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THE ROLE OF THE ARMY IN  
NORTH CAROLINA RECONSTRUCTION  
1865-1877

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by

Craig Jeffrey Currey

A Thesis submitted to the faculty of The University of North Carolina at Chapel Hill in partial fulfillment of the requirements for the degree of Master of Arts in the Department of History.

Chapel Hill

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CRAIG JEFFREY CURREY. The Role of the Army in North Carolina Reconstruction, 1865-1877 (Under the direction of Peter F. Walker.)

#### ABSTRACT

This thesis discusses the role of the U.S. Army in North Carolina Reconstruction. To understand the army's Reconstruction role, I approach the army at "troop level." Unlike previous studies of the army's activities in North Carolina, I go beyond the general officer level. I describe and analyze how political and military decisions affected soldiers stationed throughout North Carolina by asking these questions: What did garrisoned forces do that had an impact on Reconstruction? How did the army's bureaucratic structure and sometimes racist attitudes affect policy? How did regular forces react to civil courts and to the Freedmen's Bureau? Despite some uncertainty about their mission, I found that officers and soldiers followed orders; and their actions had a significant positive influence on society.

I also stress the importance of military activities beyond the July, 1868 readmittance of North Carolina to the Union, the usual time at which Reconstruction historiography ends its discussion of the army. Regular forces continued to play a vital role in law enforcement against the Ku Klux Klan and illegal distillers. In particular, I study the army's assistance of Afro-Americans and white Republicans. This assistance resulted more from a general goal to establish order and to enforce laws

rather than a clearly-defined policy to aid blacks or  
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## INTRODUCTION

Although the presence of the United States Army in North Carolina between 1865 and 1877 has been neglected by historians, the army nonetheless played an important role in the Reconstruction of North Carolina. Unfortunately, the army's mission received from presidential and Congressional directives was ambiguous; with the exception of the Freedmen's Bureau, army objectives in North Carolina ignored a broader need for social change. Despite there being no precise army Reconstruction mission, only a loosely stated goal of enforcing laws and of aiding civil authorities, I will argue that regular army forces benefited blacks and white Republicans during the period.

Although several agencies, such as federal courts, United States marshals, and local governments, were responsible for preserving order, this task was assigned primarily to the army. Maintaining order--the enforcement of laws to suppress violence and to promote peaceful social conditions--fell predominantly on regular troops.

Why then has the military received little attention on regional or state levels from historians? The leading exceptions are James E. Sefton and John R. Kirkland. Sefton stressed that the army was the most important

instrument of federal authority in the South after the war.<sup>1</sup> John R. Kirkland studied Federal troops in North Carolina. Like Sefton, he emphasized the army's importance in Reconstruction. His focus was on military policy at the general officer level. Kirkland stressed political interaction, particularly with state governors. He does not concentrate on company level soldiers' actions, their daily lives, or their interactions with society. Kirkland basically ends his study with North Carolina's readmittance to the Union in 1868.<sup>2</sup> This ending omits troop actions against the Ku Klux Klan and illicit distillers in the 1870s.

From a military point of view, North Carolina Reconstruction divides into three periods. The first, from the surrender of the Army of Tennessee on April 26, 1865 to the passage of the Reconstruction Act on March 2, 1867, includes initial efforts towards restoration of order, distribution of food, formation of the Freedmen's Bureau, and establishment of permanent garrisons. The second period, from the Reconstruction Act of March 2, 1867 to state readmittance on July 4, 1868, was characterized by extensive military intervention in politics. The army was involved in voter registration, elections, the judicial process, and civil administration. The final period runs from July, 1868 to the withdrawal of troop companies in April, 1877.<sup>3</sup> During this phase, the army helped local

governments, U.S. marshals, and revenue agents by combating the Ku Klux Klan, other outlaws, and illegal distillers. The army played an important role in this final period, but no one has studied its activities in North Carolina.

Comprehension of military actions towards blacks and white Republicans requires an understanding of the nature of the army. How did the army's bureaucratic structure and inherent racism adversely affect attempts to reconstruct society? The army, like most of society, had limited views on what the freedpeople could achieve socially, economically, and politically. It accepted blacks as citizens but not as equals.<sup>4</sup> As a result, most beneficial efforts for blacks concerned only basic rights, not real equality within society. Bureaucracy also influenced army responses to situations. The army post system provided some problems in intelligence gathering and morale while yielding command and control benefits.

Because the army garrisoned permanent posts, deployed to troubled areas on numerous occasions, and administered many civil functions, it deserves fuller treatment in any Reconstruction study. Its impact is best determined from the local and regional level, not the national level. Simply studying generals' orders and actions and troop strengths fails to reveal the complicated story of the army's extensive impact on civilian society.

Archival sources yield extensive material on the military in North Carolina. Government documents have Secretary of War and Congressional reports that have some troop level focus. Department or district commanders generally give broad assessments of activities in North Carolina. I have expanded my sources beyond Kirkland's to obtain a clearer picture of soldier life and better comprehension of the army as an institution. Letters of the Office of the Adjutant General, Records of the Assistant Commissioner for North Carolina, post returns and letters, Official Army Registers, and Army-Navy Journals provide more insight into military life. Reconstruction historiography is also much richer now than two decades ago. Recent historians, influenced by the new social history, have expanded their investigation of Reconstruction. It is time to re-open the study of the military in North Carolina.

Introduction Endnotes

1. James E. Sefton, The United States Army and Reconstruction, 1865-1877 (Baton Rouge: Louisiana State University Press, 1967), ix.
2. John R. Kirkland, "Federal Troops in North Carolina during Reconstruction" (Masters thesis, University of North Carolina, 1964), 122.
3. Army-Navy Journal, April 28, 1877, 604; Ibid., May 5, 1877, 620; Ibid., July 7, 1877, 764; Companies departed Raleigh and Morganton for Washington D.C. in April, 1877. A detachment of M Company was left at Fort Johnson. Company E, 18th Infantry went to Morganton in May of 1877 and remained there in July 1877.
4. Army-Navy Journal, April 7, 1866, 521.

## CHAPTER I

### INITIAL ARMY EFFORTS

I feel deeply the embarrassment that is sure to result from the indefinite action of our Government. It seems to fail us entirely at this crisis, for I doubt if any one at Washington appreciates the true state of affairs [in the] South. . . . Anything positive would be infinitely better than the present doubting, halting, nothing-to-do policy of our bewildered Government. . . . If left alone I know you could guide the state of North Carolina into a path of peace, loyalty, and security in three months, and could place every Negro in the state in a way to make an honest livelihood, with his freedom secure, but I doubt whether those who were so slow to come to the fight will permit you to act.

-- General William T. Sherman,  
to General John M. Schofield  
May 5, 1865<sup>1</sup>

Toward the end of the Civil War the collapse of the Confederate and state governments necessitated strict measures to create order and to prevent mass suffering. In North Carolina, deserters, returning veterans, and outlaws roamed the Carolina countryside. Public roads in many sections of the state remained unsafe to travel. Newspapers were full of robbery and murder accounts.<sup>2</sup> Refugees, displaced by fighting, filled towns. Numerous blacks, fleeing plantations and masters, also followed the Union Army. Finally, Joseph E. Johnston surrendered the

Army of Tennessee to William T. Sherman at Bennett House near Durham on April 16, 1865. The war was over in North Carolina. Because citizens suffered from political, social, and economic instability, the army was employed as an important federal instrument to end disorder and to return state government to civil control.

Peace required fewer troops and new missions. There was a lack of guidance during this time of transition with no clear, definite military policy from Washington for the changing situation. Politicians and generals were uncertain of exact procedures for reconstruction. The army had to fill this void in guidance, but it was unsure of what, precisely, to do.

Upon Confederate surrender, the army shifted from field operations to constabulary duty. Troop strengths in the state dropped from 43,948 in June 1865 to 2,909 in January 1866,<sup>3</sup> the reduction reflecting army policy of mustering volunteers out of the service while maintaining a troop presence with regular forces. With a combination of remaining volunteers and regulars, the army dealt with the disorder in society. However, fewer troops, combined with unclear guidance, made the task more difficult. Commanders in North Carolina acted to prevent starvation among refugees and destitute people. With the end of hostilities, field commanders ordered all foraging to stop because troops and animals would quickly exhaust civilian

sources of food.<sup>4</sup> To alleviate hunger, General John M. Schofield, the first commander of the Department of North Carolina, provided 10,000 to 15,000 rations for civilians in Fayetteville.<sup>5</sup> Local quartermasters also distributed as much as thirty days supply of meat and flour to any family in need.<sup>6</sup> Troop commanders continued food distribution until the Freedmen's Bureau assumed responsibility in June 1865 for the relief effort.

To lessen food shortages, the army tried to help farmers by supplying horses or mules for the summer harvest. To off-set earlier confiscations, commanders loaned animals to farmers on condition that they would return the draft animals to the nearest military post after the harvest.<sup>7</sup> The army quartermaster also organized public auctions in various North Carolina towns to sell livestock to farmers. But simultaneously the Quartermaster General's Office issued an order to seize all public animals except those properly purchased or loaned.<sup>8</sup> This general order made differentiating public and private livestock difficult. Public animals had a U.S. or C.S. brand. Many of these branded horses or mules had been properly sold or loaned. It was, therefore, often impossible to tell which animals were subject to the Quartermaster General's order, and which were exempt. Some people exacerbated the situation by stealing others' animals. Others entered an administrative maze to retrieve their confiscated animals.

Despite civilian frustration and poverty, total sales from the auctions exceeded 750,000 dollars, and farmers harvested their crops.<sup>9</sup>

Commanders also brought civil order to areas where local government had collapsed. Generals, beginning with their own forces, ordered a halt to pillaging and searched camps for contraband. Troops guarded homes along march routes in an attempt to prevent destruction of private property. Any soldier shooting at a home or burning a house would be summarily shot.<sup>10</sup> Presently, Union forces themselves were brought under control.

Returning Confederate soldiers added to civil disorder. General Schofield noted that the "country [was a] good deal disturbed by returned soldiers from both Lee's and Johnston's armies."<sup>11</sup> Troops moved into Charlotte, one area of unrest, to restore order. Former Confederate soldiers in the city raided stores and created disorder with public drunkenness. Captain M. C. Runyan, the federal troop commander, established a military post and banned the sale of liquor.<sup>12</sup> Soldiers also captured or dispersed guerrillas, collected military arms, and organized county police companies. These police companies varied in size, from 71 men in Bladen County to 24 in Brunswick County; para-military organizations under army supervision, these companies helped to bring order to local areas.<sup>13</sup> Detachments of cavalry were deployed to Western mountain

counties to stop fighting between former North Carolina Union soldiers and returning Confederate troops.<sup>14</sup> These activities--ranging from providing draft animals for civilians to the formation of the police companies--were undertaken without any specific guidance from Washington.

President Andrew Johnson issued a proclamation on May 29, 1865 establishing the first Reconstruction procedures in North Carolina. He called for a constitutional convention, election of state officials, and voting restrictions on certain former Confederates.<sup>15</sup> He also appointed William W. Holden provisional governor of the state. To this point, military forces had acted under Schofield's orders simply "to secure the interests of the U.S. Government and protect the people until a civil government can be established in harmony with the Constitution and the laws of the U.S."<sup>16</sup> Now the army would help Governor Holden organize a loyal state government, and assisting Holden, would attempt to ensure that federal law, courts, taxes, and post offices were reestablished in the state.<sup>17</sup>

For the moment, the president controlled military Reconstruction efforts. However, his proclamation had no specific guidance for the army. As the president and Congress increasingly disagreed over Reconstruction policy, army generals experienced the problem of conflicting guidance from different sources. This ambiguity continued

until Congress asserted full control with the Reconstruction Act in March, 1867. Meantime, the president, Congress, Secretary of War, and General of the Army all could influence plans and objectives for department commanders. Who was the army's master?

For most of the first two years after the war, presidential proclamations and Army Headquarters provided department commanders their guidance. Ultimately, Congress assumed the preeminent policy role with the Reconstruction Acts, but these laws lacked specific military instructions. Faced with an unprecedented situation,<sup>18</sup> Washington politicians and generals gave vague orders requiring subordinate commanders to execute policy.

Since the army was an instrument of force and violence, it was best suited to counter society's unrest and disorder; and its chief mission became the maintenance of civil order. General U. S. Grant, commander of the army, ordered forces in North Carolina to "promptly check disturbances and prevent outbreaks and violence."<sup>19</sup> There was no specific reform mission stated. If blacks and white Republicans benefited from army actions, it was a result of the army trying to preserve order in society, not a coherent policy; although in the case of ex-slaves, the Freedmen's Bureau did become the specific army agency for problems relating to blacks.

The army took actions to fulfill blacks' basic needs. Because many whites still owned slaves, General Schofield's General Order 32 of April 27, 1865, in accordance with Lincoln's Emancipation Proclamation, declared all slaves in North Carolina free. His General Order 46 of May 15, 1865 proclaimed "normal" domestic relationships for freedpeople. Parents were responsible for children until they were no longer minors. The order also stressed attempting to locate employment and suitable quarters for Afro-Americans. He encouraged former owners to hire freedmen at reasonable wages. At the higher level, the War Department outlawed any system of passes so blacks could travel freely to search for employment.<sup>20</sup> General Schofield ordered black refugees moved out of crowded city camps into suburban camps in an effort to prevent sickness. He also provided railroad passes for dislocated blacks to return home and to find work.<sup>21</sup> A Methodist Episcopal Church in Greensboro was ordered to continue allowing freedpeople to meet in its church building because the local commander wanted to "cultivate religious sentiments"<sup>22</sup> in the blacks.

The formation of the Freedmen's Bureau in North Carolina resulted in a complex relationship with regular forces. The Bureau was part of the War Department and subject to review by the department commander. Military officers ran the agency, and it provided services to blacks until effectively ending its operations in North Carolina

in May, 1869. Bureau duties included the supervision of black labor contracts, abandoned lands, freedmen schools, hospitals, rations, and civil rights. Unlike garrisoned forces, the Freedmen's Bureau received specific guidance to assist blacks.

Regular units aided the Bureau by providing personnel for its operation. Commanders at all levels were ordered to make "temporary details of officers and soldiers as may be required by the [Bureau] Assistant Commissioners."<sup>23</sup> Colonel Eliphalet Whittlesey, the first Assistant Commissioner in North Carolina, initially received eleven officers from the department to serve as Sub-Assistant officers.<sup>24</sup> Department commanders such as generals Thomas H. Ruger and John C. Robinson doubled as Assistant Commissioners. Throughout the life of the Freedmen's Bureau, Assistant Commissioners continued to seek officers who had served in North Carolina because they were familiar with the region. The Bureau also received troops on a temporary basis to act as couriers and clerks.<sup>25</sup> Agents, if assigned alone, had no help with paperwork and no one to keep an office open if the agent went out to inspect an area. Troop support from posts helped the Bureau operate more effectively and, consequently, better serve freedpeople's needs.

Notwithstanding the Freedmen's Bureau was in the War Department, and that there was an overlap in personnel

between the Bureau and regular forces, the two entities remained distinct. They had two separate command structures. Post commanders answered to department or district commanders who in turn dealt with division commanders or Army Headquarters. Freedmen Bureau agents fell under district Sub-Assistant Commissioners who reported to the Assistant Commissioner in Raleigh. The Assistant Commissioner reported directly to the Commissioner, General O. O. Howard, in Washington D.C., not the department commander. The two command channels, however, connected at all levels. Agents wanted to cooperate with local garrison commanders. They requested copies of district general orders so they could be in full compliance with them.<sup>26</sup> The Bureau positioned personnel based on troop locations in the state, so agents could get military support if necessary.

The Bureau relied on the military power of regular forces. Agents in remote areas needed detachments of soldiers to protect blacks and to execute their duties. A Bureau agent was often assigned to a county with no military post. If racial violence escalated beyond what one agent could handle, the Bureau asked the nearest post commander for assistance. The army usually sent a squad or detachment of soldiers to help the agent, as in the case of outrages against a black church and school in Elizabeth City in January 1866.<sup>27</sup> The presence of troops also

protected agents. When soldiers departed Elizabeth City in May 1866, the "disloyal element of [the] place became jubilant,"<sup>28</sup> threatened blacks, and told the Bureau agent to leave in five days or be killed. With proper protection, agents could arrest criminals. They then sent prisoners to an army prison such as Fort Macon, operated by regular forces.<sup>29</sup> Without civilian fear of military retaliation, the Bureau's authority in remote areas would probably have been negligible, thus weakening the freedpeople's most helpful agency.

The blacks of North Carolina understood the importance of military protection. When freedpeople suffered outrages, they approached their local military representative, the Freedmen's Bureau agent. For blacks, there was little difference between an agent in uniform and a soldier at a post--both were army. Blacks of Currituck County petitioned for an agent in their county. They suffered racial injustices, including the expulsion of an eighty year old black woman from her farm; consequently, they sought protection from civil or military authorities.<sup>30</sup> Blacks petitioned Bureau agents or local commanders, sometimes the same person, for redress of their grievances. Blacks of Hartford, Bertie, Gates, Sampson, and Duplin counties wrote the Freedmen's Bureau about binding black children as laborers to former masters. Other blacks of Newberry, South Carolina wrote the senior

commander in North Carolina, Colonel Henry J. Hunt, to ensure that whippings, school closures, and civil rights infractions no longer occurred against freedpeople in the state.<sup>31</sup> Black requests for help made no delineation between the Bureau and the army. Blacks wanted help and justice--anyone who could provide them was welcome.

Apart from personnel, the army provided logistical support for the Freedmen's Bureau. The Chief Commissary provided the Bureau with rations and medical supplies. Between June 1, 1865 and September 1, 1868, the Bureau distributed 1,833,285.5 army rations to blacks in North Carolina. The Commissary also sold food to Bureau agents and teachers for their personal use, provided they earned less than twenty dollars a month. During the Bureau's existence, its doctors treated 40,186 blacks with military-provided medical supplies.<sup>32</sup> The Quartermaster Department gave the Bureau all unserviceable clothing and camp equipment that could still benefit refugees and freedmen. To minimize travel expenses, the Quartermaster also allowed free transportation for Bureau personnel and some freedpeople on military railroads and boats.<sup>33</sup> Local commanders turned over confiscated buildings and lumber to Bureau agents for black schools and hospitals.<sup>34</sup> Finally, as the Bureau was closing, Commissioner O. O. Howard transferred all black enlistment bounty payments to the army pay department, the finance section of the logistical

system. When the North Carolina Freedmen's Bureau closed, the army assumed responsibility for payment of any remaining claims.<sup>35</sup>

The army acted in numerous other areas to the benefit of North Carolina society. Ships entering coastal ports were quarantined to prevent the spread of yellow fever, cholera, and "Ship Fever." Specific anchor points were assigned ships entering Morehead City, New Bern and Wilmington. Ships from an infected region, or having confirmed disease cases aboard, underwent isolation for fifteen days, fumigation, and final inspection.<sup>36</sup> "Fevers" were rampant on the coast, often affecting black and white communities; quarantines were aimed at reducing sickness in these areas.

The army also operated certain railroad and telegraph lines, eventually returning all to civilian control. The military controlled railroad and telegraph lines from Raleigh to Goldsboro, Wilmington, and Morehead City; it also operated telegraph lines from Raleigh to Fayetteville, Weldon, and Greensboro.<sup>37</sup> The Quartermaster finally transferred all military railroads and telegraphs to civilian companies. Railroads in North Carolina, valued at \$2,596,660.05, went to companies such as the Atlantic and North Carolina Railroad and Western North Carolina. The Quartermaster yielded the railroads to these companies for specified settlements, the companies paying their debts

over the next several years.<sup>38</sup> The transfer of telegraphs and railroads to civilian control enabled the state to begin rebuilding the communication and transportation systems lost in the war.

Department commanders such as General John M. Schofield and General Thomas H. Ruger intervened in the state's press. Schofield ordered J. S. Pennington and Company to print a letter that criticized Pennington's paper. Schofield thought the paper's criticism of officer conduct in Raleigh was inappropriate.<sup>39</sup> General Ruger arrested the editor of the Charlotte Times for "admitting seditious articles to his paper."<sup>40</sup> How much the fear of censorship affected the conservative press cannot be determined; however, as the army could close newspapers for content that generals thought was objectionable or unloyal, it is reasonable to assume that some extreme conservative expressions were suppressed. Limits on the conservative press also may have aided the Republican cause; however, this interference could have stirred resentment against the army. This subject requires more study, but it is important to note that the army could censor the press if it so desired.

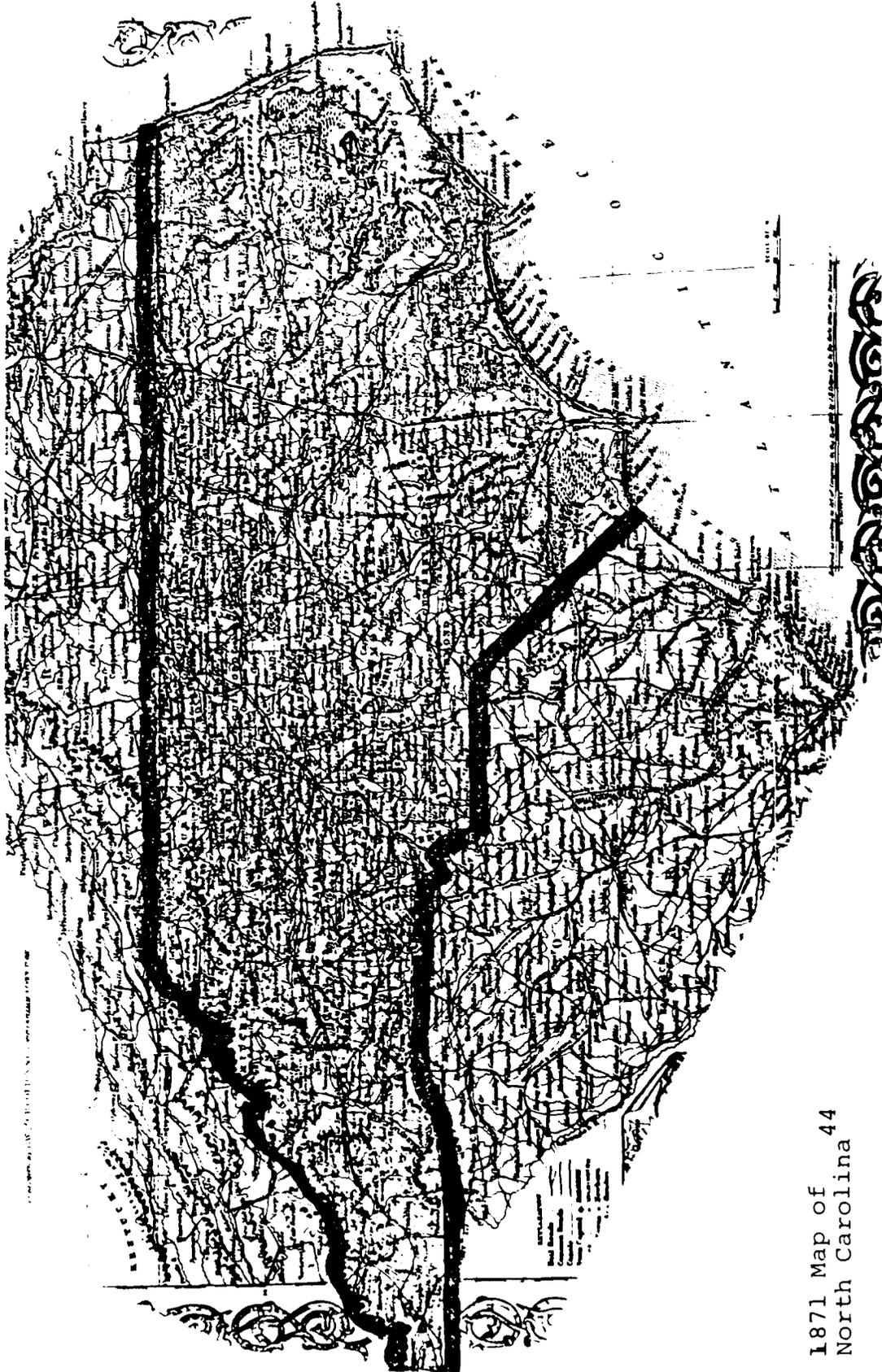
As North Carolina pursued President Johnson's Reconstruction plan, the growing conflict between executive and legislative branches affected Reconstruction policy. Congress now assumed control of the Reconstruction process

and issued new guidance under the Reconstruction Acts.  
North Carolina was about to enter its second phase of  
Reconstruction.

Table 1 Chronology of North Carolina Governors<sup>41</sup>

<u>Date</u>	<u>Governor</u>
22 May 1865	William W. Holden made Provisional Governor
15 December 1865	Jonathan Worth (Conservative) takes office
22 December 1866	Jonathan Worth begins second term
1 July 1868	W. Holden (Republican) takes office
22 March 1871	W. Holden impeached. Tod R. Caldwell (Republican Lt. Gov.) takes office
11 July 1874	Curtis H. Brogden (Republican Lt. Gov.) takes office after Caldwell dies
1 January 1877	Zebulan B. Vance (Democrat) takes office

Governor William W. Holden<sup>42</sup>Major General John M. Schofield, Commander of Dept. of N. C.<sup>43</sup>



1871 Map of 44  
North Carolina



Issuing rations to inhabitants of Wilmington at Post Commissary as depicted in April 1, 1865 Frank Leslie's Illustrated Newspaper<sup>45</sup>



Whites whipping a North Carolina Negro girl as depicted in Harper's Weekly (The Army sought to prevent such outrages.)<sup>46</sup>

Chapter 1 Endnotes

1. The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies (Washington, D.C.: Government Printing Office, 1895), Series I, Vol. XLVII, Pt. 3, 405.

2. Dan T. Carter, When the War Was Over: The Failure of Self-Reconstruction in the South, 1865-1867 (Baton Rouge: Louisiana State University Press, 1985), 20-21.

3. James E. Sefton, The United States Army and Reconstruction, 1865-1877 (Baton Rouge: Louisiana State University Press, 1967), 261.

4. Official Records, 322, 324.

5. Official Records, 343.

6. CPT S. Stilson to Commander of Fayetteville, June 18, 1865, Governor William W. Holden Letter Book, 1865, North Carolina Archives.

7. Official Records, 575; Army-Navy Journal, September 30, 1865, 82.

8. General Order 77, Quartermaster General's Office, December 15, 1865, Records of the Assistant Commissioner for the State of North Carolina, Bureau of Refugees, Freedmen, and Abandoned Lands, 1865-1870, Record Group 105, National Archives, Microfilm M843, Roll 20. (Hereafter referred to as RG105); Confusion over branded animals appeared widespread in North Carolina. The full extent of this episode is unknown.

9. Army-Navy Journal, December 2, 1865, 225; Congress, Annual Report of the Secretary of War, 39th Cong., 2d sess., 1866, Ex. Doc. No. 1, Serial 1285, 75; (Raleigh) Weekly North Carolina Standard, January 17, 1866, 2-3, January 31, 1866, 1, April 25, 1866, 2.

10. Official Records, 189, 281, 342.

11. Ibid., 394.
12. Ibid., 490.
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15. Horace W. Raper, William W. Holden: North Carolina's Political Enigma (Chapel Hill: UNC Press, 1985), 62.
16. Official Records, 330.
17. Edward McPherson, The Political History of the United States of America during the Period of Reconstruction (Washington D.C.: Philp & Solomons, 1871), 11.
18. Sefton, 5.
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20. Official Records, 331; John M. Schofield, Forty-Six Years in the Army (New York: The Century Company, 1897), 371-372; General Order 129, War Department, July 25, 1865, RG105, Roll 20.
21. Official Records, 397, 565.
22. Ibid., 535.
23. General Order 102, War Department, May 31, 1865, RG105, Roll 20.
24. Whittlesey to O. O. Howard, 1st Quarter Report, November, 1865, RG105, Roll 1, F453.
25. Assistant Commissioner to O. O. Howard, June 12, 1867, RG105, Roll 1, F414; Miles to Carziarc, October 10, 1867, RG105, Roll 2; Assistant Commissioner to CPT J. Glous, June 12, 1867, RG105, Roll 1, F413.
26. Acting Commissioner to HQ, 2nd Military District, May 9, 1867, RG105, Roll 1, F388.
27. Whittlesey Report, January 19, 1866, RG105, Roll 3, 120.

28. Whittlesey to LTC William Beadle, February 12, 1866, RG105, Roll 3, 121-122; Bureau Circular No. 2, July 15, 1865, RG105, Roll 20; MAJ Henry Camp to Adjutant, Eastern District, May 24, 1866, RG105, Roll 7.
29. Semi-Monthly Report of the Condition of Freedmen, March 14, 1866, RG105, Roll 23.
30. Freedpeople of Powell's Point to O. O. Howard, July 29, 1866, RG105, Roll 7.
31. Amos McCollough to O. O. Howard, May 6, 1866 and Nat Parker to Assistant Commissioner, April 4, 1866, RG105, Roll 8; Congress, Condition of Affairs in the Southern States, 42d Cong., 1st sess., 1871, S.R. 1, Serial 1468, 50; *Ibid.*, Serial 1530, LXXVIII.
32. J. G. de Roulhac Hamilton, "The Freedmen's Bureau in North Carolina," Reprint from South Atlantic Quarterly (January and April 1909) North Carolina Collection, UNC at Chapel Hill, 8-10; A ration, without substitutes, was 16 oz. of fresh beef; 16 oz. of soft bread twice a week; 16 oz. of corn meal five times a week; 10 lbs. of beans, peas, or hominy per 100 rations; 8 lbs. sugar to 100 rations; 2 qts. vinegar to 100 rations; and 8 lbs. of candles to 100 rations. Rations were food supplies designed for groups of people for periods of time, not individual meals. The amount of army rations represents a sizeable logistical contribution to prevent starvation of thousands of people.
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## CHAPTER II

### THE ARMY AND THE RECONSTRUCTION ACTS

We did not put the Army there for the sake of the blacks, nor for the sake of the whites, nor for the sake of the South, in general, but for the sake of the Union, which would have been disgraced by allowing a series of brawls and riots to go on there for want of proper authority to subdue them.

Army-Navy Journal

March 28, 1868<sup>1</sup>

Congress attempted to assert control of Reconstruction with the March 2, 1867 passage of the Reconstruction Act. This act was followed by three supplementary acts<sup>2</sup> to clarify Reconstruction procedures. After almost two years of Presidential Reconstruction, Congress established military districts to administer the new policy until Southern states established governments consistent with the terms of the legislation. The acts gave the army a mission of protecting individual rights, suppressing insurrection, and preventing violence.<sup>3</sup> From March 1867 to July 1868, the army was the primary political force in North Carolina, and its actions necessarily assisted freedpeople and white Republicans.

The Reconstruction Acts empowered the army to remove civil officers, conduct voting registration, and determine

military or civilian jurisdiction in legal cases; but they lacked specific implementing instructions for the army.<sup>4</sup> Guidance remained general and vague in nature. To further complicate matters, the army continued to receive guidance from other sources besides Congress. President Johnson gave instructions concurrently with Congress. On September 3, 1867, he ordered the army to enforce federal laws in the states, while sustaining state civil authorities and courts. Congress had ordered the establishment of new state governments. Whom was the army to obey? Secretary of War Edwin M. Stanton, acting independently of the president, also influenced policy by giving General Grant directives.<sup>5</sup> Stanton, as well as Grant, became increasingly involved in the Congressional-presidential power conflict. Guidance, apart from the Reconstruction Acts, represented different views of Reconstruction, and different political desires, all of which resulted in ambiguity and confusion for the army.

Consequently, department commanders were sometimes uncertain which authority to follow, but their general orders indicate that they gave priority to Congress. General Order 27 of the Department of the South, to which North Carolina belonged, announced that the March 2 act was in effect.<sup>6</sup> General Order 1 of the newly created 2nd Military District, encompassing the Carolinas, gave further instructions on civil law to post commanders to ensure

compliance with the Reconstruction Act. This general order emphasized working with civil authorities so the military could avoid civil administration.<sup>7</sup> Despite all the laws and guidance, district commanders never received a mission statement from Washington that clearly defined the army's role in the reconstruction of North Carolina.

North Carolina now had to comply with Congress's plan for readmittance into the Union. Army forces in North Carolina under General Daniel E. Sickles implemented the new reconstruction program by registering voters, monitoring elections, and operating courts. Finally, the complex Freedmen's Bureau relationship continued.

To register voters, the army established 170 three-man precinct boards, consisting of military and civilian members. The boards registered 178,665 voters for the 1868 Constitutional Convention and 196,873 to vote on its constitution.<sup>8</sup> Precinct boards registered voters at 845 polling locations in North Carolina. The army had difficulty interpreting the criteria in the Reconstruction Acts that delineated which Southerners could vote. General Sickles wanted to delay registration until Congress gave clearer instructions, but, ultimately, precinct boards completed registration as best they could.<sup>9</sup> Few people challenged any registration. Since the army controlled registration, conservative civilian officials could not exclude blacks or white Republicans. Over 70,000 blacks

registered to vote--an impressive number that surely would not have occurred under civilian control.<sup>10</sup>

The army also monitored elections. It initiated the call for the November 1867 election to determine delegates to the 1868 Constitutional Convention.<sup>11</sup> Commanders certified all election results. Post commanders ensured that elected officials qualified under the Reconstruction Acts and that they properly swore to the revised and more stringent loyalty oath.<sup>12</sup> When elected officials acted in a manner that the military deemed inappropriate, generals took corrective action. General Sickles suspended local New Bern elections on April 27, 1867 because he believed that elected officials had suspect loyalties. He also removed three commissioners in Newport, Carteret County for the same reason. General Sickles replaced Fayetteville's mayor, seven town commissioners, four constables, and two magistrates because he thought they were inefficient in the discharge of their duties.<sup>13</sup> General Edward R. S. Canby, Sickles' replacement, dismissed Governor Jonathan Worth from office to allow the newly elected Holden to assume duties.<sup>14</sup>

To ensure order on election days, post commanders kept troops prepared to respond to any civil disturbance and closed all liquor establishments. Threats to voters were punishable in military court.<sup>15</sup> Army efforts helped achieve fair elections. Conservative politicians could not

falsify voting results or intimidate voters. Therefore, under army protection, Afro-Americans and white Republicans were able to gain political power that otherwise might have been impossible to achieve.

The army controlled the administration of the justice system. The relationship of military and civilian courts defies neat, simple description; more so than the army's role in North Carolina politics, it was complex, ambiguous, and contradictory inasmuch as jurisdiction, procedure, and sentencing were often determined on an arbitrary, case-by-case basis. From 1865 to 1868, military courts replaced civil courts that were non-existent or refused to act on behalf of freedmen or Republicans. Military courts took the form of general courts-martial, field officer's courts, garrison courts-martial--all three traditionally for military personnel--and military commissions, military tribunals, and post courts for civilians.

Traditionally, military courts did not directly affect civilians; however, the Reconstruction Acts established military jurisdiction over them.<sup>16</sup> Military commissions tried cases involving murder, manslaughter, rape, and arson. Tribunals and post courts dealt with lesser offenses, such as larceny and assault. Three civilian judges, hired at a rate of four dollars a day, or three detailed officers composed a tribunal. A post court was the lowest military court. It had one judge, usually a

civilian, who ruled on cases from surrounding counties. Apart from these three, provost courts occasionally existed, particularly during the time of the 2nd Military District, in various counties where civil courts failed to be impartial towards freedpeople. Provost courts varied in composition. For example, a Raleigh provost court had one civilian judge, whereas a Fayetteville provost court had three, who tried lesser, non-military commission offenses. Provost court penalties could not exceed fines of three hundred dollars; however, sentences ranged as high as ten years confinement for burglary.<sup>17</sup> Post commanders could transfer any civilian case to the appropriate military court if they felt the defendant, because of race or politics, would not receive a fair trial from civil authorities.<sup>18</sup> The decision to transfer a case to a military court often varied and was arbitrary, depending on various post and district commanders as well as civilian judges.

A specific example of the blacks' legal situation helps to clarify military courts. Immediately after the war, blacks experienced problems in civil courts. As slaves, Afro-Americans were denied judicial standing. The quest for equality in the immediate post-war period continued. Moreover, military courts offered a means to circumvent a more prejudicial civil court system. Officers and Bureau agents recognized that blacks received

discriminating treatment in civil courts. North Carolina did not recognize black testimony in trials.<sup>19</sup> Courts interpreted laws more rigidly for blacks and often presumed them guilty irrespective of the evidence.<sup>20</sup> General Thomas H. Ruger, department commander, arrested three whites from Person County who killed a freedman named Currie. Governor Holden wanted the prisoners released to civil authorities; but General Ruger refused, citing civilian courts' inability to convict anyone in previous black homicide cases.<sup>21</sup> General Ruger then ordered that all cases involving blacks as defendants, victims, or witnesses be tried in military courts. The army's acceptance of freedpeople's testimony eventually helped force state courts to accept black witnesses. A local commander could also seek release of an incarcerated black if he deemed a punishment excessive. The troop commander of Wilmington wanted freedman Gilbert released from the Brunswick County jail. Gilbert, who stole a pig and received a twenty dollar fine and confinement for six weeks, could not pay the fine nor care for his wife and three children.<sup>22</sup> In such cases, military commanders and courts acted to prevent civilian judicial abuse of blacks.

The Freedmen's Bureau entered the military legal system with its own court. An agent could adjudicate cases involving blacks and whites, although his sentences could not exceed one hundred dollars fine or thirty days

confinement.<sup>23</sup> If the case warranted a more severe penalty, the Bureau referred it to the local military commander for trial in a higher military court. Assistant Commissioner Colonel Eliphalet Whittlesey asked the department commander to try Freedmen's Bureau v. B. M. Richardson by military commission. He thought Richardson, a white who assaulted freedman Daniel Bagley, deserved a greater sentence than the Bureau could give.<sup>24</sup> Such instances are examples of another way the military court system aided the Bureau.

The army insisted upon centralized control in judicial proceedings. The district commander reserved the right to convene military commissions for only the most serious offenses. Also, the commanding general reviewed all sentences involving more than a hundred dollar fine or confinement.<sup>25</sup> Finally, an appeals process allowed a defendant to appeal a tribunal's or post court's decision to the post commander and then to the district commander. Only the president could approve the death penalty for any military court sentence.<sup>26</sup> Through such devices, the army attempted to prevent judicial mistakes by legally inexperienced officers.

Military officers were never certain about, or secure in, their jurisdiction. For example, President Johnson relieved General Sickles as district commander when Sickles upheld a decision of a Wilmington military court over a

federal circuit court ruling.<sup>27</sup> As it embraced civilians, the army judicial system was never more than a stopgap while civil courts reestablished themselves; but military and civilian law did not mix. As constitutional historian Harold Hyman stressed, "the ambiguous, contradictory, and unpalatable elements in civil-military co-existence"<sup>28</sup> in law lasted only a few years. After readmittance to the Union, General Canby's General Order 36 of July 6, 1868 released all civilian prisoners under military control to civil authorities and abolished provost courts.<sup>29</sup>

The army's judicial activities provided some protection of civil rights, especially the enforcement of the Civil Rights Act of 1866. Registered blacks could serve on juries provided that they paid taxes.<sup>30</sup> This right enabled blacks to have greater participation in the legal process. However, when the army stopped trying civilian cases after July, 1868, civilian judges became free to support conservative measures to the detriment of blacks and white Republicans. Whereas the army had previously removed county magistrates, observers of North Carolina Reconstruction, such as Freedmen's Bureau agents, feared the future of blacks under conservative magistrates and unreconstructed county courts.<sup>31</sup>

Beyond courts themselves, the army was involved in North Carolina's administration of the justice system. The department's Provost Marshal General controlled sheriffs,

chiefs of police, city marshals, chiefs of detectives, town marshals, and other police officials throughout the state. Failure on the part of these officers to aid the military was a misdemeanor punishable by military tribunal.<sup>32</sup> These officials submitted monthly reports to post commanders that enumerated crimes committed and who was imprisoned. These reports enabled the army to determine if freedmen, Unionists, or anyone else were being held on false charges. Success in this area was limited. The Raleigh Sentinel of November 12, 1867 reported that civilian officers arrested almost three times as many blacks as whites while the military arrested equal numbers.<sup>33</sup> Commanders hoped to eliminate this apparent disproportion. By monitoring civil police, local commanders attempted to ensure uniform legal standards in their areas and correct injustice.

District commanders sought to limit who could possess firearms. General Sickles prohibited the carrying of weapons except by certain public officers and by hunters on their own premises.<sup>34</sup> Whites or blacks who were not in the military could not assemble, parade, patrol, or drill under arms.<sup>35</sup> The sight of armed blacks, either individually or en masse, alarmed whites. Armed whites, grouped in mobs or near black communities, threatened blacks and Republicans. The army sought to limit all these situations. By restricting weapons, the job of local police and troops was easier.

District commanders also limited alcoholic consumption. General Sickles on May 20, 1867 banned all distillation or manufacture of spirits from grain because, he said, all available grain was needed for food; he also cited failure to pay revenue taxes as well as general lawlessness as reasons for the ban.<sup>36</sup> This order was controversial with many whites and remained in effect only until December 30, 1867 when General Canby revoked the order. Canby controlled liquor license revenues. He used money from liquor licenses, as well as any fines, to support the poor without regard to race or color.<sup>37</sup>

General Sickles also ordered that no mortgages be foreclosed and that no debts incurred between the time South Carolina seceded and May 15, 1865 be collected.<sup>38</sup> These two decisions helped families by relieving debt and protecting their homes. Sickles' General Order 32 prohibited racial discrimination on public conveyances such as railroads, highways, or steamboats. General Canby made any civil contract that involved blacks valid. Quarantines to limit the spread of disease continued to be enforced by both generals Sickles and Canby.<sup>39</sup> Finally, General Canby, to protect commerce and travel, ordered that anyone tampering with or destroying railroad tracks be sentenced to death.<sup>40</sup> For the most part, such actions resulted in assisting all of society, especially the poor and the

freedpeople, to achieve some economic relief and basic protection.

Although the 2nd Military District was dissolved with North Carolina's readmittance to the Union in July, 1868, the complex army-Freedmen's Bureau relationship continued. General Nelson A. Miles, the Assistant Commissioner, succeeded in extending Bureau operations in the state for another year, so the Bureau would last almost a year beyond the 2nd Military District's end. He feared the army, with a small number of troops, could not adequately protect black rights.<sup>41</sup> This fear was justified as Bureau agents called for continued military support in the wake of three Fayetteville cases of shooting into black churches. When military authorities pulled out of Fayetteville, many whites ignored appointed civil officials, elected their own, and exhibited a "spirit of insubordination."<sup>42</sup> Clearly, the Bureau still needed army support.

Despite the mutual support relationship, conflict existed between the Bureau and the regular forces. Bureau agents filed black claims for unpaid services against the army. Blacks often claimed the Quartermaster, Commissary, and Engineer Department had failed to pay them for their labor.<sup>43</sup> They enlisted Freedmen Bureau agents to press their claims, thus pitting agents, who directly represented blacks, against the army. Although there appeared to be no policy of army discrimination in these claims cases, the

administrative haggings over pay probably annoyed both agents and officers. General Miles complained that post commanders gave conflicting guidance to agents. They also sent his agents on missions that took Bureau personnel away from their appointed duties.<sup>44</sup> Miles also was dissatisfied with the March, 1868 department ruling that prevented his agents who earned less than \$30 a month from receiving one ration a day.<sup>45</sup> The loss of this privilege, according to him, created economic hardship for Bureau agents in this category.

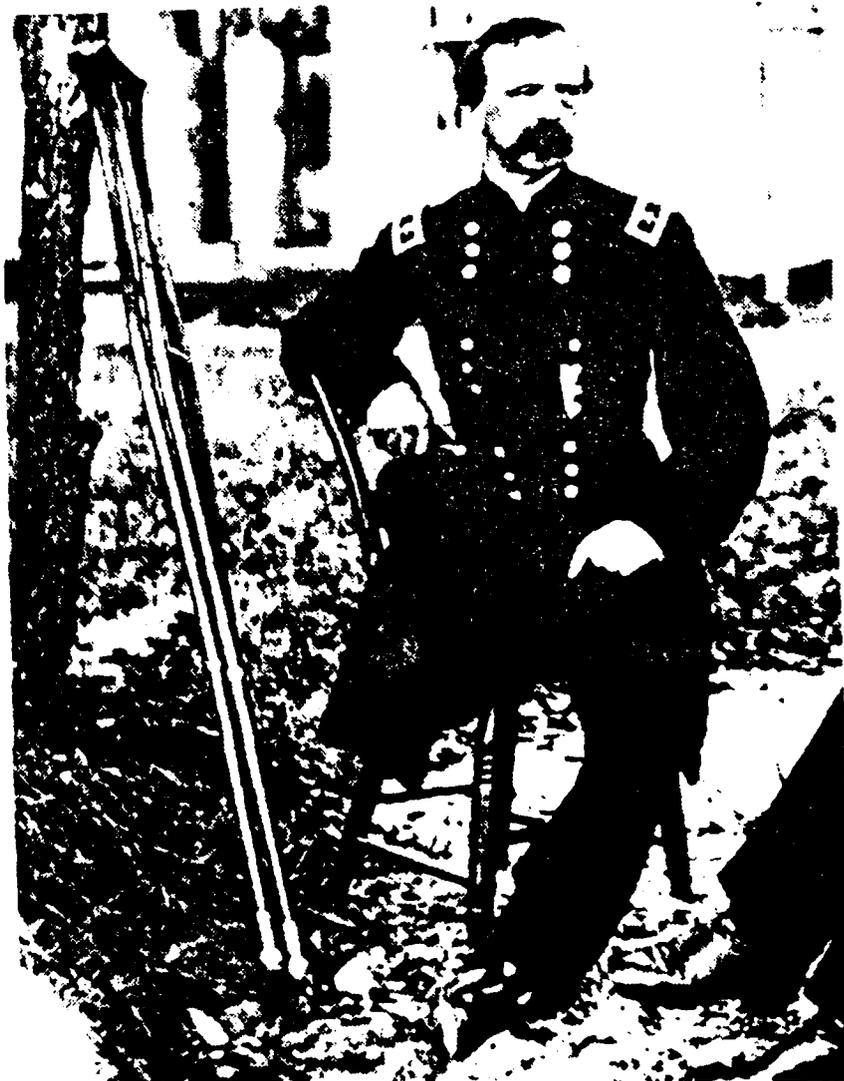
Because two separate command channels existed, there was no single state commander that could order solutions for specific problems in North Carolina. Both generals Grant and Sickles wanted unity of command with the Bureau subordinate to the department commander.<sup>46</sup> Because of the army's racist, bureaucratic nature during Reconstruction, an issue covered in the next chapter, such a structure probably would have only damaged the Bureau's effectiveness.

Blacks and white Republicans benefited from army activities in the 2nd Military District. Congress had given the army an extensive political role in this second phase of Reconstruction. The army did a good job of regulating many areas of society that normally fell under civilian control, even though it did not want to administer government. As the third period began, army involvement in

government would decrease substantially. Military efforts shifted to counter the Ku Klux Klan and illegal distillers.

Table 2 Assistant Commissioners of the Freedmen's  
Bureau in North Carolina<sup>47</sup>

<u>Assumed Command</u>	<u>Asst. Commissioner</u>
22 June 1865	COL Eliphalet Whittlesey
21 May 1866	BVT MG Thomas H. Ruger
20 June 1866	BVT MG John C. Robinson
1 December 1866	COL James V. Bomford
6 April 1867	BVT MG Nelson A. Miles
15 October 1868	BVT LTC Jacob F. Chur
2 February 1869	BVT MG Nelson A. Miles
27 March 1869	BVT LTC Charles E. Compton



Major General Daniel E. Sickles, Commander of  
the 2nd Military District<sup>48</sup>

**ROSTER**  
OF  
**OFFICERS AND CIVILIANS**  
ON DUTY IN  
**Bureau of Refugees, Freedmen and Abandoned Lands,**  
IN  
**NORTH CAROLINA.**

NEILSON A. MILES,	Colonel and Brevet Major-General.	Assistant Commissioner	Raleigh.
JACOB F. CHER,	Brevet Lieutenant-Colonel.	Acting Assistant Adjutant General.	"
THOMAS P. JOHNSTON,	Brevet Lieutenant-Colonel.	Disbursing Officer.	"
ANDREW GEDDES,	1st Lieutenant 40th U. S. Infantry.	Inspector.	"
ANDREW COATS,	1st Lieut. V. R. C. Brevet Major.	In Charge of Claim Division.	New Berne
J. W. WILLIAMS,	Assistant Surgeon, Brevet Major.	Surgeon-in-Chief.	Raleigh
F. A. FISKE,		Superintendent of Education.	"
G. W. PEPPER,	Chaplain 40th Infantry.	Asst. Superintendent of Education.	Goldsboro.

NAMES	RANK	DUTY	STATION.
James V. Bamford,	Colonel 8th U. S. Infantry.	Sub-Asst. Com'r,	Raleigh.
E. W. Hinks,	Lieut. Col. 40th U. S. Inf'y. vt. Brig. General.	" " "	Goldsboro.
W. B. Royall,	Major 5th U. S. Cavalry, Brevet Colonel.	" " "	Morganton.
R. T. Frank,	Captain 8th U. S. Inf'y, Bvt. Lieut. Colonel.	" " "	Wilmington.
A. Rutherford,	Captain 44th U. S. Infantry	Asst. Sub. Asst. Com'r.	"
Richard Dillon,	Captain Veteran Reserve Corps, Brevet Major.	" " " "	Fayetteville.
Thomas H. Hay,	1st Lieutenant 42d U. S. Infantry.	" " " "	On leave of abs.
Charles Dodge,	2d Lieutenant Veteran Reserve Corps.	" " " "	Edenton.
A. W. McKilip,	2d Lieut. Veteran Reserve Corps, Bvt. Captain.	" " " "	Halifax.
John M. Foote,	2d Lieutenant Veteran Reserve Corps.	" " " "	Plymouth.
A. W. Fuller,	2d Lieut. Veteran Reserve Corps, Bvt. Captain.	" " " "	Rocky Mount.
O. J. Sweet,	2d Lieutenant 10th U. S. Infantry.	" " " "	Beaufort.
Frank A. Page,	2d Lieutenant 44th U. S. Infantry.	" " " "	Henderson.
Stephen Moore,	Agent,	New Berne.	George O. Spooner, Agent, Raleigh.
William A. Cutler,	"	Salisbury.	John D. Black, " Goldsboro.
William W. Jones,	"	Statesville.	James Carle, " Wilkesboro.
H. D. Norton,	"	Morganton.	Alfred Thomas, " Lumberton.
H. Hillebrandt,	"	Greensboro.	C. B. Whittmore, " Hillsboro.
George S. Hawley,	"	Franklin.	Isaac Roskruus, " Washington.
T. D. McAlpine,	"	Charlotte.	William Burns, " Lenoirton.
Joseph F. Curden,	"	Magnolia.	W. F. Henderson, " Lexington.
Wm. N. Thompson,	"	Jefferson.	A. B. Chapin, Act. Asst. Surgeon, Raleigh.
Wm. H. D. Herby,	"	Elizabeth City.	S. A. Bell, " Salisbury.
M. W. Wild,	"	Graham.	John N. Miles, " Beaufort.
H. C. Vogel,	"	Raleigh.	W. W. Myers, " Wilmington.
W. MacFarland,	"	Wadesboro.	P. P. Medlin, " Charlotte.
Oscar Eastmond,	"	Asheville.	G. C. Eggert, " Greensboro.
John A. Scarlett,	"	Raleigh.	J. K. Fleming, " New Berne.

HEADQUARTERS ASSISTANT COMMISSIONER, N. C.,  
Raleigh, N. C., April 1st, 1868.

OFFICIAL:

*Actg Asst. Adjutant General*

Freedmen's Bureau Poster dated April 1, 1868 (Colonel Nelson A. Miles commanded the 40th Infantry, the largest troop unit in North Carolina)<sup>49</sup>



Edward R. S. Canby  
Major General, Commander of the 2nd Military District<sup>50</sup>



Voter registration in Asheville as depicted  
in September 27, 1867 Harper's Weekly<sup>51</sup>

Chapter II Endnotes

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3. Edward McPherson, The Political History of the United States of America during the Period of Reconstruction (Washington D.C.: Philp & Solomons, 1871), 192.
4. McPherson, 192, 335-336.
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8. Congress, Annual Report of the Secretary of War, 40th Cong. 3d sess., 1868, Ex. Doc. No. 1, Serial 1367, 340; General Order 33, March 28, 1867, 2nd Military District.
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18. Special Order 55, 2nd Military District, May 27, 1867, North Carolina Collection, UNC at Chapel Hill.

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20. COL John R. Edie's Annual Report for Salisbury, November 3, 1866, RG105, Roll 22; General Ruger to COL Allan Rutherford, May 18, 1866, RG105, Roll 3, 245.

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23. Circular Letter from COL Whittlesey, October 14, 1865, RG105, Roll 20.

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27. Powell, 386, 391.
28. Hyman, 498.
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### CHAPTER III

#### ARMY LIFE IN NORTH CAROLINA

No position could be more unpleasant than that in which so many of our Army officers have found themselves in the Southern States since the war closed. Subordinated to a civil authority which neither respected their position nor appreciated their services, they have been subjected to endless humiliations and annoyances. Their services have been both various and difficult, including almost everything imaginable, from preventing election riots to chasing horse-thieves.

Army-Navy Journal

April 30, 1870<sup>1</sup>

In order to understand the army's relation with North Carolina Reconstruction, one must understand the army as an institution. Numbers of troops, locations of posts, and capabilities of units provide information about what the army did in North Carolina. What the army thought of occupation duties and race relations yields deeper insight into the army's part in the reconstruction of the state. The benefit the army brought to blacks and white Republicans must be balanced against the army's bureaucratic system and its racist attitudes.

As volunteers left the service, regular forces remained to garrison posts throughout North Carolina. Troop strength in the state determined the number of posts.

The army consistently maintained Fort Johnson and Fort Macon through 1877. These forts were part of the coastal defense system of the United States, and also provided protection for inland waterways and harbors. Raleigh, the state capital, was also garrisoned; the state's military headquarters for regular forces as well as the Freedmen's Bureau was located there. The political-military situation generally dictated other postings in the state. Troops stationed in the state's interior were closer to troubled areas more so than coastal units, and could respond more quickly.<sup>2</sup> If an ungarrisoned area experienced significant violence and lawlessness, a company or detachment traveled to the locale in an attempt to restore order.

Tactical considerations also determined the positioning of forces. A commander had to weigh the advantages of maintaining a smaller, decentralized presence in more towns against the command and control benefits of centralized posting in a few important locations. Major General George G. Meade, commander of the Department of the South, adopted the policy of concentrating troops in order to limit subordinate decision making and, thereby, reduce possible misjudgments on their part;<sup>3</sup> he also wanted to maintain unit integrity under commanders, normally captains, as opposed to stationing platoons or squads under lieutenants or non-commissioned officers in various towns. Finally, he believed logistical support would be easier

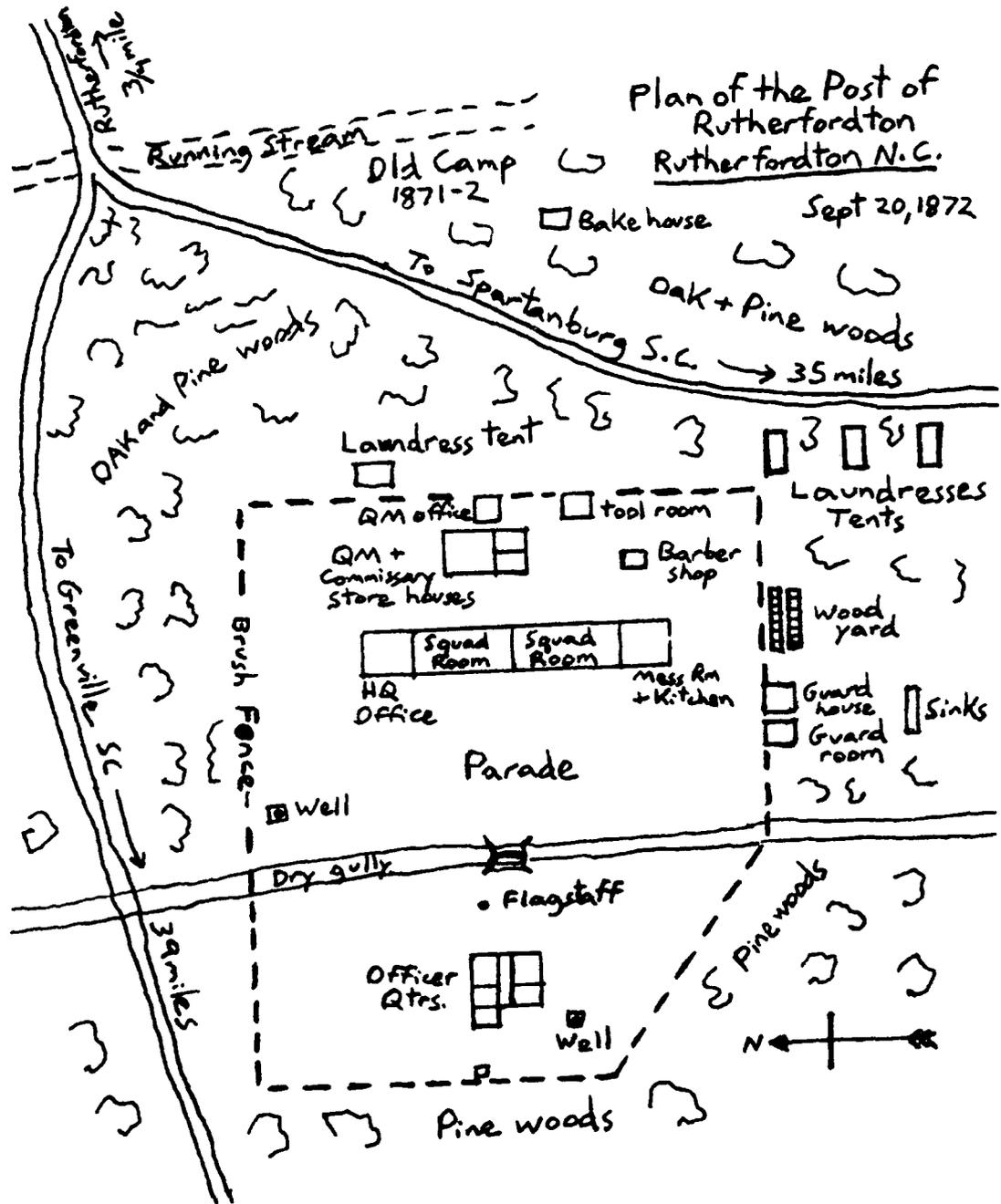
with fewer posts to supply. Under Meade, posts in North Carolina were reduced from twelve in 1867 to four in 1868, while troop strength remained relatively constant.

Centralized control, emphasized by generals such as Sickles, Canby, and Meade, played a dominant role in the army's command structure. Generals gained command and control advantages by consolidating forces. State groupings and military headquarters to which North Carolina belonged varied during Reconstruction; however, North Carolina was always part of some larger division, district, or department. For example, North Carolina was one of five states in Meade's Department of the South. This administrative arrangement made it difficult for generals to focus on any particular state; although overall, the command structure and postings were logical from a commanding general's point of view, given the scarcity of troops in the South.

The army normally assigned a company or two to each post. During Reconstruction, army forces in the ex-Confederacy consisted of infantry companies, artillery batteries, and troops of cavalry. These company-sized elements usually numbered forty to sixty men, and they traveled to troubled areas by train or road march. The cavalry had the benefit of being mounted, enabling it to pursue suspects more efficiently or to undertake rapid excursions into the adjacent countryside. There was a

shortage of cavalry in North Carolina because most cavalry troops served on the Western frontier. Since artillery batteries operated without cannon or equipment, they were essentially the same as infantry companies. Artillery units were designated as companies or batteries, companies having only forty-four soldiers while batteries had eighty-five.<sup>4</sup> Most artillery units in North Carolina were the smaller companies, but the designations were often interchanged.

Troop life was often hard. Infantry and artillery units garrisoned a troubled town with a dismounted guard force. If a company had to remain for months in a place such as Rutherfordton, it built a post within a mile of town or rented quarters. A post normally was composed of enlisted and officer quarters, parade ground, mess room, quartermaster and commissary storehouse, barbershop, laundresses' tents, wood yard, bake house, and guard-house.<sup>5</sup> Smaller detachments had no post and simply camped. Initially after the war, department troops outside of coastal forts slept in confiscated buildings such as former Confederate hospitals or barracks during winter months.<sup>6</sup> Many of these buildings were in poor condition with no heat. Coastal forts were not much better. Fort Macon troops lived in overcrowded casemates with soldiers sleeping in bug-infested two-tier double bunks. Well drinking water was often polluted by sea water, and



Traced from original company commander's sketch of Rutherfordton camp (Cavalry and artillery companies garrisoned the camp in 1871 and 1872).<sup>7</sup>

sanitation facilities were outside of the fort. The fort also lacked amenities such as a chapel or library.<sup>8</sup>

The post system is an important element in understanding the army during the Reconstruction of North Carolina. Because there were few posts in the state, with relatively low troop strength, many historians have claimed that the army was a token occupation force.<sup>9</sup> This assertion is misleading and incorrect. Troops departed their posts to quiet troubled areas. After quelling unrest, they returned to their posts. Troops could be called from any post to deal with trouble, regardless of state lines. Batteries came from Fort McHenry, Maryland in 1870 and 1871 and Fort Monroe, Virginia in 1871 to reinforce Raleigh. Batteries from Raleigh, Fort Johnson, and Fort Macon went to South Carolina to help control riots in 1874.<sup>10</sup> Consequently, state totals are misleading because troops from other states sometimes reinforced North Carolina. By using posts as bases of operation, the army concentrated troops in troubled areas; therefore, there were enough soldiers to execute their reconstruction mission. After an area quieted, troops returned to their posts where living conditions were better than camp life.

But posts posed a distinct disadvantage to commanders. Forces garrisoned at specific locations were familiar with the immediate vicinity. When trouble occurred in a distant region, troops went to a new area without local

information. The department commander had very few post commanders or Freedmen's Bureau agents to report information to him. Consequently, he obtained intelligence from civilians in the areas of unrest, from state newspapers, and from civil officials' reports. This creaky, patched together intelligence network forced the military to react to situations instead of preventing them. A company commander arrived in an area of unrest and interviewed local people in order to make a situation report for higher headquarters. These reports formed the intelligence base for department commanders' decisions. Nonetheless, the people who the officer interviewed for these reports sometimes gave false information. A decentralized post system may have provided better intelligence, but it was not adopted for the previously mentioned reasons.

The relationship of posts to surrounding civilian communities has been neglected in historiography, especially positive aspects which aided local civilians. For example, towns benefited economically from garrisons.<sup>11</sup> Privates earned thirteen dollars a month, while sergeants earned seventeen. Since enlisted men received free food, clothing, quarters, and medical care, this monthly pay was regarded as "merely pocket-money."<sup>12</sup> Officers received larger monthly salaries, a Second Lieutenant, depending on years in service, earning about 150 dollars and a captain

making 200 dollars.<sup>13</sup> Because of a shortage of currency in the South, soldiers, paid in cash by the army paymaster, could spend money in the local economy, thus providing an influx of desperately needed currency.<sup>14</sup> A post also provided employment to civilians, typically as clerks, carpenters, blacksmiths, teamsters, national cemetery caretakers, and common laborers.<sup>15</sup> These jobs, coupled with contracts for food and supplies, helped areas during an economically difficult period. Local civilians, despite their political orientation, did not complain about financial benefits from posts.

The relationship between civilians and soldiers defies easy categorization or description. Several factors determined how well soldiers fared with the populace. At permanent posts, troops, for the most part, related better with civilians than those in temporary camps. Apart from economic interdependence, soldiers had time to develop community friendships. By May of 1877, Fort Johnston troops performed plays for Smithville and Wilmington residents, the proceeds going to local widows and orphans. Both towns thoroughly enjoyed the plays.<sup>16</sup> On January 6, 1876, the enlisted men of Morgantown held a ball that seventy-five ladies attended. Numerous gentlemen from town also participated in the dancing that lasted all night.<sup>17</sup> Permanent posts were normally peaceful, unlike troubled areas where soldiers appeared to quell unrest and violence.

When soldiers arrived in disturbed areas, citizens, as well as soldiers, were on edge. The conservative press further exacerbated opinions by publishing articles hostile to the military. Raleigh's Semi-Weekly Sentinel published a letter critical of an army company just arriving in a new area. The conservative letter stressed threats of martial law and possible military hangings of respectable citizens. "All good men deplored"<sup>18</sup> these prospects. Unlike permanent posts, political upheaval and violence strained relations at temporary posts or camps.

The garrison's discipline also affected post-town relations. Because of a five year enlistment for cavalry troopers and three year enlistment for infantry or artillery soldiers, troops could serve in the South for long periods. Soldier life could be tedious and boring, so commanders instituted policies to enforce discipline. A rigorous daily schedule began with reveille at five o'clock. Drill began at six o'clock, and retreat was at sundown. Taps was at nine-thirty, so soldiers could not be out late at night.<sup>19</sup> Commanders attempted to limit drunkenness by restricting alcohol sales. The post sutler was permitted to sell only two glasses of ale a day to a soldier, with none sold on Sunday. Athletics such as baseball helped pass time and keep troops away from saloons.<sup>20</sup> Army courts could easily punish soldiers, and

the Fort Macon prison usually contained fifteen to thirty prisoners who had failed to obey regulations.<sup>21</sup>

Despite efforts to maintain discipline, soldiers inevitably got into trouble. Private Thomas Duggitt, a black soldier in Wilmington, was unhappy with the camp sutler's policies, and he took matters into his own hands. He tried to kill the sutler and incited other enlisted men to shoot weapons and steal from the sutler.<sup>22</sup> Soldier crimes against civilians, such as rapes by Fort Macon soldiers, alienated the civilian community. Overall, however, garrisoned forces in North Carolina during Reconstruction were generally well behaved and conducted themselves appropriately.<sup>23</sup>

The civilian community, especially Conservative elements, were most outraged by black soldiers. The Conservative Wilmington Herald first praised black soldiers for restoring order in June of 1865, but the paper quickly became critical of black soldiers after a supposed murder of a white merchant. Although the merchant was alive and well, the newspaper now wanted all black troops withdrawn from Wilmington.<sup>24</sup> Whites feared former slaves with weapons. Aaron Johnson, a private in the 37th United States Colored Troops, typified what whites feared when he hit a twelve year old white boy on the head with a club. Johnson, although court-martialed, was an isolated case. Black enlisted men's conduct was as good as white

soldiers.<sup>25</sup> Whites also feared blacks in uniform would incite other freedpeople. On a Saturday night Smithville riot by blacks in 1867, white townspeople complained that black soldiers were in the crowd encouraging violence. The whites wanted the army to punish any black soldier that was involved.<sup>26</sup>

The army did little to counter hostility towards black soldiers because of its own racist tendencies. The Army-Navy Journal, the chief professional military journal, complained that the black contribution in the Civil War was overrated. These articles claimed black soldiers were prone to sickness, came in only at the end of the war, and worked less than whites. At most, blacks were useful auxiliaries who saw little combat.<sup>27</sup> Editors and writers of the Journal used racist arguments in attempt to limit the number of black regiments in the post-war army. Soldiers at Salisbury and Goldsboro fought with local Negroes in night skirmishes probably involving alcohol. At Goldsboro, seventy-five rounds fired wounded only one black civilian and one soldier. Making a joke of the incident, the Army-Navy Journal commented that the garrison needed target practice.<sup>28</sup> General Schofield ordered the Wilmington commander to use black troops instead of whites in disease-infested areas. Courts-martial cases demonstrated that white soldiers wounded and threatened blacks. White troops received punishments for insulting

their officers with derogatory comparisons to Negroes.<sup>29</sup> General Thomas Ruger ordered all remaining black soldiers in the state to the coast because he hoped isolating them from whites would minimize further white resentment.<sup>30</sup>

Why did the army assist freedpeople if it had racist tendencies? To begin with, not all of the army were racist. General Nelson Miles praised blacks for their service in the Civil War. Blacks' fortitude and courage despite possible return to slavery if captured impressed him.<sup>31</sup> Other military professionals believed blacks could be excellent regular army soldiers, and called for elimination of prejudicial treatment on the part of the army.<sup>32</sup> Racism, however, was still prevalent. The army put blacks in segregated regiments. Many white officers were unwilling to serve in these units; they accepted that blacks were citizens, but they did not want to associate with them.<sup>33</sup> Because of the prevailing prejudice, the concept of Negro officers was completely unacceptable. The current army opinion was that blacks could be competently led only by white officers.

This underlying racism is important to understanding the Reconstruction army. After the war, General William T. Sherman, who led the Union army through North Carolina, actually thought the vote would harm blacks. He also claimed that the freedpeople did not want the franchise. General Grant thought forced suffrage might lead to race

war.<sup>34</sup> These senior commanders mirrored President Johnson's racist attitude toward blacks. General John Schofield wanted to prevent blacks from voting because he claimed blacks were illiterate and had no knowledge of law, government, or freedom. For him, they were in an "ignorant and degraded condition"<sup>35</sup> and were socially inferior to whites. Schofield also feared that blacks, upon emancipation, would congregate in towns and around army camps in "idleness"--expecting food from the military.<sup>36</sup>

The army thus found itself in North Carolina at odds with its peculiar sense of itself. First, much of its effort was aimed at helping a people for whom many soldiers cared little. For the most part, the army helped blacks obtain basic needs--food, protection, legal rights, the franchise, but failed to push for any sense of equality because, like most whites of the day, it was racist. Its ambiguous mission also neglected any emphasis on social equality. Additionally, the army was experiencing a one-third budget-cut.<sup>37</sup> The army considered abandoning all coastal forts as unnecessary and susceptible to disease. Since coastal posts might be abandoned, generals were reluctant to repair forts or build more suitable quarters.<sup>38</sup> As the army experienced considerable personnel cuts, some viewed the Freedmen's Bureau as excess work for remaining soldiers.<sup>39</sup> Budget cuts and uncertainty about posts probably undermined morale. Furthermore, some

commanders questioned the constitutionality of military government and the effectiveness of Reconstruction efforts.<sup>40</sup> Many soldiers preferred duty on the frontier instead of occupying the South, a duty the military did not want. Indicative of the preference, Army-Navy articles covered frontier forces far more extensively than occupation troops, and General Nelson Miles, Assistant Commissioner of the Bureau, was glad to leave North Carolina for the West.<sup>41</sup> Because of under-financing, a problematic mission, racism, and professional opportunities on the frontier, many officers preferred duty in the West or service at military posts out of the South.

Notwithstanding their personal desires, commanders followed orders. They helped blacks, worked with the Freedmen's Bureau, and registered voters. But most soldiers never really desired Southern duty. To have accomplished more, the army needed to upgrade post facilities, increase morale, improve harsh living conditions, change basic racial notions, and receive specific orders to do "more." Given the political, economic, and social condition in America in the 1870s, these improvements were improbable. The army mirrored white society, and it displayed the same fundamental values of the period.

Table 3 Chronology of Military Headquarters  
and Commanders for North Carolina<sup>42</sup>

<u>Date</u>	<u>HQ</u>	<u>Commanders</u>
27 April 1865	Dept of NC	Schofield
15 May 1865	Div of the James Dept of NC	Halleck Schofield
20 June 1865	Temporary Command of NC	Cox
27 June 1865	Div of Atlantic Dept of NC	Meade Schofield
30 June 1865	Temporary Command of NC	Ruger
19 May 1866	Div of Atlantic	Meade
2 June 1866	Dept of Carolinas	Sickles
17 August 1866	Dept of South (NC, SC)	Sickles
12 November 1866	New Commander	Robinson
21 March 1867	2d Mil. District (NC, SC)	Sickles
5 September 1867	New Commander	Canby
28 July 1868	Dept of South (GA, AL, FL, SC, NC)	Meade
12 March 1869	New Commander	Ruger
16 March 1869	Div. of South Dept of South (GA, AL, FL, SC, NC)	Halleck Ruger
31 May 1869	New Dept Commander	Terry
24 December 1869	Div. of South Dept of South (AL, FL, SC, NC, till January 1870)	Halleck Terry
26 February 1870	Div of Atlantic Dept of Virginia (VA, NC after Jan. 1870)	Meade Canby
31 March 1870	Dept of Atlantic Dept of Virginia (Merges into Dept of East after 30 April: VA, NC, WV)	Meade Canby
4 May 1870	Div of Atlantic Dept of East (VA, NC)	Meade McDowell
25 July - 13 September 1870	Temporary Mil. Dist.	Hunt
1 November 1871	Div of South Dept of South (TN, GA, AL, FL, SC, NC)	Halleck Terry

Table 3 (Continued)

<u>Date</u>	<u>HQ</u>	<u>Commanders</u>
15 January 1872	Dept of South (TN, GA, AL, FL, SC, NC)	McDowell
11 December 1872	Div of South Dept of South	McDowell McDowell
4 January 1875	Div of South Dept of South	McDowell McDowell
26 June 1876	Div of Atlantic (VA)	Hancock
1 July 1876	Dept of South (NC, SC, GA, FL, pt. of TN)	Pennypacker
8 September 1876	Dept of South	Ruger

Table 4 Garrisoned Troops in North Carolina<sup>43</sup>

Note: Army reports of period reflected a troop strength for a particular day. Numbers could fluctuate during the year, depending on various troop movements into or out of the state.

- 1865 - The Army of the Ohio with 10th and 23rd Army Corps and Kilpatrick's Cavalry occupy North Carolina immediately after hostilities. There were 1,754 officers and 44,092 men present for duty on 30 April 1865. In June 1865, 43,948 troops were in the state. Ten regiments were black, and forty-eight were white. By September 1865, mustering out of volunteers reduced the troop level to 8,788 with six black and five white regiments. Total 8,788
- 1866 - In January 1866, 2209 soldiers were in the state. On 30 October 1866, there were 2,747 men in the Department of the South (NC, SC). There were 6 Co's, 8th Inf, A + I Co's, 5th U.S. Cavalry, light battery E, 3rd U.S. Artillery, and A,B,D,F,G,I,K Co's, 37th Colored Infantry. The 128th Colored Infantry mustered out on 10 October 1866. Total less than 2,747
- 1867 - On 20 October 1867, there was the following distribution: Raleigh - HQ + E Company, 8th Infantry/88 soldiers; Fayetteville - K Co., 8th Inf/81; Salisbury - A Co, 8th Inf/57; Wilmington - D Co, 8th Inf and A Co, 40th Inf (at Fort Johnston)/145; New Bern - F Co, 8th Inf/77; Charlotte - H Co, 8th Inf/77 Morganton - A + I Co's, 5th Cavalry/195; Fort Macon - I Co, 40th Inf/102; Goldsboro - E,G,H Co's, 40th Inf/238; Plymouth - B Co, 40th Inf/88; and Greensboro - B Co, 8th Inf/55. Total 1203
- 1868 - 20 October 1868: Fort Macon - H Bat, 5th Artillery/75; Goldsboro - A through I and K Co's, 40th Inf/786; and Fort Johnston - B Bat, 5th Art/78. Report from BVT Maj. Gen. Terry, dated 30 Oct 1869, placed a headquarters staff, band, and Company B, 40th Inf from Goldsboro in Raleigh as of 31 October 1868. In November 1868, troop strengths in Raleigh increased to four companies while Goldsboro decreased to six. Total 938

Table 4 (Continued)

- 1869 - 30 October 1869: Raleigh - K Co, 8th Inf/51; Fort Macon - A and I Co's, 8th Inf/165; Goldsboro - B Co, 8th Inf/76; and Fort Johnston - D Co, 8th Inf/74. Total 366
- 1870 - 20 October 1870: Raleigh - 2 Co's, 8th Inf/96; Fort Macon - K + L Bat's, 4th Artillery/100; and Fort Johnston - G Bat, 4th Art/81. Total 277
- 1871 - 20 October 1871: Raleigh - H Bat, 4th Art/48; Fort Macon - K + L Bat's, 4th Art/117; Fort Johnston - G Bat, 4th Art/38; and Rutherfordton - C Co, 7th Cavalry/63. Total 266
- 1872 - 1 October 1872: Fort Macon - K and L Bat, 4th Art/97; Fort Johnston - G Bat, 4th Art/38; Raleigh - D and H Bat, 4th Art/96; Rutherfordton - C Bat, 4th Art/46; Lincolnton - C Co, 7th Cav/71; and Charlotte - A Bat, 4th Art/47. Total 395
- 1873 - 10 October 1873: Fort Macon - E and L Bat's, 2nd Art/113; Fort Johnston - M Bat, 2nd Art/65; and Raleigh - F, G, and I Bat's, 2nd Art/170. Total 348
- 1874 - 9 October 1874: Fort Macon - L Bat, 2nd Art/13; Marion - F Bat, 2nd Art/45; and Raleigh - I Bat, 2nd Art/49 (E,G,M Bat's deployed in September to control riots in South Carolina). Total 107
- 1875 - 11 October 1875: Raleigh - D and E Bat's, 2nd Art/75; Fort Macon - I and L Bat's, 2nd Art/70; Fort Johnston - M Bat, 2nd Art/45; and Morganton - F Bat, 2nd Art/32. Total 222
- 1876 - 14 October 1876: Raleigh - D + E Bat's, 2nd Art/72 and Morganton - F Bat, 2nd Art/43. (M Bat from Fort Johnston sent to Marion, S.C.). Total 115
- 1877 - 12 October 1877: Morganton - Detachment from E Co, 18th Inf/8 and Fort Johnston - Detachment from M Bat, 2nd Art/10. Total 18

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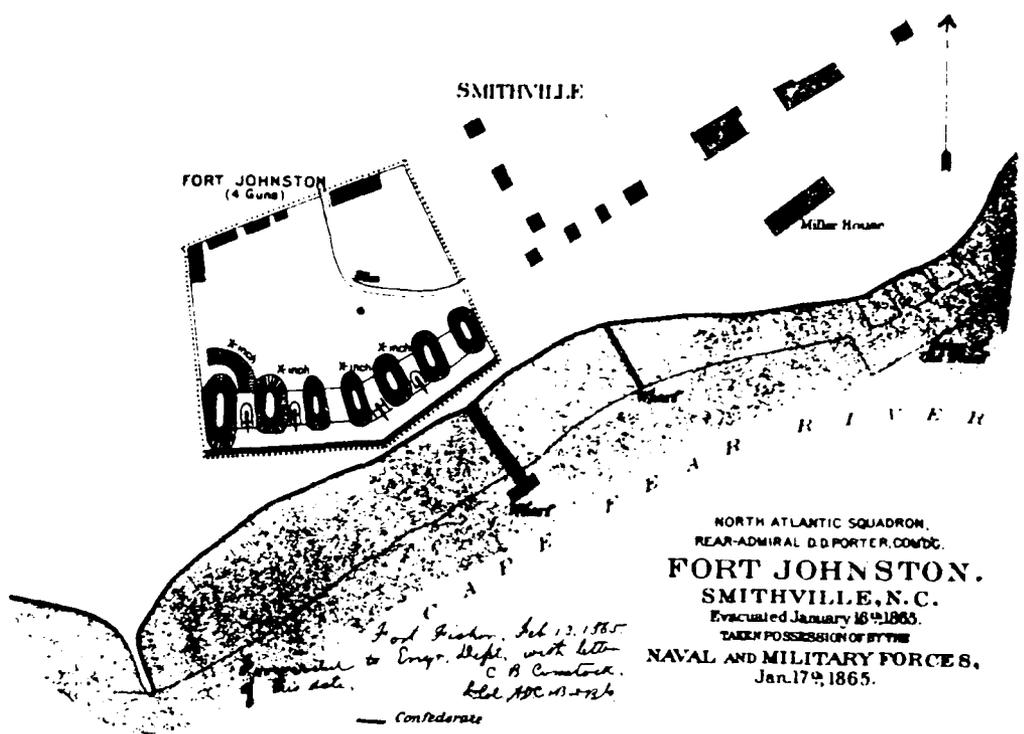
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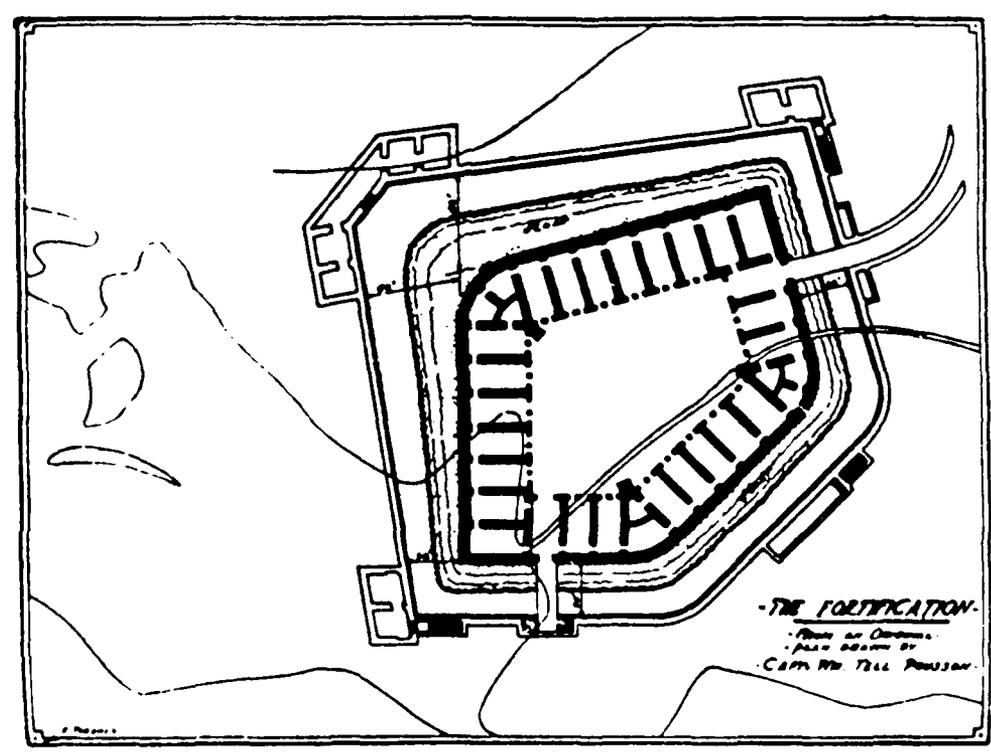


Full Dress of Sergeant of Infantry. Full Dress of Private of Infantry. Regimental Adjutant. Colonel of Infantry. Brigadier-General. Colonel of Cavalry and Heavy Major-General. Officer of Cavalry and Light Artillery. Corporal of Cavalry and Light Artillery.

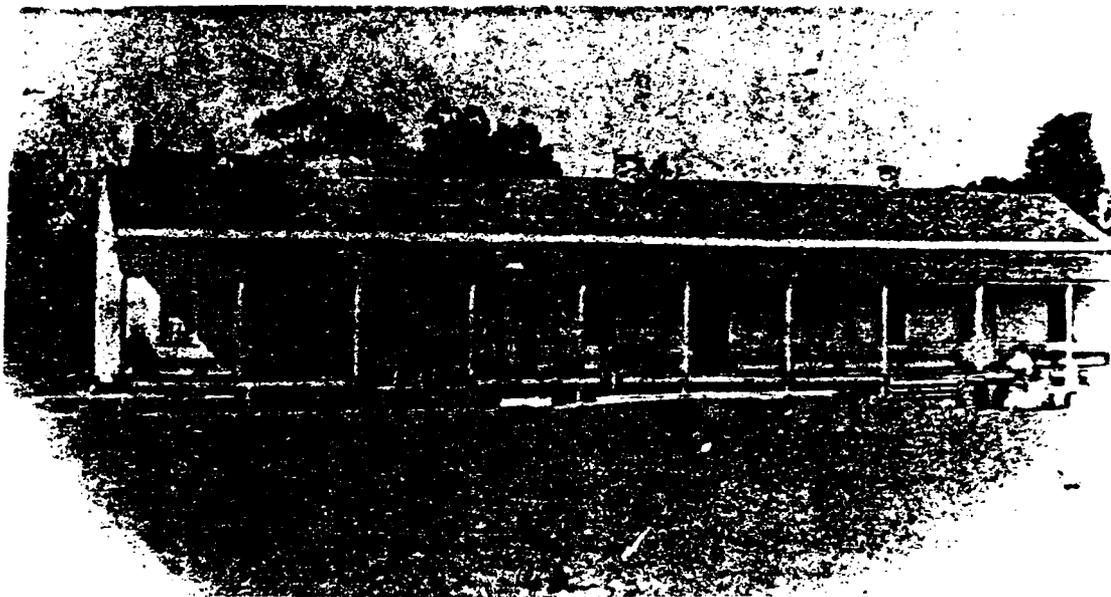
Army uniforms of Reconstruction<sup>44</sup>



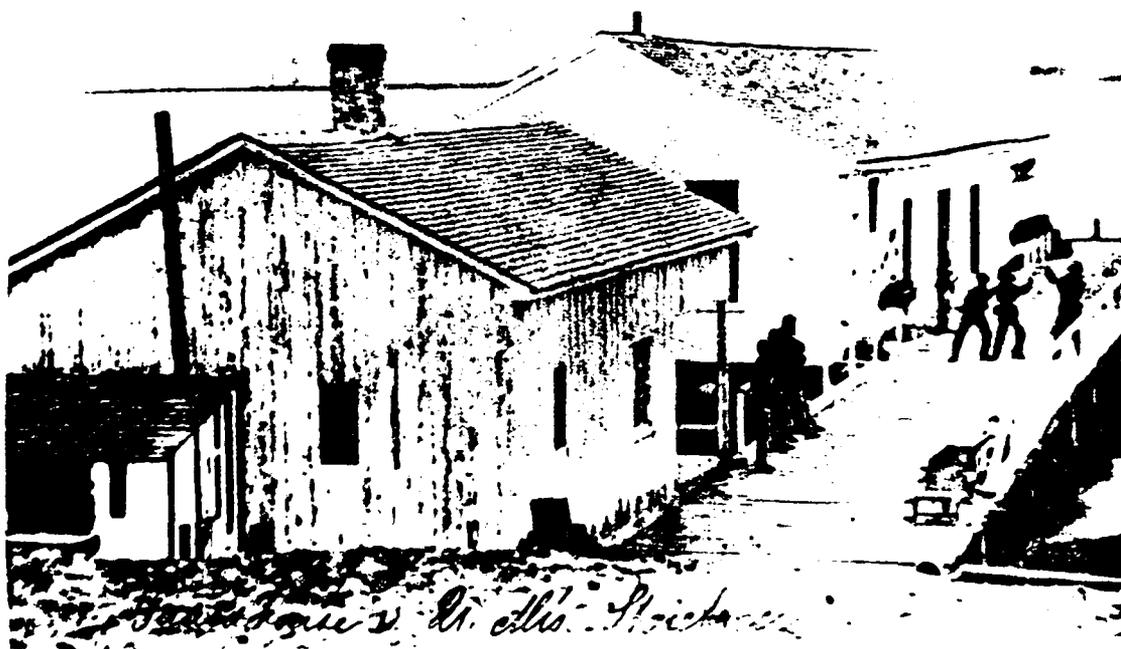
Drawing of Fort Johnston (Fort Johnson) at end of Civil War<sup>45</sup>



Sketch of Fort Macon<sup>46</sup>



Troop barracks at Fort Johnson<sup>47</sup>



Guardhouse and Storehouse at Fort Johnson<sup>48</sup>

Chapter III Endnotes

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2. Congress, Report of the Secretary of War, 41st Cong., 2d sess., 1869, Ex. Doc. No. 1, pt. 2, Serial 1412, 77.
3. Ibid., 40th Cong., 3d sess., 1868, Ex. Doc. No. 1, Serial 1367, 116.
4. Official Army Register (Washington D.C.: Adjutant General's Office, 1875), 261B.
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24. Brooks D. Simpson, Leroy P. Graf, and John Muldowny, eds., Advise After Appomattox: Letters to Andrew Johnson, 1865-1866 (Knoxville: University of Tennessee Press, 1987), 59.
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41. Miles, 106.
42. James E. Sefton, The United States Army and Reconstruction, 1865-1877 (Baton Rouge: Louisiana State University Press, 1967), 255-258; Dates adjusted by Annual Reports of Secretary of War, Army-Navy Journal, Official Records, and Freedmen's Bureau Records; Since North Carolina was part of various commands, a researcher must know the headquarters or commander to locate pertinent records in archives. I have compiled this data to save time for future researchers.
43. Data from Annual Reports of Secretary of War for given years; Sefton, 261; Army-Navy Journal for various years; Troop units and posts enable the researcher to find information in archives.
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46. Barry, 172; Sketch of Fort Macon.
47. Troop barracks at Fort Johnson, N 69-7-462, North Carolina Archives.
48. Guardhouse and Quartermaster Storehouse, N 69-7-461, North Carolina Archives.

CHAPTER IV  
FRUSTRATION AND SUCCESS

In regard to Ku-Kluxism I know very little, save that I have not been able to find any one, black or white, that has ever seen one, but only heard of them.

Captain George B. Rodney  
July 30, 1870  
Commander at Yanceyville<sup>1</sup>

By fulfilling the Reconstruction Acts' provisions, North Carolina became a fully readmitted state, a condition that implied an end to Reconstruction. As it reentered the Union in July, 1868, army involvement in the political affairs of the state decreased. Notwithstanding, garrisoned forces remained in North Carolina until President Rutherford Hayes withdrew them in 1877. Historians have neglected the army's influence in society after 1868, assuming its activities negligible.<sup>2</sup> But the army repeatedly responded to requests for law enforcement assistance from counties such as Alamance, Caswell, Robeson, Rutherford, and Cleveland. An analysis of these activities yields important information on army contributions that help justify the establishment of 1877 as the end of North Carolina Reconstruction.

The army experienced frustration and success in this final period of Reconstruction. It had limited effectiveness in Alamance and Caswell counties in an episode known as the Kirk-Holden War. Subsequently, it failed to subdue the Lowry Gang in Robeson County. I will examine these two episodes to draw comparisons of military limitations in civil affairs. The examination will be narrowly focused and exclude many broader historical issues addressed in other works. Learning from these two early incidents, the army improved its civil-military interactions and employed its knowledge in curtailing later Ku Klux Klan and distillery operations in Western counties.

The army helped limit violence, enforce revenue laws, protect Republican politicians, and combat the Ku Klux Klan. As in earlier Reconstruction years, the state government still needed regular forces to aid in law enforcement. Counties or areas with intense Republican-Democratic rivalries were especially troubled in the 1870s. The Ku Klux Klan, self-proclaimed enemy of freedpeople and Republicans, created violence and resisted civil authority. The Klan, surrounded by secrecy and ritual, tried to create fear and hate with ceremonies requiring members to swear an initiation oath with one hand on the Bible and the other on the skull of a freedman or Union soldier. The Klan became one of the army's chief

adversaries.<sup>3</sup> While pursuing the Klan in Alamance and Caswell counties, the army experienced frustrations.

Major insurrections occurred in Alamance and Caswell counties, culminating in the summer of 1870. These complex multi-faceted disturbances, known as the Kirk-Holden War, have been the subject of substantial historical investigation, but do not provide in-depth coverage of the military itself. Essentially, Klan violence against Republicans, Union League activists, and freedmen increased in the region. On February 25, 1870, a band of one hundred robed horsemen hanged Wyatt Outlaw, a black Republican leader, from a large oak tree in the Alamance Courthouse square in Graham.<sup>4</sup> This murder led Governor William Holden to request troops to restore order; the army sent E and F companies, 17th Infantry. They arrived under the command of Lieutenant C. McTaggart on March 4. McTaggart also placed a squad at Company Shops to protect the postmaster and citizens.<sup>5</sup> Holden declared Alamance in insurrection on March 10 and requested additional federal troops. Department commander General Edward R. S. Canby sent two more 17th Infantry companies to Raleigh.

As the Kirk-Holden War unfolded, the army reacted within the framework of its post system. Alamance County had no troops, so it received them from the nearest post, Raleigh. When the situation worsened, more companies arrived from Virginia to reinforce Raleigh. Lieutenant

McTaggart gathered intelligence on the Alamance Klan, and he was told by informers that there were 880 members of the Klan in the county, an unreliable figure. Acting under department orders, Lieutenant Paul Hambrick, a native of the area, arrived to investigate the situation.<sup>6</sup> To this point, the army system responded to the emergency in a conservative manner.

The Alamance and Caswell situation worsened when former U.S. Senator John W. Stephens was stabbed in the Caswell Courthouse in Yanceyville on May 21, 1870. After two months of continued violence, Governor Holden declared both counties in a state of insurrection and appealed directly to President Grant for a regiment of troops.<sup>7</sup> In this request, Holden wanted more soldiers than the department commander could provide, so he went directly to the president. The department commander was reluctant to commit forces to Holden. Upon presidential pressure, General George Meade, Division of the Atlantic Commander, designated North Carolina as a temporary military district and sent six more companies to Raleigh. Additional companies went to Graham, Alamance County, and Ruffin, Rockingham County. The whole region was in upheaval.

The army's part in the Kirk-Holden War is not simply a matter of troop movements, for Governor Holden began his own military effort in June, 1870 to combat the Ku Klux Klan. He raised a militia force under George Kirk, an

unpopular Tennessean. The militia traveled to Alamance and Caswell counties, and it arrested numerous Klan suspects. Holden's reliance on the militia raises interesting questions in regards to the military. Why did the army get involved with the militia in combating the Klan? Why did the army not handle the situation by itself? Why did the governor rely on the militia? Holden may have been frightened, politically inept, or too eager to use force. However, the army may not have acted with sufficient force to satisfy him. Regardless of Holden's exact motives for mobilizing the militia, it played a critical role in unfolding events, and in the army's subsequent actions.

Chain-of-command difficulties surfaced as the first military problem in the Kirk-Holden War. Who was in command? The governor was responsible for law enforcement in the state; however, he had never given orders to military commanders. General Irvin McDowell, the department commander, tried to clarify the new civil-military role for troop commanders. He stated that army forces would act as military units subordinate to civil authorities, but not as police. Furthermore, unless there was an "extreme emergency,"<sup>8</sup> they would act only upon his orders. He neglected, however, to define what constituted an emergency. Companies now had restrictive orders that placed them under firm centralized control. They were to

act in concert with civil officials, not as independent forces, except in the case of an undefined emergency.

A clear military plan, therefore, remained elusive. Colonel Henry J. Hunt, the temporary District of North Carolina commander, was uncertain about his relationship with the militia, his superiors' desires, and how to best use his troops.<sup>9</sup> The militia presented Colonel Hunt with especially vexing command problems. Who controlled the militia? How did the governor fit into the chain-of-command? These questions were never adequately answered, and the uncertainty in Colonel Hunt's mind typified commanders' questions about jurisdiction, authority, and policy. The army wanted to work in subordination to civilian authorities such as federal marshals, not militia leaders. Furthermore, commanders, such as George Meade, wanted to use soldiers only after civilians "had exhausted all other means of quieting the disturbance."<sup>10</sup>

The lack of cooperation--indeed, they were sometimes in competition--between regular and militia forces during the Kirk-Holden War exemplified the immiscibility of these two elements. Regular forces thought the militia was inferior in discipline and training. The Conservative press developed this difference between the two units. The Wilmington Carolina Farmer and Weekly Star blasted Kirk's men as "sickly, saffron-colored, slovenly samples of East Tennessee jayhawkers, and intellectually the privates in

the United States battery are the superiors of Kirk's officers."<sup>11</sup> General McDowell wanted only federal troops to preserve peace, and he desired state officials, namely the militia commander, to release his prisoners to United States marshals.<sup>12</sup> Captain George B. Rodney, commander at Yanceyville, complained that the militia was a mob, reporting that militiamen threatened to burn the town when they departed and even threw rocks at federal soldiers. To add to these difficulties, on August 8, 1870, Private James Bradley, returning drunk from Yanceyville to his company camp, was shot dead by a militia picket. After this incident, generals McDowell and Meade wanted state troops out of the area, yet they could not order them out. They had no authority over the militia, and they failed to exert a unified effort with Kirk's forces.

In this first incident of unrest, the army's presence did limit Klan activities. Klan outrages ceased upon arrival of federal and militia forces. The arresting process remained a problem. The army wanted local authorities to make arrests and, if necessary, use federal marshals and courts to enforce the law. Ideally from the army's point of view, force was a last resort to be used only if there was an immediate danger or significant uprising. Klan violence, however, was unpredictable, specifically targeted against certain individuals, and generally nocturnal. The Klan or other extremists would

strike and disappear. By the time the army arrived from camps or posts, suspects had fled or returned to normal life; furthermore, the local population generally failed to support efforts to catch criminals. Blacks and white Republicans feared retaliation from Conservatives when the army departed; consequently, the army received few leads and little assistance.

As Klan activity diminished in late summer, the army held seven reinforcing artillery companies in Raleigh. They remained there in camp where they could quickly be withdrawn to their Northern posts when no longer required.<sup>13</sup> The department commanders and the War Department decided that more troops in Alamance or Caswell counties would only provoke conflict with the public and the militia. Since violence ended, the military district was discontinued on September 13, 1870 with no resolution, to the army's regret, of the militia authority question.<sup>14</sup> Governor Holden, the "Kirk-Ku-Klux Governor" as a Conservative paper labeled him,<sup>15</sup> was eventually impeached on charges of unconstitutional and illegal use of the militia.

Additional military problems occurred in another incident in Robeson County. The Lowry "gang," a band of six Indian outlaws who robbed and assaulted whites, operated in an area referred to as Scuffleton. The gang received aid from sympathetic local blacks and Indians.

County authorities could not stop them and requested federal assistance. On November 21, 1870, Battery A, 4th Artillery moved from Graham to Lumberton.<sup>16</sup> The army battery spent four to five months searching swamps. Receiving little local cooperation, soldiers did no better than the sheriff's posse of one hundred men had before them.<sup>17</sup> The troops found a sixty yard tunnel that led from outlaw leader Henry B. Lowry's house to a swamp, but he remained elusive. Even with the presence of regular troops, the gang broke fellow members out of jail and murdered a local resident--both actions occurring within a few hundred yards of federal camps.<sup>18</sup>

The amount of troop effort in Robeson County appears to indicate military ineffectiveness against outlaws. After failing to catch Henry Lowry, Battery A, 4th Artillery departed from Lumberton on May 22, 1871. Three months later, Batteries K and G, 4th Artillery traveled to Robeson County from Raleigh and Fort Johnson to assist the sheriff; they could not capture Lowry either and returned to their posts on October 11, 1871.<sup>19</sup> Why was the army having problems in Robeson County? Why were companies of soldiers unable to stop a handful of outlaws?

The systemic problems that plagued the army earlier in the Kirk-Holden War re-appeared in Robeson County. The batteries' commanders could not cooperate with the sheriff. Captain Evan Thomas, commander of Battery A, differed with

the local sheriff about the means to catch Lowry.<sup>20</sup> The sheriff wanted to use any technique, legal or illegal, to end Lowry's reign. Such methods implied martial law, violation of rights, and other extreme measures. To the contrary, Captain Thomas's orders were to keep his men "ready to do their duty as soldiers in the way and the extent they may be ordered, and no further."<sup>21</sup> The orders restricted him from declaring martial law or arresting suspects. Put another way, Thomas could not take the initiative; the department wanted civil authorities to make arrests while the army acted as a reserve for local officials in cases of emergency. The army, unlike the sheriff, was concerned with legality. Furthermore, centralized control limited the company commander's flexibility to act. He could respond to events only after receiving superiors' permission.

The Kirk-Holden War and Lowry episode demonstrated army limitations in what amounted to peacetime guerrilla operations. In both cases, troops arrived from distant posts with inadequate means of intelligence. They compounded this problem by never developing a reliable means of information collection from civilians. The army could not cooperate with the militia or the sheriff's posse. Conflict over jurisdiction and authority remained. The army claimed it wanted to work in subordination to civil officials, but it seemed unwilling to be led.

Civilian leaders favored draconian military measures to crush resistance while the army tended to adhere to the letter of the law. Military and civilian efforts appeared incompatible. The army was now another instrument to assist state government and to enforce federal law; but through misuse and poor coordination, it failed to yield its full benefit to society.

Despite the military problems exhibited in the Kirk-Holden War and Robeson County, the army learned from its mistakes and developed its procedures for responding to future unrest. North Carolinians observed that the federal government enforced laws and helped state officials. Outrages against blacks and white Republicans received national attention. If the federal government had failed to commit any forces, violence would probably have continued at an unacceptable level. Consequently, the army's presence had some positive influence.

Beginning in May, 1871 and continuing to the end of 1877, disturbances shifted to Southwestern counties such as Cleveland, Rutherford, Lincoln, McDowell, and Mecklenburg. However, Klan activity was not limited exclusively to these counties or the west. These later incidents illustrated a new, closer interaction between the army, federal marshals, and internal revenue agents. The common enemies of these federal officers were the Ku Klux Klan, illegal distillers, and federal tax evaders. The activities of these three

illicit groups often merged, making distinctions difficult between their personnel and actions. The Klan frequently supported illegal distilleries, while pursuing its main effort of intimidating blacks and white Republicans.<sup>22</sup> Distillers paid no taxes. The army, usually associated by historians with anti-Klan actions, actually spent more time policing illegal distillers. When the North Carolina Klan was disbanded in the beginning of 1872, military support of revenue officers continued as late as February, 1877.<sup>23</sup>

From a military point of view, these Western disturbances, grouped together, resulted in a complicated series of company and detachment movements to various towns. This study will not analyze each deployment separately; rather, it will demonstrate how new procedures led the army to a more significant law enforcement contribution. For example, the army established temporary posts to sustain companies for longer periods and during cold weather. More than rudimentary camps, these posts allowed the army to create a more permanent base of operations from which to send patrols into adjacent areas. The main procedural innovation, however, was subordination to federal agents.

Working with marshals and tax collectors was an activity compatible with army desires. Federal agents had arrest warrants. Under the new policy, the army simply provided detachments of soldiers--usually squad-sized--to

federal officials who needed a military presence to execute the law. In remote areas, Klan members and distillers easily outnumbered federal agents; but with troops accompanying them, agents could travel in relative safety throughout counties, arresting suspects and performing other duties.

Without the army, revenue agents in troubled counties could not enforce laws and often feared for their lives. Soldiers arrived in Sampson County, an Eastern county, in time to prevent the murder of the U.S. Commissioner and deputy marshal. Their presence also frightened Klan members into surrendering, and they reportedly made one hundred Klan arrests in the county.<sup>24</sup> With the new arrangements--and unlike the earlier Alamance and Robeson incidents--the army was spared militia or posse conflicts. Command and control ambiguities diminished. Although departmental centralized control remained, dispersing detachments with marshals had the effect of decentralizing control and increasing flexibility at the lower troop levels. While adhering to broad directives, detachments acted on their own initiative when necessary to support federal marshals or revenue agents.

Raids conducted jointly with revenue agents closed hundreds of illicit distilleries in Western North Carolina.<sup>25</sup> Detachments from Morganton were particularly successful in arresting distillers. In January 1877,

artillery troops, equipped as cavalry, destroyed thirty distilleries, 200 gallons of whiskey, 290 tubs, 25,000 gallons of beer, and eight copper stills.<sup>26</sup> Distillers owed taxes on all alcoholic beverages, so raids prevented tax evasion amounting to thousands of dollars. Apart from destroying confiscated liquor, soldiers could ensure that alcohol was sold with proper government taxes. Since duty was unpleasant and dangerous, as distillers often ambushed agents and detachments, successful raids boosted morale.<sup>27</sup>

Troops, in cooperation with U.S. marshals, arrested hundreds of Klan suspects in Western counties, resulting in some four hundred indictments. Eventually, a Raleigh federal court convicted thirty men of Klan activities and sentenced them to prison in Albany, New York. Most notorious of these criminals was Randolph A. Shotwell, Klan leader and former newspaper editor.<sup>28</sup> The military effort helped to provide protection for citizens and to end the Klan as an effective organization in North Carolina.

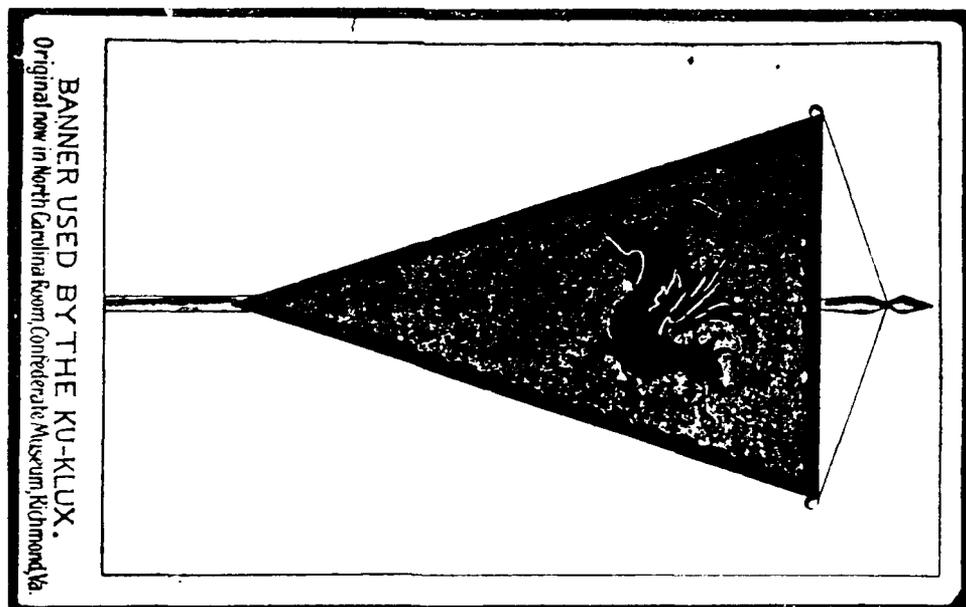
Troops remained in the state from 1868 to 1877 because of the military departmental structure and because they were needed. Although the army responded to numerous minor incidents and a few major disturbances throughout North Carolina, no one has studied the army's role in-depth during this phase of Reconstruction. Initially, the action was concentrated in North-Central counties; later, it shifted to the Southwestern part of the state. Troops left

their permanent posts generally for a few months, and they returned after combating disorder in troubled regions. The army was not static or dormant in this period, but it continued to play an important role in Reconstruction despite North Carolina's return to official statehood.





Caswell County Courthouse at Yanceyville<sup>30</sup>



Ku Klux Klan banner used in North Carolina during Reconstruction<sup>31</sup>



Major General George G. Meade<sup>32</sup>



Brevet Major General  
Irvin McDowell<sup>33</sup>



*Thomas H. Ruger*  
General Thomas H. Ruger<sup>34</sup>

Chapter IV Endnotes

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6. Ibid., CXI.
7. Ibid., XLV.
8. Ibid., LXXXVI.
9. Ibid., XLV.
10. Kirkland, 115.
11. (Wilmington) Carolina Farmer and Weekly Star, August 5, 1870, 1.
12. Condition of Affairs, XLV.
13. Ibid., LXXXIX.

14. Congress, Report of Secretary of War, 41st Cong., 3d sess., 1871, H. Ex. Doc. 1, Serial 1446, 43.
15. (Charlotte) Southern Home, September 8, 1870, 2.
16. Congress, Report of Secretary of War, 42nd Cong., 2d sess., 1871, H. Ex. Doc. No. 1, pt. 2, Serial 1503, 48.
17. Congress, The Condition of Affairs in the Late Insurrectionary States: North Carolina, 42nd Cong., 2d sess., 1872, H.R. 22, pt. 2, Serial 1530, 297.
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19. Report of Secretary of War, 1871, Serial 1503, 50.
20. Evans, 151.
21. Condition of Affairs in the Southern States, XC.
22. Trelease, 341, 348.
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24. (Raleigh) Weekly Sentinel, December 12, 1871, 2.
25. Congress, Report of Secretary of War, Vol. 1, 43rd Cong., 2d sess., 1874, H. Ex. Doc. 1, pt. 2, Serial 1635, 46.
26. Army-Navy Journal, February 3, 1877, 404.
27. Ibid., March 10, 1877, 492; Ibid., May 20, 1876, 656.
28. Powell, 402.
29. David L. Corbitt, The Formation of the North Carolina Counties, 1663-1943 (Raleigh: State Department of Archives and History, 1950), 292.
30. Caswell County Courthouse at Yanceyville, 86-630, North Carolina Collection, Chapel Hill.

31. Ku Klux Klan Banner, 82-211, North Carolina Collection, Chapel Hill.

32. General George Meade, 111-B-3685, National Archives.

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## CONCLUSION

As troops departed from North Carolina in 1877, twelve years of occupation duty came to an end. Soldiers probably were glad to leave, but their efforts throughout Reconstruction helped society. From the cessation of wartime hostilities, the army assisted in maintaining order and suppressing violence. Without a military presence, many blacks and dissident whites would have been at the mercy of conservative whites who promoted organizations such as the Ku Klux Klan. Regular forces also distributed food, aided the Freedmen's Bureau, and implemented other beneficial policies. The army helped to restore full civil administration of government. The military aided in this transition by providing military courts, monitoring political elections, and enforcing civil rights.

Counter-factual questions may best summarize the importance of the army. What if troops had not been stationed in North Carolina after the war? How would freedpeople and white Republicans have fared in a conservative society? Would federal proclamations and law have had force in the state? Finally, would the Reconstruction narrative have changed if troops departed North Carolina in 1868? I submit that the answers to these

questions reveal an important army role--one that requires understanding of the army as an institution. Despite the army's racism and bureaucracy, it helped forge a new reconstructed society that--particularly in regard to Afro-Americans--would not be substantially changed for two decades.

If historians continue to ignore the military role in North Carolina Reconstruction, they forfeit the opportunity to tell a richer, more complex, and truer narrative. Areas of future research remain open for studies of any posts' impacts on surrounding inhabitants, the interaction between revenue officers and troops during raids on distillers, and the extent of regular troop involvement in the Freedmen's Bureau. Troop life also needs investigation in order to understand the soldier's side of Reconstruction. Although a unique situation in American history, comprehending Reconstruction's complex civil-military relations provides insight into the difficulties of military involvement in civilian society.

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