmore, "Murder, Memory, and the Flight of the Incubus," in David S. Cecelski and Timothy B. Tyson, eds., *Democracy Betrayed: The Wilmington Race Riot of 1898 and Its Legacies* (Chapel Hill: University of North Carolina Press, 1998), 74. The classic work on Fusion is Helen G. Edmonds, *The Negro and Fusion Politics: 1894-1901* (Chapel Hill: University of North Carolina Press, 1951).

[4] Josephus Daniels, *Editor in Politics* (Chapel Hill: University of North Carolina Press, 1941), 254, 295-96.

[5] Rachel Marie-Crain Williams, "A War in Black and White: The Cartoons of Norman Ethre Jennett and the North Carolina Election of 1898," *Southern Cultures* 19 (Summer 2013), 7-31.

incubus – a winged demon who has sexual intercourse with white women while they sleep. The Democrats charged that while white men slumbered, the incubus of Black power visited their beds."[6]

Published on October 15, the cartoon below warned that Fusion politics would produce a new form of slavery in which Black men would make themselves white men's masters. The white office seeker is literally belittled, and emasculated, by the act of pleading for a Black man's vote.

[6] Glenda E. Gilmore, *Gender and Jim Crow: Women and the Politics of White Supremacy in North Carolina, 1896-1920* (Chapel Hill: University of North Carolina Press, 1996), 99.

Throughout the 1898 campaign, the *News and Observer* presented itself as a citadel atop the bedrock of white supremacy. This cartoon was published on October 9.

Daniels and his newspaper were capable of whipping white Democrats into fearsome mobs. At party rallies across eastern North Carolina, vigilantes known as Red Shirts turned out by the hundreds – and in some instances, by the thousands – brandishing weapons to terrorize Fusion voters. In Wilmington, acts of intimidation turned deadly when white rioters killed dozens of Black citizens and drove the city's biracial board of aldermen from office.[7]

On Election Day, Democrats took back control of state government, and once in office, set about consolidating their hold on power. In 1899, they passed North Carolina's first Jim Crow law, and a year later, the party's gubernatorial candidate, Charles Aycock, campaigned for ratification of an amendment to the state constitution that would disenfranchise Black men and many of their white allies. As in 1898, Daniels committed himself and the *News and Observer* fervently to the cause. When ballots were cast, Aycock and disenfranchisement won by a 59 to 41 percent margin. That victory marked the beginning of a new era of white rule that for more

[7] "The Red Shirt Movement in North Carolina, 1898-1900," *Journal of Negro History* 62 (April 1977), 174-84; LeRae Umfleet, *The 1898 Wilmington Race Riot Report*, 1898 Race Riot Commission, Research Branch, Office of Archives and History, North Carolina Department of Cultural Resources, May 31, 2006, https://bit.ly/3dLwkRg; David Zucchino, *Wilmington's Lie: The Murderous Coup of 1898 and the Rise of White Supremacy* (New York: Grove Atlantic, 2020). The red shirt was a symbol of the bloody sacrifice of Confederate soldiers who gave their lives to defend white rule and racial slavery.

than half a century denied Black North Carolinians equal justice and the fundamental rights of citizenship.[8]

Daniels promoted that racial order not only at home but on a national and a global stage as well. In 1913, President Woodrow Wilson appointed him Secretary of the Navy, and together with Postmaster General Albert Burleson, a Texan, Daniels eagerly promoted the president's efforts to segregate the federal bureaucracy along strict racial lines. That policy, journalist-historian Colin Woodard has noted, was "a direct assault" on Washington, D.C.'s "Black middle class, which had grown substantially . . . under the protection of the Pendleton Civil Service Act of 1883, a law that ensured that hiring was based on competitive exams, not race."[9]

As navy secretary, Daniels also directed the American invasion and occupation of Haiti in 1915. He tasked white Marine units, mostly from the South, to impose Jim Crow – "replete," Woodard has written, with "forced labor" and "summary executions" – on the world's first Black republic, established by slave uprisings in the 1790s. W.E.B. Du Bois described events in Haiti as "a reign of terror . . . and cruelty"; in the first years alone, more than 3,000 Haitians died at the hands of the U.S. military, many of them victims of what a federal report described as "indiscriminate killing."[10]

Daniels supported the presidential candidacy of Franklin D. Roosevelt in 1932 and was rewarded with an appointment as U.S. Ambassador to Mexico, a position he held until 1941. Over the course of that decade, his son Jonathan began to turn the *News and Observer* in a

---

[8] Paul D. Escott, *Many Excellent People: Power and Privilege in North Carolina, 1850-1900* (Chapel Hill: University of North Carolina Press, 1985), 259-60; J. Morgan Kousser, *The Shaping of Southern Politics: Suffrage Restriction and the Establishment of the One-Party South* (New Haven, Conn.: Yale University Press, 1974), 193. The amendment and the revised election law that subsequently put it into practice required that would-be voters wishing to register first demonstrate – "to the satisfaction" of local election officials – their ability to "read and write any section of the Constitution in the English language." That gave Democratic registrars wide latitude to exclude Black men from the polls. The amendment also included a grandfather clause that exempted from the literacy test adult males who had been eligible to vote or were lineal descendants of men who had been eligible to vote before January 1, 1867. That was a magic date, because it preceded the limited right to vote given to Black men under the Military Reconstruction Act, passed in March 1867. The literacy test was thus designed to achieve the very thing the Fifteenth Amendment to the U.S. Constitution expressly outlawed – voter exclusion based on race. See *Laws and Resolutions of the State of North Carolina, Adjourned Session 1900* (Raleigh: Edwards and Broughton, and E.M. Uzzell, 1900), chap. 2; *Public Laws and Resolutions of the State of North Carolina, Passed by the General Assembly at Its Session of 1901* (Raleigh: Edwards and Broughton, and E.M. Uzzell, 1901), chap. 89, sec 12.

[9] Colin Underwood, *Union: The Struggle to Forge the Story of United States Nationhood* (New York: Viking, 2020), 308. See also Eric S. Yellin, *Racism in the Nation's Service: Government Workers and the Color Line in Woodrow Wilson's America* (Chapel Hill: University of North Caroline Press, 2013).

[10] Underwood, *Union*, 348; W.E.B. Du Bois, "Haiti," *Crisis* 19 (April 1920), 297-98; "The Battle of 1920 and Before," *Crisis* (March 1921), 206; *Inquiry Into Occupation and Administration of Haiti and Santo Domingo, Hearing Before a Select Committee on Haiti and Santo Domingo,* United States Senate, Sixty-Seventh Congress, First and Second Sessions (Washington, D.C.: Government Printing Office, 1922), 2:1518. For a detailed account of the occupation of Haiti, see Brandon R. Byrd, *Black Republic: African Americans and the Fate of Haiti* (Philadelphia: University of Pennsylvania Press, 2020), chap. 5, and Hans Schmidt, *The United States Occupation of Haiti, 1915-1934* (New Brunswick, N.J.: Rutgers University Press, 1971).

progressive direction. He supported labor unions and urged white North Carolinians to accept the gradual desegregation of their society. But the elder Daniels remained unreconstructed.

In early November 1947, Josephus published one of his last editorials in the family paper. It was a blistering critique of the report recently released by the President's Committee on Civil Rights, which Harry S. Truman had appointed the year before. The report took its title – *To Secure These Rights* – from the Declaration of Independence, and it recommended immediate "elimination of segregation, based on race, color, creed, or national origin, from American life." Daniels was incensed. He mocked the report, even though a close friend, University of North Carolina president Frank P. Graham, was one of its authors, and he warned that it posed a dangerous threat to the "sovereign power" of the southern states. Daniels also reached back to 1898 and white supremacy's most lethal trope: the Black incubus and the sexual vulnerability of white women. He agreed with the committee's denunciation of lynching but questioned why its report included "no word of condemnation of those guilty of the rapes for which the crime has most frequently been resorted to, or the indignation felt by most Southern people who are portrayed as guilty of prejudice against the Negro." On these grounds, Daniels concluded that the "remedy" proposed by the president's committee – a swift end to Jim Crow, enforced, if necessary, by the federal government – was far worse than the disease it sought to cure.[11] Two months later, Josephus Daniels died at his Raleigh home.

In 2006, the *News and Observer* formally apologized for the role the paper and its editor had played in the 1898 white supremacy campaign. The time had come, the editorial board and publisher explained, to "get on the right side of history." More recently, the Daniels family removed a statue of Josephus from a park in downtown Raleigh. They had placed it there in 1985 to honor their forbearer's contributions to journalism and service to the nation. The family also endorsed decisions to strip Daniels' name from a local school and a building on the campus of North Carolina State University. Frank Daniels III, Josephus' great grandson, explained these actions with a reference to the racial reckoning ignited by the COVID-19 pandemic and the police killing of George Floyd, both of which exposed deep racial injustices in American life. "The time is right," he said. "[Josephus Daniels'] legacy of public service does not transcend actions he took to favor white folks over Black folks."[12]

UNC Commission on History, Race, and a Way Forward – July 10, 2020

Updated August 10, 2020

---

[11] "Remedy Worse than Disease," *News and Observer* (Raleigh N.C.), November 2, 1947; *To Secure These Rights: The Report of the President's Committee on Civil Rights* (Washington D.C.: Government Printing Office, 1947), 166.

[12] "Why North Carolina Papers Apologized for Role in 1898 Race Riots," *Editor & Publisher*, November 20, 2006, https://bit.ly/2YYKJFv; *Dedication Ceremony for the Unveiling of the Statue of Josephus Daniels, September 24, 1985* (Raleigh, N.C.: Josephus Daniels Charitable Foundation, 1985); "Statue of Josephus Daniels, Publisher and White Supremacist, Removed from Raleigh Square," *News and Observer* (Raleigh, N.C.), June 16, 2020, https://bit.ly/2C1Zxdo; "Josephus Daniels' Descendants Wrestle with His Statue and a Legacy of White Supremacy," *Herald-Sun* (Durham, N.C.), June 20, 2020, https://bit.ly/2NYSuoA.

Ruffin Residence Hall

The Board of Trustees named this building in 1922 to honor Thomas Ruffin, a UNC trustee from 1813 until his death in 1870, and Thomas Ruffin Jr., Class of 1844.[1]

The elder Ruffin:

- **Enslaved one hundred and thirty-five men, women, and children in Alamance and Rockingham Counties**
- **Invested in and profited from the domestic slave trade**
- **Used his authority as a jurist to normalize the violence inherent in slavery**
- **Fortified the institution of racial slavery against abolitionists and Black insurrectionists**

Thomas Ruffin was born in 1787 to Sterling and Alice Ruffin, wealthy slave owners in Essex County, Virginia. He was educated at the College of New Jersey (now Princeton University); practiced law in Orange County, North Carolina; served in the North Carolina state legislature; and in 1829, was appointed by that body to the state supreme court. Ruffin presided as chief justice from 1833 to 1852, and again from 1858 to 1859. His son, Thomas Ruffin Jr., was born in 1824, studied at the University of North Carolina, and made his living as an attorney. He served one term in the North Carolina House of Commons (1850-1851), fought for the Confederacy as a colonel in the North Carolina infantry, and from 1881 to 1883 sat as an associate justice on the state supreme court. The younger Ruffin, in the words of a twentieth-century biographer, had "a reputation as one of the state's best lawyers" but otherwise left no particular mark on jurisprudence.[2]

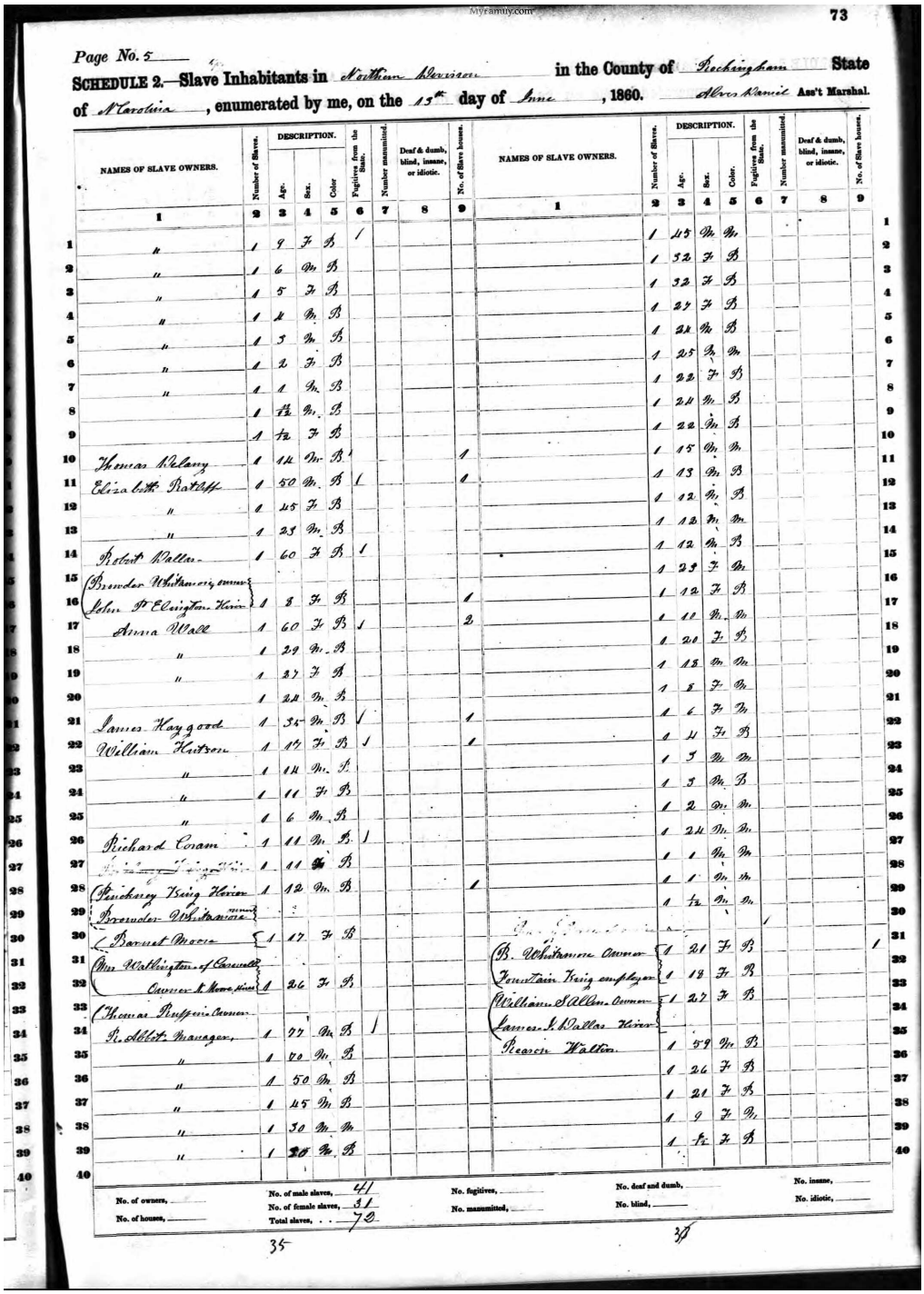
In 1860, the elder Ruffin enslaved one hundred Black men, women, and children on the Alamance County farm he called the Hermitage and another thirty-five on a smaller property in Rockingham County. He was known by his neighbors for his own cruelty and that of his white overseer. In 1824, Archibald DeBow Murphey, with whom Ruffin had studied law, complained of the overseer's "barbarous treatment" of the slaves at the Hermitage. He noted that they were "worked to death" and whipped mercilessly – and that one man, Will, had been "literally barbecued, peppered, and salted." Murphey encouraged his friend to discipline the overseer, lest the man's cruelty tarnish Ruffin's own "character" and reputation. The archives offer no record of Ruffin's reply, though correspondence from his wife and another neighbor suggest that he was aware of the overseer's behavior and chose not to intervene.[3]

---

[1] Minutes, June 13, 1922, oversize volume 12, Board of Trustees of the University of North Carolina Records, 1789-1932, #40001, University Archives, Wilson Library, University of North Carolina at Chapel Hill; Kemp P. Battle, *History of the University of North Carolina*, vol. 1 (Raleigh: Edwards and Broughton, 1907), 823.

[2] Blackwell P. Robinson, "Thomas Ruffin," and Thomas W. Austin Jr., "Thomas Ruffin Jr.," in William S. Powell, ed., *Dictionary of North Carolina Biography*, vol. 5 (Chapel Hill: University of North Carolina Press, 1994), 266-69; "Presentation of the Portrait of Thomas Ruffin Jr., Associate Justice, Supreme Court of North Carolina," November 17, 2005, https://bit.ly/3299Ffs.

[3] 1860 Federal Census, Population Schedule, Orange County, North Carolina, and 1860 Federal Census, Slave Schedule, Orange County, North Carolina, Ancestry.com; Archibald DeBow Murphey to Thomas Ruffin, June



Page No. 5

SCHEDULE 2.—Slave Inhabitants in Northern Division in the County of Rockingham State of N Carolina, enumerated by me, on the 15th day of June, 1860. Alvis Daniel Ass't Marshal.

NAMES OF SLAVE OWNERS.	Number of Slaves.	DESCRIPTION. Age.	Sex.	Color.	Fugitives from the State.	Number manumitted.	Deaf & dumb, blind, insane, or idiotic.	No. of Slave houses.
1	2	3	4	5	6	7	8	9
"	1	9	F	B	/			
"	1	6	M	B				
"	1	5	F	B				
"	1	4	M	B				
"	1	3	M	B				
"	1	2	F	B				
"	1	1	M	B				
	1	1/2	M	B				
	1	1/2	F	B				
Thomas Delany	1	14	M	B				1
Elizabeth Ratliff	1	50	M	B	/			1
"	1	45	F	B				
"	1	23	M	B				
Robert Waller	1	60	F	B	/			
Brewder Whitaker, owner								
John H Elrington Heirs	1	8	F	B				1
Anna Wall	1	60	F	B	/			2
"	1	29	M	B				
"	1	27	F	B				
	1	22	M	B				
James Haygood	1	35	M	B	/			1
William Hutson	1	17	F	B	/			1
"	1	14	M	B				
"	1	11	F	B				
"	1	6	M	B				
Richard Coram	1	11	M	B	/			
[illegible]	1	11	[illegible]	B				
Pinckney Craig Heirs	1	12	M	B				1
Brewder Whitaker owner								
Barnet Moore	1	17	F	B				
Wm Wallington of Caswell								
Owner & Manufacturer	1	26	F	B				
Thomas Ruffin Owner								
R. Abbot Manager,	1	27	M	B	/			
"	1	20	M	B				
"	1	50	M	B				
"	1	45	M	B				
"	1	30	M	M				
"	1	20	M	B				

NAMES OF SLAVE OWNERS.	Number of Slaves.	DESCRIPTION. Age.	Sex.	Color.	Fugitives from the State.	Number manumitted.	Deaf & dumb, blind, insane, or idiotic.	No. of Slave houses.
1	2	3	4	5	6	7	8	9
	1	45	M	M				
	1	32	F	B				
	1	32	F	B				
	1	27	F	B				
	1	24	M	B				
	1	25	F	M				
	1	22	F	B				
	1	24	M	B				
	1	22	M	B				
	1	15	M	M				
	1	13	M	B				
	1	12	M	B				
	1	12	M	M				
	1	12	M	B				
	1	29	F	M				
	1	12	F	B				
	1	11	M	M				
	1	20	F	B				
	1	15	M	M				
	1	8	F	M				
	1	6	F	M				
	1	4	F	B				
	1	3	M	M				
	1	3	M	B				
	1	2	M	M				
	1	24	M	M				
	1	1	M	M				
	1	1	M	M				
	1	1/2	M	M				
B. Whitaker Owner	1	21	F	B				1
Fountain Craig employer	1	19	F	B				
William S Allen Owner	1	27	F	B				
James J Dallas Heirs								
Pearce Walton	1	59	M	B				
	1	26	F	B				
	1	21	F	B				
	1	9	F	M				
	1	1/2	F	B				

No. of owners, ____ No. of houses, ____

No. of male slaves, 41 No. of female slaves, 31 Total slaves, 72

No. fugitives, ____ No. manumitted, ____

No. deaf and dumb, ____ No. blind, ____

No. insane, ____ No. idiotic, ____

35 37

Enumeration of the people enslaved on Thomas Ruffin's Rockingham County farm. The list begins in the lower left corner – where Ruffin is named as "owner" and R. Abbot, as "manager" – and continues in the right-hand column. 1860 Federal Census, Slave Schedule, Rockingham County, North Carolina.

3, 1824, series 1.3, folder 148, Thomas Ruffin Papers, 1753-1898, #00641, Southern Historical Collection, Wilson Library, University of North Carolina at Chapel Hill; Sally Hadden, "Judging Slavery: Thomas Ruffin and *State v. Mann*," in Christopher Waldrep and Donald G. Newman, eds., *Local Matters: Race, Crime, and Justice in the Nineteenth-Century South* (Athens: University of Georgia Press, 2001), 5-6.

Between 1821 and 1826, Ruffin also participated in the domestic slave trade. He was the silent partner in an arrangement with a man named Benjamin Chambers. Ruffin provided a substantial cash investment, but Chambers carried on the business of buying and selling slaves in his name only, presumably to shield Ruffin from rebuke by professional associates who disapproved of the trade in human flesh. One such figure was William Gaston, who served with Ruffin on the state supreme court. In 1832, he encouraged young men at the University of North Carolina to commit themselves to the "extirpation of the worst evil" that afflicted the South: racial slavery. "Disguise the truth as we may," Gaston declared, the institution "poisons morals at the fountain head."[4]

Ruffin likely earned a handsome profit from slave trading. During the 1820s, a boom in cotton production in the new states of Alabama and Mississippi created an insatiable demand for enslaved laborers, who were shackled together and driven southward in coffles from "exporting" states – North Carolina, Virginia, Kentucky, and Maryland. Traders conducted their business with extraordinary callousness. They routinely broke families apart in order to maximize profits on the youngest, strongest men and the women of prime childbearing age. Ruffin approved of that practice; indeed, he encouraged it. In *Cannon v. Jenkins*, a case argued before the North Carolina Supreme Court in 1830, he ruled that estate executors had an obligation to break up slave families if separate sales would bring higher prices. "Most commonly . . . articles sell best singly," Ruffin observed, "and therefore they ought, in general, to be so offered." An executor was "not to indulge his charities at the expense" of the sellers he represented.[5]

Today, Ruffin is most often remembered for the equally inhumane judgment he rendered in *State v. Mann*, a case heard during his first year on North Carolina's high court. The case involved John Mann, a widowed sea captain living in Edenton, who had hired an enslaved woman named Lydia from her owner, Elizabeth Jones. Jones, a minor child, had inherited Lydia from her parents. She lived in the household of her brother-in-law, Josiah Small, who paid for her upkeep by hiring Lydia out as a laborer. Lydia defied Mann's authority over her, and in one instance attempted to run away. Mann picked up his gun and shot her in the back.

The Chowan County district attorney charged Mann with assault and battery, and a jury found him guilty. They based that judgment on well-established case law, which held that hirers such as Mann were liable to safeguard the property of another – in this case, Elizabeth Jones' slave, Lydia – which they held in their possession only temporarily.[6]

Ruffin reversed that verdict on appeal. A slave's obedience, he wrote, "is the consequence only of uncontrolled authority over the body. There is nothing else that can operate to produce the effect." Maintaining that authority was, in Ruffin's mind, imperative to

---

[4] Hadden, "Judging Slavery," 7-8; William Gaston, *Address Delivered Before the Philanthropic and Dialectic Societies at Chapel Hill, June 20, 1832* (Raleigh: Jos. Gales and Son, 1832), 14.

[5] *Cannon v. Jenkins*, 16 N.C. 422 (N.C. 1830). On the domestic slave trade generally, see Steven Deyle, *Carry Me Back: The Domestic Slave Trade in American Life* (New York: Oxford University Press, 2005).

[6] For a synopsis of the case, see Sally Greene, "*State v. Mann* Exhumed," *North Carolina Law Review* 87 (March 2009), 702-03.

safeguarding public order and the economic interests of slave owners. On that account, he treated Mann as Elizabeth Jones' proxy and accorded him full rights of ownership, including the unfettered right to inflict grievous bodily harm. In what legal scholar Eric Muller has described as "the coldest and starkest defense of the physical violence inherent in slavery that ever appeared in an American judicial opinion," Ruffin declared: "the power of the master must be absolute, to render the submission of the slave perfect."[7]

Why did Ruffin depart from established case law in such dramatic fashion? Legal historian Sally Greene suggests that he did so to strengthen the defense of slavery, in part, against abolitionism in the North, which had been gaining support since 1820, when Congress admitted Missouri to the Union as the first slave state west of the Mississippi. Ruffin was also mindful of worsening fears of Black insurrection, particularly in the eastern North Carolina counties where whites were outnumbered by the people they held in bondage. In December 1829, at the very time Mann was writing his opinion, nervous slave owners in Lenoir County petitioned the legislature to establish a special police force to suppress the clandestine activities of runaways living in dense forests and swamplands.[8]

In this context, overturning John Mann's conviction was a bold strategic move. As Sally Greene has noted, by eliding the distinction between slave owner and slave hirer, Ruffin created in an instant a vastly enlarged body of white men with "an unqualified right of discipline over slaves." He also attempted – with uneven success – to close the door on juries and judges who, like those in Chowan County, would exercise more nuanced understandings of the relationship between slave and enslaver, and most especially a sense of "moral right" that drew a line between discipline and gross brutality.[9]

On these points, Ruffin remained resolute throughout his judicial career. Twenty years after *State v. Mann*, a majority of justices on the North Carolina Supreme Court ruled in another case that "if a white man wantonly inflicts upon a slave, over whom he has no authority, a severe blow or repeated blows, under unusual circumstances, and the slave, at the instant, strikes and kills, without evincing, by the means used, great wickedness or cruelty, he is only guilty of manslaughter." Ruffin was the lone dissenter. "It is very clear," he wrote, "that the question *turns on the difference in the condition of the free white men and negro slaves* (emphasis added). For, there is no doubt, if all the persons had been white men, that the conduct of the deceased would have palliated the killing by the person assaulted, or by his comrade, to manslaughter." But when the deceased was white and the killer was a slave, the crime was unequivocally murder. Ruffin explained: "the rule for determining what is a mitigating provocation cannot, in the nature of things, be the same between persons who are

[7] *State v. Mann*, 13 N.C. 263 (N.C. 1829); Eric L. Muller, "Judging Thomas Ruffin and the Hindsight Defense," *North Carolina Law Review* 87 (March 2009), 761-62.

[8] Hadden, "Judging Slavery," 12-13.

[9] Greene, "*State v. Mann* Exhumed," 744, 748.

in equali jure, as two freemen, and those who stand in the very great disparity of free whites and black slaves."[10]

What, in the end, are we to make of Thomas Ruffin? Was he simply a man of his time, as some have claimed, guided by principles that were commonplace and conventional? The evidence suggests otherwise. As Sally Greene has argued, Ruffin "took an active part in defining" the historical moment in which he lived. In *State v. Mann*, "he chose to elevate the slave hirer . . . to the status of a master," and by doing so, "created an urgent situation" – a rupture in the authority of white over Black – "for which his judicial response became the commanding solution." For Ruffin, white dominion was totalizing, and the law gave no quarter to the humanity of the enslaved.[11]

The story told here did not figure in the adulation of Thomas Ruffin by UNC's trustees when they named a campus building for him in 1922, or by the North Carolina Bar Association, which in 1915 placed a bronze statue of him outside the chamber of the North Carolina Supreme Court. Both bodies regarded Ruffin as a "great citizen" and source of "inspiration for the future" – "a man resolved and steady to his trust, inflexible to ill and obstinately just." Ruffin the brutal slave master, trader in human chattel, and author of the most notorious defense of slaveowners' authority over the bodies of the enslaved was invisible in such tributes.[12]

That erasure – that silence – was the product of a focused effort to create a falsified, usable past for a neo-Confederate white South that by the early twentieth century had stripped Black men of the right to vote, institutionalized Jim Crow segregation, and dismantled much of the promise of Emancipation. White civic leaders, politicians, and scholars labored in the new century to characterize slavery as a benevolent institution, to glorify secession as a principled defense of the Constitution, and to make patriots of the men who went to war against the United States. At UNC, that project found expression in the classroom and in faculty scholarship, in the erection of a Confederate monument and in a scramble during the 1910s and 1920s to name campus buildings for slave owners, Confederate officers, Klansmen, and avowed white supremacists. The list includes:

Battle Hall, 1912, named for Kemp P. Battle
Pettigrew Hall, 1912, named for James Johnston Pettigrew
Vance Hall, 1912, named for Zebulon B. Vance
Swain Hall, 1914, named for David L. Swain

---

[10] *State v. Caesar*, 31 N.C. 391 (1849).

[11] Greene, "*State v. Mann* Exhumed," 751. On Ruffin as a man of his times, see David Lowenthal, "On Arraigning Ancestors: A Critique of Historical Contrition," *North Carolina Law Review* 87 (March 2009), 901-66. Lowenthal contends that "those who condemn past crimes seem unaware that slavery and other social inequities were acceptable norms from classical times to the nineteenth century." That argument ignores the fact that moral critiques of slavery were also commonplace in Ruffin's time, particularly among the four million Americans whose bondage was defined by the color of their skin.

[12] *The Unveiling and Presentation to the State of the Statue of Thomas Ruffin, by the North Carolina Bar Association* (Raleigh: Edwards and Broughton, 1915), 7, 23-24.

Phillips Hall, 1919, named for James Phillips, Charles Phillips, and William B. Phillips
Steele Building, 1920, named for Walter L. Steele
Grimes Residence Hall, 1922, named for Bryan Grimes
Mangum Residence Hall, 1922, named for Willie P. Mangum, Adolphus W. Mangum, and William Preston Mangum
Manly Residence Hall, 1922, named for Charles Manly and Matthias Manly
Manning Hall, 1922, named for John Manning
Murphey Hall, 1922, named for Archibald DeBow Murphey
Saunders Hall, 1922, named for William L. Saunders, renamed Carolina Hall in 2015
Spencer Residence Hall, 1927, named for Cornelia Phillips Spencer
Aycock Residence Hall, 1928, named for Charles B. Aycock
Bingham Hall, 1928, named for Robert H. Bingham
Graham Residence Hall, 1928, named for John W. Graham

Today, the presence of these names on the landscape is a testament to the success of the neo-Confederates' historical project and the ways that it continues to shape what, in public memory, is known and forgotten about slavery, the Confederacy, and the Jim Crow South.

Chief Justices Beasley & Ruffin.
Courtesy of Yahoo News.

In January 2020, at the request of Senior Resident Superior Court Judge Carl Fox and James Williams, first vice president of the Chapel Hill-Carrboro NAACP, Orange County officials took down the portrait of Thomas Ruffin that had hung in the Historic Courthouse in Hillsborough. In July, state officials removed the statue of Ruffin that once stood outside the state supreme court chamber and had more recently been located in the State Court of Appeals Building. A commission appointed by the North Carolina Supreme Court is currently considering the disposition of "problematic" portraits in its chamber, including the life-size painting of Ruffin that hangs above the seat of Chief Justice Cheri Beasley, the first Black woman to serve in that office.[13]

UNC Commission on History, Race, and a Way Forward – July 10, 2020

[13] "Former N.C. Chief Justice's Portrait Removed from Courthouse Over Slave Trader Past," *Daily Tar Heel*, January 29, 2020; "Statue of Former Chief Justice Who Was Slave Owner to be Removed from Court of Appeals Building," WRAL, July 8, 2020, https://bit.ly/31WJFDY; "N.C. Courts Grapple with Monuments to Jurist Who Brutalized Slaves," *Facing South*, June 30, 2020, https://bit.ly/2ZSQWlv.