



UNC
COLLEGE OF
ARTS & SCIENCES

THE UNIVERSITY
of NORTH CAROLINA
at CHAPEL HILL

DEPARTMENT OF HISTORY

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April 14, 2021 (updated June 29, 2021)

Chancellor Kevin Guskiewicz
103 South Building
Carolina Campus
Via electronic delivery

Dear Chancellor Guskiewicz:

On behalf of the Commission on History, Race, and a Way Forward, we submit this recommendation that the names of the following men be removed from the buildings that afford them places of honor on our campus: William Waightstill Avery (Avery Residence Hall), Kemp Plummer Battle (Battle Hall), Robert Hall Bingham (Bingham Hall), John Washington Graham (Graham Residence Hall), Bryan Grimes Jr. (Grimes Residence Hall), Joseph Grégoire de Roulhac Hamilton (Hamilton Hall), Cameron A. Morrison (Morrison Residence Hall), James Johnston Pettigrew (Pettigrew Hall), Thomas Ruffin Jr. (Ruffin Residence Hall), and Zebulon Baird Vance (Vance Hall). The accompanying dossiers provide the evidentiary basis for this recommendation.

Four premises, developed in each of the dossiers, have guided the commission's deliberations and warrant attention here:

The figures whose lives and careers are examined in the dossiers were not merely "men of their times." They occupied positions of power and influence. They led other men to war, condoned the use of violence to affect the outcome of elections, held high offices of public trust, enacted laws, defined the terms of debate over race and democracy, and insinuated their beliefs into education of the young. They did all of these things in the name of what they themselves called "white supremacy." On that account, these men bear special moral responsibility for the injustices of the past that remain manifest in our society today.

The fact that a set of ideas and actions was once "conventional" does not absolve past actors of their moral transgressions. The enslavement of Black children, women, and men was both legal and widely practiced in the American South before 1865; it was also commonly denounced, most immediately by the four million souls held in bondage – who, through countless forms of resistance, demanded freedom and that their humanity be recognized. Enslavers had opportunities at every turn to reform their thinking and their behavior. Their refusal to do so was a moral choice for which there is no easy absolution. Much the same can be argued for the regime of Jim Crow. The men who are profiled in the dossiers made an *active choice* to enrich and empower themselves, along with others of their ilk, by terrorizing, exploiting, disenfranchising, and impoverishing their fellow citizens on the basis of color. Their behavior cannot be explained away by asserting that in the past "everyone" thought and acted this way. Such claims are historically untrue; they are demonstrably dangerous; and worst of all, they dismiss the dissenters who dared to think and act differently.

The buildings addressed here are not benign memorials. Earlier stewards of the university chose names that made the buildings part of an express effort to deny that racial slavery and white supremacy were moral evils, and that both the Confederacy and the Jim Crow South were, in the words of former News Orleans mayor Mitch Landrieu, "on the wrong side of humanity."

Removing a name from a building or other campus feature does not erase the university's history.

The story of Carolina's past will continue to be preserved in the archives, in faculty and student scholarship, and in the multitude of ways that campus and community stakeholders speak to our university's core values and recount the events in which those values were forged. Each new generation has a right and responsibility to make its own moral judgments, informed by history but not beholden to the past for the past's sake. This practice of critical self-examination is how we grow and prepare ourselves – both as individuals and as an institution – to meet the challenges of our own historical moment. History, as noted in the Hamilton dossier, is more than a settled record of what was – it is also a tool for discerning what is and should be.

Taken together, these premises and corresponding evidence exceed the tests for a strong case for name removal, as specified in the "Board of Trustees' Policy for the Consideration of the Removal of Names on University Buildings and Public Spaces" (adopted on July 16, 2020).

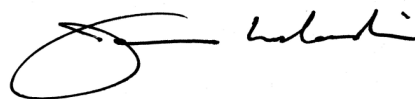
Today, we stand at a moral crossroads, much the same as our predecessors during Reconstruction and in the early years of the twentieth century. We have an opportunity to redress racial injustice, past and present; to promote reconciliation and healing; and to fulfil the promise of what we call the "people's university." Let us continue that work with courage and conviction. Let us move forward by telling the truth about the past.

Members of the commission approved this recommendation by unanimous vote on April 13, 2021.

Sincerely,



Patricia Parker, Co-chair
Professor and Chair, Department of Communication



James Leloudis, Co-chair
Professor, Department of History

Commission Members

Ariana Avila, Ph.D. candidate, Department of Anthropology (2020-2021)

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

Larry Chavis, Clinical Associate Professor of Strategy and Entrepreneurship, Kenan-Flagler Business School; Director, 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 alumnus; student, School of Medicine, Duke University

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

Danita Horton, graduate student, School of Social Work

Sherick Hughes, Professor, 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, Department of African, African American, and Diaspora Studies

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

Joseph Jordan, Interim Vice Provost for Academic and Community Initiatives; Director, Sonja H. Stone Center for Black Culture and History; Adjunct Associate Professor, Department of African, African American, and Diaspora Studies

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

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

Josmell Pérez, Director, Carolina Latinx Center

Sydni Janell Walker, Undergraduate Student

Graham Watkins, Undergraduate Student

Avery Residence Hall

This building opened in 1958. University officials named it for William Waightstill Avery, class of 1837.¹ Avery made his living as a lawyer and from investments in slaves and gold mining. In politics, he was an ardent secessionist who served in the state legislature and represented North Carolina in the Provisional Congress of the Confederate States of America. Avery held a seat on the University of North Carolina's Board of Trustees from 1850 until his death in 1864. His name is absent from the minutes of trustees' meetings, suggesting that he treated his appointment to the board as little more than a sinecure. Avery's sole post-graduate contribution to the life of the university appears to have been a commencement address he delivered to the student debating societies in June 1851. His topic was state pride.²

Avery:

- Enriched himself by enslaving Black children, women, and men
- Practiced law in Burke County, where he killed an adversary in an open session of superior court
- Devoted his political career and ultimately sacrificed his life to the defense of racial slavery and white men's right to own Black people as chattel
- Committed treason against the United States by his service in the Provisional Congress of the Confederate States of America³

Avery was one of four self-avowed opponents of Black freedom and equal citizenship honored by the university's trustees amid the protests of the modern civil rights movement. The others were: Cameron Morrison (Morrison Residence Hall, 1964), governor from 1921 to 1925, who began his political career as an organizer of vigilantes known as Red Shirts during the state white supremacy campaigns of 1898 and 1900; Josephus Daniels (Daniels Student Stores Building, 1967), editor of the *Raleigh News and Observer* and lead propagandist in the white supremacy campaigns; and J. G. de Roulhac Hamilton (Hamilton Hall, 1972), a historian of North Carolina and the American South whose scholarship lauded white opposition to Black political, economic, and social equality in the post-Emancipation era.⁴

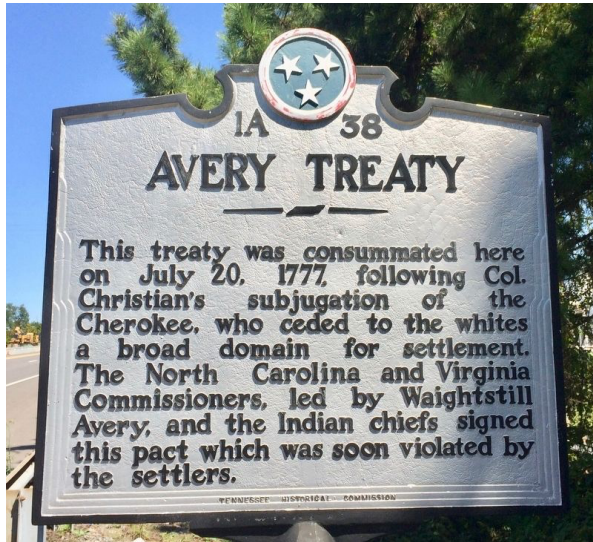
¹ Report of the Committee on Naming Buildings, May 26, 1958, Board of Trustees minutes, vol. 5, 342, series 1, Board of Trustees of the University of North Carolina (System) Records, 1932-1972, #40002, University Archives, Wilson Library, University of North Carolina at Chapel Hill.

² Kemp P. Battle, vol. 1, *History of the University of North Carolina, 1789-1868* (Raleigh: Edwards and Broughton, 1907), 825; W. W. Avery, Esq., *An Address Delivered Before the Two Literary Societies of the University of North Carolina, June 4, 1851* (Raleigh: William W. Holden, 1851). Battle incorrectly dates the commencement address to 1850; see above, 615.

³ Article 3, section 3 of the U.S. Constitution defines treason as the act of "levying War against [the United States]" or giving "Aid and Comfort" to the nation's enemies.

⁴ See Daniels, Hamilton, and Morrison dossiers prepared by the Commission on History, Race, and a Way Forward.

William Waightstill Avery was born on May 25, 1816, the oldest surviving child of Isaac Thomas and Harriet Eloise Avery. His parents called him by his middle name, which he shared with his paternal grandfather, a founding trustee of the University of North Carolina who had served as a provincial lawmaker during the American Revolution and participated in drafting the state's first constitution. The Averys were one of western North Carolina's wealthiest families. They derived their fortune from stolen land and stolen labor.⁵



Tennessee Historical Commission highway marker, Kingsport, Tennessee

Early in the Revolutionary War, provincial governments in Virginia, North Carolina, and South Carolina mounted a military campaign to crush Cherokee resistance to white settlers' encroachment on their lands. Militiamen, six-thousand strong, executed orders to "carry fire and sword into the very bowels of [Indian] country." They burned fifty-two towns, destroyed crops and food stores, and killed as many as two thousand Cherokees – women and children as well as men.⁶

In July 1777, the elder Waightstill, who had helped to coordinate the assault, led negotiations that produced the Avery Treaty (formally known as the Treaty of Long Island of Holston), an agreement under duress by which

the Cherokee ceded their lands east of the Blue Ridge Mountains. After the American colonies won independence from Great Britain, North Carolina officials subdivided the expropriated territory and transferred ownership to private hands. Between 1788 and 1818, Avery received

⁵ Isaac Thomas Avery Jr., "Waightstill Avery," and Elgiva D. Watson, "William Waightstill Avery," in Williams S. Powell, ed., vol. 1, *Dictionary of North Carolina Biography* (Chapel Hill: University of North Carolina Press, 1979), 70-72; A. C. Avery, "William Waightstill Avery," in Samuel A. Ashe and Stephen B. Weeks, eds., vol. 7, *Biographical History of North Carolina: From Colonial Times to the Present* (Greensboro, N.C.: Charles L. Van Noppen, 1908), 9; Isaac Thomas "Ike" Avery, Geni.com, <https://bit.ly/3bwAD4m>; Battle, vol. 1, *History of the University of North Carolina*, 2, 15, 822. 'Waightstill' was a concatenated form of the elder Avery's given name, 'Wait Still Upon the Lord,' a Biblical phrase taken from Isaiah 2:31 and Psalms 27:14. See "Homes of the Signers of the Mecklenburg Declaration of Independence," *Southern Home* (Charlotte, N.C.), August 23, 1878; "Carolina Cavalcade," *News and Observer* (Raleigh, N.C.), February 24, 1954. For a comprehensive biography of William Waightstill Avery, see Russell Edwin Dancy, *Blood and Honor: The Life of William Waightstill Avery* (Victoria, B.C., Canada: Friesen Press, 2015).

⁶ Robert L. Ganyard, "Threat from the West: North Carolina and the Cherokee, 1776-1778," *North Carolina Historical Review* 45 (January 1968), 47-66; letter from William Hooper, Joseph Hewes, and John Penn to the North Carolina Council of Safety, August 7, 1776, in William L. Saunders, ed., vol. 10, *Colonial Records of North Carolina* (Raleigh: Josephus Daniels, 1890), 732; "Cherokee War (1776)," *South Carolina Encyclopedia*, <https://bit.ly/3wgCtiV>; Roy S. Dickens Jr., "The Route of Rutherford's Expedition Against the North Carolina Cherokees," *Southern Indian Studies* 19 (October 1967), 3-24. Nadia Dean offers a comprehensive account of the campaign against the Cherokee in *A Demand of Blood: The Cherokee War of 1776* (Cherokee, N.C.: Valley River Press, 2012).

172 land grants from the state, totaling 36,555 acres. He retained roughly a third of that allotment and sold much of the rest. When Avery died in 1821, his son, Isaac, inherited his Swan Ponds estate in Burke County, and in subsequent years added new acquisitions. By the time of the Civil War, Isaac's holdings sprawled across more than fifty thousand acres of cultivated fields, forests, and grazing lands in Burke and adjacent western counties.⁷

Isaac depended on forced labor to produce the bounty of those possessions. By 1850, he enslaved 135 Black men, women, and children. They tended his crops, raised livestock, and harvested timber from his forests. Many of the men and older boys also toiled in the mines that were dug across Burke County after the discovery of gold there in 1828. Isaac, and later his son, Waightstill, were heavily invested in those operations. In the early 1830s, a traveler from Kentucky noted the harsh conditions under which enslaved Black miners labored. Hundreds were sent into the earth by "Cruel Masters who had a Great thirst for filthy Lucre," the visitor noted in his diary, and violent deaths in cave-ins, explosions, and flooded mine shafts were commonplace. Before the California Gold Rush of 1848, North Carolina was the nation's leading gold producer, and great fortunes were dug from the ground in the state's western counties. For investors like the Averys, the loss of Black lives became an acceptable expense in an otherwise lucrative venture.⁸

Young Waightstill came of age in elite circles. In 1837, he graduated from the University of North Carolina as valedictorian in a senior class of just nine students. He then read law with Judge William Gaston, one of the state's most distinguished jurists, and was licensed to practice in 1839. Avery made his home in Morganton, the seat of Burke County. There, he and Mary Corrina Morehead Avery raised five surviving children. Corrina belonged to a family of great wealth and power. She was the daughter of John Motley Morehead, governor of North Carolina from 1841 to 1845 and president of the North Carolina Railroad from 1850 to 1855. Morehead owned extensive investments in banks, railway companies, and textile mills, along with land

⁷ Edward W. Phifer, "Saga of a Burke County Family, Part I: The Grandparents," *North Carolina Historical Review* 39 (Winter 1962), 9, 15-16; Archibald Henderson, "The Treaty of Long Island of Holston, July 1777," *North Carolina Historical Review* 8 (January 1931), 55-57; Avery's Treaty/Treaty of Holston, Envisioning the West: Thomas Jefferson and the Roots of Lewis and Clark, <https://bit.ly/3wLIG6Z>; Charles R. Haller, *Pushing the Indians Out: Early Movers and Shakers in Western North Carolina and the Tennessee Territory* (Charlotte: Money Tree Imprints, 2014), 43; Edward W. Phifer, "Saga of a Burke County Family, Part II: The Parents," *North Carolina Historical Review* 39 (April 1962), 141, n. 57. On Avery's role in coordinating militia movements, and in organizing the defense of white settlers, see Saunders, ed., vol. 10, *Colonial Records of North Carolina*, 745-48, 830, 922-23. Under the terms of the Avery Treaty, the Cherokee also ceded a corridor that allowed white settlers from North Carolina and Virginia to reach Kentucky through the Cumberland Gap.

⁸ 1850 Federal Census, Slave Schedules, Burke and Yancey Counties, North Carolina, Ancestry.com; 1850 Federal Census, Manufacturing Schedule, Burke County, North Carolina, Ancestry.com; Edward W. Phifer, "Champagne at Brindletown: The Story of the Burke County Gold Rush, 1829-1833," *North Carolina Historical Review* 40 (October 1963), 492; John C. Inscoe, "Mountain Masters: Slaveholding in Western North Carolina," *North Carolina Historical Review* 61 (April 1984), 152, 159-60; Wilma A. Dunaway, *Slavery in the American Mountain South* (New York: Cambridge University Press, 2003), 120; Edward W. Phifer, "Slavery in Microcosm: Burke County, North Carolina," *Journal of Southern History* 28 (May 1962), 164-65. For an overview of gold mining in North Carolina, see Fletcher Melvin Green, "Gold Mining: A Forgotten Industry of Ante-Bellum North Carolina," *North Carolina Historical Review* 14 (January 1937), 1-19.

and slaves. In 1850, he held thirty-seven souls in bondage at Blandwood, his home in Guilford County, and another twenty-seven on a large farm in Rockingham County.⁹



W. Waightstill Avery
Samuel A. Ashe and Stephen B.
Weeks, eds., vol. 7, *Biographical
History of North Carolina*

Avery represented Burke County in the state House of Commons from 1842 to 1843, and again from 1850 to 1852. During the latter period, he served on a special legislative Committee on Negro Slavery, convened during the national debate over what became known as the Compromise of 1850. That term referred to a group of five bills passed by Congress in an attempt to defuse the conflict over slavery in western territories added to the United States after the Mexican-American War (1846-1848). In a report submitted to fellow lawmakers, Avery spoke as a firebrand secessionist, cast in the mold of South Carolina senator John C. Calhoun. "Among the few subjects which could possibly induce a State to withdraw from the Union," he declared, "negro slavery stands pre-eminent. This institution forms the substratum of southern society. It is so intimately connected with our social and domestic relations, that its destruction, or material injury,

would not only produce universal poverty, but also overthrow [all forms of civil government]." By that reasoning, Avery demanded that northern states agree to amend the Constitution with an explicit defense of racial slavery; otherwise, the white South would have no alternative but to exercise its right to secede. Anything less, Avery exclaimed, would make white enslavers into slaves by subjecting them to "intolerable tyranny and oppression."¹⁰

In 1851, Avery committed a brazen act that won him notoriety throughout the state. On the afternoon of Tuesday, November 11, he murdered Samuel Fleming, an adversary, in an open session of the Burke County Superior Court. The two men had grown to dislike one another while serving in the state legislature, and in mid-October, weeks before the murder, they were embroiled in a legal dispute in neighboring McDowell County over Fleming's claim to property owned by his deceased father-in-law. Avery represented a challenger who questioned the claim, and in a caustic address to the court, accused Fleming of fraud. Later in the day,

⁹ Watson, "William Waightstill Avery"; Battle, vol. 1, *History of the University of North Carolina*, 432-33, 796; Burton Alva Konkle, *John Motley Morehead and the Development of North Carolina* (Philadelphia: William J. Campbell, 1922); 1850 Federal Census, Slave Schedules, Guilford and Rockingham Counties, North Carolina, Ancestry.com. Because Blandwood was not a farm, it is likely that Morehead hired out the labor of many of the people he enslaved there.

¹⁰ Watson, "William Waightstill Avery"; Compromise of 1850: Primary Documents in American History, Library of Congress, <https://bit.ly/2RDZahh>; Edward W. Phifer, "Saga of a Burke County Family, Conclusion: The Sons," *North Carolina Historical Review* 39 (July 1962), 307; *Report and Resolutions of the Minority of the Committee on Negro Slavery* (Raleigh: T. J. Lemay, 1850), and *Resolutions on the Subject of Slavery* (Raleigh: Thomas J. Lemay, 1850), both bound in *House and Senate Documents, Printed for the General Assembly of North Carolina at the Session of 1850-51*, vol. 2 (Raleigh: T. J. Lemay, 1851), 245-60. Calhoun died amid congressional debate over the Compromise of 1850. See Robert Elder, *Calhoun: American Heretic* (New York: Basic Books, 2021), 512-19.

Fleming followed Avery out of the courthouse and, in public view, lashed him with a whip and pummeled him about the face and head. After bystanders broke up the fight, Avery – badly bruised and bleeding profusely from a head wound – took refuge in a nearby hotel, where a physician attended to his injuries. In the weeks that followed, Avery planned his revenge. On the fateful day in November, he and Fleming crossed paths again, this time in the Burke County Courthouse, where both had cases on the trial docket. As Fleming was standing before the bar, in full sight of the presiding judge, Avery pulled a gun from beneath his coat and fired a single shot. It pierced Fleming's heart, killing him instantly.¹¹



The Burke County Courthouse, as it would have looked in 1851
North Carolina State Historic Preservation Office

Avery stood trial for murder three days later. The jury, after deliberating for little more than ten minutes, returned a verdict of not guilty. They reckoned that in the second confrontation with Fleming, humiliation and rage had rendered Avery momentarily insane. Across the state, reaction to the acquittal was sharply divided. The editor of the *Carolina Watchman* argued that the jury's decision laid "a broad axe at the root of all that renders us preeminently distinguished as a Christian people, for our love and observance of right

reason, law, and order." Other observers had no patience for such moralizing. They insisted that as a matter of personal honor, Avery "had a right to choose the course he pursued." True, his actions violated "the law laid down in books," but the law "was framed by man and like everything done by him is imperfect."¹²

Similar indictments and rebuttals captured newspaper readers' attention for weeks, but the debate did little harm to Avery's prospects. He held on to his seat in the state House of Commons; retained his appointment to the University of North Carolina's Board of Trustees,

¹¹ One of the most detailed contemporary accounts of the murder and trial is "The Trial of W. W. Avery, Esq.," *Semi-Weekly Standard* (Raleigh, N.C.), December 3, 1851. See also "Most Melancholy Occurrence," November 19, 1851, and "The Morganton Tragedy," November 26, 1851, *Raleigh Register*; Phifer, "Saga of a Burke County Family, Conclusion: The Sons," 307-10; W. Conrad Gass, "'The Misfortune of a High Minded and Honorable Gentleman': W. W. Avery and the Southern Code of Honor," *North Carolina Historical Review* 56 (July 1979), 278-97. Avery's grandfather and namesake had been involved in a similar affair of honor in 1788. While arguing a case, he insulted a brash young lawyer named Andrew Jackson, later President of the United States. Jackson replied by challenging Avery to a duel. When they met later in the day, tempers had cooled, and both men fired a shot in the air. See Phifer, "Saga of a Burke County Family, Part I: The Grandparents," 12-13; Marquis James, *The Life of Andrew Jackson, Complete in One Volume* (Indianapolis: Bobs-Merrill, 1938), 45-47.

¹² "The Morganton Murder and Trial," *Carolina Watchman* (Salisbury, N.C.), December 25, 1851; "The Trial of W. W. Avery, Esq.," untitled reprint from the *Asheville Messenger, Newbernian and North Carolina Advocate* (New Bern, N.C.), December 2, 1851; Phifer, "Saga of a Burke County Family, Conclusion: The Sons," 310-12.

which fellow lawmakers had granted him in 1850; and, in 1856, won election to the state Senate, where he served as speaker. Avery's legal practice also continued to flourish, and he profited as handsomely as ever from investments in slaves and gold mining. On the eve of the Civil War, he owned real and personal property – which, in the latter category, included twenty enslaved Black children, women, and men – valued at \$37,500, the rough equivalent of \$1.2 million today.¹³

Amount of Negroes hired during on the Laurie Lane Mine worked by W. W. Avery Co. from 3 ^d Jan'y 1844 to 4 th Nov. 1844 Hire of hands under W. W. Avery's contract.	
A. H. & E. J. Erwin hands.	\$ 875. 14
Jas. H. Wilson Guar. & hands	600. 00.
Dr. J. F. C. Hanes's hands	198. 87.
W. F. Jones's hands	350. 46.
George Conly's hands	67. 84.
Joseph Conly's hands	23. 88.
Lisle hands	50.
	<u>\$ 2,166. 09</u>
Hands under A. Brackett	
Edmund W. Jones hands	233. 24
Laurie Leptons hands	365. 14
J. H. Greenleaf hands	52. 30.
J. Martin's hands	14. 00
Saml. Smith's hands	16. 62
J. McEwen	11. 87.
Bene dict Dristal	44. 83
	<u>\$ 738. 00</u>
	<u>2,166. 19</u>
Hire of hands under W. B.	2,904. 19
	<u>22. 15-</u>
J. J. Erwin hands	<u>\$ 2,926. 34</u>

This financial statement from 1844 reflects the scale of Avery's gold mining operation. Between January and November, he leased an unspecified number of enslaved laborers from fifteen of his Burke County neighbors at a cost of \$2,926.34 – the rough equivalent of \$105,000 today. George Phifer Erwin Papers #00246, Southern Historical Collection, Wilson Library, University of North Carolina at Chapel Hill.

Avery's determination to defend the institution of racial slavery lifted him to national prominence in 1860, when Democrats gathered in Charleston, South Carolina, to choose their presidential nominee. He led the North Carolina delegation to the convention, chaired the party's platform committee, and sided with Deep South "fire eaters" who opposed the

¹³ Phifer, "Saga of a Burke County Family, Conclusion: The Sons," 312-13; Watson, "William Waightstill Avery"; 1860 Federal Census, Population and Slave Schedules, Burke County, North Carolina, Ancestry.com. In 1850, Avery had owned twenty-six slaves, eight in Burke County, where he resided, and another eighteen in McDowell County. See 1850 Federal Census, Slave Schedules, Burke and McDowell Counties, North Carolina, Ancestry.com. Today, the speaker of the senate is more commonly called the president pro tempore.

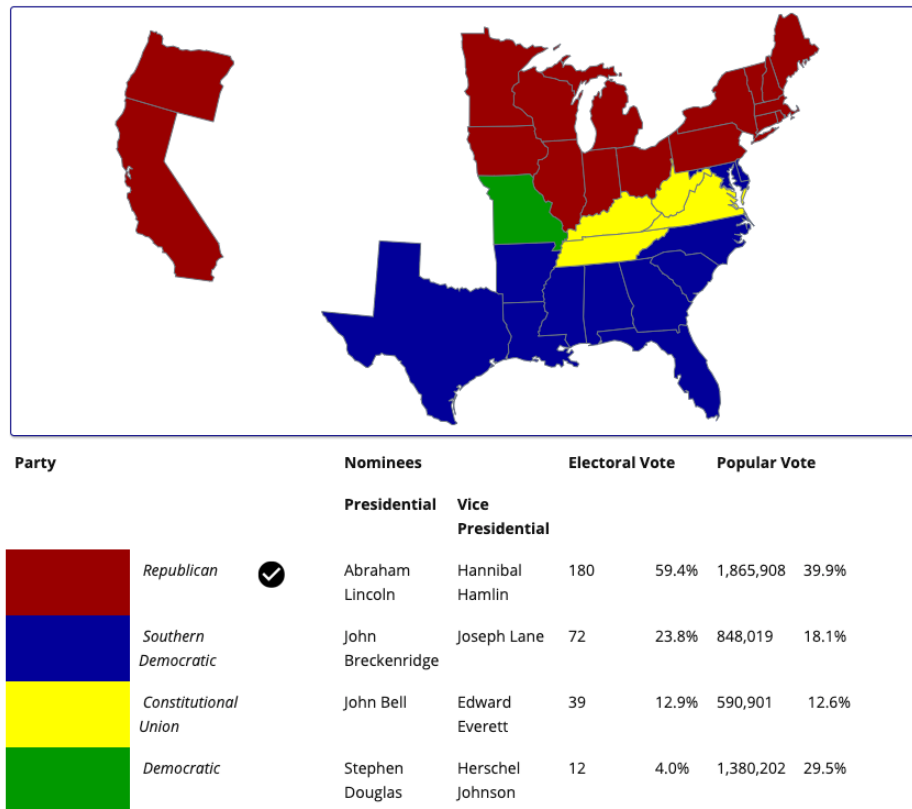
frontrunner, Illinois Senator Stephen A. Douglas. Douglas was a self-styled moderate on the slavery question; he rejected abolition but remained open to political compromise over slavery's status in new states and territories. To block Douglas's nomination, Avery and the radical majority on the platform committee drafted a document that northern delegates would not endorse, and Douglas could not run on. They demanded strict compliance with the Supreme Court's 1857 *Dred Scott* decision, which protected slaveowners' property rights in the free states and western territories, and they insisted that new states be admitted to the Union without regard to the question of whether their constitutions "prohibit[ed] or recognize[d] the institution of Slavery." That stand on white men's entitlement to own Black people as chattel squared with Avery's advocacy at home in North Carolina, where he was serving a second term in the state senate. Together with his influential father-in-law, John Morehead, he urged that the U.S. Constitution be amended to deny Congress the authority to abolish slavery or otherwise "interfere . . . with the traffic of slaves . . . from one State [or territory] to another."¹⁴

In his address to the Charleston convention, Avery placed the platform committee's majority report in the context of slaveowners' aspirations for what a contemporary described as a "vast Southern Empire." "If the bonds of the Union are to be preserved and perpetuated and we are to live in concord and harmony," Avery explained, "the flag of this great country must float over all the States of Central America, and over the whole of Mexico." But that prospect was endangered by abolitionists who sought to bar slavery from the western territories and establish "a cordon of free States on the Gulf [of Mexico], across from the Pacific to the Atlantic Ocean." If successful, that maneuver would leave "no outlet" for the South's growing enslaved population, making bloody racial strife and a civil war among white men "irrepressible." Blacks, emboldened by their "very numbers," would rebel against white authority, Avery warned, and ordinary southern whites, made "bitterly hostile" by the prospect of racial equality, would take up arms in a slaveholders' war against their countrymen to enforce and perpetuate Black subjugation.¹⁵

The platform proposal split the convention delegates along sectional lines and forced them to adjourn without naming a presidential candidate. Weeks later, the opposing factions met in separate conventions in Baltimore, where each chose a nominee: Senator Douglas, favored by northern Democrats, and Vice President John C. Breckenridge, supported by their southern rivals.

¹⁴ Phifer, "Saga of a Burke County Family, Conclusion: The Sons," 313-14; Owen W. Peterson, "W. W. Avery in the Democratic National Convention of 1860," *North Carolina Historical Review* 31 (October 1954), 464; *Proceedings of the Conventions at Charleston and Baltimore* (Washington: National Democratic Executive Committee, 1860), 91-92; *Federal Resolutions, Senate Res. No. 4* (Raleigh: John Spelman, [1861]), 2. For Avery's service on the legislative committee that proposed amendments to the U.S. Constitution, see *Journal of the Senate of the General Assembly, of the State of North Carolina, at Its Session of 1860-61* (Raleigh: John Spelman, 1861), 55. On *Dred Scott*, see *The Dred Scott Decision and Its Bitter Legacy*, Gilder Lehman Institute of American History, <https://bit.ly/3yvouxXf>.

¹⁵ Letter from C. R. Fontaine, *Richmond Enquirer* (Richmond, Virginia), April 30, 1844; "Charleston Convention," *Semi-Weekly Standard* (Raleigh, N.C.), May 5, 1860. See also Matthew Karp, *This Vast Southern Empire: Slaveholders at the Helm of American Foreign Policy* (Cambridge, Massachusetts: Harvard University Press, 2016). Karp cites the date of the Fontaine letter incorrectly as April 20, 1844.



1860 Presidential Election
American Presidency Project, University of California-Santa Barbara

In the November election, Breckinridge carried North Carolina, along with Alabama, Arkansas, Delaware, Florida, Georgia, Louisiana, Maryland, Mississippi, South Carolina, and Texas. He won thirty-eight percent of the Democratic vote, which spoiled Douglas's chance at defeating Republican Abraham Lincoln. In the Electoral College, Lincoln's victory was resounding. He claimed 180 votes, more than double Breckinridge and Douglas's combined total of eighty-four.¹⁶

After the 1860 election, Avery campaigned relentlessly for North Carolina's "immediate secession . . . from the Federal Union." He and Marcus Erwin, a cousin and fellow state senator,

¹⁶ 1860 statistics, The American Presidency Project, University of California-Santa Barbara, <https://bit.ly/346H0XW>. Historians John Inscoe and Gordon McKinney assign Avery considerable blame for the fracture of the Democratic Party. "As one of [western North Carolina's] largest slaveowners," they write, "Avery made Congressional protection of slavery a central part of the [proposed party] platform, defiantly claiming, 'We regard this principle as more important in its ultimate effects than any principle every discussed in the South.' As he and other committee members must have known, any platform with such a blatantly sectional stipulation could not garner a majority of convention votes, and when it failed to do so, most Lower South delegates walked out of the convention." On that account, Avery "bore important responsibility for the Democratic Party breakup and subsequent Republican victory" in the 1860 presidential election. See John C. Inscoe and Gordon B. McKinney, *The Heart of Confederate Appalachia: Western North Carolina in the Civil War* (Chapel Hill: University of North Carolina Press, 2000), 38; John C. Inscoe, *Mountain Masters: Slavery and the Sectional Crisis in Western North Carolina* (Knoxville: University of Tennessee Press, 1996), 216.

warned that the new President viewed Black slaves as white men's "social and political equal[s]," and based on that principle, was determined to "pull down the whole social fabric of the South" – to destroy slaveowners' wealth in human property and to make the white master race into "trembling victims of . . . negro insurrections." That appeal to racism, avarice, and fear swayed Burke County voters, who elected Avery to represent them in the state secession convention, which met in Raleigh in May and June 1861, first to "dissolve the union between North Carolina" and the United States, and then to ratify the constitution of the Confederate States of America.¹⁷

The war that followed brought Avery none of the laurels he anticipated. At the outset, his prospects were encouraging. The secession convention elected him as a delegate to the Confederacy's Provisional Congress, where he served as chairman of the powerful Military Affairs Committee. But when he campaigned to continue that work as a member of the Confederate senate, he was bested by a rival, William T. Dortch. Avery also suffered disappointment in his ambitions as a warrior. At the end of his congressional term, he returned to North Carolina with a commission from Confederate president Jefferson Davis to raise a regiment of troops, which he would command with the rank of colonel. But Avery was forty-six years old, well beyond the ordinary age for active service, and struggled with a heart ailment that had afflicted him since childhood. His elderly father, who already had four younger sons in uniform, also pleaded with him to remain at home and attend to family responsibilities. Avery did so dutifully until the summer of 1864, when he led a ragtag group of Burke County militiamen into a confrontation with Union loyalists and Confederate deserters who had overrun Camp Vance, a state military outpost, and destroyed the Morganton depot of the Western North Carolina Railroad. Avery was wounded in an exchange of gunfire and died three days.¹⁸

Nearly a century after his death, amid the protests of the modern civil rights movement, whites in positions of power and influence – including the university's trustees – celebrated Avery as a North Carolina hero. He lived in "high repute," biographers said, and served "the cause of the South" with courage "in abundance." One admirer asked, "Who would be so cynical as to deny that [Waightstill Avery] was moved by what we shall have to call sincere idealism?" In the aftermath of the Civil War, defeated Confederates offered a similar question-turned-assertion as an excuse for treason: they had taken up arms, they insisted, not to destroy the nation but to uphold its founding principles of individual liberty and state sovereignty. Such reasoning survived well into the twentieth century as a means of pardoning the evils of Jim

¹⁷ William W. Avery and Samuel P. Hill to Thomas Ruffin, December 7, 1860, in J. G. de Roulhac Hamilton, vol. 3, *The Papers of Thomas Ruffin* (Raleigh: Edwards and Broughton, 1920), 106; Marcus Erwin and William Waightstill Avery, *Address to the People of the 46th and 49th Senatorial Districts* (Raleigh: n.p., 1861); *Ordinances and Resolutions Passed by the State Convention of North Carolina, First Session in May and June, 1861* (Raleigh: John W. Syme, 1862), 3, 8.

¹⁸ Avery, "William Waightstill Avery," 11; Wilfred B. Yearns Jr., "North Carolina in the Confederate Congress," *North Carolina Historical Review* 29 (July 1952), 359-61; "Burke County History, What the Citizens of the County Did in the Civil War," July 17, 1890, and Isaac Erwin Avery, "Burke County History, A Chapter on the Heroes of the County Who Fought in the War Between the States," July 24, 1890, *Morganton Herald* (Morganton, N.C.); Phifer, "Saga of a Burke County Family, Conclusion: The Sons," 314.

Crow segregation, and it persists today as a rationale for normalizing racial injustice, denying people of color basic human rights, and marginalizing critics of inequality as vandals intent on desecrating comfortable claims of American exceptionalism.¹⁹

James Baldwin stated the problem succinctly in *The Fire Next Time*, published in 1963. "White people," he wrote, "are still trapped in a history which they do not understand; and until they understand it, they cannot be released from it." That is why any effort to reckon with the corrosive effects of racism in our nation, state, and university must begin with historical truth-telling. More particularly, we are obligated to ask whether Waightstill Avery – a man who devoted his political career to the defense of racial slavery – deserves the esteem of a public institution that pledges itself to light and learning, and to the betterment of all humankind. Our answer is unequivocal: No. To that end, we recommend that Avery's name be removed from the residence hall that has stood since 1958 as a monument to the man and the principles of white supremacy that he held dear.²⁰

UNC Commission on History, Race, and a Way Forward

¹⁹ Peterson, "W. W. Avery in the Democratic National Convention of 1860," 468, 478; Phifer, "Saga of a Burke County Family, Conclusion: The Sons," 339. These essays were published in 1954 and 1962, respectively.

²⁰ James Baldwin, *The Fire Next Time* (New York: Dial Press, 1963), 22.

Battle Hall

In 1912, the Board of Trustees of the University of North Carolina named this section of a three-part dormitory building to honor Kemp Plummer Battle, class of 1849. Battle was a signatory of North Carolina's ordinance of secession from the United States of America, and, as a leader in the university, opposed principles of equal citizenship and inclusive democracy. The other two sections were named for Confederate general J. Johnston Pettigrew, class of 1847, and Zebulon B. Vance, who served two terms as governor during the Civil War, and a third in the late 1870s, the time of North Carolina's so-called redemption from Reconstruction. Vance attended the university in 1851 to read law with Battle's father, Judge William H. Battle.¹

Nine months after the dormitories opened, the university dedicated a Confederate monument opposite them in McCorkle Place.² The four structures created a Confederate memorial space at the north end of campus and stood as a statement of the university's allegiance to Confederate principles: white supremacy and Black subjugation.

Battle:

- Enriched himself by enslaving and stealing the labor of Black men, women, and children
- Established a distinguished career as a lawyer and public official
- Committed treason as a signatory of North Carolina's ordinance of secession from the United States of America
- Served as a university trustee from 1862 to 1868, and again from 1874 until his death in 1919
- Led the restructuring of the university in the mid 1870s and served as its president from 1876 to 1891
- Used his positions of influence to perpetuate and sustain systems of racial oppression – first, slavery, and then the regime of Jim Crow

¹ "Opening Session of University," *Tar Heel*, September 18, 1912; "The New Dormitories," *Alumni Review* 1 (December 1912), 55-56; minutes, January 28, 1913, oversize volume 11, Board of Trustees of the University of North Carolina Records, 1789-1932, #40001, University Archives, Wilson Library, University of North Carolina at Chapel Hill; Clyde [N.] Wilson, "James Johnston Pettigrew," in William S. Powell, ed., vol. 5, *Dictionary of North Carolina Biography* (Chapel Hill: University of North Carolina Press, 1994), 77-79; John G. Barrett, "Zebulon Baird Vance," in William S. Powell, ed., *Dictionary of North Carolina Biography*, vol. 6 (Chapel Hill: University of North Carolina Press, 1996), 85-87. In 1908, the university purchased land at the northwest corner of campus, with plans to demolish the hotel that was located there and to replace it with the three new dormitories. Work on the project was recorded in the Board of Trustees volume above, minutes above for January 22, May 31, and October 26, 1909; February 3 and 9, 1910; February 2 and 24, and June 3, 1912.

² James Leloudis and Cecelia Moore, "Silent Sam" digital exhibit, <https://silentsam.online>.

Kemp Plummer Battle, born in 1831, was one of seven surviving children in the household of William Horn and Lucy Martin Plummer Battle. He graduated from UNC at age seventeen and then read law under the supervision of his father, a distinguished jurist and member of the faculty. Kemp worked briefly as a university tutor in Latin and mathematics, and in 1854, was admitted to the bar. A year later, he married a distant cousin, Martha Ann (Pattie) Battle.³

Kemp and Pattie's matrimonial bond mirrored the economic interests that tied their two families together. Sometime between 1816 and 1819, Kemp's grandfather, Joel Battle, built a textile mill at the falls of the Tar River, in Edgecombe County. After Joel's death in 1829, ownership passed to a firm headed by Kemp's father, who managed the operation for the better part of two decades, then sold it to Pattie's father, James S. Battle, and one of her brothers. The Battles ran the factory with enslaved Black laborers who manufactured yarn and coarse cloth from the cotton grown locally by nearly nine thousand others held in bondage on Edgecombe's large plantations.⁴ At the time of his death in 1854, James owned more than four hundred of those souls as chattel. They lived and labored on several farms that sprawled across twenty thousand acres of land on both banks of the Tar River. Pattie inherited one of the farms, Walnut Creek, and owned another, Flagmarsh, five miles distant. By law, Kemp acquired a life interest in both properties when he married Pattie, and along with her, enslaved the seventy-nine men, women, and children who made the land bountiful. The couple left management of the Edgecombe farms to overseers and made their home in Raleigh, near Kemp's law office.⁵ They lived at Seven Oaks, a two-acre urban estate that occupied a full city square near the state capitol. There, the Battles enslaved another ten people – two men, four women, and four children – to maintain their household and attend to their needs. In the 1860 federal census,

³ W. Conrad Gass, "Kemp Plummer Battle," in William S. Powell, ed., vol. 1, *Dictionary of North Carolina Biography* (Chapel Hill: University of North Carolina Press, 1979), 114-15; William James Battle, "President Kemp Plummer Battle," in Herbert Bemerton Battle, Lois Yelverton, and William James Battle, *The Battle Book: A Genealogy of the Battle Family in America* (Montgomery, Alabama: Paragon Press, 1930), 145-47, 150-52.

⁴ Kemp Davis Battle, "A History of the Rocky Mount Mills," in Battle, Yelverton, and Battle, *Battle Book*, 177-80; *Rocky Mount Mills: A Case History of Industrial Development, 1818-1943* (Rocky Mount: n.p., [1943]), 5-11; 1850 Federal Census, Slave Schedule, Edgecombe County, North Carolina, Ancestry.com. Much of the cloth produced at the Battle mill was sold locally for slave clothing.

⁵ "Cool Spring Plantation," NCGenWeb, <https://bit.ly/3ac5WkV>; Will of James S. Battle, December 8, 1847, Edgecombe County, North Carolina, Ancestry.com; Kemp Plummer Battle, *Memories of an Old-Time Tar Heel* (Chapel Hill: University of North Carolina Press, 1945), 125-27; 1860 Federal Census, Slave Schedule, Edgecombe County, North Carolina, Ancestry.com. Martha may have shared ownership of a number of those slaves with relatives George and Mary Battle. James Battle's sons, William and Turner, inherited most of his land and 352 of the people he enslaved. The 1860 slave schedule for Edgecombe County is not well indexed on Ancestry.com. See instead "Edgecombe County, North Carolina, Largest Slaveholders from 1860 Slave Census Schedules, and Surname Matches for African Americans on 1870 Census," General Research/Resources, Battle Family Slaves and Rocky Mount Mills, <https://www.livebinders.com/b/2420468>; Population Schedules of the Eighth Census of the United States, 1860, North Carolina, microform, 128-29, 158-59, Internet Archive, <https://bit.ly/2ZTaAy0>. Page references point to numbers printed in the upper right-hand corner of each leaf, not the manuscript numbers written on the census forms. The extended Battle family in Edgecombe County enslaved 571 people in 1860.

Kemp valued his personal property – which consisted primarily of Black slaves – at \$125,000, the rough equivalent of \$3,940,000 today.⁶

As a young lawyer, Battle quickly began to move in high circles. He bought a partnership with a prominent Raleigh attorney, secured an appointment to the governing board of the Bank of North Carolina, and in 1860 – not yet thirty years old – made a bid for a seat in the state legislature. He lost, but the contest raised his profile and positioned him to fill an even more consequential office. In May 1861, voters in Wake County chose Battle to represent them in the secession convention that severed ties with the United States, so that North Carolina might join the newly established Confederate States of America.⁷

Through the late 1850s, as the national crisis over the westward expansion of slavery intensified, Battle had sided with Unionists who rejected the idea of dissolving the American republic. Those men decried abolitionism as fiercely as any fire-eater but argued against secession as a dangerous and potentially self-defeating gamble. It would inevitably lead to war, and war was likely to "end in the destruction of slave[ry]." Men of Battle's class worried especially about the loyalty of poor whites, whom they knew to be deeply resentful of the state's rich and powerful slave barons. In the face of war, would this "rabble" answer a call to arms, or join Blacks slaves in open rebellion against the men who ruled them both? State senator Jonathan Worth, Battle's friend and mentor, feared the worst. "Slavery is doomed if the South sets up a Southern Confederacy," he declared. Worth predicted that in the event of war, "with all hating us," slaveowners would have no choice but to sacrifice their property to their very survival – "to cut the throats of the negroes or have our own throats cut."⁸

The war that "Union men" had long dreaded began on April 12, 1861, when Confederate forces fired on Fort Sumter, a federal outpost in Charleston Harbor. Less than a month later, Battle declared a new personal allegiance in an open letter to Wake County voters. "I have labored hard to preserve the Union as best for the interests of North Carolina, and have failed," he wrote. "I am now for a prompt severance of our relations with the Federal Government, and joining with the other slave States, to defend our rights" – chief among them, the liberty to profit from the trade in human chattel. Men like Battle thought of the right to take possession of Black bodies as essential to their own freedom. They argued that if denied that right, they themselves would be reduced to "abject slavery" – never pausing, it seems, to consider the

⁶ William James Battle, "President Kemp Plummer Battle," 151; Kemp Plummer Battle, *Memories of an Old-Time Tar Heel*, 123; 1860 Federal Census, Population and Slave Schedules, Wake County, North Carolina, Ancestry.com. Seven Oaks had belonged to Joseph Blount Grégoire Roulhac, a prosperous merchant and grandfather of Joseph Grégoire de Roulhac Hamilton, who later succeeded Battle as Alumni Professor of History at the university.

⁷ William James Battle, "President Kemp Plummer Battle," 147, 153; Kemp Battle, *Memories of an Old-Time Tar Heel*, 167.

⁸ Kemp P. Battle, "The Secession Convention of 1861," *North Carolina Booklet* 15 (April 1916), 178; Jonathan Worth to J. J. Turner, December 17, 1860, in J. G. de Roulhac Hamilton, ed., vol. 1, *The Correspondence of Jonathan Worth* (Raleigh: Edwards and Broughton Printing Company, 1909), 127. See also Paul D. Escott, *Many Excellent People: Power and Privilege in North Carolina, 1850-1900* (Chapel Hill: University of North Carolina Press, 1985), 22-36.

dark irony of that claim. Such a deeply racialized conception of freedom explains how Battle and other delegates to the state secession convention could posture as patriots when they gathered on May 20 to declare that North Carolina's ties to the United States of America were "repealed, rescinded, and abrogated." In the name of Liberty, they swore faithfulness to a new nation, founded, as Alexander H. Stephens, vice president of the Confederacy, proclaimed, "upon the great truth that the negro is not equal to the white man; that slavery – subordination to the superior race – is his natural and normal condition."⁹

Battle was young enough to have served in uniform but declined to do so as a common soldier. After failing to secure an appointment as an army officer, he decided not to enlist. That was a risk-free choice, he later explained in his memoirs, because under the terms of the Confederacy's conscription law, he qualified for the "safe bomb proof" exemption that was granted to men in civilian positions judged essential to the war effort. Battle held an appointment as Raleigh's city attorney, represented Governor Zebulon B. Vance as an occasional liaison to the Confederate government in Richmond, and occupied a seat on UNC's Board of Trustees. He also was president of the Chatham Railroad Company, which, at his urging, was granted state aid by the secession convention. Battle intended to use that investment to build a new rail line that would support the production of munitions and other military equipment by transporting iron and coal from Chatham County mines to foundries in the eastern part of the state. But Confederate authorities at the national level showed little interest in the project, and without their backing, Battle could not afford to lease a sufficient number of enslaved laborers to grade right-of-ways and lay rails. Fighting ended before construction of the Chatham line could be completed. Even so, Battle took pride in his effort. The presidency of the Chatham Railroad "suited me well," he wrote in his old age. "It gave me honorable occupation in behalf of the Confederacy."¹⁰

Battle's varied service to the southern cause amounted to treason, which the Constitution defines as the act of "levying War against [the United States]" or giving "Aid and Comfort" to the nation's enemies. But there was no danger of prosecution. Eager to restore the rebellious southern states to the Union as quickly as possible, President Andrew Johnson announced lenient provisions for amnesty in late May 1865, just over a month after the Confederacy's defeat. Battle petitioned the president immediately, making the most of his

⁹ Kemp P. Battle, "Secession Convention of 1861," 178, 180, 182; Kemp P. Battle, "To the People of Wake County," *Semi-Weekly Standard* (Raleigh, N.C.), May 11, 1861; Kemp P. Battle to John Spelman, *Semi-Weekly State Journal* (Raleigh, N.C.), May 1, 1861; Henry Cleveland, *Alexander Hamilton Stephens, in Public and Private, with Letters and Speeches, Before, During, and Since the War* (Philadelphia: National Publishing Company, 1866), 721. For two foundational works on racialized conceptions of freedom published nearly half a century apart, see Edmund S. Morgan, *American Slavery, American Freedom: The Ordeal of Colonial Virginia* (New York: W. W. Norton, 1975) and Tyler Stovall, *White Freedom: The Racial History of an Idea* (Princeton: Princeton University Press, 2021).

¹⁰ Kemp P. Battle, "Reminiscences: The Chatham Railroad Company," folder 63, box 76, Civil War Collection, Military Collection, State Archives of North Carolina, Raleigh, North Carolina; Kemp Plummer Battle, *Memories of an Old-Time Tar Heel*, vii, 172-78, 187-88; Collier Cobb, "Dr. Kemp Plummer Battle," *High School Journal* 2 (April 1919), 116; *Ordinances and Resolutions Passed by the State Convention of North Carolina, 1861-1862* (Raleigh: John W. Syme, 1862), 83-86.

failure as head of the Chatham Railroad. The enterprise had "never been of the slightest use to the Confederate (so called) Government," he declared, nor had it "aided in prosecuting the war." On June 20, Battle received a full pardon for his crime."¹¹

In the decade after the war, Battle and other men of his class struggled to avoid financial ruin. The death of slavery erased their fortunes in human chattel and exposed them to foreclosure on mortgages they had secured with that same property. To make matters worse, North Carolina's repudiation of its war debt also transformed the Confederate bonds they held into worthless scraps of paper. Battle labored on a number of fronts to mitigate these challenges. In the summer of 1865, just months after the Confederacy's collapse, he and business partner Jonathan M. Heck incorporated a real estate firm that did business as the North Carolina Land Agency. They opened an office in New York City, began publication of a weekly commercial broadsheet called the *North Carolina Advertiser*, and attempted to persuade northern speculators to lease or purchase property from the state's former slaveholding elite, thus providing those men a fresh infusion of capital.¹² The venture went bust within months, but by that time Battle had won election as the Conservative candidate (later, Conservatives would call themselves Democrats) for state treasurer. In that office, he devised a plan to benefit old-guard investors by issuing new state bonds to cover public debt incurred before secession and therefore unaffected by repudiation. Battle might have done even more had his party not lost its hold on power in 1868, when a new state constitution afforded Black men the right to vote.¹³ But there was still room for him to maneuver. During the late 1860s, he worked as legal counsel for a group of railroad investors known as "the Ring" and was implicated in fraudulent schemes to buy lawmakers' votes and manipulate the market value of state bonds issued to finance railway construction.¹⁴ In the end, none of this saved Battle from

¹¹ U.S. Constitution, Article 3, Section 3; Eric Foner, *Reconstruction: America's Unfinished Revolution* (New York: Harper Perennials, updated edition, 2014), 183-84; Kemp P. Battle petition, Confederate Applications for Presidential Pardons, 1865-1867, Ancestry.com; William James Battle, "President Kemp Plummer Battle," 148-49.

¹² Kemp Plummer Battle, *Memories of an Old-Time Tar Heel*, 201-03. On the North Carolina Land Agency's business plan and pitch to speculators, see "North Carolina Land Agency," July 8, 1865, and "Increase of Immigration," July 22, 1865, *North Carolina Advertiser* (Raleigh, N.C.). Similar enterprises cropped up elsewhere in the South. See Lawrence N. Powell, *New Masters: Northern Planters During the Civil War and Reconstruction* (New York: Fordham University Press, 1998).

¹³ Kemp Plummer Battle, *Memories of an Old-Time Tar Heel*, 204-07; "Public Treasurer's Report," *Daily Journal* (Wilmington, N.C.), January 23, 1866; *Public Laws of the State of North Carolina, Passed by the General Assembly, at the Session of 1865-66, and 1861-62-63 and 1864* (Raleigh: Robt. W. Best, 1866), chapt. 37. On the new constitution and its consequences for the Conservative Party, see Escott, *Many Excellent People*, 136-44.

¹⁴ Horace W. Raper, *William W. Holden: North Carolina's Political Enigma* (Chapel Hill: University of North Carolina Press, 1985), 128, 131-37, 306 (n. 28); Jonathan Daniels, *Prince of Carpetbaggers* (Philadelphia: J. P. Lippincott and Company, 1958), 149-77, 207; Thomas E. Jeffrey, "An Unclean Vessel: Thomas Lanier Clingman and the 'Railroad Ring,'" *North Carolina Historical Review* 74 (October 1997), 389-431. The Ring included George W. Swepson, businessman and banker, who controlled the Western Division of the Western North Carolina Railroad; former Union general Milton S. Littlefield, who managed the bribes paid to lawmakers; and Swepson's attorney, Thomas L. Clingman, a former U.S. congressman and senator. Swepson and Littlefield also benefitted handsomely from Battle's program to replace depreciated prewar state bonds with more valuable postwar notes. They used their gains in North Carolina to finance other fraudulent railroad schemes in Florida. For more on these activities and Battle's involvement, see *Report of the Commission to Investigate Charges of Fraud and Corruption, Under Act*

straitened circumstances. He eventually lost both of his wife's Edgecombe County properties to debt and came to rely on an improbable source of income: a salary paid by the University of North Carolina.¹⁵

State lawmakers first appointed Battle to the university's Board of Trustees in 1862, and he served in that capacity for six years, through the Civil War and into the era of Reconstruction. Then, in 1868, an upheaval in state politics turned the sitting board and the faculty out of office. In that year's election, a biracial alliance that had formed within North Carolina's newly established Republican Party won control of the legislature and elected William W. Holden to the governor's office. Holden, in turn, directed the appointment of new trustees and endorsed their selection of Solomon Pool, class of 1853, to serve as university president. Pool shared Holden's vision for a thoroughly reformed institution. He had been Battle's pupil in the early 1850s, but the two men thought differently about UNC's past and its future purpose. Pool remembered the university as "a nursery of treason." The "aristocratic family influence that has controlled [it] ought to be crushed," he declared, "and the institution popularized." To that end, Pool and the new trustees petitioned the state legislature to amend UNC's charter in order to establish a branch campus, "equivalent in all educational facilities," for recently emancipated Black men.¹⁶

Governor Holden endorsed the plan. In a speech delivered at commencement in 1869, he looked back over the university's eighty-year history and reminded his audience that throughout that time the institution had served a closed elite whose wealth and political power was derived from the labor of enslaved Africans. "The great body of the people had been practically excluded," Holden observed, and the university's "benefits were confined to a few." Now, in a state revolutionized by the death of racial slavery, it was time to set a new course. Holden urged the trustees to fill UNC's classrooms with "meritorious poor young men," to establish a new campus for Black freedmen, and to bring the two branches together in what he described as "*one University . . . the people's University* (italics in the original)." Education, he declared, should privilege "no color or condition of mankind. It should be free, like the air we breathe, and as pervading and universal."¹⁷

of Assembly, Session 1871-72 (Raleigh: James H. Moore, 1872); "The State of Florida and the Trustees of the Internal Improvement Fund, Plaintiffs and Respondents vs. the Jacksonville, Pensacola and Mobile Railroad Company and Milton S. Littlefield, Defendants and Appellants," *Cases Argued and Adjudged in the Supreme Court of Florida, During the Years 1876-7-8*, vol. 16 (Tallahassee: Floridian Book and Job Office, 1878), 708-33.

¹⁵ William James Battle, "President Kemp Plummer Battle," 159.

¹⁶ Kemp P. Battle, *History of the University of North Carolina*, vol. 1, 1789-1868 (Raleigh: Edwards and Broughton, 1907), 767, 774-75, 825; Escott, *Many Excellent People*, 136-48; Raper, *William W. Holden*, 123-24; Solomon Pool to Charles C. Pool, January 23, 1868, series 1, folder 232, University of North Carolina Papers #40005, University Archives, Wilson Library, University of North Carolina at Chapel Hill; Kemp P. Battle, *History of the University of North Carolina*, vol. 2, 1868-1912 (Raleigh: Edwards and Broughton, 1912), 14; minutes, January 7, 1869, oversize volume 11, Board of Trustees of the University of North Carolina Records.

¹⁷ "The University Commencement," *Daily Standard* (Raleigh, N.C.), June 12, 1869. Holden was the first person to refer to UNC as the "people's university." Contrary to myth and tradition, that characterization does not date to the institution's founding in 1789.

Holden was the first public official to refer to UNC as the "people's university." Contrary to myth and tradition, that characterization does not date to the institution's founding in 1789. It arose instead from Black freedom dreams and Reconstruction-era ideals of racial justice and equal citizenship.

Most alumni responded to Holden's speech with what one observer described as "unmitigated disgust." They cut all ties to their alma mater, refused to send their sons to be educated there, and raged against Black equality and popular democracy. In the political arena, these men identified as Conservatives and denounced the purported evils of "negro rule." By night, they fielded an army of Ku Klux Klansmen who terrorized and murdered their opponents. The situation became so threatening in Chapel Hill and surrounding Orange and Alamance Counties that Governor Holden sent troops to protect the faculty. The combined effect of these developments was devastating. Under Pool's administration, the university never enrolled more than thirty-six students, many of whom were in its preparatory department. On February 1, 1871, unable to pay the faculty and with no hope of securing state or philanthropic support, the trustees closed and boarded up the campus.¹⁸

The campaign of race hatred and violence that shuttered the university also brought Reconstruction to an end in North Carolina. Conservatives regained majority control of the state legislature in 1870, impeached William Holden and removed him from office in 1871, and in 1876, elected Zebulon B. Vance, North Carolina's Confederate wartime governor, to an unprecedented third term as chief executive. As part of this broad program of retrenchment, Conservative lawmakers also filled the university's Board of Trustees with men – including Battle – who shared their views on race and democracy.¹⁹

Lawmakers instructed the board to devise a plan for re-organizing and re-opening the university. Battle led that effort, and in the process, brought UNC into line with innovations that were transforming sister institutions throughout the country. The so-called "new university" that opened its doors in September 1875 was made up of six colleges, each awarding undergraduate and graduate degrees. Students now had the freedom to choose electives and create individualized courses of study rather than follow a strictly prescribed curriculum. And in their methods of instruction, faculty began to replace rote memorization with library and laboratory work. In short, "the Battle plan" established the framework for what we recognize today as the modern research university.²⁰

¹⁸ Louis Round Wilson, *Selected Papers of Cornelia Phillips Spencer* (Chapel Hill: University of North Carolina Press, 1953), 616; Escott, *Many Excellent People*, 147-60; Kemp P. Battle, *History of the University of North Carolina*, vol. 2, 25-28, 40-41; Raper, *William W. Holden*, 125-26. The university was protected from the Klan by Black troops, an arrangement that did not sit well with alumni.

¹⁹ Escott, *Many Excellent People*, 160-70; Raper, *William W. Holden*, 155-223; James L. Leloudis, *Schooling the New South: Pedagogy, Self, and Society in North Carolina, 1880-1920* (Chapel Hill: University of North Carolina Press, 1996), 54-55; Kemp P. Battle, *History of the University of North Carolina*, vol. 2, 50.

²⁰ Leloudis, *Schooling the New South*, 54-60; Robin Brabham, "Defining the American University: The University of North Carolina, 1865-75," *North Carolina Historical Review* 57 (October 1980), 450-55.



Kemp P. Battle, ca. 1870-1875
Charles Phillips Papers, Southern Historical
Collection, Wilson Library, University of North
Carolina at Chapel Hill

In advance of the re-opening, Battle also secured from the legislature a recurring annual appropriation of \$7,500, the first of its kind in the university's history. That figure represented projected interest on the Land Scrip Fund, which state authorities had established by selling property that the federal government awarded North Carolina under the terms of the Morrill Act of 1862. That legislation granted the various states and territories 10,769,440 acres of public land – most of it in the West, all of it violently expropriated from Indigenous Peoples – to support university programs in engineering and the agricultural sciences. In eastern states, including North Carolina, most federal land had long ago been transferred to private ownership. Therefore, those states received vouchers, called scrips, that could be used to claim allotments elsewhere in the surveyed public domain. With few exceptions, the states sold their scrips to investors, who, in turn, used them to acquire land for re-sale in speculative markets. Much of the

land that was eventually procured with North Carolina's scrip had originally belonged to American Indian tribes in California. In this way, distant acts of theft partially offset the economic disaster that befell the university after the Civil War, when its endowment, invested primarily in Confederate bonds that the South's defeat made worthless, simply evaporated.²¹

In 1876, the trustees rewarded Battle's industry by naming him president of the university, a post he filled until 1891, when he stepped down to return to the faculty as Alumni Professor of History. Several members of the board held out for a Confederate military figure, someone "strikingly identified on the part of the South in the recent war." They were inspired, perhaps, by Robert E. Lee's elevation to the presidency of Washington College, now

²¹ Benjamin F. Andrews, *The Land Grant of 1862 and the Land-Grant Colleges*, Department of Labor, Bureau of Education, Bulletin, 1918, No. 13 (Washington, D.C.: Government Printing Office, 1918), 36-38; Kemp P. Battle, *History of the University of North Carolina*, vol. 1, 756-58, 763, and vol. 2, 2, 64-71; Thomas LeDuc, "State Disposal of Agricultural College Land Scrips," *Agricultural History* 28 (July 1954), 99-107. North Carolina received vouchers for 270,000 acres (30,000 for each member of the state's congressional delegation). See Robert Lee, Tristan Ahtone, Margaret Pearce, Kalen Goodluck, Geoff McGhee, Cody Leff, Katherine Lanpher, and Taryn Salinas, "Land-Grab Universities," <https://www.landgrabu.org>, for an interactive map that identifies the Indian tribes and nations whose expropriated land profited UNC. In 1887, state lawmakers transferred proceeds from the Land Scrip Fund to the new North Carolina College of Agriculture and Mechanic Arts (today, North Carolina State University) in Raleigh. The Second Morrill Act, passed in 1890, made additional allocations to support Black land-grant colleges, primarily in the southern states. Founded in 1891, the North Carolina Agricultural and Mechanical College (today, North Carolina Agricultural and Technical State University) was the second institution in the nation established under provisions of the legislation.

Washington and Lee University. But a majority supported a more restrained choice. They were political pragmatists. Their party had clawed its way back to power but still faced stiff opposition from the biracial coalition that voted Republican. Given that reality, it seemed prudent to choose a man of sound conservative principles, but not an "ardent politician" – a man whose "suavity of manner" could cast a spell over friends and adversaries alike.²²

Battle fit the bill. He kept his distance from politics and cultivated a reputation for generosity toward Blacks. But the university over which he presided was a nursery of violent white supremacist thought. The faculty used history and pseudo-scientific theories of racial character to affirm white men's right to rule, and in their classrooms, they taught students to think of racial conflict in the present day as part of a long, world-historical struggle.

George T. Winston, professor of Latin, laid out the overarching arguments in an essay on "The Greek, the Roman, and the Teuton," which he published in the *University Magazine* in 1884. "Among the races of men," he wrote, "conflict for dominion" was Nature's law. The evidence was visible at every turn:

The cowardly perish in war; the weak are swallowed up in the tide of advancing civilization . . . The ancestors of the Irish were once the masters of Europe. Stronger men drove them westward. Pushed off the continent, they now dwell on an island smaller than Cuba. Two centuries ago, the rivers and mountains of America were the property of the races whose names they bear; but the Roanoke, the Mississippi, and the Minnehaha will never again float the birch canoe, and the smoke of the wigwam fire will rise no more from the summits of the Alleghanies. Already the white races are struggling for Africa. Two centuries more will see the negro confined within the limits of Soudan and the Dark Continent transformed into a white Republic.

"The ceaseless conflict goes on," Winston exclaimed, "the victory is ever to the strong. There is no alms-house for decrepit and pauper races."²³

By Winston's account, these currents of conquest were driven by the cultural patrimony of "three races, surpassing all others in the grandeur of their civilizations": the Greeks, who taught the world to think; the Romans, who were "colonizer[s]" and empire builders; and the Teutons, German tribesmen whose "inborn qualities of courage and liberty" birthed the genius of the modern age. "It is the Teuton that has given . . . to science a Newton . . . to literature Shakespeare, to humanity Luther and Washington," Winston explained. "It is the Teuton that has ribbed the earth with steel and sent the engine ploughing through the mountain. It is the Teuton that gave speech to the wire and whispered thought around the globe." In this advance of civilization, white America was the vanguard. "To-day, the Teuton rules," Winston declared.

²² Escott, *Many Excellent People*, 171; Kemp P. Battle, *History of the University of North Carolina*, vol. 2, 114-21.

²³ George T. Winston, "The Greek, the Roman, and the Teuton," *University Magazine* 4 (New Series, November 1884), 49. Winston, who studied at UNC from 1866 to 1868, graduated from Cornell University in 1874. He joined the UNC faculty the next year. See Neil Fulghum, "George Tayloe Winston," in William S. Powell, ed., *Dictionary of North Carolina Biography*, vol. 6 (Chapel Hill: University of North Carolina Press, 1996), 245-46.

"His throne in the old world is England and Germany; his home in the new world is our Northern Continent. He is king of the old world and king of the new. He is king by the divine right of noble manhood. He has lifted civilization to a higher plane of thought and action, where he stands towering above other races."²⁴

These ideas were the lessons that a new generation of graduates carried from Battle's university into communities across the state. As they built their careers and came of age politically, these men kept in close touch through the university's alumni association. They gathered in local chapter meetings and at special campus events to learn from one another, to take in faculty lectures, and to hear the declamations of graduating seniors who were preparing to follow in their footsteps. Often, alumni invited likeminded civic leaders and business associates to join their circle as friends of the university. They did so with such regularity that by 1892 nearly a fourth of the alumni association's members had never attended UNC. The topics addressed at alumni events were wide-ranging but tended to cluster around explicit racial themes. Examples from the late 1870s to early 1890s include "The Color Line," "The Conquering Race," "Safeguarding of Citizenship," "The Anglo-Saxon," and "Saxon Ideas in America." Through these experiences, as historian Gregory Downs has shown, self-styled "university men" developed a sense of themselves as a "thinking class" called by history to build a "modern regime of white supremacy."²⁵

That commitment was put to the test in the 1890s, a time of political upheaval that looked and felt like a reprise of Reconstruction. The financial Panic of 1893 plunged the nation into one of the most severe economic downturns in its history. As hardships mounted, a sizeable minority of white farmers and laborers were persuaded to join a third-party Populist movement and to oppose the ruling Democrats (once known as Conservatives) by forming a Fusion alliance with Black and white Republicans. In the elections of 1894 and 1896, Fusion politicians won control of state government, and once in power, they enacted a sweeping program of progressive reform in education, taxation, and local governance.²⁶

Democrats responded by waging a war for the restoration of white rule, led largely by an officer corps of university men. In the campaigns of 1898 and 1900, Josephus Daniels, who studied briefly at UNC in 1885, used his paper, the *Raleigh News and Observer*, to whip up race hatred with charges of corrupt "negro rule" and warnings that political equality had let loose Black rapists to prey on white women. On the hustings, Locke Craig, class of 1880, distinguished himself as one of the Democrats' most effective speakers, a true "apostle of white supremacy." He was quick to share lessons that he had learned as an undergraduate. At a rally in Reidsville,

²⁴ Winston, "The Greek, the Roman, and the Teuton," 49-51, 54, 66.

²⁵ Kemp P. Battle, *History of the University of North Carolina*, vol. 2, 154, 450-51, 473, 516; Gregory P. Downs, "University Men, Social Science, and White Supremacy in North Carolina," *Journal of Southern History* 75 (May 2009), 282-88.

²⁶ For accounts of politics in the 1890s and the Fusion alliance, see Helen G. Edmonds, *The Negro and Fusion Politics in North Carolina, 1894-1901* (Chapel Hill: University of North Carolina Press, 1951); Deborah Beckel, *Radical Reform: Interracial Politics in Post-Emancipation North Carolina* (Charlottesville: University of Virginia Press, 2011), 155-204; James M. Beeby, *Revolt of the Tar Heels: The North Carolina Populist Movement, 1890-1901* (Jackson: University Press of Mississippi, 2008).

for instance, he riled up the crowd by quoting Wolfgang Menzel – a mid-nineteenth-century German literary critic, anti-Semite, and theorist of racial nationalism – to demonstrate that "the Anglo-Saxons of North Carolina are the heirs of the qualities that have civilized and ruled the earth." Francis D. Winston, George's younger brother, played on similar themes to organize "White Government Unions" across the state and to win a seat in the state legislature. There, in 1899, he partnered with two of the university's most loyal friends, Henry G. Connor and George Rountree, to draft an amendment to the state constitution that would disenfranchise Black men and a considerable number of their white allies by means of a literacy test and a poll tax. Editors of the *Hellenian*, a yearbook published by the university's fraternities, took notice. They dedicated the 1899 issue to Winston, "who by loyal service to his State and University [had] shown himself to be a statesman and alumnus worthy of . . . esteem."²⁷

At the head of this group stood Charles B. Aycock, class of 1877, who won election to the governor's office in 1900 with a promise to usher in a new "era of good feeling" and prosperity among whites. On the stump, Aycock argued that Black political participation had "kept the white people at enmity with each other" and that only the removal of Black voters would heal the body politic. "We must disenfranchise the negro," he explained to white men at his rallies. "Then we shall have . . . peace everywhere. . . . We shall forget the asperities of past years and . . . go forward into the twentieth century a united people." On Election Day, Aycock and Francis Winston's constitutional amendment won voters' approval by a fifty-nine to forty-one percent margin.²⁸

Democrats would not have achieved that victory without the use of terror as a political weapon. In both 1898 and 1900, party leaders organized squads of vigilantes known as Red Shirts to intimidate Fusion voters in nighttime raids and at the polls. The name referred to the red jackets the men wore, a symbol of the bloody sacrifice of Confederate soldiers who had died in the defense of slavery. By far, the worst violence occurred in Wilmington, a majority Black city and the site of the only municipal coup d'état in American history. In 1898, a white mob led by UNC alumni Alfred Moore Waddell (class of 1853) and William Rand Kenan Sr. (1860-63) rampaged through Black neighborhoods, killing wantonly, and forcibly removed the city's biracial Fusion government. In the run-up to the election, Waddell had exhorted an angry white crowd: "You are Anglo-Saxons. You are armed and prepared, and you will do your duty. . . . Go to the polls . . . and if you find the negro out voting, tell him to leave the polls, and if he refuses, kill him. Shoot him down in his tracks." Two years later, Charles Aycock invoked memories of events in Wilmington in a not-so-veiled threat. He advised voters in Greene

²⁷ James L. Leloudis and Robert R. Korstad, *Fragile Democracy: The Struggle Over Race and Voting Rights in North Carolina* (Chapel Hill: University of North Carolina Press, 2020), 14-26; "Evils of Ignorant Negro Suffrage," *The Review* (Reidsville, N.C.), July 14, 1899; Downs, "University Men, Social Science, and White Supremacy in North Carolina," 284, 294; Helen G. Edmonds, *The Negro and Fusion Politics in North Carolina*, 178-97; *Hellenian* (Chicago: H. L. Swift and Co., 1899), 4, 7. On Menzel, see Joachim Kalka (translated by Isabel Fargo Cole), *Gaslight: Lantern Slides from the Nineteenth Century* (New York: New York Review Books, 2017), 57-80.

²⁸ R. D. W. Connor and Clarence H. Poe, eds., *The Life and Speeches of Charles Brantley Aycock* (Garden City, New York: Doubleday, Page, 1912), 82, 218-19, 225; J. Morgan Kousser, *The Shaping of Southern Politics: Suffrage Restriction and the Establishment of the One-Party South* (New Haven: Yale University Press, 1974), 193.

County, "we have ruled by force . . . but we want to rule by law" – that is, by ratification of the disenfranchisement amendment. The choice on Election Day could not have been clearer.²⁹

University men voiced no regrets about the violence they employed to win elections. For them, it was simply a matter of one "evil preventing a much greater evil" – political and social equality for Blacks. But they did worry that "permanent white supremacy" could never be established on the basis of force and repression alone. Nor would the state prosper if its citizens were constantly at war with one another. The way forward, university men argued, was "SEPARATION," with each race developing according to the limits of its natural abilities. That was Charles Aycock's message when he spoke to a large crowd at the 1901 Colored State Fair in Raleigh. "It is absolutely necessary that each race should remain distinct, and have a society of its own," he explained. "Inside your own race you can grow as large and broad and high as God permits. . . . You will find no generous-minded white man who will stand in your way; but all of them in the South will insist that you shall accomplish this high end without social intermingling. . . . This is well for you; it is well for us; it is necessary for the peace of our [state]." Aycock believed this to be a generous and altruistic offer, but it came with a caveat. The price for refusing the bargain would be dreadful. "[The negro] may eat rarely of the cooking of equality," Aycock declared on another occasion, "but he will always find, when he does, that there is death in the pot. Let the negro learn once for all that there is unending separation of the races."³⁰

Battle did not comment publicly on Aycock's approach to solving what whites called "the negro problem," but indirect evidence leaves little doubt that he approved. Indeed, he likely influenced young Aycock's thinking when the two were professor and pupil at the university.³¹

In 1867, Battle was a founding trustee of the St. Augustine Normal and Collegiate Institute (today, St. Augustine's University), a school to prepare newly emancipated slaves for teaching and the manual trades, established in Raleigh by the North Carolina Diocese of the Episcopal Church. For its patrons, the institute's purpose was to reconcile Black freedom with whites' desire to preserve racial order. Looking back on that work decades later, Battle

²⁹ "The North Carolina Race Conflict," *Outlook* 60 (November 19, 1898), 708; "Aycock at Snow Hill," *Morning Post* (Raleigh, N.C.), March 1, 1900; 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, N.C. 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).

³⁰ "Address Accepting the Democratic Nomination for Governor, April 11, 1900," and "A Message to the Negro," in Connor and Poe, eds., *Life and Speeches of Charles Brantley Aycock*, 225, 250; "Negro Problem Solved," *New York Times*, December 19, 1903. The Colored State Fair was founded in 1879 by the Colored Industrial Association of North Carolina, a self-help and economic development organization for Black farmers and tradesmen. See Jeffrey J. Crow, Paul D. Escott, and Flora J. Hatley Wadlington, *A History of African Americans in North Carolina*, second revised edition, (Raleigh: Office of Archives and History, North Carolina Department of Cultural Resources, 2019), 99-100; "The Colored Fair at Raleigh," *Frank Leslie's Illustrated Newspaper*, December 6, 1879, 241-43.

³¹ Connor and Poe, eds., *Life and Speeches of Charles Brantley Aycock*, 162.

conceded that some partisans had considered it a fool's errand, but, he insisted, there was no alternative other than to accept open conflict that would have "ruin[ed] the negro and ruin[ed] the white man" alike. "We cannot be a happy and prosperous people without the harmonious co-operation of the races," Battle declared. But how was that accord to be achieved? Battle's solution was to look back to slavery: "When in old times the planter trained some of his slaves to be carpenters, blacksmiths, wheelwrights, coachmen and gardeners, was not he successful? Did the noble matron, his wife . . . ever fail when she brought into the 'great house' from the cabin the young dusky lasses, to convert them into seamstresses and ladies' maids, house girls and cooks?" For Battle, such questions answered themselves. "When I recall . . . these glorious memories [of slavery time]," he exclaimed, "my heart throb[s] . . . You need not tell me . . . that negroes cannot be trained to manual dexterity, and discrimination and neatness and taste. *It has been done, it can be done again* (emphasis added), and the Southern gentlemen and gentlewomen are the agencies to effect this great result."³²

Battle thought of this assertion of white authority over Black lives as an act of kindness rather than subjugation. "Let the olive branch be our emblem," he advised a group of white college students in South Carolina. "Let us gather amicably around the corn pile and bury our ill humor in the compost heap; let us smoke the pipe of peace in the tobacco patch. *We are the superior race* (emphasis added). Let us make [the Negro] better." Here was white supremacy wrapped in what sociologist Mary Jackman has described as the "velvet glove" of fondness and solicitous concern. "Affection, far from being alien to exploitative relations," she writes, "is precisely the emotion that dominant groups wish to feel toward those whom they exploit. The everyday practice of discrimination does not require feelings of hostility, and, indeed, it is not at all difficult to have fond regard for those whom we subordinate," especially when the "subject of our domination has few options" other than outward compliance. "The abiding quest is to preserve an amicable relationship with subordinates and thus to preempt . . . the exercise of force," which by its very nature disrupts the settled authority that paternalism desires.³³

What Battle and younger university men offered Blacks was a social and political order in which civility took the place of equality, and physical violence, even when restrained, furnished an ever-present reminder of the paternal right to punish noncompliance. Viewed through the lens of civility, the pre-Civil War South became a land of benevolent slaveholders and contented slaves. Battle indulged just such a fantasy in his memoirs, published posthumously by his youngest son, William. "I was born and raised among slaves," he recalled, "and after I was grown was a slave owner. I not only never whipped a negro, say over twelve years of age, but my father never whipped one. . . . I am confident that such was the usual

³² Kemp P. Battle, *History of the University of North Carolina*, vol. 2, 120; Cecil D. Halliburton, *A History of St. Augustine's College, 1867-1937* (Raleigh: St. Augustine's College, 1937), 1-16; "The Head and the Hand, President Kemp P. Battle's Oration at Columbia," *Weekly Transcript-Messenger* (Goldsboro, N.C.), July 23, 1886.

³³ "The Head and the Hand"; Mary R. Jackman, *The Velvet Glove: Paternalism and Conflict in Gender, Class, and Race Relations* (Berkeley: University of California Press, 1994), 10-11, 82-85. On civility and paternalism as instruments of racial oppression, past and present, see also Joel Williamson, *Crucible of Race: Black-White Relations in the American South Since Emancipation* (New York: Oxford University Press, 1984); Alex Zamalin, *Against Civility: The Hidden Racism in Our Obsession with Civility* (Boston: Beacon Press, 2021).

treatment in North Carolina. Indeed Raleigh, a fair sample of our towns, had the reputation of spoiling negroes. I knew families where it might have been truthfully said that the black folks owned the white folks." Did Battle mean to say that he only whipped children, perhaps leaving the adults to his overseers? We may never know. But one thing is clear: Set aside, neatly out of sight in this fiction, is the death and suffering of millions of Black Africans who were trafficked in the transatlantic slave trade, who were bought and sold as chattel in the domestic slave markets of the South, and whose labor was stolen by innumerable acts of violence to fuel the economies of both the region and the nation.³⁴

Similarly, in the age of Jim Crow, the masquerade of civility permitted Battle and the men he educated to imagine themselves as benefactors of a "child race" – though their kindness was always conditional. They offered it in exchange for Blacks' willingness to accept white authority, to show proper deference, and to seek fair treatment as supplicants rather than as white men's equals. As Aycock made plain, anything less risked swift and awful retribution. Civility thus had the power both to demonize Black defiance and to make white supremacy virtuous. "This," political scientist Alex Zamalin has noted, "is how rulers maintain a society in which inequality is the norm and injustice an incontrovertible fact: They silence opposition by disqualifying its legitimacy from the start." "From slavery to Jim Crow," he writes, "to Black ghettoization, to mass incarceration, to police brutality, the idea of civility has been enlisted to treat Black suffering with apathy and to maintain an unjust status quo. Worse, it has been a tool for silencing dissent, repressing political participation, enforcing economic inequality, and justifying violence upon people of color."³⁵

Battle stepped down from his post as university president in 1891. Over the next two decades, he devoted his time to teaching and to writing about the history of North Carolina. His most significant work was a chronicle of the university, which he published in two volumes – the first in 1907, at the time of his retirement, and the second in 1912.

Battle died in 1919. In remembrances of him, friends and family celebrated his distinguished service to the people of North Carolina as a lawyer, businessman, public official, and educator. Above all else, they credited his leadership in the reorganization and "revival" of the university in 1875. During his subsequent tenure as president, the *Raleigh News and Observer* reported, Battle "made known [the institution's] needs to the state legislature, and secured annual grants for its support; bore with patience calamities, and by lectures [and] articles in the press . . . firmly established the University in the affection and confidence of the

³⁴ Kemp Plummer Battle, *Memories of an Old-Time Tar Heel*, 185.

³⁵ George T. Winston, "The Relation of the Whites to the Negroes," *Annals of the American Academy of Political and Social Science* 18 (July 1901), 115; Alex Zamalin, *Against Civility*, 6-7. Historian William Chafe made a similar point forty years ago in his now-classic study of school desegregation in North Carolina. "Civility," he wrote, "is what white progressivism was all about – a way of dealing with people and problems that made good manners more important than substantial action." For Blacks, that meant being "forced to operate within an etiquette of race relationships that offered almost no room for collective self-assertion and independence. White people dictated the ground rules, and the benefits went only to those who played the game." In the end, Chafe argued, civility – as whites understood it – "was not compatible with the promise of racial justice." See *Civilities and Civil Rights: Greensboro, North Carolina, and the Black Struggle for Freedom* (New York: Oxford University Press, 1980), 8-10.

people." Admirers attributed that success to Battle's strength of character. "Throughout his life," said the *Charlotte News*, Battle was "noted for faithfulness to duty, piety, benevolence, industry, temperance, and generosity." In return, he was much loved and widely admired as "Carolina's Grand Old Man."³⁶

What the papers did not report is that Battle used his positions of influence to sustain and perpetuate systems of racial oppression – first, slavery, and then the regime of Jim Crow. He did so not as a private citizen or simple man of his time, but as a leader who shaped public events. In his role as president of the university, Battle wielded frightful power to make white supremacy respectable. By doing so, he enlisted the institution in the incalculable violence done to Black lives and communities. We labor still under the thrall of that terrible legacy.

On October 12, 2020, faculty in the Department of African, African American, and Diaspora Studies petitioned for the removal of Kemp P. Battle's name from Battle Hall, the building in which their offices are located. See Appendix. The Commission on History, Race, and a Way Forward endorses that request.

UNC Commission on History, Race, and a Way Forward

³⁶ "Dr. Kemp Battle, Dead," *News and Observer* (Raleigh, N.C.), February 5, 1919; "Dr. Kemp Battle Died Yesterday," *Charlotte News*, February 5, 1919; "Carolina's Grand Old Man is Dead," *Durham Morning Herald*, February 5, 1919."

Appendix

Request to Remove Kemp Plummer Battle's Name from the Department of African, African American, and Diaspora Studies Building

Ad-hoc Committee Members: Kia Caldwell (chair), Lydia Boyd, and Michael Lambert

October 12, 2020

The faculty of the Department of African, African American, and Diaspora Studies at the University of North Carolina at Chapel Hill hereby submits this request to remove Kemp Plummer Battle's name from the building we occupy. Kemp Plummer Battle is widely known as a former president of the University of North Carolina at Chapel Hill, leading its reopening at the end of Reconstruction. However, his involvement with slavery and promotion of racist ideas are lesser known aspects of his personal history and are not widely discussed by the University. As faculty in a department dedicated to researching and teaching about the histories, cultures, and experiences of African-descendant peoples and communities, we are deeply dismayed and demoralized to occupy a building named after a slaveholder, defender of the Confederate South, and leading ideologue of white supremacy.

Per the UNC-Chapel Hill Board of Trustees' Policy for the Consideration of the Removal of Names on University Buildings and Public Spaces (adopted July 16, 2020), the information found below provides evidence to support the removal of Kemp Plummer Battle's name from our building in the following areas:

- The specific conduct by the namesake of the campus building or public space that jeopardizes the University's integrity, mission or values.
- The character of the named individual and the extent of the harm to the University caused by continuing to honor the namesake.

Much of the evidence provided below is found in Battle's memoir, *Memories of an Old Time Tar Heel*, which attests to his personal views and behavior in his own words. The quotes we have provided are from this memoir, published posthumously in 1945.

He was a plantation owner and enslaved African Americans. As stated in Battle's memoir, *Memories of an Old Time Tar Heel*, "Under the law as it stood in 1855 on my marriage I became the owner of a number of slaves and acquired a life interest in my wife's two plantations in Edgecombe" (Battle 1945: 125). In addition to the enslaved people who became his property when he married Martha Ann Battle (his second cousin), Kemp Plummer Battle's family is known to have owned several plantations in the Rocky Mount/Edgecombe County area and was one of the largest slaveholding families in North Carolina. James Smith Battle, Kemp Plummer Battle's brother, owned over 500 enslaved people. The Battle family also owned and ran the Rocky Mount Mills with the labor of enslaved people. The Rocky Mount Mills were built in 1818 and are the second-oldest cotton mills in the state of North Carolina.

He actively supported efforts to defend and maintain the slave-based plantation economy in the American South. While, as Battle described himself, he was a "violent Union man" (Battle 1945: 168), he did not support Emancipation. To the contrary, he is very clear that he supported and worked to

defend the slave-based economy. He believed that this could be achieved without the southern states seceding from the Union (Battle 1945: 168).

He committed treason against the United States of America. Once it became clear to Battle that President Lincoln intended to use force to prevent secession and end slavery, he embraced the cause of the Confederacy. He voted in support of secession as an elected delegate to the North Carolina State Constitutional Convention in 1861, where he was a signatory to the Ordinance of Secession (Battle 1945: vii). During the war, he was President of the Chatham Railroad Company, which was established to aid the confederate war effort. Battle recalls his work with the railroad: “The place suited me well. It gave me honorable occupation in behalf of the confederacy” (Battle 1945: 173).

He lauded and supported the removal of the Cherokee Nation, and assisted the University in profiting from the dispossession of Indigenous nations. In his explanation for why he was a ‘fierce Union man,’ Battle provided the example of how President Jackson paved the way for the dispossession of the Cherokee Nation. “President Jackson declined to order troops to enforce the mandate of the Supreme Court in the disputes about the Cherokee Indians and his wisdom in delaying was shown by subsequent legislation which forced the removal of the Indians” (Battle 1945: 168). Later Battle acted on his disrespect for the sovereignty and rights of Indigenous nations by securing land grants through the Morrill Act of 1862 to fund the University. This land was acquired from Indigenous Nations through “over 160 violence-backed treaties and land seizures” (<https://www.hcn.org/topics/land-grab-universities>; Battle 1945: 243). Battle likely would not have been able to reopen UNC, his signature accomplishment, had he not actively secured funds that were derived from the dispossession of Indigenous nations.

Battle was President of the University when it reopened at the end of Reconstruction, a period defined by the reestablishment of white supremacist rule, the disenfranchisement of Black citizens, and rising levels of racial terrorism in North Carolina. Notably, Battle’s reputation as a University leader rests in large measure on the role he played in reopening the University following the Civil War. Reopening the University after Reconstruction and serving as its President enabled Battle to regain much of the political influence he lost when he was removed as the North Carolina State Treasurer and a University Trustee during Reconstruction. The fact that he became the President of the University of North Carolina at this time also suggests a strong link between his leadership and the increasing white supremacy which characterized the post-Reconstruction South.¹

He supported White supremacy following the Civil War by opposing the right of African Americans to vote. “My scheme was reasonable but was hindered from success by the wild legislation of

¹ “Conservative political leaders launched a massive campaign of propaganda and terror to overthrow Radical Reconstruction. Although they were temporarily excluded from political power, they controlled many influential newspapers and other public opinion outlets. They also moved quickly to organize paramilitary groups to subdue black movement building and Republican political mobilization. The gentry organized the Ku Klux Klan and other terrorist groups and recruited thousands of white North Carolinians by appealing to white supremacy” (Chapman 2006: 62, 63).

the General Assembly of 1868-1869, elected under the Congressional Reconstruction acts which disfranchised for a time a numerous body of our most intelligent men and, still worse, gave all negro men the right of suffrage” (Battle 1945: 206).

He confessed to uncritically holding racist attitudes and beliefs. There is ample evidence of his racism in his memoirs, including this memory of refusing refuge amongst free blacks during his travels: “When we arrived within ten miles of Cheraw, we found that the only inhabitants of houses near the roadside were free negroes. We were so tired that the colonel proposed that we should seek a night's lodging with one of them, but I had too much Southern prejudice in me and so we pressed on to the town, a bright moon-light ride, arriving there at nine o'clock” (Battle 1945: 177).

Recommendation to Remove Battle’s name and replace it with Dr. Anna Julia Cooper

For the reasons discussed above, we urge the Chancellor and Board of Trustees to remove Battle’s name from our building. We strongly believe that the placement of Battle’s name on our building meets the following three criteria found in the Board of Trustees’ Policy for building name removal. Furthermore, only one of these criteria is required for the Board to consider removing a name from a campus building.

- The repugnant conduct in question was central to a namesake’s career, public persona, or life as a whole.
- Allegations of repugnant behavior are supported by documentary evidence that demonstrates both the extent and the intentionality of a namesake’s actions.
- Honoring a namesake demonstrably jeopardizes the University’s integrity and materially impedes its mission of teaching, research, and public engagement; or significantly contributes to an environment that excludes some members of the University community from opportunities to learn, thrive, and succeed.

Additionally, we support the replacement of Battle’s name with that of Dr. Anna Julia Cooper. We believe that having Dr. Cooper’s name on our building would appropriately and respectfully reflect the intellectual mission of our department.

Profile of Dr. Anna Julia Cooper

Dr. Anna Julia Cooper was a North Carolina native and highly esteemed African-American educator, author, sociologist, and leader. Dr. Cooper was born into slavery in Raleigh, North Carolina in 1858, later becoming one of the most prominent African-American scholars in United States history. Dr. Cooper earned a bachelor’s degree in mathematics from Oberlin College in 1884. She subsequently earned an M.A. in mathematics from Oberlin, becoming the second Black woman in the U.S. to earn a master’s degree. After beginning a doctoral program at Columbia University, Dr. Cooper completed her doctorate at the Sorbonne in Paris at the age of 66, making her the fourth African-American woman to earn a doctoral degree.

Dr. Cooper’s 1892 book *A Voice from the South: By A Black Woman from the South* is regarded as one of the earliest articulations of Black feminism. In 1893, Dr. Cooper became the only woman elected to the American Negro Academy and was also an invited speaker at the World’s Congress of Representative

Women, which took place during the World's Fair in Chicago. She was also a speaker at the First Pan-African Conference in London in 1900. Dr. Cooper taught at Wilberforce University and St. Augustine's Normal School and Collegiate Institute (Raleigh), which she had also attended prior to enrolling at Oberlin. In 1930, Dr. Cooper became president of Frelinghuysen University in Washington D.C., an institution that provided education to working African Americans. She was also a teacher and the principal of M Street High School, a highly regarded school in Washington D.C., for many years. Dr. Cooper was funeralized and buried in Raleigh after her death at the age of 105. In 2010, the state of North Carolina erected a historical marker near her grave site.

In 2009, the U.S. Postal Service released a commemorative stamp in Dr. Cooper's honor. In 2010, a quote from Dr. Anna Julia Cooper's book, *A Voice from the South* was included in the U.S. passport booklet: "The cause of freedom is not the case of a race or a sect or a party or a class – it is the cause of humankind, the very birthright of humanity."

Our department would be honored to have our building bear Dr. Anna Julia Cooper's name. This action would make the University of North Carolina at Chapel Hill the first U.S. university to name a building after Dr. Cooper. It would be a fitting way to recognize her invaluable contributions, accomplishments, and legacy as a scholar, leader, and North Carolina native.

Additionally, we feel that it is particularly appropriate to replace Battle's name with that of an esteemed Black North Carolinian whose race was used as justification for the university leadership to deny her access to an education at the university, or any other kind of affiliation, during her lifetime. Dr. Cooper was a contemporary of Dr. Battle. Despite the fact that she was born into slavery and confronted the exclusionary policies that Dr. Battle promoted, her record of accomplishment far exceeded his by any measure. It is well past time that her accomplishments be acknowledged on the campus of the flagship university of her home state.

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Bingham Hall

The Board of Trustees of the University of North Carolina named this building in 1929 to honor Robert Hall Bingham, class of 1857.¹ The building originally housed the university's School of Commerce and was later home to the Department of English and the Department of Speech (now Communication).

Bingham:

- Lobbied for increased public investments in education and played a significant supporting role in elevating UNC's stature in the early twentieth century
- Promoted racial Anglo-Saxonism, a blood-and-soil strain of white supremacist ideology
- Educated generations of white men to celebrate racist violence as a civilizing force and instrument of order – social, economic, and political – both at home and on a global scale

Robert Hall Bingham was born in Hillsborough in 1838, the fourth child of William J. and Elizabeth N. Bingham. He graduated from UNC with first honors in 1857, served as a captain in the Confederate army, and for nearly a year was held as a military prisoner by United States forces. After the Civil War, Bingham made a distinguished career as an educator. He taught at the private academy for boys that his grandfather had founded in 1793, took the helm as its headmaster in 1873, reformed its military curriculum, and in 1891 moved what was by then known as the Bingham School to Asheville, where it remained in operation until shortly after his death in 1927.²



Advertisement, in author's possession

The school was widely admired as one of the best of its kind in the South. That reputation gave Bingham standing to lobby, in Raleigh and in Washington, for increased expenditures on public education and establishment of both the North

Carolina College of Agriculture and Mechanic Arts (now North Carolina State University) and the North Carolina State Normal and Industrial School, a teachers college for white women (now

¹ "Bingham Hall," *Alumni Review* 17 (April 1929), 199; 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. The trustees' minutes include no explanation of the decision to name the building for Bingham.

² Bennett L. Steelman, "Robert Bingham," in William S. Powell, ed., vol. 1, *Dictionary of North Carolina Biography* (Chapel Hill: University of North Carolina Press, 1979), 157; "Robert Bingham," Samuel A. Ashe, ed., vol. 1, *Biographical History of North Carolina, From Colonial Times to the Present* (Greensboro, N.C.: C. L. Van Noppen, 1905), 83-88.

the University of North Carolina at Greensboro). Racial concerns were never far removed from this advocacy. In 1884, for example, Bingham campaigned for federal aid to education as a matter of justice for southern whites, who after Emancipation, he said, were burdened with the responsibility of educating former slaves and their children. "We of the South," he argued, "are paying the heaviest war tax in proportion to our means which a people ever paid, to educate the children of another race, for whose presence among us we are not responsible, who were thrust into our citizenship without our consent, and for whose education we are doing so much, that when our children cry to us for bread we have to give them a stone."³

Bingham was also a dedicated UNC alumnus. He made his most significant contribution to the university when he helped to establish the Kenan Professorship Fund. In November 1916, his son, Robert W. Bingham, a lawyer and later a newspaper publisher in Louisville, Kentucky, married Mary Lily Kenan Flagler. Mary Lily was the daughter of William Rand Kenan – an influential businessman and political figure in Wilmington, who also served as a university trustee – and the widow of Henry M. Flagler, a cofounder of the Standard Oil Company with John D. Rockefeller and, at the turn of the century, the leading developer of Florida east-coast real estate. The Binghams, father and son, encouraged Mary Lily to specify in her will that the professorship fund be endowed with a portion of the \$100 million fortune she inherited from Flagler. She complied, and then died suddenly in July 1917. When a lengthy legal battle over her estate was finally resolved five years later, UNC received a windfall that would transform the institution. The Kenan fund paid an annual dividend of \$75,000, a figure that in early years exceeded the value of the university's entire faculty payroll. The money helped to elevate UNC to the upper ranks of American higher education. It "placed the university in the enviable position of being able to establish a number of distinguished professorships," one contemporary explained, "and to compete successfully in the national market for scholars of note."⁴

³ Steelman, "Robert Bingham," 158; Robert Bingham, reprint, *The New South: An Address Delivered by Maj. Robert Bingham, of Bingham School, N.C., in the Interest of National Aid to Education*, February 15, 1884, and July 16, 1884, 16, North Carolina Collection, Wilson Library, University of North Carolina at Chapel Hill. On the history and standing of the Bingham School, see also *The Successful Training of Southern Youths for More than a Century*, reprinted from the *News and Observer* (Raleigh, N.C.), 1905, North Carolina Collection, Wilson Library, University of North Carolina at Chapel Hill. The newspaper's feature story noted that the Bingham School enjoyed a reputation that was "equaled by but few institutions of learning of any grade in the United States, and approached by no other school in the South." U.S. Army officials regarded the Bingham School "as one of the four or five military institutions of first rank in the country." See Ashe, "Robert Bingham," 85.

⁴ T.S. Kenan III, "Mary Lily Kenan Flagler Bingham," in William S. Powell, ed., vol. 1, *Dictionary of North Carolina Biography* (Chapel Hill: University of North Carolina Press, 1979), 157; William E. Ellis, *Robert Worth Bingham and the Southern Mystique: From the Old South to the New South and Beyond* (Kent, Ohio: Kent State University Press, 1997), 53-62; Minutes, August 28, 1917, and January 24, 1922, oversize volume 12, Board of Trustees of the University of North Carolina Records, 1789-1932; Howard E. Covington Jr., *Fire and Stone: The Making of the University of North Carolina under Presidents Edward Kidder Graham and Harry Woodburn Chase* (Chapel Hill: The University Library, University of North Carolina at Chapel Hill, 2018), 119-20, 140-41, 159-60, 174, 209, 247; Louis R. Wilson, *The University of North Carolina, 1900-1930: The Making of a Modern University* (Chapel Hill: University of North Carolina Press, 1957), 288, 336-40; A. C. Howell, *The Kenan Professorships* (Chapel Hill: University of North Carolina Press, 1956), xi, 3-81.



Robert Hall Bingham
History of North Carolina, vol. 6, *North Carolina Biography* (Chicago: Lewis Publishing Company, 1919)

Robert the elder was a white supremacist to the core. There is good reason to believe that like his older brother, William, he belonged to the Reconstruction-era Ku Klux Klan. William was arrested in 1870, when Governor William W. Holden mobilized the state militia under the command of George W. Kirk to suppress Klan violence in Alamance and Caswell Counties. There, nightriders had lynched Wyatt Outlaw, a Black constable and town commissioner, and assassinated state senator John W. Stephens, a white Republican. Robert was not among the Klansmen rounded up and jailed, but he appears to have taken pride in the fact that he, too, "was hunted with blood hounds by Kirk's raiders." His namesake son disclosed that family lore in an admiring letter written in 1937 to Margaret Mitchell, author of *Gone with the Wind*. The younger Bingham also shared a vividly frightful childhood story. "My earliest memory," he recalled, "is of clutching my mother's skirts in terror at a hooded apparition, and having my father raise his mask to relieve me. Then he went out in command of the Ku Klux in our district."⁵

The cruelty of white men's determination to rule marked Robert Bingham for life. As an educator and influential public figure, he advocated the doctrine of racial Anglo-Saxonism, a blood-and-soil strain of white supremacist ideology advanced in the nineteenth and early twentieth centuries by British and American intellectuals. It was a mythical concoction that glorified "race war" as the driving force of civilization; it excused the violent destruction of indigenous societies on a global scale and sanctified white dominion over all the peoples of the world as the dictate of Nature and the will of God.⁶

⁵ Robert W. Bingham to Margaret Mitchell, February 16, 1937, Box 18, Robert Worth Bingham Papers, Manuscript Division, Library of Congress, Washington, D.C.; Ellis, *Robert Worth Bingham and the Southern Mystique*, 6-7. William Bingham appears in accounts of the Klan arrests that were submitted as evidence in the impeachment trial of Governor Holden. See *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*, vol. 1 (Raleigh: Sentinel Printing Company, 1871), 9, 584-608. See also vol. 3, 2277, 2294, 2538. Robert W. Bingham was born in 1871, a year after Governor Holden's effort to suppress the Klan. His memory of his father in a Klansman's hood, therefore, comes from later in the decade. Eleanor Bingham Miller (interviewed on October 22, 2020) reports that stories of Robert the elder's role as a Klan leader have been passed down through generations of Bingham family lore.

⁶ Reginald Horsman, *Race and Manifest Destiny: The Origins of American Racial Anglo-Saxonism* (Cambridge: Harvard University Press, 1981); Nell Irvin Painter, *The History of White People* (New York: W.W.

In Bingham's time, such thinking found expression in scholarship, politics, and popular culture alike. Woodrow Wilson's five-volume *History of the American People* was a publishing sensation in 1902. In its pages, Wilson – who held a Ph.D. from Johns Hopkins University and occupied the president's office at Princeton – praised the Anglo-Saxon virtues of the white settler colonies that, over the course of three centuries, spread inexorably, and with deadly consequence, across the North American continent. One of his graduate school colleagues, a North Carolinian named Thomas F. Dixon Jr., lifted up the same white nationalist ideals in a series of novels – *The Leopard's Spots* (1902), *The Clansman* (1905), and *The Traitor* (1907) – that celebrated Ku Klux Klan violence in the post-Civil War years. With Dixon's assistance, movie director D.W. Griffith, turned those works into the 1915 blockbuster, "The Birth of a Nation." Wilson, now resident in the White House, so admired the film that he had it screened for members of his cabinet. It was, he said, "like writing history with lightning." Wilson embraced Dixon and Griffith because they championed the white supremacist values that defined his presidency as the most racially repressive since the end of Reconstruction. He had already used his executive authority to impose Jim Crow segregation on the federal bureaucracy in Washington, D.C., and in the aftermath of World War I, would promote a peace that rejected colonized people's demands for democracy and self-determination. A century later, in June 2020, Princeton officials concluded that Wilson's record of "racist thinking and policies" was so repugnant that his name should be removed from one of the university's residential colleges and its acclaimed school of public and international affairs.⁷

Bingham laid out his own conception of racial Anglo-Saxonism most elaborately in "An Ex-Slaveholder's View of the Negro Question in the South,"⁸ an essay he published in July 1900

Norton and Company, 2010), chaps. 2, 6, 7; Fran Shor, "The Long Life of U.S. Institutionalized White Supremacist Terror," *Critical Sociology* 46 (January 2020), 5-18.

⁷ Woodrow Wilson, *A History of the American People*, 5 vols. (New York: Harper and Bros., 1902); "President Eisgruber's Message to Community on Removal of Woodrow Wilson Name from Public Policy School and Wilson College," Office of Communications, Princeton University, June 27, 2020, <https://bit.ly/32oVRM8>. The *New York Times* heralded Wilson's *History* as "the most important work that has fallen from the press in a long time." See Augustus C. Buell, "'A History of the American People,' by Woodrow Wilson," *New York Times Saturday Review of Books and Art*, December 13, 1902, in William S. Link, ed., *The Papers of Woodrow Wilson*, vol. 14, 1902-1903 (Princeton, N.J.: Princeton University Press, 1972), 286-87. For coverage of other elements of this story, see Anthony Slide, *American Racist: The Life and Films of Thomas Dixon* (Lexington: University Press of Kentucky, 2004); 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 Carolina Press, 2013); Paul Gordon Lauren, *Power and Prejudice: The Politics and Diplomacy of Racial Discrimination*, second edition (New York: Routledge, 2018), chap. 3. One of the best treatments of Wilson and white "ethnonationalism" is Colin Woodard, *Union: The Struggle to Forge the Story of United States Nationhood* (New York: Viking, 2020), especially 259-352.

⁸ On the eve of the Civil War, Robert lived with his parents, William and Elizabeth, who enslaved fourteen people: four women, four men, four girls, and two boys. See 1860 U.S. Federal Census, Slave Schedules, Orange County, North Carolina, Ancestry.com. We have a vivid account of William's use of violence to enforce the mastery of white over Black. It comes from Elizabeth Keckley, who published her autobiography in 1868. In the late 1830s, Robert Burwell, a Presbyterian minister, moved to Hillsborough to take charge of a local church. He brought young Keckley along as a house servant. Bingham's parents were members of Burwell's congregation, and his father visited the parsonage often. At the request of Burwell's wife, William set out to break Keckley's "'stubborn pride.'" Keckley wrote at length about the beatings she received from Bingham, whom she described as a "cruel, hard man." In the first instance, Bingham led her into an empty room, shut the door, "and in his blunt way remarked:

in the European edition of *Harper's Monthly Magazine* and circulated widely among newspaper editors, politicians, and civic leaders across the South. With other true believers, he contended that modern white men had inherited from ancient Teutonic (German) tribes a fierce warrior spirit and passion for liberty. The tale of that heritage began with the fall of the Roman Empire. "What our race-history was in prehistoric times we can only guess at," Bingham wrote, "but History teaches us that the Roman, who subjugated and absorbed so many other races, failed in all his attempts on the Teuton . . . And History [also] teaches very clearly that the race characteristics of the Angles and the Saxons are more distinct and more permanent than those of any other of [the] Teutonic tribes who overwhelmed the Roman Empire. The other Teutonic invaders of Sothern and Western Europe lost their language and race identity and were themselves absorbed by their subjects." But not the "Angles and Saxons," who landed in the British Isles in the mid fifth century. There, they went about "exterminating the Celt." In doing so, Bingham explained, they "changed Britain to Angle-land, and it has been England ever since."⁹

Over the next 1,300 years, white men soaked the soil of Britain and North America with blood as they struggled for individual liberty and self-government. The Magna Carta, the Church of England, and the Declaration of Independence – "every step towards the highest freedom was won in the best blood of our race," Bingham wrote. And as white men carried the purported blessings of liberty around the globe, even more blood flowed. "Anglo-Americans" encountered "the Red Man," Bingham noted, "and the Red man vanished away." A similar fate befell the aboriginal peoples of Australia; on the Indian sub-continent, the British ruled tens of millions of dark-skinned imperial subjects; and in Cuba, Hawaii, and the Philippines, the United States asserted its dominion over the "Brown men and Yellow men" of the Caribbean and the Pacific, thousands of whom "perished under the methods of 'benevolent assimilation' practiced there."¹⁰

'Lizzie, I am going to flog you . . . so take down your dress this instant.'" "Recollect," Keckley advised her readers, "I was eighteen years of age, was a woman fully developed, and yet this man coolly bade me take down my dress. I drew myself up proudly, firmly, and said: 'No, Mr. Bingham, I shall not take down my dress before you. Moreover, you shall not whip me unless you prove the stronger.'" That defiance infuriated Bingham. "He seized a rope," Keckley recalled, "and after a hard struggle succeeded in binding my hands and tearing my dress from my back." Then, with the "steady hand and practiced eye" of a schoolmaster who was skilled in corporal punishment, he whipped her mercilessly with a rawhide. "It cut the skin, raised great welts," and sent "warm blood" trickling down Keckley's back, but she stood her ground: "I was too proud to let my tormentor know what I was suffering. I closed my lips firmly, that not even a groan might escape from them, and I stood like a statue while the keen lash cut deep into my flesh." Two more beatings followed. See Keckley, *Behind the Scenes* (New York: G. W. Carleton and Company, 1868).

⁹ Author's reprint, Robert Bingham, "An Ex-Slaveholders View of the Negro Question in the South," *Harper's Monthly Magazine* (European edition), July 1900, 3-5, North Carolina Collection, Wilson Library, University of North Carolina at Chapel Hill.

¹⁰ Bingham, "Ex-Slaveholder's View," 4-6; author's reprint, Robert Bingham, "Sectional Misunderstandings," *North American Review* 179 (September 1904), 14, North Carolina Collection, Wilson Library, University of North Carolina at Chapel Hill. Bingham updated, reprinted, and distributed "Sectional Misunderstandings" at least four times between 1904 and 1911.

Bingham surveyed these conquests approvingly, and declared, "We are Teutons, God's kings of men."¹¹

By Bingham's account, only "the Black man" of Africa, enslaved in the American South, had escaped the misfortune of other "colored races." There, munificent slaveholders Christianized the "savage" and "developed [him] in the arts of civilization." But that work was soon undone. Sentimental abolitionists in the North persuaded themselves that the slave was "an Anglo-Saxon in a black skin," Bingham declared, and on that basis drove the American republic to war with itself. Then came what he described as the "horrors of Reconstruction." White radicals in the North and race traitors in the South granted former slaves political and social equality with men who had formerly been their masters. It was, Bingham remarked, "the first time since the beginning of time that a white race undertook to put the feet of a colored race on the necks of the men and women of their own blood and breed."¹²

In Bingham's view, the consequences were dire: cut free from slavery's discipline, Blacks retrogressed toward barbarism. "We delivered the African man over to the nation in 1865 orderly, fairly industrious, without vices, without disease, without crime," Bingham wrote. Then, "in the hands of the nation he became disorderly, idle, vicious, diseased; three times more criminal than the native white and one and a half times more criminal than the foreign white consisting largely of the scum of Europe." Worst of all, Bingham claimed, emancipation unleashed Black men's bestial sexuality, resulting in a supposed epidemic of rape, which whites answered with the blood lust of lynching. That made Blacks doubly guilty, first for the crime, and second for drawing out the savage within white men, dragging them down into lawlessness and compelling them to *brutalize themselves* by dispensing the rough justice of the mob.¹³

These beliefs placed Bingham squarely within the ranks of thinkers described by historian Joel Williamson as "Radical racists" – whites who were "ready for a vengeance that matched the cruelty suffered in slavery." Radicals "offered up an immediate and great crisis, requiring quick, dramatic, and valiant action." The effect was "electric," Williamson observed, particularly for young men like those who were educated in the military curriculum at Bingham's school. They grew up with tales of Confederate valor but had "no chance at war" themselves. The struggle for white supremacy relieved their longing. It offered an opportunity

¹¹ Bingham, "Ex-Slaveholder's View," 5.

¹² Bingham, "Ex-Slaveholder's View," 5, 9; "The Horrors of Reconstruction," *News and Observer* (Raleigh, N.C.), October 16, 1908; *The Fifty Years Between 1857 and 1907, and Beyond, an Address at the University of North Carolina, June 3, 1907, on the Fiftieth Anniversary of the Graduation of the Class of 1857*, 7, North Carolina Collection, Wilson Library, University of North Carolina at Chapel Hill. The commencement address was "reprinted as published" and widely distributed by the *Asheville Citizen*, the *News and Observer* (Raleigh, N.C.), and the *Charlotte Observer*. On Reconstruction, see also *Response by Col. R. Bingham, at the Annual Banquet of the New York Southern Society*, 10.

¹³ Bingham, "Ex-Slaveholder's View," 12-16. Bingham spelled out a similar line of reasoning in "Sectional Misunderstandings," 18-21. On white views of Black criminality, see also Khalil Gibran Muhammad, *The Condemnation of Blackness: Race, Crime, and the Making of Modern America* (Cambridge, Mass.: Harvard University Press, 2010).

to join "the peerage of the courageous men" who had fought for the Confederacy and, after the war, defended the white race from beneath a Klansmen's hood.¹⁴

Bingham hewed closely to these themes. He argued that there was but one way to address the crisis posed by the "Race Question": white men of a "New North, New South, New East, and New West" must treat "the negro [as] a dead issue," set aside sectional antagonism, and forge a "NEW NATIONAL AMERICA." In this diagnosis, Black freedom was the disease, white nationalism, the cure.¹⁵

What future did this portend for Blacks, who made up a third of the South's population? Bingham addressed that question in a speech he delivered in Chapel Hill on University Day, October 12, 1905. Newspapers described the address as "strong and vigorous," and on the race issue, "pessimistic." Bingham pledged that he and like-minded white men would continue their efforts to educate and uplift "the negro, as long as he submits." But even so, the outcome was uncertain. In Bingham's estimation, it was as likely as not that Blacks would meet the same end as "the Celt and the Red man" – in a word, "extermination."¹⁶

Robert Bingham, who spoke from a seat of learning and addressed the world through the pages of the popular press, was no mere man of his times, nor were his words simply ugly and distasteful. On the public stage, he proclaimed the homicidal doctrine of white supremacy, and in the classrooms of his school, he planted its principles in the minds of successive generations of students who, in later life, put them into practice as jurists and lawmakers, teachers, preachers, and ordinary citizens. Bingham's racial fantasies gave legitimacy to the regime of Jim Crow and sentenced Blacks to abject poverty, sickness, illiteracy, and the ever-present threat of violent death – all accompanied by psychological trauma on an incalculable scale. Such teachings, and such a man, despite his deep fidelity to alma mater, deserve no place of honor at a university that pledges itself to light and learning, and to the betterment of all humankind.

On March 22, 2021, Emily Bingham (UNC, Ph.D. 2003) reiterated her request (first tendered on January 11, 2019) that the name of her great-great grandfather Robert Hall

¹⁴ Joel R. Williamson, *The Crucible of Race: Black-White Relations in the American South Since Emancipation* (New York: Oxford University Press, 1984), 75, 180-81, 296-97.

¹⁵ Bingham, "Ex-Slaveholder's View," 3, 16; Bingham, "Sectional Misunderstandings," 22; *Response by Col. R. Bingham, at the Annual Banquet of the New York Southern Society*, 13.

¹⁶ "Bold and Thoughtful Speech of Col. Bingham," *News and Observer* (Raleigh, N.C.), October 13, 1905; "University Anniversary," *Morning Post* (Raleigh, N.C.), October 13, 1905; Bingham, "Ex-Slaveholder's View," 7. On the necessity of black submission, see also *Response by Col. R. Bingham, at the Annual Banquet of the New York Southern Society*, 15. Bingham believed that through "earth-writing" at the time of creation, God had arranged mountains, oceans, and deserts to separate racial groups. Once that order had been violated, race war and the ascendancy of Anglo-Saxons was inevitable. See Bingham, reprint, *The New South*, 5-6; *Response by Col. R. Bingham, at the Annual Banquet of the New York Southern Society in the Waldorf Astoria, December 14, 1904, to the Toast, The Status of the South in the Past; the Decadence of that Status; Its Restoration* (Asheville, N.C.: Pen and Plate Club, 1905), 6-11.

Bingham be removed from Bingham Hall. Her petition was endorsed by nine of Bingham's other great and great-great grandchildren. See Appendix. The Commission on History, Race, and a Way Forward endorses these requests.

UNC Commission on History, Race, and a Way Forward

Appendix

1074 Cherokee Road * Louisville, KY 40204

Kevin Guskiewicz, Chancellor
University of North Carolina at Chapel Hill
103 South Building
Campus Box 9100
Chapel Hill, NC 27599-9100

March 22, 2021

Dear Chancellor Guskiewicz,

Today I renew the request that the University reconsider and remove my family's name from Bingham Hall. The research conducted over the past year by the Commission on History, Race, and a Way Forward has only added to my and my family members' sense that this is a right and just and healing way forward. Robert Hall Bingham was a talented man. Chapel Hill nurtured his talents as a youth. He tried to guide and enrich his alma mater. Yet, he was also a monstrously racist educator who played an active role in turning young minds and international opinion to this ideology. This, as well as his early affiliation with the Klan (or similar organization) in central North Carolina are abhorrent to us. The removal of his name will not take away the damage done but we hope it shows that we fully recognize it and regret it with our whole hearts.

Thank you for submitting this dossier to the trustees and helping to guide the school I love on a path of transparency, healing, and restorative embrace of human dignity. We look forward to hearing about the progress on this vital work.

Sincerely,



Emily Bingham
emily@emilybingham.net

Concurring Family Members (great and great-great grandchildren of Robert Hall Bingham)

- Sallie Bingham, Santa Fe, NM
- Eleanor Bingham Miller, Goshen, KY
- Barry Ellsworth, Santa Fe, NM
- Clara Bingham, New York, NY
- Christopher Iovenko, Los Angeles, CA
- Molly Bingham, Washington, DC
- Rowland Miller, Brooklyn, NY
- Worth Miller, Prospect, KY
- Hannah Miller, Louisville, KY

1074 Cherokee Road * Louisville, KY 40204

Kevin Guskiewicz, Chancellor
University of North Carolina at Chapel Hill
103 South Building
Campus Box 9100
Chapel Hill, NC 27599-9100

August 13, 2020

Dear Chancellor Guskiewicz,

As a US historian, University of North Carolina, Chapel Hill graduate (Ph.D., 2003), donor, and descendant, I write to bring to your attention the fact that Robert Hall Bingham 1838-1927, UNC class of 1857 participated in Ku Klux Klan activities. Bingham Hall, on Polk Place near Wilson Library, was dedicated in his honor and currently houses the Department of Communication.

I came across this information while researching my book on Robert Bingham's granddaughter, *Irrepressible: The Jazz-Age Life of Henrietta Bingham* (Farrar, Straus and Giroux, 2015). It disturbed me personally, and in late 2018, I brought the matter to the attention of university officials. I believe you and I also discussed the need to remove the Confederate monument on campus when we met in Louisville, Kentucky during your deanship. I then supplied the information to Chancellor Carol Folt and a number of trustees in early 2019. Here is what I sent her:

Robert Hall Bingham returned from Confederate Civil War service to lead his family's boarding school for boys in Mebane, Alamance County, west of Chapel Hill. The academy was a feeder for the University. More on his life is online from the Dictionary of North Carolina Biography (see link below). Wilson Library holds his Civil War diary and a number of Bingham School records. A supporter of public education at all levels, including (segregated) schools for and teacher colleges for Black North Carolinians. Bingham also advocated for the University—and apparently played a key role in creating the Kenan professorships (see references below for Bingham correspondence with UNC Chancellor E. K. Graham). Bingham Hall was named in 1929, two years after he died and following a monetary gift from his son, Robert Worth Bingham (1871-1937).

The extent of Robert Hall Bingham's Klan involvement is unlikely ever to be fully determined. [In 2020 with the Commission on Race, History and a Way Forward, there is a pat to documenting Bingham's life and record on racial matters.] In his biography of my great-grandfather, historian William E. Ellis treats this period in the Bingham family history. Proceedings of the impeachment of Reconstruction Era Republican governor William Holden contain references to activities by Bingham and his brother, William. A

1937 letter from his son (my great grandfather) to Gone with the Wind author Margaret Mitchell described the younger Robert Bingham's earliest childhood memory—of being frightened when a figure appeared at their door dressed in the white sheets of the Ku Klux Klan. Relief flooded the young child when the menacing shape lifted the hood and revealed himself as his father.

A reconsideration of Bingham Hall's status is critical to the integrity of the University that provided my superior history education. This was clear in the wake of the tragedy in Charlottesville, Virginia. It remained of great concern to me during the crisis surrounding Silent Sam. It is only more critical in 2020 as the country confronting embedded sources of racism and inequity. I know you and the Trustees you report to are dedicated to creating a welcoming environment to students. The respect young people have been brought up to expect from one another and to see exemplified in leading institutions like UNC is within reach of your administration.

The action by UNC Chapel Hill's trustees to lift a repressive moratorium on renaming or removing campus structures signals that the governing body is taking seriously cries that have too long been ignored. Monuments and honored spaces send potent messages—silent to some and almost deafening to others. The school recontextualized the Kenan Memorial Stadium. It has struggled through an extremely problematic transfer of a Jim Crow era Confederate memorial to a neo-Confederate organization, with attendant legal and reputational costs.

Empowering a Commission to (among other charges) examine the landscape and history of white supremacy on campus has aided Trustees' ability to take steps this summer to, as one member expressed it, "reconcile with [UNC-Chapel Hill's] racialized footprint." With transparency, collaboration, accountability, and courage, the Commission on History, Race, and a Way Forward has made the removal of a handful of names possible. Bingham Hall remains on the long list of *known* problems to be addressed. Additionally, as an educator and scholar I want to emphasize the vital roles *undergraduate and graduate students* have played and must play in these processes. A thorough and inclusive and energetic course of action under your leadership as Chancellor will go far to restore collective faith in the University's mission of educating a diverse generation North Carolina leaders.

Robert Hall Bingham's connection to racial violence and clearly goes against the values and mission of the University. Given this troubled history, which I have sought to bring to the school's attention, I hope that you will submit Bingham Hall to thorough review by the appropriate committee and then by the Trustees. I respectfully request to be informed of progress on this matter. My care for UNC and my extended family's sense of duty to history are entwined with the decision process. Members of your development team know I am open to assist in covering costs related to researching Bingham's record so that the University can make an informed determination.

We are living through a critical transition in our history. We are called to look clearly at the damage done by people in the service of a racist culture. It takes time—I did not see this situation the same way in 2017 as I see it now. It is a collective responsibility, borne too long by those most damaged by that culture rather not those, like me and my family (and many UNC

trustees over the years) who have benefited from it. Far from erasing history, we are engaging in ongoing learning. We are invoking the past's complex, fascinating, inspiring, and sobering realities. We have already waited too long. Thank you for your courage. I look forward to hearing from you.

With my best wishes for your success,

Emily Bingham
emily@emilybingham.net
502-905-8859

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<https://www.dailytarheel.com/article/2020/02/commission-on-race-history-and-a-way-forward-meeting-0210>

Cc

- Robert J. Parker, Senior Associate Dean for Development and Executive Director, UNC Arts and Sciences Foundation
- James Leloudis, Professor of History and Peter T. Grauer Associate Dean for Honors Carolina, Co-Chair Commission on History, Race, and a Way Forward
- Patricia Parker, Associate Professor and Chair, Department of Communication, Co-Chair Commission on History, Race, and a Way Forward

1074 Cherokee Road * Louisville, KY 40204

Carol L. Folt, Chancellor
University of North Carolina at Chapel Hill
103 South Building
Campus Box 9100
Chapel Hill, NC 27599-9100

January 11, 2019

Dear Chancellor Folt,

As a historian, University of North Carolina, Chapel Hill graduate (Ph.D., 2003), donor, and descendant, I write to to bring to your attention the fact that Robert Hall Bingham (1838-1927, UNC class of 1857) participated in Ku Klux Klan activities. Bingham Hall, on Polk Place near Wilson Library, was dedicated in his honor and currently houses the Department of Communications.

I came across this information while researching my book on Robert Bingham's granddaughter, *Irrepressible: The Jazz-Age Life of Henrietta Bingham* (Farrar, Straus and Giroux, 2015). Robert Hall Bingham returned from Confederate Civil War service to lead his family's boarding school for boys in Mebane, Alamance County, west of Chapel Hill. The academy was an important feeder for the University. More on his life is online from the *Dictionary of North Carolina Biography* (see link below). Wilson Library holds his Civil War diary and a number of Bingham School records. A vigorous supporter of public education at all levels, including (segregated) schools for African-Americans and teacher colleges, Bingham also advocated energetically for the University—proposing to Mary Lily Kenan Flagler that she boost the university by funding special Kenan professorships (see references below for Bingham correspondence with UNC Chancellor E. K. Graham). Bingham Hall was named in 1929 following a gift his son, Robert Worth Bingham (1871-1937).

The extent of Robert Hall Bingham's Klan involvement is unlikely ever to be fully determined. Historian William E. Ellis treats this period in the Bingham family history, and proceedings of the impeachment of Reconstruction Era Republican governor William Holden contain references to activities by Bingham and his brother, William. A 1937 letter from his son to *Gone with the Wind* author Margaret Mitchell described the younger Robert's earliest childhood memory—of being frightened when a figure came to the family door dressed in the white sheets of the Ku Klux Klan. Relief flooded him when the menacing form lifted his hood and revealed himself as his father.

I believe that your administration must consider the status of Bingham Hall. I understand that UNC, Chapel Hill's trustees imposed a "moratorium" on renaming or removing campus structures, but there has been the removal of Silent Sam and the recontextualization of the Kenan Memorial Stadium in response to information about William Rand Kenan, Sr.'s involvement in the Wilmington Massacre. Clearly, the trustees have reconsidered their mandate.

I and other Bingham family members are deeply uncomfortable with Robert Hall Bingham's connection to racial violence. Given this troubled history, ***which I have no doubt is bound at some point to become better known***, I see several possible paths:

- *At the very least* an official acknowledgment of KKK involvement in Bingham Hall via exhibit, plaque, or some other intervention
- Joining the building's name with the name of another figure who had a deep impact on education in North Carolina such as Charlotte Hawkins Brown—this would require newinterpretive explanation about Bingham and the newly honored individual and the history of the alteration
- Renaming

While I don't wish to personally involve myself in the University's decision beyond advocating for analysis and serious reconsideration, I would appreciate being informed of steps taken to evaluate Bingham Hall's name and any proposed action. I believe that historical and community consultation is essential to a successful outcome and would not favor any process that did not engage professional scholars and the Carolina student body. Finally, I am open to discussing ways to assist in managing the cost of studying and reinterpreting or replacing the Bingham name on the building.

We are living through a critical transition in our history and are called to look clearly at the damage done by people in the service of a racist culture. This is a collective responsibility, one that for too long has been borne by those most damaged by that culture, not those who have benefited from it. Far from erasing history, we are engaging in ongoing learning. We are invoking the past's complex, fascinating, inspiring, and sobering realities. We have already waited too long. I look forward to hearing from you.

Most Sincerely,

Emily Bingham
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Robert Bingham <https://www.ncpedia.org/biography/bingham-robert>

William E. Ellis, *Robert Worth Bingham and the Southern Mystique: From the Old South to the New South and Beyond* (Kent, OH: Kent State University Press, 1997), Chapter 1.

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Cc

Robert J. Parker, Senior Associate Dean and Executive Director, UNC Arts and Sciences Foundation

James Leloudis, Professor of History and Peter T. Grauer Associate Dean for Honors Carolina, Co-Chair Chancellor's Task Force on UNC-Chapel Hill History

Charles G. Duckett, Vice Chair, University of North Carolina at Chapel Hill Board of Trustees

W. Lowery Caudill, University of North Carolina at Chapel Hill Trustee

Graham Residence Hall

The Board of Trustees of the University of North Carolina named this building in 1928 to honor John Washington Graham, class of 1857.¹

Graham:

- **Commanded Confederate troops who participated in the massacre of fugitive slaves during the 1864 Battle of Plymouth, North Carolina**
- **Established a distinguished career as a lawyer and politician**
- **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**

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 1891.²

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 the U.S. Constitution. In 1916, Walter M. Clark, chief justice of the North Carolina Supreme

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 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. In 1850, William Graham had enslaved sixty-seven Blacks on his Orange County farm, ranging in age from six months to seventy years. See 1850 Federal Census, Slave Schedule, Orange County, North Carolina, Ancestry.com. John 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.

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.³

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 nation. Graham enlisted in the Confederate army in April 1861, a month before North Carolina seceded from the 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."⁴

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. During the battle and in its aftermath, the Confederates slaughtered Blacks who had fled from slavery and taken up arms – in some cases, as Union soldiers – to defend their freedom. Samuel Johnson, a Black officer who avoided capture by disguising himself as a noncombatant, reported that "all the negroes found in blue uniform" 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."⁵

³ 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.

⁴ 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.

⁵ 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. Jordan Jr. and Gerald W. Thomas, "Massacre at Plymouth: April 20, 1864," *North Carolina Historical Review* 72

Confederate troops won control of Plymouth on the 20th and promptly set about looting homes and shops. As they did so, a hold-out group of Blacks 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.'"⁶

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."⁷

At Plymouth, Graham's troops and their compatriots took racial animus to a gruesome extreme. Estimates of the number of Blacks they killed range as high as five to six hundred. A sparse archival record makes a precise count impossible. If the upper estimates are correct, the bloodletting 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.⁸

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 defiance by passing the Military Reconstruction Act of 1867. The law required that North

(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.

⁶ 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.

⁷ 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.

⁸ 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.

Carolina and the other rebel states⁹ 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.¹⁰



John W. Graham, North Carolina Collection Photographic Archives, Wilson Library, University of North Carolina at Chapel Hill

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 convention 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, reformed the pre-war system of county government by placing authority in the hands of elected commissioners rather than appointed magistrates, 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."¹¹

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

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

¹¹ 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.

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:

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.¹²

In the years 1868 to 1870, Conservatives organized cells of the Ku Klux Klan across much of North Carolina. White vigilantes were most active in Orange County, seat of the university, and in neighboring Alamance and Caswell Counties. In Alamance, they lynched Wyatt Outlaw, a Black constable and town commissioner, and months later in Caswell, murdered state senator John W. Stephens, a white Republican. 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.¹³

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 one hundred 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

¹² *North Carolinian* (Raleigh, N.C.), February 15, 1868.

¹³ 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.

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 led the legal team that prosecuted Holden in the impeachment trial and son John participated – somewhat oddly – as both a member of that team and one of its witnesses.¹⁴

As he had done in the case of the Plymouth massacre, John Graham hedged the truth. He called a Black prisoner to the witness box to make the case that a number of criminal acts attributed to the Klan had been committed by Black men in disguise, seeking to settle personal grievances. Then, he took the stand himself to corroborate the man's testimony. Under oath, Graham 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, or anywhere else, except for hearsay.

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 deadly facts 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 crimes 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.¹⁵

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

¹⁵ *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), vol. 1: 536-63, 567-68. 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*

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 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.¹⁶

Though the defeat was bruising, Graham remained active in local and state politics. In 1875, he endorsed 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 county government.¹⁷

Democrats pitched this revision of the state constitution as a means of rescuing whites from the threat of "negro domination." J. 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."

Twentieth Annual Session of the North Carolina Bar Association (Raleigh: Edwards and Broughton Printing Company, 1918), 88.

¹⁶ 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.

¹⁷ *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.

Republican partisans were more blunt. They charged that Democrats sought "to gain ascendancy by appealing to the lowest and basest passions of human nature."¹⁸

One widely circulated Democratic broadside pictured an inverted slave auction in which Blacks were bidding to indenture white paupers. "White Slavery," it 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 7th of November and say to the East, be free."¹⁹

SUPPLEMENT. N.C. 1876

WHITE SLAVERY IN NORTH CAROLINA—DEGRADATION 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 Green 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 \$3.50 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 Matto, (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 Matto, 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 Republicans and three negroes. If you need any more testimony to corroborate the facts above stated it can be procured by search of records.

Very Respectfully,
BENJ. ASKEW.

On the 1st of August formal application was made to the County Commissioners of Jones Co., for the Clerk of Court to certify as to the names of the above, and to attend the county seat. The Commissioners refused the application. My former and Council to Ex. Lieutenant Governor and Maj. Ensign had confidence in honesty of white being, we must examine the records, and will testify in every month they make that the above names are in correct as taken from the records of the Court.

Confirmatory Certificates.
STATE OF NORTH CAROLINA,
JONES COUNTY.

I, Wm. W. Francis, certify that I was Recorder of Deeds and Clerk of the Board of County Commissioners of Jones county from September, 1872, to September, 1874; that during that time the paupers 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. FRANCIS,
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 have lost 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 inhuman measure.

Trenton, N. C. Aug 28th, 1876.
Mr. Fursey Moore 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 them, saying "IT WAS TRUE." He also says, he pronounced the proceedings as being "unethical and unchristian."

1876 Democratic Party broadside

David M. Rubenstein Rare Book and Manuscript 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,

¹⁸ 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.

¹⁹ Untitled front-page item and "A Negro Master," *Randolph Regulator*, October 11, 1876.

and he did not disappoint his constituents. Graham supported the 1877 Act to Establish County Governments, which aimed to exclude Blacks from power by limiting the number of elected officials. 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."²⁰

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.²¹

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 an elderly white man, George W. Mabson, who claimed her as his property. We know little of William's early life, except that he left Wilmington before the end of the Civil War and studied at Lincoln University, near Oxford, Pennsylvania. He returned to North Carolina in 1870, settled in Edgecombe County, and made his career as an educator. He also 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 Mabson as the 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. He left the state in 1890, after white owners of Edgecombe's vast tenant farms threatened his life for supporting a strike by Black laborers. Mabson made a new home in Austin, Texas, where he worked as a journalist until his death in 1916.²²

²⁰ *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.

²¹ "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.

²² 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>.

- 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 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.²³
- 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.²⁴
- 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

²³ Longley, *Quaker Carpetbagger*, 32-34, 66; "In Demand," *Daily News* (Raleigh, N.C.), February 25, 1875.

²⁴ 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.

Institute, a teacher training school that in the twentieth century became Elizabeth City State University.²⁵

- 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 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.²⁶



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 record initially barred him from voting or holding political office after the South's defeat. But Congress lifted his 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

²⁵ 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>.

²⁶ 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>.

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 1879-1880.²⁷

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.²⁸

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.²⁹

UNC Commission on History, Race, and a Way forward

²⁷ 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 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>.

²⁸ Albion W. Tourg  e, *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).

²⁹ *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.

Grimes Residence Hall

The Board of Trustees of the University of North Carolina named this building in 1922 to honor Bryan Grimes Jr., class of 1848, who rose to the rank of major-general in the Confederate army and served as a university trustee from 1877 until his death in 1880. For many years, university sources have identified the building's namesake incorrectly as Grimes's son, John Bryan Grimes. The younger Grimes was himself a trustee and served on the board's executive committee when its members made the decision to memorialize his father.¹

Grimes:

- Enriched himself by enslaving and stealing the labor of Black men, women, and children
- Sexually exploited enslaved women
- Committed treason by serving as a senior officer in the Confederate army and making war against the United States of America
- In partnership with William L. Saunders, led efforts to organize the Ku Klux Klan in eastern North Carolina and directed its terrorist activities

Bryan Grimes Jr. was born in 1828, the youngest child in the household of Bryan Grimes Sr. and Nancy Grist Grimes, residents of Pitt County. The Grimes family were some of North Carolina's wealthiest slaveholders. They owned three large farms along the Tar River and derived their fortune from the labor of the Black men, women, and children they held in bondage. One hundred and thirty-five enslaved people lived and worked on those farms in 1850. Bryan Jr. studied at William J. Bingham's academy in Hillsborough, and in 1844, months shy of his sixteenth birthday, enrolled at UNC. He graduated with an A.B. degree in 1848. Three years later, Bryan Jr. married Elizabeth Hilliard Davis, the daughter of Franklin County physician, slaveowner, and well-to-do planter Thomas Davis. Elizabeth died in 1857. Bryan Jr. remarried in 1863, while serving in the Confederate army. His second wife, Charlotte Emily Bryan, was the daughter of John Heritage Bryan, a prominent attorney, former congressman, and longtime trustee of the university.²

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; "General Assembly," *Daily Review* (Wilmington, N.C.), March 5, 1877.

² James D. Daniels, "Bryan Grimes," in William S. Powell, ed., vol. 2, *Dictionary of North Carolina Biography* (Chapel Hill: University of North Carolina Press, 1986), 374-75; Michael William Coffey, "Bryan Grimes: Power and Privilege Among the Nineteenth-Century Planters of Eastern North Carolina" (Ph.D. dissertation, University of Southern Mississippi, 2002), 22-23, 117, 245-48; 1850 Federal Census, Slave Schedules, Pitt and Franklin Counties, North Carolina, Ancestry.com; Grimes family Bible records, folder 140, Bryan Grimes Papers #00292, Southern Historical Collection, Wilson Library, University of North Carolina at Chapel Hill; Daniel L. Mcfarland, "John Heritage Bryan," in William S. Powell, ed., vol. 1, *Dictionary of North Carolina Biography* (Chapel Hill: University of North Carolina Press, 1979), 255-56.

When Bryan Jr. married Elizabeth in 1851, his father gave him Grimesland, a farm that comprised 750 acres of fields and woodland near the border of Pitt and Beaufort Counties. The gift also included twenty-five enslaved people to work the land and make it profitable: "Lewis, Richmond, Aaron, Jordan, Lannon, George, Romeo, Roden, Edmund, Dempsey, Old Celia, Eliza, Ally and child, Mary, Harriet, Hannah and child, Ellen, Cherry, Hetty, Redmond, and Mars, Daniel, and Haywood children of Mary." Bryan Sr. reckoned that the land was worth \$20,000; the slaves, \$14,000; and the farm's livestock, implements, and household furnishings, \$3,000. All told, the gift would amount to roughly \$1.25 million today. On top of that, Bryan Jr.'s father-in-law added another four slaves as a wedding present. They were "Winney and her three children, viz. Ellick, Sam, and Daniel."³

Over the next decade, the size of the enslaved community at Grimesland fluctuated significantly. In 1855, an inventory of Grimes's property listed the names of "74 taxable negroes," a near tripling of the labor force. Five years later, the number had fallen to fifty-seven. These quick, sizeable changes suggest that Grimes was actively involved in the domestic slave trade, as does a will he drafted in 1858. In that document, he instructed his heirs that for a period of eight years following his death they should invest "all surplus revenue" from Grimesland in "the purchase of female slaves from the age of fifteen to twenty years" – in other words, women in their childbearing prime. There was obvious shrewdness in that directive. It was a stratagem for building a workforce that would remain youthful and fertile enough to replenish itself, and to produce what slaveholders called "extras" who could be sold "down the river" to the Deep South, where a boom in cotton production created an insatiable demand for bound labor. By each of these considerations, Grimes appears to have been purposefully engaged in "slave breeding," a practice that, as scholars Constance and Ned Sublette have observed, "capitalized [the] womb" and "classified [Black children] as merchandise at birth."⁴

³ Coffey, "Bryan Grimes," 84, 90; Bryan Grimes Sr. to Bryan Grimes Jr., deed of gift, land and slaves, October 11, 1851, Bryan Grimes Papers, P.C. 3.1, State Archives of North Carolina, Raleigh, North Carolina. A copy of the deed can be found in folder 15, J. Bryan Grimes Papers #01765, Southern Historical Collection. With the exception of George, the individuals named in the deed of gift also appear on a list of slaves owned, purchased, and sold that Bryan Jr. began in 1852 and subsequently updated. The list indicates that a six-month-old named Sophia was included in the gift, but she may have been born shortly after Bryan Sr. made the transfer. Bran Jr. also noted that an elderly woman known as Old Sarah came to live at Grimesland because many of the other slaves were her children and grandchildren. See untitled list, January 1, 1852, Bryan Grimes Papers, P.C. 3.4. Despite its date, the list is mounted in a volume of materials from the period 1883 to 1912. On the value of Bryan Sr.'s gift, see memorandum of the estate of B. Grimes, folder 176, Grimes Family Papers #03357, Southern Historical Collection. For the names of the slaves received from Elizabeth's father, see deed of gift, December 4, 1851, Bryan Grimes Papers, P.C. 3.1. Both gifts were made in exchange for the nominal sum of one dollar. Some accounts indicate that Bryan Grimes Sr. gave his son 100 enslaved people; that figure is incorrect.

⁴ List of taxable property, ca. 1855, folder 176, Grimes Family Papers #03357; 1860 Federal Census, Slave Schedule, Pitt County, North Carolina, Ancestry.com; synopsis of a last will and testament, May 1, 1858, folder 15, J. Bryan Grimes Papers #01765; Constance and Ned Sublette, *The American Slave Coast: A History of the Slave-Breeding Industry* (Chicago: Lawrence Hill Books, 2016), chap. 1. See also Gregory D. Smithers, *Slave Breeding: Sex, Violence, and Memory in African American History* (Gainesville: University Press of Florida, 2012); Caitlin Rosenthal, *Accounting for Slavery: Masters and Management* (Cambridge: Harvard University Press, 2018), especially chaps. 4-5.

Grimes's private papers offer other glimpses of the ways that he and men of his ilk objectified enslaved women. In an 1845 letter, Tippoo Saib Haughton, a university friend, reveled in the prospects for sexual adventure in Edenton, the small eastern North Carolina town where his family lived. He told Grimes the story of walking a young white woman home from church, all the while thinking of his desire "to have communications with her [Black] maid." Haughton bid his friend good-night, hid in a hedge, and by some arrangement – he did not elaborate – the maid appeared. She "stretched herself beneath the overspreading foliage," Haughton wrote, "and favored me with a very romantick⁵ go." "Bryan," he continued, "there is lots of the good stuff floating up and down the streets every night, it is cheap too, we don't have to pay a damn cent for it: now you may think that it is not of much account as it is to be had without pay. Allow me to say to you that it is the best sort of mulatto meat⁶ and if you come to Edenton this winter, you shall surely have a good supply."⁷

Grimes appears to have shared his friend's appetite for light-skinned, mixed-race women, and he knew their value to other white men who bought and sold them for sex. In a slave inventory drawn up in the mid 1850s, he called attention to Sarah, whom he described as a "white negro" and "fancy girl" – slavemongers' terms for the women they trafficked into concubinage and prostitution. Grimes bought Sarah in 1855 for \$850 – the rough equivalent of \$25,400 today – and changed her name to Fannie. He clearly thought of her as a prize won from other men of property and standing. In the inventory, he took time to note that he had purchased Sarah from David McDaniel, the owner of a large cotton plantation in Nash County who made his fortune selling slaves to buyers in the Deep South. McDaniel maintained a business office and slave pen⁸ in Richmond, where he acquired Sarah from another "keep[er] of a negro jail" – that is, a slave trader – who had bought her at auction from a son of deceased Virginia congressman and governor James McDowell. Did Grimes abuse Sarah sexually? The answer is almost certainly 'yes,' though details are wanting. What we know for certain is that he

⁵ An obsolete variant of 'romantic.'

⁶ A slang expression for 'prostitute' or female genitals. *Oxford English Dictionary*, <http://unc.live/3aLZG46>; Norman E. Eliason, *Tarheel Talk: An Historical Study of the English Language in North Carolina to 1860* (Chapel Hill: University of North Carolina Press, 1956), 283.

⁷ Tippoo Saib Haughton to Grimes, November 18, 1845, folder 4, Bryan Grimes Papers #00292. Haughton's parents named him for an Indian sultan who resisted British rule in the late eighteenth century. He began his university studies with Grimes in 1844 but did not continue. He later read law with an attorney in Edenton and was licensed to practice in Chowan County in 1848. See Kemp P. Battle, *Sketches of the History of the University of North Carolina, Together with a Catalogue of Officers and Students, 1789-1889* (Chapel Hill: University of North Carolina, 1889), 140; "Supreme Court," *North-Carolinian* (Fayetteville, N.C.), January 8, 1848.

⁸ A barracks where traders confined enslaved people, often in chains, prior to sale. The most notorious slave pen in Richmond, where McDaniel did business, belonged to Robert Lumpkin. See Abigail Tucker, "Digging Up the Past at a Richmond Jail," *Smithsonian*, March 2009, <http://bit.ly/2KKToXm>; "Lumpkin's Jail," *AfroVirginia*, <http://bit.ly/3nUuGTj>; Katharine Walker, "Buried in Unremissive Ground: Reading Richmond's Subterranean Signs," *Social Semiotics* 19 (Issue 4, 2009), 427-38; Kelley F. Deetz, Ellen Chapman, Ana Edwards, Phil Wilayto, "Historic Black Lives: Archaeology as Activism in the 21st Century," *African Diaspora Archaeology Newsletter* 15 (Spring 2015), <https://bit.ly/34B7BgE>.

had tired of her by 1857, when he bargained her away in exchange "for Flora, aged about eighteen."⁹

Rocky Mount 16th Feb. 1855
Dear Sir
Enclosed you will find a Bill of
Sale for Girl Sarah. Send me Powell Bill of
Sale by Return mail, Also Check on Eastern
Bank for ^{two hundred & fifty dollars} \$250.⁰⁰/₁₀₀
Your Friend
David McDaniel

Received of Mr Bryan Grimes Eight hundred
and fifty dollars for Girl Sarah which I warrant
Sound, and the right & title good This 16th Feb
1855
David McDaniel

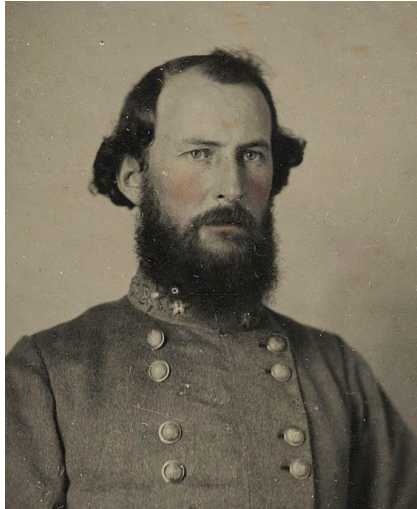
Bill of sale for "girl Sarah," whose name Grimes changed to Fannie. The cover note refers to Powell,¹⁰ an enslaved man – or, given the low price, more likely a young boy¹¹ – Grimes sold to David McDaniel for \$250. Bryan Grimes Papers, P.C. 3.1, State Archives of North Carolina.

⁹ Bill of sale for Sarah, February 16, 1855, Bryan Grimes Papers, P.C. 3.1, and untitled list, January 1, 1852, Bryan Grimes Papers, P.C. 3.4; M. Ellyson, *Richmond Directory, and Business Advertiser, for 1856* (Richmond: H. K. Ellyson, 1856), 176; Gordon S. Barker, "Secession and Slavery as a Positive Good: The Impact of the Anthony Burns Drama in Boston on Virginia," *Virginia Magazine of History and Biography* 118 (No. 2), 138. In 1850, McDaniel enslaved 177 people on his land in Nash County (1850 Federal Census, Slave Schedule, Nash County, North Carolina, Ancestry.com). According to a contemporary account, he made his farming operation "subservient to the [business of] slave-trading. The slaves were always for sale, but while waiting for customers, they were kept at work instead of lying idle in barracoons." See Charles Emery Stevens, *Anthony Burns: A History* (Boston: John P. Jewett and Company, 1856), 199. On the American trade in sex slaves, see Edward E. Baptist, "'Cuffy,' 'Fancy Maids,' and 'One-Eyed Men': Rape, Commodification, and the Domestic Slave Trade in the United States," *American Historical Review* 106 (December 2001), 1619-1650; Tiye A. Gordon, "The Fancy Trade and The Commodification of Rape in the Sexual Economy of 19th Century U.S. Slavery" (M.A. thesis, University of South Carolina, 2012).

¹⁰ 'Powel' is a name of Welsh origin, meaning 'eminent,' or was sometimes used in Ireland as the equivalent of the Gaelic 'Mac Giolla Phóil,' 'son of the servant of St. Paul.' See Patrick Hanks, ed., vol. 3, *Dictionary of American Family Names* (New York: Oxford University Press, 2003), 123-24. Owners often assigned slaves names that were "whimsical, satirical, or condescending in intent," or that reflected their own erudition and worldliness. See John C. Inscoe, "Slave Names," in William S. Powell, ed., *Encyclopedia of North Carolina* (Chapel Hill: University of North Carolina Press, 2006), 1042-43. Other references to slaves in Grimes's papers suggest that he had a fondness for archaic names from the British Isles.

¹¹ Young children sold for considerably less than middle-aged adults because the cost of maintaining them exceeded their productivity until they became teenagers. See Samuel H. Williamson and Louis P. Cain, "Measuring Slavery in 2016 Dollars," *Measuring Worth*, 2020, <https://bit.ly/2VX5H5L>.

Three years later, while traveling on a grand tour of Europe, Grimes's thoughts turned again to the commodification of enslaved women's sexuality and the power of rape. He wrote a letter to his older brother, William, in which he described his eager anticipation of a visit to Constantinople, the capital of the Ottoman Empire. There, "by way of varying [his] amusements," Grimes planned to "bid in¹² a fine looking Caucasian" – a reference to the sex slaves who, for centuries, had been transported by traders to western Europe, Russia, and Asia Minor from the Caucasus region between the Black and Caspian Seas. "Perhaps," Grimes jested, "it may be a feather in my cap when I return to the Old North State."¹³



Bryan Grimes, North Carolina
Collection Photographic Archives,
Wilson Library, University of North
Carolina at Chapel Hill

By 1860, slavery had made Grimes a wealthy man. His personal estate – made up in significant measure by the fifty-seven souls he claimed as chattel – was worth \$130,000, the equivalent of \$4,077,000 today. In light of these figures, it is hardly a surprise that Grimes was an eager Confederate. His contemporaries knew him as an "ultra-secessionist" who opposed the efforts of more cautious leaders to keep North Carolina in the Union. In his campaign to represent Pitt County in the state's secession convention, Grimes declared his determination to "battle faithfully & earnestly . . . for Southern rights & Southern institutions" – euphemisms for the preservation of racial slavery. "Our cause is just," he continued, "for it I will fight, even for it I will die." Grimes won the election. When the convention met in May 1861, he cast his vote to secede, then resigned, freeing himself to enlist in the Confederate army and go to war against the United States.¹⁴

Even though Grimes had no military experience, Governor John W. Ellis commissioned him as a major, third in the hierarchy of command over the Fourth North Carolina Infantry. During the war, he rose steadily through the ranks of the Confederate army's officer corps,

¹² To 'bid in' is to beat the highest competing offer in an auction.

¹³ Grimes to William Grimes, July 4, 1860, folder 1, Grimes Family Papers #03357. On the trade in sex slaves from the Caucasus region, see Nell Irvin Painter, *The History of White People* (New York: W. W. Norton, 2010), chap. 6; Perilla Myrre, "Slaves for Pleasure in Arabic Sex and Slave Purchase Manuals from the Tenth to Twelfth Centuries," *Journal of Global Slavery* 4 (June 2019), 196-225. The source of Grimes's knowledge of the slave trade in the Caucasus is unclear. He likely knew of Italian sculptor Raffaele Monti's erotic work, *Circassian Slave*, displayed with considerable fanfare at London's Great Exhibition in 1851, or had read Boston writer and publisher Maturin Murray Ballou's novella, published in the same year with a similar title, *The Circassian Slave, or, the Sultan's Favorite* (Boston: F. Gleason, 1851). The Circassians are an ethnic group in the northern area of the Caucasus region. See Joan DelPlato, "Seeing Through 'The Veil Trick': Heterotopic Eroticism in Monti's Sculpture *Circassian Slave* at the Crystal Palace in 1851," in Joan DelPlato and Julie F. Codell, eds., *Orientalism, Eroticism, and Modern Visuality in Global Cultures* (New York: Routledge, 2016), 83-114.

¹⁴ 1860 Federal Census, Population Schedule, Pitt County, North Carolina, Ancestry.com; Kemp P. Battle, "The Secession Convention of 1861," *North Carolina Booklet* 15 (April 1916), 199; Coffey, "Bryan Grimes," 150-59, 182, quotation at 152-53; untitled speech, Bryan Grimes Papers, P.C. 3.4.

ultimately winning appointment as a major-general. Grimes and his troops fought in some of the most significant battles in the Civil War's eastern theater: Manassas in 1861, the Peninsular Campaign in 1862, Gettysburg in 1863, and the Shenandoah Valley Campaign in 1864. In April 1865, Grimes's men, along with other troops in Robert E. Lee's Army of Northern Virginia, surrendered to federal forces at Appomattox Court House.¹⁵

This military service amounted to treason, which the Constitution defines as the act of "levying War against [the United States]" or giving "Aid and Comfort" to the nation's enemies. Under the provisions of an amnesty program for Confederate military officers and government officials, President Andrew Johnson pardoned Grimes for that crime in June 1866.¹⁶

Grimes returned from war to find his world torn asunder. Blacks, newly emancipated from slavery, now demanded fair pay for the labor that men like Grimes had once stolen from them. And many whites were openly hostile to the defeated Confederacy and the political leaders who, in 1861, set North Carolina on the path to ruin. As the Civil War had ground on, the Confederacy lost territory and the burden of sustaining the South's military machine weighed heavily on the shrinking civilian population that was left behind the battle lines. That was particularly the experience in North Carolina, much of which remained in Confederate hands until the very end of the conflict. Taxation and the confiscation of property to sustain the war effort left many families destitute. Children went hungry, women rioted for food, and the state's troops, distraught over the suffering at home, led all others in deserting the Confederate army. By 1865, a significant minority of whites had tired of what they called "the rich man's war & poor man's fight."¹⁷

What Grimes and men of his class feared most in the aftermath of the war was that former slaves and disaffected whites would join forces to block their return to power. That came to pass in 1867-1868, when Congress, as a precondition for return to the Union, ordered North Carolina and the other Confederate states¹⁸ to acknowledge Black citizenship and revise their constitutions accordingly. In the election of delegates to a state constitutional convention, candidates backed by a biracial alliance within North Carolina's newly organized Republican

¹⁵ Daniels, "Bryan Grimes"; Coffey, "Bryan Grimes," 159-60, 423.

¹⁶ U.S. Constitution, article 3, section 3; Grimes's pardon, U.S. Pardons Under Amnesty Proclamations, 1865-1869, Ancestry.com.

¹⁷ Coffey, "Bryan Grimes," 440; Robert Hinton, "Cotton Culture on the Tar River: The Politics of Agricultural Labor in the Coastal Plain of North Carolina, 1862-1902" (Ph.D. dissertation, Yale University, 1993), 134-46; O. Goddin to Zebulon Vance, February 27, 1863, in W. Buck Yearns and John G. Barrett, eds., *North Carolina Civil War Documentary* (Chapel Hill: University of North Carolina Press, 1980), 98. On internal dissent during the Civil War, see Paul E. Escott, *Many Excellent People: Power and Privilege in North Carolina, 1850-1900* (Chapel Hill: University of North Carolina Press, 1985), chaps. 2-3; Judkin Browning, *Shifting Loyalties: The Union Occupation of Eastern North Carolina* (Chapel Hill: University of North Carolina Press, 2011), chaps. 1-3; Wayne K. Durrill, *War of Another Kind: A Southern Community in the Great Rebellion* (New York: Oxford University Press, 1990). Between 1861 and 1865, roughly 23,000 North Carolina troops deserted; they accounted for nearly one-fourth of all desertions in the Confederate army. See Richard Bardolph, "Inconsistent Rebels: Desertion of North Carolina Troops in the Civil War," *North Carolina Historical Review* 41 (April 1964), 163-89.

¹⁸ Except for Tennessee, which had been readmitted to the Union in 1866.

Party won 107 of 120 seats. When those men gathered in Raleigh, they laid out a radically democratic plan for state and local governance. They drafted a constitution that guaranteed free elections, afforded all adult male citizens the right to vote, removed longstanding property requirements for election to high state office, and, for the first time in North Carolina's history, instituted a system of elected rather than appointed county government. In April 1868, voters ratified the constitution, elected a Republican governor, and sent a Republican majority – including three Black senators and sixteen Black representatives – to the state legislature. At the local level, particularly in Pitt and surrounding eastern counties with majority or near-majority Black populations, Republicans also won election as county and town commissioners, constables, justices of the peace, and tax collectors. The scale of the Republicans' victory reflected the fact that the percentage of whites who crossed the color line and allied themselves with former bondsmen was larger in North Carolina than in any other southern state.¹⁹

For men like Grimes, these developments could not have been more threatening. The old slaveholding elite had lost control of government, and, with it, much of their ability to use the law and the police power of the state to force Blacks into new forms of semi-bound servitude such as sharecropping and tenantry. Grimes and other self-styled "best men" struck back with violence. In the years 1868 to 1870, they organized cells of the Ku Klux Klan across much of North Carolina. William L. Saunders, one of the Klan's state-level leaders, lived at Grimesland at the time. He ran the farm and encouraged Grimes to take an active role in managing vigilantes in the eastern section of the state. Years later, Joseph J. Laughinghouse, one of Grimes's lifelong friends, publicly identified him as a senior officer in the Klan's local organization.²⁰

For more than a decade, conflict smoldered in the Tar River region that comprised neighboring Edgecombe, Pitt, and Beaufort Counties. Klansmen kept up a near-constant campaign of harassment and intimidation. In reminiscences published in newspapers across the state in the early 1920s, Joseph Laughinghouse recalled driving white Republicans from their homes. One was an agent of the Freedmen's Bureau, the federal agency established by Congress in 1865 to assist former slaves with food, housing, medical aid, schools, and legal advice as they made the transition out of bondage. Klansmen put the agent on notice: "Your presence . . . has grown so obnoxious that the K.K.K. have decided to give you twenty-four hours to seek other quarters. If you are found here, after that time, may the Lord have mercy upon your soul, for the K.K.K. will not have any for you." Another man, a poor white farmer whose political sympathies likely crossed the race line, received a similar threat. "This is to notify you," nightriders warned, "that you now own four and one-half acres of land, but if you

¹⁹ James L. Leloudis and Robert R. Korstad, *Fragile Democracy: The Struggle Over Race and Voting Rights in North Carolina* (Chapel Hill: University of North Carolina Press, 2020), 5-11; 1868 North Carolina Senate, <https://bit.ly/3616mXO>, and 1868 North Carolina House of Representatives, <https://bit.ly/3mOk0EG>, Carolana.com.

²⁰ "K.K.K. of Washington, N.C. in Reconstruction Days," October 22, 1922; "Pitt County's K.K.K. of Reconstruction Days," November 12, 1922; and "Persecution of the K.K.K. of 1868-'69-'70," October 19, 1921, *News and Observer* (Raleigh, N.C.).

are [here] after ten days all the land you will own can be measured by 2 1/2 x 6 1/2" (the dimensions of a coffin or grave). There were reasons aplenty to believe that Klansmen would follow through on such threats. At a mass lynching in Edgecombe County, hooded vigilantes forced a group of "negro politicians" to watch as they "emasculated" eleven Black men. In another incident, Klansmen started a gun fight in a Pitt County courtroom, wounding a marshal and killing a white man who had come to seek justice for a Black neighbor.²¹

According to Laughinghouse, these and other criminal acts "were consecrated to saving Anglo-Saxon civilization." All, he added, were perpetrated under the command of "Maj. Gen. Bryan Grimes" and like-minded racial loyalists.²²

Blacks and their white allies retaliated against the Klan by burning barns, cotton gins, and grist mills at Grimesland and on the farms of other wealthy landlords. Then, on August 14, 1880, an assassin – a young white man named William A. Parker – exacted the ultimate revenge. He ambushed Grimes and killed him with a single shotgun blast. From the outset, parties sympathetic to Grimes attributed the killing to competing economic interests and political ideologies. Parker was "from the laboring class and poor," and he was known to be a staunch Republican. That made him an easy recruit for brothers Howell and William B. Paramore, who paid him to murder Grimes. The Paramores owned a crossroads store near Grimes's farm and had been in a long-running dispute with him over a parcel of land between their two properties.²³

The case against Parker was first heard in Beaufort County Superior Court, but a juror fell ill, and the presiding judge, David Schenck, declared a mistrial. The prosecutors, who had worried from the outset that disgust for Grimes and his politics would taint the jury, petitioned for a change of venue. Schenck – a well-known Klansman – granted the request and moved the trial to neighboring Martin County. The original jurors possessed "no intelligence," he opined, and were "much activated by political prejudice." They would never see through the testimony

²¹ "K.K.K. of Washington, N.C. in Reconstruction Days"; "Pitt County's K.K.K. of Reconstruction Days"; "Persecution of the K.K.K. of 1868-'69-'70"; J. Kelly Turner and John Luther Bridgers Jr., *History of Edgecombe County, North Carolina* (Raleigh: Edwards and Broughton, 1920), 247. In "K.K.K. of Washington, N.C.," Laughinghouse recounted that on another occasion Klansmen threatened a Republican sheriff that if he tried to imprison them, they would "tie a keg of nails around [his] neck and make cat-fish bait out of [him]."

²² "K.K.K. of Washington, N.C. in Reconstruction Days"; "Pitt County's K.K.K. of Reconstruction Days"; "Persecution of the K.K.K. of 1868-'69-'70." In 1920, Laughinghouse published a long, boastful account of notable Klan lynchings. The victims included Wyatt Outlaw, a Black constable and town commissioner in Alamance County, and John W. Stephens, a white Republican state senator from Caswell County. See "A Bit of Reconstruction History," *Greensboro Patriot*, October 21, 1920. A comparable typescript account, unsigned and without attribution, can be found in folder 148, Bryan Grimes Papers #00292. The similarities between the two documents suggest that J. Bryan Grimes and Laughinghouse may have collaborated on recording Klan history. The younger Grimes commented on numerous items in his father's private papers, and some documents of his own are intermingled in that collection.

²³ Coffey, "Bryan Grimes," 509-15; "Parker's Crime," *Wilmington Messenger*, March 13, 1888; State vs. William Parker, diary entry, December 8, 1880, transcript volume TV-652/8, David Schenck Papers #00652, Southern Historical Collection. The spelling of the brothers' surname varies across newspaper accounts of the trial. Sometimes, it is 'Paramore'; at other times, 'Paramour.'

of Parker's witnesses, who, in Schenck's judgment, "were ignorant, generally ragged, and [showed] no regard for truth or propriety." "This is a conflict between castes," the judge avowed, "and the lower caste is in the jury box." Parker's defenders bristled at Schenck's snobbery but agreed with his appraisal of the class interests at stake in the trial. They dismissed the prosecution's case as "a rich man's fight against a poor man's life."²⁴

The change of location made no difference. During the Civil War, Unionist sympathies had run deep among non-elite whites in Martin County, and class resentments remained raw. In June 1881, the jury in the second trial acquitted Parker of Grimes's murder. Critics of the verdict pointed to the obvious explanation. Grimes "was not only a wealthy and aristocratic gentleman," said the editor of the Raleigh *Farmer and Mechanic* newspaper, "but also a man of strong will and vehement feelings. His friends were warm friends, but his enemies hated him with a deadly hatred." Parker went about life as usual until March 10, 1888, when he was arrested for disorderly conduct. Drunk and disinhibited, he had been bragging publicly of killing Grimes. That night, "a party of ten or fifteen masked men" abducted Parker from the town jail in Washington, the seat of Beaufort County. They lynched him and left his body hanging from a bridge over the Tar River that the Grimes family had once owned. A note attached to Parker's clothing read, "Justice at Last." Days later, a coroner's jury ruled that he had died "at the hands of parties unknown."²⁵

Death by an assassin's bullet was an ignominious end for Bryan Grimes, and an emphatic reminder that many in Pitt County had reviled both the man and his politics. It was a judgment that his son, John Bryan Grimes, and faithful friend, Joseph Laughinghouse, sought to erase from public memory. In 1883, they published Grimes's memoir of military service, interspersed with excerpts from wartime letters to his second wife, Charlotte. The presentation was carefully crafted to "demonstrate the character, honor, and chivalry" of the man. The memoir opens with a reference to the South's defeat at the Battle of Appomattox Court House and reads as a long prelude to the claim – disputed in Grimes's own time – that he led the final skirmish there, and that he and the troops under his command deserved a special place in history as the Confederacy's bravest and most resolute warriors.²⁶

²⁴ "The Grimes Murder Case," *Chatham Record* (Pittsboro, N.C.), December 16, 1880; untitled news item, *Morning Star* (Wilmington, N.C.), January 12, 1881; Rodney Steward, *David Schenck and the Contours of Confederate Identity* (Knoxville: University of Tennessee Press, 2012), chap.5; State vs. William Parker, diary entry, December 8, 1880, transcript volume TV652/8, David Schenck Papers #00652; "The Other Charge," *Times* (Concord, N.C.), November 2, 1888.

²⁵ "Not Guilty," *News and Observer* (Raleigh, N.C.), June 24, 1881; "Pitt's Pity," *Farmer and Mechanic* (Raleigh, N.C.), June 30, 1881; "Hung," *News and Observer* (Raleigh, N.C.), March 13, 1888; "Lynching in Washington," *Washington Progress* (Washington, N.C.), March 13, 1888; "Avenged at Last," *Wilmington Messenger*, March 13, 1888; "Judge Lynch at Washington," *New Berne Weekly Journal*, March 15, 1888; James M. Campbell, "The Lynching of William Parker: The Criminal Justice System at Work in 19th Century North Carolina," *American Journal of Criminal Justice* 7 (September 1982), 99-109.

²⁶ *Extracts of Letters of Major-General Bryan Grimes, to His Wife, Written While in Active Service in the Army of Northern Virginia, Together with Some Personal Recollections of the War* (Raleigh: Edwards and Broughton, 1883), 4. Laughinghouse and John Bryan Grimes included a hagiographic preface written by Pulaski Cowper, Bryan Grimes's brother-in-law and a widely respected attorney, insurance executive, and journalist. On

Over time, the story of Grimes's heroism worked its way into white North Carolina war veterans' sacred declaration of Confederate patriotism: "First [to die] at Bethel, Farthest to the Front at Gettysburg and Chickamauga, and Last at Appomattox." The story-turned-legend was also immortalized in stone, thanks largely to the influence wielded by John Bryan Grimes, who won election as North Carolina's secretary of state in 1900, and Henry A. London, a banker, newspaper publisher, and former state senator from Chatham County, who had fought under Grimes's command. London acquired three parcels of land near the town of Appomattox Court House, Virginia, where Confederate General Robert E. Lee surrendered at the end of the Civil War, and with John Bryan's assistance, secured public funds to erect a monument there. The monument, made of North Carolina granite, was above all else a tribute to Bryan Grimes. The inscription on its face reads, in part:

At this place, the North Carolina Brigade
of Brigadier-General W. R. Cox of Grimes' Division
Fired The Last Volley 9 April 1865.
Major-General Bryan Grimes of North Carolina
Planned the Last Battle Fought by the
Army of Northern Virginia and Commanded the Infantry
Engaged Therein, the Greater part of whom
were North Carolinians.

The Grimes family enjoyed a place of honor at the dedication ceremony on April 10, 1905. London invited John Bryan and his brothers to retrace their father's movements across the battlefield "step by step," and Grimes's daughter, Mary Grimes Smith, had the privilege of unveiling the monument. The *Raleigh News and Observer* reported that when she pulled back the drape, "a great shout went up," "men, women, and children crowded around to read the inscription," and the "Daughters of the Confederacy covered [the monument] with flowers" sent from communities all across North Carolina. For the paper's correspondent, the entire scene "made a picture that memory [would] be glad to treasure up for all time."²⁷

Cowper, see his obituary, "Pulaski Cowper Died Yesterday," *North Carolinian* (Raleigh, N.C.), October 31, 1901. Contrary to this headline, Cowper actually died on October 28. See "Pulaski Cowper Dead," *Morning Post* (Raleigh, N.C.), October 29, 1901. For the controversy over Grimes's role at Appomattox, including his own efforts to shape the historical record, see Coffey, "Bryan Grimes," 505-08; "At Appomattox," June 26, 1881, "Gen. Grimes at Appomattox," June 30, 1881, "On to Appomattox," August 7, 1905, *News and Observer* (Raleigh, N.C.); "Inscription is the Simple Truth," *Robesonian* (Lumberton, N.C.), August 7, 1905.

²⁷ Walter Clark, ed., *Histories of the Several Regiments and Battalions of North Carolina in the Great War, 1861-1865*, vol. 1 (Raleigh: E. M. Uzzell, 1901), 3; *Public Laws and Resolutions of the State of North Carolina, 1905* (Raleigh: E. M. Uzzell, 1905), chapt. 10; *Programme of the Unveiling of North Carolina's Monument at Appomattox, April 10, 1905* (N.p.: n.p., 1905?); "Appomattox Memorial," January 4, 1905, and "Notable Day at Appomattox," April 12, 1905, *News and Observer* (Raleigh, N.C.). Some North Carolinians saw the Confederacy's last stand in a different light. The *Yellow Jacket*, a Wilkes County newspaper published in one of the remaining Republican strongholds in the western part of the state, gloried in the fact that "treason [had been] buried" at Appomattox, and a loyal reader encouraged the editor to keep up the "work of telling [that] truth in plain style." See letters, *Yellow Jacket* (Moravian Falls, N.C.), January 22, 1903.

The veneration of Bryan Grimes – in print, at Appomattox, and ultimately on the campus of the University of North Carolina – was part and parcel of the myth of the Lost Cause, fabricated in the late nineteenth and early twentieth centuries by the United Daughters of the Confederacy, the United Confederate Veterans, and other neo-Confederate organizations. In their telling of the past, the southern nation was not born of treasonous insurrection, but arose instead to defend the sacred principles of liberty on which the American republic had been founded. The white South fought not to preserve and expand the geographic reach of racial slavery, but rather to protect hearth and home from invasion. And Grimes was a "true citizen and brave soldier," not a traitor and a Klansman who opposed Black freedom with vigilante violence.²⁸

This is the deceit that UNC's trustees sought to teach and perpetuate when they chose, in 1922, to name a newly constructed residence hall for Grimes. With that act, they endorsed white supremacy as a virtuous principle and attached the university's moral and intellectual authority to the "age of racial terror" that followed Emancipation and, in various forms, persists to this day.²⁹

Worse still, the trustees did these things amid an orgy of violence set off by whites who were determined that Black veterans of World War I would have no claim on the democratic rights they fought for on the battlefields of Europe. The Ku Klux Klan was reborn during the 1920s, and by mid-decade recruited somewhere between two and five million members nationwide. In the South, lynchings spiked, and in more than two dozen towns and cities across America, white rage fueled deadly riots. In 1919, whites in Elaine, Arkansas went on what one observer described as a "crusade of death," slaughtering upwards of eight hundred Blacks, most of them sharecroppers who had attempted to form a union to counter the power of white landlords. Two years later, whites in Tulsa, Oklahoma rampaged through the city's all-Black Greenwood District, where they massacred as many as three hundred residents, burned homes and businesses to the ground, and disposed of the dead in mass graves and the Arkansas River.³⁰

²⁸ *Extracts of Letters of Major-General Bryan Grimes*, 4. For excellent recent scholarship on the Lost Cause, see Adam H. Domby, *False Cause: Fraud, Fabrication, and White Supremacy in Confederate Memory* (Charlottesville: University of Virginia Press, 2020).

²⁹ The quotation is from Susan Neiman's illuminating study of efforts to come to terms with the historical crimes of German fascists and American racists, *Learning from the Germans: Race and the Memory of Evil* (New York: Farrar, Strauss and Giroux, 2019), 19.

³⁰ Linda Gordon, *The Second Coming of the KKK: The Ku Klux Klan of the 1920s and the American Political Tradition* (New York: Liveright Publishing, 2017); Nancy MacLean, *Behind the Mask of Chivalry: The Making of the Second Ku Klux Klan* (New York: Oxford University Press, 1994), membership figures at 197n2; *Lynching in America: Targeting Black Veterans* (Montgomery, Alabama: Equal Justice Initiative, 2017), <https://bit.ly/3peliZI>; David F. Krugler, *1919, The Year of Violence: How African Americans Fought Back* (New York: Cambridge University Press, 2015); Kevin Ross, "Remembering 'Red Summer,' When White Mobs Massacred Blacks from Tulsa to Washington, D.C.," National Geographic online, History and Culture – Race in America, <https://on.natgeo.com/3mTr3vz>; Brian K. Mitchell, "Soldiers and Veterans at the Elaine Massacre," in Mark K. Christ, ed., *The War at Home: Perspectives on the Arkansas Experience During World War I* (Fayetteville: University of Arkansas Press, 2020), Louis Sharpe



Aftermath of the Tulsa Massacre, May 31 - June 1, 1921, less than a year before the naming of Grimes Residence Hall. A white mob killed as many as 300 Black residents and razed the city's all-Black Greenwood District. Courtesy of the Library of Congress, National Red Cross Photograph Collection.

With these events as their backdrop, UNC's trustees lifted up Bryan Grimes – a race warrior – to inspire students who would one day shape North Carolina's future. Nearly a century on, an honest reckoning with that decision and with Grimes's legacy is long overdue.

UNC Commission on History, Race, and a Way Forward

Dunaway quotation at 136; James S. Hirsch, *Riot and Remembrance: The Tulsa Race War and Its Legacy* (Boston: Houghton Mifflin, 2002).

Hamilton Hall

In 1972, University of North Carolina officials named this building to honor Joseph Grégoire de Roulhac Hamilton, professor of history from 1906 to 1951 and founder of the Southern Historical Collection. Hamilton Hall was built to house the Departments of Sociology, Political Science, and History.

Students and faculty raised objections at the time the building was named, noting that "Hamilton was a follower of William A. Dunning," with whom he studied at Columbia University, and that "the 'Dunning School,'" the name attached to Hamilton and others who earned their Ph.D.'s under Dunning's direction, "was best known for its anti-Negro view of Reconstruction." They added that "the theories of Dunning and Hamilton had been discredited, and that many historians [considered] Hamilton a racist."¹

Hamilton:

- Chaired UNC's history department from 1908 to 1930, and held a prestigious Kenan Professorship from 1920 until his retirement in 1951
- Served as founding director of UNC Libraries' Southern Historical Collection, which he directed for twenty-one years, and played a leading role in establishing the university's preeminence in southern studies
- Expressed through his scholarship what one biographer has described as a "racist disdain for the very idea of black people voting and holding office and managing public affairs"²
- Gave scholarly legitimacy to the regime of Jim Crow that subjugated Blacks as second-class citizens
- Remained faithful to self-avowed white supremacist principles throughout his career

Hamilton was one of four self-avowed opponents of Black freedom and equal citizenship honored by the university's trustees amid the protests of the modern civil rights movement. The others were: William Waightstill Avery (Avery Residence Hall, 1958), a lawyer, enslaver, state legislator, and secessionist who represented North Carolina in the Provisional Congress of the Confederate States of America; Cameron Morrison (Morrison Residence Hall, 1964), governor from 1921 to 1925, who began his political career as an organizer of vigilantes known as Red Shirts during the state white supremacy campaigns of 1898 and 1900; and

¹ Jim Becker, "Politics of 'Imposing Edifices,'" *Daily Tar Heel*, August 31, 1972, noted with thanks to Rebecca Hoffman, a student in American Studies 671, Names in Brick and Stone (Professor Anne Mitchell Whisnant), who researched the naming of Hamilton Hall. As of this writing, a search in university archives has yielded no official record of the naming decision.

² John Herbert Roper Sr., "Ransack Roulhac and Racism: Joseph Grégoire de Roulhac Hamilton and Dunning's Questions of Institution Building and Jim Crow," in John David Smith and J. Vincent Lowery, eds., *The Dunning School: Historians, Race, and the Meaning of Reconstruction* (Lexington: University Press of Kentucky, 2013), 190.

Josephus Daniels (Daniels Student Stores Building, 1967), editor of the *Raleigh News and Observer* and lead propagandist in the white supremacy campaigns.³

Joseph Grégoire de Roulhac Hamilton (known to friends and family as Roulhac) was born in Hillsborough in 1878, the son of Daniel Heyward Hamilton Jr. and Frances Gray Roulhac Hamilton. Before the Civil War, members of his extended family had accumulated great wealth and political influence through the ownership of land and enslaved laborers. Young Hamilton was the great-grandson of James Hamilton Jr., governor of South Carolina during the Nullification Crisis of 1832; Thomas Ruffin, slaveowner and jurist, who served as chief justice of the North Carolina Supreme Court from 1829 to 1852, and again from 1858 to 1859; and Elizabeth Mathews Heyward, heiress to three plantations and two hundred slaves on Callawassie Island, South Carolina. Both Hamilton's father, a graduate of The Citadel, and paternal grandfather fought as officers in the Confederate army. After the war, Daniel taught for a time at the Hillsborough Military Academy and its successor, the Horner and Graves School, and late in life, served as clerk of court in Orange County. On his mother Frances's side, Hamilton was related to Joseph Blount Grégoire Roulhac, a Bertie County slaveholder and prosperous Raleigh merchant. At home, Frances raised her son on family lore and taught him formal lessons on history, literature, and politics. She tutored him until he was old enough to attend Sewanee Academy, the preparatory school affiliated with the University of the South, both located in Sewanee, Tennessee. Hamilton graduated from the university with a master's degree in 1900.⁴

As an undergraduate, Hamilton was steeped in reverence for the defeated Confederacy. He pledged the Kappa Alpha fraternity, which traced its origins to the Kuklos Adelphon, or Circle of Brothers, founded at the University of North Carolina in 1812. This "old KA," as it was later known, spread to campuses across the country but was more or less defunct by the time of the Civil War, thanks largely to internal power struggles and public revelations of its secret rites. In 1866, students at the College of Washington (later renamed Washington and Lee)

³ See Avery, Daniels, and Morrison dossiers prepared by the Commission on History, Race, and a Way Forward.

⁴ J. Carlyle Sitterson, "Joseph Grégoire de Roulhac Hamilton," in William S. Powell, ed., vol. 3, *Dictionary of North Carolina Biography* (Chapel Hill: University of North Carolina Press, 1988), 17-18; Fletcher M. Green, Dougald MacMillan, and James W. Patton, Joseph Grégoire de Roulhac Hamilton memorial, Series 3, Memorials, Sub-group 2, Secretary of the Faculty Records, General Faculty and Faculty Council Records #40106, University Archives, Wilson Library, University of North Carolina at Chapel Hill; Matisha H. Wiggs, "Ransacking the South: J. G. de Roulhac Hamilton and the Founding of the Southern Historical Collection (M.A. thesis, School of Information and Library Science, University of North Carolina at Chapel Hill, 2012), 8-9; Frances Gray Roulhac Hamilton, Find a Grave, <https://bit.ly/2KHxzIH>; Catharine Ruffin Roulhac, Find a Grave, <https://bit.ly/2Y81Nru>; Elizabeth Mathews Heyward Hamilton, WikiTree, <https://bit.ly/3o63YWS>; Robert Tinkler, *James Hamilton of South Carolina* (Baton Rouge: Louisiana State University Press, 2004), 31-32; Daniel Heyward Hamilton Sr., Antietam on the Web, <https://bit.ly/2M98Mxz>; Daniel Heyward Hamilton Jr., Antietam on the Web, <https://bit.ly/2XUGTfg>; "The Hillsborough Academy," RootsWeb.com, <https://bit.ly/2KwepVW>; "Death and Burial of Maj. D. H. Hamilton," *Orange County Observer* (Hillsborough, N.C.), September 24, 1908; Dorothy H. Osborn, "Joseph Blount Grégoire," in William S. Powell, ed., vol. 5, *Dictionary of North Carolina Biography* (Chapel Hill: University of North Carolina Press, 1994), 255-56; 1840 Federal Census, Bertie County, North Carolina, and 1850 Federal Census, Slave Schedule, Wake County, North Carolina, Ancestry.com.

resurrected the order as a neo-Confederate brotherhood, "Southern in its loves . . . Caucasian in its sympathies." John C. Lester, one of the founders of the Reconstruction-era Ku Klux Klan, recalled that the organization's rituals were borrowed from a well-known college fraternity. According to Klan historian Allen Trelease, Kuklos Adelphon "almost certainly provided the model."⁵



J. G. de Roulhac Hamilton
North Carolina Collection, Wilson
Library, University of North Carolina
at Chapel Hill

Hamilton continued his studies at Columbia University in New York, where he earned a Ph.D. in American history in 1906. He wrote his dissertation on race and politics in post-Civil War North Carolina. Hamilton joined the history faculty at UNC shortly after graduating from Columbia, and in the years that followed, he rose quickly through the ranks. He was appointed Alumni Professor of History and chairman of the history department in 1908, and in 1920 was elevated to a prestigious Kenan Professorship. Hamilton resigned as head of the history department in 1930, so that he could devote his time to the Southern Historical Collection (SHC), which he founded that same year.⁶

Hamilton set out to create a "great library . . . of Southern human records," and to that end, he traveled constantly throughout the region, gathering up troves of letters, diaries, plantation records, and related materials, mostly from families made wealthy and powerful before the Civil War by their enslavement of Black men, women, and children. That focus reflected his judgment about whose experiences and perspectives mattered in telling the story of the South's past. In 1934, a reporter from the campus newspaper, the *Daily Tar Heel*, spoke with Elizabeth Cotten, Hamilton's assistant and first curator of the SHC, to learn about the materials that were arriving by the boxload "from the garrets, trunks, and chests of the South." For the better part of a quarter-century, Cotten had been a prominent and outspoken member of the United Daughters of the Confederacy, and in the interview, she made her regional and racial loyalties clear. She dazzled the student-journalist with stories of "precious documents and relics, including letters and possessions of 'Stonewall' Jackson, letters of Robert E. Lee, and of Jefferson Davis" that were stored in the university library's "fire-proof vaults." She also spoke with great excitement about the newly acquired papers of William Pettigrew, who had enslaved more than one hundred souls on plantations in Tyrrell and Washington Counties. Those materials, Cotten

⁵ Allen W. Trelease, *White Terror: The Ku Klux Klan Conspiracy and Southern Reconstruction* (Westport, Connecticut: Greenwood Press, 1979), 3-4; Leroy Stafford Boyd, "The Original Kappa Alpha," *Banta's Greek Exchange* 7 (September 1919), 355-62; *History and Catalogue of the Kappa Alpha Fraternity* (Nashville, Tennessee: Chi Chapter of Kappa Alpha, 1891), xxiv; J. C. Lester and D. L. Wilson, *Ku Klux Klan: Its Origin, Growth, and Disbandment* (New York: Neale Publishing Company, 1905), 60. The fraternal orders' names were derived from the Greek, Κύκλος Αδελφών.

⁶ Sitterson, "Joseph Grégoire de Roulhac Hamilton."

explained, would rehabilitate racial slavery as a virtuous institution by illuminating "the master-slave relations prior to the Civil War in a new and more favorable light."⁷

Hamilton served as the SHC's director until his retirement from the university in 1951. His successors continued to acquire new materials at a steady pace, making the archive a destination of necessity for researchers interested in the American South. Over the years, many of those scholars wrote new histories of the region that challenged the neo-Confederate sensibilities that guided Hamilton's early collecting. Pioneers in that work of re-examining the past included Black historians John Hope Franklin, whose dissertation, *The Free Negro in North Carolina, 1790-1860*, was published by the University of North Carolina Press in 1943, and Helen G. Edmonds, author of *The Negro and Fusion Politics in North Carolina, 1894-1901*, which the press published in 1951.⁸ In recent years, staff in the Wilson Special Collections Library have built on this legacy by diversifying the SHC's holdings, with a particular emphasis on collecting materials that document the Black experience in the South. They have also established new community partnerships outside of the academy to support "underrepresented history keepers in telling, sharing, and preserving their stories." The aim is to gather up for safekeeping a documentary record of all the people who call themselves southerners.⁹

This great archive is Hamilton's most significant legacy at UNC. It is, today, a dynamic, living collection that defines the university's preeminence in southern studies. As historian Jacquelyn Dowd Hall noted at the SHC's seventy-fifth anniversary celebration in 2005, it "helped to put UNC on the map in the 1930s, and it has made the university a Mecca for scholars ever since. Now fifteen million items strong, the Southern, moreover, serves not just scholars but researchers of all kinds – including creative writers, local and family historians, and students –

⁷ J. G. de R. Hamilton, *A National Southern Collection at the University of North Carolina* (Reprinted from the *Baltimore Sun*, March 4, 1928), 5; Louis R. Wilson, *The University of North Carolina, 1900-1930: The Making of a Modern University* (Chapel Hill: University of North Carolina Press, 1957), 477-78; J. Carlyle Sitterson, "The Southern Historical Collection: 1930-1980: The Pursuit of History," *The Bookmark* no. 50 (Friends of the Library, University of North Carolina at Chapel Hill, 1981), 46-59; Laura Capell, Devon Lee, Laura Clark Brown, and Tim West, *Southern Sources: An Exhibition Celebrating Seventy-Five Years of the Southern Historical Collection, 1930-2005* (Chapel Hill: University of North Carolina Library, 2005), x-xi; "Private Vaults of Library Contain Thousands of Precious Documents," *Daily Tar Heel*, November 20, 1934; C. Sylvester Green, "Elizabeth Brownrigg Henderson Cotten," in Williams S. Powell, ed. vol. 1, *Dictionary of North Carolina Biography* (Chapel Hill: University of North Carolina Press, 1979), 436-37; Clyde N. Wilson, *Carolina Cavalier: The Life and Mind of James Johnston Pettigrew* (Rockford, Illinois: Chronicles Press, 2002), 19-29. Hamilton's insistent pursuit of archival materials won him the nickname "Ransack Roulhac." He also served on the founding boards of governors of the University of North Carolina Press (1922) and UNC's Institute for Research in Social Science (1924). See Wilson, *University of North Carolina, 1900-1930*, 462-68, 487-91.

⁸ Sitterson, "Joseph Grégoire de Roulhac Hamilton"; Laura Capell, Devon Lee, Laura Clark Brown, and Tim West, *Southern Sources*, x-xi; Thavolia Glymph, "The Southern Historical Collection and Civil War and Reconstruction History: A Past and a Future," 5, *Southern Sources: A Symposium Celebrating Seventy-Five Years of the Southern Historical Collection*, March 18-19, 2005, Carolina Digital Repository, <https://unc.live/36LkPbU>.

⁹ Community-Driven Archives, University of North Carolina Libraries, <https://unc.live/3cIPVEL>. See Appendix 1 for a complete account of SHC initiatives designed to make the collection more inclusive.

who learn here what it means not just to memorize dead historical 'facts' but to 'do history,' to connect their lives to a living past."¹⁰

Roulhac Hamilton began his long career as a historian and archivist in 1902, when he enrolled at Columbia University to study under the supervision of William Archibald Dunning. Dunning was a leading figure among a new generation of university faculty who were transforming history writing, once the literary pursuit of amateurs, into a profession. They were experts, credentialed by the Ph.D., an academic degree borrowed from German universities, and they produced original research that was grounded in the kinds of archival sources that Hamilton would later collect in Chapel Hill. Dunning assembled around himself a group of pupils who shared his resolve to rescue the white South from the shame of defeat in the Civil War. Those young scholars wrote their dissertations on Reconstruction, the turbulent era that followed the Confederacy's collapse, when Americans clashed over the consequences of Emancipation and the meaning of Black freedom in a nation that had been founded as a slaveholders' republic. Together, Hamilton and his peers came to be known as the Dunning School, and their accounts of the South after the Civil War held sway in the academy for the better part of half a century.¹¹

Dunning and his students described Reconstruction as a "twelve-year nightmare of debauchery, exploitation, and plunder" by an unholy alliance of vengeful northern politicians and brutish Blacks who were determined to elevate former slaves above their masters and impose "negro rule" on defeated, defenseless white southerners. In the opening decades of the twentieth century, this understanding of the past informed, and was informed by, the mythology of the Lost Cause, which the United Daughters of the Confederacy and United Confederate Veterans promulgated in schools and libraries, public squares and halls of government. That account of the Civil War and its aftermath taught that Confederate soldiers had fought as American patriots, not traitors, and that the tragedy of Reconstruction was the suffering imposed on whites rather than whites' rejection of racial justice and equal citizenship. The Lost Cause's appeal reached well beyond the South – it spoke to people throughout the nation who thought of the United States as a white man's country and longed for reconciliation on that basis.¹²

¹⁰ Jacquelyn Dowd Hall, "The 'Ceaseless Search for Truth': The Southern Historical Collection and the Making and Remaking of the Southern Past," 1, *Southern Sources: A Symposium Celebrating Seventy-Five Years of the Southern Historical Collection*, March 18-19, 2005, Carolina Digital Repository, <https://unc.live/2Lo5zdj>.

¹¹ John David Smith, "Introduction," in Smith and Lowery, eds., *Dunning School*, 4-6, 10. On the influence of German research universities in the professionalization of the American academy, see Anja Werner, *The Transatlantic World of Higher Education: Americans at German Universities, 1776-1914* (New York: Berghahn Books, 2013); Carl Diehl, *Americans and German Scholarship, 1770-1870* (New Haven: Yale University Press, 1978); Burton J. Bledstein, *The Culture of Professionalism: The Middle Class and the Development of Higher Education in America* (New York: W. W. Norton, 1976).

¹² Smith, "Introduction," in Smith and Lowery, eds., *Dunning School*, 23-25, 38-39; Tommy Song, "William Archibald Dunning: Father of Historiographic Racism, Columbia's Legacy of Academic Jim Crow," *Columbia University and Slavery*, <https://bit.ly/3bLk7yA>. On the Lost Cause and social memory of the Civil War and

Hamilton was a prolific member of the Dunning School. He authored numerous books – including a study of party politics in antebellum North Carolina, a history of the state from the time of the Civil War, and a biography of Henry Ford – along with hundreds of essays, pamphlets, and articles in the popular press. He also edited multi-volume collections of the papers of North Carolina governors William A. Graham and Jonathan Worth, jurist Thomas Ruffin, and newspaperman and Ku Klux Klan martyr Randolph A. Shotwell. But before all of that, it was Hamilton's scholarship on Reconstruction – or, as he said, the "crime of Reconstruction" – that secured his reputation. That work, together with his accomplishments as curator, won Hamilton election as president of the Southern Historical Association in 1943 and made him a much-sought-after lecturer who taught as a visitor at institutions across the country, most notably Harvard University and the Universities of Chicago, Michigan, and Southern California.¹³

An inherently violent racial premise pervades Hamilton's writings on Reconstruction: white supremacy is Nature's law, and its enforcement is essential to good government, social peace, and economic prosperity. That claim echoed political scientist John W. Burgess, Dunning's teacher and colleague at Columbia, with whom Hamilton also studied. "There is something natural in the subordination of an inferior race to a superior race, even to the point of the enslavement of the inferior race," Burgess wrote in his own work on Reconstruction, "but there is nothing natural in the opposite. It is entirely unnatural, ruinous, and utterly demoralizing and barbarizing to both races."¹⁴

Hamilton maintained that the truth of that assertion was readily apparent at the end of the Civil War, when four million enslaved Blacks cast off their chains. Determined to establish meaningful freedom for themselves and their children, they withheld their labor, demanded fair wages from white landlords who had once owned them as chattel, and moved restlessly to maximize their leverage by playing one employer off against another. Hamilton read this as indolence. Freed from the discipline of slavery – or what he called the "security and stability" of the "old order" – Blacks supposedly "had no ambition to excel; to [them] labor was bondage; idleness, freedom." As a result, Hamilton claimed, there was "confusion everywhere" across the South and masters without slaves faced certain destitution.¹⁵

Reconstruction, see Karen L. Cox, *Dixie's Daughters: The United Daughters of the Confederacy and the Preservation of Confederate Culture* (Gainesville: University Press of Florida, 2003); Adam H. Domby, *False Cause: Fraud, Fabrication, and White Supremacy in Confederate Memory* (Charlottesville: University of Virginia Press, 2020); Bruce E. Baker, *What Reconstruction Meant: Historical Memory in the American South* (Charlottesville: University of Virginia Press, 2007), chaps. 2-4.

¹³ Sitterson, "Joseph Grégoire de Roulhac Hamilton"; Green, MacMillan, and Patton, Joseph Grégoire de Roulhac Hamilton memorial; J. G. de Roulhac Hamilton, *Reconstruction in North Carolina* (New York: Columbia University, 1914), 662.

¹⁴ Shepherd W. McKinley, "John W. Burgess, Godfather of the Dunning School," in Smith and Lowery, eds., *Dunning School*, 49-76; John W. Burgess, *Reconstruction and the Constitution, 1866-1876* (New York: Charles Scribner's Sons, 1902), 245.

¹⁵ Hamilton, *Reconstruction in North Carolina*, 452; J. G. de Roulhac Hamilton, "Southern Legislation in Respect to Freedmen, 1865-1866," in *Studies in Southern History and Politics* (New York: Columbia University Press, 1914), 137-38. On former slaves' demands for fair wages and control over the conditions of their labor, see

Hamilton argued that in these circumstances whites had every right to reassert their dominion over Black lives and labor, which they attempted to do in 1866 with the passage of laws that came to be known as Black Codes. In North Carolina, white lawmakers sought to keep Blacks subjugated and to "fix their status permanently" by attaching to them the same "burthen and disabilities" imposed on free people of color before the Civil War. Under the state's Black Code, freedmen could not vote, carry weapons without a license, or testify in court against a white person, except in cases in which they were either the plaintiff or the defendant. State law also prohibited interracial marriage, made rape and attempted rape capital offenses when committed by a Black man against a white woman, and gave sheriffs broad authority to prosecute freedmen for vagrancy, a crime punishable by hiring out to "service and labor" (in effect, a form of re-enslavement).¹⁶

Writing in 1914, at a time when Jim Crow segregation was being firmly established, Hamilton judged these restrictions "to have been on the whole reasonable, temperate, and kindly." He argued that they might have been the basis for a quick national reconciliation, had the victors in the Civil War contented themselves with the abolition of slavery and accepted the restoration of white rule. But the Republican majority in Congress – by Hamilton's lights, a motley "group of humanitarians, negrophiles, and idealistic sentimentalists" – had other ideas. They were determined to fashion a new South according to principles of "negro equality, social and political."¹⁷

Between 1868 and 1870, Congress compelled the former Confederate states to ratify the Fourteenth and Fifteenth Amendments to the U.S. Constitution, which granted former slaves birthright citizenship, guaranteed all citizens equal protection of the laws (which mooted the Black Codes), and established the right of universal manhood suffrage. The consequences were nothing short of revolutionary. In North Carolina, as in other southern states, Black men, newly freed from bondage – "gibbering Africans," Hamilton called them – won election as sheriffs and clerks of court, town commissioners and state legislators.¹⁸

Eric Foner, *Reconstruction: America's Unfinished Revolution, 1863-1877* (New York: Harper Perennial, updated edition, 2014), 102-10.

¹⁶ Hamilton, "Southern Legislation in Respect to Freedmen," 137-56, quotation at 156; *Public Laws of the State of North Carolina, Session of 1866* (Raleigh: Wm. E. Pell, 1866), chapt. 40; *Revised Code of North Carolina, 1854* (Boston: Little, Brown, and Company, 1854), chapt. 107. See also James B. Browning, "The North Carolina Black Code," *Journal of Negro History* 15 (October 1939), 461-73. On Black Codes generally, see Foner, *Reconstruction*, 199-202.

¹⁷ Hamilton, "Southern Legislation in Respect to Freedmen, 1865-1866," 156, 158; Hamilton, *Reconstruction in North Carolina*, 460.

¹⁸ Paul D. Escott, *Many Excellent People: Power and Privilege in North Carolina, 1850-1900* (Chapel Hill: University of North Carolina Press, 1985), 142-46; Hamilton, *Reconstruction in North Carolina*, 378. Hamilton borrowed the derogatory characterization of Black politicians from Josiah Turner Jr., editor of the Raleigh *Sentinel* and outspoken champion of the Ku Klux Klan. For more on Turner, see Allen W. Trelease, "Josiah Turner Jr.," in William S. Powell, ed, vol. 6, *Dictionary of North Carolina Biography* (Chapel Hill: University of North Carolina Press, 1996), 67.

By Hamilton's account, this flush of democracy produced a Black reign of terror. Intoxicated by their power at the polls, he contended, former slaves set out to "kill and burn." "Liberty with the negroes degenerated into license," Hamilton exclaimed, and crime of every sort – "larceny, assault, riot, arson, murder, and rape" – was rampant. Under so-called "negro rule," much of the South became, as Hamilton saw it, "a veritable hell . . . which approximated to anarchy."¹⁹

For Hamilton, this view of Black freedom and its consequences gave legitimacy to the "Ku Klux movement" that arose to restore white men to power. He held the Klan in high regard and praised it for "*spreading a salutary terror*" (emphasis added) among Blacks and their white allies. In *Reconstruction in North Carolina*, an expanded version of his doctoral dissertation and his most substantial scholarly publication, Hamilton recounted some of "the most notable examples of the [Klan's] work." His tone was sympathetic – at times, reverential.²⁰

The hooded vigilantes were particularly active in Alamance County. There, "the Ku Klux whipped Alonzo Corliss, a Northern man who was teaching a negro school near Company Shops. He . . . had insisted upon the negroes going to church and sitting among the white people," Hamilton reported. "In addition to whipping him, [Klansmen] shaved one side of his head and painted one side of his face black. . . . Shortly thereafter, a flag was set up in the road near his school, trimmed with crape, and a coffin stamped upon it with the following inscription: 'Corliss and the negroes. Let the guilty beware. Don't touch Hell.'"²¹

On another occasion, the Alamance Klan rode into Graham, the county seat, and seized Wyatt Outlaw, a Black constable and town commissioner – in Hamilton's words, a "blatant negro" who had "fired upon the Ku Klux" in a prior confrontation. The hooded nightriders "carried [Outlaw] to a tree in the court-house square and there hanged him." As the raiders were leaving town, Hamilton added, "a semi-idiotic negro named William Puryear saw some of

¹⁹ Hamilton, *Reconstruction in North Carolina*, 333, 452; J. G. de Roulhac Hamilton, *History of North Carolina*, vol. 3 (Chicago: Lewis Publishing Company, 1919), 99, 135, 190.

²⁰ Hamilton, *Reconstruction in North Carolina*, 452-53, 466, 476.

²¹ *Ibid.*, 468-69. Company Shops was the community that had developed around maintenance facilities built between 1855 and 1859 for the North Carolina Railroad. It was renamed and incorporated as Burlington in 1887. See Durward T. Stokes, *Company Shops: The Town Built by a Railroad* (Winston-Salem: J. F. Blair, 1981). Corliss opened his school under the auspices of the American Missionary Association, headquartered in New York, which operated schools for newly emancipated Blacks throughout the South. On November 30, 1869, he sent association director William E. Whiting details of his encounter with the Klan. "We are in trouble," he wrote. "Five men disguised in a Satanic garb on the night of the 26th inst. dragged me from my bed and bore me roughly in double quick time 1½ miles to a thicket, whipped me unmercifully and left me to die. They demanded of me that I should cease 'teaching niggers' and leave in ten days or be treated worse. I wish to have money enough to come home, or to do what I think best, as this case develops. Please send me a check forthwith for (\$75) seventy-five to use when I need it. . . . I am not able to sit up yet. I shall never recover from all my injuries." Alonzo B. Corliss to William E. Whiting, November 30, 1869, Series 1: Home Missions and Schools, box 126, American Missionary Association Archives, Amistad Research Center, Tulane University, New Orleans, Louisiana.

them and reported the fact. He disappeared that night and was found some weeks later in a neighboring pond."²²

In nearby Caswell County, Klansmen committed another political assassination. The victim this time was John W. Stephens, a white state senator allied with Blacks in North Carolina's biracial Republican Party. Stephens had traveled to the county courthouse to observe a political rally of self-styled Conservatives (they would later call themselves Democrats) who opposed Reconstruction. A Klansman, acting on a clever pretense, lured him down to the building's basement, and there, "seven men seized him." Stephens "was bound, gagged, and laid upon a pile of wood." Hamilton explained that "the original plan was to keep [Stephens hidden] until night and then to hang him in the square, but the danger of discovery was so great, that it was now decided not to delay at all." The men "cut [Stephens's] throat, at the same time drawing a rope tightly about his neck, and stabbed him to the heart, after which they left" to rejoin the rally. Stephens's body was not discovered until the next morning.²³

As a backdrop to these spectacular acts of violence, Klansmen also kept up a steady campaign of terror. They raided Black homes under cover of darkness, Hamilton reported, and, like slave drivers, wielded the lash without mercy, whipping "for the purpose of intimidation." During one particularly gruesome raid in Alamance County, "a child was trampled and died from its injuries." The penalty for self-defense was often death. In some cases, Black men who attempted to protect their families "never appeared again"; in others, they were found hanging from trees along public roads. The Klan struck with "a retaliation so violent, a retribution so swift," Hamilton noted with approval, that "panic, not soon allayed, spread among the negroes." "With the mass of the white people," that effect made the Klan's ruthlessness "very popular and . . . naturally so."²⁴

Hamilton freely admitted the Klan's "inherent evils" but insisted that violence was "justifiable" as a means of restoring "the supremacy of the white race and of Anglo-Saxon institutions." Further to that point, he added that "like practically every other evil" of the era, ultimate responsibility for Klan outrages rested "upon those who planned and put into effect" a scheme to "Africanize the State" and deny white men their right to rule. In other words, the victims of Klan violence brought injury and death upon themselves.²⁵

²² Hamilton, *Reconstruction in North Carolina*, 467, 470-71. For more on Outlaw and his murder, 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.

²³ Hamilton, *Reconstruction in North Carolina*, 473-74. For more on Stephens and his murder, see 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; Allen W. Trelease, "John Walter Stephens," in William S. Powell, ed., vol. 5, *Dictionary of North Carolina Biography* (Chapel Hill: University of North Carolina Press, 1994), 439-40.

²⁴ Hamilton, *Reconstruction in North Carolina*, 342, 466, 469, 471.

²⁵ *Ibid.*, 453-54, 667.



"Visit of the Klan," *Harper's Weekly*, February 24, 1872

Hamilton celebrated the final collapse of Reconstruction in 1877 as a victory for what a partisan in the battle called "'a white man's government, framed by the wisdom of the white men, and secured by the blood of the white race.'" But there was a problem. Despite the restoration of white rule, Black men still had the right to vote, and so long as that right remained, there was potential for a new upwelling of biracial, coalition politics of the sort that had emerged within the Republican Party after Emancipation. Hamilton grew up with adults who feared such an insurgency, and in his early twenties lived through a contest between democracy and white supremacy that was in many respects an extension of the battle that had taken shape during Reconstruction.²⁶

The second uprising followed closely on the heels of the Panic of 1893, one of the most severe economic downturns in American history. Mounting hardships persuaded a sizable minority of white farmers and laborers to join a third-party Populist movement and forge a Fusion alliance with Black and white Republicans. In 1894, the Fusion coalition won a majority of seats in the state legislature, and in 1896, captured the governor's office as well. Similar alliances formed elsewhere in the South, but in no other state did they gain control of both the legislative and executive branches of government. If biracial politics were to succeed anywhere in the region, the best chance was in North Carolina.²⁷

²⁶ Ibid., 633.

²⁷ Helen G. Edmonds, *The Negro and Fusion Politics in North Carolina: 1894-1901* (Chapel Hill: University of North Carolina Press, 1951). Edmonds's study was the first scholarly rebuttal of Hamilton's account of the Fusion movement. As the work of a Black scholar, it was largely ignored by white historians until the 1970s.

Fusion lawmakers enacted reforms that, in many ways, looked like a reprise of Reconstruction. They revised state election law to expand access to the ballot box, equalized per capita spending on Black and white schools, shifted the weight of taxation from individuals to corporations, and made generous appropriations to state charitable and correctional institutions. The response from Democrats – heirs to the Conservatives of the Reconstruction era – also looked familiar. In the elections of 1898 and 1900, they waged a war for white supremacy. The *Raleigh News and Observer* and other Democratic papers whipped up race hatred with stories of corrupt "negro rule." In nighttime raids and at the polls, Klan-like squads of vigilantes called Red Shirts intimidated Fusion voters, and in Wilmington in 1898, an organized white mob, led by UNC alumni Alfred Moore Waddell (a former congressman) and William Rand Kenan Sr., rampaged through Black neighborhoods, killing wantonly, and forcibly removed the city's biracial Fusion government.²⁸

Democrats won control of the state legislature in 1898, passed the first statewide Jim Crow law in 1899, and in 1900 campaigned for an amendment to the state constitution that would disenfranchise Black men and many of their poor white allies by means of a literacy test and a poll tax. Hamilton detailed these events in the third volume of the mass-market history of North Carolina that he published in 1919 with UNC colleague Robert D. W. Connor and Trinity College (later Duke University) historian William K. Boyd. In that work, he dismissed white Populists as "radical fanatics," the same characterization he had attached to white Reconstruction-era Republicans, and he wrote that Fusion had once again unleashed Black criminality. Under Fusion rule, "conditions were indescribably bad," Hamilton declared. "Murder, burglary, arson, [and] rape stared the [white] people in the face." There was only one cure: the elimination of Black men – once and for all – from the political life of the state.²⁹

Hamilton lionized Governor Charles Brantley Aycock (UNC class of 1877), who won election in 1900 with a promise to usher in a new "era of good feeling" and prosperity among whites. On the stump, Aycock argued that Black political participation had "kept the white people at enmity with each other" and that only the removal of Black voters would heal the body politic. "We must disenfranchise the negro," he explained to white men at his rallies. "Then we shall have . . . peace everywhere. . . . We shall forget the asperities of past years and . . . go forward into the twentieth century a united people." On Election Day, Aycock and the constitutional amendment won voters' approval by a margin of fifty-nine to forty-one percent of ballots cast.³⁰

²⁸ Ibid., chaps. 10-11; James L. Leloudis and Robert R. Korstad, *Fragile Democracy: The Struggle Over Race and Voting Rights in North Carolina* (Chapel Hill: University of North Carolina Press, 2020), 14-26; H. Leon Prather Sr., "The Red Shirt Movement in North Carolina, 1898-1900," *Journal of Negro History* 62 (April 1977), 174-84; David Zucchino, *Wilmington's Lie: The Murderous Coup of 1898 and the Rise of White Supremacy* (New York: Atlantic Monthly Press, 2020).

²⁹ Hamilton, *History of North Carolina*, vol. 3, chaps. 12-14, quotations at 221 and 284.

³⁰ R. D. W. Connor and Clarence H. Poe, eds., *The Life and Speeches of Charles Brantley Aycock* (Garden City, New York: Doubleday, Page, 1912), 82, 218-19, 225; J. Morgan Kousser, *The Shaping of Southern Politics: Suffrage Restriction and the Establishment of the One-Party South* (New Haven: Yale University Press, 1974), 193.

Hamilton rejoiced in the telling of this tale. "The enfranchisement of the negro [during Reconstruction] partook of the nature of a revolution," he explained to his readers. Now, that grave error was "undone by a counter-revolution," setting loose a "current of progress" that had been "checked by the negro vote" for "three long and dreary decades." At last, Hamilton exclaimed, North Carolina "was ready to go forward to a new day." With Black men stripped of the right to vote and the principle of equal citizenship decisively set aside, whites could reconcile their differences and build for themselves a prosperous future by improving public education, investing in the growth of cities and industries, and modernizing agriculture. A new age of Progress – with a capital P – was to hand. Hamilton so admired what Aycock and his fellow white supremacists had wrought that he chose a portrait of the governor as the frontispiece for his account of North Carolina in the modern era.³¹

As historians John Roper and James Hunt have noted, Hamilton found in the white supremacy campaigns of 1898 and 1900 the same lesson he had identified in his study of Reconstruction: For North Carolina to advance in its economic and social development, "Black former slaves needed to be controlled in some status less than truly free." But in this instance, history exposed the historian's lie. Aycock's victory marked the beginning of the brutal regime of Jim Crow, which for more than half a century relegated Blacks to second-class citizenship and saddled them, as well as many whites, with merciless burdens of poverty, sickness, and suffering. North Carolina in the early twentieth century was anything but progressive in the ordinary sense of the word.³²

With no appreciation for irony or moral accountability, Hamilton declared at the end of his telling of North Carolina's recent past that the white supremacist principles he extolled would enable the state's people to "move forward toward the realization of democratic ideals." He published those words in 1919, America's "year of racial violence," when Black soldiers returning from the First World War, intent on claiming their share of the nation's democratic promise, were met by white mobs who rioted and lynched. The violence struck close to home when a crowd of enraged white men in Franklinton, North Carolina, murdered Powell Green, a twenty-three-year-old veteran, "recently discharged from the army." Green had fatally shot a white theater owner after the man publicly scolded him for "light[ing] a cigarette in the show house." Newspaper accounts reported that Green was a "bad negro" – disrespectful, "disposed to think well of himself," and "resent[ful]" of any affront that "seemed to reflect [poorly] on him or his conduct." The white mob snatched Green from police custody, tied him "to the rear of an automobile while he was alive, and dragged him fully for one-half mile." They then shot Green multiple times and hanged him from a tree. When his body was discovered the next day,

³¹ Hamilton, *History of North Carolina*, vol. 3, chaps. 15-19, quotations at 313, 316.

³² Roper, "Ransack Roulhac and Racism," 191; James L. Hunt, "Creating North Carolina Populism, 1900-1960, Part I: The Progressive Era Project, 1900-1930," *North Carolina Historical Review* 97 (April 2020), 168-99, and "Creating North Carolina Populism, 1900-1960, Part II: The Progressive Era Legacy, 1930-1960," *North Carolina Historical Review* 97 (July 2020), 305-36. On Jim Crow and the production of poverty, 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), 11-20.

"souvenir hunters" snatched buttons and scraps of fabric from his clothes as mementos of Jim Crow justice.³³

The men who lynched Powell Green acted on ideas about Black criminality and white authority over Black lives that formed a through line in Hamilton's scholarship. Their actions, much like events in our own historical moment, offer a sobering reminder that stories we tell about the past have present-day consequences. They sometimes become a matter of life and death.

In July 2020, that awareness led faculty in the Departments of Sociology, Political Science, and History, along with colleagues in the Curriculum in Peace, War, and Defense, to petition Chancellor Kevin M. Guskiewicz for removal of Hamilton's name from the building in which they work (see Appendix 2). They did so on grounds that "throughout his career as an academic and archivist, Hamilton promoted white supremacy in ways that were intellectually dishonest and damaging, even considering the context of his times." They also requested that the building be renamed for civil rights activist, lawyer, and priest Anna Pauline (Pauli) Murray, who, on account of her race, was denied admission to graduate study at UNC during the 1930s.³⁴

We do not address the question of renaming in this document, because it is to be evaluated through a process yet to be established by the Chancellor and the Board of Trustees. We do, however, endorse the petition to rescind the honor bestowed on Hamilton in 1972. The material presented in this dossier supports that endorsement and speaks to concerns that have been raised in response to the faculty petition.

Critics of the call to rename Hamilton Hall have urged that Hamilton the scholar be judged fairly. They contend that he was a man of his times, and that his views on race, though reprehensible by today's standards, were, during the Jim Crow era, widely held and seldom questioned. But we know as a matter of historical fact that the ideas embedded in Hamilton's scholarship were sharply contested, even as he researched and wrote his histories of race and politics in North Carolina. The forty-one percent of voters – whites along with Blacks – who cast their ballots in opposition to Charles Aycock and white supremacy in 1900 clearly rejected the

³³ Hamilton, *History of North Carolina*, vol. 3, 420; "Six Witnesses Fail to Implicate Any of Lynching Party," December 29, 1919, and "Outsider Linked Up with Lynching," December 31, 1919, *News and Observer* (Raleigh, N.C.). On racial violence after World War I, see David F. Krugler, *1919, The Year of Racial Violence: How African Americans Fought Back* (New York: Cambridge University Press, 2015); Chad L. Williams, *Torchbearers of Democracy: African American Soldiers in the World War I Era* (Chapel Hill: University of North Carolina Press, 2010); Cameron McWhirter, *Red Summer: The Summer of 1919 and the Awakening of Black America* (New York: Henry Holt and Company, 2011); Robert Whitaker, *On the Laps of Gods: The Red Summer of 1919 and the Struggle for Justice that Remade a Nation* (New York: Crown, 2008).

³⁴ Kenneth Andrews, chair, Department of Sociology; Mark Crescenzi, chair, Department of Political Science; Lisa Lindsay, chair, Department of History; and Navan Bapat, chair, Curriculum in Peace, War, and Defense to Chancellor Kevin M. Guskiewicz, July 28, 2020, in author's possession (see Appendix 2). On Pauli Murray's life, see Glenda Elizabeth Gilmore, *Defying Dixie: The Radical Roots of Civil Rights, 1919-1950* (New York: W. W. Norton, 2008), chapt. 6.

Jim Crow world that Hamilton embraced. Indeed, those citizens were so determined in their disapproval that the champions of white rule resorted to extreme measures – political violence and disenfranchisement – to silence them.

Other dissenters were outspoken as well. In 1905, at the time Hamilton was completing his Ph.D., William A. Sinclair, a former slave armed with degrees in medicine and theology, published *The Aftermath of Slavery*, an account of Emancipation and Reconstruction that challenged the triumph of Jim Crow on "social, economic, and moral grounds." "The policy pursued by the [white] South," Sinclair wrote, "a policy of mob rule and lynch law; oppressive, prescriptive, and unlawful legislation; harsh persecutions and general ostracism; and debasement of all colored people . . . is not constructive of the peace of the nation, but on the contrary is destructive of the very foundations of peace."³⁵ Five years later, Black scholar-activist W. E. B. Du Bois published an article on "Reconstruction and Its Benefits" in the *American Historical Review*,³⁶ the profession's journal of record, and in 1913, to mark the fiftieth anniversary of the Emancipation Proclamation, John R. Lynch, a Black advocate for civil rights and former congressman from Mississippi, published *The Facts of Reconstruction*, a memoir in which he took the Dunning School to task and argued that in the late 1860s newly liberated Black citizens and their white allies had established genuine democracy in the South for the first time in the region's history.³⁷ Hamilton was decidedly deaf to these Black voices. "Among intelligent and informed people," he declared, there were no defenders of Reconstruction to be found.³⁸

Similarly, at UNC during the 1910s and 1920s, a new generation of students and sympathetic faculty began, ever-so-cautiously, to explore the question of "whether or not to

³⁵ William A. Sinclair, *The Aftermath of Slavery: A Study of the Condition and Environment of the American Negro* (Boston: Small, Maynard, and Company, 1905, reprint edition, University of South Carolina Press, 2012), vii-x, xxxi-xxxii, 332. Sinclair was born into slavery in 1858 in South Carolina. He earned an undergraduate degree and an M.A. at Howard University and completed post-graduate study at Andover Theological Seminary and Meharry Medical College. He taught briefly at Livingstone College in Salisbury, North Carolina.

³⁶ W. E. B. Du Bois, "Reconstruction and Its Benefits," *American Historical Review* 15 (July 1910), 781-99. In 1935, Du Bois published a book-length account of Reconstruction that is recognized today as a foundational text. See *Black Reconstruction: An Essay Toward a History of the Part Which Black Folk Played in the Attempt to Reconstruct Democracy in America, 1860-1880* (New York: Russell and Russell, 1935). On Du Bois's critique of the Dunning School, see Smith, "Introduction," in Smith and Lowery, eds., *Dunning School*, 32-35.

³⁷ John R. Lynch, *The Facts of Reconstruction* (New York: Neale Publishing Company, 1913); Justin Behrend, "Facts and Memories: John R. Lynch and the Revising of Reconstruction History in the Jim Crow Era," *Journal of African American History* 97 (Fall 2012), 427-48. Lynch was born into slavery in Louisiana in 1847. He was elected as the first Black speaker of the Mississippi state house of representatives and served in the U.S. Congress from 1873 to 1877, and again from 1882 to 1883. Lynch later lived in Washington, D.C. and Chicago, where he made his career as a lawyer, real estate broker, author, and public intellectual. He published three other works on race and politics: *The Late Election in Mississippi* (Washington, D.C.: Government Printing Office, 1877); *Colored Americans: John R. Lynch's Appeal to Them* (Milwaukee: Allied Printing, [1900?]); and *Some Historical Errors of James Ford Rhodes* (Boston: Cornhill Publishing Company, 1922).

³⁸ Hamilton borrowed his characterization of Black lawmakers from Josiah Turner Jr., who, he said, spoke the words "truly." Turner was a former Confederate congressman, editor of the Raleigh *Sentinel*, and an outspoken apologist for and purported leader of the North Carolina Klan. See Hamilton, *Reconstruction in North Carolina*, 378.

maintain racial segregation." Hamilton's answer was unequivocal: "There must be no yielding on the question of the admission of the negro to equality." Decades later, he remained thoroughly unreconstructed in that view. Writing in the *Journal of Southern History* in 1948, Hamilton railed against "so-called revisionist" scholars who were busy re-examining the post-Emancipation South in ways that challenged Jim Crow orthodoxy. One of them was his UNC colleague Howard K. Beale, who declared in the *American Historical Review* that the time had come "for a younger generation of Southern historians to cease lauding [the men] who 'restored white supremacy.'" Hamilton would have none of it. He dismissed the revisionists' scholarship as a shameless "attempt, at this late date, with all available evidence to the contrary, to substitute for historic fact the outworn, disproved, and rejected falsehood by which partisan, self-seeking, and often corrupt politicians, together with ignorant fanatics, moved by sentimental but suspicious humanitarianism, supported the infamy of [Reconstruction]." "No amount of revisionism," Hamilton declared, "can write away the grievous mistakes made in this abnormal period of American history."³⁹

When we attend to this context, we begin to understand, as historian Eric Foner has pointed out, that Hamilton and like-minded men in the academy "did more than reflect prevailing prejudices – they strengthened and helped to perpetuate them. They offered scholarly legitimacy . . . to the Jim Crow system that was becoming entrenched as they were writing." Hamilton did that work with the authority of an endowed professorship at the South's leading university, a position that amplified his influence in the classroom, the archive, the historical profession, and the public forum.⁴⁰

What, in the end, are we to make of Roulhac Hamilton and the question of removing his name from the campus landscape? Some participants in the debate would urge us to pass judgment cautiously, with an awareness that we, too, are likely to be found wanting by future generations. That prospect may well come to pass, but it is not a good and sufficient reason for inaction. It instead underscores our responsibility to examine our history with unflinching honesty and to use the knowledge we gain to make a better, forward-looking university for ourselves and for those who will follow us here. To do so is to recognize that history is more than a settled record of what was – it is also a tool for discerning what is and should be.

That is the point that Amanda Gorman, National Youth Poet Laureate, made in verse at the January 20, 2021 inauguration of the nation's forty-sixth President:

³⁹ Charles J. Holden, *The New Southern University: Academic Freedom and Liberalism at UNC* (Lexington: University Press of Kentucky, 2012), chaps. 1-2; Kenneth Joel Zogry, *Print News and Raise Hell: The Daily Tar Heel and the Evolution of a Modern University* (Chapel Hill: University of North Carolina Press, 2018), 38-44; Dan Joseph Singal, *The War Within: From Victorian to Modernist Thought in the South, 1919-1945* (Chapel Hill: University of North Carolina Press, 1982), 296; J. G. de Roulhac Hamilton to Harry W. Chase, March 28, 1927, folder 1630, University of North Carolina Papers, 1757-1935 #40005, University Archives, Wilson Library, University of North Carolina at Chapel Hill; J. G. de Roulhac Hamilton, review of E. Merton Coulter, *The South During Reconstruction, 1865-1877*, *Journal of Southern History*, 14 (February 1948), 135-36; Howard K. Beale, "On Rewriting Reconstruction History," *American Historical Review* 45 (July 1940), 808. Beale taught at UNC from 1935 until his departure for the University of Wisconsin in 1948.

⁴⁰ Eric Foner, "Foreword," in Smith and Lowery, eds., *Dunning School*, xi.

Being an American is more than a pride we inherit,
it's the past we step into
and how we repair it.

The new dawn blooms as we free it.
For there is always light,
if we're brave enough to see it,
if we're brave enough to be it.

The work of repair, as Gorman reminds us, begins with candid remembrance of our past and a forthright reckoning with the ways that history has been used to veil the truth.⁴¹

On March 12, 2021, University Librarian Elaine L. Westbrook submitted a formal statement to accompany this dossier. See Appendix 1.

UNC Commission on History, Race, and a Way Forward

⁴¹ "'The Hill We Climb': The Amanda Gorman Poem that Stole the Inauguration Show," *The Guardian*, January 20, 2021, <https://bit.ly/39mJ4i2>. On history, memory, and truth, see also Mayor Mitch Landrieu's reflection on the removal of Confederate monuments in New Orleans, *In the Shadow of Statues: A White Southerner Confronts History* (New York: Viking, 2018); Susan Neiman, *Learning from the Germans: Race and the Memory of Evil* (New York: Farrar, Straus and Giroux, 2019).

Appendix 1

University Librarian Elaine L. Westbrooks' Statement on J. G. de Roulhac Hamilton and the Southern Historical Collection

March 12, 2021

As the University Commission on Race, History, and a Way Forward considers removing J.G. de Roulhac Hamilton's name from Hamilton Hall, I would like to share some thoughts about Hamilton's most enduring and significant legacy, the Southern Historical Collection, and the work of today's archivists and librarians to repair past harms and prepare for the future.

Hamilton founded the SHC in 1930 and directed it until 1951. With the support of the University, he built the "premier archive of records and manuscripts pertaining to the South, and one of the most widely consulted in the United States."¹ With approximately 5,000 manuscript collections, today's SHC is the largest and most heavily used of the five special collections at Wilson Library. Nearly half of Wilson Library's research requests are for SHC items. It is not an exaggeration to say that the SHC is a requisite destination for any scholar of the American South.

While Hamilton deserves a great deal of credit for his dedication and tenacity in building collections, we cannot ignore the choices he made in doing so. In his scholarship and personal writings, he promoted the "Lost Cause," he minimized Ku Klux Klan violence, he supported segregation in the Jim Crow South, and perpetuated falsehoods about Reconstruction.² These white supremacist beliefs shaped his original vision for the Collection and were an impetus for its formation.³

The SHC that Hamilton created was dedicated to the glorification of the Confederate aristocracy while ignoring, minimizing, and even erasing the Black experience in the South. Hamilton documented the plantation system without a thought for the thousands of enslaved Black people who sustained the region's economy. He wanted to preserve evidence of the social systems of the old South but did not believe that the lives of African Americans were relevant

¹ Glenda E. Gilmore, "Southern History Writ Larger," Symposium: Celebrating Seventy-Five Years of the Southern Historical Collection, March 18-19, 2005, <https://unc.live/3tfl0om>.

² Thavolia Glymph, "The Southern Historical Collection and Civil War and Reconstruction History: A Past and a Future," Symposium: Celebrating Seventy-Five Years of the Southern Historical Collection, March 18-19, 2005, <https://unc.live/3vjLk2E>.

³ John Herbert Roper Sr., "Ransack Roulhac and Racism: Joseph Grégoire de Roulhac Hamilton and Dunning's Question of Institution Building and Jim Crow," in John David Smith and J. Vincent Lowery, eds., *The Dunning School: Historians, Race, and the Meaning of Reconstruction* (Lexington: University Press of Kentucky, 2013).

or that their family Bibles, letters, marriage certificates, or photographs were worthy of preservation for future generations.⁴

Hamilton's neglect of the African American documentary experience reverberates today in gaps, silences, and limitations of the SHC's collections. As outstanding as the SHC is, imagine what it could have been had he been devoted to preserving the history of all Southerners.

In the aftermath of the killing of George Floyd in May of 2020, the University Libraries, like many University units, affirmed its commitment to the work of reckoning with systemic racism and oppression.⁵ The Special Collections team, including staff dedicated to the SHC, has long recognized the persistent and deleterious impacts of Hamilton's practices. Today's archivists and librarians, recognizing our responsibility to intervene and address harmful legacies, are actively pursuing restorative and reparative practices. These efforts directly challenge Hamilton's original vision of the SHC as a repository in support of an inaccurate and discredited historical narrative. I am very proud of the following work that we have begun:

- **Prioritizing African American collecting.** In 2006, the University Libraries created the African American Collections and Outreach Archivist position⁶ in the SHC with support from the National Endowment for the Humanities. The Libraries successfully completed fundraising to endow this position in 2017.
- **Partnering with local communities.** Since 2016, with support from the Andrew Mellon Foundation, the SHC has collaborated with community organizations across the Southeast to re-envision the ways that archives work with local communities.⁷ This work prioritizes the needs of local communities as they document, understand, and share their own histories.
- **Surfacing records about slavery.** Many of our users are seeking traces of the African American experience in SHC records. Staff work with students, faculty, and community members to develop guides, offer workshops, and add information to collection guides-- such as the names of the enslaved individuals-- to facilitate easier access.
- **Conscious editing of archival description.** We are remediating finding aids so that they no longer contain descriptions that diminish and dehumanize the records and experiences of African Americans represented in the collections.⁸

⁴ Jacquelyn Dowd Hall, "The 'Ceaseless Quest for Truth': The Southern Historical Collection and the Making and Remaking of the Southern Past," Symposium: Celebrating Seventy-Five Years of the Southern Historical Collection, March 18-19, 2005, <https://unc.live/2Lo5zdj>.

⁵ Westbrooks, Elaine L. "The University Libraries' Role in Reckoning with Systemic Racism and Oppression," UNC-Chapel Hill University Library, 1 June 2020. <https://unc.live/30D5Ugj>.

⁶ "A Bold Commitment to African American Archives at UNC," UNC-Chapel Hill University Library, February 3, 2016, <https://unc.live/3teUZFT>.

⁷ "Community-Driven Archives," UNC-Chapel Hill University Library, <https://unc.live/3vjCTV3>.

⁸ "A Choice to Empower," UNC-Chapel Hill University Library, February 2, 2021, <https://unc.live/3cuNsMg>.

- **Re-envisioning instructional programs and services.** Through our instructional work and the adoption of critical pedagogy and primary source literacy standards, Special Collections staff strive to support and create a critical community of researchers whose work challenges the racialized assumptions and historical certainties.

Hamilton built an amazing collection that continues to evolve, grow, and improve with every generation of researchers that interpret the documentary evidence in new ways. The future of the SHC is bright and strong because of the transformative work that the Libraries is committed to doing now and into the future. The librarians and archivists at Carolina are leading the way toward a more equitable and just historical record. In doing so, they are setting an example for archives across the country.

The SHC has passionate donors who are proud and more committed now than ever to helping the University Libraries build, preserve, and make available a more inclusive collection for the students, faculty, and staff of UNC-Chapel Hill, for the citizens of the state of North Carolina, and for the entire region. The state has long trusted the University Libraries to steward the history and culture of the state, and we will continue to fulfill this mission with empathy, integrity, and equity.

Appendix 2

Departments of History, Political Science, and Sociology
Curriculum in Peace, War, and Defense
UNC-Chapel Hill
Chapel Hill, NC 27599

Chancellor Kevin M. Guskiewicz
103 South Building
Campus Box 9100
Chapel Hill, NC 27599-9100
chancellor@unc.edu

July 28, 2020

Dear Chancellor Guskiewicz:

As Chairs of the Departments of History, Political Science, and Sociology, and the Peace, War, and Defense Curriculum, we are writing to request your forceful and expeditious intervention to change the name of the building in which we work from Hamilton Hall to Pauli Murray Hall. We have previously contacted the Commission on History, Race, and a Way Forward with this request for the name change, which we have also forwarded to the chairman of the Board of Trustees.

We do not make this request lightly or without input from a wide range of participants. For years, members of our community have raised questions and concerns about the appropriateness of the current building name. In just one example, a recent [petition from History Department graduate students](#) to the department's leadership included this demand: "Call for and take action to rename buildings on campus that are named after racists, Confederates, and/or White supremacists." Even before that petition was issued, a committee composed of faculty members and graduate students from the departments of History, Political Science, and Sociology, along with the chair of the Curriculum in Peace, War, and Defense, considered the name of the building and produced a short report and recommendation. They did so with input from faculty members, students, and staff, and also influenced by the [Black Faculty, Faculty of Color, and Indigenous Faculty Roadmap for Racial Equity](#). Members of the Hamilton and Pauli Murray families were also contacted, to ensure that they support the change. On July 9, faculty members in each of those departments met by Zoom to discuss the recommendation; it was approved overwhelmingly by all of the departments involved. Indeed, in our decades of experience here at UNC, we have never before seen such consensus—both within and between departments--on any issue. This is truly multi-disciplinary and multi-generational.

There is no doubt that the name of Joseph Grégoire de Roulhac Hamilton should be removed from our building. Between 1906 and 1930, Hamilton was a professor in the Department of History at the University of North Carolina at Chapel Hill. From 1931 to his retirement in 1951,

Hamilton served as the director of the UNC Library's Southern Historical Collection, which he founded. He passed away in 1961.¹

Throughout his career as an academic and archivist, Hamilton promoted white supremacy in ways that were intellectually dishonest and damaging, even considering the context of his times. In his academic work on the US Reconstruction period, he openly defended the racial violence of the Ku Klux Klan and the "Black Codes," the series of laws commonly seen as the precursor to Southern Jim Crow. As an archivist, Hamilton collected materials that glorified human enslavement and served to exclude African Americans from the historical profession and historical literature.² As the Alabama Department of Archives and History recently argued, this tradition of racist records management in the American South has created a dangerous legacy of "the preservation of Confederate history and the promotion of Lost Cause ideals."³

The naming of Hamilton Hall in 1972 was a mistake that should now be remedied. At the time, Hamilton's "anti-Negro view of Reconstruction," as one journalist wrote then, was already widely known and was forcefully disputed within the historical profession.⁴ Moreover, Hamilton's living relatives were never consulted in this decision, and they insist that Hamilton would never have accepted the recognition. Hamilton, his grandson has recently argued, "would likely not have accepted the honor had he been alive at the time. He had no interest in that sort of thing."⁵

Though the building arguably should never have been named after Hamilton, it certainly should not carry that name now, as the university engages in serious reckoning with its racist past. **To continue to glorify Hamilton's name is to acquiesce in the use of the social sciences—the very disciplines housed in the building—for discrimination and oppression, by one of UNC's own faculty members.** UNC must not stand for this blatant disregard for the truth, principles of academic integrity, and social justice.

In place of Hamilton, those who use our building unanimously propose that it be named after Pauli Murray. Born in 1910 and raised in Durham, NC, Murray was a black descendent of one of the university's original trustees, James Strudwick Smith, as well as two other early UNC students and another generous benefactor. In 1938, Murray applied to the Ph.D. program in sociology but was denied admission because, as university officials wrote at the time, "members of your race are not admitted to the university."⁶ If not for segregation, then, Murray would be a

¹ Joseph Grégoire de Roulhac Hamilton Papers, 1895-1961, Finding Aid, University of North Carolina Libraries: <https://finding-aids.lib.unc.edu/01743/>

² Bradley D. Proctor, "White Supremacy in the Academy: The 1913 Meeting of the American Historical Association," *The Activist History Review*, December 6, 2019: <https://activisthistory.com/2019/12/06/white-supremacy-in-the-academy-the-1913-meeting-of-the-american-historical-association/>; and Rebecca Hoffman, "Ransack Roulhac" Hamilton Hall: J.G. de Roulhac Hamilton and His Impact on the University of North Carolina," *Names in Brick and Stone: Histories from UNC's Built Landscape*: http://unchistory.web.unc.edu/building-narratives/hamilton-hall/#_ftn17.

³ Alabama Department of Archives and History, "Statement of Recommitment," June 23, 2020: https://archives.alabama.gov/docs/ADAH_Statement_Recommitment_200623.pdf. See Joseph Grégoire de Roulhac Hamilton, *Reconstruction in North Carolina* (London: P.S. King & Son, 1914).

⁴ Jim Becker, "Politics of Imposing Edifices," *Daily Tar Heel*, August 31, 1972, 12.

⁵ Alfred Hamilton to William Sturkey, "Return to You," email, February 11, 2020.

⁶ Pauli Murray, *Song in a Weary Throat: An American Pilgrimage* (New York: Harper & Row, 1987), 115.

distinguished alumna of UNC and of one of the departments housed in the building we would like to name after her.

Undeterred by her rejection from UNC, Murray achieved prominence as an outspoken scholar and activist whose work continues to make major contributions to numerous disciplines. Murray was a gifted poet, writer, labor organizer, legal theorist, and, later in life, Episcopal priest, who advocated for the rights of all members of society. As a law student, she formulated the argument used by Thurgood Marshall in the *Brown vs. Board of Education* case; later, she co-wrote an article used by Ruth Bader Ginsburg to convince the Supreme Court that the Equal Protection Clause applies to women. Thus, Murray articulated the intellectual foundations of two of the most important social justice movements of the twentieth century—the direct opposite of Hamilton’s use of academic research in the service of segregation and oppression.⁷

Pauli Murray represents the immutable spirit of scholarship and public service, as she made major contributions to our society in the face of nearly insurmountable resistance. She also represents the forgone knowledge that UNC could have been a part of, could have supported and nurtured, and could have learned from. Naming our building after her will serve as a reminder of what is lost, what could have been, and what can be as we move forward. It will signal inclusiveness and intellectual breadth and serve as a welcome for all scholars.

We send this request to you, Chancellor Guskiewicz, at a moment of crisis for our university and the wider public. The coronavirus pandemic strains all of our capacities as it highlights our public mission and reminds us of the precarity of human life. Across the country, protestors, counter-protesters, and public authorities confront starkly different visions of the common good. Here at UNC, these widespread challenges intersect with our own ongoing reckoning with the legacies of racism and inequality that we inherited from our predecessors.

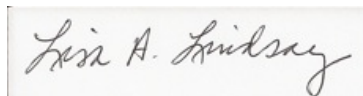
Such circumstances make bold, visionary leadership imperative. Not only is renaming Hamilton Hall as Pauli Murray Hall the right thing to do; it is the right thing to do *now*. Moreover, this is the moment to remove offensive names from dozens of campus buildings and to begin the process of widespread renaming. To do so is to proclaim to the campus community, our state, and the wider world that UNC no longer acquiesces to bigotry and white supremacy, or to the perversion of academic research in the service of discrimination. It is to affirm our collective commitment to justice and knowledge in support of it. It is to affirm what we are *for*, in a way that can offer inspiration and uplift to all in this trying time.

We can assure you that replacing the name Hamilton with Pauli Murray on our social science building, and indeed renaming all campus buildings currently named after white supremacists,

⁷ Of particular importance are Pauli Murray and Mary O. Eastwood, “Jane Crow and the Law: Sex Discrimination and Title VII,” *George Washington Law Review*, vol. 34 (Dec. 1965), 232-256; and Pauli Murray, ed., *States’ Laws on Race and Color* (Cincinnati, OH: Women’s Division of Christian Service, Board of Missions and Church Extension, Methodist Church, 1950). For more, see Glenda Elizabeth Gilmore, “Admitting Pauli Murray,” *Journal of Women’s History*, vol. 14, no. 2 (Summer 2002), 62-67; Pauli Murray, interview by Genna Rae McNeil, February 13, 1976, transcript, Southern Oral History Program: <https://docsouth.unc.edu/sohp/G-0044/G-0044.html>; and Pauli Murray, *Proud Shoes: The Story of an American Family* (Boston, MA: Beacon Press, 1956). Other material related to Murray’s attempts to enroll at UNC are available through the UNC Libraries blog: <https://blogs.lib.unc.edu/uarms/2016/02/19/the-1939-correspondence-between-pauli-murray-and-frank-porter-graham/>.

would be met with widespread support and acclaim among faculty, staff, graduate and undergraduate students, alumni, and observers. (Indeed, please see the accompanying letter in support of our proposal from the bishop and bishop suffragan of the Episcopal Diocese of North Carolina.) It would move UNC again to the vanguard of forward-thinking state universities—a place certainly befitting our scholarship but not always, thus far, our public symbols. And it would put you at the forefront of this historic change for the good. Thank you in advance for your serious and timely consideration of our request.

Sincerely,



Lisa Lindsay
Chair, Department of History



Kenneth (Andy) Andrews
Chair, Department of Sociology



Mark Crescenzi
Chair, Department of Political Science



Navin Bapat
Chair, Curriculum in Peace, War, and Defense

Cc: Provost Robert Blouin, Dean Terry Rhodes, Senior Associate Dean Rudi Colloredo-Mansfeld, Prof. James Leloudis, Prof. Patricia Parker
enclosure

Morrison Residence Hall

The Board of Trustees of the University of North Carolina named this building in 1964 to honor Cameron A. Morrison, governor of North Carolina, 1921-1925.¹

Morrison:

- Organized and led vigilantes called Red Shirts in the North Carolina white supremacy campaigns of 1898 and 1900
- Staked his 1920 gubernatorial campaign on his credentials as an unrepentant white supremacist
- Supported a \$20 million dollar state bond issue in 1921 to fund the construction of new classroom buildings and residence halls on the UNC campus
- Opposed Black claims on equal rights until the end of his life

Morrison was one of four self-avowed opponents of Black freedom and equal citizenship honored by the university's trustees amid the protests of the modern civil rights movement. The others were: William Waightstill Avery (Avery Residence Hall, 1958), a lawyer, enslaver, state legislator, and secessionist who represented North Carolina in the Provisional Congress of the Confederate States of America; Josephus Daniels (Daniels Student Stores Building, 1967), editor of the *Raleigh News and Observer* and lead propagandist in the state white supremacy campaigns of 1898 and 1900; and J. G. de Roulhac Hamilton (Hamilton Hall, 1972), a historian of North Carolina and the American South whose scholarship lauded white opposition to Black political, economic, and social equality in the post-Emancipation era.²

Cameron Morrison was born in 1869, the son of Daniel M. and Martha C. Morrison. He was educated in the Rockingham public schools and at a private academy in Ellerbe Springs. Morrison did not attend the University of North Carolina, but he served on the Board of Trustees as an ex officio member from 1921 to 1925 and by appointment from 1929 until his death in 1953. Morrison read law with Greensboro jurist Robert P. Dick and was admitted to the bar in 1892. He had a long career in North Carolina politics, serving in a variety of posts: mayor of Rockingham in the mid 1890s; state senator, 1900-1901; presidential elector, 1916; governor, 1921-1925; member of the Democratic National Committee, 1928; U.S. Senator, 1930-1932; U.S. Congressman, 1943-1945; and North Carolina delegate to the Democratic National Convention in 1924, 1940, 1944, 1948, and 1952.³

¹ Report of the Committee on Naming Buildings, February 24, 1964, Board of Trustees minutes, vol. 8, 421, series 1, 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.

² See Avery, Daniels, and Hamilton dossiers prepared by the Commission on History, Race, and a Way Forward.

³ Nathaniel F. McGruder, "Cameron Morrison," in William S. Powell, ed., vol. 4, *Dictionary of North Carolina Biography* (Chapel Hill: University of North Carolina Press, 1991), 328-30; North Carolina Senate, 1901, Carolana.com, <https://bit.ly/3olG6QA>; "Cameron Morrison," in *History of North Carolina*, vol. 5, North Carolina Biography (Chicago: Lewis Publishing Company, 1919), 227-28; Cameron A. Morrison, "Biographical Dictionary of

Morrison's father, Daniel, served as a private in the Confederate army, but he was, at best, a reluctant secessionist. After the Civil War, the elder Morrison became a staunch Republican, casting his lot with a coalition of Blacks and dissenting whites who advocated equal citizenship for men and women newly emancipated from slavery. Cameron seemed prepared to follow in his father's footsteps when, at age twenty-one, he was elected to the executive committee of the state Republican Party. But a year later, in 1891, he bolted to the Democrats – the party of white supremacy. It was in that party, and with fealty to that racial principle, that he made his long political career.⁴

Morrison was a zealot for the cause. An admiring contemporary biographer reported that in the 1892 election "he came near being killed" in Richmond County's Beaver Township, where he challenged more than two hundred Black men at the polls "and prevented them from voting." Morrison's actions provoked a brawl with a local Republican leader that ended only when the two men had exhausted themselves. "The times were dangerous," Morrison's biographer observed, and the brave champion of white rule "lived [under] constant [threat] of personal violence."⁵

the United States Congress, <https://bit.ly/35wqG3n>; North Carolina delegate lists, Democratic National Convention, Political Graveyard, 1924, <https://bit.ly/34z06qZ>, 1940, <https://bit.ly/3e0FLhp>, 1944, <https://bit.ly/3e3RKKY>, 1948, <https://bit.ly/2HA9eT7>, 1952, <https://bit.ly/2G4d72e>. As governor, Morrison served on the Board of Trustees ex officio from 1921 to 1925. He was an appointed member from 1929 until 1941, an honorary member in 1942, and a lifetime member from 1943 to 1953. *The University of North Carolina Catalogue, 1927-1928* (n.p.: n.p., [1928]), 6; *The University of North Carolina Record, 1939-1940* (Chapel Hill: University of North Carolina Press, 1940), 5; *The University of North Carolina Record, 1941-1942* (Chapel Hill: University of North Carolina Press, 1942), 5; *The University of North Carolina Record, 1942-1943* (Chapel Hill: University of North Carolina Press, 1943), 5.

⁴ McGruder, "Cameron Morrison." After the Civil War, Daniel Morrison made a living first as a carpenter and later as a postmaster and deputy sheriff. See 1870 Federal Census, Population Schedule, Richmond County, North Carolina, and 1900 Federal Census, Population Schedule, Richmond County, North Carolina, Ancestry.com; "Postmasters," *Congressional Record* 23 (1892), 487.

⁵ Heriot Clarkson, "A Biographical Sketch of Cameron Morrison," in William H. Richardson and D. L. Corbitt, eds., *Public Papers and Letters of Cameron Morrison, Governor of North Carolina, 1921-1925* (Raleigh: Edwards and Broughton, 1927), xxi. Heriot Clarkson was a Charlotte lawyer who served as a city alderman and vice-mayor in 1887-1889 and 1891-1893. He organized a white supremacy club in the city in the late 1890s, and, as a member of the state legislature, supported an amendment to the state constitution in 1900 that disenfranchised Black men by making the right to register to vote contingent on a literacy test. Clarkson was manager of Morrison's 1920 gubernatorial campaign – service that the governor rewarded in 1923 with an appointment to the state supreme court. In a 1930 case that involved segregated seating on buses, Clarkson characterized Jim Crow as an expression of white benevolence. "We believe, in this State, that the negro has 'equal protection of the laws,'" he wrote. "In fact, the best friends that the negro has are his white neighbors. The negro has been in many respects a chosen people – brought here, the land of opportunity, among civilized people, without any effort on their part, from Africa. The burden imposed, not sought, has been on the white people of this State to civilize and Christianize them. The trust has been and is faithfully performed. The race is making great strides." See "Nathaniel F. McGruder, "Robert Heriot Clarkson," in Williams S. Powell, ed. vol. 1, *Dictionary of North Carolina Biography* (Chapel Hill: University of North Carolina Press, 1979), 382-83; *Corporation Commission v. Interracial Commission*, 198 N.C. 317 (320).

Morrison rose to prominence at the state level in 1898, when Democrats launched a vicious campaign to wrest control of the state legislature from a biracial Fusion alliance of Republicans and third-party white Populists. In the run-up to Election Day, Democratic newspapers filled their pages with racist fearmongering and party leaders organized vigilantes known as Red Shirts to harass and intimidate Fusion voters. North Carolina was a "white man's country," Democrats declared, "and white men must control and govern it."⁶



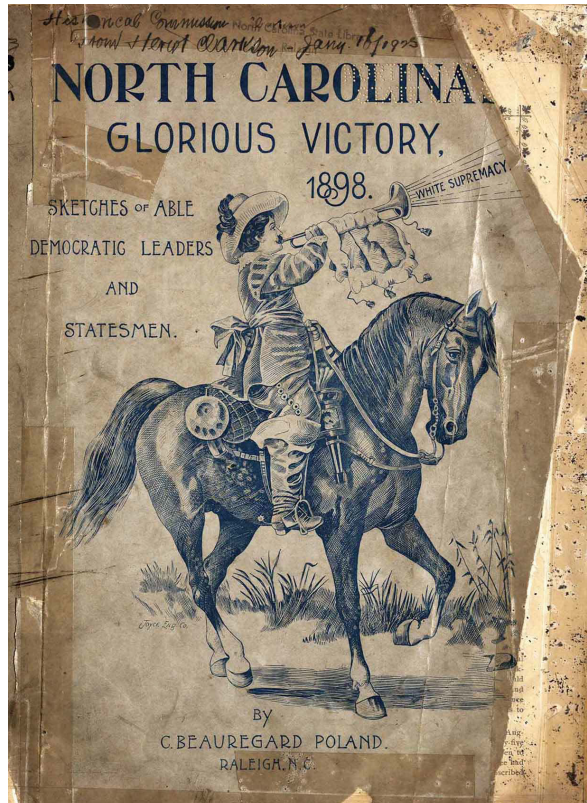
Red Shirts in Laurinburg on Election Day, 1898. The man on the first row, fourth from the right, is brandishing a pistol.
State Archives of North Carolina, Raleigh, N.C.

The Red Shirts were particularly active in Richmond County, where Morrison served as chairman of the Democratic Party's local executive committee. Newspapers reported that on November 1, a week before the election, he and other white men "showed their determination to rid themselves of negro rule." One-thousand strong, they donned their red jackets – emblems of Confederate soldiers' bloody self-sacrifice – and "paraded . . . through the negro precincts of the county." One reporter wrote: "For ten miles, through pine-forest and cotton plantations these men rode singling out the Negro hamlets as the special object in their visitation." Morrison's father – who had been persuaded by his son to abandon the Republican Party – led the way, carrying a banner that exclaimed, "The Whites Will Rule the Land or Die."⁷

⁶ *Democratic Handbook*, 1898 (Raleigh: Edwards and Broughton, 1898), 38. On the white supremacy campaign generally, see Paul D. Escott, *Many Excellent People: Power and Privilege in North Carolina, 1850-1900* (Chapel Hill: University of North Carolina Press, 1985), 241-62.

⁷ "Richmond County," *Morning Star* (Wilmington, N.C.), November 2, 1898; Clarkson, "A Biographical Sketch of Cameron Morrison," xxi-xxii; Henry Litchfield West, "The Race War in North Carolina," *The Forum* 26 (January 1899), 587. Throughout the 1898 campaign, Morrison signed his letters and official papers as "Cameron Morrison, chairman, executive committee of the White Man's Party of Richmond County." See untitled news item, *News and Observer* (Raleigh, N.C.), September 27, 1898. For more on Morrison's role as a Red Shirt organizer, see "White Government Union," September 24, 1898, and "The Rally of the Red Shirts," October 5, 1898, *News and*

The march ended in Laurinburg, where the Red Shirts and thousands more whites cheered a speech by Claude Kitchin, a Democratic Party leader from Halifax County. Kitchin played to the crowd's resentment of black elected officials and urged them to follow the example of his neighbors back home. In Halifax, "if a negro constable came to a white man with a warrant in his hand," Kitchin exclaimed, "he [would leave] with a bullet in his brain." The Laurinburg rally had the desired effect. Many Blacks removed their names from the voter registration rolls and hundreds of white Populists and Republicans "put on white supremacy buttons."⁸



North Carolina, Glorious Victory, 1898 souvenir booklet

On Election Day, Democrats won a "glorious victory." Across the state, white voters ousted Black legislators, sheriffs, county commissioners, and city aldermen. When Democratic officials were inaugurated in Richmond County, they carried Morrison from room to room in the courthouse and "made him speak from a table in every office." State party chairman Furnifold Simmons also traveled to Richmond County for a banquet in Morrison's honor. "When the history of the movement for white supremacy came to be written," he declared, "no man would be given greater credit for the victory than Cameron Morrison." Local voters agreed. In 1900, they rewarded Morrison by electing him to the state senate.⁹

With the reins of government firmly in hand, Democrats worked to end the prospects for biracial politics once and for all. They crafted an amendment to the state constitution that disenfranchised Black men by making the right to register to vote contingent on a literacy test.

They also passed the state's first segregation law, which required that railroads provide separate carriages for Black and white travelers. These were the foundation stones of a regime of law and custom that would become known as Jim Crow. The human toll of that regime is incalculable. For more than half a century, Jim Crow burdened Black North Carolinians with

Observer (Raleigh, N.C.). On the Red Shirts generally, see H. Leon Prather Sr., "The Red Shirt Movement in North Carolina, 1898-1900," *Journal of Negro History* 62 (April 1977), 174-84.

⁸ West, "Race War in North Carolina," 587. In the 1900 election, Kitchin warned Blacks' white allies in Halifax County, "If a [white] man takes [the side of] negro equality in Halifax, the worms must eat his body, and we will not [murder him] at night. We will do it in open daylight." See "A Thousand Men in Red Shirts," *The Times* (Richmond, Va.), July 27, 1900.

⁹ Clarkson, "A Biographical Sketch of Cameron Morrison," xxiii.

poverty, sickness, hunger, and the ever-present threat of violent death. Its cruelties persist to this day.¹⁰

Morrison withdrew from electoral politics after serving a single term as state senator. He did not run again until 1920, when he made a bid for the governor's office. In that campaign, he put his credentials as a former Red Shirt front and center. A newspaper reporter noted Morrison's reply when his Republican opponent charged that he had acted as "a lawless citizen in the nineties" and was thus unfit to be governor. "'It is true that I wore a Red Shirt then,'" Morrison exclaimed. "A great wave of cheers met his declaration, and he continued. 'I wore it to help roll back the black clouds of negroism and threw protection around the white womanhood of North Carolina,' he continued, and the packed house raised the roof."¹¹

On the basis of that record, Morrison argued that white North Carolinians owed him for saving the state from what he and fellow Democrats had called "negro domination." Campaign advertisements and broadsides laid out the argument. "Does North Carolina reward her servants?" they asked. Morrison had fought "for the cause of white supremacy" alongside some of North Carolina's "greatest leaders," and all of those men had gotten their due by being elected to high office. Now, it was Morrison's turn. The "time [had] come" for grateful voters to "pay their debt" by making him governor. For good measure, the campaign materials added that Morrison had also opposed woman suffrage, and despite ratification of the Nineteenth Amendment, stood ready to "safeguard the State against negro women voters." Such was Morrison's pitch to "make North Carolina safe for democracy."¹²

¹⁰ Helen G. Edmonds, *The Negro and Fusion Politics in North Carolina, 1894-1901* (New York: Russell and Russell, 1951), 189-214. 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 white men who sought to register before December 1, 1908 and were lineal descendants of male citizens who were entitled to vote before January 1, 1867. The latter date was significant because the Military Reconstruction Act of 1867 had given Black men a limited right to vote in the election of delegates to constitutional conventions in North Carolina and the other former Confederate states (except Tennessee, which had been readmitted to the Union in 1866). Before that date, no Black men had been entitled to vote in North Carolina. The state legislature had stripped them of that right by constitutional amendment in 1835. 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. The literacy test, though no longer enforced, is still required by North Carolina's state constitution; see Article VI, sec. 4, <http://bit.ly/3kxYO52>.

¹¹ "Morrison Closes Speaking Tour in Mountain Towns," *News and Observer* (Raleigh, N.C.), October 12, 1920; "Mountain People Endorse Morrison's Red Shirt Record," *Union Herald* (Raleigh, N.C.), October 14, 1920.

¹² Morrison campaign advertisements, *Charlotte News*, June 3, 1920, and *The Independent* (Elizabeth City, N.C.) June 4, 1920. For more on Morrison's opposition to woman suffrage, see Rob Christensen, *The Paradox of Tar Heel Politics: Personalities, Elections, and Events that Shaped North Carolina* (Chapel Hill: University of North Carolina Press, 2008), 49-50. A Morrison leaflet circulated in eastern North Carolina read, "The Susan B. Anthony Woman's Suffrage Amendment confers the right to vote on the Negro women as well as the white women. Those

DOES NORTH CAROLINA REWARD HER SERVANTS?

**Cameron Morrison Fought a Glorious Fight For the Cause of White
Supremacy in North Carolina in 1898-1900 in Company With a
Number of the State's Greatest Leaders and Statesmen**

THE STATE HAS SHOWN ITS GRATITUDE BY GIVING TO A NUMBER OF THESE CONSPICUOUS LEADERS THE HIGHEST OFFICES IN THE GIFT OF THE STATE.

AYCOCK ----- Governor
SIMMONS ----- U. S. Senate
OVERMAN ----- U. S. Senate
GLENN ----- Governor
KITCHIN U. S. Congressman & Gov.
CRAIG ----- Governor
PAGE ----- U. S. Congressman, 14 yrs.
MORRISON The Thanks of the People

Even some of the younger group of Democratic leaders have been generously rewarded by continuance in high office.

NORTH CAROLINIANS ARE NOT UNGRATEFUL, AND THE TIME HAS COME WHEN THEY WILL PAY THEIR DEBT to the STATESMAN OF 28 YEARS VALIANT SERVICE TO THE DEMOCRATIC PARTY OF THE STATE. PUBLIC OPINION IS MOVING LIKE A TIDE IN SUPPORT OF **CAMERON MORRISON**, AND FOR THE FOLLOWING REASONS IT CANNOT BE SWEEPED BACK:

As a clear thinker on Public questions, he is without a superior in North Carolina.
As an Orator he probably has no equal since Aycock.
As a bold champion of what he believes to be right, regardless of consequences to himself, he is unsurpassed.
He has been one of the guiding hands in framing the policies of the Democratic party in North Carolina, which have brought us such marvelous prosperity.
You can always tell where Morrison stands on every public question.
For more than twenty years he has devoted himself to public affairs and to upbuilding North Carolina, without asking for political office.
Morrison has given more time and thought to public questions than any other man of his age in the State.
Morrison is a candidate for Governor in response to the demand of thousands of the solid and clear-headed farmers and business men, who realize that the times demand a strong man.
He was originally opposed to Woman Suffrage, and his record in the White Supremacy campaign is sufficient guarantee that he will safeguard the State against negro women voters.
He has declared himself in favor of keeping down taxes and Constitutional Amendments to that end.
He is in favor of a wise revision of the Revaluation Act.
He has declared himself in favor of universal education and better pay for Teachers.
Morrison has declared for a scientific system of good roads to connect the various parts of the State.
Morrison is heartily in favor of local self-government for towns, cities, and counties.
He is opposed to class legislation of all sorts.
Morrison's record shows that he is free from all control by special interests.
He is opposed to Socialism in all forms, and to the socialization of business by whatever name called.
He has given years of thought to the development of country life, and one of his great aims will be the improvement of rural conditions.
He is a wise, generous, experienced Democrat, qualified in every way for the great office of Governor.
His friends are rallying to him by the thousands. His manager's office is besieged every day with requests for him to speak. He is growing stronger every hour. If nominated, as he will be, he will meet his Republican opponent, and no Democrat need fear the result.

VOTE FOR MORRISON AND MAKE NORTH CAROLINA SAFE FOR DEMOCRACY

The Independent (Elizabeth City, N.C.) June 4, 1920

These appeals to white racism worked. Morrison won the Democratic Party's nomination and went on to defeat his Republican opponent.

As governor, Morrison promoted an expansive program of public investment in economic development. It included a \$50 million bond issue for building new farm-to-market roads in rural areas of the state, a near-doubling of the budget for public education, and a \$20 million bond issue for construction of new classroom buildings and dormitories at the University of North Carolina. The higher education bond was, at the time, the largest infusion of public funds UNC had received since its founding. In 1922, the university's trustees expressed their gratitude by awarding Morrison – who had never attended college – an honorary L.L.D. degree.¹³

who favor woman suffrage vote for [O. Max] Gardner (Morrison's leading opponent in the Democratic primary election). Those who are opposed to woman suffrage vote for Morrison."

¹³ Christensen, *Paradox of Tar Heel Politics*, 51-55; Louis R. Wilson, *The University of North Carolina, 1900-1930: The Making of a Modern University* (Chapel Hill: University of North Carolina Press, 1957), 333-34; "Honorary Degrees Conferred," *Alumni Review* (University of North Carolina) 10 (June 1922), 255.



Governor Cameron Morrison on his inauguration day, 1921
North Carolina Museum of History, Raleigh, N.C.

The former Red Shirt tempered his youthful enthusiasm for violence. As governor, he denounced lynching and routinely sent the state militia to quell unrest that threatened to develop into vigilante justice. In 1921, he also convened a meeting of Black and white civic leaders who subsequently founded the state's chapter of the Commission on Interracial Cooperation. The commission had been organized in Atlanta two years earlier as a response to the white violence that greeted Black veterans when they returned from World War I. Its purpose was not so much to dismantle Jim Crow as to manage its excesses, to create, as historian Charles Pilkington has observed, a "more humane and efficient system of segregation."¹⁴

How can we square such seemingly progressive policies with the noxious racism that animated Morrison's early career? He and others of his generation would have been perplexed by that question, because for them, there was no contradiction between the two, no paradox in

¹⁴ William H. Richardson, "No More Lynchings! How North Carolina has Solved the Problem," *The American Review of Reviews* 69 (April 1924), 401-04; McGruder, "Cameron Morrison"; Charles Kirk Pilkington, "The Trials of Brotherhood: The Founding of the Commission on Interracial Cooperation," *Georgia Historical Quarterly* 69 (Spring 1985), 56.

their politics. The difference was simply one of ways and means. They believed that in the late 1890s, "bloodshed and rioting" had been necessary to remove Black men from politics and establish the "peace . . . and good order" required for the state to advance economically. As the *Charlotte Observer* explained, "the businessmen of the state [had been] largely responsible" for the white supremacy campaign. "Not before in years have the bank men, the mill men, and the businessmen in general – the backbone of the property interests of the state – taken such interest. They worked from start to finish, and furthermore they spent large bits of money in behalf of the cause." But maintaining what one of Morrison's contemporaries called "permanent white supremacy" was another task altogether. It required a more flexible and adroit racial policy – one that held violence in check and promoted interracial "understanding" so long as Blacks lived within the bounds of second-class citizenship. Throughout much of the twentieth century, this was the North Carolina way: white supremacy that masqueraded as civility and softened its blow with a velvet glove.¹⁵

Morrison never expressed regret or remorse for leading the turn-of-the-century white supremacy campaign, or for perpetuating Jim Crow's crimes against humanity. Neither did his admirers. When Morrison died in 1953, the *Raleigh News and Observer* titled his obituary "A Fearless Warrior" and opened its account of his life with a nod to the racism that defined his political career. "Cameron Morrison first attracted statewide attention as a leader in the White Supremacy campaign of 1898," the obituary recalled, "in which Democrats organized Red Shirt riders, of whom Morrison was one of the best known." The *Charlotte Observer* struck a similar note. A front-page story praised Morrison as a "veteran war horse of the Democratic Party," whose "half-century of vigorous leadership" had begun "with the Red Shirt campaign." The best either paper could do by way of acknowledging the moral bankruptcy of Morrison's political career was to concede that he had "lived long enough" to be regarded by some as "behind the times."¹⁶

That was an apt characterization. Late in life, Morrison had stood firm in his commitment to Jim Crow. At the 1948 Democratic National Convention, he and other white southerners objected to their party's embrace of Black civil rights and the nomination of Harry Truman for a second term as president. They especially resented Truman's appointment of a special Committee on Civil Rights, which in 1947 had called for the immediate "elimination of segregation . . . from American life." Thirty-five southern delegates walked out of the convention and threw their support to the break-away States' Rights Democratic Party, which nominated South Carolina governor and arch-segregationist Strom Thurmond for president. Morrison and the others who stayed behind were no less determined to oppose equal

¹⁵ Robert W. Winston, *It's a Far Cry* (New York: Henry Holt and Company, 1937), 238; R. D. W. Connor and Clarence Poe, eds., *The Life and Speeches of Charles Brantley Aycock* (New York: Doubleday, Page and Company, 1912), 225, 261; Christensen, *Paradox of Tar Heel Politics*, 32; "Post-Election Reflections," *Charlotte Observer*, November 17, 1898. On the code of civility that defined the "North Carolina way," see William H. Chafe, *Civilities and Civil Rights: Greensboro, North Carolina, and the Black Struggle for Freedom* (New York: Oxford University Press, 1980), 8-10.

¹⁶ "A Fearless Warrior," *News and Observer* (Raleigh, N.C.), August 21, 1953; "Cameron Morrison, Political Patriarch of N.C., is Dead," *Charlotte Observer*, August 21, 1953.

citizenship for Blacks; they differed from the firebrands only on the question of how best to achieve that objective. As historian Glenn Feldman has observed, "Cameron Morrison urged southern Democrats to persevere and remain loyal." "Let's step under the Democratic flag and help elect [Truman]," Morrison advised. "Then, we'll let our Congressmen and Senators beat him down when he needs beating."¹⁷

In 1964, when UNC's Board of Trustees named a new high-rise residence hall for Morrison, state leaders were working harder than ever to beat back demands for equal citizenship. The General Assembly had passed the Speaker Ban Act in June 1963. The letter of the law forbade the appearance of known communists on public college campuses across the state, but its backers announced publicly that its broader purpose was to silence student opposition to Jim Crow. Then, later that year, the Congress of Racial Equality, a national civil rights organization led locally by UNC law school alumnus Floyd McKissick, targeted Chapel Hill with an intensified sit-in movement. For months, high school and university students marched down Franklin Street and protested outside of businesses that refused to serve Black customers. They hoped that the university and the town – "symbol[s] of an enlightened South" – would "show . . . the way" toward racial justice, but that did not happen. Instead, local officials brought two hundred and seventeen protesters, most of them students, to trial on nearly fifteen hundred separate indictments. The presiding judge lectured the defendants on responsible behavior, criticized them as dupes of an "international [communist] conspiracy that [was] threatening to destroy America," and then dismissed charges for all but twelve. He gave that remaining group suspended sentences of two to five years and ordered them not to participate in future demonstrations. The campus newspaper denounced the judge's handling of the case as the imposition of "Mississippi Law."¹⁸

Perhaps the timing of these events was simply coincidental. But Cameron Morrison was not the only veteran of the turn-of-the-century white supremacy campaigns to be memorialized at the height of Black North Carolinians' struggle for freedom and equality. In 1967, the trustees named a new Student Stores building for one of Morrison's closest political allies: Josephus Daniels, editor and publisher of the *Raleigh News and Observer*, which between 1898 and 1900 had been the Democratic Party's chief propaganda outlet. Surely, university officials knew where the two men had stood on issues of racial justice and equal citizenship; their records

¹⁷ President's Committee on Civil Rights, *To Secure These Rights: The Report on the President's Committee on Civil Rights* (Washington, D.C.: Government Printing Office, 1947), 166; Glenn Feldman, *The Great Melding: War, the Dixiecrat Rebellion, and the Southern Model for America's New Conservatism* (Tuscaloosa: University of Alabama Press, 2015), 235, 261; "Delegates Given Free Rein at Democratic Convention," *News and Observer* (Raleigh, N.C.), May 21, 1948.

¹⁸ 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), 74-76; John Ehle, *The Free Men* (New York: Harper and Row, 1965), 262-84; Jennifer Anne Edwards, "The Quest for Civil Rights in Chapel Hill, North Carolina," (Senior honors thesis, Department of History, University of North Carolina at Chapel Hill, 1989), 54; "Mississippi Law Comes to Hillsboro," *Daily Tar Heel*, April 24, 1964.

were common knowledge to anyone who paid attention to North Carolina politics. We are left to wonder, what were campus leaders thinking?¹⁹

On September 25, 2020, the Board of Trustees at North Carolina Agricultural and Technical State University (an historically Black institution in the University of North Carolina system) removed Cameron Morrison's name from a campus residence hall. A month later, the Charlotte Mecklenburg Library Board of Trustees followed suit by removing his name from a branch facility in south Charlotte.²⁰

UNC Commission on History, Race, and a Way Forward

¹⁹ On the Daniels naming, see report of the Committee on Memorials and Naming Buildings, October 6, 1967, Board of Trustees minutes, vol. 11, 73, series 1, 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.

²⁰ "N.C. A & T Removes Names Tied to White Supremacy from Two Campus Buildings," *News and Record* (Greensboro, N.C.), September 25, 2020; "Library Removes Name of a White Supremacist from Branch," *News and Observer* (Raleigh, N.C.), October 21, 2020.

Pettigrew Hall

In 1912, the Board of Trustees of the University of North Carolina named this section of a three-part dormitory building to honor James Johnston Pettigrew. Pettigrew graduated from UNC in 1847, made his career as a lawyer and state legislator in South Carolina, rose to the rank of brigadier general in the Confederate army, and died in 1863 at the Battle of Gettysburg. Over the course of his lifetime, Pettigrew made no significant contribution to the work of the university.¹

The other two sections were named for Kemp P. Battle, class of 1849, and Zebulon B. Vance. Battle was a signatory of North Carolina's ordinance of secession from the United States of America, and, as a leader in the university, opposed principles of equal citizenship for Blacks. Vance served two terms as governor during the Civil War, and a third term in the late 1870s, the time of North Carolina's so-called redemption from Reconstruction. He attended the university in 1851 to read law with Battle's father, Judge William H. Battle.²

Nine months after the dormitories opened, the university dedicated a Confederate monument opposite them in McCorkle Place.³ The four structures created a Confederate memorial space at the north end of campus and stood as a statement of the university's allegiance to Confederate principles: white supremacy and Black subjugation.

Pettigrew:

- Enriched himself from the plundered labor of enslaved Black men, women, and children
- Took up arms to defend and preserve the institution of racial slavery, and to affirm the inalienable right of any "one man" to enslave and profit from "the unwilling labor of another"

¹ "Opening Session of University," *Tar Heel*, September 18, 1912; "The New Dormitories," *Alumni Review* 1 (December 1912), 55-56; minutes, January 28, 1913, oversize volume 11, Board of Trustees of the University of North Carolina Records, 1789-1932, #40001, University Archives, Wilson Library, University of North Carolina at Chapel Hill; Clyde [N.] Wilson, "James Johnston Pettigrew," in William S. Powell, ed., vol. 5, *Dictionary of North Carolina Biography* (Chapel Hill: University of North Carolina Press, 1994), 77-79. In 1908, the university purchased land at the northwest corner of campus, with plans to demolish the hotel that was located there and to replace it with the three new dormitories. Work on the project was recorded in the Board of Trustees volume above, minutes for January 22, May 31, and October 26, 1909; February 3 and 9, 1910; February 2 and 24, and June 3, 1912.

² W. Conrad Gass, "Kemp Plummer Battle," in William S. Powell, ed., vol. 1, *Dictionary of North Carolina Biography* (Chapel Hill: University of North Carolina Press, 1979), 114-15; John G. Barrett, "Zebulon Baird Vance," in William S. Powell, ed., *Dictionary of North Carolina Biography*, vol. 6 (Chapel Hill: University of North Carolina Press, 1996), 85-87.

³ James Leloudis and Cecelia Moore, "Silent Sam" digital exhibit, <https://silentsam.online>.

- **Committed treason by serving as a general officer in the southern Confederacy's war to dissolve the American republic and spread slavery across the North American continent**

James Johnston Pettigrew (known as Johnston by friends and family) was born in 1828, one of five surviving children in the household of Ebenezer and Ann Blount Shepard Pettigrew. The Pettigrews ranked as one of North Carolina's wealthiest slaveholding families. At the time of his death in 1848, Ebenezer owned three large plantations – Bonarva and Magnolia in Tyrrell County, and Belgrade in neighboring Washington County – where he enslaved upwards of 150 Black man, women, and children. Those bound laborers produced corn, rice, and wheat; they salted fish and cut giant cypress trees into dressed timber and shingles – all of which the Pettigrews shipped to merchants up and down the East Coast, from New York to Charleston. Much of that trade moved along a canal that connected Lake Phelps in Tyrrell County to the Scuppernong River, and from there opened into the Albemarle Sound and coastal waterways. The canal had been dug in the late 1780s by captives brought directly from West Africa aboard the *Jennett* and the *Camden*, slave ships commissioned by a group of Edenton merchants for that express purpose. Few of the 160 slaves who landed in Edenton survived to produce descendants. Some drowned in a failed attempt to escape; most of the others died of overwork and the diseases that preyed on human life in the swamplands of eastern North Carolina.⁴

Johnston Pettigrew received his early education from private tutors and at William J. Bingham's academy in Hillsborough. He enrolled at the University of North Carolina in 1843, shortly after his fifteenth birthday, and graduated four years later at the top of his class. Over the course of his later life, Johnston distinguished himself as an amateur scholar. He read Latin and ancient Greek, skills required of all university students; possessed exceptional talent in mathematics; studied music and earned a diploma in civil law in Berlin; mastered four modern European languages, as well as Arabic and Hebrew; and undertook original research for a book he hoped to write on the history of the Moors in North Africa and Iberia.⁵

After earning his A.B. degree, Johnston had no interest in returning to the rural isolation of Tyrrell and Washington Counties. He worked briefly as an astronomer and chart maker at the U.S. Naval Observatory in Annapolis, Maryland, thanks to an appointment arranged by President James K. Polk, a fellow UNC graduate, class of 1818. But the job was tedious and confining, factors that encouraged Johnston to turn his attention to studying the law under the tutelage of a family acquaintance who practiced in Baltimore.⁶ Then, in the summer of 1848,

⁴ Wilson, "James Johnston Pettigrew"; Clyde N. Wilson, *Carolina Cavalier: The Life and Mind of James Johnston Pettigrew* (Rockford, Illinois: Chronicles Press, 2002), 1-5; Ebenezer Pettigrew, Find a Grave, <https://bit.ly/3bcDSyS>; Wayne K. Durrill, "Slavery, Kinship, and Dominance: The Black Community at Somerset Place Plantation, 1786-1960," *Slavery and Abolition* 13 (Issue 2), 3-4. The number of slaves owned by Ebenezer Pettigrew is based on the holdings of his sons William and Charles as recorded in the next federal census after the property transfer. See 1850 Federal Census, Slave Schedules, Tyrrell and Washington Counties, North Carolina, Ancestry.com.

⁵ Wilson, "James Johnston Pettigrew"; Wilson, *Carolina Cavalier*, 38-40, 209.

⁶ Through the end of the nineteenth century, the overwhelming majority of lawyers trained by apprenticing themselves to practicing attorneys. A movement to teach law as an academic subject did not begin in

Ebenezer Pettigrew died. Shortly before his death, he had deeded Bonarva plantation and its enslaved work force to his eldest son, Charles, and under the terms of his will, second son William now inherited Belgrade and Magnolia plantations, together with the nearly one hundred souls held in bondage there. To provide for Johnston, Ebenezer instructed William to set aside a \$15,000 legacy – the rough equivalent of \$500,000 today – payable, with interest, over a period of five or more years.⁷

The stolen labor of Black slaves had made Ebenezer Pettigrew a wealthy man, and now it gave his third son the means to follow ambition wherever it might lead. This would not be the only time that Johnston profited from such theft. A decade later, James C. Johnston, the family friend for whom young Pettigrew was named, gave him a gift of \$50,000, the equivalent of just under \$1.6 million today. Johnston the benefactor could afford to be generous. At the time of the gift, he owned 12,000 acres of land and 555 slaves in Halifax, Chowan, and Pasquotank Counties. There is no evidence that Pettigrew ever expressed remorse for the fact that his financial independence and personal liberty were rooted in an organized system of exploitation that visited violence and death upon millions of fellow human beings. Throughout his life, he denied that racial slavery was, in his words, an instrument of "plunder." As a matter of "Divine will" and natural law, he insisted, any "one man" had the inalienable right to enslave and profit from "the unwilling labor of another."⁸

In 1849, Pettigrew moved to Charleston, South Carolina, to complete his legal studies with jurist James Louis Pettigru, his first cousin once removed. He quickly won admission to the South Carolina bar, and in early 1850 departed for a grand tour of Europe, financed largely by his North Carolina namesake and patron. The expedition stretched across more than two and a half years, during which time Pettigrew drew inspiration from nationalist movements across the continent that seemed to mirror the secessionist politics of "fire-eaters" back home who pressed for southern independence and dissolution of the American republic. As a modern biographer has observed, "the perspective acquired by his sojourn in Europe intensified Pettigrew's identity as a southerner. From Europe it became more forcefully apparent that America was made up of two uncongenial nations." During the 1850s, as debate over the westward expansion of slavery intensified, this conviction became the defining principle of Pettigrew's politics. It ultimately prepared him to forswear his allegiance to the United States and to take up arms to establish a slaveholders' republic – what Pettigrew called "a [southern]

earnest until the founding of the American Bar Association in 1878, and university-based law schools did not fully displace the apprenticeship model until the 1930s and 40s. See Robert Stevens, *Law School: Legal Education in America from the 1850s to the 1980s* (Chapel Hill: University of North Carolina Press, 1983).

⁷ Wilson, *Carolina Cavalier*, 19-29

⁸ Ibid., 80-81; Martha M. Smith, "James Cathcart Johnston," in William S. Powell, ed., vol. 3, *Dictionary of North Carolina Biography* (Chapel Hill: University of North Carolina Press, 1988), 303; *Report of the Minority of the Special Committee of Seven, to Whom Was Reported So Much of Gov. Adams' Message, No. 1, as Relates to Slavery and the Slave Trade* (Charleston: Harper and Calvo, 1858), 8-9.

Nation among Nations,"⁹ founded upon the principle that all men were *not* created equal and that white men possessed an irrefutable right to rule.⁹

Pettigrew returned to Charleston in late 1852, joined James Petigru's law firm, and was soon litigating cases in both state and federal courts. That work introduced him to influential power brokers, who in 1856 backed his election to the South Carolina legislature. Pettigrew also threw himself into preparations for a civil war that he believed was inevitable. He joined the Washington Light Infantry, a Charleston militia company; assembled a library of books on military tactics and engineering; and, along with his duties as a lawmaker, accepted appointment as Governor Robert F. W. Allston's aide-de-camp, a position that carried the rank of lieutenant colonel in the state militia. In 1859, Pettigrew made a short return visit to Europe, where hoped to translate book learning into practical military skills by joining Sardinian forces in their battle against Austria in the Second War of Italian Unification. That plan was undone by an armistice signed on the day after his arrival, but all was not lost. Peace in Italy afforded Pettigrew time to visit Paris, a city he described as "the metropolis of war." There, he studied the training of professional soldiers and conferred with French officers on matters of military organization, discipline, and logistics.¹⁰

Upon his return to Charleston, Pettigrew distilled all that he had learned into a comprehensive proposal to transform the South Carolina militia into a modern fighting force. He also took on the tasks of drilling new volunteer troops and fortifying Charleston against attack from the sea. Pettigrew attended to these duties until April 1861, when southern bombardment of Fort Sumter, a federal outpost in Charleston harbor, initiated a war-in-earnest between the United States and the insurgent Confederate States of America.¹¹

With fighting finally to hand, Pettigrew volunteered his services to his home state of North Carolina. In July 1861, he took command of just under one thousand men in the Twenty-

⁹ Wilson, *Carolina Cavalier*, 27-63, 109-11. On Pettigrew's interest in European nationalist movements, see Paul Quigley, *Shifting Grounds: Nationalism and the American South, 1848-1865* (New York: Oxford University Press, 2012), 28-30. James Petigru, unlike his young protégé, was a Unionist who opposed Nullification in 1832-1833 and South Carolina's secession in December 1860. See William H. Pease and Jane H. Pease, *James Louis Petigru: Southern Conservative, Southern Dissenter* (Athens: University of Georgia Press, 1995).

¹⁰ Wilson, *Carolina Cavalier*, 71-72, 91-92, 98-111, 116-21. Pettigrew attracted national attention in the late 1850s as the author of a report that argued against calls from some prominent South Carolinians to reopen the transatlantic slave trade. He took that position because he viewed the proposal as a threat to slaveholders' economic and political interests no less dangerous than northern abolitionists' "diseased sentimentalism." Pettigrew contended that renewing the slave trade would create a glut in the domestic market for bound labor and significantly deflate the wealth of slave barons throughout the South. By his estimation, slaveholders in South Carolina alone stood to lose a minimum of \$56 million in net worth (approximately \$1.8 billion today). Pettigrew also reasoned that cheaper slaves would reduce the cost of producing cotton, and, in turn, lower the price that American and British manufacturers would be willing to pay for the South's most valuable crop. Added to that, there was the heightened risk of insurrection associated with the importation of "raw Africans," newly stolen from their homes, "unruly, discontented," and not yet "educated to obedience" and "peaceful submission." The report was persuasive enough that the question of resuming the transatlantic trade was dropped from the legislative agenda. See *Report of the Minority of the Special Committee of Seven*.

¹¹ Wilson, *Carolina Cavalier*, 117-45.

Second North Carolina Regiment; eight months later, the Confederate War Department promoted him to the rank of brigadier general.

Pettigrew's experience on the battlefield was a gift to hagiographers – particularly latter-day authors of the Lost Cause – who enshrined him in the pantheon of Confederate heroes. In 1862, at the Battle of Seven Pines, Pettigrew suffered a near-fatal wound to his neck and right shoulder. While recovering from that injury, he was shot again, this time in the left arm, bayoneted in the leg, captured by Union soldiers, and confined in a Federal prison.



James Johnston Pettigrew
Courtesy of the North Carolina Collection,
Wilson Library, University of North
Carolina at Chapel Hill

Authorities in Washington eventually ordered Pettigrew's release in a prisoner exchange. Restored to his command, he spent the better part of a year in southeastern Virginia and northeastern North Carolina, skirmishing with Union troops who had captured a broad swath of territory that stretched from Suffolk to New Bern. Then, in July 1863, he met his apotheosis at Gettysburg. Pettigrew commanded one of three divisions in the assault on Union forces that came to be known as Pickett's Charge. In its own time, the attack was judged to be "a great military blunder." Confederate losses were staggering. Of the roughly 4,350 infantrymen under Pettigrew's command, an estimated 2,700 were killed, wounded, or taken prisoner. Pettigrew suffered only a minor hand wound in the primary engagement, but in the subsequent retreat, on July 14 at the Battle of Falling Waters, a Union soldier shot him through the abdomen. He died of peritonitis three days later. Pettigrew's body was returned to Raleigh for

a funeral on the Capitol grounds. He was buried in a city cemetery, and at the end of the war, reinterred at Bonarva in Tyrrell County.¹²

Pettigrew's military service amounted to treason, which the Constitution defines as the act of "levying War against [the United States]" or giving "Aid and Comfort" to the nation's enemies. The gravity of his offense is underscored by the fact that he acted not as a conscript

¹² Wilson, *Carolina Cavalier*, 147-53, 159-60, 164-69, 195-204. Quotation from Robert Garlick Hill Kean, chief of the Confederate Bureau of War, in Gary W. Gallagher, *Lee and His Generals in War and Memory* (Baton Rouge: Louisiana State University Press, 1998), 49. Pickett's Charge was named for Major-General George E. Pickett, who along with Pettigrew and Major-General Richard H. Anderson, led the assault. On Pettigrew's losses, see Earl J. Hess, *Pickett's Charge: The Last Attack at Gettysburg* (Chapel Hill: University of North Carolina Press, 2001), 333-34. A significant number of the wounded men were also captured. As Hess notes, historians must estimate Pettigrew's losses in the assault because official records for his division only reported totals for the entire battle at Gettysburg and did not disaggregate them by engagement.

under duress, or even as an ordinary soldier, but rather as a general officer with decisive authority over the prosecution of war.¹³

This, of course, is not how Pettigrew has been remembered. In the late nineteenth and early twentieth centuries, his story became an anchor point in white North Carolinians' "Rebel Boast": "First [to die] at Bethel, Farthest to the Front at Gettysburg, and Last at Appomattox." To this day, that declaration shapes popular memory of the Civil War, and in some cases, scholarly treatments as well. It originated in the Lost Cause mythology fabricated in the late nineteenth and early twentieth centuries by the United Daughters of the Confederacy (UDC) and the United Confederate Veterans. In their telling of the past, the southern nation was not born of treasonous insurrection, but arose instead to defend the sacred principles of liberty on which the American republic had been founded. The white South fought not to preserve and expand the geographic reach of racial slavery, but to protect hearth and home from invasion.¹⁴

In 1920, Walter Clark, chief justice of the North Carolina Supreme Court and himself a Confederate veteran, gave voice to this myth in the eulogy he delivered at the dedication of a memorial to Pettigrew erected near Falling Waters, West Virginia, where the general died. Clark presided over the occasion at the invitation of the North Carolina Historical Commission (a state agency appointed by the governor) and the UDC. He placed Pettigrew in the company of ancient Athenian warriors who, badly outnumbered, repulsed a Persian invasion on the plain of Marathon in 490 BCE. He compared the Confederate general's selfless sacrifice to that of French soldiers on the World War I battlefield at Verdun, and he imbued Pettigrew with qualities of the Divine, quoting the Gospel of John: "Greater love hath no man than this, that a man lay down his life for his friends." Above all else, Clark exclaimed, Pettigrew was an American patriot who, like the Revolutionary forefathers at Bunker Hill, Saratoga, and Yorktown, died in service to "duty" and "country."¹⁵

We might ask, what country was that, the United States, or the Confederate States of America? The very purpose of Lost Cause mythology was to elide that question, and in doing so, to wash away the sinfulness of a war undertaken to perpetuate the enslavement of four million

¹³ U.S. Constitution, Article 3, Section 3.

¹⁴ Walter Clark, ed., *Histories of the Several Regiments and Battalions of North Carolina in the Great War, 1861-1865*, vol. 1 (Raleigh: E. M. Uzzell, 1901), 3; Manly Wade Wellman, *Rebel Boast: First at Bethel – Last at Appomattox* (New York: Henry Holt and Co., 1956). On the Lost Cause, see Karen L. Cox, *Dixie's Daughters: The United Daughters of the Confederacy and the Preservation of Confederate Culture* (Gainesville: University Press of Florida, 2003); Adam H. Domby, *False Cause: Fraud, Fabrication, and White Supremacy in Confederate Memory* (Charlottesville: University of Virginia Press, 2020).

¹⁵ "Gen. James Johnston Pettigrew, C.S.A., Address by Chief Justice Walter Clark of North Carolina at the Unveiling of the Memorial Marble Pillar and Tablet to General Pettigrew Near Bunker Hill, W. Va., September 17, 1920," *North Carolina Booklet* 20 (Nos. 2-4, October 1919, January-April 1921), 171-80. Walter Clark was an outspoken proponent of Lost Cause ideology and the white supremacist principles at its heart. In 1907, at the dedication of the Confederate monument in Chatham County, he charged that the Fourteenth Amendment, ratified in 1868, violated the sovereign "people's will" and was adopted illegally. He urged his audience to oppose that injustice and honor the Confederate dead by taking up "the cross-barred emblem of our fiery Southern faith." The Fourteenth Amendment granted birthright citizenship to former slaves and guarantees every citizen "equal protection of the laws." See "Judge Clark's Speech," *Chatham Record* (Pittsboro, N.C.), August 29, 1907.

Black souls. The country Walter Clark and his audience had in mind was a Jim Crow nation, its sectional differences reconciled on the basis of white brotherhood and the assumed right of white men to rule all others. As historian David Blight has observed, this "peace among whites" – a phrase borrowed from abolitionist and statesman Frederick Douglass – was built upon the "resubjugation" of people the Civil War had freed from chattel bondage.¹⁶

The trustees who named a new residence hall for Pettigrew were steeped in these Confederate values and historical falsehoods. They bestowed the honor in 1912, a year before they celebrated the dedication of UNC's Confederate monument. Both acts aligned the university with principles of white supremacy and positioned it as a bulwark against democracy and equal citizenship. That was an indefensible choice in its own time, and to let it stand today is unbecoming an institution that aspires to lead and serve as the "people's university."

The U.S. military is wrestling with a similar contradiction between its core values and the Jim Crow legacy of ten bases named for Confederate generals, all located in former Confederate states. The list includes Fort Bragg in Fayetteville, which Congress named in 1918 to honor Major-General Braxton Bragg, a native of Warren County

In recent years, civil rights activists, politicians, and military officials have called for the removal of Bragg's name, along with those of his compatriots. Testifying in July 2020 before the House Armed Services Committee, General Mark A. Milley, chairman of the Joint Chiefs of Staff, explained the petitioners' concern. "Those generals fought for the institution of slavery," he said. "So, we have to take a hard look at the symbols, like the Confederate flag, statues, and bases. The Confederacy, the American Civil War, was fought as an act of rebellion. It was an act of treason at the time, against the Union, against the Stars and Stripes, against the U.S. Constitution." Milley advised members of Congress that the Confederate base names had become a significant source of "divisiveness" within the ranks and posed a direct threat to the military's preparedness to defend the nation. Secretary of Defense Mark T. Esper, testifying alongside Milley, agreed. "Racism, bias, and prejudice have no place in our military," he declared, "not only because they are immoral and unjust, but also because they degrade the morale, cohesion, and readiness of our force." Lawmakers – Republican and Democrat alike – took that counsel to heart. In December 2020, they passed the National Defense Authorization Act, which established a process for removing from Department of Defense property all names "that commemorate the Confederate States of America or any person who served voluntarily with the Confederate States of America."¹⁷

¹⁶ David W. Blight, *Race and Reunion: The Civil War in American Memory* (Cambridge: Harvard University Press, 2001), 3, 397.

¹⁷ "Milley Calls for 'Hard Look' at Renaming Bases Honoring Confederates," *New York Times*, July 9, 2020; "Secretary of Defense Mark T. Esper, Statement for the Record (as Prepared) to the HSAC on Hearing on DOD Authorities and Roles Related to Civilian Law Enforcement," U.S. Department of Defense, July 9, 2020, <http://bit.ly/2Xom4bA>; National Defense Authorization Act for Fiscal Year 2021, Pub. L. 116-283, Title III, Section E., gov.info, <http://bit.ly/2JYgPwg>. The other bases are Fort Benning (1917), named for Henry L. Benning; Fort Lee (1917), named for Robert E. Lee; Fort Gordon (1917), named for John B. Gordon; Camp Beauregard (1917), named for Pierre G. T. Beauregard; Fort A. P. Hill (1941), named for Ambrose P. Hill Jr.; Fort Polk (1941), named for Leonidas Polk; Fort Hood (1942), named for John Bell Hood; Fort Pickett (1942), named for George E. Pickett; and Fort Rucker (1942), named for Edmund W. Rucker.

These leaders recognized a poignant truth spoken by Reverend Fred L. Shuttlesworth, long-time head of the Southern Christian Leadership Conference and a veteran of the civil rights struggles of the 1960s: "If you don't tell it like it was, it can never be as it ought to be." In that spirit, let us move forward by telling it like it was at our university, and by removing the misguided and pernicious honor bestowed upon James Johnston Pettigrew under the reign of Jim Crow.¹⁸

In 1930, Johnston Pettigrew's nieces, Caroline and Mary Pettigrew, gave the university a large collection of family papers, now housed in the Southern Historical Collection in Wilson Library. In exchange for the gift, the university bound itself "in perpetuity to care for the Pettigrew Family Burial Ground on Bonarva Plantation in Tyrrell County." J. G. de Roulhac Hamilton, professor of history and founding director of the Southern Historical Collection, negotiated the agreement and signed it on behalf of university president Harry W. Chase and the Board of Trustees. Thirteen members of the Pettigrew family are known to be buried in the cemetery, including Johnston's grandparents, parents, and siblings. Today, the graves lie within Pettigrew State Park, established in 1939. Since the 1950s (and perhaps earlier), general upkeep has been provided by park personnel.¹⁹

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¹⁸ "David W. Blight, "'If You Don't Tell It Like It Was, It Can Never Be as It Ought to Be,'" in James Oliver Horton and Lois E. Horton, eds., *Slavery and Public History: The Tough Stuff of American Memory* (Chapel Hill: University of North Carolina Press, 2009), 33.

¹⁹ An Agreement Between the University of North Carolina and Caroline Pettigrew and Mary Johnston Pettigrew, June 2, 1930, and undated list of persons buried in the Pettigrew family cemetery, Administrative Control File for the Pettigrew Family Papers #00592, Southern Historical Collection, Wilson Library, University of North Carolina at Chapel Hill. This file contains additional correspondence that documents Hamilton's negotiations with the Pettigrew sisters. On the arrangement for general upkeep of the burial ground by state park personnel, see Documents Related to Maintenance of the Cemetery at Pettigrew State Park, North Carolina Division of Parks and Recreation Records, State Archives of North Carolina, North Carolina Digital Collections, <https://bit.ly/3bDHR0S>.

Ruffin Residence Hall

This document supplements materials that accompanied the July 10, 2020 recommendation from the Commission on History, Race, and a Way Forward that the names of Thomas Ruffin and his son, Thomas Ruffin Jr., be removed from Ruffin Residence Hall. The Board of Trustees removed Thomas Ruffin's name on July 29 but left Ruffin Jr.'s in place, pending further research.

Thomas Ruffin Jr.:

- **In a purposefully public act, advocated amnesty for Klansmen, including those who assassinated Black Republican leader Wyatt Outlaw in Alamance County and state senator John W. Stephens, a white Republican, in Caswell County**
- **In doing so, declared his allegiance to white supremacy, even when it was enforced by murder and other terrorist acts**
- **Urged pardon and forgiveness for vigilante violence, despite his sworn duty as an attorney to serve as an officer of the court and guardian of the law**
- **At no time in his later life indicated a change of heart**

As noted in the commission's prior report, Thomas Ruffin Jr. was the son of Thomas Ruffin, Chief Justice of the North Carolina Supreme Court from 1833 to 1852, and later from 1858 to 1859. The younger Ruffin graduated from the University of North Carolina in 1844; was a one-term member of the North Carolina House of Commons (1850-1851); fought for the Confederacy as a colonel in the North Carolina infantry; served as a Confederate military judge and, after the Civil War, as a state solicitor; and from 1881 to 1883 sat on the state supreme court as an associate justice. The Board of Trustees named Ruffin Residence Hall for him and for his father in 1922.

Ruffin Jr.'s peers regarded him as a capable and accomplished attorney, but he otherwise left no distinctive mark on his profession. One biographer – a contemporary and fellow Confederate veteran – noted that he was often "compared favorably with his father, the great chief justice . . . but was on the bench too short a time" to distinguish himself "as a writer of jurisprudence."¹

Ruffin Jr. had no record of service to the University of North Carolina. He appears only occasionally in Kemp P. Battle's exhaustive history of the institution: as a graduate in the bottom rank of his class, as a lawyer who helped to convict and impose a death sentence on a group of Black men and a white accomplice who were charged with burglary in Chapel Hill, and as the recipient of an honorary degree in 1881, the year of his appointment to the state supreme court. Of the nine other individuals for whom campus buildings were named in 1922, only two had not served as either a university trustee or member of the faculty: Bryan Grimes, class of 1848 and Major-General in the Confederate Army of Northern Virginia, and Willie

¹ "Thomas Ruffin Jr.," in Samuel A. Ashe, ed., *Biographical History of North Carolina, From Colonial Times to the Present*, vol. 5 (Greensboro, N.C.: Charles L. Van Noppen), 365.

Preston Mangum, a non-graduating member of the class of 1859 who was killed at the first Battle of Manassas. Willie Preston was the only son of Willie Person Mangum, who served for forty-three years as a trustee and represented North Carolina as both a U.S. Senator and member of the U.S. House of Representatives. Though the trustees left no detailed account of their reasons for naming a building for the Ruffins, it seems safe to assume that the primary intent was to celebrate the father's reputation, burnished by the accomplishments of his son.²



"The Masked Sentinel," from Albion W. Tourg  e, *Invisible Empire* (New York: Fords, Howard, and Hulbert, 1880)

Ruffin Jr. left behind no significant collection of personal or professional papers, and because he lived little of his life as a public figure, there are few clues that offer more than general insight into his thinking about Emancipation, Black citizenship, and post-Civil War efforts by men of his class to restore white rule. But one incident does stand out. It is rooted in the Ku Klux Klan's campaign of terror, which between 1868 and 1870 was most intense in Caswell County and in neighboring Alamance County, where Ruffin Jr. lived until the outbreak of violence. Both counties were sites of political assassination.

On February 26, 1870, a group of hooded nightriders lynched Wyatt Outlaw, a prominent Black official in Graham, the seat of Alamance County. Outlaw was a local leader of the Republican Party, which represented an alliance of Blacks, most of them recently emancipated from slavery, and dissenting whites, many of whom had been Union sympathizers during the Civil War. Both groups were committed to building a multiracial democracy from the ashes of the Confederacy. Mike Scott, a North Carolina attorney, told the story of Outlaw's life and horrific death in a recent open letter to county commissioners who have pledged to defend the Alamance Confederate monument against calls for its removal. The monument stands at the unmarked site of Outlaw's murder. Scott's account is worthy of quotation at length.³

² Kemp P. Battle, *History of the University of North Carolina*, vol. 1 (Raleigh: Edwards and Broughton Printing Company, 1907), 485, 812, and vol. 2 (Raleigh: Edwards and Broughton Printing Company, 1912), 150-51, 238; 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. The trustees named Mangum Hall for Willie Person Mangum, Willie Preston Mangum, and Rev. Adolphus Williamson Mangum (Willie Person's second cousin). The naming citation in the trustees' minutes describes Willie Preston Mangum incorrectly as a member of the class of 1860. He, in fact, matriculated with the class of 1859. See Battle, *History of the University of North Carolina*, vol. 1, 651, 812.

³ Mike Scott, "The Confederate Monument Standing Where the Klan Killed Wyatt Outlaw," Medium, June 5, 2020, <https://bit.ly/314j8Cs>.

*Wyatt Outlaw was the child of a slave and a slave owner. In the five years between his Union Army service and his murder, he became a small business owner, founding church trustee, school builder, community leader, police officer, and commissioner for the Town of Graham who "stood at the head of a political organization of hundreds of assertive and well-organized [Black] men with resources [who] stood poised to directly influence municipal and county politics in Alamance County." A Klansman testified that "Outlaw was hung because he was a politician. He had been appointed commissioner by [Republican] Gov. [William W.] Holden. He had been a leader of the negroes, and had been elected once. There was no other crime alleged."*⁴



Alamance County Courthouse, the site of Wyatt Outlaw's murder, postcard, ca. 1912, North Carolina State Archives, Raleigh, N.C.

*Outlaw was a widower and lived with his mother and sons on the ground floor of his woodworking shop just north of Courthouse Square, where the First Baptist Church of Graham stands today. He was asleep in his home on a Saturday night . . . when twenty Klansmen broke down his door carrying pistols, swords, and torches. They gave Outlaw only enough time to put on pants before forcing him outside, his young boys screaming, men stomping the head and breast of his seventy-three-year-old mother while threatening to shoot her, decapitate her, and burn down the house. As many as a hundred men in hoods surrounded Outlaw in the street. His mother later testified that they were shouting "like geese" and carrying so many torches that "it was all bright" at midnight.*⁵

⁴ Scott Reynolds Nelson, *Iron Confederacies: Southern Railways, Klan Violence, and Reconstruction* (Chapel Hill: University of North Carolina Press, 1999), 100; *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), 1333; 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), 417.

⁵ Nelson, *Iron Confederacies*, 100; Troxler, "'To Look More Closely at the Man,'" 417; *Report on the Alleged Outrages in the Southern States by the Select Committee of the Senate* (Washington, D.C.: Government Printing Office, 1871), 32, 259; *Trial of William W. Holden*, 1133, 1333, 1363–69.

*The Klan marched Outlaw four hundred yards from his home to an elm tree next to the old County Courthouse, where they tied a bed cord to a branch pointing to the courthouse door. Some claim the men sliced Outlaw's mouth at the corners. They pinned a sign to his body for those who would pass it Sunday morning: "Beware ye guilty, both white and black." Outlaw's corpse was still hanging two and a half feet from the ground at 11:00 a.m. People feared the Klan's punishment if they cut it down.*⁶

Three months later, on May 21, Klansmen in nearby Caswell County carried out a similar assassination. Their victim was state senator John W. Stephens, a white Republican. Stephens had been observing a Democratic Party meeting at the county courthouse. Frank Wiley, a former sheriff whom Stephens had been urging to defect and become a Republican, lured him into the building's basement. There, a group of Klansmen stabbed Stephens to death and left his body atop a pile of firewood. The details of the murder and names of the conspirators came to light only in 1935, when state officials made public a sealed confession by former Confederate army captain John Lea.⁷

In response to these outrages, Governor Holden declared martial law in Alamance and Caswell Counties and mobilized the state militia under the command of George W. Kirk, a former Union cavalry officer, to suppress the Klan. Kirk and his troops arrested more than one hundred Klansmen, but when federal officials withdrew their support, most of the prisoners were released. In the 1870 election, white supremacist Democrats (who also called themselves Conservatives) vilified Holden as a tyrant intent of establishing Black rule, used "terror and coercion" to suppress the Republican vote, and won control of the state legislature. Then, in early 1871, they impeached Holden and removed him from office. But in Alamance County, a superior court judge, determined that Wyatt Outlaw's murderers not go unpunished, secured grand jury indictments of eighteen Klansmen. They were never brought to trial. In 1873, state lawmakers approved a bill that granted amnesty for criminal acts committed by members of secret societies and political organizations during the time of the Klan insurgency, with exceptions for "rape, deliberate and willful murder, arson, and burglary." The law made specific reference to the "White Brotherhood, Invisible Empire, and Ku Klux Klan." A year later, lawmakers lifted the exceptions for burglary, arson, and – most notably – murder.⁸

⁶ *Trial of William W. Holden*, 1133, 1187; Nelson, *Iron Confederacies*, 113; *Report on the Alleged Outrages in the Southern States*, CXII, 6, 32; U.S. Army Lieutenant Paul Hambrick reported that on "the morning after [Outlaw's] murder (Sunday) his body was cut down by Sheriff Murray, taken to the court-house for inquest, and while there, in presence of this officer, indignities were offered the dead man by parties proffering the dead body a cigar." Sheriff Murray was a member of the Klan and made no attempt to find Outlaw's killers. See Mark L. Bradley, *Bluecoats and Tar Heels: Soldiers and Civilians in Reconstruction North Carolina* (Lexington: University of Kentucky Press, 2009), chap. 9.

⁷ 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; Allen W. Trelease, "John Walter Stephens," in William S. Powell, ed., vol. 5, *Dictionary of North Carolina Biography* (Chapel Hill: University of North Carolina Press, 1994), 439-40.

⁸ Horace W. Raper, *William W. Holden: North Carolina's Political Enigma* (Chapel Hill: University of North Carolina Press, 1985), chap. 9; "The North Carolina Troubles," *Harper's Weekly*, August 20, 1870; Troxler, "'To Look More Closely at the Man,'" 405; Otto H. Olsen, "The Ku Klux Klan: A Study in Reconstruction Politics and Propaganda," *North Carolina Historical Review* 39 (July 1962): 361-62; "Amnesty," *Wilmington Journal*, January 23,

Ruffin Jr. played a prominent role in advancing the 1874 amnesty law. In December 1873, he helped to orchestrate a chain of correspondence that was published in Democratic newspapers statewide. Editors urged "favorable consideration" of the letters by local authorities and, most especially, the state legislature in Raleigh. In his own missive, Ruffin Jr. argued that "prosecutions now pending . . . against parties for acts committed during the Ku Klux excitement should be stopped." He noted that he had been "for a long time a neighbor and friend" of the indicted Klansmen but claimed not to be swayed by that familiarity. "My solemn conviction," he declared, "is that the humane policy of putting an end to all prosecutions . . . will have the effect, not only to quiet the public mind, but to make good, law-abiding citizens of the parties themselves, all of whom are young men, and may therefore be expected, according to the course of nature, to have many years to spend either conducing to the public good or wasting them as fugitives from our State." James E. Boyd, a former Klansman and Graham attorney, concurred. He noted in his letter that "the utmost quietness and peace" had settled upon Alamance County since the 1870 troubles, and he advised the victims of Klan violence to abandon their demands for justice and "*let the dead past bury its dead*" (emphasis in the original). The message from Ruffin Jr. and Boyd – that a settlement on white men's terms offered the only path to "peace and good order" – could not have been less humane or more at odds with principles of democratic governance and constitutional guarantees of equal citizenship and equal protection of the laws. Even so, Democratic legislators enshrined it in the amnesty bills.⁹

In this purposefully public act, Thomas Ruffin Jr. declared his allegiance to white supremacy, even when it was enforced by murder and other terrorist tactics. This he did on the strength of his family name and despite his sworn duty as an attorney to serve as an officer of the court and guardian of the law. At no time in his later life did Ruffin Jr. indicate a change of heart.

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1874; Otto H. Olsen, *Carpetbagger's Crusade: The Life of Albion Winegar Tourgée* (Baltimore: Johns Hopkins University Press, 1965), 185-88; *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; *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. See also, "Bill of Indictment for Murder Which, the Ku Klux of This Legislature are Endeavoring to Quash!" *Daily Era* (Raleigh, N.C.), February 27, 1873. Shortly before passage of the 1873 amnesty act, the *Daily Era*, a Republican newspaper, reported "fresh Ku Klux outrages in Alamance County." The paper noted that Klansmen continued to "go about to people's houses in the dead hour of the night," threatening "the lives of the men and alarm[ing] the women, and children . . . [T]his state of things has gone to the extent, that, in portions of the county no one feels safe at night, unless they be Democrats. The old Ku Klux leaders of Alamance are as lawless, defiant and bold as ever, under the stimulus of the Amnesty and Pardon Bill introduced by Col. W. A. Allen [state senator representing Wayne and Duplin Counties], and advocated and passed by well-known Ku Klux members in the Senate. Verily, Democracy has degenerated into a most infamous thing." "Fresh Ku Klux Outrages in Alamance," February 27, 1873.

⁹ "Amnesty," *Wilmington Journal*, January 23, 1874. See also "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. On Ruffin Jr.'s role in advancing the 1874 amnesty bill, see Raper, *William W. Holden*, 175 n73.

Vance Hall

In 1912, the Board of Trustees of the University of North Carolina named this section of a three-part dormitory building to honor Zebulon Baird Vance, who attended UNC in 1851 to read law with Judge William H. Battle. Vance served as governor during the Civil War and again in the late 1870s, the time of North Carolina's so-called redemption from Reconstruction. The other two sections were named for Kemp P. Battle, class of 1849, and J. Johnston Pettigrew, class of 1847. Battle was a signatory of North Carolina's ordinance of secession from the United States of America, and, as a leader in the university, opposed equal citizenship for Blacks. Pettigrew graduated from UNC in 1847, made his career as a lawyer and state legislator in South Carolina, rose to the rank of brigadier general in the Confederate army, and died in 1863 at the Battle of Gettysburg.¹

Nine months after the dormitories opened, the university dedicated a Confederate monument opposite them in McCorkle Place.² The four structures created a Confederate memorial space at the north end of campus and stood as a statement of the university's allegiance to Confederate principles: white supremacy and Black subjugation.

Vance:

- Enslaved Black men, women, and children
- Committed treason against the United States of America by his service as an officer in the Confederate army and as North Carolina's two-term Civil War governor
- Used his positions of influence to perpetuate and sustain systems of racial oppression – first, slavery, and then the regime of Jim Crow
- Espoused white supremacist principles throughout his political career and lifetime

Zebulon Baird Vance (known as Zeb by family and friends) was born in Buncombe County in 1830, the third of eight surviving children in the household of David Vance Jr. and Margaret Mira Baird Vance. The extended family was one of the wealthiest in the region. Zeb's paternal grandfather, David Sr., was a farmer and surveyor who had served in the state legislature in 1791 when Buncombe was established. At the time, the new county encompassed

¹ "Opening Session of University," *Tar Heel*, September 18, 1912; "The New Dormitories," *Alumni Review* 1 (December 1912), 55-56; minutes, January 28, 1913, oversize volume 11, Board of Trustees of the University of North Carolina Records, 1789-1932, #40001, University Archives, Wilson Library, University of North Carolina at Chapel Hill; John G. Barrett, "Zebulon Baird Vance," in Williams S. Powel, ed., *Dictionary of North Carolina Biography*, vol. 6 (Chapel Hill: University of North Carolina Press, 1996), 85-87; W. Conrad Gass, "Kemp Plummer Battle," in William S. Powell, ed., vol. 1, *Dictionary of North Carolina Biography* (Chapel Hill: University of North Carolina Press, 1979), 114-15; Clyde [N.] Wilson, "James Johnston Pettigrew," in William S. Powell, ed., vol. 5, *Dictionary of North Carolina Biography* (Chapel Hill: University of North Carolina Press, 1994), 77-79. In 1908, the university purchased land at the northwest corner of campus, with plans to demolish the hotel that was located there and to replace it with the new residence halls. Work on the project was recorded in the Board of Trustees volume above, minutes for January 22, May 31, and October 26, 1909; February 3 and 9, 1910; February 2 and 24, and June 3, 1912.

² James Leloudis and Cecelia Moore, "Silent Sam" digital exhibit, <https://silentsam.online>.

most of western North Carolina between the state's borders with South Carolina and Tennessee. David Sr. owned nearly nine hundred acres of expropriated Cherokee land, much it acquired with warrants that North Carolina authorities, acting under a Congressional directive, granted to him and other veterans of the Revolutionary War. On the eve of his death in 1813, he also enslaved sixteen Black men, women, and children who made his fields and woodlands productive. Zeb's maternal grandfather and namesake, Zebulon Baird, was similarly situated. He was a slave owner, merchant, and land speculator who played a leading role in establishing the city of Asheville. As one of Buncombe County's most affluent and influential citizens, he won multiple elections to the state legislature between 1800 and 1822.³

Sometime around 1833, David and Mira Vance moved their family from the farm they had inherited from David Sr. to present-day Marshall, a settlement twenty-one miles north of Asheville, where they took advantage of a new economic opportunity. Work on the Buncombe Turnpike, a public road that cut across the Blue Ridge Mountains from Tennessee to South Carolina, had been completed in 1827. Soon, farmers were using the route to move large herds of animals – mostly pigs, but sometimes cattle and geese as well – to market in the burgeoning plantation districts of central South Carolina and Georgia. All along the turnpike, enterprising operators set up inns for the drovers and holding pens to feed and shelter their stock. The Vances opened one of these way stations and operated it with the forced labor of twelve slaves, most or all of whom they brought with them from their farm. The business was brisk and lucrative; David Jr. reported that in a single month, up to ninety thousand swine could move through his stock lots.⁴

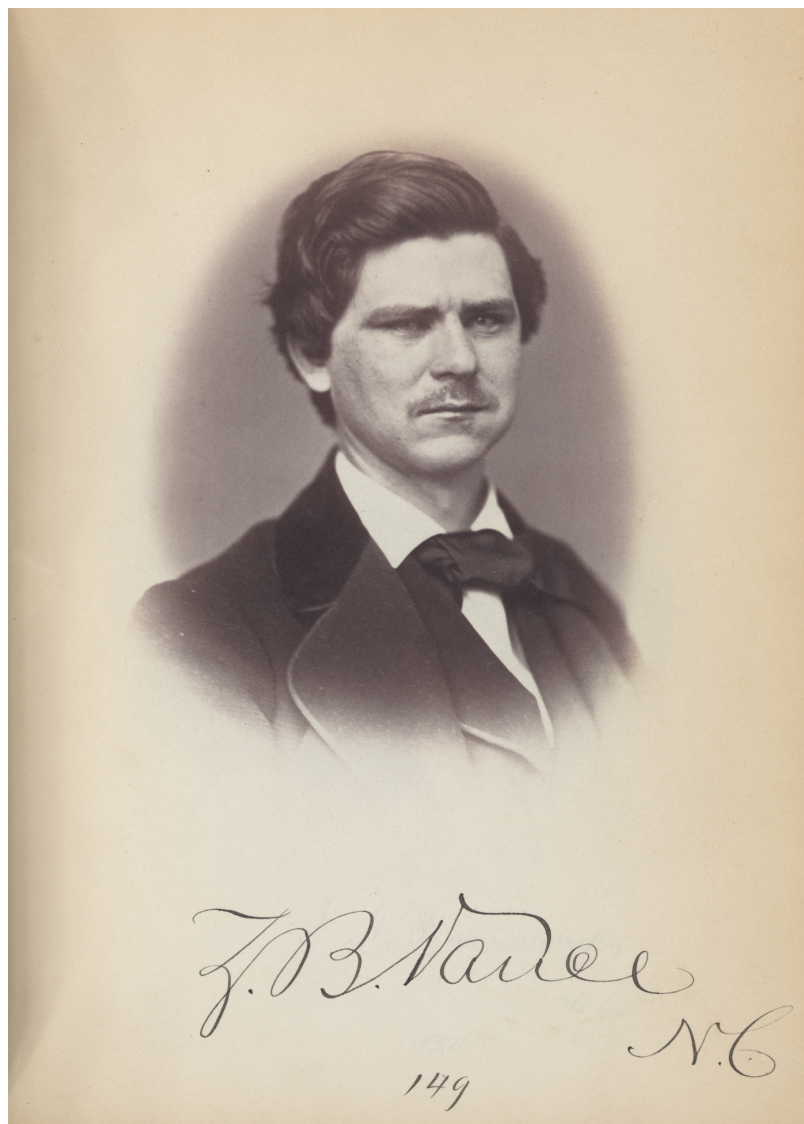
At age thirteen, Zeb left home to enroll at Washington College, a Presbyterian school in east Tennessee, but his studies were cut short in 1844, when his father suffered a serious injury and died. Mira sold her husband's land and all but five or six of his enslaved laborers to pay off debts, and then moved her household to Asheville. There, she appears to have lived on the earnings of her children, supplemented, perhaps, by hiring out the people she held in bondage. Zeb continued his education in Asheville, and in 1851 moved to Chapel Hill, where he read law with state supreme court justice William H. Battle and cultivated the connections that would sustain a future career in politics.⁵

³ Barrett, "Zebulon Baird Vance"; Gordon B. McKinney, *Zeb Vance: North Carolina's Civil War Governor and Gilded Age Political Leader* (Chapel Hill: University of North Carolina Press, 2004), 7-8; Frontis W. Johnston, ed., vol. 1, *The Papers of Zebulon Baird Vance* (Raleigh: State Department of Archives and History, 1963), xviii; David Vance, North Carolina and Tennessee, U.S., Revolutionary War Land Warrants, 1783-1843, Ancestry.com; Doris Cline Ward and Charles D. Biddix, eds., *The Heritage of Old Buncombe County*, vol. 1 (Winston-Salem: Hunter Publishing Company, 1981), 143; General Assemblies Identified with Years, Carolana.com, <https://bit.ly/2OudxmZ>; 1810 and 1820 Federal Censuses, Buncombe County, North Carolina, Ancestry.com.

⁴ McKinney, *Zeb Vance*, 7-8; Johnston, ed., vol. 1, *Papers of Zebulon Baird Vance*, xviii; 1830 and 1840 Federal Censuses, Buncombe County, North Carolina, Ancestry.com; F. A. Sondley, *A History of Buncombe County, North Carolina*, vol. 2 (Asheville: Advocate Printing Company, 1930), 619-21. On the Buncombe Turnpike, see Ora Blackmun, *Western North Carolina: Its Mountains and Its People to 1880* (Boone, N.C.: Appalachian Consortium Press, 1977), 215-20; Mark Essig, "The Great Appalachian Hog Drives," *Atlas Obscura*, <https://bit.ly/38LAHMi>.

⁵ Johnston, ed., vol. 1, *Papers of Zebulon Baird Vance*, xxi-xxvi; McKinney, *Zeb Vance*, 12-13, 16-27, 31-64; Zebulon B. Vance Birthplace, North Carolina Historic Sites, <https://bit.ly/30NesBl>.

Vance was admitted to the bar in 1852 and married his first wife, Harriette Espy, the next year. They made their home in Asheville, where they enslaved two Black adults and three Black children who maintained their household. Vance won election to represent Buncombe County in the North Carolina legislature in 1854, and from 1859 to 1861, he served in the U.S. House of Representatives.⁶



Zebulon B. Vance, 1859
Library of Congress

In 1860, as the nation hurtled toward civil war, Congressman Vance distinguished himself as an ardent defender of racial slavery. From the floor of the House of Representatives, he challenged abolitionists and their Republican allies on three counts. First, he mocked their argument "that property in man does not and cannot exist of natural right." In point of fact,

⁶ Barrett, "Zebulon Baird Vance"; 1860 Federal Census, Slave Schedule, Buncombe County, North Carolina, Ancestry.com.

Vance countered, there was but "one natural law" established by "the great Author of all – the principle of *superiority* (all emphasis here and below in the original)." Accordingly, God gave mankind "dominion over the inferior animals" and likewise instituted "the dominion of man over *man*, in the relation of master and servant." Second, Vance insisted that claims to the contrary not only amounted to blasphemy but also threatened economic ruin. He argued, as have latter-day historians, that slavery was the foundation upon which capitalism in the modern Atlantic world was built. Without the benefit of forced labor, the South would not produce an abundance of cotton, Vance reasoned, and without southern cotton, factories and railroads, banks and trading houses – in England as well as America – would soon be shuttered. "We have now upwards of four million slaves, who cultivate our fields, sleep under our roofs, and are so interwoven and ramified into the fabric of our society," Vance exclaimed, "that a blow aimed at their *status* strikes with vital force the whole system." Finally, he pointed to the existential threat posed by Black freedom. Loosed from their chains, Vance claimed, Black men would demand "white wives." They would pollute white blood "with the putrid stream of African barbarism," and, in the process, biologically dissolve the white race.⁷

"What, then, is best and right to be done with our slaves?" Vance asked. His answer seemed self-evident. "Plainly and unequivocally," he asserted, "the interest of the master, of the United States, of the world, nay, of humanity itself, says, *keep the slave in his bondage* . . . for that is his normal condition." Only in this way could the will of God be served, and the American republic kept whole.⁸

Soon, the tide of events swept away Vance's hopes for preserving the Union. Abraham Lincoln won the presidential election in November 1860; by early February 1861, seven southern states had seceded and established a new nation, the Confederate States of America; and in April and May, after Confederate forces fired on Fort Sumter, a federal outpost in Charleston harbor, Virginia, Arkansas, North Carolina, and Tennessee joined the rebellion. War was to hand, and there was no option but to choose sides. Years later, Vance recalled his decision to take up arms for the Confederacy: "I preferred to be with my own people; if we had to shed blood, I preferred to shed Northern rather than Southern blood; if we had to slay, I had rather slay strangers than my own kindred and neighbors."⁹

Vance enlisted at once in the Confederate army and rose quickly to the rank of colonel in the Twenty-Sixth North Carolina regiment. He enjoyed some early success as an officer, but in March 1862 his men and other Confederate troops suffered a disastrous defeat. They lost the strategically vital port of New Bern to occupation by United States forces. Soon afterward, Vance turned his attention back to politics. He put the best face on events in New Bern by playing to press coverage that cast him as a hero, singularly responsible for his regiment's safe

⁷ Speech by Zebulon Vance, *Congressional Globe* 36 (1860), 1159-63.

⁸ Ibid.

⁹ *Boston Globe*, December 9, 1886, quoted in Franklin Ray Shirley, "The Rhetoric of Zebulon B. Vance: Tar Heel Spokesman" (Ph.D. dissertation, University of Florida, 1959), 86. On North Carolina's slow road to secession, see Paul D. Escott, *Many Excellent People: Power and Privilege in North Carolina, 1850-1900* (Chapel Hill: University of North Carolina Press, 1985), 32-36.

retreat. In 1862, Vance rode that adulation to victory as the Conservative Party's candidate for governor. Two years later, in a particularly bitter contest, he secured a second term by defeating peace candidate William W. Holden.¹⁰

In his first inaugural address, Vance spoke directly to the cause that drove the white South to war. "Fellow citizens," he exclaimed, "we have but one great and all-absorbing theme": victory over the "fierce and fanatical enemies of slavery" who threatened to rob white men of their property, deprive them of their "liberty," and reduce them to "vassalage and . . . subjugation." As historian W.E. B. Du Bois astutely observed, white men "fought to be free in order that another people should not be free."¹¹

Vance also laid out a soaring vision of the Confederate States of America as a transcontinental slaveholding nation that would find its place among the world's great powers. "The boundaries of our young Republic, as we hope to see them established," Vance explained, "embrace the fairest and noblest portions of the temperate zone. Innumerable miles of great inland navigable waters; a mighty sweep of sea coast, indented with magnificent bays and harbors; the unrivalled production of [cotton], the leading commercial staple of the earth as a basis of public credit; a soil adapted to the successful cultivation of almost every article necessary to the comfort and convenience of man, embraced in an area of 950,000 square miles, abounding with materials for a great navy, commercial and warlike; inexhaustible mines of iron, copper, coal, and all the valuable metals; unbounded facilities for building up great manufactories on the streams of our mountains; a brave, intelligent, and virtuous population, numbering eight millions, *with near four million slaves, a source of wealth incalculable* (emphasis added); these constitute the unmistakable elements of a great nation." As historian Matthew Karp has noted, slaveholders like Vance and the men he represented "may have been pushed out of the Union by politics, but they were also pulled into the Confederacy by their ravenous ambition" to establish a "vast southern empire" that would stretch from the Atlantic to the Pacific and rival those of Britain, France, and Spain. In each of these imperial projects, conquest took the form of racial domination and was "justified by [a] code of racial superiority." To quote Du Bois once more, white empire builders predicated "the rise of one race" on the "ruin" of others.¹²

Vance's service to the Confederacy as a military officer and high-ranking civilian official amounted to treason, which the Constitution defines as the act of "levying War against [the United States]" or giving "Aid and Comfort" to the nation's enemies. For a time, it seemed that he might be prosecuted for that crime. In mid-May 1865, a month after Confederate general Robert E. Lee's surrender at Appomattox, a company of U.S. cavalrymen troops arrested Vance

¹⁰ McKinney, *Zeb Vance*, chaps. 7-8.

¹¹ "Inaugural Address of Gov. Z. B. Vance, Delivered in Front of the Capitol, in Raleigh, September 8th, 1862," Document 18, Executive and Legislative Documents (Raleigh: W. W. Holden, 1863); W. E. B. Du Bois, "Jefferson Davis as a Representative of Civilization," baccalaureate speech, Harvard University, June 1890, series 2, speeches, 1888-1962, W. E. B. Du Bois Papers, 1803-1999, MS 312, Special Collections and University Archives, University of Massachusetts – Amherst.

¹² "Inaugural Address of Gov. Z. B. Vance"; Matthew Karp, *This Vast Southern Empire: Slaveholders at the Helm of American Foreign Policy* (Cambridge: Harvard University Press, 2016), 233, 253; Du Bois, "Jefferson Davis."

at his Statesville home and transported him under guard to the Old Capital Prison in Washington, D.C. But federal officials never pressed charges against Vance. In early July, President Andrew Johnson paroled him, so that he could return to North Carolina to care for his sick wife.¹³

The President granted Vance a full pardon in March 1867, but under the terms of legislation passed by Congress in that same month, he continued to be banned from voting and from holding political office. Vance's anger over these restrictions thrust him to the forefront of Conservatives' efforts resist the reconstruction of North Carolina on the basis of equal citizenship and political rights for Blacks they had once claimed to own as human chattel. A newspaper reporter offered a succinct statement of the ex-governor's position: "If there is any man in the state, outside of the Insane Asylum, who needed any argument to convince him that the white man must rule the country, life was too short for [Vance] to waste his breath on him."¹⁴

In 1868, Vance and fellow Conservatives waged a fierce campaign against ratification of a revised state constitution that would grant all adult men the right to vote. But their appeals to race hatred and warnings against the purported evils of "negro rule" failed to secure support from a sufficient number of whites who had crossed the race line to make common cause with Blacks in the state's newly established Republican Party. On Election Day, voters ratified the constitution and sent William Holden, Vance's old nemesis, to the governor's office. During the campaign, Holden had charged his rival with "raving like a mad wolf . . . doing Devil work; fomenting sedition, stirring up strife between the races and inciting another WAR."¹⁵

Vance would not have contested the charge. Scalded by the election outcome, he and other Conservative leaders turned to what his chief biographer, Grady McKinney, has described as "terrorist methods" of resisting racial equality. They organized and unleashed the fury of the Ku Klux Klan. "Since [Vance] was identified by friend and foe alike as the leading figure in the Conservative Party," McKinney writes, "he bears the greatest responsibility for this baneful development." There is no evidence that Vance actually joined the Klan. As a matter of political expediency, he and most other Conservative leaders avoided direct involvement in Klan activities, but there is no doubt that they encouraged racial violence and applauded its effect.¹⁶

By 1870, Klan violence had become so threatening in Orange, Alamance, and Caswell Counties that Governor Holden declared martial law and mobilized the state militia to suppress the organization. That crackdown infuriated Conservatives and gave them the issue they needed in the upcoming election. They "raise[d] a fierce howl" against Holden as a race traitor and tyrant, "the vilest man that ever held a public office." Vance's contribution to the campaign was to urge white voters in western North Carolina to rally to the rescue of their brethren in

¹³ U.S. Constitution, Article 3, Section 3; McKinney, *Zeb Vance*, chapt. 17.

¹⁴ McKinney, *Zeb Vance*, 266-73; *Raleigh Sentinel*, February 7, 1868, quoted in Shirley, "Rhetoric of Zebulon B. Vance," 192.

¹⁵ McKinney, *Zeb Vance*, 274-75; "Vance," *Daily Standard* (Raleigh, N.C.), March 25, 1868. For an overview of the 1868 campaign, its background, and the issues at stake, see Escott, *Many Excellent People*, 110-45.

¹⁶ McKinney, *Zeb Vance*, 275-79.

the east who purportedly suffered under the weight of Black domination. The *Asheville News* promoted his speaking tour with enthusiasm. "If you want to see [Republicans'] hide taken off, tanned and cut into strings," the paper's editor exclaimed, "then this is your opportunity."¹⁷

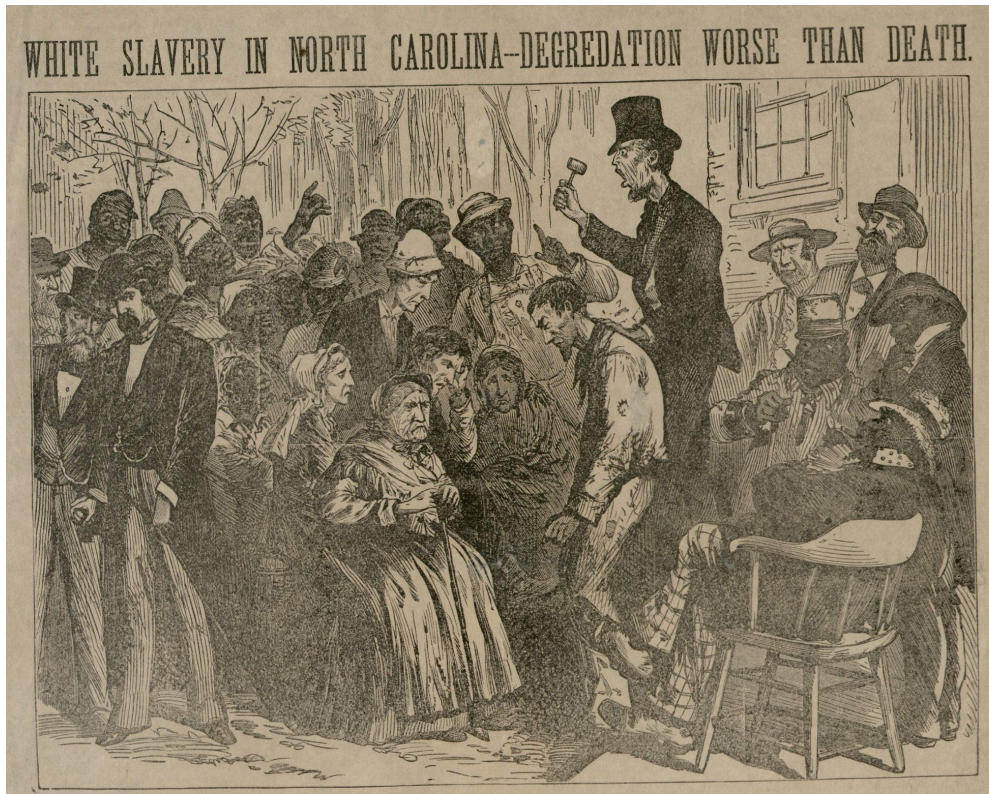
On Election Day, Conservatives (who by now were also calling themselves Democrats) took control of the legislature, and in the months that followed, they acted quickly to impeach William Holden and remove him from office. The new majority also rewarded Vance for his leadership in the campaign by electing him to fill one of North Carolina's seats in the U.S. Senate (senators were not chosen by popular vote until ratification of the Seventeenth Amendment to the Constitution in 1913). But there was a problem: Vance was still banned from holding office under terms of both the Military Reconstruction Act of 1867 and Section 3 of the Fourteenth Amendment, ratified in 1868. Republicans in Congress immediately raised objections to seating Vance, while opponents back home charged that his election had been "brought about by systemic violence and bloodshed." To make matters worse, Congress had launched an investigation of the Klan, which was likely to expose Vance's complicity in its crimes. To avert that risk, the would-be-senator issued a public statement, claiming to have "opposed the Ku Klux Klan from the start." Historians, like Vance's critics, have described that move as "disingenuous at best." They note that Vance chose his words carefully. He explained that he objected to the Klan because it was a "secret organization," but said nothing to acknowledge or condemn its atrocities. The ploy was half-way effective. It convinced a majority in Congress to lift Vance's political disability in 1872, but in the meantime, he lost the senate seat to a less tainted candidate.¹⁸

After the senate debacle, Vance stepped back from the public fray. He bided his time, cultivated his relationships with key powerbrokers, and in 1876 re-emerged as Democrats' gubernatorial nominee. Vance ran a vitriolic campaign against Republican Thomas Settle Jr., a staunch defender of Black political rights. He played to the anger of his white base, charging Settle with the "crime" of attempting "to degrade [the] good old Anglo-Saxon race beneath the African race."¹⁹

¹⁷ Escott, *Many Excellent People*, 163; *Tarboro Southerner*, August 11, 1870, quoted in Horace W. Raper, *William W. Holden: North Carolina's Political Enigma* (Chapel Hill: University of North Carolina Press, 1985), 199; McKinney, *Zeb Vance*, 281; untiled notice of the *Asheville News*, *Charlotte Democrat*, July 26, 1870. On the Klan in North Carolina, see Allen W. Trelease, *White Terror: The Ku Klux Klan Conspiracy and Southern Reconstruction* (Westport, Connecticut: Greenwood Press, 1971), chaps. 12-13.

¹⁸ Raper, *William W. Holden*, chapt. 9; McKinney, *Zeb Vance*, chapt. 19, quotations at 287. On the controversy over Vance's election to the Senate, see "The Election Case of Joseph C. Abbott v. Zebulon B. Vance and Matt W. Ransom of North Carolina (1872)," United States Senate, <https://bit.ly/3f8tjyv>. On the removal of Vance's disabilities, see "Removal of Disabilities," *Congressional Globe* 42 (1872), 4399; "The Late Senatorial Election," *Sentinel* (Raleigh, N.C.), December 20, 1872.

¹⁹ "Vance and Settle," *Raleigh News*, July 28, and November 7, 1876. For a comprehensive account of the 1876 election, see McKinney, *Zeb Vance*, chapt. 20.



1876 Democratic Party broadside
David M. Rubenstein Rare Book and Manuscript Library, Duke University

As proof of that charge, Vance and other Democratic leaders pointed to Black-majority counties in the eastern section of the state, where, they claimed, "gizzard footed negroes" had seized control of local government and were actively auctioning off white widows and paupers as indentured servants to Black buyers. "White Slavery in North Carolina," a Democratic handbill screamed. "Degradation Worse Than Death." Vance supporters used such trumped-up outrages to rally voters. In the run-up to Election Day, the editor of the *Raleigh News*, a fervidly Democratic paper, exhorted readers to vote their racial loyalty: "Be a white man," he exclaimed, "in deed as well as the color of your skin." Vance won the election by a margin of fifty-three to forty-seven percent of votes cast.²⁰

That victory afforded Vance "infinite satisfaction." During his first two terms as governor, he had waged war to defend the institution of racial slavery. Now, he was returning to preside over the effective end of Reconstruction. On inauguration day, Vance described his election as "retribution" for the hardships that whites had suffered at the hands of Black Republicans, and in their coverage of the festivities, Democratic newspapers crowed of a state "redeemed" from misrule. "No event in the history of North Carolina has given her white citizens such unfeigned pleasure," exclaimed the Oxford *Torch-Light*. "It has been a long fight

²⁰ "White Men and Women, the Sick and Afflicted Paupers of Jones County Hired Out by the Negro Radical Board of County Commissioners, to Negroes," *Weekly Economist* (Elizabeth City, N.C.), August 23, 1876; "White Slavery in North Carolina," 1876 Democratic Party broadside, David M. Rubenstein Rare Book and Manuscript Library, Duke University.

and a hard fight," added the Raleigh *Observer*, "but thank God the end has come and . . . the curtain [has fallen] upon the last scene of the last act of the great Reconstruction Drama."²¹

In his inaugural address, Vance assured Black North Carolinians that "their former masters [were], and naturally should be, their best friends." "We not only intend [Blacks] no wrong," he declared, "but we earnestly desire their prosperity and happiness." At the end of a decade of turmoil and terror, many Black citizens must have found a measure of hope, perhaps even comfort, in those words. But more often than not, the governor's actions belied his pronouncements. That was particularly true of his role in the westward extension of the North Carolina Railroad, the infrastructure project that was the signal achievement of his third administration. By the time that Vance took office, the line had reached Old Fort, at the base of the Blue Ridge Mountains. From there, it would climb more than one thousand feet to Swannanoa, and then snake on to Asheville. Merchants, investors, and timber barons in western North Carolina were eager to see the work completed. The rail line would connect them to lucrative new markets across the South and throughout the Midwest and Northeast. The project was also a priority for Vance, who saw it as an opportunity to reward allies who backed his political ambitions. He promised that the railroad would reach Asheville within two years. But there was a problem: the state's tax revenues were insufficient to finance such an ambitious undertaking. Vance's solution – announced in his inaugural address – was to tap the state's majority-Black prison population as a source of cheap, forced labor. That exploitation amounted to what historian Douglas Blackmon has called "slavery by another name."²²

By July 1877, prison officials had sent more than six hundred convicts to railroad labor camps. One eyewitness reported that the mountainsides "swarmed with . . . wretched blacks in striped yellow convict garb." There, ill-fed and poorly housed, they performed back-breaking labor, often in extreme weather conditions. The work was dangerous, the risk of landslides and cave-ins, ever-present. Camp discipline was also harsh. When the pace of construction lagged in the early winter of 1877, Vance intervened personally to urge use of the whip and its frightful associations with slavery to drive work crews onward. Corporal punishment, he declared, was "absolutely essential." These conditions took a devastating toll. By 1879, when the line reached Swannanoa, 139 prisoners had died. Some were shot and killed by guards when they tried to escape; the vast majority lost their lives to accidents, sickness, and hunger. Others came home from the labor camps with lifetime disabilities. A state official reported that many convicts who worked "in the Swannanoa and other tunnels of the Western North Carolina Railway" returned

²¹ "Inauguration Day," *Observer* (Raleigh, N.C.), January 2, 1877; "The Inauguration," *Torch-Light* (Oxford, N.C.), January 9, 1877.

²² "Inauguration Day," *Observer* (Raleigh, N.C.), January 2, 1877; McKinney, *Zeb Vance*, 332-33; Homer S. Carson III, "Penal Reform and Construction of the Western North Carolina Railroad, 1875-1892," *Journal of Appalachian Studies* 11 (Spring-Fall 2005), 205-25; Douglas A. Blackmon, *Slavery by Another Name: The Re-enslavement of Black Americans from the Civil War to World War II* (New York: Anchor Books, 2008).

with "shattered constitutions and their physical strength entirely gone, so that [even with] the most skillful medical treatment . . . it was impossible for them to recuperate."²³



Convict laborers near Swannanoa, late 1870s
Asheville photographer T. H. Lindsey, original in author's possession

In this "new" slavery that Vance endorsed and exploited, Black lives were even more expendable than in the old. A southern official made that point with crude frankness at a meeting of the National Prison Association. "Before the war," he said, "we owned the negroes. If a man had a good nigger, he could afford to keep him: if he was sick, get a doctor. He might even put gold plugs in his teeth. But these convicts, we don't own 'em. One dies, get another."²⁴

Vance did not linger in the governor's office. In 1878, with two years left to serve, he resigned in order to accept the prize that he had long coveted – a seat in the United States Senate. Vance took the oath of office in March of the following year and served until his death in 1894. During all that time, as one biographer has noted, "no constructive enactment . . . was associated with his name." That record fit the purpose of Vance's political aspirations. He was known to friends and foes alike as an "opposition senator" who devoted himself to defending the interests of white men of his class who reserved for themselves the right to rule the South. Vance rose to that task for the last time on January 30, 1890. Republican President Benjamin Harrison had made election law reform an issue in his 1888 campaign, and there was talk in

²³ Carson, "Penal Reform and Construction of the Western North Carolina Railroad"; McKinney, *Zeb Vance*, 333-37. See also Stephen R. Little, *Tunnels, Nitro, and Convicts: Building the Railroad that Couldn't be Built* (Bloomington, Indiana: Author House, 2010).

²⁴ Matthew J. Mancini, *One Dies, Get Another: Convict Leasing in the American South, 1866-1928* (Columbia: University of South Carolina Press, 1996), 2-3.

Congress of legislation that would safeguard Black voting rights in the South. Vance was determined that such a law would never see the light of day. He took command of the Senate chamber for more than an hour, exhorting his Republican colleagues to concede defeat in their long campaign to enforce Black equality. That cause had been misguided from the outset, Vance declared; it had violated the fundamental "principle of natural law, as old as man himself, that the stronger will rule without limit." The only remedy was retreat – to surrender the fate of former slaves and their descendants to "the wiser control of the whites." "My solution of the [race] problem is simply, 'Hands off,'" said Vance. "Let no man be afraid that if the Northern people cease their interference the negro will be driven to the wall. On the contrary, it is [outside] interference that causes or aggravates whatever of the trouble is inflicted upon them."²⁵

In June, Republican Congressman Henry Cabot Lodge introduced the reform bill that Vance had anticipated. The legislation would have allowed national authorities to monitor all aspects of federal elections, from voter registration to the certification of results, effectively limiting the capacity of state officials in the South to compromise Black citizens' access to the ballot box. The measure won approval by a narrow margin in the House of Representatives but eventually died in the Senate. There, western Republicans – persuaded, in part, by the objections of Vance and other southerners – joined Democrats in a week-long filibuster that killed the bill in February 1891.²⁶

That victory helped to clear a path for Vance's protégé, Charles Brantley Aycock, UNC class of 1877, who won election to the governor's office in 1900. He did so as a self-styled white supremacy candidate who backed an amendment to the state constitution that disenfranchised Black men by means of a literacy test and a poll tax. The amendment was the cornerstone of a regime of law and custom that would come to be known as Jim Crow. The human toll of that regime is incalculable. For more than half a century, Jim Crow denied Black North Carolinians equal justice and the fundamental rights of citizenship. The regime also burdened them with poverty, sickness, hunger, and the ever-present threat of racial violence.²⁷

Vance did not live long enough to witness Aycock's triumph. His health declined rapidly after the removal of an eye in 1889, and he died five years later of a stroke. But the names Vance and Aycock would be spoken together for decades to come. Throughout much of the twentieth century, white politicians, civic leaders, and scholars celebrated these men as the founding fathers of a "redeemed" North Carolina that stood upon a foundation of white rule and Black subjugation. In Chapel Hill, the trustees of their alma mater lifted them up for emulation by attaching their names to campus buildings. Monuments also honor Vance and

²⁵ Barrett, "Zebulon Baird Vance"; *Congressional Record* 21 (Part 1, March 4, 1889 - February 3, 1890), 966-71.

²⁶ "Legislative Interests," Black Americans in Congress, The Negroes' Temporary Farewell, History, Art, and Archives, United States House of Representatives, <https://bit.ly/3fanwsd>; McKinney, Zeb Vance, 394.

²⁷ Helen G. Edmonds, *The Negro and Fusion Politics in North Carolina, 1894-1901* (Chapel Hill: University of North Carolina Press, 1951), chapt. 13; Jeffrey J. Crow, Paul D. Escott, and Flora J. Hatley Wadlington, *A History of African Americans in North Carolina* (Raleigh: Office of Archives and History, North Carolina Department of Cultural Resources, 2019), chapt. 7.

Aycock on the state capitol grounds in Raleigh, and though Aycock's statue is scheduled for removal in the near future, the two men stand together still as North Carolina heroes in the U.S. Capitol's Statuary Hall.²⁸

Taking the measure of these things, biographer Grady McKinney offers a frank assessment of Vance's political life and legacy. He was "an avowed racist," McKinney writes, "who firmly believed in the . . . inferiority of African Americans and never deviated from that belief." Vance lived through a time in which longstanding assumptions about race, democracy, and citizenship were sharply contested. He "had the option to adopt different attitudes and change his public stands," but unlike more principled men of his generation, "he chose not to do so." As others "tried to adjust to Emancipation and Black citizenship, [Vance] sought to limit African American access to political power. He used negative stereotypes of African Americans in political campaigns, in congressional speeches, and in his public and private writings. All of this material helped to shape the public dialogue about race relations in North Carolina to the detriment of the new Black citizens." In the end, Vance's "estimation of African Americans' potential would never change," and "his overt racism would remain a part of his public persona."²⁹

On the basis of evidence presented in this dossier, the Commission on History, Race, and a Way Forward recommends that Zebulon B. Vance's name be removed from the building to which it was attached in 1912. Doing so will not erase history, as some may fear. Vance will always occupy a prominent place in the story of UNC's past; that is an indelible fact. The more important question is whether Vance should have a continuing claim on our esteem. We believe not. The values and principles that Vance espoused are antithetical to those of our *public* university, an institution that affirms the dignity of all humankind.

On March 23, 2021, the Asheville City Council voted six-to-one to remove the Zebulon B. Vance memorial, a seventy-five-foot-tall stone obelisk, from Pack Square.³⁰ The site in downtown Asheville is believed to have served as a slave market in the early nineteenth century. The council's decision followed the recommendation of a joint Asheville-Buncombe County Vance Monument Task Force, which delivered its final report in February. The task force offered this rationale for removal:

²⁸ McKinney, *Zeb Vance*, 382, 397-405, 407-8; "Zebulon Vance Statue," <https://unc.live/3riqGww>, and "Charles Brantley Aycock Statue," <https://unc.live/31e9Jc7>, Commemorative Landscapes, Documenting the American South, University of North Carolina Libraries; "Statues of Confederate Officer and a White Supremacist Represent N.C. in U.S. Capitol (for Now)," *News and Observer* (Raleigh, N.C.), August 21, 2017; "Awaiting Billy Graham Statue, Congressman Calls for 'Prompt' Removal of Gov. Aycock Statue in U.S. Capitol," Spectrum News, June 19, 2020, <https://bit.ly/3IJlJukg>. Until 2011, the state Democratic Party celebrated the two governors at the Vance-Aycock Dinner, an annual gala and fundraising event. See "Dems to Drop Controversial Leaders' Names from Signature Dinner," *Winston-Salem Journal*, September 1, 2011.

²⁹ McKinney, *Zeb Vance*, xi, 237-38, 414.

³⁰ "Asheville City Council Approves Vance Monument Removal, Visioning Process for Future of the Site," City of Asheville, <https://bit.ly/2OTBzbb>. For the history of the monument, see McKinney, *Zeb Vance*, 406-07.

- If the monument were left in place, it would "continue to serve as a symbol of white supremacy."
- If the monument were removed, it would "make way for a new, inclusive, and uplifting piece of public art created by Black artists as a gift to the Black community. This would be one small piece of [a] more comprehensive plan to move toward equity and racial justice."
- During virtual town halls, "members of the Vance family . . . expressed a desire that the monument be removed due to the damage it [had] not only caused in the Black community, but to their family as well. The Vance family expressed their solidarity with the Black community in their call for removal."

The monument was dismantled at the end of May 2021. On June 4, the North Carolina Court of Appeals ordered Buncombe County and the City of Asheville to halt the work of final removal, pending resolution of a complaint brought by the Society for the Historical Preservation of the 26th North Carolina Troops. At the time of this writing, the court had not scheduled a date to hear the case.³¹

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³¹ Vance Monument Task Force, "Final Report, February 2021," <https://bit.ly/3d0Vo8h>; "Vance Monument Removed in Full From Asheville After Standing for More than 120 Years," WLOS 13, <https://bit.ly/2R9TVFN>; "Is It Too Late: Removal of Vance Monument Halted by N.C. Court of Appeals Decision," *Asheville Citizen-Times*, June 5, 2021.