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RESPONSE TO REDEEMER RULE: HILL COUNTRY POLITICAL DISSENT IN
THE POST-RECONSTRUCTION SOUTH

City University of New York

PH.D. 1986

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**RESPONSE TO REDEEMER RULE:
HILL COUNTRY POLITICAL DISSENT IN THE
POST-RECONSTRUCTION SOUTH**

by

MICHAEL R. HYMAN

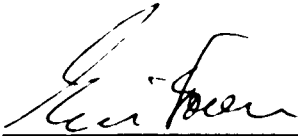
**A dissertation submitted to the Graduate
Faculty in History in partial fulfillment of
the requirements for the degree of Doctor of
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1986

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This manuscript has been read and accepted for the Graduate Faculty in History in satisfaction of the dissertation requirement for the degree of Doctor of Philosophy.

April 22, 1986
date


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Abstract

RESPONSE TO REDEEMER RULE: HILL COUNTRY POLITICAL DISSENT IN THE POST-RECONSTRUCTION SOUTH

by

Michael R. Hyman

Adviser: Professor Eric Foner

This dissertation examines politics in the lower South in the era immediately following the end of Reconstruction, focusing on the political ideology and behavior of small white producers residing in hill country areas of the region. It contends that political discontent among white producers which arose in this era, including "Independ-entism," "Greenbackism," and dissident political activity within the Democratic party itself, can best be understood not simply as a reaction to the machine politics employed by political elites but as a response to broad political economic developments affecting the late nineteenth-century South. While concentrating on one major group of Southerners, special attention is paid to placing political contro-versies of the 1870s and early 1880s into a proper analytic context -- recognizing that neither elites nor non-elites were monolithic groups and that the uneven pace of socio-economic developments of the period affected politics in different areas of the lower South in different ways.

After examining the political ideas small producers

brought into the era, the bulk of this thesis explores the structure of the post-Reconstruction Southern political system and argues that political conflict at both the local and state levels stemmed from the efforts of elites to utilize governmental power to bolster and advance their own position in Southern society. Post-Reconstruction Democratic leaders, concerned primarily with conciliating the disparate elite interests within the party, became increasingly unresponsive to the needs and demands of the party's rank-and-file members, leading many small white producers to criticize the party and support dissident political office-seekers, who, when elected, did generally attempt to promote the interests of ordinary Southerners. The specific political grievances and demands of various social groups are described through an examination of debates concerning major public policy issues of the era, many of which revolved around questions concerning what role government should play in shaping the character of social and economic life in the late nineteenth-century South. This dissertation concludes by examining the impact of these debates on late nineteenth-century Southern politics, arguing that, in significant ways, they redefined the central political issues of the period.

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Introduction

This thesis examines a crucial, but neglected, part of nineteenth-century Southern politics -- the decade following the end of Reconstruction when the Democratic party gained firm control of the Southern political system. Despite Democratic exhortations that political solidarity was needed in order to prevent a return to Republican rule, considerable discontent among white Southerners arose in this period over political conditions in the region. In many states, "Independent" and "Greenback" movements, critical of the policies of the men who controlled Southern politics following the overthrow of Reconstruction, the self-styled "Redeemer" Democrats, gained significant strength. Moreover, substantial political conflict -- both of an intra- and inter-class nature -- occurred within the post-Reconstruction Democratic party itself. Traditional interpretations view political dissent in the 1870s and early 1880s as essentially a reaction to the machine politics and boss rule employed by Redeemer Democrats. Determined to maintain their political dominance after so recently gaining control of the regional political system, Redeemers certainly resorted to political chicanery and electoral fraud to assure their position in the New South. Yet this explanation of political discontent is far too narrow an interpretation of the political and social tensions which gave rise so quickly after Redemption to poli-

tical challenges to those dominating the Democratic party, the party of white supremacy. Placing dissident political activity within the context of the far-reaching changes affecting the political economy of the late nineteenth-century South promises to provide a more coherent framework for understanding the values and attitudes of those Southerners who criticized Democratic party policies.¹

Indeed, only by utilizing such a framework can we fully understand the meaning of political conflict in the 1870s and 1880s and the impact of this conflict on late nineteenth-century Southern politics. For political dissent in the immediate post-Reconstruction era did not, as historians have generally assumed, merely foreshadow the more intense and widespread political discontent embodied in the Populist revolt of the 1890s. The issues at the center of political debate in the late nineteenth-century South were, in significant ways, redefined due to the political controversies of the immediate post-Reconstruction era. To discern the impact of these controversies on later political developments, it is, of course, necessary to know how specific socio-economic conditions, political institutions, and political ideas held by different social groups shaped the contours of political debate in the 1870s and 1880s. The ways in which the political experiences of Southerners in this period affected their perceptions of their own political economic circumstances and of the char-

acter of the wider political system shaped the historical process which ultimately culminated in the political turmoil of the Populist era.

Such a perspective is especially useful in examining debates over the function of the state in late nineteenth-century Southern society -- a central issue of political controversies of the period. As is well known, a reaction against governmental activities undertaken by Republicans in the 1860s and 1870s occurred throughout the region following the end of Reconstruction. Both the widespread revulsion against direct public aid to private enterprise and the widely supported general reduction in Southern state governmental activity evident in the era do indeed indicate a popular desire to limit the scope and powers of government. Most white Southerners, of course, also wanted to limit the powers of the federal government -- in particular, concerning federal interference with race relations in their region and federal protection of northern business interests in the South.² Yet, while certain groups espoused laissez-faire rhetoric in their efforts to limit certain types of governmental activity (often for self-serving reasons), at no time did any social group conceive of the government as outside of the social and economic life of the polity. Debates abounded concerning the proper realm of state power, but all participants recognized that state activity and even inactivity inevitably affected the lives of at least some individuals and at times significant

portions of the population. Political discontent in the post-Reconstruction period was directly related to issues concerning the ways in which state power was used in the period and the accountability of political leaders wielding state power to the citizenry. How effectively political parties of the era represented the views of various groups of Southerners and how well the government served their needs would determine whether Southerners believed that existing political arrangements were satisfactory or that alternative arrangements were needed. Likewise, whether political activity undertaken in the post-Reconstruction era successfully redressed the grievances of dissidents or not influenced the character of later political discontent.

One final comment about the overall objective of this thesis is in order. While a study of politics and ideologies in the late nineteenth-century South, it is hoped that this thesis will shed light on broader issues concerning the political values and attitudes of ordinary nineteenth-century Americans. In particular, it attempts to place these values and ideas within the framework of the political system of nineteenth-century America, examining the ways in which ordinary individuals interacted with contemporary political institutions and, in turn, the ways in which these institutions informed the political attitudes of individuals. While, of course, specific to the region in many ways, political controversies of the late nineteenth-

century South revealed attitudes held by ordinary Southerners concerning politics and the political system that were shared by ordinary Americans throughout the nation -- a reflection of the fact that the South, broadly speaking, was affected by the same forces creating a national capitalist economy in Gilded Age America as other regions of the country. An investigation of post-Reconstruction Southern political debates can thus reveal important insights on political debates in late nineteenth-century America.

* * *

This study examines political conflict in the post-Reconstruction period in three lower South states -- Georgia, Alabama, and Mississippi. While political discord was evident throughout the South in the 1870s and 1880s, these contiguous states provide a region in which political conflict on the local and state levels can be compared and contrasted. The heavily white populated northern sections of these states, where political dissent by white Southerners was especially evident in the late nineteenth century, are the specific areas upon which I focus. Broadly classified as the hill country region, this section of the lower South contained soil less productive and terrain more rugged than that of the black belt and delta regions, but well-suited to the agricultural activity of the region's inhabitants.³

Residents of this region had, before the Civil War, been engaged primarily in semi-subsistent agricultural

production. Class inequalities existed in antebellum hill country communities -- containing as they did varying levels of land and slave ownership -- but disparities in wealth tended to be moderate and mitigated by the shared way of life of community residents. Few large slaveowners resided in these areas and most individuals who owned slaves were foremost concerned, as were their more numerous non-slaveholding neighbors, with preserving their economic independence. And, in general, widespread land ownership did allow most households to be relatively self-sufficient. Historians have in recent years referred to the existence of a "dual economy," or even a "dual society," in the antebellum South to distinguish hill country society from the planter-dominated society of the black belt. Politically, hill country areas had been centers of Jacksonian Democracy in the early nineteenth century and by the post-war period had a long history of conflict with the wealthy, more Whiggish plantation-dominated areas of the South.⁴

Hill country areas, however, also displayed differing characteristics. When examined closely, for example, differences can be found in the soil type, topography, and population density of upcountry districts and even between parts of the same district. As far as the composition of hill country society is concerned, the most significant differences between various areas were a product of post-war socio-economic developments. The destruction and hard-

ship caused by the Civil War disrupted life for many hill country residents. Whether because of their desire to utilize the high cotton prices of the immediate post-war years to recoup war-related losses or the necessity of growing a cash crop which could serve as collateral for needed credit, farmers cultivated increasing quantities of cotton following the war.

The expansion of cotton production into hill country areas had actually begun before the war. The relatively high cotton prices of the late antebellum period and improved transportation facilities induced many farmers to increase their cotton production in the 1850s, although slave-owning yeomen did so to a greater extent than their non-slaveholding neighbors.⁵ Yet, increased cotton production in the antebellum era, while introducing increasing numbers of farmers to the market economy, did not generally lead to the full-scale commitment to cotton cultivation or the heavy involvement in market relations that occurred in hill country districts following the war.

In the post-war period, the commercialization of hill country society occurred at a much quicker pace and ultimately proved detrimental to the interests of many farmers. Increasing debt, decreasing self-sufficiency, and declining cotton prices combined to impoverish many small producers and to make them dependent upon merchants for credit and supplies.⁶ This process, while common to hill country areas throughout the South, however, did not occur uni-

formly and, significantly for the concern of this thesis, would affect the political milieu of different hill country areas in different ways.

Crop production statistics for the period 1860-1880 show that the pace at which hill country whites were absorbed into the region's cotton economy occurred at different rates in different areas.⁷ The Georgia upcountry (or Upper Piedmont) was relatively quickly commercialized. This non-plantation region had been a distinct section of antebellum Georgia, separating the cotton-producing plantation belt of mid-Georgia and the more isolated and less populated mountains of the northern portion of the state. Federal census data demonstrate the increase in per capita cotton production which occurred in many upcountry counties following the war. These figures are even more startling given the state-wide decrease in per capita production over this period (reflecting, of course, the disruption of the Southern economy caused by the Civil War and emancipation). The per capita production of corn, a subsistence-oriented crop, in upcountry counties, meanwhile, declined in this period. In general, Federal census statistics indicate that farmers in northern Georgia were producing more for the market and less for subsistence by 1880.

The same process was also underway in Alabama, but the socio-economic configuration of the state prevents as clear a description of the process through published census sta-

tistics. For while Alabama's black belt was south of the hill country, north of it was the fertile plantation-dominated Tennessee Valley. Counties of the northern portion of the state included areas of plantation cultivation (with large black populations) as well as areas dominated by white family farmers. Thus, for example, when Colbert county was formed out of the northern portion (the area nearest the Tennessee River) of Franklin county in 1867, the racial composition of Franklin changed dramatically. The percentage of whites in the county population increased from 54.3 to 83.6 over the decade 1860-1870, while the 1870 census reported only 63.0 percent of Colbert's population as white.⁸ A detailed look at Lawrence county, whose northern boundary borders the Tennessee River, shows more specifically the diverse composition of some northern Alabama counties. Through the manuscript census, it is possible to differentiate the various geographical sections of the county. As the table below shows, the northern section of Lawrence, part of the Tennessee Valley, was most heavily black populated and most involved in cotton production in 1880. South Lawrence, on the other hand, was heavily white populated, had a much higher percentage of owner-operated farms, and grew significantly less cotton.⁹

Table 1: Lawrence County, Alabama, 1880

	<u>% White</u>	<u>% Owner-Operated Farms</u>	<u>Per Unit Corn (Bu.)</u>	<u>Average Cotton (Bales)</u>
No. Lawr.	42.2	30.5	272.59	7.41
Mid. Lawr.	57.4	49.2	369.63	6.58
So. Lawr.	79.1	59.4	292.43	3.13
County	59.1	46.8	319.32	5.51

Source: Manuscript Census, Alabama, Lawrence county, Population and Agricultural Schedules, 1880.

Thus, county-wide data fail to provide adequate information on the socio-economic characteristics of northern Alabama counties.

Still, published census statistics do generally show per capita cotton production in northern Alabama counties higher in 1880 in relation to their 1860 average than in the state as a whole. Significantly, the available evidence suggests that due to economic hardship in the years immediately following the war many whites from the hills and mountains migrated to the plantation-dominated areas of the Tennessee Valley, where a large number of them ended up as croppers and tenants.¹⁰ Thus, although most blacks in north Alabama lived in the fertile plantation districts near the Tennessee River where they worked as tenants and laborers, whites migrating to the vicinity increasingly worked as farm laborers, too. Cotton production in the Tennessee Valley in the post-war years, in other words, involved white labor to a greater degree than it had in the

antebellum era. Moreover, cotton production did expand into new areas. In some solely hill country counties, per capita cotton production increased over the period. In Franklin county, for example (which, as noted above, broke off from the more plantation-dominated area north of it in 1867), the growth in cotton production through the 1870s was five times greater than the growth in population.¹¹ Per capita corn production, on the other hand, decreased from 1860 to 1880 throughout the region.

Northern Mississippi lacked as substantial a hill country region as northern Georgia and Alabama. Still, the northeastern corner of the state, predominantly white-populated and oriented toward semi-subsistent agriculture (although per capita cotton production was higher here in 1860 than in comparable regions of Georgia and Alabama due to the relatively more favorable growing conditions of northern Mississippi) in the antebellum era can be classified as a small farmer region.¹² Agriculture was disrupted here as throughout the South by the war. While per capita cotton production in this region declined to a lesser extent in the period 1860-1880 than in the state as a whole, the majority of white farmers in this region do not appear to have undergone the transition from semi-subsistent to commercial agriculture that was well under way in Georgia and Alabama by 1880.

These Mississippi counties did not have large plantation sections as did many northern Alabama counties, thus

agricultural production data are not dramatically obscured by a mix of various types of agricultural units. In other words, the drop in cotton production due to the abolition of slavery evident in crop statistics for Alabama's Tennessee Valley counties does not explain the drop in northeastern Mississippi. Whereas in northern Alabama it is evident that increasing numbers of whites were absorbed into the commercial economy and in most northern Georgia counties per capita cotton production increased for the period, in Mississippi this process is not evident. To be sure, many hill country Mississippians had been involved in market production since before the war. And some were deleteriously affected by market forces in the post-war era. But it does not appear that hill country white farmers in Mississippi were absorbed into the market economy due to post-war circumstances as early and to the extent that they were elsewhere.

Political conditions in hill country areas were significantly affected by socio-economic conditions. In general, in areas undergoing the process of commercialization in the post-war period, politics became increasingly dominated by elites desiring to promote and develop market relations. The institutionalization of commercial market relations, after all, was a political as well as an economic process. Merchants and related interests recognized the importance of controlling, or at least influencing,

political offices concerned with matters such as taxation and debt. Indeed, in Georgia, the increasing economic power of merchants and other town-oriented interests in upcountry counties quickly yielded political dividends. An unmistakable correlation can be made between the increasing concentration of wealth in town districts and the increasing political power of commercial and professional interests in the 1870s and 1880s. Economic power served as a stepping stone to local political office, and political power could be used to reinforce and promote developing socio-economic trends.¹³

The commercialization of a region, then, affected the locus of political power in that region. It also affected the shape of politics in a region. For in areas in which commercial interests gained increasing amounts of power and came to dominate local Democratic party organizations, political dissent developed which challenged the party machinery. In northern Georgia, oppositional political activity centered in counties becoming commercialized at a relatively rapid pace. Within these counties, support for dissident candidates came primarily from poorer rural districts; Democratic candidates received their greatest support in town districts, home of the region's commercial elite. Thus, for example, in Cobb county (located just north of Atlanta), Independent Congressional candidate William Felton received his strongest support in the poorer districts of the county. Democratic candidate J.C. Cle-

ments, on the other hand, carried all of Cobb's wealthiest districts, including Marietta, the county seat.¹⁴

Table 2: Cobb County, Georgia, 1880 Congressional Election

District	Per Taxpayer Wealth	Vote Total	
		Clements	Felton
Roswell	\$1441	86	56
Marietta	1346	710	649
Acworth	1205	199	91
Powder Springs	870	106	64
Big Shanty	862	45	78
Smyrna	826	70	43
Gritter	724	44	17
Lemons	703	25	26
Oregon	626	28	30
Coxes	520	54	23
Meritts	490	13	32
Post Oak	345	9	26
Red Rock	?	14	2
Total		1403	1167

Sources: Cobb County Tax Digest, 1880; Marietta Journal, November 4, 1880.

In northern Alabama oppositional political activity also centered in more commercially active areas. Madison and Lawrence counties of the Tennessee Valley were the strongholds of Greenback activity in the state. Both counties provided substantial support for Greenback leader William M. Lowe when he won the Eighth Congressional District seat of north Alabama in 1878 and for oppositional leader David D. Shelby's unsuccessful bid for the same office in 1882.

Table 3: Alabama Eighth Congressional District Elections,
1878 and 1882

County	1878		1882	
	WW Garth	WM Lowe	L Pryor	DD Shelby
Colbert	847	508	1084	1064
Franklin	239	439	683	479
Jackson	1370	1697	1817	1648
Lauderdale	783	417	1435	1060
Lawrence	876	1480	1260	1667
Limestone	1016	1497	1742	1131
Madison	2221	3548	2679	3243
Morgan	927	737	1455	1126
Total	8279	10323	12155	11418

Sources: Official Alabama Election Returns, 1878, 1882,
Alabama Dept. of Archives and History.

In the state legislature, too, these two counties were frequently represented by dissident representatives in the late 1870s and early 1880s. As in north Georgia, poorer residents of these counties tended to be the most supportive of oppositional candidates. In Alabama's 1882 state election, for example, Lawrence county's northern, more tenant-dominated beats gave anti-Redeemer state Senate candidate James Jackson his greatest support. This was also the portion of Lawrence with the largest number of black residents. As we shall see, the need to attract and retain black support influenced Alabama's Greenback movement in significant ways. Yet white Lawrence residents also provided substantial support for anti-Redeemers. In northern Lawrence, Jackson received a higher percentage of the area's votes than the proportion of blacks in the population. More significantly, residents of the white-

dominated middle portion of Lawrence gave Jackson a majority of their votes. It was only in the less commercialized southern beats of Lawrence that Jackson did poorly. Voters from these beats were in a better socio-economic condition, at least as indicated by farm ownership rates, and consequently less dissatisfied with Lawrence's Democratic party, even though the party was increasingly oriented toward local commercial interests, than inhabitants of other portions of the county.¹⁵

Table 4: Lawrence Co., Alabama 1882 State Senate Election

	<u>% Black</u>	<u>% Owner-Operated Farms</u>	<u>% of Vote for Jackson</u>
No. Lawr.	57.8	30.5	67.2
Mid. Lawr.	42.6	49.2	56.4
So. Lawr.	20.9	59.4	30.7
County	40.9	46.8	55.2

Sources: Manuscript Census, Alabama, Lawrence County, Population and Agricultural Schedules, 1880; Moulton Advertiser, August 17, 1882.

In northeastern Mississippi, anti-Redeemer candidates received less support than in hill country areas elsewhere in the lower South. As a result of the relatively slow pace of commercialization in the region, political conflict over socio-economic issues related to the expansion of the market was less intense in hill country Mississippi than in either Georgia or Alabama. This is not to say that politics was harmonious in Mississippi. It was not. Nor is it to imply that hill country merchandising interests possessed

no political power. They did.¹⁶ Yet it is to suggest that influencing the political system did not require hill country whites to bolt the Democratic party. While elites in northeastern Mississippi, as elsewhere, held disproportionate political power, this power was less connected to the expansion of market relations and the economic exploitation of other white Southerners than in Georgia and Alabama. Consequently, the Democratic party in the region was less oriented toward commercial and professional elements than in the other two states. With local party leaders at least somewhat responsive to the needs of small producers, northeastern Mississippi remained a Democratic stronghold in the post-Reconstruction era. Democratic candidates, for example, received strong support in heavily white populated hill country counties in Mississippi's 1880 congressional elections.

Table 5: Mississippi 1880 Congressional Elections*

County	% White	%for		VOTE TOTALS		
		Dem.	Dem.	Rep.	Green.	
Alcorn	69.1	60.1	1080	606	111	
Calhoun	75.5	66.5	1038	-	524	
Itawamba	89.6	94.1	1211	37	39	
Lee	61.8	85.8	1613	89	179	
Pontotoc	69.3	61.6	1126	679	22	
Prentiss	80.1	88.1	1490	118	84	
Sumner	75.9	58.7	629	-	442	
Tippah	76.2	73.4	1316	387	90	
Tishomingo	86.7	81.0	801	51	137	
Union	76.2	76.6	1477	359	93	

*The counties in this table did not all belong to the same congressional district. In the First District (containing Alcorn, Itawamba, Lee, Pontotoc, Prentiss, and Tishomingo counties) and Second District (containing Tippah and Union counties) all three parties offered congressional candidates in 1880. In the Third District (containing Calhoun and Sumner counties), no Republican candidate was on the ballot.

Source: Official Mississippi Election Returns, 1880, Mississippi Dept. of Archives and History; Tenth Census of the United States, 1880 (Washington, 1883), Compendium, 357-8.

Hill country Democratic legislative candidates did equally well. In general, local Democratic party organizations remained more attuned to the desires of their constituents in northeastern Mississippi than elsewhere in the lower South. And, as we shall see, whereas in other states hill country whites often had to look to dissident political parties to challenge the activity of their state governments, in Mississippi's hill counties Democratic legislators frequently challenged the dominant policies of their state government.

What was the character of political dissent in the post-Reconstruction South? First of all, it is not pos-

sible to discuss Southern protest activity monolithically. While hill country areas were centers of white anti-Redeemer political activity, it was evident throughout the South and had many causes. In many cases, it involved disappointed office-seekers unable to gain office through Democratic party channels. Many hill country anti-Redeemer leaders, such as William Lowe of northern Alabama, were former Democratic officials disaffected from the late nineteenth-century Democratic party organization.¹⁷ This, however, does not mean that anti-Redeemer candidates were purely cynical office-seekers, although some were. Most anti-Redeemer leaders and their supporters considered themselves to be "true" Democrats, despite their criticism of the party machinery and party policies and despite the fact that many blacks supported dissident candidates as the most viable means of opposing the Democratic party. Indeed, hill country Independents usually referred to themselves as "Independent Democrats." Often, oppositional political activity involved primarily local grievances, although this description of Independentism has generally been exaggerated by historians. To be sure, local affairs were an important concern of Independents and localism hindered dissidents in organizing on a regional or state-wide basis. Yet, Independents also had many grievances concerning state governmental activity.

Some hill country anti-Redeemers, as already noted,

labeled themselves "Greenbackers," not Independents. Greenbackers, of course, had grievances concerning the national financial system, yet many also had local and regional complaints. Many Independents espoused Greenback financial rhetoric, but not all Independents were Greenbackers. On the state and local levels, more importantly, a difference can be detected in the strongholds of Independentism and Greenbackism. In political districts where the population was predominantly white throughout, anti-Redeemers tended to be Independents and expressed a closer attachment to the Democratic party, which they were trying to reform not overthrow. In areas with large black populations, on the other hand, a larger number of white anti-Redeemers tended to be Greenbackers. In order to attract needed black support and to stymie the efforts of local planters to utilize government power in their own interest, which often conflicted with the interest of small producers, Greenbackers saw the need to organize a movement which more directly confronted the existing political regime. Thus, in Georgia's white-dominated upcountry, Independents primarily challenged the Redeemers in their state. In northern Alabama, containing the plantation-dominated Tennessee Valley, Greenbackism gained considerable strength.¹⁸ In Mississippi's hill country, as noted earlier, in most places the Democratic party retained power. Greenbackism, however, did make some inroads elsewhere in the state, primarily, as in Alabama, in areas with

large black populations.¹⁹ In general, anti-Redeemers in hill country areas throughout the lower South agreed on state and local level issues. Moreover, white Republicans in mountain counties generally cooperated with other oppositional groups. Yet, the differing racial compositions of the populations of various hill country regions did shape dissident political activity in these areas in different ways.

This thesis examines in detail the similarities and differences in hill country political activity in the three states under investigation. It should be noted at the start, however, that it is not always possible to label precisely the political allegiance of contemporaries involved in this activity. While it is easy to define the political shadings of some anti-Redeemers, for others it is not. The Democratic press generally described any anti-Redeemer candidate as a Republican. For some elections, the press did not define the political affiliation of candidates at all. In addition, in many local elections open races were held in which no formal candidates were nominated for office. With two, three, four, or sometimes eight, nine, and ten candidates running for an office, it is frequently impossible to define the political inclinations of office-seekers.²⁰

Moreover, although it is apparent that anti-Redeemer movements grew in areas where socio-economic conflict was

prevalent, it is sometimes difficult to determine what direct role Independents and Greenbackers played in political controversies which arose in hill country communities. And, even in commercializing areas where protest organizations were most evident, hill country protest activity involved individuals who vociferously complained about Democratic party policies but remained within the party. Whether because of a reluctance to abandon the party of their fathers and grandfathers despite their objections to party practices and policies, fear of disturbing traditional race relations in the region, or some other reason, rank-and-file Democrats critical of party leaders gave added support to many of the positions Independents and Greenbackers advocated. That many hill country producers remained in the Democratic party, thus, did not necessarily mean that they were satisfied with political conditions in the late nineteenth-century South.

It should also be made clear from the start that many levels of white anti-Redeemer sentiment existed. With the Democratic party the home of so many diverse interests, opposition inevitably developed to those dominating the party machinery. Elites such as Robert Toombs and Alexander Stephens, for example, were often critical of party leaders and sympathized with aspects of Georgia's Independent movement. As representatives of the older cotton producing region of Georgia, they sometimes were at odds with representatives of more recently developed plantation

areas of the state and with industrialists and merchandisers over issues such as railroad regulation. On other issues, such as labor relations, however, they often were at odds with hill country Independents.²¹

At times, political controversies found the hill country acting as a region in opposition to Redeemer policies. To an extent, this conflict was a continuation of the intra-state sectionalism that had long affected Southern politics. Along with competition among elites of various Southern regions for state-level offices, political controversies between plantation and non-plantation regions had long resulted from the sections' differing social orders and consequently their differing political concerns. These factors would continue to influence state politics in the post-Reconstruction South. Tax measures perceived as unduly benefiting plantation counties, for instance, were condemned by wealthy as well as poor hill country residents in the 1870s and 1880s. Internal socio-economic developments creating new class tensions in commercializing hill country areas, however, lessened the degree to which hill country political unity could be sustained. While hill country elites who came to power as a result of the expansion of the market economy were at odds with other regional elites over many issues, they shared a point of view concerning Southern class relations more in line with that of landlords, merchants, and other commercial elements from

throughout the South than with their poorer neighbors. Controversies over state legislation concerning matters such as property rights and credit arrangements in the region, thus, reflected class more than geographic divisions within the late nineteenth-century South.

While this thesis examines these various levels of political conflict, it focuses on political controversies in Southern hill country regions and on hill country anti-Redeemer activity. Its main purpose is to examine the political ideology of small white producers in the post-Reconstruction South by examining their ideas and attitudes concerning the relationship of government to socio-economic developments occurring in the period. It addresses a number of related questions: What political ideas did producers bring into the period? What was the character of politics in the late nineteenth-century South? What was the structure of government? How did political economic developments and public policy debates of the era affect the political ideology of small producers? To be sure, such an examination necessitates a discussion of other elements of Southern society. In order to understand the character of politics of the era, for example, it is necessary to examine the political attitudes of social groups with significant political clout, such as planters. Likewise, politics in the late nineteenth-century South cannot be clearly understood without an examination of race relations. This is especially true in examining dissident

political activity, for blacks were a potential source of support for any movement opposing the political status quo. Still, this thesis examines these groups and general political issues of the era always with an eye toward their relation to hill country political activity. By focusing on one region of the South, it is possible to present a more holistic view of the political ideas of at least one important group of Southerners and of the ways in which their political experiences in the 1870s and 1880s affected their political ideology and behavior. This should help us better to understand political ideology among ordinary people in late nineteenth-century America.

FOOTNOTES

¹It is difficult to find a lengthy discussion on dissident political activity in secondary works on the post-Reconstruction South. C. Vann Woodward's chapter on post-Reconstruction political dissent in Origins of the New South still remains the best overview of the topic. Woodward notes many of the key issues debated in the period. Yet Woodward does not fully examine the political and social forces which propelled many Southerners to undertake dissident political activity and thus does not account for the transformation of popular ideology evident in the 1880s. He, for instance, views Independentism as an incoherent predecessor to Southern Populism rather than as a distinct phase of political discontent in the late nineteenth-century South. "Although nearly all the sharply defined economic issues that divided the militant Populists from the Democratic-Conservatives in the nineties were powerful causes of disaffection in the seventies and eighties," Woodward writes, "the Independents never developed the keen, interest-conscious realism that served the Populists as an agrarian critique of the New South capitalism." C. Vann Woodward, Origins of the New South, 1877-1913 (Baton Rouge, 1951), 82. More typical of the literature on Independentism and Greenbackism are those writers who view dissident political activity in the 1870s and 1880s as essentially a reaction to the machine politics of Redeemer Democrats, often led by cynically motivated office seekers. "The beginning of the [Greenback] party in Madison county [Alabama] can be traced to [Greenback leader William] Lowe's open attack on convention rule in county politics in 1878," Frances Roberts writes, "an outburst which resulted from his failure to secure the Democratic nomination for Congress in 1876." Georgia "Independent candidates made little effort to stimulate agrarian radicalism," George Jones contends. "Although discontent was widespread in Georgia in the post-war years, Independents remained relatively inarticulate in bringing it face-to-face with the people. Many politicians [merely] used Independentism as a stepping-stone to secure office when that was the feasible thing to do." "Independent political factions [in Mississippi] developed in a number of counties soon after the [Democratic] triumphs of 1875-1876," Albert Kirwan argues. "Differences of opinion and clashes of ambition were fed by the impossibility of rewarding everyone to the degree that his self-valuation merited." Frances Roberts, "William M. Lowe and the Greenback Party in Alabama," Alabama Review 5 (April 1952), 100-01; George L. Jones, "William H. Felton and the Independent Democratic Movement in Georgia, 1870-1890," (PhD diss. Univ. of Georgia, 1971), 312-3; Albert Kirwan, Revolt of the Red-necks: Mississippi Politics, 1876-1925 (Lexington, Ky., 1951), 18. For the best recent analyses of post-Reconstruc-

tion political dissent, see: William I. Hair, Bourbonism and Agrarian Protest: Louisiana Politics, 1877-1900 (Baton Rouge, 1969), 60-82; J. Morgan Kousser, The Shaping of Southern Politics: Suffrage Restriction and the Establishment of the One-Party South, 1880-1910 (New Haven, 1974), 11-29; Steven Hahn, The Roots of Southern Populism: Yeomen Farmers and the Transformation of the Georgia Upcountry, 1850-1890 (New York, 1983), 225-38.

²Michael Perman, The Road to Redemption: Southern Politics, 1869-1879 (Chapel Hill, 1984), 213; Michael Les Benedict, "The Politics of Prosperity in the Reconstruction South," Reviews in American History 12(Dec. 1984), 513; Harry N. Scheiber, "Federalism, the Southern Regional Economy, and Public Policy Since 1865," in David J. Bodenhamer and James W. Ely, Jr., eds. Ambivalent Legacy: A Legal History of the South (Jackson, Miss., 1984), 73-80.

³While the hill country did not constitute a region which can be neatly defined by political boundaries and indeed hill country controversies and anti-Redeemer activity involved areas outside of the political region defined as the hill country below, designating specific counties as hill counties does allow for the analysis of political and economic data organized by political units. This thesis utilizes Steven Hahn's classification of Georgia's "upcountry," which included the following counties: Banks, Bartow, Campbell, Carroll, Cherokee, Clayton, Cobb, Douglass, Fayette, Floyd, Forsyth, Franklin, Gwinnett, Hall, Haralson, Hart, Heard, Jackson, Madison, Milton, Paulding, Polk, Rockdale, and Walton. Hahn, The Roots of Southern Populism, 8-9. For Alabama, it utilizes Robert Gilmour's classification of the state's "Mountain" and "Tennessee Valley" area, which included the following counties: Blount, Calhoun, Cherokee, Clay, Cleburne, Colbert, Cullman, Dekalb, Etowah, Fayette, Franklin, Jackson, Jefferson, Lamar, Lauderdale, Lawrence, Limestone, Madison, Marion, Marshall, Morgan, Randolph, St. Clair, Talladega, Walker, and Winston. Some north Alabama counties contained non-hill country as well hill country areas. The significance of the internal diversity of north Alabama counties will be discussed later in this Introduction, as well as elsewhere in the thesis. Robert Gilmour, "The Other Emancipation: Studies in the Society and Economy of Alabama Whites during Reconstruction," (PhD diss. Johns Hopkins Univ., 1972). Mississippi's small white farmer-dominated region is defined in this thesis as those counties in the northeastern corner of the state with a population over 60 percent white. They included: Alcorn, Calhoun, Itawamba, Lee, Pontotoc, Prentiss, Sumner, Tippah, Tishomingo, and Union. See Table 5.

⁴Eugene Genovese, "Yeomen Farmers in a Slaveholders

Democracy," Agricultural History 49(April 1975); Morton Rothstein, "The Antebellum South as a Dual Economy: A Tentative Hypothesis," Agricultural History 41(Oct. 1967); Mary F. Sumners, "Politics of Tishomingo County, 1836-1860," Journal of Mississippi History 28(May 1966); James R. Sharp, The Jacksonians versus the Banks: Politics in the States after the Panic of 1837 (New York, 1970); Hahn, The Roots of Southern Populism, 86-133; Peter R. Wallenstein, "From Slave South to New South: Taxes and Spending in Georgia from 1850 through Reconstruction," (PhD diss. Johns Hopkins Univ., 1973), xxiv, 19-21; J. Mills Thornton III, Politics and Power in a Slave Society: Alabama, 1800-1860 (Baton Rouge, 1978).

⁵John M. Allman, II, "Yeoman Regions in the Antebellum Deep South: Settlement and Economy in Northern Alabama, 1815-1860," (PhD diss. Univ. of Maryland, 1979), 330-49; David F. Weiman, "The Economic Emancipation of the Non-Slaveholding Class: Upcountry Farmers in the Georgia Upcountry Economy," Journal of Economic History 45(March 1985), 77-8; Herbert Weaver, Mississippi Farmers, 1850-1860 (Nashville, 1945), 101; Steven Hahn, "The 'Un-Making' of the Southern Yeomanry: The Transformation of the Georgia Upcountry, 1860-1890," in Steven Hahn and Jonathan Prude, eds. The Countryside in the Age of Capitalist Transformation: Essays in the Social History of Rural America (Chapel Hill, 1985), 184; Thornton, Politics and Power in a Slave Society, 285-6.

⁶For an overview of developments in the postbellum South, see: Forrest McDonald and Grady McWhiney, "The South from Self-Sufficiency to Peonage: An Interpretation," American Historical Review 85(Dec. 1980), 1111-18; Gavin Wright, The Political Economy of the Cotton South: Households, Markets, and Wealth in the Nineteenth Century (New York, 1978), 158-84; Harold Woodman, King Cotton and His Retainers: Financing and Marketing the Cotton Crop of the South, 1800-1925 (Lexington, 1968), 243-359; Hahn, The Roots of Southern Populism.

⁷See Appendix I.

⁸These figures are suspect given the underestimation of the black population by census enumerators in 1870, yet the more accurate 1880 census shows an even greater dissimilarity in the racial composition of these counties. Eighth Census of the U.S., 1860 (Wash., 1864), Population, 8; Ninth Census of the U.S., 1870 (Wash., 1872), Statistics of Population, 11-12; Thirteenth Census of the U.S., 1910 (Wash., 1913), Supplement for Alabama, 569-609.

⁹See also: Gilmour, "The Other Emancipation," 78-9.

¹⁰Robert Somers, The Southern States Since the War, 1870-1871 (o.p. 1871; University, Ala., 1965), 117; Gilmour, "The Other Emancipation," 76-81, 139-41.

¹¹The population of Franklin increased from 8,006 to 9,155 (an increase of 14.4 percent) from 1870 to 1880, while the number of bales of cotton produced increased from 2,072 in 1870 to 3,603 in 1880 (an increase of 73.9 percent). The percentage of whites in population of the county increased from 83.6 to 88.2 in this period. Thirteenth Census, Supplement for Alabama, 596-609; Tenth Census of the U.S., 1880 (Wash., 1883), Statistics of Agriculture, 213; Ninth Census of the U.S., 1870 (Wash., 1872), Statistics of Wealth and Industry, 96.

¹²Weaver, Mississippi Farmers, 56-61; Wright, Political Economy of the Cotton South, 22; Kirwan, Revolt of the Rednecks, 41; John H. Moore, Agriculture in Antebellum Mississippi (New York, 1958), 65, 132; Frank L. Owsley, Plain Folk of the Old South (Baton Rouge, 1949), 202-05.

¹³Hahn, The Roots of Southern Populism, 216-25; Jim A. Furgeson, "Power, Politics, and Populism: Jackson County, Georgia, as a Case Study," (MA thesis, Univ. of Georgia, 1975), 21, 28, 32-3; Randolph D. Werner, "Hegemony and Conflict: The Political Economy of a Southern Region, Augusta, Georgia, 1865-1895," (PhD diss., Univ. of Virginia, 1977), 70-8. See also: Wayne K. Durrill, "Producing Poverty: Local Government and Economic Development in a New South County, 1874-1884," Journal of American History 71(March 1985), 767.

¹⁴See also: Hahn, The Roots of Southern Populism, 234-6; Furgeson, "Power, Politics, and Populism," 24-8.

¹⁵John B. Clark, Populism in Alabama (Auburn, 1927), 25-7; Allen Going, Bourbon Democracy in Alabama, 1874-1890 (University, Ala., 1951), 222-31; Herbert Gutman, "Black Coal Miners and the Greenback-Labor Party in Redeemer Alabama, 1878-1879," Labor History 10(Summer 1969); William W. Rogers, The One-Gallused Rebellion: Agrarianism in Alabama, 1865-1896 (Baton Rouge, 1970), 52-4; Gerald L. Roush, "Aftermath of Reconstruction: Race, Violence, and Politics in Alabama, 1874-1884," (MA thesis, Auburn Univ., 1973), 265.

¹⁶See, for example, the complaints of one Mississippi farmer concerning merchants in his area: W.W. Graham to Governor John M. Stone, November 15, 1877, in Mississippi Governor's Papers, Mississippi Dept. of Archives and History. In areas of Mississippi in which third party political activity existed, town districts tended to be strongholds of Democratic support, or as one Mississippi

Independent put it, the "Gibraltar of the Democratic party." Senate Reports, 45th Cong., 3rd Sess., No. 855, 714; Senate Reports, 48th Cong., 1st Sess., No. 512, 46; Telegram from Independent Executive Committee, Holly Springs, Mississippi to Governor John M. Stone, October 30, 1877, in Mississippi Governor's Papers.

¹⁷Roberts, "William Manning Lowe and the Greenback Party in Alabama," 116-7; Rogers, One-Gallused Rebellion, 52; Roush, "Aftermath of Reconstruction," 200-01, 216.

¹⁸Significant Greenback strength was also evident in Black Belt counties of Alabama. Roush, "Aftermath of Reconstruction," 264.

¹⁹See, for example: James S. Ferguson, "Agrarianism in Mississippi, 1871-1900: A Study in Nonconformity," (PhD diss., Univ. of North Carolina, 1952), 408-11.

²⁰A candidate might be labeled an "independent" if he ran in a race in which no formal party nomination was made. Indeed, this seems to have been the case in Georgia's legislative races in December 1877 -- accounting for why some sources contend that Independents were very successful in that election even though precise information on how many Independents were elected does not exist. This, for example, was the explanation given by the Atlanta Constitution when it noted the "wonderful strength displayed by the Independents" in the election. Given the variety of political attitudes held by Independents thus defined, this means of identifying Independents does not specify the political leanings of specific individuals (although dissatisfaction with the Democratic party's candidate-selection process, as will be argued, was certainly an important cause of Independentism). This thesis contends that hill country Independents had specific grievances concerning Redeemer governmental policies. Atlanta Constitution, December 8, 1877.

²¹See, for example, Robert Toombs' positions at the 1877 Georgia Constitutional Convention, in Samuel W. Small, A Stenographic Report of the Proceedings of the Constitutional Convention Held in Atlanta, Ga., 1877 (Atlanta, 1877). See also: Barton C. Shaw, The Wool Hat Boys: Georgia's Populist Party (Baton Rouge, 1984), 18-20.

CHAPTER ONE

Political Ideology and Disaffection in the Post-Reconstruction South

Hill country whites generally supported the overthrow of Southern Republican regimes and the implementation of Democratic rule in the 1870s. While Southern white Republicanism had its greatest support in non-plantation regions, these areas also played a crucial role in the restoration of Democratic power. The alienation of hill country whites from Republican rule was, in part, the Republican party's own doing. Government corruption and mismanagement in fiscal affairs provoked discontent with Republican politicians and officeholders. Many Republican leaders, ex-Whigs, industrial promoters, and others wishing to diversify the Southern economy, moreover, were not primarily interested in building a constituency from the region's "natural majority," black and white common people. Economic policies promoted by these Republicans were oriented more toward attracting outside capital and promoting economic projects than toward directly serving the needs of the general population. Even those Republicans interested in attracting the support of poorer Southerners faced a difficult task, for white small property holders and recently emancipated blacks were not in a similar economic situation. Indeed, Republican efforts made to aid and provide public services for ex-slaves, despite their merit

and legitimacy as blacks were now citizens, had a deleterious economic effect on small white farmers and increased hill country opposition to Republican rule.¹

Aside from the policies of the Republican party and the performance of Republican officeholders (which overall was no worse than that of their Democratic colleagues), the racist attitude of hill country whites was central to their hostility toward Republicanism. The Republican party, after all, was the party of emancipation and of black political and civil rights. While a committed Republican effort to attract hill country whites might have lessened white racial antipathies and increased support for an interracial alliance of poorer blacks and whites, it is doubtful that even this would have alleviated racial tensions enough to give the alliance strong, long-lasting support.

Moreover, many hill country whites opposed Southern Republican rule for its connection with those in control of the federal government. While the Civil War militarily settled the question of whether states had the right to secede from the Union, it left unresolved the nature of federal-state relations. Questions concerning the limits of federal authority were necessarily central to national political debates in the immediate post-war era. Reconstruction, from the white Southerner's point of view and in the minds of many Northerners, was an out-and-out usurpa-

tion of federal power by the Republican party. Even following Redemption, Southern politicians continued to complain of the increasing tendency toward a "centralized despotism" in national affairs. Indeed, such a charge became for Southern Democrats at election time the rhetorical equivalent of the Northern Republicans' "bloody shirt."

Yet, even after the end of Reconstruction, hill country whites continued to express dissatisfaction with the state of political affairs in the South. Many pointed to the party now in power as the source of their discontent. "We were led to believe that if we would vote the Radicals out and vote the Democrats in... that honest people would have some guarantee of their rights as well as the villains," one north Georgian commented in 1874. Yet after several years of electing "our rulers without Federal interference," "I wonder if [the people] don't feel like their Democracy [is] a little wanting."² "After the war we tried to save Georgia from radical rule," another north Georgian wrote several years later. "We did help to kick that party out of power, and as soon as the democrats held the reins of power, they proved to be as avaracious and corrupt as the radicals."³ Similarly, W.W. Graham, a farmer from Clay county, Mississippi, contended in an 1877 letter to Governor John M. Stone that there had been a "democratic omission" to improve things since the overthrow of Reconstruction. "When this honesty and virtue professing admin-

istration came into power the people placing confidence in them lapsed into a repose for a time," Graham asserted, but the failure of the government to protect their interest "has roused" the people "from their slumber and they say now as I do that we have nothing better than the radicals gave us in the way of justice."⁴

While criticizing the existing state of political affairs in the post-Reconstruction South, critics frequently expressed their firm allegiance to what they viewed to be the Democratic party's time-honored principles, attuned to the desires and needs of the common citizenry. It was the current Democratic party machinery at which they directed their invective. Indeed, dissidents often challenged the legitimacy of contemporary Democratic leaders. "The present, so called, Democratic party is as different as day is from night from the grand old party Andrew Jackson led to victory against the moneyed aristocracy of his day," a dissident north Alabama editor argued. "Then, it was the people's party and in full sympathy and accord with the sons of toil. It consulted the wishes and interests of the masses." Now, however, "There is nothing Democratic [about] the so-called Democratic party of Alabama."⁵ "So-called [Democratic] leaders, looking to their personal aggrandizement alone, have used [the party's] organization for personal ends instead of looking solely and steadfastly to the general good of the governed," a similarly minded

north Georgia editor commented. "They have so shifted and veered on all the cardinal principles of the old landmarks that it is almost impossible to tell what Democracy is [anymore]."⁶ Given the "oppressive" character of the post-Reconstruction Democratic party, ruled by a few men who "trampled under foot with impunity the rights and liberties of the people," anti-Redeemers argued that they had been driven from the party of their forefathers, that third party activity was a step reluctantly, but necessarily, taken. "I have ever been allied with the Democracy, was brought up in the 'very straightest sect' of the Democrats," as one Alabama Independent candidate commented in 1880. "I would still have been pleased to have cooperated with them in upholding the original principles of that party, in an effort to bring about better times. But deeply impressed with the fact that the Democracy has departed from these once cherished principles, and that its recent political course is wholly detrimental to our common interests, I have been forced to cast my lot with the Independents."⁷

These statements reflected a feeling of discontent with the political status quo growing in hill country areas of the South. To many Southern white producers the Democratic party no longer seemed to represent those values with which they had long associated it. Indeed, the party no longer even seemed concerned with serving the interests of its rank-and-file members. For while in national pol-

itics Southern statesmen presented themselves as firm advocates of decentralized government and of local autonomy, in the region itself Southern political leaders utilized governmental power to bolster their own authority and to lessen the political influence of the general populace. Explicit examples of such uses of governmental power include the adoption of electoral laws designed to assure a Redeemer ascendancy and the removal from office of elected officials hostile to the regional elite. The structure of government itself, as we shall see, was altered to achieve this objective.

To be sure, even with most state and local governments in the South under Democratic control, party leaders did not have an easy time governing for various groups -- including planters, industrialists, and urban-commercial interests -- contended for power in the post-Reconstruction South. These disparate interests often found themselves in conflict with one another in Southern legislative halls. Likewise, state Democratic conventions often found elite factions vying for political preferment. Thus, struggles for power within the Democratic party did exist. Small producers, however, were decreasingly a part of the contest as conflict within party ranks became oriented toward the elite groups which, with Republicanism in disfavor, by necessity now resided within the party. Party managers, while desiring to stem disaffection among rank-and-file

Democrats, spent much of their time trying to conciliate the party's elite elements.⁸ The absence of a strong oppositional party to challenge Democratic rule and the knowledge that, if necessary, extralegal methods could be used to suppress oppositional forces freed party leaders from being overly concerned about complaints concerning the state of political affairs in the region. While elites on both the state and local levels were able to settle their differences at least enough to see to it that each group received some governmental benefits, small producers viewed the Democratic party as increasingly out of touch with their own needs and Southern governments as more responsive to the desires of elite interests than to the needs of the general citizenry.

To small producers -- the majority of the white population -- the appropriation of political power by special interest groups represented a threat to their most cherished political beliefs, as well as to their economic well-being. This was particularly true in hill country areas of the lower South. The political attitudes of farmers of this region had long been influenced by "anti-aristocratic" Jacksonian rhetoric applauding a government which eradicated special privilege, preserved local autonomy, and promoted the well-being of the general citizenry. Since Jacksonians believed that government could easily become oppressive (if in no other way, by means of its power of taxation) and infringe upon an individual's personal

autonomy, in most areas they felt it was best to limit governmental power itself. Government, however, could in ways help promote the economic independence of small producers. Jacksonians, for one thing, desired that public authority keep a close eye on and limit the power of consolidated private wealth, leading them in some places to attempt to create comunally controlled institutions, such as public banks, in order to eliminate the need for privately controlled centers of power. Other governmental activities, such as those facilitating the white settlers' access to land through, for example, the removal of Indian tribes, were also endorsed by farmers as legitimate and beneficial. Small farmers, then, believed that government had a role to play in determining the economic character of their society. Although Jacksonians generally desired a limited government, particular uses of state power in the interest of the general citizenry (which in the antebellum South, of course, included only a portion of the population) were popular.⁹

Given the fact that the small farmers' political desires did not threaten the institution of slavery -- indeed most whites saw the subordination of blacks and Indians as essential to their own economic independence -- internal political conflict in the antebellum South, while often intense, did not challenge the economic foundations of Southern society, based as it was on slave labor. Con-

sequently, although antipathies between planters and farmers existed, disputes between the two groups were not irreconcilable. Political conflict in the antebellum period was for the most part absorbed by the two-party system which emerged in the era. During most of the period, while the Whig party promoted the interests of those more commercially oriented, the Democratic party generally promoted the ideas of government held by small white producers.¹⁰

Jacksonian political attitudes were still evident in the post-Reconstruction South even though the institutional political context in which they had earlier been expressed was disrupted and transformed by national political events in the 1850s and 1860s. Many Southerners in the 1870s and 1880s continued to believe that "the greatest safety to the subjects of a government" was in "limited legislation." There was a need for "republican simplicity" in government, as one Southerner argued. "Excessive legislation must at all times argue either imperfect, incorrect and unsound fundamental law or a demoralization in our country, which forbids the proper application of the true principles of [a] republican form of government."¹¹ Not surprisingly, then, hill country whites applauded the government retrenchment which did indeed occur under Redeemer administrations. In particular, hill country residents were at the forefront of the movement to end direct state aid to private corporations -- a position long held by small

producers and intensified by the South's disappointing experience with public aid during Reconstruction. "When the government... embarks in or attempts to aid in private enterprises, it usually picks the pocket of one part of the people to fill the pockets of the other part," a typical north Alabamian contended.¹² Many other individuals also warned of "schemes gotten up" under the "specious plea of building up the country" to levy tribute upon the tax-paying public for the benefit of "heartless and soulless" corporations.¹³ State credit to private corporations, one hill country resident succinctly argued, "is a species of class legislation that will always result badly."¹⁴

On other issues, too, hill country Southerners expressed long-held beliefs. Even when approving of the intent of certain types of legislation, hill country whites expressed concern over measures which allowed the government to interfere with the civil liberties of individuals. Prohibition forces, for example, assumed significant proportions in the late nineteenth-century South. To promote their cause, prohibition activists sought state regulatory measures. Many Southerners, however, were wary of this type of state activity.¹⁵ "The truth is, in a government like ours, there is no right vested in legislative bodies to regulate the eat and drink of the people," a north Georgia Independent contended, "and we can hardly believe there is so little regard for personal rights in the Georgia legis-

lature as to give the clamor for liquor legislation all its demands. To do so would be an infringement of public liberty no free people should tolerate."¹⁶ Others also contended that temperance was an issue to be dealt with by "each individual acting for himself as a freeman and an American citizen," and not by "fanatics" wishing to use the government to control the behavior of the general population.¹⁷

Yet, while long wary of governmental activity infringing upon their autonomy, hill country whites expressed a particular concern with the character of legislation enacted in the post-war era. For it seemed to many that the law itself was increasingly antagonistic toward their interests. The legal system played an important role in the expansion of the market economy into the upcountry, legitimizing credit and labor relations developing in the region. Legislation enacted in the post-war era enabling creditors to acquire a lien on the crops of their debtors, for instance, aided merchants trying to gain a foothold in the region. Similarly, laws adopted in the 1870s and 1880s redefining property rights so as to limit the small producer's access to productive resources increased the leverage of commercial interests in their dealings with farmers.¹⁸ To many Southerners, such measures demonstrated that the law, rather than serving their needs, had become a device to be used against themselves. "We boast of a Government of equal laws, equal rights, and equal privileges,

which is now only in name," as one north Georgia resident wrote. "For of late years, all those high sounding principles have been discarded, and Legislation has become partial, unjust and offensive."¹⁹ More concretely, one north Mississippi farmer, informing the governor of his state that his land had been "robbed" by a local merchant who purchased it at a public sale for only a fraction of its value, complained that whether it was done "according to the law or not will make no difference with honest men for if done according to the law it would show that the law was a dishonest law."²⁰ The increased political power commercial interests held in the post-Reconstruction era, furthermore, made it more likely that laws of whatever character would be administered and interpreted to suit the needs of hill country elites. "A Poor man has no business in Law where there is a Ring combined against him," as one north Mississippian complained, "we had as well burn our Statutes if Rings [are to be allowed] to ride over them."²¹

Such uses of the law were possible because broad changes in the nineteenth-century legal system, orienting it toward a professional legal establishment, made the law a more specialized, complicated institution, less accessible and comprehensible to the average individual.²² In the early years of the nation's history, and in places for some time afterward, laymen had a significant role in the legal process. Judicial trials often involved no lawyers.

Minor judicial officials typically had no formal legal training. Juries had the right to decide questions of law as well as determining the facts of cases, thus giving laymen an important role in interpreting the law. By the end of the nineteenth century, however, the legal system was fast becoming professionalized as the legal profession rapidly expanded and lawyers assumed a more influential role in both the law-making and judicial branches of government -- a development which many laymen criticized for placing the law and legal processes "beyond the grasp of the popular mind."²³ Transformations in the legal system, not surprisingly, fueled the criticisms of dissidents who contended that Democratic rule was not serving the needs of Southern small producers. For while the professionalization of legal institutions was a national phenomenon, in the South the process occurred under Democratic auspices.

Not only were small producers upset with the ways in which government was being used against them, they also expected the government to be more directly responsive to their needs. As in the Jacksonian era, farmers expected government to promote their economic independence. This, for example, might require the government to suspend tax collection during hard economic times. After a storm had destroyed their crops, farmers of one rural Georgia county petitioned their governor to do just that "for the alleviation of the misfortunes which are before us, and especially for the class of honest and industrious but poor

people." "We cannot believe that the great State of Georgia would refuse this small favor," the petitioners added.²⁴ Led by local anti-Redeemer leader S.P. Martin, north Alabama farmers suffering from poor crops made the same request of their governor in 1881. "A good and wise government will be ever watchful and ready, to avert a disaster [among its people]," these producers argued. "A government is incompetent or disloyal to its trust that shall not do so!"²⁵

The promotion of the small producers' well-being might even require governmental activity in the producers' interest. As we have seen, small producers were hostile to many types of government activity, especially public aid to private special interests. Yet the desire for a limited government should not be equated with a laissez-faire ideology. While legislation which interfered with their lives or hindered their ability to subsist independently was sure to be condemned by small producers as oppressive, governmental activity fostering the economic independence of the general citizenry was not only accepted but expected. Thus, the north Alabama farmers noted above not only asked that their taxes for the current year be suspended but that the state government provide them "at the cheapest rate" wheat and rye for fall sowing, to "secure the people from the tolls of greedy speculators." "The Government is but an agency to carry the wishes [of the people] into execu-

tion," the petitioners concluded their request. "They wish relief. A wise government will be diligent to afford it."²⁶ Summing up the attitude of many Southerners, one Mississippian noted that during times of need, the people "naturally look for such assistance as the State can lend."²⁷

As the need arose, then, producers demanded that the "strong arm" of the law protect and foster their economic well-being. "Laboring men clamor for laws to protect their right to an equivalent for their labor," as hill country farmer W.W. Graham put it, "for... whenever a man is forced to labor for less than an equivalent he is a slave." If this required the enactment and enforcement of legislation preventing "extortion" by merchants and others trying "to get a living and riches out of producers' labor," so be it. "I know if farmers were to undertake to pass such a law there would be a wonderful howl raised about liberty and right," Graham continued, "but mind if men that makes their living and gets rich off of farmers are not the men that makes the howl."²⁸

To be sure, while producers were critical of legislation harmful to the general population, certain legal devices ultimately working to foster the economic dependency of farmers, such as the crop lien, proved to be a necessity for farmers in need of credit. Many farmers, recognizing this, opposed efforts to repeal crop lien legislation without the substitution of other means of

acquiring credit. As one black north Alabama editor observed, the lien law was "not the cause, but the effect" of socio-economic conditions in the region. "When we find some manner of farming which will give the farmer something else to mortgage beside his muscle, allow him to save enough of his year's produce to sustain life and make another crop, then there will be no necessity for advances and the crop lien may go."²⁹ "Grant everything that may be said against the law," another north Alabamian contended, "and the remedy sought in its repeal now [will] be only more mischievous."³⁰ Similarly, although they had earlier desired homestead exemptions which excluded a portion of their property from levy for debt and thus protected their means of sustaining themselves, many hill country Georgians supported efforts to reduce Georgia's high exemption when the state adopted a new constitution in 1877. Indeed, every upcountry county in the state cast a majority of its votes for reducing the homestead in a popular referendum on the issue.³¹ This revision of Georgia's homestead law benefited commercial interests, but producers recognized that high homestead exemptions restricted their access to needed credit. Moreover, there was at least some truth in the argument of critics that high homestead exemptions primarily benefited wealthier debtors who owned the substantial amount of property protected by Georgia's 1868 homestead law.³² Still, support for measures fostering the commer-

cialization of the region derived from the small producers' immediate needs, not from an approval of the economic trend these measures promoted. To the contrary, producers sought political means to restructure economic relations in the region in such a way so as to aid the general population.

One of the most explicit examples of farmers' efforts to use the state as a mechanism to foster their well-being is evident in the struggle over usury legislation which occurred in many Southern states in the 1870s.³³ The regulation of interest rates was not a new concept in the post-war period. Conceptions of a "just price" concerning the use of money had dominated American legal doctrine in the colonial period. Into the nineteenth century, most states had strict regulations concerning usury on their statute books, severely penalizing lenders for charging a rate of interest above that set by law. During the middle decades of the century, as legal institutions became oriented toward an increasingly commercialized society, however, usury restrictions were weakened in most states. By the eve of the Civil War, commercial interests had managed to shape usury laws, as they had much of the legal system, to promote or at least not interfere significantly in their transactions.³⁴

Usury measures enacted in Georgia in the 1870s reflected this development. By the time Georgia's small producers were becoming heavily involved in market relations, usury legislation did not effectively serve their needs.

Penalties for violating usury measures were weak. Individuals engaged in loan transactions easily evaded the measures. Most important for small producers, usury legislation did not cover the types of transactions which kept them indebted. Given the scarcity of money in the region, few small producers directly dealt in cash. Rather, most purchased goods on time from merchandisers, to whom they turned over a portion of their crop at harvest's end. Such a situation allowed types of exploitation which usury legislation did not restrict. Perhaps most notorious was the two-price system used by merchants, one for those purchasing goods with cash, the other for those buying on credit. Estimates of prices in Georgia in the 1880s indicate that credit prices for basic necessities generally ranged from 40 to 70 percent above cash prices. Even after accounting for the merchants' risks and costs, such mark-ups were exorbitant. Unfortunately for small producers, Georgia's Supreme Court ruled that usury legislation did not apply to the time price differential since it was not "true" interest.³⁵

Thus, the usury laws that were passed in the 1870s did not really benefit many indebted farmers. The argument can be made that the biggest beneficiaries of these laws were planters and other wealthier debtors with access to money loans. Indeed, perhaps the most important reason that stringent credit regulatory legislation was not enacted in

the post-war era was because planters, while desiring the regulation of money loans, did not want their credit relations with their tenants to be legally restricted.³⁶ Yet, that such a clamor for usury legislation arose in hill country areas in the 1870s indicates the farmers' willingness to seek political solutions to their economic problems. When examining the debates over usury regulation it is essential to understand that hill country supporters of usury legislation did not consider the laws ultimately enacted to be by themselves the solution to the small producer's credit problems. Most importantly, efforts were made to extend usury regulation so that it would cover a wider range of credit arrangements, including the two-price system.³⁷ Moreover, it should be remembered that regulation of the rate of interest was only one part of the small producers' political program to deal with their credit problems and a national monetary system which discriminated against the South. The ineffectiveness of usury legislation would in itself later lead farmers to seek other, more dramatic, solutions to their problems.³⁸ Yet, validating the principle that the state had the right to regulate interest rates on money loans was essential to seeking other uses of state power in regulating the marketplace. The debate over usury regulation, then, reveals much about the interconnectedness of economic and political affairs in the minds of small farmers. It helps us to understand the farmers' ideas concerning the nature of the state in a

republican society, while also providing insights into the political economic thoughts of those opposed to interest regulation.

Usury legislation, the Atlanta Constitution declared in 1873, is a "relic of an old and lower degree of civilization." "The government has no greater moral right to fix the rate of compensation for the use of money than it has to fix the rate that a livery-stable keeper shall charge for the use of a horse."³⁹ Thus, in straight forward laissez-faire terms, was presented the main argument of those who opposed the regulation of interest rates. To mercantile and business interests desiring the free use of their money for profit-making purposes and other like-minded Southerners, the usury law was wrong on ideological, political, and economic grounds. As advocates of liberal economic thought (at least concerning governmental regulation of their economic activities), these critics saw political attempts to interfere with the "natural" workings of the marketplace as detrimental and retrogressive. "The history of all nations goes to prove that the Usury laws of the darker ages have given way to the wisdom of advancing civilization," the Athens Northeast Georgian argued in 1875. "The price of money must and should be governed by the supply and demand, as much as is any other article of commerce."⁴⁰

Indeed, usury law critics contended that, regardless

of the effects of credit regulatory measures, government had no right to say anything on the matter. Many opponents of the measures would have agreed with the individual who charged that it was a "tyrannous exercise of power for the State to hamper its citizens in the use of their money."⁴¹ "If the legislature can rightfully decide whether a person owning capital shall lend money or make cloth, why may it not also determine that one man shall be a legislator, another a shoemaker, and a third a carpenter and joiner?" one critic asked. "Admitting it were possible to imagine a grosser injustice, there surely can be no greater nonsense."⁴² The borrower, too, one editor argued, resented state interference in his dealings "as if he was such an irresponsible idiot as to need a guardian."⁴³ Perhaps most vitriolic in its criticisms was the Atlanta Constitution, which, as a leading apostle of "New South" business ideology, incessantly condemned efforts to regulate the use of money. "Free money is the necessity of the age. Free money is Democratic in principle. It is the demand of a free people," the Constitution, in a typical editorial on the issue, declared. "Usury laws are an act of despotic interference with a free man's use of his property. Their repeal is simply carrying out the principles of our free government, and allowing men to do with their earnings as they please in the true spirit of Democratic liberty."⁴⁴

In addition to condemning usury legislation on ideological grounds, opponents charged that efforts to solve the

credit problems of the South by regulating the rate of interest caused more economic harm than good. No legislation would prove sufficient to force capitalists to lend their money at a rate of interest regulated by law, provided it was deemed by them insufficient for the risk incurred, critics contended. The effect of usury legislation, then, would be to destroy the convenience of commerce, by driving money from the market.⁴⁵ Such a situation hurt those in need of credit the most. "Instead of considering the necessities of the people [the interest law] adds to them by increasing the risk of loans, thus impairing the credit of those who must borrow," the Atlanta Constitution argued. "To the small farmers -- those who make up the majority of our agricultural class -- this outrageous law must indeed have the appearance of a deliberate and well-considered scheme to oppress and embarrass them."⁴⁶

Moreover, some critics complained of attempts to regulate the dealings of money-lenders, while ignoring the types of credit which truly exploited small producers. "Where one man borrows money, ten men purchase on credit," one critic explained, "and it is notorious that merchants, on time sales, receive a profit which might well excite the envy of the most greedy usurer." If the money market was left free, thus encouraging those with capital to lend their money, usury regulation critics contended, farmers

could borrow money with which to buy needed supplies at a much lower interest rate than when purchased on time from merchants.⁴⁷ Such reasoning ignored the fact that restrictive banking policies and the depreciated value of land -- the major form of collateral farmers, of course, possessed -- made it virtually impossible for small producers to get bank loans.⁴⁸ This line of argument, in any case, was not pursued vigorously because most critics of usury legislation desired its abolition, not what perhaps might be the more logical conclusion of this argument -- that stricter credit regulatory measures were needed.

Small producers and their representatives attacked the basic tenets of the philosophy of those who sought the repeal of usury legislation. First and foremost, advocates of the regulation of the rate of interest challenged their antagonists' definition of what money was and what its purpose in the economy should be. Classic liberal economic thought, as we have seen, viewed money as a commodity with an intrinsic value unto itself -- one, disciples argued, like any other commodity, individuals should be able to profit from in the free market. Small producers, on the other hand, denied that money was equivalent in the marketplace to a product of productive labor.⁴⁹

This point of view was closely linked to the Greenbackers' insistence that paper instead of metal should serve as the currency of the nation. While most commercial interests of the nation found heretical the idea that money

did not have an intrinsic value and argued that in a "civilized state" valuable metals must constitute the nation's currency, or at least back up bank-notes used to transact the nation's business, Greenbackers viewed such a definition of money as the core of the small producers' economic problems.

To Greenbackers, as to critics of the nation's monetary system before and after them, money was a creation of the law which facilitated the exchange of produced goods. Individuals, they contended, should not be able to profit unduly on money itself -- transferring the wealth inherent in a product created by a farmer or a laborer into the hands of middlemen who interfered with the exchange process. Instead, money should only be representative of wealth, for the benefit and use of producers. It should not be of value itself, as were scarce metals, but should be made of a plentiful product -- paper. Thus, the government in the interest of the common good, Greenbackers contended, should issue money in a plentiful quantity to service the commercial needs of the general populace. Such a monetary policy would keep enough money in circulation to promote productive labor and prevent creditors, especially bankers, from appropriating the wealth created by labor through high interest rates.

Usury legislation fit well into such ideas concerning the nature of money. The arguments of those who saw the

need for the use of state power to control interest rates complemented the Greenbackers' belief that it was the government's responsibility to issue and control the volume of currency in circulation in the public's interest. They too viewed money as "merely the standard by which to measure commodities." Opponents of usury legislation have "based their arguments upon false premises," one independently inclined north Georgia editor commented. "They have assumed that money, like any other commodity, 'should be left perfectly free.' While in one sense of the word, money is a commodity, yet it is more than that -- it is a standard of value -- it is a measure like a yard-stick or a half-bushel; and viewed in this light it is incumbent upon the law-making power to give it a fixed value, which can alone be done by law."⁵⁰ As the "common medium of exchange," money should merely serve as an easy and convenient way for individuals to exchange their products and should not be allowed to be used in usurious ways by creditors for, as one Independent newspaper put it, "High interest engenders unhealthy exchanges in value and places the weak at the mercy of the strong."⁵¹ Controlling the rate of interest, thus, would prevent those with aggregations of capital from siphoning off the wealth created by labor, thereby protecting the "hard-working and over-taxed millions [who] are called upon to raise, by their daily toil, the vast amounts of interest paid to a comparatively few Shylocks."⁵²

As is evident in the quotes given above, much of the rhetoric used by those who supported usury legislation was heavily influenced by a producer ideology, with its hostility toward concentrations of wealth obtained through means that were considered exploitative. The citizen who used his capital in the form of money to make profits by loaning it to others was labeled a "non-producer" -- an individual who added nothing to the wealth of the country and lived on what others produced. Many Southerners would have agreed with the Georgian who contended that it was "eminently proper for the state to say to such citizen, if you choose to use your capital in this way, you must loan it at such a price as will enable those who so employ it in the industries to make something by its use as well as yourself -- you must divide the profits." "Keeping in view the general prosperity," this individual asked, "is not this just and equitable?"⁵³

Indeed, many hill country residents believed that the government had a responsibility to act in the interest of the general citizenry. As discussed earlier, such attitudes were central to the small producers' political ideology. "Since laws are not enacted for the few, but the many -- the people in their sovereign capacity -- we must consider what will likely lend thrift and prosperity to the masses," a north Georgia editor argued. "Who then is ready to reject the usury law, and petition our General Assembly

for its repeal in Georgia? Is it the man whose mind is thoroughly imbued with the theory of Government? Is it the Christian? Is it the patriot? Is it the statesman? We think not."⁵⁴ Others also argued that the "strong arm of the law" was needed to protect the public. "When we became members of civil society, or citizens of a state, we give up all rights the exercise of which would have a tendency to defeat the purpose for which that society or government was organized," a correspondent to the Atlanta Constitution contended. "The purpose for which government is established is to secure the prosperity and happiness of those who are its members or citizens. The right to loan money without limit as to rate, is one that must be given up because its exercise has a tendency to prevent the general prosperity."⁵⁵

Support for usury legislation was widespread throughout the Georgia upcountry in the 1870s and early 1880s. Even critics acknowledged that an almost "universal clamor" existed for such governmental activity.⁵⁶ Thus, although the state's usury law was repealed in 1873, two years later, with strong hill country support, it was back on the statute books.⁵⁷ And, as noted earlier, although unsuccessful, hill country legislators attempted to extend the law so that it would cover a wider range of credit arrangements. While the desire for credit regulatory measures was evident throughout the hill country of the lower South, it is significant that it was in Georgia that the most vocal

support was expressed. For this was the area of the lower South where the commercialization of predominantly white-populated, non-plantation areas occurred most dramatically in the post-war era, provoking considerable agitation over the detrimental effects of socio-economic transformations connected with the expansion of the market economy. And, significantly, Independents were increasingly active in promoting the enactment and enforcement of usury legislation in the 1870s.

While support for strict usury laws and for other measures to promote the well-being of small producers could be heard from rank-and-file hill country Democrats, Independents and other anti-Redeemers assumed a larger role in representing hill country producer views precisely because the post-Reconstruction Democratic party appeared to ignore and often to be hostile to those views. As we saw earlier in the chapter, anti-Redeemers charged that they had left the Democratic party because it had assumed an oligarchic character and promoted the interests not of the general population, but of party leaders and the groups these elite Southerners represented. The party, critics contended, had increasingly become insulated from popular participation and, consequently, an increasingly restricted avenue through which small farmers could seek to redress their grievances.

Of course, criticism of the post-Reconstruction Demo-

cractic party can be taken as mere political rhetoric used by political office-seekers and their advocates. Indeed, it was partially just that. Political opportunists, seeking personal advancement, and disappointed office-seekers were sometimes the most vocal critics of Democrats in office. Whatever their motivations and intentions, there were often numerous candidates for a political office. It was not unusual to hear of races for a county office or a state legislative seat contended for by ten or more individuals. And the fact that the Republican party was taboo to most white Southerners meant that political competition primarily took place within one political party organization. Thus, some Democrats seeking office but not nominated by the party machinery did bolt the party for strictly self-serving reasons, although, of course, it is not necessarily inconsistent to seek office for both personal advancement and ideological reasons.

On the other hand, given the political power Democratic party managers held on both the local and state levels, due to their dominance of governmental power in the region, dissidents had legitimate grievances concerning the means of obtaining political power in the late nineteenth-century South. Party leaders, of course, dispensed patronage appointments in such a way as to strengthen the party organization. While occasionally an influential dissident might be offered a position in an attempt to attract him back into the party fold, positions usually went to indi-

viduals supporting, not challenging, the party organization. More importantly, with the Republican party in disfavor among whites and the political rights of blacks in Democratically controlled counties seriously impaired, securing the Democratic party nomination for an elective office was virtually tantamount to gaining the office itself in most areas of the South. Thus, the party's method of selecting candidates was crucial to the ultimate exercise of governmental power.

Throughout the 1870s, the convention system predominated as the means by which candidates for office were selected. On the local level, delegates chosen by minor political districts would attend a county convention to select the party's nominees and local executive committee and perhaps write a party platform. County conventions also often chose delegates to attend congressional and state conventions. While this may have been a somewhat orderly way for the party to function, it was also susceptible to manipulation, or as contemporaries called it "ring rule." Delegates to local conventions were selected by theoretically democratic mass meetings, open to all the party faithful. Yet, such meetings were often held with insufficient publicity and at inconvenient times, particularly for small farmers engaged in their daily work, thus hindering the ability of many voters to attend. Moreover, even if a delegate selected at a minor political district

meeting was a popular choice, he might very well find himself powerless at the convention itself, where local party leaders could use their leading role in directing convention proceedings to carry out their own political objectives. Some counties, foregoing the holding of a convention, nominated local candidates and delegates to congressional and state conventions at county mass meetings. Yet, public assemblies held at the county seat, located perhaps miles from where many county residents lived, were even more difficult for farmers to attend than meetings held in their own neighborhoods. Consequently, these political meetings were also often poorly attended and controlled by professional politicians and other town-oriented interests.⁵⁸

Such political conditions prompted many individuals to condemn the convention system as "unjust" and "subversive of the fundamental principles of representative constitutional government." Among those upset with the system were residents of northeastern Georgia's ninth congressional district. Complaining that they had "no adequate means of participating in the election of delegates" to congressional conventions, these Georgians argued that conventions in the ninth district had come to be "controlled by a few men" to "the great and serious injury of the people in the exercise of their elective rights." Similarly, Georgia Independent Emory Speer complained that public meetings to select delegates to conventions were "rarely generally

publicized." Conventions in his area, consequently, were "arbitrary and unreasonable," Speer contended, and "with rare exceptions a few gentlemen who make local politics a study and practice, assume entire control of the County Conventions."⁵⁹

A more detailed picture of how a "ring" could manipulate local political proceedings is revealed by the events which led Green R. Duke, a resident of Jackson county, Georgia, to bolt the regular party organization in his locality and run for the legislature as an Independent. On September 1, 1874, a meeting of local Democratic leaders was held in Jackson to determine how legislative candidates for the upcoming state election would be selected. Although a committee organized to prepare business for the meeting recommended that delegates be chosen by Jackson's minor political districts to attend a county nominating convention, a resolution favoring the calling of a county mass meeting to select candidates was adopted. Duke and several others present at the preliminary meeting complained that a mass meeting held in Jefferson (the county seat) would give Jefferson and adjacent districts an advantage as they, unlike more remote districts of the county, could be "largely represented without inconvenience." Still, these individuals accepted the decision of the meeting.

On the following Friday, 500 voters assembled in

Jefferson to choose Jackson's legislative candidates. Duke later contended that since it had been decided that nominations would not be made by delegates selected by the county's militia districts, it was the "universal" impression that the meeting's participants would be permitted to cast their votes for the candidates of their choice. With such Jefferson elites as William I. Pike, chair of the county Democratic Executive Committee, in charge of the meeting, however, the assembly was not to be a forum for eliciting the wishes of the county's voters. Indeed, the very first act of the meeting's leaders was the introduction of a resolution, which was adopted without majority approval, empowering the meeting's chairman to select delegates to a nominating convention for the whole county. Not only was the meeting to be denied the right to select party candidates, Duke charged, but one man was given the power "to secure the nomination of his own favorites." This caused an "eruption" in the meeting and two-thirds of those present left. Freed of oppositional elements, the meeting then proceeded to adopt another resolution allowing those remaining to elect delegates to a nominating convention, thus allowing local Democratic leaders to control the candidate-selection process by an ostensibly more democratic procedure.

Critics charged that from the start the "Jefferson clique" had attempted to manipulate the candidate-selection process. At the September 1 meeting, these dissatisfied

Jackson voters argued, Democratic leaders had denounced the delegate system, believing that they could more easily control a mass meeting held in Jefferson. When a larger number of citizens than expected attended the meeting, Jefferson leaders resorted to an alternate plan in order to shape the meeting's proceedings. "[I cannot] conceive of anything of a political character more undemocratic and iniquitous from beginning to end than the mode of procedure which resulted in bringing before the people the two nominees of the caucus meeting," Duke declared. Some say the meeting was fair, Independent J.M. Potts observed. "I would simply say to all such that we differ very widely indeed as to what are principles of right and justice." Obviously, many Jackson county residents agreed with Duke and Potts. For both men were elected to the legislature the following month.⁶⁰

Individuals elsewhere in the South were equally critical of the candidate-selection process in their areas. In north Alabama, too, residents observed that county and congressional conventions were town-dominated and "conspicuous... for the absence of farmers and laborers and their non-participation in the deliberations."⁶¹ "When we farmers sacrifice our right to representation and our right to have controlling influence in conventions," one Colbert county, Alabama voter warned, "we become as clay in the hands of the potter to be molded to suit his fancy."⁶² In Chickasaw

county, Mississippi, complaints arose in 1881 when only three of the thirty delegates selected to participate in an upcoming county convention resided beyond the corporate limits of Okolona, the county seat of Chickasaw.⁶³ Similarly upset with undue town influence at a convention, Mississippian W.W. Graham contended that candidates for local offices in Clay county bolted the Democratic party because the ticket chosen at the county Democratic convention "was very unpopular with the people." It was claimed by many of those present at the convention, Graham reported, that certain "unpopular" men from the town of West Point "had succeeded in working their men through the convention for selfish motives."⁶⁴ Not surprisingly, disproportionate town influence caused increasing levels of disaffection with politics in many communities. "Our people have been so often swindled and disgusted by the action of public meetings, conventions, etc., that it is very difficult to get any considerable number of our citizens to attend a public meeting for any purpose," one hill country editor, expressing a widely held opinion, commented. "The people have found out that these meetings are managed and manipulated by a few individuals, most of whom have axes to grind -- that the resolutions are all 'cut and dried,' the offices appointed and speakers selected in advance, without their aid or intervention; and hence, here, as well as elsewhere, they are disgusted with so called public meetings generally."⁶⁵

Dissatisfaction with the way the convention system of nomination worked led increasing numbers of Southerners to argue that the system be discontinued. Critics contended that since the Republican party was powerless in the region and thus strict party discipline was no longer essential, conventions were no longer necessary. Rather, they argued, "scrub" races, open to all who wished to run for an office, should be held to elect political officials. "I cannot see the necessity for nominating county officers, as there is no chance for a Republican to be elected," as one north Georgian wrote into his local newspaper. "The county is democratic and will elect democratic officers, and it is foolish to stir up unnecessary strife. Let every man run on his own merit."⁶⁶ And in the late 1870s, many Southern counties did hold open races to elect at least some of their officials. Candidates for seats in the 1878 session of Georgia's general assembly, for example, were announced all over the state "generally without regard to caucus nomination." "For once at least the constituency in most counties will choose their representatives without restraint or dictation," one Independent wrote to Rebecca L. Felton, wife of Independent Congressman William H. Felton. "Whether this will be an improvement I leave you to judge. It will at least be more democratic."⁶⁷

Seeking to retain control of the candidate-selection process in areas where disaffection was the greatest, the

Democratic party, in the mid-1870s, began using the party primary as a means to select party candidates on the local level and delegates to conventions on other levels. Democratic party managers increasingly viewed primaries as a means of uniting white Democrats and preventing defections from the party by those critical of the party's candidate-selection process. Intra-party competition, it was hoped, would obviate the need for inter-party competition. Many of those critical of "mass meetings" and conventions did indeed prefer primaries.⁶⁸

Yet, primaries also proved susceptible to manipulation. In the post-Reconstruction period, no state laws yet regulated the primary process. Political party nominating procedures were solely under the control of party leaders. As corrupt as the region's regular elections could be, with the South's election machinery under Democratic control, primaries were susceptible to even worse corruption and manipulation for they did not even have the facade of legal regulation.⁶⁹ Primaries in Cherokee county, Georgia, in 1882, for example, were conducted by relatives of successful candidates and, to the "great astonishment" of local citizens, several individuals actually managed the elections in which they were candidates.⁷⁰ Even if fairly administered, a primary could be used in manipulative ways by party leaders. Thus, Bartow county, Georgia residents labeled "ultra-undemocratic" the calling of a primary by party managers to choose a Democratic state senatorial

candidate because Bartow citizens had already chosen a candidate and according to the time-honored rotation system it was Bartow's turn to choose a state Senator for the three-county district. Local party leaders, these Bartow citizens contended, called the primary because of a "personal dislike" for their candidate.⁷¹ In any case, whether subject to excessive manipulation or not, primaries did not become extensively used in the South until years later.

In addition to opposing the Democrats' candidate selection process, dissidents criticized apportionment arrangements at Democratic conventions which gave certain areas or regions undue influence. Georgia Independent Emory Speer, for instance, complained about the disproportionate representation of counties at Ninth Congressional District Democratic conventions. As table 6 shows, there was substance to his charge. Counties which had cast four to five times as many votes for Democratic Presidential candidate Samuel Tilden in 1876 as other counties in the district received no more delegate seats than low-vote total counties in a February 1877 convention. Voters underrepresented at the convention would not submit to a system which "cheated" them of the influence which their numbers entitled them to and which might thus select a nominee who was not the choice of a majority of the Democratic voters of the district, Speer contended. When most of those counties underrepresented at the convention opposed Democratic can-

didate Hiram P. Bell in a March 1877 congressional election called to fill the vacancy created by the election of B.H. Hill to the United States Senate, dissidents argued that the opposition could at least partly be attributed to the dissatisfaction of voters of these counties with the ninth district's "grossly unfair" convention system.⁷²

Table 6: Georgia Ninth Congressional District Election, March 1877

<u>Bell Supporters</u>	<u>Tilden Vote</u>	<u>Convention Delegate Seats</u>	<u>Votes Per Delegate</u>
Banks co.	614	3	204.7
Dawson	420	3	140.0
Fannin	286	3	95.3
Forsyth	921	3	307.0
Gilmer	561	3	187.0
Jackson	1426	5	285.2
Lumpkin	566	3	188.7
Madison	599	3	199.7
Pickens	373	3	124.3
Rabun	482	3	160.7
Towns	296	3	98.7
Union	548	3	182.7
White	467	3	155.7
	7559	41	184.4

<u>Bell Opponents</u>	<u>Tilden Vote</u>	<u>Delegate Seats</u>	<u>Votes Per Delegate</u>
Clarke co.	1193	3	397.7
Franklin	982	3	327.3
Gwinnett	1595	5	319.0
Hall	943	3	314.3
Habersham	1027	3	342.3
Morgan	822	3	274.0
Oconee	412	3	137.3
	6974	23	303.2

Sources: Annual Report of the Comptroller General of the State of Georgia, 1876 (Atlanta, 1877), 68; Atlanta Constitution, March 24, 1877; Jefferson Forest News, February 17, 1877.

On the state level, hill country areas opposed apportionment practices which gave white Democrats in black belt areas disproportionate power at conventions. Due to their control of the election machinery in black-dominated areas, Democratic numbers appeared greater than they actually were, and thus black belt representation at Democratic conventions was greater than it should have been. Such a situation was evident at Alabama's 1880 Democratic state convention. While heavily black populated Montgomery and Dallas counties were represented by forty-three delegates, a dozen north Alabama counties containing a much greater number of Democratic voters did not have as large a contingent at the assembly. Evidence suggests that inequitable representation of counties at Alabama Democratic conventions grew worse throughout the 1880s.⁷³

Concretely, then, Southern white farmers had legitimate reasons to criticize the Democratic party organization of the post-Reconstruction era. Not all critics, of course, left the party because of the machine tactics employed by party leaders. Some continued to attempt to reform the party from within. Moreover, many Southerners accepted the argument of Democratic leaders that the maintenance of white rule outweighed all other political issues. Yet, dissatisfaction with political conditions in the South grew as the regional political system became increasingly insulated from popular influences and unre-

sponsive to the needs of the general citizenry -- thus challenging the Jacksonian conception of politics ordinary hill country Southerners had long held.

Political ideas that producers brought into the post-Reconstruction era concerning the role that the state could, and should, play in promoting their well-being, had a significant effect on popular political ideology in the late 1870s and 1880s and provided the basis from which protest activity arose. Thus, as controversies concerning socio-economic conditions in the South intensified, questions concerning the ways in which political power was being used in the period assumed center stage. For all parties involved in debates over political economic issues of the era, including those espousing laissez-faire rhetoric, recognized that politics and economics were inextricably linked in late nineteenth-century America. Whether promoting economic development, regulating (or, just as importantly, not regulating) economic activity, or determining its mode of revenue-raising, government affected the socio-economic condition of its citizens.

FOOTNOTES

¹Eric Foner, "Reconstruction and the Crisis of Free Labor" in Politics and Ideology in the Age of the Civil War (New York, 1980), 116-7; Armsted Robinson, "Beyond the Meaning of Social Consensus: New Meanings of Reconstruction for American History," Journal of American History 68 (Sept. 1981), 283-4; J. Mills Thornton, III, "Fiscal Policy and the Failure of Reconstruction in the Lower South," in J. Morgan Kousser and James M. McPherson, eds. Region, Race and Reconstruction: Essays in Honor of C. Vann Woodward (New York, 1982); Elizabeth Nathans, Georgia Republicans and Reconstruction, 1865-1871 (Baton Rouge, 1968), vi-vii, 225-6; Otto Olsen, ed. Reconstruction and Redemption in the South (Baton Rouge, 1980); Perman, Road to Redemption, 105; Hahn, Roots of Southern Populism, 204-16.

²Letter of "Convention" in Athens Southern Watchman, September 2, 1874.

³Cartersville Free Press, October 27, 1881. See also: ibid., August 7, 1879, January 16, 1879, April 20, 1882, May 11, 1882.

⁴W.W. Graham to Governor John M. Stone, November 15, 1877, Mississippi Governor's Papers. See also: letter of "National-Teutonic" in Huntsville Advocate, March 12, 1879; Athens Banner-Watchman, April 6, 1882.

⁵Huntsville Advocate, November 5, 1879. See also: letter of "One of Them" in Huntsville Advocate, July 5, 1882; William E. Vasser to Joseph Wheeler, September 7, 1880, Joseph Wheeler Papers, Alabama Department of Archives and History.

⁶Cartersville Free Press, November 25, 1880. See also: Emory Speer to W.H. Felton, December 30, 1877, W.S. Whitaker to W.H. Felton, February 17, 1882, Rebecca L. Felton Collection; Chickasaw Messenger, September 8, 1881.

⁷J.M. Pickens in Huntsville Advocate, July 14, 1880. See also: Florence Gazette, March 27, 1880.

⁸Perman, Road to Redemption, 264-77; Lewis N. Wynne, "Planter Politics in Georgia, 1860-1890," (PhD diss. Univ. of Georgia, 1980), 365-400.

⁹See especially: Thornton, Politics and Power in a Slave Society.

¹⁰Sharp, Jacksonians versus the Banks; Thornton, Politics and Power in a Slave Society; Harry L. Watson, Jacksonian Politics and Community Conflict: The Emergence

of the Second American Party System in Cumberland County, North Carolina (Baton Rouge, 1981).

¹¹Athens NorthEast Georgian, February 10, 1875; Athens Southern Banner, March 19, 1878.

¹²Tuscumbia Democrat, November 3, 1881.

¹³Chickasaw Messenger, February 3, 1881. See also: Athens Southern Watchman, February 4, 1874; Carroll County Times, February 16, 1877; Jefferson Forest News, May 5, 1877; Chickasaw Messenger, August 4, 1881, November 24, 1881; Huntsville Advocate, December 27, 1882.

¹⁴Rome Tri-Weekly Courier, January 17, 1874.

¹⁵Ibid., January 22, 1874.

¹⁶Cartersville Free Press, July 28, 1881.

¹⁷Ibid., August 30, 1883. See also: Athens North East Georgian, July 29, 1874; Cartersville Express, February 17, 1876; Cartersville Free Press, August 1881, January 1883, September 6, 1883.

¹⁸On this issue see, for example: Jonathan Wiener, Social Origins of the New South: Alabama, 1860-1885 (Baton Rouge, 1981); Eric Foner, Nothing But Freedom: Emancipation and Its Legacy (Baton Rouge, 1983), 39-73; Perman, Road to Redemption, 261.

¹⁹Cottage Home Farm Journal, Floyd County, September 1873, John H. Dent Papers, Georgia Department of Archives and History. See also: letter of "West Oconee" in Athens Georgian, April 10, 1877.

²⁰W.W. Graham to Governor John M. Stone, November 15, 1877, Mississippi Governor's Papers.

²¹M.J. Wood to Governor John M. Stone, March 27, 1879, Mississippi Governor's Papers. See also: letter of "T.P.M." in Carroll County Times, February 11, 1876; Tuscumbia Democrat, December 21, 1882.

²²On the following discussion, see: Lawrence M. Friedman, "The Law Between the States: Some Thoughts on Southern Legal History," in Bodenhamer and Ely, eds. Ambivalent Legacy, 37; Morton J. Horwitz, The Transformation of American Law, 1780-1860 (Cambridge, Mass., 1977), 253-66; William E. Nelson, The Roots of American Bureaucracy, 1830-1900 (Cambridge, Mass., 1982), 133-48; A Note, "The Changing Role of the Jury in the Nineteenth Century," Yale Law Journal 74(Nov. 1964), 170-92.

²³Tuscumbia North Alabamian, December 10, 1880. See also: W.W. Graham to Governor John M. Stone, December 6, 1877, Mississippi Governor's Papers; letter of "West Oconee" in Athens Georgian, May 1, 1877.

²⁴E.W. Butler, President, Farmers' Club of Morgan County to Governor Alfred Colquitt, November 22, 1879, Georgia Governor's Papers, Georgia Department of Archives and History.

²⁵Moulton Advertiser, August 25, 1881, September 1, 1881, September 15, 1881.

²⁶Ibid.

²⁷W.A. Montgomery to Governor John M. Stone, November 17, 1879, Mississippi Governor's Papers.

²⁸W.W. Graham to Governor John M. Stone, October 30, 1877, November 15, 1877, Mississippi Governor's Papers. See also: letter of "T.P.M." in Carroll County Times, February 11, 1876; JM Pickens in Huntsville Advocate, July 14, 1880.

²⁹Huntsville Gazette, January 2, 1886.

³⁰Tuscumbia Democrat, February 12, 1881. See also: Athens Southern Watchman, February 3, 1874; Athens North East Georgian, February 18, 1874, Gwinnett Herald, February 10, 1875, February 24, 1875; Tuscumbia Democrat, January 15, 1881, January 22, 1881, January 4, 1883; letter of "Veritas" in Jackson Weekly Clarion, February 8, 1882; Moulton Advertiser, January 25, 1883; Huntsville Gazette, December 1882, January 1883, November 1884; Rogers, One-Gallused Rebellion, 17.

³¹Report of the Comptroller General of the State of Georgia for the Year 1877 (Atlanta, 1878), 82-6.

³²Athens Southern Watchman, December 3, 1874, February 14, 1875, February 17, 1875; Cartersville Express, April 6, 1876, June 1, 1877; letter of J.D. Stewart in Carroll County Times, May 11, 1877, "Citizens Meeting" in ibid., August 3, 1877; Calhoun Times, March 31, 1877; letter of "A Countryman" in Gwinnett Herald, April 18, 1877, August 8, 1877.

³³Perman, Road to Redemption, 227-8.

³⁴Lawrence A. Friedman, A History of American Law (New York, 1973), 474-6; Horwitz, Transformation of American Law, 237-45.

³⁵Ellen B. Garrison, "Old South or New? Georgia and the Constitution of 1877" (PhD diss. Stanford Univ., 1981), 52; Roger Ransom and Richard Sutch, One Kind of Freedom: The Economic Consequences of Emancipation (New York, 1977), 237-43.

³⁶Athens Southern Watchman, December 23, 1874, January 5, 1875; Judson C. Ward, "Georgia Under the Bourbon Democrats, 1872-1890" (PhD diss. Univ. of North Carolina, 1947), 288; Wynne, "Planter Politics in Georgia," 274-6.

³⁷A usury regulatory bill introduced by one north Georgia legislator in 1875, for example. specifically prohibited both "direct" and "indirect" usurious interest rates on credit purchases of "wares, merchandise, or other commodities," as well as money loans. Calhoun Weekly Times, January 27, 1875. See also: Athens Southern Watchman, January 22, 1874, January 24, 1875.

³⁸James R. Green, Grass-Roots Socialism: Radical Movements in the Southwest, 1895-1943 (Baton Rouge, 1978), 347.

³⁹Atlanta Constitution, January 25, 1873.

⁴⁰Athens NorthEast Georgian, January 6, 1875; Atlanta Constitution, February 3, 1875.

⁴¹Atlanta Constitution, January 16, 1874. See also: Columbus Enquirer quoted in Atlanta Constitution, December 18, 1874; Rome Tri-Weekly Courier, January 31, 1874.

⁴²"A Granger" in Atlanta Constitution, February 3, 1875.

⁴³Marietta Journal, August 23, 1883.

⁴⁴Atlanta Constitution, November 26, 1873.

⁴⁵Athens NorthEast Georgian, January 6, 1875. See also: Augusta Chronicle and Sentinel quoted in Athens Southern Watchman, July 29, 1874; Atlanta Constitution, January 25, 1873, January 16, 1874, November 15, 1879.

⁴⁶Atlanta Constitution, November 11, 1879, November 15, 1879. See also: letter of "A Farmer" in Atlanta Constitution, February 1, 1874; Oglethorpe Echo quoted in Atlanta Constitution, November 11, 1879.

⁴⁷Atlanta Constitution, February 3, 1875, October 7, 1879, October 8, 1879, October 28, 1879.

⁴⁸Ransom and Sutch, One Kind of Freedom, 110-16; Woodman, King Cotton and His Retainers, 351.

⁴⁹On the following discussion, see: Charles M. Destler, American Radicalism, 1865-1901 (Chicago, 1966), 52-3; Bruce Palmer, "Man Over Money": The Southern Populist Critique of American Capitalism (Chapel Hill, 1980), 81-95; Robert P. Sharkey, Money, Class, and Party: An Economic Study of Civil War and Reconstruction (Baltimore, 1959), 187-91.

⁵⁰Athens Southern Watchman, August 12, 1874. See also: Gwinnett Herald, January 5, 1876; letter of J.F. Awtrey in Atlanta Constitution, November 15, 1879.

⁵¹Cartersville Free Press, December 4, 1879. See also: Athens Southern Watchman, December 23, 1874.

⁵²Athens Southern Watchman, December 23, 1874. See also: letter of "North Georgia" in Cartersville Free Press, December 4, 1879.

⁵³Letter of J.F. Awtrey in Atlanta Constitution, November 15, 1879. See also: Athens Southern Watchman, July 22, 1874; Calhoun Weekly Times, January 27, 1875; "P.L.H." in Gwinnett Herald, January 5, 1876.

⁵⁴Gwinnett Herald, January 5, 1876.

⁵⁵Letters of J.F. Awtrey in Atlanta Constitution, October 24, 1879, November 15, 1879. See also: Athens Southern Watchman, July 29, 1874; letter of "Sleepy Hollow" in Cartersville Express, April 27, 1876; "L." in Cherokee Advance, February 10, 1881.

⁵⁶Athens NorthEast Georgian, March 17, 1875; Gwinnett Herald, April 20, 1881. For the support north Georgia legislators gave to usury legislation, see: Georgia House Journal, 1874, 32-3, 380-1; Georgia House Journal, 1875, 393-6; Georgia House Journal, 1878-1879, 1798-1801.

⁵⁷The usury laws of the decade are printed in the Cartersville Free Press, October 30, 1879.

⁵⁸Kirwan, Revolt of the Rednecks, 27-39; Ferguson, "Agrarianism in Mississippi," 363-8; William C. Harris, The Day of the Carpetbagger: Republican Reconstruction in Mississippi (Baton Rouge, 1979), 711; Lynwood M. Holland, The Direct Primary in Georgia (Urbana, 1949), 23; Going, Bourbon Democracy in Alabama, 28-30; Hahn, Roots of Southern Populism, 226-7.

⁵⁹Letter of Emory Speer in Jefferson Forest News, February 17, 1877; "Clarke County Mass Meeting" in Jefferson Forest News, February 24, 1877.

⁶⁰Athens Southern Watchman, September 30, 1874; Furgeson, "Power Politics and Populism," 21-3. See also: letter of C.M. McClure in Cartersville Standard and Express, July 11, 1872; letter of "Done Come Away" in Cartersville Standard and Express, August 1, 1872; letter of "Plaindealer" in Cartersville Standard and Express, July 29, 1874; Cartersville Express, July 13, 1876, August 3, 1876; Carroll County Times, August 9, 1878; James C. Bonner, Georgia's Last Frontier: The Development of Carroll County (Athens, Ga., 1971), 146; Holland, Direct Primary in Georgia, 15-6, 23.

⁶¹Letter of "Dawedo" in Huntsville Advocate, May 19, 1880. See also: Huntsville Advocate, May 15, 1878, May 26, 1880.

⁶²Letter of "One of Them" in Huntsville Advocate, July 5, 1882.

⁶³Chickasaw Messenger, July 21, 1881.

⁶⁴W.W. Graham to Governor John M. Stone, December 6, 1877, Mississippi Governor's Papers.

⁶⁵Athens Southern Watchman, January 7, 1874, January 14, 1874.

⁶⁶Letter of "A Democrat" in Marietta Journal, September 9, 1880. See also: Columbus Times quoted in Carroll County Times, August 30, 1878.

⁶⁷HVM Miller to Mrs. Felton, October 24, 1877, Rebecca L. Felton Collection. See also: Gwinnett Herald, November 4, 1874; Carroll County Times, August 16, 1878; May 7, 1880; Allen W. Jones, "A History of the Direct Primary in Alabama, 1840-1903," (PhD diss. Univ. of Alabama, 1964), 83-4, 96-7; Roush, "Aftermath of Reconstruction," 183, 195, 245, 302, 344

⁶⁸Letter of "Democrat" in Cartersville Standard and Express, August 22, 1872, June 24, 1874, letter of "Democrat" in ibid., July 22, 1874; letter of "One of the People" in Cartersville Express, June 15, 1876; Athens Southern Watchman, September 16, 1874, October 7, 1874; letter of "Fair Play" in Marietta Journal, September 29, 1876. Garrison, "Old South or New?" 108-10, 271-3; Goins, Bourbon Democracy in Alabama, 28; Jones, "Direct Primary in Alabama," 101, 104-12; Kirwan, Revolt of the Rednecks, 33; Kousser, The Shaping of Southern Politics, 73-4; Roush, "Aftermath of Reconstruction," 182-3.

⁶⁹Holland, Direct Primary in Georgia, 20-1, 28-31;

Jones, "Direct Primary in Alabama," 147,324,331; V.O. Key, Jr. Southern Politics (New York, 1949), 444; Kirwan, Revolt of the Rednecks, 29; Ferguson, "Agrarianism in Mississippi," 364.

⁷⁰Letter of "Forsyth" in Cherokee Advance, September 16, 1882. For examples of charges of fraudulent primaries elsewhere in the South, see: Carroll County Times, October 19, 1877, April 19, 1878; Huntsville Weekly Democrat, August 14, 1878; Tupelo Journal, September 21, 1883; see also: letter of Peter Culp in Athens Banner Watchman, April 6, 1882.

⁷¹Cartersville Free Press, July 1882, August 1882.

⁷²See also: Jefferson Forest News, February 24, 1877; letter of "Democrat" in ibid., December 23, 1876; Furgeson, "Power Politics and Populism," 24.

⁷³Ferguson, "Agrarianism in Mississippi," 371-2; Going, Bourbon Democracy in Alabama, 29.

CHAPTER TWO

Local Political Conflict

Throughout the nineteenth century, interaction with government for most Southerners, as for most Americans, occurred on the local level. While state and federal governmental activity increased over the century, local government remained the hub of political life for the typical individual. Matters of taxation, law enforcement, and education, for example, primarily affected individuals through local political institutions. Local officials assessed taxes for county services and projects, collected taxes, provided for the maintenance of the poor, selected jurors, managed the prison, hired teachers, and performed numerous other duties.¹

With the expansion of the market economy into hill country areas, moreover, the responsibility of local officials in overseeing legal financial arrangements between individuals and of courts in adjudicating them assumed an increasing importance in determining the socio-economic composition of a community. By enforcing contracts, administering mortgages, and carrying out foreclosures and public sales, local officials were influential in determining the distribution of wealth and productive resources in an area.² As we have seen, for just that reason, commercial interests gaining a foothold in hill country

areas in the post-war era quickly sought to increase their political leverage.

Hill country producers detrimentally affected by the expansion of the market into their communities, not surprisingly, criticized the political power commercial elites were gaining as unwarranted and a threat to their well-being. Town-rural conflict over local issues, reflecting socio-economic divisions increasingly apparent within hill country counties, arose frequently in the post-war years. There had long been a degree of animus between town and rural residents. During the antebellum era, as in the post-war era, the county seat was the center of community activities in hill counties. Given the influence over economic and political matters that towns held, if for no other reason because political meetings and marketing days were held there, the existence of town-rural tensions was inevitable. And given the fact that the emergence of a commercial infrastructure in developing backcountry communities involved political issues, such as those concerning publicly sponsored internal improvement projects, conflict there in the pre-war period previewed later struggles to come.³ Overall, though, the impact of antebellum towns and villages on local affairs was not extensive. In most areas few towns existed and those that did were generally small in size.

In the post-war era, as railroads expanded into backcountry areas, towns and villages became a more prominent

part of the landscape. While the Federal census enumerated twenty-one towns in Georgia's upcountry in 1870, by 1880 the number had increased to fifty. In Alabama's hill country, the number grew from eighteen to forty-five over the same decade. To be sure, this increase in the number of towns in the region hardly indicated that the area was urbanizing. Rather, hill country towns remained part of an agricultural society. Possessing few industrial or diversified commercial enterprises, these towns were dependent on agriculture for their existence.⁴ Yet, the growth of commercial centers did reflect and accelerate transformations in the structure of hill country society resulting from the expansion of the market and the ascent of merchants to a position of importance in the regional economy. This process was fostered by the renewed political influence that planters gained following Redemption, for while planter efforts to tailor legislation, such as crop lien laws, to their own advantage did not eliminate merchants as an economic force in plantation districts, it did make non-plantation areas a more alluring region for merchants to do business in. As commercial interests gained increasing political as well as economic power in the 1870s and 1880s, town-rural tensions intensified and, indeed, assumed a new immediacy for farmers, reflecting the changed circumstances of small producers living in commercializing districts. Class relations within towns themselves also became

increasingly strained due to the same development.

The fact, for instance, that the increasing town domination of county offices led to juries -- which were selected by these officials -- disproportionately composed of town residents provoked considerable discontent in many communities. Given the importance of grand jurors in influencing county affairs as well as the general importance of jurors in the criminal justice system, many hill country producers argued that they were being denied an adequate voice in county issues, while the region's "moneyed interests" were gaining excessive influence in local matters. Such a concern led Hall county, Georgia residents to protest the jury list drawn up in their county. Hall's jury commissioners had deemed only a small fraction of eligible county residents competent for jury duty. By the action of the commissioners, participants at an August 1880 public meeting argued, "the levying of taxes for county purposes, the roads and bridges, the poor house, the examination of county records, the conduct of county officers, the appointment of notaries public and school commissioners and all other duties required by law of grand juries have been placed in the hands of 137 men, thereby excluding three thousand voters of Hall county from any voice in their local or county affairs." Moreover, the protesters charged that the jury commissioners had placed themselves and their relatives on the grand jury and had even put county officers on the panel, "thereby making said

officers judges of their own affairs." "Our jury commissioners have committed a grievous wrong. They have made a thrust at liberty. The citizens are right in protesting against it," J.B. Estes, an influential Hall resident, advised the meeting. "Has not the action of the commissioners manifested a desire to put the money [holders] in the jury box and thus say by acts at least, 'You poor men can work roads, you can fight the battles of the county, while we will find bomb proofs behind property and sit in judgement over you.'" "Well may the people be incensed," Estes added. "Well may they call this tyranny." Participants at the August meeting resolved to withhold support for candidates for office who refused to work to change the law concerning the drawing of juries so as to prevent "a recurrence of the wrongs" that affronted them. Indeed, at least partially because of his position on the jury issue, J.B. Estes was elected Hall's state representative several months later.⁵

North Georgians from other counties also complained of the small number of citizens found suitable for jury duty. W.A. Teasely, state legislative candidate from Cherokee county, recommended that at least one jury commissioner be selected from each district of a county to insure adequate jury representation for all areas.⁶ Similarly, north Alabama Independent legislator James Jackson proposed a bill in 1883 to prevent the majority of jurors in a county

from being selected from one district -- a bill specifically intended to limit the number of town residents serving on juries.⁷

Controversies concerning the composition of juries and local governing bodies were important because all parties involved in the debates recognized that their resolution would have concrete effects on the character of public policy in their communities. Perhaps nowhere did town-rural tensions over local public policy manifest themselves more clearly than in issues involving local fiscal affairs. The Civil War, of course, wreaked havoc on the finances of both state and local governments in the South. Welfare expenditures for those left impoverished by the war and capital construction to repair public buildings damaged by the war and rebuild those destroyed required large amounts of money. Moreover, the depreciated value of Southern property in the late 1860s would have required that tax rates be higher just to raise the same amount of funds as was raised before the war, much less to pay for the increased demands on government which arose following the war. It was upon local governments that much of the burden fell. County tax rates consequently were much higher after the war than before, especially in relation to state tax rates. In both Georgia and Alabama, county rates had generally been about half the level of the state tax rate in the 1850s. In the decade following 1865, however, county rates were roughly equal to the much higher postwar

state tax rate.⁸ In Mississippi, too, county tax rates roughly equalled the state tax rate even when it reached its highest level in the mid-1870s. Moreover, after the state tax rate was drastically reduced in the late 1870s, county rates generally exceeded the state rate.⁹

While increased government spending in the postbellum era, especially in the years immediately following the war, was inevitable, many local government decisions to undertake a public project or commit public funds provoked intense controversies. For as commercial interests gained power, they desired public activity designed to improve their own situation and, as they saw it, to make their counties more "progressive." In general, town interests promoted and endorsed governmental activity seeking to develop the transportation network of their areas and to build up their counties' infrastructure. To be sure, sometimes a new county road or a new public building was needed. Yet, town interests desired not just necessary public improvements, a subjective determination in itself, but improvements designed to promote and advance their areas, to show that they lived in a "civilized" community -- a community, as one individual put it, with a "good reputation abroad."¹⁰ Editors often chided their communities for not paying enough attention to their public image. The editor of one north Georgia county warned his readers that although a new railroad would soon be coming

to their area "if there is not a remarkable waking up and some lively stepping around done, we honestly believe that the officials will be ashamed to say that the road really stops here."¹¹

To many rural residents, however, public expenditures to enhance a county's stature, to facilitate commerce, or even often to build needed public buildings were a financial liability that their counties could not afford. Given the economic straits many farmers were in and the still relatively high taxes they had to pay, it is easy to understand that many would oppose new forms of public expenditures -- especially those meant primarily to benefit town residents. Moreover, the symbolic importance commercial interests attached to a more developed and more physically attractive marketing center, not surprisingly, did not appeal to farmers hurt by the commercialization of their communities.

For these reasons, objections frequently arose to proposals that new public buildings be built. "Let the old Jail answer for county purposes until the county debts are paid or greatly reduced," an "Old Farmer" from Floyd county, Georgia wrote into his county newspaper in 1874 in response to a proposal that the county construct a new jail. "In the present indebted condition of the county, and taxes levied upon the people as heavily as they are, it would show reckless financiering to build a new jail."¹² When the Cartersville Express suggested in 1878 that a new

county bridge would build up the trade of Cartersville (the county seat), a reader criticized the paper for recommending a project which would tax those who "toil in the field for the benefit of those who live in the city."¹³ Similarly, town efforts in 1877 to establish a new road in Carroll county, Georgia provoked hostile responses. "The truth and the whole truth about the road business is, that a few persons... might be very materially benefited if Carroll county would expend eight hundred or a thousand dollars to put a road through there, while the general public would not be accommodated in the least," one "Citizen" of the area contended. "Such as that don't suit us."¹⁴

Given the widespread popular desire to reduce public expenditures and the restrictions on local taxation and indebtedness consequently placed in Southern constitutions adopted in the post-Reconstruction era, town boosters often faced a difficult task financing public projects. The requirement in Georgia's 1877 constitution that local bond issues be popularly approved, for example, was specifically designed to limit the spending powers of local governments and increase the electorate's control over public finances. It was not unusual, however, for the proponents of a public project to attempt to evade the intent of such a constitutional requirement. City officials in Athens, Georgia, for instance, attempted to push through a waterworks bill by

coupling it with public education on a referendum to be presented to local voters. Critics contended that such a referendum was devised because city officials realized that the waterworks project would not receive the necessary two-third's electoral approval unless it was coupled with a more popular measure. "A few rich merchants and owners of real estate... want waterworks, but don't want to pay for it themselves," one Athens resident complained, "and in order to induce the poorer or less wealthy to vote for waterworks, hold out the inducement of public schools." If this was not their intent, this individual asked, why else would two issues which "could not be less alike" be put on the same referendum?¹⁵ As we shall see further in upcoming pages, efforts to implement a public project or grant public funds to a private enterprise without a clear popular mandate, whether legally required or not, were sure to be rebuked by the general citizenry.

While small farmers, facing economic hardships and upset about the amount of taxes they had to pay, generally opposed new public projects promoted by town interests as a way to facilitate commerce, often hostility to a new project stemmed from the nature of the project itself. It was the discriminatory features of proposed legislation to authorize the issuance of county bonds for the construction of a new road in Madison county, Alabama which elicited a torrent of protest from local inhabitants. "The act, if ratified," David Shelby, an Independent state Senator from

the county, argued in 1885, "will impose an unparalled and unnecessary hardship on the tax paying masses, and the profits will be pocketed by those who have idle capital now awaiting investment in bonds." Since no bond was to be issued for less than a thousand dollars, thus limiting investment to the wealthy, and toll gates were to be established upon the completed road, further taxing the populace, Shelby felt justified in contending that the bill was "monstrous in its injustices to the many and appalling in the profits it is calculated to confer on the few."¹⁶ "The legitimate and natural tendency of the law," a black editor from the locality argued, "would... [be] to array not races, but classes against each other." While usually not as extreme as the Madison county road measure, internal improvement measures in many counties contained discriminatory features.¹⁷

The type of publicly funded transportation project which provoked the bitterest conflict on the local level was county aid for railroad construction. In the 1870s, as is well known, the mismanagement and corruption (involving Democrats as well as Republicans) in state aid programs to railroads provoked a popular revulsion against state aid measures. Local public aid to railroads, however, continued in many states even after the abandonment of state programs, despite the disproportionately small amount of tracks laid in the region in the decade following the war

compared to the number of projects publicly funded.¹⁸ While proponents of such aid still sought government promotion of the commerce of their communities, critics, with the failure of many railroad projects fresh in their minds, were more hostile than ever to such uses of public funds. Indeed, critics opposed not only new railroad aid projects but, as on the state level, the payment of debts already incurred. Thus, when a local official in the north Georgia city of Rome contended in 1874 that city residents were "morally" obligated to pay for bonds issued to finance a local railroad project even though the road was never constructed, one advocate of repudiation, labeling himself "Justice", responded that the people had no responsibility to men "who make plundering the public an avocation." Rather, the "honor" of Rome's officials required that they defend the city's laborers and taxpayers "from these fraudulent exactions." "Has Democracy brought us to this, that a few men can take charge of our city affairs and pile up mortgages upon our property that neither we nor our children can bear?" "Justice" asked.¹⁹ In one Alabama county, a critic of his area's railroad debt indicated that those officials connected with the debt would be held politically liable for their actions. "We have no sign of the railroad and still will have to be taxed to pay the bonds," this individual complained. "The chief authors of this railroad debt were the lawyers of the county, who are also the managers and wire-pullers of the caucus, and, it

is my opinion, from all I hear said, the people in the future do not mean to vote for any of those who were instrumental in saddling this debt on the people of the county."²⁰

Critics sometimes charged that public hostility to railroad aid was so widespread that the only way that proponents of public aid to railroads could obtain funds was by fraudulent means. That was the way funds for a railroad project in Monroe county, Mississippi were approved, critics contended. Opponents of the road charged that the railroad's advocates fraudulently acquired the needed requisite vote -- two-thirds of the total number of voters of the county -- in a local referendum on the issue held in December 1880. "More than a thousand names have been marked removed or dead from the poll-books of the county, seemingly with the view of curtailing the registered vote," residents of the county contesting the election contended. "It is worthy of notice that a majority of the removal appear to have been made from anti-railroad districts, while in localities favorable to the road few removals have been entered on the poll books." Through their manipulation of the election, a "few selfish and avaricious individuals" were attempting to "arrogate to themselves the authority to rule us by a power unknown to our Constitution and laws," the contestants argued. Indeed, they were attempting "to rule independent of law."²¹ Critics demanded that a "thorough and impartial

investigation" of the election be conducted, but county officials declared the December election valid and argued that there was no need for further discussion of the matter. The railroad tax, however, remained at the center of public attention for many months and in fact was an important issue in the county election held the following year. Yet, opponents were ultimately unable to prevent the appropriation of county funds for the railroad project.²²

Even after public aid to private corporations was constitutionally prohibited, controversies concerning the government's interaction with railroads persisted. One of the main ways local governments had aided railroad construction was through subscription to a company's stock. Often, as circumstances changed, the terms on which a city or county held stock would be renegotiated with the issuing company. When this was done covertly or unabashedly in the railroad's interest, public protest was sure to follow.

Such was the case when a deal of dubious benefit to the community was made between city officials of Athens, Georgia and representatives of the Richmond and Danville Railroad. In early 1881, H.H. Carlton, negotiator for the city of Athens, was in the process of concluding a deal with the Richmond and Danville, which serviced the city, whereby the stock in the railroad held by the city was to be given to the company in exchange for an agreement on the part of officials of the railroad, among other things, to extend the road and reduce rates on local traffic. "Up to

this time neither party ever contemplated any other plan than submitting the matter to the voters of Athens for ratification," Carlton later wrote.²⁴ But, as the agreement was about to be finalized, the railroad officials backed out of it and secretly made an agreement with city officials, including the mayor of Athens, which was more favorable toward the railroad. This agreement was not presented to the public for ratification. Once the deal became publicly known, a hostile reaction was not long in coming. Not only was the deal itself criticized, but the arbitrariness of the action of Athen's officials provoked outrage. "The assumption and exercise by the mayor and councilmen of the right to deal with property of the city without reference to the people, presents a question of greater importance than whether the 'trade' is good or bad," one local citizen commented. "I hold that no such power can be legally exercised by them. They can derive no legitimate authority by implication or inferences. When they infer or imply power they are law-breakers, and should be instantly arrested by their masters -- the people, the fountain of all authority."²⁵

Perhaps the local issue which provoked the most intense controversy in the 1870s and early 1880s was the construction of county courthouses. Town boosters often believed that new buildings were needed to transact their counties' public business, but they also viewed the con-

struction of a new courthouse -- the main public building of a county -- as of symbolic importance. A new courthouse was representative of the increasing prominence of a community, reflecting in particular the growing economic and political power of commercial centers. Proponents frequently argued that building a new courthouse demonstrated that local inhabitants took "pride" in their county and that the county was "enterprising."²⁶

Rural residents, however, frequently disapproved of the expense of a new courthouse. While farmers generally accepted the need to rebuild public buildings destroyed by the war, they were reluctant to finance public buildings they considered unnecessary. As to civic pride, many farmers would have agreed with the opponent of plans to build a new courthouse in Athens, Georgia who argued that the county's residents would not support town projects "just to look big and make folks think Athens is rich...."²⁷

Critics often accused town interests of desiring a public project for their own self-interest, not for the good of the county. Expressing such skepticism, participants at a public meeting in a rural district of Gwinnett county, Georgia questioned the motivation of those supporting the building of a new courthouse in Lawrenceville, the county seat. "We think there are only a few citizens of the county who are in favor of building said courthouse," the protesters contended, "and they only in the way

of enhancing the value of their property."²⁸ A similarly minded county inhabitant noted that many Gwinnett residents believed that "selfishness" was the "propelling power" behind the efforts of Lawrenceville residents to obtain a new courthouse for their town.²⁹ Despite the contention of proponents that the benefits of a new courthouse far outweighed the cost of the project, most local taxpayers disapproved of the county assuming new debts to pay for the building. Noting the widespread economic distress in the area, participants at another public meeting called to protest the courthouse project complained that farmers of the county were not only already burdened by taxation, but that three dry years in succession had put them "to their wits end" to meet any of their financial obligations. It, consequently, was no surprise that only a "small minority" of county residents favored constructing a new courthouse, while a "tremendous majority" opposed it.³⁰

Even after a new courthouse was constructed, controversies sometimes arose over the proper uses of the facility. When Clarke county Judge W.B. Thomas denied local residents of this north Georgia community permission to hold a public meeting in the county's new courthouse, a local editor was quick to question the propriety of the decision. "Is it possible that the citizens of Clarke county are not permitted to hold a public meeting in their own Court House, built with their own money and for their

own convenience?" he asked. Thomas' response that both he and the county's grand jury felt that public meetings might damage the new building satisfied few critics of the decision. "Well, we think the Judge should try and keep the new Court house in apple-pie order," one critic commented, "but in so doing we would like to ask, what law or usage is conformed to which justified him or the Grand Jury in excluding any of our tax-payers from the privileges of a new Court House when the paint is dry, and which their money has aided in building."³¹ Such incidents were representative of the ways in which the ideas concerning county affairs held by commercial and professional interests differed from those of other local residents. While the former viewed the new courthouse as symbolic of more professional standards in the transaction of official county business, to be used primarily by those connected with this business, the latter expected the courthouse to be of public benefit and thus available for use by the local citizenry.

A clearer picture of the issues involved in courthouse controversies can be seen by examining in detail the struggle in one county. Jackson county, Georgia, in the state's Upper Piedmont region, was chosen for this investigation -- primarily because records for this county provide the most detailed information on such a struggle that could be found. While in its particulars the controversy in Jackson may have differed from debates over public projects in

other counties, in general, the Jackson county controversy over the building of a new courthouse suggests the dynamics of the struggle throughout the region.

In August 1877, the grand jury of Jackson county recommended that a new county courthouse be built. We find the present courthouse to be in "bad repair and too small for the accommodation and comfort of the people of this county," the grand jury advised. "We recommend, therefore, the building of a new and more commodious Court House." "In the opinion of this body," the jury went on to say, "by using such material as may be found suitable in the present building, and by expending not more than six thousand dollars, in addition thereto, a suitable Court House can be built." Thus in accordance with its duties, to investigate the public affairs of the county, the grand jury advised the community on an issue it felt deserved attention.³²

Yet, the issue of constructing a new courthouse in Jackson sparked an acrimonious debate that lasted for years. Indeed, the grand jury itself was not of one mind on the issue. In the published presentments of that body, a number of the jurors stated their apprehensions about making a decision upon this controversial topic. "In as much as [building a new courthouse] is a question upon which the people of the county are interested, and upon which they differ," these jurors argued in a minority report, "we, as their representatives, would suggest the

propriety of allowing the citizens to vote upon the question as to the locality of the Court House, and as to whether it would be proper to build a new Court House or whether it would be better to build to the old building."³³

Significantly, the split in the grand jury over the "propriety" of building a new courthouse without the citizenry's consent portended the character of the wider conflict in the area over the issue which was about to ensue. For the split between town and rural grand jurors was suggestive of the split in the county which would develop between those supporting and those opposing the courthouse. Of the six town residents on the jury, five supported the construction of a new courthouse. The one dissenter in this group was the only town juror not from Jefferson, the county seat. A number of rural residents also supported the courthouse project, but approximately an equal number desired the question to be left to the people of the county. And all but one of the jurors signing the minority report resided in rural districts. Moreover, census information indicates that rural jurors supporting the courthouse project tended to be better off economically than those opposing it. Thus, while not a strict town-rural or rich-poor split, the division of the county's grand jury on the courthouse issue indicated that more widespread controversy might be expected.

Table 7:
Residency of Jackson County, Georgia Grand Jurors, 1878

<u>Town Dist.</u>	Per Capita <u>Wealth</u>	Report Supported	
		<u>Majority</u>	<u>Minority</u>
Jefferson	\$977	5	-
Harmony Grove	1090	-	-
Maysville	619	-	1
<u>Rural Dist.</u>			
Clarksboro	557	2	2
Newtown	622	2	2
Miller	640	-	1
Cunningham	497	-	-
Randolph	661	1	-
House	646	1	1
Chandler	530	1	1
Santa Fe	397	<u>1</u>	-
Total		13	8*

*Actually, nine jurors supported the minority report, but the residency of one juror was not found.

Sources: Manuscript Census, Georgia, Jackson County, Population and Agricultural Schedules, 1880; Jefferson Forest News, October 13, 1877; Hahn, Roots of Southern Populism, 235.

In fact, the proposed building of a new courthouse had already provoked controversy in post-Reconstruction Jackson county and affected local politics. Three years earlier, Independent candidates for legislative office, describing the proposed project as "one of the leading, vital, fundamental, pocket-feeling issues" of the fall election, had promised in their campaigns that, if elected, they would prevent the construction of a new courthouse -- a position opposed by county Democratic leaders.³⁴

As elsewhere, advocates of a new Jackson county courthouse promoted the project as not only necessary but as

"progressive" and "patriotic." "Does not your own public pride tell you that this step is necessary; and that if you vote down this measure, you will cast a reproach upon your County and its people?" the county newspaper asked in an editorial.³⁵ Yet courthouse advocates did not spend much time trying to convince others of the validity of the project. For they argued that the grand jury had already decided the issue. Instead they spent most of their time promoting the issuance of county bonds to fund the project, which, constitutionally, had to be approved by the electorate. Early in 1878, Jackson county officials called for an election to approve ten thousand dollars worth of county bonds -- almost double what the grand jury had deemed necessary for the job. Courthouse advocates argued that bonds would ease the financial burden of constructing the courthouse by allowing the county to pay for the courthouse over a twenty year period, instead of all at once. In addition, it could make the project a profitable venture for some since the size of the bonds was "only" one hundred dollars, thus placing them "in reach of all who have a little money and desire a safe investment."³⁶

It does not appear, however, that many Jackson county residents outside of Jefferson were persuaded of the advantages of issuing county bonds. For in an election held in May 1878, the bond issue was overwhelmingly defeated. Excluding Jefferson residents, almost ninety percent of those

voting opposed the bond issue. It is not surprising that rival town, as well as rural, districts opposed the new courthouse. For developing Jefferson would not only increase the taxes of residents of these towns but also further advance Jefferson's competitive edge over their towns as a commercial center of the region.

Table 8:
May 1878 Jackson Co. Courthouse Bond Issue Election

<u>Town District</u>	<u>Pro</u>	<u>Anti</u>
Harmony Grove	5	163
Jefferson	138	6
Maysville	8	10
<u>Rural District</u>		
Randolph	1	23
House	2	45
Miller	4	1
Newtown	13	36
Clarksboro	4	17
Chandler	1	43
Cunningham	9	3
<u>Santa Fe</u>	-	-
Total	185	347

Source: Jefferson Forest News, May 11, 1878.

In the months following the election, it became increasingly clear that many Jackson county residents opposed not only the bond issue but the courthouse project itself. In early 1879, as the county prepared for another bond issue election, the controversy became increasingly virulent. The local press no longer emphasized that bonds were a desirable means of financing public projects or that they were a good investment but rather that building a new

courthouse was no longer a debatable issue and that county residents would have to pay for it whether they liked it or not. "Right here we desire to set at rest a question which we think is influencing and controlling the minds of a great many in this matter," the editor of the Jefferson Forest News wrote in an effort to convince his readers of the inevitability of the issue, "and that is this: will the Court House be built if we vote against bonds? To this we answer, emphatically, yes; the question of a new Court House will not be affected by the vote.... Judge Bell [the County Ordinary] wants from ten to fifteen thousand dollars, and you, the taxpayers of Jackson county must get it up -- no ifs nor ands about it -- the money must come this fall."³⁷

Critics, not surprisingly, were not impressed with such a line of reasoning and continued to oppose the project, which they felt was arbitrarily imposed upon them. "People never take a great deal of interest in anything that is forced upon them," one local resident commented. "When anyone puts his hands in your pocket to take money without leave, you will prevent it if you can."³⁸ Other Jackson county inhabitants also questioned the propriety of county officials authorizing a public project "contrary to the wishes of the majority of the citizens of the county."³⁹ Even an individual supporting the bond issue admitted that most Jackson voters were opposed to building

the courthouse "under any plan."⁴⁰

Despite this opposition, with strong support from Jefferson, the bond issue passed in an April 1879 election. Perhaps persuaded that the issuing of bonds was the least burdensome way to finance a courthouse which was to be built one way or another, county inhabitants residing outside of Jefferson provided increased electoral support for the bond issue. It does not appear, however, that most Jackson county residents now favored the bond issue. Rather, it appears that bond proponents more effectively mobilized their forces for the April election than their opponents, who did not or were not able to get many of their sympathizers to the polls. The Jefferson Forest News attributed the light turnout for the election to the "indifference" of the people toward the issue. Its further comment that most farmers "were busy with their crops and did not care to take that much time" away from their work might have provided a more accurate explanation for the bond forces' electoral victory.⁴¹ Moreover, there is evidence that indicates that at least some Jackson county residents believed that by staying away from the polls, and thus not sanctioning the election, they could help prevent the courthouse from being built.

Table 9:
April 1879 Jackson Co. Courthouse Bond Issue Election

<u>Town Districts</u>	<u>Pro</u>	<u>Anti</u>
Harmony Grove	37	27
Jefferson	172	17
Maysville	13	8
<u>Rural Districts</u>		
Randolph	2	15
House	13	9
Miller	6	0
Newtown	10	55
Clarksboro	12	2
Chandler	53	0
Cunningham	19	6
<u>Santa Fe</u>	<u>-</u>	<u>-</u>
Total	337	139

Source: Jefferson Forest News, April 18, 1879.

The approval of bonds to fund the construction of the courthouse, however, did not end the controversy over the building. For while Jefferson residents assumed that the new courthouse would be built in their community, other residents of the county contended that the location of the courthouse should be open to public discussion.⁴² Indeed, at a public meeting held in May, commissioners were selected from each district of Jackson to choose a location "as near central and practical" in the county as possible. The following month, a majority of the commissioners called for the county surveyor to determine the geographical center of the county, as a prospective location for the courthouse. Whether the new building would be located here or in Jefferson, where the old courthouse was located, the commissioners argued, should be left to a popular referen-

dum. Whether challenging democracy in action or an impractical, vindictive gesture by county inhabitants resentful that Jefferson residents were to be the biggest beneficiaries of the building of a new courthouse, county officials refused to call an election over the issue of the location of the courthouse.⁴³

Yet the courthouse issue was still not resolved. For later that summer, the state legislature invalidated the bond issue which had been electorally ratified the previous April because it had not been approved by two-thirds of the "qualified" voters of the county, as constitutionally required. Thus, those staying away from the polls in the spring were correct in believing that they were helping to defeat the bond issue, although they were wrong in thinking that this would prevent the courthouse from being built. The legislature ordered that a new election be held -- this time authorizing the issuance of up to fifteen thousand dollars worth of bonds, two and a half times the amount initially proposed by Jackson's grand jury.⁴⁴

Again, advocates of funding the construction of the courthouse through bonds warned critics that they could do nothing to stop the project and that opposing the bond issue was foolish for a failure to sustain the bonds would force county officials to pay for the courthouse through the imposition of a large direct tax -- an eventuality that would be financially burdensome for many county inhabi-

tants. "Throw away your prejudices, for this a matter that is coming right home to your pocket book, and you will only effect trouble and dissension if you persist in your opposition to what is clearly the best interest of the whole county," the Jefferson Forest News again chided opponents of the courthouse. "Your voting for or against bonds will not affect the building of a new courthouse, neither will your refusal to vote affect the issue."⁴⁵ Other bond proponents also warned Jackson voters not to be misled by the "whims of the disaffected tax-payers of the county" who thought that they could prevent the construction of the courthouse by opposing the bond issue. Those threatening to resist the courthouse project were complaining in vain, one bond proponent contended. "There is no sense in fighting the government, nor in refusing to pay taxes [levied to finance the project]," he advised, "you can just do nothing at either."⁴⁶

Courthouse opponents, however, continued to criticize the project as unnecessary and undemocratic and, in addition, as extravagantly expensive. "In the first place, the people of the county, so far as they had an opportunity to express themselves, were satisfied with the old Court House," a group of individuals wrote into the Forest News, "We have been taught that the people were their own rulers; that they were 'Kings' of the country; but our rulers have dictated, contrary to the wishes of two-thirds of the people, or perhaps more, that we shall build a new Court

House."⁴⁷ "Ever since somebody was kind enough to have the value of their houses enhanced by requesting the Court to cause us to build a Court House, the people are growing worse and worse every day; nor can any reasonable man help but grumble," another critic wrote into the county newspaper. "Indeed, he would be no man at all if he could sit and have an uncalled for expense jump from \$8,000 [actually \$6,000]. What in the name of common sense do we want with such a house if that sum be economically invested."⁴⁸ "We, the people of Jackson," other critics exclaimed in a succinct statement of their views, "do not wish to be taxed to build a new Court House, for the benefit of Jefferson; for the benefit of her taverns, her grog shops, and her law offices."⁴⁹

In an election held in September 1879, the bond issue was defeated. With the turnout at the polls over 90 percent larger than it had been five months earlier, the election results more accurately reflected the feelings of county inhabitants concerning the construction of a new courthouse. Once again, Jefferson strongly supported the bonds, and most county districts opposed them. "We have, we think, discovered one important fact of late in regard to the [courthouse] matter," the Jefferson Forest News, a consistent courthouse advocate over the previous two years, acknowledged after the fall election, "and that is that the people of Jackson county, or a vast majority of them, did

not want a new Court House under any circumstances.... The people do not, as a mass, like the way they were forced into the matter altogether against their wishes; so they feel hurt and that their rights have been invaded and trampled upon.... We find that there are lots of people in the county who think that the Court House was built for the convenience of this town and nobody else."⁵⁰

Table 10:
Sept. 1879 Jackson Co. Courthouse Bond Issue Election

<u>Town Districts</u>	<u>Pro</u>	<u>Anti</u>
Harmony Grove	13	119
Jefferson	250	78
Maysville	1	32
<u>Rural Districts</u>		
Randolph	5	38
House	22	62
Miller	4	35
Newtown	25	74
Clarksboro	21	7
Chandler	23	28
Cunningham	21	41
<u>Santa Fe</u>	<u>23</u>	<u>-</u>
Total	408	514

Source: Jefferson Forest News, September 26, 1879.

Despite the defeat of the bond issue, Jefferson's new courthouse was built. And, as bond issue proponents had argued, since the electorate refused to extend the county's credit for the project, it had to be paid for through direct taxes. Jackson county's tax rate doubled the following year.⁵¹ Public outrage over the manner in which the decision to build a new courthouse had been made had agi-

tated the county for over two years. In the short run, Jefferson's commercial and professional interests got their new courthouse. Popular efforts to prevent the construction of this public building had been in vain. In wider perspective, however, the courthouse struggle was significant. The struggle had a direct political impact, intensifying political divisions in the area. Jackson county Independents were vocal critics of the courthouse project; Democrats supported it. Moreover, in the long run, the struggle over building a new courthouse would be one of many issues fought at the local level which would fuel small farmer discontent with local political conditions.⁵² Dissatisfaction with the uses of government power in their communities and the unresponsiveness of local government to their desires would contribute to the motivation leading many farmers to engage in more forceful dissident political activity in the 1890s.

FOOTNOTES

¹Eric Anderson, "John O'Hara of North Carolina: Black Leadership and Local Government" in Howard Rabinowitz, ed. Southern Black Leaders of the Reconstruction Era (Urbana, 1982), 106-08; James W. Garner, Reconstruction in Mississippi (Baton Rouge, 1968), 307; Going, Bourbon Democracy in Alabama, 149; Harris, Day of the Carpetbagger, 315; Ward, "Georgia Under the Bourbon Democrats," 518.

²Durrill, "Producing Poverty"; Hahn, Roots of Southern Populism, 220-1.

³Durrill, "Producing Poverty," 764, 766; Hahn, Roots of Southern Populism, ch.3; Charles S. Sydnor, The Development of Southern Sectionalism, 1819-1848 (Baton Rouge, 1948), 34; Watson, Jacksonian Politics and Community Conflict, 198-245.

⁴Ninth Census of the United States, 1870 (Wash., 1872), Compendium, 110-7, 138-48; Tenth Census of the United States, 1880 (Wash., 1883), Compendium, 61-7, 85-97; Eleventh Census of the United States, 1890 (Wash., 1892-7), Compendium, pt. 1, 48-57, 92-105. See also, Hahn, Roots of Southern Populism, 178-9.

⁵Gainesville Eagle, July 9, 1880, August 6, 1880.

⁶Letter of W.A. Teasely in Cherokee Advance, September 18, 1884; Carroll County Times, November 3, 1876, December 31, 1880; Athens Weekly Banner, July 13, 1880.

⁷See motion of Independent Senator James Jackson during state Senate's consideration of a bill concerning selection of jurors: Mobile Daily Register, February 3, 1883. See also: W.W. Graham to Governor John M. Stone, November 15, 1877, Mississippi Governor's Papers.

⁸Wallenstein, "From Slave South to New South," 328-9; Walter Fleming, Civil War and Reconstruction in Alabama (o.p. 1905; Gloucester, Mass., 1949), 573.

⁹Ferguson, "Agrarianism in Mississippi," 251, 264, 330; Garner, Reconstruction in Mississippi, 313, 323-4. Also see Chapter Four.

¹⁰Letter of "A Reviewing Commissioner" in Carroll County Times, December 7, 1877.

¹¹Jackson Herald, March 3, 1882.

¹²Letter of "Many Tax-Payers" in Rome Tri-Weekly Courier, February 28, 1874, letter of "Old Farmer" in

ibid., March 21, 1874. See also: Butts County Middle Georgia Argus, April 8, 1884; letter of "Citizen" in Tupelo Journal, February 4, 1887.

¹³Letter of "Old Democrat" in Cartersville Express, February 21, 1878, letter of "Tax-Payer" in ibid., February 28, 1878; Cartersville Free Press, April 6, 1882.

¹⁴Letters of "Citizen" in Carroll County Times, November 30, 1877, December 14, 1877, "Villa Rica" in ibid., December 7, 1877.

¹⁵Letter of "Citizen" in Athens Weekly Banner, July 5, 1881. See also: Rome Tri-Weekly Courier, August 12, 1869; Jackson Herald, March 14, 1884.

¹⁶Alabama Senate Journal, 1884-1885, 538-9, 682-3.

¹⁷Huntsville Gazette, November 7, 1885. Throughout 1885, the Gazette vigorously opposed the turnpike project. See especially, its issues September, October 1885.

¹⁸Ferguson, "Agrarianism in Mississippi," 279-80, 285; Carter Goodrich, "Local Government Planning of Internal Improvements," Political Science Quarterly 66(Sept. 1951); Carter Goodrich, "American Development Policy: The Case of Internal Improvements," Journal of Economic History 16(Dec. 1956), 453-9; Perman, Road to Redemption, 214, 218.

¹⁹Letters of "Justice" in Rome Tri-Weekly Courier, March 19, 1874, April 4, 1874, April 8, 1874. See also: ibid., March 21, 1874; Cartersville Express, November 30, 1871; Cherokee Advance, August 18, 1883; letter of "Honesty" in Cherokee Advance, August 25, 1883; Chickasaw Messenger, November 24, 1881.

²⁰Letter of "Dot" in Huntsville Advocate, November 12, 1879.

²¹"Address of the Contestants of the Railroad Tax" in Chickasaw Messenger, January 13, 1881.

²²Ibid., February 3, 1881. The Messenger contained many issues on the railroad tax throughout 1881.

²³Ibid., October 13, 1881. See also: Randolph B. Campbell, A Southern Community in Crisis: Harrison County, Texas, 1850-1880 (Austin, 1983), 326-7.

²⁴Athens Weekly Banner, May 10, 1881.

²⁵Letter of "C.A.S." in Athens Weekly Banner, May 17, 1881 and other issues of May 1881.

²⁶See, for example, Gainesville Eagle, March 11, 1881; Gwinnett Herald, January 1, 1884.

²⁷Letter of "Court House" in Athens Southern Watchman, March 3, 1875.

²⁸"Public Meeting in Berkshire" in Gwinnett County Herald, December 18, 1883.

²⁹Letter of WB Bracewell in ibid., February 19, 1884.

³⁰"From Cates District" in ibid., January 22, 1884 and other issues during December 1883 and January, February 1884. On this issue, see also: Tupelo Standard, February, 1873; letter of "One of the People" in Tuscumbia Democrat, April 3, 1880; letter of Jeremiah Jenkins in Cartersville Express, April 30, 1880; letter of "T.P.C." in Gainesville Eagle, April 1, 1881; Bonner, Georgia's Last Frontier, 147.

³¹Athens Weekly Georgian, November, 1877.

³²Jefferson Forest News, October 13, 1877.

³³Ibid.

³⁴Green R. Duke in Athens Southern Watchman, September 30, 1874; J.M. Potts in Athens Southern Watchman, September 30, 1874; W.I. Pike in Athens Southern Watchman, October 7, 1874.

³⁵Jefferson Forest News, April 6, 1878, May 4, 1878.

³⁶Ibid., March 30, 1878, April 20, 1878.

³⁷Ibid., March 28, 1879.

³⁸Letter of "Uncle Joe" in ibid.

³⁹Letter of "OLOA" in ibid., April 11, 1879.

⁴⁰Letter of "Justice" in ibid.

⁴¹Ibid., April 18, 1879.

⁴²On controversies over the location of county court houses elsewhere in the South, see: Moulton Advertiser, January 20, 1881; Huntsville Advocate, March 21, 1883; Lucy J. Cunyus, The History of Bartow County [Georgia], Formerly Cass (Bartow, Ga., 1933), 117-8; John R. Kennamer, History of Jackson County, Alabama, (Winchester, Tenn., 1935), 67-9; Nina Leftwich, 200 Years at Muscle Shoals: An Authentic History of Colbert County [Alabama], 1700-1900 (Birmingham,

1935), 221; Wesley S. Thompson, "The Free State of Winston": The History of Winston County, Alabama (Winfield, Ala., 1968), 192.

⁴³Jefferson Forest News, May 1879, June 1879.

⁴⁴Ibid., August 22, 1879.

⁴⁵Letter of "One of the People" in ibid., September 5, 1879.

⁴⁶Letter of "Middlemen" in ibid., September 12, 1879.

⁴⁷"To the Voters of Jackson" in ibid., September 5, 1879.

⁴⁸Letter of "Hero" in ibid., September 19, 1879.

⁴⁹"To the Voters of Jackson" in ibid., September 5, 1879.

⁵⁰Ibid., September 26, 1879.

⁵¹Annual Report of the Comptroller General of the State of Georgia for 1879, Submitted 10/1/79 (Atlanta, 1879), 101-03; Annual Report of the Comptroller General of Georgia for 1880, Submitted 10/1/80 (Atlanta, 1880), 161-2.

⁵²Hahn, The Roots of Southern Populism, 239-89.

CHAPTER THREE

Character of Post-Reconstruction State Governments

While political conflict at the local level was often intense in the post-Reconstruction South, it was at the state level that the full dimensions of regional political controversies of the era can be most clearly discerned. In the first place, given that state legislative activity often involved issues local in character, state level political activity provides insights into local political conditions. Efforts to eliminate black political influence in heavily black populated localities by replacing elective local offices with gubernatorially appointed ones, for example, took place in Southern legislatures. Similarly, it was here that labor and market regulatory legislation designed to limit the access to productive resources of poorer Southerners was enacted, even though many of the measures applied only to specific counties.¹

True, as many historians have pointed out, legislative activity and powers were restricted by constitutions adopted in the post-Reconstruction South. By 1880, for example, legislative sessions in each of the states under study were biennial and short in duration and legislative spending powers were curtailed.² Still, legislatures continued to deal with many issues of importance. In addition to the uses of legislative powers noted above,

basic questions concerning the functioning of the government, such as those concerning the structure of the Southern tax system, remained controversial in the post-Reconstruction era. With the rise of corporate power in the late nineteenth century, new issues concerning government regulatory powers came to the forefront. Unlike local political conflict, controversies concerning these issues involved all elements of Southern society. While local conflict reveals much about the direct political impact of commercialization on individual communities, it was at the state level that the full range of political actors -- including planters, farmers, and commercial and industrial interests -- vied for influence and power in the late nineteenth-century South. Struggles between these groups over major issues of the era will be examined in upcoming chapters. An initial investigation of the character and composition of Southern state governments will put these debates into better perspective.

As we have seen, town-oriented interests gained increasing amounts of local political power in commercializing hill country areas. The same trend was evident in Southern state legislatures. In general, lower South legislatures were more professional and commercial-oriented in the post-Reconstruction era than they had been prior to the war, at least as indicated by the occupations of legislators.³ In 1860, only 22 percent of the individuals serving in Georgia's legislature were lawyers or indi-

viduals involved in merchandising activity. In Mississippi, too, only 22 percent of the state's 1860 legislators were engaged in these occupations. In Alabama, the figure stood at 32 percent. By 1880, however, 37 percent of Mississippi's legislators were employed as lawyers or merchants, and by 1878, over half of the members of Georgia's general assembly were thus employed. Town-oriented interests, thus, were increasingly influential in the legislative chambers of Southern state governments.⁴

Farmers, on the other hand, were less well represented in their state governments following the end of Reconstruction than ever before. In particular, Democratic representatives of commercializing hill country areas tended to be less farmer-oriented than in earlier years. This trend, however, was less true of dissident state officeholders from these areas. Many Georgia Independent legislators, for example, were agriculturalists. This was evident in the 1878-1879 session of Georgia's legislature. While it is impossible to determine the exact number of Independents serving in this legislative session (given the impreciseness of contemporary records of political party affiliation), most sources agree that this session was the high point of Independent strength in Georgia's state government and that the upcountry in particular was heavily represented by Independents.⁵ Not coincidentally, the proportion of hill country legislators employed as lawyers

or merchants was considerably lower than for other regions of the state. While 52 percent of the members of Georgia's House of Representatives from elsewhere in the state were engaged in the legal and merchandising professions, only 36 percent of upcountry House members were engaged in these occupations. Over 50 percent of these individuals reported farming as their sole occupation; nearly 60 percent reported farming as at least a part-time occupation. The evidence available on specific legislators, furthermore, supports the argument that Independent representatives were more farmer-oriented than their Democratic colleagues.

Table 11:
Occupations, Georgia House of Representatives, 1878-1879

<u>Upcountry</u>	
Farmer	53.6%
Lawyer	32.1
Physician	3.6
Merchant-Farmer	3.6
Editor	3.6
Minister	3.6
<u>Rest of State</u>	
Farmer	29.0%
Lawyer	27.5
Merchant-Farmer/ Merchant-Planter	11.5
Merchant	7.6
Planter	6.9
Physician	5.3
Physician-Farmer	3.1
Farmer-Lawyer	2.3
Businessman	1.5
Editor-Lawyer	1.5
Teacher-Farming	1.5
RR Business	0.8
Blacksmith	0.8
Minister	0.8

Source: Samuel A. Echols, Georgia's General Assembly of 1878: Biographical Sketches of Senators, Representatives, the Governor, and Heads of Departments (Atlanta: J.P. Harrison and Co., 1878). Occupations are not given for two upcountry legislators and five legislators in the rest of the state.

This is not to suggest that all Independent legislators were farmers. Some Independents in the legislature were lawyers, just as some Democrats were farmers. Moreover, more legislators in the hill country, as throughout the state, were lawyers in the late 1870s than ever before. This was particularly true of hill country Senators. In part, this development reflected the fact that the increasingly complicated character of the law put legislators with little familiarity with the law at a disadvantage. Conversely, representatives trained in the law could serve their constituencies, or at least certain segments of their constituencies, more advantageously. Planters, increasingly aware of the need to utilize legal and market mechanisms to control their labor force, for example, were often well served by lawyer-representatives.

Hill country lawyer-representatives, however, were generally less concerned with serving the needs of small producers than the interests of their more powerful constituents. Small farmers, thus, tended to desire that their representatives be employed in some "productive" occupation, giving them a better appreciation of the circumstances of their constituents. To be sure, farmer-representatives, most of whom were better off economically than the average rural resident, were not necessarily advocates of the interests of ordinary agriculturalists on all issues. And farmers did not necessarily feel at ease

because their representatives were agriculturalists. Ever apprehensive about illegitimate uses of government power, producers had long been wary of officeholders of all backgrounds. Indeed, the very act of seeking an office was likely to arouse suspicions concerning an individual's motivations. Candidates for office were frequently accused of "trying to reach soft places [to] keep from work."⁶ Office-seekers and politicians were generally labeled "deadbeats," "drones," or as one north Alabamian described them, "vampires sucking the life blood of the people."⁷

Yet, office-seekers employed in occupations considered to be "non-productive," such as lawyers or merchants, were in particular likely to be suspected of desiring government positions for self-aggrandizement or to promote the interests of specific constituents, rather than for the purpose of carrying out the wishes of the general citizenry. In the postwar era, as Southern governments facilitated the expansion of the market, by, for example, strengthening the property rights of agricultural employers and creditors, these fears seemed well founded. Farmer-representatives at least tended to be less involved than professional and commercial interests with the commercialization of the hill country. Thus, as town interests gained greater political power on the state level, farmers increasingly complained about the character and composition of their law-making bodies.⁸ And, while state Democratic leaders became increasingly oriented toward town interests

in the 1870s and 1880s, Independent leaders tended to view the power of these interests as inordinate.⁹

As in Georgia, hill country anti-Redeemer officeholders in Alabama also tended to be less town-oriented than their Democratic colleagues. In the 1882-1883 session of Alabama's state legislature, the high point of anti-Redeemer strength in that state, over half of the non-hill country members of the House were employed as lawyers or involved in merchandising activity and, significantly, almost half of north Alabama's Democratic House members were also thus employed. Less than one-fifth of north Alabama's anti-Redeemer House members, on the other hand, were lawyers or merchants.¹⁰ Again, this is not to suggest that occupational categories provide a clear indication of how individuals acted as legislators. David D. Shelby, a lawyer from the city of Huntsville and a state Senator from Madison county in the 1880s, for example, was one of the most radical anti-Redeemer legislators of the period.¹¹ The action of officeholders are a more important indication of their political views and of the views of the groups they represent than their occupations per se. Yet, one's occupation does, of course, influence an individual's perspective and an office-seeker's occupation does influence the perception of voters deciding which candidate to support. Thus, it is significant that anti-Redeemers tended to be less directly affiliated with the process of

commercialization occurring in the hill country than
Democratic legislators.

Table 12:

Occupations, Alabama House of Representatives, 1882-1883*

<u>No. Ala. Anti-Redeemers</u>		<u>No. Ala. Democrats</u>	
Farmer	50.0%	Lawyer	27.8%
Teacher	14.3	Farmer	16.7
Farmer-Physician	8.3	Planter	16.7
Cabinetmaker-Druggist	8.3	Merchant	16.7
Lawyer	8.3	Teacher	5.6
Merchant	8.3	Hotel Operator	5.6
		Fac. Manager	5.6
		Minister	5.6
<u>Rest of State</u>			
Lawyer	30.4%		
Planter	17.9		
Farmer	8.9		
Merchant	8.9		
Planter-lawyer	7.1		
Planter-merchant	7.1		
Editor	3.6		
Physician	3.6		
Businessman	3.6		
Physician-merchant	1.8		
Planter-businessman	1.8		
Planter-agent	1.8		
Millwright	1.8		
Horticulturist	1.8		

*No compiled occupational information exists for this session of Alabama's legislature. Occupational data for 12 of 14 north Alabama anti-Redeemers, 18 of 19 north Alabama Democrats and 56 of 67 legislators elsewhere in the state were found in the sources listed below.

Sources: Thomas M. Owen, History of Alabama and Dictionary of Alabama Biography 4v. (Chicago: S.J. Clarke Publishing Co., 1921); Memorial Record of Alabama 2v. (Madison, Wis.: Brant and Fuller, 1893); Northern Alabama: Historical and Biographical (Birmingham: Smith and DeLand, 1888); Joel C. DuBose, Notable Men of Alabama 2v. (Atlanta: Southern Historical Association, 1904); Albert B. Moore, History of Alabama and Her People 3v. (Chicago: Am. Historical Soc., Inc., 1927); Henry Marks, Who Was Who in Alabama (Huntsville, Ala.: Strode Publishers, 1972); Henry S. and Marsha K. Marks, Alabama Past Leaders (Huntsville, Ala.: Strode Publishers, 1982); John W. DuBose, Jefferson County and Birmingham: Historical and Biographical (Birmingham: Jepple and Smith, 1887); The Montgomery Directory for 1880-1881 (Montgomery: Ross A. Smith, 1880); George Matzenger's Directory for the Year 1883 (Mobile: George Matzenger, 1883). Legislators not found in these sources were searched for in the population schedules of the 1880 federal census.

In less commercialized regions of the South, there was less need for an oppositional political movement. In these areas, farmers continued to support Democratic office-seekers and Democratic officeholders remained more attuned to the desires of their constituents.¹² Indeed, most Democratic officeholders in places like northeastern Mississippi in the post-Reconstruction era were farmers. While the number of Mississippi state representatives employed as lawyers or merchants increased from 20 percent in 1860 to 35 percent in 1880, in hill country Mississippi only 15 percent of the region's representatives were engaged in these occupations in the latter year. Over three-quarters of northeastern Mississippi's House members claimed farming to be their sole occupation.¹³

Table 13:
Occupations, Mississippi House of Representatives, 1880

<u>Upcountry</u>	
Farmer	76.9%
Physician-Farmer	7.7
Lawyer	7.7
Lawyer-Planter	7.7

<u>Rest of State</u>	
Farmer	35.2%
Lawyer	29.5
Planter	9.5
Physician	3.8
Farmer-Teacher	3.8
Merchant-Farmer	2.9
Farmer-Minister	2.9
Farmer-Physician	1.9
Merchant	1.9
Planter-Lawyer	1.0
Planter-Physician	1.0
Farmer-Editor	1.0
Editor	1.0
Physician-Merchant	1.0
Minister	1.0
Laboring Man	1.0
Fruit Grower	1.0
Student	1.0

Source: Mississippi House Journal 1880, 606-611. Occupations for one hill country legislator and one legislator elsewhere in the state are not given.

In Appendix IV are the roll call votes of the legislative session of each of the states under investigation in which anti-Redeemer activity was at its peak. For each state, vote totals for the whole state are compared with those for hill country regions. As mentioned above, the 1878-1879 session of Georgia's legislature (the first session to meet following the adoption of Georgia's 1877 constitution) was the high point of Independent legislative strength in that state. Although it is not possible to determine the exact number of Independents elected to the legislature in December 1877, it seems clear that a large proportion of upcountry representatives were Independents. Thus, upcountry vote totals provide at least an indication of hill country Independent voting patterns in Georgia. For Alabama, it is possible to determine precisely which hill country representatives were anti-Redeemers in the 1882-1883 session of the legislature. Thus, vote totals are given for both anti-Redeemer and Democratic hill country legislators, as well as for the whole state. For Mississippi, vote totals for the 1880 legislative session are given for the state, the hill country (whose representatives were primarily Democratic), and for non-hill country Greenback representatives. While these vote totals are referred to in relation to specific issues of public concern in other portions of this thesis and will be discussed there, an examination of the votes as a whole reveals the range of issues debated in Southern legislatures.

It is clear from the roll call votes that state legislative controversy was most intense in Alabama. Hill country anti-Redeemer legislators consistently opposed their Democratic colleagues throughout the 1882-1883 session of Alabama's general assembly, almost always in a losing effort. On issues ranging from government spending, to revision of the state's election laws, to state interference with the selection of local officials, a majority of the anti-Redeemers in both houses of the assembly usually opposed state majority vote totals. On many issues, moreover, it is evident that the hill country did not act as a region; hill country anti-Redeemer and Democratic legislators frequently opposed each other.

In Georgia, hill country representatives also opposed the majority opinion of the legislature on some issues, usually those concerning government finances. Yet, Georgia hill country legislators were not a consistent oppositional force in the legislature, especially in the Senate. Georgia's 1878-1879 legislative session, however, did not deal with as many controversial issues as did Alabama's 1882-1883 session. In part, this was precisely because Georgia Independent legislators were not as confrontational as Alabama anti-Redeemers. In part, though, this was because political issues debated in Alabama in the early 1880s were settled at Georgia's 1877 constitutional convention. While Alabama legislators debated their state's election laws in

the period, for example, Georgia leaders had resolved the issue in 1877, when they enacted (over Independent opposition) a cumulative poll tax requirement for voting -- a provision which effectively served as a means to restrict the suffrage.¹⁴

In Mississippi, hill country representatives also opposed government spending. They also generally opposed government-granted corporate privilege. Although the pattern is not consistent on all issues, northeast Mississippi representatives frequently acted as an oppositional force in the legislature. This trend would become even more evident in later years when the Mississippi legislature assumed a more pro-corporate stance.¹⁵

If a legislative majority approved of a measure, it was usually enacted into law. The legislature was essentially an autonomous institution in the late nineteenth-century South. Southern governors did attempt to influence legislatures through their messages to that body and through behind the scenes lobbying. Southern governors, moreover, did possess the veto power. On occasion, a governor would challenge the actions of a legislature on an issue concerning basic governmental policy. Governor John M. Stone, for instance, usually explained the principles underlying his actions in veto messages he delivered to Mississippi's general assembly. When he vetoed a bill allowing Coahoma county to use county and state taxes to build local levees, Stone argued that the bill was "con-

trary to public policy." Once the government establishes the "precedent" that a county can use state taxes for local public projects, Stone contended, there will be "no limit" to applications from counties and towns asking for the same privilege. "Every county, every species of taxable property in every county, and in all portions of every county should be required to bear its share of the burdens of government," the governor concluded, "there should be no exemptions or distinctions."¹⁶ In explaining his veto of a bill raising the compensation of the night watchman of the state capitol, Stone admitted that the amount involved in the bill was "inconsiderable," but, again, he argued that the bill's intent was contrary to sound public policy. Economy and financial reform have been accepted as the "settled policy" of the state, Stone contended. Should this type of legislation be "indulged in," it might "seriously affect" the state treasury for there were many state employees whose duties were "equally onerous" and whose salaries were "correspondingly small."¹⁷ And both Stone and his successor Robert Lowry gave broad philosophical arguments concerning governmental interference with the activities of private corporations in explaining their vetoes of railroad regulatory bills passed by the legislature.¹⁸ Yet Stone was an atypical Southern executive in his liberal use of the veto power. And even he did not usually interfere with the proceedings of Mississippi's

general assembly. In general, governors infrequently challenged the actions of legislatures and were not fundamentally involved in the law-making process.

Southern governors, however, did exercise significant powers in the post-Civil War era -- powers which provoked much controversy. Southern executives had long possessed the power to make temporary appointments to fill vacant offices, giving them a bit of patronage to distribute.¹⁹ In the 1860s and 1870s, however, the executive appointing power was significantly expanded. Redeemer-controlled legislatures wishing to remove recalcitrant local officials, for example, accomplished their objective by replacing elective local offices with gubernatorially appointed ones. More extensive in its impact, Southern judiciaries were also made gubernatorially appointive in the period. Control over these government offices, of course, gave Democratic managers patronage plums through which to strengthen the party organization. More importantly, it gave the Democratic party more control over how governmental power itself would be exercised in the post-Reconstruction South. Consequently, at the state level, anti-Redeemers and others wary of Redeemer uses of government power were concerned not only with legislation being enacted but with the government structure administering and enforcing the law.

This can be seen in the struggles concerning the judiciary which arose in Southern states in the late nine-

teenth century. The judiciary wielded great influence in nineteenth-century America. Both historians and political scientists have noted the "exceptional governing role" assumed by the judiciary in a period in which the administrative apparatus of the government was limited.²⁰ Morton Horowitz, in his study of the early nineteenth-century American legal system, for example, has shown how an instrumental view of the law led judges to promote social change, in ways detrimental to many, by creating a legal climate conducive to economic development.²¹ Similarly, in the late nineteenth century, the federal judiciary influenced socio-economic developments by relegating to itself the power to review and stymie state regulatory activity. Even before the principle of federal judicial review became firmly established, state courts played a significant role in determining the usefulness of regulatory legislation. Moreover, throughout the century, the judiciary gained increasing powers as the role of juries in the judicial process was circumscribed.²²

In the post-Reconstruction era, as Redeemer Democrats gained control of Southern state courts, the role of the judiciary in mediating social relations was of particular importance. Ex-slaves, subject to repressive labor regulatory legislation, were obviously in a disadvantageous and undesirable position before a hostile judge. As contractual agreements increased in number in areas of the South

undergoing commercialization, ordinary whites also had more dealings with the courts. Increasingly, they found judges unreceptive to their needs. Thus, when one Mississippi farmer saw his mortgaged land sold at a forced sale for one-eighth of its true value, he blamed not only the law which allowed his property to be sold for such a low price but also the judge who presided over his case for being so unsympathetic to his plight. "The laws are administered by the courts in favor of what they consider moneyed men [want], irrespective of justice, honor, of humanity to the poor class of people," he wrote to the governor explaining why political conditions had led him to become an Independent. "It is a general expression of the people that there is no use for a working man to go to law with a moneyed man or in other words a man that belongs to the ring that controls the courts."²³

Corporate influence over the judiciary also aroused public apprehensions in the late nineteenth century. As is well known, federal judicial policy in the era increasingly fostered a climate favorable to corporate interests.²⁴ On the state level, too, judicial activity often served corporate needs. Injunctions issued by state courts, for example, interfered with the operation of Mississippi's railroad commission during the first two years of its existence.²⁵ More generally, many state railroad commissions, even in states with the strongest regulatory measures, complained of the ineffectiveness of enforcing their

decisions through the courts -- a consequence, in particular, of the legal procedures they were required to follow but also of unsympathetic judges.²⁶ Even if not particularly sympathetic toward them, most judges were wary of provoking the ire of politically powerful corporations. Thus, even after he had won court cases requiring railroads to pay back taxes to the state of Georgia, Robert Toombs, representative of the state in the cases, complained of the ability of railroads to avoid obeying the decision. "The courts, while generally deciding principally against the Railroads, show an unmistakable purpose to delay them as much as possible," Toombs wrote to his political colleague Alexander Stephens, "especially in view of the fact that [the railroads'] influence is greatly feared in the election [by the state legislature] of two supreme court judges next winter, besides elections of the Governor, members of Congress and legislature this fall."²⁷

Given the growing public concern over the manner in which the judiciary was interpreting the law it is not surprising that issues concerning this branch of the government aroused much controversy. Public attention in the post-Reconstruction years focused on the means by which judges were selected and consequently to whom they were accountable. This issue received increasing attention for the method of selecting judges had undergone a considerable amount of revision over the previous two decades.

Most Southern judicial positions had been elective on the eve of the Civil War. Georgia's planter-dominated constitutional convention of 1861 centralized that state's judiciary. This action was reversed in 1865, but the constitutional convention of 1868 again made Georgia's judiciary appointive. The judicial systems of Mississippi and other Southern states were also centralized during Reconstruction. Republican-controlled constitutional conventions established appointive judiciaries, in part, for partisan reasons. As long as their party held executive power on the state level, party leaders would retain control over state judicial positions, which could be distributed to loyal party members. Perhaps more importantly, Republicans, at least in some states, hoped that appointive judiciaries controlled by their party would protect the civil rights of ex-slaves in districts which otherwise might select judicial officials hostile to blacks.²⁸

Following the overthrow of Reconstruction, this situation was reversed. With conservative Democrats in control of Southern governorships, a centralized judiciary became a means to implement Redeemer objectives and to protect the interests of the party's more powerful members in areas with large black electorates. Judges accountable to such an electorate posed a threat to the dominant position of planters since judicial officials supportive of the political and civil rights of blacks could stymie planter efforts to use the law as a mechanism to discipline their labor

force. Even if not sympathetic toward blacks, popularly elected judges might be lenient toward the recently enfranchised freedmen in order to court their vote. "The judge who lays his hand lightly upon one of that class convicted of a crime will be the judge to receive their votes," one black belt resident contended. "They will say he touches us so lightly, he does not impose heavy penalties upon us, and he is the judge for us."²⁹ Thus, once in power, Redeemers in Mississippi and Georgia were not anxious to restore elective judiciaries. Similarly, in Alabama, which retained an elective judiciary during Reconstruction, many Redeemers favored removing this branch of the state government from popular influences. Due to organized opposition to the proposal, however, Alabama's judiciary remained elective in the post-Reconstruction era.³⁰

In opposing the restoration of an elective judiciary, critics most frequently resorted to racist arguments concerning the threat to white Southerners and "good government" posed by the large number of black voters now in the Southern electorate. "Five hundred thousand savages have been thrown in among the people as voters, and we must protect ourselves against them," former Confederate leader Robert Toombs declared in explaining to the delegates at Georgia's 1877 constitutional convention why he opposed expanding the electorate's powers.³¹ Other delegates also warned of the threat to traditional race relations posed by

the "dangerous element" recently added to the electorate. In addition, elective judiciary opponents argued that ex-slaves were politically incompetent and thus "unfit for the duties of citizenship."³² "It was a question and a serious one whether it was wise to elect [judges] when the negro was not a voter," a black belt delegate, revealing the elitist as well as racist attitudes of many of those who opposed an elective judiciary, contended, "but it would be suicidal and ruinous to have those officers elected with the negroes [now enfranchised]."³³

Indeed, while fear of the black vote was the primary rhetorical focus of opponents of an elective judiciary, some critics contended that popularly elected judges tended in general to be less competent than those chosen by state officials. Government leaders were "better qualified to judge of the relative merits" of judicial candidates than the general population, these critics argued.³⁴ The electorate was more influenced by the popularity of political aspirants than their fitness for public office. Such influences produced public officials "utterly incompetent to discharge the duties that [their] offices imposed upon them" and, furthermore, compromised the integrity of those holding public office.³⁵ "To be dependent on the people for office, is incompatible with that perfect impartiality and independence which are inseparable from a free and upright judiciary," the editor of the Athens Southern Banner explained. "The man who looks to the popular vote

for his office, will be more than human if he can refrain from pandering to the power that makes him what he is."³⁶ To prevent this situation, elective judiciary critics argued, all the law officers of the state should be removed from the "turmoil and demagoguery of partisan politics."³⁷

Some elective judiciary opponents, themselves uneasy with the power control over judicial appointments gave to Southern state executives, promoted the selection of judges by the state legislature (as was adopted by Georgia in 1877) as a means to decentralize the selection process but still keep it out of the hands of the electorate. Others, however, assailed this system as also detrimental to maintaining a sound judiciary. Indeed, it can be argued that these critics were more ideologically consistent than those who decried electioneering by judicial aspirants but supported selection of the judiciary by the legislature. For, as critics noted, plenty of electioneering occurred in the halls of the state capitol as the legislature prepared to select judicial officers. For this reason, one Georgian called the provision of Georgia's 1877 constitution giving the state legislature the power to select the judiciary a "serious mistake." "The system is productive of fraud and corruption, and brings the office down to a plane of competitive and degrading struggle," this writer contended in language similar to that used by critics of a popularly elected judiciary. "It is a humiliating spectacle that an

aspirant capable of filling the exalted station of judge of the Supreme and Superior court should be brought down to the level of a competitive scramble for office...."³⁸ Many others also condemned the "trading, lobbying, and swapping" that occurred in Atlanta while a new judiciary was being selected.³⁹ In general, critics contended that forcing potential judges to electioneer for their office, whether in the state capital or their home districts, degraded the office and reduced the caliber of men seeking the office. Just look at "the habits and character of anyone who is known as a politician," as one Georgian put it. "Look at a professional politician, and ask yourself if you would like to have your judges do as he does."⁴⁰

Many Southerners were not convinced by the arguments of those opposed to the reestablishment of elective judiciaries. These Southerners pointed out that only a few years earlier the same individuals now supporting the maintenance of non-elective judiciaries were the biggest critics of centralized governmental power. "Who does not remember several years since -- when our officers were appointed by the 'Radical regime' that no word in the English language was more odious than he is an 'appointee,'" one Mississippian calling himself "Vox Populi" commented in 1882. "Now it seems to have lost all of its offensiveness. When the Radicals were in power Democratic politicians made even the very heavens ring with the injustice of the appointing power, but since it has changed

hands we hear not a word about it." "What a vast difference it makes whose bull is gored," this writer added.⁴¹ To many Southerners, non-elective judiciaries were a "relic of Radical rule," maintaining a system that isolated judicial officials from their constituencies.⁴² Whether controlled by Republican or Redeemer Democratic officials, judiciaries removed from public accountability were considered to be a threat to the autonomy of ordinary Southerners.

Recognizing the apprehensions of whites living in areas with large black electorates, some elective judiciary advocates, revealing the limits of their democratic beliefs, did make special efforts to assure plantation county whites that democratizing the judiciary-selection process would not empower black voters. These elective judiciary proponents pointed to the inability of blacks to elect other popularly elected officials as evidence that the black voter was "no longer a menace to good government in the South."⁴³ Even if blacks were still a potential threat to "good government," methods could be found to "neutralize" the black vote. "If no other way is open to prevent [the selection of black judges]," one Mississippian observed, "make the bond so high that they cannot make them, as is now the case with the more responsible offices."⁴⁴ Similarly, elective judiciary proponents in Georgia argued that ways could be found to minimize the impact of black

voters. Advocates of an elective judiciary at the 1877 constitutional convention proposed that state judges be chosen by general state-wide elections (instead of by judicial district elections) so that black-dominated areas could be outvoted by the numerically dominant white population. If the convention was not to establish an elective judiciary, proponents argued, at least a provision should be included in the constitution to allow for an elective judiciary in the future when conditions in the black-dominated areas of the state might be more propitious.⁴⁵

While some elective judiciary proponents concentrated on allaying the fears of whites living in areas with large black populations, most advocates ignored (at least in public discourse) such fears and defended an elective judiciary as democratic. Proponents excoriated Democratic leaders opposed to democratizing the judiciary-selection process, especially those who defended their position on the grounds that the citizenry should not be "trusted too far" in selecting public officials, for denying the people the right to control their own affairs.⁴⁶ "There has always been in this country, and in every other country, a class of men who believe that the people have not the capacity to govern themselves, and do not believe there is enough virtue or talent among the people for self-government," a north Georgia delegate to that state's constitutional convention, referring to the elitist attitude of many of Georgia's leaders, declared during discussions at the con-

vention concerning the state's mode of selecting its judiciary. Fortunately, though, this delegate argued, most citizens believed that there was "as much intelligence and patriotism" among the people as among the country's leaders and were "in favor of the people electing their own rulers."⁴⁷

Advocates of an elective judiciary argued not only that the populace was capable of selecting its own rulers but, indeed, contrary to the arguments of critics, such a method was necessary to assure the selection of a judiciary as impartial and fair as possible. "The nearer we keep our officers to the people the better," north Georgia representative James R. Brown declared. "You do not get [judges] away from influences by making them elected by the legislature. There is no way to imagine that you can get them away, and my judgement is that the nearer we get judges to the people the more responsibility they feel to the people."⁴⁸ Repeatedly, elective judiciary proponents argued that public officials directly accountable to the electorate were less likely to abuse their powers than those appointed. "Would our judges not be driven to a strict adherence to duty through fear of popular displeasure, and punishment for any abuse of office -- no matter how great the temptation or desire -- if their records were practically subject to public scrutiny and judgement?" one Mississippian asked.⁴⁹

Closely related to this line of argument was the fear that many Southerners expressed concerning the "centralization" of power inherent in maintaining a gubernatorially appointed judiciary. This fear contributed to the decision of Georgia's 1877 constitutional convention to take this power away from the governor and give it to the state legislature. In Mississippi, however, the governor retained the power throughout the post-Reconstruction era. Steeped in republican ideology, small farmers had long feared centralized power as a potential threat to their liberties. Such power divorced from the public could easily become "despotic." "The experience of the world proves that there is less danger in the whole people than in any one man, or a few men," as one Mississippian put it. "Further the history of the world shows that every nation of people who have lost their liberties, lost them piecemeal, by gradually withdrawing from the people their rights, and slowly but surely concentrating all power in the few."⁵⁰

More concretely, critics of an appointive judiciary criticized the "enormous patronage" power of the governor, fostering a "disgraceful and demoralizing spoils system," which could be used "to punish enemies and reward friends."⁵¹ In choosing judges, one Georgian argued, "the governor of the state is likely to be influenced by the spirit of favoritism to those who supported him in the nominating convention, and who have taken the stump for him

in the canvass.... No man, however true his heart or strong his sense of duty, can keep himself from being influenced by such considerations."⁵² Similarly, others warned of the establishment by political leaders of "a personal party" through the official patronage of state executives.⁵³

Advocates of an appointive judiciary contended that the governor's patronage powers were tempered by the fact that the citizenry could petition the governor to fill judicial posts with individuals they desired. These recommendations, however, could easily be ignored. Mississippi Governor Robert Lowry, for example, did just this in selecting a circuit judge for one north Mississippi district, an action which incurred the wrath of local residents. Early in 1882, a mass meeting held in Tishomingo county resolved that the citizens of the area be allowed to select a local judge, based "upon the principle that the people who make the appointing power by their votes and the taxpayers have a right under our form of government, to select their own officers." The meeting then proceeded to recommend that the district's present judge be reappointed to his office.⁵⁴ When Lowry ignored the recommendation of the meeting and selected a new judge to fill the office, critics charged that Lowry had catered more to political concerns than the wishes of the people of northeast Mississippi in making his decision, that, as one newspaper headline put it, the governor had embraced the "spoils system"

in making his appointment. "It is bad enough for a Governor of a State to observe a strict regard for this pernicious doctrine in making his appointments when there is no protest against it," this paper contended, "but when he deliberately outrages and tramples on the wishes of four-fifths of the people of a district in order to remain consistent in his devotion to it, the very least that can be said in condemnation of his course is that the people are fully justified in withdrawing whatever confidence they may have reposed in him."⁵⁵ "It would be easier to deliberately spit in [the people's] faces and then persuade them that it is their humble duty to submit to it," another paper commented concerning the governor's unpopular appointments.⁵⁶

Much dissatisfaction, then, existed with the arbitrary procedure for selecting state judiciaries in Georgia and Mississippi. Various groups and interests, of course, had diverse motivations for seeking an elective judiciary. Those opposing the maintenance of non-elective judiciaries cannot be viewed simply as a monolithic group of outraged citizens demanding the democratization of the political system. Some criticized the judicial-selection process, at least in part, for self-serving reasons. Office-seekers not well connected in the Democratic party hierarchy, for instance, were dissatisfied with a system which gave party leaders a significant, if not determining, role in filling state judicial positions. Moreover, opposition to appoin-

tive judiciaries by non-office-seekers was not solely class based. Wealthy as well as poor agriculturalists opposed a selection procedure which allowed Redeemer state executives -- individuals usually sympathetic to business and corporate interests -- to appoint judges who would have a significant influence over the effectiveness of state laws regarding such issues as corporate regulation. Such concerns lay behind the decision of planter delegates at Georgia's 1877 constitutional convention to lead the effort to reduce the governor's appointing power by giving the legislature the power to select the state's judiciary, where it would still be removed from black political influence. Yet, many hill country producers recognized that with legislatures increasingly hostile, or at least apathetic, toward their needs and desires allowing that body to select the state's judiciary might also prove detrimental to their interests. Thus, hill country Independents at the convention desired the reestablishment of a popularly elected judiciary.⁵⁷ In Mississippi, where the state judiciary remained appointive throughout the era, hill country representatives also pushed for restoring an elective judiciary, not one chosen by the general assembly.⁵⁸

The overall direction of political-economic developments affecting the structure and character of Southern state governments in the post-Reconstruction era did not

bode well for small farmers desiring a political system which first and foremost served the interests of the general citizenry. It is debatable to what extent the Southern political system had ever done this. For, as in the late 1870s and 1880s, elite groups held disproportionate political and economic power in the antebellum South. Yet, with less leverage in Southern legislatures than in the pre-war period and with state executives and judiciaries less accountable to them, small farmers had good reason to be concerned over how public policy debates of the late nineteenth-century South would be resolved.

FOOTNOTES

¹See chapter seven for more on this.

²In Mississippi, biennial sessions were adopted by means of a constitutional amendment. On constitutions adopted in the post-Reconstruction South see, Perman, Road to Redemption, 193-220.

³There is no systematic way of obtaining information on the wealth of lower South state legislators in the post-Reconstruction period. The population schedules of the 1880 federal census do not provide information on the wealth of individuals, as do the population schedules of earlier censuses. Local tax records (from which information on wealth could be obtained) for the states under investigation, furthermore, are fragmentary for the 1870s and 1880s. Occupational data provide at least an indication of the socio-economic background of legislators. Such information is especially useful in differentiating legislators engaged in professional and commercial activity from those engaged primarily in agricultural activity.

⁴The 1860 figures were calculated from the data provided in Ralph A. Wooster, The People in Power: Court-house and Statehouse in the Lower South, 1850-1860 (Knoxville, 1969), 123,131,141. The 1880 figures were calculated from data in Mississippi House Journal, 1880, 606-11 and in Samuel A. Echols, Georgia's General Assembly of 1878: Biographical Sketches of Senators, Representatives, the Governor, and Heads of Departments (Atlanta, 1878).

⁵Atlanta Constitution, December 8, 1877; Jones, "William H. Felton and the Independent Democratic Movement in Georgia," 94-100; Garrison, "Old South or New?" 273,275; Ward, "Georgia Under the Bourbon Democrats," 95.

⁶Cottage Home Farm Journal, Floyd County, August 25, 1876, August 12, 1882, Dent Papers.

⁷Huntsville Advocate, November 17, 1880; Athens Southern Watchman, January 25, 1876; Marietta Journal, April 27, 1882. See also: letter of "Blue Bird" in Tupelo Standard, May 24, 1873; Athens Southern Watchman, June 24, 1874; Cartersville Express, March 14, 1878; letter of Oscar Reese in Carroll County Times, July 30, 1880; letter of "JWG" in Jefferson Forest News, September 24, 1880; Cartersville Free Press, July 21, 1881; Tupelo Journal, February 24, 1882; Jackson Herald, April 4, 1886.

⁸See, for example, letter of Jacob in Athens Southern Watchman, August 26, 1874; W.W. Graham to Governor John M.

Stone, November 15, 1877, Mississippi Governor's Papers; Jackson Herald, September 2, 1881; letter of "One of Them" in Huntsville Advocate, July 5, 1882.

⁹Letter of "A Bartow Farmer" in Cartersville Express, November 2, 1876; Emory Speer to W.H. Felton, December 30, 1877, Rebecca L. Felton Collection; Calhoun Times, July 22, 1880; Cartersville Free Press, September 2, 1880.

¹⁰For the political affiliations of Alabama legislators in 1882-83, see: Goins, Bourbon Democracy in Alabama, 228-9; Roush, "Aftermath of Reconstruction," 309.

¹¹Shelby served in the state Senate from 1882 to 1886, ran for Congress as an anti-Redeemer in 1882, and later served as a federal circuit judge. He consistently took oppositional stances in the legislature and as a judge is perhaps best known for his anti-corporate rulings. James Doster, Alabama's First Railroad Commission, 1881-1885 (Univ., Ala., 1949), 176; Sheldon Hackney, Populism to Progressivism in Alabama (Princeton, 1969), 297-8; Thomas M. Owen, History of Alabama and Dictionary of Alabama Biography (Chicago, 1921), v.4, 1541.

¹²For political affiliations of Mississippi legislators in 1880, see: Jackson Weekly Clarion, March 10, 1880.

¹³Wooster, The People in Power, 141.

¹⁴Garrison, "From Old South to New?" 238-9; Kousser, The Shaping of Southern Politics, 210-5.

¹⁵Northeast Mississippi representatives, for example, generally opposed the 1882 legislature's efforts to issue railroad charters negating the state's right to regulate rates. See chapter six for more on this.

¹⁶Mississippi House Journal, 1878, 405-7. See also: ibid., 48-9, 395-6.

¹⁷Mississippi House Journal, 1877, 230.

¹⁸Mississippi Senate Journal, 1880, 44-8; Mississippi House Journal, 1884, 322-7.

¹⁹Thornton, Politics and Power in a Slave Society, 84.

²⁰Stephen Skowronek, Building a New American State: The Expansion of National Administrative Capacities, 1877-1920 (New York, 1982), 27-8; James W. Hurst, Law and Social Order in the United States (Ithaca, 1977), 32, 37-8; Morton Keller, Affairs of State: Public Life in Late Nineteenth Century America (Cambridge, 1977), 354.

²¹Horwitz, The Transformation of American Law; See also: Harry Scheiber, "Federalism and the American Economic Order, 1789-1910," Law and Society Review 10(Fall 1975), 96.

²²Sidney Fine, Laissez Faire and the General-Welfare State (Ann Arbor, 1956), 126-64; Scheiber, "Federalism and the American Order," 100-07; Friedman, A History of American Law, 165; A Note, "The Changing Role of the Jury," 170-92.

²³W.W. Graham to Governor John M. Stone, October 30, 1877, November 15, 1877, December 6, 1877, Mississippi Governor's Papers.

²⁴Fine Laissez Faire and the General-Welfare State, 126-64; Arnold M. Paul, The Conservative Crisis and the Rule of Law: Attitudes of Bar and Bench 1887-1895 (Los Angeles, 1960); John F. Doster, Railroads in Alabama Politics, 1875-1914 (University, Ala., 1957), 83-6; John P. Roche, "Entrepreneurial Liberty and the Fourteenth Amendment," Labor History 4(Wint. 1963), 3-31. For a different view, see: Nelson, The Roots of American Bureaucracy, 148-55.

²⁵Ferguson, "Agrarianism in Mississippi," 296; Daniel C. Vogt, "Problems of Government Regulation: The Mississippi Railroad Commission, 1884-1956," (PhD diss. Univ. of Southern Mississippi), 57-9. See also: Roche, "Entrepreneurial Liberty and the Fourteenth Amendment," 7; William R. Doezeema, "Railroad Management and the Interplay of Federal and State Regulation, 1885-1916," Business History Review 50(Summ. 1976), 160; Harry Scheiber, "Government and the American Economy: Three Stages of Historical Change, 1790-1941," in Robert Weible, Oliver Ford, and Paul Marion, eds. Essays from the Lowell Conference on Industrial History, 1980 and 1981 (Lowell, MA, 1981), 139. This is not to suggest that state and federal courts necessarily reinforced each other in their decisions involving corporations. Tensions did exist between the parochial view of state courts and the more national outlook of federal courts. See: Tony A. Freyer, "The Federal Courts, Localism, and the National Economy, 1865-1900," Business History Review 53(Autumn 1979), 343-63; Philip L. Merkel, "The Origins of an Expanded Federal Court Jurisdiction: Railroad Development and the Ascendancy of the Federal Judiciary," Business History Review 58(Autumn 1984), 336-58.

²⁶Maxwell Ferguson, State Regulation of Railroads in the South (N.Y., 1916), 103-4, 134-5, 152.

²⁷U.B. Phillips, ed. The Correspondence of Robert

Toombs, Alexander H. Stephens, and Howell Cobb, Annual Report of the American Historical Association for 1911 v.2 (Washington, 1913), 739.

²⁸Michael Johnson, Toward a Patriarchal Republic: The Secession of Georgia (Baton Rouge, 1977), 173-5; Albert Saye, A Constitutional History of Georgia, 1732-1945 (Athens, Ga., 1948), 246,269,286-7; Ward, "Georgia under the Bourbon Democrats," 203,208,224,239-40; Harris, Day of the Carpetbagger, 155; Vernon L. Wharton, The Negro in Mississippi, 1865-1890 (Chapel Hill, 1947), 175. See also: Kermit L. Hall, "The 'Route to Hell' Retraced: The Impact of Popular Election in the Southern Appellate Judiciary, 1832-1920," in Bodenhamer and Ely, eds., Ambivalent Legacy, 229; Joel Williamson, After Slavery: The Negro in South Carolina during Reconstruction, 1861-1877 (Chapel Hill, 1965), 345-7. In some states, conservative Republicans pushed for the establishment of appointive judiciaries in order to prevent the election of black judges. Jack B. Scroggs, "Carpetbagger Constitutional Reform in the South Atlantic States, 1867-1868," Journal of Southern History 27(Nov. 1961), 485-7,492.

²⁹Small, Stenographic Report of [Georgia's 1877] Constitutional Convention, 217; Garrison, "Old South or New?" 222-4.

³⁰Fleming, Civil War and Reconstruction in Alabama, 744; Malcolm McMillan, Constitutional Development in Alabama, 1798-1901: A Study in Politics, the Negro, and Sectionalism (Chapel Hill, 1955), 200.

³¹Small, Stenographic Report of [Georgia's 1877] Constitutional Convention, 215,224-5.

³²Ibid., 231.

³³Ibid., 210. See also: letter of G.W. Merrill in Carroll County Times, April 20, 1877; Meridian Mercury quoted in Jackson Weekly Clarion, October 20, 1881; Jackson Weekly Clarion, February 21, 1883.

³⁴Small, Stenographic Report of [Georgia's 1877] Constitutional Convention, 218. See also: Jefferson Forest News, July 21, 1877.

³⁵Winston Signal, August 27, 1881.

³⁶Athens Southern Banner, August 30, 1881.

³⁷Chickasaw Messenger, June 30, 1881, August 11, 1881. See also: Pope Barrow in Athens Southern Banner, August 30, 1881; Carroll County Times, April 13, 1877; Winston Signal,

August 27, 1881.

³⁸Gainesville Eagle, November 26, 1880.

³⁹Marietta Journal, November 25, 1880; Gwinnett Herald, November 3, 1880, November 17, 1880; Athens Weekly Banner, November 23, 1880; Cherokee Advance, July 17, 1884; Athens Banner Watchman, September 23, 1884.

⁴⁰Athens Southern Banner, August 30, 1881.

⁴¹Letter of "Vox Populi" in Jackson Weekly Clarion, January 25, 1882. See also: W.W. Graham to Governor John M. Stone, October 30, 1877, November 15, 1877, December 6, 1877, Mississippi Governor's Papers.

⁴²Kosciusko Star quoted in Tupelo Journal, March 7, 1884.

⁴³Tupelo Journal quoted in Jackson Weekly Clarion, April 4, 1883. See also: Tupelo Journal, March 23, 1883; Small, Stenographic Report of [Georgia's 1877] Constitutional Convention, 215-6.

⁴⁴Kosciusko Star quoted in Tupelo Journal, March 7, 1884.

⁴⁵Small, Stenographic Report of [Georgia's 1877] Constitutional Convention, 215-6, 252-3.

⁴⁶Letter of "Vox Populi" in Jackson Weekly Clarion, January 25, 1882. See also: Athens NorthEast Georgian, December 9, 1874; letter of "Billy Grubber" in Jackson Weekly Clarion, March 1, 1882; ibid., February 15, 1882, March 22, 1882, May 9, 1883; Tupelo Journal, March 31, 1882.

⁴⁷Small, Stenographic Report of [Georgia's 1877] Constitutional Convention, 213-5, 221-3.

⁴⁸Small, Stenographic Report of [Georgia's 1877] Constitutional Convention, 221-3. See also: Jefferson Forest News, January 8, 1876; Carroll County Times, April 20, 1877; Calhoun Times, March 31, 1877.

⁴⁹Summit Times and Intelligence quoted in Jackson Weekly Clarion, April 4, 1883. See also: Kosciusko Star quoted in Tupelo Journal, March 7, 1884.

⁵⁰Letter of "Billy Grubber" in Jackson Weekly Clarion, March 1, 1882. See also: Jackson Weekly Clarion, May 30, 1883; "Bartow" in Cartersville Standard and Express, March 13, 1873; letter of "Working Farmer" in Cartersville Ex-

press, April 13, 1877; Gwinnett Herald, November 5, 1873; H. Hogan in Carroll County Times, April 6, 1877; letter of JL Cobb in Carroll County Times, April 6, 1877; Marietta Journal, June 1, 1877.

⁵¹Tupelo Journal, March 23, 1883, March 7, 1884; letter of "Truth" in Jackson Weekly Clarion, July 28, 1881. See also: letter of "Anti-Corruption" in Cartersville Express, July 13, 1876; Cartersville Express, March 23, 1877; Carroll County Times, March 9, 1877; Meriwether Vindicator quoted in Carroll County Times, March 30, 1877; "M" in Jefferson Forest News, May 5, 1877.

⁵²Small, Stenographic Report of [Georgia's 1877] Constitutional Convention, 212. See also: ibid., 216, 219.

⁵³Letter of "Billy Grubber" in Jackson Weekly Clarion, July 14, 1881.

⁵⁴Tishimingo Reporter quoted in Tupelo Journal, January 29, 1882.

⁵⁵Tupelo Journal, March 17, 1882.

⁵⁶Desoto Times quoted in Tupelo Journal, April 14, 1882. See also: Tupelo Journal, February 10, 1882, April 21, 1882; Petition of Madison county residents to Governor John Stone, December 14, 1878, Mississippi Governor's Papers.

⁵⁷Small, Stenographic Report of [Georgia's 1877] Constitutional Convention, 219-23.

⁵⁸Mississippi House Journal, 1880, 375; Mississippi House Journal, 1882, 173, 423-4.

CHAPTER FOUR

Taxation

"Taxation is the hardest problem governments are called upon to solve," a northern Mississippi editor observed in 1886. "It is a necessary evil, and should be kept down to a minimum. Only so much taxes should be taken from the people as are absolutely necessary to the maintenance of the government, economically administered."¹ Declaring that he adhered to an "old fashioned idea of free government," T.P. Miller of Winston county, Mississippi agreed that taxes should be kept as low as possible. Taxation for any other purpose than economically making and executing the laws, Miller contended, was "a robbery of the people."² Commenting on similar sentiments in northern Georgia, the Marietta Journal noted in 1879 that many individuals regarded taxation as an "unmitigated hardship, which they would gladly make any sacrifice to be free of."³ Such statements reflected the general hostility toward taxation which existed among property holders in the post-Reconstruction South. While such feelings have certainly been widespread in all parts of the country and throughout the history of the United States, they were particularly evident in the late nineteenth-century South.

Other than the race issue, taxation had been the primary focus of Redeemer campaigns seeking to overthrow Reconstruction. Following the war, taxation was indeed

much more burdensome for the average white Southerner than it had been in the antebellum era. The vast social and economic needs of a devastated region necessitated increased state expenditures, and emancipation increased the number of individuals eligible for state services. In addition, the depreciation in property values caused by the war necessitated a higher rate of taxation just to raise the same amount of revenue as had been collected before the war, much less to pay for the increased demands on government which arose in the post-war era. Consequently, as is well known, tax rates during Reconstruction were much higher than they had been in the antebellum South.

Small property holders in particular shouldered a higher proportion of the tax burden. During the antebellum era, landed property had been lightly taxed and other property owned by small farmers had been generally exempted from taxation. The principal source of tax revenue in all of the lower South states during most of the antebellum era was a tax on slaves. In addition, Southern states levied a variety of specific taxes on luxuries and capital. As a result of this tax structure, poorer white Southerners paid little taxes.⁴

With emancipation, of course, the slave tax was eliminated. Under Reconstruction governments, ad valorem taxation of property served as the principal source of state revenue. Thus, not only were tax rates increased to meet

higher state expenditures, but property, in particular real estate, comprised a much higher proportion of the region's tax base. Given the fact that large landowners who were former slaveowners were relieved of one major type of taxation, an increased land tax hit small, formerly non-slaveholding, farmers the hardest. In general, as J. Mills Thornton has argued, the abolition of slavery "brought about in the Lower South a marked shift in tax incidence downward in the social scale." And given the increased size of the Southern citizenry, returns per citizen from government services in the Reconstruction South were lower than they had been before the war.⁵

Thus, it is understandable that taxation served as a rallying issue for those opposed to Republican rule. Responding to popular pressure, Redeemers did reduce taxation. Following the end of Reconstruction (the process had actually begun in some states during Reconstruction), Southern state governments reduced state tax rates by scaling down their debts and lowering interest rates on the remaining amount, prohibiting direct public aid to private interests, and reducing the governmental apparatus itself. To alleviate taxation on landed property in particular, privilege and license taxes were increased. Such measures seem to indicate that Redeemer governments, on tax policy at least, were responsive to the needs of the region's landowners, large and small.⁶

During the post-Reconstruction era, however, many

small property holders expressed dissatisfaction with Redeemer tax policy. Throughout the hill country, in particular, Southerners continued to complain about regional taxation. "Though the Democratic party rules in almost every Southern state, still those states are not redeemed, and the people still groan under their heavy burden and oppressions," one north Georgian complained in 1875.⁷ "Men are opening their eyes to the extravagance and irregularities of the State government," a north Georgia Independent contended. "They begin to see that their taxes are no lower than they were years ago, and to feel that they have no more respect for oppression under so-called democratic rule than they did under radical rule."⁸ A third north Georgian charged that the Democratic promise to reduce taxation, made while the Republicans were still in power, had been a "deceptive war whoop."⁹ Similarly, a north Mississippi Greenbacker claimed in 1879 that taxes since Redemption were still "oppressive." The Democrats had reduced taxes some, he acknowledged, but "not so much as the Democratic papers would have you believe."¹⁰

If Redeemers had reduced taxes, why the persistent complaints? Were they merely efforts to push Redeemer governments to economize even further or did they express more significant discontent over the post-Reconstruction tax structure? Part of the answer to these questions lies in the fact that the average white Southerner even before

the war had been wary of taxation and would have continued to be so following Reconstruction, no matter what Redeemer officials did. As hard economic times following the panic of 1873 put small producers in financial straits and impoverished many of them, moreover, even the slightest taxation was burdensome. Yet, complaints about taxation reflected more than just the perennial hostility of the citizenry to paying taxes. A closer examination of the tax structure of the post-Reconstruction South suggests that small producers had justifiable reasons to complain about Redeemer tax policies.

In the first place, while in many places state tax rates had been reduced, the portion of property on which the average individual had to pay taxes had increased. In the antebellum era, farmers' and mechanics' tools, a certain amount of livestock, and other necessities had, in most states, been exempted from taxation.¹¹ During Reconstruction, Republicans in most states also followed a policy of exempting a certain value of property from taxation. Following Redemption, however, this policy was changed. In the early 1870s, for example, Georgia's legislature reduced the exemption of tools from unlimited value to \$25 per taxpayer and that on furniture from \$300 to \$50 value for each household head. More important, Georgia's standard property exemption of \$200 value was completely eliminated. In Alabama the \$500 standard exemption which had existed under Republican rule was revised so that only specific

items could be exempted -- excluded from the list were such basic farm necessities as horses and mules.¹²

Democrats passed such acts to force blacks, most of whom owned little property, to pay more taxes. Under laws exempting certain values of property, many poor blacks had escaped paying taxes, other than the poll tax. The new exemption laws, as one proponent of them argued, "corrected" this situation. The new laws, however, also increased the taxes of poorer whites. Thus, much discontent arose in the hill country over these laws, many critics contending that they were "obnoxious" to small producers. Hill country legislators and spokesmen, in particular anti-Redeemers, in both Georgia and Alabama supported efforts to increase tax exemptions and to amend tax exemption laws to cover items owned by small producers.¹³

Such changes in the general tax exemption laws appeared especially appalling to small farmers for at the same time other more powerful interests were the beneficiaries of lenient Redeemer tax policies. Railroads and other industrial interests had long been the recipients of favored state treatment. In the antebellum era, many railroads had been granted long-term tax exemptions and, in general, other railroads were taxed at low rates to encourage their construction.¹⁴ During Reconstruction, as is well known, state aid was widely used to promote railroad growth. Moreover, railroads and manufacturing concerns

were taxed lightly, if at all.¹⁵

Following Redemption, direct public aid to railroads at the state level was halted. Democratically controlled state governments, however, still molded their tax policy to encourage railroad and manufacturing development. Acts passed by Georgia's state legislature in 1872 and 1873 granted cotton and iron manufacturers tax exemptions for extended periods of time. These acts were repealed by the state's 1877 constitution, but tax privileges resulting from the acts remained in effect, in some cases, until 1887.¹⁶ Mississippi's first Redeemer governor, John M. Stone, was hostile to corporate tax exemptions, but under his successor, Robert Lowry, Mississippi's state legislature granted tax benefits to both manufacturers and railroads.¹⁷ Alabama's state government did not enact such sweeping tax exemption legislation, but numerous local communities offered tax incentives to attract industrial concerns.¹⁸

Proponents of corporate tax exemptions generally argued that this type of tax break benefited the whole population by promoting general economic development. A county or state offering such investment incentives, proponents contended, was sure to attract capitalists who would finance new enterprises in the region. Work for the needy would subsequently be provided, commercial activity would increase, and in general the economy of the area would be more prosperous. Indeed, the economic diversification that

would result from attracting "new forms of industry" would, as one north Alabamian put it, allow a community to "catch the spirit of the age and get out into the tide of progress and improvement." The expanded tax base resulting from the appreciation of property values in the economically stimulated area, moreover, would ultimately allow public officials to lower tax rates. Granting an industrial enterprise tax-exempt status, thus, proponents argued, was a wise public policy measure.¹⁹

Critics of Redeemer tax exemption measures ridiculed the contention that relieving industrial enterprises from taxation fostered the economic progress of the South and associated these measures with policies promoted by the Republicans during Reconstruction. Widespread dissatisfaction with the industrial promotion policies pursued by Reconstruction Southern governments fed into and intensified the general anti-corporate attitude long evident in the hill country. Advocates of an 1875 legislative effort in Georgia to repeal an act exempting from taxation cotton and woolen manufacturing concerns expressed such a viewpoint when they contended that such an incentive was not only unnecessary but also continued Reconstruction measures antithetical to the interests of small producers. "You need not tell me this is not a stab at labor and the farming interest of the [state], under the sugar-coated plea of progress and developing the resources of the

[state]," one north Georgia representative told that state's legislative body. Such a policy was "the veriest relic of the Bullock reign, where the idea of progress first originated, cankered with Puritanism and Yankee trickery."²⁰ Similarly, one north Mississippi newspaper, condemning tax exemptions for railroads and factories as an "obnoxious form of protection" and an "outrage upon the people," argued that Democratic legislatures had followed the "bad example" set by Republicans when they were in power.²¹

Other critics more explicitly assailed tax exemptions as a type of state activity which threatened the basis of a republican society, one Alabama Greenbacker calling it a form of "communism of the rich," another critic condemning it for "creating a moneyed aristocracy."²² "It amounts almost to tyranny in making the poor working classes pay the taxes of the rich, and it should not be submitted to by an overburdened class of taxpayers," a dissident north Georgia editor commented. "Should such a system of taxation become the fixed policy of this government and of the State, it will be nothing more nor less than adopting the monarchical system of Europe, in making the capitalists absorb all the earnings of the industrial classes." "Republics are founded on the laws of justice and equality," this writer argued, "and when they depart from such, the rights and liberties of the people are taken from them in the same proportion as the equality of the laws are

departed from."²³

The average Southerner, then, viewed tax exemptions for capital interests as a form of special privilege, unfair to other taxpayers, in particular to those "engaged in manual labor" whose taxes came out of their "direct earnings" and who could least afford to pay taxes. When public officials attempted to grant such tax exemptions, a negative popular reaction was usually not long in coming. Hence, when municipal authorities in Athens, Georgia decided in 1874 to exempt stocks and bonds from taxation in an effort to attract capital to their community, critics, contending that such a policy was unfair to producers of the area and a misuse of power by city officials, resisted the measure. Emory Speer, a future Independent representative of north Georgia's ninth congressional district, was especially vocal in opposing Athens' tax policy. Speer inveighed against the granting of tax benefits to capital interests as "illegal," "unconstitutional," and "a species of the most oppressive and ruinous class legislation." A capitalist perpetually searching for towns where he can invest his money and "evade" taxes placed upon it elsewhere "is a carpetbagger of the very smallest description," Speer contended. "Our laboring classes, so far from being benefited by this discrimination, will be kept always in a position where they will be in the absolute power of the capitalist," who would demand continual public favoritism

as a condition for remaining in the area.²⁴ Led by Speer, disgruntled area residents took Athens' local officials to court. Claiming that Athens' municipal charter did not allow city officials to grant tax privileges, critics brought their case before a superior court judge, who issued a mandamus forbidding Athens' authorities from granting tax exemptions. Later, Georgia's supreme court declared Athens' tax exemption policy unconstitutional.²⁵

When Huntsville, Alabama authorities considered exempting a proposed cotton factory from local taxation, anti-Redeemers also condemned the move as unconstitutional and discriminatory against taxpayers of the community. "We have all noticed that government is seldom or never asked for such privileges, except by corporations generally wealthy and influential," one critic wrote to a local Greenback newspaper. "The individual man or woman... who should beg for relief from taxes would be laughed to scorn and sold out, if need be, at the next tax sale."²⁶ While, as we have seen, tax exemption proponents contended that attracting manufacturing interests to the area would ultimately benefit the whole community, critics emphasized that those owning stock in manufacturing enterprises were motivated more by "private interest" than out of concern for the community's welfare. "Is there a contract between [the factory's stockholders] and the city, involving mutual considerations? Will the factory agree to sell us goods cheaper or pay our labor higher wages because of the exemp-

tion?" one critic asked rhetorically. "No, there is nothing of the sort. It would be treated as impertinence," for the community to ask for such treatment. "We will gain nothing," in return for the tax exemption given the factory, "but will lose, on the contrary, the taxable value of at least twenty-five thousand dollars."²⁷

In Mississippi, too, many individuals were critical of the granting of favored tax status to capital interests. "A few of us... believe that these rich corporations that are making from 20 to 40 percent on their capital invested, should help the poor farmer, who does not make anything more than support, pay tax to support the State government that protects their property," one hill country resident, criticizing Mississippi's state legislature for granting several corporations tax-exempt status, wrote to his local paper in March 1882.²⁸ Reflecting the exasperation of small producers over corporate tax exemptions, hill country legislator C.J. Frederick contended that if corporations were to be relieved of the burden of taxation then so should the farmers of the state. Thus during consideration by the Mississippi general assembly of a bill "to encourage the investment of capital in manufactures" in Mississippi by granting such enterprises long-term tax exemptions, Frederick offered an amendment that "all land used for agricultural purposes in this State, and all mules and horses used on any farm in this State, be exempt from

taxation for a period of ten years." The proposed amendment was quickly tabled.²⁹

Perhaps most vigorously, corporate tax proponents pushed for increasing the amount of taxes that railroads -- the largest corporate interest in the late nineteenth-century South -- paid. While railroad boosters argued that taxing railroads lightly would encourage their construction, corporate tax advocates claimed that railroads did not need or deserve such assistance. It was such a belief that led hill country representative J.J. Turnbull to urge the Georgia legislature to increase the state's levy on railroads. Turnbull contended that even upon the lowest estimate, railroads constituted not less than one-eighth of the total wealth of the state. This "tremendous monopoly" should not be allowed to share the protection of the law, without bearing any of the burdens of government, the Banks county legislator argued. "This is... in conflict with the great principles upon which this great government is based, and the sovereign rights of the people."³⁰ Indeed, a tax policy which allowed railroad corporations to "luxuriate" in their gains, while forcing the "struggling masses" to pay for the expenses of government, a like-minded Southerner contended, "ought [not] to be tolerated."³¹

In reality, Southern railroads were not as profitable in the 1870s as railroad tax proponents claimed. In fact, in the early part of the decade, most roads were in financial difficulty -- almost no road outside Georgia declared

a dividend in 1872 -- and the Panic of 1873 made matters even worse. As a result, many lines went into default. One historian has estimated that by 1876 nearly half of all Southern railroad mileage had fallen into receivers' hands.³² Yet, it was precisely because public funds and loans granted to develop the region's transportation system had seemingly been squandered that hostility toward railroads and a feeling that these corporations should be forced to fulfill their public obligations intensified. After all, railroad companies had been given preferential government treatment on the assurance of commercial boosters that they would develop the economy and benefit the populace. That so much had been spent yet relatively little gained for the general population fueled the charge of critics that railroad officials were profligate and responsible not only for their own economic woes but also for the fiscal troubles of Southern governments. Thus, while many hill country producers had all along disapproved of government granted special privilege, by the mid-1870s, opposition to the policy was more prevalent than ever. Direct governmental aid to railroads, as we have already seen, was ended in the post-Reconstruction era. In addition, laws were passed more heavily taxing railroad corporations. Railroads and their supporters, however, were able to minimize the effect of legislation designed to increase the industry's share of the regional tax burden.

Into the early 1870s, railroads in Georgia were only liable for a small tax on their net income. Prodded by its hill country members, the legislature in 1874 finally passed a measure taxing railroad corporations on the same basis as other property.³³ Railroads, however, resisted the law in the courts, contending that their charters limited the amount of taxes they had to pay. Railroad tax advocates responded that taxation was an essential function of government which could not be restricted in ways which acted against the public's interest. "No Legislature, from the foundation of this government down to the present time, has had a right to destroy, or even tamper with, the sovereign right which is inherent in the people, as the fountain head of authority, [by giving] any corporations any powers, rights or franchises which would exempt them from their allegiances and duties to the government under which they live and are protected," as one railroad tax proponent argued.³⁴ Corporate foe Robert Toombs represented the state in court cases seeking to force recalcitrant railroads to pay their taxes, but it was not until 1879 that a United States Supreme Court decision laid the basis for forcing these roads to pay taxes.³⁵

Even then, railroads escaped much taxation by extensively underreporting the value of their property. As late as 1890, only ten percent of the true value of railroad property was assessed for tax purposes.³⁶ Such undervaluations were possible because there was no adequate state

mechanism to force railroads to report their true value. Although the state's comptroller general could challenge the returns of railroad companies and take the matter to arbitration, often the state's representative in such cases was sympathetic toward railroad interests. When, for instance, Tyler M. Peeples, editor of the Gwinnett Herald, was chosen in 1881 to represent the state in an arbitration case, railroad tax advocates were justifiably concerned over whether the people's interest was adequately being represented since the Herald frequently opposed railroad tax measures being debated in the legislature. Indeed, Peeples had written only the month before the case was being decided that a bill under consideration by the legislature to allow counties to tax railroads would, if enacted, "hamper and discourage, and in many instances defeat the future development of the State."³⁷

In an effort to systematize the collection of taxes on Mississippi railroads, which until the early 1870s had been exempted from taxation, Mississippi's state legislature in 1875 adopted a privilege tax, which the Redeemers retained once they gained control of the state government. While this measure provided for a railroad tax, some roads, claiming that their charters contained tax exemption provisions, successfully resisted paying the levy for a number of years. More fundamentally, many advocates of railroad taxation viewed the privilege tax itself as an inadequate

form of corporate taxation. Citing the provision of Mississippi's 1868 constitution which stated that "taxation shall be equal and uniform throughout the State," these critics contended that the privilege levy taxed railroads at a lower rate than that imposed on the property of individuals. Following the passage of the act in 1875, thus, several legislators immediately protested, calling the measure "a piece of legislative ingenuity gotten up in the interest of [railroad] corporations."³⁸ Thereafter, some north Mississippi legislators attempted to amend the law to increase railroad taxation and, in general, north Mississippians attempted to pressure reluctant representatives into supporting such efforts. "I am a warm friend of railroads, but the time has past for the poor man to be taxed for the benefit of the rich," as one north Mississippian argued in reference to the state's tax policy. "Railroad companies should have all the encouragement and protection that private individuals get, no more and no less. They do not need anymore."³⁹

In 1877, Alabama's state legislature created a special board of assessment of railroad property, consisting of the governor, secretary of state, state auditor, and state treasurer. But assessments in Alabama, as elsewhere, were generally well below the true value of railroad property, and even then the state had trouble collecting taxes from some railroads. Critics complained that while moneyed corporations were invited "to invest and operate their

capital free or with a nominal tax, the burden of taxation was heaped upon the poor." "Railroads, which the law requires to be assessed at a fair valuation, usually escape at a rate hardly equal to the value of their iron sold as scraps to the junk dealer," J.M. Pickens, Independent candidate for governor in 1880, argued in a published message to the "Voters" of Alabama. Furthermore, "As a rule, when railroads are taxed, they are allowed to add the same amount to their tariff, and still force the people to pay it."⁴⁰

Some railroad officials defended themselves from charges of tax evasion by arguing that virtually all property in the region was underassessed for tax purposes. In fact, such a statement had more than a measure of truth to it. State officials incessantly complained that property was not being reported for tax purposes at its true value and that such practices were not only unfair to honest taxpayers but kept tax rates higher than need be. Yet, a closer examination of the issue suggests that certain interests benefited more than others from their tax evasion practices.

"No tax system can be just to tax-payers where inequality is a chief characteristic," a north Georgia editor commented in 1876. "And no system can fail of inequality where the basis of assessment is not sure and certain, ever resting upon the correct principle, that the greatest

amount of wealth should constitute the largest support to the Government of its protection."⁴¹ In the post-Reconstruction South, however, capital interests and the wealthy seem to have escaped their share of the tax burden to a disproportionate degree. As we have seen, corporations were constantly attacked for their unwillingness to pay taxes. Many advocates of railroad taxation especially resented the ability of corporations to stymie their attempts to correct this situation. "The State Legislature," one Alabama Greenback newspaper noted, "is sandwiched through and through with railroad lawyers who prevent legislation in favor of the burdened tax-payers of this State and shield the corporations as a matter of course."⁴² Even legislation in some states defining lobbying as a criminal act does not seem to have slowed down the efforts of powerful special interests to influence government officials.

Much of the new wealth of the era deriving from business as well as industrial pursuits escaped taxation. Money and solvent debts, merchandise, stocks and bonds were notoriously underreported. In general, intangible personality was easier to conceal from assessment than was realty. Consequently, while state officials complained of underreporting as a problem pervasive throughout the South, they pointed to cities, where intangible property was concentrated, as particular problem areas.

In his annual message to the state legislature in

1876, for instance, Alabama Governor George Houston specifically mentioned significant undervaluations in Mobile and Montgomery counties -- the location of the state's two largest cities. Ten years later, Alabama state Auditor Malcolm Burke would still be complaining about urban undervaluations.⁴³ While some officials complained about the undervaluation of urban real estate, it was urban personal property which was considered to be the most flagrantly underassessed. Thus, in 1880, Alabama state Auditor W. Brewer called special attention to the value reported by taxpayers concerning "Solvent Credits or Credits of Value," a heading which embraced "money due on mortgages, open accounts, promissory notes, and like." Under this category, Brewer reported, returns from Montgomery county -- "containing a prosperous commercial centre, in which there are doubtless banks, supply merchants, small capitalists, etc." -- and other "more prosperous regions of the State" were disturbingly low. "If these figures correctly represent the condition of the debtor class in the State," the state Auditor sarcastically commented, "there is certainly no need for 'stay laws,' and no cause for anxiety over any pecuniary distress among the masses."⁴⁴ State officials also pointed to specific provisions of the revenue laws which benefited capital interests and deprived the state of funds. State Auditor Burke called the provision of the tax laws which allowed the owner of moneyed capital to deduct

his indebtedness from his taxable wealth "obnoxious" and unconstitutional. "It virtually establishes a different rate of taxation for one species of property and discriminates in favor of such property as against other property," Burke contended, "thus accomplishing, by indirection, what the constitution plainly prohibits."⁴⁵

While such tax practices, which benefited personal property holders, were assailed by state officials as unfair to other taxpayers, politically influential agrarian leaders specifically sought to reduce the tax burden of rural landholders through favored treatment. Responding to this pressure, Democratic officials in at least some states lowered rural real estate assessments. This reduction, however, was not implemented uniformly. In Alabama, for example, rural realty assessments dropped most sharply in black belt counties -- home of the state's largest landowners. While the assessed valuation of rural real estate in most Alabama counties was lowered modestly between 1873 and 1876, in many black belt counties rural real estate assessments were cut by a third and in some by over 40 percent. In fact, while the assessed valuation of real estate in the state as a whole in 1879 was approximately two-thirds of what it had been a decade earlier, in many black belt counties real estate assessments were half of their previous amount.⁴⁶

Rural as well as urban large property owners, then, had little reason to complain about the share of the tax

burden they shouldered in the immediate post-Reconstruction era. In general, Redeemer tax policies and tax practices in the 1870s combined to reduce the proportion of state property taxes paid by wealthier areas of the lower South. This pattern can be seen in the tables in Appendix II showing the percentage change over the decade in the per capita assessed value of property of the individual counties of the states under investigation. In Georgia, while per capita property valuations for state tax purposes fell in 47 percent of the counties of the state by a percentage greater than the drop in the state as a whole, 70 percent of the state's wealthier counties (defined as those counties whose 1870 per capita assessment was greater than the state average) benefited from such relatively large reductions.⁴⁷ Similarly, while per capita property valuations in 32 percent of Alabama counties fell over the 1870s by a percentage greater than the decline in the state as a whole, 64 percent of the state's wealthier counties experienced such reductions. In Mississippi, the same pattern is evident: 82 percent of the state's wealthier counties benefited from relatively large property valuation reductions as compared with 40 percent of the counties of the state as a whole. Part of the explanation for the relative decrease in the proportion of property taxes paid by wealthier areas is the fact that as previously peripheral areas became more commercialized, property valuations did

increase in poorer counties. And county boundary changes and regional population shifts did affect the actual per capita value of property in individual counties. Overall, however, it does appear that Redeemer tax policies and tax assessing practices in the 1870s primarily benefited wealthier areas of the South.⁴⁸

That elite Southerners in particular profited from their fraudulent tax practices did not necessarily mean that all Redeemers condoned tax evasion. While many Redeemers did not wish to alter Southern tax assessment procedures for fear of increasing their own taxes, others, as we have seen, criticized the inefficient structure of the Southern tax system. State officials and tax reformers who complained about tax evasion resulting from slack assessing methods and other weaknesses of the tax system recommended that the tax machinery of the region be centralized to make the tax system more efficient. Tax officials should be appointed instead of elected and made more responsible to state authorities, they contended. The widespread practice of allowing tax-payers, in essence, to assess their own property was possible, reformers argued, because popularly elected officials were afraid to challenge the returns of their constituents. "We are told that the tax-receiver can reject any amount given in if he does not believe it correct," one Georgia reform advocate complained, "but we all know that the officers rely upon the people for re-election to their offices, and that they do

not, as a general thing, reject these returns."⁴⁹

Small property holders generally opposed efforts to tighten the regional tax system. At first glance, such a position might seem to be against their own best interest. Reform advocates most harshly criticized tax evasion by urban interests. Moreover, when focusing on tax evasion within their own communities, backcountry editors often pointed to the more prosperous members of the community as being especially guilty of undervaluing their property. Making such a charge, one Mississippi editor complained that the assessment rolls in the county in which he lived told "a story of recklessness, hypocrisy, and depravity fearful to contemplate." "Men owning property which on sale they value at \$500 is assessed under oath at \$50. Men doing business of thousands, are charged on the personal roll for a poll tax only, and others whose business will reach all along from \$10,000 to \$50,000 per annum [are] assessed at a nominal sum."⁵⁰

Even when considering rural real estate alone, tax reformers contended that large landholders benefited the most from slack tax enforcement and loopholes in the tax laws. Reformers noted the fact that fertile, valuable land in plantations areas tended to be underassessed to a greater degree than poorer land.⁵¹ Moreover, reform-minded state officials criticized the state policy which allowed large landowners to delay and sometimes avoid paying

property taxes. While considerable acreage (especially in the black belt and delta regions) was turned over to the state for nonpayment of taxes in the 1870s, Southern states generally allowed a period of time for the redemption of forfeited property -- during which the former owner often occupied and used the land -- and periodically waived penalty charges and even arrearages.⁵² "The land, when purchased by the State [at tax sales] remains in the possession and control of the former owner; he cultivates it free of rent and taxes, sometimes rents it to others and receives the rent, paying nothing to the State," Alabama Governor George Houston complained in 1876. "This may and often does continue for years, to the great detriment of the State and injustice to other taxpayers."⁵³

Hill country residents, not surprisingly, resented the fact that Alabama's legislature enacted legislation concerning forfeited property specifically seeking to promote the welfare of black belt interests. When an act was passed in 1879 allowing the redemption of lands forfeited to the state for only a fraction of the taxes actually due, north Alabama newspapers were quick to condemn the measure. "The act seems to have been passed in the interest of wealthy real estate proprietors of South Alabama, at the expense of North Alabama," one Greenback editor contended. "It is a well known fact that men of small means pay their taxes much more promptly than those of large property. Comparatively but a small amount of real estate has been

sold in North Alabama, while large and valuable estates have been sold in South Alabama."⁵⁴ Similarly, when the same type of legislation was passed two years later, another editor argued that the measure was unfair to hill counties. "This will not do and will not be submitted to," he wrote, "and we serve notice now, that if this rule is to be established and the white counties are to become the hewers of wood and drawers of water for the wealthy and populous counties of the Black Belt, there will be music in the air and battle all along the lines."⁵⁵

Tax reform, thus, might have offered the possibility of eliminating some of these inequalities in the tax system. Yet, small property holders did not favor correcting abuses in the tax system by centralizing the tax machinery of their states.⁵⁶ They preferred keeping tax officials responsible to the communities they served. Efforts to insulate these officials from the general citizenry were viewed as an infringement upon the rights of the individual taxpayer and the concerns of individual communities. Many small farmers viewed the idea of tax officials, elected or appointed, unduly prying into their affairs as an affront to their personal autonomy. "The pride and character and independence of the people are insulted and destroyed by a law which requires the assessor of taxes to ask them impertinent and inquisitorial questions in regard to their property and subjects them to

persecution for perjury for any error in their answers," one north Alabamian argued concerning efforts to increase the powers of tax assessors.⁵⁷

Of course, this argument could be viewed as mere rhetoric meant to hide an ulterior motive -- the desire of an individual attempting to evade taxes to prevent tax officials from too closely examining his affairs. And the hostility of small producers to centralizing the tax system probably did, in part, stem from the fact that locally elected assessors -- if they wanted to keep their office -- had to undervalue farm land for tax purposes. Yet, while removing local tax officials from popular control would have increased the taxes on their own land, small property holders could, with good reason, ask, who else would it affect? While wealthy rural real estate owners might have also been taxed more, appointive officials -- accountable to patronage dispensers for their positions -- would likely have been careful not to offend individuals influential politically. Perhaps more significantly, appointive officials would still have had a difficult time forcing individuals to report accurately their personal property.⁵⁸ Furthermore, this tax reform did not address the problem of corporate underassessments.

Thus, it is understandable that while among the groups least guilty of tax evasion -- if for no other reason, because they owned relatively little property -- small farmers would have opposed centralizing the tax machinery

of their respective states. Efforts to increase corporate taxes, on the other hand, had more widespread support. As we have seen, corporate tax exemptions were generally condemned by the citizenry as a form of special privilege. Moreover, many desired to increase the valuation of taxable corporate property, which was grossly underassessed. Railroad regulation advocates, for instance, included in their demands the need to grant railroad commissions the power to assess railroad property for tax purposes. This revision of corporate tax assessment procedures, they argued, would significantly raise railroad taxes.⁵⁹ Such ideas of reforming the tax system, to be sure, were self-serving. Yet, they were also oriented toward serving the needs of the majority of the population and correcting the most abusive aspects of the tax system.

Several other aspects of the Southern tax structure need to be discussed in order to understand fully the small farmers' complaints about taxation following Redemption. Following the war, local as well as state governments were forced to increase tax rates to pay for government expenditures. The replacing of public buildings destroyed during the war, the financing of education and social welfare services, and the granting of local aid to internal improvement projects all raised county tax levels, often by a much greater degree than state taxes rose. Despite limitations on county spending placed in state constitu-

tions and state statute books by the Redeemers, county taxation was still considered by many to be burdensome in the post-Reconstruction era. As seen in chapter 2, major disputes arose in many counties over whether taxes should be raised to fund the construction of a new court house, a new county jail, or, in some places, a local railroad feeder line. Indeed, county taxes do appear to have remained relatively high in the post-Reconstruction era.

In Georgia, county taxes generally had been about half the level of state taxes in the 1850s and roughly equal to the much higher postwar state tax rates. In the decade following Redemption, county taxation remained at this higher level. In 1876, when the state tax rate stood at 5 mills (50 cents on \$100 of assessed value of taxable property), the local tax rate in approximately half of Georgia counties (61 of 137) either equalled or exceeded the state rate. Overall, the average county tax rate stood at 4.6 mills. As the state tax rate dropped in ensuing years, a much higher proportion of the taxes paid by the average Georgian was for local government expenses. In 1881, for example, while the average county tax rate still stood at about 4.6 mills, with the state tax rate reduced to 3 mills, nine-tenths of Georgia's counties had tax rates which equalled or exceeded the state rate.⁶⁰

Alabama's 1875 constitution seemingly prohibited a county from levying a tax larger than 5 mills. Additional levies, however, could be added to pay for outstanding

debts, new public buildings, and other special expenses. It is thus not surprising that many counties had tax rates over 5 mills in the late 1870s. In fact, this situation existed in over half of the counties of the state in 1879. Many of the remaining counties imposed rates equalling the general maximum limit permitted by the constitution. As in the state as a whole, half of the counties in the hill country had tax rates exceeding 5 mills in 1879.⁶¹

In Mississippi, reductions in state tax rates, while due in part to reductions in state expenditures, were also accompanied by shifting government expenses from the state to the local level. The chief burden of supporting public education after 1876, for example, belonged to local governments. Judiciary expenses, although reduced by the Democrats, also rested with the counties in the post-Reconstruction period. (The shift in judiciary expenses occurred in 1875, while the Republicans were still in power, but the Democrats continued this arrangement.) Thus, when asked by a Congressional committee in 1879 if taxes had been reduced in the state, a north Mississippi Greenbacker answered that while state taxes had been significantly reduced, when the aggregate taxes of the state and counties were brought together, the reduction was "not so great."⁶² In fact, while state tax rates were cut sharply in the post-Reconstruction period from the 1874 rate of 14 mills, county taxes remained high throughout the

period. The total amount of local taxes levied in Mississippi in 1879 was over four times the amount imposed at the state level. Indeed, every county in the state had a higher rate of taxation in 1879 than the rate of 3.5 mills levied by the state government -- many counties had rates five, six, even seven times the state rate. When the state levy was reduced further in the early 1880s, county taxes became an even greater portion of a typical Mississippian's total tax bill. Thus, for example, with the state rate at 2.5 mills in 1883, Chickasaw county's 20.5 mills tax rate was over eight times the state levy.⁶³

In addition to the county and state taxes discussed above, farmers also felt the pinch of other taxes. The fertilizer tax, imposed on manufacturers of commercial fertilizers but invariably passed on to consumers, was considered by many to be particularly odious. Poll taxes were much higher in the post-war era than they had been before the war, although evidence exists that in some places collection of this tax was lax.⁶⁴ Complaints were also made in the 1870s and 1880s about road taxes.

Into the post-war era, the maintenance of roads was primarily a county responsibility. All adult males of working age were required to work a number of days on the roads of his county or pay a cash commutation. Since male slaves had also been subject to this requirement before the war, large slaveholders contributed (at least financially) significantly to the maintenance and construction of roads.

Following emancipation, however, while large property holders were still the primary commercial users of the roads, their contribution to the maintenance of roads was much reduced.

Many Southerners insisted that such a situation was unfair and that the wealthy should be forced to pay higher road taxes, more in proportion to the wear and tear on the roads caused by their commercial use of them. "Why under the present system, men and boys who do not own even a one-horse wagon, pay or rather work out as heavy an annual tax as the large farmer who sends his thousand bushels of wheat or corn, and his fifty bales of cotton to market," one hill country "Farmer" complained.⁶⁵ "Have the poor and rich an equal interest in the roads? Should a farm hand who gets \$10 a month for his labor have the same liabilities cast upon him as the owner of 1000 acres of land?" Independent leader William Felton in a similar vein asked rhetorically in a speech on Georgia's road laws. "Is it not true... that public roads are for the use of the property owners?"⁶⁶ Many hill country residents supported paying for road work through an ad valorem property tax as a way to increase the responsibility of the wealthy for the upkeep of local roads. Yet, the general road law in most states remained basically unchanged in the 1870s and 1880s.⁶⁷

Complaints about special road taxes could also be

heard in this period. Efforts by public authorities to impose this type of tax usually faced stiff opposition. When Cartersville, Georgia city officials, for example, adopted a five dollar street tax, critics quickly condemned the levy as "onerous" for laboring men. Five dollars may be a small amount, one local resident contended, "but when it is taken from a poor man's pocket at one haul it will deprive somebody near and dear to him of... necessities."⁶⁸ Similarly, when Alabama's 1884-1885 legislature presented for popular ratification a constitutional amendment allowing the legislature to levy in any county a special road tax, the measure was defeated at the polls.⁶⁹

After the end of Reconstruction, Redeemer-controlled state governments worked to lower the level of taxes existing in their states. The adoption of constitutions reducing the size and cost of government and prohibiting direct public aid to private corporations, the "adjustment" downward of outstanding public debts, and the increased use of specific taxes as a means to raise state revenue allowed state governments to reduce their tax rates and specifically to ease the tax burden of real estate holders. Yet, Redeemer tax policies aided certain interests and social groups more than others. Wealthier rural residents were the biggest beneficiaries of Redeemer efforts to reduce real estate taxes. Moreover, corporate and personal property were not overburdened by the post-Reconstruction Southern tax system. Manufacturing and railroad enter-

prises received tax exempt status from local and state governments under Democratic control and, in general, corporate property was not taxed heavily in the period. Stocks, bonds, and other types of personalty owned primarily by the wealthy were grossly underassessed in the late nineteenth-century South, as, to be fair to Redeemer tax officials, they were throughout the nation.⁷⁰

Redeemer tax policies, of course, were not formulated by a monolithic group of men of one mind on tax issues. While some Redeemers were firmly committed to reducing government operations and expenses to the lowest level possible, others, a "proto-Progressive" element among the Redeemers, desired increased state spending on social services.⁷¹ And different Redeemer factions criticized different aspects of the tax system. Business-oriented Redeemer leaders complained of tax practices which they viewed as unfairly benefiting wealthy agrarian interests. In turn, some agrarian elites called for increased corporate and business taxes. Still, Redeemer leaders were able to work together to see to it that no elite interest was unduly burdened by the tax system. In general, the tax structure of Southern states in the post-Reconstruction South first and foremost served the needs of the Democratic party's most powerful members.

Less powerful Southerners did not fare as well under this system. While the total tax bill of the average

Southerner may have been smaller in 1880 than it had been during the height of Reconstruction, it had not been lowered as much as reductions in state tax rates would seem to indicate. County tax rates remained relatively high throughout the 1870s and early 1880s. At the same time, changes in tax exemption laws subjected more of the property owned by the poor to taxation, and the poor especially felt the bite of poll, fertilizer, and road taxes implemented in the era. When these developments are viewed in conjunction with the advantages the wealthy and capital interests held under Redeemer governments, it is not difficult to understand why many individuals remained dissatisfied with the regional tax structure after the end of Reconstruction.

Much of this dissatisfaction could be heard from hill country areas of the South, yet not all hill country residents complained to the same degree. Southerners within this region belonging to different socio-economic groups were divided in their attitudes on tax matters. While wealthy as well as poor hill country residents criticized tax measures benefiting other areas of the South but not their own counties, hill country elites generally benefited from a tax system which underassessed and in some states undertaxed the property of the wealthy. Moreover, hill country commercial and professional elements often desired increased taxation for local public projects and tax incentives to attract industrial concerns to their communities.

Thus, hill country elites did not generally seek to change the basic tax structure of their respective states and often were at odds with other social groups over local tax issues.

Such a situation contributed significantly to the intensification of political dissent in commercializing hill country areas. For as Democratic leaders in these areas increasingly catered to the interests of local elites on tax matters, they increasingly disregarded the needs and desires of small producers. Indeed, given how important the tax issue had been to Democratic leaders in gaining hill country white support for the overthrow of Reconstruction, the unresponsiveness of mainstream political leaders to the tax grievances of producers in the post-Reconstruction period made hill country farmers more receptive to anti-Redeemer charges that Democratic leaders were only interested in molding the Southern tax system to serve elite needs. Concretely, while few Independents and Greenbackers offered a comprehensive critique of this system, they did work to eliminate the tax advantages of special interest groups and to reduce the tax burden of the average Southerner.⁷² Such activity increased hill country support for challenges to the structure of political power in the late nineteenth-century South.

FOOTNOTES

- ¹Tupelo Journal, April 2, 1886.
- ²Letter of TP Miller in Winston Signal, June 9, 1883.
- ³Marietta Journal, September 11, 1879.
- ⁴Thornton, "Fiscal Policy and the Failure of Radical Reconstruction," 351; Foner, Nothing But Freedom, 67.
- ⁵Thornton, "Fiscal Policy and the Failure of Radical Reconstruction," 371; Robert Brandfon, Cotton Kingdom of the New South: A History of the Yazoo Mississippi Delta from Reconstruction to the Twentieth Century (Cambridge, 1967), 40-5; M.C. Rhodes, History of Taxation in Mississippi, 1789-1929 (Nashville, 1930), 15; Wharton, The Negro in Mississippi, 170,178; Wallenstein, "From Slave South to New South," 314-21.
- ⁶Foner, Nothing But Freedom, 70; Goins, Bourbon Democracy in Alabama, 86-7; Perman, Road to Redemption, 230-1; Thornton, "Fiscal Policy and the Failure of Radical Reconstruction," 386-7.
- ⁷Jefferson Forest News, November 27, 1875.
- ⁸Cartersville Free Press, January 16, 1879.
- ⁹Letter of "Gloveless North Georgia" in Cartersville Express, February 10, 1876.
- ¹⁰Senate Reports, 54th Cong., 3rd Sess., No. 855, 729. See also: letter of "Cherokee Lance" in Cartersville Express, March 30, 1876; letter of "An Old Democrat" in Rome Tri-Weekly Courier, November 28, 1876; Cherokee Georgian quoted in Jefferson Forest News, November 13, 1875; Douglasville Medium quoted in Jefferson Forest News, December 16, 1876; Cartersville Free Press, September 20, 1883. For sampling of general hill country opposition to government spending see roll call votes in Appendix.
- ¹¹Thornton, "Fiscal Policy and the Failure of Radical Reconstruction," 353.
- ¹²Annual Report of the Comptroller-General of the State of Georgia, 1875 (Atlanta, 1876), 3,5; Goins, Bourbon Democracy in Alabama, 99; Rogers, One-Gallused Rebellion, 19-20; Wallenstein, "From Slave South to New South," 331-2. See also: Durrill, "Producing Poverty," 768.
- ¹³Alabama House Journal, 1876-7, 451-2,463-5,490;

Alabama House Journal, 1884-5, 190; Georgia House Journal, 1875, 189-91, 521-2, 608-10, 698-71; Athens Southern Watchman, August 26, 1874; Thomas Baker in Cartersville Standard and Express, August 26, 1874; letter of "S" in Huntsville Advocate, March 24, 1880; Moulton Advertiser, July 20, 1882; Senate Reports, 44th Cong., 2nd Sess., No. 704, 137.

¹⁴Ferguson, "Agrarianism in Mississippi," 276; Harris, Day of the Carpetbagger, 566; Rhodes, Taxation in Mississippi, 140, 148; Ward, "Georgia Under the Bourbon Democrats," 339.

¹⁵Going, Bourbon Democracy in Alabama, 118; Harris, Day of the Carpetbagger, 336; Perman, Road to Redemption, 32-3.

¹⁶Ward, "Georgia Under the Bourbon Democrats," 327.

¹⁷Mississippi House Journal, 1876, 131, 645-6; Mississippi House Journal, 1878, 48-9, 395-6; Harris, Day of the Carpetbagger, 710; Ferguson, "Agrarianism in Mississippi," 276; Rhodes, Taxation in Mississippi, 152.

¹⁸Going, Bourbon Democracy in Alabama, 118; Rogers, One-Gallused Rebellion, 93.

¹⁹Alderman RL Moss in Athens Southern Watchman, May 13, 1874; Cartersville Standard and Express, February 27, 1873; Huntsville Advocate, June 22, 1881.

²⁰Speech of J.J. Turnbull printed in Athens Southern Watchman, February 10, 1875. See also: letter of "For the People" in Montgomery Advertiser, December 12, 1880.

²¹Tupelo Journal, October 3, 1884.

²²Letter of "Tax-Payers" in Huntsville Advocate, June 29, 1881.

²³Cave Springs Enterprise quoted in Athens Southern Watchman, July 29, 1874.

²⁴Athens Southern Watchman, May 20, 1874; letter of "Old Man" in ibid., August 12, 1874; letters of Emory Speer in ibid., April 29, 1874, May 20, 1874.

²⁵Athens Southern Watchman, August 19, 1874; Athens North East Georgian, March 3, 1875. On opposition to corporate tax exemptions in Georgia, see also: Carroll County Democratic Convention in Carroll County Times, September 22, 1876; Cartersville Express, June 29, 1877; Fifth Congressional District Greenback Platform in Carroll County Times, August 16, 1878.

²⁶Letter of "Tax-Payers" in Huntsville Advocate, June 29, 1881.

²⁷Huntsville Advocate, June 8, 1881, June 22, 1881; letters of "Tax-Payers" in ibid., June 15, 1881, June 29, 1881; Huntsville Weekly Democrat, June 21, 1882. See also: comments by Independent legislator I.P. Moragne concerning manufacturing tax exemptions reported in Mobile Daily Register, February 15, 1883.

²⁸"D.J." in Tupelo Journal, March 3, 1882. See also ibid., February 1882, October 3, 1884; Chickasaw Messenger, August 11, 1881; Jackson Weekly Clarion, March 1, 1882; Winston County Democratic Mass Meeting in Winston Signal, July 21, 1883.

²⁹Mississippi House Journal, 1882, 363.

³⁰Speech of J.J. Turnbull printed in Athens Southern Watchman, February 11, 1874.

³¹J.C. Fain in Calhoun Times, November 17, 1877.

³²John F. Stover, The Railroads of the South, 1865-1900: A Study in Finance and Control (Chapel Hill, 1955), 122-54; Mark W. Summers, Railroads, Reconstruction and the Gospel of Prosperity: Aid Under the Radical Republicans, 1865-1877 (Princeton, 1984), 252-3, 276-9.

³³Georgia House Journal, 1874, 230-1; Annual Report of the Comptroller-General of the State of Georgia, 1874 (Atlanta, 1875), 3; Ward, "Georgia Under the Bourbon Democrats," 324-5.

³⁴Speech of J.J. Turnbull printed in Athens Southern Watchman, February 11, 1874. See also: comments by state Senator Henry D. McDaniel reported in Atlanta Constitution, February 6, 1874.

³⁵Robert Toombs in Alexander H. Stephens, January 30, 1879 in Phillips, ed. The Correspondence of Robert Toombs, Alexander H. Stephens, and Howell Cobb, 735; letter of Robert Toombs in Atlanta Constitution, September 19, 1879; Robert Toombs to Governor Alfred Colquitt, September 30, 1879, Georgia Governor's Papers; Ward, "Georgia Under the Bourbon Democrats," 324-5.

³⁶Ward, "Georgia Under the Bourbon Democrats," 324-5.

³⁷Gwinnett Herald, August 10, 1881, September 28, 1881.

³⁸Mississippi House Journal, 1875, 376-7; Annual Report of the Auditor of Public Accounts to the Legislature of Mississippi, For the Year 1876 (Jackson, 1877), x; Ferguson, "Agrarianism in Mississippi," 276-7, 284; Harris, Day of the Carpetbagger, 566-7; Rhodes, Taxation in Mississippi, 60-2.

³⁹Winston Signal, June 25, 1881. See also: letter of "Voters" in ibid., July 14, 1883, letter of "L.S." in ibid., July 28, 1883; Mississippi House Journal, 1878, 42-3.

⁴⁰Huntsville Advocate, July 14, 1880. See also: ibid., May 12, 1880; Tuscumbia North Alabamian, January 3, 1879; Mobile Daily Register, December 14, 1878; Alabama House Journal, 1876-7, 144; Goings, Bourbon Democracy in Alabama, 143-4.

⁴¹Athens Georgian, August 22, 1876.

⁴²Huntsville Advocate, May 12, 1880.

⁴³Alabama House Journal, 1876-7, 21-2; Report of the State Auditor of Alabama, 1885 (Montgomery, 1885), 8-9; Report of the State Auditor of Alabama, 1886 (Montgomery, 1886), 6-7.

⁴⁴Report of the State Auditor of Alabama, 1880 (Montgomery, 1880), 14-6. On undervaluation of personalty, see also: Report of the State Auditor of Alabama, 1871 (Montgomery, 1871), 23-5; Annual Report of the Comptroller-General of the State of Georgia, 1873 (Atlanta, 1874), 6-7; Mississippi House Journal, 1875, 11; Rhodes, Taxation in Mississippi, 113; Ward, "Georgia Under the Bourbon Democrats," 322-3.

⁴⁵Report of the State Auditor of Alabama, 1886, 7. In a similar vein, Governor Houston pointed out that since Alabama's 1876 revenue law allowed an inordinate amount of time for taxes to be paid, individuals who owed "large amounts of taxes" were holding back their payments to the state so that they could use the money profitably otherwise. The state, Houston complained, "is [thus] deprived of the use of the money at a time when she greatly needs it." Alabama House Journal, 1876-7, 21, 138-9.

⁴⁶Report of the Auditor of the State of Alabama, 1874 (Montgomery, 1874), 132-3; Report of the State Auditor of Alabama, 1877 (Montgomery, 1877), 130-1; Ninth Census, Statistics of Wealth and Industry, 15-6, 22-4, 41-2; Tenth Census of the United States, 1880 (Wash., 1884), Report on Valuation, Taxation, and Public Indebtedness, 132-4, 127-31, 135-7; Thornton, "Fiscal Policy and the Failure of Radi-

cal Reconstruction," 386-7.

⁴⁷It should be kept in mind that while per capita property valuations in general mask the distribution of wealth in counties, it especially distorts the distribution in plantation belt counties. Given the small amount of property owned by blacks (in Georgia in 1874, for example, blacks, who made up 46 percent of the population of the state, paid only 2.3 percent of the property taxes), tax assessment calculations based on total population figures hide the wealth of white elites in counties with large black populations. These individuals, of course, were the primary beneficiaries of lower property taxes. Thornton, "Fiscal Policy and the Failure of Radical Reconstruction," 377.

⁴⁸Along similar lines, an examination of changes over the decade in the proportion of their respective state's total property valuation for tax purposes possessed by individual counties generally shows that the proportion possessed by plantation counties decreased and by hill counties increased over the 1870s. (This pattern is obscured in Mississippi due to the creation of a number of new counties in the northern portion of the state during the 1870s.) See Appendix III.

⁴⁹Small, Stenographic Report of [Georgia's 1877] Constitutional Convention, 293; Gwinnett Herald, January 28, 1874; Athens Georgian, April 17, 1877; Montgomery Advertiser, January 22, 1881; Athens Banner-Watchman, December 16, 1884; Alabama House Journal, 1880-1, 24-6; Alabama Senate Journal, 1882-3, 16-9; J.H. Hollander, ed. Studies in State Taxation with Particular Reference to the Southern States (Baltimore, 1900), 234-6, 248; Thornton, "Fiscal Policy and the Failure of Radical Reconstruction," 387; Going, Bourbon Democracy in Alabama, 88; Rhodes, Taxation in Mississippi, 157.

⁵⁰Chickasaw Messenger, December 2, 1880. See also: Gainesville Eagle, April 6, 1888.

⁵¹Memorial of the Board of Police of Panola county to the Mississippi State Legislature, in Memorials to State Legislature, 1880 file, Mississippi Department of Archives and History; Ferguson, "Agrarianism in Mississippi," 332; Rhodes, Taxation in Mississippi, 98, 112.

⁵²Foner, Nothing But Freedom, 69-70; Michael Wayne, The Reshaping of Plantation Society: The Natchez District, 1860-1880 (Baton Rouge, 1983), 95; Harris, Day of the Carpetbagger, 334, 489.

⁵³Alabama House Journal, 1876-7, 22-3.

⁵⁴Huntsville Advocate, March 5, 1879, April 2, 1879.

⁵⁵Guntersville Democrat quoted in Huntsville Advocate, April 27, 1881. See also: Mississippi House Journal, 1882, 300.

⁵⁶For hill country opposition during and after Reconstruction to the centralization of Southern state tax systems, see, Mississippi House Journal, 1875, 420-2,463; Alabama House Journal, 1882-3, 484,586,620-1; Alabama Senate Journal, 1882-3, 593-6; Alabama Senate Journal, 1884-5, 535-6,681. See also: Sheldon Hackney, Populism to Progressivism in Alabama (Princeton, 1969), 140.

⁵⁷Letter of "S" in Huntsville Advocate, March 24, 1880.

⁵⁸See, for example, Report of the State Auditor of Alabama, 1883 (Montgomery, 1883), 17. For an example of the detrimental effects on small producers of the revision of tax assessment procedures in the post-Reconstruction South, see, Durrill, "Producing Poverty," 773-6.

⁵⁹Jackson Weekly Clarion, February 27, 1884.

⁶⁰Annual Report of the Comptroller-General of the State of Georgia, 1872 (Atlanta, 1873), 6; Annual Report of the Comptroller-General of the State of Georgia, 1876 (Atlanta, 1877), 69-70; Annual Report of the Comptroller-General of the State of Georgia, 1881 (Atlanta, 1882), 138-9; Wallenstein, "From Slave South to New South," 322-9; Ward, "Georgia Under the Bourbon Democrats," 317-9.

⁶¹Alabama 1875 Constitution in Francis N. Thorpe, Federal and State Constitutions... [of] the United States of America (Washington, 1909); Tenth Census, Valuation, Taxation, and Public Indebtedness, 132-4.

⁶²Senate Reports, 45th Cong., 3rd Sess., No. 855, 730,746; Winston Signal, October 8, 1881, September 16, 1882; Ferguson, "Agrarianism in Mississippi," 251,264,330; Garner, Reconstruction in Mississippi, 324; Harris, Day of the Carpetbagger, 632,702; Wharton, Negro In Mississippi, 178.

⁶³County Tax Rolls, Mississippi Dept. of Archives and History; Tenth Census, Valuation, Taxation, and Public Indebtedness, 135-7.

⁶⁴"A Poor Man" in Huntsville Advocate, October 30, 1878; Foner, Nothing But Freedom, 70; Going, Bourbon Democracy in Alabama, 153; Harris, Day of the Carpetbagger,

336,705; Thornton, "Fiscal Policy and the Failure of Radical Reconstruction," 351; Wallenstein, "From Slave South to New South," 307-8, 330.

⁶⁵Letter of "Farmer" in Calhoun Times, September 11, 1879.

⁶⁶"The Road Laws" undated speech in Rebecca L. Felton Collection.

⁶⁷Letter of "Citizen" in Calhoun Times, September 4, 1879; ibid., September 11, 1879; M.S. Paden in Cherokee Advance, September 30, 1880; Cartersville Free Press, April 13, 1882; Goings, Bourbon Democracy in Alabama, 100-2; Ward, "Georgia Under the Bourbon Democrats," 295-8.

⁶⁸Cartersville Express, February 17, 1881, March 10, 1881, March 17, 1881, March 24, 1881, May 24, 1881; Cartersville Free Press, March 17, 1881.

⁶⁹Goings, Bourbon Democracy in Alabama, 101.

⁷⁰On undervaluation of property, in particular personality, in the South and the nation as a whole, see: Tenth Census, Valuation, Taxation, and Public Indebtedness, 16; Eleventh Census, Compendium, pt. 3, 958-9.

⁷¹Goings, Bourbon Democracy in Alabama, 86; Thornton, "Fiscal Policy and the Failure of Radical Reconstruction," 386-7.

⁷²In addition to anti-Redeemer activity on tax matters discussed in this chapter, see: Greenback Party Platform printed in Carroll County Times, August 16, 1878; Greenback Party platform printed in Huntsville Weekly Democrat, July 7, 1880; comments by Independent I.P. Moragne reported in Mobile Daily Register, February 15, 1883; Independent Joseph H. Sloss in Senate Reports, 44th Cong., 2nd Sess., No. 704, 137.

CHAPTER FIVE

State Agriculture Departments

If agriculturalists desired any active use of governmental power, it would seem natural that they would support the creation of a state agency set up ostensibly to support their specific interests. Indeed, the creation of Southern state departments of agriculture in the 1870s and 1880s generally has been viewed by historians as evidence of the restored influence of agricultural interests in post-Reconstruction state governments.¹ To some degree, the establishment of these bureaus did reflect the change in orientation in public policy which followed the "redemption" of state governments from "Radical" rule. Although not antagonistic to industrial interests, Redeemer-controlled governments did, for example, reduce the degree to which the state fostered regional industrial development. In general, the interests of planters received more governmental attention after the overthrow of Reconstruction. Whatever their eventual practical significance, the establishment of agriculture departments could be viewed by agricultural leaders as symbolic of their renewed political importance.

Yet, many Southerners objected to the establishment of these state agencies. In some states, persistent efforts existed to abolish newly created agriculture departments. Year after year in the decade following the creation of

Georgia's agriculture department in 1874 (the first such bureau in the nation), for example, bills were introduced in that state's legislature to abolish the agency. In addition to efforts to achieve their objective through the legislature, opponents of the bureau raised the issue of the necessity of an agriculture department at Georgia's 1877 constitutional convention. Major investigations of the bureau, moreover, were critical of important aspects of its work. Not all Southerners, then, desired the creation of a state agency which supposedly sought to promote the region's chief occupation. To many small producers, in particular, the creation and maintenance of agriculture departments exemplified the improper ways in which political power was increasingly being used by Democratic leaders in the post-Reconstruction era. For many farmers considered the departments to be the agents not of the general rural population but of politically powerful planters.

The most prominent contemporary agriculturalists did indeed promote agriculture departments. Influential agricultural organizations endorsed their activities. The prestigious and elite-dominated state Granges and state agricultural societies of the South were active in creating the departments and, once established, defending their existence. Efforts to abolish Georgia's agriculture department outraged that state's Grange. "As representatives of the farmers of Georgia who pay the great bulk of

the state taxes," delegates at a state Grange meeting resolved, "we do most solemnly deprecate and condemn such a suicidal policy as... would strike at the foundation of the most important measure of reform ever inaugurated in our state for the promotion of her agricultural interests."²

In particular, state agricultural societies were intimately connected with the departments. Members of Georgia's society were instrumental in establishing that state's agriculture bureau. Not surprisingly, the department's first commissioner, Thomas Janes, was an influential society member. When the society petitioned Georgia's 1877 constitutional convention to end all controversy over the propriety of the department's existence by placing a provision for its existence in the new constitution, it expressed a familial concern for the agency. "The origin and history of the Department are closely connected with the work of this body," the society commented, "and the two institutions have been harmonious co-laborers -- the one established by voluntary organization, and the other by the State, in conformity with the earnest and repeated request of this Society; so that the interest we feel in its welfare partakes of the grave nature of parental regard."³

In Alabama, no state agricultural society existed in 1883 when that state's agriculture department was created. Yet individuals later to be members of the society were primarily responsible for the establishment of the department. That these agricultural reformers saw the creation

of an agriculture department as directly serving their own needs is evident in the fact that among the duties assigned Edward C. Betts, Alabama's first agriculture commissioner, was the encouragement of the formation of a state-wide agricultural society. Once established, the society received direct funding from the agriculture department. In return, society members enthusiastically supported the department's activities. In 1886, Hiram Hawkins, chief architect of the act creating the department, could be found before a meeting of the society referring to the department as a "grand success" and extolling it for placing "agriculture upon the high plane to which its importance entitles it."⁴

To its advocates, agriculture departments stood at the forefront of the efforts of agricultural reformers to improve agricultural techniques, to increase agricultural productivity, and, in general, to make Southern agriculture more "progressive." Through the dissemination of agricultural information, the encouragement of experimentation to improve the quality of crops and livestock, and the promotion of agricultural fairs and conventions, reformers sought to make farming a more efficient and profitable enterprise. Agriculture departments could be "vastly instrumental" in promoting this objective.⁵ Through the agencies, as one planter put it, "farmers can receive every improved method of planting and have their attention

invited to every scientific discovery in the world of agriculture."⁶ Since the activities of the departments, along with other state-promoted activities (such as geological surveys) of a similar character, were viewed by many as ways to develop the region's natural resources and thus the regional economy, opposition to the departments was considered to be irrational. After all, as one Alabama hill country editor contended, the agency was "for the enlightenment of our planters and to advance and make more profitable our agricultural interests."⁷

As to the propriety of the state creating an agency designed to promote private enterprise, agricultural department advocates argued that since the state depended upon revenues from the general populace in order to exist, it was proper for the people to say "that a portion of the income of the State shall be devoted to increasing its productive capacity." "Since all classes of citizens are directly or indirectly interested in the prosperity of the productive industries of the State," Georgia Agriculture Commissioner Thomas Janes observed, "laws looking to the advancement of these are not amenable to the charge of class legislation, but are really for the general good."⁸ "Shall the present General Assembly by proper legislation encourage the development of agriculture and kindred industries of the State by organizing a Department of Agriculture?" a like-minded Alabama legislator asked rhetorically. "It is evident to my mind that a very large majority of the

most intelligent and progressive agriculturalists in this State desire at the hands of our lawmakers proper recognition and encouragement of this great interest."⁹

While planters generally welcomed the services agriculture departments provided and to a degree appreciated efforts to develop the region's natural resources, they viewed the departments as conservative institutions, serving to buttress existing social relations. To rural landlords, ideas of progress promoted by New South reformers desiring the abolition of the plantation could be taken only so far. To New South reformers like Atlanta Constitution editor Henry Grady and Southern essayist Sidney Lanier a truly progressive Southern economy was one in which farming would be small scale and self-reliant, eliminating the need for hired laborers. This fit in well with New South ideas concerning the need to diversify the general regional economy.¹⁰

To planters, however, plantation agricultural production was a social as well as an economic system. Despite the harmful effects to the regional economy of one-crop agriculture, most planters strove to develop new ways to bolster their position within a cotton society, not to upend that society. To be sure, emancipation forced planters into a new relationship with their laborers -- that of employer-employee rather than master-slave. But planters' efforts to deal with their new situation were

molded by their desire -- both social and economic -- to maintain a dependent labor force. The spate of labor regulatory legislation passed by Redeemer state governments attests to that fact.¹¹ Thus, although some large agricultural producers did look to new crops and labor-saving machinery as ways to improve their economic prospects, the conception of "progressive" agriculture held by most planters should not be confused with the ideas of progress promoted by New South reformers.

The advice agriculture departments gave planters reflected the agencies' recognition that cotton production would remain central to the postbellum South. Agriculture commissioners persistently urged planters to grow less cotton, to employ scientific cultivation methods, and to reduce the size of their labor force. Yet, behind this advice was not an effort to persuade planters to stop growing cotton, but an effort to encourage them to deal with their laborers in a more efficient, businesslike manner -- an approach which, however slowly, increasingly gained a hearing from planters learning how to deal with non-slave laborers.¹² "Since our labor is expensive, wasteful, and unreliable," Georgia Agriculture Commissioner Janes advised, "we must employ less and direct it into channels of best control and greatest profits."¹³ By contracting and concentrating farm operations, fewer laborers would be needed and the resultant oversupply of laborers would make those agricultural workers hired "less

difficult" to control.¹⁴ Emancipation had forced such changes upon farmers, Janes argued. Although planters still controlled the productive resources of the region, they were beginning to recognize that a more cost-calculating approach to cultivation was needed in order to deal with their "labor problems." Declining cotton prices on the world market intensified this need. Planters "are, from necessity, counting the costs and considering the prospect for profits more carefully than formerly."¹⁵

Perhaps the clearest example of Janes' acknowledgement of the continued supremacy of King Cotton and of his efforts to aid planters deal with their problems through more business-minded methods can be seen in an agriculture department circular entitled "Labor" distributed throughout Georgia in 1876. The circular also revealed who, under these methods, was to bear the brunt of the burden of poor economic times. "Cotton must continue to be the money crop of much the larger part of Georgia," the circular began. "Its price, then, must regulate the price of every fluctuating factor which enters into the cost of its production." Since cotton prices were declining, labor costs must also decline. "When cotton was worth twenty cents per pound wages ranged from \$100 and board to \$144 and board [annually per male farm laborer]. Cotton now commands just forty-five percent of that price, while labor commands eighty-two percent of the average price of wages which

prevailed when cotton brought 20 cents." A "corresponding reduction in wages," the circular argued, was entirely appropriate. "Honest and efficient laborers should be amply compensated to remove them from want and the necessity of dishonesty, but there should at the same time be a reasonable profit to the employer."¹⁶

Given the orientation of agriculture departments, connected as they were to regional elite organizations, it perhaps is not surprising that many residents of small farming areas of the South expressed dissatisfaction with the agencies. For social, economic, and political reasons, these Southerners viewed agriculture departments as being more oppressive than beneficial. A closer look at the departments reveals much about general Redeemer policy and small farmer reaction to it.

First and foremost, small farmers objected to having to pay for agriculture departments. With the exception of the race issue, the desire for reduced taxation had been the major issue around which opponents of Reconstruction had gathered. And, as we have seen, once in power, Redeemer administrations responded to the public outcry over taxation by drastically scaling down the public debts of their states and reducing state tax rates. The creation of a new state agency, however, placed an additional tax burden upon farmers.

Criticism of the expense of agriculture departments was thus, in part, a continuance of the general cry for

retrenchment and reform in governmental affairs which had been a vital element in the success of Redemption campaigns. "The Democratic party of Alabama owes it to the people of Alabama to give them an honest and economical government," one "Taxpayer" commented, "to retrench at every possible point, and not to create new offices, whose main benefits are the salaries and appropriations to the fortunate persons who may luckily persuade the Governor to give them the offices."¹⁷ Other agriculture department critics also argued that the people desired "less offices to be filled " in order to achieve "a strict watch" over government expenses.¹⁸ "With the whole country bankrupt, the people groaning under taxation and poverty," a north Georgia editor contended, "it is not time for experimenting at the expense of the sweat and blood and treasure of the 'toiling masses.'"¹⁹ Evidently, many farmers agreed with these comments. For in many north Georgia counties, local meetings of farmers called for the abolishment of Georgia's agriculture department on the ground that it cost too much to maintain.²⁰

Indeed, while department advocates in Georgia argued that the agency needed more funds than the \$13,200 (including the salaries of the commissioner and his clerk) annually appropriated to it to perform its duties, opponents were ever watchful to criticize any department expense which might be considered questionable. Thus, for

example, a hostile Georgia legislative committee chided Agriculture Commissioner Janes for spending \$1200 for traveling expenses. "Admitting, for the sake of liberality and fairness, that when the Commissioner traveled on business of the Department strictly, it was proper for his expenses to be paid," the committee argued, "yet to have them paid when simply visiting Agricultural Conventions or Congresses,... or cattle shows in New York, or for going any place for any purpose whatever not absolutely necessary to carry on the real business of the Department, was a misappropriation of the funds entrusted to his care." Moreover, while Janes argued that department employees were underpaid, the committee contended that the salaries paid department personnel were "extravagant." The committee also criticized Janes for using the funds of the department "to publish and circulate matter not authorized or contemplated by law," even though the commissioner contended that this material was agricultural data and information distributed "for the benefit of the people."²¹

A more important reason for criticisms of the cost of agriculture departments than the general hostility to government spending evident in the era, however, was the belief that the specific tax used to finance the departments -- a levy on commercial fertilizers -- was unjust and oppressive. In addition to promoting scientific agriculture, one of the most important duties of the departments was the inspection of commercial fertilizers to assure that

they met a minimum standard of quality. With the expansion of the region's transportation network and spread of cotton culture, the use of commercial fertilizers became increasingly important in the 1870s. In Georgia, for example, fertilizer consumption increased from 50,000 tons in 1874, to 120,000 in 1880, to almost 300,000 tons in 1890.²² The increased use of commercial fertilizers was especially evident in the hill country, where fertilizers were employed to overcome the difficulties in cultivating cotton in a region with a short growing season and poor soils. Letters, editorials, and advertisements in contemporary newspapers increasingly noted the existence of a "fertilizer fever" in the upcountry.²³ With the increased use of commercial fertilizers came increased quantities of fraudulent and worthless products on the market. To eliminate this problem, agriculture departments provided fertilizer inspection services.

The cost of the inspection process, as well as of the departments' other activities, was supposedly paid for by fertilizer manufacturers. After testing samples of a manufacturer's product, if of an acceptable quality, inspectors issued department tags guaranteeing the quality of the product, to be affixed by the manufacturer to his product. For each tag, manufacturers paid a fee. Although some department supporters argued that since manufacturers paid these fees they footed the bill for maintaining agriculture

departments, most proponents realized that such an argument was easily refuted.²⁴ Indeed, some manufacturers themselves readily admitted that fertilizer inspection fees were passed on to consumers. Consumers found out more directly through increased fertilizer costs. "It is a fallacy to say that manufacturers pay this tax... on fertilizers," as one Georgian observed, "so does the manufacturer of tobacco pay the tax on tobacco, but who disputes as to who finally pays it?"²⁵

More often, department supporters argued that the benefits of fertilizer inspection far outweighed the costs incurred by farmers. The "great protection" the inspection laws "afford... both dealers and consumers are so unquestionable," the Atlanta Constitution argued in response to criticisms of the fees, "that it is a matter of but little moment who pays the fees, where each receives a benefit."²⁶ Agricultural Commissioner Janes also argued that the improved quality of fertilizers being sold in Georgia since the creation of the state's agriculture department had greatly benefited farmers. "It is the duty of the State to afford them the means of protecting themselves from imposition in buying such an article. Therefore if the cost of this protection does come out the pockets of the farmers, it is cheap -- very cheap, to them -- compared to the bitter cost of doing without it."²⁷ Similarly, a member of Alabama's agricultural society commended that state's agriculture department for the "great savings" its inspection

work had afforded the farmers of the state in the purchase and use of fertilizers, compensating the state's citizens "many times over" for the expense of the department.²⁸

Opponents challenged the contention that money expended on agriculture department activities was well spent, and not without cause. The available evidence suggests that critics had solid reasons for complaining about the cost and value of these activities. In the first place, as critics noted, the fertilizer tax was excessive, reaping large surpluses for state treasuries. In Georgia, the fee was 50 cents per ton inspected, although the actual cost of inspection was only 10 cents per ton. Governor Alfred Colquitt reported that in 1880-1881, the fee brought in a gross amount of \$76,000. Since the department's inspection activity cost only \$12,000, the state treasury netted over \$64,000 -- a small but not insignificant proportion of total state revenue for that fiscal year. Likewise in 1881-1882, the treasury netted over \$50,000 from these fees; in 1882-1883, again over \$50,000; in 1883-1884, over \$62,000.²⁹ While the department did draw funds from the state treasury to perform its other functions, still the bulk of revenues raised through the fertilizer tax was not spent on department activities. One historian has estimated that, after deducting agriculture department expenses, this source of revenue brought in over \$700,000 to Georgia's state treasury over the period 1877 to 1890.³⁰ In

Alabama, too, the fertilizer inspection fee raised much more revenue than was needed to operate the agriculture department.³¹

The fertilizer fee, thus, was justifiably attacked as being discriminatory (in raising state revenue through a tax on agriculturalists) as well as burdensome. For this reason, a Georgia legislative committee favoring the reduction of the fertilizer tax called the fee of fifty cents per ton "an unusual and unjust tax on one class of citizens, the amount collected being largely in excess of the tax put upon other branches of industry."³² Similarly, another legislative committee conducting a general investigation of Georgia's agriculture department argued that by raising state revenue through "the sweat of the poor," the fertilizer fee was equivalent to "additional labor and toil unjustly put upon the already overburdened farmers." "If the state needs more revenue," the committee advised, "let her levy a higher rate of ad valorem taxes upon all her people."³³ Moreover, given that agriculture departments had responsibilities other than fertilizer inspection yet were financed solely through the fertilizer fee, some critics argued that areas using large amounts of commercial fertilizers were unfairly taxed to support a state-wide agency.³⁴ Given the thousands of dollars consumers of fertilizers were taxed to pay for fertilizer inspection and other agriculture department services, many hill country farmers would have agreed with north Georgia legislator

W.J. Born's description of the agency as "an imposition upon the farmers of Georgia."³⁵

Not only was the fertilizer tax considered excessive, but questions arose as to the benefits of fertilizer inspection itself. Critics contended that the inspection procedure was susceptible to fraud and thus inadequate. Samples of commercial fertilizers were often tested at the point of manufacture -- usually located outside the state where the fertilizers were actually sold. Once certified, manufacturers were issued department tags guaranteeing the quality of the product in bulk without assurance that they would be affixed to the product actually tested. "When a sample of guano is taken from the fertilizers inspected," as a Georgia legislative committee investigating the matter in 1883 explained,³⁶

the inspectors deliver to the party having the guano inspected whatever number of tags called for in the request for the inspection. The inspectors have not heretofore taken care to know that these tags have been affixed to fertilizers actually inspected, and for which they were intended, and those to whom said tags were delivered could without any reasonable fear of detection, attach them to a spurious fertilizer, and put it upon the market in place of the genuine article, that had been regularly inspected and analyzed.

Similarly, several Alabama legislators argued that inspection procedures in their state failed "to provide for taking samples of the fertilizers sold in [Alabama], in such manner that it can be reasonably expected that any protection will be afforded farmers against imposition and

fraud by the practices of unscrupulous manufacturers or dealers." Moreover, these legislators criticized fertilizer inspection legislation itself for allowing deceptive manufacturing practices. Provisions of the law as to the required ingredients of commercial fertilizers, they contended, allowed manufacturers to include ingredients in their products which actually possessed "no value as an element to furnish plant food or increase the yields of crops."³⁷

At least some Southerners felt that manufacturers took advantage of opportunities to defraud their customers. "Our observation and experience, and we doubt not that of half the planters in Georgia," one north Georgia editor commented, "is that [fertilizer] analysis has not elevated the standard and that there are as many worthless brands of guano put on the market as have ever been done before." Moreover, this editor continued, the agriculture department's inadequate inspection service was frequently a "curse" to farmers who purchased certified fertilizers. "He is compelled to take it on the inspector's certificate or not at all, and then this certificate or brand is used as an estoppel in the courts to close his mouth, when he appeals to the court to protect him from an infamous swindle."³⁸ Other critics also argued that inspection legislation did not provide farmers who purchased fertilizers "a certain means by which to assure absolute fulfillment of the guaranty provided."³⁹ These criticisms of fertilizer

inspection were probably too harsh. The evidence suggests that fertilizer inspection did improve the quality of fertilizers sold in the South. But real defects did exist in the inspection system -- fueling critics' charges that it did not bring consumers a fair return for the cost inspection fees added to the price of commercial fertilizers.

Opponents of agriculture departments criticized more than just the agencies' inspection functions. Indeed, more fundamentally, small farmers challenged the purpose of the departments, complaining that they failed adequately to address the most serious economic problems of the region -- debt, tenantry, declining cotton prices. Basically conservative institutions, these agencies were unwilling to confront the social causes of the farmers' plight. Ultimately department spokesmen blamed farmers themselves for their problems, advising them to tighten their belts and live within their means. Given that the departments catered primarily to large planters, many of whom were employers and landlords, it would have been suicidal for the agencies to suggest that Southern society be drastically altered. This is not to suggest that planters had no problems or that agriculture departments never addressed regional problems -- many of these problems were national and international in scope and affected all classes. Rather it is to suggest that to planters and their organizations, these problems were to be worked out within the existing social

structure, from which they benefited.

Thus, many small farmers felt that agriculture departments were of no benefit to themselves. When during a legislative debate in 1879 over the department's future Georgia's agricultural society spoke of the agency as beneficial to the agricultural interests of the state, critics retorted that this elite organization had "no right to speak for farmers," that the department might benefit agricultural associations but its benefit to the population in general was dubious.⁴⁰ "There are a great many who appear to think [the agricultural] bureau is indispensable to the farming interests," hill country legislator Enoch Phillips commented to his constituency, "but I would say to such, examine your corn crib, smoke house, and pocket book closely, and if you find that the bureau has added to these very important items, then contend for it, but if it has not added it has diminished it certainly, for it cost the State \$10,000 yearly to run the bureau, so it must either add or diminish."⁴¹ Or as a less equivocal upcountry resident put it in response to Georgia Governor James Smith's initial call for the department's creation in 1874: "Of all the fooleries that ever entered the Governor's brain, that is topmost, when regarded as a practical and present relief from the troubles that oppress the farmers of Georgia."⁴²

Indicative of this attitude were the complaints of farmers concerning the collection of agricultural statis-

tics. While agricultural reformers viewed the collection of agricultural data as another part of the process of making cultivation more scientific, farmers often viewed it as an annoyance. "What the State wants with all this mass of details we are unable to see," one north Georgia paper commented upon learning that taxpayers were expected to fill out an extensive agricultural questionnaire to be forwarded by tax officials to the agriculture department. "We have no idea that any Legislature ever contemplated that such a mass of nonsense would be required under the authority given to the Commissioner of Agriculture to collect agricultural and material statistics of the State." "The questionnaire," this paper added, "puts the taxpayers to useless trouble."⁴³ "I hear considerable complaining against the law," another hill country resident remarked concerning the collection of statistics. "And the question is asked by all: What good does it do? Who is benefited by it?" Many farmers, this individual argued, considered the law "unjust and of no benefit" and did not intend to obey it.⁴⁴ Agriculture commissioners acknowledged that some farmers associated the collection of statistics by a tax official with tax matters and refused to cooperate. Others, one department report noted, simply viewed it as "an unreasonable inquisition into their private affairs."⁴⁵

Aside from issues relating to the functions of agriculture departments, controversies over the agencies cen-

tered around questions concerning the use of state power that their creation entailed. To farmers steeped in Jacksonian ideas about the nature of politics, state power was always susceptible to corruption and those holding it were always viewed with suspicion. While the use of state power to promote the general welfare was accepted as necessary and even desirable, farmers' ideas concerning the proper extent of state activity was generally narrow. Farmers were particularly reluctant to add to the structure of government. "Every new department which is attached to a government," as one north Mississippi editor commented, "adds to the complication of its machinery and opens up new field for stealing by the dominant party."⁴⁶ Or as a north Georgia resident succinctly put it, "there are [already] too many drones in the hive, who now manipulate the various 'Bureaus'... under the present management of affairs of State."⁴⁷

Critics complained that by creating new government positions controlled by party leaders, the establishment of agriculture departments served functions not related to the agencies' ostensible purpose. The departments' creation, for one thing, expanded the patronage system of the Democratic party. Governors appointed agriculture commissioners; commissioners, in turn, appointed inspectors and clerks. One historian has argued that Alabama's department of agriculture "developed a power structure second only to that of the governor."⁴⁸ While a proponent contended that

the office of agriculture commissioner was "not political in character" and that the appointment of an individual to that position "should not be a matter of public interference," critics argued that there were already too many gubernatorially appointed offices, serving partisan rather than public purposes and removing public officials from direct responsibility to the citizenry that they supposedly served.⁴⁹

This attitude becomes especially understandable given the departments' orientation toward wealthier agricultur-
alists, evident in the agencies' efforts to use state power in the interest of planters. We have already seen that agriculture departments were closely linked to planter-oriented state agricultural societies. These societies were quite influential politically in the post-Reconstruction South. In fact, society leaders were often political leaders. Alfred Colquitt, governor of Georgia in the late 1870s and early 1880s, Thomas Hardeman, chair of Georgia's Democratic party's state executive committee in the 1870s, and, as noted earlier, Thomas Janes, Georgia's first agriculture commissioner were all prominent society members. Similarly, when a convention was held in August 1884 to organize a state agricultural society in Alabama, among those who attended were such important political personalities of the state as Hiram Hawkins, a powerful legislator in the early 1880s, and Reuben F. Kolb, Alabama's

most influential agriculture commissioner in the late nineteenth century and a gubernatorial candidate in the 1890s.⁵⁰ There was thus at least some truth in the statement of the north Georgian who called his state's agricultural society "nothing in the world but a political machine for grinding out offices." "The presidency of this body," this individual argued, "is considered almost equivalent to a nomination and election to some lucrative and honorable position, and past experience has proved to the people that it has been a most disastrous stepping stone for the welfare of the people of the state."⁵¹

Agricultural societies also acted as powerful political pressure groups. Although members spoke of the need to avoid politics, the societies were often active politically. Alabama's society, for instance, maintained a regularly appointed committee on legislation, and society memorials were frequently enacted into law. "If we see that we need legislation for our protection," one member told a society meeting, "we can send a petition to our legislative bodies long enough to wind around the whole assembly, and if that is refused we will wind it around again, and dare a man to refuse it...."⁵² Due to similar pressures, agriculture departments also actively promoted the political objectives of these elite organizations.

The expense and activities of agriculture departments and the uses of state power their creation and functioning entailed, then, came under sustained attack from hill coun-

try Southerners. This hostility was clearly expressed by hill country representatives in Southern legislatures. In Georgia, there was substantial hill country opposition to the creation of that state's department in 1874 and support for the abolition of the department in subsequent years. In 1879, north Georgia representatives, led by Independents, overwhelmingly supported a proposal that the question of abolishing the agency be submitted to the people and decided by popular referendum.⁵³ In Alabama, although hill country Democratic state Senators supported the creation of an agriculture department, other north Alabama legislators, in particular anti-Redeemers, opposed the establishment of the agency.⁵⁴ In Mississippi, too, hill country legislators opposed the maintenance of a department of immigration and agriculture.⁵⁵

Concretely, small producers had legitimate grievances concerning Southern state departments of agriculture. The fertilizer tax was excessive and agriculture department fertilizer inspection services were inadequate. In addition, the departments' efforts to increase agricultural productivity and in general to make agriculture a more profitable enterprise failed adequately to address the fundamental economic problems of the South, such as those stemming from the credit structure of the region. In part, these problems were national and international in scope and thus beyond the capacity of state governments and their

agencies to rectify. Equally important in explaining the failure of agriculture departments to address the problems of small producers, however, was the fact that the agencies were oriented more toward serving the needs and interests of wealthier agriculturalists than those of the average farmer. Thus, the departments' activities did not challenge the socio-economic arrangements of a plantation agricultural society. Even those agricultural reformers seeking to reduce the role of plantation agriculture in the region and preaching the virtue of agricultural self-sufficiency offered little useful advice for small farmers attempting to maintain or regain their economic independence. It is thus understandable that many small producers opposed the maintenance of agriculture departments. Such state activity catered to the desires of elite agricultural organizations and their members and expanded the Democratic party's patronage power, yet failed to promote the well-being of the general agricultural population.

FOOTNOTES

¹Clark, Populism in Alabama, 59-64; Perman, Road to Redemption, 225; Fine, Laissez Faire and the General Welfare State, 354-5; James T. Moore, "Origins of the Solid South: Redeemer Democrats and the Popular Will, 1870-1900," Southern Studies 22(Fall 1983), 291. This chapter will focus on the Agriculture Departments in Georgia and Alabama. While Mississippi maintained a Department of Immigration and Agriculture in the late 1870s and early 1880s, its functions were very limited. Indeed, in 1880, Mississippi's legislature appropriated no funds for the agency other than a \$1000 for the Commissioner's salary. When the agency did have funds, it was primarily engaged in activity attempting to attract immigrants to the state. Biennial Report of [Mississippi's] State Board of Immigration and Agriculture, 1878-1879 (Jackson, 1880); Biennial Report of [Mississippi's] Commissioner of Immigration and Agriculture, 1880-1881 (Jackson, 1882), 3; Biennial Report of [Mississippi's] Commissioner of Immigration and Agriculture, 1882-1883 (Jackson, 1884), 21.

²Atlanta Constitution, December 15, 1876. See also: Gwinnett Herald, January 28, 1874, December 14, 1875.

³Memorial of the Georgia State Agricultural Society to the Constitutional Convention of the State of Georgia Concerning the Department of Agriculture and the Geological Survey (Atlanta, 1877), 4-5. See also: Annual Report of the Commissioner of Agriculture of the State of Georgia for the Year 1875 (Atlanta, 1876), 137-9. See also: Robert McMath, Jr. Populist Vanguard: A History of the Southern Farmers' Alliance (Chapel Hill, 1975), 36.

⁴Third Annual Session of the Alabama State Agricultural Society, Held August 18, 19, 1886 (Montgomery, 1886), 64; Oron P. South, "Farm Organizations in Alabama from 1872 to 1907" (MS thesis, Auburn Univ., 1940), 21; Rogers, One-Gallused Rebellion, 99-102.

⁵Cartersville Free Press, May 12, 1881. See also: Athens NorthEast Georgian, October 28, 1874, March 17, 1875.

⁶Letter of "Planter" in Montgomery Advertiser, January 23, 1883. See also: letter of "Amicus" in ibid., January 19, 1883; ibid., February 20, 1883.

⁷Moulton Advertiser, February 1, 1883. See also: ibid., January 25, 1883.

⁸Annual Report of the Commissioner of Agriculture of the State of Georgia for the Year 1878 (Atlanta, 1878), 20-

1,25.

⁹Letter of H. Hawkins in Montgomery Advertiser, February 13, 1883.

¹⁰Paul M. Gaston, The New South Creed: A Study in Southern Mythmaking (Baton Rouge, 1970), 63-7; Perman, Road to Redemption, 238-41; Wiener, Social Origins of the New South, 189-91; Gilbert C. Fite, Cotton Fields No More: Southern Agriculture, 1865-1980 (Lexington, Ky., 1984), 68-90.

¹¹William Cohen, "Negro Involuntary Servitude in the South: A Preliminary Analysis," Journal of Southern History 42(Feb. 1976), 31-60; Foner, Nothing But Freedom, 39-73; Perman, Road to Redemption, 237-63.

¹²Report of the Commissioner of Agriculture of the State of Alabama from September 1, 1883 to September 1, 1886 (Montgomery, 1886), 19.

¹³Report of Georgia Agriculture Commissioner, 1875, 73.

¹⁴Annual Report of the Commissioner of Agriculture of the State of Georgia for the Year 1876 (Atlanta, 1876), 12.

¹⁵Ibid., 12-3.

¹⁶Circular #31, printed in ibid., 96-7.

¹⁷Letter of "Taxpayer" in Montgomery Advertiser, January 24, 1883. See also: letter of "Remoc B" in Montgomery Advertiser, February 8, 1883.

¹⁸Letter of H.C. Hart in Montgomery Advertiser, February 8, 1883. See also: Florence Gazette, January 20, 1883; speech of W.J. Born, printed in Gwinnett Herald, July 16, 1879.

¹⁹Jefferson Forest News, August 4, 1877.

²⁰Marietta Journal, July 7, 1876; Jefferson Forest News, February 28, 1879.

²¹Georgia House Journal, 1878-1879, 1945-55; Report of Georgia Agriculture Commissioner, 1875, 79-81.

²²Ward, "Georgia Under the Bourbon Democrats," 269. In Alabama, while the agriculture department oversaw the inspection process, the actual analyses of fertilizers were conducted by the state Agricultural and Mechanical College. Going, Bourbon Democracy in Alabama, 104.

²³Cherokee Advance, February 11, 1880; Williard Range, A Century of Georgia Agriculture, 1850-1950 (Athens, 1954), 120-3; Ward, "Georgia Under the Bourbon Democrats," 257; Weiman, "Economic Emancipation of the Non-Slaveholding Class," 87-8.

²⁴Letter of M.R. Russell in Carroll County Times, May 30, 1879; comments by legislator L.F. Livingston, reported in Atlanta Constitution, July 11, 1879; Report of Alabama Agriculture Commissioner, 1883-6, 8-10.

²⁵Georgia Senate Journal, 1882, 256-7. See also: speech of James M. Smith, printed in Atlanta Constitution, July 18, 1879.

²⁶Atlanta Constitution, November 27, 1878.

²⁷Janes quoted in The Agricultural Department. Being the Result of an Inquiry Into Its Operation (Atlanta, 1877), 7. See also: Georgia House Journal, 1877, 21-2.

²⁸Third Annual Session of Alabama Agricultural Society, 64.

²⁹Georgia Senate Journal, 1882, 18-20; Report of the Commissioner of Agriculture of the State of Georgia Embracing the Years 1883 and 1884 (Atlanta, 1884), 13.

³⁰Ward, "Georgia Under the Bourbon Democrats," 269.

³¹Report of Alabama Agriculture Commissioner, 1883-6, 22.

³²Georgia House Journal, 1878-79, 417-8.

³³Ibid., 1945-55.

³⁴Alabama House Journal, 1884-85, 631-3.

³⁵Speech of W.J. Born, printed in Gwinnett Herald, July 16, 1879. See also: Athens NorthEast Georgian, July 28, 1875; Cartersville Free Press, June 30, 1881.

³⁶Georgia Senate Journal, 1883, 811-2. See also: Georgia House Journal, 1878-79, 1945-55; speech of James M. Smith, printed in Atlanta Constitution, July 18, 1879; Gwinnett Herald, August 1, 1883, September 19, 1883; Ward, "Georgia Under the Bourbon Democrats," 265.

³⁷Alabama House Journal, 1884-85, 631-3.

³⁸Gwinnett Herald, August 20, 1879.

- ³⁹Alabama House Journal, 1884-85, 631-3.
- ⁴⁰See, in particular, comments by legislators R.C. Humber and A.J. King, reported in the Atlanta Constitution, July 11, 1879, July 16, 1879.
- ⁴¹Letter of Enoch Phillips in Carroll County Times, May 23, 1879.
- ⁴²Athens Southern Watchman, February 4, 1874. See also: Georgia Senate Journal, 1882, 256-7.
- ⁴³Gwinnett Herald, June 2, 1875.
- ⁴⁴Letter of "Wm.H.H." in Athens Southern Watchman, July 4, 1876.
- ⁴⁵Report of Georgia Agriculture Commissioner for 1875, 77; Report of Georgia Agriculture Commissioner for 1876, 10; Annual Report of the Commissioner of Agriculture of the State of Georgia for the Year 1877 (Atlanta, 1878), 49.
- ⁴⁶Tupelo Journal, June 16, 1882.
- ⁴⁷Jefferson Forest News, June 26, 1875.
- ⁴⁸Rogers, One-Gallused Rebellion, 110; South, "Farm Organizations in Alabama," 41. See also: comments of legislator A.L. Miller, reported in Atlanta Constitution, July 16, 1879; speech of James M. Smith, printed in Atlanta Constitution, July 18, 1879.
- ⁴⁹Letter of "Georgian" in Calhoun Times, May 30, 1878; comments of Independent legislator N.T. Underwood, reported in Montgomery Advertiser, February 17, 1883.
- ⁵⁰Rogers, The One-Gallused Rebellion, 100.
- ⁵¹Athens Banner-Watchman, February 13, 1883, March 25, 1884; Range, A Century of Georgia Agriculture, 123; Garrison, "Old South or New?" 118-9; Ward, "Georgia Under the Bourbon Democrats," 256,262.
- ⁵²Quoted in Rogers, One-Gallused Rebellion, 103.
- ⁵³Georgia House Journal, 1874, 483-4; Georgia House Journal, 1876, 213-4; Georgia House Journal, 1877, 623-5; Georgia House Journal, 1878-79, 679-81,2035-6; comments by Independent legislator A.J. King, reported in Atlanta Constitution, July 9, 1879, July 16, 1879.
- ⁵⁴Alabama House Journal, 1882-83, 667-9; Alabama

Senate Journal, 1882-83, 612-3.

⁵⁵Mississippi House Journal, 1880, 518; Mississippi House Journal, 1882, 435-40, 445-7; Mississippi House Journal, 1884, 521-2.

CHAPTER SIX

Railroad Regulation

Of all the active uses of state power in nineteenth-century America, perhaps most controversial was governmental activity concerning the nation's expanding transportation network, in particular its railroad system. Much debate arose over both governmental efforts to promote and, then, to control the nation's railroads. During the middle decades of the century, government at all levels was active in promoting railroad construction through such devices as land grants, loans, and direct subsidies. In the South, substantial state aid to railroads began before the Civil War and picked up again after the end of the conflict. In both eras, such aid was politically controversial. In the antebellum period, Democrats and Whigs fought over the issue.¹ One of the main criticisms of Reconstruction regimes made by Democrats in the 1870s was that these regimes squandered public monies on railroad projects. Once in power, Redeemers repudiated much of the public debt incurred during Reconstruction and in many states prohibited further direct state aid.² (It should be noted that in states where Reconstruction lasted longest a reaction among government officials against extensive public aid developed while the Republicans were still in power.³) Yet, in the post-war era, state encouragement of railroad construction was not solely a Republican policy. Rather, the

policy found adherents among business-minded Southerners of both major political parties. Even after Redemption, although programs of extensive direct public aid had ended, liberal state policies toward railroads continued.⁴

As railroads expanded, consolidated, and fell under the control of Northern financial interests in the decades following the war, public concern increased over the economic and political power wielded by railroad corporations.⁵ Not surprisingly, agriculturalists of all classes desired lower transportation costs and wished to stymie the growth of corporate power. Although some planters had moved to town, become absentee landlords, and invested in industrial enterprises in the years following the end of the war, most still viewed agriculture as their primary livelihood, and many feared the growth of corporate power as a threat to their own influence. Thus, influential agricultural leaders and spokesmen supported regulation efforts. In Mississippi, Frank Burkitt, a leader of the agrarian wing of that state's Democratic party, and Putnam Darden, State Master of Mississippi's Grange (and later National Grange Master), vigorously fought for government regulation of railroads.⁶ In Alabama, Robert McKee, spokesman for conservative black belt planters (as editor of the Selma Southern Argus), advocated regulation.⁷ And in Georgia, Robert Toombs, prominent politician and representative of planter interests, was instrumental in placing a

provision for railroad regulation into Georgia's 1877 constitution.⁸

The support for regulation of large cotton growers, however, should not be exaggerated. Although some planters were staunch advocates of regulation, the support of many, especially in more recently developed areas, was tempered by the fact that as large commercial producers they welcomed the expansion of the region's transportation network, which facilitated the marketing of their crops. Moreover, railroads generally made a special effort to placate wealthier and more influential rural Southerners. Transportation to conventions held by the Grange and the politically influential state agricultural societies of the region, for example, often was provided at reduced rates.⁹

Small farmers also sought state activity to control railroad corporations. Increasingly involved in the commercial economy, many small producers obviously would have benefited from lower freight transportation rates. Ideologically, farmers, steeped in Jacksonian ideas concerning the dangers of aggregates of power beyond the reach of the general populace, feared the growing political and economic power of corporations. The corruption and mismanagement surrounding state and local aid to railroads in the 1870s heightened these apprehensions by seemingly providing graphic examples of the deleterious effects of undue corporate influence in governmental affairs. Moreover, railroads were less concerned with courting the good will of

less influential agricultural elements.¹⁰

Many local businessmen, too, feared the power that railroads, beyond the control of individual communities, held over commerce and consequently their own livelihood. Mercantile interests in some areas viewed regulation as a means to eliminate what they considered to be unfair advantages for rival trade centers which, whether because of competitive conditions or the volume of goods shipped, received cheaper transportation rates than themselves. Merchants engaged in shipping activity, of course, were not a monolithic interest. Given that their attitudes toward regulation were shaped by their own particular situations, merchants from large cities and small towns, from developed and undeveloped regions had different views as to the need and propriety of regulating railroads. While a shipper in an area serviced by railroads, for instance, might support regulation as a way to lower rates to and from his community, a shipper in an area lacking adequate transportation facilities might view regulation as an impediment to the construction of new railroad lines. In any case, commercial shippers in general were wary of public control over private property. Those merchants desiring regulation usually sought conservative legislation, designed not to establish stringent state regulation of railroads but to remedy their own particular grievances.¹¹

In examining railroad regulatory measures enacted it

is evident that business interests, including railroads themselves, were influential in the legislation-making process. In their efforts to limit the effectiveness of regulatory legislation, railroads wielded much political influence. Railroad lobbyists roamed the halls of many state legislatures. Through favors, such as free transportation, and often through outright bribery, railroads sought to maintain favorable relations with public officials. Moreover, prominent political figures were sympathetic and sometimes directly associated with railroad interests in the region. Georgia politico Joseph Brown, Governors James E. Cobb, George S. Houston, and Thomas G. Jones of Alabama, and Governor Robert Lowry of Mississippi all represented regional industrial interests, both politically and legally. As C. Vann Woodward demonstrated decades ago, industrial and business interests of the post-Reconstruction era could usually find a sympathetic ear in the state executive office of most Southern states.¹² Not surprisingly, then, regulatory legislation adopted was often conservative in character, reflecting the fact that most commercial shippers and railroad-influenced state governments had limited ideas of the nature of railroad regulation.

Focusing on the influence of these forces, historians have properly noted that the establishment of appointive regulatory agencies, in the place of direct legislative regulation, and the triumph of the principle of judicial review of regulatory activity stymied more radical attempts to control railroads.¹³ Yet, in their efforts to point out

the conservative direction railroad regulation ultimately followed in the late nineteenth century, historians have glossed over the substantial popular efforts to use state power to control railroads effectively. This trend is reflected in the emphasis by historians on federal regulation, important, to be sure, given the interstate character of railroads, yet not the level of government where the debate over railroad regulation was most intense. Rather, it was on the state level that efforts to establish stringent regulatory machinery occurred. In hindsight, we know that state regulation did not generally serve the public as well as advocates would have liked and in some states barely served the public at all. Yet the contemporary debates themselves concerning regulation are significant in what they reveal about the attitudes of various groups and classes concerning proper uses of state power. The arguments presented in defense of the various proposals for regulation, as well as of those against regulation, reveal much about an era in which economic and social changes forced many to reevaluate their political economic ideas.

Perhaps the most vocal criticism of opponents of railroad regulation was that regulation was a violation of rights given by state legislatures to railroad corporations in the charters creating them. Such contractual agreements, regulatory opponents contended, prohibited states from dictating to railroads what rates they might charge

(other than what rate provisions, usually lenient if there at all, were included in their original charters).¹⁴ "If the State ever had any authority to fix and regulate the charges made by railroads in this State on their freight and passengers," as one Mississippi legislative committee opposed to regulation argued, "she has parted with that right by conferring upon the companies, by a clause to be found in all their charters, the power and right to fix and regulate the tariff of freights of the companies."¹⁵ To opponents of regulation, the sagacity of such a policy was not relevant. "It is too late to raise the question whether it was wise to grant these corporations the exclusive right to regulate their rates of charges, it has been granted," Mississippi Governor John Stone contended in a message explaining his reasons for vetoing a railroad regulation bill,¹⁶

the Constitution under which the grants were made empowered the Legislature to make them; the companies have accepted the grants, and any legislation that seeks to alter one of the these charters in any material point, without the consent of the corporations, is absolutely prohibited. Any power, exercised under a general law, may be taken away, but if granted in a charter, and the charter is accepted, it is thereby placed beyond the reach of the Legislature, and must so remain as long as the charter exists.

State interference with previously granted charters, moreover, by making the validity of contractual arrangements uncertain, regulation opponents contended, would discourage investors and thus inhibit regional economic development. No one would be willing to invest his money

in a charter "we could revoke at will," as one delegate to Georgia's 1877 constitutional convention put it.¹⁷ Other critics condemned regulation of new as well as old corporate charters as harmful to the Southern economy. Regulation should not be treated as a political question, they argued, but as "one of plain common sense and of expediency." "Leaving out the question of the right of the Legislature to pass the measures that have for some time been discussed," the Winston Signal explained, "it would not be wise [for] our people by such restrictions to drive capital from our state at any hazard." "Cry down monopolies as you may," this Mississippi newspaper remarked, "it is a fact nevertheless that through them all great developments have been made, and to them we are indebted for the thrift and success of our nation."¹⁸ Similarly, Governor Robert Lowry advised a Mississippi legislature considering regulatory measures not to pass a law that would thwart the economic development of the state. The people of Mississippi were in full accord with the "progressive spirit" of the day and "heartily" favored "the building of railroads and the full development of our material resources," the governor asserted. Thus, they invited capital to invest in the region and understood that such investments must have "the guarantee of ample legal and constitutional protection." "This is a practical, business question which the people will expect you to solve in a practical, business way, without throwing unnecessary or vexatious restrictions

around railroads and their management, or at all retarding the building of these great modern highways," Lowry warned the legislature.¹⁹

To give added force to their contention that regulatory legislation inhibited economic development, anti-regulation editors printed letters from influential railroad figures saying just that. "Having invested, with several friends, millions of dollars in railroads in Arkansas, and intending immediately to improve these roads, to build new branches, to open inaccessible portions of your state, to offer more liberal inducements for settlers to get there, I regret to hear that illiberal legislation is now proposed," railroad magnate Jay Gould wrote to T.J. Churchill, Governor of Arkansas, in a much published telegram. "If enacted, it will check our intended new investment there. I hope you will counsel such wisdom in legislation as will attract capital and promote settlements and improvements, rather than drive them away." "You have a great state," Gould concluded. "The next decade will bring you, with a liberal policy, rapidly forward, and I am disposed to aid in doing it."²⁰

Many critics argued that the way to solve railroad problems was not through legislation but by allowing the free play of market forces. The only practical remedy for the evils emanating from monopolistic railroad power was the construction of new lines to compete with those already

constructed, these regulation opponents contended. Railroad regulatory activity, contrarily, would discourage the investment of capital and stymie the construction of new lines, thus aggravating rather than solving the economic problems of small shippers. Indeed, it was absurd to believe that governmental activity could solve the economic problems of individuals or eliminate the economic inequities of a society. "The natural laws of trade, of industry, of competition, of poverty and riches, must solve and only can settle and adjust the seeming hardships and oppressions that arise by the accumulation of riches in a nation's history," one Mississippi editor commented on efforts to regulate railroads. "It would be as sensible to attempt to legislate pain and sickness out of the world as to attempt to legislate all men into equally prosperous conditions."²¹

More abstractly, though in line with their defense of charter rights and with their ideas of economic progress, critics assailed railroad regulation as a threat to private property. Governmental interference with railroad operations was viewed as being not only unwise but unjust. "Upon what principle does the Legislature propose to take the business and regulation of the roads out of their hands and put it into the hands of... Commissioners?" one critic asked. "The stockholders invested their money with the explicit understanding that they were to govern it, and it will be a step in the wrong direction when the State under-

takes to control the private business of [its] citizens."²² "Let our law-makers remember that railroads, even if they are 'soulless corporations,' have some rights to be respected and protected," a similarly minded Alabama editor commented.²³ Summing up the attitude of many business-minded Southern politicians who, bowing to public pressures, ultimately acknowledged the right of the state to regulate railroads, Governor Robert Lowry cautioned Mississippi's legislature against enacting too stringent regulatory measures. "The attempt to control the property of another by a stranger, even where the right exists, naturally excites consternation and alarm," Lowry argued. "Let us see to it that the pearl chain of moderation shall run through all our legislation in this delicate subject, so that no uneasiness or anxiety shall be felt by the man in New York who has invested all his capital in railroads in Mississippi."²⁴

Other critics, however, refused even to acknowledge the right of the state to regulate railroads. They contended that by threatening private property, regulation was or could easily become an abusive use of state power. One critic called Georgia's railroad commission an "undemocratic monstrosity."²⁵ Another opponent described it as "a species of usurpatious tyranny that must eventually work disaster to our institutions and is an attack upon the very fundamental principles of republican government."²⁶ "The

Czar of Russia has not such despotic powers over the property of citizens as this commission exercises over the entire railroad system of this State," a hill country editor complained.²⁷ Similarly, one Mississippi editor argued that regulating corporate profits was an ominous use of state power. "Every thinking man must know that it is a step, in a disguised form, toward placing in the hands of politicians the property of the people. The step once taken will lead to the abolition of the natural right of every man to use his own as he pleases."²⁸ The harshest criticisms of railroad regulation usually came at times when regulatory measures were being debated in state legislatures and, although participants in the debate always had an eye toward swaying public opinion, exaggerated the usual arguments of regulation opponents. Yet, no doubt, many critics feared state activity seeking to regulate the activity of corporations as a threat to the sanctity of private property.

On all fronts, advocates of regulation challenged the criticisms of their antagonists. As we have seen, critics argued that the charters of railroad corporations gave them the right to control their own affairs. Regulation advocates responded that enterprises receiving legislative favors should, for the public welfare, be subject to governmental control. Thus, responding to the charge that a railroad regulatory bill being considered by Mississippi's legislature was an illegal interference with the chartered

rights of railroad companies, members of a legislative committee investigating the question argued that the point was "not well taken." "We think that corporations enjoying the privileges that the railroads do, by reason of their original charters, and other legislation in their behalf," these legislators contended, "should at least be so far subject to legislative control as to enable the Legislature, acting for the people of the whole State, to protect them from such discrimination as render railroads a curse, in some cases, rather than a blessing."²⁹ "The fact of railroads being dependent on state legislation for existence, carries with it the right to control," a similarly minded Mississippi legislator commented, "the rights granted to railroads were not for private benefits or to benefit a few individuals but for the benefit of the public, and as such should be under control so that these rights might be secured to the public."³⁰

Among the privileges given to railroads was the right of eminent domain, allowing a railroad, under legal guidelines, to appropriate private property for its own use. This right, one Mississippian commented, "is conferred upon railroads, presumably at least, 'in the interest of the people,' for the good of the many," on the grounds that the completed line would be of public benefit. "Now if the State has the power to take from me my land and grant it to a railroad in the interest of the people, has it not the

power also to compel that railroad to be operated in such a way that it will not do violence to 'the interest of the people?'"³¹ Some regulation supporters went even further, arguing that the use of the eminent domain power not only subject railroads to regulation but also, for the public good, justified the state taking over railroads and revoking obstructionist charters.³²

Other supporters of regulation more directly confronted the argument that charter rights prohibited state governments from regulating railroads. The "power of interference" with corporate charters "is one of which the state cannot disarm itself," regulation proponents contended, "and any charter, which provides that the state cannot interfere to establish the tax or tariff and thereby protect the interests of the public is wholly nugatory."³³ To argue that an act of the legislature chartering a railroad could not be altered or repealed was to contend that the legislature, not the people, had "sovereign power," "thus making the creature greater than the creator."³⁴ Although corporations loved "to have and enjoy unrestricted power," they existed "by authority of the law" and were subject to the "expressed will" of the people, whence the law derived, one north Georgian more succinctly put it. It was thus absurd to argue that they were exempt from public control.³⁵

To the argument that only the natural workings of the free market, not legislation, would end railroad abuses,

supporters of railroad regulation responded that state activity was needed precisely because the market was not free -- that railroad corporations were constantly striving to gain monopolistic powers. "Free trade! Free trade!! Free trade!!! That is, that the corporation shall fix the tax of their own tolls, that the monopoly shall fix the rate, and say how much of the property of the people it shall appropriate to itself," corporate antagonist Robert Toombs argued before Georgia's 1877 constitutional convention. "Well, that is a new name for free trade. Free trade means the liberty of trade. Monopoly is extortion; it is spoilation." Such power, for the good of the general public, must be controlled by the state, Toombs contended. "Corporations must either be governed by the law or they will override the law."³⁶ "Railroad companies combine for the purpose of exacting from citizens along their lines exorbitant local freight charges," north Georgia legislative candidate J.C. Fain wrote to the voters in his district in justifying legislation to control the power of railroad corporations. "The railroads thus become great channels through which the hard earnings of the people flow in steady streams into the pockets of capitalists at the great money centers. It makes the rich richer and the poor poorer." "The people have long raised their ineffectual protest against this oppressive system," Fain argued, "but the power and the influence of the huge monied monopolies

have, heretofore, proved an overmatch for them."³⁷

Many advocates of state regulation expressed the fear that the increasing power of corporations posed a threat to the general welfare. "The encroachments of the money power in the form of great corporations and other organizations of capital threatens to subvert the principle [of government of and for the people] and transfer the control of the government from the people into the hands of the privileged classes," one Mississippi farmers' club seeking state regulation contended.³⁸ The general citizenry, a north Georgian argued, would not tolerate such a situation. "They are no longer willing to submit to a government, the whole tendency and result of which is to bestow its beneficence and its rewards to the favored few to the great detriment and distress of the neglected many."³⁹

The primary responsibility of the state, regulation advocates argued, was to its citizenry, not special interests. Government was organized for the protection of its citizens and should "legislate as to do the greatest good for the greatest number." Monopolies should not be allowed to use rights granted in their charters to infringe upon the rights of the general population. Thus when Governor John Stone contended that the legislature should protect the rights of corporations, one Mississippian responded that "the people have rights as well as the railroad corporations that should also be 'carefully guarded and protected.'"⁴⁰ Indeed, regulation proponents

argued that the government should actively protect the citizenry from undue corporate power. "It is the duty of a state to protect the weak against the strong," Georgia Independent William Felton contended, "that when the exaggerated wealth of [railroad] corporations are destroying the profits of individual industry, and by their exactions are impoverishing communities, it is the bound duty of the State to intervene in behalf of its helpless citizens."⁴¹ Or as a north Alabama editor succinctly put it: "It is time that these great railroad corporations should be restrained and made to know that the people are masters in this country."⁴²

Thus far, the arguments of both the proponents and opponents of government regulation of railroads have been discussed in general terms. A closer examination of the debates in individual states reveals much about the coalition of forces advocating regulation and the differing ideas of what regulation should be held by members of the coalition. As discussed earlier in this chapter, while the demand for state control of railroads became increasingly vocal in the post-war period, the demand was not monolithic. Various social groups desired various types of state activity. The creation of state regulatory authority was hotly debated. Once state regulatory measures were enacted, some desired to weaken the measures; others to strengthen them. For a number of years, both before and

after railroad commissions were established, conservative interests and anti-corporate forces battled over the issue of how stringently corporate power would be publicly regulated.

In Alabama, Montgomery merchants began demanding that railroads be regulated as the Louisville and Nashville Railroad, a powerful economic and political force in late nineteenth-century Alabama, gained increasing control of the state's railroad system, in particular over lines running into Montgomery. Reacting to the virtual stranglehold the L & N acquired over the city's railroad traffic, Montgomery merchants pushed for state action to eliminate railroad discrimination against themselves. Beyond protecting their own particular interests, however, Montgomery shippers were not interested in strong government activity to control railroads. While concerned about railroad favoritism toward major rival trade centers, such as Mobile, Montgomery's position was favored in relation to local commerce -- a situation the city's commercial interests did not wish to change.⁴³

The limited nature of regulatory activity desired by urban commercial interests was well expressed by one of the main architects of Alabama's railroad commission -- D.S. Troy, an influential Montgomery political and business leader.⁴⁴ Troy devoted himself to a study of railroad regulatory legislation in other states and before Alabama's legislature met in November, 1880 presented a detailed

outline for a railroad commission. Troy acknowledged that railroads engaged in unjust practices were detrimental to the public good. "Whenever the corporation charges more than just compensation for transportation of passengers or freight of the highway, or uses its monopoly of it for any purpose other than doing a legitimate business of transportation in good faith, a wrong is done to the public," he declared. Thus, regulatory legislation to prohibit unjust railroad practices was needed. In his plan, however, Troy clearly stated his objections to creating regulatory legislation too rigidly controlling railroads. "Railroads are in one sense private property," Troy argued, "and to prescribe an arbitrary rate at which they shall serve other people looks very much like taking private property for public or private use for a compensation which... may not be just." Such uses of state power were dangerous. "Whenever the legislature tries to compel a corporation to transport passengers or freight at a fixed price," Troy continued, "it is an arbitrary interference with private property contrary to the spirit of free government." Not surprisingly, then, Troy worked to limit the powers of Alabama's commission.⁴⁵

Based largely on the ideas suggested by Troy, the Alabama Railroad Commission established in 1881 was indeed conservative in character. Although railroad regulatory bills were introduced in the legislature enabling the com-

mission to set rates, the measure finally passed created a regulatory agency which lacked the power to enforce the rates it recommended. Aggrieved shippers were forced to seek redress for grievances concerning railroad rates through the courts. This process was not only inconvenient and expensive for small producers but also was specifically designed to protect railroads from shippers desiring rate reduction activity beyond what the commission could or would undertake. For disgruntled individuals were barred from taking legal action against railroads whose rates had been approved by Alabama's regulatory agency, since these rates could not be considered "willfully extortionate." The requirement that the commission allow railroads "fair and just" earnings -- to be based on data provided by railroads themselves -- assured that the agency's rate recommendations would, in most cases, not be burdensome to railroads.⁴⁶

Many Alabamians were disappointed with the limited powers the commission possessed. Hill country small producers in particular, but commercial interests from the region as well, were wary of the increasingly powerful and northern-controlled railroads in their midst. Hill country residents had expected that a regulatory agency would be established that would be able to restrain corporate interests in Alabama. Led by Greenback editor Charles C. Ross, many north Alabama newspapers thus criticized the state's new regulatory legislation. "The construction the

Railroad Commissioners put upon the Commission law under which they are acting is that they are but an advisory board, with powers only to advise railroad officials on the proper management of their roads and what schedules of freights it would be advisable to adopt," one north Alabama newspaper commented. "If this construction of the Commissioners is the true exposition of the provisions of the law, it may very well be styled the tweedle, or handle lightly commission." "The Legislature," this newspaper contended, "should have conferred certain controlling and compulsory powers on this board if it was their intention to effect any good by it."⁴⁷ "The railroad bill, as it is, will, we think, be of little service to the State," another north Alabama paper remarked. "It is a long, dull, unmeaningful law, and will result only in the withdrawal of a few thousand dollars annually from the State Treasury."⁴⁸

Efforts to strengthen Alabama's regulatory legislation arose several years after the commission was created and more clearly revealed divisions within the state over the question of whether Alabama should have an effective regulatory agency. The debate was precipitated in 1884 by a refusal of a railroad to comply with a commission ruling, about which the commission could do little. Commission President Walter L. Bragg requested from the legislature additional powers for the regulatory body to remedy this situation.

The legislative session of 1884-1885, thus, became a crucial one in determining how effective Alabama's regulatory commission was to be. Unlike the debate surrounding the creation of Alabama's weak commission four years earlier, the debate for more effective regulation more clearly reflected social divisions within the state. For while urban commercial interests had supported the creation of a railroad commission in 1881, they overwhelmingly opposed increasing the commission's powers. Numerous anti-regulation petitions, signed by merchants and businessmen of all of the state's major trade centers (including Montgomery), were forwarded to Alabama's legislature as the assembly debated the regulatory issue. Reflecting this hostility, all of the state's major newspapers criticized the proposed legislation. While not as vocal as the state's leading businessmen, hill country commercial interests also were uneasy with extending the powers of Alabama's regulatory agency.⁴⁹

Agrarian interests, on the other hand, generally supported Bragg's efforts to strengthen the commission. In fact, many anti-corporate representatives, in particular hill country anti-Redeemers, who criticized and opposed the final weakened form of the regulatory act passed in 1881, supported Bragg's efforts four years later. David D. Shelby, a Greenback state Senator from Madison county, for instance, supported Bragg on every motion concerning railroad regulation which came to a vote in Alabama's Senate.⁵⁰

Moreover, anti-corporate legislators accused railroad interests of interfering with the political process. Motivated by such concerns, some anti-Redeemers called for a legislative investigation to find out to what extent railroad lawyers were behind the movement to prevent the strengthening of the state's regulatory legislation.⁵¹

Bragg's efforts to increase the effectiveness of Alabama's railroad commission failed. Railroad bills ultimately passed by the state Senate were watered down versions of the initially proposed legislation; the House failed even to act on the issue. After these failures, agrarian legislators again issued an address condemning unjust railroad practices.⁵² Thereafter, however, the commission, under new appointees, became an ineffectual body. Indeed, it increasingly became viewed by many as a tool of the railroads. By the 1890s, many critics demanded that the agency be either totally revamped in order to make it a useful regulatory body or discontinued.⁵³

The debate over railroad regulation in Georgia began not over the right of the state to regulate private corporations, but over its right to regulate the state-owned Western and Atlantic railroad. The W & A was constructed in antebellum Georgia in an attempt to encourage economic growth and to provide a nontax source of public revenue. By the late pre-war era the venture was successful. Between 1852 and 1860, due to revenue from the W & A,

Georgia's state government reduced its property tax rate by 35 percent. It also increased social welfare expenditures (over the opposition of hill country legislators who desired further tax rate reductions). By 1860, railroad revenue outweighed taxation as a source of state revenue.⁵⁴

During the war, not surprisingly, the railroad ceased to be Georgia's main source of state revenue. In the immediate post-war era, most of the earnings it could generate went to repairing wartime damages.⁵⁵ Even after regaining its footing, the road did not regain its pre-war position in state finances. Indeed, during the administration of Republican Governor Rufus Bullock the road became an incubus upon the state government. Due to incompetence and corruption (involving Democrats as well as Republicans) under the management of Foster Blodgett, the road accumulated a substantial debt.⁵⁶ Thus, in 1870, Georgia's legislature decided to remove the road from direct state operation. A bill passed the legislature authorizing the lease of the road to a private corporation for a term of years, which Governor Bullock utilized in an effort to bolster his political fortunes. Although tainted by political manipulation and favoritism, the lease, awarded to a company presided over by Joseph Brown, was allowed to stand by Democrats after they regained control over the general assembly.⁵⁷

Under private operation, the road's policies quickly came under attack for discriminating against local ship-

pers. One disgruntled north Georgian, for example, complained that all major commercial centers, no matter what their distance from the city of Atlanta, received preferential rates compared to those charged on goods transported from his home town of Cartersville, merely 48 miles north of the state capital. Thus, freight shipped from New York City, New Orleans, or Charleston, South Carolina to Atlanta received an unfair advantage over local goods. Such discrimination, to many Georgians, was especially galling since it involved the state-owned railroad which, even if it was leased to private interests, should, they felt, still be subject to state control. "The bare fact of having leased the road to a company, does not operate as a conveyance of all rights of legislation and conduct of the road into the hands of the leasees," one north Georgian explained, "all the powers which the Legislature possessed prior to the lease, in this respect, exist unimpaired in the hands of the representatives of the people." Any other view of the matter would "leave the people at the mercy of a corporation, with no privileges except such as it might grant as a matter of favor."⁵⁸

The movement for regulatory legislation quickly spread throughout the state and began to stress the need for controlling private railroads, as well as the state-owned road. As in Alabama, both merchants and agrarian interests complained about railroad abuses.⁵⁹ But in Georgia,

planter representative Robert Toombs headed the efforts that led to the establishment of a state regulatory agency. Although regulatory bills were introduced in the Georgia general assembly throughout the early and mid 1870s, they accomplished little.⁶⁰ It was not until 1877, when Georgia held a constitutional convention, that the efforts of railroad regulation advocates achieved real results. With powerful anti-corporate figures such as Toombs present, the convention designed a constitution less than favorable to corporate interests: state aid to private corporations was prohibited; government was forbidden to grant irrevocable privileges to corporations; corporations were made responsible (at least on paper) for a larger share of the state's tax burden. Moreover, the constitution mandated that the legislature regulate railroads.⁶¹

In its first session following the ratification of the state's 1877 constitution, Georgia's legislature carried out its constitutional mandate by establishing a railroad commission. Although the delegation of even stronger powers than those ultimately given to the commission was considered by the legislature, the act passed in 1879 granted Georgia's railroad commission more effective rate-making powers than Alabama's commission (created several years later) possessed. In 1880, Georgia's commission issued a provisional rate schedule for the state's railroads, subject to revision upon "justifiable" complaint by either the railroads or the public. Not surprisingly, the

public desired even lower rates than those set in the schedule; the railroads higher rates. Generally, the commission favored railroads in revising the schedule, frequently granting the requests of individual lines for rate increases. Moreover, the commission favored the railroads in many of the decisions it rendered in cases concerning alleged railroad abuses. Such decisions were unpopular. And much of the public desired even stricter control of railroads than the commission would or could provide.⁶² Still, the commission, one of the strongest state-level regulatory bodies in the nation in the 1880s, did to an extent effectively regulate railroads in the state.

Thus, in contrast to what happened in Alabama, a movement to revise Georgia's regulatory legislation arose in the mid-1880s led, not by anti-corporate forces seeking to strengthen the commission, but by pro-corporate interests seeking to weaken the agency. Despite the fact that the state's railroad system expanded and prospered in the years following the commission's creation, railroad advocates charged that the commission exercised arbitrary powers and retarded industrial growth. Leading railroad figures, such as W.G. Raoul, President of the Central Railroad and Banking Company, Joseph E. Brown, President of the company leasing the W & A Railroad, and H.S. Haines, manager of the Savannah, Florida and Western Railroad, decried the detrimental effect the commission had on

Georgia's railroad interests. Their complaints culminated in an effort by pro-railroad legislators in the 1885 session of the general assembly to emasculate the commission. A bill introduced by J.W. Maddox of Chattooga county sought to deprive the commission of much of its powers. A strong railroad lobbying influence in the legislature and an anti-commission state press (which regulation advocates charged had been bought off by the railroads) helped the bill get through the Senate. In the House, however, under the leadership of Independent William Felton, anti-corporate legislators prevented the passage of the bill and preserved the powers of Georgia's regulatory body.⁶³

As in Alabama, anti-Redeemers vigorously supported state control over corporate interests, while commercial interests increasingly opposed it. Again this division reflected a deeper ideological conflict concerning the proper role of state activity. Anti-corporate forces in Georgia, as in Alabama, condemned both undue corporate influence in the public sector and unrestrained corporate power in the private sector. And in both states, social groups in the hill country as well as in the region as a whole were at odds over the issue. Despite their own complaints concerning discriminatory railroad practices, merchants and other elite hill country groups were not anxious to challenge and restrain the rights of private property holders, a use of state power which might ultimately threaten their own position in the hill country.

Small producers, on the other hand, expected the government to regulate privately controlled centers of power that posed a threat to the general welfare. As we shall see, to prevent the abusive railroad practices which persisted even after regulatory legislation was enacted, anti-corporate elements came to desire even greater state control over railroads.

In Mississippi, although a regulatory commission was eventually established, for a number of years the controversy over railroad regulation did not center around the question of general regulation. While general regulatory bills were considered by the legislature throughout the 1870s and legislative committees studied the question of regulation,⁶⁴ the most heated debates in the late 1870s and early 1880s arose over the right of the state to regulate individual lines. Given the controversial nature of the question of whether regulation was a violation of a railroad's charter rights, Mississippi's general assembly decided to deal with the matter head on, at least concerning the incorporation of new roads and roads seeking charter amendments, by placing specific provisions concerning regulation in railroad charters. The debate reached its climax in 1882 when, to the chagrin of anti-corporate forces, the legislature granted railroad charters that contained a negation of the state's right to regulate rates. A vocal minority criticized such action by the

legislature. Thus, for example, several members of the Committee on Corporations vigorously protested a railroad incorporation bill being considered by the legislature on the grounds that it would "perpetually divest the people... of the exercise of a portion of their sovereign powers." "We believe that any attempt of a Legislature to confer upon a public corporation such 'chartered rights' as to divest the people of the State of the power to protect its citizens, by supervisory legislation, from extortions and unjust discriminations on the part of such corporations is a null, void, and unauthorized act," these legislators contended.⁶⁵ "It is an insult to the intelligence of the people to talk about equality of rights... in the face of such legislation as is proposed in these railroad charters," a like-minded north Mississippian commented in reference to the privileges being given railroad companies.⁶⁶ In general, critics argued that the state did not need new railroads so badly that the people had to be "shackled and placed at their mercy in order to secure their construction."⁶⁷

The debate in Mississippi over general railroad regulation culminated in 1884 in the establishment of a railroad commission. Pro-railroad Governor Robert Lowry vetoed one bill providing for regulation on the grounds that it was "harsh and oppressive."⁶⁸ A second bill, allowing Lowry to control the composition of the commission, received the governor's approval. With John Stone, who as governor had

prevented the enactment of regulatory legislation, as chair of the commission, it is not surprising that the agency acted conservatively and was of limited usefulness.⁶⁹ "The fear expressed by many people before the passage of the supervision law, that the railroads would supervise the Commissioners instead of the Commissioners supervising the railroads, seems to have been fully realized," one north Mississippi editor complained several years after the commission had been created.⁷⁰

In Mississippi, given the limited nature of industrial development in the state, the controversy over railroad regulation did not assume the dimensions evident in Alabama and Georgia. Still, while corporate interests argued for limited state interference with their activities, many Mississippians, especially hill country residents, contended that, for the common good, more forceful governmental activity was needed to control corporate activities. To small producers in Mississippi, as elsewhere in the South, the privileges and power exercised by corporations posed a threat to their position in a republican society. Thus, they contended that the government should act to protect their economic and political well-being. Legislation should be enacted, as one farmers' meeting considering corporate power resolved, "to restrain all encroachments on the prerogatives and interests of the people from all and whatever sources they may be assailed."⁷¹

Popular support for government regulation of railroads in the post-Reconstruction South might, at first glance, seem to contradict the support hill country farmers gave to efforts to reduce governmental activity. Feeling overburdened by taxation and objecting to government-fostered special privilege, small producers applauded the general policy of retrenchment in governmental affairs pursued by Redeemer-controlled state governments. The small producers' approval of efforts to reduce government expenses and generally limit government activity, however, should not be equated with a desire for a laissez-faire society. For, still influenced by Jacksonian values and ideas of government, small producers saw the need for governmental activity serving to foster their economic independence. The terms in which producers in the post-Reconstruction South defined proper governmental activity were, of course, determined by political economic conditions of that period, not of the antebellum South. In the last quarter of the century, the rise of large corporations, aggregations of capital legally sanctioned but seemingly exercising arbitrary powers, presented a threat to society, which many Southerners felt required a governmental response.

Strong state-level government regulation was the mechanism to which many initially looked for remedial action and it was here, on the state level, that public input into the regulation debate was most evident. Yet, even in the early years of the period, concern arose over the

interstate character of railroad corporations, and, consequently, many began to see the need for federal regulation.⁷² Moreover, some Southerners began to talk of more forceful governmental control of the nation's transportation system as the only means of preventing railroad abuses. Indeed, as the railroads' power increased, the idea of government "operation" of railroads gained wider acceptance. As in the debate over regulation, advocates of government operation of railroads placed special emphasis on the public character of railroads and the tremendous economic power of these enterprises, as differentiated from most private property. And early advocates emphasized that they themselves felt uneasy calling for an increase in governmental power, especially at the federal level. Still, while asserting their bitter opposition to "any undue centralization of power in the hands of the general Government," proponents of government operation of the railroads contended that they felt compelled to support the position that they did because increasingly powerful railroad corporations threatened to "take possession of the country" and transform the "great masses" into "serfs for the millionaires of the country."⁷³ "We admit that this thing of a state assuming control of private property is a dangerous precedent, for it is not in keeping with the professions of a republican government and may lead to something more dangerous," one north Georgia editor com-

mented in 1884. "But we have always believed that as the country increased in population and wealth it will be found necessary to tighten the reins of government. [Thus] we believe that the general government should assume control of all the railroads and other great public enterprises of the country, and see that they are not turned into instruments of oppression."⁷⁴

Support for government operation of railroads in the early 1880s should not be exaggerated. Many early advocates failed even to present a clear explanation of what they meant by such terms as government "management," "control," or "operation" of the railroads. While some clearly favored government ownership of the railroads, others were ambiguous as to whether they advocated government ownership or, in effect, a more direct, stronger form of government regulation. In any case, popular support arose in this era for effective government regulation, not ownership. Yet, support for government ownership of the railroad grew throughout the 1880s, in part due to the limited results of state regulation. By the 1890s, many Populists had abandoned pushing for regulation and straightforwardly advocated the nationalization of the nation's transportation system. While the experiences of small producers in the 1870s and 1880s had altered their ideas concerning what political measures were needed to restrain the power of railroad corporations, their attitude concerning the proper role of government remained basically

the same throughout the period. Both advocates of effective government regulation of railroads and of government ownership expected the government to promote the independence and well-being of the many. Both stressed the monopolistic and extraordinary character of railroad property in justifying governmental interference. But both also contended that governmental interference for the public good was a natural extension of state power in a republican society.⁷⁵

FOOTNOTES

¹Thornton, Politics and Power in a Slave Society, 51-2; Wallenstein, "From Slave South to New South," xxiv, 67-126; Watson, Jacksonian Politics and Community Conflict.

²Discussed in Perman, Road to Redemption, 193-220.

³Carter Goodrich, "Public Aid to Railroads in the Reconstruction South," Political Science Quarterly 71 (Sept. 1956), 407-42; Summers, Railroads, Reconstruction and the Gospel of Prosperity, 265-7, 283-5.

⁴Perman, Road to Redemption, 267-8; Summers, Railroads, Reconstruction and the Gospel of Prosperity, 297.

⁵Stover, The Railroads of the South.

⁶Winston Signal, July 14, 1883; Ferguson, "Agrarianism in Mississippi," 413-25; Kirwan, Revolt of the Rednecks, 54-6.

⁷Hackney, Populism to Progressivism, 125-6.

⁸Garrison, "Old South or New?" 249; Wynne, "Planter Politics in Georgia," 288.

⁹Brandfon, Cotton Kingdom of the New South, 72-4; Perman, Road to Redemption, 232-4; Rogers, One-Gallused Rebellion, 149; Shaw, Wool-Hat Boys, 18-20.

¹⁰For many years, scholars writing in the Progressive tradition viewed the enactment of railroad regulatory measures rather straight forwardly as a popular movement to control corporate power. In particular, oppressed farmers were viewed as the main advocates of regulation. See, for example: Solon Buck, The Granger Movement: A Study of Agricultural Organization and Its Political, Economic, and Social Manifestations, 1870-1880 (Cambridge, 1913); John D. Hicks, The Populist Revolt: A History of the Farmers' Alliance and the People's Party (Lincoln, Neb. 1961).

¹¹Some historians argue that commercial shippers and merchants, not farmers, were the main force behind regulatory efforts. See, especially: Lee Benson, Merchants, Farmers, and Railroads: Railroad Regulation and New York Politics, 1850-1887 (Cambridge, 1955); George H. Miller, Railroads and the Granger Laws (Madison, 1971).

¹²James Doster, "Railroad Domination in Alabama, 1885-1905," Alabama Review 7 (July 1954); Ferguson, "Agrarianism in Mississippi," 281-3; Allen Going, "The Establishment of the Alabama Railroad Commission," Journal of Southern

History 12(Aug. 1946), 370-1; Hackney, Populism to Progressivism, 133; McMillan, Constitutional Development in Alabama, 204; Woodward, Origins of the New South, 1-22.

¹³Doster, Railroads in Alabama Politics, 83-6; Keller, Affairs of State, 179-80; Miller, Railroads and the Granger Laws, 168-71; Roche, "Entrepreneurial Liberty and the Fourteenth Amendment"; Skowronek, Building a New American State, 137.

¹⁴M. Ferguson, State Regulation of Railroads, 15; Milton S. Heath, The Role of the State in Economic Development in Georgia to 1860 (Cambridge, 1954), 366; Summers, Railroads, Reconstruction and the Gospel of Prosperity, 40.

¹⁵Mississippi House Journal, 1880, 546.

¹⁶Ibid., 47-8.

¹⁷Small, Stenographic Report of [Georgia's 1877] Constitutional Convention, 455-6.

¹⁸Winston Signal, March 4, 1882.

¹⁹Mississippi House Journal, 1884, 322-7. See also: Florence Gazette, December 13, 1884, December 20, 1884; Athens Banner-Watchman, April 7, 1885, June 2, 1885; Gwinnett Herald, March 24, 1880.

²⁰Italics added, Mobile Daily Register, February 8, 1881. See also: James C. Clarke of the Chicago, St. Louis & New Orleans Railroad to Governor John Stone, Mississippi Governor's Papers.

²¹Winston Signal, September 8, 1883. See also: Mississippi Senate Journal, 1880, 368.

²²Gwinnett Herald, September 3, 1879.

²³Florence Gazette, December 13, 1884.

²⁴Mississippi House Journal, 1884, 322-7.

²⁵"Extract of an Atlanta letter" in Athens Banner-Watchman, December 30, 1884.

²⁶Conversation with R.L. Bloomfield in Athens Banner-Watchman, March 25, 1884.

²⁷Gwinnett Herald, February 12, 1884.

²⁸Winston Signal, September 8, 1883. See also: Alabama House Journal, 1880-81, 546-7; Athens Banner-Watchman, June

2, 1885.

²⁹Mississippi House Journal, 1880, 548-9.

³⁰Williamson in Jackson Weekly Clarion, January 30, 1884.

³¹Letter of "East Mississippi Democrat" in Jackson Weekly Clarion, April 25, 1883. Harry Scheiber, "The Road to Munn: Eminent Domain and the Concept of Public Purpose in the State Courts," Perspectives in American History 5(1971); Scheiber, "Federalism and American Economic Order," 94-6.

³²Letter of Robert Toombs in Atlanta Constitution, September 19, 1879.

³³Florence Gazette, December 25, 1880.

³⁴Letter of "I.S." in Winston Signal, July 28, 1883. See also: letter of "East Mississippi Democrat" in Jackson Weekly Clarion, April 25, 1883.

³⁵Jackson Herald, July 17, 1885.

³⁶Small, Stenographic Report of [Georgia's 1877] Constitutional Convention, 405; letters of Robert Toombs in Atlanta Constitution, July 16, 1879, September 5, 1879, September 19, 1879.

³⁷J.C. Fain in Calhoun Times, November 17, 1877.

³⁸Hinds County Farmers' Meeting in Jackson Weekly Clarion, June 30, 1881.

³⁹Athens Southern Banner, May 28, 1878. See also: Jackson Weekly Clarion, February 22, 1882.

⁴⁰Letter of "A Looker On" in Jackson Weekly Clarion, July 28, 1881. See also: *ibid.*, "Fundamental Principles [of the Greenback Party]" in *ibid.*, September 8, 1881; letter of "D." in *ibid.*, May 10, 1882; "D.J." in Tupelo Journal, March 3, 1882.

⁴¹Quoted in William P. Roberts, "The Public Career of Doctor William Harrell Felton," (PhD diss. Univ. of North Carolina), 375.

⁴²Tuscumbia Democrat, January 22, 1881. See also: Small, Stenographic Report of [Georgia's 1877] Constitutional Convention, 381.

⁴³James Doster, "Trade Centers and Railroad Rates in

Alabama, 1873-1885: The Cases of Greenville, Montgomery and Opelika," Journal of Southern History 18(May 1952), 184-5.

⁴⁴Going, Bourbon Democracy in Alabama, 134; Hackney, Populism to Progressivism, 124-5.

⁴⁵Montgomery Advertiser, October 2, 1880.

⁴⁶Doster, Railroads in Alabama Politics, 9; Doster, Alabama's First Railroad Commission, 36-9; Going, Bourbon Democracy in Alabama, 134-6; Going, "Establishment of the Alabama Railroad Commission," 377-8.

⁴⁷Jasper Eagle quoted in Huntsville Advocate, August 17, 1881. See also: Huntsville Advocate, June 29, 1881, July 6, 1881.

⁴⁸Florence News quoted in Huntsville Advocate, March 23, 1881. See also: Florence Gazette, March 5, 1881; Doster, Alabama's First Railroad Commission, 36-9; Going, Bourbon Democracy in Alabama, 138; Going, "Establishment of the Alabama Railroad Commission," 380.

⁴⁹Montgomery Advertiser, December, 1884; Doster, Alabama's First Railroad Commission, 176; Going, Bourbon Democracy in Alabama, 138-9; Going, "Establishment of the Alabama Railroad Commission," 383-4.

⁵⁰Alabama House Journal, 1884-85, 461-2, 544-5; Doster, Alabama's First Railroad Commission, 176; Doster, Railroads in Alabama Politics, 25-6.

⁵¹Alabama House Journal, 1884-85, 309.

⁵²Doster, Alabama's First Railroad Commission, 177.

⁵³Clark, Populism in Alabama, 42-3; Doster, Railroads in Alabama Politics, 32-3, 43; Going, Bourbon Democracy in Alabama, 140; Going, "Establishment of the Alabama Railroad Commission," 385.

⁵⁴Wallenstein, "From Slave South to New South," 125-6, Peter Wallenstein, "Rich Man's War, Rich Man's Fight: Civil War and Transformation of Public Finances in Georgia," Journal of Southern History 50(Feb. 1984), 22.

⁵⁵Wallenstein, "From Slave South to New South," 305, 309, 373.

⁵⁶Ibid., 311; Garrison, "Old South or New?" 36; Nathans, Georgia Republicans and Reconstruction, 207.

⁵⁷Nathans, Georgia Republicans and Reconstruction,

206-20; Ward, "Georgia Under the Bourbon Democrats," 358-9.

⁵⁸Cartersville Standard and Express, May 22, 1873. See also: letter of "Georgian" in ibid.

⁵⁹Jim D. Cherry, "The Georgia Railroad Commission, 1879-1888," (MA thesis, Univ. of North Carolina, 1941), 26; Garrison, "Old South or New?" 242-3.

⁶⁰Ward, "Georgia Under the Bourbon Democrats," 365.

⁶¹Ibid., 234-5; Perman, Road to Redemption, 206-7.

⁶²See comment by Railroad Commissioner James M. Smith in Report of the Committee of the Senate upon the Relations between Labor and Capital (Washington, 1885), v.4, 553. See also: Alex Arnett, The Populist Movement in Georgia (New York, 1922), 69-71; Cherry, "Georgia Railroad Commission," 66-90; M. Ferguson, State Regulation of Railroads, 95-104.

⁶³Cherry, "Georgia Railroad Commission," 91-124; Rebecca L. Felton, "My Memoirs of Georgia Politics" (Atlanta, 1911), 547-80; Roberts, "Public Career of Felton," 372-91; Ward, "Georgia Under the Bourbon Democrats," 374-5.

⁶⁴Harris, Day of the Carpetbagger, 563-6.

⁶⁵Mississippi House Journal, 1882, 280-2. For state legislative debate over charter provisions, see: Mississippi House Journal, 1878, 193,216-7,397-402,478-9; Mississippi Senate Journal, 1880, 462-3,500-02; Mississippi House Journal, 1882, 191-4,280-2,284-6,348-50,351-2,555-6. See also: Ferguson, "Agrarianism in Mississippi," 278.

⁶⁶"Lee" in Tupelo Journal, February 10, 1882. See also: "Lee" in ibid., February 3, 1882, February 17, 1882, February 24, 1882.

⁶⁷Ibid., February 24, 1882.

⁶⁸Mississippi House Journal, 1884, 322-7. See also: debate between gubernatorial candidates Robert Lowry and Benjamin King, Jackson Weekly Clarion, October 21, 1881.

⁶⁹Letter of "Sigma" in Jackson Weekly Clarion, July 7, 1881; Tupelo Journal, February 8, 1884; February 29, 1884, April 4, 1884; Ferguson, "Agrarianism in Mississippi," 272,288-98; M. Ferguson, State Regulation of Railroads, 150-1; Vogt, "Problems of Government Regulation," 49-52.

⁷⁰Tupelo Journal, May 27, 1887. See also: ibid., December 25, 1885; September 23, 1887.

⁷¹Hinds County Farmers' Meeting in Jackson Weekly Clarion, June 30, 1881.

⁷²In Mississippi, for example, see: Mississippi House Journal, 1880, 593-4; Chickasaw Messenger, April 14, 1881; Jackson Weekly Clarion, September 8, 1881; Tupelo Journal, December 25, 1885.

⁷³Gainesville Eagle, April 1, 1881. See also: ibid., February 4, 1881.

⁷⁴Athens Banner-Watchman, January 22, 1884. See also: ibid., July 3, 1883; Gwinnett Herald, April 13, 1881.

⁷⁵Destler, American Radicalism, chap. 1; Palmer, "Man Over Money", 76-80, 251-2; Watson, Jacksonian Politics and Community Conflict, 178-80.

CHAPTER SEVEN

Race and Politics

Despite intimidation, electoral fraud, and a national Republican administration increasingly indifferent to their needs, many blacks remained politically active in the post-Reconstruction South. Economically and racially oppressed, blacks continued to look to political power as a means to ameliorate their condition. To be sure, access to political power became increasingly limited for blacks following the end of Reconstruction. Redeemer state governments were firmly committed to serving the needs of Southern planters. Republican presidents increasingly courted white Republicans and Independents, rather than black Republicans, in an attempt to divide the Southern white vote and increase national Republican support in the South. Still, substantial numbers of blacks continued to vote in the 1880s, and black political leaders continued to seek political leverage, albeit in a hostile political environment.¹ Although Northern Republican concern for the rights of Southern blacks had declined over the previous decade and electoral chicanery could always invalidate black votes, Southern blacks recognized that political clout remained vital to ensuring some protection for their civil rights and personal safety. And, despite the widespread white hostility toward black assertiveness evident in the era, white politicians courted the black vote, acknowledging

that black political influence still existed.

Democratic leaders appealed for black support by contending not only that the Republican party was powerless and thus unable to aid blacks but also that Republican leaders were opposed to blacks actively participating in their party -- a charge not without substance. Racial divisions within the Southern Republican party, between the so-called "lily-white" and "black-and-tan" factions, are well known.² Some white Republican leaders, such as Jonathan Norcross and former Confederate General James Longstreet, were openly hostile to black officeholding and party leadership. When these two Republicans attempted to establish a "White Man's [Political] Organization" in Georgia in 1884, for example, they explicitly revealed their attitude toward blacks:³

We have tried negroes as party leaders for sixteen years, and find them totally inefficient. They, in general, are not reliable voters, they are utterly incompetent as leaders, and have no capacity whatever for organization. We can never succeed as a party in effecting any good until we cast off the incubus of negro-leadership and organize a party with white men in the front.

Control over, or at least significant input into, the party organization was, of course, of crucial importance to black politicians attempting to influence party policies. With a national Republican administration in office in the 1870s and early 1880s, moreover, access to federal patronage positions was of importance to politically ambitious blacks. These positions offered individual rewards and

often needed income for those receiving them as well as serving an important function in keeping the party organization intact. They also were of significance to the wider population in determining how governmental power would be exercised.⁴

Not surprisingly, then, black politicians and leaders resisted the efforts of white Republicans to dominate the party organization and criticized federal patronage practices often indifferent and sometimes hostile to their needs and desires. Blacks, after all, were the major supporter of the Republican party in the South and thus were entitled to at least "a few of the offices within the gift of the party," as black editor Charles Hendley, Jr. argued.⁵ "I am a republican but hope never to be so blind and inactive as not to see and endeavor to show the injustice and ingratitude continually practiced on my people by the present leaders of the republican party," a like-minded black resident of Madison county, Alabama complained.⁶ Other black spokesmen warned that black support for the party could be taken for granted for only so long. "I shall vote the Republican ticket [next year]," one black Alabamian commented in 1883, "but there is a disaffection among our people that will have to be quelled before they can be relied on to vote 'solidly' anymore."⁷

The Democratic press played upon this discontent in an attempt to attract black support for the Democratic party.

Indeed, any sign of black disaffection from the Republican party was sure to be publicized and commended by Democratic spokesmen. Democratic papers throughout the state of Alabama, for example, printed the proceedings of an 1882 "Colored Convention" of Montgomery county which condemned the "selfish" purposes for which white Republican politicians had heretofore used the black vote and which endorsed the Democratic state and county tickets. "In short, the better element among the colored voters are already convinced of the hollowness of Republican pretenses," one Democratic newspaper commented concerning the convention, "and [we] may look for constant accessions to the Democratic ranks."⁸ Similarly, when Mississippi blacks demanded that a black Republican congressional candidate be selected in their district, a local Democratic newspaper reminded blacks that they were "esteemed by the Republican leaders only as voters, and not as office-holders."⁹ Other newspapers also played upon the same theme, contending that blacks were wising up to "Radical duplicity" and turning to the Democratic party.¹⁰

Circumstances did sometimes lead black leaders to ally with Democrats in order to gain some political leverage. Perhaps most noted by historians was the open support given to the moderate wing of Mississippi's Democratic party by John R. Lynch, chair of the state Republican executive committee of Mississippi in the 1880s, and James Hill, collector of Internal Revenue in the state in the early

1880s. The desire to control federal patronage, white Mississippi Republicans charged, was the main motivation leading black leaders to ally with moderate Democrats, who agreed to look after their patronage concerns in Washington in exchange for black support for Democrats in Mississippi. Competition for federal patronage surely motivated black leaders, as it did white politicians. Yet the fact that some white Mississippi Republican and Independent leaders showed little concern for the plight of blacks must also be considered in analyzing the actions of black politicians who showed a willingness to cooperate with moderate Democrats. In Georgia, too, influential blacks, such as William A. Pledger, state chair of the Republican party in the early 1880s, supported Democrats rather than white Republicans and Independents attempting to reduce the political power of black leaders.¹¹

On the local level, even more than the state level, black leaders were sometimes forced into alliances with Democrats in order to retain any power and provide services for ordinary blacks. In many heavily black populated counties where local Republican officials still presided following Redemption, Democrats used a variety of techniques, in addition to violence and intimidation, to oust recalcitrant officeholders. Discussing these tactics, one congressional committee investigating conditions in Alabama in the mid-1870s, for instance, found that the "most efficient

means" employed by Democrats to drive Republicans from offices to which they had been elected was to render it "impracticable" for them to raise their bonds. "One Marshall G. Candee, a republican was elected sheriff of Wilcox county by over three thousand majority," the committee wrote, in providing an example of how Republicans were deprived of elected offices by means of this method. "His bond was fixed at forty thousand dollars, twenty-five thousand in excess of that of his predecessor. He made this bond, and then was required to execute an additional bond of fifty thousand dollars, which he failed to do within the time prescribed by law, and lost his office. As in all other cases, the governor appointed a democrat to succeed him." "The bond of the present incumbent, a democrat," the committee added, "is fifteen thousand dollars."¹² Similarly, Democrats promoted a bill in 1875 to abolish the Dallas county, Alabama, criminal court because a black Republican judge was elected to preside over the court. "To legislate men out of offices to which they have been elected by the free choice of the people," black legislators protested, "is subversive of the principle of popular government, substitutes the will of the minority of that of the majority, and tends toward revolution and anarchy."¹³ Yet, Democrats continued to do just that over the next decade in order to remove Republican officials in the few localities where they still served.

Given these political circumstances, it is not sur-

prising that some black leaders cooperated with Democrats willing to arrange an accommodative relationship with them. Accordingly, Democrats and black Republicans in some counties offered joint tickets in local elections, with whites receiving the most important local offices and blacks at least receiving some minor positions.¹⁴ It is easy to view these black Republicans as being interested only in personal gain. And it is true that black political leaders were generally part of the elite of the black community and perhaps more conservative than average blacks in not wanting to disturb the status quo from which they, in a relative sense, benefited. It is, however, also important to recognize that most black leaders who cooperated with Democrats probably viewed their action as a realistic tactic toward gaining at least a degree of political leverage in a hostile political milieu.

Yet, most blacks opposed the Democratic party. Despite their justifiable criticisms of the Republican party, blacks continued to look to that party as the most viable avenue to political power. As Eric Anderson has shown in his study of black political activity in late nineteenth-century North Carolina, the party organization itself, in providing resources, access to patronage, and an organizational apparatus, was an important institution for blacks seeking political influence.¹⁵ In many areas, however, the Republican party organization was weak in the 1880s, and in

many local and state elections no Republican ticket appeared on the ballot. No Republican state ticket, for example, was offered in Alabama from 1878 to 1884.¹⁶ In many cases, blacks supported other anti-Redeemer candidates on the ballot -- sometimes, as we shall see, providing crucial votes for Independent and Greenback office-seekers.¹⁷

Black support for Independents and Greenbackers resulted as much, if not more, from a hostility toward the Democratic party as from the appeal of white anti-Redeemer groups. Many blacks shared the attitude of the 1882 Georgia black convention that declared itself in "sympathy with any movement [attempting] to overthrow the Bourbon Democracy."¹⁸ Black support for Independents and Greenbackers, to a large extent, came down to the view that, if in power, these groups would foster a government more respectful of political and civil rights than that which currently existed. Many Republicans, black and white, agreed with the chairman of the Republican committee for Alabama's Eighth Congressional district when he explained his support of Greenbackism in blunt terms. "I am a hard-money, national bank man," he wrote. "Why, then, did I and the mass of Republicans here support the Greenback-Labor candidate? Let me frankly tell you. There are questions of more vital importance in Southern politics than banking and currency.... They are issues such as fair elections, an honest count, free thought, free speech, free government

itself."¹⁹ Or as one ex-slave argued, it was the "duty of the colored voter" to oppose the Democratic party. By supporting that party, he wrote, a black was "voting himself back into... servitude."²⁰

Black support for Independent and Greenback candidates, to be sure, was not unswerving. White Republican leaders were more consistent in advising their followers to support other anti-Redeemer tickets (when Republican candidates had little chance of winning or no Republican ticket was offered) than were black leaders. Concerns over their influence in patronage matters and over how best to safeguard the rights of blacks made black leaders wary of allying with the white-led Independent and Greenback movements. As we have seen, some black leaders advised blacks to support moderate Democratic candidates rather than white Republican nominees. Likewise, black leaders opposed state-wide white Republican-Independent coalitions, such as the 1882 Georgia alliance between these groups, which ignored or minimized black leadership participation.²¹

The apprehensions of black political leaders concerning the role Independents and Greenbackers conceived for blacks within their movements was not without cause. While desiring black support, hill country anti-Redeemers were not willing to give blacks an equal place in Southern politics and were constantly denying the Democratic charge that they desired "social equality" between the races.

Although blacks participated in the conventions of oppositional white groups and were included on fusion tickets, Independents and Greenbackers made it clear that their movements were to be led by whites. "The powerless black race is compelled to look, as matters stand, to the justice of the white race for full establishment of his citizens rights, and not to a revival of the old carpet-bag methods," north Mississippi Independent T.C. Lyon contended. "The appeal in this behalf by the new movement is, therefore, not to him, but to the white man for him."²² Many Independents and Greenbackers argued that while the black voter's "common sense" would convince him to vote for white anti-Redeemer candidates since they were attempting to obtain his vote by "fair, honest argument," their movement was to be controlled by whites acting in the interest of blacks.²³

Moreover, many Independents made it clear that they considered themselves to be Independent Democrats, a fact that blacks should understand. "Today a leading Republican of the colored persuasion came up to me while I was talking with a white Democrat and said he had advised the Republicans to stand by the New Movement and that he thought that there was no doubt that they would do it all over the state," one north Georgian wrote to Independent leader William Felton. "I replied promptly the New Movement was an independent democratic movement and all who support it, so understanding it, will be cordially welcomed...."²⁴

Agreeing with this definition of their movement, many Independents referred to themselves as the "true Democrats" of the South.²⁵

To counter the Democratic charge that a division of the white vote would lead to a return of "Radical rule," Independents and Greenbackers continually emphasized that the Republican party was "dead and buried in the South."²⁶ If the Republican party did show signs of reviving, most white anti-Redeemers declared that they would quickly join with Democrats to put down the threat. "There is not a sensible independent Democrat in the district, so far as we have conversed with them, that is not ready to unite in the defeat of a Republican candidate... whenever there is danger of such a contingency by a division of the Democratic forces," a Georgia Independent editor commented.²⁷ Similarly, when Democrats argued that an oppositional vote on the local level contributed to the success of the national Republican party, white anti-Redeemers responded that it was the "curse" of the South that national politics was brought into elections involving local issues. "Every election for a beat constable in some outlying rural district and every municipal election in every one-horse town is made by the Bourbons to hinge upon imaginary national issues," one Alabama Greenbacker contended.²⁸ "The masses are getting tired of this folly," a like-minded Greenback editor declared.²⁹

Like other white Southerners, then, Independents and Greenbackers tended to be hostile to black political assertiveness. The charge of some black leaders, which led them to ally with Democrats, that white anti-Redeemer leaders wanted black votes to help them secure political positions for themselves was, to an extent, true. Personal aspirations motivated politicians of all political persuasions and of both races. For some Independent and Greenback leaders, as other politicians, personal gain was the primary reason for being involved in politics. And white anti-Redeemers shared the general racist attitudes of their race.

Still, Independents and Greenbackers did express a greater commitment to protecting black civil rights than did most white politicians. "I am not a representative of the negro," as one Independent delegate to Georgia's 1877 constitutional convention declared, "I come from the white portion of the state... where there is [much] prejudice against the negro, and I have found, sir, that men who never owned a negro before the war, are usually most intolerant towards him. But I am here to give them justice, nothing more and nothing less."³⁰ "Our position upon this color question is simply this: Let the negro alone, let him, by industry, obedience to law and a quiet, orderly life solve his own problem," a similarly minded Independent editor argued, "but, see to it, that every right he is entitled to under the federal constitution is secured to

him without opposition or question.... Let his person, life, property and proceeds of his labor be as sacredly guarded and protected by our laws and courts as those of all other citizens; do this and then let him alone in the enjoyment of his rights of citizenship."³¹ Conversely, white anti-Redeemers advised blacks that their "interest" made it their "duty" to elect men who would "give them their rights under the law."³²

The insistence of Independent and Greenback leaders that they would protect black civil and political rights, of course, can be viewed as political opportunism, designed only to attract black votes. Once elected, white anti-Redeemer politicians might show their true face by forgetting their campaign promises. After all, Democratic candidates courting the black vote also insisted that they would best serve the needs (as defined by white leaders) of black voters. Black leaders and voters, however, would have quickly become unsympathetic to Independent and Greenback candidates, if once elected they betrayed their promises. For blacks to support anti-Redeemers in the first place meant that they had to challenge the regional political and economic elite, a move which could provoke economic and physical reprisals. While it is clear that many blacks were willing to take the risk if real gains were to be achieved, they would not have been for long if the promises of white oppositional candidates proved hollow. To attract

and retain black support, thus, Independents and Green-backers had to prove that they sincerely meant to work in some measure for the interests of blacks. This was particularly true in political districts where white oppositional movements hoped to make gains with significant black populations, such as the Tennessee Valley of north Alabama, and on political issues which affected blacks most directly.

In 1875, the year after Reconstruction was overthrown in Alabama, the black Republican members of that state's legislature sent a memorial to the United States Congress protesting conditions in the region. "The democratic party of Alabama," these legislators contended,

has made, and is now making, a deliberate attempt, as shown by their leaders in the present general assembly, to change the penal code and criminal laws of Alabama so as to place the liberty and legal rights of the poor man, and especially of the poor colored man, who is generally a republican in politics, in the power and control of the dominant race, who are, with few exceptions, the land-holders, and democratic in politics.

Among the complaints listed by these black Republicans were Democratic efforts to penalize petty crimes as felonies, to define the breach of contract by an employee as a criminal offense, and to "repress and curtail trade... by laws utterly hostile to the spirit and letter of the laws of... free labor communities." "We need not remind you," the memorialists wrote, "how such a policy is at variance with all the results intended to be wrought out by the war for the preservation of the Union. That was a conflict of

ideas as well as of armies. The issue was free-labor institutions and principles against slave-labor institutions and principles. It was a conflict between these two types of civilization. And yet, while the slave-labor system did not triumph at Appomattox, [it is] thus seen to be practically triumphant in Alabama."³³

Many historians have discussed the labor regulatory measures enacted by post-Reconstruction Southern legislatures. By restricting the mobility, legal rights, and access to natural resources of their laborers, landlords and commercial elites sought to increase their own political and economic leverage. In addition to their desire to use the state rather straightforwardly as an instrument of labor control, planters also attempted to increase the ex-slaves' dependence on their employers through the redefinition of legal property rights in the region. Measures preventing landless individuals from grazing their livestock on the property of others and prohibiting hunting and fishing on private property, for example, were designed by Southern legislators to hinder the ability of ex-slaves to subsist independently and thus to make them more economically dependent on planters and landlords. Indeed, by legally defining sharecroppers as wage laborers, with no legal right to the crops they grew until divided by their landlords, the Southern courts greatly increased the property rights of Southern landlords and, thereby, their

economic leverage over their laborers. Under this court interpretation, sharecroppers could be charged with theft if they sold the crops they grew before their landlords took their share for rent and credit.³⁴

Given that the Fourteenth Amendment and federal civil rights legislation of the post-war era prohibited the enactment of racially restrictive measures, such as those included in the Black Codes of 1865 and 1866, labor regulatory measures promoted by Redeemers were necessarily color blind. While planters were primarily concerned with regulating the behavior of ex-slaves, hill country residents understandably felt threatened by this type of legislation since it could also be used against poor white Southerners. Indeed, labor restrictive or market regulatory measures directly affecting their own civil and economic rights were sternly criticized by hill country residents and their spokesmen. "There is a class of legislation urged at every session [of the state legislature] which the members from the upper and lower sections of the State divide," as north Georgia state Senator Tyler Peeples, a vocal critic of labor regulatory legislation, commented in 1883. "And it may be accounted for upon the ground that they represent a different class of constituents. In Northern Georgia the laboring classes are white, in middle and lower Georgia they are negroes. - A law that Southern Georgia members insist is necessary to control the labor in that section, would be harsh and unjust on white men who have the misfor-

tune to be poor."³⁵

Thus, when Georgia's state Senate passed a bill regulating the activity of farm laborers and croppers, north Georgia legislators opposed the bill. "The Middle Georgia members thought it a great injustice that North Georgia voted solidly against it," Senator Peeples observed. "The bill is leveled at the negro, but unfortunately it places the white tenantry on the same plain with the 'brother in black.'"³⁶ Critics contended that this bill, which prohibited farm laborers and croppers from hiring themselves to any other person than the landlords with whom they had contracted for the duration of their contract, was oppressive in nature and a piece of "class legislation." Under this law, Peeples argued, a tenant who contracts will be in "absolute servitude" from the first of January until the end of the year. "The agreement of the tenant is simply to make a crop; if he complies with that obligation, and after gathering, pays the landlord his rent, what further claim has he upon the time of the tenant?"³⁷ Many hill country residents would have agreed with the Senator when he criticized a state legislative bill making it criminal for an indebted employee to abandon the service of an employer on broader grounds. "The policy of all legislation which attempts to enforce civil contracts by penal statutes is of very questionable propriety," Peeples commented. "It is in effect establishing imprisonment for debt and when the

policy is once established as correct and not in violation of the Constitution, it will be difficult to limit it within reasonable bounds and will fill the jails and chain gangs of the states."³⁸ Of course, in desiring to regulate strictly the activity of black laborers and increase the power of employers, this was precisely what planters had in mind when they attempted to enact such legislation. Yet, upcountry whites recognized that it could easily be used to oppress poor white as well as black Southerners.

Market regulatory legislation in the interest of planters, but detrimental to the interest of small producers, also provoked the ire of hill country whites. When Georgia's legislature considered a law to prohibit the marketing of agricultural products at night, a measure planters argued was needed to prevent petty thefts by blacks, hill country opposition quickly arose. One hill country editor contended that the law would cause a "great inconvenience" to many farmers. "Many of our best farmers, for convenience and to save time, arrive at market at a late hour in the day, and... do their selling and buying at night, and by sunrise next morning are on their way home," this editor wrote. "Now, if the above cited law was made, they would necessarily be required to remain over a whole day, which would be lost to their business at home."³⁹ Similarly, a bill considered in the 1878-1879 session of the Alabama state legislature to prevent the sale of seed cotton in small quantities antagonized many hill country

whites. "Small farmers in this section will be greatly and justly offended, if a bill shall pass that will prevent them from selling the little surplus they may have, [often] less than a bale," one newspaper argued. "They cannot, in many instances, afford the expense of hauling it to gins and the cost of ginning. The Legislature had, therefore, better adopt some other mode to protect Black Belt planters."⁴⁰

Yet, much of the legislation related to the regulation of the region's labor situation and the redefinition of property rights was, at least initially, applicable only in heavily black populated counties and thus did not directly affect hill country areas. Black belt representatives recognized early on that small producers in the upcountry opposed such legislation when it was state-wide in scope. And hill country Democratic legislators and leaders generally did acquiesce in the effort of black belt whites to implement geographically restricted measures. Much hill country opposition to labor and market regulatory measures, however, arose even when the legislation was limited to certain counties. Many hill country whites, anti-Redeemers in particular, opposed the enactment of types of legislation which, if not an immediate direct threat, presented ominous signs for the future.

Indeed, elites from their own region also benefited from class-oriented measures. While lien laws, for example,

were ultimately designed in the interest of black belt landlords, giving them control of credit in that region, merchants in hill country areas found them suitable for their own purposes. Similarly, as Steven Hahn and others have shown, debates over the open grazing of livestock did first arise in black belt areas as planters attempted to cut off the ex-slaves' access to productive resources. By the 1880s, however, the stock law controversy raged throughout the upcountry as local elites attempted to gain firmer control over their own private property and, at the same time, limit the small white producer's independent subsistence activities.⁴¹ As local elites gained increasing economic and political power, hill country small producers felt increasingly threatened by the adoption by Southern legislatures of class-oriented measures of whatever character.

Reflecting this concern, hill country anti-Redeemer legislators consistently opposed market and labor regulatory measures, whether general or applicable only to certain counties.⁴² The implementation of such state power in the interest of black belt planters was viewed by anti-Redeemers as the granting of privileges to a special interest group potentially harmful to the wider population. Thus, when the Alabama legislature considered a bill to prevent the sale of seed cotton in a black belt county, a hill country anti-Redeemer criticized it as "oppressive to the laborer, and more so to the farmer who owns cotton only

in small quantities." This Greenback legislator argued that although applicable only in one south Alabama county, the law posed a threat to all the citizens of the state. "The bill is wrong in theory and in practice,... it deprives citizens of valuable rights," he argued. "If the application of the principle were extended [it] would ruin the State."⁴³

While primarily concerned about the liberties and rights of whites, hill country anti-Redeemer opposition to labor and market regulatory legislation also aided blacks. As we have seen, hill country dissidents fought market and labor regulatory laws applicable only in the black belt as well as those affecting the hill country. In opposing these laws, they contended that the "rights of labor" should be protected as well as the "rights of capital."⁴⁴ Moreover, white anti-Redeemers strongly opposed the notorious convict-lease system, which thrived in the post-Reconstruction South.⁴⁵ Yet, it is also true that anti-Redeemer activity in the interest of blacks was strongest in areas where anti-Redeemers required black support. Greenbackers and Independents from north Alabama, containing the heavily black populated Tennessee Valley area, were the strongest advocates of black rights in the three states under investigation, as their record in the state legislature indicates. The opposition of Mississippi Greenbackers to labor regulatory legislation was also re-

lated to their need to attract black votes. Still, while there were reasons of self-interest for white anti-Redeemers to support the interests of blacks, the support is impressive given the prevailing racial climate.

Hill country anti-Redeemers also promoted the political rights of black as well as white Southerners. Calling for a "free ballot and a fair count," anti-Redeemers frequently condemned the electoral chicanery practiced by the Redeemers and sought to enact fairer electoral laws in their respective states. Opposition to the Alabama election law of 1879, which, as one historian has written, "removed all possibility of conducting an accurate probe into an election suspected of being fraudulent," was extensive in the northern portion of the state. "I am expressing the opinion of thousands," one Independent legislator declared in 1885, "when I say, under the present election law of Alabama, the counters are more potent than the voters."⁴⁶ Year after year, petitions in favor of electoral reform from throughout the hill country flooded the state legislature only to receive the same hostile response as did the efforts of anti-Redeemer legislators to secure fairer election laws.⁴⁷

As in Alabama, north Georgia anti-Redeemers opposed proposals to regulate the franchise "as an unwarrantable and unnecessary interference with the rights of citizens." Motivated by such concerns, Independents at Georgia's 1877 constitutional convention unsuccessfully opposed the enact-

ment of the cumulative poll tax as a requirement to exercise the franchise. Prior to the adoption of this measure, each male adult was required to pay a one dollar poll tax or lose the right to vote, yet in order to vote an individual only had to pay the tax for the current year. Under the 1877 provision, however, an individual had to pay poll taxes due from all prior years -- a revision of the law which proved to be an effective device for restricting the suffrage. Recognizing the implication of such legislation, Independent William T. Wofford of Bartow county characterized it as class legislation, an attack on the rural poor by "gentlemen from the city... unable to understand the poverty of the people." Wofford also criticized those who justified the cumulative poll tax on racial grounds. "If the law says let the negro vote," the Bartow county Independent tersely argued, "then let him."⁴⁸

In Mississippi, too, white anti-Redeemers expressed outrage at electoral fraud. After describing numerous examples of corruption in his district, one Mississippi Independent contesting a state legislative election implored that body: "I request... for the sake of civil society; I request for the sake of the honor of the great and good Democratic party; I request for the sake of the Constitution of the United States and of the State of Mississippi, that this desecration of the American franchise be rebuked by you."⁴⁹ Mississippi Greenbackers

attempted to get party members appointed as election officials in order to prevent electoral fraud against those challenging the Democratic party, yet their efforts usually proved unsuccessful.⁵⁰

In calling for a "free ballot and a fair count," Greenbackers and Independents were primarily concerned about the political rights of white Southerners. Electoral legislation and practices designed to insure a Redeemer ascendancy was a direct affront to the small producers' political sensibilities. More concretely, as hill country whites argued, by manipulating the black vote, the minority of whites living in heavily black populated areas of the South gained a disproportionate amount of political leverage over their fellow white Southerners. And, as with other legislation enacted in this period, franchise restrictive legislation passed by the Redeemers was color-blind and thus could be and was used against whites as well as blacks. Still, hill country anti-Redeemers could justifiably contend that their efforts to promote a more honest electoral system in the South fostered the franchise rights of blacks. On other fronts, too, hill country anti-Redeemers opposed pro-planter measures detrimental to the political rights of blacks.

As we have seen, many labor regulatory measures were enacted in the post-Reconstruction era. Yet legislation favorable to the planters' interests was of little value if it could not be enforced on the local level. Local offi-

cials could be, as they had sometimes been during Reconstruction, a threat to the planters' control over their labor force if they sympathized with and supported the political and civil rights of blacks. Following Redemption, thus, the lower South's Democratically controlled state legislatures enacted legislation making local officials more responsible to the state government and less responsible to the electorate. Redeemer efforts to increase state governmental control over local officials met with unfavorable responses from dissident hill country whites and their state representatives.

As with other elite-sponsored measures, north Alabama anti-Redeemers complained about such legislation even when it did not affect their portion of the state. Greenback candidates and party platforms constantly denounced the abolition of local elective offices throughout the state. "The general law in Alabama gives the privilege to the people, the citizens of the county, to elect officers of the county," one north Alabama Independent told a congressional committee investigating conditions in post-Reconstruction Alabama. "In certain counties where the Republican party is in the majority, [however, the Democrats] have established boards of revenue in the place of county commissioners' court [the main county-level government body in Alabama at this time] and the appointment of the officers of this board has been placed in the hands of the governor.

He makes the appointment of the officers of this board, taking away from the people of those counties the right to select their own county officers."⁵¹ Similarly, in some Republican-controlled black belt counties local officials were deprived of the responsibility of selecting jurors. Rather, gubernatorially appointed jury commissions were set up to select jurors.⁵²

Jury selection provides a good example of an area in which hill country anti-Redeemers promoted black political rights. Both blacks and whites had grievances concerning the jury selection process in many Southern counties. The creation of gubernatorially appointed jury commissions in Republican-controlled counties, of course, upset local blacks. Likewise, officials in Democratic-controlled black belt counties rarely, if ever, selected black jurors. "The Commissioners say that they have some colored men in the [jury] box," as one Georgia black belt black put it, "but they have got them nailed to the bottom of the ballot-box, and they have never been drawn out in this county."⁵³

Hill country blacks also complained about not being selected as jurors.⁵⁴ Some whites responded that blacks were not chosen because white juries had judged blacks fairly and blacks themselves were not fit to be jurors. "The accused must be tried and condemned only by a jury of his peers," one north Alabamian contended. "The white man on trial before a mixed jury, is not before a jury of his peers in the length and breadth of this legacy as be-

queathed to us by the fathers. The black man on trial before a white jury [on the other hand,] is before a jury of his peers and more."⁵⁵

White anti-Redeemers, however, were more sympathetic to the blacks' demand to sit on juries. In the state legislature, they opposed Democratic efforts to regulate the jury selection process so as to make black participation virtually impossible. In the hill country anti-Redeemer officeholders tended to promote at least some black jury participation. Colbert county, Alabama, for example, saw its first black jurors since the end of Reconstruction only after anti-Redeemers gained control of the local government.⁵⁶ Again it was in counties with significant black populations, such as Colbert, that white anti-Redeemers acted most consistently in the interest of blacks. No doubt, the desire to attract black votes motivated these anti-Redeemers. But that, after all, was how the political system was suppose to but did not work in most areas of the post-Reconstruction South.

Hill country anti-Redeemers, too, generally supported the right of blacks to public education. As is well known, public education generally, but for blacks in particular, suffered dramatically from Redeemer cutbacks in government spending. Many whites complained of blacks benefiting from government services financed primarily through taxes on whites (although, of course, in reality a good deal of the

taxable wealth whites owned derived from the labor of blacks). "The public school system inaugurated by the radical and free negro Legislature, is a huge Humbug and a Swindle of the first magnitude, designed to educate the negroes at the expense of the white men," one typical white Mississippian contended. "In fact it is one of the links in the chain of public plunder that has been wrought out by carpet-bag and negro usurpation."⁵⁷ Agreeing with this opinion, many whites supported efforts to divide educational funds between the races in proportion to the taxes paid by each race -- a move which would have decreased public support for black education even further.⁵⁸

Hill country anti-Redeemers, however, supported the right of blacks to an adequate public education, no matter how little taxes they paid. To be sure, white anti-Redeemer support for public services for blacks was overall limited. When, for example, a black convention in Georgia called for public support for black higher education, one Independent editor described the demand as a "supercilious arrogance revolting to the Caucasian race." "Now we are in favor of giving the negro every opportunity for his intellectual advancement consistent with justice and the rights of other class of our people," this editor argued, "but we are not willing to submit to the arrogant demands set up for him... We are a friend of the negro, but we do not propose to become his slave."⁵⁹ Still, hill country anti-Redeemers did support black elementary public education at

a time when increasing numbers of whites opposed even this minimal state service for blacks.

When white anti-Redeemers claimed that they deserved the votes of blacks, then, there was a basis for their claim. White anti-Redeemers did promote some services for blacks and offered some degree of protection for their rights. Many blacks responded by supporting white anti-Redeemer candidates -- in particular, in hill country areas where oppositional movements were the strongest and economic pressures and intimidation by landlords were not as severe as in black belt counties. Contemporaries of every political persuasion noted that Independent and Greenback candidates attracted black support. After the November 1876 elections, for example, one north Georgia Democrat complained that Independent William Felton received the support of "Radicals and Niggers," contending that "a full nigger vote was cast in this county for Hayes, Wheeler and Felton."⁶⁰ After the 1878 elections, a Felton sympathizer claimed that almost all blacks in his area supported the Independent candidate. "I think we carried all the colored votes on our side of the ridge," he commented, "except 6 votes and they were bought up for shoes, bacon, and one or two" other items.⁶¹

In Mississippi, white anti-Redeemers also received significant black support. One Mississippian writing to Governor John Stone contended that the majority of blacks

in his county supported the Independents, even though "leading negroes" worked for the Democratic ticket.⁶² Similarly, although B.F. Garrett, the black chairman of the Republican executive committee of Madison county, told a congressional committee that black Republicans cooperated with the Democratic party in his county because Independents were unsympathetic toward blacks, many other blacks claimed that Garrett did not represent the true attitude of the majority of Madison county blacks. The main black participants in the county's Democratic-Republican fusion, these individuals argued, were Garrett and others who were nominated for office on the fusion ticket. Black Republicans almost unanimously felt that they were "sold out" by Garrett when he allied with the Democratic party, one local resident told the Congressional committee. Most Madison county blacks, he contended, supported the Independent ticket.⁶³

In Alabama, a hill country Democratic editor complained that "the solid colored vote is invulnerable to reason" in noting that blacks overwhelmingly supported Independent and Greenback candidates.⁶⁴ Concrete evidence demonstrates that in Alabama, black support contributed significantly, and in places crucially, to anti-Redeemer success. Greenbackers in Lawrence county, a stronghold of oppositional activity, for example, received substantial black support. Most blacks in Lawrence, as in other north Alabama counties, resided in the section of the county

nearest the Tennessee River -- a long settled plantation-dominated region of north Alabama. Population figures for Lawrence show that blacks outnumbered whites in the beats of the plantation region of the county, located in the northern section of Lawrence, although rural whites as well as blacks in this area tended to be more involved in commercial agriculture than farmers elsewhere in the region. Anti-Redeemer support tended also to be significant in this area. In particular, Beat 2 (which encompassed the town of Courtland) gave anti-Redeemer candidates significant support.

James Jackson, anti-Redeemer candidate for state Senator, for example, received 77 percent of the beat's vote in 1882. The beat's vote for Jackson comprised 42 percent of Lawrence county's total vote for the candidate. Most of this support came from the beat's rural areas. Yet even in the town of Courtland -- where the white population of the beat was most concentrated and where elite influence and authority was most significant -- blacks supported anti-Redeemer candidates. Both election precincts from the Courtland area supported anti-Redeemer candidates, yet Box 2 did so by an overwhelming majority. The available evidence indicates that in Courtland, 74 percent of the town's black population voted at Box 2, on the other hand, only 42 percent of Courtland's white population voted there. Blacks in Courtland as well as in the beat as a whole,

thus, seem to have supported anti-Redeemer candidates. Although the evidence is sketchy, town whites seem to have cast a higher percentage of their votes for Democratic candidates.⁶⁵

Table 14: Lawrence County, Alabama 1882 State Senate Race

	Pop. <u>Whites</u>	<u>Blacks</u>	Dem. <u>Chitwood</u>	Ind. <u>Jackson</u>
Beat 1	1065	1312	213	162
2	1317	1799	220	737
3	704	1114	89	171
4	1013	2459	98	92
5	1415	111	53	135
6	1701	498	162	178
7	2579	939	309	160
8	889	225	102	31
9	1967	274	175	68

Beat 2 Population:

	<u>White</u>	<u>Black</u>
Total	42%	58%
Town of Courtland	53	47

Beat 2 Vote:

	<u>Chitwood</u>	<u>Jackson</u>
Box 1	139	162
Box 2	21	509

Precinct Voted At, Town of Courtland:

	<u>White</u>	<u>Black</u>
Box 1	58%	26%
Box 2	42	74

Sources: Manuscript Census, Alabama, Lawrence County, Population Schedules, 1880; Moulton Advertiser, August 17, 1882; House Miscellaneous Documents 47th Cong., 1st Sess., No. 22, 1139-42, 1192-3.

Despite the support blacks gave hill country anti-Redeemer candidates and the fact that there is evidence to make the argument that anti-Redeemers deserved their support, it should again be emphasized that most Independents and Greenbackers did not support equality between the races or the equal participation of blacks in their movements. White anti-Redeemers look the best on racial issues when compared to Democrats, not when judged objectively. White anti-Redeemers resisted black participation in leadership positions in their movements and vehemently denied that their movements would lead to Republican and black dominance in the South. When leaders of these movements did attempt in the early 1880s to extend their state-wide support by formally aligning with the Republican party, many white supporters objected that their leaders were "gradually drifting... into the Radical fold" -- a charge that the Democratic press, not surprisingly, was ever ready to spread.

Democratic spokesmen had all along charged that by disrupting the Democratic party, Independentism and Greenbackism opened the way for Republicans to return to power. Often Democrats were harsh in their criticisms, calling white anti-Redeemers "disguised radicals" and "traitors" to their race as well as their party. Democrats argued that anti-Redeemer "disorganizing" activity weakened the Democratic party and aided black Republicans who saw white

oppositional activity as merely a means to divide the white vote and empower themselves. Even if Independents and Greenbackers honestly believed that they were acting from principle, the results of their actions would still be the same. "A child may start a flame that a thousand men cannot check," as one Democratic editor put it. "This is not a question of intentions, but of results."⁶⁶

These arguments, no doubt, kept many whites from bolting the party in the first place. Yet, it was not until the formal state-wide alliances between Greenbackers and Republicans in Mississippi in 1881 and between Independents and Republicans in Georgia in 1882 were created that Independent and Greenback white rank-and-file members deserted the movements in significant numbers. In Alabama, too, the movements were hurt by too close an association with the Republican party. To hill country anti-Redeemer sympathizers throughout the lower South formal alliance with the Republicans seemed to be an abandonment of Independent and Greenback principles as well as a dangerous association with the party of Reconstruction.

Thus, many Greenbackers expressed their dissatisfaction with the decision of Mississippi Greenback leaders to fuse and offer a joint state ticket with the Republican party in the 1881 elections and contended that no "genuine" Greenbacker would consent to it.⁶⁷ "We believe in the doctrines of the Greenback party and are willing to fight

the flesh and the devil in its defense," one Greenbacker argued, "but when the question is narrowed down to a mere matter of war between the ins and outs, we will take no part nor lot in such a fight."⁶⁸ Expressing a similar attitude, a Greenback mass meeting in Winston county declared itself anti-fusion.⁶⁹ Throughout the hill country, rank-and-file anti-Redeemers complained that their leaders not only were pursuing a course that might strengthen the Republican party but also were resorting to political expediency in an attempt to gain office, thus "sacrificing" the high ground of political independence upon which their movements had been built.

While not the only reason for the decline of white oppositional political activity, too close an alliance with the Republican party surely alienated many white anti-Redeemers, especially in areas where anti-Redeemer support for the rights of blacks had been limited all along.⁷⁰ Most Independents in Georgia and disgruntled Democrats in hill country Mississippi, while dissatisfied with the party organization, did not desire to overthrow the Democratic party and were most supportive of the interests of blacks on issues of a class nature, which affected or could potentially affect themselves. Yet, as increasing numbers of hill country farmers were affected detrimentally by socio-economic developments of the post-Reconstruction era and as political power was increasingly used in explicit ways to foster these developments, such issues contained the poten-

tial for bringing black and white ordinary people together to deal with matters of concern to both groups. Indeed, when surveying the period from a wider perspective, what stands out is not that racism hindered the development of a more permanent, interracial oppositional movement, but that white anti-Redeemers were as supportive of the interests of blacks as they were. To be sure, pro-black anti-Redeemer positions were greatest where black support was most needed, as in north Alabama. Yet, anti-Redeemers throughout the South were concerned with political economic developments of the period, an apprehension which led many anti-Redeemers to overcome, at least to a degree, their racial prejudices and concentrate on challenging those using the powers of the state to promote these developments. Ultimately, however, Redeemer violence, intimidation, and electoral fraud combined with the internal weaknesses of anti-Redeemer movements to stifle developing class-based interracial political cooperation and, at least for the time being, to stymie anti-Redeemer activity in the South.

FOOTNOTES

¹On national Republican policy concerning the post-Reconstruction South, see the writings of Vincent DeSantis: "Negro Dissatisfaction with Republican Policy in the South, 1882-1884," Journal of Negro History 36(Apr. 1951), "President Arthur and the Independent Movements in the South in 1882," Journal of Southern History 19(Aug. 1953), Republicans Face the Southern Question: The New Departure Years, 1877-1897 (Baltimore, 1959). For an overview of continued black political activity in the post-Reconstruction South, see: Kousser, The Shaping of Southern Politics, 11-44.

²Goins, Bourbon Democracy in Alabama, 51-2; Willie D. Halsell, "James R. Chalmers and 'Mahoneism' in Mississippi," Journal of Southern History 10(Feb. 1944), 38-9; Rogers, One-Gallused Rebellion, 48-50; Judson Ward, "The Republican Party in Bourbon Georgia, 1872-1890," Journal of Southern History 9(May 1943), 203-4; Wynne, "Planter Politics in Georgia," 336-7.

³Athens Banner-Watchman April 8, 1884; Olive H. Shadgett, The Republican Party in Georgia from Reconstruction through 1900 (Athens, 1964), 86; Ward, "The Republican Party in Bourbon Georgia," 199,208.

⁴Eric Anderson, The Black Second: Race and Politics in North Carolina, 1872-1901 (Baton Rouge, 1971), 334-5; Clarence A. Bacote, "The Negro in Georgia Politics, 1880-1908," (PhD diss. Univ. of Chicago, 1955), 61; Ruth C. McDaniel, "Black Power in Georgia: William A. Pledger and the Takeover of the Republican Party," Georgia Historical Quarterly 62(Fall 1978), 226.

⁵Huntsville Gazette, January 20, 1883.

⁶Letter of W.H. Gaston in ibid., November 17, 1883. See also: letter of W.H. Gaston in ibid., October 20, 1883.

⁷Letter of Jack Daw in ibid., November 17, 1883. See also: letter of "Rattler on Foot" in ibid., February 24, 1883; ibid., February 23, 1884; Anderson, The Black Second, 94,98,170; Bacote, "The Negro in Georgia Politics," 83,88,514-5,517; DeSantis, "Negro Dissatisfaction"; Goins, Bourbon Democracy in Alabama, 53; Halsell, "James R. Chalmers and 'Mahoneism'," 54; Roush, "Aftermath of Reconstruction," 293,297-8; Ward, "The Republican Party in Bourbon Georgia," 206.

⁸Moulton Advertiser, July 20, 1882. See also: Eufaula Times quoted in ibid., April 27, 1882; Marietta Journal, July 7, 1876; Anderson, The Black Second, 35,57,336; Roush,

"Aftermath of Reconstruction," 297-8; Shadgett, The Republican Party in Georgia, 77.

⁹Tupelo Journal, April 25, 1884.

¹⁰Florence Gazette, April 18, 1877.

¹¹W.A. Pledger to Governor Alfred H. Colquitt, April 22, 1877, Georgia Governor's Papers; Olin B. Adams, "The Negro and the Agrarian Movement in Georgia, 1874-1908," (PhD diss. Florida St. Univ., 1974), 38; Bacote, "The Negro in Georgia Politics," 44-5; Halsell, "James R. Chalmers and 'Mahoneism'," 44; Willie D. Halsell, ed. "Republican Factionalism in Mississippi, 1882-1884," Journal of Southern History 7(Feb. 1941); William C. Harris, intro. to John Lynch's The Facts of Reconstruction (Indianapolis, 1970), xlvii-xlviii; McDaniel, "Black Power in Georgia."

¹²Senate Reports, 44th Cong., 2nd Sess., No. 704, v-vi. See also: "Memorial of the Republican Members of the Legislature of Alabama, 1875," Senate Miscellaneous Documents, 43rd Cong., 2nd Sess., No. 107; Jas. S. Dunwody to Governor Alfred H. Colquitt, March 25, 1877, Georgia Governor's Papers; McMillan, Constitutional Development in Alabama, 217-22.

¹³Alabama House Journal, 1874-75, 285-6, 327-8.

¹⁴Anderson, The Black Second, 86-7, 137-8; DeSantis, Republicans Face the Southern Question, 183-4; Ferguson, "Agrarianism in Mississippi," 393-4; Kirwan, Revolt of the Rednecks, 16; Kousser, Shaping of Southern Politics, 16; Wharton, The Negro in Mississippi, 202-3.

¹⁵Anderson, The Black Second, 334-5.

¹⁶Bacote, "The Negro in Georgia Politics," 44; Going, Bourbon Democracy in Alabama, 51-2.

¹⁷Lawrence Goodwyn, "Populist Dreams and Negro Rights: East Texas as a Case Study," American Historical Review 76(Dec. 1971); William I. Hair, Bourbonism and Agrarian Protest: Louisiana Politics, 1877-1900 (Baton Rouge, 1969), 72; Roush, "Aftermath of Reconstruction," 251, 293-4.

¹⁸Marietta Journal, May 4, 1882. See also: J.S. Hook to William H. Felton, January 17, 1882, Rebecca L. Felton Collection; Senate Reports, 48th Cong., 1st Sess., No. 512, 46.

¹⁹Quoted in Woodward, Origins of the New South, 81. See also: Tupelo Journal, August 11, 1882.

²⁰Letter of "ICICLE" in Huntsville Gazette, July 29, 1882. See also: ibid., August 13, 1881; Florence Gazette, October 16, 1880; Report of the Committee of the Senate Upon the Relations between Labor and Capital (Wash., 1885), v.4, 618.

²¹Bacote, "The Negro in Georgia Politics," 68-71; Nell I. Painter, Exodusters: Black Migration to Kansas after Reconstruction (New York, 1977), 40-3; Roberts, "The Public Career of Doctor of William H. Felton," 257; Rogers, One-Gallused Rebellion, 49.

²²Tupelo Journal, September 22, 1882.

²³Senate Reports, 45th Cong., 3rd Sess., No. 855, 710-1,732.

²⁴J.S. Hook to William H. Felton, January 17, 1882, Rebecca L. Felton Collection.

²⁵Letter of "Independent" in Jefferson Forest News, February 2, 1878.

²⁶Letter of "Allons" in Huntsville Advocate, November 20, 1878.

²⁷Cartersville Free Press, May 23, 1878. See also: ibid., March 28, 1878, April 25, 1878.

²⁸Letter of Luke S. Crabtree in Huntsville Advocate, June 30, 1880.

²⁹Huntsville Advocate, June 23, 1880.

³⁰Small, Stenographic Report of [Georgia's 1877] Constitutional Convention, 228-9.

³¹Cartersville Free Press, November 29, 1883. See also: ibid., October 4, 1883.

³²William Felton in Cartersville Free Press, April 13, 1882. See also: ibid., August 12, 1880; letter of "Jackson" in Huntsville Advocate, December 7, 1881; Senate Reports, 44th Cong., 2nd Sess., No. 704, 138.

³³"Memorial of the Republican Members of the Legislature of Alabama," Senate Miscellaneous Documents, 43rd Cong., 2nd Sess., No. 107. See also: Mississippi House Journal, 1876, 8,358-9.

³⁴Cohen, "Negro Involuntary Servitude in the South;" Foner, Nothing But Freedom, 39-73; Perman, Road to Redemption, 237-63; Harold Woodman, "Post-Civil War Southern

Agriculture and the Law," Agricultural History 53(Jan. 1979).

³⁵"P." in Gwinnett Herald, August 8, 1883.

³⁶Ibid., August 29, 1883.

³⁷Ibid.

³⁸Ibid., August 8, 1883.

³⁹Athens NorthEast Georgian, December 16, 1874; "W.H.B." in Calhoun Times, February 18, 1874. See also: Georgia House Journal, 1871, 368-9; Georgia House Journal, 1874, 273-5, 547-9; Georgia House Journal, 1878-79, 856-8; Mississippi House Journal, 1876, 53, 181-2, 368-9; Mississippi House Journal, 1882, 141-2.

⁴⁰Huntsville Weekly Democrat, January 8, 1879. See also: Senate Miscellaneous Documents, 43rd Cong., 2nd Sess., No. 107, 2.

⁴¹Charles L. Flynn, Jr. White Land, Black Labor: Caste and Class in Late Nineteenth Century Georgia (Baton Rouge, 1983); Hahn, Roots of Southern Populism; Wiener, Social Origins of the New South.

⁴²For reasons to be examined later in this chapter, this was most evident in Alabama. Alabama House Journal, 1878-79, 116-7, 161-2, 184, 199-200, 201-02, 480-1, 508, 547, 617-8, 686-7; Alabama House Journal, 1880-81, 238, 528; see also Appendix IV.

⁴³Alabama House Journal, 1882-83, 118.

⁴⁴J.G. Gunn in Winston Signal, June 25, 1881.

⁴⁵Cartersville Free Press, April 10, 1879, September 4, 1879, July 14, 1881, August 11, 1881, December 8, 1881; Huntsville Advocate, November 17, 1880, December 21, 1881, July 19, 1882, September 20, 1882; Garrison "Old South or New?" 237; Rogers One-Gallused Rebellion, 53.

⁴⁶Alabama Senate Journal, 1884-85, 683-4.

⁴⁷Alabama House Journal, 1878-79, 443, 461-2, 671, 697; Alabama House Journal, 1880-81, 264-70, 741-3, 756-7, 856; Alabama House Journal, 1882-83, 424, 855, 858; Alabama Senate Journal, 1882-83, 380, 486, 720-1; "A Poor Man" in Huntsville Advocate, October 30, 1878; Going, Bourbon Democracy in Alabama, 32-40; McMillan, Constitutional Development in Alabama, 217-32.

⁴⁸Quoted in Garrison, "Old South or New?" 238. See also: Gwinnett Herald, February 3, 1875; HVM Miller to W.H. Felton, January 16, 1882, Rebecca L. Felton Collection; Kousser, Shaping of Southern Politics, 209-12.

⁴⁹Mississippi House Journal, 1880, 37-9.

⁵⁰Telegram from E.J. Wilkerson, Chair, Independent Executive Committee, Marshall county, to Governor John M. Stone, October 31, 1877, Mississippi Governor's Papers; Petition from Clay county to Governor John M. Stone, September 6, 1879, Mississippi Governor's Papers.

⁵¹Senate Reports, 44th Cong., 2nd Sess., No. 704, 134 and passim. See also: State Platform of Independent-Greenback Party in Huntsville Weekly Democrat, July 7, 1880, ibid., July 28, 1880; J.M. Pickens in Huntsville Advocate, July 14, 1880; Alabama House Journal, 1874-75, 327-8; Alabama House Journal, 1878-79, 78-9, 89-90, 298-9, 313-4, 600, 687, 772; Alabama House Journal, 1882-83, 484; Eric Foner, "Reconstruction and the Crisis of Free Labor," 115, 123-4; Going, Bourbon Democracy in Alabama, 33-4; McMillan, Constitutional Development in Alabama, 222.

⁵²Senate Reports, 44th Cong., 2nd Sess., No. 704, vi-vii, 134-5.

⁵³Senate Report upon the Relations between Labor and Capital, v.4, 616; Foner, Nothing But Freedom, 60; Harold M. Hyman and William M. Wiecek, Equal Justice under the Law: Constitutional Development, 1835-1875 (New York, 1982), 494-5.

⁵⁴Huntsville Weekly Democrat, March 30, 1881; Jackson Herald, March 18, 1881; "The Colored Convention" in Cartersville Free Press, September 20, 1883; Hahn, The Roots of Southern Populism, 233.

⁵⁵Letter of "A Citizen" in Tuscumbia Democrat, July 17, 1880. See also: letter of "White Man" in Tuscumbia Democrat, February 26, 1881; Tuscumbia Democrat, October 26, 1882; Cartersville Express, May 20, 1880; Jackson Herald, March 18, 1881.

⁵⁶Senate Reports, 44th Cong., 2nd Sess., No. 704, 134-5; Tuscumbia Democrat, July 17, 1880, October 26, 1882. Also see roll call votes in Appendix IV.

⁵⁷"Blue Bird" in Tupelo Standard, June 7, 1873.

⁵⁸Athens Banner-Watchman, December 18, 1883; Cartersville Standard and Express, May 13, 1875; Adams, "The Negro and the Agrarian Movement in Georgia," 89; Anderson, The

Black Second, 329; Goins, Bourbon Democracy in Alabama, 157-8.

⁵⁹Cartersville Free Press, August 30, 1883. See also: ibid., June 28, 1883, September 27, 1883.

⁶⁰Cottage Home Farm Journal, Floyd County, November 7, 1876, John H. Dent Papers. See also: ibid., August 30, 1876, November 2, 1880; Kousser, Shaping of Southern Politics, 28.

⁶¹Wesley Shopshire to William H. Felton, November 10, 1878, Rebecca L. Felton Collection; Athens Southern Banner, October 22, 1878; Hahn, The Roots of Southern Populism, 233-4.

⁶²W.W. Graham to Governor John M. Stone, December 6, 1877, Mississippi Governor's Papers. See also: Anonymous of Yazoo county to Governor John M. Stone, November 3, 1879, Mississippi Governor's Papers; Wharton, The Negro in Mississippi, 201.

⁶³Senate Reports, 48th Cong., 1st Sess., No. 512, 653-64.

⁶⁴Moulton Advertiser, August 24, 1882. See also: Huntsville Advocate, August 16, 1882.

⁶⁵See also: House Miscellaneous Documents, 47th Cong., 1st Sess., No. 22, 445; Roush, "Aftermath of Reconstruction," 224, 249.

⁶⁶Gainesville Eagle, May 10, 1878. For other examples of Democratic press' criticisms of anti-Redeemer activity, which were incessant, see: Marietta Journal, September 1, 1876; Cartersville Express, May 20, 1880; Chickasaw Messenger, August 25, 1881; Winston Signal, September 3, 1881; Athens Southern Watchman, February 1882; Tuscumbia Democrat, August 10, 1882.

⁶⁷Letter of "Greenbacker" in Jackson Weekly Clarion, August 25, 1881.

⁶⁸Batesville Blade quoted in Chickasaw Messenger, March 31, 1881. See also: Benton County Argus, quoted in Chickasaw Messenger, March 31, 1881.

⁶⁹Winston Signal, July 16, 1881.

⁷⁰Ferguson, "Agrarianism in Mississippi," 407-10; Hahn, The Roots of Southern Populism, 236-7; Shadgett, The Republican Party in Georgia, 65, 70, 73-4; Wynne, "Planter Politics in Georgia," 302, 346.

CHAPTER EIGHT

Conclusion

Because hill country political dissidents in the late 1870s and 1880s never created strong organizational structures, they were unable to present a sustained challenge to the Redeemer Democrats. Strong anti-Redeemer organizations did not emerge for a number of reasons. In the first place, not all hill country dissidents believed it was necessary to create a new political party system in the South. While some dissidents sought to overthrow the post-Reconstruction Democratic party, others attempted to change Democratic party policies and complained about the party's leadership but wished to remain attached to the party. Localism and racism, moreover, proved to be major stumbling blocks in organizing hill country producers into a new political party composed of ordinary Southerners, black and white. Finally, on the state level, anti-Redeemer elements represented diverse groups with diverse motivations for seeking political change. Indeed, these disparate elements opposed each other on some of the most fundamental issues of the era.

Thus, when the Democrats resorted to extralegal tactics to squelch protest activity in hill country districts, dissidents, lacking an effective organization to resist Democratic chicanery and force, were in a vulnerable position. Elsewhere in this thesis Democratic methods of as-

sureing their own political dominance have been touched upon. Legislation making it more difficult for electoral fraud to be detected, the cumulative poll tax suffrage requirement, the gerrymandering of political districts, and outright intimidation and violence were all methods used to reduce, if not eliminate, the political influence of Independents and Greenbackers, as well as Republicans. Numerous firsthand accounts attest to the effectiveness of these methods. In Mississippi, one Independent reported that on the night before the November 1879 state elections, his locality was "scoured by bands of armed men in disguise, arousing from their beds of slumber peaceable freedmen, and one white man at least, who was an Independent Democrat, firing guns, and threatening them in a severe manner, provided they went to the election the next day and voted the Independent ticket."¹ Supporters of Georgia Independent congressional candidate W.H. Felton charged that at the polls in their areas, the opposition, among other things, used whiskey to influence voters, kept Felton's friends off the election boards, and denied many individuals the right to vote on minor technicalities. Fraud, bribery, and intimidation "were carried out to the fullest extent" by the Democrats, one north Georgia resident complained. "No means that could be thought of or invented was neglected on their part." More subtly, cotton producers in Floyd county, Georgia attempted to keep blacks

away from the polls and thereby influence the election results in their area by offering high cotton picking wages on election day.² In Alabama, too, electoral fraud was extensive. In November 1880, over one thousand citizens gathered in Huntsville, Alabama to protest, according to one anti-Redeemer, the illegitimate electoral techniques Democrats employed to defeat Greenbacker William M. Lowe in his bid to retain his congressional seat from north Alabama's eighth district -- a charge later substantiated by a congressional investigation of the election.³ Fraud and violence did not immediately eliminate anti-Redeemer activity as a political force in the post-Reconstruction South. Despite Democratic tactics to reduce anti-Redeemer voting strength, oppositional candidates received significant support in many states into the 1880s. Yet, Democratic attacks wore heavily on anti-Redeemer movements. By 1885, few anti-Redeemer candidates were being elected to office at any level of government.

Redeemer Democrats preferred to win elections by means other than fraud and to prevent defections from party ranks by means other than intimidation. Throughout the 1870s and 1880s, Democratic leaders and spokesmen attempted to dissuade white Southerners from bolting the party by contending that such a move threatened Southern home rule and white supremacy. Moreover, Democrats argued, weakening the party hurt the very interests dissidents supposedly sought to serve. On the financial issue, for instance, many

Democrats contended that the Greenback party was too weak to effect any reform in the nation's financial system and thereby bring Southern producers, suffering from high interest rates and declining cotton prices, economic relief.⁴ Only Democratic officeholders, identified as they were with a "great and powerful party," were in a position to eliminate the discriminatory features -- in favor of the northeastern United States -- of the national banking system established during the Civil War and effect other needed reforms, party spokesmen argued.⁵ And Southern Democratic Congressmen did indeed support efforts to increase the nation's money supply and alleviate the currency shortage which affected the South as a region. Such activity served to lessen the appeal of the inflationist arguments presented by Greenbackers.

Yet, national financial debates also show the limits of Southern Democratic efforts to challenge the political economy of late nineteenth-century America. For most Southern Democratic efforts to increase the nation's money supply did not include a critique of the basic structure of the nation's monetary system. Thus, during the congressional controversy over the nation's money supply in the 1870s, support for the remonetization of silver was an attractive alternative for many Southern Democrats who wanted to prevent, on the one hand, the contraction of the currency, and, on the other hand, the creation of an

irredeemable paper currency. Such a measure would create an expanded base for the nation's currency but at the same time retain a metallic basis for money -- in conformity with contemporary mainstream economic thought.

Greenbackers contended that the Democratic failure to challenge the notion that money had to have an intrinsic value reflected the fact that Democrats would "not dare confront the money power in their party." Questions as to whether the government, acting in the interest of the general population, should be allowed to create a cheap and plentiful money supply whose sole purpose was to facilitate the exchange of produced goods, or whether private moneyed interests, concerned primarily about their own profit, would be allowed to dictate that only scarce metals which they themselves had most access to would serve as the basis of the currency, were the "very pivot on which the whole financial question turns."⁶ Money was simply "the creature of law," Greenbackers contended, its purpose should be to serve the needs of the general population, not a "favored few" who sought "to rob labor and make it pay a heavy tribute to capital."⁷

Democrats attacked such Greenback ideas as "absurd" and "irresponsible." "Extreme [financial] measures at the present time would be injurious and the leaders of the Democratic party very wisely have avoided running from one extreme to the other," one Mississippi editor observed. The "moderate" financial policies advocated by the Demo-

cratic party should "assure the debtor class that its sympathies are with them." The Greenbackers were not interested in reforming the nation's financial system in an "honorable" manner, Democratic spokesmen contended, they were only interested in arraying "class against class" on the money issue.⁸

Indeed, in addition to criticizing Greenbackers for the "criminal folly" of deserting the Democratic party so soon after the end of Reconstruction, Democratic spokesmen repeatedly accused anti-Redeemers of stirring class tensions in the South and of promoting "dangerous" and "communistic" doctrines.⁹ Anti-Redeemers responded that such assertions were made only to "hide from the people the class legislation and class rule" that existed in the country for the benefit of "rich men." These individuals, rather than the laboring classes, were the real disturbers of society, for their exploitative activities were ultimately the "cause of it whenever there is an outbreak of the people."¹⁰ "It is fashionable now-a-days to denounce every one who strives to benefit the masses as a public enemy, a 'leveler' as some say," one independently inclined north Georgia newspaper remarked. "All the leveling we have ever attempted is to level upwards. We wish to elevate the downtrodden to an equal participation in the blessings of Government, in as much as they are bound to bear more than their proportion of its burdens."¹¹

Such a view reflected the political ideology small producers brought into the post-Reconstruction era. Jacksonian ideas concerning the government's responsibility to act in the interest of the general citizenry continued to dominate producer ideology in the late nineteenth-century South. The terms in which small producers defined proper governmental activity were, of course, determined by political economic conditions existing in the 1870s and 1880s. While the "hard money" views of Southern Jacksonians reflected the fact that hill country small producers in that era were on the periphery of the market economy and sought to circumscribe marketplace interactions, the "soft money" views of Southern Greenbackers reflected the fact that by the last quarter of the century many farmers were engaged in market transactions and desired an expanded currency to ease their financial problems. Still, both groups pushed for direct governmental involvement in matters involving money and banking issues in order to restrict the power of consolidated wealth and promote the economic well-being of the many. In the early period, Jacksonians pushed for strict regulation, state control, or the outright abolition of banks, in the latter period, Greenbackers sought the abolition of the national banking system and the creation of a currency controlled solely by the government.¹²

Overall, the views of small producers on public policy issues of the 1870s and 1880s were influenced by both long-

held political attitudes concerning the function of the state in a republican society and the particular circumstances they faced in the decades following the war. As in the pre-war era, farmers frowned upon governmental activity deemed unnecessary or inappropriate. Government-promoted special privilege -- especially to corporate interests and other privately controlled centers of power -- was a constant source of hill country discontent. Corporate tax benefits and charter privileges were denounced as fostering a "moneyed aristocracy." Likewise, governmental activity to promote local or regional development often provoked much controversy. The discontent of hill country farmers over this type of activity, in part, stemmed from their desire to keep taxes, which were much more burdensome for small producers in the post-war than the pre-war era, as low as possible. It also, however, derived from the fact that farmers believed that the public promotion of projects and agencies seeking to develop the region commercially or to build it up physically primarily benefited special interest groups, at the expense of the wider population. Thus, on the county level, small producers often opposed publicly sponsored internal improvement projects which they perceived as serving the needs of local commercial and professional elements but not those of other county residents. Indeed, this governmental activity often fostered the very process of commercialization which affected

increasing numbers of farmers detrimentally. On the state level, departments of agriculture, agencies established ostensibly to aid the general agricultural population by promoting the development of the region's natural resources, were criticized not only for the costs and inadequacies of their services but also for orienting their activities towards the needs and interests of elite agriculturalists.

Many types of state activity, then, were criticized by hill country producers. While governmental activity for the benefit of special interest groups was the particular target of public displeasure, farmers generally desired an economically administered government that would keep taxes low. This, however, does not mean that small producers adhered to a laissez-faire ideology. While producers believed that government itself could be oppressive (through among other things its taxing power) and thus should be limited in its scope and powers, they also believed that it was not only proper, but essential, that government -- the servant of the people -- act in ways to promote their well-being. Hill country producers, for instance, sought the enactment of stringent usury legislation which would publicly regulate credit transactions and prohibit the excessive interest rates that made the crop lien system so pernicious. Similarly, they supported efforts to establish strong railroad regulatory agencies that would protect the public from this increasingly powerful corporate interest.

Such political views, not surprisingly, were controversial. Other social groups held views concerning the proper uses of governmental power which differed from those of hill country producers. Inevitably, political debates in the post-Reconstruction era involved questions concerning the function of the state. Whether desiring to limit or expand governmental activity, all participants in these debates realized that their resolution would have significant effects on social relations between classes, races, and interest groups in the South.

Unfortunately for hill country producers, their political opinions received decreasing attention in the post-Reconstruction period. In hill country districts absorbed into the market economy, local commercial and professional elites gained increasing control of county level political offices and local Democratic organizations and used their political leverage in ways detrimental to the interests of hill country farmers. On the state level, Democratic leaders became primarily interested in conciliating the various elite factions within the party and consequently oriented party policy toward serving the needs of these factions rather than the party's general membership. Such political conditions produced increasing levels of discontent in hill country areas. In northern Mississippi, which had been less dramatically affected by the expansion of the market economy than comparable areas else-

where in the South, local Democratic representatives generally remained attuned to the wishes of their constituents and opposed the dominant policies of their state government. As commercial elites gained political power in northern Alabama and Georgia and aligned themselves with state elites on regional issues of a class nature, however, significant numbers of producers looked to oppositional political movements to challenge the state of political affairs in their states.

While specific circumstances shaped political dissent in different areas in different ways, small producers from throughout the lower South shared similar attitudes concerning political developments of the post-Reconstruction era. Most white producers had thought that Redemption would increase their influence in Southern political affairs. Instead, its results were just the opposite. For although during Reconstruction Democratic leaders had charged that the federal government usurped its powers by denying Southerners the right of local self-government, once they gained power, Redeemer Democrats themselves utilized the government in ways which increased their own power and lessened the ability of the electorate to govern itself. Local elective offices held by recalcitrant individuals were made appointive by the Redeemers. State judiciaries centralized during Reconstruction remained removed from public accountability following Redemption. State legislatures increasingly ignored the wishes of local resi-

dents in enacting legislation which affected individual counties. Such uses of state power were condemned by producers as undemocratic and illegitimate. Thus, when Alabama's general assembly in 1883 redistricted the city of Huntsville in such a way as to reduce the political influence of Madison county anti-Redeemers, critics, employing the same language regional Democratic spokesmen used to criticize national Republican policies affecting the South, charged that the measure was "opposed to the real, true, old-time democratic principle of local self-government."¹³ In general, producers viewed the efforts of elite interest groups to utilize state power to bolster their dominant position in Southern society as a "corruption" of the political process.

Dissent resulting from political conditions in the 1870s and 1880s, as noted at the beginning of this chapter, never developed into a strong oppositional political force. Yet, this dissent was significant in shaping the political behavior of producers in the final years of the nineteenth century. For it was in the immediate post-Reconstruction era, after an era in which Southern politics (from the point of view of most whites) had been in a state of disorder, that producers first came to realize that the prevailing political party system primarily served the needs and interests not of the general citizenry but of those promoting and benefiting from the concentration of wealth

and power which characterized late nineteenth-century America. It was not until the Southern Farmers' Alliance had mobilized thousands of Southern producers and the failure of Alliance cooperative efforts had convinced large numbers of them of the need for political action to redress their economic grievances that an oppositional political movement could emerge in the South on a large scale. Politics in the years immediately following Redemption, however, demonstrated early on that the Southern Democratic party was controlled by individuals who on the regional level first and foremost promoted the interests of elite groups and on the national level, while at odds with the Republican party over specific issues, generally supported a political environment which promoted the development of a national capitalist economy.

Moreover, their experiences in the 1870s and 1880s affected the political ideology of small producers in significant ways. The ineffectiveness of legislation to regulate capital and corporate interests enacted in the period made many Southern farmers receptive to calls that more far-reaching uses of state power be adopted to control these interests and foster the economic well-being of small producers. In part because their economic problems were increasingly linked to national economic developments but also because the regional political system was so unresponsive to their needs, by the 1890s significant hill country support arose for Populist demands that the federal govern-

ment provide loans to farmers at a low rate of interest (the "sub-treasury plan"), democratize the nation's money supply, and own and operate the nation's transportation and communication systems. Such proposals sought to replace completely the existing financial system with one more responsive to the needs of small producers and to remove inevitably monopolistic, socially necessary enterprises from the hands of private interests by increasing the powers of the government in the social and economic life of the nation.¹⁴

Populist efforts to utilize state power in the interest of small farmers were the natural culmination of social and economic developments of the postbellum era. While the Populist vision of a cooperative commonwealth required governmental activity on an unprecedented scale, the moral justification for this activity echoed assumptions concerning the role of government in society brought into the era by hill country producers. To a large extent, egalitarian, anti-corporate notions still defined the boundaries of political discourse for farmers attempting to reestablish themselves as independent citizens of the American republic. The farmer "realizes that he must make an effort to equalize himself before the operation of the law," one hill country producer commented in 1891, "or consign himself to irretrievable poverty and leave to his posterity a heritage of abject slavery to corporate power

and moneyed monopoly."¹⁵ While their specific ideas of how government could best promote the general welfare changed as both their own socio-economic circumstances and broader political economic conditions changed, hill country producers throughout the nineteenth century endeavored to restrain the power of consolidated wealth, promote the economic independence of the small producer, and, as one Populist activist put it, affirm that the "people are the sovereign power" of the republic.¹⁶

FOOTNOTES

¹Mississippi House Journal, 1880, 37-9; W.W. Graham to Governor John M. Stone, December 6, 1877, Anonymous from Yazoo County to Governor John M. Stone, Mississippi Governor's Papers; Clark L. Miller, "'Let Us Die to Make Men Free,' Political Terrorism in Post-Reconstruction Mississippi, 1877-1896," (Ph.D. diss., Univ. of Minnesota, 1983).

²R.S. Church to W.H. Felton, November 8, 1878, W.P. Gannany to W.H. Felton, November 9, 1878, Wesley Shopshire to W.H. Felton, November 10, 1878, Wesley Shopshire to W.H. Felton, December 8, 1878, J.R. Gibbons to W.H. Felton, November 3, 1880, Z.B. Hargrove to W.H. Felton, November 4, 1880, Rebecca L. Felton Collection; letter of Thomas H. Baker in Cartersville Express, October 19, 1876; Cartersville Free Press, July 17, 1879, August 26, 1880, November 4, 1880, December 23, 1880; Felton, "My Memoirs of Georgia Politics", 312-23.

³Huntsville Advocate, November 3, 1880, November 10, 1880; Roberts, "William Manning Lowe and the Greenback Party in Alabama."

⁴The following discussion of national financial issues and debates is based on the following sources: Walter T.K. Nugent, Money and American Society, 1865-1880 (N.Y., 1968); Palmer, "Man Over Money", 81-95, 100-4; Perman, The Road to Redemption, 269-75; Terry L. Seip, The South Returns to Congress: Men, Economic Measures, and Intersectional Relationships, 1868-1879 (Baton Rouge, 1983), 171-218.

⁵Florence Gazette, August 28, 1878. See also: Jackson Weekly Clarion, July 3, 1878, September 11, 1878, May 7, 1879, September 17, 1879, October 8, 1879, January 28, 1880, October 20, 1880, June 16, 1881; Athens Southern Banner, September 3, 1880; Gainesville Eagle, October 4, 1878; Tusculumbia North Alabamian, September 19, 1879; Tusculumbia Democrat, May 15, 1880, May 22, 1880; Montgomery Advertiser, July 11, 1880; Cartersville Express, August 5, 1880.

⁶Huntsville Advocate, August 14, 1878, September 18, 1878, June 4, 1879.

⁷Greenback State Platform in ibid., September 11, 1878. See also: ibid., August 14, 1878, December 4, 1878.

⁸Cartersville Express, December 9, 1875, January 10, 1878; Atlanta Constitution quoted in Carroll County Times, August 23, 1878; letter of J.M. Wesson in Jackson Weekly Clarion, May 7, 1879; Jackson Weekly Clarion, June 11,

1879; Natchez Democrat, May 21, 1879, June 14, 1879, July 12, 1879; Tuscumbia Democrat, April 17, 1880, May 22, 1880, July 10, 1880.

⁹Cartersville Express, November 2, 1876; Huntsville Weekly Democrat, September 24, 1879; Florence Gazette, October 1, 1879; Tuscumbia Democrat, July 10, 1880, July 31, 1880; resolutions of Congressional Democratic Executive Committee in Calhoun Times, July 22, 1880.

¹⁰W.W. Graham to John M. Stone, November 15, 1877, Mississippi Governor's Papers.

¹¹Athens Southern Watchman, August 12, 1874.

¹²Palmer, "Man Over Money"; Sharp, The Jacksonians versus the Banks.

¹³Alabama House Journal, 1882-1883, 610-11.

¹⁴On the Southern Farmers' Alliance and Southern Populism, see: Lawrence Goodwyn, Democratic Promise: The Populist Moment in America (N.Y., 1976); McMath, Populist Vanguard; Palmer, "Man Over Money".

¹⁵Alabama Tribune, January 1, 1891.

¹⁶Quoted in Rogers, The One-Gallused Rebellion, 195.

APPENDIX I: PER CAPITA AGRICULTURAL PRODUCTION, 1860-1880

GEORGIA

County	COTTON (Bales)		CORN (Bushels)	
	1860	1880	1860	1880
Banks	0.13	0.40	29.69	20.17
Bartow	0.28	0.54	27.36	19.16
Campbell	0.53	0.90	27.99	21.04
Carroll	0.33	0.55	27.66	21.94
Cherokee	0.09	0.39	32.31	27.78
Clayton	0.48	0.82	25.83	16.50
Cobb	0.23	0.63	21.99	19.60
Douglas	-	0.59	-	20.33
Fayette	0.66	0.83	31.28	15.98
Floyd	0.52	0.60	34.43	16.60
Forsyth	0.08	0.48	29.91	27.05
Franklin	0.11	0.50	25.74	20.06
Gwinnett	0.19	0.60	25.15	24.09
Hall	0.05	0.34	35.50	23.16
Haralson	0.20	0.34	33.33	29.13
Hart	0.24	0.56	20.62	13.96
Heard	0.83	0.67	30.21	22.26
Jackson	0.15	0.58	27.41	18.14
Madison	0.32	0.62	22.95	18.23
Milton	0.20	0.72	35.79	17.12
Paulding	0.33	0.68	25.98	29.26
Polk	0.96	0.68	32.68	20.20
Rockdale	-	0.64	-	13.39
Walton	0.50	0.80	28.38	18.48
THE STATE	0.66	0.53	29.11	15.04

Sources: For this table and following two tables: Eighth Census of the United States, 1860 (Washington, 1864), Agriculture, 2-3,22-3,26-7,84-5; Tenth Census of the United States, 1880 (Washington, 1883), Report on the Production of Agriculture, 178,183-4,195,213,218-20,231.

ALABAMA

County	COTTON (Bales)		CORN (Bushels)	
	1860	1880	1860	1880
Blount	0.10	0.29	27.12	27.46
Calhoun	0.54	0.55	30.42	23.97
Cherokee	0.58	0.56	32.91	26.66
Clay	-	0.38	-	22.64
Cleburne	-	0.33	-	33.01
Colbert	-	0.56	-	31.00
Cullman	-	0.06	-	16.20
Dekalb	0.14	0.23	42.14	25.42
Etowah	-	0.43	-	24.86
Fayette	0.43	0.42	26.35	33.80
Franklin	0.84	0.39	41.07	38.11
Jackson	0.15	0.25	57.47	43.78
Jefferson	0.42	0.23	49.96	18.46
Lamar	-	0.41	-	29.03
Lauderdale	0.63	0.44	37.12	34.28
Lawrence	1.10	0.64	47.20	37.35
Limestone	0.99	0.73	38.27	33.33
Madison	0.84	0.55	37.37	27.46
Marion	0.38	0.24	32.11	29.10
Marshall	0.43	0.37	40.31	31.92
Morgan	0.56	0.37	39.51	35.35
Randolph	0.32	0.45	27.92	20.06
St. Clair	0.38	0.42	33.74	23.63
Talladega	0.78	0.51	32.11	19.47
Walker	0.35	0.29	31.24	27.76
Winston	0.10	0.13	24.83	20.87
THE STATE	1.03	0.55	34.46	20.16

MISSISSIPPI

County	COTTON (Bales)		CORN (Bushels)	
	1860	1880	1860	1880
Alcorn	-	0.52	-	26.72
Calhoun	0.86	0.71	35.48	26.23
Itawamba	0.69	0.48	35.47	28.57
Lee	-	0.70	-	28.87
Pontotoc	1.10	0.58	45.78	29.90
Prentiss	-	0.59	-	30.33
Sumner	-	0.65	-	30.14
Tippah	0.90	0.58	36.13	29.97
Tishomingo	0.47	0.30	36.57	31.92
Union	-	0.63	-	32.93
NE Miss.*	0.79	0.59	38.58	29.76
THE STATE	1.52	0.85	36.72	18.86

*Given the major changes in county boundaries and the creation of new counties which occurred in northeastern Mississippi between 1860 and 1880, the geographical areas compared for the two dates are, in varying degrees, different for many counties. Aggregate figures computed for a major segment of the whole region, however, suggest that the county figures accurately depict agricultural trends occurring over the period. The category NE Miss. in this table covers a geographical area roughly the same in 1860 and 1880. In 1860, this included Itawamba, Tippah, Tishomingo and Pontotoc counties; in 1880 it included Alcorn, Benton, Itawamba, Lee, Pontotoc, Prentiss, Tippah, Tishomingo, and Union counties.

APPENDIX II: PER CAPITA ASSESSED PROPERTY VALUATION

GEORGIA

County	1870	1880	% Change	a.	b.
Appling	127.77	153.96	+20.50		
Baker	112.53	80.87	-28.13	/	
Baldwin	134.14	83.01	-38.12	/	
Banks*	93.50	114.86	+22.84		
Bartow*	197.01	174.41	-11.47	/	
Berrien	139.61	142.35	+ 1.96		
Bibb	356.19	322.67	- 9.41	/	
Brooks	230.05	156.27	-32.07	/	/
Bryan	102.98	86.85	-15.66		
Bulloch	148.99	130.44	-12.45		
Burke	108.96	85.10	-21.90	/	
Butts	105.40	104.19	- 1.15		
Calhoun	142.78	96.36	-32.51	/	/
Camden	228.07	87.09	-61.81	/	/
Campbell*	147.51	145.34	- 1.47		
Carroll*	136.58	117.61	-13.89		
Catoosa	208.74	169.89	-18.61	/	/
Charlton	122.13	100.83	-17.44	/	/
Chatham	530.34	392.52	-25.99	/	/
Chattahoochee	148.24	88.96	-39.99	/	
Chattooga	171.29	144.92	-15.39		
Cherokee*	104.93	118.13	+12.58	/	
Clarke	250.86	378.59	+50.92	/	
Clay	147.70	114.30	-22.61	/	
Clayton*	150.53	152.72	+ 1.45		
Clinch	144.66	160.96	+11.27		
Cobb*	198.65	160.91	-19.00	/	/
Coffee	151.64	157.31	+ 3.74		
Colquitt	122.70	116.59	- 4.98		
Columbia	129.92	85.28	-34.36	/	
Coweta	158.61	140.37	-11.50		
Crawford	126.16	82.29	-34.77	/	/
Dade	260.06	147.04	-43.46	/	/
Dawson	100.60	97.24	- 3.34		
Decatur	131.83	106.21	-19.43	/	
Dekalb	161.04	163.69	- 1.65		
Dodge	-	127.15			
Dooly	153.84	106.94	-30.49	/	/
Dougherty	310.69	190.03	-38.84	/	/
Douglas*	-	100.59			
Early	141.96	105.81	-25.46	/	
Echols	116.96	95.92	-17.99	/	
Effingham	149.89	107.17	-28.50	/	
Elbert	139.29	103.77	-25.50	/	
Emanuel	141.55	127.80	- 9.71		

* - Hill county

a. - over 1870 state per capita valuation

b. - over 1870-1880 state % reduction

County	1870	1880	% Change	a.	b.
Fannin	78.45	59.74	-23.85		/
Fayette*	119.13	100.38	-15.74		
Floyd*	270.32	212.69	-21.32	/	/
Forsyth*	107.65	116.23	+ 7.97		
Franklin*	101.42	107.19	+ 5.69		
Fulton	399.62	414.02	+ 3.60	/	
Gilmer	66.85	66.43	- 0.63		
Glascock	137.72	116.06	-15.73		
Glynn	289.00	180.18	-37.65	/	/
Gordon	180.38	163.54	- 9.34		
Greene	158.15	119.24	-24.60		/
Gwinnett*	118.38	123.17	+ 4.05		
Habersham	79.70	95.77	+20.16		
Hall*	110.15	135.59	+23.10		
Hancock	208.50	139.35	-33.17	/	/
Haralson*	93.03	105.50	+13.40		
Harris	143.39	113.60	-20.78		/
Hart*	94.93	108.51	+14.31		
Heard*	124.93	106.46	-14.78		
Henry	149.22	116.09	-22.20		/
Houston	168.16	102.51	-39.04		/
Irwin	177.89	191.59	+ 7.70		
Jackson*	99.13	109.23	+10.19		
Jasper	107.75	95.65	-11.23		
Jefferson	119.81	137.12	+14.45		
Johnson	138.60	110.67	-20.15		/
Jones	141.70	94.62	-33.23		/
Laurens	154.10	104.64	-32.10		/
Lee	186.70	92.59	-50.41	/	/
Liberty	77.87	83.41	+ 7.11		
Lincoln	113.43	104.76	- 7.64		
Lowndes	157.24	117.53	-25.25		/
Lumpkin	78.33	82.64	+ 5.50		
McDuffie	-	85.24			
McIntosh	127.71	116.22	- 9.00		
Macon	164.38	113.73	-30.81		/
Madison*	120.65	110.66	- 8.28		
Marion	159.97	85.19	-37.50		/
Meriwether	121.12	99.98	-29.66		/
Miller	102.55	89.79	-12.44		
Milton*	126.84	134.32	+ 5.90		
Mitchell	167.84	127.12	-24.26		/
Monroe	135.48	116.93	-13.69		
Montgomery	154.42	135.78	-12.07		
Morgan	158.28	148.99	- 5.87		
Murray	156.29	129.95	-16.85		/
Muscogee	440.81	395.14	-10.36	/	
Newton	175.66	148.57	-15.42		
Oconee	-	122.49			
Oglethorpe	124.91	103.99	-16.75		/
Paulding*	106.71	111.22	+ 4.23		
Pickens	85.27	77.83	- 8.73		
Pierce	122.48	119.94	- 2.07		
Pike	162.58	148.72	- 8.53		

County	1870	1880	% Change	a. b
Polk*	176.11	140.04	-20.48	/
Pulaski	132.01	111.41	-15.60	
Putnam	141.09	115.73	-17.97	/
Quitman	170.15	133.44	-21.58	/
Rabun	84.00	68.23	-18.77	/
Randolph	196.58	123.09	-37.38	/ /
Richmond	530.14	442.19	-16.59	/
Rockdale*	-	169.79		
Schley	170.66	104.39	-38.83	/
Screven	77.19	84.60	+ 9.60	
Spalding	193.72	160.34	-17.23	/ /
Stewart	133.85	103.94	-22.35	/
Sumter	206.21	164.04	-20.45	/ /
Talbot	115.07	89.55	-22.18	/
Taliaferro	123.21	97.25	-21.07	/
Tattnall	155.35	133.14	-14.30	
Taylor	121.41	94.83	-21.89	/
Telfair	140.15	136.43	- 2.65	
Terrell	170.84	122.13	-28.51	/
Thomas	140.82	123.15	-12.55	
Towns	75.97	76.14	+ 0.22	
Troup	161.40	145.09	-10.11	
Twiggs	117.48	73.30	-37.61	/
Union	85.14	66.80	-21.54	/
Upson	192.42	116.50	-39.46	/ /
Walker	163.46	158.64	- 2.95	
Walton*	145.66	151.26	+ 3.84	
Ware	156.48	132.39	-15.39	
Warren	88.71	111.55	+25.75	
Washington	147.27	109.90	-25.38	/
Wayne	138.56	112.20	-19.02	/
Webster	196.94	119.49	-39.33	/ /
White	97.53	89.85	- 7.87	
Whitfield	188.13	161.43	-14.19	/
Wilcox	135.18	129.49	- 4.21	
Wilkes	183.08	174.23	- 4.83	
Wilkinson	172.83	100.26	-41.99	/
Worth	134.84	106.13	-21.29	/
STATE	186.24	155.28	-16.62	

Sources: For this table and following two tables: Ninth Census of the United States, 1870 (Washington, 1872), Statistics of Wealth and Industry, 15-6,22-4,41-2; Tenth Census of the United States, 1880 (Washington, 1884), Report on Valuation, Taxation, and Public Indebtedness, 132-4,127-31,135-7; Eleventh Census of the United States, 1890 (Washington, 1892), Compendium, pt. 1, 7,12-3,26-7. In calculating per capita figures for 1870, black population totals were increased by 6.6% to compensate for the undercounting of the black population by census enumerators. Roger Ransom and Richard Sutch, One Kind of Freedom: The Economic Consequences of Emancipation (N.Y., 1977), 54.

ALABAMA

County	1870	1880	% Change	a.	b.
Autauga	154.28	105.95	-31.33	/	
Baldwin	163.99	108.16	-33.98	/	
Barbour	150.42	74.99	-50.15		/
Bibb	115.22	79.92	-30.64		
Blount*	75.87	71.27	- 6.06		
Bullock	159.72	107.11	-32.94	/	
Butler	116.53	100.55	-13.71		
Calhoun*	119.57	103.14	-13.74		
Chambers	93.10	78.97	-15.18		
Cherokee*	121.85	72.39	-40.59		/
Chilton	61.91	80.56	+30.12		
Choctaw	84.17	62.52	-25.72		
Clarke	80.76	58.74	-27.27		
Clay*	62.82	50.66	-19.36		
Cleburne*	55.17	48.12	-12.78		
Coffee	56.46	47.82	-15.30		
Colbert*	142.86	115.30	-19.29		
Conecuh	97.10	57.44	-40.84		/
Coosa	77.61	58.61	-24.28		
Covington	38.76	33.08	-14.65		
Crenshaw	70.05	49.75	-28.98		
Cullman*	-	69.83			
Dale	79.34	56.98	-28.18		
Dallas	228.36	119.99	-47.46	/	/
DeKalb*	91.47	44.72	-51.11	/	/
Elmore	154.66	74.39	-51.90	/	/
Escambia	66.15	110.16	+66.53		
Etowah*	97.03	86.20	-11.16		
Fayette*	87.33	56.19	-35.66		
Franklin*	98.10	75.65	-22.88		
Geneva	68.24	49.68	-27.20		
Greene	186.69	92.36	-50.53	/	/
Hale	191.54	93.68	-51.09	/	/
Henry	96.86	57.63	-40.50		/
Jackson*	98.68	100.61	+ 1.96		
Jefferson*	107.96	147.25	+36.39		
Lamar*	88.93	48.77	-45.16		/
Lauderdale*	206.04	83.45	-59.50	/	/
Lawrence*	106.94	105.38	- 1.46		
Lee	99.01	87.40	-11.73		
Limestone*	173.79	121.78	-29.93	/	
Lowndes	121.40	95.87	-21.03		
Macon	145.49	99.78	-31.42		
Madison*	246.72	96.27	-60.98	/	/
Marengo	123.73	76.25	-38.37		/
Marion*	47.96	31.61	-34.09		
Marshall*	103.28	66.46	-35.65		
Mobile	468.36	339.93	-27.42	/	
Monroe	98.30	49.99	-49.15		/
Montgomery	282.61	169.63	-39.98	/	/
Morgan*	120.90	97.46	-19.39		
Perry	235.41	82.90	-64.78	/	/

County	1870	1880	% Change	a.	b.
Pickens	80.87	57.30	-29.15		
Pike	95.86	81.86	-14.60		
Randolph*	72.84	35.93	-50.67	/	
Russell	116.24	73.71	-36.59	/	
St. Clair*	68.02	60.84	-10.56		
Shelby	96.62	108.38	+12.17		
Sumter	124.80	96.90	-22.36		
Talladega*	189.43	109.59	-42.15	/	/
Tallapoosa	115.60	68.87	-40.42	/	
Tuscaloosa	130.44	103.95	-20.31		
Walker*	83.72	55.93	-33.19		
Washington	77.20	145.11	+87.97		
Wilcox	101.89	72.79	-28.56		
Winston*	45.76	24.86	-45.67	/	
STATE	151.30	97.32	-35.68		

MISSISSIPPI

County	1870	1880	% Change	a.	b.
Adams	295.22	153.87	-47.88	/	
Alcorn*	210.95	86.71	-58.90	/	/
Amite	232.43	91.45	-60.65	/	/
Attala	159.45	72.95	-54.25		/
Benton	-	66.92			
Bolivar	456.32	127.70	-72.02	/	/
Calhoun*	130.46	82.29	-36.92		
Carroll	188.11	92.46	-50.85		
Chickasaw	196.16	95.65	-51.24		
Choctaw	135.82	67.74	-50.13		
Claiborne	265.85	116.92	-56.02	/	/
Clarke	255.81	71.04	-72.23	/	/
Clay	-	87.86			
Coahoma	475.74	122.42	-74.27	/	/
Copiah	205.13	113.94	-44.45		
Covington	102.23	60.89	-40.44		
DeSoto	259.31	105.39	-59.36	/	/
Franklin	120.41	52.63	-56.29		/
Greene	76.78	61.73	-19.60		
Grenada	174.97	114.62	-34.49		
Hancock	181.85	134.08	-26.27		
Harrison	205.21	112.25	-45.30		
Hinds	232.25	104.80	-54.88	/	/
Holmes	228.01	98.13	-56.96	/	/
Issaquena	331.91	141.36	-57.41	/	/
Itawamba*	147.88	52.22	-64.69		/
Jackson	219.91	91.77	-58.27	/	/
Jasper	98.86	70.20	-28.99		
Jefferson	161.93	71.78	-55.67		/
Jones	59.86	50.70	-15.30		
Kemper	100.29	71.40	-28.81		
Lafayette	172.78	106.29	-38.48		
Lauderdale	202.01	94.84	-53.05		/
Lawrence	115.15	64.99	-43.56		
Leake	149.49	52.64	-64.79		/
Lee*	157.25	86.05	-45.28		
Leflore	-	175.74			
Lincoln	147.88	88.79	-39.96		
Lowndes	194.10	101.82	-47.54		
Madison	213.90	110.14	-48.51	/	
Marion	90.89	49.18	-45.89		
Marshall	216.69	100.94	-53.42	/	/
Monroe	164.58	96.91	-41.12		
Montgomery	-	83.08			
Neshoba	84.80	60.11	-29.12		
Newton	110.36	62.53	-43.34		
Noxubee	179.06	102.28	-42.88		
Oktibbeha	122.16	76.91	-37.04		
Panola	231.71	122.90	-46.96	/	
Perry	93.49	69.76	-25.38		
Pike	243.62	90.50	-62.85	/	/
Pontotoc*	272.03	74.26	-72.70	/	/

County	1870	1880	% Change	a.	b.
Prentiss*	172.27	86.06	-50.04		
Quitman	-	Error			
Rankin	197.74	69.95	-64.63	/	
Scott	151.54	82.43	-45.61		
Sharkey	-	163.14			
Simpson	74.11	52.76	-28.81		
Smith	103.65	49.87	-51.89		
Sumner*	-	58.43			
Sunflower	340.89	252.34	-25.98	/	
Tallahatchie	166.90	84.53	-49.35		
Tate	-	107.30			
Tippah*	163.47	63.43	-61.20	/	
Tishomingo*	159.22	82.52	-48.17		
Tunica	521.14	89.84	-82.76	/	/
Union*	-	66.91			
Warren	350.37	160.70	-54.13	/	/
Washington	274.17	124.12	-54.73	/	/
Wayne	82.51	44.92	-45.56		
Wilkinson	165.55	83.96	-49.28		
Winston	141.15	70.52	-50.04		
Yalobusha	182.32	100.54	-44.86		
Yazoo	367.23	134.33	-63.42	/	/
STATE	207.00	97.76	-52.77		

APPENDIX III
% OF TOTAL STATE ASSESSED PROPERTY VALUE (BY COUNTY)

GEORGIA					
County	1870	1880	County	1870	1880
Appling	0.29	0.34	Fulton	6.06	8.50
Baker	0.36	0.25	Gilmer	0.20	0.23
Baldwin	0.65	0.48	Glascock	0.17	0.17
Banks*	0.21	0.35	Glynn	0.71	0.49
Bartow*	1.46	1.36	Gordon	0.74	0.76
Berrien	0.28	0.39	Greene	0.90	0.87
Bibb	3.45	3.66	Gwinnett*	0.66	1.00
Brooks	0.87	0.77	Habersham	0.22	0.35
Bryan	0.25	0.18	Hall*	0.47	0.87
Bulloch	0.38	0.44	Hancock	1.08	0.99
Burke	0.89	0.96	Haralson*	0.16	0.26
Butts	0.33	0.36	Harris	0.87	0.75
Calhoun	0.36	0.28	Hart*	0.29	0.41
Camden	0.48	0.22	Heard*	0.44	0.39
Campbell*	0.61	0.61	Henry	0.68	0.69
Carroll*	0.71	0.83	Houston	1.58	0.96
Catoosa	0.41	0.34	Irwin	0.15	0.22
Charlton	0.10	0.09	Jackson*	0.50	0.74
Chatham	10.01	7.38	Jasper	0.52	0.47
Chattahoochee	0.41	0.21	Jefferson	0.67	0.86
Chattooga	0.53	0.61	Johnson	0.18	0.22
Cherokee*	0.48	0.71	Jones	0.61	0.46
Clarke	1.48	1.85	Laurens	0.55	0.44
Clay	0.37	0.32	Lee	0.83	0.41
Clayton*	0.37	0.51	Liberty	0.28	0.37
Clinch	0.25	0.28	Lincoln	0.28	0.28
Cobb*	1.23	1.39	Lowndes	0.59	0.54
Coffee	0.22	0.33	Lumpkin	0.18	0.23
Colquitt	0.09	0.12	McDuffie	-	0.34
Columbia	0.81	0.37	McIntosh	0.26	0.30
Coweta	1.15	1.24	Macon	0.86	0.55
Crawford	0.44	0.30	Madison*	0.28	0.37
Dade	0.35	0.29	Marion	0.58	0.36
Dawson	0.19	0.24	Meriwether	0.76	0.63
Decatur	0.91	0.85	Miller	0.14	0.14
Dekalb	0.72	0.99	Milton*	0.24	0.35
Dodge	-	0.28	Mitchell	0.50	0.50
Dooly	0.68	0.55	Monroe	1.07	0.92
Dougherty	1.66	1.00	Montgomery	0.25	0.31
Douglas*	-	0.29	Morgan	0.78	0.87
Early	0.45	0.34	Murray	0.45	0.45
Echols	0.10	0.10	Muscogee	3.35	3.19
Effingham	0.29	0.27	Newton	1.16	0.85
Elbert	0.59	0.56	Oconee	-	0.32
Emanuel	0.39	0.52	Oglethorpe	0.67	0.67
Fannin	0.19	0.18	Paulding*	0.36	0.51
Fayette*	0.44	0.36	Pickens	0.20	0.22
Floyd*	2.09	2.17	Pierce	0.15	0.23
Forsyth*	0.38	0.51	Pike	0.80	0.98
Franklin*	0.36	0.51	Polk*	0.62	0.70

County	1870	1880
Pulaski	0.72	0.65
Putnam	0.68	0.70
Quitman	0.32	0.24
Rabun	0.12	0.13
Randolph	0.94	0.69
Richmond	6.19	6.40
Rockdale*	-	0.48
Schley	0.40	0.23
Screven	0.32	0.45
Spalding	0.90	0.84
Stewart	0.87	0.61
Sumter	1.57	1.25
Talbot	0.63	0.53
Taliaferro	0.27	0.29
Tattnall	0.34	0.39
Taylor	0.39	0.34
Telfair	0.20	0.28
Terrell	0.71	0.53
Thomas	0.93	1.06
Towns	0.09	0.10
Troup	1.31	1.25
Twiggs	0.46	0.27
Union	0.20	0.18
Upson	0.82	0.60
Walker	0.72	0.73
Walton*	0.73	0.99
Ware	0.16	0.23
Warren	0.43	0.51
Washington	1.06	1.17
Wayne	0.13	0.28
Webster	0.42	0.26
White	0.20	0.20
Whitfield	0.85	0.80
Wilcox	0.15	0.17
Wilkes	0.99	1.16
Wilkinson	0.74	0.50
Worth	0.23	0.26

* - Hill county

Sources: For this table and following two tables: Ninth Census of the United States, 1870 (Washington, 1872), Statistics of Wealth and Industry, 15-6,22-4,41-2; Tenth Census of the United States, 1880 (Washington, 1884), Report on Valuation, Taxation, and Public Indebtedness, 132-4,127-31,135-7.

ALABAMA

County	1870	1880	County	1870	1880
Autauga	1.20	1.13	Pickens	0.95	1.00
Baldwin	0.65	0.76	Pike	1.09	1.38
Barbour	2.94	2.07	Randolph*	0.57	0.48
Bibb	0.56	0.62	Russell	1.69	1.49
Blount*	0.49	0.89	Shelby	0.77	1.52
Bullock	2.63	2.53	St.Clair*	0.42	0.72
Butler	1.15	1.61	Sumter	2.03	2.27
Calhoun*	1.09	1.64	Talladega*	2.28	2.08
Chambers	1.08	1.51	Tallapoosa	1.28	1.31
Cherokee*	0.88	1.13	Tuscaloosa	1.73	2.11
Chilton	0.25	0.71	Walker*	0.35	0.43
Choctaw	0.71	0.80	Washington	0.20	0.54
Clarke	0.79	0.85	Wilcox	1.95	1.89
Clay*	0.39	0.53	Winston*	0.12	0.09
Cleburne*	0.29	0.43			
Coffee	0.23	0.32			
Colbert*	1.18	1.52			
Conecuh	0.62	0.59			
Coosa	0.61	0.72			
Covington	0.12	0.15			
Crenshaw	0.51	0.47			
Cullman*	-	0.36			
Dale	0.58	0.59			
Dallas	6.29	4.73			
Dekalb*	0.42	0.46			
Elmore	1.48	1.06			
Escambia	0.17	0.51			
Etowah*	0.64	1.08			
Fayette*	0.40	0.46			
Franklin*	0.51	0.56			
Geneva	0.13	0.18			
Greene	2.32	1.65			
Hale	2.82	2.02			
Henry	0.90	0.88			
Jackson*	1.24	2.06			
Jefferson*	0.87	2.79			
Lamar*	0.51	0.48			
Lauderdale*	2.04	1.43			
Lawrence*	1.17	1.83			
Lee	1.43	1.94			
Limestone*	1.73	2.14			
Lowndes	2.11	2.43			
Macon	1.74	1.41			
Madison*	5.12	2.95			
Marengo	2.18	1.92			
Marion*	0.19	0.24			
Marshall*	0.66	0.79			
Mobile	15.26	13.46			
Monroe	0.93	0.70			
Montgomery	8.31	7.23			
Morgan*	0.96	1.30			
Perry	3.03	2.07			

MISSISSIPPI

County	1870	1880	County	1870	1880
Adams	3.34	3.15	Prentiss*	0.92	0.95
Alcorn*	1.26	1.12	Quitman	-	0.65
Amite	1.50	1.16	Rankin	1.50	1.06
Attala	1.36	1.32	Scott	0.69	0.81
Benton	-	0.67	Sharkey	-	0.93
Bolivar	2.63	2.15	Simpson	0.24	0.38
Calhoun*	0.78	1.00	Smith	0.42	0.36
Carroll	2.31	1.49	Sumner*	-	0.50
Chickasaw	2.28	1.55	Sunflower	1.01	1.06
Choctaw	1.32	0.55	Tallahatchie	0.77	0.83
Claiborne	2.11	1.77	Tate	-	1.82
Clarke	1.12	0.96	Tippah*	1.94	0.74
Clay	-	1.38	Tishomingo*	0.66	0.65
Coahoma	2.01	1.50	Tunica	1.66	0.69
Copiah	2.46	2.84	Union*	-	0.79
Covington	0.28	0.33	Warren	5.54	4.54
DeSoto	4.86	2.18	Washington	2.38	2.85
Franklin	0.53	0.46	Wayne	0.20	0.35
Greene	0.09	0.18	Wilkinson	1.25	1.35
Grenada	1.09	1.25	Winston	0.73	0.64
Hancock	0.44	0.78	Yalobusha	1.41	1.42
Harrison	0.68	0.80	Yazoo	3.75	4.11
Hinds	4.17	4.16			
Holmes	2.60	2.41			
Issaquena	1.48	1.28			
Itawamba*	0.66	0.50			
Jackson	0.55	0.63			
Jasper	0.61	0.77			
Jefferson	1.33	1.12			
Jones	0.11	0.18			
Kemper	0.76	1.01			
Lafayette	1.88	2.08			
Lauderdale	1.58	1.84			
Lawrence	0.45	0.55			
Leake	0.73	0.63			
Lee*	1.44	1.59			
LeFlore	-	1.63			
Lincoln	0.87	1.09			
Lowndes	3.51	2.60			
Madison	2.65	2.58			
Marion	0.22	0.31			
Marshall	3.73	2.68			
Monroe	2.19	2.50			
Montgomery	-	1.00			
Neshoba	0.52	0.47			
Newton	0.62	0.76			
Noxubee	2.22	2.76			
Oktibbeha	1.07	1.11			
Panola	2.82	3.15			
Perry	0.14	0.22			
Pike	1.60	1.37			
Pontotoc*	1.95	0.93			

APPENDIX IV: ROLL CALL VOTES

The following tables provide roll call votes for the legislative session of each of the states under investigation in which anti-Redeemer activity was at its height. (Occupational information on the memberships of these sessions is discussed in Chapter 3) Throughout this thesis, these votes, as well as the votes of other session, are referred to in relation to specific issues before Southern legislatures. The detailed listing of votes of particular sessions given below is meant to provide an indication of the range of issues before legislatures, in particular focusing on those provoking the most controversy. Before examining the votes, a few caveats are in order. First, the journals of the various legislatures varied in their format. For some of the journals it is easy to determine the intent of measures before a legislature, for others it is not. Although all of the journals provide an abbreviated record of daily legislative proceedings, some provide more detailed information on daily debates and committee reports than others. Fortunately, newspaper coverage of legislative proceedings was very useful in determining the nature of bills under consideration. Even then, it is often difficult to determine the exact motivation of legislators in supporting or opposing a bill. A legislator, for example, might oppose a bill not because he opposed the intent of the bill but because the version of the bill being voted on was a weakened version of the originally proposed measure. Moreover, bills promoted for certain purposes might actually have not so obvious objectives. A bill to "regulate" the jury selection process, for instance, while ostensibly promoted to systematize the method of selecting jurors might actually be intended to control who sat on juries. Although the abbreviated records provided in the journals sometimes makes it difficult to determine the exact nature of a measure being voted on, special care (utilizing newspaper coverage of legislative proceedings, state statutes, and legislative documents) was taken to determine the intent of measures under consideration. In general, despite the problems in using legislative journals, the tables given below do provide a good indication of the voting patterns of hill country legislators in relation to overall legislative voting patterns. One other introductory comment needs to be made. State senatorial districts encompassing hill counties (as defined in footnote one of the Introduction of this thesis) sometimes also included non-hill counties. The roll call votes of the senators of these districts were included as hill country legislators in the following tables.

ROLL CALL VOTES ALABAMA HOUSE JOURNAL 1882-1883*

<u>Bill</u>	<u>Total Vote</u>	<u>No.Ala. anti- Redeemer Vote</u>	<u>No.Ala. Dem. Vote</u>
For relief of Calhoun co. sheriff	41-31-28	0-8-6	10-7-2
To prevent sale of cot- ton in the seed in Barbour co.	50-30-20	0-12-2	4-8-7
To prevent sale of cot- ton in the seed in Perry co.	58-20-22	1-12-1	9-5-5
To regulate drawing of jurors in Dallas co.	60-16-24	2-10-2	9-4-6
To give landlord a lien for rent	68-16-16	1-10-3	12-3-4
To punish the obtaining of money or prop. by means of false promises	82-15-3	6-8-0	13-4-2
To prevent the enticing of servants under false promises	63-18-19	3-10-1	9-5-5
To increase Supreme Ct. judge salary	54-39-7	5-9-0	3-14-2
To sell St. convict farm	42-26-32	4-8-2	9-4-6
To provide for study of health in public schools	47-16-37	3-6-5	6-3-10
To punish dog stealing	59-16-25	2-7-5	12-2-5
To authorize Gov. to is- sue bonds for Montg. bank	58-11-31	4-5-5	9-3-7

*In each of the columns of the following tables, the first number given is the number of legislators voting "yea"; the second, the number voting "nay"; the third, the number either not voting or absent. Errors in vote totals recorded in legislative journals have been corrected.

To repeal election leg. of Code	43-38-19	2-9-3	6-10-3
Granting of lands to a railroad company	47-33-20	0-12-2	7-8-4
To define duties of St. Board of Health	42-17-41	1-6-6	7-3-9
To authorize Gov. to suspend derelict sheriffs and tax collectors	53-19-28	1-11-2	10-1-8
Appropriation for St. Medical College	47-24-29	7-7-0	3-7-9
Appropriation to pay St.'s costs in civil suits	36-28-36	2-8-4	10-4-5
For relief of Jeff. co. tax collector	36-27-37	1-9-4	7-3-9
To regulate treatment & hiring of convicts	57-16-27	1-12-1	10-1-8
To punish violation of laws of Tuskegee, Macon co.	67-5-28	2-5-7	14-0-5
To allow corp.'s to do business in other states	31-21-48	2-5-7	14-0-5
To incorp. a mining comp.	60-3-37	6-3-5	12-0-7
To levy taxes	57-6-37	2-5-7	12-0-7
To require emigrant agent licenses in Bl.Belt co.'s	32-20-48	2-5-7	8-3-8
To regulate the selection of jurors in Montg. co.	48-4-48	5-4-5	10-0-9
To alter Huntsville city charter (to gerry- mander town dist.'s) - to postpone	18-45-37	11-0-3	0-9-10
To alter Huntsville city charter	59-9-32	4-7-3	12-0-7
To prevent abandonment of contracts	38-24-38	1-7-6	6-5-8

To increase powers of tax officials	50-11-39	1-5-8	10-1-8
To regulate selection of Montg. co. jurors	53-4-43	3-4-7	8-0-11
To prohibit hiring co. convicts outside Dallas co.	35-26-39	5-2-7	4-10-5
To provide for collection of taxes in co.'s having no qualified collectors	55-2-43	2-2-10	9-0-10
To incorp. an iron comp.	54-3-43	4-3-7	9-0-10
To continue a geological/ agricultural survey	48-15-37	2-8-4	10-2-7
Appropriation for St. bookkeeping	38-22-40	2-7-5	8-4-7
To establish an Agric. Dept.	53-30-17	5-6-3	5-10-4
Appropriations for Rail- road Comm.'s expenses	41-15-44	2-7-5	6-1-12
Compensation for librarian	36-17-47	3-7-4	8-0-11
Appropriation for a lunatic	39-20-41	3-5-6	6-2-11
Appropriation for state's volunteer forces	46-8-46	2-4-8	9-1-9
To assist st. colleges	63-11-26	5-4-5	6-3-10
Fund for Supreme Ct. library	50-7-43	4-2-8	8-3-8
To raise fees of judges	38-23-39	0-4-10	9-3-7
To regulate fees of circuit solicitors	28-25-47	1-6-7	6-4-9
To settle St. claims against former St. Treas.	63-16-21	2-8-4	10-5-4
To establish st. normal school for white females	45-10-45	1-4-9	8-2-9

To provide pay for commissioner who adjusted debt for Bl.Belt co.'s	47-13-40	1-7-6	6-2-11
To require Gov. to acquire a fire-proof safe	38-26-36	1-7-6	7-7-5
To authorize the mortgaging of crops	37-26-37	6-3-5	11-3-5
To confer additional powers on Montg. co. authorities	37-18-45	0-4-10	7-4-8
To better secure payment of criminal ct. fines and costs	43-26-31	0-9-5	9-3-7
To give landlord lien for rent superior to all other liens	37-24-39	2-5-7	2-8-9

ROLL CALL VOTES ALABAMA SENATE JOURNAL, 1882-1883

<u>Bill</u>	<u>Total Vote</u>	<u>No.Ala. anti- Redeemer Vote</u>	<u>No.Ala. Dem. Vote</u>
To increase Supreme Ct. Judges' salary	20-8-5	0-2-0	4-5-0
To increase Circuit Judges' salary	20-9-4	0-2-0	4-5-0
To authorize mort- gaging of crops	23-7-3	0-2-0	6-2-1
For better protection of farmers in Conecuh co.	27-2-4	0-2-0	8-0-1
To provide for collec- tion of taxes by a gov.- appointed official in co.'s w/out collectors	28-5-0	0-2-0	8-1-0
To regulate hiring and treatment of convicts	19-3-11	0-1-1	5-2-2
For relief of Mobile tax collector-to postpone	8-25-0	2-0-0	1-8-0
To regulate Dallas co. jurors	23-1-9	0-1-1	7-0-2
To regulate sale of cot- ton in Perry co.	19-2-12	0-2-0	8-0-1
To require emigrant- agent licenses	21-7-5	0-2-0	6-1-2
To est. prohibition in Jackson co.	22-2-9	0-2-0	5-0-4
To punish obtaining of money/prop. by false pretenses-to postpone	14-13-6	2-0-0	5-1-3
To prevent dealing in agric. products betw. sunset and sunrise	19-5-9	0-2-0	7-1-1
To prevent sale of cot- ton in the seed in Barbour co.	23-0-10	0-0-2	8-0-1

To more effectually secure qualified jurors	26-4-3	1-0-1	7-1-1
To continue geological/ agric. survey	24-8-1	2-0-0	6-3-0
To provide for summary judgements against probate judgements and tax collectors	15-15-3	0-2-0	2-5-2
To authorize funds to set- tle rr indebtedness of Bl.Belt co.'s	17-10-6	0-2-0	5-2-2
To assist St. colleges	19-9-5	0-1-1	5-4-0
To establish normal school for whites	17-12-4	0-2-0	5-3-1
To pay expenses of com- mission to investigate IH Vincent, late Treas.	25-4-4	0-2-0	8-0-1
To regulate selection of jurors in Dallas co.	21-0-12	0-0-2	8-0-1
To amend election leg.	19-6-8	0-2-0	5-3-1
To amend election leg.	17-9-7	0-2-0	4-2-3
To amend election leg.	26-2-5	0-2-0	7-0-2
To regulate hiring and treatment of convicts	16-4-13	0-2-0	4-1-4
Appropriation for Medical College	23-7-3	0-2-0	7-2-0
For relief of Jeff. co. tax collector	14-8-11	0-1-1	3-2-4
To avoid elections for cts. of co. commissioners for 1883	15-11-7	1-1-0	5-3-1
To better secure payment of fines and costs in criminal cases	13-5-15	0-1-1	5-0-4
To authorize St.Bar Assoc. to disbar attorneys	28-2-3	0-2-0	9-0-0
To prevent speculations in futures	19-10-4	0-2-0	6-2-1

St. prohibition - to postpone	16-13-4	2-0-0	2-6-1
To prevent removal of outstanding crops	20-5-8	0-2-0	3-3-3
To alter Huntsville city charter	25-2-6	0-2-0	7-0-2
To regulate sale of cotton in Bl.Belt co.'s	23-4-6	0-2-0	7-1-1
To levy taxes	20-5-8	0-2-0	4-0-5
Fund for Supreme Ct. library	15-9-9	0-1-1	4-3-2
To authorize corp.'s to do business in other sts.	24-0-9	1-0-1	7-0-2
To centralize assessment/collection of St. taxes	20-3-10	0-1-1	7-0-2
To extend Talladega city corp. limits	17-2-14	0-1-1	4-0-5
To regulate Macon co. misdemeanor trials	17-2-14	0-1-1	4-0-5
To extend 'Canebrake Agric.Dist.' in Hale co. (to be enclosed by a fence)	20-1-12	0-1-1	5-0-4
To est. an Agric.Dept.	25-5-3	0-2-0	7-1-1
To better enforce working of rds. in Bl.Belt co.'s	17-3-13	0-1-1	6-1-2
Compensation of librarian	16-5-12	0-1-1	3-2-4
To regulate circuit solicitors' fees	14-6-13	0-1-1	4-1-4
To give landlords' lien for rent superior to all other liens	21-2-10	0-2-0	5-0-4

ROLL CALL VOTES MISSISSIPPI HOUSE JOURNAL 1880

<u>Bill</u>	<u>Total Vote</u>	<u>No.Miss. Vote</u>	<u>Green.Vote (excl.h-c)</u>
To regulate sale of cotton seed - to table	69-46-5	10-4-0	5-5-1
To repeal charter of Coffeeville, Yalobusha, co. (to change boundary and alter local cts.)	56-51-13	5-9-0	0-10-1
To incorporate Coffeeville, Yalobusha co.	53-29-38	1-9-4	0-8-3
To provide for ed. of St. cadets - to table	56-45-19	12-1-1	7-0-4
To regulate registration of voters	39-36-45	4-6-3(1?)	1-5-5
To increase value of prop. at forced sales - to postpone	48-46-26	3-9-2	1-5-5
To encourage publication of Supreme Ct. reports	58-34-28	5-8-1	3-3-5
To reduce a railroad's taxes	51-31-38	5-8-1	4-3-4
To allow hiring out of prisoners in co. jails	55-37-28	8-5-1	2-4-5
For enforcement of land- lord's lien	46-38-36	5-6-3	3-4-4
For relief of a railroad comp.	54-27-39	4-7-3	1-4-6
Appropriation for a college	67-23-30	4-8-2	4-2-5
Authorizing a Con.Con. - to table	73-34-13	9-4-1	8-2-1
To give St. instead of Co. Treas. more control over fees	38-53-29	2-10-2	6-0-5
To limit fees of state officials - motion to disagree to	41-62-17	6-7-1	5-2-4

To require employment of convicts on works of internal improvements	73-26-21	10-3-1	6-0-5
To create Bd. of Commissioners of Penitentiary - to table	39-52-29	4-9-1	6-1-4
For settlement of litigation betw. St. of Miss. and a railroad comp.	48-43-29	4-9-1	3-5-3
To organize a Dept. of Immigration and Agric.- to table	42-34-44	9-2-3	1-1-9
To reduce Commissioner of Immigration's salary - to recede from	43-35-42	0-10-3 (1?)	2-4-5
To ascertain indebtedness of St. due to Seminary fund and for payment of interest thereon	42-40-38	4-7-3	3-4-4
To eliminate tax exemp. provisions in bill concerning manufac. comp.'s - to table	39-40-41	4-6-4	2-4-5
To provide for a Revised Code of Statutes	58-9-53	9-2-3	2-0-9
For relief of an individual	52-17-51	5-5-4	4-0-7
To regulate railroads	45-30-45	10-2-2	5-0-6
Appropriation for bldg. Miss. Asylum for the Blind	66-4-50	10-1-3	2-0-9
Ho. concurs in Sen. amendment to railroad regulation bill	38-25-57	5-3-6	5-0-6
Resolution asking US Cong. to pass interst. commerce legislation	62-13-45	7-3-4	5-1-5

ROLL CALL VOTES MISSISSIPPI SENATE JOURNAL, 1880

<u>Bill</u>	<u>Total Vote</u>	<u>No.Miss. Vote</u>	<u>Green.Vote (excl.h-c)</u>
For investigation of contested election case in Warren co. - to table	22-5-10	4-0-0	0-2-0
To extend time of making official bonds in Bolivar co. - indefinitely post- poned	28-1-8	4-0-0	0-0-2
To provide for ed. of St. Cadets	18-11-8	2-1-1	0-1-1
To repeal part of Agric. lien law - indefinitely postponed	20-10-7	2-1-1	0-1-1
Resol. against calling a Con.Con.	25-5-7	3-1-0	2-0-0
To reduce Supreme Ct. judges' salary	12-11-14	4-0-0	1-1-0
To require emigrant agents' licenses - in- definitely postponed	21-10-6	4-0-0	1-1-0
To tax a railroad comp. (Ripley co.)	29-4-4	3-1-0	2-0-0
To reduce appropriation for a college - to table	16-13-8	0-2-2	1-1-0
Appropriation for above college	20-10-7	1-2-1	2-0-0
To prevent unjust rail- road rates, despite rail- road charters - indefi- nitely postponed	18-12-7	0-3-1	0-2-0
To provide for State Female College	24-3-10	1-1-2	2-0-0
Railroad regula- tion shall not conflict with chartered rts. of any comp.	13-17-7	2-1-1	0-2-0
To prevent unjust rail- road rates	19-9-9	3-0-1	1-1-0

Election officials shall not be of the same pol. party - tabled	17-14-6	1-2-1	0-2-0
If railroad comp. isn't completed by certain date, tax exemp. revoked	18-4-15	1-1-2	1-1-0
To allow elected local officials to select jurors	19-13-5	3-0-1	1-0-1
Appropriation of Vicksburg City Hospital	16-12-9	0-2-2	0-1-1
To require employment of convicts on works of internal improvements	26-4-7	4-0-0	0-1-1
To ascertain St. indebtedness on account of Seminary Fund, and for payment of interest thereon	18-12-7	2-2-0	0-1-1
For the relief of a railroad comp.	27-1-9	3-0-1	1-0-1
To amend Ripley RR comp. charter to make road subj. to st. regulation	19-11-7	1-2-1	2-0-0
For relief of maimed soldiers - indefinitely postponed	15-10-12	1-2-1	0-1-1
Appropriation for Miss. Asylum for the Blind	14-13-10	2-2-0	1-0-1
To encourage publication of supplemental digest to Supreme Ct. reports	17-11-9	2-2-0	0-1-1
Amendments to bill to promote extension of Chi., St.L., and N.O.RR: RR subject to taxation and regulation - to table	8-16-13	1-2-0(17)	1-0-1
Judgements against above corp. for injury to persons and prop. made superior - to table	7-18-12	1-3-0	1-0-1

Branch rds. tax exempt for 5 yrs. - to table	13-9-15	2-1-1	0-0-2
To increase rr taxation - to table	16-11-10	2-2-0	1-0-0(17)
Amend. to rr incorp. bill - judgements against corp. for injury to per- sons and prop. made superior - to table	13-10-14	1-3-0	0-0-2
To investigate alleged mistreatment of convicts worked outside of pen- itentiary walls	22-3-12	3-1-0	1-0-1
To adopt a revised Code of Statutes	19-10-8	1-3-0	0-1-1
To settle controver- sies betw, St. of Miss. and a rr (passed after amendment to force rr to pay back taxes lost)	15-10-12	1-3-0	0-1-1

ROLL CALL VOTES GEORGIA HOUSE JOURNAL, 1878-1879

<u>Bill</u>	<u>Total</u>	<u>Upcountry</u>
To confer additional powers upon tax collectors	74-59-42	7-18-5
To abolish the off. of St. Geologist	57-64-54	16-5-9
To establish branches of the St. Univ.	98-28-49	11-14-5
To exempt 1 dog per family from dog tax	81-67-27	19-7-4
To abolish Agric. Dept. - adverse committee rep. agreed to	82-66-27	7-18-5
To reconsider above	68-83-24	19-8-3
To make unlawful sale or purchase of farm products betw. sunset and sunrise	50-84-41	10-13-7
To prevent rr comp.'s from purchasing or leasing railroads, or from buying stock therein	127-8-40	26-0-4
To est. Middle Ga. Mil. & Agric. College	72-77-26	2-24-4
To reg. sale of commercial fertilizers and to define rts. of persons to such contracts-adverse comm. rep. disagreed to	56-68-51	2-21-7
To provide for rr reg.	88-36-51	16-6-8
To reconsider a bill to declare violation of contracts criminal in certain cases-to table	31-101-43	2-24-4
To compel appearance of rr's and other corp.'s when indicted for violation of the law	70-40-65	16-5-9

To amend act regulating leasing out of convicts and to provide for better management of convicts	59-67-49	7-15-8
To increase legal interest rate of the St.	39-82-54	3-21-6
To perfect present convict lease system	76-46-53	12-9-9
To create Ga. St. Normal College	78-46-51	10-11-9
To provide for uniform assessment of rr prop.	85-32-58	17-3-10
To create Ga. St. Normal College	90-44-41	10-14-6
To reduce appropriation to rebuild No. Ga. Agric. College	66-31-78	18-1-11
To reduce salaries of fertilizer inspectors	94-26-55	21-2-7
To purchase v.'s of Ga. Supreme Ct. reports	75-33-67	7-11-12
To regulate rr's	102-27-46	22-2-6
To increase Railroad Commissioners' salary	54-66-55	7-12-11
To reduce fertilizer inspection fees- to table	45-74-56	7-14-9
To render more efficient the inspection and analysis of fertilizers	82-43-50	18-8-4
Resol. concerning furnishing convicts to Marietta and No. Ga. RR	88-25-62	24-1-5
To submit question of abolishing Agric.Dep. to the people	82-26-67	24-1-5
To reconsider Ho. action on reducing fertilizer inspection fees	37-77-61	9-14-7

To allow banks to form limited partnerships	72-42-61	9-11-10
To reconsider approved measure to pay per diem of deceased members	63-70-42	16-10-4
To declare breach of contract criminal	31-101-43	2-24-4

ROLL CALL VOTES GEORGIA SENATE JOURNAL, 1878-1879

<u>Bill</u>	<u>Total</u>	<u>Upcountry</u>
To regulate rate of interest & to declare void prop. titles resulting from usurious contracts	17-24-3	4-8-0
To throw restrictions around the reception of pauper affidavits in judicial proceedings	23-8-13	6-4-2
To establish branches of St. Univ. in sw Ga.	31-4-9	11-0-1
To make creditor pay expenses of debtor in court action ruled against creditor-to reject	29-11-4	6-5-1
To form a committee to visit and examine No. Ga. Agric. College	25-17-2	4-7-1
Pay of Leg. aides raised	24-12-8	5-5-2
Appropriation for St. Bd. of Health	17-17-10	3-8-1
To prevent use of liquor to influence votes	17-22-5	5-4-3
To increase jurisdiction of justices of the peace in cases involving destruction of stock by rr's-adverse report	20-16-8	5-5-2
To make prop. liable to taxes in co. where prop. located - amend to make applicable only to realty	16-24-4	5-4-3
To reconsider above bill	19-21-4	6-4-2
Appropriation for Lunatic Asylum	29-0-15	9-0-3
To print 100 copies of bill to be used by Sen.	16-15-13	3-6-3

To define lobbying as a crime	22-15-7	6-3-3
To confer additional powers upon tax collectors	24-13-7	5-4-3
To allow vagrants to be bound out to individuals posting bond	18-19-7	6-4-2
To create a Bd. of Police Commissioners for City of Augusta: Amend-a maj. of voters of Augusta must ratify	17-19-8	3-6-3
Amend-a third of voters of Augusta must ratify	10-25-9	1-8-3
Above bill passed	27-8-9	7-2-3
To provide for the reduction of capital stock of Ga. Banking & Trust co.	24-0-20	7-0-5
To allow Cherokee Iron co. to build a rr in no. Ga.	25-0-19	8-0-4
To define crime of tramp and to provide punishment for	25-16-3	4-8-0
To exempt chartered banks from payment of specific taxes on businesses	14-21-9	3-7-2
To regulate rr's	32-7-5	9-1-2
To establish the Ga. St. Normal College	30-5-9	10-1-1
To reconsider passage of bill to regulate interest rates -to table	20-17-7	4-5-3
To declare void all waivers of the general warranty imposed on vendors of fertilizers-to agree to adverse rep.	21-14-9	6-2-4

To abolish Off. of Principal Keeper of the Penitentiary-indefinitely postponed	23-15-6	4-5-3
To define lobbying during leg. session a crime	17-19-8	5-4-3
To pay mileage of members for adjourned session	29-11-4	6-5-1

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