

University of North Carolina at Asheville

Subduing the Oligarchs:
Punishing and Pardoning North Carolina's Great Sinners

A Thesis Submitted to
The Faculty of the History Department
In Candidacy for the Degree of
Bachelors of History

By
Henry Allen Pfeiffer

Asheville, North Carolina
November 21, 2003

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Mr. Edwards has been a “great sinner.” He was President of the Goldsborough Convention, called in March, 1861, to force the State out of the Union by violence, after the people had voted the Month before by 30,000 Majority not to secede. But he appears to be penitent, and I learn is setting a good example of submission in Warren County. Whether he is pardoned at all should depend upon the events of the future. Meanwhile I advise that his case be suspended.

Very Respectfully
W. W. Holden¹

The “great sinner” that Provisional Governor William W. Holden referenced in his letter to President Andrew Johnson, August 1865, was the 78-year-old Weldon N. Edwards. A gray haired planter by profession, Edwards never fired a shot during the Civil War nor did he serve in the Confederate government beyond the Goldsborough Convention² in 1861. In his defense, Edwards insisted that he was too old to actively partake in the Confederacy. In his request for pardon he wrote, “I was too advanced in years to indulge hopes of preferment, or to desire to tread the paths of political life. None of the honors of the new Confederacy sought to be established, did I ever desire or expect to wear. Let

¹ W. W. Holden to Andrew Johnson, 01 August 1865, pardon application of Weldon N. Edwards, reel 38, *Case Files of Applications From Former Confederates for Presidential Pardons (“Amnesty Papers”) 1865-1867*, Western Carolina University, North Carolina.

² The Goldsborough Convention is the name given to the first convention held by the State to discuss whom North Carolina should support in the growing dispute between the Union and the South. The convention was held in Goldsboro, NC on 22 and 23 March 1861. At this convention, of which Weldon Edwards was the president, a resolution was adopted to inform the people of North Carolina of the situation. It was believed that the people would vote to call a convention of delegates to secede from the Union. It was decided that convention should be held on May 20, 1861 in Charlotte.

The vote Governor Holden refers to in his letter is the vote by the people whether to hold the scheduled May 20th convention in Charlotte. In light of the April 12, 1861 attack on Fort Sumter and the call for North Carolina troops by President Lincoln just three days later, the North Carolina legislature met and called for the May 20th convention to be held in Raleigh despite the people narrowly voting against it.

The North Carolina Secession Convention convened from May 20 to June 28, 1861 and heatedly debated over two resolutions. The first was drafted by George E. Badger and called for separation from the Union based on the Constitutional right to revolution. Badger’s resolution was defeated by a vote of 54 to 24 (not all delegates participated). Burton Craige drafted the second resolution and it called for the North Carolina to dissolve its ties to the Union and declare itself a sovereign State. This resolution passed by a unanimous vote. The delegates voted unanimously to adopt the Confederate Constitution and join the rest of the Southern States.

Joseph C. Sitterson, *The Secession Movement in North Carolina* (Chapel Hill: University of North Carolina Press, 1939), 230-249.

the war terminate as it might, I hoped to spend the remnant of my days in the shade of retirement, and in the pursuits of agriculture.” He continued, describing his failing health, clarifying his position as a supporter of States Rights rather than a disunionist, and proclaiming his intentions to remain loyal to the Union.³

Weldon Edwards was not the only delegate to the Goldsborough Convention. Other active participants included Thomas Ruffin of Alamance County, Burton Craige of Rowan County (who wrote the resolution for secession), William A. Graham of Orange County, and William W. Holden (the future provisional governor of North Carolina). Each and every one of these men eventually voted for the secession of North Carolina. The pardons of all these men, however, were recommended by William Holden, once he was appointed governor, and expeditiously granted. Why then was Weldon Edwards labeled a “great sinner” and denied a pardon until March 23rd 1866? He did not, as insinuated by Provisional Governor Holden, force the state out of the Union by violence. In fact, the vote to secede did not even take place during the Goldsborough Convention as Governor Holden’s letter stated. Nor had the people voted by a 30,000 majority not to secede the month before like Governor Holden claimed. The people voted, *after* the Goldsborough Convention, on whether or not to hold a convention and the vote was much closer, 46,672 for and 47,323 against. The vote for secession and eminent hostilities with the North was unanimous.⁴ Governor Holden’s statements in his letter to

³ Weldon N. Edwards to Andrew Johnson, 04 August 1865, pardon application of Weldon N. Edwards, reel 38, *Case Files*.

⁴ Ralph A. Wooster, *The Secession Conventions of the South* (Princeton: Princeton University Press, 1962), 190-203.

President Johnson were clearly misrepresentations of the actual facts used to justify the withholding of his pardon.

On the recommendation of Provisional Governor Holden, President Johnson delayed the issue of pardons for a small percentage⁵ of men like Weldon Edwards, preventing them from resuming their businesses or otherwise benefiting from the privileges of citizenship. By withholding the pardons from this select group of influential men in North Carolina, President Johnson prevented them, and southerners in general, from participating in, and perhaps more importantly controlling, the new State government, industry and wealth that Reconstruction introduced to the state.

Eric Foner, a professor of History at Columbia University specializing in the Civil War and Reconstruction, identified the difficulties of Reconstruction with a couple of questions: “On what terms should the defeated Confederacy be reunited with the Union?” and “Who should establish these terms, Congress or the President?”⁶ Three answers to these questions defined the distinct stages to Reconstruction: Wartime Reconstruction, Presidential Reconstruction, and Congressional or Radical Reconstruction. Amnesty and pardons played a very important and very different role in each of these stages.

Wartime Reconstruction, under President Abraham Lincoln, was hardly more than a plan. In order to reconstruct the Union, Lincoln had to first end the Civil War that was tearing the nation apart. William Harris, a former professor of History at North Carolina State University, describes Lincoln’s reconstruction plan in two steps. First, end

⁵ 81 of the 1,984 requests for pardon from North Carolina Confederates were recommended for suspension by Governor Holden; 4%. Of those recomm

the Civil War as quickly as possible and then return control of the Southern States to the local Unionists.⁷ To answer Foner's questions, Lincoln was in charge and he was very lenient on the Southern States.

A powerful weapon Lincoln employed to help him win the Civil War, other than the Union Armies, was the offer of amnesty to Confederates. Kathleen Moore is a Philosophy professor at Oregon State University and she reassures scholars that presidential amnesty and pardons can be used not just to excuse the actions of individuals but rather as a powerful weapon.⁸ Eric McKittrick, a professor of History at Columbia University until 1989, agreed stating that, "For Lincoln, pardoning was to be employed primarily as a war measure; it should be an instrument for weakening the Confederacy and encouraging desertion and surrender."⁹ Lincoln used the pardon for just this purpose in 1863 and again in 1864.

Lincoln's first Amnesty Proclamation was issued on 08 December 1863, two and a half years into the war. It offered a general amnesty to all but six groups of individuals and was intended to help bring a speedy end to the war. All that Lincoln required was individuals swear an oath of allegiance to the Union and the Constitution on which it was founded. Those groups not included in the general amnesty were "civil or diplomatic agents or officials of the Confederacy, persons who left judicial posts under the United States to aid the rebellion, Confederate military officers above the rank of Army colonel or Navy lieutenant, Members of the U.S. Congress who left to aid in the rebellion,

⁷ William C. Harris, "Lincoln and Wartime Reconstruction in North Carolina, 1861-1863," *North Carolina Historical Review* 63 (1986): 149-151.

⁸ Kathleen Dean Moore, *Pardons: Justice, Mercy, and the Public Interest* (New York: Oxford University Press, 1989), 51.

⁹ Eric L. McKittrick, *Andrew Johnson and Reconstruction* (Chicago: University of Chicago Press, 1960), 144.

persons who resigned commissions in the U.S. Army or Navy and afterwards aided in the rebellion, and persons who treated unlawfully black prisoners of war and their white officers.”¹⁰ With so much leniency being granted to junior officers, enlisted soldiers and civilians it is easy to recognize that Lincoln was trying to take the fight out of the Confederates at a time when the Union Army advanced deeper and deeper into the heart of the South. As it began to look as if the Union might succeed, taking the amnesty would become more and more appealing. With the success of the Union Armies, Lincoln hoped that Union loyalist would feel safe enough to emerge and that the Confederates who took the oath of allegiance could rally around them to create an insurgency in the deep south that would bring down the Confederacy itself.¹¹

Lincoln’s plans to “return the control of Southern States to local Unionists” were outlined in his 1863 Amnesty Proclamation as well. Scholars William Dunning (1857 – 1922), a professor of History at Columbia University, and Eric Foner recall that Lincoln attempted to initiate direct military rule by appointing military governors in several Southern states. He gave these governors his “Ten percent Plan” to use as a guideline for reconstructing the South. In this plan Lincoln declared that with just a ten percent minority population of Unionist supporters, these governors could hold elections for provincial governments. Elections were held in Arkansas, Louisiana, Virginia, and Tennessee and representatives from these states were sent to Washington. Congress, however, did not give legitimacy to these minority governments and refused the delegates

¹⁰ John S. Ferrell, introduction to *Case Files of Applications From Former Confederates for Presidential Pardons (“Amnesty Papers”) 1865-1867* (Washington D.C.: National Archives Microfilm Publications, 1976), roll 37.

¹¹ William C. Harris, *With Charity for All: Lincoln and the Restoration of the Union* (Lexington: University of Kentucky Press, 1997), 143-146.

their seats in both Houses of Congress.¹² As a result, the provisional governments were unable to participate in legislation and rendered ineffective.

A second Amnesty Proclamation issued by Lincoln 26 March 1864, or rather an amendment to the first, added a seventh group of individuals to the list of those excluded from the previous amnesty proclamation. “Persons in military or civilian confinement or custody” were no longer offered amnesty by the president. The second proclamation did make it possible for members of any excluded group to apply individually for a special amnesty.¹³ The latter part of this second proclamation reinforced Lincoln’s general leniency towards his “dissatisfied countrymen”¹⁴ by offering an opportunity for otherwise excluded Confederates to receive the same amnesty granted the majority of other Confederates.

Presidential Reconstruction, carried out under President Johnson’s administration, was not all that different from Lincoln’s Wartime Reconstruction. Johnson issued Proclamations recognizing the governments established under Lincoln and appointing Provisional Governors in those where governments had not yet been set up. James McPherson, a professor of History at Princeton University, said of Johnson’s Reconstruction Plan, “The President hoped that these governors would build a new party in the South composed of Unionists and lukewarm Confederates.”¹⁵

¹² Foner, 43-45.

¹³ Ibid.

¹⁴ Johnathan Truman Dorris, *Pardon and Amnesty Under Lincoln and Johnson: The Restoration of the Confederates to Their Rights and Privileges, 1861-1898* (Chapel Hill: University of North Carolina Press, 1953), 87.

¹⁵ James M. McPherson, *Ordeal By Fire: The Civil War and Reconstruction* (New York: Alfred P. Knopf Inc., 1982), 499.

Like Lincoln, Johnson also issued amnesty proclamations, though his were much more exclusionary. The first Amnesty Proclamation Johnson produced on 29 May 1865 was stingier than either of Lincoln's proclamations though. Johnson's proclamation withheld amnesty from fourteen groups of former Confederates. These groups included all of those listed in Lincoln's previous proclamations and added "individuals who had absented themselves from the United States in order to aid in the rebellion, graduates of West Point or Annapolis who served as Confederate officers, ex-Confederate governors, persons who left homes in territory under U.S. jurisdiction for purposes of aiding the rebellion, persons who engaged in destruction of commerce on the high seas or in raids from Canada, voluntary participants in the rebellion who had property valued at more than \$20,000, and persons who had broken the oath taken under the provisions of the proclamation of December 8, 1863."¹⁶ Like his predecessor, Johnson offered a special amnesty to all those excluded from the general amnesty who wished to apply for it.

Johnson's subsequent Amnesty Proclamations issued 07 September 1867, 04 July 1868 and 25 December 1868. Johnson left only three groups excluded from his second proclamation: "the President, Vice-President, heads of departments, foreign agents, those above the army rank of brigadier general and naval rank of captain, and the governors of the several Confederate States; all persons who in any way otherwise than as prisoners of war persons who in any capacity were employed in the military or naval service of the United States; and all who were actually in civil, military, or naval confinement, or

¹⁶ *The Papers of Andrew Johnson, Volume 8: May – August 1865*, 128-130.

legally held to bail either before or after conviction...”¹⁷ This proclamation left approximately 300 former Confederates still required to request a pardon.¹⁸

Johnson issued the third and fourth amnesty proclamations in quick succession. The third left only a handful of the highest members of the former Confederacy seeking pardons. Among them were Jefferson Davis and Robert E. Lee. Congress was considering both of these men for trial on the charge of treason. So far Congress had not convicted any Confederates of treason and doing so was certainly against the amiable policy of clemency and smooth reconstruction that both Lincoln and Johnson had implemented to this point. Finally on Christmas Day 1868, Johnson issued his fourth Amnesty Proclamation granting clemency “unconditionally and without reservation” to all former Confederates.¹⁹

Whereas leading scholars Foner, Dorris and McKittrick agree that Johnson was liberal in his issuing of pardons, Foner describes it as “amazingly lenient,”²⁰ this paper will show that this line of thinking only appears to be true. A close analysis of the applications will show that Johnson’s policy was calculated and miserly towards a select group of former Confederates.

When asked about how best to deal with the rebellious South, Johnson replied, “Treason is a crime and must be made odious.”²¹ Author Eric L. McKittrick adds, however, that Johnson’s ideas about treason were individual in nature. Prior to the

¹⁷ Dorris, 343.

¹⁸ Ferrell, *Case Files*.

¹⁹ Dorris, 343; Ferrell, *Case Files*.

²⁰ Foner, 190.

²¹ McKittrick, 145.

outbreak of war, Johnson, a strong supporter of States Rights, opposed the right of a State to secede from the Union. The crime, in his opinion, was an individual one and not one that the institution of the State could or should be held accountable for. If secession was not a right of the States, then it never legally took place and the war was nothing more than the rebellious activity of individuals, wealthy individuals according to Johnson.²² A defender of the common man, Johnson informed a delegation of Virginians in 1865, “You know perfectly well it was the wealthy men of the South who dragooned the people into Secession.”²³

Johnson’s additional exclusions from amnesty outlined in his Amnesty Policy of 29 May 1865, particularly the 13th exclusion, gave him the leverage he needed to deal with the wealthy men of the South who “dragooned the people into secession,” his long time enemy; the wealthy (industrialists and the planter class). The 13th exclusion from the amnesty offered by Johnson included “all persons who voluntarily participated in the rebellion, & the estimated value of taxable property is over \$20,000.”²⁴ Publicly, Johnson’s Amnesty promised “...clemency will be liberally extended as may be consistent with the facts of the case and the peace and dignity of the United States.”²⁵ Privately, however, Johnson spoke of amnesty, particularly of the wealthy, in an entirely different tone.

The excellence of mercy and charity in a national trouble like ours ought not to be undervalued. Such feelings should be fondly cherished and studiously cultivated. When brought into action they should be

²² Eric Foner, 176-179.

²³ McKittrick, 139-140.

²⁴ *The Papers of Andrew Johnson, Volume 8: May – August 1865*, 128-130.

²⁵ *Ibid.*

generously but wisely indulged. Like all the great, necessary, and useful powers in nature or in government, harm may come of their improvident use, and perils which seem past may be renewed, and other and new dangers be precipitated. But by a too extended, thoughtless, or unwise kindness the man or the government may warm to life an adder that will requite that kindness by a fatal sting from a poisonous fang.²⁶

The appointment of Provisional Governor Holden in North Carolina, a Unionist and a radical, was a good indication that while he openly embraced a generous peace, he had no intentions of allowing the wealthy class to warm to life once again before a stable Unionist government was up and running.

Despite having signed the Craige's Secession Proclamation in 1861, Holden was before and remained after the Civil War a Unionist. He used his influence as editor of the *Standard*, a Raleigh newspaper, to campaign for the Democratic Party and preservation of the Union. Having opposed for so long, prior to and during the rebellion, the Confederate supporters and sympathizers, Holden was the perfect man to identify those with "poisonous fangs."²⁷

President Johnson charged Holden with the task of reestablishing a working government in North Carolina at the earliest convenience. In his proclamation for establishing this government, he outlined that loyal people of the State should be given the power to "restore said State to its constitutional relations to the Federal government, and to present such a republican form of State government as will entitle the State to the guarantee of the United States against invasion, insurrection, and domestic violence..."²⁸

²⁶ U.S. Presidential Clemency Board, 1975, in Kathleen Dean Moore, *Pardons: Justice, Mercy, and the Public Interest* (New York: Oxford University Press, 1989), 52.

²⁷ William C. Harris, *William Woods Holden: Firebrand of North Carolina Politics* (Baton Rouge: Louisiana State University Press, 1987), 83-106.

²⁸ *The Papers of Andrew Johnson, Volume 8: May – August 1865*, 137.

Johnson further defined loyal people of the state to be those who had taken the amnesty oath and received pardon as prescribed in his proclamation of 29 May 1865, and a qualified voter under North Carolina law prior to secession on 20 May 1861.²⁹ This definition of loyal people gave the Provisional Governor plenty of power when recommending and not recommending pardons to shape the face of the new North Carolina government.

Governor Holden did not act completely at his own discretion. He was appointed by a President who held a strong distrust and dislike of the southern planter and wealthy class and who had an agenda for reconstructing the nation without their assistance. Foner describes the goal of Johnson's agenda as "breaking the political and economic hegemony of the "slaveocracy" and establishing the ascendancy of the South's Unionist yeomanry."³⁰ Johnson made no effort to hide this agenda when he added the 13th exception to his Amnesty Proclamation. The fact that applicants from this exception account for approximately one-fourth of the total applicants but one-half of the suspensions is evidence that Governor Holden understood his task.³¹

Holden understood the role assigned to him by President Johnson. In a letter to the President in June 1865 he assured the President that he is "exercising care and caution" when recommending pardons and that he will "endeavor in each case to inform you [President Johnson] as to the particular character of the applicant."³² To ensure care

²⁹ Ibid.

³⁰ Foner, 183.

³¹ *Case Files*.

³² William W. Holden to Andrew Johnson, 26 June 1865, *The Papers of Andrew Johnson, Volume 8: May – August 1865*, 294.

and caution was taken, Holden required one provision above and beyond those outlined by Johnson in his proclamations. Holden required that the applicants be penitent and remorseful for their participation in the former Confederacy.³³ Of course the decision as to whether an applicant was or was not penitent rested solely with Holden. This was a very powerful tool for Holden (and Johnson) to keep the influential but hated wealthy class at bay while the pro-Unionists established a government that was favorable to Reconstruction. As long as the former secessionists and politically ambitious wealthy planters and industrialists were denied pardons, they were denied a role in the creation of (or opposition to) and participation in that new government.

In North Carolina, 1,984 former confederates requested pardons under the provisions of President Johnson's amnesty proclamation. Governor Holden received these applications in Raleigh. He then reviewed each case individually before making his recommendations to the President. In August of 1865, Governor Holden prepared North Carolina for the election of delegates to the state convention that was scheduled for the following month. As the time for elections grew nearer, Holden assured the President that many of the "oligarchs were still unsubdued" and that the best course of action would be to hold their pardons in suspense, preventing them from voting or being elected to office for at least a year. Holden reasoned, "A firm, discreet use of the pardoning power and the patronage of the government will contribute greatly to keep them down, and thus preserve tranquility and order in the State."³⁴ As a result, Holden forwarded 290 pardon applications to the President and recommended that action on 40 of these

³³ Harris, 182.

³⁴ William W. Holden to Andrew Johnson, 24 July 1865, *The Papers of Andrew Johnson, Volume 8: May – August 1865*, 463-464.

applications be suspended. The President, at Holden's request, essentially pocketed the pardons until after the new government was established. A statistical analysis of every North Carolina application for pardon, comparing names and dates, shows that at least 25 of the 40 recommended suspensions were for applications filed under the 13th exception, perhaps as many as 35.³⁵

Further analysis shows that there were a total of 541 applications for pardon that fell under the 13th exception of the 29 May 1865 Amnesty Proclamation, more than 27 percent of the 1,984 applications received between 1865 and 1867. Holden recommended that 39 of these 541 applications, over 7 percent, be suspended. All of these men were wealthy planters, manufacturers, or industrialists with some influence prior to North Carolina's secession.³⁶ The remainder of the applicants was deemed unionists and "friends" to the new government. Their applications were processed expediently to "ensure their eligibility for election to the forthcoming state convention."³⁷ Holden's approach to restructuring the government appeared to be working as he informed President Johnson in a letter on 9 August 1865 that "These suspensions are having an excellent effect in enabling us to reorganize the government and I expect during the next month or two to add considerably to the list."³⁸

Not all of the applications for pardon came from the wealthiest of North Carolinians. 1,320 of the remaining 1,443 North Carolina applications (over 91 percent)

³⁵ *Case Files*, reel 37-43.

³⁶ *Ibid.*

³⁷ William W. Holden to Robert J. Powell, 15 August 1865, in Letterbook of Provisional Governor Holden; Dorris, *Pardon and Amnesty under Lincoln and Johnson*, 195.

³⁸ William W. Holden to Andrew Johnson, 9 August 1865, *The Papers of Andrew Johnson, Volume 8: May – August 1865*, 552.

were filed under the 1st exemption of the Amnesty Proclamation (Civil or diplomatic officers and domestic or foreign agents of the pretended Confederate government). These applications included postmasters, mail contractors, tax assessors and collectors. Letters accompanying the applications, always addressed to “His Excellency the President of the United States,” expressed unconditional loyalty to the Union. Often the applicants tell how they took the job to avoid conscription into the Confederate Army or as a means to provide for their families during a period when war was crippling the South’s economy.³⁹ Governor Holden recommended only 37 of these 1,320 applications for pardon, less than 3 percent, for suspension.

James B. Oates was one of the citizens who had to apply for pardon under the 1st exemption. He wrote to “his Excellency Andrew Johnson President of the United States” to plead his case. “The Petitioner James B. Oates a citizen of the County of Gaston in the State of N.C. aged thirty six years would respectfully state to your Excellency that he is Excluded from his Excellency Amnesty Proclamation by reason of having excepted the office of Post Master under the Confederate Government (so called) Petitioner would state to your Excellency that he only excepted the office for the benefit of the neighborhood Petitioner further states that he was opposed to the rebellion.”⁴⁰ Oates continues by confirming his loyalty to the Union and stating that he has taken the Amnesty Oath. His Pardon was recommended by Governor Holden and received from President Johnson on August 15, 1865. The entire process took just more than a month to complete.

³⁹ *Case Files*, reel 37-43.

⁴⁰ James B. Oates to Andrew Johnson, 10 July 1865, pardon application of James B. Oates, reel 41, *Case Files*.

George W. Logan, a member of the Rebel Congress petitioned for pardon under the first exception saying that he took the post to avoid serving in the rebel army. He maintained his devout loyalty to the Union. He described himself as a “Conservative Candidate for Congress of the so called Confederate States” who served in the first and second sessions of the second Congress. He swore an oath of allegiance to the Union on August 21, 1865, was recommended for pardon by Governor Holden on August 28, 1865 and expeditiously received his pardon on September 08, 1865. The entire process took him only eighteen days to complete.⁴¹

The overwhelming majority of applications like these were recommended for pardon without incident (only 37 of 1,443 recommended suspensions).⁴² When compared to the number of recommended suspensions from the 13th exception (39 of 541) it is clear that the wealthy were singled out and excluded by Holden and Johnson. One of the 37 men filing under the 1st exception that Governor Holden recommended for suspension was John A. Carter of Buncombe County. John Carter was a Rebel Postmaster and more importantly a Democrat. He admitted in his petition for pardon that he voted “right or wrong” with Southern Democrats in favor of secession. A man in opposition of the Unionist government, Carter did not receive his pardon until June 15, 1867.⁴³

Brigadier Generals captured in battle and held as POW’s somewhere in the North, Officers trained at West Point or the Naval Academy who retired their commission and

⁴¹ George W. Logan to Andrew Johnson, 21 August 1865, pardon application of George W. Logan, reel 40, *Case Files*.

⁴² *Case Files*, reel 37-43.

⁴³ John A. Carter to Andrew Johnson, 09 July 1865, pardon application of John A. Carter, reel 37, *Case Files*.

joined the rebellion, blockade-runners or those who were otherwise a supporter of the Confederacy also had little trouble receiving a recommendation for pardon. Despite a more active military role in the Confederacy, fewer had to apply for pardon because all but the highest ranks received amnesty. Comparatively fewer than those unfortunate rebels who never donned a uniform or took to the field of battle but happened to be worth more than \$20,000.⁴⁴ Brigadier General Rufus Barringer, for example, a commander of troops in the Confederate Army and a POW applied for pardon while in custody at Fort Delaware, DE.⁴⁵

Barringer's letter to the President stated that prior to the war he "a lawyer by profession have a family of three small children; &, prior to the war, had devoted myself almost exclusively to my profession, & to the Care of my household. Except twice a Member of the State legislature, in 1849 & 1851, I was never a Candidate in applicant for any public position. I was a Whig in politics (voting for Bell & Everett in 1860) was devotedly attached to the Union,..." He goes on to say that his estate lost all its value when the stocks and bonds North and South Carolina, Florida and Mississippi collapsed. He figured he was about \$6,000 in debt.⁴⁶ Brigadier General Barringer received his pardon on 26 October 1865.⁴⁷ In comparison, all but eight of the recommended suspensions from the 13th exception waited until at least 1866 (May or later in most

⁴⁴ Ibid.

⁴⁵ Pardon application of Rufus Barringer, reel 37, *Case Files*.

⁴⁶ Rufus Barringer to Andrew Johnson, 08 June 1865 and 14 June 1865, pardon application of Rufus Barringer, reel 37, *Case Files*.

⁴⁷ Pardon application of Rufus Barringer, reel 37, *Case Files*.

cases) to receive pardons. None of those recommendations came from Governor Holden but rather his replacement Governor Worth.⁴⁸

Another Rebel Brigadier General that petitioned President Johnson for a Pardon was Robert B. Vance the brother of Zebulon B. Vance. Vance wrote that he “felt it was his duty to go with his State; that he accordingly did so and joined heartily in the rebellion in the Southern States; that he served in the rebellious armies as a private, a Captain, a Colonel and a Brigadier General: that while he was active in the discharge of his official duties he always observed, strictly, the rules of civilized warfare; that he frequently voted at the popular elections; paid such taxes as were required of him and encouraged the rebellion by words;...”⁴⁹ In his recommendation for pardon Governor Holden was sure to point out that “Robert B. Vance is a very different man from Z. B. Vance. He is honest, has no political ambition, and is poor.”⁵⁰ President Johnson granted his pardon on August 21, 1865 just forty-four days after he applied and long before any rich man suspected of having political ambition.⁵¹

Ensuring that Unionists were elected to the North Carolina State Convention in September 1865 was not Johnson’s only motive for singling out the wealthy class. Agriculture, specifically wealthy planters, was classified in this category and therefore fell under the 13th exception. Their financial worth (property value) indicated that they owned the largest and most successful farms in the state. Prior to the secession and

⁴⁸ *Case Files*, reel 37-43.

⁴⁹ Robert B. Vance to Andrew Johnson, 08 July 1865, pardon application of Robert B. Vance, reel 43, *Case Files*.

⁵⁰ W. W. Holden to Andrew Johnson, 01 August 1865, pardon application of Robert B. Vance, reel 43, *Case Files*.

⁵¹ Pardon application of Robert B. Vance, reel 43, *Case Files*.

subsequent war, the 1860 census reported 67,022 farms in the State, 1,495 of them were 500 acres or larger and 311 of those were more than 1,000 acres. Confiscation of and redistribution of property throughout the State increased the total number of farms in North Carolina by nearly 30,000 to 93,574 by the 1870 census. The number of farms 500 acres or larger decreased from 1,495 to just 1,005 with only 116 being more than 1,000 acres. The only other category of farm size that decreased in number over the same time period was farms from 100-499 acres.⁵² Weldon Edwards, for example, was listed as a farmer on the 1860 census but was no longer a farmer in 1870.⁵³

Another group targeted by President Johnson's 13th exception were manufacturers and entrepreneurs. While requests for pardon kept both Johnson and Holden busy, they also kept them in complete control of who would and would not be punished and perhaps more importantly, how long they would be punished. Lately Thomas gives an example of Johnson's use of discretion. He recounts the story of three manufacturers from Virginia who visited President Johnson at the White House. They were seeking pardons so that they could reopen their businesses (presumably they were excluded under the \$20,000 clause). To their requests Johnson replied that he would rather leave them "where the law and their rebellion had placed them; new men had better go there and do

⁵² University of Virginia Geospatial and Statistical Data Center, *United States Historical Census Data Browser*, ONLINE, 1998, University of Virginia. Available: <http://fisher.lib.virginia.edu/census/>. [06 October 2003].

⁵³ *U.S. Census Population Schedules, 1860: Warren County, North Carolina*, University Microfilms T-7, reel 203, 549; *U.S. Census Population Schedules, 1870: Warren County, North Carolina*, National Archives Microfilm M593, reel 1164, 641.

the manufacturing.”⁵⁴ It is likely that by the time they received their pardons Unionists had already begun the manufacturing, leaving them no business to return to.

North Carolinians faced the same dilemma when they forwarded their requests for pardon to Governor Holden. If Holden deemed them not penitent enough, President Johnson, on the Governor’s recommendation, would likely suspend their pardons. Without a pardon, applicants did not enjoy the full privileges as citizens of the United States including voting, and establishing/conducting business and commerce within the Union. One such case is that of A. J. De Rosset of New Hanover County. A 58-year-old resident of Wilmington, DeRosset never fired a shot during the Civil War nor did he hold any public office in the Confederacy. His only offence being that he was worth more than \$20,000. Listed as a merchant by trade in the 1860 census⁵⁵, DeRosset’s application for pardon was originally recommended for suspension by Holden and carried out by Johnson on the 1st of August 1865. DeRosset, it seemed, would not be participating in the election of the new government.⁵⁶

Just more than a month later, a letter concerning DeRosset was forwarded to President Johnson from Governor Holden. The Wilmington and Weldon Rail Road of which DeRossett was involved had business in England that, according to Governor Holden, needed “immediate attention.” DeRossett was the best man for the job and had been selected as the agent to travel to England and take care of the “unsettled business.”

⁵⁴ Lately Thomas, *The First President Johnson: The Three Lives of the Seventeenth President of the United States of America* (New York: William Morrow and Company, 1968), 395.

⁵⁵ *U.S. Census Population Schedules, 1860: New Hanover County, North Carolina*, University Microfilms T-7, reel 201, 783.

⁵⁶ A. J. DeRosset to Andrew Johnson, 28 June 1865, pardon application of A. J. DeRossett, reel 38, *Case Files*.

Since his presence in England would be beneficial to the railroad, needed to reestablish transportation and trade routes, and since he would not physically be in North Carolina to vote, Governor Holden had a change of heart and requested an immediate pardon for DeRosset. “The Doctor was an original secessionist,” wrote Holden, “but he is known to be a worthy citizen and an honest man, and he has given all satisfactory evidences of friendly intentions to the National Government. Please render all the service you can in the speedy procuring of his Pardon.”⁵⁷ Able to provide a service to the governor, his intentions were no longer a cause for concern where just 37 days earlier DeRosset could not be trusted as a loyal citizen.

George W. Mordecai of Raleigh North Carolina, the former Depository of the Treasury of the Confederate States and former President of the Bank of North Carolina, went to Washington D. C. personally to inquire about his pardon. He originally applied in June of 1865 but had not received any word on the status of his request by August (six weeks later). In his petition directly to the President he explains that he no longer holds either of his two previous positions and received no compensation for them from the former Confederacy and has sworn the oath of allegiance. President Johnson, having not received the recommendation for suspension from Governor Holden and with Mordecai no longer holding any offices, granted the pardon on August 12, 1865.⁵⁸ The 1870

⁵⁷ William W. Holden to Robert J. Powell, 06 September 1865, pardon application of A. J. DeRossett, reel 38, *Case Files*.

⁵⁸ George W. Mordecai to Andrew Johnson, 11 August 1865, pardon application of George W. Mordecai, reel 41, *Case Files*.

census has George Mordecai listed as a farmer with taxable property valued at about \$100,000, down from \$400,000 in 1860.⁵⁹

Presidential Reconstruction in the South, at least on the surface, intended to bring back into the Union as peacefully as possible citizens of the former Confederate States. Furthermore it meant to reestablish a working Unionist government that could rebuild industry and commerce where the devastation of war had destroyed it. What Presidential Reconstruction did not intend was for the oligarchy of old to control the New South that was created. North Carolina Governor Jonathan Worth, Holden's successor, wrote "Gov. Holden abused The confidence of The President, as to recommending persons for pardons, in this. All his actions were shaped to bring about his election, by the people, as Governor."⁶⁰ What he did not realize is that Johnson, with his fourteen exceptions to the Amnesty Proclamation (especially the 13th) empowered Holden to exclude anyone who could potentially resist his Reconstruction Plan. President Johnson, with the assistance of Governor Holden, was very careful not to "warm to life an adder that would requite his kindness by a fatal sting from its poisonous fang," systematically delayed the pardoning of the men they felt most capable of delivering such a sting.

⁵⁹ *U.S. Census Population Schedules, 1860: Wake County, North Carolina*, National Archives Microfilms T-7, reel 203, 145; *U.S. Census Population Schedules, 1870: Wake County, North Carolina*, National Archives Microfilm M593, reel 1164, 299.

⁶⁰ Jonathan Worth to Andrew Johnson, 23 June 1865, pardon application of Robert R. Bridgers, reel 37, *Case Files*.

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