The Role of the Scalawag in Alabama Reconstruction.

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THE ROLE OF THE SCALAWAG IN ALABAMA RECONSTRUCTION

A Dissertation
Submitted to the Graduate Faculty of the
Louisiana State University and
Agricultural and Mechanical College
in partial fulfillment of the
requirements for the degree of
Doctor of Philosophy

in
The Department of History

by
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ABSTRACT

The term Scalawag described those Southerners and men of Northern birth who, in spite of their having lived in the South before 1860, cooperated with the Republican party during Reconstruction. Traditionally, these men have been conceived of as uneducated and politically inexperienced small farmers who exerted no influence over the course of Reconstruction. They are considered to have fled to the Democratic party when Negro equality as provided under the 1874 Civil Rights Bill seemed imminent. An examination of the abilities and the role of the Scalawag in Alabama reveals that these generalizations are questionable at least for Alabama.

A wealth of Reconstruction manuscripts and newspapers are available in libraries and archives in Alabama and Washington, D.C. Especially valuable were the many letters which Alabama Scalawags wrote to national political figures. These scattered letters, some only recently made accessible, contained important information on the attitudes and
activities of the Alabama native white Republicans, who emerged as anything but shiftless, uneducated small farmers.

Legal training and experience, as well as public careers in Alabama politics, made these Scalawags experienced politicians who astutely understood the Southern political predicament in 1865. Adapting themselves accordingly, they accepted Reconstruction and attempted to influence it through the Republican party in Alabama. They realized the necessity of uniting the Black Belt Negro and the north Alabama white if a permanent Republican party was to be established in the state. They dominated the Reconstruction process, gaining 200 (55%) of 361 important Federal and state positions for which Republicans made nominations or to which they were appointed. The native whites won an even larger proportion (82%) of state offices. Nevertheless, they continually complained of exclusion from office. Such protests stemmed from Scalawag resentment to the appointment of any newcomer at the expense of loyal native whites who had survived wartime hardships.

Once the Republicans met defeat, all Scalawags did not immediately desert the party. Most prominent Scalawags continued active as Republicans after their 1874 defeat,
although many chose the label "independent" in the 1880's. Scalawags voiced decided views on contemporary political, economic, and social issues. They endorsed relief of Unionists disabled by the Fourteenth Amendment; state and Federal aid for internal improvements; civil and political equality of all men. However, they balked at social equality of the races. This racial stand completely satisfied neither the north Alabama whites nor the Black Belt Negroes.

Despite their own realization of the political necessities of the time, the Scalawags failed to convince large numbers of north Alabama Unionists that principles and party could transcend race. When the Democrats reduced all issues to a threat to white supremacy, the rank and file of white Republicans aligned politically with their ancient enemy, the Black Belt planters, rather than with the Negroes. Notwithstanding this failure to maintain Republicanism in Alabama, the Scalawag leadership in the state does not merit the contempt which tradition has accorded them.
CHAPTER I

INTRODUCTION

The origin of the term Scalawag is obscure. The American College Dictionary suggests its derivation as scallaq, meaning menial.\(^1\) Webster's unabridged thinks it may be a corruption of scalloway, meaning an inferior or worthless animal.\(^2\) Whatever its origin, it connotes scorn and contempt, even today. In 1963 when Governor George Wallace sought to blast the Federal judiciary, he could think of nothing more insulting to say than that "carpet-bagging-scalawagging" judges presided over the U.S. courts.

The word Scalawag is not a synonym for Unionist or Tory. These latter terms designate an opponent of the Civil War who viewed Southern defeat in 1865 as vindication of his ideas about secession. In the first post-war years when the

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\(^1\)Clarence L. Barnhart (ed.), The American College Dictionary (New York, 1950), 1081.

South was governed under Presidential Reconstruction, the Unionist or Tory continued to be so called; however, by the time of the organization of the Republican party in Alabama in June, 1867, these words had been, to some extent, replaced in Alabama by the term Scalawag. This latter word more adequately expressed the sentiments felt by the Confederates toward the Southerners and men of Northern birth who, in spite of their having lived in the South before 1860, cooperated with the Republican party during Reconstruction. Probably one reason that the term Scalawag replaced the labels Unionist or Tory to describe these native whites was that former secessionists, as well as Unionists, were joining the Republicans by 1867. Such accessions probably also explain much of the bitterness and scorn toward these men who have been considered traitors and outcasts from the human race. One of the most graphic descriptions of these white Republicans was that of the 1868 Tuskaloosa Independent Monitor.

Our scallawag is the local leper of the community. Unlike the carpetbagger, he is native, which is so much the worse. Once he was respected in his circle; his head was level, and he would look his neighbor in the face. Now possessed of the itch of office and the salt rheum of Radicalism, he is a mangy dog, slinking through the alleys, haunting the Governor's office, defiling with tobacco juice the steps of the Capitol, stretching his lazy carcass in the sun on the Square, or the benches
of the Mayor's Court.

He waiteth for the troubling of the political waters, to the end that he may step in and be healed of the itch by the ointment of office. For office he 'bums' as a toper 'bums' for the satisfying dram. For office, yet in prospective, he hath bartered respectability; hath abandoned business, and ceased to labor with his hands, but employs his feet kicking out booteels against the lamp post and corner-curb, while discussing the question of office.

Throughout Reconstruction and for decades after, such intemperate abuse of the Scalawag was not unusual in the press and on platforms at political meetings. However, historians did little to correct this false picture. Statements of some representative historians show partial blindness on their parts as to the role that the more distinguished Scalawags played in the tumultuous years following 1860.

Writing at the close of the nineteenth century, James Ford Rhodes in his multi-volume History of the United States from the Compromise of 1850 pictured the Southern white Republican more fairly than most historians at the turn of the century. Some were "men of good character in private life, who worked in politics with corrupt materials for what they deemed the good of their section but those who have the distinguishing features to their class vied in

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3Tuscaloosa Independent Monitor, September 1, 1868.
rascality with the bad carpetbaggers." However, Rhodes was in error when he conceived of the Scalawags as men who "for the most part" had sided with the Confederacy in 1861.  

Historian Ellis P. Oberholtzer in his *History of the United States Since the Civil War* was far less just to the Scalawags than Rhodes had been. He saw them as "viler" than the Carpetbaggers, as blatant, vindictive, unprincipled characters" who cloaked themselves in a pretense of loyalty to the Union and won office by "base and hypocritical appeals to the new negro voters." He called them "turncoats" who, frustrated in ambitions, sold their tongues to the North or were ready to do so.  

In 1919 in *The Sequel to Appomattox* Walter L. Fleming portrayed these natives as "former Unionists, former Whigs, Confederate deserters, and a few unscrupulous politicians." Fleming estimated that the better class rapidly left the Republican party as the character of the "new regime became evident, taking with them whatever claims the party had to respectability, education, political experience, and

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property. 6 Carpetbaggers among Republican leadership were judged as being more capable than the Scalawags and as enjoying "much more than an equal share of the spoils." Scalawag leaders such as Governor W.H. Smith of Alabama appeared as "usually honest but narrow, vindictive men, filled with fear and hate for the conservative whites." 7

Claude Bowers, writing his Tragic Era at the close of the 1920's, continued the emphasis on the role of the Carpetbagger in Reconstruction and referred to the native white Republicans as "notorious" men who tried unsuccessfully to influence the Negroes. 8 By 1935 W.E.B. DuBois in his Black Reconstruction saw the Scalawag develop from the planters and from among the "most intelligent of the poor whites." They looked, he said, "toward political combination and economic alliance with the negro" and "toward a vision of democracy across racial lines." He viewed the Scalawag as being pushed into a position of subordination to that of the Carpetbagger. 9

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6 Walter Lynwood Fleming, The Sequel to Appomattox (New Haven, 1919), 222.
7 Ibid., 224.
In 1944 the most important stimulus to a revision of the history of the Scalawags appeared in David Donald's article, "The Scalawag in Mississippi Reconstruction." He depicted the Mississippi Republican party as controlled by the Scalawags who had been primarily old-line Whigs. They had opposed the Civil War and in the post-war reorganization of Mississippi desired to reassert themselves politically. This brief study, devoted only to Mississippi Reconstruction, signaled the beginning of attempts to consider the political, economic, and social origins of the Scalawags, as well as the motivations for their political alignment and their roles in Reconstruction throughout the South.

Since 1950 most general surveys of United States history have attempted clarification of misleading conceptions of the Scalawags. However, their roles in Reconstruction have received little comment. These texts dropped the prejudicial adjectives so common in earlier accounts and noted that the group originated from the ranks of the former Whigs, the ex-Confederates, the men of property, as well as the Unionists and small farmers. Yet, one 1956 text

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continued to characterize these men as "poor whites whose voice had been rarely heard . . . during ante-bellum days."\textsuperscript{12}

Bernard Weisberger in his article "The Dark and Bloody Ground of Reconstruction Historiography" has recognized the need for further analysis of the Scalawags. Summarizing some recent revisions, Weisberger considered the Scalawags as not exclusively "the ragged underlings of Southern society." The "nucleus of a Southern Republican party, they were displaced by extremist pressure from over­ardent Radicals, both Negro and white, on one hand, and die-hard 'white-line' supporters on the other. Often, however, the issues on which they were challenged had as much to do with patronage and with profit as with race."\textsuperscript{13}

The Alabama Scalawag has fared no better at the hands of his chroniclers than his brothers elsewhere in the South as far as enjoying a clear and fair description of

\textsuperscript{12}John Hicks, \textit{Short History of American Democracy} (Boston, 1956), 394.

himself and his role in Reconstruction. Hilary A. Herbert, Montgomery Democrat elected to Congress in the house-cleaning of Republicans in the 1876 election, did not recall in his *Why the Solid South?* that the Scalawags influenced the course of Alabama Reconstruction. He conceived of the Republican party as one of black men controlled by Carpetbaggers; yet, he offered no explanation of why or how Scalawags W.H. Smith or D.P. Lewis became governors in the only two elections when the Republicans won the governorship during Reconstruction.\(^\text{14}\)

Of the Scalawag leadership, Herbert mentioned Smith alone and was more charitable than most Democrats in his estimate of the Republican governor. He reported that Governor Smith withstood the requests of "certain leading Republicans" to call out the militia "under the pretense of enforcing the law." Herbert assessed the Governor as a

\[^{14}\text{Hilary A. Herbert (ed.), *Why the Solid South? or Reconstruction and Its Results* (Baltimore, 1890), 29-69. James Ford Rhodes corresponded with Herbert for information for Rhodes' multi-volume U.S. history. He said that he would only restate from the Northern point of view what Herbert had said in his *Why the Solid South?* with conclusions "based on a wider range of literary authentia, but lacking the personal experience you and your associates have." James Ford Rhodes to Hilary A. Herbert, March 25, 1905, Hilary A. Herbert Papers (Southern Historical Collection, University of North Carolina Library, Chapel Hill).}\]
"Republican who desired the success of his party; but he refused to enter into the plans of these conspirators against the peace of the state."  

Walter L. Fleming's Civil War and Reconstruction in Alabama, published in 1905, has remained a classic account of Alabama Reconstruction. Basically, his survey contained much that was accurate about Reconstruction, and it has remained a starting point for any work in the period. Fleming emphasized the presence of Unionists among the native white Republicans, an element that began to leave the party because of the Carpetbaggers' control over the Negro votes and the resentment of the leadership of renegade secessionists. Beyond such comments he did not evaluate their economic, social, or political origins in Alabama.

From the turn of the century L.D. Miller's History of Alabama looked back on the Alabama Scalawag as the white man who joined the Republican party for "ulterior purposes." Miller understood the Scalawag as one who was "ever ready to encourage the ignorant negro to commit an outrage, if his (the Scalawag's) political interest might be promoted

15Herbert, Why the Solid South?, 55-56.

16Walter Lynwood Fleming, Civil War and Reconstruction in Alabama (New York, 1905), 748-749.
thereby." For Miller, too, the Republican governments in the South were "carpetbag governments," where the native whites exerted no important influence.\textsuperscript{17}

Thirty years later A.B. Moore in his \textit{History of Alabama} revised the established stereotype of the Scalawags so far as to note the presence of a respectable element among them. However, he described state officers as "incompetent or corrupt carpetbaggers or scalawags," and the Supreme Court justices as Carpetbaggers or "obscure" Scalawags. Governor W.H. Smith, according to Moore, found few competent men in his own ranks when seeking to fill vacancies in local offices. By the administration of Governor D.P. Lewis in 1872, "respectable scalawags had deserted the Radical ranks." Moore did not comment on the origins of the Scalawags, nor did he question the insignificant role usually ascribed the Scalawags.\textsuperscript{18}

In 1961 in \textit{Alabama History for Schools}, the most recent text in Alabama history, Charles G. Summersell characterized the white Unionists and the Negroes as the "dupes of the carpetbaggers and scalawags"; Summersell applied the

\textsuperscript{17}L.D. Miller, \textit{History of Alabama} (Birmingham, 1901), 252, 253.

\textsuperscript{18}A.B. Moore, \textit{History of Alabama} (University, Alabama, 1934), 481-482, 484-485.
term *Scalawag* only to "former Confederates who joined with the carpetbaggers to share in the spoils." This use of the term was a more narrow one than most historians or the contemporaries of the Scalawags gave it. The native white Republican was still dismissed as a man who exercised little power in the shaping of Reconstruction. Overlooked again was the fact that the two Republican governors in the period were Scalawags.

These general surveys and Alabama histories have done little to change the standard concept of the Scalawag in Alabama. The type is thought to have sprung from the small farmer class as uneducated and politically inexperienced Unionists. Once within the Republican fold he is supposed in the scramble for office to have been out-maneuvered at every turn by Carpetbaggers and Negroes. Thus increasingly disillusioned, he is said to have fled to the Democratic party when Negro equality as provided under the 1874 Civil Rights Bill seemed imminent. There, safe under the banner of white supremacy, he is thought to have cooperated with the Democrats in the overthrow of the Republicans.

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Short monographs since 1959 have provided the most rewarding work on the misrepresented Scalawag. The political origins of many Scalawags have been investigated in Thomas B. Alexander's studies of the persistence of Whiggery in the South after 1860. His studies focused attention on the broad and valuable political experience of many of these Alabamians both before and immediately after the Civil War — before they acquired prominence as Republicans.\(^{20}\)

In 1963 Allen Trelease addressed himself to a study of the white Republican electorate in the South and to some comment on Scalawag leadership. In Alabama he located the greatest number of white Republicans in the Northern counties and commented on the noticeable dearth of these people in the Southern half of the state. He noted the presence among Scalawags of the old Whig planters, lawyers, and merchants who joined the Republicans in the expectation of influencing the course of Reconstruction — facts consistently ignored by earlier historians.\(^{21}\)


However, Trelease, citing Lewis E. Parsons of Alabama as an example, asserted that such Scalawags became "disillusioned on discovering that they could not control the movement in the interests of conservatism; . . . and they soon began dropping out." Such Scalawags "provided only part of the leadership before 1872 or thereabouts and almost none of the votes." Overlooked were the facts that the Scalawags gained a high proportion of the spoils in terms of offices and that much of the respectable element among the leadership remained with the party until long after the 1876 election. Lewis Parsons, for example, continued an active Republican until his death in 1895. Another problem left unresolved was that the only elections in which the Republicans carried Alabama were elections in which the Republicans successfully attracted large numbers of native whites.

In the course of preparing a master's thesis in 1958 the author of this dissertation became aware that the popular conception of the Alabama Scalawag still needed revision. That thesis, based on newspaper and manuscript materials available in Alabama, reviewed the whole of

22 Ibid., 466.
Republican leadership in the state; however, it may be considered only an initial investigation of the Scalawags. It dealt briefly with their origins and role in Reconstruction but concluded that the influence of the Scalawags had been drastically underestimated. From this research came an essay entitled "Five Men Called Scalawags," which considered five articulate Scalawag leaders, their social, political and economic origins, their attitudes toward secession, and their roles in Reconstruction. Though quite limited in its scope, the essay seriously questioned the accuracy of the traditional portrait of the Scalawags by concluding that not one of these five prominent native whites fitted the standard conception.

Further proof that not all Scalawags can be dismissed as uneducated and inexperienced small farmers who exerted no influence upon the course of Reconstruction was easily found in hundreds of their letters available in libraries and archives in Washington, D.C., and in Alabama. One important manuscript collection, the papers of the


Select Committee on Reconstruction of the Fortieth and Forty-first Congresses, only recently opened under limited access, contains new and especially valuable material on the attitudes and activities of many Alabamians disabled by the provisions of the Fourteenth Amendment. Despite the availability of most of these manuscript materials, they have not been used in a lengthy study of the Scalawag and his role in Alabama Reconstruction. Heretofore, he has been briefly considered as only one element of three that composed the Republican party and then quickly dismissed as exercising little influence on the party's affairs or on Reconstruction. His unimportance is usually explained in terms of the Scalawag's lack of ability or experience with which to compete in what became a power struggle in Alabama.

Based primarily on these manuscript sources, this study re-evaluates the abilities of Scalawag leaders and their role in Alabama Reconstruction. Those considered are native whites nominated, appointed, or elected to one or more of these positions: state executive or judicial office; U.S. Senator or Congressman; Federal judicial or diplomatic post; Republican State Executive Committee; Republican Presidential elector. Appendix A contains a list of Republican nominations for these positions and, so far as possible, identification of each man as a Scalawag, Carpet-
bagger, or Negro. Appendix B tabulates these positions which the Scalawags gained. Appendix C analyzes the origins of the identifiable Scalawags. Appendix D tabulates election returns for 1870 and 1872 in seventeen North Alabama white counties. Appendix E is an 1872 assessment of the positions gained by the Scalawags.

The following chapters of this study perhaps do not tell the entire truth about a much despised group but do at least offer negation of some false ideas. The basic questions to be analyzed are these: Were the natives poor novices in a world of power and politics? What role did they actually play in the course of Alabama Reconstruction? Once defeated by the Democrats, did the Scalawags immediately desert the Republican party? What were their attitudes on the major questions of their day, i.e., amnesty, pardon, and franchise; internal improvements; civil rights? In no way is it intended to propose that the native white Republican leaders mirror in microcosm the rank and file of the native white Republican electorate in Alabama. However, it does seem expedient and possible to consider the leaders of the Scalawags under these topics: From Unionism to Republicanism, 1860-1867; The Balance of Power among Republicans, 1867-1869; Dissension and Defeat, 1868-1870; Aftermath of Defeat, 1870-1874; The Collapse of the Republican Party,
1874-1877.

It will be seen that these Scalawag leaders who appeared during the political, social, and economic upheavals of Reconstruction possessed a remarkable realism in their readjustment to the aftermath of civil war and in their approach to Alabama politics. Frequently describing their times as revolutionary, these men evidenced a political realism that was pragmatic in its willingness to compromise and even retreat when the situation so dictated. Such perceptive men certainly merit an extensive re-evaluation.
CHAPTER II

FROM UNIONISM TO REPUBLICANISM, 1860-1867

Geography has been in Alabama, as in the rest of the nation, a determining factor in politics. A Black Belt of rich soil bisects the state across its center. In the nineteenth century a plantation economy developed in this section. The concentration of Negroes in Alabama has followed this belt with the exception of Madison County on the Tennessee River, where soil and economy are similar to those in the Black Belt. To the south and east of the plantation belt lies a less fertile region where land was cheap. Directly north of the Black Belt rises a highland barrier, the foothills of the Appalachian Mountains, where, as in the southeastern counties, a white population and a small farm economy predominate. Behind this hilly plateau lies the Tennessee Valley, where the residents more closely resemble the people of central Alabama than the small farmers of the Alabama hill country. The latter have much in common with the east Tennesseans.
In the antebellum period little intercourse existed between north and south Alabama, though the seat of government was Montgomery, in the center of the Black Belt. No railroads linked the country north of the mountains with the rest of the state, and it was several days journey from the northern counties to the towns in central and south Alabama. Commercially, the Valley was more closely linked to Charleston and New Orleans than to Mobile, and geographically it belonged to Tennessee. A favorite proposal of antebellum Alabama politicians was the construction of roads and railroads to tie this area to Alabama with an outlet through the port of Mobile.

These geographical differences within Alabama, with the resulting conflict of interests, led to a strong sectional feeling that found open expression before 1860. The Black Belt planter dominated antebellum Alabama politics to the continued frustration of the small farmers. The Black Belt had "grasped the lion's share of state honors, offices, benefits, &c., and rather imposed an undue portion of the public burdens upon the weaker and less wealthy section, North Alabama."¹ This domination reached its peak in 1860-

¹Huntsville Advocate, July 12, 1865.
1861 when south and central Alabama spearheaded the secession movement.

Unionism was strong in north Alabama. Here the people opposed slavery, were devoted to the Union, and feared that the area would be commercially strangled should Alabama secede and Tennessee remain in the Union. Unionists summarized their whole social and economic conflict in terms of the slavery issue and announced they had no intention to submit "meekly to the shadow of slavery as it slowly eclipses Freedom in the South." But despite such opposition Alabama withdrew from the Union in January, 1861, when a state convention approved the ordinance of secession and denied north Alabama's demands for a statewide referendum on the ordinance. For fifteen years the charges would reverberate that Alabama had been taken out of the Union against the will of the majority of her citizens.

In the months between Alabama's secession and the bombardment of Fort Sumter, Alabama Unionists refused to

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2For surveys of the period 1860-1874 see Moore, History of Alabama, 412-502; Malcolm C. McMillan, Alabama Confederate Reader (Tuscaloosa, 1963); Fleming, Civil War and Reconstruction in Alabama.

believe that a reorganization of the Union could not still take place. Their opinions on how to accomplish this ranged from one recommendation that the renegades be hanged as pirates to another that counselled caution and patience on the part of the Federal government. Joseph C. Bradley, prominent Huntsville lawyer and author of the latter suggestion, saw nothing warlike in President Lincoln's inaugural address though the Southern press teemed with denunciations of it as especially coercive. Bradley saw these criticisms as attempts "to run our people politically mad . . . and prevent . . . any reorganization of the Union." The "precipitators" greatly desired that Lincoln make a demonstration on the South "so as to create warlike feeling among our people." Bradley had no illusions that such a confrontation could mean anything other than civil war. If such a collision could be avoided, the cooperators of north Alabama planned to promote a candidate for governor for the December, 1861, election, to try to wrest the state from the hands of the secessionists, but, Bradley warned, "If difficulties

4 John G. Winter to Andrew Johnson, March 18, 1861, ibid.
should shortly occur, we will not be able to do so.

But Fort Sumter and war intervened.

Under the Confederacy, south and central Alabama continued to direct the state government. John Gill Shorter, a Eufaula lawyer and ardent secessionist, elected governor in 1861 for a two-year term, worked hard for the war effort. However, the war brought a rapid decline in the popularity of secession sentiment. Union troops occupied north Alabama, Mobile was blockaded, shortages and hardships mounted, the tax burden and impressment of goods grew heavy, and conscription became onerous. By 1863 this reaction reached such strength as to defeat Shorter's bid for re-election. The election of Thomas Hill Watts, an old Whig who had opposed secession until after Lincoln's election, was viewed as a protest against secessionists and their hard and apparently unsuccessful war. The same election saw further expression of Alabama's temperament by changes made in the state legislature and in representatives to the Confederate Congress. Many former cooperators went to the Alabama General Assembly; in the Confederate Senate moderate Richard W. Walker replaced fire-eater Clement C. Clay, and cooperator

5Joseph C. Bradley to Andrew Johnson, March 8, 1861, ibid.
Robert Jemison succeeded William L. Yancey on his death; six pacifists and enemies of Jefferson Davis' administration were sent to the Confederate Congress, one of whom replaced secessionist J.L.M. Curry of Talladega, who had been speaker pro tempore of the Confederate House. 6

The Alabama opposition to the war centered in the white counties of north Alabama, and it was an active opposition. Peace organizations appeared there by April, 1862. By this time Federal troops occupied portions of the Tennessee Valley, and the Confederate Congress had approved the legislation probably most objectionable to the Unionists -- the Conscription Act of 1862. A secret peace organization known as the "Peace Society" developed around the old north Alabama cooperator leaders, many of whom went through the Federal lines in the next several years. Outstanding among this group were former U.S. Senator Jeremiah Clemens, future Congressman Charles C. Sheats, and two future Republican governors of Alabama, William H. Smith and David P. Lewis. Little precise information exists on the "Peace Society." However, it is known that they desired peace on terms favorable to the South and actively communicated with Federal authorities about Alabama's future. Their voice was a

strong one in elections: being at home, they could and did vote, and the 1863 Alabama elections reflected their views and strength. 7

In areas under Federal occupation a "Reconstruction Movement" appeared. Led by David C. Humphreys of Morgan County, a Douglas Democrat who had opposed secession, and Jeremiah Clemens, the group recognized the futility of war and hoped that by submitting to Federal authority gradual emancipation could be secured, as well as other guarantees beneficial to the South. These ideas reflect the presence in the "Reconstruction Movement" of some dissatisfied property holders who feared confiscation. 8

Probably the most vehement example of opposition to the Confederacy existed in the actions of Winston County, Alabama, a mountain area of small farmers. In 1860 the county elected C.C. Sheats, opponent of secession, to represent Winston in the 1861 convention called to consider secession. Sheats vigorously debated with the secessionists and eventually refused to sign the ordinance despite efforts to acquire unanimity at the close of the convention. Back

7Ibid.

8Fleming, Civil War and Reconstruction in Alabama, 144.
in Winston County at a public meeting on July 4, 1861, Sheats advocated the secession of Winston County from Alabama and the Confederacy, and Winston citizens voted for the creation of the "Free State of Winston," thus seceding from Alabama but not from the Union. The "Free State of Winston" subsequently elected Sheats to the Alabama legislature, from which he was expelled in 1862 for disloyalty; after this he went into hiding. Shortly, the Confederates arrested Sheats for treason and imprisoned him for the duration of the war. Sheats by this time had become a symbol of the die-hard Unionist protest against the Confederacy.9

Both Federals and Confederates attempted to control the Tennessee Valley, and their incursions devasted the more accessible areas of the Valley. Confederate raids into remote areas of known Union sympathy inflicted further hardship and bitterness on the residents of the region. Confederate persecution was so effective that some 2678 white Alabamians joined the First Alabama Cavalry, U.S.A., while others fled with their families through the Union lines. Many who opposed the war and desired to evade conscription

into the Confederate army took local civil positions. Thus, they were able to stay at home and to secure some degree of safety for themselves, their families, and property.\textsuperscript{10}

The Unionists viewed the collapse of the Confederacy as vindication of their attitudes toward secession. Now, after years of persecution and hardship, they expected that their day in Alabama politics had come: they would exercise a major influence in the reorganization and return of Alabama to the Union. They considered themselves well qualified for the job ahead, indeed a "better element for use in bringing the state directly back under the civil authority of the United States than any of the states now held in part or whole by the rebel forces."\textsuperscript{11} By May, 1865, the "original and unswerving Union people" of north Alabama were meeting in various counties and reporting that ex-rebels of the region "have suddenly faced about" and made up in "activity and shrewdness what they want in loyalty." One


\textsuperscript{11} J.J. Seibels to Andrew Johnson, April 14, 1865, Andrew Johnson Papers.
Unionist speculated that the ex-rebels expected "to regain by the ballot box what they have lost by the cartridge box." The Unionists emerged from these meetings full of plans to counter those of the ex-rebels. Colonel M.J. Bulger, opponent of secession in 1860, could run for governor in the next state election to be held in August, 1865, and the loyal natives expected to elect a large majority of the legislature who would cooperate with the governor in reorganizing Alabama. The legislature should redistrict the state according to the last census, elect representatives to Congress, and proceed as if nothing but a small lapse had taken place in the last four years. Or, under a second suggestion, a convention might be called to undo what had been done by secession. Still another possibility was the selection of a military governor to supervise the reorganization of the state.  

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12 J.J. Giers to Andrew Johnson, May 30, 1865, ibid.

13 J.J. Seibels to Andrew Johnson, April, 1865; Alabama Citizens to Andrew Johnson, May 8, 1865; Alabama Citizens to Frederick Steele, May 1, 1865; C.C. Andrews to Andrew Johnson, May 11, 1865; K.B. Sewall to William H. Seward, June 2, 1865; Henry W. Hillard to Andrew Johnson, June 13, 1865, ibid.
precious — they declared they "should not wait a day."\textsuperscript{14}

Temporarily, management of Alabama affairs remained until late June, 1865, under the general direction of George H. Thomas, general of the occupation troops. To arrange for administration of civil affairs, General Thomas ordered that incumbent civil officers of the various counties proceed in the discharge of their duties with the support of the Federal troops in his department. This order outraged the loyalists who denounced these officials as having taken the oath of allegiance to the Confederacy, as having served as conscript officers, and as having aided the rebellion by every means in their power. Such men, they declared, "ruled and oppressed us when treason was in the ascendant,\textsuperscript{7} for god's sake do not let them lord it over us now when the Union cause is triumphant. Give their offices to Union men -- they have had their day -- let us have ours."\textsuperscript{15}

On the issue of slavery and the general problems associated with the race question, Unionists preferred to end slavery and lose their investments rather than allow the

\textsuperscript{14}J.J. Seibels to Andrew Johnson, April 14, 1865, \textit{ibid.}

\textsuperscript{15}Jeremiah Clemens to Andrew Johnson, April 21, 23, 1865, \textit{ibid.}
institution someday to curse their children. Eventually, even the slave-owning Unionists accepted "with the best grace" they could the abolition of slavery as a fact accomplished by war. The Huntsville Advocate realistically noted it was their "duty . . . to accord the negro what secession and war have secured to him." One group of north Alabama Unionists went even further than the editor of the Advocate. They urged the abolition of slavery as an institution within Alabama by action of the state constitutional convention. "To say only that slavery is abolished by the military power of the U.S. invites . . . the continuance of that power to uphold emancipation."

Exemplary punishment of the leaders instrumental in

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17 John W. Ford to Andrew Johnson, June 29, 1865, Andrew Johnson Papers; see also F.W. Kellogg to Zachariah Chandler, June 19, 1865, Zachariah Chandler Papers (Division of Manuscripts, Library of Congress, Washington, D.C.); C.C. Andrews to Andrew Johnson, May 11, 1865, Andrew Johnson Papers; Huntsville Advocate, July 19, 1865.

18 Huntsville Advocate, August 31, 1865.

19 F.W. Sykes et al. to Lewis Parsons, September 19, 1865, Andrew Johnson Papers.
leading Alabama to secession was "necessary for future reference should such an attempt ever be contemplated again." On this point the Alabama Unionists agreed with many people in the North.

Unionists assumed a provisional governor would be selected from their ranks to direct reorganization of Alabama, and they were ready with ideas and nominations. Among those suggested were David C. Humphreys of Madison County, D.H. Bingham of Limestone, William H. Smith of Randolph, Lewis E. Parsons of Talladega, and Thomas M. Peters of Lawrence -- all opponents of secession in 1861. One Unionist succinctly expressed the views of many of his class when he urged,

20 J.J. Seibels to Andrew Johnson, April 14, 1865, Andrew Johnson Papers.

21 There are many such letters in the Andrew Johnson Papers. For examples of endorsements for D.C. Humphreys see Huntsville Citizens to Andrew Johnson, April 19, 1865, F.W. Sykes to Andrew Johnson, May 21, 1865, David P. Lewis to Andrew Johnson, May 21, 1865; for D.H. Bingham see John A. Bingham to Andrew Johnson, May 29, 1865, D.H. Bingham to Andrew Johnson, May 4, 1865; for W.H. Smith see Alabama Citizens to Andrew Johnson, June 2, 1865, George E. Spencer to Andrew Johnson, May 4, 1865; for L.E. Parsons see Petition to Andrew Johnson, June 6, 1865, James Q. Smith to Andrew Johnson, June 6, 1865, Huntsville Citizens to Andrew Johnson, June 6, 1865; for T.M. Peters see Alabama Citizens to Andrew Johnson, June 8, 1865, Lucius C. Miller to Andrew Johnson, June 10, 1865, Andrew Johnson Papers.
Give us a governor who will not traffic with treason in any of its ramifications — who is not leagued with cotton speculators, or with a worse gang, who while claiming to be Union men, yet cling to the rotten system of slavery, and stickle at any pacification except upon the terms of the Constitution as it is and the Union as it was.\footnote{Jeremiah Clemens to Andrew Johnson, April 21, 1865, \textit{ibid}.}  

The appointment of Lewis E. Parsons as Provisional Governor of Alabama on June 21, 1865, was well received as a compromise appointment to harmonize the various elements of the Union loyalists. All parties were satisfied except the more violent Tory element in north Alabama who preferred Bingham.\footnote{J.W. Lapsley to L.E. Parsons, July 3, 1865, and Alexander McKinstry to L.E. Parsons, July 23, 1865, Governor Lewis E. Parsons Papers (Alabama Department of Archives and History, Montgomery). Many other letters of the same type from Unionists and old Democrats are in Governor Parsons Papers. See also Henry W. Hillard to Andrew Johnson, June 13, 1865, J.J. Seibels to Andrew Johnson, June 30, 1865, Andrew Johnson Papers; Huntsville \textit{Advocate}, July 12, 1865.} Governor Parsons set about establishing a government in Alabama according to his instructions from Washington. After first declaring in force all Alabama laws enacted before January 11, 1861, except those regarding slavery, Parsons attempted to construct a new civil government on what remained of antebellum local and state government. All eligible persons were urged to take the amnesty
oath to regain their citizenship under President Johnson's proclamation of May 29, 1865, and persons excepted were to apply to the President for personal pardon. To regain the right to vote the restored citizen was to appear before a registration official appointed by the provisional governor in the county where he voted, register, and take the amnesty oath for the second time. Governor Parsons also ordered those who held offices at the end of the war to continue in their positions. These office-holders were mainly rebels, though some were Unionists. Immediately, condemnations from various sections of Alabama deluged the Governor for this appointment of de facto officials. Unionists construed Parsons' actions as an attempt to deny them their rightful opportunities of office. One such irate Unionist declared, "If there are only half a dozen true men in a county, they should be appointed to office in preference to the secessionist." Another felt matters would not be corrected

24 Proclamation of Governor Lewis E. Parsons, July 20, 1865, Lewis E. Parsons Papers (Manuscripts Division, Alabama Department of Archives and History, Montgomery).

25 A.W. Dillard to J.J. Seibels, July 31, 1865, Governor Lewis E. Parsons Papers. See also Citizens of Sumter County to Governor L.E. Parsons, July 7, 1865, Governor L.E. Parsons Papers, and Jeremiah Clemens to Andrew Johnson, April 23, 1865, Andrew Johnson Papers, as two more samples of this feeling.
until the Governor removed "every secessionist from office in the state." He expressed a "deep and abiding interest for Union men being placed in Federal office in our state."

Governor Parsons defended himself by saying that he did give preference to Union men in filling vacancies, trying to find one "reasonably qualified" and where necessary the "least objectionable." In no instance, he maintained, has a "Union man been neglected or set aside for secessionists." His proclamation re-appointed all officers from justice of the peace down, but he reserved the right to remove those appointed for disloyalty or other good cause. All the higher officers of the county and state were specially appointed. During Parsons' administration very few cases of removal occurred.

The reorganization of the Alabama judicial system resulted from the combined efforts of Governor Parsons and Brigadier General Wager T. Swayne, the capable Assistant Commissioner of the Bureau of Refugees, Freedmen, and

26Joseph C. Bradley to Andrew Johnson, September 8, 1865, Andrew Johnson Papers. See also Joseph C. Bradley to Andrew Johnson, October 13, 1865, Andrew Johnson Papers, and Huntsville Advocate, August 17, 1865.

27Lewis E. Parsons to Andrew Johnson, August 24, 1865, Andrew Johnson Papers.
Abandoned Lands for Alabama. Both Governor Parsons and his successor maintained excellent relations with the Freedmen's Bureau. General Swayne, an Ohio lawyer with an A.B. degree from Yale, arrived in Alabama in July of 1865 and on August 4, 1865, designated judicial officials in office by appointment of the Provisional Governor as agents of the Bureau to administer justice to the refugees and freedmen. At the same time Governor Parsons directed magistrates and judges to accept Negro evidence in trials. This practice would be continued by an ordinance passed by the constitutional convention of 1865. If a fair administration of justice could be obtained through Alabama courts already in operation, Swayne did not wish to establish separate courts conducted by newcomers unfamiliar with state laws. Furthermore, Swayne felt the cost of separate courts to be prohibitive and the personnel simply not available to staff them.


30 Huntsville Advocate, August 31, 1865; L.E. Parsons to Andrew Johnson, September 29, 1865, Andrew Johnson Papers.
Then, too, Alabamians could not impugn the judicial machinery that Governor Parsons was restoring because it was their own. Swayne and Parsons were reported most hopeful for the success of the system. 31

Swayne believed the Governor was "honestly endeavoring to carry out the views of the President"; he was proceeding carefully so that his actions might not be used in an election as reason to send "bad men" to the coming constitutional convention "who would cast the constitution in an impracticable mould." The judicial experiment and the continuation of officials in their posts proved successful in this period of reorganization of the state government. The machinery of government in Alabama achieved continuity in its operations with a minimum of disruptions and exercised a valuable influence on public opinions. 33

31 General Order No. 7, Office of the Assistant Commissioner for Alabama, August 4, 1865; Wager Swayne to O.O. Howard, August 21, 1865, Reports of General Swayne to O.O. Howard, No. 7, Records of Bureau of Refugees, Freedmen, and Abandoned Lands, Record Group 105 (National Archives, Washington, D.C.); hereafter cited as Reports of Swayne to Howard. Wager Swayne to J.S. Fullerton, June 13, 1866, General Letters Sent, No. 5.

32 Wager Swayne to O.O. Howard, August 21, 1865, Reports of Swayne to Howard, No. 7.

33 Carl Schurz to Andrew Johnson, August 30, 1865, Carl Schurz Papers (Division of Manuscripts, Library of
On August 31, 1865, Governor Parsons, as instructed by President Johnson, called for an election of delegates to a constitutional convention. This convention met in Montgomery on September 12, with ninety-nine members: probably sixty-three conservatives and thirty-six north Alabama anti-Confederates. Carl Schurz, then a newspaper correspondent surveying the postwar South, believed the character of the delegates elected bore out the favorable predictions of Governor Parsons that the "most respectable persons" had been chosen. \(^3\) The New York Times described the Alabama convention as composed of "men who have heretofore been always in the minority," men who originally were "utterly opposed to the secession movement," Unionists in 1860. The Times believed "their present earnestness and good faith cannot be doubted." \(^4\) In the 1860 presidential campaign forty-five of these men had voted for John Bell, thirty for Stephen A. Douglas, and twenty-five for John C. Breckinridge. Eighteen had supported secessionist candidates in the Congress, Washington, D.C.). Elizabeth Bethel, "Freedmen's Bureau in Alabama, 1865-1870," *Journal of Southern History*, XIV (February, 1948), 52.

\(^3\) Carl Schurz to Andrew Johnson, September 15, 1865, Carl Schurz Papers.

\(^4\) New York Times, September 25, 1865.
campaign for the convention of 1861, while the other eighty-one had voted for cooperators. \footnote{36} 

The convention proceeded in accordance with President Johnson's plan of restoration. General Swayne, however, confessed to some doubts. He felt the Governor to be "considerably in advance of public sentiment, the Convention somewhat behind it." \footnote{37} It abolished slavery as an institution, repealed the ordinance of secession, repudiated the state war debt. The bitterest fight in the convention occurred over the issue of apportionment of representation in the state legislature. Ultimately, the convention placed the basis of representation on the white population of the state; in this first test of strength since the war, the white counties had defeated the Black Belt. The white counties also succeeded in including in the revised state constitution an ordinance requiring that a state referendum approve any future constitutional conventions -- a reference to the refusal of 1861 convention to permit a referendum on the secession ordinance and the revised 1861 constitution. \footnote{38}

\footnote{36}{Montgomery Daily Advertiser, October 1, 1865.} 

\footnote{37}{Wager Swayne to O.O. Howard, September 18, 1865, Reports of Swayne to Howard.} 

\footnote{38}{L.E. Parsons to Andrew Johnson, September 13, 23, 28, 1865, Andrew Johnson Papers; Malcolm C. McMillan,
North Alabama now enjoyed some of the leadership south Alabama and the Black Belt had exercised before 1865. This new influence of the white counties was most apparent in the outcome of sectional disagreements on controversial issues. On most, north Alabama won. It won on apportionment, referendum on the question of any future conventions, and repudiation of the war debt. However, as one resident of a northeast Alabama hill county put it, many Unionists were likely to be "very much dissatisfied with whatever it /The convention/ does."\(^{39}\) Had the Johnson government in Alabama survived, the legislative apportionment and the absence of Negro suffrage would have perpetuated this newfound political power in the hands of the north Alabama white counties.

But there were yet almost two years before the Unionists would meet disappointment. After adopting the revised constitution by the same method as that condemned in 1861 -- by proclamation without a referendum -- the

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\(^{39}\) Charles Pelham to Governor L.E. Parsons, September 17, 1865, Governor L.E. Parsons Papers.
convention ordered an election in November for governor, members of the legislature and representatives to Congress. The legislature would then choose the other state officials and provide by statutes for the people to select their county officers. In the governor's race north Alabama still was powerful: all three candidates were respectable old line Whigs from cooperator strongholds in 1860. Micah J. Bulger of Tallapoosa County had opposed secession, refused to sign the ordinance, but later supported the Confederacy from a sense of duty. William Russell Smith of Tuscaloosa, former Whig and Know-Nothings, had led the cooperators in the 1861 convention. Robert Miller Patton of Lauderdale County had been influential in the 1865 convention in securing representation based on the white population. 40

By November, 1865, Swayne was concerned about the functioning of the civil courts in Alabama. He could not say there was "denial of justice," but he felt the Negroes were encountering too many opportunities to be oppressed without means or knowledge of redress for their complaints. Still, he maintained, he could not see any other alternative; 40

40 Fleming, Civil War and Reconstruction in Alabama, 366, 372. None of these three men would be active Republicans after 1867, and they represent the brief reign of the Unionists in positions of prominence in early Reconstruction.
so the courts continued to operate as they had in the past. Patton was elected by a vote almost equal to the combined vote of his opponents. Five of the six Congressmen elected had opposed secession in 1861. Unfortunately, although these men had opposed session, they had subsequently served in the Confederate army or held some civil position which compromised their loyalty to the Union. The election of so many such men was possible, charged Unionist Joseph C. Bradley of Huntsville, because "the amnesty oath has been laid aside or dispensed with and any man and every man has been allowed to vote . . . . Thousands of men have voted in this state who have defiantly stated that they would never take the amnesty oath, and these same men have elected state Senators and Representatives to our Legislature" which would in turn elect Alabama’s senators. Fearing that power was about to slip from the Unionists' hands before it could be firmly grasped, Bradley urged President Johnson to make a fresh start in Alabama by returning to the point of the selection of Parsons and starting again.

41 Wager Swayne to O.O. Howard, November, n.d., 1865, Reports of Swayne to Howard.

42 Joseph C. Bradley to Andrew Johnson, November 15, 1865, Andrew Johnson Papers.
Former Governor Andrew B. Moore also was concerned about the outcome of this 1865 election. He felt that men other than original secessionists should be elected to office. "If we elect men who have been considered ultra in their views and feelings, objections may be made to their taking their seats in Congress which could not be raised against conservative men," meaning men disassociated from secession. Governor Moore's fears proved valid when Congress did object to these representatives from Alabama and refused to recognize or seat them in Congress in December of 1865.43

The new administration organized under the Johnson plan of Reconstruction was inaugurated on December 13, 1865. President Johnson had urged the ratification of the Thirteenth Amendment before the state government was restored to the constitutional authorities elected by the people, and Alabama had ratified the amendment on December 2. However, the Fourteenth Amendment posed more difficulty. The legislature stubbornly refused to ratify this amendment by an almost unanimous vote on December 6, 1866, and again in January when it was brought up for reconsideration.44

43A.B. Moore to Joseph C. Bradley, October 9, 1865, in Huntsville Advocate, November 9, 1865. See also Huntsville Advocate, June 9, 1866.

44L.E. Parsons to Andrew Johnson, January 17, 1867;
Governor Patton endorsed the north Alabama doctrine that Alabama was and should remain a "white man's government," but during his term of office he vetoed many pro-white legislative acts which he felt might cause unfavorable reaction in the North. The sectional divisions within the state emerged openly again in the legislature when Black Belt representatives introduced a bill to extend suffrage based on property and education, in effect, to grant the franchise to Negroes. The Black Belt expected to control the Negro vote and to regain political ascendancy in the state. North Alabama, however, was able to defeat the measure. The legislature was generally praised for having neither urged nor introduced any ultra measures. Thus,


45 DuBois, Black Reconstruction, 487-488; Assistant Adjutant General of Alabama to O.O. Howard, December 20, 1865, General Letters Sent, No. 4.

during the administration of Governor Patton the white counties of Alabama continued influential in legislation and administration of government in Alabama, but the Black Belt had already seen the vehicle which could successfully undermine the role of Unionists. This vehicle was the Negro -- newly freed, soon to have the franchise.

The future of the Negro and Alabama was moulded to a significant extent during the administrations of Governors Parsons and Patton by the Freedmen's Bureau. It was ably guided by General Wager Swayne from July, 1865, to July, 1868, and thereafter by General Julius Hayden and General O.L. Shepherd. Swayne reported that he was "agreeably disappointed in the reasonable temper of the planters and the general behavior of the Freedmen." Swayne based his organization of the Bureau on his orders from General O.O. Howard, director of the Bureau in Washington. At the same time he worked on the assumption that the Bureau's duty was to mould existing institutions rather than replace them with temporary military power and that constant cooperation with the civil authorities was necessary. His success in

\[^{47}\text{Report of the Joint Committee on Reconstruction at the First Session, Thirty-ninth Congress, House Reports, 39 Cong., 1 Sess., no. 30, p. 138.}\]

\[^{48}\text{Annual Report of the Assistant Commissioner for}\]
administration of the Bureau activities in Alabama was praised by Generals James B. Steedman and Joseph S. Fullerton on their 1866 inspection of the Bureau, when they described Swayne's policy as "discreet, liberal, and enlightened."49

Especially during the winter of 1865-1866, the Bureau did commendable work in alleviating distress and starvation among whites and Negroes in areas of Alabama that had been devastated by war. The Bureau's greatest achievements were in relief work and in education. Politics, however, was another matter.50

The Freedmen's Bureau and the Union League of America are the two agencies generally credited with fashioning the Republican party in Alabama. Northern Republicans saw the Bureau as an agency to advance Republican ideas among the Negroes who would become a core of Republican

Alabama, October 31, 1866, Senate Executive Documents, 39 Cong., 2 sess., no. 6, p. 20.


50 Talladega Alabama Reporter, May 24, 1866.
voters and who would look to these Northern men for leadership. The native white Unionist was considered to be of less importance in planning for the development of the Republican party. The Union League of America maneuvered the real political interests of the Freedmen's Bureau. When the Union League first appeared in Alabama in 1863 as Federal troops occupied the Tennessee Valley, the League contributed much to the relief work among white and Negro refugees. At this time Unionists flocked to the League. In 1865 no Negroes were yet members, but about one-third of the upland counties' white population belonged to the League. 51

Few whites joined the League in the Black Belt or in the white counties of southeast Alabama, where it was considered a disgrace to have any connection with the League. The largest white membership was in 1865 and 1866, and thereafter it decreased steadily. When Negro suffrage was assured, the League directed its full energies to the organization of prospective Negro voters. As Negro membership reached its peak in 1867 and 1868, the native whites

saw the rapid erosion of their own influence once again.  

The political purposes of the Union League grew obvious. The Montgomery Council resolved May 22, 1867, that "the Union League is the right arm of the Union Republican party of the United States, and that no man should be initiated into the League who does not heartily endorse the principles and policy of the Union Republican party."  

By late 1866 as President Johnson battled with Congress for the control of Reconstruction, Alabama Unionists realized they must participate in the organization of a Republican party in the state. The President was obviously weakening, while Congress grew stronger, especially after the election of 1866. If the Unionist-dominated Johnson reconstruction government in Alabama was to be destroyed, they must regroup to preserve for themselves their newly found positions of leadership. Congress drew up the new framework within which they must operate if they were to continue to wield influence in Alabama. This framework


53 Herbert, Why the Solid South?, 41.
emerged from a series of Reconstruction Acts passed by Congress in 1867.

Congress completed action on the First Reconstruction Act by passing it over the President's veto on March 2, 1867. This act abolished the existing state governments and reorganized the South into five military districts for reconstruction under Congressional direction. New constitutions were to be framed by delegates to constitutional conventions chosen by all male citizens twenty-one or over who were not disfranchised by crime or participation in the rebellion. Congress would admit, subject to the approval of its members, the senators and representatives of a state after the state legislature had adopted the Fourteenth Amendment, if the people of that state had ratified a constitution which contained provision for Negro suffrage. Two subsequent acts further extended Congressional control over Reconstruction. The act of March 23, 1867, provided that the commanding general register voters who could take a complicated oath. An election would be held on the question of a constitutional convention and to elect delegates. Then the revised constitution must be ratified in an election in which one half of all registered voters must participate. If this document pleased Congress, the state would be
admitted into the Union. On July 19 a third act dis-
franchised all who had held civil office under the Confeder-
acy and permitted the possible disfranchisement of any
person by stating "no person shall be registered unless the
board shall decide that he is entitled thereto." 54

Under the Reconstruction Acts, Georgia, Alabama, and
Florida composed the Third Military District commanded by
General George H. Thomas, soon to be succeeded by General
John Pope. Within the Third Military District, Alabama
constituted the District of Alabama with General Swayne
commanding the district as well as the Freedmen's Bureau.

Unionists first reacted to the passage of the
Reconstruction Acts with shock and dismay; later they
gradually grew more reconciled to them. The disfranchisement
provisions caught many who had held positions of minor
importance under the Confederate government, although they
had not been truly Confederate in sympathy. However, one
Alabamian, William B. Wood, judge of the fourth judicial
circuit, realistically acknowledged that "whether we approve
or not, the fact is still the same that they [The Recon-
struction Acts] are the terms, and the only conditions upon

54 E. Merton Coulter, The South during Reconstruction,
1865-1877, volume VIII of A History of the South (Baton
Rouge, 1947), 119-120.
which our state governments are to be formed and hereafter administered." Judge Wood added that the Negro was a voter, and no action of the Unionists could reverse this fact whether they participated in the organization of a new state government or not. Likewise, many citizens were disfranchised, and the Unionists were powerless "to resist it either at the ballot-box or in the Legislative or Judicial tribunals." Further, he commented, "looking at the situation then as it really and emphatically exists, it is the part of wise men to make the most of it, and try by every effort to turn it to a good account." 55

Even before the passage of the First Reconstruction Act, Unionists in different parts of Alabama began to meet to arouse interest in the Republican party. The first important such meeting occurred January 8 and 9 in Moulton in Lawrence County, in the heart of the traditional Unionist stronghold of north Alabama. The leading spirits of this meeting included some of the most outspoken of the Unionist leaders in Alabama. Among them were William Bibb Figures, editor of the Huntsville Advocate, Joseph C. Bradley, and Nicholas Davis, all of Huntsville. This organizational

meeting in Moulton called for another meeting of Unionists, this time to be held in Huntsville on March 4.

At the Huntsville convention leaders of the Moulton convention, Nicholas Davis, David C. Humphreys, and William Bibb Figures, played prominent roles. Among the few delegates who came from the Black Belt were Benjamin F. Saffold of Selma and Adam C. Felder of Montgomery, both prominent Alabama jurists. The other leaders in this convention, men who held offices or served on committees, came from the white counties in the northern third of the state. The Democratic Montgomery Mail reported the meeting was inaugurated by "unconditional Union men" whose design was to place the "political power of the state in the hands of the self-styled 'Loyalists.'"

The convention heard a number of earnest speeches favorable to the Union and then issued a statement that a large segment of the population of Alabama has politically and personally opposed the secession movement and believed the Federal government was "supreme and paramount in authority to State Government whenever the two should come in

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56 Montgomery Daily Mail, April 19, 1867; Montgomery Daily Advertiser, April 14, 1867.

57 Montgomery Daily Mail, April 17, 1867.
collision." The meeting closed with the announcement of plans to hold a general convention in Montgomery at some future time to be determined by an executive committee chosen at the Huntsville convention. This committee, like the convention itself, was dominated by men from north Alabama. 58

In March the first of the Reconstruction Acts passed Congress. One month later a convention of the Union Leagues of north Alabama met at Decatur, endorsed the action of Congress, and recommended that a "thorough organization of the Republican party of Alabama" be perfected in June in Montgomery at a state convention. 59 Heretofore, the Republican meetings and Republican Clubs in Alabama had maintained that there was no connection between them and the Union League, although the Montgomery Mail called the clubs the "way-station to the League depot," and added that the clubs were the "League white-washed." 60 Thereafter, meetings of those favoring the Republican party were held in various sections of Alabama, primarily again in the white counties

58 Montgomery Daily Advertiser, March 12, 1867; Mobile Nationalist, March 4, 1867.

59 Montgomery Daily Mail, April 17, 1867.

60 Ibid., September 12, 1867.
in the northern third of the state. Already some north Alabama Unionists were thinking about the role of the Negro in the new political alignment of the state, and some suggested the inclusion of Negro delegates to the June convention in Montgomery to "induce the colored voters throughout the State to have confidence in us and to let them see that we are their true friends."\(^{62}\)

Two similar meetings favoring the organization of the Republican party were held outside north Alabama. White and colored met at Montgomery on March 25 in a Union convention, and for the first time a number of Federal soldiers and agents of the Freedmen's Bureau attended; however, native Alabamians occupied most of the committees and generally ran the meeting. Adam Felder spoke at length endorsing the Reconstruction Acts, though himself proscribed by their terms. He urged acquiescence to the plan as "necessity." The South had erred when it did not elect men to Congress who were able to take the required oath. To


\(^{62}\)Joseph C. Bradley to Wager Swayne, April 12, 1867, Papers of the Bureau of Refugees, Freedmen, and Abandoned Lands (Alabama Department of Archives and History, Montgomery); hereafter cited as Papers of BRFAL (Alabama Archives).
repair this error a Union party was being formed in Alabama. Felder went on to review the platform recommended by this convention. First, they pledged to elevate "to honor and official position the men who have been true to the Union." Next, they would urge that no one be disfranchised who "in good faith" abandoned the rebellion and its principles and supported the Union. And third, they would extend a "cordial welcome to every man, of whatever creed or race" who truly supported the Union. On this foundation, said Felder, a political party could be built that would successfully lead Alabama "back to her place in the Union."\textsuperscript{63}

Another prominent Montgomery attorney, Henry Churchill Semple, echoed the statements of Felder. "Recognizing and accepting the Revolution as a fixed fact -- submitting myself to a power which has proved itself irresistible, I heartily unite myself with the Union party of Alabama as the only means of securing to the country the blessings of peace and prosperity in the future."\textsuperscript{64}

A second meeting to arouse interest in the formation of the Republican party in Alabama was held in Mobile; it was much under the direction of General Wager Swayne. This

\textsuperscript{63}Montgomery Daily Advertiser, March 27, 1867.

\textsuperscript{64}Ibid.
Freedmen's State Convention held on May 1, 1867, contrasted to that held in Montgomery, which had been dominated by native whites. Councils of the Union League elected delegates to the convention to excite the interests of the freedmen in the constitutional convention scheduled for later that year. Among its first acts the convention declared itself to be a part of the "Republican party of the United States and of the State of Alabama," the latter of which did not yet formally exist. The Negroes defined their own position clearly in an address to the people of the state announcing their alliance with the Republican party as the only party which had ever attempted to extend the Negroes' privileges. They observed that the political reorganization of the state would be largely in the hands of the colored people and that if their white friends persisted in their old course, their conduct would be remembered when the Negroes had power. Thus, the native white Unionists received a new challenge for the control of the political affairs of the state.

On June 4, 1867, the "Union Republican Convention" met in Montgomery in the state House of Representatives.

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65 Montgomery Daily Mail, May 5, 1867.

66 Montgomery Daily State Sentinel, May 21, 1867.
simultaneously with the Union League Convention. The Republican Montgomery State Sentinel admitted that the League was only a select group of the convention who met at night to schedule matters for the convention on the next day. About fifty whites and one hundred Negroes attended. 67 Benefited by the perspective time affords, a Republican governor of Alabama would later observe about this organization of the Republican party in the state:

The only hope on earth of building up a national party in the South, is in recognizing and rewarding the men who braved the storm of secession in 1860, and 1861, from an unselfish love of the Union. If the materials for the construction of a Union Party do not exist in the party which opposed secession it does not exist in the South. They cannot be imported. . . 68

True as was David P. Lewis' observation, such insight was not so obvious to many at the time of the organization of the Republican party in Alabama.

Unionists exercised an important role in the convention. Francis W. Sykes, a doctor from Lawrence County, became chairman pro tempore, and Judge William Hugh Smith of Randolph County became permanent chairman. Native white Alabamians predominated on the committees and made most of

67 Ibid., June 4, 1867.

68 David P. Lewis to J. J. Giers, November 26, 1870, Records of the Select Committee.
the important addresses. The group invited Governor Patton, who had been elected under the 1865 constitution, to speak, and he obliged briefly, assuring the members of the convention that he was "with them." 69

On taking the chair Judge Smith announced the convention's purpose of "reconstructing Alabama under the military laws of Congress." This could not be done without party organization. "Let us accept the name of the Republicans," he urged, "and go to work in earnest, and without distinction of race, color, or condition." Another Unionist, Nicholas Davis, spoke at length on the first day of the convention, saying that the Union Republican party simply proposed equal justice to all men, without reference to color. He understood equality before the law to mean simply "that the negroes shall have a fair chance in life." 70

Still another Unionist, David C. Humphreys, led the platform committee which made its report on the second day of the convention. Serving with Humphreys were two men from each of the six Congressional districts. Of the thirteen men on the committee, five are identifiable as native Alabamians. The platform presented by the committee and

69 Montgomery Daily Mail, June 5, 1867.
70 Ibid.
adopted by the convention was quite liberal considering that this was only 1867. After endorsing the national Republican party and Congressional Reconstruction, it pledged support for "equal rights of all men" without distinction of color and for free public education. One interesting section of the platform praised "those men who stood firm to the cause of the Union" and stated that they were entitled to that confidence which is the reward of patriotism in every land. 71 The natives obviously continued to hope that they could influence Alabama politics, now through the Republican party, despite the challenge of Carpetbaggers and Negroes.

The Negroes in the convention sat quietly listening to the whites until the evening session of the first day. At that point discord threatened to dissolve the meeting before the Republican party could be formally organized. The disturbance first arose over a motion to invite Judge Richard Busteed of New York, the Federal district judge for Alabama, to take a seat in the convention. A number of Negro delegates were prejudiced against Judge Busteed because of an address which he had made in March to the Negroes of Lowndes County. In this address he had urged the

71 Montgomery Daily Advertiser, June 6, 1867; Mobile Nationalist, July 4, 1867.
Negroes to keep aloof from politics for the present, attend to their labor, and leave the voting to the whites. They were, according to the judge, not prepared to vote intelligently and therefore should not vote at all. The Negroes defeated the motion to seat Busteed in the convention, while a near riot occurred on the convention floor. Subsequently, a resolution was introduced to permit Busteed to address the convention. The convention again became "perfect bedlam," and Chairman Smith adjourned the meeting until the next morning as the few remaining delegates filed out of the hall.72

That night Smith and Swayne somehow quietly healed the breach with Busteed and returned harmony to the convention. Before adjournment the Union Republican party was officially organized in Alabama, and John C. Keffer, Freedmen's Bureau agent from Philadelphia, became the first chairman of the Republican State Executive Committee. Serving with Keffer were twelve native Alabamians, three Carpetbaggers, five Negroes, and four unidentified men.73

72 Selma Weekly Messenger, March 29, 1867; Montgomery Daily Mail, June 5, 1867.

73 Montgomery Daily State Sentinel, June 17, 1867. See Appendix A.
While the Republicans of Alabama organized themselves into a political party, registration of voters proceeded across the state. Alabama had been divided into forty-five registration districts with two whites and one Negro to compose the board of registrars in each district. Scalawags eagerly sought these posts because the ostracism of ex-rebels had financially hurt many of the professional men among the native whites. One Unionist reported that rebels were "much more intolerant to Southern Union men who fought in the defense of the flag than they are of northern men who fought in the same cause." While seeking these positions themselves, the Scalawags objected to the appointment of Negroes to serve with whites as registrars. In fact, Joseph C. Bradley predicted that such plans would "greatly impede the growth of the Republican party in many of our poor white populated counties," explaining that former secessionists would convince the whites that such appointments were the method of the Republican party to humiliate the white men of Alabama. Bradley suggested that white men entirely compose those boards of registration in the mountain counties of north Alabama from Marion and Walker on the west to Cherokee

74 Thomas Haughey to Wager Swayne, April 15, 1867, Papers of BRFAL (Alabama Archives).
and DeKalb on the east. 75

Bradley's advice was not followed, and despite the grumbling of whites, two whites and one Negro composed registration boards across the state. Because board members were required to take the "iron-clad" oath, Carpetbaggers outnumbered Scalawags, although many native whites did serve. Scalawag Judge William H. Smith became general superintendent of registration for Alabama. Voters were to be registered without distinction as to race, creed, or color, and a constitutional convention was to be held to establish a government in accord with the regulations of Congress. 76

Between July 1 and August 20, 1867, 169,991 voters were registered of whom 72,748 were whites and 88,243 colored. On August 31 General Pope called for an election in October to determine whether a constitutional convention should be held and, simultaneously, to elect delegates to the convention. 77

The importance of the native whites to the success

75Joseph C. Bradley to John C. Keffer, April 17, 1867, ibid.

76Montgomery Daily State Sentinel, May 25, 1867.

77Ibid., August 28, 1867.
of the Republican party and Congressional Reconstruction was widely recognized by election time in October. The New York Times commented that "it would have been an easy matter to rally the whites en masse against reconstruction" under the Congressional plan but for the "early and bold position" assumed by a number of prominent native Alabamians. "Without the active labors of the class of men above referred to, the Republican Reconstruction Party of Alabama would have been confined almost exclusively to the negro voters."78

The native whites upon whom the New York Times placed such importance for the success of the Republican party in Alabama represented a core of the Scalawag leadership for the Reconstruction period. These men and other native whites who would join them as Scalawags were not all uneducated, politically inexperienced small farmers as they have been frequently pictured. An overwhelming number of these leaders were lawyers who had received a college education or some less formal legal training. Many were members of outstanding families, and some were men of considerable property. Especially important was their political experience prior to their affiliation with the

Republican party. Most of these men had had active public careers in a wide variety of elective and appointive offices including state legislators and judges, local judges and civil officials, Presidential electors, and Federal Congressmen. The political experience of these leaders put them on at least an equal footing with the Carpetbaggers, and certainly ahead of the Negroes, in the scramble for power within the Republican party. Some of these characteristics of the native white leadership may be untrue of the rank and file of the Scalawags; however, it was these Scalawag leaders, not the native white rank and file, who would assist in shaping Republican Reconstruction policies. 79

As Alabama prepared for a second reorganization of her state government since the close of the war, the native whites, now called Scalawags for their Republican affiliation, tried to accommodate themselves to the rapidly changing political scene. They had expected a Reconstruction which they would dominate. Instead, after enjoying considerable influence under Presidential Reconstruction, the Scalawags found their power challenged first by ambitious Carpetbaggers and then by ambitious Negroes, both desiring

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79 See Appendix C.
power and spoils. Carpetbaggers saw the Negro as an ever-enlarging core for the establishment of the Republican party in Alabama, which Northern men would control. Scalawags, on the other hand, saw themselves as the nucleus for the Republican party, which native whites would control as it directed Congressional Reconstruction in Alabama. To fulfill such hopes, the Scalawags would need all the abilities and experience they brought with them when they became Republicans. Temporarily, the Scalawags and Carpetbaggers were willing to cooperate to initiate Reconstruction, each hoping to gain control of the Republican party and Reconstruction in Alabama.
CHAPTER III

THE BALANCE OF POWER AMONG REPUBLICANS, 1867-1869

"Revolutions never go backwards," wrote the commissioner of the Freedmen's Bureau in Alabama in describing Alabama politics to his chief in Washington, General Oliver O. Howard.¹ Nor, he might have added, do they stand still. And a constitutional revolution was precisely what was in the making for the native whites in Alabama in 1867.

Something of the nature of the revolution to come had been suggested in the platform of the organizational meeting of the Republican party in Alabama when it had endorsed the full civil and political rights of all citizens without distinction of color. The same platform had also praised the fidelity of the loyal element of the state, and these Unionists wanted no revolution that would disturb

¹Julius Hayden to O.O. Howard, January 27, 1868, General Letters Sent, No. 10.
their newly found political power in the state. They expected to shape anew the mould into which Alabama's government was to be cast. However, the momentum of change was accelerating in Alabama, and in the constitutional convention the native whites would learn just how rapidly challenges would be made that would attempt to divest them of their importance in Alabama politics.

The convention which opened November 5, 1867, found Scalawags and Carpetbaggers outnumbering Negro delegates, although the Negroes constituted a majority of the registered voters. Of the ninety-six members of the convention fifty-one had lived in Alabama before 1860; about twenty of these had left Alabama voluntarily or had been driven out by Confederates during the war. Even the Democratic Montgomery Advertiser admitted that the "Alabama element" was in the majority and that the convention had "some men of ability who have had legislative experience." A reporter for the New York Herald described the Scalawags as including "the moderate and rational delegates, all men of any property or

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2 Montgomery Daily State Sentinel, October 7, 1867.
3 Ibid., October 17, 1867.
4 Montgomery Weekly Advertiser, October 22, 1867.
social standing in the convention," and "all the lawyers, with one or two exceptions."\(^5\)

The whites in the convention divided into three groups of nearly equal strength: extreme men, moderates, and men who would shift first to one side and then to the other. Control of the Negroes by lavish promises of future favors strengthened the extreme men. The moderates included nearly all of the "men of standing, property, and good fame in the convention."\(^6\) Since the Scalawags constituted a slight majority in the convention, they might have controlled its actions had they determined to act in a concerted fashion.

Certainly, the native whites began well enough when the convention chose Scalawag Elisha Woolsey Peck, Tuscaloosa lawyer, as president of the convention over John C. Keffer, Bureau agent from Philadelphia and chairman of the Alabama Republican Executive Committee. The rules of the convention delegated wide appointive power to Peck, who gave all important offices to whites, while reserving positions as

\(^5\) New York Herald, November 29, 1867.

\(^6\) Ibid.
doorkeepers, messengers, and pages for Negroes. 7

The most influential single leader on the floor of the convention was a Scalawag, Daniel H. Bingham, a delegate from Limestone County in the Tennessee Valley. Though born in New York, he had lived in Alabama before 1860 but had been driven out early in the war. As the oldest, most vindictive man in the convention, he referred to ex-Con federates as "merciless wretches," "incarnate fiends," and "hell-hounds of secession." and in return the Advertiser named him "old torch and turpentine Bingham." 8 As leader of the extreme clique in the convention, composed of most of the Carpetbaggers and some extremists among the Scalawags, Bingham controlled a majority of the votes on most questions. Early in the convention he proposed a resolution that the president of the convention appoint a committee to prepare and report a constitution for the convention's consideration. Bingham's hope was that he would be appointed chairman of the committee. John C. Keffer countered with a resolution

7 Montgomery Daily State Sentinel, September 25, November 5, 1867; Official Journal of the Constitutional Convention of the State of Alabama Held in the City of Montgomery, November 5, 1867 (Montgomery, 1868), 5-10; hereafter cited as Journal of the 1867 Convention.

8 Montgomery Weekly Advertiser, November 12, 1867. Bingham died in early January, 1868, before the election for ratification of the constitution which he helped to draft.
that Peck appoint several committees which would report on
different sections of the new constitution, and this reso-
lution was eventually adopted. 9

Whites dominated the committees appointed to draft
the different sections of the constitution, with only one or
two Negroes appointed to most committees. Peck, seemingly
trying to placate the Carpetbaggers for his having defeated
Keffer for the presidency of the convention, made Carpet-
baggers chairmen of nine committees and Scalawags chairmen
of six. Most committees were evenly balanced between these
two white groups, and the committee on the franchise,
probably the most important committee of the convention, had
three Carpetbaggers, three Scalawags, and one Negro. 10

A New York Herald correspondent accurately predicted
that the suffrage question would disrupt the Republican
party in Alabama. The Republicans decided in caucus to send
a representative to Washington for instructions, saying a
small minority, chiefly Southern men, threaten to bolt if

9 Journal of the 1867 Convention, 6-8. For Bingham's ideas for the state constitution see D.H. Bingham to Thaddeus Stevens, October 23, 1867, Thaddeus Stevens Papers (Division of Manuscripts, Library of Congress, Washington, D.C.).

10 Journal of the 1867 Convention, 8-10; Montgomery D. State Sentinel, November 12, 1867.
the disfranchisement of the Reconstruction Acts was exceeded. Washington advised moderation, especially disapproving of efforts to disfranchise all who had not voted on the question of calling this constitutional convention. Republicans in Washington obviously feared that extreme measures would hurt the Republican party in the next election.

The franchise committee presented majority and minority reports to the convention. Disregarding the recommendations of the Republican state convention in June, the majority report favored disabilities beyond the requirements of the Reconstruction Acts. The minority report recommended universal manhood suffrage without proscription. Two Carpetbaggers and one Scalawag signed the majority report, while two Scalawags and one Negro endorsed the minority report.

The convention, despite objections by the more extreme members of the convention, modified the majority report according to directions from Washington. As finally

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11 New York Herald, November 14, 1867.
12 Selma Weekly Messenger, November 21, 23, 1867.
13 Journal of the 1867 Convention, 30-37.
adopted, the suffrage article of the constitution enfran-
chised the Negro; disfranchised those unable to hold office
under the provisions of the proposed Fourteenth Amendment;
disfranchised those who had been convicted of treason (men
who had earlier applied for Presidential pardons); and dis-
qualified from holding office those who had sworn to uphold
the Constitution and later aided the Confederacy. The
treason section in this suffrage clause as well as the
application of the disabilities from office holding to
registration of voters made the clause more proscriptive
than the Reconstruction Acts required.\textsuperscript{14}

By the closing days of the convention the Scalawags
understood the severity of the blow dealt them by the new
constitution. Strict application of the franchise section
would disqualify many who had held major roles in the
Johnson government in Alabama. The many who had applied for
and received pardons from President Johnson were declared as
having admitted commission of treason. Even more serious,
there were thousands of Alabamians who had served in some
minor position under the Confederacy, often a post to which
they had been first appointed or elected before 1860. These

\textsuperscript{14}\textit{Ibid.}, 30-35.
men were now disqualified from future office holding because they had violated their original oath of loyalty to the Constitution by serving the Confederacy. No consideration was given the fact that many men of Unionist sympathy had held such positions to avoid conscription into the Confederate army.\footnote{A list of the classes of officials thus affected clearly illustrates the thoroughness of the disabilities. The classes included the following: U.S. Senators, U.S. Marshals, Treasurer, U.S. Consuls, Commissioners of Revenue, Commissioners of Roads, School Commissioners, Mayors, Aldermen, County Surveyors, Harbor Masters, Attorney General, State Solicitors, Sheriffs, Clerks of Courts, Tax Assessors, Constables, Notaries Public, Chancellors, Port Warden, Secretary of State, Comptroller, Foreign Ministers, Governors of the State, Members of Congress, Members of the Legislature, Judges of the US Courts, US District Attorneys, US Revenue Officers, Military, Naval and Civil officers of the U.S., State Court Judges, Electors of President and Vice President, Justices of the Peace, County Superintendents of Schools, Registers in Chancery, Clerks of Supreme Court, Common Councilmen, Marshal of Supreme Court, Intendants of Towns, Librarians of Supreme Court, Commissioners of Pilotage, Board of Engineers, and Warden of Penitentiary. Tuskaloosa \textit{Independent Monitor}, October 20, 1868. Approximately one hundred applications from Alabamians for removal of these disabilities are in the Records of the Committee on the Judiciary, Disabilities, Alabama, 42 Cong., Records of the U.S. House of Representatives, Record Group 233 (National Archives, Washington, D.C.).}

Even before the convention met, General Swayne had been concerned about this problem. He had advocated Congressional modification of these disabilities if a plan...
could be found that would convert "passive well-wishers into serviceable candidates and efficient helpers." 16

One such disfranchised Unionist voiced the questions of his group about the justice of these disabilities for office holding.

Is it true that every man who held office before the rebellion, is an enemy to this nation, unless he could truthfully take the oath prescribed by the Act of Congress for office holders, as that oath is construed? And is it true, that the humble Justice of the Peace, who voted for Douglass, /sic./ or Bell, and who sincerely grieved at the success of secession, and whose only crime was a fatherly sympathy for his son, who joined the rebel army to avoid the disgrace of conscription -- who preferred the Union at the surrender -- is it true I say, that this man is as guilty as the man who concocted, and executed the scheme of secession? . . . The humblest ante-bellum office-holder however much he preferred the Union, and hated secession, found in almost every case, that in the opinion of the Government, he was no less a rebel, than Yancey. 17

Or as another such Unionist phrased the problem to the chairman of the Select Committee on Reconstruction:

The 14th amendment, now in force as a part of the national constitution, disqualifies alike the secessionist and Unionist, if they held an office before the rebellion and took an oath to support

16 Wager Swayne to Salmon P. Chase, June 28, 1867, Salmon P. Chase Papers.

17 David P. Lewis to J.J. Giers, November 26, 1870, Records of the Select Committee.
the Federal Constitution, and afterward voluntarily participated in the war, on the wrong side of it. But there is a class of men who were leaders in the disunion and were elected to the secession conventions and voted to dissolve the Union, who never held an office and who zealously participated in organizing rebellion, who are not disqualified, while others are, who were dragged into it by them.

....

It seems to me that such Union men are entitled to more confidence and consideration from Congress than the instigators and promoters of rebellion.\(^\text{18}\)

However, Congress unfortunately took no action on the amnesty question in 1867 despite the warning of one such disabled Unionist, "If 'twere well 'twere done, 'twere well 'twere quickly done." \(^\text{\textit{sic.}}\)\(^\text{19}\)

Equally important was the reapportionment of the state legislature. With representation now based on the whole population, not just on the white population as in the 1865 constitution, the Black Belt could regain its old power in the General Assembly. Carpetbaggers supported by Negro votes could dominate the Scalawags from the white counties.

In these closing days of the convention the impact

\(^{18}\)William Byrd to George S. Boutwell, December 15, 1868, \textit{ibid.}

\(^{19}\)David P. Lewis to Wager Swayne, July 5, 1867, Papers of BRFAL (Alabama Archives).
of the new turn of the political situation had its effect on
the Scalawags. Depression and despair were quickly followed
by indignation and rage and finally by a determination to
battle to retain their recently won political power.

Governor Patton's secretary, David L. Dalton, re­
ported to the governor that "the moderate men of the Con­
vention have lost all heart, and are now indiffert/"sic." to
what is going on." Dalton expected the convention to make
nominations for state officers in a few days but believed
Judge William H. Smith and General Swayne as "much dis­
couraged" because they had little influence with the extreme
men. "Smith is specially disheartened. Some of the ultras
are open in their opposition to Smith. They say he is too
tender and moderate." Dalton believed the moderate men could
go into the convention and nominate Patton. "But they are
preparing to oppose the constitution, and hence want nothing
to do with nominations." The only hopeful note seemed the
feuds among the Carpetbaggers who aspired for office. "With
proper management," Dalton said, "much advantage might be
derived from these feuds. But there is here no head to
direct those who might act as a 'balance of power.'" Dalton
concluded that "altogether, things look awfully 'blue'."

20D.L. Dalton to R.M. Patton, November 30, 1867,
The following day Dalton wrote again to Governor Patton of the squabbles among newcomers for office. He repeated: "The moderate men might, with proper management, control every thing in the way of a 'balance of power,' but there is no concert among them, and hence forth they will accomplish nothing." Judge Smith was now being urged to accept the nomination for governor. "If he would agree to do it he might get the nomination. Otherwise the chances favor either Peck or Bingham. Bingham says that if he is not made either Governor or U.S. Senator, he will burst up the whole concern." The Scalawags had already permitted themselves a costly luxury in disunity.

Rage and injured pride replaced despair. One angry Alabamian wrote Governor Patton that a protest had been prepared and signed by about twenty of the best men in the convention "dissolving their connexion with the whole concern." He reported "a universal burst of indignation at the idea of filling the State offices with the carpet bag gentry who have squatted here for no other purpose than to fleece the people." Alabamians were "outraged at the

Governor R.M. Patton Papers (Alabama Department of Archives and History, Montgomery).

21D.L. Dalton to R.M. Patton, December 1, 1867, ibid.
disfranchisement of so many of our best people and the enfranchisement of a whole race of ignorant stupid negroes."
The author did not doubt that "the men who control the extreme Radical's hand have as little use for an Alabama union man as they have for a violent secessionist. Alabama union men . . . stand in the way of the pillaging adventurers and they will crush us out if they can." The Scalawags had finally awakened in the waning days of the constitutional convention to the realization that they would not be given preference simply because of their wartime loyalty to the Union. And not until it was almost too late to salvage any political power, did the native whites turn and begin to fight furiously for what they believed was rightfully theirs.

William H. Smith, the Scalawag who had presided at the organization of the Republican party, took the first step toward improving the situation, although he was not a member of the convention. After failing to sustain the efforts of the more conservative Republicans in their opposition to the disfranchising clause of the constitution, Smith took an active part in securing the adoption of a clause authorizing the General Assembly to remove the

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22Samuel H. Dixon to R.M. Patton, December 1, 1867, ibid.
The next test of strength with the Carpetbaggers came after the completion of the constitution when the convention reorganized itself into a nominating convention of the Republican party and selected candidates for all state offices. The Scalawags successfully gained four of eight Republican nominations for state executive offices, four Carpetbaggers received nominations, but no Negroes. In the nominations for state judiciary the Scalawags were even more successful, capturing nominations for all three places on the Supreme Court, five of the six places as Chancellors, and eleven of the twelve nominations for Circuit Judges. Such Scalawag success in gaining Republican nominations for office in 1867 contradicts for the first years of Reconstruction the concept that Scalawags were totally excluded from office or that they enjoyed little influence within the Republican party. Especially erroneous is the idea that Carpetbaggers and obscure Scalawags dominated the Alabama


24 Original Manuscript Returns for Presidential, Congressional, and State Elections in Alabama, 1868, Papers of Secretary of State of Alabama (Alabama Department of Archives and History, Montgomery); hereafter cited as Original Returns for Elections in Alabama. See Appendix A.
judiciary; actually, Scalawags who were lawyers and men of legislative and judicial experience would dominate the state judiciary from 1868 until 1874.

William H. Smith was a compromise candidate for governor, and one Scalawag expressed his regret that "a man of Mr. Smith's character should have to be sacrificed in order to defeat Bingham." The convention petitioned Congress to amend the Reconstruction Acts so that the constitution could be adopted by a majority of those voting instead of a majority of those registered, and then adjourned on December 6 to reassemble on the call of the convention president or the commanding general. Within two weeks after the adjournment General Pope ordered an election for February 4 and 5 (later extending the election through February 7) on the ratification of the proposed constitution and the election of county, state, and Federal officers.

As predicted, the suffrage article of the constitution caused a rupture in the Republican party. About thirteen members of the convention led by Scalawag Joseph H. Speed of Perry County, member of the minority of the
franchise committee, and Scalawag Henry Churchill Semple, prominent Montgomery attorney, vigorously protested the imposition of disabilities. They believed a government based on the new constitution would "entail upon the people of the State greater evils than any which threatened them." In a subsequent address to the people of Alabama on December 10, 1867, these delegates proclaimed they had joined the Republican party because they believed that a favorable reception of the Congressional plan of Reconstruction was the only hope for the restoration of Alabama. They were now leaving the Republican party because it had broken its promise by going beyond Congressional Reconstruction. "We know not what fate may be in store for us, but it can scarcely be worse than that which we shall bring on ourselves by aiding in carrying this constitution into effect." The protesting Republican delegates and their disciples subsequently joined the Conservative or Democratic party in a crusade against the new constitution. However, one of the delegates, Joseph H. Speed, reconciled himself to the Republican cause and was elected state superintendent of public instruction in 1872 as a Republican.

27 Ibid., 240.

28 Montgomery Daily Mail, December 11, 1867.
Republicans not associated with the writing of the constitution were equally concerned about the radical features of the document. The Montgomery council of the Union League of America denounced the constitution as "disfranchising and proscribing a large portion of the most intelligent and law abiding citizens of Alabama" and as characterized in every feature by a "fiendish motive of revenge and hatred." C.C. Sheats, who was at the time editing a newspaper in Decatur, denounced the actions of the convention but pledged his continued support to the Republican party despite the "foolishness of a few unwise men." But, he said, "we mean to speak our opinions freely and openly and do not intend to remain here in North Alabama and delegate away all our rights as free men, to men in Montgomery, whose greatest ambition is to secure for themselves place and power, and force us into their support, whether we choose to do so or not." Nicholas Davis, Huntsville Unionist, criticized the constitution as a "despotism" under which he could not consent to live. As a Republican he opposed the constitution as being "anti-Republican."
North Alabama Unionists were not the only native white Republicans unhappy with events in Montgomery. A Wilcox County Union man expressed his belief that the Union Republican party was striving to usurp the power of the government and make it subservient to the Republican will. He therefore was leaving the Republicans and intended to join the Alabama Democratic party.  

B.H. Screws, prominent Barbour County Scalawag, also announced his defection from the Republican party. Screws had affiliated with the party when it met in Montgomery in 1867. At that time he understood the party's only purpose to be the restoration of Alabama to the Union in the quickest way possible. However, in May, 1868, he felt he should withdraw from the party. Admitting "that many of the most worthy of our people belong to the new party," he would remain with the Republicans if their only desire was the restoration of Alabama to the Union in the "shortest and easiest way." But, he added, "all things considered, I deem it proper to sever my connection with the new party."  

However, such instances of defections of native whites from the Republican party in 1867 did not represent

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32 Wilcox County News, June 19, 1868.

33 Montgomery Daily Mail, May 9, 1868.
any mass exodus of Scalawags from the party. Quite the opposite was true. Many Democratic defectors would yet join the Republican party in 1868 and 1869.

In the middle of the state political campaign of 1868, President Johnson replaced General Pope with General George Meade as commanding general of the Third Military District. Within two weeks on January 11, 1868, General Swayne was relieved by General Julius Hayden, who was to await the return of General O.L. Shepherd from leave. General Hayden was then to turn over direction of the District of Alabama and the Freedmen's Bureau in Alabama to General Shepherd. 34

Conservative party leaders met in January, 1868, in Montgomery to consider how to defeat the ratification of the constitution. They decided to ignore the February election by neither running candidates nor voting on the constitution and to launch a campaign to persuade voters to boycott the polls. 35 This action by the Conservatives caused the Republican State Executive Committee to endorse the petition of the constitutional convention of the preceding year that the Reconstruction Acts be amended so that the constitution

could be adopted by a majority of those voting instead of a
majority of those registered. The committee believed
Alabama would benefit most by ratification and readmission
to the Union rather than by being "tossed about not knowing
where we shall land."  

"White man's" meetings appeared in areas that had
been politically powerful before 1860, especially in the
Black Belt counties. Former Governor Lewis E. Parsons and
his law partner in Talladega, Alexander White, addressed
many of these meetings protesting Negro suffrage and the
1867 constitution. They advised united action by the white
race against Congress' Reconstruction scheme and frequently
equated Negro suffrage with Negro supremacy.

The February, 1868, election for the ratification of
the constitution occurred with little violence, but the
results were quite confused. As Republicans had feared,
though a majority of the votes cast approved the consti-
tution, a majority of the registered voters had not partici-
pated in the election. Conservative newspapers gleefully

36 Huntsville Advocate, January 7, 1868.
37 Ibid., January 10, 1868; Montgomery Daily Adver-
tiser, January 18, February 2, 1868; Mobile Nationalist,
January 23, February 6, 1868.
reported the rejection of the constitution. The Montgomery Mail proposed an epitaph for the "headboard of dead Radicalism in Alabama."

In Memory of
RADICALISM IN ALABAMA
Who died in attempting to give birth to a
BOGUS CONSTITUTION
After a painful illness of five days.

The Mail added that "she leaves a family of carpet-baggers and scalawags to mourn her loss." 38

But Conservative glee at the outcome of the election was shortlived. Now that Republican fears of rejection of the constitution were a reality, General Meade advised that the convention reassemble, revise the constitution, and re-submit it to the people. He believed a revised constitution "more liberal in its terms and confined to the requirements of the reconstruction laws, would . . . meet with the approval of the majority of the voters." 39 However, most Alabama Republicans favored immediate admission of Alabama rather than another election on the question of the

38 Athens Weekly Post, February 20, 1868.

39 Selma Times and Messenger, April 26, 1868; Report of General George Meade on Alabama Election, March 27, 1868, House Executive Documents, 40 Cong., 2 sess., no. 238, p. 5. Votes for the constitution were 70,812; those against 1,005 out of 165,813 registered voters. Original Returns for Elections in Alabama, 1868.
constitution. Especially Scalawags desired "control of the state now," and they said, "we can build up a Republican party . . . . Reject and order another election and Alabama goes irrevocably into the embraces of the Rebels." Subsequent to the Fourth Reconstruction Act of March 11, 1868, provided for the adoption of the constitution by a majority of those voting. A bitter dispute arose in Congress because Alabama's ratification had been held under the old law. Nevertheless, Alabama was readmitted to the Union in June, 1868, on the grounds that the people had adopted the constitution by a large majority of the votes cast.

With the inauguration of Governor William H. Smith, Congressional Reconstruction became a reality in Alabama. Smith, a lawyer, had served as a Democrat from Randolph County in the legislature in 1857 and 1858. As a Douglas elector in 1860, Smith was an ardent pro-slavery man who opposed secession because he believed slavery to be profitable to the South only while she remained in the Union.

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40 F.L. Pennington to Thaddeus Stevens, March 22, 1868, Thaddeus Stevens Papers. See also C.W. Buckley to Elihu Washburne, May 1, 1868, Elihu Washburne Papers; B.W. Norris et al. to George Meade, March 17, 1868, Records of the Select Committee.

41 Congressional Globe, 40 Cong., 2 sess., pp. 3466, 3484.
Smith went through the Federal lines in February, 1862, and remained out of Alabama until the end of the war. On his return many mentioned him as a candidate for governor in 1865, but Lewis E. Parsons was appointed as a compromise to harmonize the various elements of the Union loyalists. Governor Parsons appointed Smith judge of the tenth judicial district, but Smith resigned after serving only six months. Judge Smith presided at the organization of the Republican party in Alabama, worked actively for a moderate constitution in 1867, and was instrumental in cementing the party together. After serving as Superintendent of Registration of voters in Alabama, he became the state's first Republican governor. Later Republican Governor David P. Lewis would appoint Smith again as judge of the tenth judicial district in 1872.42

Nine other Scalawags served with Governor Smith in the most important state offices. Of the ninety-eight members of the state House of Representatives forty-three were natives of Alabama, fifteen were Northern men, and forty were Negroes. In the Senate eight men were Carpetbaggers and twenty-five were natives. Despite the feeling

among native white Alabamians that the 1867 constitution proscribed them from power, the Scalawags had succeeded in nominating and electing a sizeable group of white Southerners. Though they did not constitute a wide majority within the legislature, the Scalawags were not substantially excluded from office as they so often complained and as historians Herbert, Fleming, and Moore have subsequently written. On the Republican State Executive Committee, however, eight Scalawags served with ten Carpetbaggers and two Negroes. 43

The new General Assembly met July 13, 1868, and after the inauguration of the new governor, ratified the Fourteenth Amendment as Congress had directed the legislature to do. 44 In his inaugural address Governor Smith urged the legislature to exercise the authority given it by the constitution of 1867 to remove the extreme disabilities to vote which the constitution had imposed. Because the Governor felt the registration oath would perpetually guarantee the civil and political rights of all men in

43 Mobile Nationalist, April 23, 1868. See Appendix A.

44 W.H. Smith to Andrew Johnson, July 16, 1868, Letterbook of Governor W.H. Smith, No. 11, in Letterbooks of Governors of Alabama (Alabama Department of Archives and History, Montgomery).
Alabama, he believed any disfranchisement unwise except for crime. Smith had continually advocated universal amnesty since the drafting of the constitution the preceding year. At that time he had said, "Believing that the enfranchisement of the colored people accomplishes all that was designed by Congress, I am in favor of the immediate removal of all political disabilities imposed by the proposed constitution." The legislature did amend the constitution to allow every man to vote in Alabama who had heretofore been disfranchised. The disabilities which the Fourteenth Amendment provided had applied only to office holding. Alabamians continued subject to the requirement of the Amendment that required a vote of two-thirds of Congress to relieve men from the disability to hold office.

Also in his inaugural address, Governor Smith recommended that the legislature give attention to Alabama's

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47 Acts of the Sessions of July, September, and November, 1868, of the General Assembly of Alabama... (Montgomery, 1868), 27.
social and economic needs: to develop public education; to make use of natural and mineral resources; to diversify agriculture; to improve waterways; to attract immigrants and capital to the state. Altogether, the address was a broad challenge for the Reconstruction legislature to fulfill economic dreams which were to be repeated by Alabama liberals for generations.

In 1868 the Governor incurred the wrath of several Republicans by his vetoes of one bill to raise the salaries of members and officers of the legislature and of another bill transferring the choice of Presidential electors from the people to the legislature. However, many other Republicans praised Smith, agreeing with one Republican who termed the Governor's course "wise, prudent and firm;" and the Governor, a man who "understood the situation of the State and the status of all its old and new citizens."

Another Republican reported the Governor's action was generally viewed "as the act of one who was resolved to be

48Smith, Message of Governor W.H. Smith, July 14, 1868, 4-5.

49Selma Times and Messenger, August 13, 1868; Montgomery Daily Mail, August 22, 1868.

50Huntsville Advocate, November 20, 1868.
the governor of the State, not of a mere party. Perhaps the best evidence of Smith's conscientious efforts as a governor who proceeded entirely on his own convictions is that the leaders and the press of both political parties liberally praised and criticized various acts of his administration. One Democratic newspaper had sufficient perception to understand at the outset of Smith's administration that whether or not he had the power to do much good, he did have the power "to prevent much evil." And that prediction certainly Smith fulfilled. Yet, this was the man described by one historian as a "miscarriage of the process of American civics," and by another as a man who was "narrow" and "vindictive."

Despite the denunciations of his fellow Republicans, Smith labored to cement the Republican party into the organized unit it was by the 1868 Presidential election, and

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51 Samuel F. Rice to W.H. Smith, August 14, 1868, Governor W.H. Smith Papers (Alabama Department of Archives and History, Montgomery).
52 Montgomery Weekly Alabama State Journal, May 6, 1870.
53 Selma Times and Messenger, July 29, 1868.
54 John W. DuBose, Alabama's Tragic Decade, Ten Years of Alabama 1865-1874, edited by James K. Greer (Birmingham, 1940), 205; Fleming, The Sequel to Appomattox, 224.
this goal required a satisfactory division of available offices. A Washington newspaper noted that native Alabamians had "generously conceded to the Northern residents the several congressional nominations and they would complete a harmonious organization and secure a permanent prosperity of their party by sending the very best material they can select from among the old loyal citizens to the highest branch of the National legislature."55

Disregarding this advice, the legislature, rather evenly divided between Scalawags on one hand and Carpetbaggers and Negroes on the other, chose two Union veterans as Alabama's United States Senators. General Willard Warner of Ohio had served on Sherman's staff during the war, and General George E. Spencer of New York and Iowa had organized a regiment of cavalry among north Alabama Unionists.56 Governor Smith was much discussed as a possibility for the Senate, but many Alabamians recognized his abilities for the position as governor and wanted him to continue. Above all, he was urged not to leave the state in the hands of the


Lieutenant Governor, Andrew Applegate of Ohio, more familiarly known to Alabamians as "Jack Appletoddy."  

Nominations for Congress (to be elected in a special election in 1869) included three Carpetbaggers and four Scalawags. The race in the sixth district of Alabama provided a generally unnoticed lesson for Republicans. There, local factional disputes resulted in a race between a Carpetbagger, a Scalawag, and a Democrat for the Congressional seat. The Democrat won.  

Party harmony was maintained, on the surface at least, and Carpetbaggers and Scalawags supported the national Republican ticket in 1868. The Grant and Colfax electors of seven Scalawags and one Carpetbagger easily carried Alabama in the November election. Governor Smith felt that the success of the ticket was indebted to the "spirit of liberality and conciliation" engendered by the legislature's relaxation of the suffrage restrictions of the 1867 constitution. Smith realistically noted that some whose


58 Original Returns for Elections in Alabama, 1869. See Appendix A.  

disabilities had been removed supported the Democratic national ticket headed by Seymour and Blair. "But this," he said, "they had an undoubted right to do. Removal of political disabilities should not depend merely on party affiliations."  

Despite the success of the Grant and Colfax ticket in Alabama in November, 1868, all was not completely harmonious within the Republican party. Many old Union men deeply resented any concession of offices to newcomers to Alabama and viewed the future of the party in Alabama rather grimly. This resentment was especially marked among Unionists who were caught by the disabilities of office holding as restricted by the Fourteenth Amendment. David P. Lewis, a Huntsville Democrat who had served as a judge during the war and was thus barred from office holding, penned a most vehement expression of this Unionist sentiment.

What can a native Union man do, expect, or calculate on in the future? The Carpet-baggers have already landed everything that is Republican in Hell. The possibility of building up a national party in Alabama in affiliation with the Republican Party, is utterly extinct. The political offices, the University, Schools, all carpetbagged!

60 W.H. Smith to A.C. Ducat, December 11, 1868, Governor Smith's Letterbook, No. 11.
I am sick to nausia /*sic*/ of this damned dose — though I keep it to myself. Can the native white Union men make any movement, that will relieve themselves from the odium that stinks in the nostrils of humanity? I want to hear from you.

Party shackels /*sic*/ are uneasy enough when everything is managed with reasonable wisdom, with decency. When both are ignored, and men are responsible for things, that they not only condemn but detest — why then a grasshopper becomes a burden.61

Two weeks later Lewis wrote again to Governor Smith, this time with a somewhat cooler pen. Lewis was deeply convinced that the welfare of the state rested more on Governor Smith than on any other man in Alabama. He believed that the Governor's veto of what he thought of as the "wild radicalism of the Carpet-baggers" had done more than any other single act to restore confidence in government.

A perseverance in such a course will make you friends of the men who really impart all worth to humanity, and all stability and virtue to governments. It is only an evidence of the power of public virtue, in breaking down party lines and revealing friends in those who stand arrayed as foes; and does in those who professed to be friends. The Carpetbaggers are only friends to those who will aid them, in their plans of plunder.62

Especially grim did the future of the Republican

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61 David P. Lewis to W.H. Smith, August 12, 1868, Governor W.H. Smith Papers.

party seem in north Alabama. William Bibb Figures, Unionist editor of the Huntsville Advocate, reported the "native Union Southern Republican element opposed to the Secession Democracy and to the exclusive rule and control of newcomers" and confused as to what action they should take. Many were finding Carpetbaggers so offensive as well as grasping that daily many Republicans were angrily taking refuge in the Democratic party in order to manifest their repugnance to the Carpetbaggers. Figures predicted, "If the present state of things goes on much longer, only a baker's dozen of us will be left up here, aside from the colored and the carpetbaggers." J.W. Burke, Union soldier who had moved to Huntsville in 1864, concurred with Figures' condemnation of the action of the Carpetbaggers. Their conduct he blamed for driving from the Republicans "almost every native Union white man in North Alabama."

Joseph C. Bradley described the Republican party in north Alabama as being in a "bad fix."

We have lost many of our native union white friends in north Alabama but they give no good reasons for doing so. Every one of them in heart are still with us but they have not the moral courage to withstand the pressure that is brought to

63 W.B. Figures to W.H. Smith, August 24, 1868, ibid.
64 J.W. Burke to W.H. Smith, August 16, 1868, ibid.
bare /sic./ on them, social ostracism, persecution in every condition of life by the discontents are too much for their nerves. The mere fact of there being bad or worthless men in the Republican party or officeholders of that character in the state are not good reason for any man of principal /sic./ to quit the national Republican party -- to forsake Grant and Colfax and vote for Seymour and Blair.65

A few days later Bradley wrote again to Governor Smith and expressed the frequently heard Unionist complaint that the Carpetbaggers "in their greed for offices" had ruined the Republican party in Alabama and that in the Tennessee Valley only a few native white Unionists remained. A durable Republican party could be built only if Carpetbaggers resigned their offices which loyal whites would then fill. However, Bradley felt, "There is no excuse for a union man to forsake the Republican party merely because we have some bad men acting with us."66

David C. Humphreys, like Bradley a north Alabama Unionist, agreed that the "newcomers have ruined us." He reported on the state of affairs:

men that I had no thought of leaving us have become so bitter, that they will not cooperate

65Joseph C. Bradley to W. H. Smith, August 29, 1868, ibid.

66Joseph C. Bradley to W. H. Smith, September 3, 1868, ibid.
in any measure which will build up the permanency or security of the carpetbaggers. And the leaders of the Democracy affect as much hatred to the native element as to the carpet gentry. We appear to be between two fires -- forced to uphold the new men, because politically associated with them.\footnote{David C. Humphreys to W.H. Smith, September 5, 1868, \textit{ibid.}}

These protests about the unimportant role permitted the Scalawags in Alabama politics overlooked the number of offices they actually occupied. However, the injustice of the appointment of any newcomer to office at the expense of a loyal native who had survived the hardships of the war seemed quite real to the Unionists. They still believed, as they had in 1865, that the only sound basis for the establishment of a permanent Republican party in Alabama was the loyal white element, not the Negro. Having had their franchise restored by action of the 1868 legislature, many resented their continued exclusion from office holding under the Fourteenth Amendment because they proudly asserted that they had not been disloyal and refused to apply for removal of disabilities by act of Congress.

Modification of these restrictions was obviously desirable, but despite numerous suggestions about the scope of amnesty to be offered, nothing was done. The most
concrete and practical suggestion proposed that men who had opposed secession in 1860, then cooperated with the Confederacy only so far as honest convictions of safety demanded, and now accepted Reconstruction, be exempt from disabilities of the Fourteenth Amendment. Such a proposal would relieve loyal men of 1860, while continuing disabilities on open secessionists and active rebels.\(^{68}\)

Unfortunately, Congress took no action on the amnesty question in 1868, with the result that most Douglas and Bell men of 1860 abstained from politics because they were barred from office holding until the passage of the General Amnesty Act of 1872. The importance of the failure of the Republican party to attract the bulk of these conservative men of 1860 may be seen in the effort in December, 1868, to organize these Union men into a new political party in Alabama. Alexander White of Talladega and Selma initiated the movement.

White, born in Tennessee, moved as a youth to

\(^{68}\)David P. Lewis to J.J. Giers, November 26, 1870; David P. Lewis to Benjamin F. Butler, June 23, 1870; William Byrd to George S. Boutwell, December 15, 1868, Records of the Select Committee. A.W. Dillard to R.A. Mosely, June 12, 1875, Applications for Appraisers of Customs, Records of the Department of Treasury, Record Group 56 (National Archives, Washington, D.C.); hereafter cited as Applications for Appraisers of Customs.
Courtland, Alabama, in 1837. He briefly attended the
University of Tennessee and later practiced law in Talladega
with Lewis E. Parsons. In 1851 White was elected to Congress
as a Union Whig. White moved in 1856 to Selma, where he
continued his law practice while acquiring large holdings of
land. Though he canvassed Alabama for Bell and Everett in
1860, White served in Hardee's infantry during the Civil
War. In the 1865 constitutional convention he represented
Talladega County. 69

In December of 1868 White described the proposed
movement to George Boutwell, then chairman of the Joint
Select Committee on Reconstruction, as a "cordial and
permanent reunion" of the "old Union men of Alabama." White
had already circulated an unsigned address "To the Old Union
Men of Alabama," and he enclosed a copy in his letter to
Boutwell. The address urged the cooperation of Union men on
a platform of principles: acceptance of the recent election
as settlement of the "question of Union, reconstruction, and
suffrage;" adaptation to the "new industrial condition" by
development of Alabama's natural resources, invitations to
capital and labor to migrate to the state and "courteous

69Biographical Directory, 1688; Montgomery Daily
Advertiser, September 17, 1865.
treatment when it comes;" an end to the exhaustion of the "energies and industries of our people" in the "meshes of political controversy;" the "taking hold of the living present and advancing future, and improving and moulding them to secure the welfare and prosperity of our country."  

However, White realized the greatest difficulty facing such cooperation among Union men was the proscription of "most of the old Union leaders." And therein lay the reason for White's writing to Boutwell. If Congress would remove the disabilities of the old Union men caught by the Fourteenth Amendment, the success of the movement might "fire the future political status of Alabama, and if successful in Alabama it will soon be followed in other southern states." But Congress did not act.

White's ideas also met a cool reception in Alabama. The Republican Montgomery Alabama State Journal, opposing formation of such a third party, urged "all Union men to cooperate with the Republican party," as did the Republican

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70Alexander White to George Boutwell, December 14, 1868, Records of Select Committee; Alexander White to W.H. Smith, December 14, 1868, Governor W.H. Smith Papers.

71Ibid. See also William Byrd to George Boutwell, December 15, 1868, Records of the Select Committee, and Alexander White to W.H. Smith, December 14, 1868, Governor W.H. Smith Papers.
White at first confided to Governor Smith that he had few favorable responses to letters written in behalf of the movement. "Politicians," White wrote, "wish time to consult and consider." Then a few weeks later he elaborated his theories for the movement. He expected his address to draw off the "Old Union Men" from the Democratic party and separate them from return because "it designedly builds a wall which none . . . can cross until they have washed in the political Jordon and are cleansed from the leprosy of suspicion."

White astutely saw the danger inherent in the Republican reliance on Negro votes for the party's existence. Democrats employed fully seven-tenths of the Negroes, White estimated, and if there were no change from the present condition, "in another election (one more) the Republican party will be swept away in Ala and in the whole South." Former owners of slaves exercised great influence over the Negroes, and White believed that unless the white men of the state could be divided, all opposition to the Democrats was "idle and

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72 Montgomery Daily Alabama State Journal, December 5, 1868; Opelika East Alabama Monitor, January 8, 1869.

73 Alexander White to W.H. Smith, December 20, 1868, Governor W.H. Smith Papers.
vain." Many men who might leave the Democrats would refuse to join the Republicans, but White hoped to entice them out of the Democratic party and thus divide and weaken it. The alternative to his proposal was to watch them consolidate their strength to the detriment of the Republicans.\(^74\)

However, when the Union men finished their consideration of the proposed movement, they refused to join. Some suspected White of intending to use them to put himself into the strongest party and to benefit personally as the leader of this group of Union men. Others denounced White as having already defected to the Republicans.\(^75\)

White failed to create a successful third force in Alabama politics at this time, but his effort emphasized the plight of the Union men who had not swallowed their pride to apply for and receive Congressional removal of their disabilities. Since 1868 they had been barred from participation in Alabama politics. Congressional Republicans should have enacted a more generous amnesty policy early in Reconstruction to win the support of these loyal whites upon whom a

\(^{74}\)Alexander White to W.H. Smith, January 2, 1869, ibid.

\(^{75}\)Selma Weekly Times, October 29, 1870; DuBose, Alabama's Tragic Decade, 274-275.
permanent Republican organization could have been based in Alabama.

Instead, Carpetbaggers and Scalawags maintained a balance of power within the Republican party from 1867 to 1869. Because of the strength of each faction, they were forced to make mutual concessions in terms of offices and influence. Although the Scalawags dominated the state judiciary, they divided state executive and Federal legislative offices with the Carpetbaggers. These Scalawag leaders were already demonstrating that they were men of considerable political ability and experience. In the shuffle the Negroes were excluded from power because they failed to organize and demand concessions from Carpetbaggers and Scalawags as the price of their support.

This balance between natives and newcomers was permanently upset after the Presidential election of 1868, when the native white element received new strength from an unexpected source -- not from the Union men as should have been the natural consequence of the outcome of the war. A revolution of a different sort was now under way, this time in the composition of the Republican party itself.
CHAPTER IV

DISSENSION AND DEFEAT, 1869-1870

Having failed to attract the Douglas and Bell men of 1860 to the Republican party in substantial numbers, Republicans found after the Presidential election of 1868 a sudden influx of a different element into the party, additions which bolstered the strength of the native white element. Instead of being the conservatives of 1860, these men were Democrats, most of whom had cooperated with the Confederacy once Alabama had seceded. Some had been secessionists in 1860, while others had been Douglas or Bell supporters. They had achieved prominence as Democrats since 1865, and in the face of the Democratic defeat in 1868, they realistically reviewed their political futures. From this reassessment arose the conviction that an adjustment of their political affiliations was necessary for political survival. Accordingly, they prepared to swallow the bitter pill of ostracism and condemnation by their neighbors, and in the weeks after the Republican success in the Presidential
election of 1868, they announced their defections to the Republican party. Ironically, these Democratic defectors would acquire as much prominence in the Republican party as the Unionists who had consistently supported the Republican cause in Alabama.

One month after the 1868 Presidential election Samuel F. Rice penned a letter which signaled the beginning of this important alteration in the composition of the Republican party. Rice was a South Carolina lawyer who moved to Talladega in 1838. After representing Talladega County as a Democrat in the legislature in 1840 and 1841, he was defeated in his race for Congress in 1845, 1847, and 1851, the last time by Alexander White. Rice moved to Montgomery in 1852 and two years later was elected to the Alabama Supreme Court, where he served until January, 1859, the last three of these years as Chief Justice. Rice was a supporter of Breckinridge in 1860, a secessionist, and a member of the Alabama Senate, 1861-1865. In November, 1868, he campaigned as vigorously against the Republicans as he had in February, 1868, against the new state constitution, openly admitting his opposition to Negro suffrage.  

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1Owen, Alabama, IV, 1435; W. Brewer, Alabama: Her History, Resources, War Record, and Public Men from 1540 to
On December 11, 1868, Rice wrote W.B.H. Howard, editor of the Wilcox News and Pacificator, announcing a modification in his political affiliation. The Huntsville Advocate cited Rice's letter as "one of the very significant signs of the change going on in this state, among public men of discernment and moral courage to avow it." Rice's opposition to the Republican party and his support of the Democratic party in the November election had been, he said, the means to accomplish the "salvation of free government, ... the revival of industry and prosperity, the lightening of debt and taxes, and the perpetuation of the right of self-government." Rice believed the defeat of the Democratic party ended the possibility of their achieving these goals for at least four years to come. "What," asked Rice, "is my duty in the mean time?" He saw no good in "sullen inaction" nor in war upon uncontrollable facts, however distasteful they might be. Such matters as the national and state administrations and Negro suffrage were conditions which could not be removed until given fair trial and allowed to


2Huntsville Advocate, December 22, 1868.
condemn themselves by their own works. In general, Rice felt that mere partisanship should cease to control the conscience or conduct of men concerned about good government. "What we need is liberty and good government; whoever secures that for us thereby acquires a title to our favor."  

Democratic criticism of his defection prompted Rice to write again to Howard, decrying radicalism, whether Democratic or Republican. More than at any other time the people of the nation should, he said, "calmly consider and calmly determine, by reason alone, their duty to themselves and their country. Passion and prejudice are not fit counsellors for a great people struggling against multiplied misfortunes."  

Rice's actions continued to be sharply criticized in the Alabama press, and the judge expanded his views on radicalism in a third letter to Howard. Plainly, he said that the parties needed to be reformed. The paramount need was "an alliance of good men generally, of all political shades of opinion in other days, who will sink all party preference, all personal opinion." Passions upon which radicalism fed must be eliminated, and men should "avoid

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3Wilcox News and Pacificator, December 15, 1868.

4Ibid., February 23, 1869.
Alexander White of Talladega and Selma followed Rice out of the Democratic party and into the Republican organization after his failure to organize a third force in Alabama politics late in 1868. Many months before White made any formal declaration of his affiliation with the Republican party, rumors circulated about his political intentions. These rumors developed from several of White's letters, speeches, and addresses published in Alabama. The first such rumors began in November, 1868, when White expressed his belief that the Republican form of government had not failed simply because the Democrats had been defeated in the November election. Rather, the evil to be most dreaded, South and North, was extremism. It was useless, according to White, to point out Alabama's vast undeveloped resources to Northern capitalists and then denounce them as adventurers and Carpetbaggers.

His address in December "To the Old Union Men" of Alabama repeated this acceptance of the realities of the

5Opelika Union Republican, July 31, 1869.

6Alexander White to L.W. Grant, November 18, 1868, in Montgomery Weekly Alabama State Journal, November 25, 1868.
existing political situation. White confided to Governor
Smith at this time that, though he denied that "Alex White
had joined the Radicals" to make political capital for his
movement, his denial was not in accord with his feelings or
his judgment. Shortly, White showed more precisely what
was on his mind. He sent Governor Smith a labored and
delicately worded inquiry about the possibilities of White's
nomination as U.S. district judge should Judge Busteed
resign. Failing to get an appointment to a judicial post
himself, White then turned his efforts to obtaining one for
his brother. Here again he failed.

Finally, in July, 1869, White declared himself a
Republican and endorsed the principles of the Republican
party. He believed Alabama had had enough of the bayonet
and should rely on the ballot instead. "Let bygones be by­
gones," he urged, adding, "Revolutions never go backwards."

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7 Alexander White to W.H. Smith, January 2, 1868,
Governor W.H. Smith Papers.
8 Alexander White to W.H. Smith, March 13, 1869, ibid.
9 Alexander White to W.H. Smith, July 16, 1869,
William Byrd to W.H. Smith, December 9, 1869, ibid. See
also recommendations for White in file of applications and
recommendations for Judgeship of First Judicial District of
Alabama, ibid.
10 Alexander White to Albert Griffin, July 15, 1869,
in Mobile Nationalist, July 16, 1869.
Two weeks later White defended his defection to the Republicans, saying that reason alone had guided him to become a Republican. To him the Democratic party represented a bygone age and a theory exploded at the cannon's mouth, while the Republicans had received new vigor and life as the result of the war. White realistically noted that the South's wants, such as railroads, internal improvements, and the removal of disabilities, could not be obtained by sending Democrats to a Congress which was two-thirds Republican.\footnote{Speech of Alexander White, August 2, 1869, in Montgomery Weekly \textit{Alabama State Journal}, August 14, 1869.}

Rumors circulated freely about the political intentions of former Governor Lewis E. Parsons, and after the passage of several months Parsons eventually renounced his Democratic connections. Born and educated in New York state, Parsons came to Talladega in 1840 and the next year became associated with Alexander White in what became an extensive and successful law practice. As a Whig he represented Talladega County in the legislature in 1859 and advocated internal improvements. On the dissolution of the Whig party Parsons became a Democrat and actively supported Douglas in 1860. William L. Yancey termed Parsons the ablest and most resourceful of the Union debaters he had
ever encountered. During the Civil War Parsons continued to practice law in Talladega, though his sons served in the Confederate army. He represented Talladega in the legislature again in 1863, while reportedly participating in the Alabama "Peace Society." President Johnson appointed him provisional governor of Alabama in 1865. In December of that year the General Assembly elected him United States Senator for a six-year term, but Congress refused him a seat. After remaining in Washington for a year, he returned to Alabama to campaign against the 1867 constitution. He led the Alabama delegation to the national Democratic convention in 1868 and actively campaigned throughout Alabama for Seymour.12

During the spring and summer of 1869 Parsons spoke frequently at gatherings in east Alabama, delivering virtually the same speech on successive occasions. He advised the people to forget their past political differences and to unite in rebuilding their shattered fortunes and wasted land. He endorsed the course of Governor Smith and urged Alabamians to free Alabama "from the Carpetbaggers who have

12Brewer, Alabama, 542; DuBose, Alabama's Tragic Decade, 37, 40; Birmingham Ledger, January 14, 1917, in Lewis E. Parsons File (Library, Alabama Department of Archives and History, Montgomery).
been misrepresenting us." Democratic newspapers favorably reported Parsons' bitter denunciations of the Carpetbaggers but suspiciously noted he was "painfully silent" on one subject. "He said not a word of the Democratic party." In September Parsons ended the speculation when he spoke at Wedowee in Randolph County, home of Governor W.H. Smith. On this occasion he fully endorsed the Republican party, blaming the Democrats for "all the evils resulting from the war." Parsons was reported as saying he had "crossed the 'Rubican' and burned the bridge after him."  

Parsons later testified before a Congressional committee that after the Democratic defeat in 1868:

"I came out and said that having voted against the republican party as long as it was worth while, it would be better to make terms with them, work along with it, and in that way acquire their confidence. As long as we opposed them they were suspicious of our intentions in regard to the negro and the perpetuity of the Union."

Parsons could see "no use in any further opposition to the

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13 Talladega Alabama Reporter, March 17, 1869; Shelby County Guide, March 18, April 1, 1869; Talladega Sun, July 1, 1869.

14 Montgomery Daily Advertiser, March 27, 1869. See also Shelby County Guide, April 1, 1869.

reconstruction policy which the Government had adopted.\textsuperscript{16}

David P. Lewis of Madison County and Alexander McKinstry of Mobile were two other outstanding Democrats who became Republicans early in 1869. In 1872 Lewis would become Republican governor of Alabama and McKinstry, lieutenant governor. Lewis had come to Madison County as a child from Charlotte County, Virginia. A Huntsville lawyer, Lewis first entered politics in 1861, when he represented Lawrence County in the Alabama Secession Convention. Subsequently, he served as judge of the fourth Alabama judicial circuit before fleeing through the Federal lines to Nashville. In 1865 he returned to Huntsville to practice law. Lewis, like Parsons, was a delegate to the national Democratic convention in 1868. Sometime early in 1869 Lewis quietly joined the Republicans. He made virtually no public addresses and remained in the background of this group of defecting Democrats until his selection as Republican candidate for governor in 1872.\textsuperscript{17}

Alexander McKinstry, who was orphaned at an early age, lived with relatives in Mobile, where he found mercantile employment and later read and practiced law. After

\textsuperscript{16}Alabama Testimony, VIII, 95, 99.

\textsuperscript{17}Owen, Alabama, IV, 1043.
serving as alderman of Mobile, commissioner of revenue of Mobile County, commissioner of county roads, and judge of the city of Mobile from 1850 to 1860, he held membership in the state legislature from 1865 to 1870. McKinstry opposed secession but served in the Confederate army. Like Lewis, McKinstry did not publish his reasons for becoming a Republican, although he did summarize his political views in a statement to a Republican newspaper editor in July, 1869. He favored abandoning all "old issues and taking new bearings, based on our present condition." Alabama had had, he said, enough of the bayonet; it would be much better to rely on the ballot box. He urged support of the Republican government in Alabama, for to do otherwise would court disaster. After all, he concluded, "Revolutions never go backwards."\(^{19}\)

The Republican press welcomed these ex-Democrats. The Huntsville Advocate interpreted these defections as evidence that "the people have discarded the past; its issues are dead and can't be made alive again. The present is upon us . . . . We are ready to strike hands with Douglas

\(^{18}\)Brewer, Alabama, 423-424; DuBose, Alabama's Tragic Decade, 274.

\(^{19}\)Alexander McKinstry to Albert Griffin, July 15, 1869, in Mobile Nationalist, July 16, 1869.
men, Bell men, and with any and all who will imitate the noble example" of these defecting Democrats.\textsuperscript{20} Another Republican paper optimistically predicted that with such prominent men as were joining the Republican party and the aid of the original native Republicans of the state, there was no doubt that "peace and quiet are going to be the order of the day in Alabama."\textsuperscript{21}

Republican strategy with these new additions to the party was rumored to be a new effort to gain even further strength for the party. Alexander White was to attack from the "standpoint of 'Old Line Whiggery,'" in appealing to his former political associates, while Samuel F. Rice was to attack from the "standpoint of 'Old Fashioned Democracy,'" to appeal to Democrats to quit their party.\textsuperscript{22} Obviously, Republicans recognized the potential value that these additions had brought to the party and hoped to encourage more Democrats to follow the example of these men. The defections to the Republicans included many other Alabamians locally prominent in various counties, reflecting the grass-

\textsuperscript{20}Huntsville \textit{Advocate}, December 8, 1868.

\textsuperscript{21}Montgomery Weekly \textit{Alabama State Journal}, February 13, 1869.

\textsuperscript{22}Montgomery Daily \textit{Advertiser}, August 29, 1869.
roots nature of the movement. One Democratic newspaper declared, "Bolting seems to be epidemic." Republicans hoped that these defections represented a mass move of conservatives to the Republican party. But the hope was too optimistic; men who had abstained from politics thus far in Reconstruction did not at this time move en masse into the Republican ranks.

In their published statements discussing their political realignment, these men exhibited realistic and perceptive approaches to their own positions and to the needs of Alabama. Judging from their past careers, it seems certain they expected to influence again the course of government in Alabama. By the time of their defections to the Republican party, these men, with the exception of the proud D.P. Lewis, had had their disabilities for office holding removed. Perhaps they were opportunists, but they

\[23\text{Ibid., January 24, February 11, 1869; Montgomery Weekly Alabama State Journal, February 13, 1869; Opelika East Alabama Monitor, February 19, 1869; Mobile Daily Register, January 28, 1869.}\]

\[24\text{Mobile Daily Register, January 28, 1869.}\]

\[25\text{Opelika East Alabama Monitor, February 19, 1869.}\]

\[26\text{Greensboro Alabama Beacon, March 13, 1869; Selma Southern Argus, March 17, 1870.}\]
were also political realists.

Hardly had these Republicans grown comfortable with their new political affiliation when they plunged into the party's family squabbles in a determined effort to control state politics and Federal patronage for the native white element. They found the seeds of dissension already flourishing within the party; friction between newcomers and natives had existed as long ago as the convention which organized the Republican party. Now after the Republican victory in 1868, the friction worsened. The standard complaint of the natives about the division of spoils was developing into a full-scale "row," according to one Democratic newspaper. Without bothering to evaluate just what portion of state offices they did control, the natives continued to lament that the Northern men not only did not divide fairly, but that they did not divide at all.27

The Scalawags in their new strength directed their first assault to obtain a larger share of offices among the Congressional seats to be filled in an August, 1869, election. In the third Congressional district Scalawag Arthur Bingham, then state treasurer, contested the

27Mobile Daily Register, May 16, 1869.
renomination of the Carpetbagger incumbent, B.W. Norris. Bingham narrowly lost the nomination by two votes in the district convention to Scalawag Robert S. Heflin. Norris accused Heflin of being nominated by fraud and threatened to run as an Independent Republican. Subsequently, Norris reconsidered and within a month withdrew and urged Republicans in the district to support Heflin. 28

In the fourth district Charles Hays, Scalawag, fought General C.W. Dustan, Carpetbagger, for the Congressional seat vacated by a Carpetbagger. Democrats encouraged the two Republican contestants. To one Democratic editor, the "vilest Carpetbagger, the worst negro ever tied to the whipping post, would be less odious to all right thinking men than Charles Hays." Dustan was described as "a republican, not a radical," and his "comparative unobjectionableness" caused the Democratic Southern Argus to urge white men of the district to give Dustan their support. 29 The Montgomery Advertiser at first termed Hays a comparative moderate in his opinions, greatly preferable to his "Carpet-

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28 Talladega Sun, June 17, July 23, 1869; Montgomery Daily Advertiser, July 10, 1869; Selma Southern Argus, July 14, 1869.

29 Selma Southern Argus, July 28, 1869.
bag predecessor, or to any mere itinerant office seeker of that sort." Within two weeks, however, the Advertiser found Dustan eminently preferable to Hays and expressed belief "there can be no hesitation in favor of the latter." In the fourth district Democrats encouraged the competition between Republican natives and newcomers, rather than uniting behind one Democratic nominee.

The sixth Congressional district saw the worst of the dissension. There, Scalawag incumbent Thomas Haughey ran as an Independent Republican against Carpetbagger Jerome J. Hinds, the regular Republican nominee and protege of U.S. Senator from Alabama George E. Spencer. Charges of theft, bribery, corruption, and perjury flew between the two Republican candidates. On the eve of the election a friend of Hinds shot and killed Haughey as he made a political speech in Courtland.

30 Montgomery Daily Advertiser, June 25, 1869.
31 Ibid., July 14, 1869.
32 Selma Southern Argus, July 14, 1869.
33 Montgomery Daily Advertiser, August 8, 1869; Mobile Nationalist, September 27, 1869, quoting New York Tribune; Biographical Directory, 1074; Charles A. Beckert to W.H. Smith, August 7, 1869, James Haughey to W.H. Smith, August 8, 1869, Governor W.H. Smith Papers.
Republicans won four of the six Congressional seats. Violence and intimidation caused Republican failure in the fifth district, where a prominent Scalawag ran against a Democrat. Violence plus Republican dissension caused the loss of the sixth district to a Democrat. Of the six Republican nominees for Congress, three were Scalawags and three were Carpetbaggers. Elected were two Scalawags and two Carpetbaggers. Five Carpetbaggers and one Scalawag had represented Alabama in the preceding Congress. The vicious factionalism among Republicans had profited the Scalawags who gained two Congressional seats.

Simultaneous with the Scalawag fight to win additional Congressional seats was an attempt to re-elect Governor Smith for a second term and to oust the Carpetbaggers from places of power in the party in Alabama. Here the ambitions of the natives clashed with the schemes of Carpetbagger George E. Spencer, Senator elected in 1868 for a four-year term.

Spencer, a man of iron will and pliant principles, was originally from New York but practiced law in Iowa before the war, where he served as secretary of the Iowa Senate. Having entered the Union army at the beginning of the Civil War, he arrived in north Alabama in 1862, where he organized among the Unionists the First Alabama Cavalry. In 1865 he resumed his law practice, this time in Decatur, where he became register in bankruptcy for the fourth district of Alabama. His election as Senator in 1868 marked his emergence as a major figure in Alabama Reconstruction.

Sometime after his election in 1868, Spencer initiated plans which involved the manipulation of the 1870 election and of Federal patronage in Alabama to secure his re-election in 1872. If a Democrat could replace Senator Warner, who faced re-election in 1870, Spencer, who was an intimate of President Grant, would become the sole dispenser of Federal patronage in Alabama. Spencer could use the officers for whom he secured appointments and the money they held to eliminate any Democratic competition in 1872. The first step was to weaken Governor Smith, who was certain to

35Biographical Directory, 1553; Owen, Alabama, IV, 1606; Montgomery Daily State Sentinel, October 25, 1867.
be a candidate for re-election in 1870, in order to elect a Democratic governor and a Democratic legislature who would not re-elect Warner to Congress. 36

Smith, meanwhile, was the choice of the native white Republicans to head the state ticket. They feared they did not have a "ghost of a chance" if Governor Smith were not renominated or if a Negro were nominated on the state ticket. 37 The Scalawags hoped to cement various Republican factions into a solid support for Smith; when a vacancy occurred in the post of Chancellor of the Middle Division of Alabama, Alexander White suggested to Governor Smith that Charles Turner, a Carpetbagger, be appointed to fill the vacancy, because "it would demonstrate to the party throughout the State that when a Northern man was worthy he would receive favor" from the Governor. Such appointments would encourage party unity and harmony in the Republican state

36 DuBose, Alabama's Tragic Decade, 289; Selma Weekly Times, October 29, 1870; Selma Southern Argus, October 7, 1870.

37 Alexander White to D.L. Dalton, August 9, 1870, Governor W.H. Smith Papers. See also Talladega Sun, August 9, 1870; Montgomery Weekly Alabama State Journal, August 19, 1870; John Brown to W.H. Smith, August 27, 1870; L.D. Cunningham to W.H. Smith, April 4, 1870, Governor W.H. Smith Papers.
convention. Smith heeded White's recommendation and appointed Turner as Chancellor of the Middle Division.

But the desired unity of the party behind Governor Smith did not come. Spencer's intrigues were not unknown to Smith, who perceptively realized that Spencer might not only ruin Smith's political future but also promote discord in the Republican party that could seriously threaten its overthrow in the state. The Governor protested to President Grant that men regarded Federal offices "as so much stock in trade to be used for selfish purposes, in returning themselves to Congress or some other such end." Smith complained that Alabama's representatives in Washington treated his recommendations and those of other Alabama Scalawags with scarcely polite indifference.

A month after Smith's protest to Grant the Governor evaluated the new Federal appointments in Alabama as being what he had expected, as "not likely to give a very great degree of satisfaction." Plainly, the appointments had not been made to benefit the public or the Republican party, he

38 Alexander White to W.H. Smith, February 27, 1870, Governor W.H. Smith Papers.
39 Charles Turner to W.H. Smith, March 9, 1870, ibid.
40 W.H. Smith to U.S. Grant, March 13, 1869, ibid.
wrote his secretary. The only conclusion possible was that the appointments had been controlled in the "interests of a few partisans, for their own selfish purposes." Subsequently, Smith repeated his estimate of recent Federal appointments and his accusations made privately against the Carpetbaggers representing Alabama in Washington.

Other Unionists confirmed Smith's conclusions. J.J. Giers, a north Alabama Unionist, reported after a long political discussion with several prominent Alabama Carpetbaggers that "they seemingly have Genl. Grant in their breeches pocket" and that the "first consideration in the coming distribution of spoils is, whether the applicant voted for the Constitution or not. The man who did not, . . . need not show his face or application in these sacred precincts." Milton J. Saffold, Scalawag Federal internal revenue supervisor, wrote the Governor, "I am looking daily for my decapitation." A week later he resigned his Federal

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41W.H. Smith to D.L. Dalton, April 11, 1869, ibid.

42Greensboro Alabama Beacon, April 10, 1869; Montgomery Weekly Mail, April 17, 1869.

43J.J. Giers to D.L. Dalton, November 1, 1869, Governor W.H. Smith Papers.

44M.J. Saffold to W.H. Smith, April 13, 1869, ibid.
office to accept a state appointment made by Smith. 45

Meanwhile, repeated acts of violence swept the counties in the Tennessee Valley and west Alabama, particularly in the last two weeks before the Congressional election in August, 1869, and Smith's actions in this crisis gave his political enemies ammunition for the political wars of 1870. Requests for organization of a state militia deluged the Governor, especially demands for protection for the native Unionists who were at that time undergoing persecution reminiscent of Confederate action against them during the war. 46 It was during this pre-election violence that candidate Thomas Haughey was killed in the sixth Congressional district of Alabama. The Governor preferred to leave law enforcement in the hands of local officials wherever possible and urged these authorities to call if necessary upon Federal troops already stationed in Alabama. He refused to declare

45 M.J. Saffold to W.H. Smith, April 21, 1869; Albert Elmore to W.H. Smith, May 2, 1869, ibid.

46 See as samples of this problem W.B. Figures to W.H. Smith, July 26, 1869, E. Latham to W.H. Smith, July 27, 1869, D.C. Humphreys to W.H. Smith, July 26, 27, 1869, Joseph See to W.H. Smith, July 22, 1869, S.W. Crawford to W.H. Smith, July 26, 1869, Charles Hays to W.H. Smith, August 4, 1869, ibid; John B. Callis to George Boutwell, January 28, 1869, Records of the Select Committee; D.L. Dalton to G.W. Houston, August 1, 1869, D.L. Dalton to T.B. Doyle, August 3, 1869, Governor Smith's Letterbook, No. 12.
martial law, saying that although the state constitution outlined the condition of affairs during which the Governor might suspend the writ of habeas corpus, law and order had not so degenerated in Alabama as to empower the Governor to act. Senator Spencer was aware of the sharp contrast between Smith's statements on conditions in Alabama and his reports to Washington of the turmoil in the state and the need for Federal troops to remain. Spencer wanted troops stationed in Alabama to facilitate his plans for re-election in 1872, and he therefore berated Governor Smith's reports and actions. 47 Certainly Smith's action was not the easiest or most popular course, but he persisted in his determination to govern constitutionally as he interpreted the state code.

In a speech in the Senate on March 17, 1870, Spencer fired his first shots at Governor Smith and Senator Warner when he pronounced that Republicans held Alabama "by a slender thread" because every day they were depleted by party defections and were "hampered by weak-kneed officials" in the state. Senator Warner, Spencer said, foolishly believed the general sentiment of Alabama to be truly loyal. 48


Two months later Spencer announced that the Alabama Republican party was "afflicted with a masterly inactivity," that the state was in a "deplorable" condition politically and socially, and that to be a Republican was considered a "heinous crime." There was no freedom of speech or freedom of action except in those localities where all residents chanced to be loyal.\(^{49}\)

However, it was June, 1870, before the fight began in earnest. Governor Smith arrived in Madison County shortly after the county convention had met to select delegates for the state convention to be held in Selma later that summer. The Governor declared the Madison County convention had spent most of its time assailing his official conduct in order to reorganize the Alabama Republican party "in opposition to the outgoing administration and in the interest of a few depraved characters." George Spencer, J.J. Hinds, and a "few others of less notoriety" had been "systematically" uttering every conceivable falsehood" in order to prejudice the white Unionists and the Negroes against the Governor. Until the Madison County convention no specific charges had been made. At this convention, however, one of Spencer's

associates charged the Governor with responsibility "for all the ku klux outrages" and with negligence in law enforcement. The Governor refuted these charges, saying that during his entire administration only one local officer, the sheriff of Morgan County, certified that he was unable on account of lawlessness to execute his official duties. In this instance, Smith applied for Federal troops, which were dispatched; but the sheriff refused their services.  

Governor Smith acknowledged that there had been many complaints about violence in north Alabama in the last year. In such cases, he said, "I have taken great pains to explain . . . their legal remedy." If violence was feared in an area, suspected parties could be arrested to keep the peace, and the Governor offered aid in arresting violators of the law. But, he added, "No one ever made application for such assistance."  

Two days after Smith's statements Scalawag Judge Samuel F. Rice came to the Governor's support, denouncing those Republicans who had come to Alabama since 1865 for the sole purpose of acquiring for themselves "loaves and fishes"

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50 W.H. Smith to W.B. Figures, June 25, 1870, in Selma Southern Argus, October 7, 1870.  
51 Ibid.
in the form of offices. Rice needed to mention no names. In subsequent weeks, Rice repeatedly defended Governor Smith.

Quickly, Senator Spencer replied in righteous indignation, admitting that he had not spoken to Governor Smith in nearly two years. The Governor, charged Spencer, had sought his "own aggrandizement," while being "criminaliy derelict and flagrantly wanting in the commonest essentials of his office." Governor Smith's accusations against Spencer and his friends were untrue, and his "illogical inferences" drawn only from the "disordered brain of an ingrate and a self-convicted apostate" seeking re-election from the party he had betrayed.

Within four days Unionist Thomas M. Peters of Moulton, an associate justice of the Alabama Supreme Court and a Republican since the party's organization in the state, and Alexander White, ex-Democrat, rallied to Smith's defense. They assured the Governor of their undiminished

53 Samuel F. Rice to the People of Alabama, July 30, 1870, Talladega Sun, August 9, 1870.
54 George E. Spencer to W.B. Figures, July 2, 1870, in Selma Southern Argus, October 7, 1870.
confidence in his "integrity as a Republican and in his capacity as a statesman" and expressed disbelief that they should have remained ignorant of the "fabulous and monstrous number of assassinations, had they ever occurred" in Alabama. Spencer's accusations that "union men dare not speak their sentiments in Alabama" amazed them, because as Union men themselves, the assertion did not correspond with their experience or observation.\(^{55}\)

Three days later Governor Smith elaborated his defense of his administration made on June 25 and some portions of the letter from Peters and White. He sustained them in their assertion about the ability of Republicans to speak freely and unmolested in Alabama by recounting the kind reception he had received while campaigning with Republicans in the preceding election in August, 1869. Nowhere had he felt that the free expression of his political opinions placed him in any danger. Furthermore, the judges of the Supreme Court, the circuit judges, and subordinate officers in the state, most of whom were Republicans, traveled constantly among the people of the state, and if the authority of these officers had been disputed (with one

\(^{55}\) Thomas M. Peters and Alexander White to W.H. Smith, July 6, 1870, Governor W.H. Smith Papers.
possible exception), the "fact was never made known to the Executive Department." The Governor believed the charges against him came from an "organized effort on the part of Spencer and others, to strike down every native Southerner who is likely to be a rival of chosen leaders." 56

On the question of the Governor's action in law enforcement Smith asked:

Is it to be expected that I am to attend to my executive duties at the capital and at the same time go out and make affidavit against all violators of law; hunt up judges and justices of the peace, have warrants issued, and in person, superintend the arrest and trial of every one who commits an assault, or otherwise violates the law? Will any sane man contend that such is the official duty of the Governor? 57

A state of war obviously existed, then, by the summer of 1870 between the Carpetbagger Senator Spencer and the Scalawag Governor Smith of Alabama.

Comparable open warfare between the two Carpetbagger Senators had not yet grown so heated, though they differed in their views of the questions of amnesty and the basis for the Republican party. Senator Warner urged removal of all

56W.H. Smith to Thomas M. Peters and Alexander White, July 9, 1870, in Montgomery Weekly Alabama State Journal, July 15, 1870.

57Ibid.
political disabilities, because he believed that all men had the right to speak, to vote, to use the press. Nothing was gained by continuing disabilities because they did not effectively eliminate many ex-rebels who could still take office. The men thus disabled were not primarily the old and leading rebels but Union men.  

Warner perceptively realized the continuing need of the Republican party to establish itself upon a permanent base in Alabama in order that it might survive beyond Reconstruction. The old Whig and Douglas men must be drawn to the party to sustain the "colored friends of the Union and to give good government," advised Warner. These men had been "in the main Union men; they are in the main Union men today." It was necessary to put the party on a basis of respectability to make it invulnerable to enemy attacks "on account of the personal fitness and character of its leaders, its representative men, and its office-holders." Republicans were not responsible for the actions of rebels; but "when bad and corrupt men get into our ranks and get into places of profit and trust, . . . then we are held responsible for them. It is unavoidable that in a political revolution, 

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58Congressional Globe, 41 Cong., 2 sess., Part IV, p. 2492.
like the one we have had, many such men should have come to the surface. Time will cure these defects."\(^{59}\)

As the Republican state convention approached, the Republican press bemoaned the "sad want of unanimity on the part of many leading men of the party in the state."\(^{60}\) Dissension must end, and Smith must be renominated if any old Union men were to be held with the Republicans.\(^{61}\) Splits or disaffection in Republican ranks could provide Democrats with their only hope of success. These Democrats hope, said the Huntsville Advocate, that "in the family quarrel . . . between the native and the new comer -- the carpet-bagger and scallawag -- between Warner and Spencer, Spencer and Smith -- the party would so far fall out . . . that reconciliation could not take the place of division."\(^{62}\)

On the eve of the Republican convention one Democratic newspaper hopefully predicted that if the Scalawags of the Smith faction controlled the convention, the Republican

\(^{59}\)Ibid., 41 Cong., 2 sess., Part III, pp. 2811-2812.

\(^{60}\)Demopolis Southern Republican, July 27, 1870.

\(^{61}\)Montgomery Weekly Alabama State Journal, August 19, 1870.

\(^{62}\)Huntsville Advocate, no date, in ibid., August 26, 1870.
ticket would be made up exclusively of white men as it had been in 1868. In this event the Republicans would lose the support of the Negroes who were tiring of voting and of receiving none of the highest offices. On the other hand, if the Carpetbaggers controlled the convention, one of the candidates must be a Negro, probably the lieutenant governor. Such a nomination would alienate the native Union element from the Republicans.63

When the Republican convention met in Selma on August 30, Senator Warner and Governor Smith combined forces against Senator Spencer. Warner was to support Smith for governor in return for the support of Smith and his friends to re-elect Warner to the Senate. The convention, which Warner described as being controlled by his friends along with those of Governor Smith, renominated Smith for a second term as governor.64 Smith headed a state ticket dominated by native whites but including one Carpetbagger for lieutenant governor and one Negro for secretary of state. The Republican Congressional ticket, chosen already in district

63 Selma Times, August 28, 1870.
conventions, included one Negro, two Carpetbaggers, and three Scalawags. On the Republican State Executive Committee, however, the Scalawags lost strength. In May, 1870, the committee contained twelve Scalawags, five Carpetbaggers, and six unidentified men. The August convention altered the committee so that it was composed of five Scalawags, five Carpetbaggers, one Negro, and two unidentified men. Reconciliation of party differences was surface deep at least; Senator Spencer termed the nominations "unfortunate" but concluded "we must do our best to succeed even with a bad ticket."  

However, Smith's nomination was not without political cost to the native whites. In the third Congressional district he dumped his old Scalawag friend Robert S. Heflin, with whom he had canvassed in the 1869 Congressional election, to support Carpetbagger B.W. Norris, whom he had denounced two years earlier as an "unprincipled scoundrel." Smith

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65Original Returns for Elections in Alabama, 1870.

66Montgomery Weekly Alabama State Journal, May 6, September 2, 1870. See Appendix A.

67George E. Spencer to W.E. Chandler, September 9, 1870, W.E. Chandler Papers. See also George E. Spencer to the public, September 17, 1870, in Montgomery Weekly Alabama State Journal, October 7, 1870.

68Selma Southern Argus, September 9, 1870; Opelika
gave Norris his loyal Support and with Lewis E. Parsons assisted Norris in Washington when Norris unsuccessfully contested the election of a Democrat. No less painful was the insistence of the Negroes who forced the nomination of James T. Rapier for secretary of state at the state convention. A majority of the native whites violently opposed this nomination, although Unionist Nicholas Davis of Huntsville made the nominating speech. Rapier reportedly refused $10,000 offered him if he would resign from the ticket.

There were those who expressed the belief that Smith had been ill-advised by Alexander White, Lewis Parsons, and Samuel F. Rice to compromise himself by accepting such running mates. One Democratic newspaper predicted such nominees would destroy Smith and sharply parodied the old song of Cock Robin:

Who killed poor Smith?
I, said a Rice Sparrow

Semi-Weekly Locomotive, September 3, 1870; Montgomery Weekly Alabama State Journal, September 30, 1870; Talladega Sun, October 11, 1870.

69 Joseph H. Sloss to R.B. Lindsay, December 18, 1871, Governor R.B. Lindsay Papers (Alabama Department of Archives and History, Montgomery); B.W. Norris v. W.A. Handley, Records of Legislative Proceedings, 42 Cong.

70 Selma Southern Argus, October 28, 1870; Selma Times, September 7, 1870.
With my bow and arrow
I killed poor Smith.

Who saw him die?
I, said "Bonnie Blue" fly
With my cunning little eye
I saw him die.

Who caught his blood?
We, said a school of carpet-bagger fishes
In our dirty little dishes
We caught his blood.71

Native white Republican reaction to the nomination of Rapier was swift and vehement. On the floor of the convention Scalawag W.J. Haralson of DeKalb County, judge of the fifth judicial circuit of Alabama, predicted that Rapier's nomination, or that of any other Negro, would doom the Republican party in north Alabama.72

J. McCaleb Wiley, the Scalawag judge of the eighth judicial circuit of Alabama, predicted that native whites in southeast Alabama would not vote for Rapier and said every day that he remained on the ticket cost the Republicans additional votes. Unless Rapier were taken off, it would be impossible to stop the avalanche against the Republicans. Personally, Wiley said, "instead of saying my prayers every night before going to bed -- I devote about half an hour in

71Montgomery Daily Advertiser, August 30, 1870.
72Tuscaloosa Independent Monitor, September 13, 1870.
cursing the carpetbaggers, Nich Davis, and Rapier -- for they must think we are as stupid as they are corrupt."  

Even more appalling than the outraged protests of the Scalawags were the rapid defections of native white Republicans to the Democratic party. Many old Union men who had affiliated with the Republicans announced their defections, and among them were a number of prominent Republicans. Within a week after the Republican convention Albert Elmore, former collector of customs at the port of Mobile, and W.J. Bibb, former postmaster of Montgomery, published cards in Alabama newspapers and wrote letters announcing their change in politics because of the character of the Republican nominees. Shortly, they were followed by Robert S. Heflin, former Republican Congressman from the third district; Judge Francis Bugbee, former judge of the second judicial circuit of Alabama; Judge Milton J. Saffold, Scalawag judge of the first judicial circuit of Alabama.

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73 J. McCaleb Wiley to W.H. Smith, September 27, 1870, Governor W.H. Smith Papers. See also Opelika Semi-Weekly Locomotive, September 3, 1870.

74 Albert Elmore to John W. A. Sanford, September 5, 1870, John W. A. Sanford Papers (Manuscripts Division, Alabama Department of Archives and History, Montgomery); Montgomery Weekly Alabama State Journal, September 9, 1870; W.J. Bibb to Joseph C. Bradley, September 6, 1870, in Montgomery Weekly Alabama State Journal, September 23, 1870.
All these men had opposed secession and the war.  

Milton J. Saffold published a lengthy and detailed explanation of the reasoning that led him to this decision. In the twelve months since he had returned to Alabama from Washington he had grown convinced that the Republican party "should not live, as now organized, another day." Unexpected evils had developed from the concentration of the mass of Negro voters in one party. Negroes, he pointed out, regarded their votes as the "most valuable merchandise they possess, for which the polls and seats in the Legislature are sure marts." He went on to say that men of integrity and ability were still within the Republican party, but the overshadowing evil of the power of the Negro electorate "like Aaron's rod, swallows every good intent of the party." The only possible solution lay in the distribution of the colored voters into two parties where the white element would predominate in both. But Saffold saw no prospect of such a distribution, nor of a remedy for the situation within the party. The only remedy for such a condition within a party is "in an appeal to the honest masses. This would be casting moral pearls before swine that are fed on greenbacks." Judge

75 Hayneville Examiner, September 21, 1870; Tuskaloosa Independent Monitor, September 13, 1870.
Saffold preferred to abandon the Republican party rather than to give unwilling countenance to the party's present course and nominees. 76

One month later Saffold issued an "Address to Native White Republicans" in which he urged other Scalawags to join him in deserting the Republicans because within the party the "negro can be bought, with great or less price, for any purpose." 77 However, Saffold's appeal does not seem to have met much response among the Republican whites, though such appeals caused consternation among Scalawag leaders.

Governor Smith's solution to the crisis arising from the Republican nominations was a simple one. Just because a Negro had been nominated on the same ticket with Smith did not mean that the Governor had to canvass with Rapier or even to acknowledge him in speeches in white counties. For instance, when Smith spoke at Ashland in white Clay County on September 7, he neglected to mention the Negro candidate for secretary of state. 78 A few days later when the Governor


spoke at Gadsden in white Etowah County, his speech virtually repeated that which he had delivered at Ashland. He did not ask his white friends to support Rapier, but he defended and endorsed at length the administration of Scalawag Superintendent of Public Instruction Noah B. Cloud.  

On the other hand, in black counties Smith endorsed the entire Republican ticket. In such counties as Dallas, Perry, and Marengo in the Black Belt, and Madison in the Tennessee Valley, the Republicans spoke only to Negroes and about nothing but Negroes. The Republicans successfully favored white supremacy in the white counties, while seeking Negro votes in the Black Belt until Governor Smith was trapped at a public meeting at Columbiania in white Shelby County. Judge Robert S. Heflin, former Scalawag and now a Democrat, forced Smith to admit under questioning that he would vote for Rapier for secretary of state. Nevertheless, Smith was generally so successful in running as an independent and so popular with the white people of Alabama that the Democratic Montgomery Mail urged its readers not to split their tickets to vote for Smith while voting for the

79 Selma Southern Argus, September 30, 1870.
80 Selma Times and Messenger, September 22, 30, 1870; ibid., October 28, 1870.
remainder of the Democratic ticket. 81

White Republicans in Alabama did not give Rapier a
warm reception as he canvassed the state. When he spoke in
Huntsville in October, 1870, no public notice had been given
of the appointment, and the county executive committee was
not informed of it. 82 The Attalla Republican (Etowah County)
and the Opelika Era (Lee County) carried at the head of
their columns the name of Smith for governor but nowhere the
name of Rapier for secretary of state. 83 The actions of the
white Republicans seem to suggest that regardless of what
happened to the rest of the ticket, they would bring about
the defeat of Rapier, thinking that his fate would deter
other Negroes from later also demanding offices.

As if the campaign was not sufficiently complicated,
rumors spread that Senator Spencer secretly backed R.B.
Lindsay, the Democratic gubernatorial nominee, in some north
Alabama white counties. Smith announced that Spencer's
pretense of public support was "only to enable him to stab
me more effectually than if he told the truth of his real

81 Montgomery Weekly Mail, November 2, 1870.
82 Huntsville Advocate, October 18, 1870.
83 Selma Weekly Times, October 29, 1870; Montgomery Daily Advertiser, October 7, 1870.
opposition to me. "Spencer himself disclaimed any active part in the canvass except for members of the legislature. "In close counties I am trying to help my friends for I wish a colleague that will render me some assistance." 85

In the election returns the entire Republican ticket ran fairly closely together even in the white counties, as apparently few voters split their tickets. Democrats elected their candidates to all state offices except those of governor and state treasurer, which the Republican incumbents unsuccessfully disputed. The Alabama House of Representatives contained thirty-six Republicans and sixty-four Democrats, while the 1868 legislature had included only three Democrats. The Negro membership in the House dropped from twenty-five in 1868 to fourteen in 1870. State senators did not face re-election in 1870 because the senators who had taken office in 1868 were commissioned for four years. The Senate continued with one Democrat and thirty-two Republicans, one of whom was a Negro. 86

84 W.H. Smith to W.B. Figures, October 13, 1870, in Selma Southern Argus, October 28, 1870.

85 George E. Spencer to W.E. Chandler, October 8, 1870, W.E. Chandler Papers.

Robert Burns Lindsay, the Democratic gubernatorial candidate, arrived in Montgomery on November 19 to begin his Democratic state administration, while the national government remained in the hands of the Republicans who were intent on continuing Congressional Reconstruction in Alabama. Unwilling to surrender Alabama to the Democrats without a fight, Republicans encouraged Governor Smith in a desperate protest that he, not Lindsay, was the lawfully elected governor, claiming that fraudulent election returns had been reported. An injunction prevented R.N. Barr, Republican President of the Senate, from opening and counting the returns for governor and state treasurer. The returns for lieutenant governor, secretary of state, and attorney general were counted and Democrats declared elected to all three positions.87

The new Democratic lieutenant governor was sworn in, and Barr dissolved the joint convention and called the senators to follow him back to their chamber. All followed except Alfred N. Worthy, Democrat from Pike County, and

87Selma Times, November 30, 1870; Montgomery Daily Advertiser, November 27, 1870; Journal of the Session of 1870-71 of the Senate of Alabama (Montgomery, 1871), 13-16. Barr had been elected President of the Senate after the death of Lieutenant Governor Andrew Applegate, August 21, 1870.
Isaac Sibley, Carpetbagger from Marshall County. In their chamber the Senate immediately adjourned until Monday; meanwhile, in the House, Speaker John H. Hubbard called the joint convention to order. Seventy-five representatives answered roll call, among them Senators Worthy and Sibley, representing a quorum. Lieutenant Governor Edward H. Moren was escorted to the speaker's stand and sworn in. He then ordered the counting of the vote for the governor and state treasurer. The Lieutenant Governor announced that Robert B. Lindsay had defeated William Hugh Smith for governor and J.F. Grant had won over Chester Arthur Bingham for treasurer. Governor-elect Lindsay was sworn into office by the Speaker, and Alabama's period of two simultaneous governors began.  

Smith refused to concede defeat, claiming that Lindsay had been fraudulently elected and, with Republican state Treasurer Bingham, barricaded himself in his office. Smith called in United States troops, who took possession of the capitol.  

In a series of letters exchanged between Lindsay and

88 Montgomery Daily Advertiser, November 22, 1870.

89 Selma Times, December 2, 1870; Edward King, The Great South; Record of Journeyings in 1872-1873 (Hartford, 1875), 333.
Smith on November 28 and 29, Lindsay requested Smith to surrender; Smith refused, saying that he could not because of the court injunction against counting the votes. Lindsay declared there could be no election contest until after the votes had been counted, and Smith agreed to submit if the legality of Lindsay's election could be certified. Lindsay established his offices in the capitol, while Smith asked the legislature to formulate rules for contested elections.\textsuperscript{90}

After Smith and Bingham had been barricaded in the Governor's office about two weeks, the Scalawag judge of the second judicial circuit in Alabama, James Q. Smith, an old enemy of Governor Smith, arrived in Montgomery, and a number of Democratic lawyers brought proceedings before Judge Smith to oust Governor Smith. Judge Smith ordered the Governor to appear before him within thirty minutes, and the Governor complied. On the advice of his friends Smith yielded, and Bingham shortly followed him. On December 10, 1870, Lindsay became the twenty-second governor of Alabama.\textsuperscript{91}

Representatives to the Forty-second Congress chosen

\textsuperscript{90}Montgomery Weekly \textit{Alabama State Journal}, December 2, 1870; Montgomery Daily \textit{Advertiser}, December 5, 1870.

\textsuperscript{91}Selma \textit{Times}, December 2, 1870; Montgomery Weekly \textit{Alabama State Journal}, December 9, 1870.
in the 1870 election also reflected the increased Democratic strength in Alabama. Elected were three Democrats and three Republicans, the latter including one Scalawag, one Carpetbagger, and one Negro. The preceding Congress had had four Republicans of the six representatives from Alabama. The Republican dissension in the third Congressional district led to a Democratic victory there, while the Democrats continued their control of the fifth and sixth districts. The Democratic General Assembly chose Democratic Judge George T. Goldthwaite of Montgomery as Alabama's new U.S. Senator. Republican legislators split their votes between Carpetbagger Senator Warner and Scalawag Judge W.J. Haralson of DeKalb County, though they did not divide on a strictly Carpetbagger versus Scalawag line.  

Predictions of Republican disaster had come true. Immediately, Republicans and the Northern press demanded an explanation of the results of the election. Senator Spencer blamed Lewis Parsons, Alexander White, and Samuel Rice for having badly advised Governor Smith and Senator Warner, while Horace Greeley of the New York Tribune accused Spencer of having schemed the downfall of his colleague and the

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Republican state ticket.\textsuperscript{93} Spencer's part in the vicious factionalism within the party obviously had damaged Republicans in the election of 1870, even if he had no more than that to do with the outcome. One Scalawag expressed belief that the party was not beaten at the ballot box. Rather, violence, intimidation, fraud, and the strength of the Ku Klux Klan caused the Republican defeat.\textsuperscript{94}

Certainly, the defection to the Democratic party of prominent Republicans as well as of the nameless Scalawags after the nomination of Rapier on the state ticket seriously hurt the Republicans. However, the nomination of Negro B.S. Turner for Congress by the convention of the first district, an area of heavy Negro population, had little political effect statewide. Also, two Republican legislators representing Republican constituencies had voted openly for Goldthwaite, and the Republican \textit{Alabama State Journal} charged these defectors alone with the defeat of a Republican

\textsuperscript{93}Selma \textit{Southern Argus}, December 3, 1870.

\textsuperscript{94}J.A. Minnis to George H. Williams, July 3, 1874, Source Chronological Files, Alabama, Records of the Department of Justice, Record Group 60 (National Archives, Washington, D.C.); hereafter cited as Source Chronological Files.
Regardless of the precise reason for the Republican failure in 1870, the meaning of the election for future Alabama politics and for the Republican party was quite clear: Senator Spencer now exercised sole control over Federal patronage for Alabama despite the continued power of the Scalawags in the state judiciary and the House of Representatives and their increased strength in the nominations for state offices. President Grant would need Alabama's electoral vote in 1872 to secure his re-election, and Spencer's re-election would be by the legislature elected in 1872. Grant and Spencer had a common interest in the political management of Alabama. By Smith's defeat, Spencer and the national Republican party severed their Scalawag obligations. Henceforth, only Carpetbaggers would be appointed to Federal positions in Alabama. The Scalawags had lost this round in the political war to control state politics and Federal patronage for the native white element just when they seemingly should have been successful. Clearly, there had been no large accession of native whites to the Republican party.

In the wake of the disaster of 1870, it was obvious that the Republican party had wrought no genuine revolution for the masses in Alabama sufficient to win their loyalty and to retain the Republicans in power. Neither the Unionist nor the Negro had seen his dreams exchanged for political or economic realities. Neither the Unionist nor the Negro had enjoyed control of Reconstruction in Alabama. Both were extended the franchise, but many Unionists were still denied the right to hold office by the Fourteenth Amendment. Economically, there had been no confiscation and redistribution of land as the Negro had been led to expect. Such disappointments alone, regardless of specific details to account for the 1870 defeat, might readily explain the Republican failure in an election where Alabamians were offered a choice of political candidates, a choice unavailable in 1868.
Now, early in 1871, as the shock of defeat lessened, Republicans attempted reassessments in order that victory might be theirs in 1872. As they groped for answers to the reason for their defeat, they once again scrutinized the composition of their party and the battles for its control. Clearly, the Republican electorate must be enlarged, as Negro support was inadequate for the Republicans to carry state elections. Clearly, too, the Republicans had failed to attract large numbers of the north Alabama Unionists who could represent a balance of power in state politics if mobilized behind the Republican party. But how to attract them now in 1871?

Editorials of the Alabama press echoed many of the ideas expressed in the private letters of prominent Republicans. The Montgomery Alabama State Journal editorialized what many Republicans had been repeating for years: that so long as Republicans permitted political disabilities under the Fourteenth Amendment, no such accession of native whites would come to the Republicans. Repeatedly, the State Journal urged removal of all political disabilities because they served only to fire political hate.  

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Also, unfortunate choices in party leadership alienated the conservative whites, observed the *State Journal*. "Thousands of as true men as ever lived have been kept in the ranks of our enemies because of these bad men being thrust forward to place and power by the Republican party." 2 Many old Union men would leave the Democrats "if the trash and adventurers were kicked out of the Republican ranks." 3 The future for Republicanism seemed hopeful, however, as some of the worst Republicans were now defecting into the Democratic party. 4

The Huntsville *Advocate* lamented that the white candidates put forward in the recent election would drive "decent and respectable and honest men from the party, into non-action or active opposition." If such men continued to be "foisted upon the party" for state or Federal positions, then Republicanism would "go under as too strong a dose for the public stomach." To build up Republicanism in Alabama, the old Union, Bell and Douglas element must receive some

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4 *Ibid.*, July 28, 1871. See also Talladega *Sun*, June 3, 1871.
consideration. 5

One Union man asked the editor of the State Journal what inducement was there for Union men to stand up for the Union in the future when they had been ignored in the past. These Union men naturally belonged to the Republican party because of their affinity in principles with Republicans. "But if they are told in the future as they have been in the past, that they are not wanted, then . . . the party need not try to control Alabama. It is like Sampson shorn of his strength." 6

However, having agreed that the party needed a large accession of north Alabama Unionists to ensure future victory and that party division had been nearly fatal, Republicans then indulged in two of the most bitter episodes of factionalism in Alabama Reconstruction by a squabble over Federal patronage in Mobile at the post office and at the customhouse. In May, 1871, Senator Spencer maneuvered the replacement of Frederick G. Bromberg, Mobile Scalawag, with Carpetbagger George L. Putnam, as postmaster at Mobile, despite numerous protests to President Grant about Putnam's


6 Ibid., June 23, 1871.
appointment. Earlier a committee appointed by the state Senate had found Putnam guilty of misappropriating the school money of Mobile County while he was county school superintendent. Former Senator Willard Warner protested the change and termed it an outrage on the people of Mobile and on the Alabama Republican party.

One irate resident of Marengo County declared the action was enough to drive every native Republican from the party and added that if men of honesty and character were appointed to office, "we would not be at a loss to know how to build up the Republican party in Alabama stronger than it ever was." From Montgomery County came a letter expressing agreement that such appointments would ruin the Republicans in the 1872 election. The party would forfeit the allegiance of the old Union element, whom they had just begun to

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8 Selma Southern Argus, May 28, June 16, 1871; Greensboro Alabama Beacon, June 3, 1871.

recruit, as well as some who had earlier voted with the Republicans.\textsuperscript{10} Scalawag John A. Minnis, Attorney for the Northern District of Alabama, warned that a few more such appointments and the party would be "prostrate" in Alabama.\textsuperscript{11} Eventually, the protests to Putnam's appointment led to his replacement in March of 1872 by Mobile Scalawag John J. Moulton, but most Republicans agreed that Putnam's brief appointment had done irreparable damage to the Republican party in Alabama.\textsuperscript{12}

Also in 1871, rumors circulated of the impending replacement of Unionist William Miller as collector of customs at the port of Mobile.\textsuperscript{13} At the same time Collector Miller reported that Senator Spencer was insisting upon a number of changes in the employees of the customhouse because several men had not acted or voted with the Republican party. Miller wished no personnel changes because his

\begin{footnotesize}
\textsuperscript{10}J.D. Cunningham to C.W. Buckley, May 22, 1871, Source Chronological Files.

\textsuperscript{11}John A. Minnis to A.T. Ackerman, May 29, 1871, \textit{ibid}.


\textsuperscript{13}Selma \textit{Southern Argus}, June 16, 1871.
\end{footnotesize}
employees were efficient and well qualified. Actually, a month earlier, Spencer had expressed to Benjamin F. Butler, influential member of the House of Representatives, the belief that "a change in the collector must be made there or we will have no party in Alabama." Spencer believed the collectorship as presently managed was a "source of great weakness to the Republican party. The entire Federal patronage of Alabama is and has been in the hands of those who have added no strength to the party." Spencer recommended the appointment of Timothy Pearson, a Carpetbagger resident of Alabama for only about five years, and at Spencer's request Butler recommended Pearson to Secretary of the Treasury George Boutwell. However, when a change was made in the collectorship in July, Willard Warner replaced Miller. Warner received the post through his influence with certain Northern senators and over the protests of Spencer,

14 William Miller to George Boutwell, June 6, 1871, Customhouse Applications, Alabama, Records of the Department of the Treasury, Record Group 56 (National Archives, Washington, D.C.); hereafter cited as Customhouse Applications.

15 George E. Spencer to Benjamin F. Butler, April 1, 1871, ibid.

16 George E. Spencer to Benjamin F. Butler, April 17, 1871, ibid.

17 B.F. Butler to George Boutwell, May 17, 1871, ibid.
who, Warner charged, opposed him from "personal malice."  

Spencer promptly went to work to have the appointment reversed.  

The Republican State Executive Committee viewed with alarm these changes at Mobile, where, the committee charged, "good men have been set aside to make room for other men for whom the Republicans of the state, knowing them well, are by no means willing to be held responsible."  

The Republicans of the fourth district (in west Alabama) protested that such manifestations of internal strife among Republicans jeopardized the party's future.  

Collector Warner publicized his cause and views through the Mobile Republican, which he controlled. Shortly after his nomination as customs collector, a new Republican newspaper, the Herald, appeared in Mobile. This publication, devoted almost entirely to attacks on Warner and former Governor W.H. Smith, was backed by Senator Spencer, who

18 Willard Warner to Carl Schurz, March 29, 1871, Carl Schurz Papers.  
20 Ibid., June 16, 1871.  
21 Ibid., July 28, 1871.
wrote Postmaster George Putnam at Mobile that they must keep the *Herald* alive because they could soon break down their opposition. "Keep the paper red hot. We must carry the war into Africa and we will succeed. If the Warner paper attacks me, give them the devil in return."\(^{22}\) Spencer's instructions were followed, as Warner and Smith were presented to the public as men who had "shaped the coffin of the Republican party" in Alabama.\(^{23}\)

Over Spencer's protest the Senate confirmed Warner as collector; and Carpetbagger A.E. Buck, an associate of Warner, Smith, and Bromberg, as deputy collector. Generally, however, Spencer's recommendations for Federal patronage in Alabama were followed, and U.S. Attorney John A. Minnis reported Spencer as boasting in November, 1871, that now the Senator had "everything his own way in Alabama and that he was determined to run the machine with an iron rule."\(^{24}\)

While two Carpetbaggers and their supporters

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\(^{22}\)George Spencer to George Putnam, August 12, 1871, in *Report of the Joint Committee of the General Assembly of Alabama in Regard to Alleged Election of George E. Spencer as United States Senator, together with Memorial and Evidence* (Montgomery, 1875), 16-17; hereafter cited as *Report on Spencer Election*.

\(^{23}\)Mobile *Herald*, August 7, 1871

\(^{24}\)John A. Minnis to John Sherman, November 18, 1871, Source Chronological Files.
(including Scalawags in both groups) fought over Federal patronage in Alabama, Unionists in the Democratic party voiced their own political dissatisfactions. One Democrat reported the ex-Whigs of east Alabama as tired of the "yoke the Bourbon Democracy place upon their necks." Though the Democrats included the Whigs in the party name as "Conservatives," the Democrats, complained one ex-Whig, always managed to keep their "conservatism under -- never let it get to the surface so as to have any effect on the policies or politics of the country." More specifically, said another ex-Whig, they were tired of being the "Conservative tail on the Democratic kite." Such complaints suggest an important segment of the Democratic party was ripe for defection to the Republicans, if the Republicans could capitalize upon Democratic dissension.

The frustration and discontent within the two political parties in Alabama provided an excellent opportunity for a political realignment in the spring of 1872, when a revulsion against the corruption of the Grant administration, as well as the administration's Southern policy, initiated a

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26Eufaula Daily Times, May 2, 1872.
new political movement in the North called the Liberal Republican Movement. In Alabama Thomas H. Price, nephew of C.S.A. General Sterling Price of Missouri, commander of the Department of Arkansas, initiated the movement in the spring of 1872. Price, who had come to Mobile from Missouri after the close of the war in 1865 and had become a prominent Mobile lawyer, approached Scalawag Frederick G. Bromberg, a known liberal Republican and then state senator for the 28th Senatorial District, to organize representation for Alabama for Horace Greeley in the Cincinnati Convention. As Bromberg already favored Greeley and had no preference in the matter of the vice president, he agreed to Price's request. Price furnished Bromberg with two or three hundred dollars with which to travel and interview personally some prominent Republicans who, Bromberg knew, sympathized with the liberal movement. While Bromberg wrote and visited in Alabama in behalf of the new movement, Price himself toured the state speaking to prominent members of the party and urging the editors of influential Democratic papers such as Robert Tyler of the Montgomery Advertiser and John Forsyth of the Mobile Register to unite with the Liberal Republicans.  

27Frederick G. Bromberg to Carl Schurz, April 12, 1906, Carl Schurz Papers; Paul Strobach to George E. Spencer, April 18, 1872, W.E. Chandler Papers.
Regular Republicans at first discounted the liberal movement as being of little consequence in Alabama. R.W. Healey, chairman of the Republican State Executive Committee, admitted that there had been complaints among Republicans growing out of some "unfortunate removals from and appointments to Federal offices during the past year," but Healey had noticed no general disposition to desert the administration.\textsuperscript{28} But Healey's assessment of the political condition of the Republicans would prove sadly erroneous; the Liberal Republican Movement found great strength in the state among the north Alabama native whites, as Chairman Healey grimly reported to the Secretary of the Republican National Committee, William E. Chandler, a month later. The one comfort that remained was the coolness toward Greeley exhibited by south Alabama Republicans outside of Mobile.\textsuperscript{29}

However, the native white Republicans were only too well aware that they alone could not lead the movement to success in Alabama. They agreed with Colonel Price that the Liberal Republican Movement must be a bipartisan effort that would enlist the best men of all political opinions in the

\textsuperscript{28}R.W. Healey to W.E. Chandler, April 11, 1872, W.E. Chandler Papers.

\textsuperscript{29}R.W. Healey to W.E. Chandler, May 18, 1872, \textit{ibid}. 
Nicholas Davis, prominent Huntsville Scalawag, believed an alliance with the Democrats was of utmost importance, for if unity could not be obtained, the result would be fatal in Alabama; they might "as well hang out the banner of the lost cause." Nevertheless, one Carpetbagger in Montgomery warned that if the Democrats endorsed Greeley, the ex-slaveholders of Alabama would not vote in the Presidential election, and Grant and the Republican state ticket would carry the state.32

The national Democratic Convention endorsed Greeley in July, 1872, despite his economic views and long association with the Republicans. Cooperation between Alabama Democrats and Liberal Republicans on a national ticket was a painless matter to arrange compared to achieving cooperation on a state ticket. Because of Democratic Governor Lindsay's poor record for the two preceding years, the Democratic party preferred not to renominate him for a second term.


31 Nicholas Davis to F.P. Blair, April 17, 1872, Carl Schurz Papers.

Instead, they chose Thomas Hord Herndon, an outspoken secessionist in 1861. His nomination, as well as that of other Democratic state candidates, imperiled the recent alliance of Democrats and Liberal Republicans in Alabama. Having announced his affiliation with the Liberal Republicans, Scalawag Samuel Rice campaigned vigorously for Greeley and Brown but refused to endorse what he termed the "spirit of ultraism" exhibited in the state Democratic nominations.**33** Carpetbagger Willard Warner, another Liberal Republican, denounced the Democratic state nominations as a "great hindrance to the progress of liberalism in this state" and as a "straight Ku-klux" ticket. Warner predicted that unless some change was made, Greeley was in danger of losing Alabama.**34**

When the regular Republicans of Alabama met in convention at Montgomery on August 12, 1872, unusual unity seemed to prevail. One Carpetbagger reported to the Secretary of the Republican National Committee, William E. Chandler, that before the convention met, it had been agreed

**33**Montgomery Daily *Alabama State Journal*, July 21, August 12, 1872.

**34**Willard Warner to Carl Schurz, July 22, 1872, Carl Schurz Papers.
that "for the sake of success and to take the winds out of the sails of our 'Liberal' and Democratic friends none of the so-called 'carpetbaggers' should be put on the state ticket." This plan resulted in the nomination of a ticket composed entirely of native Union men, with the "lion's share" given to north Alabama men whom the Democratic state convention had completely ignored.  

Unionist David P. Lewis led the Republican state ticket. In contrast to Scalawags Samuel Rice, Alexander White, and Lewis E. Parsons, Lewis had made no public statements following his affiliation with the Republican party sometime in 1869. It is significant that in 1872 in their last successful bid for state power, the Republicans chose as their candidate a Scalawag ex-Democrat who had joined the party after the Presidential election of 1868 and had said little during the intervening years. Obviously, Lewis represented a powerful faction in the party, since the candidates for both governor and lieutenant governor represented their clique. Scalawag power had increased since 1870, when the ticket had been led by a Scalawag and a Carpetbagger. Rice, White, and Parsons, in publicizing their

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views on so many issues had made enemies among Republicans as well as among Democrats. Politically, then, Lewis was the most available of the leaders of the ex-Democratic coterie among the Scalawags as the Republican gubernatorial candidate.

Lewis' colleagues on the 1872 ticket were all Southerners except for one man who had come to Alabama before 1860. Of the six regular Republican Congressional nominees two Scalawags were nominated by the state at large, while district conventions nominated two Negroes and two Scalawags for Congress. No Republican nominees were chosen in the fifth and sixth districts. The Negroes were nominated in black districts to satisfy the demands of the bulk of the Republican voters, the colored men, in the Black Belt, and their nomination caused much dissatisfaction among Republican whites in the Black Belt. In the first district Liberal Republican Frederick G. Bromberg ran on the Democratic Congressional ticket and opposed two Negro Republicans for the Congressional seat. One Negro was the regular Republican


37 Paul Stroback to W.E. Chandler, August 18, 1872, ibid; J.A. Minnis to George H. Williams, August 22, 1872, Source Chronological Files.
nominee, while the other designated himself as a bolter, though he favored Grant and the Republican state ticket. The convention also revised the Republican State Executive Committee to consist of eight Scalawags, three Carpetbaggers, and two unidentified men. They also chose as Presidential electors seven Scalawags, two Carpetbaggers, and one unidentified man.

The new chairman of the Republican State Executive Committee D.C. Whiting, a Carpetbagger and a Spencer protegé, evaluated the state ticket as one that generally gave "unusual satisfaction" and one which united Alabama Republicans for the first time in three years. Most Scalawags endorsed the ticket as a "good and acceptable one," but one Scalawag lamented that the Republicans could not use the best material they had because, to run for the legislature, a man must "favor certain interests for Senator."


39 Montgomery Weekly Alabama State Journal, August 23, 1872; Original Returns for Elections in Alabama, 1872. See Appendix A.


41 J.A. Minnis to George H. Williams, August 22, 1872, Source Chronological Files; Montgomery Daily Alabama State Journal, October 1, 1872.
By the 1872 convention the Republicans had made strides toward accomplishing the two objectives that most Republicans had long agreed must be achieved for the party to succeed in Alabama: an end to party factionalism and an attraction of the old Union men. The Republican press praised the unity of Alabama Republicans, especially commending Senator Spencer for "nobly lending his influence" for the end to party dissension. Obviously, Spencer had come to terms with some of his former enemies among the Scalawags and expected their aid in his bid for re-election to the Senate in return for his support for a Scalawag state ticket. 42 This state ticket represented a concerted effort to attract the old Douglas and Bell men, many of whom like Lewis were only now freed by the General Amnesty Act of 1872 from the political disabilities of the Fourteenth Amendment. Many proud old Union men who had abstained from politics since the war could look with interest at the Republican ticket. Reportedly, "thousands and thousands of good old Democrats and Whigs" were "on the fence." 43 Lewis praised


the nominations as an effort to make "wider and deeper the foundations of the great Republican party, by its generous recognition of the Douglas and Bell men in 1860." These men "who stood by the national flag in 1860, and who honestly, but vainly endeavored to uphold it when the storm of secession burst upon us, would seem to be its natural allies in its triumph." 44

Unfortunately, the old Union men appeared confused in the face of the Liberal Republican and regular Republican movements. Many did support the straight Republican ticket; others joined the Liberal Republicans in support for Greeley while endorsing Judge Lewis and the rest of the Republican state ticket; still others endorsed Greeley and the Democratic state ticket. The actions of the Scalawag leadership illustrate this confusion. William H. Smith, Alexander White, B.F. Saffold, and Lewis E. Parsons supported Grant and the regular Republicans. Joseph C. Bradley and Samuel F. Rice endorsed Greeley and the Republican state ticket, while William Bibb Figures and Frederick G. Bromberg endorsed Greeley and the Democratic state ticket. 45 Thomas Lambert,

44 D.P. Lewis to D.C. Whiting, August 23, 1872, in Montgomery Daily Alabama State Journal, August 29, 1872.

45 Ibid., July 21, 23, August 29, September 6, 11, 13, October 1, 26, 31, 1872; Eufaula Daily Times, October 4,
delegate to the Cincinnati Convention, rejoined the regular Republicans, who nominated him for the post of commissioner of natural resources. 46

The 1872 campaign was considerably quieter than that of 1870 in that Republicans did not openly denounce each other as in the 1870 campaign. The regular Republicans were clearly pressed for campaign funds, as they had been out of state offices for two years; accordingly, they constantly appealed to the Republican National Committee for financial assistance. 47 A month before the election matters reached such a critical point that George Spencer frantically pleaded for funds from National Secretary William E. Chandler. "I need funds and am dead broke. The Democrats have given up this state and are now fighting for the legislature," wrote

1872; Montgomery Daily Advertiser, August 20, September 21, 1872.

46 Mobil e Herald, May 7, 1872; Montgomery Weekly Alabama State Journal, August 23, 1872.

47 D.C. Whiting to W.E. Chandler, September 2, 16, 24, October 13, 24, 1872; James T. Rapier to W.E. Chandler, September 19, 1872; J.J. McLaren to E.D. Morgan, September 24, 1872; George Spencer to W.E. Chandler, September 26, October 25, 26, 1872; James A. Grace to W.E. Chandler, September 28, 1872; Lewis E. Parsons to Chairman of the Republican National Committee, October 11, 1872; C.W. Hatch to W.E. Chandler, October 14, 1872, W.E. Chandler Papers.
Spencer, fearful of defeat in his bid for re-election to the Senate. He urged Chandler to send $5,000 at once to Whiting, chairman of the Republican State Committee, plus what had been promised to Spencer personally. "For God's sake, help us. I am in debt, the State Committee is in debt." With each passing week Spencer grew more desperate about campaign funds. On October 17 he pleaded again with Chandler for funds. "I am broke and so is every one. I am nearly crazy and do not know what to do." Five days later he again reported to Chandler, "Our main trouble is the lack of funds." Chandler finally responded by sending some money to Spencer, although it obviously was not as much as Spencer had expected. On November 1, Spencer wrote Chandler again that "our entire party is bankrupt /sic. but you may count on us."
Three years later testimony taken by a committee of the Alabama legislature in an investigation of Spencer's election in 1872 clarified Spencer's frantic pleas for large sums of money. Through the fall of 1872 Spencer employed W.V. Turner, colored ex-member of the legislature from Elmore County, to assist in the nomination of candidates for the legislature by county conventions who would pledge to support Spencer for the U.S. Senate. Turner had full authority from Spencer to promise these men money or Federal offices in consideration of their support. Spencer defrayed Turner's expenses in this canvass; in fact, testified Turner later, "He furnished me money at any time and place I wanted it." 53

The records of the First National Bank of Montgomery surveyed the cash transactions of Senator Spencer, Chairman of the Alabama Republican Committee Whiting, and former Congressman Jerome J. Hinds from October 26 to December 5, 1872, and of Hinds from December 10, 1872, to February 14, 1872, and showed the manipulations of a total sum of $29,128. Most of the money checked out was in round figures, ranging from $50 to $1,000. The three men knew the condition of each of the other two accounts and examined them frequently.

None of the three had any visible business in Montgomery that required the use of large sums of money. 54

The money thus used was drawn from four sources. Although the treasury of the Republican National Executive Committee and the Republican State Executive Committee did aid Spencer, neither committee seems to have contributed heavily to his campaign fund. Of more importance were funds from the post office at Montgomery, the office of the collector of internal revenue at Montgomery and that at Mobile, where Federal office holders were pressed to contribute freely. Ten thousand dollars was embezzled in the Mobile post office under the direction of Scalawag John J. Moulton and a lesser sum from the office of the collector of internal revenue in Montgomery under the direction of Carpetbagger Francis Widmer. 55

In addition to manipulation of Federal patronage and Federal money, Spencer conspired to use Federal troops to influence the outcome of the election. Spencer impressed Grant with the necessity for the presence of troops in Alabama in order that Republicans succeed in 1872 and the state electoral vote to go to Grant. In 1871 Spencer

54 Ibid., 27.
55 Ibid., 27-33.
boasted, "Grant is already scared and will soon do what we want." Troops were sent to half a dozen counties over the state, although neither the government of Alabama nor the Republican party requested them. Spencer's henchmen did not hesitate to support his insistence that troops were necessary for the preservation of order in Alabama; James S. Perrin, a deputy U.S. marshal indebted to Spencer for his appointment, later confessed to having created a "southern outrage." On one occasion Perrin rode ahead out of the sight of a company of troops, shot a hole in his own hat, and waited for the troops to catch up. Then shouting that he had been set upon by members of the Ku Klux in ambush, Perrin deployed the company as skirmishers against the imaginary enemies. Several Northern papers reported this incident as a "Southern outrage," and the government in Washington was satisfied that such events necessitated the continued presence of troops in Alabama.

Spencer also actively aided opposition to two Scala-wag candidates for the legislature, Lewis E. Parsons and Alexander White, because Spencer feared Parsons was a rival

56 George Spencer to George Putnam, August 12, 1871, ibid., 16-17.

57 Report on Spencer Election, 21, lxxiii.
for the Senate. Meanwhile, unaware of Spencer's activities, White and Parsons canvassed vigorously for the entire Republican ticket. Especially, they campaigned in north Alabama in an appeal to the old Bell and Douglas men. One Carpetbagger accurately described Republican political activities as being "in a 'muddle'!"  

The Republicans carried Alabama in the November, 1872, election with victories for the Grant electoral ticket and the entire state ticket. Republicans elected their two representatives at large to Congress and their nominees in the second, third, and fourth districts of Alabama, three of the four districts where they had nominated candidates. In the first Congressional district Liberal Republicans successfully elected Frederick G. Bromberg. As the Liberal Republicans had hoped, the split between Republicans in the first district and the nomination of two Negroes divided the

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60 *Original Returns for Elections in Alabama, 1872.* See Appendix A.
Republican vote and accounted for Bromberg's victory. One Democratic newspaper accused regular Republicans of deliberately planning the defeat of the Negro incumbent, Benjamin S. Turner, by encouraging the nomination of bolter Philip Joseph and by voting for him. However, there was no clear proof of such charges.

Various reasons account for the Republican victory. The unpopularity of Greeley, criticism of Governor Lindsay's Democratic administration, and opposition to a state ticket led by a south Alabama ex-secessionist certainly influenced the Democratic defeat. Also, clever Republican campaigning, increased Republican strength among the native whites of north Alabama who had earlier abstained from politics, and heavy Negro support for Republicans in the black counties explain the Republican success in the state and national tickets.

Republican success was not so clear in the General

\[61\] Joseph F. Johnston to F.G. Bromberg, September 11, 1872; Joseph F. Johnston to F.G. Bromberg, November 9, 1872, Frederick G. Bromberg Papers (Southern Historical Collection, University of North Carolina Library, Chapel Hill); Montgomery Daily Alabama State Journal, October 31, 1872.

\[62\] Selma Southern Argus, November 15, 1872.

\[63\] Montgomery Advance, November 11, 1872. Because election returns are not recorded by race it is impossible to know exactly how much the Amnesty Act of 1872 increased
Assembly. Certificates of election were issued to thirty-three senators (nineteen Conservatives, one Independent, thirteen Republicans, among whom five were Negroes) and one hundred representatives (fifty-three Conservatives, two Independents, forty-five Republicans, among whom sixteen were Negroes). The representation of Barbour and Marengo counties, comprising two senators and six representatives was in dispute. 64

Rather than risk participation in a legislature that would be Democratic, one Carpetbagger suggested that the Republican members of the legislature organize separately from the Democrats, request Federal troops, and await recognition of this legislature by the new governor whose election was unquestioned. The law on this matter required the legislature to meet "at" the capitol, not "in" it. Accordingly, Republicans organized at the Federal Courthouse, while Democrats met at the State Capitol. Each claimed a working majority, and rival legislatures met in Montgomery north Alabama white voters. However, in what are considered to be the "white" counties, the voters in 1872 increased over those in 1870. Republicans carried nine of seventeen north Alabama white counties in 1872, while in 1870 they carried only two. See Appendix D.

64 Montgomery Daily Advertiser, November 17, 1872; Montgomery Daily Alabama State Journal, November 29, 1872.
from November 18, 1872, to March 3, 1872.  

Governor Lewis recognized the "Courthouse" legislature on November 29 and requested that Federal troops be dispatched to Montgomery. That same day a caucus of the Republican legislature nominated Spencer for the Senate, and on December 3 the "Courthouse" legislature officially elected him to office. To insure his renomination Spencer employed bribes in the form of money and promises of offices. He also maintained a free drinking saloon for the Republicans meeting at the Courthouse. Meanwhile, Democrats continued in possession of the legislative chambers at the State Capitol.

The Governor eventually applied to President Grant for aid in settlement of the dispute and dispatched several prominent Alabama Republicans to explain the situation to authorities in Washington. President Grant referred the

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65 Report on Spencer Election, cxiii. Historians have frequently credited Scalawag Lewis E. Parsons with concocting this scheme. However, testimony in Report on Spencer Election, cxiii, establishes Carpetbagger M.D. Brainard as the author of the plan.

66 George E. Spencer to W.E. Chandler, November 29, 1872, a.m.; George E. Spencer to W.E. Chandler, November 29, 1872, p.m.; W.E. Chandler Papers. These are two letters whose contents indicate that one was written in the morning and one in the afternoon of the same day. Ibid., 26-29.
problem to Attorney General George H. Williams, who met with the delegation from Alabama. Led by ex-Governor Smith, the committee urged that the Republican governor and legislature be sustained. Williams dispatched instructions for a solution, and the Alabama House and Senate organized under these terms on December 17, 1872.

Through the maneuvers of Scalawag Lieutenant Governor Alexander McKinstry, the Republicans gained a majority of two in the reorganized House, and the Democrats held a majority of one in the Senate after the death of a Republican senator in 1873. Senator Spencer was then re-elected Senator. His success was certainly due to cooperation from Scalawags, particularly that of D.P. Lewis, Alexander McKinstry, and W.H. Smith. The testimony in 1875 by such

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69 George H. Williams to P. Hamilton, December 11, 1870, Letters Received, Letterbook I, Papers of the U.S. Attorney General, Record Group 60 (National Archives, Washington, D.C.), pp. 514-515.

70 Report on Spencer Election, 3-48.
men as Lewis Parsons, Alexander White, and R.W. Healey perhaps explains their reasons for cooperating in Spencer's election. They testified that although Spencer was not his party's choice for the Senate, they supported his election as a political necessity to secure Republican control of the legislature. If they had not supported Spencer, they feared he would collaborate with the Democrats to secure his election, and they then acted to put party ahead of personal feelings. But, according to James S. Perrin, George E. Spencer was the choice of the office-holding element of the Republican party in Alabama.

After the reorganization of the legislature under the plan of the Attorney General and the legalizing of the actions of the "Courthouse" legislature in March, 1873, Governor Lewis' administration was uneventful. The almost equal division of the General Assembly between Republicans and Democrats paralyzed legislative action. The state government hovered near bankruptcy, agriculture languished under the beginning of the country-wide depression of 1873, and the schools suffered while the General Assembly wrangled

71Ibid., xcvi- xcvii, xxviii, ix, xlviii.
72Ibid., xliii.
over the method to relieve the distress. 73

The state's financial distress in 1873 silenced (for the Reconstruction period) the movement for state subsidies for internal improvements, which Republicans, especially Scalawags, had advocated since the Civil War. Scalawags had realized the economy of the state could not be rebuilt from private resources in Alabama; therefore, throughout Reconstruction they actively sought state aid for the economy as well as capital and labor from areas outside of Alabama. They advocated development of state water power, mineral resources, agricultural potential, and, most important of all, construction of a railroad connection between north and south Alabama. 74 One Scalawag editor urged, "Unite north and south Alabama by railroads, and do it by State aid, as a

73 Montgomery Daily Alabama State Journal, February 11, 12, March 3, April 24, 1873.

In addition to state aid for internal improvements, some Scalawags frankly endorsed Federal subsidies for such projects. And one Scalawag noted that to get such Federal aid, Republicans must be sent from Alabama to Congress, because Alabama's economic wants could not be met by sending Democrats to a Congress that was two-thirds Republican.

Railroad construction proved the most active area of state-subsidized internal improvements during Reconstruction. The 1868 Alabama constitution had paved the way for dishonest speculators, both Republican and Democratic, to exploit Alabama's credit in the name of railroad development by a simple process, which on the surface seemed quite free from corruption. Alabama lent its credit to private companies to construct railroads by buying their stock, by guaranteeing payments of railroad bonds, or by subsidizing them with a fixed amount for each mile constructed. Parties clashed over the distribution of state subsidies. Republicans endorsed the Republican-backed Alabama and Chattanooga Railroad, while Democrats supported subsidies for such

75 Huntsville Advocate, July 12, 1865.

76 Mobile Nationalist, July 16, 1869; Montgomery Weekly Alabama State Journal, August 14, 1869.
Southern-backed railroads as the Tennessee and Alabama Central. 77

Republicans kept inadequate records of their financial transactions, and Democrats, once in power between 1870 and 1872, were equally reckless. One Northern observer commented, "The Democratic Governor7 Lindsay was little, if at all, more economical than either his predecessor or successor" both of whom were Republicans. 78 The resulting state indebtedness for railroad construction has been variously estimated between $17,000,000 and $30,000,000. 79

Shortly after taking office, Democratic Governor R.B. Lindsay seized the Alabama and Chattanooga Railroad when it defaulted. His handling of the bonds of the defaulted road brought howls of condemnation from both political parties in


79Moore, "Railroad Building in Alabama during the Reconstruction Period," 427, 433; Fleming, Civil War and Reconstruction in Alabama, 603, 753; Robert Somers, The Southern States Since the War, 1870-1871 (New York, 1871), 158.
State credit degenerated so that Republican Governor D.P. Lewis reported in November, 1873, that he was unable to sell any of the state bonds. The depression of 1873, keenly felt in Alabama, made the task of readjusting and settling this vast debt especially difficult.

Meanwhile, during Governor Lewis' administration, with no state or national elections immediately ahead, Republicans made some minor political adjustments in Alabama, hoping to entrench themselves before facing another general election in 1874. Governor Lewis attempted to reinforce Republican strength among the north Alabama white conservatives by appointing a north Alabama Democrat, Robert C. Brickell, to fill a vacancy on the Alabama Supreme Court. Scalawag Elisha W. Peck had resigned as Chief Justice, and Associate Justice Thomas M. Peters, Scalawag, succeeded Peck. Governor Lewis then tendered an appointment to fill the court vacancy to Brickell, if, Lewis wrote, Brickell

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80 Montgomery Daily Alabama State Journal, February 2, March 29, 1872; Mobile Republican, February 3, 1872.

81 D.P. Lewis, "Message of David P. Lewis, Governor of Alabama, to the General Assembly, November 17, 1873," in Public Documents, 1873 (Montgomery, 1873).

82 E.W. Peck to D.P. Lewis, March 3, 1873, Governor D.P. Lewis Papers (Alabama Department of Archives and History, Montgomery).
were willing to adhere to the late decisions of the present court and "not play the part of a bull in a china shop." Brickell accepted the appointment and assured Lewis that he would accommodate himself to the laws of the state as the people of the state had already done. Governor Lewis hoped this non-partisan appointment would attract more north Alabama whites to the Republican party. Although surprisingly few applications were made to fill this vacancy, some Republicans complained that such appointment of a Democrat implied no Republicans who had worked for Lewis' election were sufficiently competent to receive the post. However, these efforts to bolster Republican strength among north Alabama conservatives seem to have had little tangible result.

Adjustments in Federal patronage occurred in Alabama as Senator Spencer began fulfilling his promises of office to men who had assisted him in his re-election to the Senate. He successfully obtained appointments for thirty-seven men who had aided him; some were Scalawags; many were Carpet-

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83D.P. Lewis to R.C. Brickell, May 21, 1873, ibid.
84R.C. Brickell to D.P. Lewis, May 25, 1873, ibid.
85Montgomery Daily Alabama State Journal, June 5, 1873.
beggars; few were Negroes. One of his recommendations
stirred up ill feeling among Republicans reminiscent of the
1871 battles over the custom house and post office in Mobile.
Spencer urged the removal of the incumbent collector of
internal revenue at Mobile, Unionist John T. Foster, and the
appointment of Lou H. Mayer, Kentucky-born newcomer to
Alabama and aide to Spencer. Republicans sharply divided on
the wisdom of such removal and appointment, though the
division was not simply one of natives versus newcomers.
Ultimately, Spencer acquired the appointment for Mayer over
the especially vigorous protests of several prominent Alabama
Scalawags.86

But, as in 1871, Spencer was not always successful
in dispensing patronage according to his own will, especially
in cases involving Carpetbaggers with influential friends in
Congress. In 1873 R.M. Reynolds, formerly of Ohio and an
eight-year resident of Alabama, replaced Scalawag William

86 Report on Spencer Election, 23-25. C.C. Sheats to
G.E. Spencer, April 5, 1873; Alabama State Republican
Executive Committee to U.S. Grant, April 12, 1873; Charles
Hays to J.W. Douglas, November 28, 1872; Charles Hays to
Secretary of the Treasury, April 11, 1873; George Spencer to
J.W. Douglas, April 14, 1873, Applications for Collectors of
Internal Revenue, Alabama, Records of the Department of
Treasury, Record Group 56 (National Archives, Washington,
D.C.); hereafter cited as Applications for Collectors of
Internal Revenue.
Miller as collector of customs at Mobile, and Spencer reported the appointment as "raising the devil" in Alabama. He asked W.E. Chandler to "reconnoitre around the White House and see what the trouble is." Eventually, the difficulties were resolved when Reynolds received appointment as minister to Bolivia in 1874, and John C. Goodloe, Scalawag of Colbert County and Spencer's protege, became collector of customs. Republicans then hoped that party dissension in the first Congressional district had come to an end.

On the eve of the 1874 election the Scalawags finally dominated the state government. Since the 1870 disaster they had steadily strengthened their position within the Republican party. In 1872 they won the state and Congressional ticket, outnumbered the Carpetbaggers and Negroes on the Republican State Executive Committee and on the Presidential electoral ticket, and succeeded in being elected to office by the important vote of the conservative whites of the state. Tragically, once in power in the state government,
the Scalawags found themselves powerless in the face of Alabama's financial exhaustion and political deadlock in the legislature, and they were able to accomplish nothing that would permanently unite politically the mass of native whites.
CHAPTER VI

THE COLLAPSE OF THE REPUBLICAN PARTY, 1874-1877

On the eve of the 1874 election both Republicans and Democrats recognized the basic realities of their respective political positions in Alabama. A majority of Alabama Negroes consistently voted Republican, regardless of Democratic overtures, while a majority of the planters of south and central Alabama supported the Democrats. But neither party could win state elections on such respective support alone; the elections of 1870 and 1872 clearly taught that victory came only with successful alliance with the mass of white voters in the northern third of the state, who were uncomfortable political bedfellows with either the Negroes or the planters. These north Alabama whites represented the balance of power in state politics.

Internal dissension among Republican leaders in 1873 and 1874 threatened to jeopardize the party's future despite Republican awareness of the imperative need for unity among its leadership. Early in 1874 a dangerous quarrel erupted
over the distribution of Federal patronage in Alabama in the form of the printing contract. Party leaders angrily divided over this question and threatened Republican unity when party nominations were made later that year. The dispute arose when Alabama Republicans in Congress shifted the patronage for printing from the Montgomery Alabama State Journal to the Huntsville Advocate and the Selma Republican. The reason given for the change was the desire to strengthen needy Republican newspapers in other localities for the benefit of the Republican party, since the Alabama State Journal already received the state printing and its editor was state treasurer. This division and shift of Federal patronage out of Montgomery was intended to strengthen Republican appeal to the Negroes in the Black Belt and the native whites of north Alabama, but it was not done without angry challenges delivered to Alabama's Congressmen.¹

Further dissension developed around Alabama's controversial Federal district judge, Richard Busteed of New York, who had frequently been accused since 1870 of collaboration with the Democrats in Alabama. One attempt at impeachment of Judge Busteed, spearheaded by Scalawags in

¹Montgomery Daily Alabama State Journal, February 1, 1874.
1867, had failed because the House Committee on the Judiciary took no action. In February, 1874, Scalawag Alexander White presented in Congress new articles of impeachment against Judge Busteed, and rumors circulated that this move was part of a conspiracy of White, Senator George Spencer, former Governor Lewis Parsons, Congressmen C.C. Sheats, and Charles Pelham to oust Busteed and put Parsons in his place. After the committee reported two charges for investigation by a committee of the House, Busteed resigned his office effective December 11, 1874. This episode caused much consternation among Negro Republicans in Alabama with whom Judge Busteed was quite popular in 1874.

To capitalize on Republican dissension, the Democrats moved quickly in 1874 and drew the battle lines for the coming election in the only way that could overcome the stumbling block of the ancient rivalry between Alabama planters and small farmers. They agitated the race issue raised on December 2, 1873, when Charles Sumner had

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3Tuskegee Weekly News, November 12, 1874.
introduced a Civil Rights Bill in the Senate as a supplement to the Civil Rights Act passed April 9, 1866. The subsequent debate on the bill throughout the remainder of this session of Congress until its adjournment in June, 1874, provided an opportune issue for Alabama Democrats in their preparations for the fall assault on the Republicans. The sponsors of this Civil Rights Bill insisted that the bill did not touch the question of social equality but aimed only to insure the equality of the races before the law. The bill eventually passed the Senate in an amended form but died in the hands of the House Committee on the Judiciary when Congress adjourned.4

Despite the failure of the bill to become law, Democrats quickly seized the emotion-charged issue raised in the Congressional debate, interpreted the bill as an attempt to legislate social equality of the races, and began to wave the banner of white supremacy. They were fully cognizant that only such an issue with emotional overtones could submerge the ancient economic, social, and political differences of the two classes of whites in Alabama and bind them together politically. "Let us put the election fairly and squarely

4Congressional Record, 43 Cong., 1 sess., Part I, pp. 10-12; Part IV, pp. 3053, 3451-3457; Part V, p. 4176; Part VI, p. 5162.
upon white or black supremacy, or in other words, whether the white man or negro shall govern Alabama," said one Democratic newspaper. The Democrats accused Republicans of having so inflamed the passions and prejudices of the Negroes against the whites that it was necessary for the whites to unite "in self defense and for the preservation of white civilization." The great struggle in the South, as the Democrats saw it, was the "race struggle of white against black, for political supremacy." No matter how pure the intention of the Republican voter, "every white man in the South feels and knows that, to the full extent of his vote and influence, he is aiding and assisting the black man to become ruler and master of the white." In the face of the political unity of the Negroes since their enfranchise­ment, the whites had no alternative but to unify politically also. The race issue in politics was simply one of "morals and immutable laws." 

To follow up the initial advantages gained by such

5Birmingham News, March 5, 1874, in Montgomery Daily Alabama State Journal, March 8, 1874.
6Montgomery Daily Alabama State Journal, August 4, 1874.
7Montgomery Daily Advertiser, February 19, 1874.
8Selma Southern Argus, July 10, 1874.
agitation in the effort to attract the north Alabama white vote, the Democrats nominated for governor George S. Houston, Unionist from Limestone County, who had been inactive in politics since Congress refused him admission as one of Alabama's Senators in December, 1865. Houston brought with him support in the Tennessee Valley that was virtually unequaled by any other Democrat. After the nomination of this state ticket, one Black Belt Democratic editor advised that the Black Belt be the "point of assault in the campaign" because the ticket was so conciliatory to the northern counties that the Black Belt might seriously object.

Republican reaction to Democratic agitation was to brand all Democrats as "secessionists" who were attempting to seize power and deprive the Negro of his right to vote or to adopt more extreme measures and "get rid of him". One Republican newspaper asserted that the Negro was part of the community and the only solution to the race question as raised by the Democrats was to put aside passion and

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10 W. Brewer to Robert McKee, May 10, 1874, Robert McKee Papers (Manuscripts Division, Alabama Department of Archives and History, Montgomery).
prejudice and "to deal justly" with him. On the Civil Rights Bill itself Republicans took various positions. Carpetbaggers and Negroes generally favored the bill, and the Scalawags in Alabama's Congressional delegation, Sheats, White, Pelham, and Hays, supported the bill without hesitation in the House. The most articulate expression of the ideas of this group of native whites was the statement of Congressman Charles Hays. In a speech in Congress he suggested that opponents of the bill board a south-bound train;

... take your seat in the finest palace-car, and you will find southern women traveling and sitting side by side with colored women as nurses and servants. Is objection raised to this? Not at all. Does any one feel debased by the negro there? Not at all. Why then should the case be changed when that negro buys a first-class ticket and travels alone?

Hays concluded that the new issue must be met. "There is no ground for retreat. The past is gone, and the present is upon us." The Negro must be accorded every right and privilege guaranteed him by the Federal Constitution; for, said Hays, "the world moves; and a vindication of our course

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11Montgomery Daily Alabama State Journal, September 6, 24, 29, October 13, 1874.
will come as sure as the waters flow or the stars shine."\(^{12}\)

Others of the Scalawags entertained certain reservations on the question. Generally, the native white leadership endorsed civil and political equality, which they defined as equal rights before the law and at the ballot box. However, social rights, defined as social relations between the two races, were beyond the legitimate pale of governmental legislation. Many Scalawags interpreted the Civil Rights Bill as not meaning racially mixed schools, churches, hotels, or transportation.\(^{13}\) Rather than tolerate such race mixing, one angry Blount County Republican predicted that the white men of the northern and middle counties of Alabama would favor "throwing the whole party machinery overboard and commencing anew."\(^{14}\) Democrats predicted that such Republican reluctance to go "'the whole hog' of negro social

\(^{12}\textit{Congressional Record}, 43\text{ Cong.}, 1\text{ sess.},\text{ Part II, pp. 1096-1097.}\)

\(^{13}\textit{Montgomery Daily Advertiser}, June 2, July 9, 10, 17, August 8, 1874;\textit{Greensboro Alabama Beacon}, July 25, 1874;\textit{Montgomery Daily Alabama State Journal}, July 31, 1874; "Address of the Republican State Executive Committee of the State of Alabama, Campaign of 1874;"\textit{Tuscaloosa Blade}, September 17, 1874.

\(^{14}\textit{Montgomery Daily Advertiser}, June 3, 1874."
equality" would play mischief in the Republican ranks.  

At their state convention in Montgomery in August, 1874, the Republicans faced the Democratic challenge on the race issue and attempted through the careful drafting of a party platform to retain Negro support while not alienating the Alabama native whites. Scalawag Lewis E. Parsons served as chairman of the platform committee which composed a platform demonstrating the power of the moderate whites in the party. The platform more closely reflected the opinions of the Scalawags as expressed during the consideration of the Civil Rights Bill in Congress earlier that year than the views of the Negroes and Carpetbaggers. After endorsing the civil and political equality of all men, the Republicans proclaimed that in the past they had never desired social equality of different races nor of individuals and they did not desire such now. "We reject the issue of race against race, which is tendered us by the Democratic party, as fraught with incalculable evils to our whole people, which sow the seeds of ruin to all our material, social, and political interests . . . "

15Tuskaloosa Blade, July 30, 1874.
16Tuskaloosa Blade, September 10, 1874; Montgomery Daily Alabama State Journal, September 19, 1874.
Specifically, the platform refuted the idea that Republicans endorsed mixed schools or mixed accommodations for colored and white people. However, Republicans did ask that "advantages shall be equal." In short, Republicans wanted "no social equality enforced by law."¹⁷ This platform was not remotely akin to any radicalism that might have appeared in the party's appeal to its supporters. Instead, it attempted to conciliate politically the two groups (Negroes and native whites) upon whom rested the party's hopes for victory in 1874.

The selection of candidates for the 1874 Republican ticket represented another attempt by Republicans to weld together the two main sources of voting strength in the state, a policy with which they had succeeded in 1872. However, here as in the drafting of the party platform, Republicans had to move carefully to assuage leadership differences and to avoid alienating either the Negroes or the native whites. Something of the Negro temper with which the Republican leadership had to deal by 1874 can be seen in the actions of a number of Negro Republican conventions which met in various towns in the Black Belt in 1874. These

¹⁷Ibid.
groups announced their intention to demand for Negroes first choice of the nominations in the black counties and proportional share in others. One convention formally demanded mixed schools and a law to compel all citizens to send their children to these schools.  

Nevertheless, the Negroes realized that they must not press so strongly for the accomplishment of their ideas that they would alienate the white men in the coming election. One Negro member of an Equal Rights convention at Montgomery in June astutely described the situation thus.

Some men with strong stomachs \textit{sic.} would call for their whiskey or brandy straight; others, with weaker stomachs, \textit{sic.} required much water in it. So it is with the members of our party. Some of them can take Civil Rights unmixed already; others with weaker stomachs \textit{sic.} must take them in a diluted form for a while longer. We must wait until their stomachs \textit{sic.} grow stronger and must do nothing that will drive them off.  

Again, demonstrating their awareness of the necessity of alliance with the native whites for success, the Negroes favored the nomination of Scalawag Chancellor Adam C. Felder

\begin{itemize}
  \item 18 Selma \textit{Southern Argus}, July 17, 1874; Tuscaloosa \textit{Blade}, July 9, August 27, 1874; Carrollton \textit{West Alabamian}, July 15, 1874; Montgomery Daily \textit{Advertiser}, June 19, 26, 27, 30, 1874; Robert C. Alston, \textit{Reconstruction in Alabama} (Atlanta, 1931).
  \item 19 Montgomery Daily \textit{Advertiser}, June 30, 1874.
\end{itemize}
of Montgomery for governor, instead of the renomination of Scalawag Governor D.P. Lewis. Felder, a lawyer who came to Montgomery in 1825 from South Carolina, was first a county judge and later a state senator as a Democrat. After service in the Confederate army, he returned to the Alabama Senate, where he advocated the ratification of the Thirteenth Amendment, and in recognition of this action, Congress removed his disabilities. Felder favored the adoption of the Reconstruction Acts, saying these bills were necessary to the peace, safety, and prosperity of Alabama.\textsuperscript{20} From 1868 to 1874 Felder served as Chancellor of the Southern Division of Alabama. During the early period of Reconstruction, he was not prominent among Republican leadership; however, he quietly and steadily rose to a position of influence. In 1871 when rumors were rife of Judge Busteed's possible resignation, Felder began corresponding with other Republicans booming himself as a replacement for the Federal judge.\textsuperscript{21}

\textsuperscript{20} Montgomery Weekly Alabama State Journal, June 2, 1871; Montgomery Daily Mail, December 7, 1866, May 25, 1867; Genealogy Sheet in Adam C. Felder File (Library, Alabama Department of Archives and History, Montgomery).

\textsuperscript{21} Montgomery Daily State Sentinel, December 3, 7, 1867; Adam Felder to C.W. Buckley, March 27, 1871; Adam Felder to Judge William B. Woods, March 28, 1871; W.G.M. Golson to Adam Felder, November 26, 1873; James T. Rapier to Adam Felder, January 2, 1874; Adam C. Felder Papers.
Felder endorsed equal civil and political rights for all men; however, he said, "I am opposed to social equality . . . . I am opposed to mixed schools being forced upon us."\(^{22}\) Despite this stand, Felder successfully encouraged Negro support, generally emphasizing his belief in civil and political equality so that any man could appeal "to the law for redress in the full confidence that he will loose nothing by the accident of birth race condition or colour."\(^{23}\)

The Negroes savagely attacked the leadership of the other faction of the Republican party now directed by White, Sheats, Parsons, and Spencer and described Governor Lewis as a man of "utter lack of backbone" who had betrayed Negro Republicans "into the hands of their enemies." The attackers of White and Sheats probably hoped to defeat them for renomination to Congress and perhaps save Judge Busteed.\(^{24}\)

\(^{22}\)Adam C. Felder to J.J. Holley, July 24, 1874, in Montgomery Daily Alabama State Journal, July 31, 1874. See also Montgomery Daily Advertiser, July 17, 1874.

\(^{23}\)Adam C. Felder to W.B. Jones, August, no day, 1873, Adam C. Felder Papers.

\(^{24}\)Montgomery Weekly Republican, in Mobile Weekly Register, August 1, 1874; Montgomery Weekly Republican, in
The Republicans did not underestimate the difficulties of the coming campaign and predicted a "terrible fight" in which the Democrats would use the race issue and intimidation in their efforts to succeed. Understanding that "the Democrats mean war," the Republicans attempted to put the party machinery into good order. Once again Alabama Republicans petitioned the Republican National Committee for funds, though not so frantically as in 1872. A shakeup in the Republican state committee occurred the month before the state convention with the resignation in July of D.C. Whiting as committee chairman. A Spencer protege, Whiting resigned because of ill health, which Spencer described as "softening of the brain" and estimated would soon be fatal. Carpetbagger Charles Mayer, another Spencer associate, succeeded Whiting as chairman of the State Executive Committee, and moderate white control of the

Montgomery Daily Advertiser, July 22, 1874; Florence Republican, July 28, 1874; Talladega Our Mountain Home, July 29, 1874; Tuskegee Weekly News, August 20, 1874.


26George E. Spencer to W.E. Chandler, July 31, 1874, ibid.
Under the leadership of Spencer's friends the state committee met in Montgomery in late June and apportioned the representation for the coming August state convention. Of the 208 delegates to be divided, the large Negro counties (which voted 58,532 strong) received 98 delegates, while the other counties (which voted 31,000 strong) received 110 delegates. Such gerrymandering of districts gave much power to the Scalawags and secured control of the convention for the white moderates led by White, Parsons, Sheats, and Spencer.  

At the convention the opposition to the moderate whites coalesced around the leadership of Judge Busteed, who was described as trying to "beat" White and Sheats; however, Busteed failed at the convention and was reported to have

27 George E. Spencer to W.E. Chandler, July 21, 1874, ibid.

28 Montgomery Daily Advertiser, July 7, 1874. For example, 640 Republicans in the white counties of Covington, Washington, Geneva, Baker, Sanford had the same voice as 7,000 black voters in Dallas County; 1,200 Republicans in the white counties of Coffee, Fayette, Cherokee, and Etowah and the black county of Marion had the same number of delegates as 7,000 Negroes of Montgomery County. 681 Republicans in white Jackson County had the same vote as 3,658 Negroes in Hale. See also Talladega Our Mountain Home, July 8, 1874.
been "cleaned out" completely, leaving not a "grease spot." The action of the state convention which Spencer pronounced a "great success" bore the stamp of the composition of the convention. Scalawag Lewis E. Parsons presided, as Scalawags David P. Lewis and Alexander McKinstry were renominated to lead the state ticket. Of the six state executive officers nominated, five were Scalawags, and one was a Carpetbagger. Among the nominees for state judicial posts, all three nominees for the Alabama Supreme Court were Scalawags as were three of the five nominees for Chancellors. For the circuit judges the Republicans nominated nine Scalawags, one Carpetbagger, and one former Scalawag who had been a Liberal Republican in 1872 and whose political affiliation in 1874 was unclear.

For Congressmen at large the state convention re-nominated the two Scalawag incumbents, White and Sheats, although Judge Busteed had been discussed before the convention as a candidate for one of the nominations.

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30 George E. Spencer to W.E. Chandler, August 23, 1874, W.E. Chandler Papers. See Appendix A.

31 Montgomery Daily Advertiser, August 4, 1874; George E. Spencer to W.E. Chandler, September 17, 1874.
convention in the first Congressional district nominated Jeremiah Haralson, a Dallas County ex-slave backed by Busteed, despite the efforts of Alexander White and Lewis E. Parsons.\textsuperscript{32} Also in the first district, Frederick G. Bromberg, former Scalawag and Liberal Republican, ran for Congress.\textsuperscript{33} Republicans in the second Congressional district were seriously split into two factions, and the Democrats worked to encourage this division. The district convention renominated the Negro incumbent, James T. Rapier, who, in order to secure the nomination, signed a pledge to support one Republican faction in Montgomery County and to vote against Judge Busteed's impeachment. Once nominated, Rapier repudiated the pledge, saying Judge Busteed's "bullies" had taken forcible control of the district convention and demanded of him a written pledge before they would permit his nomination.\textsuperscript{34} Conventions in the third and fourth Congressional districts quietly nominated two Scalawags, W.H. Betts of Lee County and incumbent Charles Hays of

\textsuperscript{32}George E. Spencer to W.E. Chandler, August 14, 1874, \textit{ibid.}; Tuskegee Weekly \textit{News}, August 20, 1874; Tuscaloosa \textit{Blade}, August 20, 1874.

\textsuperscript{33}Tuscaloosa \textit{Blade}, October 15, 1874; Selma \textit{Southern Argus}, October 23, 1874.

\textsuperscript{34}Montgomery Daily \textit{Advertiser}, September 4, 5, 1874.
Greene. In the fifth and sixth districts Republicans made no regular nominations, although Joseph Sloss, ex-Democrat and native Alabamian, ran as an independent candidate for Congress in the sixth district because he feared defeat if he affiliated openly with the Republican party. The convention reorganized the Republican State Executive Committee to include six Scalawags, six Carpetbaggers, and one Negro.35

In lieu of a national convention, since 1874 was not a Presidential election year, Alabama Republicans joined Republicans from other Southern states in a convention at Chattanooga in October. The Alabama delegation consisted of leading Scalawags and Carpetbaggers but no Negroes. Alabama's Lewis Parsons served as president of the convention, which adopted a series of resolutions emphasizing Republican endorsement of civil and political equality of all men, carefully skirting the issue of social equality.36

The ensuing campaign in Alabama was accurately described as a "life and death struggle," and both sides

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used questionable campaign methods. Outbreaks of violence in the Black Belt and north Alabama substantiated Republican insistence that Federal troops were necessary to maintain order. After the murder of two prominent Republicans in Sumter County, the best known incident in this period, troops were dispatched to Alabama, where they remained until after the November election. Also, Republicans distributed 200,000 pounds of army bacon, ostensibly for flood relief; however, many of the areas receiving the relief were mountain counties which "had not been under water since the days of Noah's Ark." Before the bacon was distributed in Monroe

37 George E. Spencer to W.E. Chandler, September 8, 1874, W.E. Chandler Papers.

38 Tuskegee Daily News, October 15, 1874; Montgomery Daily Alabama State Journal, August, October 6, 8, 9, 11, 24, 1874; Affairs in Alabama, lv-lix. Charles E. Mayer to George H. Williams, September 1, 1874; George H. Williams to R.W. Healey, September 3, 1874; R.W. Healey to George H. Williams, September 7, 1874; George H. Williams to E.M. Keils, August 31, 1874, Source Chronological Files. Thomas M. Peters to Attorney General of the U.S., September 18, 1874, Papers Pertaining to Presidential Nominations to Civil and Military Positions in the U.S. Government, Records of the U.S. Senate, Record Group 46 (National Archives, Washington, D.C.).

39 Joseph F. Johnson, Frederick G. Bromberg v. Jeremiah Haralson, Contest for Seat in 44th Congress from First Congressional District of Alabama, 61-62; Alexander White to D.P. Lewis, June 25, 1874, Governor David P. Lewis Papers.
County, Republicans circulated the story that the recipient of bacon must vote the straight Republican ticket. If they afterwards refused or neglected to vote, they would forfeit their rights in law. In Dallas County an ingenious Republican politician required that the Negroes who applied for bacon make an affidavit that they had been overflowed and for witnessing these papers charged each man twenty-five cents. Each applicant received about two pounds of bacon. He could have bought nearly three pounds for twenty-five cents. 40

Despite Republican efforts, Democrats swept the state in 1874, electing all state administrative officers and a majority of the state legislature. In the Black Belt the Republicans collected impressive majorities and elected five judges of the twelve circuits, two of the five chancellors, and two of the eight congressmen. Among the circuit judges one was a Carpetbagger, and four were Scalawags. The chancellors included one Scalawag and one Carpetbagger, and the Congressmen included one Scalawag and one Negro. 41

40 New York Herald, June 12, 1875, in Selma Southern Argus, June 25, 1875.

41 Original Returns for Elections in Alabama, 1874. See Appendix A.
Democratic success was far greater than in 1870, when Republicans had continued their domination of the state judiciary and elected three of the six Congressmen. After this disastrous defeat in 1874 the Republicans never regained political power in the state in the nineteenth century.

In the post-mortem of the election results in 1874 the Republican disaster emerged as the result of a combination of many causes. Clearly, the north Alabama whites deserted the Republicans for the Democrats, although prominent Scalawag leaders remained with the Republicans. The successful agitation of the Civil Rights Bill and the race issue did much to divide the constituency on which the Republicans had succeeded in 1872. Of lesser importance may have been concern that the Republican gubernatorial candidate, Unionist David P. Lewis, might resign after the election to become Federal district judge as soon as Judge Busted's resignation became effective. Such a move would leave as governor Alexander McKinstry, who, though he had opposed secession, had served in the Confederate army and was not overly popular in north Alabama. Internal dissension between various leaders and factions so weakened the Republicans in all parts of Alabama that one newspaper observed, "No wonder we failed. The only wonder is that the
majority of Governor Houston was not much larger than it proved to be."\(^{42}\) Intimidation and riots deterred many Negroes from voting. Outright fraud in counting the ballots and in other mechanics of the election carried many counties for the Democrats, as one participant later confessed.\(^{43}\)

As Republicans assessed the wreckage of their party in 1874, one recurring refrain was that the election was a "blessing in disguise in ridding the party of many bad and dangerous men who had thrust themselves into leadership for purposes of plunder."\(^{44}\) Republicans had not been careful enough in the selection of good men for office, and too many dishonest and incompetent men had "weighed" the party down.\(^{45}\)

\(^{42}\) Montgomery Daily Alabama State Journal, October 9, 1874.


\(^{44}\) Montgomery Daily Alabama State Journal, November 19, 1874.

\(^{45}\) H. Cochran to U.S. Grant, November 12, 1874, Appointment Papers.
Warned the Montgomery *Alabama State Journal*, "If the Republican party of Alabama expects to make another canvass in the state, it must unload now. . . . The work of unloading must commence at once, and it must be thoroughly done." Chancellor A.W. Dillard chided, "It would be a most excellent move in President Grant, to remove the federal officers in the South and put in native Republicans. The vessel needs to be unloaded."

The "unloading" began early in 1875 when a committee of the Alabama legislature began an investigation of Senator Spencer's election in 1872. The committee concluded in a memorial to the Senate that Spencer had used corrupt and unlawful practices to influence his election and was not entitled to his seat as Senator from Alabama. However, despite the committee's report, Spencer successfully hung onto his senatorial seat. Simultaneous with this investigation, Jerome J. Hinds of Decatur, close associate of

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47 A.W. Dillard to R.A. Mosely, June 12, 1875, Applications for Appraisers of Customs.

48 Francis W. Sykes to E.A. O'Neal, February 4, 10, 21, 28, 1874, Edward A. O'Neal Papers (Southern Historical Collection, University of North Carolina Library, Chapel Hill); *Report on Spencer Election*, 53-55.
Spencer, was indicted for mail contract frauds and then removed from his recently acquired post as marshal of the southern and middle districts of Alabama. Federal patronage for Alabama was slipping from Spencer's grip; he was unable to secure the position as marshal for others of his favorites.  

At this same period Spencer's friend C.C. Sheats, Morgan County Unionist, was removed, reputedly for incompetence, from his post as Sixth Auditor of the Treasury Department. The expose of Spencer's conduct in his re-election and Hinds' activities in the post office department caused a rather strong revulsion among Republicans in Alabama, and the Mobile Tribune commented, "George E. Spencer is the emetic of carpetbaggery, and we owe him thanks as a wholesome medicine."

Yet, the incessant changes of Federal appointments had disadvantages, too, as one Alabamian observed to an official of the Federal Internal Revenue Bureau.

All talk of the great good of the government and

49 Montgomery Daily Alabama State Journal, April 9, 11, 1875; Tuscumbia North Alabamian, April 8, 1875; Selma Southern Argus, April 9, 16, May 7, 21, 1875; Carrollton West Alabamian, April 14, 1875.

50 Montgomery Daily Advertiser, July 18, 1876.

51 Mobile Daily Tribune, May 18, 1875.
the higher standards of morality to be achieved by further changes in this locality is simply all bosh. The constant changes here, all the result of factional and interested divisions of the leaders, had well nigh ruined the party ... and it is high time that the departments should be sure of the existence of bona fide reasons before making further changes.

I am not an admirer of General Spencer but must say that he has during the past eight years rendered the republicans most efficient service in this state. It matters not whether his action was prompted by selfish motives or otherwise. The result was much the same to the people and deserves much consideration.52

In another expression of similar sentiments about the frequent changes of Federal appointees in Alabama, another Alabamian suggested that if such removals "for political reasons" stopped and some semblance of harmony returned, Alabama might "celebrate the centennial at least in an anti-democratic fashion."53

Another assessment of the Republican party made after the 1874 disaster surmized that "bad management" plus the "exclusion of native Republicans from federal offices" had almost ruined the party in Alabama. Chancellor A.W. Dillard pronounced, "The time has passed for mealy-mouthedness. When gangrene becomes apparent, prompt

52 George F. Harrington to D.D. Pratt, June 9, 1875, Applications for Collectors of Internal Revenue.
53 George Patrick to D.D. Pratt, June 14, 1875, ibid.
remedies are necessary and God knows there has been gangrene here . . . ." Native Republicans alone could lay the foundation for a revived party, and it was time to aid the natives in organizing a self-supporting Republican party, one able to survive without Federal troops and "like appliances." This aid must come "in the shape of bestowing federal positions upon able and honest Republicans and in consulting them rather than northern members of Congress respecting federal appointments." Until native Republicans were permitted to control local affairs and to influence Federal appointments, Southern white men would continue to stand aloof from the Republican party.

Why should they join a party that suspects their loyalties and despises their wishes? Why incur ostracism in business and society when denied the smallest federal position, and forced to have corrupt men saddled on them. We must win accessions from the white men or we must sink never to rise again, we must divide the white vote in the South or a war of the races must come . . . . With half a chance we can divide the white vote, and build up a live Republican party in the South.

In short, concluded Dillard, "We must have a new shuffle, a new cut, and a new deal in Alabama, or we must suffer total shipwreck." Obviously, the Scalawags still felt in 1875 as

54 A.W. Dillard to R.A. Moseley, June 12, 1875, Applications for Appraisers of Customs. For another
they had since the beginning of Reconstruction that Federal patronage utterly ignored them. Regardless of the degree of truth in the belief, the Scalawags sincerely believed they had been deprived of something that was rightfully theirs, and the effect was the same as if their beliefs had been completely accurate.

Some Republicans entertained the hope that Federal intervention might overturn the new Democratic government in Alabama and sustain Republicans in power as it had done in Louisiana. At the urging of Representative Charles Hays a Congressional investigation reviewed the election, but as much damaging evidence emerged about the conduct of Republicans as about that of the Democrats. Congress adjourned in March, 1875, without taking any action in regard to Alabama, and the Democrats felt more secure in their new offices. 55

Confidently, the Democrats first turned to redistricting the state's Congressional districts to permit the Republicans to carry only the fourth district, composed of

expression of the same ideas see C.F. Moulton to U.S. Grant, February 3, 1875, Appointment Papers.

55 Affairs in Alabama, i-lxxii; Montgomery Daily Alabama State Journal, February 25, 1875.
west Alabama Black Belt counties. Democrats then began agitation for a revision of the 1868 Republican-drafted constitution. The 1875 legislature called for an election on the question of a constitutional convention for August, 1875, and demanded that delegates to the convention be apportioned on the basis of the newly drawn Congressional districts. Then the Democrats launched a vigorous campaign to secure a vote favorable to calling a constitutional convention.56

After failing to block the move for the constitutional revision in the legislature, Republican leadership disagreed on what course they should next follow. The Republican State Executive Committee, whose chairman pro tem in 1875 was Alexander White, urged Republicans to oppose the proposed convention and make no nominations for delegates. However, the committee encouraged support for any anti-convention independent candidates that entered the race.57 Spencer, Parsons, and Sheats endorsed this view expressed by Chairman White.58 A group of Republican members of the

56 Montgomery Daily Alabama State Journal, February 7, 10, 1875; Mobile Register, July 23, 1875.
57 Mobile Daily Tribune, June 18, 1875.
58 Montgomery Daily Advertiser, June 18, July 13, 1875.
Alabama House of Representatives led by Carpetbagger Datus E. Coon of Iowa condemned the recommendations of the state committee as a course that would lead to the complete disintegration of the Republican party. In a bid for control of the convention, they recommended nomination and support of Republican delegates to the convention. 59

Prominent Republicans expressed their views singly, as well as in groups. John A. Minnis endorsed the call for a convention because he felt that blanket opposition such as that voiced by the state committee would be construed only in a partisan manner. 60 Samuel F. Rice accepted nomination by Montgomery County Republicans as a delegate to the convention, although he opposed the calling of the convention. 61 The strongest Republican newspaper in the state, the Montgomery Alabama State Journal, took no side in the arguments, saying there had already been too much "bickering," too much "struggling for leadership. As long as this condition of affairs lasts," predicted The Journal, "defeat is inevitable." 62

59 Montgomery Daily Alabama State Journal, June 27, 1875.
60 Montgomery Daily Advertiser, June 26, 1875.
62 Ibid., August 1, 1875.
On August 3, 1875, Alabamians voted to call a constitutional convention. Elected as delegates were eighty Democrats, twelve Republicans, seven Independents. Most of the Republicans and Independents were elected from the Black Belt, and four of the nineteen were Negroes. The Democrats exercised overwhelming control over the convention.63

The new constitution continued to bear the mark of the Republicans, as the convention dared not tamper with such matters as universal manhood suffrage and popular election of judicial officials.64

The brief six weeks canvass for ratification of the revised constitution demonstrated the confusion and disorganization of the leadership of the Alabama Republican party. Divided earlier on the question of the call for a convention, Republicans now so disagreed on ratification of the new constitution that the party neither made an organized movement nor counselled any action as a whole. The opposition to ratification included Samuel F. Rice, who had been a delegate to the convention, William H. Smith, Benjamin F. Saffold, George E. Spencer, Adam Felder, and the Montgomery Alabama State Journal. Their general estimate of the

63Mobile Daily Register, August 12, 1875.

constitution was that its many unsatisfactory provisions far outweighed the valuable sections. Nevertheless, some equally prominent Republicans endorsed ratification, including D.P. Lewis, John A. Minnis, Lewis E. Parsons, and Robert T. Smith.

In the midst of the campaign for ratification a group of Montgomery County Republicans circulated a demand for the reorganization of the party in the state, especially attacking the Republican State Executive Committee. The Washington National Republican declared these men, all minor officeholders at some time during Reconstruction, were no more than malcontents who were threatening to disorganize the party and hand the state over to the Democrats. The Alabama State Journal feared this dissension might continue and jeopardize the party in the 1876 elections, for, said the Journal, "we have not one single vote to lose, that we


66 Montgomery Daily Advertiser, November 4, 10, 12, 1875; Montgomery Daily Alabama State Journal, November 11, 12, 1875.

67 Montgomery Daily Alabama State Journal, October 9, 1875.
are able to quarrel and fight among ourselves." If the party genuinely required reform, Republicans could reform it in a state convention much better than permit the party to be divided into factions.\textsuperscript{68} In the face of such Republican confusion the Democrats easily ratified the revised constitution.\textsuperscript{69}

Once the election was over, Republican division widened as the battle for control of the party entered its period of death agony. Late in November appeared another circular addressed to the Republican State Executive Committee calling for a meeting of the committee in Montgomery on December 7, with all Republicans who would come, to prepare for the 1876 campaign. In addition to the seven of the twelve signers\textsuperscript{70} of the earlier petition, many prominent native Republican leaders joined in this request. Included were Samuel F. Rice, William H. Smith, James Q. Smith, Benjamin F. Saffold, J.J. Martin, Benjamin Gardner, John A. Minnis. Presiding at the December 7 meeting, Rice announced the purpose as consultation of Republicans from all parts of

\textsuperscript{68}\textit{Ibid.}, October 12, 1875.

\textsuperscript{69}\textit{Ibid.}, November 18, 1875.

\textsuperscript{70}One of the twelve, N.B. Cloud, Montgomery Scalawag, had died November 5, 1875.
the state with the state executive committee to organize the party for the 1876 campaign and to equalize the representation of the Congressional districts (drawn February, 1875), on the state committee. The meeting adopted a motion to enlarge the number of representatives on the committee so that all Congressional districts had representation equal to that of the eighth district, which then had three. A committee of the meeting presented this recommendation to the state executive committee, which replied that since a majority of the committee were not present, they could not act. However, the three members who were present, Negro B.S. Turner, Carpetbagger J.W. Burke, and Scalawag N.S. McAfee, endorsed as individuals a reorganization of the committee according to this recommendation or by some other plan. The December 7 Republican meeting adjourned to convene again on December 29. 71

On December 21 another circular appeared, dated Washington, D.C., and written by Charles Mayer, chairman of the state executive committee, and George E. Spencer, committee member. In discussing the proposal of the December 7 meeting, this circular commented that the executive

71Ibid., December 10, 1875.
committee lacked the authority to make such changes in its membership. Only a state convention should alter the state committee, and the circular recommended the calling of a convention to determine the apportionment of the various counties on the state committee. 72

Judge Rice denounced the statements from the state committee as a scheme to prevent reorganization of the committee. Rice presided again when the reform Republicans reconvened on December 29. The meeting elected twelve new members to the state executive committee according to the plan formulated at the December 7 meeting. Judge Rice justified this action as necessary to equalize representation on the committee since Congressional redistricting in February, 1875, created eight, rather than six, districts. 73 The Livingston Journal described the action of this recent Republican meeting as an attempt to "unload" the Federal officeholders from the committee. The Montgomery Alabama State Journal replied that all Republicans agreed that the committee needed reorganization. The question was whether

72 Ibid., January 1, 1876.
73 Ibid., December 31, 1875, January 1, 1876.
the committee could enlarge itself.74

The Republican State Executive Committee met February 2, 1876, and called for a state convention of party members to be held in Montgomery on May 24, to select candidates. The committee made no statement about recent attempts to reorganize its composition.75

Meanwhile, also in February, a delegation from the Rice-Smith faction of Republicans, as it had begun to be named, called in Washington upon the President and other officials. The purpose of the delegation was to assure the officials that this faction was not hostile to the administration and to ask that no person holding a Federal office in Alabama be removed solely because he sympathized with this anti-Spencer group. The delegation returned to Alabama satisfied that Washington officials would not interfere with the controversy within the Alabama Republican party.76 They reported that Spencer was alarmed at the strength of their movement and had lately tried to compromise with them,

74Ibid., January 12, 1876.
75Ibid., January 11, February 3, 1876.
76New York Sun, February 10, 1876, in Selma Southern Argus, February 18, 1876; Montgomery Daily Advertiser, July 18, 1876.
offering to relax his influence in state politics if he were permitted to name the delegation to the Republican national convention at Cincinnati. Rumor said Spencer had already promised the state delegation to certain candidates. Spencer's offer, however, was refused.  

The reorganized state executive committee met shortly after the return of the delegation from Washington and elected former Governor William H. Smith as chairman and N.S. McAfee as secretary. The committee called for a state convention to meet in Montgomery on May 16, 1876, for the nomination of candidates, eight days before the convention called by the regular state executive committee was scheduled to meet.  

Through the spring of 1876, while individual Republicans urged compromise of party differences and the Alabama State Journal pleaded for party unity behind the regular state committee, the two factions vigorously attacked each other instead of the Democrats.  

77 New York Herald, February 16, 1876, in Selma Southern Argus, February 25, 1876.  

78 Montgomery Daily Alabama State Journal, February 26, 1876; Talladega Our Mountain Home, March 8, 1876.  

accused Rice of attacking Mayer, Spencer, and the regular executive committee simply to get control of the committee and then the state convention. Turner then praised Spencer's fidelity to the Republican party, saying that Spencer had remained loyal even when ex-Governor Smith vacated the governor's chair to which the Republicans had elected him. 80

Speaking for the other faction, Samuel Rice accused the executive committee of commencing an "earnest war" upon the reorganization which involved only equalizing committee representation. The eighth district had three representatives; the fifth had none. 81 Former Governor W.H. Smith soon followed Rice's statements with a form letter dispatched to prominent Republicans in Alabama enlisting their aid in securing county delegations to the May 16 convention. Smith accused his old enemy Senator Spencer of attempting to destroy the "regular organization of the Republican party," meaning that reorganized on December 29, 1875. Also, Smith claimed Spencer was guilty of attempts to make himself the master, not the servant, of the Republicans of Alabama. The Rice-Smith faction brought out a weekly newspaper in

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80Ibid., April 29, 1876.

81Talladega Our Mountain Home, May 3, 1876. See also May 10, 1876, for another letter by Samuel F. Rice.
Montgomery, the *Alabama Republican*, to publicize their views during these months. Meanwhile, the Montgomery *Alabama State Journal* continued to support the Spencer faction.

As the time in May for the two Republican conventions approached, another enemy of Senator Spencer described the condition of Alabama Republicans by saying that a well organized movement was "on foot to clear the deck of the Spencer crowd as preliminary to our progress in putting the ship on the right course."

The convention of the Rice-Smith faction on May 16, 1876, elected Scalawag Benjamin F. Saffold chairman. Delegates to the convention included prominent Carpetbaggers, Scalawags, and Negroes of the Republican party. Among the prominent native Republicans present were Lewis E. Parsons, Robert T. Smith, E. W. Peck, George H. Craig. A bitter debate opened the meeting as delegates argued the question of nomination of candidates. One group led by Negro Congressman Jeremiah Haralson favored no nominations and

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82W.H. Smith to Willard Warner, April 28, 1876, Carl Schurz Papers.

83*Montgomery Daily Advertiser*, May 18, 1876.

84Willard Warner to Carl Schurz, May 1, 1876, Carl Schurz Papers.
adjournment of the convention until after the Spencer-Hays faction met on May 24. Republicans could then negotiate their differences, fully aware that they could not carry the state with two tickets in the field. Samuel F. Rice and B.F. Saffold opposed Haralson's suggestions and led the convention in the nomination of a state ticket. Most of the men on the ticket were not well known in Republican politics in Alabama. The only real exception to this and the strongest man on the ticket was the gubernatorial nominee, Thomas M. Peters, Lawrence County Unionist. The delegates at large to the Republican national convention included Negro Jeremiah Haralson, Carpetbagger Willard Warner, and Scalawags Samuel F. Rice and W.H. Smith. 85

On May 24 the regular Republicans met in convention in Montgomery and chose Scalawag Judge Robert S. Heflin as permanent chairman. Among the prominent native Republicans present were Alexander White, Charles Hays, C.C. Sheats, J.C. Goodloe. 86 The platform committee led by Alexander White drafted an endorsement of civil and political equality

for all men, free public schools, and stimulation of labor and industry. The committee also deplored party division in Alabama as endangering the party's existence in the state. The convention nominated a ticket of men little known in Alabama politics. Leading the ticket was Judge James S. Clarke, Morgan County Scalawag, as the nominee for governor. The only well known figure on the ticket was the nominee for attorney general, Robert S. Heflin, Scalawag judge from Randolph County and former Congressman. 87

The Republican national convention refused to recognize the Spencer-Hays delegates, while seating the delegates chosen at the Rice-Smith convention. 88 Alexander White charged that the recognition of delegates chosen at the May 16 convention was the result of a bargain with the supporters of James G. Blaine. Nevertheless, this action was a severe blow to the prestige of Senator Spencer. 89

Thus, the Republican party divided into two seemingly irreconcilable factions with some Scalawags leading each

87Ibid., May 27, 1876.
88Selma Southern Argus, June 23, 30, 1876.
89Alexander White to George E. Spencer, June 25, 1876, in Montgomery Daily Advertiser, July 14, 1876. See also Willard Warner to Carl Schurz, May 1, July 4, 1876, Carl Schurz Papers.
group. The *Alabama State Journal* warned Alabama Republicans they had "not the ghost of a chance to carry the state" under the party's present condition. Republicans must bury their differences in order to succeed.\(^{90}\)

Overtures for reunification of the Republican party began in late June. Congressman Charles Hays, Scalawag leader with Spencer of the Spencer-Hays faction, wrote W.H. Smith of Hays' belief that Republicans must acquiesce to the recent decision of the Republican national convention which had recognized the delegates chosen at the May 16 convention. There was no time to expend strength in internal party warfares when a common enemy threatened their destruction. If no compromise could be effected, Hays personally intended to support the ticket nominated by the May 16 convention headed by Thomas M. Peters.\(^ {91}\)

More official overtures soon followed those of Hays. Charles E. Mayer, chairman of the state executive committee of the Spencer-Hays faction, formally proposed to W.H. Smith, chairman of the committee of the rival faction, that the two

\(^{90}\)Montgomery Daily *Alabama State Journal*, June 22, 1876.

\(^{91}\)Charles Hays to W.H. Smith, June 22, 1876, in Montgomery Daily *Alabama State Journal*, July 7, 1876.
committees meet together and arrange a merger into a single body that would be acceptable to the entire party. Then the committees should prepare a state and electoral ticket to be substituted for the two nominated in May. W.H. Smith, enjoying the power recently given his faction by recognition by the Republican national convention, refused these overtures for compromise. Smith noted that the 1874 Republican state convention had not chosen Mayer as chairman of the state executive committee or even as a member of the committee. Subsequently, when D.C. Whiting resigned from the committee because of ill health, Mayer replaced him as chairman. Smith contended that if the committee had the power to add Mayer as its chairman, the committee had the power to add twelve new members. The first attempt at compromise had failed.92

When the executive committee of the Spencer faction met July 10, 1876, in Montgomery, James S. Clarke withdrew from the gubernatorial race; the committee accordingly replaced Clarke with C.C. Sheats, Morgan County Unionist. In view of W.H. Smith's refusal to compromise to restore party unity, the committee resolved to make a thorough

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92 Charles Mayer to W.H. Smith, June 22, 1876, in *ibid.*, June 29, 1876.
canvass for the ticket nominated at the May 24 convention with Sheats leading the ticket.  

Efforts to reconcile the two factions finally succeeded in mid-July, only three weeks before the election, when both Republican factions withdrew their tickets and compromised on an "independent" ticket. Rumor said that pressure from the chairman of the Republican National Committee, Zachariah Chandler, ended the feud, because Chandler feared both tickets would be crushed in the coming election.  

Men unfamiliar in Alabama politics composed the compromise ticket, probably to avoid antagonizing any prospective voters. Heading the ticket as the gubernatorial nominee was Noadiah Woodruff, the prosperous merchant and planter mayor of Selma. One Democrat, evaluating the Republican nominations, described Woodruff as a "small potato." However, illustrating that Republican failure was not inevitable in 1876 if party differences could be controlled, this same Democrat added that if the Republicans had nominated another

93 Ibid., July 11, 1876; Mobile Daily Tribune, July 14, 1876.
94 Montgomery Daily Alabama State Journal, July 19, 20, 1876; Mobile Daily Tribune, July 21, 1876; Montgomery Daily Advertiser, July 20, 25, 1876.
95 Greensboro Alabama Beacon, July 22, 1876; Selma Southern Argus, July 21, 28, 1876; Owen, Alabama, IV, 1805.
man, "say a man like Patton," Governor Houston's re-election would have been "extremely doubtful." The Alabama Presidential electors for 1876 included seven Scalawags, one Carpetbagger, one Negro, and one unidentified man. The Republican State Executive Committee reorganized by the convention included six Scalawags, six Carpetbaggers, one Negro and five unidentified men.

No time remained for an effective state canvass, and neither faction exerted itself after a compromise had been effected. Among prominent Republicans only Samuel F. Rice stumped the state and spent his own money in behalf of the Republican ticket. To no one's surprise, Woodruff and the Independent ticket were soundly beaten. North Alabama native whites voted the straight Democratic ticket as they had in 1874, and many Negroes, confused by the party labels, joined the native whites. The election of August 7, 1876, marked the final step in the collapse of the Republican

96 H.R. Hood to Robert McKee, July 29, 1876, Robert McKee Papers.

97 Original Returns for Elections in Alabama, 1876; Montgomery Daily Alabama State Journal, May 31, 1876.

98 John A. McKinnon to Carl Schurz, June 13, 1877, Carl Schurz Papers.
party as a power in Alabama politics. Once again Republicans cried that fraud had carried the state for the Democrats. Senator Spencer attempted to have a Congressional investigation of the election, but his attempt failed to receive Senate approval.

In the weeks after the Republican defeat, the district conventions accented the rapid disintegration of the Republican party in Alabama. In the first district the Republican convention endorsed Scalawag Frederick G. Bromberg of Mobile for Congressman. Bromberg had been elected to represent the district in 1872 and unsuccessfully contested the election of Negro Jeremiah Haralson in 1874. After the adjournment of the convention, the dissatisfied wing of the Republican party ran Carpetbagger W.W.D. Turner, also of Mobile, as the Republican independent candidate. The convention of the second Congressional district nominated Scalawag Gerald B. Hall of Baldwin County; the third district

99Marengo News Journal, August 17, 1876.
100Montgomery Daily Advertiser, August 18, 1876.
101Frederick G. Bromberg to Edward McPherson, December 9, 1874, Frederick G. Bromberg v. Jeremiah Haralson, Records of Legislative Proceedings, 43 Cong.
102Montgomery Daily Advertiser, October 14, 1876; Mobile Daily Tribune, October 19, 1876.
renominated Scalawag W.H. Betts, of Opelika, unsuccessful candidate from that district in 1874. The convention of the fourth district saw a battle for the nomination between two Negroes, Jeremiah Haralson of Selma, then incumbent Congressman from the old first district, and James T. Rapier of Montgomery, former Congressman from the old second district. Rapier won the nomination after a bitter fight in the convention, although neither of the contestants resided in the fourth district. Selma was in the first district and Montgomery in the second. This fight reopened old party wounds, as Senator Spencer sponsored Rapier and the Rice-Smith faction supported Haralson. In the fifth district the convention nominated Carpetbagger D.B. Booth of Autauga County, while the sixth, seventh, and eighth Congressional districts made no Republican nominations. None of these nominees except Rapier and Bromberg were prominent Republicans.

Further evidence of party disintegration in this
period came with the announcement of former Governor D.P. Lewis' endorsement of the Democratic national ticket headed by Samuel Tilden. Lewis explained this decision by saying that the Republican policy of Reconstruction had been a "disgraceful failure" and that he saw nothing in the future of the party which promised hope to the Southern man of "national and conservative sentiments." Lewis believed now, as he had expressed in 1870, that the ostracism of Southern men in Republican politics was an outrage explained only by Northern fear of restoring the South to rebel control. Such a party Lewis could no longer support. The defection of the former governor symbolized the larger movement that had affected the Republican party since 1874 -- the withdrawal of the native whites of north Alabama. However, Lewis' action was not typical of the Alabama Scalawag leadership.

The November, 1876, election was another overwhelming defeat for the Republicans; they were swept from what few offices they had retained in 1874. Their only influence remained in the state judiciary among those judges elected in 1874 whose terms extended until 1880. In the wake of this election there was only one elaborate commentary about

106 D.P. Lewis to D.R. Hundley, August 24, 1876, in Marengo News Journal, September 14, 1876.
the Republican loss. Alexander White blamed the collapse of the party on the refusal of Northern Republicans to protect Southern Republicans. Fraud had carried Republican areas for the Democrats, resulting in a "consolidated Democratic South." Despite Southern pleas for protection, such Northern politicians as James G. Blaine had said "Let hell boil down South," as such events would unite the North behind the Republican party. White estimated that Republicans with protection could have won six Southern states, including Alabama, and could have made a good fight in other parts of the South. The battle then would have been general, not sectional; on principle, not prejudice. Division would have been on party, not sectional, lines. White continued to believe the greatest evil which afflicted the South in the past had been sectional antagonism; it would also be the greatest danger in the future. 107

After 1876 although Republicans occasionally nominated state and Congressional tickets, they no longer represented a serious threat to Democratic supremacy. 108

107 Alexander White to George Spencer, June 25, 1876, in Russell Register, July 20, 1876.

108 Montgomery Republican Sentinel, October 5, 1878; Montgomery Daily Advertiser, February 26, July 25, August 18, 1880; June 20, July 6, 7, 1882; "Proceedings of the
Federal offices was mixed between the Spencer and Rice-Smith factions, with representatives from both groups filling various vacancies. 109

The reactions of the Scalawag leaders to continuation as the party out of power were varied. These leaders did not, as earlier historians have suggested, immediately flock to the Democratic party. In fact, only one prominent Scalawag, David P. Lewis, followed this course. Others, such as Alexander White, retired from state political activities to private business. By far the most numerous group were those who continued active as Republicans. Samuel F. Rice, W.H. Smith, Charles Hays, A.W. Dillard, C.C. Sheats, B.F. Saffold, John A. Minnis, Benjamin Gardner, to mention some of the most prominent, continued active in the Rice-Smith faction in Alabama, while Lewis E. Parsons and Charles Pelham cared for the group's interests in Washington. 110 Nevertheless, even so-called allies distrusted one another.

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109 Montgomery Daily Advertiser, September 2, 4, 1877; Marengo News Journal, March 28, June 6, 1878.

110 Selma Southern Argus, May 25, June 1, 8, 15, 1877; Montgomery Daily Advertiser, June 17, 1877; "Proceedings of the 1878 Republican Convention."
For instance, when Parsons heard a rumor that the Republican State Executive Committee was to meet in Montgomery while he was in Washington, he frantically wrote W.H. Smith. Smith's son replied that his father was away at the copper mines in Cleburne County and would not return in time to answer Parsons' letter. He thought that his father knew nothing of such a meeting and assured Parsons that his father would never unite with "Spencer and co. under any circumstances."¹¹¹

Republicans remained quiet in Alabama after the 1876 disaster and generally preferred to run for office under the "independent" label. Democrats feared that Republicans were only "playing dead" until the next election and declared this was the "possum policy."¹¹² Beginning in 1878 Republicans frequently aligned with the growing Greenback Movement, still labeling themselves as independents. Between 1874 and 1878 the Scalawags continued to gain positions of power in the Republican party. They continued to dominate what Republican nominations were made for state executive and judicial offices, Federal Congressmen, and Presidential electors.

¹¹¹David D. Smith to L.E. Parsons, June 4, 1878, Lewis E. Parsons Papers.
¹¹²Marengo News Journal, July 12, August 2, 1877.
After 1878 the Republican party was apparently dead as a potent political force in Alabama. The causes of its death lay in the conduct and course of the party by its members, Scalawags and Carpetbaggers, while in power in Alabama. Certainly, the native whites, however much they complained about being ignored during the Reconstruction years and however much they disclaimed any important role in Reconstruction once it was over, did a great deal to shape the course and eventual death of the party in Alabama. Failure to attract and hold the support of a substantial number of the native white electorate plus constant internal dissension in the quest for power spelled the doom of the Republican party at the close of Reconstruction. The Scalawags must therefore be arraigned, too, as well as Negroes and Carpetbaggers, in determining the responsibility for the events of Reconstruction in Alabama. "Republican folly and knavery . . . well neigh /sic./ ruined the party," wrote Carpetbagger Willard Warner. And, he wisely concluded, "the personnel and not the principles of the party, ruined it in the South."\(^{113}\) Warner was never more correct than in applying such an estimate to Republicanism in Alabama.

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\(^{113}\)Willard Warner to John Sherman, June 10, 1876, John Sherman Papers.
CHAPTER VII

CONCLUSION

The standard unflattering concept of the native white Republicans poorly describes Alabama's Scalawag leaders, although it might be applicable to certain of the Scalawag rank and file. By virtue of legal training and experience, as well as public careers in Alabama politics, the Scalawag leaders were certainly not novices to the intricacies of politics and government. Their careers had given them valuable experience in administrative, legislative, and judicial affairs, and such experience enabled them to play an important role in the Alabama Republican party and in Alabama Reconstruction.

In surveying state executive and judicial offices and Federal legislative posts between 1868 and 1876 and Federal judicial posts between 1868 and 1881, there were 361 important and lucrative positions for which Republicans made nominations or to which they were appointed. Identifiable Scalawags gained 200 (55%) of these openings, while Carpet-
beggars held 115 (32%) and Negroes 21 (5%). 1 Scalawags gained an even larger proportion of state offices, winning 55 posts (82%). They held 21 places (75%) in the state executive departments and 34 places (87%) in the state judiciary, contradicting the statement by historian J.W. DuBose that there was a "carpetbag judiciary." However, in Federal offices the Carpetbaggers gained more places than did the Scalawags, who held 36 posts (45%). A breakdown of this figure shows the Scalawags won 18 legislative nominations (52%) between 1868 and 1876, and 18 judicial offices (38%) between 1868 and 1881. Of miscellaneous Federal and judicial appointments outside the state, Alabama Scalawags gained six posts (60%). Among party positions that signified influence but no financial benefit, Scalawags also exerted power. They held 74 places (45%) on the Republican State Executive Committee between 1867 and 1880 and served as 25 Presidential electors (66%) between 1868 and 1880.

These Scalawag leaders played a crucial role in the dissension in the Republican party between 1870 and 1876, a dissension which was intensified, though not originated, by the Scalawags' efforts to gain predominance in the party.

1See Appendix B.
The support of the Scalawags was clearly necessary for the success of the Republican party in Alabama as evidenced by its victory in 1872 (when the Republicans won the north Alabama white vote) and by its defeat in 1870, 1874, 1876 (when the Democrats attracted many native whites). One Democratic newspaper accused the Scalawag of taking his seat at the table of the Republican party only when "the feast was spread to his liking." That the feast was spread to his liking and that he was permitted to take a seat at the table only further emphasize Republican recognition of the Scalawag's importance to the party's success in Alabama. One Northern traveller in Alabama in 1875 estimated that the state had suffered far less from Carpetbaggers than any of the other Southern states which he had visited (Arkansas, Louisiana, and Mississippi). Rather, it was "the native Alabamian under the tuition of the United States Senator" who was responsible for the course of Republican Reconstruction in the state. Also, this traveller observed, whenever "conspicuous financial jobbery took place, Democrats oftener than not, have been parties in interest."  

2Selma Southern Argus, September 7, 1877.  
3Nordhoff, The Cotton States in the Spring and Summer of 1875, 89.
the traditional charge that Reconstruction was accomplished at the hands of the Carpetbaggers and the Negroes is false when applied to Alabama.

Despite the positions Scalawags received, they continually complained that they were excluded from office. The only basis for such complaints was that Federal appointments in the custom house and internal revenue office were filled during Reconstruction by recommendations from Alabama's Senators, both Carpetbaggers. In an attempt to still such complaints the Republican Montgomery Alabama State Journal published in 1872 a comparative statement of the number of offices held by Scalawags and Carpetbaggers. This statement showed Scalawags held an overwhelming number of offices between 1868 and 1872 when compared with those held by Carpetbaggers. However, Scalawags objected to the appointment of almost any newcomer to office at the expense of a loyal native who had survived the hardships of the war. Whether or not the charge that they received a share of patronage in Alabama disproportionate with their numbers was true, the Scalawags believed it to be so.

Once the Republicans met defeat, all Scalawags did

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not immediately desert the party and retreat to safety under the Democratic banner of white supremacy. Scalawag leaders remained Republicans despite defeat in 1870 and worked to attract large numbers of native whites, especially in north Alabama, to support the 1872 Republican ticket. Despite defeat in 1874 and thereafter because large numbers of native whites voted Democratic, most prominent Scalawags continued active as Republicans, although many chose the label "independent" in the 1880's as they renewed their attack on the now entrenched Democrats.

Although historians have said little about the attitudes of the Scalawags toward the major economic and social issues of their day, these leaders frequently voiced decided views. On the issue of amnesty and pardon they were outraged that Congress made no provisions early in Reconstruction for the relief of Unionists disabled by the Fourteenth Amendment. Once Congress enacted the General Amnesty Act in May of 1872, Scalawag (and Republican) strength increased, and Republicans carried Alabama in the 1872 election. Although Negro suffrage was a "bitter pill" to many, native white Republicans said little about the

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5Joseph C. Bradley to Wager Swayne, April 16, 1867, Papers of BRFAL (Alabama Archives).
matter once the 1868 legislature acted to remove all dis­abilities established by the 1868 constitution and to effect universal manhood suffrage in Alabama. Scalawags heartily endorsed state aid for internal improvements, and some even spoke out for similar Federal aid. On the civil rights issue the party leaders were willing to endorse civil and political equality of all men; however, they balked at social equality of the races and openly stated their beliefs. Such stands on the civil rights issue completely satisfied neither the north Alabama white nor the Black Belt Negro.

The most intriguing question about these Scalawags still remains: Why did they become Republicans? Why were they willing to bear the social ostracism and danger of physical violence for a political affiliation? Doubtless, they did not present all of their motives to public scrutiny in letters to newspaper editors or even in their private correspondence. Yet, with what evidence remains, some general evaluations of the motives of these leaders may be made: they possessed acute awareness that they were living in revolutionary times; many recognized the futility of further opposition to Radical Republican rule; they realized that their political alignment meant their personal success or failure in the immediate future; and they determined to join the Republican party and battle for control of it in
order to shape the revolution they saw before them. And it was this struggle to grip and direct and shape the revolution that is the story of the Scalawags in Alabama Reconstruction.

The Scalawag leaders exemplify clear-sighted political realism in assessing the political situation for what it was in Alabama, not as they might have wished it to be. These men understood the necessity of uniting the Black Belt Negro and the north Alabama white for the maintenance of a permanent Republican party in the State. Nevertheless, they failed to convince large numbers of the north Alabama Unionists that principles and party could transcend race. When the Democrats reduced all issues to a threat to white supremacy, the rank and file of white Republicans aligned politically with their ancient enemy, the Black Belt planter, rather than with the Negro.

Despite their failure to erect a permanent Republican party in Alabama, these Scalawag leaders understood that Reconstruction was a "political revolution," that "revolutions never go backwards," that "the past is gone and the present is upon us." Such perceptive men hardly deserve the epithet of "local lepers" which they have borne for almost a century.
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Lewis E. Parsons File.

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APPENDIX A

REPUBLICAN NOMINATIONS AND APPOINTMENTS
FOR ALABAMA, 1868-1881

Republican State Nominations

1868

Governor: William H. Smith (S)
Lt. Governor: Andrew J. Applegate (C)
Sec. of State: Charles A. Miller (C)
Auditor: R.M. Reynolds (C)
Treasurer: Chester Arthur Bingham (S)
Attorney General: Joshua Morse (S)
Sup. of Industrial Resources: John C. Keffer (C)
Sup. of Public Instruction: Noah B. Cloud (S)

1Citations will be given for location of each list; however, no attempt will be made to cite the source for the identification of each Republican because such notes would exceed the length of the Appendix. Identification has been made on the basis of the sources cited in the bibliography.

2Original Returns for Elections in Alabama, 1868-1880.

257
Supreme Court Justices: E.W. Peck (S)
Thomas M. Peters (S)
Benjamin F. Saffold (S)

Chancellors: William Skinner (S)
Benjamin Porter (S) replaced by William B. Woods (C)
Adam C. Felder (S)
Anthony W. Dillard (S)
B.B. McCraw (S)

Circuit Judges: Benjamin L. Whelan (S) replaced by Milton J. Saffold (S)
James Q. Smith (S)
William S. Mudd (S)
James S. Clarke (S)
William J. Haralson (S)
John Elliott (S)
Luther R. Smith (C)
J. McCaleb Wiley (S)
Littleberry Strange (S)
Charles Pelham (S)
Benjamin F. Porter (S)

1870
Governor: William H. Smith (S)
Lt. Governor: Pierce Burton (C)
Sec. of State: James T. Rapier (N)
Treasurer: Chester Arthur Bingham (S)
Sup. of Public Instruction: Noah B. Cloud (S)
Attorney General: Joshua Morse (S)

1872

Governor: David P. Lewis (S)
Lt. Governor: Alexander McKinstry (S)
Sec. of State: Pat Ragland (S)
Auditor: Robert T. Smith (S)
Treasurer: Chester Arthur Bingham (S)
Attorney General: Benjamin Gardner (S)
Sup. of Public Instruction: Joseph Speed (S)
Sup. of Industrial Resources: Thomas Lambert (S)

1874

Governor: David P. Lewis (S)
Lt. Governor: Alexander McKinstry (S)
Sec. of State: N. H. Rice (S)
Treasurer: Arthur Bingham (S)
Attorney General: George Turner (C)
Sup. of Public Instruction: John T. Foster (S)
Supreme Court Justices: Thomas M. Peters (S)
Supreme Court Justices (continued):

Benjamin F. Saffold (S)

Adam C. Felder (S)

Chancellors: Ben Lane Posey (S)

Charles Turner (C)

A.W. Dillard (S)

N.S. Watkins

R.S. Watkins (S)

Circuit Judges: George H. Craig (S)

J.Q. Smith (S)

W.S. Mudd (S)

J.S. Clarke (S)

W.J. Haralson (S)

John Elliott (S)

L.R. Smith (C)

J. McCaleb Wiley (S)

Littleberry Strange (S)

Lewis E. Parsons (S)

P.O. Harper (S)

1876 (Fusion Ticket)

Governor: Noadiah Woodruff (D)

Sec. of State: Amos Moody (D)

Sup. of Education: H.J. Livingston (D)
Attorney General: Egbert H. Grandlin (D)

Auditor: Lewis Owen (D)

Treasurer: Walton B. Harris (D)

Republican Congressional Nominations

1869

Senator: Willard Warner (C)

George Spencer (C)

Congressmen: Alfred E. Buck (C)

Charles W. Buckley (C)

Robert S. Heflin (S)

Charles Hays (S)

W.J. Haralson (S)

Jerome J. Hinds (C)

Thomas Haughey (S)

1870

Senator: Willard Warner (C)

W.J. Haralson (S)

Congressmen: Benjamin S. Turner (N)

Ibid.

These are the two Republicans who received votes in the balloting for Senator by the Alabama General Assembly, 1870. Neither was elected Senator.
Congressmen (continued):

Charles W. Buckley (C)
Benjamin W. Norris (C)
Charles Hays (S)
L.J. Standifer (S)
B.O. Masterson (S)

1872

Senator: George E. Spencer (C)

Congressmen: Alexander White (S)
C.C. Sheats (S)
Benjamin S. Turner (N)
Philip Joseph (Republican Bolter) (N)
James T. Rapier (N)
Charles Pelham (S)
Charles Hays (S)

1874

Congressmen: Alexander White (S)
C.C. Sheats (S)
Jeremiah Haralson (N)
James T. Rapier (N)
W.H. Betts (S)
Charles Hays (S)
1876

Congressmen: W.W.D. Turner (C)
Gerald B. Hall (S)
W.H. Betts (S)
James T. Rapier (N)
D.B. Booth (C)

Federal Judicial Appointments

1867

Northern District
Judge: Richard Busteed (C)
Attorney: Francis Bugbee (S)
Marshal: Edward E. Douglass (S)

Southern District
Judge: Richard Busteed (C)
Attorney: L.V.B. Martin (S)
Marshal: R.W. Healey (C)

1869

Northern District
Judge: Richard Busteed (C)

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5Register of Offices and Agents, Civil, Military and Naval in the Service of the United States on the Thirtieth of September, 1867, 1869, 1873, 1875, 1877, 1879, 1881 (Washington, D.C., 1868-1882).
Northern District (continued)

Attorney: Francis Bugbee (S)

Marshal: Edward E. Douglass (S)

Southern District

Judge: Richard Busteed (C)

Attorney: John P. Southworth (C)

Marshal: Robert W. Healey (C)

1871

Northern District

Judge: Richard Busteed (C)

Attorney: John A. Minnis (S)

Marshal: Zachariah E. Thomas (C)

Middle Division

Judge: Richard Busteed (C)

Attorney: John A. Minnis (S)

Marshal: Robert W. Healey (C)

Southern District

Judge: Richard Busteed (C)

Attorney: John P. Southworth (C)

Marshal: Robert W. Healey (C)

1873

Northern District

Judge: Richard Busteed (C)
Northern District (continued)

Attorney:  John A. Minnis (S)
Marshal:  Zachariah E. Thomas (C)

Middle District

Judge:  Richard Busteed (C)
Attorney:  John A. Minnis (S)
Marshal:  Robert W. Healey (C)

Southern District

Judge:  Richard Busteed (C)
Attorney:  George M. Duskin (S)
Marshal:  Robert W. Healey (C)

1875

Northern District, 5th Circuit

Circuit Judge:  William B. Woods (C)
District Judge:  John Bruce (C)
District Attorney:  N.S. McAfee (S)
Marshal:  R.P. Baker (C)

Middle District, 5th Circuit

Circuit Judge:  William B. Woods (C)
District Judge:  John Bruce (C)
District Attorney:  N.S. McAfee (S)
Asst. Dist. Atty: vacant
Marshal:  Robert W. Healey (C)
Southern District, 5th Circuit

Circuit Judge: William B. Woods (C)
District Judge: John Bruce (C)
District Attorney: George M. Duskin (S)
Asst. Dist. Atty: John H. Wallace (C)
Marshal: Robert W. Healey (C)

1877

Northern District, 5th Circuit

Circuit Judge: William B. Woods (C)
District Judge: John Bruce (C)
District Attorney: Lewis E. Parsons (S)
Asst. Dist. Atty: Lionel W. Day (C)
Marshal: Robert P. Baker (C)

Middle District, 5th Circuit

Circuit Judge: William B. Woods (C)
District Judge: John Bruce (C)
District Attorney: Lewis E. Parsons (S)
Marshal: Samuel G. Reid (S)

Southern District, 5th Circuit

Circuit Judge: William B. Woods (C)
District Judge: John Bruce (C)
District Attorney: George M. Duskin (S)
Marshal: Samuel G. Reid (S)
1879

Northern District, 5th Circuit

Circuit Judge: William B. Woods (C)
District Judge: John Bruce (C)
District Attorney: Charles E. Mayer (C)
Asst. Dist. Atty: Lionel W. Day (C)
Marshal: Jospeh Sloss (S)

Middle District, 5th Circuit

Circuit Judge: William B. Woods (C)
District Judge: John Bruce (C)
District Attorney: Charles E. Mayer (C)
Marshal: George Turner (C)

Southern District, 5th Circuit

Circuit Judge: William B. Woods (C)
District Judge: John Bruce (C)
District Attorney: George M. Duskin (S)
Marshal: George Turner (C)

1881

Northern District, 5th Circuit

Circuit Judge: Don A. Pardee (C)
District Judge: John Bruce (C)
District Attorney: William H. Smith (S)
Asst. Dist. Atty: Lionel W. Day (C)
Northern District, 5th Circuit (continued)

Marshal: Joseph H. Sloss (S)

Middle District, 5th Circuit

Circuit Judge: Don A. Pardee (C)
District Judge: John Bruce (C)
District Attorney: William H. Smith (S)
Marshal: M.C. Osborne (C)

Southern District, 5th Circuit

Circuit Judge: Don A. Pardee (C)
District Judge: John Bruce (C)
District Attorney: George M. Duskin (S)
Marshal: M.C. Osborn (C)

Presidential Electors

1868

C.C. Crowe (S)
Joshua Morse (S)
A.E. Buck (C)
T.O. Glascock (S)
R.S. Heflin (S)
W.J. Gilmore (S)
D.L. Nicholson (S)

6Original Returns for Elections in Alabama, 1868-1880.
C.C. Sheats (S)

1872

Lewis E. Parsons (S)
John L. Pennington (S)
L.C. Coulson (S)
W.J. Gilmore (S)
Charles E. Mayer (C)
William H. Black (C)
J.J. McLemore (S)
William B. Jones (S)
George Malone (S)
Eli F. Jennings (C)

1876

Lewis E. Parsons (S)
Benjamin F. Saffold (S)
Gustavus Horton (S)
Robert W. Healey (C)
John R. Ard
A.H. Curtis (N)
S.S. Booth (S)
A.B. Hays (S)
H.C. Sanford (S)
Joseph B. Bates (S)
George Turner (C)
Willard Warner (C)
Luther R. Smith (C)
Charles W. Buckley (C)
John J. Martin (S)
Benjamin S. Turner (N)
Daniel B. Booth (C)
Winfield S. Bird (S)
N.S. McAfee (S)
James S. Clarke (S)

State Executive Committee

1867
Chairman: John C. Keffer (C) \[replaced by B.W. Norris (C)\]
Secretary: C.G.S. Doster (S)
Treasurer: T.O. Glascock (S)
Albert Griffin (N)
Moses B. Avery (N)
Datus E. Coon (C)
B.F. Saffold (S)

\[7\text{Mobile Nationalist, June 13, 27, 1867.}\]
Holland Thompson (N)
Peyton Finley (N)
Arthur Bingham (S)
L.B. Strange (S)
L. Reese
Samuel Blanden (N)
W.T. Blackford (S)
J. Morse (S)
Walter T. King replaced by E.W. Peck (S)
T.C. Fullerton
Madison Hendricks
D.A. Self
Larkin Robinson
T.M. Peters (S)
F.W. Sykes (S)
D.H. Bingham (S)
S.C. Posey (S)

1868

B.W. Norris (C)
John Silsby (C)
J.H. Burdick (C)

8 Mobile Nationalist, July 2, 1868.
Wm W. Buckley (C)
W.H. Black (C)
Arthur Bingham (S)
Pierce Burton (C)
Tobias Lane (C)
L.R. Smith (C)
J.R. Walker (S)
A.J. Applegate (C)
John Moragne (S)
Thomas M. Peters (S)
William Skinner (S)
S.T. Fowler
C.W. Whitney
A.W. Jones
John Carraway (N)
S.S. Gardner (C)
T.O. Glascock (S)
J.O.D. Smith
Samuel Blanden (N)
Thomas Haughey (S)
W.O. Garrison (S)
1870 (May)$^9$

Chairman: T.O. Clascock (S)
Secretary: J.A. Farden (C)
B.F. Saffold (S)
R.N. Barr (C)
C.C. Colton (C)
F.G. Bromberg (S)
Phillip King (S)
Jacob Black
S.S. Gardner (C)
W.B. Figures (S)
T.D. Fister (S)
John S. Moragne (S)
S.P. Fowler
J.J. Martin (S)
D.B. Smith
A.W. McBrayer
W.V. Turner (N)
William Miller (S)
C.S. Drake
John Smith

$^9$Montgomery Weekly Alabama State Journal, May 6, 1870; Demopolis Southern Republican, August 24, 1870.
Charles Womble (S)
David Humphries (S)
Eli F. Jennings (C)

1870 (September)

Chairman: Robert W. Healey (C)
Secretary: John C. Keffer (C)
James Bragg
C. Calde, Jr. (C)
L.S. Speed
Arthur Bingham (S)
Isaac Heyman (S)
B.S. Williams (C)
Robert Reid
W.B. Figures (S)
P.J. Smith (S)
N.H. Rice (S)
Eli F. Jennings (C)

1872

Chairman: D.C. Whiting (C)

\footnote{Montgomery Weekly \textit{Alabama State Journal}, September 2, 1870; Demopolis \textit{Southern Republican}, September 14, 1870.}

\footnote{Montgomery Weekly \textit{Alabama State Journal}, August 23, 1872.}
Secretary: P.G. Clarke (C)
John J. Moulton (S)
George F. Beach
J.V. McDuffie (C)
Phillip King (S)
Charles Pelham (S)
Isaac Heyman (S)
Charles Hays (S)
James Edgar
P.J. Smith (S)
George E. Spencer (C)
Myer Goldthwaite (S)

1874

Chairman:  Charles Mayer (C)
Secretary:  M.D. Brainard (C)
John Bruce (C)
B.S. Turner (N)
Phillip King (S)
Isaac Heyman (S)
N.S. McAfee (S)

12 Montgomery Daily Alabama State Journal, August 24, 1874.
Charles Hays (S)
P.J. Glover (S)
J.W. Burke (C)
A.W. McCullough (C)
George E. Spencer (C)
J.C. Goodloe (S)

1875
William Henderson (C)
B.S. Turner (N)
M.D. Brainard (C)
Phillip King (S)
Isaac Heyman (S)
N.S. McAfee (S)
Charles Hays (S)
P.J. Glover (S)

1876
Chairman: Charles E. Mayer (C)
Secretary: George Turner (C)
C.S. Wood
Allen Alexander (N)

13 Ibid., December 10, 1875.
14 Ibid., May 31, 1876.
William M. Loftin
Frenchard Gray
W.H. Black (C)
Phillip King (S)
M.J. Candee (C)
H. Cochran (S)
William J. Boon (S)
J.H. Alston
Charles Hays (S)
C.C. Sheats (S)
Arthur Bingham (S)
H.L. Watlington
George E. Spencer (C)
Z.E. Thomas (C)

Miscellaneous Federal Appointments

Consul at Elsinore: C.C. Sheats (S)
Sixth Auditor, Department of Treasury: J.J. Martin (S)
Sixth Auditor, Department of Treasury: C.C. Sheats (S)
Minister to Bolivia: R.M. Reynolds (C)
Supreme Court of D.C.: David C. Humphries (S)
Consul at Rio de Janerio: Joseph M. Hinds (C)

15U.S. Statistical Register, 1867-1881.
Consul at Hamilton, Canada: Robert H. Knox (C)
Commercial Agent to Spain: Datus E. Coon (C)
Governor of Dakota Territory: John L. Pennington (S)
Judge of Supreme Court of Utah: Alexander White (S)
APPENDIX B

IDENTIFIED REPUBLICAN NOMINATIONS AND APPOINTMENTS, 1868-1881

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<tr>
<th>State Executive Offices,</th>
<th>Scal.</th>
<th>Carp.</th>
<th>N.</th>
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<td>(6 Democrats)</td>
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<table>
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<td>1868-1874</td>
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<td>Circuit</td>
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<p>| Federal Legislative                        | Scal. | Carp. | N. | Unknown |
| Offices, 1868-1876                         |       |       |    |         |
| 1869 Senators                               | 0     | 2     | 0  |         |
| Congressmen                                 | 4     | 3     | 0  |         |
| 1870 Senator                                | 1     | 1     | 0  |         |
| Congressmen                                 | 3     | 2     | 1  |         |
| 1872 Senator                                | 0     | 1     | 0  |         |
| Congressmen                                 | 4     | 0     | 2  |         |
| 1874 Congressmen                            | 4     | 0     | 2  |         |
| 1876 Congressmen                            | 2     | 1     | 1  |         |
| Total                                       | 18    | 10    | 6  |         |</p>
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<th>Year</th>
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<td>1876</td>
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<tr>
<td>1880</td>
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<td>Miscellaneous Federal Appointive Posts, 1867-1877</td>
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<td>1867-1877</td>
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APPENDIX C

SOCIAL, ECONOMIC, POLITICAL ORIGINS OF IDENTIFIABLE SCALAWAG LEADERS

W.H. Smith

Occupation: Lawyer.

Political Experience: Legislature; presidential elector; circuit judge.

Political Affiliation: Democrat.

Secession: Douglas Democrat; left state.

Arthur Bingham

Occupation: Editor; cabinet maker.

Political Affiliation: Whig.

Secession: Douglas Democrat; opposed secession; neutral during war.

Joshua Morse

Family: Not wealthy but independent.

Education: Limited but studied law.

Occupation: Lawyer.

Political Experience: Probate judge.

Political Affiliation: Democrat.

281
Secession: Breckinridge Democrat; Confederate Army.

N.B. Cloud
Education: Graduate of Jefferson Medical College, Philadelphia.
Occupation: M.D.; planter; editor.
Political Affiliation: Whig.
Secession: Supported Bell.

E.W. Peck
Education: Admitted to N.Y. bar.
Occupation: Lawyer.
Political Experience: Chancery judge; 1865 convention.
Political Affiliation: Whig.
Secession: Unionist.

T.M. Peters
Education: University of Alabama.
Occupation: Lawyer.
Political Experience: Legislature, chancellor.
Political Affiliation: Whig.
Secession: Douglas Democrat; fled to North.

B.F. Saffold
Family: Father was chief justice of Alabama Supreme Court.
Education: University of Alabama; read law with father.
Occupation: Lawyer.
Political Affiliation: Democrat.

Secession: Douglas Democrat; fled to North.

William Skinner

Family: Two great uncles in Revolutionary Army.

Education: Read law in a Mississippi College.

Occupation: Lawyer.

Political Affiliation: Whig.

Secession: Unionist; center of anti-Confederate sentiment in his county.

A.C. Felder

Family: Grandfather was South Carolina judge.

Education: Read law; graduate of South Carolina College.

Occupation: Lawyer.

Political Experience: City judge; legislature.

Political Affiliation: Democrat.

Secession: Confederate Army.

A.W. Dillard

Education: "Thorough education."

Occupation: Lawyer; newspaper editor.

Political Experience: Probate judge.

Secession: Unionist.

B.B. McCraw

Occupation: Lawyer; partner of J.M. Wiley.
B.L. Whelan

Education: University of Alabama; Georgetown University.

Occupation: Lawyer.

Political Experience: Solicitor, second judicial circuit, 1859.

Political Affiliation: Whig.

Secession: Opposed secession.

M.J. Saffold

Family: Father chief justice of Alabama Supreme Court.

Education: University of Alabama; read law with father.

Occupation: Lawyer.

Political Experience: Legislature; chancellor; state printer.

Secession: Secessionist; raised company for CSA.

J.Q. Smith

Occupation: Lawyer.

Secession: Unionist.

W.S. Mudd

Education: Read law; St. Joseph's College, Bardstown, Kentucky.

Occupation: Lawyer.

Political Experience: Legislature; circuit judge.

Political Affiliation: Whig.

Secession: Opposed secession; supported Confederacy.
J.S. Clarke

Education: "Dull education."

Occupation: Lawyer.

Political Experience: Legislature; 1861 convention.

Secession: Union man.

W.J. Haralson

Education: Read law; educated common schools of Georgia and Tennessee.

Occupation: Lawyer.

Political Experience: Circuit judge; circuit solicitor.

Political Affiliation: Whig.

Secession: Douglas Democrat; Confederate Army.

John Elliott

Occupation: Lawyer.

Secession: Douglas Democrat; Confederate army.

J.M. Wiley

Family: Grandfather was secretary of Mecklenburg Convention.

Education: University of North Carolina; Philadelphia Medical College; read law.

Occupation: Lawyer; M.D.

Political Experience: Elected to Congress, 1866; register in chancery.

Political Affiliation: Whig.

Secession: Elected colonel in Confederate Army but did not serve.
L.B. Strange

Secession: Confederate Army.

Charles Pelham

Family: Father prominent M.D.; brother John Pelham.

Education: Read law with L.E. Parsons.

Occupation: Lawyer; partner of Parsons and A. White.

Secession: Confederate Army.

P.O. Harper

Education: Read law.

Occupation: Lawyer.

Secession: Unionist.

R.S. Heflin

Education: Studied law.

Occupation: Lawyer.

Political Experience: Alabama and Georgia legislatures.

Political Affiliation: Democrat.

Secession: Douglas Democrat; deserted from Confederate Army.

Charles Hays

Family: Father in Alabama and South Carolina legislatures; wealthy planter.

Education: University of Georgia, University of Virginia; Green Springs School.

Occupation: Planter.

Political Experience: 1860 Democratic convention.
Political Affiliation: Democrat.

Secession: Douglas Democrat; Confederate Army.

Thomas Haughey

Education: New Orleans Medical College.

Occupation: M.D.

Political Experience: Campaigned for union in 1860.

Political Affiliation: Democrat.

Secession: Unionist; fled North.

L.J. Standifer

Education: Read law; attended local schools of Cherokee County.

Occupation: Lawyer.

Political Experience: Probate judge.

Secession: Confederate Army.

B.O. Masterson

Political Affiliation: Whig.

Secession: Unionist.

D.P. Lewis

Education: Read law in Huntsville.

Occupation: Lawyer.

Political Experience: 1861 convention; Confederate Provisional Congress; circuit judge.

Secession: Unionist, fled state.
Alexander McKinstry

Family: Orphan.

Education: Read law.

Occupation: Lawyer.

Political Experience: Commissioner of roads; judge of city of Mobile.

Political Affiliation: Democrat.

Secession: Douglas Democrat; Confederate Army.

Pat Ragland

Education: Read law in Huntsville.

Occupation: Lawyer.

R.T. Smith

Occupation: Businessman.

Political Experience: 1865 convention.

Secession: Confederate Army.

Benjamin Gardner

Education: Educated in common schools of Georgia.

Occupation: Editor of Whig paper; lawyer.

Political Affiliation: Whig.

Secession: Supported Bell; Confederate Army.

Joseph Speed

Family: Nephew of President Tyler.

Education: Hampden-Sydney College.

Occupation: Teacher; college professor.
Political Affiliation: Whig.

Secession: Opposed secession; Confederate Army.

Thomas Lambert

Alexander White

Family: Father justice of Alabama Supreme Court.

Education: University of Tennessee.

Occupation: Lawyer.

Political Experience: Presidential elector, U.S. Congress; 1865 convention.

Political Affiliation: Whig.

Secession: Supported Bell; Confederate Army.

C.C. Sheats

Education: Sommerville Academy.

Occupation: Lawyer, editor.

Political Experience: 1861 convention; legislature.

Political Affiliation: Whig.

Secession: Unionist; jailed during war.

F.G. Bromberg

Family: Father prominent in Mobile politics.

Education: Harvard; studied law.

Occupation: Teacher, lawyer.

Secession: Out of state.

N.H. Rice

Education: "Well educated."
Secession: Unionist.

J.T. Foster

Education: University of Alabama.

Political Experience: Legislature.

Secession: Unionist.

W.H. Betts

Occupation: Farmer.

Secession: Confederate Army.

B.L. Posey

Occupation: Lawyer.

R.S. Watkins

Occupation: Lawyer.

Political Experience: Legislature; county judge; 1861 convention.

Political Affiliation: Whig.

Secession: Unionist.

G.H. Craig

Education: Common schools.

Occupation: Lawyer.

Political Experience: County solicitor.

Secession: Fought Croxton at University of Alabama.

L.E. Parsons

Family: Grandfather Jonathan Edwards.

Education: Educated in N.Y.
Occupation: Lawyer.

Political Experience: Legislature; provisional governor, 1865; presidential elector.

Political Affiliation: Whig.

Secession: Douglas Democrat; Peace Movement.

Francis Bugbee

Family: Prominent Revolutionary New England family.

Education: Yale; read law in North Carolina.

Occupation: Lawyer.

Political Experience: Legislature; circuit judge.

Secession: Unionist.

L.V.B. Martin

Family: Father was judge.

Education: University of Alabama; read law.

Occupation: Lawyer.

Political Experience: Circuit solicitor; U.S. district attorney.

Edward Douglas

J.A. Minnis

G.M. Duskin

N.S. McAfee

Gerald Hall

Secession: Confederate Army.
S.G. Reid

Education: Davidson College; University of North Carolina.

Occupation: Editor of Montgomery Advertiser.

Political Affiliation: Democrat.

Secession: Secessionist.

Joseph Sloss

Family: Father ran classical school.

Education: Read law; taught by father.

Occupation: Lawyer; partner of R.B. Lindsay.


Secession: Confederate Army.

C.G.S. Doster

Education: East Tennessee University; Centenary College of Louisiana; read law.

Occupation: Planter; lawyer.

Political Experience: Legislature; superintendent of education; justice of peace.

Political Affiliation: Whig.

Secession: Unionist; served in Confederate militia.

T.O. Glascock

Secession: Unionist.

J.L. Walker

Secession: Unionist; Union Army.
W.T. Blackford

Occupation: M.D.

Secession: Unionist; Confederate Army.

F.W. Sykes

Family: Ancestors were Revolutionary veterans.

Education: University of Nashville; Transylvania College.

Occupation: M.D.; planter.

Political Experience: Legislature.

Political Affiliation: Democrat.

D.H. Bingham

Secession: Unionist.

S.C. Posey

Education: Common schools of Madison County; read law.

Occupation: Lawyer.

Political Experience: Legislature; circuit judge; 1861 convention.

Political Affiliation: Democrat.

Secession: Douglas Democrat; Alabama Confederate legislature.

John Moragne

Political Experience: Legislature.

Secession: Confederate Army.

S.W. Jones

Isaac Heyman
W.B. Figures

Family: Father in General Coffee's Army, 1812.

Education: Educated in local schools.

Occupation: Editor.

Political Experience: Legislature; mayor of Huntsville; presidential elector; power in north Alabama Whig party.

Political Affiliation: Whig.

Secession: Douglas Democrat.

T.D. Fister

J.J. Martin

Family: Father sheriff of Bedford County.

Education: Erskine College, read law.

Occupation: Lawyer.

Political Affiliation: Democrat.

Secession: Opposed secession.

William Miller

Occupation: Lawyer; planter; businessman.

Secession: Unionist.

Charles Womble

Political Experience: Judge.

Secession: Unionist.

D.C. Humphreys

Occupation: Lawyer.
Political Experience: 1860 Democratic convention; presidential elector; legislature.

Political Affiliation: Democrat.

Secession: Douglas Democrat; Peace Society; Confederate Army.

J.J. Moulton

Secession: Confederate Army.

Philip King

Political Experience: Legislature.

Meyer Goldsmith

Education: College education.

Occupation: Merchant.

M.D. Wickersham

Family: Large land holders.

Education: Attended academies.

Occupation: Lawyer.

Political Experience: U.S. Army until 1861.

P.J. Glover

Occupation: Planter.

Secession: Confederate Army.

J.C. Goodloe

Education: Educated in Virginia.

Occupation: Merchant; planter.

W.G.M. Gholson

Secession: Unionist.
John Oliver

Political Experience: Legislature.

Political Affiliation: Whig.

Secession: Unionist.

W.J. Boon

Secession: Confederate Army.

C.C. Crowe

Family: Married daughter of wealthy planter.

Political Experience: Bell elector; political speeches, 1858-59.

Political Affiliation: Whig.

Secession: Unionist.

W.J. Gilmore

Family: Married daughter of wealthiest man in Colbert County.

Education: University of Alabama; read law.

Occupation: Lawyer.

Secession: Confederate Army.

D.L. Nicholson

Political Experience: Legislature.

J.L. Pennington

Education: Newspaper apprentice.

Political Experience: Legislature.
W.B. Jones

Education: Educated in Virginia.

Occupation: Slaveholder and planter.

Political Experience: County elector for Bell.

Secession: Opposed secession; Confederate Army.

G.W. Malone

Political Experience: Legislature.

Secession: Unionist.

Gustavus Horton

Education: Public schools of Boston.

Occupation: Cotton broker; custom house employee in Boston.

Political Affiliation: Democrat.

Secession: Unionist; imprisoned during war.

H.C. Sanford

Education: Read law.

Occupation: Clergyman, teacher.

Political Experience: Legislature; 1861, 1865 conventions.

Secession: Opposed secession.

J.B. Bates

Occupation: Businessman.

Political Experience: Legislature.
W.S. Byrd
Education: University of Georgia.
Secession: Unionist.

L.C. Coulson
Secession: Confederate Army.

S.S. Booth
Secession: Confederate Army.

A.B. Hays
Secession: Confederate Army.

J.J. McLemore
Secession: Confederate Army.

Hiram Cochran
Secession: Confederate Army.
ELECTION RETURNS FOR NORTH ALABAMA
WHITE COUNTIES, 1870, 1872

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<td>272</td>
<td>275*</td>
</tr>
<tr>
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<td>230</td>
<td>630</td>
<td>441</td>
<td>446*</td>
</tr>
<tr>
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<td>273</td>
<td>329</td>
<td>488</td>
<td>413</td>
</tr>
<tr>
<td>Fayette</td>
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<td>574</td>
<td>329</td>
<td>334*</td>
</tr>
<tr>
<td>Blount</td>
<td>117</td>
<td>655</td>
<td>575</td>
<td>271</td>
</tr>
<tr>
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<td>2097</td>
<td>2900</td>
<td>2471</td>
<td>3072*</td>
</tr>
<tr>
<td>Morgan</td>
<td>463</td>
<td>1020</td>
<td>1013</td>
<td>1015*</td>
</tr>
<tr>
<td>St. Clair</td>
<td>497</td>
<td>728</td>
<td>814</td>
<td>489</td>
</tr>
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<td>Lawrence</td>
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<td>1330</td>
<td>1224</td>
<td>1499*</td>
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<tr>
<td>Marshall</td>
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<td>645</td>
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<td>293</td>
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<td>1131</td>
<td>1034</td>
<td>1245</td>
<td>1024</td>
</tr>
<tr>
<td>Limestone</td>
<td>802</td>
<td>1090</td>
<td>849</td>
<td>892*</td>
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1Original Returns for Elections in Alabama, 1870, 1872.
<table>
<thead>
<tr>
<th></th>
<th>1870 Smith</th>
<th>1870 Lindsay</th>
<th>1872 Herndon</th>
<th>1872 Lewis</th>
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<tbody>
<tr>
<td>Randolph</td>
<td>678</td>
<td>658</td>
<td>915</td>
<td>968*</td>
</tr>
<tr>
<td>Tuscaloosa</td>
<td>773</td>
<td>1862</td>
<td>1715</td>
<td>1350</td>
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<tr>
<td>Cherokee</td>
<td>83</td>
<td>1008</td>
<td>1260</td>
<td>221</td>
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<td>Jackson</td>
<td>464</td>
<td>1579</td>
<td>1682</td>
<td>681</td>
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</table>
APPENDIX E

Carpet Baggers

From the Montgomery Weekly Republican.

The idea seems to prevail extensively that the office holders in the Southern States are, aimed without exception, late residents of other States, or as the term goes, "carpet-baggers." Such, however, is not the fact. There are comparatively few carpet-baggers holding office at the South. The Democrats use the term as one of reproach, and apply it to the Republican office holders, losing sight of the fact that a large number of the carpet-baggers are Democrats. The reason why there are even so many as there are is that in some cases Southern Union men have not dared to risk total pecuniary ruin, and insult and injury to themselves and their families, by taking office Here it has been necessary to give the places to Northern men, who had less to lose and more courage. A gentleman, for nearly forty years a resident of the South, whose opportunities for information are excellent, informs us that as a rule the men who are denounced as "carpet-baggers" are among the very best men at the South—that they are law-abiding, intelligent, patriotic in sentiment as well as in act, and command the respect of those who know them best. It has been the custom for some papers to attribute the outrages at the South to the "carpet baggers," but the fact, as given to us by the gentleman referred to, disproves the charge. With very rare exceptions have any "carpet-baggers" been found guilty, or, at the South, even suspected of complicity in the outrages committed there. The natives are known generally to be the offenders. To show how unfounded the belief is that "carpet-baggers" hold most of the offices at the South, we publish the following table, prepared after great care and furnished as by a gentleman occupying a position of trust in Alabama:

<table>
<thead>
<tr>
<th>OFFICE</th>
<th>CARPET BAGGERS</th>
<th>ABORIGINALS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Governor</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Secretary of State</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Attorney General</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Superintendent of Public Instruction</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Commissioner of Industrial Resources</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Judges of the Supreme Court</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>U.S. Marshal</td>
<td>1</td>
<td>0</td>
</tr>
</tbody>
</table>

Note—Sheriffs, tax collectors, justices of the peace, county auditors, notaries public, and a large number of other offices, were appointed by Gov. W. H. Smith, owing to the fact that a large majority of the white people of the State refused to recognize the reconstruction acts of Congress as binding. The result was that a large number of the offices of the State were vacant when the legislature organized under the present constitution. In compliance with an act of the first legislature, Gov. Smith proceeded to fill vacancies, and during his two years' term appointed over two thousand five hundred, who were, with a very few exceptions, all native born men.

VITA

Sarah Van Voorhis Woolfolk was born in Montgomery, Alabama, June 29, 1935. She graduated from Sidney Lanier High School in Montgomery on May 30, 1952, and received the degree of Bachelor of Arts from Huntingdon College in Montgomery, May 28, 1956. In September, 1956, she began graduate study in the Department of History at Louisiana State University, where she received the degree of Master of Arts, August, 1958. After an additional year of graduate work at LSU she was an instructor in English, history, and government at Southern Seminary Junior College, Buena Vista, Virginia, from September, 1959, to June, 1961. Since September, 1961, she has been an instructor in the Department of History at the University of Alabama, Tuscaloosa. She is a candidate for the Ph.D. degree in June, 1965.
EXAMINATION AND THESIS REPORT

Candidate:    Sarah VanVoorhis Woolfolk
Major Field:  History
Title of Thesis: "Role of the Scalawag in Alabama Reconstruction"

Approved:

[Signatures]
Major Professor and Chairman
Dean of the Graduate School

EXAMINING COMMITTEE:

[Signatures]

Date of Examination:
May 7, 1965