

Robert Sidney Boyette, Jr. THE NORTH CAROLINA ALLIANCE LEGISLATURE OF 1891: HARVEST TIME FOR THE FARMER. (Under the direction of Dr. Lala Carr Steelman) Department of History, East Carolina University, May 1984.

The purpose of this study is to describe the problems of the North Carolina farmer during the nineteenth century, to determine how the General Assembly of 1891 tried to solve these problems, and the role of the Farmers' Alliance in directing the agrarian reform movement. A depressed agricultural situation after the Civil War led to the rise of farm organizations whose objective it was to secure reforms that would help the farmer. The Farmers' Alliance was the strongest of these organizations and elected members to the legislature of 1891 in the hope of bringing about agricultural changes. The Alliance closely directed the farmers' legislature and succeeded in obtaining reforms to benefit the farmer in particular and the masses in general.

Concern over the farmers' predicament extended back to the end of the Civil War. Low prices, a labor shortage, little or no credit, and a shortage of currency left the farmer in a deplorable condition. The agrarian element was also the victim of railroad discrimination. Organizations such as the Grange and the Farmers' Association tried to assist the farmer through education and cooperative stores. However, these attempts were shortlived and did little to protect the farmer from monopolistic industries such as the railroads.

In the late 1880s, another organization, the National Farmers' Alliance and Industrial Union, grew quickly to prominence in the

state. The Alliance assisted the farmer through social and educational activities and petitioned the General Assembly for economic and political reforms. When the North Carolina legislature failed to establish a railroad commission in 1889, the organization decided to elect members to the Assembly committed to endorse Alliance demands. In the election of 1890, the Alliance elected a majority of Assembly members who were pledged to support reforms for the farmer.

The first test of Alliance power in the legislature came during the election of a United States Senator. Zebulon B. Vance was the foremost politician in North Carolina. While he favored most of the Alliance reforms, he could not support the subtreasury plan, a scheme to store farmer produce in warehouses until it could be sold for a better market price. The Alliance wanted the legislature to instruct the state's national representatives to support the Alliance financial reforms. The enactment of these instructions and their acceptance by Vance established Alliance dominance in the Assembly and set the stage for further reform action.

The primary reform measure pursued by the Alliance in the 1891 Assembly was a railroad commission law. Farmers depended on railroads for transporting their produce to market. Discriminatory rates and exemption from taxation placed a heavy burden on agriculture. The railroads were a major political force in the state and for years successfully avoided state regulation. However, the Alliance succeeded in obtaining a strong regulatory commission with the power to set rates, inspect facilities, and investigate unfair practices. This

commission was authorized to regulate express, canal, and telegraph companies as well, thus allowing the government to break up the monopolistic actions of these corporations.

The farmer-legislator also realized the need for legislation other than agrarian reforms. Conservation, education, and health affairs were areas that required the farmers' attention. The Alliance legislator responded to these issues with a positive attitude and appropriated funds where they were needed. This assembly enacted a new revenue law placing the tax burden more evenly on all the people in the state. Programs were implemented to develop and promote the state's natural resources.

While progressive and forward-looking, the Alliance legislator still clung emotionally to the past. The legislature declared Robert E. Lee's birthday a state holiday. In order to assist the many Civil War veterans in the state, the Assembly established the Confederate Veterans' Home Association and appropriated funds for its upkeep. A negative side of the legislator appeared when he reapportioned the state's congressional districts in such a fashion that an all-Democratic, all-white delegation could be elected. This tie to the past somewhat restrained the liberal nature of the Assembly.

The Alliance legislature of 1891 established a progressive record on the important reform issues predominant in the state at that time. Although inexperienced at the beginning of the session, legislators quickly adjusted to government service and represented well the farming element of North Carolina. They were unsuccessful in obtaining major

credit reforms that the Alliance wanted, and, as a result, the organization looked to its representatives in Congress for stronger support. Considering all areas of reform, this Alliance legislature was one of the most productive in the state's history and deserves credit for its lasting achievements.

THE NORTH CAROLINA ALLIANCE LEGISLATURE OF 1891:
HARVEST TIME FOR THE FARMER

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TABLE OF CONTENTS

	PAGE
CHAPTER	
I. THE ORGANIZATION OF NORTH CAROLINA FARMERS AND THEIR ENTRANCE INTO THE GENERAL ASSEMBLY OF 1891	1
II. FARMERS, PREACHERS, LAWYERS, AND TEACHERS: THE ASSEMBLYMEN OF 1891	33
III. A DILEMMA FOR THE ALLIANCE LEGISLATURE: ZEB VANCE AND THE SUBTREASURY	77
IV. AN ALLIANCE VICTORY: THE RAILROAD COMMISSION OF 1891. .	103
V. CONSERVATION, EDUCATION, AND HEALTH AFFAIRS	140
VI. NEEDS OF THE FARMER	177
VII. CONCLUSION	202
BIBLIOGRAPHY	206

CHAPTER I

THE ORGANIZATION OF NORTH CAROLINA FARMERS AND THEIR ENTRANCE INTO THE GENERAL ASSEMBLY OF 1891

North Carolina farmers experienced a period of political awakening during the 1890s. For several years, problems such as low prices, a scarcity of currency, monopolies, and the absence of the best farming techniques had caused a decline in economic status for farmers. Farm organizations, such as the Grange, had arisen in order to aid the farmer through cooperative marketing and education. However, the cooperatives did not assist the poorer farmers, and although education was helpful, it did not ease the economic situation but rather enabled the farmer to see it more clearly. Fundamental changes enacted and enforced by the state government were needed.

The North Carolina Farmers' State Alliance, the strongest of the farm organizations, directed the farmers' attempt to obtain the needed legislation through their representatives to the General Assembly. These representatives were mainly conservative Democrats who failed to enact the reform legislation. As a result, an agrarian revolt occurred in the fall elections of 1890 in which the Alliance elected many farmers to the legislature and gained control of the Democratic party. Alliance legislators had the support of other assemblymen who

avored reforms in the economy, education, conservation, health affairs, and public services.¹

In 1890, many of the people of North Carolina were farmers and a majority of the laborers in the state worked on farms. Although the "New South" doctrine of industrial promotion led to a rise in manufacturing, the state was still heavily dependent on agriculture. If the farmers prospered, industry would benefit also, because agriculture was considered to be the "bed rock" of all other industries.² Two of the state's leading industries, tobacco and cotton, were directly dependent on farm production.

Farmers, however, did not flourish, and their problems could be traced back to the end of the Civil War. Without the capital or labor necessary to farm, landowners formed agreements with laborers, both Negro and white, who had farming experience but neither land nor money. In exchange for labor and a portion of the crop, the landowner would allot a certain acreage to the tenant. Supplies would be provided either by the landowner or a local merchant. This sharecropping or tenancy system seemed to work well in the decade immediately after the war as cotton production rose above pre-war levels,

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Joseph Flake Steelman, "The Progressive Era in North Carolina 1884-1917" (unpublished doctoral dissertation, University of North Carolina, Chapel Hill, 1955), 1-119, hereinafter cited as Steelman, "The Progressive Era in N.C. 1884-1917; Hugh Talmadge Lefler and Albert Ray Newsome, North Carolina: The History of a Southern State (Chapel Hill, Third Edition, 1973), 510-513, hereinafter cited as Lefler and Newsome, North Carolina.

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Fifth Annual Report of the North Carolina Bureau of Labor Statistics (Raleigh, 1891), 216.

and prices ranged from 12¢ to 18¢ a pound.³ The number of farms owned by those who did the actual work also increased.

As the years passed, the farmer began to rely on the local merchant as a source of seasonal credit to carry him through the planting and growing season. The merchant provided money for improvements upon the farmer's land and for purchasing better equipment. When bad crop years came, as in the late 1870s, the tenant often did not have the money to settle with the merchant. Therefore, he would give the merchant a lien on his next year's crop. Cotton and tobacco were the main cash crops, and the merchant preferred that the farmer grow them instead of diversifying his produce. Cotton became as marketable as money for there was always a buyer; it was not perishable; could not be consumed by the tenant; and was easy to transport.⁴ The merchant was usually the only local source of supplies, and costs were too high for anyone else to set up a store and give the merchant competition. Banks were located in towns away from the farmer and were unable or reluctant to provide capital quickly since it was difficult to obtain collateral or knowledge of

³ Phillip R. Muller, New South Populism: North Carolina, 1884-1900 (Ann Arbor, 1974), 17, hereinafter cited as Muller, New South Populism.

⁴ John D. Hicks, "The Farmers' Alliance in North Carolina," North Carolina Historical Review, II (April, 1925), 163, hereinafter cited as Hicks, "Farmers' Alliance."

the credit worthiness of the farmer.⁵ As the merchant forced the tenant to produce cotton only, overproduction occurred and prices fell. Often the merchant and landowner were the same person, reducing still further the opportunity for crop diversification. In many cases, the farmer himself, whether white or black, "was ignorant of other crops, afraid to try if he could, and all too willing to buy costly fertilizers in order that he might cultivate his traditional patch of worn-out cotton ground year after year."⁶

Overproduction was considered by many to be the basic cause of the farmers' problems. Yet with the growth of population, consumption was increasing at a dramatic rate. Therefore, the farmer looked to the amount of currency available as an explanation for his trouble. According to the farmer, prices were depressed because of the scarcity of money available in relation to the growing economy. Borrowing on a long-term basis was rare since so many short-term borrowers with ready cash took up the assets of banks. The currency was not as elastic as it should have been in regards to the fluctuation of money demands. In other words, there was not enough money in circulation at marketing time when the farmer needed it the most.⁷

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Roger L. Ransom and Richard Sutch, "Debt Peonage in the Cotton South after the Civil War," *Journal of Economic History*, XXXII (September, 1972), 650, hereinafter cited as Ransom and Sutch, "Debt Peonage."

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Hicks, "Farmers' Alliance," 164.

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Hicks, "Farmers' Alliance," 168.

Low prices which occurred frequently in the 1880s were also blamed on two institutions which farmers came to despise the most: the tariff and trusts. Farm products accounted for 80 per cent of American exports in the 1880s. Farmers sold mainly to Great Britain, a free trade country. Prices of their products would be fixed by the level of world competition. A tariff was placed on foreign goods coming into the United States to protect eastern manufacturers from foreign competition. As a result, farmers were economic victims who paid high prices for manufactured goods and sold their products for lower prices to free trade nations.⁸ While the United States trading policy was detrimental to farm interests, the farmers discovered another serious domestic problem. They viewed the railroads as trusts or monopolies, capitalizing upon the needs of North Carolina farmers. Railroads were a necessity in transferring and receiving produce. Rates were discriminatory as the price for freight on short hauls was not proportional in comparison with that on long hauls. Rate making in North Carolina was done by one representative company, thus limiting competition and enabling the companies to set high schedules. The state had encouraged and

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Carleton Beals, The Great Revolt and Its Leaders (New York, 1969), 81, hereinafter cited as Beals, Great Revolt; John D. Hicks, The Populist Revolt: A History of the Farmers' Alliance and the People's Party (Minneapolis, 1931), 80, hereinafter cited as Hicks, Populist Revolt.

financed railroad construction, but from 1880 onward, control passed into the hands of external financial interests.⁹

Fertilizer was a commodity whose manufacture and use the farmers looked on as a necessity. At least 35 per cent of the cultivated land in North Carolina in 1876 required some type of additive, and this percentage increased thereafter. Farmers used fertilizer especially for expanding the amount of land suitable for growing cotton. Approximately \$3,000,000 a year was paid for fertilizer, some of it of questionable quality, while farmers neglected the use of manure for the same purpose. To aid the farmer, the North Carolina Department of Agriculture, established in 1877, administered a \$500 license tax on fertilizer manufacturers. An agricultural experiment station was established to analyze brands and aid in the suppression of fraud in the sale of commercial fertilizers. The license tax and experiment station, along with department pamphlets on the quality of different brands, helped as well as protected the farmer from corrupt manufacturers.¹⁰

Meanwhile, the farmers had turned to organization as a means of solving their problems. An early attempt to organize the farmers

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Hicks, "Farmers' Alliance," 167; Muller, New South Populism, 22.

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Stuart Noblin, Leonidas LaFayette Polk, Agrarian Crusader (Chapel Hill, 1949), 111-112, hereinafter cited as Noblin, L. L. Polk; Laws of North Carolina, 1876-1877, c. 274 (Raleigh, 1877), hereinafter cited as Laws of North Carolina with appropriate date; Mary Ann Cowley, "State Policy and Economic Development in North Carolina, 1876-1896" (unpublished Master's thesis, East Carolina University, Greenville, 1974), 14, hereinafter cited as Cowley, "State Policy and Economic Development."

occurred in Guilford County in the spring of 1873 with the establishment of the first subordinate Grange. The Grange, founded nationally in 1867 to advance the agricultural class of the country, was a secret order. Oliver Hudson Kelly, a government clerk in the Agricultural Bureau in Washington, had traveled through the southern states where he saw firsthand the plight of the farmers. Kelly became the principal sponsor of the organization and helped form local orders throughout the South and West. A state-wide meeting was held in North Carolina in 1874 and on February 20, 1875, the legislature incorporated this organization as the North Carolina State Grange of Patrons of Husbandry.

One of the Grange's main objectives was to provide members with the products of factories at a low price through the formation of business cooperatives.¹¹ By joining together to manufacture farm implements and through the establishment of local cooperative stores, the Grange sought to eliminate the middleman and bring prices down to the level farmers could pay. However, by selling without local agents to service the machines, equipment often became useless to the farmer. A lack of capital made it difficult for cooperative stores to resist long-term competition from existing stores. Thus, by 1890 the Grange cooperative movement had died out in North Carolina, and the organization was relegated to literary and educational policies. The Grange obtained maximum strength in North

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Solon J. Buck, The Granger Movement (Cambridge, 1933), 42, 270, hereinafter cited as Buck, Granger Movement.

Carolina in 1875 with fifteen thousand members enrolled in five hundred lodges.¹²

While the Grange was short-lived in the Tar Heel state, some of its effects were long-lasting. The Grange was instrumental in increasing the interaction between families. Farmers began to associate with each other more often and saw the need for education to improve their farming practices. Valuable business training was acquired which would aid the farmer in his future dealings with merchants. The establishment of the North Carolina Department of Agriculture was a result of the efforts of state Grangers. The Grange provided experience to many North Carolinians interested in leading agrarian reform movements. A classic example was Sydenham Benoni Alexander, president of the state Grange, who emerged as a leader in the organization of farmers, particularly the Alliance movement.

Another Granger emerged as the foremost leader of the agrarian reform movement in the Tar Heel state and rose to national prominence. Leonidas LaFayette Polk, editor of the Progressive Farmer and state commissioner of agriculture from 1877 to 1880, began to organize the farmers in the spring of 1886. Since starting the Progressive Farmer in February of that year, Polk had used the weekly to enlighten farmers on the causes of their problems. Editorials and articles that related to new and improved farming techniques, as well as columns on housekeeping, cartoons, and debates with fellow editors, insured a wide circulation of the farm journal. In the same year Polk called

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Noblin, L. L. Polk, 99; Buck, Granger Movement, 274.

for farmers' clubs to organize at the township or school district level. Polk stressed the idea that a farmer's organization must originate at the local level. After the establishment of a strong base, then a state-wide organization could be formed.¹³

Of particular interest to Polk was the establishment of an agricultural college for the training of farm children. Accused of attacking the state University at Chapel Hill which received \$7,500 annually in Morrill Act funds for providing agricultural education, Polk investigated the agricultural instruction provided at the University. He found that only two courses were offered, and no students had enrolled in them.¹⁴ As a result, Polk issued one of the earliest demands for electing a legislature which would consider farmers' requests. On August 25, 1886, Polk wrote that the way to achieve an agricultural college for the benefit of the farmer was by ensuring that the legislators elected favored such a college.¹⁵

The opponents of an agricultural college were led by Governor Alfred M. Scales and the University president, Kemp Plummer Battle. Seeking to split the farmers, Governor Scales called for farm representatives to meet with the Board of Agriculture on January 18, 1887, the night before a scheduled mass meeting of farmers at

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Noblin, L. L. Polk, 157; Muller, New South Populism, 33; The Progressive Farmer (Winston), March 10, 31, 1886, hereinafter cited as Progressive Farmer.

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Progressive Farmer, June 23, August 25, 1886.

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Progressive Farmer, August 25, 1886; Noblin, L. L. Polk, 173.

Greensboro. Postponing their meeting, the farmers met with the Board in Raleigh and passed resolutions calling for reorganization of the Board of Agriculture and the establishment of an agricultural college. A week later on January 26, the farmers from forty counties in the state held a mass convention at Raleigh. The North Carolina Farmers' Association was thus organized, and Elias Carr was elected its first president. With the help of this association, the agricultural college bill passed the legislature of 1887.¹⁶

As the Farmers' Association worked in the General Assembly, other farm groups were busy in the state. The Grange, which had declined in the late 1870s, experienced renewed life. Grange membership rose from eight hundred in 1886 to more than two thousand in the fall of 1887. The most powerful instrument for agrarian reform was the Southern Alliance. Originating in Texas, the Texas Alliance had joined with the Louisiana Farmers' Union to form the National Farmers' Alliance and Cooperative Union in 1887. The name was changed in 1888 to the National Farmers' and Laborers' Union and in 1889 to the National Farmers' Alliance and Industrial Union.¹⁷ The first North Carolina

16

Progressive Farmer, February 2, 9, 1887; Noblin, L. L. Polk, 172-176; Hicks, "Farmers' Alliance," 169; The News and Observer (Raleigh), January 19, 27, 28, 1887, hereinafter cited as News and Observer; Laws of North Carolina, 1887, c. 410; David A. Lockmiller, History of the North Carolina State College of Agriculture and Engineering of the University of North Carolina, 1889-1939 (Raleigh, 1939), 21-42, hereinafter cited as Lockmiller, History of the N. C. State College.

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Fred Albert Shannan, "C. W. Macune and the Farmers' Alliance," Current History, XXXIII (June, 1955), 331, hereinafter cited as Shannon, "C. W. Macune."

branch of the order was the Ashpole Alliance started in Robeson County on April 30, 1887. Spreading rapidly, the Alliance had 8 county organizations and 132 subordinate Alliances by September 1. On October 4, the North Carolina Farmers' State Alliance was organized at Rockingham. For a time, all three organizations--the State Association, the Grange, and the Alliance--operated side by side in the state. However, owing mainly to its success across the southeastern United States, the State Alliance absorbed the North Carolina Farmers' Association at Greensboro in January, 1888. In the General Assembly of 1889, a charter was granted to the organization as the Farmers' State Alliance of North Carolina. The Alliance grew at a phenomenal rate, from fifty-two county alliances and forty-two thousand members in 1888 to ninety-nine county alliances and over one hundred thousand members in 1891.¹⁸

Membership in the Alliance resembled that of the North Carolina Farmers' Association. According to the 1889 constitution, only farmers, farm laborers, mechanics, country preachers, country school teachers, country doctors, and editors of strictly agricultural papers could join. All lawyers were excluded.¹⁹ The Alliance

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Hicks, "Farmers' Alliance," 170-171; Beals, Great Revolt, 78; Muller, New South Populism, 35; Noblin, L. L. Polk, 204-206; Progressive Farmer, October 13, 1887; Laws of North Carolina, 1889, c. 105.

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Noblin, L. L. Polk, 209; "Annual Meeting of the N. C. Farmers Association," Progressive Farmer Abstract, Elias Carr Papers, East Carolina Manuscript Collection, Joyner Library, Greenville, hereinafter cited as Carr Papers; Constitution of the Farmers' State Alliance of North Carolina (Raleigh, 1890), Article 4, Section 1.

emphasized social interaction between members through frequent meetings, lectures, and picnics. Financial motives persuaded the farmer to study new and improved methods of cultivation and raising livestock. Weekly pamphlets and circulars were printed and distributed by farm editors. Circulating libraries, formed in the local Alliances, encouraged farmers to read books such as Edward Bellamy's Looking Backward and Ignatius Donnelly's Caesar's Column. To unite the membership and ensure that no outside forces gained a voice in the Alliance, the meetings were kept secret. The rituals and proceedings associated with this secrecy strengthened the Alliance as well as attracted new members.²⁰

Another aspect of the Alliance was the establishment in 1888 of a State Business Agency. This agency adopted a plan whereby the State Business Agent acted as a commission merchant who bought goods from wholesalers and manufacturers and provided those goods to the local Alliances and individual members. The Agency almost collapsed in the winter of 1888-1889 due to a shortage of funds and weak leadership but was renewed in the fall of 1889. The following year the Agency was at its peak, operating a business of \$350,000 mainly in fertilizer. However, local cooperative stores developed, competing with the state agency. These local stores could extend credit to

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Homer Clevenger, "The Teaching Techniques of the Farmers' Alliance: An Experiment in Adult Education," Journal of Southern History, II (November, 1945), 510, hereinafter cited as Clevenger, "Teaching Techniques"; Hicks, Populist Revolt, 129.

members whereas the state agency operated on a cash basis. The state agency declined as the number of local cooperatives increased.²¹

As the Business Agency endeavored to aid the farmers by selling goods at discount prices, Polk and other leaders engaged in a battle against the "jute bagging" trust. Jute, a tough fiber made from the hemp plant, was the accepted covering for baling cotton. In 1888, the price of jute rose 4 3/4¢ per yard, netting over \$2,000,000 to the trust.²² The National Alliance, backed by the state affiliate, called for a boycott of jute and investigated new methods of bagging cotton. Pine straw bagging was considered, but the supply was limited, heavy to work with, and considered by some to stain the cotton when wet.²³ Cotton bagging was thus proposed and though in short supply, the amount of cotton used for bagging would decrease the total amount of cotton the farmer sold. Thus, demand for cotton would increase, supply would decrease, and the price of cotton would rise. Manufacturers sympathetic to the Alliance cause produced cotton bagging and sold it to the farmers at a reasonable cost. Though not enough cotton was produced to completely use this type of

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Robert C. McMath, Populist Vanguard: A History of the Southern Farmers' Alliance (Chapel Hill, 1975), 50-51, hereinafter cited as McMath, Populist Vanguard; Noblin, L. L. Polk, 208; Proceedings of the Fourth Annual Session of the North Carolina Farmers' State Alliance, Held in the City of Asheville, N. C., August 11, 12, 13, 14, and 15, 1890 (Raleigh, 1890), 15, hereinafter cited as NCFSA Proceedings, Asheville, 1890; The Caucasian (Clinton), February 6, 13, 1890, hereinafter cited as Caucasian.

22 Noblin, L. L. Polk, 211.

23 Progressive Farmer, April 9, 1889.

bagging exclusively, the success of the boycott was evident as the price of jute fell in 1890.²⁴

Educational services, business agencies, and cooperatives of the Alliance did much to acquaint the farmer with his particular problems and how they could be solved. The success of the jute boycott gave farmers confidence in the Alliance, and many new members joined.²⁵ Based on their growing strength and seeking to achieve a long-standing objective of farmer organizations, Alliance-men resolved in their convention of 1889 to petition the state legislature for a railroad commission. In this battle, however, the Alliance faced an adversary that possessed influential friends both in and outside the legislature. The News and Observer, edited by Samuel A'Court Ashe, previously stated its support for the farmers, particularly in challenging the jute bagging trust. But this support was never strong and has been questioned by historians.²⁶ On the railroad issue, however, Ashe expressed little concern for reform:

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Hicks, Populist Revolt, 140; McMath, Populist Vanguard, 56.

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Iredell Jones to Leonidas I. Polk, June 6, 1889, Leonidas L. Polk Papers, Southern Historical Collection, University of North Carolina, Chapel Hill, hereinafter cited as Polk Papers.

26

News and Observer, August 3, 1888; Ronnie Wayne Faulkner, "Samuel A'Court Ashe: North Carolina Redeemer, 1840-1894" (unpublished Master's thesis, East Carolina University, Greenville, 1975), 155-173, hereinafter cited as Faulkner, "Samuel A'Court Ashe."

Our impression is that the great bulk of our people have not experienced any grievances which they wish corrected, but that by much talk against corporations and their disposition to take advantage of the people a sort of furor has been stirred up in certain circles It is our judgement there is little need for such a commission.²⁷

With Ashe on the side of the railroads, the Progressive Farmer and the State Chronicle, edited by Josephus Daniels, proceeded to publish editorials that showed how unfair rates and high costs had seriously burdened the farmer. Although the supporters of the Alliance tried to persuade the legislators in their favor, the railroads were the more experienced. Railroad lawyers such as Colonel John W. Hinsdale of Raleigh stated that charter rights prohibited any railroad commission. A bill to establish a railroad commission with regulatory powers was introduced in the General Assembly in 1889. The commission bill passed the House, but the Senate defeated it.²⁸

The rejection of the railroad commission bill prompted Tar Heel farmers to look with serious doubts upon the legislators representing them in the General Assembly. Many farmers interpreted the defeat of the bill as an attempt by the trusts and monied powers to hold the farmer in a demoralized and bankrupt state. These monied powers were thought to control the legislators, especially when the representatives were given reduced rates or free passes to ride railroads in the state. Farmers all over the South came to the conclusion that

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Josephus Daniels, Tar Heel Editor (Chapel Hill, 1939), 394, hereinafter cited as Daniels, Tar Heel Editor.

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Daniels, Tar Heel Editor, 394; Noblin, L. L. Polk, 230-231.

direct involvement in the government was the answer. The National Alliance directed this movement. At the national convention held in St. Louis in December, 1889, an effort was made to coordinate the actions of farm and labor organizations. Arrangements were worked out for all State Alliances to send representatives, as well as the Northwestern Alliance, a northern farm organization, and the Knights of Labor, a national labor organization.²⁹

Characterized by Elias Carr as "perhaps the most important meeting ever held in this country," the St. Louis Convention adopted a seven-plank platform. The platform advocated: the abolition of national banks and the substitution of regulated legal tender treasury notes payable for all debts, both public and private; government ownership of the means of communication and transportation; prohibition of alien land ownership including the recovery of lands already owned by aliens; the free and unlimited coinage of silver; equitable taxation between classes; and a fractional paper currency.³⁰ Also introduced in St. Louis was the subtreasury plan. This plan proposed that a subtreasury office be established in every county that offered for sale during one year \$500,000 worth of farm products

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Theodore Saloutous, Farmer Movements in the South, 1865-1933 (Berkeley, 1960), 103-104, hereinafter cited as Saloutous, Farmer Movements.

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"Address by Elias Carr before the State Alliance at Asheville," Progressive Farmer, August 19, 1890; Lawrence Goodwyn, Democratic Promise: The Populist Moment in America (New York, 1976), 108-109, hereinafter cited as Goodwyn, Democratic Promise.

including wheat, corn, oats, barley, rice, tobacco, cotton, wool, and sugar. This office would maintain warehouses or elevators necessary for the careful storing and preserving of agricultural products to be sold at auction within twelve months. Based on this agricultural "gold" the government was to issue certificates of deposit showing the amount and quality which the farmer could borrow at 1 per cent interest legal tender paper money equal to 80 per cent of the value of the product that he had stored in the warehouse.³¹

Charles Wesley Macune, president of the National Alliance, stressed the importance of the subtreasury plan, emphasizing that it would reduce the glut on the market which the farmer experienced at harvest time, thereby ensuring him a higher price.

The subtreasury plan came to be a hot issue in the 1890 campaign. Zebulon Vance, Civil War governor and widely respected United States senator, introduced the subtreasury bill in February, 1890. Later, Vance stated he could not support the bill in its current form because of its unconstitutionality. His refusal to support a bill he had introduced created quite a furor in the state. L. L. Polk criticized Vance for failing to represent the people of North Carolina. Vance was up for reelection to the United States Senate by the state

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Beals, Great Revolt, 90.

legislature in 1891, and the issue stirred controversy in the state until then.³²

Encouraged by the National Alliance and seeking to play a greater role in legislation, the state organization sought to elect its own members to the legislature in 1890. Politics seemed to be the answer to their demands. The objective of the Alliance was to take over the existing Democratic party through the election of Alliance members. The Progressive Farmer stated. "We intend to turn our backs upon any man in the shape of a shuffling politician who does not emphatically identify himself with our principles."³³ In order to determine if a candidate favored the Alliance, a list of Alliance demands was drawn up by the State Alliance and ratified by a majority of the sub-alliances in the state. The four demands were:

1. With full confidence in the correctness of our position upon the question, we again demand of the General Assembly of North Carolina the enactment of a Railroad Commission law with full powers to the Commissioners to regulate freight and passenger rates upon a just and reasonable basis, and with further power to investigate and take suitable action with respect to damages or injuries to persons and property.
2. That the North Carolina Farmers' State Alliance hereby enters its earnest protest

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"Farmers' Alliance in the Southeast," Harpers Weekly, XXXIV (December 13, 1890), 971, hereinafter cited as "Farmers' Alliance," Harpers Weekly; Alex B. Bromberg, "The Farmers' Alliance, the Sub-treasury, and Zeb Vance," North Carolina Historical Review (Winter, 1979), 25, hereinafter cited as Bromberg, "The Farmers' Alliance, the Subtreasury, and Zeb Vance."

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Progressive Farmer, August 5, 1890.

against the policy of giving away the labor of our convicts, and demands of our Legislature the enactment of such laws as will hereafter prevent this outrage on the rights of the taxpayers of our state.

3. That we demand such changes in our laws as will reduce the costs in litigation in minor causes, and as shall enlarge the jurisdiction of our Justices of the Peace.
4. That we demand that laws shall be enacted to prohibit our public officials from receiving or using free passes or free tickets on our railroads.³⁴

Appearing on the card on which these demands were stated was this statement: "Politicians have so often deceived us by their verbal promises, which they break and then deny having made, that we decided, for the future, to take their pledges in black and white." The card was sent to the secretary of the state Alliance where it was kept on file so any constituent might view it. Written reports of why a candidate refused to sign it would be sent to the secretary and also kept in the file.³⁵

A similar card was presented to candidates for Congress. The demands were basically those of the St. Louis Convention, except for a few changes. The national demand which stated the Alliance was in favor of government ownership and control of the means of

34

Card on which the demands of the State Alliance were printed, Farmers' Alliance File, Carr Papers.

35

Card on which the demands of the State Alliance were printed, Farmers' Alliance File, Carr Papers.

communication and transportation was rejected by a majority of the sub-alliances. Instructions were the same as on the state card.³⁶

As the Alliance, backed by the Progressive Farmer and the Clinton Caucasian, worked to ensure adoption of the demands, some newspapers in the state urged farmers to stay out of politics. The News and Observer, ever the epitome of Bourbon Democracy, cautioned the farmer against involvement in politics. The Elizabeth City Economist warned:

. . . that the farmers have at this time upon them an immense responsibility and an immense danger. That responsibility is no less than the guidance of the political machinery of this government, that danger is that it may fall into the hands of a set of eleventh hour men, men who really care no more for a farmer and the farming business than so far as they can turn their allegiance to the Farmers' Alliance to something that weighs in their pockets.³⁷

The Charlotte Chronicle had early opposed the Alliance political movement and noted that some Alliance officers had influenced politics during the previous legislative session. In the opinion of the Chronicle, it was "undemocratic for any secret society to take part, as such, in politics."³⁸

36

Card on which the demands of the National Alliance were printed, Farmers' Alliance File, Carr Papers.

37

The Economist (Elizabeth City), September 14, 1890, hereinafter cited as Economist.

38

Charlotte Chronicle, August 13, 1890, hereinafter cited as Chronicle.

However, the election on November 4, 1890, showed a clear Democratic Alliance victory. All the congressmen except one, Henry P. Cheatham, Republican from the second district, supported the Alliance demands except the subtreasury scheme, although they might not have signed the pledge. In the General Assembly, the striking success of the Alliance campaign was evident. Of 170 members elected to the General Assembly, 110 were Alliancesmen or pledged to Alliance demands.³⁹ The legislature of 1891 would be well represented with Alliancesmen.

The period between the election in November and the opening of the 1891 legislature in January was a time for the newly elected legislators to consider the problems they would be dealing with in the upcoming session. Department and agency reports were being filed, the recommendations of which would be considered by the legislature. Governor Daniel Fowle was preparing his biennial message to the General Assembly based on these reports. An analysis of the state, composed by Fowle and the departments, illustrated to the farmer-legislator the complexity of state government. No longer was the farmer dealing solely with problems for which his farm background had prepared him. He quickly realized that there were various interests all across the state, and each one would pressure the legislature for some need.

39

"Farmers' Alliance," Harpers Weekly, 970; Lenoir Topic (Lenoir), January 14, 1891.

In education, the state constitution provided for a four-month school term. Subsequent legislation provided for a state tax with a provision that the county commissioners should assess taxes in addition to the state law to ensure that schools be operated for four months. These provisions failed, however, because the commissioners considered education last and ordinary county services first when appropriating taxes. Thus, the tax limit of 66 2/3¢ on every \$100 worth of property was reached before education was considered. The North Carolina Supreme Court ruled in the Barksdale Case that this limit could not be exceeded for educational purposes.⁴⁰

The superintendent of public instruction's report showed that the North Carolina taxation for school purposes was 44¢ while the national average was \$2.11. The average duration of a school term in the state for 1889 and 1890 was sixty days, three days less than in 1888.⁴¹ The total expenditure for common schools in 1890, including special graded school taxes, was \$713,225, an increase of about \$18,000 over 1888. North Carolina had passed a compulsory school law, requiring children between six and sixteen to attend. However, this law was not enforced. The total number of children of school age, between six and twenty-one, was 586,668. Of these children,

40

"Report of the North Carolina Superintendent of Public Instruction," Executive and Legislative Documents of the State of North Carolina (Raleigh, 1891), 3, 5, hereinafter cited as Public Documents.

41

"Report of the North Carolina Superintendent of Public Instruction," Public Documents, 3, 11.

322,533 were enrolled under the law. The average attendance was 203,100.⁴² Many of these children lived and worked on farms and were needed there. To enforce correctly the compulsory school law, the county representative would have to work closely with the parents. According to the superintendent, "With good schools in the country districts, there will be less incentive for the country people to crowd into the cities and towns to educate their children, much of the discontent and restlessness will disappear and better success will attend their labors."⁴³

In regard to Negroes, they suffered greatly from a lack of educational opportunities. Public schools were set up where the money was available, and the people allowed it. Some whites were bitterly opposed to blacks enrolling in the public schools because of the small amount of taxes they paid. It was said, "When you educate a Negro, you spoil a field hand."⁴⁴

In regard to higher education, the University at Chapel Hill was operating normally but required repairs on the older buildings. Water and lighting facilities were desperately needed to modernize the University. The Agricultural and Mechanical College at Raleigh had been completed for use in the summer of 1889. This college was

42

"Report of the North Carolina Superintendent of Public Instruction," Public Documents, 3, 9.

43

"Report of the North Carolina Superintendent of Public Instruction," Public Documents, 3, 32.

44

"Report of the North Carolina Superintendent of Public Instruction," Public Documents, 3, 32.

performing the basic function for which it was created--the education of the children of farmers. Out of seventy-nine students in the session of 1890, 72 per cent of them were the sons of farmers.⁴⁵ A typical student worked nine hours a day; three in the classroom, three in manual training such as shop or fieldwork, and three in study. The college was growing and already suffered from overcrowded conditions. The Agricultural and Mechanical College received no direct appropriation from the state except a tax placed on fertilizer. The Board of Directors felt the college needed money at the rate of \$25,000 in 1891, \$25,000 in 1892, and then \$10,000 annually thereafter.⁴⁶ In August of 1890, the United States Circuit Court ruled the fertilizer tax unconstitutional.⁴⁷ This decision left the Agricultural and Mechanical College in critical condition, and ways were sought to acquire new appropriations.

A Congressional Act of July 2, 1862, appropriated a portion of the public lands for support of colleges established by the states for the benefit of the agricultural and mechanical arts. On August 30, 1890, an act of Congress appropriated \$15,000 for the year 1890 to the states that had erected such a college. This appropriation would increase \$1,000 annually for ten years until the sum of \$25,000 was

45

"Report of W. S. Primrose, President Board of Trustees of the North Carolina College of Agricultural and Mechanical Arts, 1891," Public Documents, 25, 4, hereinafter cited as "W. S. Primrose Report," Public Documents.

46

"W. S. Primrose Report," Public Documents, 25, 5.

47

Progressive Farmer, August 19, 1890.

reached.⁴⁸ This appropriation hinged on the agreement that no discrimination was made on the basis of color in admitting students with the exception that the money could be paid where separate institutions, both equal in teaching, existed. On September 22, 1890, Governor Fowle received a letter from the secretary of the Department of the Interior inquiring if two such colleges existed in the state. In reply, Governor Fowle stated that a white agricultural and mechanical college existed, but that no blacks attended it since the state constitution forbade integration.⁴⁹ A temporary arrangement was set up, whereby Dr. Henry Martin Tupper, head of Shaw University, agreed to allow several agricultural and mechanical professors to teach agricultural courses at Shaw. Before completing arrangements at Shaw, Governor Fowle received a letter from George Chandler, acting Secretary of the Interior, which stated that no funds would be sent to North Carolina until an agricultural and mechanical college for the colored race was established. Fowle replied that a program was being developed at Shaw. However, no further word was heard from the Department of Interior. Thus, the legislature would decide the issue of the agricultural and mechanical colleges.⁵⁰

48

"W. S. Primrose Report," Public Documents, 25, 5.

49

Governor Daniel Fowle's General Assembly Address, January 8, 1891, Legislative Papers, Archives.

50

Acting Secretary of the Interior George Chandler to Daniel C. Fowle, October 25, 1890, Governors Letter Books, Daniel C. Fowle, Archives.

In 1891, there existed a number of asylums in the state for both the criminal and mentally insane. Most of the asylums were in good condition. The state was developing a policy for managing those people classified as insane with each person being placed in one of three categories. The category determined the amount of treatment an inmate received. The first class included the dangerous, whether curable or not. These people were kept within asylums, regardless of the cost. Next came the harmless curable who would be cared for after the dangerous. The third class included the harmless incurables. People in this group were usually sent home to be cared for by friends or the county.⁵¹ Dr. J. F. Miller, superintendent of the Eastern North Carolina Asylum, felt all classes of the insane population should be in the state asylums where they could be treated. Lands could be purchased and farms set up on which the insane could work. This method would greatly reduce the costs of asylums as inmates could be self-supporting. Rising costs had become a factor, particularly for the counties that had to support local insane populations in jails or boardinghouses where little or no treatment was given.⁵²

The North Carolina Institution for the Deaf, Dumb, and Blind contained 293 pupils in 1890. This was the largest number ever

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Governor Fowle's General Assembly Address, January 8, 1891, State Archives.

⁵²

"Report of the Board of Directors and Superintendent of the North Carolina Insane Asylum for the two years ending November 30, 1890," Public Documents, 10, 12, hereinafter cited as "Report of the North Carolina Insane Asylum," Public Documents.

enrolled, and the institution was filled to capacity. Operations there had been conducted within the appropriations of the last legislature. Now, both the white and colored buildings needed repair. An infirmary was desperately needed as well as educational facilities. The preceding legislature appropriated one hundred acres of land which had not been cultivated. This land would provide both money and work experience for those students able to participate. A figure of \$50,000 was estimated necessary to support the inmates, repair buildings, replace old furniture and build an infirmary.⁵³

In 1889, the legislature passed an act asserting that the state penitentiary should be made self-supporting. Previously, the penitentiary lost money by providing convict labor to construction firms. Because of this act, the penitentiary was forced to remove the convicts from the Broad Creek Canal and the Western North Carolina Railroad.⁵⁴ The cost of providing transportation and security for convicts was too much, and as a result, more inmates had to be kept without support from employment. The penitentiary recommended that permanent work be established inside the buildings. The new west wing of the penitentiary could be used for a tobacco or jute bagging factory. Another possibility was the location of inmates, under

53

"Report of the North Carolina Institution for the Deaf, Dumb, and Blind for the Two Years Ending November 30, 1890," Public Documents, 11, 6-9, hereinafter stated as "Report of the Institution for the Deaf, Dumb, and Blind," Public Documents.

54

Governor Fowle to Asa J. Smith, Chairman, Hyde County, Board of Commissioners, March 10, 1890, Governors' Letter Books, Fowle.

proper supervision, on local farms. Convicts had been working on land near the Roanoke River in Halifax and Northampton counties for ten years. Farming there was going on very well. Farming, as well as the jute bagging factory, could use unskilled labor, which would bring down the cost of jute for the farmer and make the penitentiary self-sustaining. The penitentiary requested no new appropriations but demanded the unexpended 1889 and 1890 appropriations.⁵⁵

There were internal improvements and conservation issues that would come before the farmers' legislature. The Board of Education was overseer of the vast area of swamp lands within the state. These swamp lands had been a burden to the state and the board was authorized to sell as many acres as possible. Since 1889, the board had sold 91,865 acres at the net price of \$46,052.45, slightly more than 50¢ an acre.⁵⁶ Money from the sale was recommended by the board to be used by the public schools. Highways were another problem of the state. Where nature had done the work, highways were in good shape. A few townships in the state constructed and maintained public highways. However, the vast majority of the roads were in deplorable condition. A tax was needed payable directly to the county

55

"Biennial Report of the Board of Directors of the North Carolina State Penitentiary for the two years ending November 30, 1890," Public Documents, 12, 7, hereinafter cited as "Report of the State Penitentiary," Public Documents.

56

"Report of the State Board of Education for the Years 1889 and 1890," Public Documents, 19, 2, hereinafter cited as "Report of the State Board of Education," Public Documents.

commissioners to be applied for the improvement of roads in that township. Existing road taxes would exempt a township.⁵⁷

Conservation of natural resources was a concern of many Alliance members. Oyster cultivation had become a growing industry in the state. The state Board of Agriculture reported that 583,000 acres were fit for the cultivation of oysters.⁵⁸ Since 1888, 280 public oyster grounds containing 25,553 acres had been charted but not entered. Seed oysters were planted in over 25,000 acres. As a result, oyster canning factories were established at Elizabeth City, Washington, New Bern, Morehead City, Beaufort, and other communities. These canneries helped employment in the areas as well as promoted oysters.⁵⁹

However, since 1888, a serious problem had developed as fishermen from other states came into North Carolina waters and carried away both public and seed oysters to northern canneries. Samuel Whitehurst, speaking from Roanoke Island, said that Virginia boats took possession of all the oyster grounds and refused to let North Carolina fishermen enter them. Retaliation was futile because the men were "armed to the teeth with Winchester rifles and thirty-six pounders." This statement

57

Governor Fowle's General Assembly Address, January 8, 1891, Legislative Papers.

58

"Report of the State Board of Agriculture for the Years 1889 and 1890," Public Documents, 13, 8, hereinafter cited as "Report of the State Board of Agriculture," Public Documents.

59

Governor Fowle's General Assembly Address, January 8, 1891, Legislative Papers.

was an exaggeration of the situation; yet the people on the coast needed relief. Whitehurst felt the situation was so desperate that unless action was taken to prohibit the invaders, the people of Roanoke would starve within twelve months.⁶⁰ The Elizabeth City Economist requested aid from Governor Fowle to stop the people from Virginia and Maryland who had invaded the waters of Pamlico Sound.⁶¹ Governor Fowle asked Attorney General Theodore F. Davidson what the Governor's authority was in handling the situation. Davidson responded that there were laws regarding non-residents, but execution of these laws was the authority of the local officials and courts. The governor could only respond when requested in a constitutional manner by calling out military power when the local authorities were powerless.⁶² The solution was a strict oyster law (or amendments to the oyster law of 1889) in which enforcement of the law prohibiting non-residents from taking oysters would be assured, probably through an oyster police. Other considerations which would be of value in such a law would be a permanent oyster commission appointed by the legislature and a license tax on all boats engaged in taking oysters from North Carolina beds.⁶³

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Samuel Whitehurst to Colonel Harry Skinner, January 5, 1891, Legislative Papers, State Archives.

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Abstract from the Elizabeth City Economist, Governors' Letter Books, Fowle.

⁶²

Attorney General Theodore F. Davidson to Governor Fowle, November 4, 1889, Governors' Letter Books, Fowle.

⁶³

News and Observer, January 2, 1891.

While fishermen proposed the establishment of an oyster commission, the farmers insisted upon the creation of a railroad commission. In Governor Fowle's inaugural address of 1889, he pledged support of a railroad commission:

Railroads have been of immense value to the people of North Carolina and no restraint should be placed upon their growth. However, the exercise of unlimited power, almost of sovereignty by powerful corporations, however well managed, will be apt to prove injurious to the state or some portion of it, whenever the interests of those corporations seem to be antagonistic to that of our state and people.⁶⁴

Though a railroad commission bill did not pass the legislature of 1889, a committee was established to investigate railroad corporations which refused or failed to pay taxes in North Carolina. As a result of this investigation, the Raleigh and Gaston Railroad Company paid the state \$15,000 in back taxes and others would soon follow suit.⁶⁵ Railroads continued to grow in the state in spite of the Alliance pressure and investigations. In 1888, there were 51 railroad companies, 2,550 miles of road with property valued at \$10,287,648, as compared to 1890 when there were 59 railroad companies, 3,100 miles of road and property valued at \$14,674,106.75.⁶⁶

64

Governor Fowle's General Assembly Address, January 8, 1891, Legislative Papers.

65

"Report of the Committee Appointed to Investigate Railroad Corporations, 1891," Public Documents, 23, 5, hereinafter cited as "Report of the Committee on Railroad Corporations," Public Documents.

66

Governor Fowle's General Assembly Address, January 8, 1891, Legislative Papers.

In reviewing the organizational experience of the North Carolina farmers, the basic problems that they suffered in those years cannot be overemphasized. Often when a farmer had established a lien on his crop it was permanent. He rarely made enough money to get out of debt completely. Because of his independent nature, it was hard for him to join with others in cooperatives or other measures which might prove helpful. Often, he lacked the capital to try a new method and credit was hard to get. The educational and social techniques of the Alliance gave the farmer an understanding of his status and a means to improve it. Through trial and error, the Alliance carried the farmer to the seat of government. Now the farmer found that many areas of the state needed reform. It was here, within the legislature of 1891, that the real test of the farmer would occur.

CHAPTER II

FARMERS, PREACHERS, LAWYERS, AND TEACHERS: THE ASSEMBLYMEN OF 1891

On January 7, 1891, residents of the city of Raleigh gazed down their streets at an interesting array of gentlemen gathered from all across North Carolina. Men of wealth and status dressed in their finely tailored clothes strolled down Blount and Wilmington streets. Men of the soil, unfamiliar with the hustle of the capital city, asked directions to their lodgings. Regardless of their social status, these individuals were now legislators. As representatives of the people of the Tar Heel state, their purpose was to enact legislation that would assist and protect their constituents. In age, occupation, and ideology, they were a varied lot. However, at least 110 of the 170 legislators were members of the Alliance and 90 per cent were farmers.¹

Previous experience, always a vital factor in the legislative process, was somewhat lacking in the General Assembly of 1891. The News and Observer realized this difference when it stated on the sixth of January that "the assembly is largely composed of gentlemen who have not heretofore been members, and who have not had the advantages of legislative experiences." By examining the rosters of past legislatures, the extent of experience can be ascertained. The

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Lenoir Topic, January 14, 1981; John D. Bellamy, Memoirs of an Octogenarian (Charlotte, 1942), 102-103, hereinafter cited as Bellamy, Memoirs of an Octogenarian.

Senate was composed of fifty members, thirty-four of whom were serving their first terms in the General Assembly. Twenty-seven of these freshmen never returned to the legislature. Seven members would serve later but not necessarily in the same position. Thus, two-thirds of the state Senate in 1891 would be required to learn quickly if the relevant issues of the time were to receive proper attention. In the House of Representatives, eighty-four members out of 120 were representing their constituents for the first time. Of these eighty-four individuals, seventy members would never be re-elected to any legislative body. The remaining fourteen freshmen representatives would serve in some capacity in future legislative sessions on either the state or national level. Therefore, as in the Senate, two-thirds of the members of the House of Representatives were newcomers. Altogether, 128 out of 170 legislators in the General Assembly of 1891 were serving for the first time, while for ninety-seven out of 170 members, this was their first and only legislative endeavor.²

The Assembly of 1891 was not restrained by the lack of experience among its members. A glance at other legislatures during the 1880s

2

The News and Observer (Raleigh, N. C.), January 6, 1891, hereinafter cited as News and Observer; John L. Cheney, Jr., editor, North Carolina Government 1585-1979, A Narrative and Statistical History, North Carolina Department of the Secretary of State (Raleigh, 1981), 1041-1319, hereafter cited as Cheney, North Carolina Government. The author surveyed the listings of legislators from each county to obtain a record of legislative service for members of the 1891 General Assembly. The author also consulted the unfinished card file of state legislators, State Archives, Raleigh, referred to as Legislative Card File, State Archives.

and early 1890s illustrates the fact that successive terms of office were not common in the North Carolina General Assembly. A constant changeover of membership in the legislature appeared to be the rule.³ Furthermore, the insistence of the Farmers' Alliance that candidates for office pledge their support to the Alliance demands resulted in an organized legislative plan for this particular General Assembly. Major goals had already been set before the opening gavel resounded in the old capitol. Throughout the session, Alliance caucuses were held to unite the members behind important legislation and avoid unnecessary debate on the Assembly floor. Organization and cohesive planning compensated for the inexperience of the farmer-legislators. In order to assess the capabilities of the legislature of 1891, the membership itself must be examined by highlighting those individuals who constituted one of the most productive sessions since the Civil War.

The responsibility for overseeing the operations of the state Senate during the 1891 session devolved upon the lieutenant governor of North Carolina, Thomas M. Holt of Alamance County. Born on July 15, 1831, Holt was educated at Caldwell Institute of Hillsboro and attended the University of North Carolina from 1849 to 1850. He served as a magistrate before the Civil War and later as president of the State Agricultural Society. His occupation had been primarily that of a cotton manufacturer, farmer, and merchant. Holt was

³
Cheney, North Carolina Government, 458-476, review of legislatures 1880-1900.

elected to the state Senate in 1876 and to the House of Representatives in 1883. During the legislative session of 1883 he served as speaker of the House. In 1888 he was elected lieutenant governor. In this capacity Holt could have assisted the Alliance greatly, but in the 1889 legislature, his tie-breaking vote defeated the railroad commission bill. His conservative Democratic viewpoints would be felt keenly during the legislature of 1891.⁴

Filling in for Holt when the lieutenant governor was absent was the president pro tem of the Senate, William D. Turner from Iredell County. Born January 30, 1855, near Turnersburg in Iredell County, he was educated at Trinity College where he was graduated in June, 1876. Shortly thereafter he began to practice law in Statesville and on June 30, 1878, married Isa L. Lanier of that town. His reputation grew and in 1886 he was elected to the state Senate, returning there for the 1889 session. Turner believed in the conservative Democratic viewpoint. As a politician, he possessed engaging social qualities and was an active and strong debater. He was not an Allianceman, however, and did not believe in the strong regulatory reforms of the organization. During the 1891 session, he served as chairman of the Rules and the Judiciary committees and as an important member of the

4

D. F. Sinclair, Biographical Sketches of the Members and Officers of the General Assembly of North Carolina, Session 1889 (Raleigh, 1889), 3, hereinafter cited as Sinclair, Legislative Sketch Book, 1889.

committees on Corporations, Salaries and Fees, Agriculture, Mechanics and Mining, as well as Federal Relations.⁵

Although the official leaders of the Senate were not Alliancemen, most of the members belonged to the organization. Perhaps no experienced legislator was better known to the farmers of North Carolina than Willis R. Williams of Pitt County. Williams's oratorical skill was widespread, and he was often asked to address Alliance meetings outside Pitt County and his own community of Falkland. It was said that Williams was a "speaker of such force and power as to command attention where others fail."⁶ The senator was born in 1828 and in his youth attended Wake Forest College. His agricultural interests were well known, and at one point he served as master of the State Grange. Williams served in the General Assembly from 1866 to 1867 and again from 1885 to 1891. His previous service on the Farming and Mechanics Committee led to his selection as chairman of the Committee on Agriculture, Mechanics and Mining in 1891. Other committees upon which Williams sat in 1891 were Education, Deaf, Dumb, and Blind Institutions, and Corporations. Senator Williams's staunch

5

Legislative Biographical Sketch Book, Session 1887, North Carolina (Raleigh, 1887), 13, hereinafter referred to as Legislative Sketch Book, 1887; Sinclair, Legislative Sketch Book, 1889; Journal of the Senate of North Carolina, 1891, 75, 76, hereinafter cited as N. C. Senate Journal with appropriate date. The author used the Journal to compile a list of committees on which each member served.

6

Sinclair, Legislative Sketch Book, 1889, 4.

Democratic viewpoint and strong agricultural bias strongly influenced other members of the General Assembly.⁷

Representing the forty-first senatorial district was another outstanding Allianceman, Joseph S. Davis from Haywood County. Davis was born on a farm on December 9, 1852, and received a common school education. After he received a first-grade certificate, he taught school for several years. He also studied but never practiced law. On December 24, 1878, Davis married Nannie J. Medford and settled down on the family farm where he remained a tiller of the soil for the rest of his life. This watchful, attentive young man served as county lecturer for the Alliance until October 2, 1891, when he became district lecturer. Davis was an unassuming man with strong convictions. His Alliance work resulted in his nomination for the Senate in 1890. An intense campaign followed as Davis opposed James H. Moody, "one of the leading Republicans in the western part of the state."⁸ In the November election, Davis defeated his opponent and served in the Senate as a member of the committees on Finance, Salaries and Fees, Deaf, Dumb and Blind Institutions, and Claims. He returned to the Senate in 1893 and to the House in 1899 and 1905.⁹

7

J. D. Knight to Elias Carr, September 6, 1890, Carr Papers; Assembly Sketch Book, Session 1885, North Carolina, Vol. 3, 6, hereinafter cited as Assembly Sketch Book, 1885; N. C. Senate Journal, 1891, 75.

8

W. F. Tomlinson, Biography of the State Officers and Members of the General Assembly of North Carolina, 1893 (Raleigh, 1893), hereinafter cited as Tomlinson, Biography of the General Assembly, 1893.

9

N. C. Senate Journal, 1891, 75, 76; Cheney, N. C. Government, 1163, 1164.

Of all the Alliance legislators in the 1891 General Assembly, one of the most promising and outspoken was the freshman senator from Sampson County, Marion Butler. Born on a farm in Honeycutt's Township on May 20, 1863, he received his early education from his mother and at a nearby academy, after which he attended the University of North Carolina, where he was graduated in 1885. He entered the University's Law School, but the death of his father necessitated his return home. He taught at Salem Academy for three years, and in 1888 entered the field of journalism with his purchase of a county newspaper, the Clinton Caucasian. Through the newspaper, Butler was able to promote agricultural reforms and the demands of the Farmers' Alliance.¹⁰

A strong member of the order, Butler was elected president of the State Alliance in 1891, reelected in 1892, and later led that organization into the Populist party. His fame spread across the South, and in 1893 he was elected vice-president of the National Farmers' Alliance and Industrial Union, followed by his election as president the next year. In 1894 he served as chairman of the Populist State Executive Committee, and his success resulted in his election to the United States Senate in 1895. After the demise of the Populist party, Butler joined the Republican party, and attended its national conventions from 1912 to 1924. During the 1891 session of

10

Daniel Lindsey Grant, Alumni History of the University of North Carolina, Second Edition (Durham, 1924), 90, hereinafter cited as Grant, Alumni History; Biographical Sketches of the Members of the Legislature of N. C. 1897 (Raleigh, 1897), 15, 16, hereinafter cited as Biographical Sketches, 1897.

the legislature, Butler served as chairman of the committee on establishing a Railroad Commission and on the Insane Asylums Committee and was a member of the committees on Judiciary, Internal Improvements, Enrolled Bills, and Education. Although he was a newcomer to the legislature, Butler was outspoken in his views, especially stressing the need for railroad regulation and advocating the sub-treasury plan.¹¹

Several members of the state Senate in 1891 served as delegates to the State Alliance meeting held in Asheville on August 12-14, 1890.¹² Among those who attended was an energetic physician who later became known as the "wide awake senator" from Edgecombe County, Dr. Richard Harrison Speight. Speight was born in Edgecombe County on January 5, 1847. He attended the University of North Carolina from 1866 to 1868, and received his medical degree from the University of Maryland in 1870. He returned to North Carolina and began his practice at Wrendale in Edgecombe County. His prominence in the medical profession resulted in his election to the presidency of the State Medical Society. The physician sympathized with the farmers and represented Edgecombe County on their behalf. In 1890, he was elected to the Senate by a majority of three hundred votes and returned to that body in 1899 and 1901. His skill as a doctor prompted his service on the Insane Asylum Committee in 1891 and during the same

¹¹ Grant, Alumni History, 90; N. C. Senate Journal, 1891, 124, 75, 76, 349.

¹² NCFSA Proceedings, 1890.

session he was also appointed to the committees of Finance, Claims, and Military Affairs, and chaired the committee on Engrossed Bills.¹³

Another noteworthy senator who served as delegate to the state Alliance meeting at Asheville in 1890 was John W. Atwater from Chatham County. Atwater was born in Chatham County on December 27, 1840, and spent most of his early life on a farm. When the Civil War broke out, Atwater enlisted and served in the Confederate army. He was wounded at Petersburg and eventually surrendered with Lee at Appomattox. Before going off to war, he was wed to Eugenia Farrington. After her death he married her sister Alice who lived six years. His third wife was Saphronia Baldwin. The senator fathered five children through these three marriages. For two years Atwater served as president of the Chatham County Alliance, fought for Alliance demands, and was elected to the Senate in 1890.¹⁴ During the 1891 session, he served on the following committees: Education, Salaries and Fees, Penal Institutions, Insane Asylums, Agriculture, Mechanics and Mining, Pensions and Enrolled Bills. Atwater, a steward in the local Methodist Church at Rialto, later joined the Populist party and returned to the Senate in 1893.¹⁵

13

News and Observer, August 24, 1899; Grant, Alumni History, 583; N. C. Senate Journal, 1891, 75, 76.

14

Tomlinson, Biography of the General Assembly, 1893, 33.

15

N. C. Senate Journal, 1891, 75, 76, 93; Tomlinson, Biography of the General Assembly, 1893, 33.

Moore County produced another agrarian spokesman in the person of George Wilcox who had served as a delegate to the 1890 state Alliance meeting. Born June 17, 1835, Wilcox was educated in the common schools and the high school in Moore County. He served the southern cause during the Civil War, rose from private to captain, and was wounded at the battles of Gettysburg and the Wilderness. After the war, he returned to Chatham County and married Isabella C. Palmer on January 31, 1866. He turned to farming as an occupation and for several years was justice of the peace in his native county. Senator Wilcox was elected to the House in 1885 where he received experience on the committees on Post Roads and Agriculture. During the 1891 session he served on the committees on Corporations, Internal Improvements, Privileges and Elections, Engrossed Bills and Education.¹⁶

There were several other Alliance Democrats who were elected to their first terms in the legislature. John A. Greene of Harnett County, R. S. Mitchell of Caswell County, L. N. Durham of Cleveland County, and W. A. Paine of Lincoln County had attended the state Alliance meeting in Asheville.¹⁷ Senator Greene served on the committees on Finance, Salaries and Fees, Agriculture, Mechanics and Mining, Banks and Currency, and was chairman of the Military Affairs committee. Senator Mitchell served on Finance, Corporations, Penal

¹⁶
 Assembly Sketch Book, 1885, 34; N. C. Senate Journal, 1891, 75, 76, 318.

¹⁷
NCFSA Proceedings, Asheville, 1890.

Institutions, Pensions, and as chairman of Public Buildings and Grounds. Senator Durham worked on the committees on Propositions and Grievances, Insane Asylums, Banks and Currency, Military Affairs, and Enrolled Bills, while Senator Paine served on the Judiciary, Finance, Education, Federal Relations, and Library committees. None of these saw future legislative service.¹⁸

Other Alliance senators who represented their district in the legislature for the first and only time were A. C. Greene, George Bishop, and J. S. Bell.¹⁹ A farmer by trade, Senator Greene was very active in the affairs of the Wake County Alliance and served as president of that organization. In the legislature, he was a member of the committees on Agriculture, Mechanics and Mining as well as the committees on Education, Penal Institutions, and Insane Asylums. Senator Bishop, a planter from Bertie County, was a University of North Carolina graduate and Civil War veteran. He served in 1891 as chairman of the Penal Institutions Committee and was a member of the Claims and Fish and Fisheries committees. Senator Bell from Cherokee County was a member of two important committees involved with Alliance demands--the committee to establish a railroad commission and

¹⁸ N. C. Senate Journal, 1891, 75, 76, 93; Cheney, N. C. Government; Legislative card file, State Archives.

¹⁹ Cheney, N. C. Government; Legislative card file, State Archives.

the Agriculture, Mechanics and Mining Committee. He was a district lecturer for the Alliance.²⁰

Senator J. Luther McClean of Robeson County, R. G. Russell of Durham County, and W. H. Lucas of Hyde County were farmer-legislators, affiliated with the Alliance. McClean lived and farmed near the town of Maxton. His Alliance activities included a position on the Judiciary Committee for the state Alliance, having been selected for that position at the state Alliance meeting in August, 1890. While in the legislature, he actively supported Alliance causes and was a member of the following committees: Finance, Salaries and Fees, Agriculture, Mechanics and Mining, Banks and Currency, Enrolled Bills, and Federal Relations. This session was also his first and last term in the General Assembly.²¹ Senator Russell operated his farm in the community of South Lowell. He served as lecturer of the Durham County Alliance. Russell returned to the Assembly as a representative from Durham County in 1901. His committee assignments in 1891 included Internal Improvements, Deaf, Dumb and Blind Institutions, Banks and Currency, and Engrossed Bills.²²

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A. C. Green to Elias Carr, December 23, 1889, Carr Papers; Lala Carr Steelman, "The Role of Elias Carr in the North Carolina Farmers' Alliance," North Carolina Historical Review, LVII (Spring, 1980), 143-144, hereinafter cited as Steelman, "Elias Carr," NCHR; N. C. Senate Journal, 1891, 75, 76, 124; Grant, Alumni History, 51.

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NCFSA Proceedings, Asheville, 1890; J. L. McLean to Elias Carr, November 16, 1889, Carr Papers; N. C. Senate Journal, 1891, 75, 76; Cheney, N. C. Government; Legislative card file, State Archives.

22

R. G. Russell to Elias Carr, February 4, 1890, Carr Papers; N. C. Senate Journal, 1891, 75, 76.

Also representative of the farmers in the state was Alliance member, W. H. Lucas. Born in Hyde County on February 8, 1942, he attended the University of North Carolina. During the war he rose to the rank of captain in Company B, 33rd Regiment, Branch's Brigade, A. P. Hill's Division, of Jackson's Corps. Lucas was a staunch Democrat and considered "fluent in debate and genial in disposition." He served a previous term in the Senate in 1889. During the 1891 session, Senator Lucas chaired the Fish and Fisheries, Election of Justices of the Peace, and Pensions committees. His membership included the committees on Judiciary, Internal Improvements, Rules, Federal Relations, and the railroad commission.²³

North Carolina farmers were represented by other members of their occupation who were probably Alliance members, but whose exact status has not been established. Regarded as "one of the most useful citizens and farmers of the good old Democratic county of Gates," James Parker was born on January 29, 1836, and was graduated from the University of North Carolina in 1861. He was elected to the House of Representatives in 1885. In the Senate of 1891, he was chairman of the committee on Banks and Currency and a member of the committees on Judiciary, Propositions and Grievances, Insane Asylums, and Fish and Fisheries.²⁴ Another successful eastern North Carolina farmer was

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Sinclair, Legislative Sketch Book, 1889, 4; N. C. Senate Journal, 1891, 75.

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Assembly Sketch Book, 1885, 4; Grant, Alumni History, 472; N. C. Senate Journal, 1891, 75, 76, 124.

John Alexander Bryan of Duplin County. Bryan was born in 1821, attended the University of North Carolina in 1841, but left after three months because of poor health. He studied medicine at the University of Philadelphia from 1844 to 1845. In June of the latter year he married Mary Oliver of Duplin County and moved to his home-place in 1847 where he engaged in agriculture. It seems that Bryan was still restless, for in 1850 he sold his farm and became a merchant in Kenansville for two years. However, once again "he became thoroughly convinced that for happiness and prosperity he would again have to enroll himself among the horny-handed sons of toil."

Dr. Bryan and his wife moved to another farm and continued that lifestyle. In 1891 he served on the committees on Judiciary, Corporations, Enrolled Bills, and Agriculture, Mechanics and Mining.²⁵

Senator Willis Rose Chesson of Washington was a farmer by trade and a long-time promoter of agricultural interests. Born on June 12, 1844, in Washington County and educated in the public schools, Chesson served as a lieutenant in the 17th N. C. Regiment during the Civil War. His public service included a long term on the Washington County Board of Commissioners, chairmanship of the County Democratic Executive Committee, and the position of magistrate. During the 1891

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Grant, Alumni History, 81; J. S. Tomlinson, Assembly Sketch Book, Session of 1879, North Carolina (Raleigh, 1879), 17, 18, hereinafter cited as Tomlinson, Assembly Sketch Book, 1879; N. C. Senate Journal, 1891, 76, 75.

Senate, Chesson served on the committees on Corporations, Propositions and Grievances, Insurance, and Agriculture, Mechanics and Mining.²⁶

The Alliance legislature also enlisted the services of a number of capable experienced professionals. Among assemblymen with prior legislative experience were two Democratic members who had established successful careers as physicians, namely Dr. T. B. Twitty of Rutherford County and Dr. J. T. Reid of McDowell. Both leaned towards the Alliance position and voted consistently with the Alliance, particularly on the railroad issue. Dr. Twitty was born in Rutherford County on September 22, 1842. He attended the common schools and later entered Wofford College in Spartanburg, South Carolina. Upon reaching the sophomore class, he left Wofford and joined the Army of Northern Virginia where he served as hospital steward of the 34th N. C. Regiment. "In this way he learned much about the uses of various medicines and thus a fondness for that profession was created causing him to begin the study of medicine."²⁷ After the war he studied medicine at the University of New York and returned to practice in his home county. Dr. Twitty was elected to the legislatures of 1885, 1889, 1891, and 1893, by a substantial majority. He was considered a fine physician, married, and well liked by both constituents and colleagues. Because of his medical expertise, he chaired the 1891

²⁶ News and Observer, March 19, 1905; N. C. Senate Journal, 1891, 75.

²⁷ Tomlinson, Biography of the General Assembly, 1893, 44-45; Assembly Sketch Book, 1885, 17.

Senate committee on Deaf, Dumb and Blind Institutions and was a member of the committees on Corporations, Propositions and Grievances, and Public Buildings and Grounds.²⁸

Whereas Dr. Twitty was initiated into medicine during the Civil War, Senator John Thomas Reid of McDowell County was a practicing physician when the war began. Born in Rutherford County on June 23, 1839, and educated at Marion High School, Reid studied medicine under Dr. T. A. Allen of Hendersonville. In order to support his education, he worked in the gold mines of Rutherford County for some time. In 1860 he graduated from the National Medical College of Washington and located in McDowell County in March, 1861. When the war began he entered Confederate service as sergeant of Company K, 22nd Regiment N. C. State troops, but by September, 1861 he transferred to the medical department where he served throughout the war. On May 16, 1866, Dr. Reid married Hattis V. Bird of McDowell County and settled there to practice. Dr. Reid served in the House of Representatives from 1876 to 1880. In the Senate of 1891, Reid was chairman of the committee on Privileges and Elections and was a member of the Judiciary and Deaf, Dumb and Blind Institutions committees. Although both Reid and Twitty supported other Alliance reforms, both men opposed the restriction of interest rates by the legislature.²⁹

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Assembly Sketch Book, 1885, 45; Tomlinson, Biography of the General Assembly, 1893, 17; N. C. Senate Journal, 1891, 75, 76.

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Tomlinson, Assembly Sketch Book, 1870, 95-96; N. C. Senate Journal, 1891, 76, 75; News and Observer, January 31, 1891; N. C. Senate Journal, 1891, 524.

Two other Democratic senators with professional experience who usually supported the Alliance position in the legislature of 1891 were Benjamin F. Aycock of Wayne County and William E. Ardrey of Mecklenburg. Aycock was born in Wayne County on February 11, 1853, the son of a former senator and farmer. He attended the neighborhood schools and engaged in farming until 1881 when he entered the mercantile trade in Fremont. The senator was first elected in 1889 and was regarded as "a first class business gentleman, . . . especially watchful against extravagant appropriations." Aycock was not an Allianceman but usually voted in conjunction with Alliance views. The Propositions and Grievances Committee was chaired by Aycock during the 1891 session, and he was a member of the committees of Judiciary, Corporations, Insane Asylums, Insurance, and Public Printing.³⁰ Senator Ardrey, a farmer, was born in Mecklenburg County on September 23, 1839. Ardrey was educated at Davidson College and served in the Civil War with the 1st N. C. Infantry and later with the 30th N. C., obtaining the rank of captain. Ardrey served his constituents as justice of the peace and chairman of the Board of Mecklenburg County Commissioners. During his first legislative session in 1876-77, he was considered among "the most intelligent representatives of the farming element on the floor." In 1891, Ardrey directed the Alliance support for the normal and industrial school

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Tomlinson, Biography of the General Assembly, 1893, 24-25; N. C. Senate Journal, 1891, 75, 119.

for girls at Greensboro. He was chairman of the Education and Federal Relations committees and served on the committees on Corporations, Insurance, Military Affairs, Public Printing, and Agriculture, Mechanics and Mining.³¹

Senator John D. Bellamy from New Hanover County was typically a conservative Democrat. His legal profession prevented his joining the Alliance although he owned and operated a farm. Bellamy had refused to sign a pledge supporting the Alliance demands during the campaign. He reasoned that "while I was in favor of their demands, I would not sign any agreement which would control my judgement in advance" While the Alliance sought educational reforms at the public school level, Bellamy pushed for a high university appropriation. Although he ultimately voted for a railroad commission, he proposed legislation that would have restricted its rate-making power. As a senator, he was either impartial or against reform legislation. One of the most loquacious senators, Bellamy was chairman of the Corporations Committee and actively served on the Judiciary, Education, Salaries and Fees, Penal Institutions, Military Affairs, and Public Buildings committees.³²

31

R. A. Shotwell and Natt Atkinson, Legislative Record Giving the Acts Passed Session Ending March 1877 Together with Sketches of the Lives and Public Acts of the Members of Both Houses (Raleigh, 1877), 16, hereinafter cited as Shotwell and Atkinson, Legislative Record, 1877; Assembly Sketch Book, 1885, 35; N. C. Senate Journal, 1891, 75, 76, 119.

32

Bellamy, Memoirs of an Octogenarian, 95-96, 101-103; N. C. Senate Journal, 1891, 75, 76.

Leading the opposition to Alliance reform measures was the outstanding Republican member of the Senate, Zebulon Vance Walser of Davidson County. Walser was born on June 17, 1863, near Yadkin Institute and was graduated from Yadkin College in 1879 at the age of fifteen. He attended the University of North Carolina where he edited the University Magazine and was a member of the Dialectic Society. After graduation he studied law at the University of Michigan, obtaining his degree in 1886. Immediately thereafter he set up practice in Lexington, North Carolina, and began his campaign for the House of Representatives. The Reverend John G. Surratt defeated Walser in the 1886 election. However, Walser beat Surratt in the 1888 House campaign by the largest majority ever recorded in Davidson County. Walter's broad appeal and youthful energy attracted votes from both parties. He was nominated for speaker of the House in 1889, but was defeated by Augustus Leazer of Iredell. He was elected speaker in 1895 and attorney general in 1896. A spokesman for business and legal interests, he later served as president of the First National Bank and the Elk Furniture Company in Lexington, and as a charter member of the North Carolina Bar Association. During the legislature of 1891, Senator Walser was a member of the committees on the Judiciary, Education, Internal Improvements, Salaries and Fees, Engrossed Bills, Rules, Pensions, and Railroad Commission. Although only twenty-eight

years old, he was respected as a railroad lawyer who fought any legislation restricting industrial freedom.³³

Representing the ministry in the Senate was one of the most interesting and widely experienced individuals of the entire Assembly, Republican Edward W. Bull from Craven County. Born and educated in the state of Connecticut, Bull began teaching at the age of nineteen. Shortly thereafter he began to study theology and was licensed to preach by the Middlesex Association (Congregational) of Connecticut. For a time he served as superintendent of the local church. As a result of his teaching experience, Bull was employed by the American Missionary Association of New York and in 1869 assigned the job of superintendent of the Washburn Seminary in Beaufort, North Carolina. The Seminary consisted of 250 pupils and 5 teachers, "four of whom were Northern ladies highly intelligent and of fine culture." After two years, he moved to Woodbridge that was situated between Morehead City and New Bern. He began farming and soon erected a large building in which school and chapel services were held. Because of his service to the community, he was elected to the state Senate in 1878 and reelected in 1890. Bull usually followed the Republican leadership in voting on the various reform issues. During the 1891 session of the Senate, Bull was a member of

33

Grant, Alumni History, 644; Sinclair, Legislative Sketch Book, 1889, 16; N. C. Senate Journal, 1891, 75, 76, 93, 124.

the committees on Finance, Agriculture, Mechanics and Mining, Privileges and Elections, and Fish and Fisheries.³⁴

Isaac Alston from Warren County was the only black member of the Senate in 1891. A farmer, preacher, and Republican, Alston was born on September 15, 1830. After his marriage on December 26, 1854, to Fannie Alston, the senator studied for the Baptist ministry. He was licensed to preach in 1868 and ordained in 1871. Still farming for a living, Alston prospered and contributed considerably to the building of a community church. He served as president of the Shiloh Association for several years and was first elected to the Senate in 1878 by a two-thousand vote majority. During the 1891 Senate session, he was a member of the committees on Salaries and Fees, Deaf, Dumb and Blind Institutions, and Education.³⁵

The House, like the Senate, was controlled by Alliance Democrats. The official leader was Rufus A. Doughton, a lawyer from Alleghany County who was elected speaker. Born in Laurel Springs on January 10, 1857, he attended Independence High School in Grayson County, Virginia. From 1879 until 1880, he studied law at the University of North Carolina and later established a successful practice in the counties of Ashe, Watauga, Wilkes, and Surry. On January 2, 1883, he married Sue B. Parks of Sparta. A civic-minded farmer and educator, he served

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Tomlinson, Assembly Sketch Book, 1879, 14-15; N. C. Senate Journal, 1891, 75, 76.

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Tomlinson, Assembly Sketch Book, 1879, 23; N. C. Senate Journal, 1891, 75.

as county superintendent of public schools and chairman of the Board of Education of Alleghany County. In 1886 Doughton defeated the Reverend J. W. Lambeth, Republican, for the Alleghany seat in the House of Representatives. Reelected in 1889, Doughton led the fight for better public schools. He returned to the House in 1891 where his previous experience led to his election as speaker. The speaker favored most of the Alliance demands and usually appointed Alliancemen to important committees. After the 1891 session, he continued his political career as lieutenant governor from 1893 to 1897. In 1903 he returned to the House and served nine consecutive terms from 1907 to 1923. Later referred to as the "grand old man of Alleghany," Doughton capably directed the House of Representatives in 1891.³⁶

The Alliance sent several of its most prominent farmers to the House of Representatives in 1891. John B. Holman of Iredell County was president of the Iredell County Alliance and a delegate to the 1890 State Alliance meeting in Asheville. He was born on February 17, 1839, in Iredell County where he attended the common schools and later East Bend Academy in Yadkin County and Union Academy in Davie County. Holman was regarded as "one of the most substantial and successful farmers in his county" and also owned a profitable milling business. He served as justice of the peace for several years but refused to function as county commissioner, although elected to the board. An active member of the Society Baptist Church, Holman

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Legislative Sketch Book, 1887, 20; Grant, Alumni History, 69; Daniels, Tar Heel Editor, 480-481.

exhibited a pleasant personality and modest demeanor.³⁷ His previous service in the legislatures of 1885, 1887 and 1889 provided a solid background for his extensive committee activities in the 1891 session. Holman was a member of the committees on Finance, Rules, Penal Institutions, Railroad Commission, and Public Printing.³⁸

John David Cox of Pitt County was a tiller of the soil, who also attended the 1890 State Alliance meeting in Asheville. Born in Pitt County on February 5, 1859, Cox was graduated from the University of North Carolina in 1885. He married Adelaide Smith on December 23, 1885, and engaged in several occupations. He was a farmer, civil engineer, timber estimator, and from 1894 to 1904 he was a merchant. The 1891 session was his first and only term in the legislature and he performed well as a member of the committees on Fishing Interests, Counties, Cities, Towns and Townships, and Public Libraries.³⁹

Characterized by Josephus Daniels as "a man without a college education but one of the best minds I have known," Representative Jessie Brake was a prominent farmer and Allianceman from Edgecombe County.⁴⁰ Born on February 20, 1844, and raised on the family farm,

³⁷ NCFSA Proceedings, Asheville, 1890; Assembly Sketch Book, 1885, 32; Legislative Sketch Book, 1887, 33.

³⁸ Cheney, N. C. Government, 1175; Legislative card file, State Archives; Journal of the House of Representatives of North Carolina, 1891, 24, 30, 44, 74, hereinafter cited as N. C. House Journal with appropriate date. The author tabulated the committee assignments using the Journal Index by scanning each committee.

³⁹ NCFSA Proceedings, Asheville, 1890; Grant, Alumni History, 136; N. C. House Journal, 1891, 44, 74.

⁴⁰ Daniels, Tar Heel Editor, 481.

Brake received little formal schooling and obtained most of his knowledge by reading newspapers. He joined the Confederate Army at age seventeen and served with the 36th N. C. Heavy Artillery in eastern North Carolina throughout the war. He was captured at Fort Fisher on January 15, 1865, and later taken to Elmira Prison where he was paroled on June 13, 1865. He returned to Edgecombe County to farm and married Elizabeth Thomas of that county on June 30, 1872. His race for a House seat in 1890 was Brake's first attempt at public office. He defeated his two Republican opponents by 550 votes and was reelected in 1892 by a plurality of 450 votes over two Republicans and one People's party candidate. His membership in the Grange and Alliance placed him solidly behind the agricultural reform movement. Brake was a member of the committees on Corporations and Immigration.⁴¹

Representative Joseph Battle Phillips of Nash County was a farmer-legislator who supported the Alliance movement. He was born on January 8, 1848, at Battleboro in Nash County. He served with Company K, 10th N. C. State Troops, during the last six months of the war. In 1889 he was elected to his first term in the House of Representatives and served as chairman of the committee on Agriculture. Phillips was "a broad-minded Allianceman . . . an old time Democrat, descended from an old time Democrat" ⁴² In the 1891 House,

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Tomlinson, Biography of the General Assembly, 1893, 74; N. C. House Journal, 1891, 53, 74.

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Daniels, Tar Heel Editor, 481.

he was a member of the committees on Insane Asylums and Salaries and Fees.⁴³

Perquimans County provided an Alliance leader who was one of the most colorful as well as successful farmer-legislators. Representative Theophilus White was born in 1840 in Rankin County, Mississippi. At the age of seven he moved to Perquimans County, North Carolina. When the Civil War broke out, White enlisted in the 27th N. C. Regiment, Cooke's Brigade, commanded by Colonel John A. Gilmer. At the battle of Bristoe, Virginia, White was taken prisoner and confined at Point Lookout, Maryland, for thirteen months. He suffered severely during his imprisonment and was finally exchanged at Savannah, Georgia. White returned home and married his old sweetheart, Carolina Virginia Harrell. Then he returned to his regiment which was at that time located in the trenches around Petersburg. A period of only seven weeks had elapsed since his release from prison.⁴⁴ After the war, White became involved with the agricultural movement and served as vice president of the Farmers' Alliance of Perquimans County and president of the sub-Alliance of his township. He also held the positions of justice of the peace and county commissioner. During the 1891 session, White was a member of the committees on Fishing Interests and Highways. In later years he joined the Populist

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Sinclair, Legislative Sketch Book, 1889, 20; N. C. House Journal, 1891, 53, 60.

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Collins and Goodwin, Biographical Sketches of the Members of the General Assembly of North Carolina, 1895 (Raleigh, 1895), 4, hereinafter cited as Collins and Goodwin, Biographical Sketches, 1895.

party and played an active part in fusion politics. Referred to as a gentleman with a jolly good nature, White was "a man that makes friends wherever he goes, especially among the young people."⁴⁵

The Wayne County Farmers' Alliance sent its business agent, Matthew J. Ham, to the state House in 1891. He was engaged in farming near Goldsboro. Legislative experience was not new to Ham since he had served in the 1889 Assembly. During the 1891 session, he was a member of the Agriculture and Military Affairs committees.⁴⁶

Randolph County sent the president of the county Alliance, Emory Benson Kearns, to the House in 1891. Kearns was a successful merchant from a community of farmers. Unlike Ham, this was his first legislative experience. In the 1891 House, Kearns served on the committees on Immigration, and Counties, Cities, Towns and Townships.⁴⁷

Northampton County sent Robert H. Stancell back to the House where he had served previously in 1887. A strong Allianceman Stancell came from the community of Magarettsville. His endeavors for Alliance constituents carried over to the summer of 1891 when he served as a delegate to the Farmers' State Alliance meeting in Morehead City.

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Collins and Goodwin, Biographical Sketches, 1895, 4; N. C. House Journal, 1891, 44, 73.

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Matthew L. Ham to Elias Carr, April 24, 1890, Carr Papers; Levi Branson, (ed.), Branson's North Carolina Business Directory, 1890 (Raleigh, 1889), 696, hereinafter cited as Branson, Directory; Cheney, North Carolina Government, 468-471; N. C. House Journal, 1891, 30, 73.

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E. B. Kearns to Elias Carr, February 14, 1890, Carr Papers; N. C. Death Certificate, Vol. 44, 8; N. C. House Journal, 1891, 44, 74.

In the 1891 session, Stancell sat on the Penal Institutions, Internal Improvements, Justices of the Peace, and Congressional Districts committees.⁴⁸

Of the thirteen House members who had attended the 1890 State Alliance meeting in Asheville, only one, J. B. Holman, had previous experience in the legislature.⁴⁹ Many of these men never ran for re-election although their contributions to the Assembly through committee work were extensive. Several representatives had served as county Alliance presidents. M. L. Wood was a farmer as well as president of the Bertie County Alliance. He was appointed to the committees on Propositions and Grievances, Penal Institutions and Public Buildings in the 1891 House.⁵⁰ Calvin Houch was president of the Burke County Farmers' Alliance when he was elected to the legislature of 1891. He came from a family of farmers and used this background effectively during debates in the House. Houch served on the Insane Asylums and Immigration committees.⁵¹ Jesse F. Brinson of Pamlico County attended the 1889 State Farmers' Alliance meeting in Fayetteville as well as the 1890 convention. During this time,

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R. H. Stancell to Elias Carr, December 2, 1890, Carr Papers; Cheney, North Carolina Government, 467; N. C. House Journal, 1891, 44, 74, 124.

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Cheney, North Carolina Government, 1174-1175; Legislative card file, State Archives.

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Branson, Directory, 106; N. C. House Journal, 1891, 30, 44, 74.

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Burke County Historical Society, The Heritage of Burke County (Morganton, 1981) 359; N. C. House Journal, 1891, 53, 75.

Brinson served as president of the Pamlico County Alliance. He was appointed to the Education Committee.⁵² Ambrose F. Hileman of Cabarrus County attended the 1889 and 1890 State Alliance conventions, but unlike the aforementioned, he returned to the legislature in 1895 and 1897. Hileman was a farmer from Concord and served as president of the county Alliance. He later left the Democratic party to turn Populist. During the session of 1891, he was a member of the committees on Education and Enrolled Bills.⁵³

Several other Assemblymen attended the 1890 State Alliance meeting and served the farmers well in the legislature of 1891. S. T. Wilfong of Catawba was a member of the Education, Penal Institutions, and Congressional Districts committees. John J. Morse of Currituck served on the committees on Engrossed Bills and Fishing Interests. J. F. Cole of Granville sat on the committees on Fishing Interests and Engrossed Bills. R. A. Grier of Mecklenburg saw active service on the Judiciary, Privileges and Elections, Penal Institutions

⁵²Proceedings of the Third Annual Session of the North Carolina Farmers' State Alliance, Held in the Town of Fayetteville, N. C., August 13, 14, and 15, 1889 (Raleigh, 1889), 3, hereinafter cited as NCFSA Proceedings, 1889; NCFSA Proceedings, 1890, 6; J. F. Brinson to Elias Carr, April 17, 1890, Carr Papers; N. C. House Journal, 1891, 24.

⁵³NCFSA Proceedings, 1889, 3; NCFSA Proceedings, 1890, 5; Cheney, North Carolina Government, 469, 475; Allen W. Trelease, "The Fusion Legislatures of 1895 and 1897: A Roll-Call Analysis of the North Carolina House of Representatives," North Carolina Historical Review, LVII (Summer, 1980), 293, hereinafter cited as Trelease, "The Fusion Legislatures"; N. C. Parrish to Elias Carr, January 6, 1890, Carr Papers; N. C. House Journal, 1891, 24, 73.

and the Deaf, Dumb and Blind committees.⁵⁴ R. P. Henry of Rockingham also attended the 1890 State Farmers' Alliance meeting. He was a member of the committees on Cities, Towns, and Townships, Internal Improvements, Insurance, and Public Buildings.⁵⁵

Two House Democrats saw service on the Alliance Legislative Committee and were present at the 1890 State Alliance meeting in Asheville--Coleman Coke Cowan of Jackson County and Romulus Herman Gower of Johnston.⁵⁶ Both were serving their first term in the House although they would later return to the General Assembly. Representative Cowan was born on December 24, 1866, and attended Fair View Collegiate Institute. He was graduated from the law school at the University of North Carolina in 1894 and in the same year began practicing law with his brother in his home town of Webster. For three years Cowan was employed as the county superintendent of public instruction. He served again in the House of 1903. During the 1891 session, he was a member of the committees on Education and Railroad Commission.⁵⁷ Representative Romulus Gower was a farmer from Johnston County. Born in Wake County on December 4, 1858, Gower studied in the public schools and attended Clayton Academy. Considered one of the

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N. C. House Journal, 1891, 24, 44, 124, 30, 53, 59.

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NCFSA Proceedings, Asheville, 1890; N. C. House Journal, 1891, 44, 74.

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NCFSA Proceedings, Asheville, 1890.

57

News and Observer, March 22, 1903; Grant, Alumni History,
133; N. C. House Journal, 1891, 24, 74.

most successful men in Johnston County, Gower married Annie Gertrude Hardesty of Carteret County on April 17, 1884. Other economic ventures which proved successful for him were saw milling and cotton ginning. Diligent, intelligent, patriotic, Gower returned to the House in 1905. During the 1891 session, he was a member of the committees on Education, Agriculture, and Deaf, Dumb and Blind Institutions.⁵⁸

Since agriculture was the primary focus of the Farmers' Alliance, it was fitting that two farmers who were in the 1891 legislature would later serve on the Board of Agriculture. Born on February 2, 1838, Representative Junius Bryan Cofield represented Martin County in the Assembly. His education was acquired at the public schools and the academies at Horner and Hamilton. His marriage to Elizabeth Pender of Tarboro led to a move to that town where he served two terms as mayor. Cofield's public service continued as he became the register of deeds for Edgecombe County. During the Civil War, he joined the Confederate Army, was captured at Spotsylvania, and imprisoned at Fort Delaware. Cofield served for fifteen years as chairman of the Martin County Board of Commissioners. His tenure on the Board of Agriculture lasted for ten years, and he was referred to as "one of the most useful members of that board in its whole history. He took deep interest in the progressive steps looking to the agricultural development of the state." The 1889 House

58

News and Observer, March 22, 1903; N. C. House Journal, 1891, 24, 30, 53.

of Representatives was Cofield's first tenure as a legislator, and the experience was useful when he was reelected in 1890. He returned to the legislature in 1905. During the 1891 House session, he was a member of the committees on Finance, Fishing Interests, Corporations, and Salaries and Fees.⁵⁹

Samuel L. Patterson of Caldwell County was a farmer-representative who supported agricultural reform and also served on the State Board of Agriculture in 1893. He was born on March 6, 1850, at Palmyra, "a most attractive rural home . . . situated in the beautiful Yadkin River Valley." He attended the University of North Carolina from 1867 to 1868 and later studied at the University of Virginia. He clerked for some years in Salem, North Carolina, where he married Mary Senseman, a Quaker. Afterwards he returned to Palmyra and began farming. Patterson served for several years as chairman of the Board of County Commissioners. His legislative experience consisted of membership in the House in 1891 and 1897 and the state Senate in 1893. He served on the State Board of Agriculture in 1892 and was North Carolina's commissioner of agriculture from 1895 to 1897 and from 1899 to 1900. Although most of his state public service occurred after the 1891 General Assembly, his committee service in '91 reflected a wide range of capabilities. Patterson served on the committees on Finance, Penal Institutions,

59

News and Observer, March 19, 1905; N. C. House Journal, 1891, 24, 44, 53, 60.

Internal Improvements, Salaries and Fees, Railroad Commission, and Congressional Districts.⁶⁰

The representative from Alamance County, Robert Walter Scott, considered himself to be not only a farmer-legislator, but also a scientific farmer. Born at the "old homestead" near Hawfields Church on July 24, 1862, Representative Scott was educated at Bingham School and attended the University of North Carolina from 1877 to 1878. After his marriage to Lizzie J. Hughes on January 17, 1883, Scott lived on a stock farm in the state of New York to study and learn improved methods of farming "as pursued by the best farmers of the middle states" and was described as "fully identified with the best interest of those who follow the plough."⁶¹ Scott began his legislative career with his election to the House of Representatives in 1889. At that time, he was characterized as a representative of that class of farmers who "unite theory and practice in the management of the farm, and make it what it should be, self-sustaining with something to spare." He returned to the House in 1891 and 1903 and was elected to the Senate in 1901. During the 1891 House, Representative Scott was a member of the committees on Education, Congressional Districts, Internal Improvements and Highways.⁶²

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Tomlinson, Biography of the General Assembly, 1893, 44; Grant, Alumni History, 479; N. C. House Journal, 1891, 24, 44, 60, 74, 124.

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Sinclair, Legislative Sketch Book, 1889, 12.

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Grant, Alumni History, 551; Sinclair, Legislative Sketch Book, 1889, 12; Cheney, North Carolina Government, 1041-1042; Legislative card file, State Archives; N. C. House Journal, 1891, 24, 43, 44, 73.

Cumberland County sent a popular Scotsman by the name of Archibald D. McGill to represent it in the legislature of 1891. Born in Scotland on December 2, 1843, McGill left his native land at the age of five, never to return permanently. He educated himself, and when war broke out enlisted in the Confederate service. Representative McGill fought in seventy skirmishes and battles before surrendering with General Robert E. Lee at Appomattox. A farmer by occupation, his first legislative experience came with his election to the House in 1889 when he earned the title "watchdog of the treasury." During the session of 1891, he served on the House committees on Agriculture, Salaries and Fees, Military Affairs, and Public Printing.⁶³

Another interesting farmer-legislator came from the county of Warren. Representative W. W. Long was born in Warren County on July 4, 1861. He attended the University of North Carolina from 1880 to 1881 and later enrolled in Clemson College. He became an employee of the United States Department of Agriculture after 1893. Long was the author of numerous articles relating to agricultural subjects. During the session of 1891, he served on the committees on Penal Institutions, Internal Improvements, Deaf, Dumb and Blind Institutions, Election of Justices of the Peace, and Trustees of the University.⁶⁴

Characteristic of the business community was Representative George Morton of New Hanover County. Morton was a successful merchant

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Sinclair, Legislative Sketch Book, 1889, 16; N. C. House Journal, 1891, 44, 53, 74, 125.

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Grant, Alumni History, 375; N. C. House Journal, 1891, 44, 53, 74, 125.

dealing primarily in naval stores such as turpentine, rosin and paints. He began his political career as a city alderman in Wilmington, the first Democrat to be elected from his area. Morton's success in business led to his appointment to the House Finance Committee. He also served on the Banks and Currency, Military Affairs, Insurance, and Counties, Cities, Towns and Townships committees. Morton was not a supporter of Alliance demands and usually espoused the industrial viewpoint. He returned to the House in 1893.⁶⁵

Of all the Democratic lawyers in either the Senate or House, the most prominent was the representative from Pitt County, Harry Skinner, who was the alleged author of the subtreasury plan. Born on May 25, 1855, in Perquimans County, Skinner was the son of a large landowner and slaveholder, James C. Skinner. His father, grandfather and great-grandfather were all political figures who served in the legislatures of their respective times. Skinner received his early formal education at the Hertford Academy and in 1874 entered the University of Kentucky at Lexington. He was graduated from the law school in June, 1875, and by August had moved to Greenville, North Carolina, where he studied law under Major L. C. Latham. In January, 1876, he was licensed to practice and formed a prosperous partnership with his former tutor. Skinner rose quickly in both the legal profession and in politics. He served as chairman of the County

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Tomlinson, Biography of the General Assembly, 1893, 25-26; N. C. House Journal, 1891, 24, 44, 53, 75, 74.

Democratic Executive Committee for four years and on the Democratic State Executive Committee for eight years. He was a member of the Democratic Congressional Committee after 1880 and was chairman for two years. He functioned as aide de camp to Governor Thomas J. Jarvis in 1880 and as a Greenville town commissioner in 1881. Although Skinner could not join the Alliance, he actively endorsed its demands. During the 1891 legislature he supported the industrial training school for girls, the appropriation for completing the gubernatorial mansion, the World's Columbian Exposition, and originated the bill establishing an orphan's court. Skinner also introduced legislation prohibiting oyster dredging in eastern North Carolina. He was extremely active on committees during the session, serving on the committees on Education, Judiciary, Congressional Districts, Internal Improvements, Insane Asylums, and Trustees of the University.⁶⁶

Another highly visible lawyer was Thomas H. Sutton of Cumberland County, a candidate for the speakership. Although his legal practice diminished his desirability in the eyes of the Alliance, Sutton had served in the House during the two previous legislatures and claimed to be the farmers' lawyer.⁶⁷ Born on January 5, 1846, in Wilmington,

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Samuel A. Ashe and General Edward McCrady, Jr., Cyclopedia of Eminent and Representative Men of the Carolinas of the Nineteenth Century (Madison, Wisconsin, 1892), 132-135, hereinafter cited as Ashe and McCrady, Eminent and Representative Men; N. C. House Journal, 1891, 24, 30, 124, 44, 53, 125.

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Thomas Sutton to Elias Carr, August 6, 1890, Carr Papers.

Sutton joined the Confederate Army at an early age and followed Stonewall Jackson until that great General's death at Chancellorsville. He continued to serve until the Confederate surrender at Appomattox, when he returned home and began to study law. In the House of 1887, he introduced legislation to provide a prosecuting attorney in each county and the appointment or election of a stenographer to take down the proceedings of trials in order that there would be no disputes if the case were appealed. In the same session, he supported legislation to simplify indictments, favored a reduction in the number of grand jurors from eighteen to twelve, and supported the institution for the criminally insane. His oratorical and legal skill bloomed during the 1889 session, and he was recognized as a hard worker and outstanding lawyer.⁶⁸ However, he had been a member of the Republican party early in his political career, and because of his change in party affiliation he could not gain the support needed to defeat Doughton for the speakership in 1891. Like many converts, he was "the most bitter of all Democrats, a sort of fire-eating Democrat." Sutton was active during the 1891 session; he sat on the committee on Judiciary, Rules, Banks and Currency, and Senatorial Districts.⁶⁹

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Sinclair, Legislative Sketch Book, 1889, 16; Legislative Sketch Book, 1887, 26.

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Daniels, Tar Heel Editor, 480; N. C. House Journal, 1891, 30, 53, 125.

The piedmont area produced another distinguished lawyer, Alfred Daniel Jones of Wake County. Born July 3, 1857, Representative Jones attended the University of North Carolina from 1876 to 1877. He served as Wake County treasurer in 1884 and as county attorney in 1888. Although he was a freshman legislator in 1891, he actively sought the speakership, eventually throwing his support to Doughton. Jones was friendly to Alliance legislation and directed the railroad commission bill through the House. His committee work in 1891 consisted of service on the Judiciary, Fishing Interests, Salaries and Fees, Penal Institutions, Railroad Commission, Congressional Districts, and Education committees.⁷⁰

The western region of the state was also well represented by the legal profession in the 1891 House. Robert D. Gilmer from Haywood County was an excellent debater, fluent speaker, and author of the book Trial of the Sparrow for Killing the Robin. Born in Surry County in 1860, Gilmer attended Emory and Henry College in Virginia but did not graduate. While he was there, he received the debaters' medal given by the Hermesian Literary Society in 1880. In 1881 he studied law with the firm of Dick and Dillard in Greensboro and was admitted to the bar in June of 1881. He practiced in Mt. Airy for four years before moving to Waynesville in September of 1885. Gilmer was very successful in the legal field and in 1886 was chosen chairman of the Democratic Executive Committee of Haywood County. He served

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Grant, Alumni History, 326; Daniels, Tar Heel Editor, 480; N. C. House Journal, 1891, 30, 44, 74, 124, 24.

in that position until elected to the House in 1891. During the Assembly of 1891, he supported the Alliance educational programs and was chairman of the Education Committee where he "was instrumental in obtaining some wise legislation for the children of our state." Other committees on which he served were Judiciary, Congressional Districts, Public Buildings, Railroad Commission, and the conference committee on Congressional Districts.⁷¹

Two other lawyers of noteworthy importance in the 1891 Assembly were J. Frank Ray of Macon County in the west and Robert E. Peebles of Northampton in the east. Representative Ray was born in Macon County in 1855 and attended Franklin High School. He worked on a farm until he was fifteen. Afterwards he studied law and received his licence in February of 1888. Ray began a long legislative career in 1881 with his election to the House of Representatives. He was re-elected in 1882, returned from 1891 to 1895, and served several more terms.⁷² His 1891 committee service consisted of membership on the Judiciary and Proposition and Grievances committees.⁷³ Representative Peebles was born July 21, 1841, and attended the University of North Carolina from 1859 to 1862. After graduation, he entered the war as a lieutenant in Company E, 56th N. C. Regiment. In June, 1866, he

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Tomlinson, Biography of the General Assembly, 1893, 82-84; N. C. House Journal, 1891, 30, 43, 74, 124.

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Collins and Goodwin, Biographical Sketches, 1895, 43; Cheney, North Carolina Government, 1194.

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N. C. House Journal, 1891, 30.

obtained his law license and settled in Jackson to practice. His first legislative service occurred in the 1883 House, and he later served in the 1895 assembly. Peebles was a Supreme Court justice from 1903 to 1912. He often professed his support for the Alliance on the House floor during debate. His committee assignments in the 1891 House consisted of membership on the Judiciary, Rules, Fishing Interests, and Corporations committees.⁷⁴

As in the Senate, the Republicans in the 1891 House were extremely outnumbered and would offer only token resistance to any legislation which the Democrats solidly supported. They continued, however, to capitalize upon any factionalism that developed between Alliance and conservative Democrats. The Republican candidate for speaker in 1891 was John A. Hendricks of Davie County. Born on January 2, 1865, Hendricks attended the University of North Carolina from 1885 to 1888 and studied law there from 1891 until 1893. Upon obtaining his license, he became an attorney in Madison County and enrolled as a member of the North Carolina and American Bar associations. From 1901 to 1915 he was an attorney for the United States Department of Justice. His first legislative experience occurred with his election to the House of 1889. During the 1891 session, he

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Grant, Alumni History, 482; J. S. Tomlinson, Assembly Sketch Book, Session 1883, North Carolina (Raleigh, 1883), 60, hereinafter cited as Tomlinson, Assembly Sketch Book, 1883; N. C. House Journal, 1891, 30, 44.

was a member of the committees on Education, Banks and Currency, and Public Libraries.⁷⁵

Jeter C. Pritchard was known in Republican and legal circles throughout the state. Born on July 12, 1857, in Jonesboro, Tennessee, Pritchard was educated at Martin's Creek Academy, Tennessee. He learned the printing trade at an early age as an apprentice in the Jonesboro Tribune-Herald office. He moved to Bakersville in Mitchell County, North Carolina, in 1873 where he became joint editor and owner of the Roan Mountain Republican until 1887 when he moved to Marshall in Madison County. Besides printing, his occupation was farming and milling, and he served as deputy collector of Internal Revenue as well as deputy United States marshal, all prior to 1885. In 1885 he began the study of law and was licensed to practice in 1887. His extensive legislative experience began in the House of Representatives in 1885 and continued through the 1887 session. Pritchard opposed the railroad commission bill and other industrial reforms of the Alliance. He participated in extensive committee work and was an early advocate of the prohibition of certain deadly weapons. During the 1891 session, Pritchard served on the committees on Propositions and Grievances and Judiciary. He was a candidate for lieutenant governor in 1888, president of the North

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Grant, Alumni History, 274; N. C. House Journal, 1891, 24, 53, 74.

Carolina Protective Tariff League in 1891, and later became the United States senator, filling the unexpired term of Zebulon B. Vance.⁷⁶

Referred to as the "Old Red Fox," Representative John Quincy Adams Bryan of Wilkes was one of the most widely known Republicans in the General Assembly by the turn of the century. Bryan was born on October 10, 1833, in "the little log cabin in the lane" near Traphill in Wilkes County. He attended the county schools and Hillsville High School in Virginia. A successful farmer, Bryan attended every constitutional convention during the last half of the nineteenth century. During the Civil War, he was in the recruiting service of the United States Army and served from 1863 to 1865 as captain of Company H, Tennessee Cavalry, United States Army. His legislative experience previous to 1891 consisted of service in the legislature of 1876-77 and 1883. During the 1891 session, Bryan served on the committees on Agriculture and the Deaf, Dumb and Blind Institution.⁷⁷

Two noteworthy Republican farmer-legislators elected to the 1891 House were Edgar Leinback of Forsyth County and Joshua M. Chappell of Richmond County. Representative Leinback was born in Salem, Forsyth County, on August 17, 1843, and attended Salem Male Academy. During the Civil War, he served as a musician and later as a noncommissioned officer. His experience in legislative affairs was extensive, but he

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Biographical Sketches, 1897, 15; Assembly Sketch Book, 1885, 34; Legislative Sketch Book, 1887, 36; N. C. House Journal, 1891, 30.

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News and Observer, March 22, 1903; N. C. House Journal, 1891, 30, 53.

won his early elections by a narrow margin. His committee work in 1891 consisted of membership on the Agriculture and Immigration committees.⁷⁸ Representative Chappell was a large and prosperous farmer in Richmond County. Born on April 6, 1830, in Montgomery County and a former Whig, he served his neighbors as county commissioner in 1878 and as justice of the peace for eighteen years. Chappell was a member of the Mountain Creek Farmers' Club, "the object of which association is to advance generally the interests of its members as farmers." He was elected to the House in 1880 and again in 1886. During the 1891 session, he was a member of the committee on Finance.⁷⁹

The 1891 House had three black members, all of whom belonged to the Republican party. James M. Watson of Vance County was serving his third consecutive term in the House and would be reelected for a fourth term in 1892. He was born in Warren County on October 1, 1842, and attended Henderson High School. Watson moved to Vance County in 1866 and worked as a carpenter and farmer. He was active in the county school committee for many years. His 1891 committee assignment was Counties, Cities, Towns and Townships.⁸⁰ Representative Hugh Cale

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Collins and Goodwin, Biographical Sketches, 1895, 34; N. C. House Journal, 1891, 30, 74.

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Legislative Sketch Book, 1887, 40; N. C. House Journal, 1891, 24.

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Tomlinson, Biography of the General Assembly, 1893, 13; N. C. House Journal, 1891, 44.

of Pasquotank "was a successful merchant . . . had accumulated property valued at about 12,000 dollars . . . and had been a magistrate, county commissioner, and treasurer of Elizabeth City."⁸¹ Cale was born in Perquimans County in 1838 and attended only the common schools in his county. He worked at Fort Hatteras and Roanoke Island during the Civil War. His first legislative experience came with his election to the legislature of 1876-77; he was reelected in 1878 and in 1884. In 1891 he was a member of the committee on Fishing Interests.⁸² The other black representative was John Chapman of Craven County. Chapman did not possess any prior legislative experience, nor did he return to the assembly after 1891. His committee assignment was Privileges and Elections.⁸³

In surveying the members of the North Carolina legislature of 1891, the most striking characteristic is obviously the amount of agricultural influence present. Many of the assemblymen from the legal and medical professions had at one time participated in farm activities. Therefore, one may conclude that the reforms undertaken by this assembly were achieved by men who either participated actively or were familiar with agricultural pursuits. Furthermore, although previous legislative experience was lacking in the Assembly,

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William A. Mabry, The Negro in North Carolina Politics Since Reconstruction (Durham, 1940), 25, hereinafter cited as Mabry, Negro in N. C. Politics; Tomlinson, Assembly Sketch Book, 1879, 9-10.

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Assembly Sketch Book, 1885, 39; Tomlinson, Assembly Sketch Book, 1879, 9-10; N. C. House Journal, 1891, 44.

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N. C. House Journal, 1891, 44.

there were several individuals with legislative backgrounds in both houses; the two parties were quite capable of directing legislation. Socioeconomic and educational backgrounds were extremely varied and probably contributed towards the diversity of legislation passed. Methodist, Baptist, and Presbyterian religious denominations were well represented. The age of the assemblymen ranged from the young like Marion Butler and Zebulon Walser to elder statesmen such as John Bryan and John Holman. A considerable number of legislators were in the thirty-five to fifty age group. Another point of interest was the large number of Civil War veterans present in the Assembly, most of whom it seems were enlistees who rose up through the ranks. There were very few Confederate officials of high rank, and at least one Union army veteran.

Alliance influence in the 1891 Assembly was overwhelming. Many individuals who had represented their respective counties in Alliance affairs were now in the General Assembly. Alliancesmen were in a position to direct their reform legislation. The time was ripe for the farmer to enact laws that would achieve the Alliance demands.

CHAPTER III

A DILEMMA FOR THE ALLIANCE LEGISLATURE: ZEB VANCE AND THE SUBTREASURY

At twelve noon on January 7, the gavel resounded in the old state capitol building announcing the beginning of the farmers' legislature of 1891. The opening session of both houses was marked by the election of clerks, doorkeepers, speaker of the House, and other officials whose duty it was to oversee the daily legislative routine. Nominations of candidates for positions in the General Assembly were determined previously through caucus meetings that took place on Tuesday night before the first session on Wednesday. Since the Democratic party controlled both houses, nomination to office was equivalent to election. The speaker of the House was the most powerful legislative official to be nominated. After seven ballots, Representative Harry Skinner from Pitt County rose to ask the delegates to vote for Rufus A. Doughton of Alleghany. Skinner stated that Doughton had supported the subtreasury which his opponent, Thomas Sutton of Cumberland, opposed. A heated exchange of words followed and ended with the third candidate, A. D. Jones of Wake, withdrawing from the race and throwing his support to Doughton. The next ballot determined Doughton the nominee, and he was officially elected when the House began operation. The first day's session closed when all elected officials were duly sworn into office.¹

¹ News and Observer, January 7, 1891; N. C. House Journal, 1891, 11-16; N. C. Senate Journal, 1891, 5-11.

The key point about the speakership nomination was the use of the subtreasury issue to determine the outcome of a party nomination. As the legislators retired from their chambers on the first day, many assemblymen reflected on the most important election which still lay ahead--that of United States senator from North Carolina. At this time senators were elected by state legislatures. Democrat Zebulon Baird Vance had completed his second term as senator and hoped to serve North Carolina once again in Washington. Normally, the reelection of a popular state personality would have stirred little political controversy. However, as previously stated, Senator Vance concluded that he could not support the subtreasury plan of financial reform for farmers. In taking this position he created a rift between the Alliance and conservative factions of the Democratic party. Vance's reelection posed an interesting dilemma for many legislators. To vote for Vance, knowing that he opposed the subtreasury plan, meant that the legislators were not supporting the Alliance demands as they had pledged to do earlier. If they voted against Vance, then they might lose the support of the Democratic party regulars. During the campaign, many legislators had pledged to support both Vance and Alliance demands, a seemingly impossible combination if Vance refused to work for Alliance endeavors. The Vance question struck the very heart of the Alliance reform doctrine. The settlement of this dispute would determine the extent to which Alliamcemen could control their congressional representation. More importantly, this senatorial election would illustrate to the

legislators and to the Democratic party that Alliance reforms were top priority for the Assembly.

For many legislators and their farm constituency, the sub-treasury plan kindled a spark of hope for the future of farming. A belief that a Tar Heel farming advocate had originated the proposal encouraged favoritism of the subtreasury plan. Indeed, one of the earliest proposals to stabilize prices and prevent financial disaster for the farmer appeared in Frank Leslie's Illustrated Newspaper in 1889. Entitled "The Hope of the South," the article was written by Harry Skinner. His plan envisioned the basic element that future proposals, including the subtreasury, would encompass--the withdrawal of produce from the market until the value rose.² The farmer spent years planting and nurturing seeds only to see the fruits of his labor evaporate as low prices prevailed at harvest time. Using warehouses to store produce in exchange for certificates until the onset of a better market seemed reasonable and allowed a source of credit that previously was not available to North Carolina farmers.³ From the beginning, Skinner emphasized the importance of protecting the farmers' commercial market and, as the speakership nomination revealed, became one of the staunch supporters of the subtreasury in the 1891 legislature.

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Harry Skinner, "The Hope of the South," Frank Leslie's Illustrated Newspaper, LXIX (November 30, 1889), 290, hereinafter cited as Skinner, "The Hope of the South"; Bromberg, "The Farmers' Alliance, the Subtreasury, and Zeb Vance," 20-22.

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Daniels, Tar Heel Editor, 444.

Whereas Skinner's plan proposed to store only cotton, an expanded proposal emanated from the National Farmers' Alliance and Industrial Union annual convention at St. Louis in 1889.⁴ Nonperishable crops such as cotton and tobacco as well as grains could be stored, thus enlarging the type and number of farmers who could be included in the program. The chief sponsors of the subtreasury idea, Charles W. Macune and Leonidas L. Polk, campaigned nationwide to promote the plan. Polk used his newspaper, the Progressive Farmer, to encourage farmers in North Carolina to accept the subtreasury as the best available means of financial reform. With the basis already prepared by Skinner, many North Carolinians jumped on the subtreasury bandwagon. Even those newspapers that opposed the scheme ironically popularized the plan by giving it editorial space. By early 1890, the dimensions of the subtreasury plan were established.⁵

The first indication that Senator Vance harbored reservations regarding the proposal appeared in February, 1890 when "by request" he introduced a subtreasury bill in the Senate. Having previously championed farm legislation and having been an avid supporter of agrarian organization, Senator Vance seemed to be the logical choice to sponsor the bill. For a time, the senator's endorsement seemed forthcoming. Vance had the subtreasury bill referred to the Senate

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For more information on the St. Louis platform, see Chapter I, pages 16, 17.

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Hicks, Populist Revolt, 189-190; Progressive Farmer (December 24, 1890); Noblin, L. L. Polk, 218-219; Bromberg, "The Farmers' Alliance, the Subtreasury, and Zeb Vance," 21.

Committee on Agriculture and Forestry where Alliance leaders predicted a better future for it than in the Committee on Finance.⁶ In order to ensure that the bill receive its due consideration, Vance obtained permission for Macune and Polk to testify before the committee on April 22, 1890. The latter used the opportunity to describe in detail the "agricultural depression" in the United States and urged the senators to provide the needed reform legislation. Three weeks later, Senator Vance received permission from the Senate to have five thousand copies of the subtreasury bill printed. These affirmative actions by Vance masked the fact that he refused to speak publicly in favor of the measure. Instead, he encouraged the committee to report some type of financial reform for the farmer. Although Vance had obtained an early hearing on the bill, it remained bogged down in the committee.⁷

While he provided the Alliance with opportunities to achieve congressional action, Senator Vance remained silent regarding his personal viewpoint on the subtreasury. Throughout his illustrious career, he always stood for the right of the people to be independent in action from the federal government. An ardent supporter of state rights, Vance regarded with a cautious eye any proposals that would

⁶ Congressional Record, Fifty-first Congress, First Session, 1889-1890 (Washington, D.C., 1890), XXI, 1645, hereinafter cited as Congressional Record, Fifty-first Congress; Zebulon B. Vance to Elias Carr, June 29, 1890, Carr Papers.

⁷ Congressional Record, Fifty-first Congress, 4822; Leonidas L. Polk, Agricultural Depression: Its Causes - The Remedy (Raleigh, 1890), hereinafter cited as Polk, Agricultural Depression.

increase federal power. This conservative viewpoint had always been popular with the common people of North Carolina. Vance did not possess a political machine, but won election to office by direct appeals to the people. Now he was faced with a situation whereby the very constituents he was pledged to represent sought legislation that would make them, to a large extent, financially dependent on the federal government. Vance truly wanted to help the farmer, but he was unable to overcome his conservative political nature.⁸ Stating his opposition to the subtreasury bill itself, but not to its principle, Senator Vance wrote to state Alliance secretary Eugene C. Beddingfield in May that "I am prepared and intend to go as far in the relief of the farmers . . . as my oath to support the constitution will permit me." Vance maintained this "crude and imperfect" bill required further examination.⁹

The assemblymen of 1891 could well remember when the subtreasury reached its most turbulent moment. Wishing to make a public statement about the issue, Vance sent an open letter to Elias Carr, president of the state Alliance on June 29, 1890. The senator clearly stated that he could not support the subtreasury plan. When the

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Bromberg, "The Farmers' Alliance, the Subtreasury, and Zeb Vance," 23.

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Zebulon B. Vance to E. C. Beddingfield, May 18, 1890, Zebulon B. Vance Papers, Southern Historical Collection, University of North Carolina, Chapel Hill, hereinafter cited as Vance Papers; Clement Dowd, Life of Zebulon B. Vance (Charlotte, 1897), 282, hereinafter cited as Dowd, Life of Zebulon Vance; Daniels, Tar Heel Editor, 446.

letter was published, angry Alliancemen throughout the state cried out in protest. Regarding Vance's position as a betrayal, many Alliancemen who previously were strong supporters turned against him. As George W. Graham told Justice Walter Clark, "Right here at home the farmers are opposed to him and the same feeling exists elsewhere as you will see in the Progressive Farmer."¹⁰

As Graham predicted, Polk and other Alliance editors severely criticized Vance for his position on the subtreasury. Marion Butler, senator from Sampson County and editor of the Clinton Caucasian, supported Vance but questioned his subtreasury views. Butler hinted that instructions might be necessary when he stated, "we believe that he [Vance] will conscientiously do what is best in his judgement. But the demands of the Alliance are just . . . the Alliance will see that he is reelected, but at the same time will take the liberty to say plainly what they wish him to do."¹¹ On the other side, Senator Vance was welcomed as an ally by the conservative Democratic press that seized upon the opportunity to defend him and ridicule his opposition. Samuel A'Court Ashe, conservative editor of the News and Observer, stated:

We do not believe that the Democrats of North Carolina will agree to this at all, nor can we credit that any

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Zebulon Vance to Elias Carr, June 29, 1890, Carr Papers; George W. Graham to Walter Clark, July 24, 1890, published in Aubrey L. Brooks and Hugh T. Lefler (eds.), The Papers of Walter Clark (Chapel Hill, 1948), I, 245.

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Caucasian, July 17, 1890.

intelligent man in the state will sanction the insult to Senator Vance of classing him with the enemies of the people.¹²

Polk characterized best the feelings of many farmers when he stated, "We have been told by Senator Vance and other authorities that we ought to organize, and as a body demand legislation. We have done so. Has the American Senate and House done anything for us?"¹³

While Congress had failed in the eyes of the reform press, the landslide victory for the Alliance in the November state elections promised a better future for agricultural reform in the North Carolina General Assembly. Although the Democratic party won the election by title, it was really the state Alliance whose power was illustrated by the victory. Several weeks before the election, a cease fire gradually developed between the Alliance and the straight-out Democrats regarding Vance and the subtreasury. Having established Alliance power in the state as a result of the election, Polk once more criticized Senator Vance for his refusal to support the subtreasury. To Polk, the road that the farmers' organization should take regarding Vance was clear, "the Alliance must abandon this measure or it must abandon him."¹⁴ The conservative Democratic press countered Polk's attacks by stressing the personal integrity of the

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News and Observer, July 9, 1890.

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Progressive Farmer, August 19, 1890.

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Progressive Farmer, November 11, 1890.

senator and his many years of service to the state.¹⁵ The bitter fight within the Democratic party threatened to compromise the mandate for reform that the Alliance had won in the November election.¹⁶

Realizing how serious this party split would be to the Alliance cause, former Governor Thomas J. Jarvis summarized the belief and fears of many people in a letter to Elias Carr stating:

It is, I think, wise for the thoughtful men who direct the affairs of the Alliance and of the Democratic party to see to it that these two organizations are kept in line with each other There is much in common between them in the great principles upon which they are founded and when there is a difference this difference ought not to be allowed to make them enemies to each other¹⁷

Fortunately, the state Alliance president had already come to the same conclusion. On November 20, the day before the Jarvis letter was penned, Carr wrote to Senator Vance at his home near Black Mountain. Carr came straight to the point as he questioned Vance, "If the legislature instructs you to advocate and vote for the subtreasury plan of financial reform, will you carry out said instructions?"¹⁸ Carr and other Alliance leaders felt that such guidance would ensure

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News and Observer, November 21, 1890.

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Bromberg, "The Farmers' Alliance, the Subtreasury, and Zeb Vance," 36-37.

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Thomas Jarvis to Elias Carr, November 21, 1890, Carr Papers.

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Elias Carr to Zebulon Vance, November 20, 1890, Vance Papers; Dowd, Life of Zebulon Vance, 289.

the priority of the Alliance financial reform. The theory of instructions also changed the nature of the controversy. With such directions, a failure by Vance to endorse the subtreasury would mean much more than a personal decision by the senator regarding financial reform. Rather, Vance would be openly disobeying the state that he was pledged to represent. Privately, Carr hoped that Vance would agree and thus restore order among the Alliancemen.¹⁹

Carr's inquiry did not reach Vance until December 1. After considering the matter for several days, Vance responded, "I hold that the will of the people clearly and unequivocally expressed must be obeyed unless compliance would involve the representative in a moral wrong, in which case it would be his duty to resign and give place to a representative who would obey."²⁰ The idea of retirement was not new to the senator. His health had been declining for some time and he was scheduled to have eye surgery early the next year.²¹ The subtreasury dispute had drained the senator physically and at one time he considered withdrawing from the race for reelection.²² Nevertheless, Vance accepted Carr's proposition though he was vague on whether if instructed he would vote or resign.

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Elias Carr to Zebulon Vance, November 20, 1890, Vance Papers.

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Zebulon Vance to Elias Carr, December 6, 1890, Carr Papers.

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Dowd, Life of Zebulon Vance, 313.

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Daniels, Tar Heel Editor, 446.

Upon learning of Vance's decision, Polk issued statements in the Progressive Farmer that supported the senator and proposed that the Assembly's instructions be "as liberal as possible, so that Vance and Matt W. Ransom [North Carolina's other United States senator] would be helped rather than hindered in their action."²³ Somewhat distrustful of the approaching legislature, Polk expressed his desire that these instructions be drawn up and approved before the vote to re-elect Vance, fearing that once Vance was elected, the desire for instructions would fade.²⁴ Furthermore, Polk and Robert J. Powell, head of the Alliance Legislative Committee which was charged with preparing the instructions, agreed that Vance should not be required to vote for the particular subtreasury bill then in Congress but rather for measures that "embody the essential principles of the bill."²⁵ Thus the foundation was prepared for the Alliance legislature to control the senator's vote.

The eyes of the farmers then focused on the capital city of Raleigh where the settlement of the Vance-subtreasury issue rested firmly in the hands of the legislature of 1891. On Thursday night, January 8, just one day after the legislature convened, Alliance legislators met in caucus to determine what instructions would be

²³ Progressive Farmer, December 23, 1890.

²⁴ Leonidas L. Polk to Elias Carr, December 26, 1890, Carr Papers.

²⁵ R. J. Powell to Elias Carr, January 1, 1891; L. L. Polk to Elias Carr, January 1, 1891, Carr Papers.

given to the state's congressional delegation.²⁶ No doubt, these assemblymen were cognizant of the fact that most of the legislators had at one time or another been supporters of Vance.²⁷ Because of their respect for the senator, some lawmakers did not want to embarrass Vance or force such demands upon him that would compel his resignation. On the other hand, many felt strongly that the purpose of the instructions should be made clear. Otherwise, Alliance principles would be relegated to a secondary position. Taking all of these considerations into account, a committee was formed to propose a resolution of instructions and report back to the caucus the following Friday night.²⁸

The next day, the attention directed to the newly arrived assemblymen was distracted as Raleigh residents welcomed back an old and familiar face to the city. Senator Vance arrived at the capital and acquired a room at the Yarborough House.²⁹ With R. B. Raney as the proprietor, the Yarborough House was often visited by Vance when he stopped in Raleigh. Undoubtedly, there were politicians and constituents who desired to discuss important matters with the senator and gladly put forth the \$2.50 per day rent that the hotel asked of

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Samuel L. Patterson to Clement Dowd, March 19, 1897, printed in Dowd, Life of Zebulon Vance, 291-294, hereinafter cited as Patterson to Dowd, Life of Zebulon Vance; News and Observer, January 10, 1891.

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News and Observer, January 10, 1891.

28

Patterson to Dowd, Life of Zebulon Vance, 292.

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Patterson to Dowd, Life of Zebulon Vance, 292.

its guests.³⁰ In fact, this mountain born and bred senator always attracted a crowd when he visited the city where his illustrious career as a statesmen began.³¹ Vance appreciated the support from his constituents. And he gladly welcomed the stream of visitors that flowed to his room. However, a cheerful outward appearance could not hide the fact that the senator was deeply troubled over the controversy. In declining health, Vance looked forward to ending the controversy soon.³²

On Friday night Alliance assemblymen met once again in caucus to prepare the resolution of instructions. The appointed committee presented a draft resolution to the body of Alliancemen, but this draft was considered too harsh. After further discussion and numerous suggestions, the caucus finally adopted a resolution agreeable to the majority of Alliancemen present.³³ The resolution stated:

. . . that our Senators in the Fifty-first and Fifty-second Congress of the United States be and they are hereby instructed, and our Representatives are requested to vote for and use all honorable means to secure the financial reforms as demanded in the platform adopted by the Ocala meeting of the National Farmers' Alliance held in December, 1890.³⁴

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Advertisement, News and Observer, December 12, 1890.

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News and Observer, January 10, 1891.

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Daniels, Tar Heel Editor, 453.

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Patterson to Dowd, Life of Zebulon Vance, 292; News and Observer, January 11, 1891.

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News and Observer, January 11, 1891.

The resolution separated senators from representatives in that the first were "instructed" while the latter were "requested" to vote for financial reform. Clearly, the resolution directed the senators to vote for the Alliance platform demands for financial reform, otherwise known as the subtreasury plan.³⁵

Later that night after the caucus had adjourned, Samuel L. Patterson, representative from Caldwell County, took a copy of the resolution directly to Senator Vance at the Yarborough House. Patterson was an avid supporter of both agricultural reform and the senator. He hoped to secure Vance's endorsement of the resolution before it was submitted to the legislature, thus avoiding any embarrassment for the senator. Although it was late and the senator had retired for the evening, when Patterson arrived, Vance quickly rose and read the document. Patterson could tell that he was deeply disturbed by the resolution. For the moment, Vance withheld his concern and told Patterson to return in the morning for an answer. Patterson was also staying at the Yarborough and so it was convenient for him to drop by Vance's room before he attended the Saturday morning session of the General Assembly. The senator's reply to the resolution was simple: "he could not accept an election under the terms imposed in the resolution." Patterson's disappointment over the decision was great for he feared that the resolution would pass the Assembly, regardless of Vance's disapproval. If it passed, the

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Daniels, Tar Heel Editor, 451.

senator would probably withdraw from the race. Not one to procrastinate when work was needed, Patterson moved quickly to the capitol to inform his fellow legislators of Vance's decision. Hopefully, some solution could be found before the legislature took action on the resolution.³⁶

The fourth day of the 1891 General Assembly was called to order on Saturday, January 10. In the House of Representatives, a prayer was spoken, and the previous day's journal was read and approved.³⁷ Soon the moment came for bills and resolutions to be introduced for the first time. Representative John B. Holman from Iredell County introduced, by request, House Resolution 44, "a resolution of instruction to our senators and representatives in Congress."³⁸ Holman, a strong Allianceman, was well respected by the legislators. He was the logical choice by the caucus to submit the instructions. The resolution was placed on the calendar to be discussed later.³⁹

Meanwhile, after he received Senator Vance's reply early that morning, Representative Patterson arrived at the capital and conferred with several of his Alliance friends. At first, the group thought to delay action on the resolution by having it referred to committee. Realizing quickly the opposition to such a referral,

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Patterson to Dowd, Life of Zebulon Vance, 292.

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News and Observer, January 11, 1891.

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"House Resolution 44," Legislative Papers, Box 18, North Carolina State Archives, Raleigh.

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N. C. House Journal, 1891, 28.

Patterson drew up a less demanding amendment to the resolution. Between the words "secure" and "the," the amendment would insert the words "the objects of." Furthermore, the amendment proposed to delete the word "demanded" and in its place insert the word "contemplated."⁴⁰ Thus amended, the resolution would read:

. . . That our Senators in the Fifty-first and Fifty-second Congress of the United States be and they are hereby instructed and our Representatives are requested to vote for and use all honorable means to secure the objects of the financial reform as contemplated in the platform adopted by the Ocala meeting of the National Farmers' Alliance, held in December, eighteen hundred and ninety.⁴¹

By this time the first reading of bills and resolutions was over, and it was nearly the calendar time for the resolution to be called up for a vote. Quickly, Patterson conferred with Representative Holman about the amendment. Holman had no wish to prolong the issue and was glad to accept the amendment. Both representatives felt that the resolution as amended would allow Senator Vance the flexibility he desired and hopefully end the controversy.⁴²

At the appropriate time, Holman moved that the resolution of instruction be taken up by the House of Representatives. The original resolution was brought forth at which time Representative

⁴⁰ Patterson to Dowd, Life of Zebulon Vance, 292; N. C. House Journal, 1891, 31.

⁴¹ Laws of North Carolina, 1891, 651.

⁴² Patterson to Dowd, Life of Zebulon Vance, 292.

Patterson moved to amend the resolution.⁴³ A heated discussion then began which elicited virtually every viewpoint embraced by the legislators. Robert B. Peebles, the representative from Northampton County and a lawyer by trade, stated that he was not familiar with the Ocala platform. Regretting that he did not have a copy to provide the members, Holman replied that the object of the demands drawn up at the annual meeting of the National Farmers' Alliance and Industrial Union at Ocala was to provide the farmer with the financial relief he needed. Capitalizing upon Peebles statement, T. M. Watson of Robeson County informed the Assembly that since the caucus meeting the previous night, he had been asked by fifteen or twenty members of the Assembly to explain the Ocala platform. Since it appeared that several members of the legislature were unsure of exactly what the Ocala platform provided, he urged a delay in the vote. More time was needed, reasoned Watson, in order to ascertain the meaning of the resolution. He moved to refer the instructions to a select committee. Julian S. Mann, a lawyer and farmer from Hyde County, stated that he too was unfamiliar with the Ocala platform and could not vote intelligently on the resolution.⁴⁴

As the discussion continued, the Republican view was expressed by Representative Jeter C. Pritchard from Madison County. Pritchard considered the resolution too comprehensive and felt that it would

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N. C. House Journal, 1891, 31; Daniels, Tar Heel Editor, 452.

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News and Observer, January 11, 1891.

embarrass Senator Vance. He called the statement a shotgun load, intended to make the legislature adopt the entire platform of the Farmers' Alliance, including such proposals as the abolition of national banks and the lending of money on land. According to the Republican assemblyman, many of the legislators did not favor both proposals, but the resolution did not allow them to choose one from the other. Pritchard referred to the subtreasury plan as an impractical scheme stating, "It deceives the people and leads them astray. It provides that the farmer shall realize only eighty percent of his crop." The farmer "did not need to borrow money; but to have more currency so as to get better prices for their products." Pritchard's solution was to stand by the financial policy of the Republican party. Representative Peebles replied that "the country had tried the Republican policy for twenty years, and it had ruined us."⁴⁵

The assemblymen listened intently as one of the most respected freshman representatives, Skinner, rose to defend the Alliance demands. Responding to Republican criticism of the plan, he declared, "We cannot expect anything else but opposition to the subtreasury from Republicans for it is the sharpest blade that ever entered the side of the Republican party" In direct response to Pritchard, Skinner stated that the subtreasury was a plain, businesslike matter with nothing impractical or visionary about it. "By united action the Alliance can hold back a large part of the crop and realize its

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News and Observer, January 11, 1891.

value for it," stated the gentleman from Pitt County. In regard to the resolution, he personally favored a delay during which time he could prepare and deliver an appropriate speech that such an important issue deserved. He supported the resolution, however, and did not think that Senator Vance would be bound to any particular bill.⁴⁶

Other assemblymen did not share Skinner's optimism regarding Vance's interpretation of the resolution. Allianceman R. P. Henry of Rockingham County stated that he was not sure what effect the resolution would have on the election. If the instructions caused the senator to resign or withdraw from the race, then the constituents who had pledged Henry to vote for Vance would be disappointed. The Alliance representative favored the subtreasury but recommended caution and thorough consideration of the plan's elements. To ensure the senator's approval before it was too late, Henry suggested that the resolution be shown to the senator and his opinion made public. In this manner, the legislature would not handicap the senator.⁴⁷ On the other hand, W. T. Adams from Granville County felt sure that the resolution "would be entirely agreeable" to the senator.⁴⁸ George Morton of New Hanover County declared his support for Vance

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News and Observer, January 11, 1891.

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News and Observer, January 11, 1891.

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News and Observer, January 11, 1891.

regardless of whether or not any instructions were adopted. If Vance agreed to the instructions, then Morton would endorse them also.⁴⁹

Speaking for many of the Alliancemen present, Representative M. L. Wood of Bertie County rose and announced his support for the resolution and the Ocala platform demands. Wood stated that everyone "in his section knew these measures of relief thoroughly--they talked about them and were acquainted with them, and put much stress upon them." This farming advocate from the community of Lewiston believed that the financial status of the country was directed by the wealthy and these reform measures would provide relief.⁵⁰ Following Wood in the discussion was Archibald McGill of Cumberland County. Perhaps McGill summarized the fears of many legislators when he urged the assemblymen to restrain from creating a break in the Democratic party. The instructions should satisfy the people, declared McGill, and be a base "upon which all could stand."⁵¹

The turning point in the debate occurred when Representative Holman addressed the assembly to state his views on the bill. The assemblymen respected Holman, and he was considered by some to be "the best type of the farmer legislator, a man of wisdom and sound judgment."⁵² Holman gave assurance to the legislators that the amended

⁴⁹ News and Observer, January 11, 1891.

⁵⁰ News and Observer, January 11, 1891.

⁵¹ News and Observer, January 11, 1891.

⁵² Daniels, Tar Heel Editor, 452.

version allowed plenty of room for Senator Vance to maneuver. Holman's acceptance of the instructions persuaded many dissenters to fall in line and "went far to settle the fate of the resolution."⁵³ After Holman's remarks, the motion to delay the vote by referring the matter to committee was voted down. A roll call vote on the resolution followed, and the instructions were adopted by a total of ninety-eight to thirteen. The resolution had passed.⁵⁴

While the debate was going on in the House of Representatives, Senator Vance remained at the Yarborough, anxious to learn the result of the day's session. The senator was worried that extremists in the legislature would place him in an awkward position, one which might require his resignation. Seeking moral support for whatever lay ahead, Vance telegraphed Thomas Jarvis in Greenville and asked him to come to Raleigh.⁵⁵ Shortly before Jarvis arrived, a copy of the adopted resolution was sent to Vance by a friend, Robert Furman. Upon his arrival, the Greenville attorney was informed about the previous caucus resolution and afterwards the senator gave him the copy just passed by the House. Jarvis could not find any problem with the amended version and urged Vance to accept the compromise. Vance stated that "he was confident he could be elected senator without

⁵³ News and Observer, January 11, 1891.

⁵⁴ N. C. House Journal, 1891, 31.

⁵⁵ Thomas Jarvis to Clement Dowd, April 1, 1897, printed in Dowd, Life of Zebulon Vance, 294-296, hereinafter cited as Jarvis to Dowd, Life of Zebulon Vance.

submitting to any semblance of a condition or instruction if he chose to make a fight, but that he did not wish to do anything to create a division in his party."⁵⁶ Later that night, Representative Patterson came to see Vance in his room. The farmer had heard that Vance was disappointed with the House resolution and would not seek reelection. The cheerful face of the popular senator immediately told Patterson that Vance was happy with the outcome of the House action. Vigorously congratulating Patterson on his work, Vance declared, "I want to give my hand to the man who offered that amendment; that was the best day's work ever you did; at least the best for me."⁵⁷

While the House was busy debating the Alliance instructions, a resolution of instruction was also under consideration in the Senate. Marion Butler introduced Senate Resolution 39, the same resolution originally introduced in the House.⁵⁸ It was immediately referred to the Committee on Federal Relations chaired by William Ardrey of Mecklenburg County. Later in the day, Butler moved that the rules be suspended in order that SR 39 might be withdrawn from the committee and placed on the calendar for action that day. The motion was defeated twenty to twenty-three, Ardrey voting in the negative.⁵⁹ Thus the Senate waited until Monday to decide on instructions.

⁵⁶ Jarvis to Dowd, Life of Zebulon Vance, 295.

⁵⁷ Patterson to Dowd, Life of Zebulon Vance, 293.

⁵⁸ N. C. Senate Journal, 1891, 74.

⁵⁹ N. C. Senate Journal, 1891, 77-78; News and Observer, January 11, 1891.

By the time the legislature convened on Monday, the news that Vance had approved the House Resolution was known to all the assemblymen. In the Senate chamber, the House resolution of instruction was introduced as Senate Resolution 76 and immediately placed on the calendar.⁶⁰ Later in the day, it came before the Senate and Butler, after making several comments in support of the resolution, called for a vote. Zebulon V. Walser, a Republican from Davidson County, proposed an amendment "so as to provide nothing in the resolution shall include, in referring to financial reform, the abolition of national banks."⁶¹ A short discussion followed, but for all practical purposes the issue had been decided the previous Saturday in the House. Walser's amendment failed, and the resolution was called to a vote. By a total of forty-six to zero, the resolution was approved.⁶² Several senators explained their vote by stating that although they were not necessarily in favor of all of the Alliance principles, they were nevertheless strong supporters of Senator Vance. W. C. Galloway, a Democrat, stated that he voted for the resolution "only because he had been informed they were satisfactory to Senator Vance." He was for Vance "first, last and always."⁶³

⁶⁰ N. C. Senate Journal, 1891, 82.

⁶¹ News and Observer, January 13, 1891.

⁶² N. C. Senate Journal, 1891, 86.

⁶³ News and Observer, January 13, 1891.

The bitter issue that threatened to divide both the Alliance and the Democratic party was now resolved, at least for the remainder of the 1891 General Assembly. On Monday night after the Senate's concurrence on the resolution, the Democratic caucus met to nominate its candidate for the United States Senate. Visitors were allowed to fill the galleries and halls of the House chamber. As expected, there was no opposition to Vance, and indeed the chamber resounded with applause as Vance was nominated by acclamation. Afterwards, he addressed the people who came to see him receive this honor. Encouraging the assemblymen present, Vance stated, "There is a tendency to look too much to the national government for redress of grievances which is in our power to cure. You should look to it that the legislature of North Carolina exercises its full powers in such matters."⁶⁴

At noon on January 20, 1891, both houses in the General Assembly met in separate sessions to elect the United States Senator from North Carolina. For the Democrats, Zebulon B. Vance was nominated in the House by R. A. Grier of Mecklenburg and in the Senate by W. H. Lucas of Hyde County. On the Republican side, Jeter C. Pritchard was nominated in the House by John Hendricks of Davie and in the Senate by Zebulon Walser. Each body then proceeded to vote with the result as follows: House -- 86 votes for Vance, 13 votes for Pritchard; Senate -- 40 votes for Vance, 7 votes for Pritchard.⁶⁵ The results of

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News and Observer, January 13, 1891.

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N. C. Senate Journal, 1891, 134-135; N. C. House Journal, 1891, 98-99.

the election were formally announced in a joint session of the Assembly on January 21, 1891.⁶⁶ Zebulon B. Vance had won reelection as North Carolina's United States senator.

Immediately after the passage of the resolution, the bitterness that the subtreasury issue had created appeared to be overshadowed by the excitement of Vance's reelection. Samuel Ashe stated in the News and Observer that the objects of the Ocala platform as referred to in the resolution were designed "to obtain an increase of the currency, and on that there should be no difference of opinion."⁶⁷ True, the objective of the Alliance during the subtreasury controversy was to send people to Congress who would actively seek these financial reforms. However, many Alliancemen were skeptical that the resolution which passed the Assembly of 1891 would ensure that these congressional representatives would advocate Alliance demands. Their fears were realized three months later when Vance publicly stated that he was not compelled to vote for the subtreasury bill.⁶⁸ This decision by Vance lit the fires of controversy once more and ultimately led many North Carolinians into the Populist party.⁶⁹

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N. C. Senate Journal, 1891, 143-144; N. C. House Journal, 1891,
 106-107.

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News and Observer, January 13, 1891.

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Lenoir Topic, April 22, 1891.

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 Bromberg, "The Farmers' Alliance, the Subtreasury, and Zeb Vance," 40.

For the farmers' legislature of 1891, the passage of the resolution of instructions meant much more than just a controlling influence upon their congressional delegation. The ability of the Alliance to pass this resolution clearly illustrated that this legislature would place the relief of the agricultural class at the top of its list of priorities. Furthermore, Vance's decision to accept the instructions rather than fight the Alliance forced the conservative Democrats to support the Alliance more than they were willing to do previously. Their power firmly entrenched, the farmer legislators now settled down to reforms needed at the state level.

CHAPTER IV

AN ALLIANCE VICTORY: THE RAILROAD COMMISSION OF 1891

The controversy over Senator Vance's reelection helped prepare the assemblymen of 1891 for the greatest challenge of their session--the establishment of a railroad commission. For years, the farmers of the state had petitioned their legislators for a board of commissioners to oversee the operations of the railroads. Although efforts to establish such regulation had been considered, the Alliance had not been able to muster enough political clout to see the reform enacted into law. Success in passing a set of instructions to guide the state's national representatives cemented the Alliance position in the General Assembly. As a result of their active role in the Vance election, freshmen legislators like Senator Butler gained considerable respect from fellow assemblymen. Certainly Colonel Harry Skinner had shown his oratorical skill as an avid supporter of the Alliance. The News and Observer remarked that some "bright men" were developing among the new members in the House.¹ Their experience in the Vance matter served the assemblymen well as they prepared for the expected fight against the railroads.

The hostility farmers felt toward the railroads was directed against the management of these transportation systems and not against the employees. Indeed, at the same time that legislators debated the

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News and Observer, January 17, 1891.

railroad commission proposal, the Alliance considered admitting railroad employees to membership. W. A. Russ, president of Delta Alliance #874 in Sampson County, wrote to Elias Carr for a decision on whether or not "railroad hands such as Section Masters and hands working on Sections" could join the order. Already several members of the Delta Alliance were railroad employees. Russ was quick to point out, however, that these men were farming members before they began work on the railroad. Allowing railroad men inside the Alliance body was a topic of much discussion in Russ's section and he sought a quick reply from the Alliance president.² Another request for the same ruling came from William H. Sinorhen, secretary of Asbury Alliance #368 of Wake County. The Asbury request differed slightly since the prospective members in Wake County were railroad workers and farmers at the same time.³ Carr's decision followed advice sent to him by W. A. Graham. "It will not do to receive railroad laborers or such--they will be spur [sic] in our midst," wrote Graham. He added in a prepared statement that "if the section master is engaged in farming--his employment by the railroad would not disqualify him--as the State by establishing a Railroad Commission will protect its citizens from injury by Railroad incorporations--and it is not believed he could be used for our injury."⁴ Thus, the Alliance avoided an

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W. A. Russ to Elias Carr, February 9, 1891, Carr Papers.

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W. H. Sinorhen to Elias Carr, February 18, 1891, Carr Papers.

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W. A. Graham to Elias Carr, March 4, 1891, Carr Papers.

all-out attack upon the entire railroad establishment. Instead, it placed its confidence in a railroad commission.

The arguments for government regulation of railroads were numerous. In the mid-1800s, North Carolina desperately wanted a system of railroads that would tie together the productive areas of the state with the eastern ports. In order to encourage railroad building, many carriers were granted tax-exempt status, thereby taking considerable amounts of potential revenue out of the state's treasury. As the years passed, outside capital took control of many of the railroads and pursued a north-south pattern of railroad building rather than the east-west development desired by the state. Since rail transportation was the only practical means of carrying goods or passengers in North Carolina, the railroads developed a considerable base of power which allowed them to set high freight rates. Farmers were forced to pay higher rates for short hauls than long hauls, while free passes were given to politicians in order that no legislation would pass to curb these railroad activities.⁵ Taxation, freight rate discrimination, free passes, and "the subservience of public officials to railroads" all combined to convince many North Carolinians that a railroad commission was needed.⁶

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See Chapter I - freight rate discrimination.

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Daniels, Tar Heel Editor, 388; Alan Bromberg, Pure Democracy and White Supremacy: The Redeemer Period in North Carolina, 1876-1894 (Ann Arbor, 1977), 300, hereinafter cited as Bromberg, Pure Democracy and White Supremacy; Cowley, "State Policy and Economic Development," 67.

Many of the assemblymen of 1891 could remember the first attempt to create a railroad commission in the 1879 legislature. In that session, George Bain Everett, a lawyer from Winston-Salem, and William T. Dortch, a Goldsboro farmer and lawyer, introduced bills that would have created a railroad commission. The Everett bill died in committee, but a substitute for the Dortch bill passed the Senate and was sent to the House for concurrence. The session ended before the bill reached its third reading; otherwise the bill might have passed.⁷ Other railroad regulatory legislation met with better results. Railroads were ordered to print a detailed list of their freight charges and post this list where the public could view it. Legislation was passed that also prevented railroad companies from pooling freights or providing rebates on freights.⁸ Although the commission bill failed, railroad regulation had achieved some success. However, any hope that the railroads would support this intrusion into their practices was blasted by an article that appeared in the Observer on March 13, 1879. Several railroad officials were questioned, and all voiced opposition to a commission. Commission support clearly emanated from the farmers.⁹

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N. C. House Journal, 1891, 805; Martha Francis Bowditch, "The North Carolina Railroad Commission, 1891-1899" (unpublished Master's thesis, University of North Carolina, Chapel Hill, 1943), 23, hereinafter cited as Bowditch, "The North Carolina Railroad Commission."

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Laws of North Carolina, 1879, c. 237, c. 182, hereinafter cited as N. C. Laws, 1879; Bowditch, "The North Carolina Railroad Commission," 23, 24.

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The Observer (Raleigh, N. C.), March 13, 1879 (forerunner of The News and Observer).

The legislative action in 1879 consolidated commission attitudes into pro and con forces that would fight against each other for several legislative sessions. From 1881 to 1887, commission bills were introduced and methodically defeated. Other regulatory legislation dealing with free passes and freight rate discrimination also met with little success. During this period, the railroads maintained a strong political base in the General Assembly, working effectively through industrial-minded assemblymen to defeat regulatory legislation. Support for the railroads also came from the legislators representing the northwestern counties of the state. This region of North Carolina possessed few good roads and sought rail transportation as a way of developing its resources. The westerners reasoned that a commission would discourage the investment of outside capital in new or expanding railroad facilities. The Asheville Citizen summarized the belief of many westerners when it stated, "A liberal railroad policy is the demand of the times; such a policy as will invite foreign capital to our waste places and not discourage it."¹⁰ A promise of future railroad construction prompted many legislators to oppose commission bills, especially where free passes were ineffective. The moral fiber of legislators was also tested as the railroad lobbyists used alcohol and attractive women to influence the votes. The Yarborough House, one of the most popular places for legislators

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The Asheville Citizen (Asheville, N. C.), February 7, 1883, hereinafter cited as Asheville Citizen; Bromberg, Pure Democracy and White Supremacy, 301.

to gather after hours, had a special room complete with bar and bar-keeper where assemblymen received free drinks at railroad expense. As Josephus Daniels stated, "If there was any string the railroad officials did not pull to carry their point, it was one that they did not know existed."¹¹

No legislator better represented the power of the railroads in the General Assembly during this period than Republican Jeter C. Pritchard, the Republican candidate for Senator Vance's seat in 1891. In 1887, Pritchard represented Madison County in the House of Representatives while at the same time he served as an attorney for the Richmond and Danville Railroad. He opposed all three commission bills that were introduced into the House and campaigned actively on the assumption that "the State had no right to fix rates or prevent rebates, or in any way to regulate a public service corporation."¹² Ironically, one of the promoters and sponsors of a commission bill in 1887 was fellow Republican Hamilton G. Ewart. Ewart was one of the few North Carolina Republicans who had not accepted the "hard money, high tariff, and pro-corporate views" of northern Republicans. Pritchard generally regarded legislation from a railroad viewpoint. His ability to coordinate Republican opposition together with a split among Democrats led to the defeat of the commission proposals.¹³

¹¹ Daniels, Tar Heel Editor, 389.

¹² Daniels, Tar Heel Editor, 388; Bromberg, Pure Democracy and White Supremacy, 303.

¹³ Daniels, Tar Heel Editor, 391; Bromberg, Pure Democracy and White Supremacy, 303.

Although opposition was intense, a freight rate bill passed the 1887 assembly. Discriminatory rates between long and short hauls were declared unlawful, and violators were subject to a monetary penalty.¹⁴ Since no regulatory body was established to oversee the operations of railroads, the law was seldom enforced. Modest though it was, this regulation sparked hope and anticipation that the next legislature would surely establish a commission.

Throughout the legislative efforts to establish a railroad commission, the primary reason for failure had been a lack of organized support in the General Assembly on behalf of the farmers. By the start of the 1889 session, the organization of farmers was just beginning to bear fruit. The Progressive Farmer and the State Chronicle were publishing strong editorials in favor of regulation. Farmers themselves made visits to Raleigh to encourage their representatives to establish the commission. Those farmers who could not travel to the capital city sent petitions and resolutions urging legislative action. There was a general feeling among farmers that a commission bill would pass.

When the Assembly of 1889 began, a commission bill was introduced in the Senate as were four such bills in the House. A joint committee was established to consider these bills and report back to the Assembly. Both opposition and pro-commission forces were invited to speak before the committee. The most powerful railroad man in the

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N. C. Laws, 1887, c. 42.

state, Colonel Alexander Boyd Andrews, later president of the North Carolina Southern Railway, addressed the committee. Andrews followed the same rhetoric used by the anti-commission forces earlier--namely, that railroad charters exempted their systems from state regulation. Referred to as a railroad feudal baron, this eccentric, hard-working man stated clearly that "if a man puts his money in a railroad, it is his railroad and he has a right to run it as he damn pleases and nobody has anything to do with it."¹⁵

The Farmers' Alliance was still growing in the state and unfortunately could not overcome the power of railroad men such as Andrews. A commission bill passed the House but was defeated in the Senate by a tie-breaking vote from Lieutenant Governor Holt. Senator William D. Turner of Iredell tried to gain Republican support for the bill by assuring Republican representation on the commission board, but this move also failed. After the commission bill failed, an alternative proposal was introduced by Representative Charles Cooke of Franklin County. This bill would have placed the operations of railroads under the supervision of the Bureau of Labor Statistics. The bill passed the House and was sent to the Senate. Railroad opposition delayed consideration of the bill until the last day of the

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The State Chronicle (Raleigh, N. C.), March 15, 1889, hereinafter cited as State Chronicle; Daniels, Tar Heel Editor, 372, 406; Cowley, "State Policy and Economic Development," 75.

session when time was running out. Another tie-breaking vote by Lieutenant Governor Holt defeated this alternate measure.¹⁶

The experience of 1889 taught the pro-commission forces a valuable lesson. In order to succeed, they needed stronger legislative support as well as an organized plan of action. The Farmers' Alliance provided both. As the assemblymen of 1891 prepared themselves to deal with the commission issue, they reflected on the two-year campaign to make regulation of railroads a reality. The first step to success meant electing assemblymen who were pledged to support the commission.¹⁷ After the November elections assured them of majority support in the 1891 assembly, the Alliance leaders prepared for early and successful consideration of a commission bill. This time, they wanted the issue settled quickly to avoid any last minute action.

Alliance leaders advocated that the legislature focus immediate attention on railroad regulation. R. J. Powell, chairman of the Alliance legislative committee, recommended that the commission bill should be one of the first presented to the Assembly.¹⁸ Charged with the responsibility of translating Alliance demands into legislation, Powell and his committee planned for the upcoming session. He wrote

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N. C. House Journal, 1889, 539-542, 955-957; N. C. Senate Journal, 1889, 542-543, 828-830, 872-873; Bromberg, Pure Democracy and White Supremacy, 305-306.

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See Chapter I - railroad legislation.

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R. J. Powell to Elias Carr, December 25, 1890, Carr Papers.

to several Alliance leaders, including President Elias Carr and the former president, Sydenham B. Alexander, seeking their recommendations on a commission bill.¹⁹ They agreed heartily on quick action. Polk suggested that the bill be introduced into both houses on the first day and "pushed to a final vote inside the first ten days." He added, "Pardon my apparent officiousness, but I know the game so well that will be played that I feel anxious about it."²⁰

Past experience taught Polk that the railroad forces would still be strong. Jeter C. Pritchard was once again a member of the House of Representatives and would lead the Republican opposition. Lieutenant Governor Holt, responsible for the knock-out blow to a railroad commission in 1889, again presided over the Senate. Railroad lobbyists were already in town, and newspapers campaigned for or against a commission. As in the case of Senator Vance's reelection, Alliance power was being put to the test.

In 1891, however, the Alliance was ready for battle. On the second day of the session, January 8, Senator Marion Butler introduced a resolution "to raise a joint select committee on railroad commission to consist of five senators and eight members of the House of Representatives." On the same day, Representative T. M. Watson of Robeson introduced a similar resolution in the House except that it provided for nine representatives. The House version was approved by

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R. J. Powell to Elias Carr, December 25, 1890, January 1, 1891, Carr Papers.

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L. L. Polk to Elias Carr, December 26, 1890, Carr Papers.

both branches the following day, January 9. The committee's duties were to study commission bills introduced into the General Assembly and, after proper consideration, formulate and introduce a commission bill to the legislature.²¹

Members of the joint committee were announced in the House on January 16 and in the Senate on January 17. Among the House members were Alliance leaders J. B. Holman and C. C. Cowan, along with T. M. Watson and Samuel Patterson, both sympathetic to the Alliance cause. Representing the legal profession for the House were A. D. Jones, Robert B. Peebles, and Robert D. Gilmer. Allancemen John W. Bryan and W. W. Hall rounded out the House delegation. All nine representatives were Democrats.²²

The Senate members of the committee were led by Marion Butler, a strong Allanceman and outspoken critic of the railroads. Butler chaired the joint committee. W. H. Lucas, a farmer and Allanceman from Hyde County, served on the committee along with Benjamin P. Griggsby, a conservative Democrat, and J. S. Bell, also an Allanceman. The only Republican on the joint committee was Zebulon V. Walser, a Davidson County lawyer. Walser had been in the House of Representatives in 1889 and had voted with the Republicans against the commission bill.²³

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News and Observer, January 9, 10, 1891; N. C. House Journal, 1891, 24; N. C. Senate Journal, 1891, 13.

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N. C. House Journal, 1891, 74.

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N. C. Senate Journal, 1891, 124.

While the legislature prepared to take action, the Alliance attempted to counter charges launched against the commission by the railroads. Most of the complaints against a commission were addressed in an article that appeared in the Progressive Farmer on January 13, 1891. The newspaper stated clearly that "the Alliances in North Carolina desire the creation of a Railroad Commission." Thus anyone who opposed the commission opposed the Alliance. Legislators were warned that "the most frightful pressure that can be employed will be brought to bear . . . to defeat this measure." In response to this pressure, the newspaper provided the following advice. In answer to the charge that regulation would prevent railroad expansion, the Progressive Farmer declared, ". . . there appears to be no good reason why honest capital, honestly seeking to earn honest dividends, should be frightened by a proposition to throw around it such safeguards as will protect and conserve its honest character."²⁴

In response to allegations that commissions had not worked well in other states such as Georgia, the legislators were advised to ask why such ineffective laws had not been repealed.²⁵ In truth, railroad commissions in Florida and Tennessee were abolished during this period. Meanwhile, South Carolina's commission "succeeded in developing order

²⁴ Progressive Farmer, January 13, 1891.

²⁵ Progressive Farmer, January 13, 1891.

in the transportation jungle" which existed in that state.²⁶ The Georgia Commission law had been in effect since 1879 and served as the model for the commission bills proposed in the North Carolina legislature. Although the Georgia commission was conciliatory rather than aggressive in nature, it had served well the people of that state.²⁷ The Progressive Farmer maintained that a railroad commission was historically inevitable. "Money is power; and much money is much power. And all history shows that much power is dangerous, if it be not put within proper restraints."²⁸

In order that the Alliance would be united behind a commission bill, several caucuses were held early in the session to discuss the various ideas. Senator Butler acted as chairman. These meetings were usually held in the House of Representatives and excluded any individuals who were not fully in favor of the commission. This procedure was not unusual since Butler had refused to allow Republicans to attend earlier Alliance caucuses.²⁹ On the evening of Wednesday, January 14, the city editor of the News and Observer,

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Albert Neely Sanders, "The South Carolina Railroad Commission, 1878-1895," (unpublished Master's thesis, University of North Carolina, Chapel Hill, 1948), 209-210, hereinafter cited as Sanders, "The South Carolina Railroad Commission."

27

Jim David Cherry, "The Georgia Railroad Commission, 1879-1888," (unpublished Master's thesis, University of North Carolina, Chapel Hill, 1941), 103, hereinafter cited as Cherry, "The Georgia Railroad Commission."

28

Progressive Farmer, January 13, 1891.

29

James A. Pitchford to Elias Carr, January 25, 1891, Carr Papers; Progressive Farmer, January 20, 1891.

Greek O. Andrews, and an associate wandered into the Alliance caucus. Senator Atwater interrupted the caucus long enough to declare that there were people present who opposed the commission and suggested such individuals leave. Chairman Butler concurred with Atwater stating "that the caucus was composed exclusively of those in favor of the measure and that if there were any gentlemen present opposed to it he presumed they would retire." When Andrews stayed, Senator Atwater rose again and referred directly to the newspaperman, asking him to depart, at which time Andrews and his companion left.³⁰

Whether or not the city editor's presence was by mistake is debatable. In the news reports that followed, Andrews claimed he thought the meeting was a Democratic caucus to which he had always been invited. Others claimed he was a spy for the opposition since the News and Observer opposed the commission bill. Nonetheless, the incident created such a stir that the next Alliance caucus passed a resolution supporting the actions of Senator Atwater. By continually placing the Alliance on the defensive, the railroad forces hoped to weaken the pro-commission power.³¹

Undaunted by interruptions, the Alliance continued to develop a commission proposal. In early January, Polk addressed the caucus giving both his advice and experience to the assemblymen. He urged the legislators to pay the commissioners "living salaries so that they

³⁰ News and Observer, January 16, 1891.

³¹ News and Observer, January 18, 1891.

would thus be encouraged to tend strictly to business."³² Polk's assistance was considered crucial to Alliance success. When a commission bill was drafted, Senator Butler took a copy by Polk's office in the capitol building. Polk approved the measure, thus paving the way for legislative action.³³

The commission bill introduced into the Assembly by Marion Butler on January 20, 1891, called for "the general supervision of railroads, steamboat or canal companies, express and telegraph companies doing business in the state of North Carolina." The measure authorized a board comprised of three commissioners elected by the Assembly. The members would serve for six years with one of the three commissioners being elected every two years. The governor could appoint someone to fill a vacancy until the next legislative session. The commissioner's salary would be \$2,500 a year, and no commissioner could hold office while connected in any way with a company supervised by the board. The board was authorized to establish reasonable and just rates of freight and penalize companies that did not abide by these rates. Full power was given to the commission to fix the differences in rates for long and short hauls. The commission was not authorized to control rates on freight coming from across state lines, but it could investigate complaints and bring them before the Interstate Commerce Commission. Within thirty days of the establishment of the commission,

³² Noblin, L. L. Polk, 252.

³³ Bellamy, Memoirs of an Octogenarian, 109-110.

railway corporations were required to file a schedule of their freight and passenger rates. The commissioners could investigate the books and papers of all railways in the state. Penalties for violators who refused to provide materials to the commission ranged from \$100 to \$5,000. Witnesses could be subpoenaed before the commission. No free passes would be allowed for legislators or any state, county, or municipal officers. Annual commission reports to the legislature were required.³⁴

Senator Butler's bill was referred to the joint select committee on a railroad commission which he chaired. On Tuesday night, January 27, the joint committee met in the State Library to hear public comments about the commission bill. A large crowd jammed into the library and forced the meeting to move to the House chamber. All committee members were present as well as a few railroad men and other spectators. The floor was opened to anyone for comments on the commission proposal. Senator Lucas called upon the railroad men present to state their views. Fabius H. Busbee as the railroad representative arose and said he would discuss only a few of the railroad companies' complaints against the commission bill for "to oppose 'in toto' the passage of a railroad commission bill would be high treason." After Busbee voiced a complaint against the first section of the bill, Butler informed him that section one had already been revised by the committee. The railroad spokesman sought to have

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N. C. Senate Journal, 1891, 132.

a copy of the committee's changes, but Butler stated that he would have to wait for the committee report. Busbee continued to list the railroad grievances against such a bill. He stated his opposition to the inspection of records by the commission and the settlement of damages caused by the railroads. After Busbee's remarks, no other railroad official testified, even though the audience included such notables as Andrews and John A. Winder of the Seaboard Airline Railroad. The committee then adjourned.³⁵

Once more, Samuel Ashe and the News and Observer tried to sway public opinion against the commission. On January 31, a front page article appeared in the journal with regard to the Alabama Railroad Commission. The House committee on common carriers in Alabama voted unanimously to submit an adverse report on a bill to give mandatory powers to the Alabama State Railroad commissioners. Alluding to the situation pending in North Carolina, Ashe stated that "the state of Alabama . . . will continue her broad gauge and conservative policy, avoiding the evils of unnecessary restrictions and hostile legislation" Railroad influence in the Alabama legislature was the real reason for failure as Ashe stated that "the railroad companies have taken great interest in defeating this bill and have brought before the committee their ablest counsel, managers, and agents."³⁶

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News and Observer, January 28, 1891; Daniels, Tar Heel Editor, 394-395.

³⁶
News and Observer, January 31, 1891.

Regardless of railroad and newspaper influence, the joint committee returned a favorable report to the legislature, recommending positive action for Senate bill 175, a substitute for Senator Butler's original bill.³⁷ Legislative action on the commission bill began in the Senate. At first, it seemed as though the experience of 1889 might be repeated as the debate scheduled for February 6 had to be postponed. However, the bill was made special order for twelve o'clock noon on February 7; and when the appointed time came, Senate action began.³⁸

As soon as the committee bill was read, Senators Griggsby and Walser offered a minority report from the joint committee and a substitute bill also. Griggsby stated that personally he was not opposed to a railroad commission, but the citizens of Ashe County had petitioned him to vote against the legislation. Senator Walser favored the minority bill because it did not give the commission rate-making authority. The minority bill was called to a vote and was defeated seven to thirty.³⁹

With the minority bill defeated, the Senate now devoted its attention to the majority report. Senator Butler, on behalf of the joint committee, proposed a number of amendments. The major one was that in Section 7 the commission would be required to publish rates

³⁷ N. C. Senate Journal, 1891, 270.

³⁸ N. C. Senate Journal, 1891, 287, 301.

³⁹ N. C. Senate Journal, 1891, 302; News and Observer, February 8, 1891.

in a convenient form for the public. Butler's amendments were adopted.⁴⁰ Senator Lucas offered an amendment reducing the salary of the commissioners from \$2,500 to \$2,000. Butler protested, stating that the salary should be set at the higher rate if the commission were to succeed. However, the Senate voted twenty-five to thirteen to adopt the amendment.⁴¹ Senator Walser proposed "that no more than two of the commissioners shall be of the same political party." His amendment failed. Senator Griggsby moved that no legislator serve as a railroad commissioner. Senators Lucas and Bellamy supported the motion. During the debate, it was brought out that in a caucus of one hundred members, the salary for commissioners was set at \$2,000, but later raised to \$2,500 during a meeting of fifty-four members. Debate then shifted to the Griggsby amendment. The amendment was adopted by a margin of thirty to six. Senator Butler, possibly eyeing a spot on the commission, voted in the negative.⁴²

In what appeared as a delaying tactic, Senator Griggsby introduced a series of fourteen amendments to the bill demanding a vote on each proposal separately. The second and most damaging amendment sought to eliminate the rate-making power of the commission. Senator

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1891. N. C. Senate Journal, 1891, 302; News and Observer, February 8,

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1891. N. C. Senate Journal, 1891, 303; News and Observer, February 8,

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1891. N. C. Senate Journal, 1891, 303; News and Observer, February 8,

Bellamy spoke in favor of the measure. On a motion from Senator Benjamin Aycock, the Senate adjourned before a vote on the amendments occurred.⁴³

Between adjournment on Saturday and the opening of the Senate on Monday, February 9, the pro-commission forces prepared for the fight over the Griggsby changes. The second amendment regarding rate-making power was defeated fourteen to twenty-four. In fact, all of the next twelve Griggsby amendments were voted down. Griggsby was never able to muster over ten yeas votes for any change. Then the Senate turned to an amendment by Senator Galloway that would reduce the salary of the commissioners from \$2,000 to \$1,500. This amendment was defeated by five votes to thirty-four votes.⁴⁴

Senator Walser proposed an amendment that allowed for popular choice of the commissioners rather than their selection by the General Assembly. This amendment failed by a vote of seven to thirty-two. Afterwards the substitute bill went to a vote and passed thirty-five to four. The bill passed its second reading thirty-two to three. Senators Griggsby, King, and Walser voted in the negative.⁴⁵

Immediately after passing its second reading, the bill was introduced for its third and final reading. Senator Bell offered an

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N. C. Senate Journal, 1891, 304-306; News and Observer, February 8, 1891.

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N. C. Senate Journal, 1891, 309-313; News and Observer, February 10, 1891.

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N. C. Senate Journal, 1891, 313-315; News and Observer, February 10, 1891.

amendment requiring that the commissioners consider the costs of construction and operation of the railroads before setting rates. Bell supported his amendment by referring to the great cost of tunneling through the mountains in the west as compared to the flat land in the east. Senator Butler spoke up against the amendment, stating that the bill as it stood would be able to meet such demands. Aycock supported Butler and the current bill, while Lucas and Avery backed the amendment. Senator Avery claimed that the committee attempted to force the bill upon the Senate just as it came from the committee. Hoping to win support, Bell offered an amendment to his amendment, requiring that companies furnish cost and operation figures in order to receive consideration. Senator Walser, in an attempt to delay action, accused Butler of previously stating that there would be little debate on the commission bill in the Senate. Butler countered the dilatory tactic by calling for a vote on the amendments. Both amendments failed.⁴⁶

Senator Walser again submitted an amendment restricting membership on the commission to not more than two members from the same political party. The amendment was voted down seven to twenty-nine. A final amendment was introduced by Senator Avery, requesting the commissioners to inform companies about neglected waiting areas, especially when the health of passengers was involved. Companies might then correct the situation before being formally investigated.

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N. C. Senate Journal, 1891, 315; News and Observer,
February 10, 1891.

The amendment was voted down by a close vote of eighteen yeas to twenty nays. Senator Butler then called for a vote on the third reading. The bill was adopted and sent to the House with Senator Griggsby casting the sole negative vote.⁴⁷

Action on the commission bill in the House began in much the same manner as in the Senate. On Saturday, February 7, a bill was introduced by Representative Alfred D. Jones. The bill was made a special order for Monday, February 9, at four o'clock. When the time arrived, the House was busy with other legislation, and on the recommendation of Jones, postponed the bill until the next day at twelve o'clock.⁴⁸

On Tuesday, February 10, Jones moved that the House take up the railroad commission bill. Immediately, Representative Pritchard offered a substitute and had it read. The measure promoted a commission with advisory power only. He then began a long oration on the needs of North Carolina and how the Assembly might be able to achieve them. "It will not retard the building of railroads in western North Carolina, but will protect the people of the East." According to Pritchard, the joint committee bill would end western development. Pritchard used the well-worn excuse that the charters of some railroads forbade state involvement, and thus the commission would be useless. In regard to the commissioners, he felt they

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N. C. Senate Journal, 1891, 316-317; News and Observer,
 February 10, 1891.

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N. C. House Journal, 1891, 304, 306, 318.

should be elected by the people and "if the proposition was to furnish cheap men, he would put the pay at \$1,500, and plenty of good honest farmers can be got at that."⁴⁹

The sponsor of the joint committee bill, Representative Jones, felt that the legislature could judge the qualifications of commissioners better than the people. The Wilmington and Weldon Railroad, whose charter was one of those referred to by Pritchard, had stated earlier that it would not contest the commission law, thereby clearing the way for state involvement. Jones reminded the House that not a single senator who voted against the commission bill in the previous session was reelected to that body. "The Commission will not hurt," declared Jones. "It only helps the people struggling against powerful corporations."⁵⁰

Representative Harry Skinner reminded the legislature that while railroads had committed certain acts against the people, they had also served the people well. The state needed an arbiter between the corporations and the people. Skinner considered an advisory commission to be worthless. He advocated a body with mandatory powers. The representative favored the commission bill without amendments. "Open the door to the amendments," he said, "and the bill would be destroyed as an effective measure."⁵¹

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News and Observer, February 11, 1891.

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News and Observer, February 11, 1891.

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News and Observer, February 11, 1891.

The representative from Northampton County, Robert Peebles, believed that the railroad commission would promote the growth of railroads in the state. The commission would protect the smaller railroads and provide incentives to build new ones. After Peebles sat down, Jones asked for a vote on the Pritchard substitute. The substitute was rejected by a margin of fifteen to eighty-one. Jones then asked for an extension of the day's session to 3:30 p.m. This motion failed, however, and the House adjourned.⁵²

The House resumed action on the bill on Wednesday, February 11. Representative Thomas Sutton introduced as a substitute the Payne bill that had passed the House in 1889. At that point, Speaker Doughton prepared to leave the House and called in Sutton to replace him as the presiding officer. That allowed Sutton to control the floor during debate on his own bill. An amendment was offered to the substitute by J. Frank Ray to reduce the salary of commissioners from \$2,500 to \$2,000. Ray disagreed with Skinner's assessment of the committee bill. Admitting that he was not an Allianceman, he felt, nevertheless, that this substitute would satisfy Alliance demands.⁵³

Some confusion existed in the House at this time as an amendment to a substitute in place of the committee bill held the floor, and the debate shifted from one piece of legislation to another. Representative David Alexander tried to bring some order into the

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News and Observer, February 11, 1891.

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N. C. House Journal, 1891, 345; News and Observer, February 12, 1891.

proceedings, stating that the most important responsibility of the legislators was to enact a commission bill. The committee bill had already been passed by the Senate. House approval would result in the bill's becoming law. If changes were needed, they could be made later.⁵⁴

Morton agreed that this was one of the most important pieces of legislation before the House. However, he favored the Sutton substitute and charged that the committee bill made kings of the three commissioners by giving them improper authority. Morton then claimed he had read in a newspaper that ninety members were pledged to support the bill. Perry objected to this claim, stating that he was not bound to any bill. Morton replied that neither was he. Sutton, as presiding officer, told the Wilmington merchant that he needed to discuss the substitute bill if he wanted to hold the floor. Morton confessed that he "was making a little digression," but then went further by declaring that some representatives "were willing for people to tear up railroad tracks and burn bridges."⁵⁵

Representative R. A. Grier, an Allianceman from Charlotte, tried to restore order to the Assembly. He stated that the representatives had already made up their minds, and no more discussion was needed. Representative John J. Long of Columbus agreed, stating that the surest way to secure a commission bill was to approve the one passed

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News and Observer, February 12, 1891.

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News and Observer, February 12, 1891.

in the Senate. Finally, a vote on the substitute and its amendment was taken. Both pieces of legislation were voted down, the substitute dying sixteen to eighty-eight.⁵⁶

Then Jones moved that the committee bill and any amendments be considered one section at a time. This procedure was approved by unanimous consent. Immediately thereafter several amendments were suggested. Representative John Hendricks, a Republican, proposed the same measure that Walser had offered in the Senate, namely that no more than two commissioners should be of the same party. J. P. Lowry supported this amendment, warning the Democrats against partisanship. The amendment was defeated, however, by a vote of twenty-eight to seventy-two. Representative M. H. Vestal introduced an amendment providing that the commissioners be elected by the people rather than by the legislature. This amendment failed also by the margin of eighteen to eighty-seven.⁵⁷

Subsequently, Representative Jones proposed to change Section 3 and allow members of the General Assembly to become commissioners. Although the original committee bill did not prohibit legislators from serving on the board, an amendment passed in the Senate imposed the restriction. To lend support to his amendment, Jones informed the House that he was prepared to submit five amendments given to him

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N. C. House Journal, 1891, 345-346; News and Observer,
February 12, 1891.

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N. C. House Journal, 1891, 346-348; News and Observer,
February 12, 1891.

by the committee. He claimed that since the amendments were drafted by the joint committee, they should improve the bill and he urged their adoption.⁵⁸

Not everyone agreed with Jones. Representative Hendricks opposed the amendment, probably in an effort to keep the farmer-legislator from gaining direct control over the railroads. Representative W. W. Zachary objected for another reason. He was "opposed to having the committee force its amendments upon the House and not letting any other amendment be favorably considered." While opposing legislative representation on the committee, Zachary thought that men with railroad interests should be allowed to become commissioners.⁵⁹

Representative A. H. Perry strongly supported the committee's bill and Jones's amendments. Perry was "opposed to barring any man from holding office." Representative Peebles declared that to restrict the legislators from becoming commissioners would be unconstitutional. "These offices are created because the people will it," he said, "and not to create offices for us to fill." Peebles called for a vote on the Jones amendment. When the votes were tallied, it was defeated by a narrow margin, forty-three to fifty-seven.⁶⁰

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N. C. House Journal, 1891, 348; News and Observer, February 12, 1891.

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N. C. House Journal, 1891, 348; News and Observer, February 12, 1891.

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N. C. House Journal, 1891, 348; News and Observer, February 12, 1891.

Action on the commission bill continued as Sections 1 through 4 were adopted. When Section 5 was read, Jones proposed another amendment that allowed the commission to establish a joint through rate. Representative Cowan tried to call for an immediate vote but could not receive additional support. Morton then proposed a substitute for Section 5, striking out the rate-making power in regard to passengers and freight. Time was running out and Jones proposed to sit until three o'clock in order to complete the work. This move by Jones failed, and the House adjourned until the evening.⁶¹

At eight o'clock that night, the House reassembled and continued action on the commission bill. The Jones amendment, allowing the commissioners to set joint through rates, was adopted while Morton's substitute failed. Representative Cofield sought to maintain railroad influence in the General Assembly by proposing the following amendment: "That nothing in this act shall be construed to prevent railroad companies from extending the usual courtesies to State officials." This amendment was in direct conflict with the Alliance campaign against free passes and vote buying. After the amendment was read, Cofield immediately called for a vote. Alliance support was mustered, and the amendment failed by a margin of twenty-two to seventy-six votes.⁶²

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1891. N. C. House Journal, 1891, 349; News and Observer, February 12,

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1891. N. C. House Journal, 1891, 350; News and Observer, February 12,

Morton again offered an amendment to nullify the rate-making power of the commission. It would allow railroad companies to post their rates publicly, and if no commissioner challenged them, the rates would be considered fair and just in any future court action. In effect, this amendment would take "much of the rate-making authority out of the hands of the commission." It would allow a company to set its own rates simply by exhibiting a public schedule and use this company schedule and not the commission schedule as evidence in the courts. Since railroads employed many capable lawyers, they would probably win in court. Again the Alliance faction voted down the amendment. When Morton's motion failed, Zachary moved to amend Section 7 by allowing companies to appeal to the courts any determination of the commissioners "affecting a substantial right." This amendment failed also, and Section 7 was approved.⁶³

The railroad forces were growing desperate. Morton moved to strike out all of Section 8, the part dealing with the powers of the commissioners. The amendment failed, and Sections 8 through 17 were adopted. Representative Henry proposed to abolish Section 18 which repealed any previous law allowing companies to set their own rates. The amendment failed, and Section 18 passed. Henry then recommended that Section 20 that allowed the commission to recommend repair of roads and force penalties for noncompliance be abolished. The amendment was lost and Section 20 passed. Representative Vestal

⁶³ N. C. House Journal, 1891, 351; News and Observer, February 12, 1891.

sought to abolish Section 21 that prohibited a railroad corporation from abandoning a station that had been in existence for a year, but his amendment failed passage.⁶⁴

Representative Cale, one of the four black assemblymen of 1891, moved to strike out Section 3 dealing with unfair rates. Instead, he proposed in its place "that any railroad corporation, operating a railroad or part of a railroad in this state, shall not discriminate against any person on account of its rates in the passenger accommodations provided by said railroad company." The House voted to retain Section 3 in which the act of charging unreasonable rates was considered extortion. Although this section dealt harshly with devious railroad actions, it did not insist upon equal accommodations, as Cale suggested. However, Section 23 did provide for separate and equal accommodations for whites and blacks on trains and at railroad stations, provided the commissioners deemed it "expedient and practicable." Representative Ray now asked the House to approve an amendment that would exempt the Western North Carolina Railroad from this section. The amendment was rejected, Section 23 was approved, and Cale achieved some measure of success.⁶⁵

Representative Jones proposed to strike out the Senate amendment relating to Section 25 that required the payment of three times the value of any cattle killed by a railroad, provided the appropriate

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N. C. House Journal, 1891, 351-352.

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N. C. House Journal, 1891, 352.

witnesses could be found. The amendment passed the House sixty-three to thirty-seven. Sutton proposed that Section 25 be abolished, but the motion failed. Representative Vestal moved to limit the reimbursement expenses of the commissioners to \$1,000, but this proposal was rejected and the limit remained at \$2,000. Sutton proposed another amendment that would allow appeal by railroad companies in any cases not covered by the bill. Seeing no danger in this provision since the bill was quite thorough in its regulations, the House adopted the amendment, eighty-six to four.⁶⁶

Subsequently, Jones advocated two amendments as additional sections. He proposed that commissioners investigate accidents resulting in death or injury that they determined would warrant further study, and that the commission act as arbitrator between rival companies, if both companies agreed. Both amendments were adopted. As the commission bill drew near a vote, Representative Zachary offered an amendment to put the bill to popular vote and delay its implementation until October 1. This proposal was rejected, and the bill passed its second reading.⁶⁷

On a motion by Representative Jones, the House rules were suspended, and the bill was brought up for a third reading. Again an amendment by Representative Vestal sought to lower the salary of

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N. C. House Journal, 1891, 353-354; News and Observer,
February 13, 1891.

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N. C. House Journal, 1891, 354-356; News and Observer,
February 13, 1891.

commissioners to \$1,500, but was rejected. In a last attempt by the railroads to reduce the effectiveness of the bill, Representative Lowery proposed to strike out the part in Section 4 that would prevent railroads from giving preferential treatment to any person. His amendment was rejected and Jones called for a vote. The commission bill was then passed by the House, eighty-seven to eighteen.⁶⁸

Since the House amended the Senate version of the bill, the amendments were sent to the Senate for confirmation. These amendments were placed on the Senate calendar and made special order for Wednesday, February 18. When the time arrived for consideration, Senator King made a motion, approved by the body, that the amendments be considered separately. The amendment instructing the commissioners to take into account the earnings and value of the company when fixing rates was approved thirty-nine to one. The next amendment authorized the commission to set joint through rates on the railroads. Lucas moved that the Senate reject the amendment, but the amendment passed with Lucas casting the only opposition vote.⁶⁹

Amendments to Section 25 were more controversial. The House had provided that the railroads would provide compensation to the amount of three times the value of any stock killed on the roads whereas the Senate had suggested a fair judgement for its value. Originally, the joint committee proposed three times the value of stock. One remedy

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N. C. House Journal, 1891, 356-357.

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N. C. Senate Journal, 1891, 376, 419-420.

for the disagreement, proposed by Senator Turner, was to abolish Section 25. This proposal was defeated, but the Senate failed to concur in the livestock amendment, resulting in the need for a conference committee. Other House amendments were approved, including the additional sections. The amendment adopted as Section 31 was changed to the extent that the commissioners "may" instead of "shall" investigate accidents on a railroad. Afterwards the Senate informed the House of its actions and requested a committee of conference. The conference committee deleted the provision dealing with triple reimbursement for stock lost, probably because the Senate members of the committee leaned towards the railroad interest--Lucas, Turner, and Walser. Thus the commission bill finally became law.⁷⁰

Although the fight for a railroad commission had been long and hard, most people had anticipated that the General Assembly would establish the regulatory body. Even before the legislative session began, the prospects for a railroad commission ran high, and many legislators began campaigning for a seat on the proposed commission. These self-proclaimed candidates wrote letters to prominent Alliance leaders, especially Elias Carr, seeking their support when the legislature met.⁷¹ Some Alliancemen such as Eugene C. Beddingfield, warned of being too sure, of taking things for granted. He stated:

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N. C. Senate Journal, 1891, 419-423, 521; News and Observer, February 8, 1891; Bowditch, "The North Carolina Railroad Commission," 41.

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E. A. Thomas to Elias Carr, November 11, 1890; M. H. Sutton to Elias Carr, December 5, 1890, Carr Papers.

. . . under these circumstances we are confronted with two dangers. First, those candidates who find that they will be defeated may turn against the bill and help defeat it. (It has been done more than once in our state.) Second, in the confusion some Commissioners may be elected who are tools of the railroads. It seems to me that the only safe course is for members to refuse to pledge their support to any man until after the bill has become a law.⁷²

The new law forbade legislators from being appointed commissioners, but there was no lack of candidates. When the Democratic caucus met to select the nominees, there were so many applicants that Captain S. B. Alexander suggested that everyone in the state could be considered for the board.⁷³ Allancemen across the state supported various persons and petitioned their officials for assistance in securing their election. James P. Kerr, a large farmer and secretary of the Alamance County Alliance, was recommended by his Alliance friends in a resolution sent to the legislature. Kerr himself wrote to Carr seeking "a good word to your friends in the legislature and in the Alliance on my behalf."⁷⁴ Carr himself was considered for a position and probably would have been elected but declined the nomination.⁷⁵ Former governor, Thomas J. Jarvis, stated coyly that he was willing to serve. In a letter to Carr, Jarvis articulated the

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Circular letter, November 25, 1890, Farmers' Alliance File, Carr Papers.

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Daniels, Tar Heel Editor, 411.

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James P. Kerr to Elias Carr, February 12, 1891, Carr Papers; Resolution by Alamance County Alliance, copy in Carr Papers.

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R. H. Speight to Elias Carr, March 4, 1891, Carr Papers.

basic fear of many Alliancemen: "I believe the enemies of a Railroad Commission would be glad to see the commission made up of unfit and incompetent men, for nothing would give them more pleasure than to see the commission a failure so they might point to it and say, 'I told you so'." ⁷⁶

Both the House of Representatives and the Senate met on March 5 to elect the commissioners. In the House, Representative Jones on behalf of the Democratic caucus, nominated Major James W. Wilson of Burke, Thomas W. Mason of Northampton, and E. C. Beddingfield of Wake. Wilson was nominated to serve for two years, Mason for four, and Beddingfield for six. Wilson would serve as chairman. Representative Bryan, on behalf of the Republican caucus, nominated William F. Faircloth of Wayne, Thomas B. Long of Buncombe, and Pleasant C. Thomas of Davidson, for six, four, and two-year terms, respectively. These individuals were also nominated in the Senate for the same terms of service. As expected, the Democratic nominees were elected; the vote followed party lines. ⁷⁷

An analysis of the first board of commissioners shows that the railroads were allowed a certain amount of influence. The opinion of the Democratic caucus had been that at least one member should be a railroad representative, and Wilson fitted that description. Wilson

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Thomas J. Jarvis to Elias Carr, January 30, 1891, Carr Papers.

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N. C. House Journal, 1891, 941-943; N. C. Senate Journal, 1891, 802-803.

was an official of the Western North Carolina Railroad and a close associate of Colonel A. B. Andrews. Although he campaigned against the establishment of a commission, he was supported by most men in the west, provided that a railroad man was necessary.⁷⁸

The other two members of the commission were not railroad allies, but were not anxious to chastise the corporations immediately. Captain Thomas W. Mason was a capable lawyer and eloquent speaker. According to friends, Mason was "a man of undaunted courage, of unbiased judgment . . . of strictest integrity, who could apply corporation law to any matter which might be brought before the commission . . . without prejudice to the people on the railroad."⁷⁹ Beddingfield was the Alliance candidate, having served as secretary of the Farmers' Alliance. He was a farmer and supported the need for a railroad commission. As a member of the commission, Beddingfield considered his role to be one of cooperation rather than agitation.⁸⁰

With the election of the commissioners, the Alliance had accomplished what no previous reform organization in North Carolina had achieved. As expected, railroad opposition had been intense in the legislature. The Senate opposition seemed to be more organized, based on Griggsby's fourteen amendments. Of special note is the fact that both Butler and Jones, the sponsors of the commission bill in the Senate

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Daniels, Tar Heel Editor, 413; W. A. Graham to Elias Carr, March 4, 1891, Carr Papers.

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E. A. Thomas to Elias Carr, November 11, 1890, Carr Papers; Daniels, Tar Heel Editor, 412.

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Daniels, Tar Heel Editor, 412.

and House, respectively, opposed the amendment restricting legislative representation on the commission. Perhaps both men looked towards a spot on the board although the reason for Alliance success at the polls could be traced to the farmers' outcry against past legislators who looked towards personal gains and not to the needs of their constituents.

Now the commission had power to rescue farmers from some of the unfair transportation practices. Unfortunately, the power of the railroads was so entrenched that any definite reform would be slow to materialize. The commission adopted a conservative policy and was reluctant to commit itself to an all-out fight against the railroads.⁸¹ Still, without the organized support of the Alliance in the farmers' legislature of 1891, the commission would not have become a reality.

81

First Annual Report of the Board of Railroad Commissioners of North Carolina, December, 1891 (Raleigh, 1892), 4.

CHAPTER V

CONSERVATION, EDUCATION, AND HEALTH AFFAIRS

As the legislative session progressed, the assemblymen of 1891 became aware of how enormous and varied the needs of the state really were. Previous political leaders did not regard these "hayseed" legislators as capable of dealing with such a myriad of issues. The Progressive Farmer noted that "the old political stagers of this state got themselves in good trim to laugh heartily over the absurd doings of a farmers' legislature. But up to the present time the funny part of the program has not been forthcoming."¹ Indeed, this General Assembly was quickly becoming respected for its efficiency in all areas of legislation. In the fields of conservation, education, and health affairs, the farmers were allowed the chance to solidify their political bases while improving conditions for a wide range of constituents. The people needed assistance, and the Alliance Assembly provided the opportunity for progress. L. L. Polk reflected the attitude of Alliance-men by stating, "We are perfectly sure that the interests of the people are safe in the hands of the present legislature and we are unfeignedly proud of the record our friends are making in the General Assembly."²

One of the earliest conservation issues addressed by the legislature concerned the raiding of Tar Heel oyster beds by out-of-state fishermen. Years of over-harvesting had destroyed many of the northern

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Progressive Farmer, January 27, 1891.

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Progressive Farmer, January 27, 1891.

oyster beds and, as a result, those fishermen raided the prosperous beds of the Carolina coast. Northern fishermen used the dredging method of acquiring oysters. Although dredging increased the fisherman's daily catch, it left the oyster beds in disrepair. Most Tar Heels used the tonging method, a slower, more deliberate means of harvesting oysters, but one that left the beds intact. Earlier legislation restricted dredging by out-of-state fishermen. However, enforcement of the law was lax, and northern boats were constantly spotted in the state's coastal waters.³ Local fishermen protested these invasions and appealed to their assemblymen for assistance. In the House, Representative Henry Bond of Chowan County presented a petition "to prohibit the dredging of oysters in certain months," while Representative Jessie Brinson's petition sought to protect oysters in Pamlico County.⁴ Newspapers continued their coverage of coastal activities enhancing the fishermen's call for help. Governor Fowle sent a message to the Assembly stating that some action should be taken to alleviate the oyster problem, but that he was powerless to act. Fowle stated his support for legislative action and declared "whatever action the Assembly may take will be enforced."⁵

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Bradley Dean Thorson, "Origins and Early Development of the North Carolina Division of Commercial Fisheries, 1822-1925" (unpublished Master's thesis, East Carolina University, Greenville, 1982), 25-30, hereinafter cited as Thorson, "Origins and Early Development of Commercial Fisheries."

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News and Observer, January 10, 14, 1891.

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News and Observer, January 11, 1891.

Meanwhile, the oyster lobby campaigned for temporary legislation that would allow the governor to act while the Assembly considered permanent regulation. On Tuesday, January 13, Representative Julian Mann of Hyde County introduced House Bill 97, an act for the better protection of the oyster interests of North Carolina. Mann's proposal, which would be in force for three months, empowered the governor to act while further legislation was under consideration. Fifteen thousand dollars was appropriated to cover the expenses of clearing the northern invaders from the coastal area. The bill was placed on the calendar and taken up for debate later in the day. Representative David Alexander suggested that the bill be referred to the Committee on Fish Interests. Such delay was unacceptable to Mann, and he informed the House that Virginia and Maryland fishermen were in the state at that time. "On my way here," he stated, "I saw not less than seventy-five foreign vessels dragging for oysters against the law." Harry Skinner agreed with Mann that "the non-residents should be driven off at all costs." However, Skinner suggested that the bill be referred to committee with a request for a speedy report. Alexander supported Skinner's motion while Sutton called for immediate action on the bill. The motion to refer was passed, and the bill was sent to the Committee on Fish Interests.⁶

⁶ News and Observer, January 14, 1891; N. C. House Journal, 1891, 44-45.

Early Senate action on the oyster problem followed much the same pattern as that in the House. On Tuesday, January 13, Senator Gilman introduced Senate Bill 82, an act for the better protection of the oyster interests of North Carolina. Senator James Parker also introduced Senate Resolution 13 in regard to the oyster troubles. Parker's resolution authorized the governor to protect the oyster beds by using any necessary funds coming straight from the treasury. Both pieces of legislation were placed on the calendar and taken up the next day, Wednesday, January 14.⁷ The resolution was considered first, and a motion was made to empower the governor to take immediate action. Senator Bellamy protested this move and proposed that the resolution take the form of a bill. He considered the resolution unconstitutional since it gave the governor tremendous power to deal with non-resident fishermen. Bellamy insisted that the resolution be referred to the Judiciary Committee. Senator Gilman, who spoke in favor of the resolution, recommended that it be referred to the Committee on Fish and Fisheries. Gilman's suggestion was adopted, and the resolution together with Senate Bill 82 was referred to the Fisheries Committee.⁸

Meanwhile, the House of Representatives moved swiftly to assist Tar Heel fishermen. House Bill 97 was returned from the Committee on Fish Interests to the House in less than twenty-four hours. The bill included provisions to allow only tongs to harvest oysters and

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N. C. Senate Journal, 1891, 88-89.

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News and Observer, January 15, 1891; N. C. Senate Journal, 1891,
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authorized any officer to arrest offenders who violated the law. Mann pleaded for immediate passage, as did Representative Thomas W. Hopkins of Rockingham County, who appealed directly to the farmers. Hopkins felt that "the fish interest was in the nature of a crop and should be protected." In an appeal to patriotism, Representative Peebles stated that "the measure was for the protection of our people against the operations of non-residents." The bill passed its second and third readings and was sent to the Senate for concurrence.⁹

On Thursday, January 15, the Senate received House Bill 97 and immediately placed it on the calendar. Senator Gilman requested that the rules be suspended and that the bill be considered immediately. Unfortunately, the two-thirds vote necessary to suspend the rules was not secured.¹⁰ The following day, enough interested legislators were present to bring the bill before the Senate for its second reading. However, Representative Turner succeeded in having the bill returned to the Committee on Fish and Fisheries. The committee was instructed to consider the bill immediately and report back the next day at twelve o'clock noon at which time the bill was made a special order for the Senate.¹¹ However, when the noon hour arrived, Senator Gilman asked if, on behalf of the committee, the report could be delayed until

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54. News and Observer, January 15, 1891; N. C. House Journal, 1891,

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N. C. House Journal, 1891, 11.

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N. C. House Journal, 1891, 118.

Monday at noon. The request was granted, and the bill was made a special order for the following Monday.¹²

While the legislature waited for a decision on the oyster emergency, Governor Fowle prepared for war. The actions of the governor resembled those he might have made in early 1861 in preparation for a northern invasion. On January 12, Fowle informed the State Guard at Elizabeth City that action would soon be taken to enforce the oyster laws. Company E, First Regiment of the Guard, was ordered to stand ready.¹³ Infantry was not enough for the governor, however, and he sought desperately to acquire a cannon for the expected campaign. Neither the army, navy, nor the governor of South Carolina could provide Fowle with his desired weapon. Finally, Governor Phillip W. McKinney of Virginia sent a cannon to Colonel J. E. Wood, commander of the governor's forces at Elizabeth City. A steamship, the Vesper, was fitted out for Wood's men to patrol the coast. The state was now prepared to repel the northern invaders.¹⁴

On Monday, March 19, Senator Lucas of Hyde County presented a majority report from the Committee on Fish and Fisheries. The report recommended that the bill be passed. Lucas was chairman of the

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N. C. House Journal, 1891, 120.

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Telegram, Daniel Fowle to J. E. Wood, January 12, 1891, Governors Papers, Daniel G. Fowle, Archives, Division of Archives and History, Raleigh, N. C., hereinafter cited as Governors Papers, Fowle.

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Thorson, "Origins and Early Development of Commercial Fisheries," 32-34.

committee and had actively campaigned for the protection of the oyster crop. He especially wanted a patrol boat to cruise the sounds and arrest violators of the law. The senator's insistence on a boat led some citizens to question his motive. William J. Griffin, a former shellfish commission chairman, thought that Lucas wanted to become "a grand admiral of the Pamlico Sound."¹⁵ P. H. Morgan of Currituck County submitted an amendment in the form of a minority report from the Fisheries Committee. The amendment would exclude part of Pamlico Sound from the anti-dredging clause. Senator Gilman asked for an immediate vote on the amendment. The Senate wanted no exception and voted it down. With the delays finally over, the Senate approved the bill and sent it to the governor to sign.¹⁶

This temporary legislation for the protection of oysters was liberal and somewhat vague in its instructions to Governor Fowle. The governor was "fully authorized and empowered to take all such action as may be necessary and requisite to uphold, maintain, and enforce the laws of North Carolina in relation to her fish and oyster interests." Military or other powers of the state might be used to the extent necessary to carry out the act. The law stated that "it shall be unlawful . . . to take or catch oysters from any of the public grounds or natural oyster beds of North Carolina with any dredge, drag, scoop, patent tongs, or other instrument except such

¹⁵ N. C. Senate Journal, 1891, 124; Thorson, "Origins and Early Development of Commercial Fisheries," 29-30.

¹⁶ N. C. Senate Journal, 1891, 127.

tongs as are worked with the hands and in ordinary use among our oystermen" A fine of not more than \$5,000 and not less than \$1,000 was the punishment upon conviction or a prison sentence of one to five years could be imposed. During the three months in which the law would be in effect, any officer or citizen could arrest individuals found in violation of the law.¹⁷

Immediately after signing the bill, Governor Fowle wired Colonel Wood, informing him to proceed to the oyster grounds and enforce the law. The Vesper left Elizabeth City on January 21, and steamed into the Pamlico Sound. The war was on and the News and Observer stated:

If the pirates do not now make themselves scarce, they will very soon be made to do so before the hot shot of the State Guard of North Carolina. There is not going to be any further dallying, and the trespassers will find that they will have to face powder and lead if they persist in intruding upon the oyster grounds of North Carolina.

Unwilling to fight against state troops, non-resident fishermen left the sound area quickly. The Vesper returned to port only a few days after her departure. Stories of fights between non-residents and locals abounded and were much publicized in the area. However, few incidents could be substantiated. Virginia troops, which responded to the governor's call and escorted the borrowed cannon, were ordered back to their home state, leaving the cannon aboard the Vesper. The steamer Dey from New Bern replaced the Vesper and became the patrol boat Senator Lucas had advocated. For all the excitement surrounding

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Laws of North Carolina, 1891, c. 11, 43-44.

the oyster war, it proved to be a victory easily won for North Carolina.¹⁸

Reports of violence and injustice on the coast assisted oyster lobbyists in attaining additional shellfish legislation. Although the temporary restrictions achieved their immediate objective, the oyster interests wanted permanent action to regulate and conserve the coastal industry. In accordance with their wishes, Representative Mann introduced in the House on Wednesday, February 18, a bill entitled "an act to promote and protect the oyster interests of the state." The bill was sent to the Committee on Fish Interests and returned with a favorable report. Representative Bond presented a substitute bill in the form of a minority report from the committee. This bill would have provided for a steam vessel to be used as an oyster patrol boat at a later time when the treasury could afford it. The substitute bill was defeated, and the original bill was approved by the House and later by the Senate after excluding Onslow County from its provisions.¹⁹

This permanent oyster law expanded the restrictions contained in the temporary measure. No person was allowed to use any instrument other than hand tongs for the purpose of catching oysters. Furthermore, any boat and equipment used for illegal activities would be

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Telegram, Governor Daniel Fowle to J. E. Wood, January 21, 1891, Governor Fowle Papers; News and Observer, January 20, 22, 24, 31, 1891; Thorson, "Origins and Early Development of Commercial Fisheries," 34-36.

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N. C. House Journal, 1891, 611-612.

seized and sold at public auction. Only people who had lived in the state for the previous year could use a boat or instruments to harvest oysters. A \$500 fine or one year in the county jail was the penalty with the burden of proof on the defendant. Thus, non-resident fishermen were legally eliminated from the coastal waters. The new law also required all oyster fishermen to obtain a license. Instructions for inspectors and commissioners were included as well as procedures for acquiring a permanent oyster patrol boat. Commercial oyster fishing was outlawed between May and October of each year. Overall, the law provided considerable protection for the North Carolina oyster crop.²⁰

The preservation of the food supply in mountain as well as coastal waters was a concern of the Alliance legislature. When conservation issues conflicted with private business, the Assembly often supported the environment. For example, on January 14 a bill was introduced in the House to protect mountain trout in Bush Creek in McDowell County. The bill made it a misdemeanor to throw sawdust into the creek above the falls. Representative Patterson inquired whether or not a mill was located there. He was informed that a mill above the falls was putting sawdust in the creek. Representative Henry stated the old conservative view that it would be unjust to interfere with the rights of the mill men. In previous assemblies, this philosophy would have dominated the legislators' thinking.

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Laws of North Carolina, 1891, c. 338, 369-380.

However, Representative Peebles reflected a more progressive attitude when he said that "the mill owners had no right to fill up the stream with saw dust." The bill passed the House and Senate, becoming one of twenty-one laws, excluding the oyster legislation, that protected fish in North Carolina waters.²¹

Rivers and streams were important to the farmer-legislator for other reasons. Much of the better farmland in the state was situated in the piedmont and coastal plain river valleys. The successful cultivation of these lands depended upon proper drainage into nearby streams. Furthermore, more land could be brought under cultivation if streams could be cleared of obstacles and ditches dug to direct water into the streams. A free-running stream meant that the farmer had an irrigation resource in dry weather as well as transportation for his harvested crop. Thus, a number of drainage laws were passed. Most of these laws were similar in nature and usually applied to certain specified counties.

One law, entitled "an act for the better drainage of the lands along Clear Creek in Mecklenburg County," illustrated the desire for soil conservation. The law stated that those people owning land along the creek were "required within twelve months . . . to clear out said stream so as to give fall for better drainage of said adjacent lands and thereby render the same fit for cultivation." Farmers were expected to pay for clearing the streams and to construct

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News and Observer, January 15, 1891; Laws of North Carolina, 1891, c. 5, 39, 1499.

a ditch twelve feet wide that was necessary to further drain the nearby land. If a landowner failed to comply with the law, his neighbors could protest to the county commissioners. The county officials would have the work done and the price thereof charged to the owner as a lien against his land. The farmer-legislator made serious efforts to conserve the soil which was his livelihood. In all, fourteen drainage laws were passed affecting acreage in over seventeen counties.²²

Living in a rural environment also enhanced the interest of these assemblymen in protecting the state's wildlife. The 1883 legislature enacted a cruelty to animals law that made it a misdemeanor to mistreat animals. In an effort to standardize punishment early in the session, the 1891 Assembly set the penalty at not more than \$50 or thirty days in jail or both.²³ Later in the Assembly, Senator Bellamy introduced a bill to incorporate the Society for the Prevention of Cruelty to Animals and Children. After being referred to the Judiciary Committee, where it received a favorable report, the bill passed both houses without much debate. The act named fifteen individuals, headed by Dr. E. A. Anderson, as the society and designated Wilmington as the principal office. Police forces were authorized to assist members of the society in enforcing the state's

²² Laws of North Carolina, 1891, c. 84, 85-86, 1495.

²³ Laws of North Carolina, 1891, c. 65, 71.

cruelty laws. Members of the society were empowered with police authority to make arrests for cruelty to animals or children.²⁴

Additional game laws were enacted by the Assembly to protect a variety of wildlife. The killing of deer, opossums, and terrapins was regulated in various counties. The legislators were quick to point out that hunters had to obtain permission from an owner before hunting on his land. Evidently some of the farmer-legislators had encountered a wily hunter secretly crossing their land. The fines for such illegal activities were usually small. Another law stated "that any person who shall trap, net or hunt partridges or quails with gun or dogs on the lands of another in the counties of Rowan, Cabarrus, Catawba, Durham, Lincoln, Lenoir, Granville, Davidson, Alexander, Cleveland, Northampton, and Mecklenburg without having obtained permission from the owner of said lands shall be guilty of a misdemeanor."²⁵ The fine for such a crime was \$10 and would go to the school fund of the particular county where the offense occurred. The revenue from convictions may not have been great, but it did assist in maintaining the educational facilities in some areas of the state.²⁶

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N. C. Senate Journal, 1891, 245, 269, 290, 647; N. C. House Journal, 1891, 325, 405, 426, 706; Laws of North Carolina, 1891, c. 216, 1103-1104.

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Laws of North Carolina, 1891, c. 172, 157.

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Laws of North Carolina, 1891, c. 234, 191; c. 551, 596; c. 542, 609; c. 172, 157.

The conservation movement involved the development as well as the protection of the state's resources. Joseph Austin Holmes, a professor of geology and natural history at the University of North Carolina, petitioned the legislature for a new geological survey. Holmes described how in other states a survey had been made, and the results were widely publicized. When industrial representatives learned of the mineral value present, capital began flowing into those states. North Carolina was neglecting a wonderful opportunity to develop her resources.²⁷ On February 4, Senator Turner introduced Senate Bill 385 by request, a bill to establish a geological survey of the state. The bill was referred to the Committee on Agriculture, Mechanics, and Mining and was returned to the Senate floor on February 10. After a series of delays, the bill was passed and sent to the House for approval. It reached the House on February 23 where it was sent to the Committee on Agriculture. On Thursday, March 5, the measure was brought before the House for action. Representative Wood proposed an amendment to survey the timber resources of the state along with the mineral resources. There was no objection to this inclusion, and the amendment and bill were passed. The Senate concurred in the amendment, and the measure became law.²⁸

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J. A. Holmes to Elias Carr, January 29, 1891, Carr Papers.

²⁸N. C. Senate Journal, 1891, 264, 318, 330, 477, 858; N. C. House Journal, 1891, 560, 954; News and Observer, February 5, 1891.

The geological survey law provided for the "thorough examination of the nature and extent of the mineral and timber resources of the state." The governor would appoint a qualified individual to conduct the survey, under the supervision of the governor, Elias Carr, and J. Turner Morehead. Biennial reports were required to be submitted to the governor and additional reports could be submitted dealing with special subjects. Professor Holmes was very happy with the law and somewhat surprised by how easily it was passed. Holmes stated that he had trouble getting someone to introduce the bill originally, but after its introduction, support for the measure was almost unanimous.²⁹

The farmer-legislator and his Alliance organization demonstrated a definite concern about education in North Carolina. "There ought to be a commodious, comfortable and well furnished public school house in every school district in the state," declared Polk. He further encouraged the legislators to "take such action as will build houses, furnish apparatus, and do whatever else is necessary to be done to put the public schools of our state abreast with the educational movements of the times."³⁰ Achieving educational progress required a determined effort on behalf of the Alliance members. In fact, the order was challenged to fulfill its call for educational reform. As the Charlotte Chronicle stated:

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J. A. Holmes to Elias Carr, March 7, 1891, Carr Papers; Laws of North Carolina, 1891, c. 417, 483-484.

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Progressive Farmer, January 13, 1891.

Will the farmers in the legislature fail in this duty? Will they have the nerve to do this [educational reforms] and thereby do more for the state than any previous legislature? The Alliance is said to be an educational institution, so it is hoped that the Alliance members of the legislature will meet this issue fairly and follow out their principles in the matter What will the farmer delegation do?³¹

If the farmer's success was measured by his educational reforms in 1891, then his action in regard to higher education was the outstanding achievement. Of particular note was the campaign to create a normal and industrial school for the white girls of the state. The Alliance was guided in this reform by two individuals who were already actively involved in the training of young women. Charles D. McIver and Edwin A. Alderman firmly believed that young ladies, especially those who aspired to teach, deserved the chance to further their education at the university level. During the 1880s, teacher training in the state took the form of summer normal schools. Teachers traveled to the closest normal school for training. By 1889, eight of these schools had been established in Elizabeth City, Franklin, Newton, Wilson, Asheville, Boone, Washington, and Winston. In order to make it more convenient for teachers in all areas of the state to receive the proper schooling, the 1889 legislature abolished the normal schools and authorized two "educational experts"

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Editorial from the Charlotte Chronicle reprinted in the Progressive Farmer, January 13, 1891.

to conduct one-week teacher institutes in as many school districts as possible. The two experts employed were McIver and Alderman.³²

At the time of their appointments, Alderman was superintendent of the Goldsboro public schools, and McIver was a teacher at Peace Institute in Raleigh. Known as the State Institute conductors, these men traveled across the state not only preparing teachers, but also campaigning for public education. McIver's description of his activity was: "My work is conducted with a view to stimulating and encouraging the teachers and to making friends to the cause of public education among the people." The last day of the institute was devoted to addressing the people about public education and stressing the need for taxation for educational purposes.³³

The teachers' institute, however, was not the ideal method for the preparation of teachers. The women of the Tar Heel state were receptive to instruction and appreciative that the legislature tried to make training available for them. Still, five days of instruction annually were inadequate. In their report on the success of the institutes, both McIver and Alderman strongly urged the legislature to establish a normal school for women. Previously, McIver had chaired

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H. Leon Prather, Sr., Resurgent Politics and Educational Progressivism in the New South, North Carolina, 1890-1913 (Cranbury, 1979), 49, hereinafter cited as Prather, Resurgent Politics and Educational Progressivism; M. C. S. Noble, A History of the Public Schools of North Carolina (Chapel Hill, 1930), 428, hereinafter cited as Noble, A History of the Public Schools; Laws of North Carolina, 1889, 200.

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William C. Smith, Viola Boddie, and Mary Settle Sharpe, Charles Duncan McIver (Greensboro, 1907), 265, hereinafter cited as Smith et al., Charles Duncan McIver.

a teachers' committee which introduced a normal school bill in the 1889 legislature. A resident of Raleigh, McIver lobbied constantly for the bill, making several impressive speeches in its behalf. The measure passed the Senate and failed in the House, but the earnest appeal of McIver led to his appointment as an institute conductor. For the previous two years, he had canvassed the state for education, talking to farmers, editors, county officials, and politicians. Therefore, he came to the Assembly of 1891 better prepared to promote women's education in the state.³⁴

In 1891, McIver and Alderman received the support of the one organization that could almost ensure successful legislation, the Farmers' Alliance. Women were an important part of the farmers' movement, and the Alliance could understand McIver's often repeated statement that:

If you educate a man you educate one citizen; if you educate a woman, you educate a family or a community. You have seen an educated man the father of ignorant children, but you have never seen an educated woman who brought up illiterate children.³⁵

Such a school would definitely help to educate the masses and its creation was one of the major goals of the Alliance. Polk clearly placed the Alliance organ on the side of the woman's school when he said, "We want it understood that the Progressive Farmer abominates

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Noble, A History of the Public Schools, 432-434; Edgar W. Knight, Public Education in North Carolina (Durham, 1916), 322, hereinafter cited as Knight, Public Education in N. C.; Smith et al., Charles Duncan McIver, 264.

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Daniels, Tar Heel Editor, 459.

the lop-sided system of education in North Carolina which provides for the education of the men and neglects that of the women . . . women should be given as good a chance for education as men possess."³⁶ Working together, the educational evangelists and the Alliance sought educational reform from the Alliance Assembly.

Legislative action began on January 20. Senator Ardrey introduced Senate Bill 181, an act to establish a normal and industrial school for white girls. The bill was referred to the Committee on Education and returned to the Senate the very next day. Senator Walser reported the bill on behalf of the majority of the committee and recommended that it pass. Senator Bell said the minority report would come later. Senator Ardrey recommended that the bill be made special order for January 22, and the second reading was postponed until then.³⁷

When the Senate opened its session on January 22, the minority report, recommending that the bill fail, was read. Supporters of the measure were prepared, however. On Monday, January 19, a meeting of the educational committees of both houses had been held in the Senate chamber. Alderman, McIver, and Dr. J. L. M. Curry, an agent of the Peabody Educational Fund, addressed the gathering and eloquently presented the merits of the school. Their brilliant oratory on behalf of women's education solidified a majority of both

³⁶ Daniels, Tar Heel Editor, 459.

³⁷ N. C. Senate Journal, 1891, 133, 140, 148.

committees in their favor and was responsible for the quick return of the bill from the Senate committee. By the time Senator Bell's report was disclosed, a large majority of the Senate already favored the bill. His report never received serious consideration.³⁸

The hour for consideration of Senate Bill 181 arrived, and the bill was taken up on its second reading. Senator Howard Freeman from Wilson County proposed an amendment that would require the Board of Directors to prohibit discrimination "against any county as to the number of pupils allowed it, in case all applicants cannot be accommodated." This amendment was adopted by a majority of the senators present. Two other amendments were not as fortunate. Senator Allen of Granville put forth an amendment stating that a majority of the Board of Directors should not be of the same religious denomination. Allen's amendment was defeated along with an amendment by Senator W. E. Bowers of Halifax. Bower's amendment would allow a young lady to receive a teaching certificate even if she did not take the correct courses at the school. After these amendments, Senator Aycock called for a vote. The bill passed its second reading by a vote of forty-one to two, with Senators Bell and Davis [Haywood] casting the dissenting votes.³⁹ The bill passed its third reading the next day with the same votes cast in opposition.⁴⁰

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^{1891.} N. C. Senate Journal, 1891, 22; News and Observer, January 20,

³⁹
N. C. Senate Journal, 1891, 156-157.

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N. C. Senate Journal, 1891, 166.

Meanwhile in the House, Representative Gilmer introduced, by request, House Bill 268 on Tuesday, January 20. The bill was referred to the Education Committee. It came up for action on Thursday, January 22, and a motion was made by Representative Alexander to make the bill a special order for Friday at twelve o'clock. Believing that the Senate would conclude debate on its bill soon, Representative Ray moved to postpone consideration of the measure until Monday. Ray's motion passed.⁴¹

Over the weekend, an editorial appeared in the News and Observer detailing some of the provisions of the Senate bill. The newspaper stated that the bill had two objectives. First, the school would give young women such education as would prepare them to teach. Second, instructions in skills such as typewriting would be provided to enable females to support themselves. Tuition would be free to ladies who wanted to become teachers, and the instructors were required to hold county institutes in some areas of the state. The State Board of Education would appoint a Board of Directors that would be approved by the Senate. The newspaper strongly supported the bill and declared "the word in North Carolina should be progress."⁴²

On Monday, January 26, the educational leaders of the state focused attention on the action of the House concerning a normal

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N. C. House Journal, 1891, 96, 128.

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News and Observer, January 25, 1891.

school for white girls. The previous bill, H.B. 268, was replaced by unanimous consent with S.B. 181, H.B. 352, and placed on its second reading. Immediately, Representative Pritchard proposed an amendment that would restrict free tuition to students who proved that their parents were unable to pay tuition at the colleges or high schools in the state. This amendment touched off a long, intense debate among the representatives. Gilmer began the exchange, recognizing himself as chairman of the Committee on Education. He explained that there were no foundations that would send girls to school, thus excluding the poor from an education. "We make education easy for the boys," he said. "Shall we withhold like privileges from the girls?" He concluded that the appropriations for the girls' school would not diminish the school fund of the counties.⁴³

Representative Henry expressed an opposing view that was shared by other legislators. He did not believe that the bill would greatly succeed in educating the people. "Let the public money bear directly on the children," he declared. Henry stated proudly that he was an Allianceman, and he advocated opening the University doors to girls. Representative Bryan of Wayne County pointed out that there was a difference between training for the legal profession and for teaching. Female seminaries charged high prices and their expenses were great, but teachers were the ones who would most affect popular education.

⁴³ N. C. House Journal, 1891, 159; News and Observer, January 27, 1891.

According to Bryan, the school was the only hope of the great middle class and the poor.⁴⁴

Representative Skinner referred to the bill as "the most important one that will be brought before this Assembly." Skinner rationalized that preparing women teachers would in turn mean the education of their offspring and therefore the masses. He made the strongest point of the debate when he said that "this measure is asked for by the teachers, and we should hearken to the voice of those engaged in education." On the other hand, Representative Ray agreed with Henry that educational appropriations should go directly to the public schools. The school term would be lengthened, and the teachers would thereby receive more practical training.⁴⁵

Representative Morton from Wilmington agreed with Skinner that passage of this measure would be a great honor for the state. Representative Peebles attacked Pritchard's amendment, calling it a political dodge. "If any girl who has a competency, desiring to be trained as a teacher . . . carrying to the poorer children the benefits of her accomplishments and training--why not?" At this time, Representative Cale of Elizabeth City made a statement which hit at the heart of the measure. He would support the bill because "it is calculated to help the poor people, while the rich people do not teach in the schools."⁴⁶

⁴⁴ News and Observer, January 27, 1891.

⁴⁵ News and Observer, January 27, 1891.

⁴⁶ News and Observer, January 27, 1891.

The debate lasted until the hour for adjournment arrived so the Senate retired until the following day. When the bill was brought up again, Pritchard's amendment was defeated as was an amendment by Sutton to require women to pledge themselves to teach for a period at least equal to the time they received free tuition. Pritchard, on behalf of Representative McGill who was sick, then proposed five amendments. These amendments would stop the granting of first-grade certificates upon completion of a county institute course and prohibit instructors from holding such institutes. All five amendments failed. Representative Cowan proposed an amendment allowing each county to send a certain number of girls to the school, the number being in proportion to the white school population in the county. When counties did not use their quotas, then other counties could make up the differences. This amendment passed. The bill was then approved on its second reading, sixty-one to forty-one.⁴⁷

On Thursday, January 29, the House took up the girls' school bill on its third reading. Twelve amendments were presented during this session, eight of which were adopted. The eight amendments, proposed by Representative Holman, changed the technical aspects of the bill. The Board of Directors was appointed and approved by the General Assembly rather than by the State Board of Education and the Senate, respectively. Holman also struck out the clause requiring girls who received free tuition to pledge themselves to teach. Money

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N. C. House Journal, 1891, 159, 167-170.

also came to the school directly from the general fund. Attempts by other representatives to prohibit instructors from holding institutes and women from attending these institutes were defeated. The bill passed its third reading eighty votes to seventeen votes.⁴⁸

The normal school bill was returned to the Senate for concurrence in the House amendments. On a motion of Senator Ardrey, the amendments were not concurred in and a conference committee of Griggsby, Ardrey, and Turner was appointed. The House appointed Gilmer, Alexander, Grier, Holman, and Fay to the conference committee. The committee agreed to allow the Board of Directors the right to pledge free tuition recipients to teach and to put the \$4,000 used previously for institutes into the girls' school. This made the amount needed from the general fund only \$6,000. The conference committee then submitted the bill for concurrence. Both houses passed the conference report on Thursday, February 12. The girls school became a reality.⁴⁹

The cooperative work of McIver, Alderman, and the Alliance bore fruit in this Assembly with the girls' school legislation. Trustees for the school were elected later in the Assembly, and the school opened in the fall of 1892 at Greensboro. McIver was its first president, and Alderman was an instructor. Alderman left after the first year to teach at the University of North Carolina as professor

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N. C. House Journal, 1891, 188-190.

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N. C. House Journal, 1891, 243, 372; N. C. Senate Journal, 1891, 248, 277, 353.

of History and Philosophy of Education. Alderman became president of the University in 1896. Both of the men who worked with the Alliancemen in 1891 received their just rewards for progressive action.⁵⁰

Although the girls' school contributed much towards educational reform in the state, the farmer-legislator did not stop with this contribution to higher education. On January 26, Representative Cale introduced a bill in the House to establish a normal and training school for the colored race at Elizabeth City. The bill was referred to the Committee on Education where it remained until it finally reached the House floor on February 27. Having already passed the white girls' school act, the assemblymen approved the measure quickly. The Senate passed the bill on its second and third readings the next day, February 28. The act directed the State Board of Education to establish at Elizabeth City a normal school for the teaching and training of members of the colored race to teach in the common schools. Nine hundred dollars was appropriated for the payment of instructors. The Elizabeth City school was not comparable to the white girls' school at Greensboro in regards to appropriations, especially since the money for Elizabeth City came from other normal schools in the state. It did provide some training for those blacks who could afford to travel there.⁵¹

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Prather, Resurgent Politics and Educational Progressivism, 50-51.

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N. C. House Journal, 1891, 155, 699, 700; N. C. Senate Journal, 1891, 631, 636, 687.

Federal regulations were responsible for another Alliance educational reform. Since the fertilizer tax was declared unconstitutional, Governor Fowle had attempted to secure additional funds to support the Agricultural and Mechanical College at Raleigh. Members of the college's Board of Trustees appealed directly to the legislature for assistance, stressing that previously the college had not imposed any burden on the taxpayers since no revenue from direct taxes had been applied to the school. The Senate passed a bill appropriating \$15,000 for the college from the state treasury. The House, through an amendment by Representative Holman, trimmed this figure to \$10,000 and defeated an amendment by Representative Watson to reduce the figure even lower to \$5,000. Still, this sum was not enough money to repair the existing buildings and to construct new facilities which were already needed. The act authorized the college to use and invest any federal funds that might be available. As Governor Fowle had determined, however, these funds would not be received until an agricultural and mechanical college for the colored race had been established.⁵²

Early in the session, two bills were introduced in the House to establish an agricultural and mechanical college for blacks. Both bills were referred to the Committee on Agriculture. One was reported back to the House floor only to be laid on the table. Near the end of

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News and Observer, February 1, 1891; N. C. House Journal, 1891, 801-802; Laws of North Carolina, 1891, c. 348, 404-406.

the session, when it became apparent that \$10,000 was the maximum amount of funds that the white A&M College would receive, Senator Bellamy introduced a bill to establish an agricultural and mechanical college for Negroes. The bill passed its third reading in the Senate on March 6 and swept through the House on March 7. The act created a board of trustees to oversee the college's operations and appropriated \$2,500 out of the state's treasury for the operation of the institution. Any federal funds could be used to augment the state's appropriation. Thus, the state of North Carolina now conformed, at least on paper, to the guidelines for funding agricultural and mechanical training established by the federal government.⁵³

When the time arrived to discuss funding for the state university, the farmer-legislator took a different view from some of the past assemblies. The Rockingham County Alliance summed up the attitude of many farmers in regard to the university at its meeting in Wentworth on January 9. The Alliancemen stated that in past years, legislatures had appropriated much money for the University although few people received any benefit from the institution. They opposed any further appropriation to the university. Instead, they recommended that "all appropriations . . . be made direct to the public school fund, where the poor, the wealthy, and both sexes alike

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N. C. House Journal, 1891, 68, 176, 205, 230, 971, 1001; N. C. Senate Journal, 1891, 800, 856; Laws of North Carolina, 1891, c. 549, 607-608.

may receive the benefit."⁵⁴ Being a practical-minded body, the legislature sent a committee to the University to determine whether or not an appropriation was necessary. The delegation found several buildings in disrepair and upon its return to the Assembly, Senator Bellamy introduced a bill to appropriate \$5,000 each year for two years to the University for repairs. When Senate opposition to such a large appropriation was revealed in debate, Bellamy told the assemblymen that their barns were in better shape than the floors in some buildings on the campus. Few members of the Senate were university graduates, and the bill seemed headed for defeat. In an effort to salvage some appropriation, Senator John A. Greene of Harnett amended the appropriation to \$5,000, half of this figure to be spent in 1891-92 and the other half in 1892-93. Senator Butler spoke in favor of the appropriation and his support contributed to its passage. The appropriation was not large, but it was the first ever granted to the university specifically for repairs.⁵⁵

The Assembly could take pride in its record in regard to higher education. New colleges were created, and increased appropriations were made to existing institutions. These reforms provided incidental aid for public education, but free public schools were the primary concern of the Assembly. Legislators focused their attention on appropriations to educate the masses. "The rich may have the

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Progressive Farmer, January 27, 1891.

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Bellamy, Memoirs, 106-107; N. C. Senate Journal, 1891, 790; Laws of North Carolina, 1891, c. 402, 471-472.

advantage of the colleges," said W. H. Worsley in the Progressive Farmer, "but they are entirely out of reach of the poor, so improve the free schools and lend a helping hand to the many illiterate children of North Carolina."⁵⁶ The basic problem was the need for more money, and this could be acquired only through taxation. The individualistic nature of the farmer usually led him to oppose any increase in taxes. However, the Alliance educational campaign had eroded the farmers' laissez-faire philosophy. How much would be revealed during the 1891 session?

This internal conflict of the farmer is best illustrated by the debate in the House over the second reading of a bill to increase the public school tax. Representative Alexander introduced a bill to raise the school tax to sixteen and two-thirds cents on property and to fifty cents on the poll tax. These figures were substantially higher than the current rate of twelve and one-half cents and thirty-seven and one-half cents, respectively. Alexander was in favor of generous financial support for education and believed that the people could not be taxed for a greater purpose. Representative Wood offered an amendment whereby county magistrates could reduce the tax to the current rate if they determined that the people could not support the increase. The problem perceived by Wood was whether educational progress would be achieved if the people were placed under too heavy a tax burden. Representative Henry suggested allowing people in a township to tax themselves since they could determine if such a tax

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Progressive Farmer, January 13, 1891.

would be reasonable. On the other hand, Representative Brinson declared that money was desperately needed just to maintain the existing schools, and additional money was essential to maintain the present level of education. Representative Pritchard abandoned his usual conservative position and gave Republican support for the bill. "We cannot have better schools without more money," he said. Representative Holman supported Henry's suggestion of allowing each township to vote for the tax, but Representative Peebles suggested sending the bill to the finance committee where a more knowledgeable decision might be made. Representative Wood then decided to withdraw his amendment, but Peebles' suggestion to refer was voted down. Finally the bill passed its second reading.⁵⁷

Ultimately, a compromise was reached that raised the tax on property to fifteen cents and on polls to forty-five cents.⁵⁸ This settlement increased school revenues without placing any tremendous burden on the people. The legislature supplemented the school tax by allowing the State Board of Education to invest the revenues it received from the sale of swamp lands and use the interest for school purposes.⁵⁹ The county boards of education were empowered to regulate sessions so that all schools in the county would be in operation at

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News and Observer, February 18, 1891; N. C. House Journal, 1891, 444-445.

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Laws of North Carolina, 1891, c. 517, 579.

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Laws of North Carolina, 1891, c. 369, 447.

the same time.⁶⁰ This act would assist the farmer in obtaining labor at harvest time since school terms could be established not to conflict with the harvesting of crops. The farmer-legislator was very concerned with assisting schools and academies, and more than thirty-seven laws were passed dealing with specific schools, both public and private.⁶¹ Throughout the session, the assemblymen worked hard to assist and improve the educational system in North Carolina.

In dealing with conservation issues, the legislature of 1891 relied primarily on protective or prohibitive measures which carried a penalty for violation. In the field of education the Assembly provided increased appropriations. When it came to health affairs, the legislators combined the two approaches in order to protect and elevate the health of North Carolinians. The appropriations set aside for the asylums and institutions of the state were impressive and illustrated a genuine concern on behalf of the farmer-legislator for the less fortunate.

The largest single appropriation for health affairs went to support the Institution for the Deaf, Dumb, and Blind. The institution was granted \$40,000 each year for two years. Unlike previous appropriations, no restrictions or even suggestions were contained in the act to direct the fund towards certain projects. The money

⁶⁰ Laws of North Carolina, 1891, c. 184, 162.

⁶¹ Laws of North Carolina, 1891, 1529-1530 (index).

would come directly from the public treasury.⁶² The educational awareness of the Assembly carried over to the handicapped as the legislature for the first time created a school for the white deaf and dumb children of the state at Morganton. Ten thousand dollars was provided for the establishment and construction of the campus. A board of directors would oversee the operations of the school. The course of study was directed toward making these individuals as self-supporting as possible.⁶³

Financial assistance was provided in large amounts to the insane asylums of the state as well. The name of the Eastern North Carolina Insane Asylum located at Goldsboro was changed to the Eastern Hospital, and \$33,000 was provided for the support and repairs of this institution. The North Carolina Insane Asylum at Raleigh received \$15,000 for repairs. No appropriations for improvements were allocated to the Western North Carolina Insane Asylum in Burke County, but its name was changed to the State Hospital. Changing the names of the hospitals reflected a more liberal attitude on behalf of the Alliance legislator. He recognized that mental illness was a medical problem, and the victims should not be socially stigmatized. In addition to the name change, the State Hospital was allowed to take in inebriates for specified periods of time, not to exceed twelve months. The term "inebriate" was interpreted to include the consumers of

⁶² Laws of North Carolina, 1891, c. 230, 189-190.

⁶³ Laws of North Carolina, 1891, c. 399, 468-470.

narcotics as well as intoxicating liquors. A limit of twelve inebriates of each sex was imposed as the maximum number to be treated in the State Hospital at any one time. Furthermore, alcoholics and drug addicts were required to pay for their treatment provided they had the funds.⁶⁴

As illustrated by his attention to dipsomaniacs in the asylum, the farmer-legislator was extremely concerned with the effects of liquor on the general population. Eighty-eight bills were introduced in the House and thirty-eight in the Senate in regard to prohibiting the sale of alcohol near towns, churches, and schools.⁶⁵ In an effort to save time on the floor of the Assembly, the legislators tried to incorporate all these bills into one measure. The Progressive Farmer supported this idea as did most religious organizations.⁶⁶ A problem resulted when the different parties involved could not agree on the specified distance from the town or institution in which the sale of alcohol would be banned. Some constituents suggested a two-mile limit while others proposed a five-mile zone. To please all the different interests involved, it was necessary to divide this omnibus prohibition act into separate sections, designating the precise area near schools, churches, and towns in each county in which no alcohol could

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Laws of North Carolina, 1891, c. 393, 465; c. 15, 46-48.

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N. C. House Journal, 1891, 1076-1078; N. C. Senate Journal, 1891, 994-996.

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Progressive Farmer, February 3, 1891.

be sold. Violation of the act was a misdemeanor, and the penalty was either a fine, imprisonment, or both as determined by the court.⁶⁷ Even this act, however, did not please everyone, and twenty-three additional laws were passed prohibiting the sale of alcohol in specific locations.⁶⁸

Alcohol was not the only substance feared by many in the Assembly. Although the majority of the legislators emerged from farm backgrounds and some were tobacco growers, an issue developed in the Assembly over the effects of cigarette smoking on children. Representative Sutton introduced a bill in the House on January 9 that would prohibit the sale of cigarettes to minors. For the next two months, the measure created much controversy in the General Assembly. The bill was sent to the Judiciary Committee where it received an unfavorable report. Representative Peebles, speaking on behalf of the committee, stated that the proposal involved a matter of personal liberty. Since cigarettes could be obtained from out-of-state, boys would still easily obtain them, and the law would have no effect. Representative Brinson stated that the same reasoning applied to alcohol. One could not buy it within two miles of a church, but could go a little farther down the road and purchase what one wanted. Brinson questioned whether or not there was a moral reason for the law. Representative Lowry of Buncombe County made the most eloquent

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Laws of North Carolina, 1891, c. 327, 345-350.

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Laws of North Carolina, 1891, 1521 (index).

defense of the bill when he said that although he represented the best tobacco county in the state, he was willing to make a sacrifice in order to improve the health of the boys.⁶⁹

The debate continued for several days. Eventually the cigarette bill passed both houses and became law. The final act prohibited the sale of cigarettes or tobacco in any form to persons under the age of seventeen. The law carried a misdemeanor penalty, punishable by fine or imprisonment or both. Any person who assisted the transfer of tobacco products to a minor was guilty also. With the passage of this act, the farmers proved that they could rise above their devotion to agriculture in order to improve the health and environment of their Tar Heel constituents.⁷⁰

In analyzing the accomplishments of the 1891 Assembly, their contributions to conservation, education, and health affairs cannot be over-emphasized. This legislature, so rural in nature, dealt in a progressive manner with the paramount issues facing the people of the state. The farmer-legislator identified with the wildlife and fishing industry much as he would have with another agricultural endeavor. The farmer had relied heavily on the educational programs of the Farmers' Alliance in order that he might improve his status in life. When given the chance in the legislature to provide educational assistance for everyone, he was ready to take full advantage of it.

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News and Observer, January 10, February 5, 6, 18, 1891.

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Laws of North Carolina, 1891, c. 276, 228.

Obviously, the farmer-legislator sympathized with educational institutions and provided them with as much assistance as feasible. Even when it came to restricting his own product, he placed the health of North Carolinians first. In these areas of reform, the farmers' legislature of 1891 performed with exceptional dedication.

CHAPTER VI

NEEDS OF THE FARMER

As the legislative session progressed, the farmer-legislator found himself reflecting on his occupation. He could remember long days during the growing season that he spent working in the fields. Sometimes when the crops were ready for harvest, his family worked late into the night, storing the crop or preparing it for market. He was no stranger to a hard day's work. Now the farmer found himself in much the same situation. With all the different requests coming from his constituents, regular sessions were not enough to enact the necessary legislation. Thus evening sessions were held in order to finish the work.

The Alliance legislature was deeply concerned with the needs of the farmer. These needs included a sympathetic press, a system of taxation that did not favor the industrialist and deprive the farmer of the fruits of his labor, easy credit, and a stable labor supply. The farmer needed transportation facilities maintained so he could carry his produce to market. In order to obtain a productive harvest, the farmer required fertilizer of dependable quality. Promotion of agricultural products was important to the farmer also. Emotional factors guided the farmer's activities and somewhat restrained his liberal reform policy.

Any legislature during the late 1800s depended on the press to keep the public informed of its actions. The Alliance-dominated Assembly was concerned with newspapers and wanted them to sympathize

with the principles of the organization to which the farmer belonged. A responsibility of the Assembly during each session was to elect a state printer who would serve the state for two years. Josephus Daniels, editor of the State Chronicle, was then printer, having won the position first in 1887.¹ Samuel Ashe and the News and Observer desperately wanted the job. Ashe had been public printer before Daniels and considered the position to be the mouthpiece of the Democratic party. Bills were introduced in the House and Senate to lower the standard fee of \$4,000, and to let the printing out to the lowest bidder. Even some Alliancemen thought that this method would be practical. Senator Speight felt that this prospect of saving funds would be the best way to serve the people.²

Such a change in policy would almost ensure Ashe of becoming printer. Allianceman E. C. Beddingfield stated that the News and Observer could afford to do the printing for free "in order to topple the only paper in the state [State Chronicle] which has been friendly to us and has boldly opposed the railroad."³ Though not an Allianceman, Daniels supported most of the Alliance demands. As the bitter newspaper war raged between Daniels and Ashe, the Progressive Farmer refused to involve itself or the Alliance openly.

¹ Daniels, Tar Heel Editor, 349.

² E. C. Beddingfield to Elias Carr, January 10, 1891, Carr Papers; News and Observer, January 10, 1891; N. C. House Journal, 1891, 823; N. C. Senate Journal, 1891, 356.

³ E. C. Beddingfield to Elias Carr, January 10, 1891, Carr Papers.

Privately, the order succeeded in gaining enough support to defeat the printing changes sought by Ashe and to elect Daniels as printer for the third consecutive time.⁴

Before the battle ended, however, the assemblymen witnessed an incident rarely seen in a governmental setting. At one point during the controversy, a circular letter was issued from the News and Observer stating that Daniels's statements regarding the printing were "wholly false," thereby throwing a shadow over his ethics. Daniels responded by calling the letter "false and misleading." Several evenings later, Ashe and two of his nephews physically attacked Daniels. Senator Paine, who was with Daniels, separated the combatants and no one was hurt. Ashe claimed he had "cowhided" Daniels, and in order to answer this charge, Daniels sought out Ashe as he entered the State Capitol the next morning. An argument began and soon both men were fighting again. Senator Ardrey saw them rolling around on the capitol's stone floor. A Civil War veteran himself, Captain Ardrey joined in the fight, punching both men in succession, showing no bias even though he was a supporter of Daniels. "I am ashamed of you both," Ardrey stated. "It is a disgrace to North Carolina that you two editors should be turning into thugs."⁵ Other legislators came to his assistance, and soon order was restored.

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Progressive Farmer, January 6, 1891; N. C. Senate Journal, 1891, 780; N. C. House Journal, 1891, 957.

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Daniels, Tar Heel Editor, 351-352.

Afterwards, the two newspapers concentrated on the more important work of the Assembly. Although the controversy raged again in 1893, for the moment the issue was settled. As L. L. Polk stated, "We are glad the matter is ended It seems to us that wrong enough has been done during the pendency of the printing discussion to make the Judgement Day a terrible time, if no other wrong had ever been done in the world."⁶

Although the Assembly may have saved a few dollars by putting the printing out on bids, the Alliance legislators decided that Daniels's endorsement of their reforms warranted his reemployment as state printer. In other matters, however, money was an overriding factor. If reforms were enacted, then appropriations must be voted to implement the programs. More revenue was needed so the legislature sought ways of securing it through new taxes and the more efficient collection of old taxes. Some Alliancemen felt that only taxpayers should vote. The Lasker Alliance, through Secretary C. W. Britton, presented a resolution to the legislature to restrict voting to those taxpayers who could show a proper tax receipt. Many people were not adept at keeping records, and if this resolution became law, they would be disfranchised. The farmer-legislator needed revenue, but at the same time he was not interested in unnecessarily restricting the masses that voted him into office.⁷

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Progressive Farmer, February 3, 1891.

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Progressive Farmer, January 13, 1891.

The solution to the revenue problem came in the form of House Bill 1070, introduced by Representative Holman on Saturday, February 21.⁸ Entitled "an act to raise revenue," this measure listed collectible revenues under three classes or schedules: poll and property taxes were stated in schedule A, license taxes in schedule B, and business taxes in schedule C. County commissioners could exempt anyone they considered unable to pay the poll tax, thus relieving somewhat the burden of the tax on voters of a lower economic status. The revenue bill came before the House for discussion on Tuesday, February 24. Few substantial changes were made; the major one was to raise the license tax on insurance companies from \$50 to \$100 every twelve months. A vote on the bill was delayed until Wednesday at which time it passed by a total of fifty-two to twenty-seven votes.⁹

The House bill was introduced into the Senate on Friday, February 27. It was made special order for Tuesday, March 3, and at that time Senator Turner presided over the Senate. He felt that the bill needed further scrutiny by the senators and delayed consideration of the measure. When the revenue act was finally debated on Wednesday, March 4, several amendments were suggested. Senator Bellamy proposed that the penalties imposed for failing to pay a license tax under schedule B should go into the school fund of the

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N. C. House Journal, 1891, 534.

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N. C. House Journal, 1891, 609-610, 623.

county. His amendment passed. Bellamy also suggested requiring only one license tax per merchant, regardless of the number of trades or locations where the merchant was engaged in business. Since this amendment would decrease the taxation of large merchants, the farm-oriented assembly voted it down. A motion to require dentists along with medical practitioners to pay a license tax was presented and passed. The bill passed its second and third readings by a total of thirty-five to one, Senator Walser casting the lone dissenting vote. The House concurred with the Senate amendments the next day.¹⁰

The Revenue Act of 1891 was well balanced and based on collecting funds from individuals, merchants, companies, and special entrepreneurs. For example, Section A placed a poll tax, ad valorem tax, and income tax on individuals. The ad valorem tax was 25¢ on every \$100 of real property. The income tax was 1 percent on nontaxed property and one-half of 1 percent on salaries and fees. This part also repealed exemptions from taxation that were included in charters granted to corporations. Schedule B required licenses for a variety of business activities. Theaters, museums, circuses, and entertainment promoters such as bowling alleys and pool halls were all required to have a license. Public ferries and livery stables were taxed, allowing an exception for people who drove their own horses. Merchants, peddlers, commission agents, and auctioneers were required

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N. C. Senate Journal, 1891, 596, 627, 731-732, 764-767; N. C. House Journal, 1891, 944.

to have a license. Individuals who sold their own produce did not need a license, thus giving farmers an obvious exemption. Liquor dealers and tobacco warehouses were subjected to taxation also. Schedule C dealt specifically with railroads, canal companies, express, telegraph, and telephone companies. Such corporations would not be exempt from paying 1 percent tax on their gross receipts provided their property was not taxed. Otherwise, these companies would still pay a 1/2 percent tax on gross receipts in addition to the property tax. Being a thorough legislative body, the Assembly placed a \$1.00 fee on all marriage licenses, thus requiring new families to invest in the prosperity of the state.¹¹

The intent of the revenue law was to distribute as equally as possible the responsibility for financial support of government actions. The legislators realized, however, that the law would only be successful if the taxes were collected properly. To ensure proper enforcement of the revenue law, the Assembly passed a set of regulations governing the collection of taxes. The county board of commissioners would appoint three people to list and assess the real and personal property in each township. Property and polls would be listed in the township in which the individual or family lived. Land, livestock, farming utensils, investments, moneys on hand or deposited in banks, and all other personal property were to be listed. Any public property or materials operated for the public good would be

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Laws of North Carolina, 1891, c. 323, 291-303.

exempted. Corporation assets would be listed the same as those of individuals, with the railroad commissioners acting as a board of appraisers for railroads. If real estate had to be sold to pay taxes, then notice must be given to the owner once a week for four consecutive weeks. The purchaser would be responsible for paying the taxes. Overall, this act went a long way to ensure the efficient and prompt collection of revenues.¹²

In other matters of financial reform, the legislature was not quite as successful. Agrarian interests were in desperate need of an increase in the amount of currency. When they needed funds that were not available locally, farmers often sought to borrow money from the state banks. Bad harvests, natural disasters, or limited collateral restricted the ability of the farmer to repay the loan. In the late 1880s the interest rate dipped to 6 percent, but rose again during several bad crop years. At the 1891 rate of 8 percent, many people could not afford to borrow money. In view of this situation, Senator Williams introduced a bill to lower the legal rate of interest from 8 to 6 percent.¹³

The Progressive Farmer applauded Williams's action and appealed to the Assembly to enact the bill. Strict enforcement of the proposed law was essential, and the newspaper requested stern penalties for failure to comply. The paper stated that "such a law as is proposed

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Laws of North Carolina, 1891, c. 326, 305-345.

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News and Observer, January 31, 1891; N. C. Senate Journal, 1891, 155.

will be of little value unless it is enforced by proper penalties."¹⁴ The News and Observer agreed that financial reform was needed but refused to endorse the proposal. This paper felt that most North Carolinians could not afford to borrow even at the 6 percent rate, and thus the bill would have little effect in increasing the amount of credit available.¹⁵

The interest bill came up as special order on Friday, January 30. Senator Bellamy immediately spoke against the bill. He opposed any tampering with the financial affairs of the state. According to Bellamy, capital was pouring into the state from outside sources, looking for investment possibilities, and limiting the rate of interest would decrease the rate of return for such investors. Bellamy illustrated the business viewpoint, stating that those people who could borrow did so at a rate of interest that was satisfactory to them. He hoped that the Senate would not interfere with the interest laws for to do so "would prove disastrous."¹⁶

In an effort to appease opponents of the bill, Senator Aycock offered an amendment to delay implementation of the bill until November 15, 1892. This postponement would give capital interests that were affected sufficient time to prepare for the change. Aycock felt that 6 percent was the highest that any man could afford to pay.

¹⁴ Progressive Farmer, January 20, 1891.

¹⁵ News and Observer, January 31, 1891.

¹⁶ News and Observer, January 31, 1891; N. C. Senate Journal, 1891, 230.

Enough capital would remain within the state to develop her farms and resources. Any capital interests that wanted to leave should do so because they were not present to help the people anyway. Senator Twitty supported Aycock's proposal but was not really in favor of the interest rate regulation. He stated that "the building and loan associations were doing the laborers and mechanics in his county and district much good." Twitty suggested the Senate give the bill careful consideration.¹⁷

Senator Allen of Granville expressed his dislike of the building and loan associations. He supported the bill. Senator Bowers questioned the policy of the farmers' borrowing money. He said that he "had known a man to borrow a dollar and spend seventy-five cents of it for whiskey, drink half of it, and walk around with twenty-five cents in his hand, and swear he was rich enough to buy out Vanderbilt." According to Allen, the farmer did not increase his livelihood by borrowing money.¹⁸

Senator Williams rose to defend his bill. "Unrestricted interest laws opened the doors for fraud, corruption, despotism, cruelty, and all manner of evils to the people," stated Williams. He felt the bill would assist all North Carolinians, regardless of status or wealth. The people of the state needed the bill because they could not operate their businesses and farms if they were forced

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News and Observer, January 31, 1891.

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News and Observer, January 31, 1891.

to borrow at a higher rate. Although Williams was ill, his eloquence held the attention of his fellow senators for a long period of time. When he finished, the entire Senate applauded his speech.¹⁹

Following the speech by Williams, Alliance leader from Wake County, A. C. Green, took the floor and voiced his support for the measure. He considered that the money powers had too much control over the people, and this bill would partially correct the problem. In his district, there was an area six miles by five miles in which only five men and two women owned their farms. The rest of the land was owned by merchants, lawyers, and bankers. Green appealed to fellow legislators to prevent the money powers from continuing to oppress the people. Then the Senate adjourned, after agreeing to discuss the bill later.²⁰

On Saturday, January 31, the Senate again debated the interest bill. In an effort to gain support, Senator Aycock withdrew his amendment, and Williams submitted an amendment to submit the issue to a referendum at the next election. Even this concession did not win enough support for the bill. Senator Turner moved that the measure be referred to the Judiciary Committee. The motion was passed, and the bill eventually died in committee. The proposal was too radical to win the support of Bourbon Democrats and even the more

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News and Observer, January 31, 1891; Progressive Farmer, February 10, 1891.

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News and Observer, January 31, 1891; N. C. Senate Journal, 1891, 230.

conservative Alliance members. As the Progressive Farmer stated, "It is hard to secure perfect harmony upon some questions between the Alliance and the party in power in North Carolina."²¹

Although discouraged by this setback, the Alliance legislature made several other attempts at financial reform. On January 17, Representative Alston introduced a bill to reduce the rates of interest that was never reported out of the Finance Committee.²² Alexander introduced House Bill 358 on January 24. The measure would restrict interest to 6 percent per year. The bill was referred to the Finance Committee and returned to the full House on Monday, March 2. On the motion of Ray, the bill was placed on the table by a vote of fifty-three to forty-two.²³

Another financial reform pursued by representatives was the crop lien. Continually faced with a shortage of cash, the Tar Heel farmer needed credit and was forced to mortgage part of his crop in return for goods and services. This mortgage or lien became a severe burden to the farmer, especially during bad crop years. On Friday, January 9, Representative Skinner introduced House Bill 22 entitled "an act to repeal the agriculture lien law after January 1, 1892, and to restrict the mortgaging of crops." The bill was referred to the Judiciary Committee of which Skinner was a member. Unfortunately

²¹ Progressive Farmer, February 10, 1891; N. C. Senate Journal, 1891, 241; News and Observer, February 1, 1891.

²² N. C. House Journal, 1891, 79.

²³ N. C. House Journal, 1891, 145, 793-794.

for the farmer, it was never brought back to the House floor.²⁴ On February 16, Representative Watson introduced a similar bill that was referred to the Agriculture Committee. This bill received an unfavorable report. Thus, no action regarding the crop lien occurred during the 1891 session.²⁵

The need for a stable labor supply was as important to farmers as requirements for credit. The effect of blacks leaving the state was one that disturbed growers. Bad crop years and disenchantment over the prospects of better times led many blacks to move from the Tar Heel state to other parts of the South, especially the Southwest. The Payne Election Law that restricted the voting rights of blacks also motivated Negroes to leave North Carolina. The News and Observer reported that "thousands of negroes who have been duped into believing that they were to be transported to Africa at nominal rates are crowding into Atlanta."²⁶ Enhancing this black exodus were several agents in the state who encouraged blacks to leave and establish a new home outside the South. In the 1880s, an agent called "Peg Leg" Williams used money and transportation to entice blacks out of eastern North Carolina. Planters were fearful of the economic effects these agents could create. Many legislators regarded

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N. C. House Journal, 1891, 22; News and Observer, January 10, 1891; Bromberg, Pure Democracy and White Supremacy, 469.

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N. C. House Journal, 1891, 413, 527.

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News and Observer, January 28, 1891, 27.

these emigrant agents in much the same vein as those carpetbaggers who scoured the South immediately after the Civil War. Since blacks still provided a major labor source for the farmers, these assemblymen felt some form of regulation was needed.²⁷

This regulation took the form of House Bill 55, "an act to prohibit emigrant agents from plying their vocation in the state without first obtaining a license. . . ." An agent was defined as anyone who hired laborers that would be engaged in activity outside the state. The license for such activity would cost \$1,000, payable in each county in which agents solicited laborers. The penalty for violation of the act would be a fine of \$500 or imprisonment for four months or both. The bill passed the House with little debate and was sent to the Senate.²⁸

The emigrant agent bill reached the Senate on January 23 and was referred to the Judiciary Committee. On January 28, the measure was reported favorably back to the Senate. On the Senate floor, the debate at first centered not on the penalties or restrictions of the bill, but rather on what counties might be exempted. Senator Avery, who presented the favorable report from the Judiciary Committee, recommended that Burke, Caldwell, McDowell or counties west of the Blue Ridge mountains be exempt from the law. Senator Reynolds wanted Stokes, Forsyth, Yadkin, and Surry excluded. Senator Parker

²⁷ Daniels, Tar Heel Editor, 181.

²⁸ N. C. House Journal, 1891, 115.

moved to exempt Currituck, Camden, Pasquotank, Perquimans, Chowan, Gates, and Hertford counties. Senator Paine suggested using the boundary line established for sending patients to the western and eastern state hospitals as a dividing line. All counties east of the line would be covered by the act, while counties to the west would be exempt. After these amendments were presented, Senator Twitty asked for a postponement of the bill until February 3. Twitty's motion passed, and the bill was delayed.²⁹

On Tuesday, February 3, the emigrant agent bill again came before the Senate. Senator Paine's amendment was reread and Senator Alston asked that Vance and Warren counties be excluded. Senator Ardrey asked that Mecklenburg be included. Bellamy warned he had received letters from the southeastern part of the state informing him that "labor was now leaving that section at such a rate as to hinder the planting of the present crop." Senator Freeman supported the argument of Bellamy, describing the Negro as the best laborer in the state. Freeman stated that the majority of those blacks who had already left were in legitimate distress. He felt that other blacks were being misled, and it was the duty of the state to protect them. "If he wants to go of his own free will, all right; but [we must] not allow them to be duped."³⁰ Voicing similar sentiments, Ardrey declared, "It is wrong to carry these ignorant negroes to unhealthy places, and

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N. C. Senate Journal, 1891, 174, 206, 214-215.

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Progressive Farmer, February 10, 1891.

the men who do it ought to be punished." Senator Aycock claimed that the agents appealed to the religious feelings of the blacks and persuaded them to go regardless of their own judgement. Senators Davis, McLean, and Galloway supported the bill and stressed the need to prevent workers from being demoralized. Senator Alston stated his opposition to the Negroes' leaving, but felt they should not be restrained. Senator Butler thought that if blacks could better themselves, then they should be allowed to leave. However, he recognized the farmers' problem and described the hardships placed on the farmer by this loss of labor.³¹

When the time came to vote, Senator Paine's hospital dividing line was approved and Anson, Richmond, Lincoln, Catawba, Mecklenburg, Moore, Gaston, and Cleveland counties were included. Senator Walser tried to prevent the bill from being in effect all year long. He proposed to allow agents to contact Negroes freely between August and November, but his motion was voted down. The bill passed the Senate and was sent back to the House where the amendment using the hospital line as a boundary was approved. The farmer-legislator had succeeded in restricting emigration at least in part.³²

The paternal attitude of most farmer-legislators towards blacks reflected the strong emotional ties shared by the farmer with his

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N. C. Senate Journal, 1891, 263.

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N. C. Senate Journal, 1891, 283; N. C. House Journal, 1891, 274; Progressive Farmer, February 10, 1891; Laws of North Carolina, 1891, c. 75, 77.

antebellum agrarian counterpart. Many of these legislators regarded their recent history with undying reverence and considered themselves to be protectors of that heritage. Accordingly, when faced with an opportunity to play the role of protector, they quickly complied. The main reason for the emigrant agent law was to keep the blacks on the farm. However, the sense of responsibility that came from being a protector was an exalting experience for these assemblymen.

The subject of fertilizer was one that engrossed the Tar Heel farmer as much as labor. The cultivation of soil-exhausting crops necessitated heavy fertilization of the land. From August, 1889 to August, 1890, W. H. Worth, state business agent for the Alliance, bought and sold to farmers over 10,000 tons of guano valued at \$200,000. In this way, farmers could obtain quality fertilizer at a reasonable price. However, many farmers depended on commercial distributors for their fertilizer needs. The inspection of fertilizer by the experiment stations had become a vital part of the agricultural move toward scientific farming. The tax on fertilizer had helped defray part of the expenses for inspection as well as fund the Agricultural and Mechanical College. Since the original fertilizer tax was declared unconstitutional, the legislature decided to impose a new tax on fertilizers, which would be used to defray the cost of inspections. The new fertilizer law required explicit labels on every

bag or barrel of fertilizer and imparted to the inspectors the right of seizure when improper tags were found.³³

Internal improvements was another issue of practical importance to the farmer as he needed good roads to deliver his crop to market. A special concern of agrarians was the number of roads considered to be private over which they could not transport their produce. The legislature rectified the problem by declaring it illegal to obstruct any public thoroughfare. Chapter 224 of the 1891 Public Laws stated "that no person or corporation shall ever acquire any exclusive right to any part of any public road"³⁴ According to this enactment, any road that had been laid out by the General Assembly or by any court was considered public and free access was granted thereon. Whereas this law protected all public roads in North Carolina, legislation was passed in regard to specific counties regulating taxes, gates, and maintenance. In all, over thirty-five laws were passed dealing with roads and highways.³⁵

Even if the farmer had clear access to roads, he still had problems reaching his destination since highways were often washed out after heavy rains and riddled with ruts and fallen trees. In some counties, persons convicted of criminal offenses could be put to work on the roads. The legislators reasoned that all convicts, where

³³ NCFSA Proceedings, Asheville, 1890, 15; Laws of North Carolina, 1891, c. 9, 40-42.

³⁴ Laws of North Carolina, 1891, c. 224, 186.

³⁵ Laws of North Carolina, 1891, 1526-1527 (index).

feasible, could be used to maintain roads and other public works and thus provide a service to the state. On January 14, Representative Lowe introduced a bill to amend section 2, chapter 355 of the 1887 session laws, relating to the employment of convicts on public roads. Lowe's bill extended the use of convict labor to all public works in the counties. The bill passed both houses of the Assembly and in effect allowed a much broader base of work for convicts.³⁶

By taking the convicts out of the penitentiary for public service, the legislature relieved some of the burden on the state for their upkeep. Financially, the penitentiary was stable and actually had not spent all of its previous appropriations. Colonel Paul F. Faison, president of the Board of Directors of the penitentiary, had managed its operations efficiently and only petitioned the legislature for those funds that remained outstanding from the previous years. Officials had considered operating factories within the prison walls to supplement their appropriations. If the financial status of the penitentiary remained stable, then in-house factories would not be needed. The legislature of 1891 decided to appropriate all previous unexpended penitentiary funds to the institution along with any and all earnings from convict labor. On February 27, Senator Bishop introduced a bill to allow the penitentiary to continue its operation based on these funds. The bill was immediately passed by the Senate

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N. C. House Journal, 1891, 50, 390; N. C. Senate Journal, 1891, 152, 170; Laws of North Carolina, 1891, c. 164, 152.

and moved rapidly through the House the same day. The penitentiary bill became law, and the institution continued its financial solvency.³⁷

Agricultural reforms and improvements generated optimism among the legislators. During the session, an opportunity was presented to these assemblymen to exhibit the agricultural products of the state on a national level. A world exposition was being planned for Chicago in 1893. The year, 1893, marked the four hundredth anniversary of the discovery of America by Christopher Columbus. Countries from all over the world would set up exhibits there along with the American states. However, preparing and transporting an exhibit was costly. The Assembly soon realized that the quality of the state's display would depend on the amount of appropriation that the state set forth. Most everyone agreed that some type of exhibit would be wise, but with the many issues facing the state, the needed appropriation was questionable. Colonel A. B. Andrews and Colonel T. B. Keogh were appointed by the national authorities as World's Fair commissioners for North Carolina. Andrews in turn worked with Elias Carr on putting together some sort of exhibit.³⁸

While Alliancemen such as Carr worked toward making a successful exhibit, the Alliance newspaper organ, the Progressive Farmer, stated

³⁷ News and Observer, January 18, 1891; N. C. Senate Journal, 1891, 587, 591, 687; N. C. House Journal, 1891, 687, 708.

³⁸ A. B. Andrews to Elias Carr, November 2, 10, 1890, Carr Papers.

its opposition to an appropriation for the exposition. The farm journal stated that the proposed sum of \$25,000 was insufficient to develop a quality exhibit. "We do not believe that the present General Assembly can innocently take funds out of the pockets of our people at this time to assist in making a National show," said L. L. Polk. Instead, he felt this money should go directly to the public school fund.³⁹ Ironically, the News and Observer was solidly behind the exposition. This paper felt that North Carolina had a tremendous number of resources to display, and this was the perfect opportunity to do so. It agreed with Polk that the proposed appropriation was small, but stated that the advantages in publicity and national exposure were so great that at least some kind of display must be made. The paper declared, "Let us not cherish isolation, but rather use the occasion to show the world that North Carolina has retaken her place in fact and deed as a sister in the Union."⁴⁰

On February 20, Senator Speight introduced Senate Bill 766, an act "to provide for the collection, arrangement and display of the products of the state of North Carolina at the World's Columbian Exposition of 1893."⁴¹ The bill was referred to the Finance Committee and was reported back to the Senate on March 3, 1891. During debate on the bill on March 5, Senator Parker tried to decrease the

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Progressive Farmer, February 10, 1891.

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News and Observer, January 18, 1891, February 12, 1891.

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N. C. Senate Journal, 1891, 446.

appropriation to \$10,000. The amendment failed as did the bill on its second reading. Senator Turner moved to reconsider the vote and postpone momentarily any further action. Later in the day, the vote was taken again, and the bill passed its second and third readings and was sent to the House. The bill was brought before the House on March 6 where it immediately passed both readings and was ordered enrolled for ratification.⁴²

By establishing an exhibit at the World's Columbian Exposition, North Carolina was taking a large step toward promoting the development of the state for its own sake. In other words, no corporation tax exemptions or charter privileges were involved as they had been when the state was recruiting industry in the 1870s and 1880s. True, some individuals felt that the funds could be used better in the public schools. However, just as the farmer-legislator promoted agricultural reform, he now realized the advantages of a positive image in the minds of the public.

The Tar Heel farmer had emotional as well as practical needs. An example of the assemblymen's ties to the past came when a bill was introduced in the legislature to make January 19, General Robert E. Lee's birthday, a state holiday. The assemblymen valued anything that reflected a concern for the "lost cause." The Assembly praised the heroic adventures of the Confederate general and the legislators

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N. C. Senate Journal, 1891, 684, 803-804, 857, 860; N. C. House Journal, 1891, 986-987.

unanimously voiced their approval of his birthday. As the News and Observer stated, "The assemblymen glorified their war hero by officially making his birthday a public holiday."⁴³

Another emotional issue presented itself to the Assembly in the form of aid to Confederate veterans. Many of these soldiers were old and needed care that they could not provide for themselves. Senator Ardrey introduced a bill to establish a home for former Confederates based on an appropriation from the state. Though most of the farmers were freshmen politicians, they knew this issue was very important to their constituents. Having provided more troops than any other state, North Carolina was host to many Civil War veterans. During Senate debate on the bill, the farmers had an excellent opportunity to boast proudly of their southern heritage. Even Senator Bull, a "northern man," declared his support for the bill. Their actions resulted in the incorporation of the Soldiers' Home Association. The home was operated by a Board of Directors. Land was provided near Raleigh but could be sold if the institution were established elsewhere. Three thousand dollars was appropriated on an annual basis to assist in maintaining the home.⁴⁴

Although these farmer-legislators were reform-minded, a tendency to relish the past was present. This attitude was made clear when the

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News and Observer, January 25, 1891; Laws of North Carolina, 1891, c. 58, 69.

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N. C. House Journal, 1891, 371; News and Observer, January 17, February 5, 1891; Laws of North Carolina, 1891, c. 60, 793-796.

legislature undertook to reapportion the state's congressional districts. With the growth and expansion of population in the state, representation at the state and national level required redistricting. At the beginning of the session, the legislators appointed joint select committees to fix and establish the congressional, senatorial, and representative districts of the state. The committees consisted of five senators and nine representatives. These legislators met throughout the session and finally agreed on apportionment at the state level a few days before the session ended. The senatorial and representative districts remained roughly the same in regard to the number of legislators given each district.⁴⁵

In the congressional redistricting, the Assembly seized the opportunity to establish all nine districts in a Democratic, white supremacy fashion. For years, black representation in the second district was so great that Republicans controlled that seat in Congress. For a while, it seemed that this situation would continue. However, on March 7, the Assembly approved a reapportionment package that took the heavy black counties of Jones, Craven, and Vance out of the second and replaced them with Wayne, a county with a majority of white voters. Orange and Durham counties were taken out of the fourth district and placed in the fifth, thus strengthening the white majority in that district. As the News and Observer stated, the

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Cheney, North Carolina Government, 700-703; Laws of North Carolina, 1891, c. 368, 454, 495, 513; News and Observer, January 9-13, 1891.

state now had hopes of obtaining a "full Democratic delegation in Congress."⁴⁶

The Alliance legislators worked diligently to reap the benefits of organization during their short stay in government. The needs of the farmer were great, and although they were not always successful, the farmer-legislator was forward-looking and reform-minded. His attitude, however, was tempered by the emotional and social aspects that stemmed from the Civil War and Republican rule. The conservative nature of the farmer restrained his reform thinking and kept him from totally abandoning the past. Overall, the farmer-legislator responded well to the agrarian needs of the state and deserved the title of agrarian reformer.

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Eric Anderson, Race and Politics in North Carolina, 1872-1901, The Black Second (Baton Rouge, 1981), 186-187; Laws of North Carolina, 1891, c. 573, 623; News and Observer, March 8, 1891.

CHAPTER VII

CONCLUSION

The General Assembly adjourned on March 9, 1891. The legislators who returned to their farms that spring could look back on two months of intensive government service. Charged with the responsibility of representing their neighbors in the General Assembly, few of these men had ever held a legislative position before. The procedures, action, and protocol of obtaining legislation were a new experience for them. Differences in age, education, wealth, and social status created a pronounced mixture, but one factor brought most of them together. Agriculture was in trouble and being farmers, many of these men understood well the legislative needs of the agrarian element in the state. Although inexperienced, these assemblymen learned quickly and made valuable use of their short time in government. While previous agrarian reformers were unsuccessful because of a lack of organization against the conservative wing of the Democratic party, these legislators were capably led and directed by the Farmers' Alliance. Together, the North Carolina Alliancemen of 1891 recorded one of the most productive legislative sessions in North Carolina history.

Measured in terms of agrarian reforms, this legislature was quite successful. The regulation of railroads enabled the farmer to overcome the monopolistic practices which severely restricted transportation of crops to market. At first, railroad commissioners were reluctant to stand against the industry, but it was important just to

have the groundwork laid for the protection of the farmer. Maintenance of roads and highways was expected through the use of convict labor. The farmer-legislator protected his labor source by restricting emigration agents. Appropriations to the agricultural college enabled students to learn scientific methods of farming. Although he could not obtain specific credit reforms in regard to interest or the crop lien, the assemblyman petitioned the federal government through his national representatives to seek financial changes. The tax burden was placed more evenly on all the citizens including industrialists, and the landowner was no longer the victim of unfair taxation.

The farmer wanted to protect other resources much as he did his own land. For years he had seen the soil worn out from overuse, and in this way understood how a policy of exploitation could destroy the environment. He realized the need for stricter laws concerning the state's natural resources and sought to expand governmental authority in such matters. While he championed conservation, he also advocated the development of North Carolina's resources. The legislature appropriated funds to explore and promote the inherent wealth of the Tar Heel state.

Socially, the farmer protected his family from the influence of liquor by restricting areas in which it could be sold. For those who were uncontrollably addicted to alcohol, the legislator provided better facilities for their rehabilitation. The assemblymen took a new approach to the insane by regarding them as patients who needed

the services of a hospital rather than adopt the traditional view of them as outcasts of society. The health of his constituents even took precedence over the agricultural interest. This legislature was the first one to prohibit the sale to minors of one of the state's agricultural products, tobacco.

Emotionally, the farmer-legislator still cherished the memories of those pre-Civil War days when agriculture was definitely the primary focus in the state. The heroes of that conflict were still vivid in the minds of the assemblymen, and they glorified them at every opportunity. The legislator's desire to cling to the past ultimately resulted in restraining his liberal outlook, particularly in regard to black participation in politics. The one glaring result of this attitude was the reapportionment issue and the creation of an all-Democratic, all-white, congressional delegation.

In the overall picture, these farmer-legislators performed well in their objective of achieving reforms for the average citizens of the state. Credit for this success must go directly to the Farmers' Alliance. No other farm organization before or since so completely controlled the General Assembly. The Alliance elected assemblymen to office and directed most of their actions during the session. Increasing conflicts with the Democratic party, particularly at the national level, led many North Carolina farmers to pull out of the old party and join the Populist party in 1892. Some of these legislators joined the new party and continued to stress financial reforms. Regardless of their future political activity, Alliancemen

were extremely effective in 1891. Capable leadership and specific goals on behalf of the Alliance contributed to a bountiful harvest for the agrarian element in North Carolina.

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