

# University Commission on History, Race, and a Way Forward

*Meeting Agenda and Final Approved Minutes*

Virtual Meeting – streamed on HRWF YouTube Channel



THE UNIVERSITY  
of NORTH CAROLINA  
at CHAPEL HILL

Thursday, November 5, 2020

3:30-3:40PM

## Call to Order

- Welcome
- Roll Call
- Approval of Minutes, October 6, 2020 Meeting.

*Jim Leloudis & Pat Parker,  
Co-Chairs*

3:40-4:00PM

## Update on Barbee Cemetery Project:

- Charge for project leads
- Recap of discussion from subcommittee meetings

*Pat Parker  
Co-Chair*

*Dawna Jones & Seth Kotch  
Co-Leads of  
Barbee Cemetery project*

4:00-4:30PM

## Chancellor's Request Regarding Indigenous Peoples and University History

- Land Acknowledgement
- Other forms of reckoning
- Recap of discussion from subcommittee meetings

*Pat Parker  
Co-Chair*

4:30-4:55PM

**Presentation on *John Washington Graham* Dossier**  
Committee discussion on research process and  
recommendation for name removal

*Jim Leloudis  
Co-Chair*

4:55-5:00PM

## Next Steps and Adjourn

## **Commission on History, Race, and a Way Forward (November 5, 2020)**

### **Approved Minutes**

**Present:**      **Commission Members:** Patricia Parker, James Leloudis, Delores Bailey, Larry Chavis, Giselle Corbie-Smith, Nicholas Graham, Ronald Harris, Kenneth Janke, Dawna Jones, Danita Mason-Hogans, Josmell Perez, Danita Horton, Graham Watkins, Amy Locklear Hertel

#### I. Welcome and Introduction

Commission Co-Chair Pat Parker welcomed Commission members to the meeting and completed the roll call. Minutes of the October 6<sup>th</sup> meeting were approved at 3:35 pm.

#### II. Barbee Cemetery Project

Co-Chair Jim Leloudis began by updating the Commission on the Barbee Cemetery project which will be led by Commission members, Dawna Jones and Seth Kotch.

The Charge for the project is as follows:

- Work with community and campus partners to research the history of the people the Barbee family enslaved, and that of their descendants
- Make recommendations to appropriately acknowledge and teach that history
- Partner with community stakeholders, Kenan-Flagler Business School, and UNC Facilities to develop appropriate signage and a curatorial plan for the Barbee cemetery
- Make recommendations for appropriate care and upkeep of the cemetery
- Identify and assess other University-related sites that require similar attention

Dawna Jones provided the Commission with updates on the work that she and Seth Kotch are completing related to the project. Further, Jones discussed other goals for the project such as social media projects in addition to the oral histories and archival work. Larger discussion occurred amongst the commission members regarding various resources to learn more about descendants of the Barbee family and conducting this work in a way that gives back to these descendants.

#### III. Chancellor's Request – Indigenous Peoples and University History

Co-Chair Parker announced that the Commission received a request from the Chancellor regarding indigenous peoples and University History in which the Commission was tasked to explore how the University should properly acknowledge the role that indigenous people played in the history of this University and country and to think about appropriate language for a University land acknowledgement. Co-Chair Parker reported that other University groups have been working on the land acknowledgement and discussed that this will be an opportunity for the Commission to collaborate with those groups. Parker presented land acknowledgement guidelines developed by Princeton University and excerpts from land acknowledgements produced by other Universities. Discussion occurred amongst the Commission regarding the importance of the land acknowledgement as an important step to reconciling and working towards equity, the importance of language that is accurate in acknowledging the violence faced by Indigenous Peoples, the importance of using language that

acknowledges their resilience, strength, and great pride, and the potential for this work to be done in many ways.

#### IV. Names on the Landscape – John Washington Graham dossier and commission vote

Co-Chair Leloudis discussed the list of names of individuals on the landscape that the Commission is researching. This list is primarily divided into two groups of slaveholders and those involved in the white supremacy movement. Further, he discussed the ways the Commission is tackling this research. He then presented a summary on John Washington Graham. Dawna Jones moved to approve the dossier which will be bundled with other dossiers and sent forward as a recommendation. This motion was seconded by Graham Watkins and the motion carries unanimously.

Co-Chair Leloudis then discussed the process for removal of names from the landscape and publicly thanked commissioner Nick Graham and the University Libraries for the work they have done with digitizing materials. Co-Chair Parker discussed the process by which the Commission works to choose names to move forward. She relayed that names received as official requests from the Chancellor are prioritized and that when requests are received from families of those named on the landscape the process is advanced. Leloudis noted that the larger list of names was compiled by the History Taskforce and, as discussed earlier, careful research must be conducted for each person.

Co-Chair Leloudis opened the floor for further discussion. Discussion arose regarding the process and prioritizing of requests, plans for how to address these names, and ways to share this research with the broadest audience. Further discussion centered around collaboration with other groups such as the Residence Hall Association, ways to integrate the history of the University into curriculum and campus tours, and unique ways to explore renaming of the landscape.

#### V. Concluding

Co-Chair Parker closed the meeting by summarizing some action items for the sub-committees. Meeting was adjourned at 5:00 P.M.

Attachments:                    Presentation from 11.05.2020 HRWF Full Commission Meeting  
    Dossier on John Washington Graham

The background of the slide is a photograph of a university campus. It shows a large green lawn with several people sitting or walking. In the background, there are large, leafy trees and a building with a steeple. A semi-transparent blue horizontal band is overlaid across the middle of the image, containing the text.

# UNIVERSITY COMMISSION ON HISTORY, RACE, AND A WAY FORWARD

November 5, 2020

3:30-5:00PM

*Virtual Meeting – HRWF YouTube Channel*

# Agenda

## NOVEMBER 5, 2020. FULL COMMISSION MEETING

### **I. Update on Barbee Cemetery project**

- i. Charge for project leads
- ii. Recap of discussion from subcommittee meetings

### **II. Chancellor's Request regarding Indigenous Peoples and University History**

- i. Land Acknowledgement
- ii. Other forms of reckoning
- iii. Recap of discussion from subcommittee meetings

### **III. Presentation on John Washington Graham dossier**

- i. Committee discussion on research process and recommendation for name removal

# Update on Barbee Cemetery Project



THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL

# CHARGE FOR BARBEE CEMETERY PROJECT



Barbee Cemetery located near the DuBose House in Meadowmont

- Work with community and campus partners to research the history of the people the Barbee family enslaved, and that of their descendants
- Make recommendations to appropriately acknowledge and teach that history
- Partner with community stakeholders, KFBS, and UNC Facilities to develop appropriate signage and a curatorial plan for the Barbee cemetery
- Make recommendations for appropriate care and upkeep of the cemetery
- Identify and assess other University-related sites that require similar attention

# Chancellor's Request regarding Indigenous Peoples and University History



# Land Acknowledgement Guidelines

Land acknowledgements should be developed through a broad process of consultation with Indigenous Peoples/Nations and all other relevant stakeholders. Relevant questions for shared consideration might include:

- What is the history of this territory? What are the impacts of colonialism here?
- What is the institutional relationship to this territory? How did it come to be here?
- How does the institution intend to address colonialism beyond acknowledgement?

Land acknowledgment statements should:

- Be concise and clear (details informing the statement can be explained at length in a publicly-available companion document).
- Be specific about the names of relevant indigenous groups and sub-groups.
- Recognize any competing indigenous claims to specific areas and/or indigenous groups in other locations who may be stakeholders.
- Accurately reflect present-day and historical political/governance structures.

# Land Acknowledgement Examples

*The Northwestern campus sits on the traditional homelands of the people of the Council of Three Fires, the Ojibwe, Potawatomi, and Odawa as well as the Menominee, Miami and Ho-Chunk nations. It was also a site of trade, travel, gathering and healing for more than a dozen other Native tribes and is still home to over 100,000 tribal members in the state of Illinois.*

## **-Excerpt from Northwestern University's Land Acknowledgement**

*We collectively acknowledge that Michigan State University occupies the ancestral, traditional, and contemporary Lands of the Anishinaabeg – Three Fires Confederacy of Ojibwe, Odawa, and Potawatomi peoples. In particular, the University resides on Land ceded in the 1819 Treaty of Saginaw. We recognize, support, and advocate for the sovereignty of Michigan's twelve federally-recognized Indian nations, for historic Indigenous communities in Michigan, for Indigenous individuals and communities who live here now, and for those who were forcibly removed from their Homelands. By offering this Land Acknowledgement, we affirm Indigenous sovereignty and will work to hold Michigan State University more accountable to the needs of American Indian and Indigenous peoples.*

## **-Excerpt from Michigan State University's Land Acknowledgement**

# Presentation on John Washington Graham



THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL

# JOHN WASHINGTON GRAHAM

*THE BOT NAMED THIS BUILDING IN 1928 TO HONOR GRAHAM, CLASS OF 1857*



Graham Residence Hall

- Commanded Confederate troops who participated in the massacre of 500 or more Black soldiers during the 1864 Battle of Plymouth, North Carolina
- Championed white supremacy, was likely a member of the Ku Klux Klan, and in 1872 sponsored legislation that granted Klansmen amnesty for crimes committed as members of a secret organization
- Supported a state constitutional amendment and 1877 law that effectively excluded Blacks from elective county government
- Served on UNC's Board of Trustees from 1876 until his death in 1928

# Process

## FOR REMOVAL OF NAMES FROM THE LANDSCAPE

- Recommendations/requests for name removal are submitted to the Chancellor
  - ❖ By the Commission
  - ❖ By other parties
- The Chancellor, at his discretion, refers requests from other parties to the Commission on History, Race, and a Way Forward
  - ❖ Commission completes an evaluation of the request
  - ❖ Final proposal brought before the Commission for discussion and vote
  - ❖ Proposal returned to the Chancellor with a recommendation for action
- Committee (*per BOT policy*) appointed by the Chancellor evaluates proposals for removal and makes final recommendations to the Chancellor
- Chancellor evaluates recommendations for referral to the Board of Trustees



THE UNIVERSITY  
*of* NORTH CAROLINA  
*at* CHAPEL HILL



CAROLINA  
TOGETHER



## Graham Residence Hall

The Board of Trustees named this building in 1928 to honor John Washington Graham, Class of 1857.<sup>1</sup>

### Graham:

- **Commanded Confederate troops who participated in the massacre of 500 or more Black soldiers during the 1864 Battle of Plymouth, North Carolina**
- **Championed white supremacy, was likely a member of the Ku Klux Klan, and in 1872 sponsored legislation that granted Klansmen amnesty for crimes committed as members of a secret organization**
- **Supported a state constitutional amendment and 1877 law that effectively excluded Blacks from elective county government**
- **Served on UNC's Board of Trustees from 1876 until his death in 1928**



*History of North Carolina*, vol. 4, North Carolina Biography, 1919

John Washington Graham was born in 1838, the second son of William Alexander and Susannah Washington Graham. The labor of thirty-eight Black women, men, and children enslaved on the Grahams' Orange County farm made the family wealthy and paid the tuition for John's studies at the University of North Carolina. He earned an A.B. degree in 1857, joined the faculty as a Latin tutor in 1858, and in 1860 completed an L.L.B. in preparation to practice law. The university also awarded Graham two honorary degrees, an M.A. in 1859 and an L.L.D. in 1921. Graham served on UNC's Board of Trustees from 1876 until his death in 1928 and was an elected member of its executive committee beginning in 1891.<sup>2</sup>

Graham's father, William, was a prominent figure in North Carolina politics. He served in the state legislature and the U.S. Senate, occupied the governor's office from 1845 to 1849, joined President Millard Fillmore's cabinet as secretary of the navy in 1850, and, in 1852, ran as the Whig Party's candidate for vice president of the United States. During the Civil War, Graham represented North Carolina as a senator in the Congress of the Confederate States of America, and in the era of Reconstruction that followed, he distinguished himself as a fierce critic of the rights of citizenship granted to former slaves by the Fourteenth and Fifteenth Amendments to

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<sup>1</sup> 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.

<sup>2</sup> Max R. Williams, "John Washington Graham," in William S. Powell, ed., vol. 2, *Dictionary of North Carolina Biography* (Chapel Hill: University of North Carolina Press, 1986), 334; 1860 Federal Census, Slave Schedule, Orange County, North Carolina, Ancestry.com. Graham's service to the university is recorded in the Board of Trustees' minutes, oversize volumes 8-14, Board of Trustees of the University of North Carolina Records, 1789-1932, #40001, University Archives, Wilson Library, University of North Carolina at Chapel Hill.

the U.S. Constitution. In 1916, Walter M. Clark, chief justice of the North Carolina Supreme Court, idolized Graham as the first post-war leader to have “enunciated the doctrine of ‘White Supremacy’ as indispensable for the preservation of civilization in the South.” That pronouncement, Clark declared, “was as brave as any act of the war” – an apt comparison, given the violence that men of William Graham’s class would employ to resist black freedom and racial equality.<sup>3</sup>

John Graham shared his father’s determination to preserve the dominion of white over Black. At the outbreak of the Civil War, he rushed to fight for southern slaveholders’ new Confederate nation. Graham enlisted in the Confederate army in April 1861, a month before North Carolina seceded from United States. A year later, he raised Company D of the Fifty-Sixth North Carolina Regiment, which he led first as company captain and later as regimental major. In his own time, biographers lauded Graham as the state’s “hardest fighting [Confederate] soldier.” That characterization stuck; it still appears in an online state historical resource that describes Graham’s service as a commanding officer in the 1864 Battle of Plymouth as “especially meritorious.” There, in the judgment of his contemporaries, Graham displayed “unusual gallantry.”<sup>4</sup>

On April 18, 1864, Confederate forces, including men under Major Graham’s command, laid siege to Plymouth, a small trading town on the Albemarle Sound that had been held by the U.S. army since 1862. As the battle raged, the Confederates captured and slaughtered hundreds of Black Union soldiers who had fled from slavery and taken up arms to defend their freedom. Samuel Johnson, a Black officer who avoided capture by disguising himself as a civilian, reported that “all the negroes found in blue uniform, or with any outward mark of a Union soldier,” were killed. Some “were taken into the woods and hung,” he said.

Others I saw stripped of all their clothing and then stood upon the bank of the river with their faces riverward, and there they were shot. Still others were killed by having their brains beaten out by the butt-end of the muskets in the hands of the rebels. All were not killed the day of the capture. Those that were not were placed in a room with their officers, they (the officers) having previously been dragged through the town with ropes around their necks, where they were kept confined until the following morning, when the remainder of the black soldiers were killed.

“It was,” another witness recorded in his diary, “a massacre.”<sup>5</sup>

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<sup>3</sup> Max R. Williams, “William Alexander Graham,” in William S. Powell, ed., vol. 2, *Dictionary of North Carolina Biography* (Chapel Hill: University of North Carolina Press, 1986), 338-39; Walter Clark, “William Alexander Graham,” *The North Carolina Booklet* 16 (July 1916), 13.

<sup>4</sup> Williams, “John Washington Graham,” 334; “Maj. John Washington Graham,” *History of North Carolina*, vol. 4, North Carolina Biography (Chicago: Lewis Publishing Company, 1919), 235; “John Washington Graham,” NCPedia, <https://bit.ly/3iiEqmk>; *Cyclopedia of Eminent and Representative Men of the Carolinas in the Nineteenth Century*, vol. 2 (Madison, Wisc.: Brant and Fuller, 1892), 154.

<sup>5</sup> United States War Department, *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies*, series 2, vol. 7 (Washington, D.C.: Government Printing Office, 1899), 459-60; Charles C. Mosher Diary, April 19, 1864, Seneca Falls Historical Society, Seneca Falls, N.Y., quoted in Weymouth T.

Confederate troops won control of Plymouth on the 20<sup>th</sup> and promptly set about looting homes and shops. As they did so, a hold-out group of Black soldiers opened fire on them. The Confederates chased the men into a nearby swamp and, according to multiple accounts, killed them “like rats.” In the week that followed, other Blacks who “had not been claimed by their former masters” were “disposed of.” A Union officer recalled that he “heard volley firing in the town” and asked a Confederate guard the reason. “[I] was told,” he said, “They lined up them d\_\_d niggers you all enlisted and are shooting ‘em off’n the dock.”<sup>6</sup>

Graham later denied that Blacks had been massacred at Plymouth, but evidence suggests that he knew more than he let on. His regiment was part of a Confederate brigade that occupied Suffolk, Virginia, several weeks before the attack on Plymouth. There, the soldiers captured and burned alive a group of six to ten (accounts vary) Black U.S. troops. Graham reported to his father that local white women stood in the streets “calling to us to ‘kill the negroes.’” But, he added, “our brigade did not need this to make them give ‘no quarter,’ as it is understood amongst us that we take no negro prisoners.” In a postscript, Graham described his men’s pursuit of the Black soldiers who were incinerated as “a beautiful sight.”<sup>7</sup>

At Plymouth, Graham’s troops and their compatriots took racial animus to a gruesome extreme. Estimates of the number of Black soldiers they executed range from just under 500 to more than 600. A sparse archival record makes a precise count impossible. If the higher number is correct, the slaughter ranks as the Civil War’s “largest white-on-black massacre.” In 1928, shortly after Graham’s death, UNC’s trustees called attention to the Battle of Plymouth with a different distinction in mind: they hailed it as the site of their departed colleague’s “most conspicuous service” to the Confederate cause.<sup>8</sup>

After the Civil War, Graham devoted much of his public life to opposing Black claims on equal citizenship. He belonged to the party of self-styled Conservatives (later, they called themselves Democrats) who made their peace with the end of racial slavery but drew a line at granting citizenship and its attendant rights to Blacks newly freed from bondage. On that account, a Conservative majority in the state legislature refused to ratify the Fourteenth Amendment to the U.S. Constitution, which granted former slaves birthright citizenship and guaranteed all citizens equal protection of the laws. Republicans in Congress answered that

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Jordan Jr. and Gerald W. Thomas, “Massacre at Plymouth: April 20, 1864,” *North Carolina Historical Review* 72 (April 1995), 160. The best treatment of the ensuing massacre is Wayne K. Durrill, *War of Another Kind: A Southern Community in the Great Rebellion* (New York: Oxford University Press, 1989), chap. 8.

<sup>6</sup> John W. Darden, “The Story of Washington County,” typescript, 8-9, North Carolina Collection, Wilson Library, University of North Carolina at Chapel Hill; George Robbins, “Some Recollections of a Private in the War of the Rebellion, 1861-1865,” 26-27, Connecticut Historical Society, Hartford, quoted in Jordan and Thomas, “Massacre at Plymouth,” 195.

<sup>7</sup> Jordan and Thomas, “Massacre at Plymouth,” 152-53; John W. Graham to William A. Graham, March 13, 1864, *The Papers of William Alexander Graham*, Max R. Williams, ed., vol. 6 (Raleigh: North Carolina Department of Cultural Resources, Division of Archives and History, 1976), 43-44.

<sup>8</sup> Jordan and Thomas, “Massacre at Plymouth,” 152; 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.

defiance by passing the Military Reconstruction Act of 1867. The law required that North Carolina and the other rebel states<sup>9</sup> call conventions to write new constitutions. It also gave Black men the right to vote for convention delegates and made state-level protection for universal male suffrage a condition for readmission to the Union. In North Carolina, the result was nothing short of revolutionary. The state's Republican Party, which represented an alliance of Blacks and dissenting whites, won 107 of 120 seats in the constitutional convention. Fifteen of the delegates were Black.<sup>10</sup>

John Graham was a leading voice among the Conservatives who won the remaining thirteen seats. Outnumbered, he and the others could do little more than obstruct and delay the proceedings, warning at every opportunity that "the white and black races are distinct by nature, and that any and all efforts to abolish or abridge such distinction and to degrade the white to the level of the black race, are crimes against the civilization of the age and against God." Such arguments were to no avail. Over the course of two months, the convention crafted a document that embodied strikingly egalitarian principles. In its preamble, the draft constitution affirmed working people's right "to the enjoyment of the fruits of their own labor." This was an elemental concern for Blacks whose toil had enriched the whites who once enslaved them. The constitution also guaranteed "free" elections, granted all adult men the right to vote, placed local government in the hands of elected officials rather than appointed magistrates (as had been the practice before the Civil War), mandated establishment of a statewide system of public schools, and levied a tax to fund "beneficent provision for the poor, the unfortunate and orphan." As legal scholar John Orth has observed, these provisions were a clear announcement that North Carolina would no longer be a "republic erected on race and property."<sup>11</sup>

When voters went to the polls in the spring of 1868, they ratified the new constitution, elected Republican William W. Holden governor, and sent a biracial Republican majority to the state legislature. Those lawmakers immediately ratified the Fourteenth Amendment, and in a determined affirmation of equal citizenship, they made North Carolina the third state, and the first in the South, to ratify the Fifteenth Amendment, which made voting a Constitutional right for all adult male citizens.

Having been defeated at the polls, Conservatives turned to violence to restore themselves to power. A poem published in the Raleigh *North Carolinian* months before the election expressed their determination to rule at any cost:

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<sup>9</sup> The act did not apply to Tennessee, which ratified the Fourteenth Amendment and was readmitted to the Union in July 1866.

<sup>10</sup> Paul D. Escott, *Many Excellent People: Power and Privilege in North Carolina 1850-1900* (Chapel Hill: University of North Carolina Press, 1985), 136-44.

<sup>11</sup> Karen L. Zipf, "'The Whites Shall Rule the Land or Die': Gender, Race, and Class in North Carolina Reconstruction Politics," *Journal of Southern History* 65 (August 1999), 508-09; Edward H. McGee, "White Attitudes Toward the Negro in North Carolina, 1850-1876" (M.A. thesis, University of North Carolina at Chapel Hill, 1968), 57-111; *Constitution of the State of North Carolina, 1868* (Raleigh: Joseph W. Holden, 1868); John V. Orth, "North Carolina Constitutional History," *North Carolina Law Review* 70 (Number 6), 1779.

Shall low-born scum and quondam slaves  
Give laws to those who own the soil?  
No! by our grand-sires' bloody graves!  
Our rights are rooted in our lands,  
Our law is written in the sky,  
Fate flings the fiat from her hands –  
The WHITES shall rule the land or die.<sup>12</sup>

In the years 1868 to 1870, Conservatives organized cells of the Ku Klux Klan across North Carolina. White vigilantes were most active in Orange County, seat of the university, and in neighboring Alamance and Caswell Counties, where they lynched Wyatt Outlaw, a Black constable and town commissioner in Graham, and murdered white state senator John W. Stephens, a Republican, in the basement of the Caswell County courthouse. There is evidence that Graham was an active member of the Klan. In August 1870, his brother, James, tried to squelch claims to that effect made by political opponents. The challenge was that the information came from a reliable source: John A. Moore, an Alamance County physician and former state legislator. Moore was himself a Klansman but would not countenance political assassination. Earlier in the year, he had foiled an attempt on the life of T. M. Shoffner, a state senator from Alamance and sponsor of the Shoffner Act, which authorized Republican Governor William Holden to call out the state militia to suppress the Klan.<sup>13</sup>

Holden exercised that authority during the spring and summer of 1870. He declared Alamance and Caswell Counties to be in a state of insurrection, ordered troops to arrest more than 100 suspected Klansmen, and threatened to bring the vigilantes to trial before a military court, without the right of habeas corpus. Outraged, Conservatives attacked Holden as a tyrant and race traitor hell-bent on imposing “negro rule.” They railed against racial equality and rode hooded in the night to terrorize Republican voters, Black and white alike. On Election Day, Conservatives took back control of the state legislature, and in the months that followed, they impeached Governor Holden, convicted him of high crimes, and removed him from office. William Graham served as lead prosecuting counsel in the impeachment trial and his son, John, briefly occupied the witness seat.<sup>14</sup>

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<sup>12</sup> *North Carolinian* (Raleigh, N.C.), February 5, 1868.

<sup>13</sup> 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,” in Historical Society of Trinity College, *Historical Papers*, Series II (Durham, N.C.: Trinity College, 1898), 1-12; James A. Graham to William A. Graham, August 2, 1870, in Max R. Williams and Mary Reynolds Peacock, eds., vol. 8, *The Papers of William Alexander Graham* (Raleigh: North Carolina Department of Cultural Resources, Division of Archives and History, 1992), 117-18. On Moore and Shoffner, see Allen W. Trelease, *White Terror: The Ku Klux Klan Conspiracy and Southern Reconstruction* (Westport, Conn.: Greenwood Press, 1971), 203.

<sup>14</sup> Horace W. Raper, *William W. Holden: North Carolina’s Political Enigma* (Chapel Hill: University of North Carolina Press, 1985), chaps. 8-9.

As he had done in the case of the Plymouth massacre, John Graham lied – this time, under oath and as a member of the bar, sworn to uphold the law. He confirmed testimony coerced from a Black prisoner that a number of criminal acts attributed to the Klan had actually been committed by Black men in disguise, seeking to settle personal grievances. He also had this to say about the Klan more generally:

Q. [Do] you know of any secret political organization active in the county of Alamance?

A. I do not.

Q. Have you ever seen any persons riding about in [Klan] disguises?

A. I never have.

Q. Have you ever seen anybody with them on?

A. No, sir.

All parties – not the least of them, John Graham – knew the truth that those words denied. Indeed, Graham subsequently acknowledged the deceit. In 1872, as a member of the state senate, he introduced a bill that granted “free and complete amnesty” for criminal acts committed by members of secret political organizations, including the “White Brotherhood, Invisible Empire, and Ku Klux Klan.” The state legislature passed the bill into law in 1873, making exceptions only for “rape, deliberate and willful murder, arson, and burglary.” A year later, Graham’s law partner, Thomas Ruffin Jr., brokered a second amnesty bill that lifted the exceptions for arson, burglary, and – most notably – murder.<sup>15</sup>

Graham paid a personal political price for Klan amnesty. In 1872, he ran as the Democratic Party’s nominee for state treasurer but lost to a Republican opponent in a bitter general election. Critics denounced him as a man devoid of moral principle, who had no qualms about the use of violence to suppress dissent. In the summer of 1864, just after the Battle of Plymouth, Graham and troops under his command had been assigned to North Carolina’s Home Guard and ordered to hunt down Confederate deserters and the civilians who gave them shelter. The action centered on Randolph County, in the heart of the state’s Quaker Belt, where pacifists voiced strong opposition to the Confederate cause. There, a witness reported, the Home Guard perpetrated all manner of “cruelties and atrocities.” During one raid, Graham either ordered or turned a blind eye to the summary execution of a Union loyalist named

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<sup>15</sup> *Trial of William W. Holden, Governor of North Carolina, Before the Senate of North Carolina, on Impeachment by the House of Representatives for High Crimes and Misdemeanors* (Raleigh: Sentinel Printing Office, 1871), 536-63, 568, 1333. On the first amnesty bill, see “The Legislature and the Ku Klux,” *Weekly Carolina Era*, June 6, 1872; *Public Laws and Resolutions, Together with the Private Laws, of the State of North Carolina, Passed by the General Assembly at Its Session of 1872-73* (Raleigh: Stone and Uzzell, 1873), chap. 181. On the second amnesty bill and Ruffin’s role as a broker, see *Laws and Resolutions of the State of North Carolina, Passed by the General Assembly at the Session of 1874-75* (Raleigh: Josiah Turner, 1875), chap. 20; “Amnesty,” *Wilmington Journal*, January 23, 1874; “Amnesty – Full and Complete,” *Raleigh News*, January 20, 1874; “Amnesty for North Carolinians,” *Charlotte Democrat*, January 27, 1874; “Judge A. W. Tourgée,” *Weekly Era and Examiner* (Raleigh, N.C.), February 12, 1874; Raper, *William W. Holden*, 175 n73. Graham and Ruffin practiced law together from 1875 until Ruffin’s death in 1889. See, John W. Graham, “Some Events in My Life,” *Proceedings of the Twentieth Annual Session of the North Carolina Bar Association* (Raleigh: Edwards and Broughton Printing Company, 1918), 88.

Northcote, who “would not fight against the Stars and Stripes.” “This,” other Union men declared, “was nothing more nor less than murder for opinion’s sake.” When Graham’s detractors renewed that charge in 1872, the Raleigh *Weekly Sentinel*, edited and published by Klan leader Josiah Turner Jr., tried to defend him by insisting that he had acted on orders from above. But Graham’s adversaries would have none of it. “Ah! Johnny,” they taunted, “your sins will be remembered by the honest voter.” On Election Day, that prophecy came true.<sup>16</sup>

Though the defeat was bruising, Graham remained active in local and state politics. In 1875, he strongly supported Democrats’ call for a state constitutional convention. As historian Paul Escott has observed, their primary purpose was to unseat Black officeholders, particularly in eastern North Carolina, where Black voters were most numerous and had the greatest influence on Election Day. The convention crafted more than two dozen constitutional amendments, the most significant of which gave the legislature “full power . . . to modify, change, or abrogate” the rules that shaped elective county government.<sup>17</sup>

Democrats pitched this revision of the state constitution as a means of rescuing whites from the threat of “negro domination.” Joseph G. de Roulhac Hamilton – a UNC historian and scholarly apologist for the Klan – noted in his history of Reconstruction in North Carolina that “the negro question entered the [1876] campaign at the beginning and was never absent.” Republican partisans were more blunt: As was their wont, Democrats sought “to gain ascendancy by appealing to the lowest and basest passions of human nature.”<sup>18</sup>

One widely circulated Democratic broadside pictured an inverted slave auction in which Blacks were bidding to indenture white paupers. “White Slavery,” the broadside screamed, “Degradation Worse than Death.” The *Randolph Regulator* echoed that outrage and roused white men to their racial duty. “Let noble anglo saxon blood well up in your veins,” the paper declared, “obey the best instincts of your natures and rush to the polls on the 7<sup>th</sup> of November and say to the East, be free.”<sup>19</sup>

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<sup>16</sup> Thomas A. Wilson, *A Brief History of the Cruelties and Atrocities of the Rebellion* (Philadelphia: King and Baird, 1865); “Freighted with Corruption and Crime,” *Weekly Carolina Era* (Raleigh, N.C.), July 4, 1872; “The Outrages in Randolph,” *Weekly Standard* (Raleigh, N.C.), February 8, 1865; “The Northcote Affair,” *Weekly Sentinel* (Raleigh, N.C.), July 16, 1872; “Democratic Audacity,” *Tri-Weekly Carolina Era* (Raleigh, N.C.), July 9, 1872. On the hunt for deserters in Randolph County, see William T. Auman, *Civil War in the North Carolina Quaker Belt: The Confederate Campaign Against Peace Agitators, Deserters, and Draft Dodgers* (Jefferson, N.C.: McFarland and Company), chap. 5.

<sup>17</sup> *Amendments to the Constitution of North Carolina Proposed by the Constitutional Convention of 1875* (Raleigh: Josiah Turner, 1875), 22; Paul D. Escott, *Many Excellent People: Power and Privilege in North Carolina 1850-1900* (Chapel Hill: University of North Carolina Press, 1985), 166-68.

<sup>18</sup> Joseph G. de Roulhac Hamilton, *Reconstruction in North Carolina* (New York: Columbia University, 1914), 648; “The Republican Party and the South,” *Weekly Era* (Raleigh, N.C.), June 11, 1874.

<sup>19</sup> Untitled front-page item and “A Negro Master,” *Randolph Regulator*, October 11, 1876.

WHITE SLAVERY IN NORTH CAROLINA--DEGREDAATION WORSE THAN DEATH.



WHITE MEN OF NORTH CAROLINA HELP YOUR EASTERN BRETHREN BY VOTING FOR THE CONSTITUTIONAL AMENDMENTS.

Col. Askew's Letter.

Trenton, Jones Co., July 20, 1876.

Wm. H. Oliver, Esq., Chairman Democratic Ex. Committee of Craven County, N. C.

Sir:—I find on examination of the records and other sources, that at January term, 1873 of Commissioners court of this county, a Mrs. Nancy King (white) and three children were let out at auction to the lowest bidder and were bid off by a negro who can neither read nor write, at the price of \$5.50 per month.

At the same term a Mrs. Lucy Lockley, (white) aged and blind was bid off by another ignorant negro who can neither read nor write.

At April term, 1875, Sam'l Metts, (white and blind) having a wife and several children, was bid off by a negro Commissioner at \$5.00 per month.

At the same term a white man, named Alfred Davis, was bid off to another Commissioner at \$4.00 per month.

At April term, 1876, Sam'l Metts, the blind man named above was bid off by an ignorant negro at \$4.50 per month.

At the same term, Alfred Davis, named above, who is afflicted with cancer, was bid off by a negro at \$5.75 per month.

There were many others bid for by negroes but not bid off by them.

The Board of Commissioners consists of two white Radicals and three negroes. If you need any more testimony to corroborate the facts above stated it can be procured by scores of witnesses.

Vary Respectfully,

BENJ. ASKEW.

On the 1st of August formal spoliation was made to the County Commissioners of Jones Co., for the Clerk of Court to certify to the correctness of the above, and to attach the county seal. The Commissioners refused the application—Mr. Jarvis, our Candidate for Lieutenant Governor and Maj. Englehard Candidate for Secretary of State being present examined the records, and will testify in every speech they make, that the above statement is correct as taken from the records of the Court.

Confirmatory Certificates.

STATE OF NORTH CAROLINA, }  
Jones County, }

I, Wm. W. Francks, certify that I was Register of Deeds and Clerk of the Board of County Commissioners of Jones county from September 1872, to September 1874; that during that time the papers of the county were let out annually to the lowest bidder; and that colored persons on several occasions bid off white paupers.

Given under my hand at Trenton, the 1st day of August 1876. W. W. FRANCKS,  
Late Clerk of the Board County Commissioners.

STATE OF NORTH CAROLINA, }  
Jones County, }

I, James M. Pollock, certify that I have on several occasions been employed as Auctioneer by the Board of County Commissioners of Jones county within the last four years, to let out the paupers of the county to the lowest bidder, and that white paupers of both sexes were put up at auction, and in several instances white paupers have been bid off by colored persons.

Given under my hand at Trenton, August 1st, 1876. JAMES M. POLLOCK.

I have for years voted the Republican ticket. I know that white men and white women were hired out by the Board of County Commissioners of Jones county, and in a number of instances were bid off by negroes.

I condemned my party for it at the time, and still condemn it as a cruel and unnatural measure. F. MENNER.

Trenton, N. C., Aug. 28th, 1876.  
Mr. Fursey M'Creer is a farmer of Jones county, and is well known through this section.

Mr. Jacob F. Scott, the Radical Member of the Legislature from Jones County, received many letters from the West, asking if the above was true. He says, he replied to these, saying "IT WAS TRUE." He also says, he pronounced the proceedings as being "unchristian and uncivilized."

1876 Democratic Party broadside.

Rare Books Collection, Rubenstein Library, Duke University.

On Election Day, whites answered that call. They ratified the county government amendment and strengthened Democrats' majority in the legislature. John Graham, who returned to the state senate, was one of the beneficiaries of this upwelling of racial animosity, and he did not disappoint his constituents. Graham supported the 1877 Act to Establish County Governments, which aimed to exclude Blacks from elective office by dismantling the system of governance that had been created under the terms of the 1868 state constitution. The act allowed voters to fill only three county offices: treasurer, register of deeds, and surveyor. The

rest of county government was put in the hands of justices of the peace, who were appointed by the legislature and given authority to select both county commissioners and the judges who presided over county courts. These changes effectively restored the oligarchic system of governance that had been in place before the Civil War. In the words of one partisan, Democrats put “a moneyed oligarchy” in power over “the many poor” and “effectively robbed” Blacks of “their civil and political rights.”<sup>20</sup>

Graham’s Republican colleagues charged that he and fellow Democrats were staging a bloodless coup. The white men’s party “takes into its own hands [the] prerogatives of the people,” they declared, and the people’s “voice is stifled.” Ordinary citizens would no longer elect the local officials who governed them, or the judges whose decisions affected their “rights and personal liberty.” At the level of county government, democracy was all but dead.<sup>21</sup>

Things need not have turned out this way. Six Republicans read their objections to the county government act into the journal of the state senate. Their biographies constitute a picture of a different North Carolina that might have been.

- William P. Mabson was born in Wilmington in 1846 to an enslaved mother, Eliza, and the elderly white man, George W. Mabson, who claimed her as his property. We know little of his early life, except that he left Wilmington before the end of the Civil War and studied at Lincoln University, near Oxford, Pennsylvania. Mabson returned to North Carolina in 1870, settled in Edgecombe County, and made his career as an educator. He served two terms in the state senate, from 1874 to 1877, and was a delegate to the 1875 constitutional convention. In 1882, the Edgecombe County school board appointed him principal of a new school at Freedom Hill, a community founded by ex-slaves and later incorporated as Princeville, North Carolina’s oldest Black town. Mabson left the state in 1890, after white owners of Edgecombe’s vast tenant farms threatened his life for supporting a strike by Black laborers. He made a new home in Austin, Texas, where he worked as a journalist until his death in 1916.<sup>22</sup>
- J. Williams Thorne was born on Christmas Day, 1816. He was white, a Quaker, and a racial egalitarian, who in the 1850s operated a refuge along the Underground Railroad in southeastern Pennsylvania. In 1869, he moved his family to North Carolina to

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<sup>20</sup> *Laws and Resolutions of the State of North Carolina, Passed by the General Assembly at Its Session 1876-77* (Raleigh: News Publishing Company, 1877), chaps. 141, 154; J. Williams Thorne, *The Great Ecclesiastical Trial of J. Williams Thorne* (Raleigh: n.p., 1875), 5; “Remarks of J. Williams Thorne, Senator from Warren, on the bill establishing county government,” Thorne Family Papers, in private possession, quoted in Max Longley, *Quaker Carpetbagger: J. Williams Thorne, Underground Railroad Host Turned North Carolina Politician* (Jefferson, N.C.: McFarland and Company, 2020), 114. For a general account of the 1875 constitutional convention and the 1876 election, see Escott, *Many Excellent People*, 166-70.

<sup>21</sup> “A Protest Against the Act to Establish County Governments,” *Journal of the Senate of the General Assembly of the State of North Carolina at Its Session of 1876-77* (Raleigh: Josiah Turner, 1876), 770.

<sup>22</sup> Benjamin R. Justesen, “William Patrick Mabson,” in Henry Louis Gates Jr. and Evelyn Brooks Higginbotham, eds., vol. 5, *African American National Biography* (New York: Oxford University Press, 2008), 349-50; North Carolina State Senate rosters, Carolana.com, 1874-1875, <https://bit.ly/3d2dVRp>, 1876-1877, <https://bit.ly/33A9rhw>.

participate in the work of “upbuilding” the post-Civil War South. Republican voters in Black-majority Warren County elected Thorne to the state house of representatives in 1874, but the white Democrats who controlled that body refused to seat him. They objected to his religious beliefs and the fact that he was the “acknowledged leader of 2,500 Warren County ignorant negroes.” Undeterred, Black voters sent Thorne to the constitutional convention in 1875, and then to the state senate in 1876. There, he fought a losing battle for democratic governance, racially integrated schools, and the sanctity of interracial marriage. A decade later, having found among white North Carolinians little sympathy for his views on racial equality, Thorne returned to Pennsylvania.<sup>23</sup>

- William W. Dunn, born ca. 1832, was white. On the eve of the Civil War, he and his mother, Cynthia, who lived in his household, enslaved twenty-five people. We do not know their fate after Emancipation. During the war, Dunn represented Lenoir County in the state house of commons. Afterwards, he joined the Republican Party and won election to both the state senate and house of representatives. As clerk of court in Lenoir County during the mid-1880s, Dunn defied Democrats’ efforts to exclude Blacks from local government. His position gave him authority to fill vacancies among the county’s justices of the peace, and he used it to appoint Black men.<sup>24</sup>
- George A. Mebane was born to enslaved parents in Bertie County in 1850. After nearby Plymouth fell to U.S. forces in 1862, he served as an officers’ attendant in the Eighty-Fifth Regiment of the New York Volunteers. Mebane escaped execution when that unit surrendered to Confederate forces in April 1864, and he and his family fled to safety in Pennsylvania. He returned to North Carolina sometime before 1871, took up teaching as a profession, and twice won election to the state legislature, in 1876 and 1882. For a time, he also edited a Black-owned newspaper, the *Carolina Enterprise*, and ran a small store in Windsor. In the mid 1890s, Mebane moved to Pasquotank County, where he worked as general superintendent of the Elizabeth City Colored Normal and Industrial Institute, a teacher training school that in the twentieth century became Elizabeth City State University.<sup>25</sup>
- Hanson T. Hughes was born ca. 1835 to free Black parents in Granville County. He left a sparse archival trail. We know that he made his living as a barber, served as a county

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<sup>23</sup> Longley, *Quaker Carpetbagger*, 32-34, 66; “In Demand,” *Daily News* (Raleigh, N.C.), February 25, 1875.

<sup>24</sup> 1860 Federal Census, Population Schedule, Lenoir County, North Carolina, Ancestry.com; 1860 Federal Census, Slave Schedule, Lenoir County, North Carolina, Ancestry.com; North Carolina State House of Commons rosters, Carolana.com, 1862-1863, <https://bit.ly/2HZi6So>, 1865-1866, <https://bit.ly/36O2paW>; North Carolina State Senate rosters, Carolana.com, 1876-1877, <https://bit.ly/33A9rhw>; North Carolina State House of Representatives rosters, Carolana.com, 1879-1880, <https://bit.ly/2GvzLAR>, 1881, <https://bit.ly/2SyPPnZ>; Eric Anderson, *Race and Politics in North Carolina, 1870-1901: The Black Second* (Baton Rouge: Louisiana State University Press, 1980), 319.

<sup>25</sup> Benjamin R. Justesen, “George A. Mebane,” in Henry Louis Gates Jr. and Evelyn Brooks Higginbotham, eds., vol. 5, *African American National Biography* (New York: Oxford University Press, 2008), 562-63; North Carolina State Senate rosters, Carolana.com, 1876-1877, <https://bit.ly/33A9rhw>, 1883, <https://bit.ly/3jGOOWI>.

magistrate and registrar, and in the 1870s was elected to three terms in the state legislature. Hughes likely appears in this remarkable stereograph taken in 1874/75, but positive identification is not possible.<sup>26</sup>



North Carolina House of Representatives, 1874-1875 session.  
Prints and Photographs Division, Library of Congress, Washington, D.C.

- Robert W. Wynne, born ca. 1813, was white. In 1860, he enslaved seven Black men, women, and children who appear to have been members of a single family. We do not know what became of them as freedpeople. During the Civil War, Wynne served as a justice of the peace. Under the terms of the Fourteenth Amendment, that initially barred him from voting or holding political office after the South's defeat. But Congress lifted that disability in 1868. With his rights restored, Wynne became active in the state Republican Party, which proudly declared itself to be "A Party for White and Black." For a time, Wynne chaired the Republican executive committee in Wake County and served as a county commissioner. In those leadership roles, he openly chastised so-called "bolters," whites in the party who were willing to bargain with Democrats on limiting Blacks' civil rights. Wynne also served in the state senate in 1876-1877 and 1881, and in the state house of representatives in 1879-1880.<sup>27</sup>

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<sup>26</sup> Eric Foner, *Freedom's Lawmakers: A Directory of Black Officeholders During Reconstruction* (New York: Oxford University Press, 1993), 111; North Carolina State House of Representatives rosters, Carolana.com, 1872-1874, <https://bit.ly/3lgVVFG>, 1874-1875, <https://bit.ly/30Cjwso>; North Carolina State Senate rosters, Carolana.com, 1876-1877, <https://bit.ly/33A9rhw>.

<sup>27</sup> 1860 Federal Census, Population Schedule, Wake County, North Carolina, Ancestry.com; 1860 Federal Census, Slave Schedule, Wake County, North Carolina, Ancestry.com; roster of justices of the peace, *Weekly State Journal* (Raleigh, N.C.), May 29, 1861; *Acts and Resolutions of the United States of America Passed at the Second*

To borrow a phrase from historian Eric Foner, these men were “freedom’s lawmakers.” They sometimes treated their alliance as a matter of expediency as much as principle. Yet, they held a firm conviction that peace and shared prosperity required building a biracial democracy from the ruins of racial slavery. That, perhaps, was a “fool’s errand,” as some later claimed. After all, North Carolina – and indeed, the nation – had been founded upon Black bondage. History was not on the reformers’ side. But had they succeeded, so much tragedy might have been averted: the re-establishment of white supremacy, the horrors of lynching, vast racial disparities of wealth and power that persist to this day, and deep-rooted racism that still divides our state and nation.<sup>28</sup>

Throughout the 1860s and 1870s, John Graham labored to crush the reformers’ democratic project. Later in life, he enjoyed the “unqualified respect, esteem, and admiration” of like-minded men and women. They characterized him as a civic leader of “most exemplary character . . . prudent, conciliatory and patriotic, affable, honest and true.” To them, he was a redeemer. Graham had “opposed radical changes” to the “organic law” of white supremacy, and in doing so, had helped to save North Carolina from what he and others of his class had long dismissed as “unwise” principles of racial justice and equal citizenship.<sup>29</sup>

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*Session of the Fortieth Congress: December 2, 1867 to November 10, 1868* (Washington, D.C.: Government Printing Office, 1868), 233; “A Party for White and Black,” *Weekly Era* (Raleigh, N.C.), June 11, 1874; L[evi] Branson, *The North Carolina Business Directory* (Raleigh: J. A. Jones, 1872), 219; “Republican Convention in Wake,” *Weekly Era* (Raleigh, N.C.), June 4, 1872; “A Victory at the Start,” *Republican* (Raleigh, N.C.), July 16, 1867; North Carolina State Senate rosters, Carolana.com, 1876-1877, <https://bit.ly/33A9rhw>, 1881, <https://bit.ly/3jAKMiw>; North Carolina State House of Representatives rosters, Carolana.com, 1879-1880, <https://bit.ly/2GvzLAR>.

<sup>28</sup> Albion W. Tourgée, *A Fool’s Errand, By One of the Fools* (New York: Ford, Howard and Hulbert, 1879). On the centrality of racial slavery to American notions of democracy and individual liberty, see Edmund S. Morgan, *American Slavery, American Freedom* (New York: W.W. Norton, 1975). The best treatment of slavery’s role in the national economy is Edward E. Baptist, *The Half has Never Been Told: Slavery and the Making of American Capitalism* (New York: Basic Books, 2014).

<sup>29</sup> *Cyclopedia of Eminent and Representative Men of the Carolinas in the Nineteenth Century*, vol. 2 (Madison, Wisc.: Brant and Fuller, 1892), 155-56; “Communism,” *Enquirer* (Tarboro, N.C.), November 25, 1871.