

DISAFFECTION IN MADISON COUNTY BEFORE AND DURING THE CIVIL WAR

By Sarah Etheline Bounds

The election of Abraham Lincoln was the decisive factor in turning a majority of the people of Alabama in favor of secession. Public opinion in North Alabama, however, was strongly opposed to such action. According to Clement Claiborne Clay, then a current United States Senator from Alabama, "Huntsville is the center of disaffection".¹ Also, Walter L. Fleming, the foremost authority on Alabama during the Civil War and Reconstruction period, identifies four of the five prominent Alabama unionists as having lived in Huntsville.²

Since there were a number of disaffected elements, a rather detailed definition of these groups is necessary for an understanding of the subject. Secessionists wanted immediate and separate secession of Alabama, regardless of the

action in the other southern states. The opponents of secession were the cooperationists, who were divided into three categories. Some cooperationists wanted the cooperation of the southern states within the Union to force their rights from the central government. Others desired an agreement of the southern states within the Union before seceding to form a Confederacy, while the third class advocated a clear understanding among the southern states before secession.³ Briefly, the cooperationists were opposed to immediate secession. After secession, the cooperationists were unfriendly toward the Confederate administration, but the majority were loyal to the southern cause. The future Peace Party and Peace Society of Alabama were to arise from the cooperationist opposition to



the Confederate government.

Another form of rebellious opposition in Alabama was the unionists or tories. Before secession the term unionist had a very broad meaning, but later it simply included all those who rebelled against or were hostile to the authority of the Confederacy. The unionists joined the army deserters and Peace Societies to obtain their goal of restoration in the Union.⁴

The strong cooperative feeling in North Alabama has often been credited to a firm attachment and loyalty to the Union. Other more concrete and direct reasons, however, fostered the idea of remaining in the Union. The most likely cause was the relationship of Alabama to Tennessee. Geographically and economically, North Alabama belonged to Tennessee rather than to Alabama. In this position North Alabama would certainly suffer a great hardship if secession were by separate action. Since the prospect of immediate

secession in Tennessee was slight, the products of North Alabama might have to be marketed in a foreign country.

Treaty arrangements for the regulation of commerce or the return of fugitive slaves could not be made between an independent Alabama and the state of Tennessee.⁵

In addition, a strong sectional feeling within Alabama had grown for the previous twenty years. Public matters favorable to one section were usually opposed by the other. Since the legislature was under the control of South Alabama, North Alabama was seldom given any aid to develop its resources or to aid its railroad, banking, or educational facilities. The people of North Alabama generally believed little benefit came from being a part of Alabama. On the contrary, Tennessee was greatly improving and advancing the conditions of their state and indirectly those of North Alabama.⁶

Since the cooperationists were the majority group in North Alabama, all the counties of the Tennessee



Valley were well assured for them. It was felt, however, that the counties' sentiment south of the hill counties would probably change the majority of the state for secession. The cooperationists opened their campaign for the Secession Convention scheduled to meet in Montgomery on January 7, 1861 by issuing a circular letter from Huntsville dated November 19, 1860. The letter called for a southern convention to consolidate the South into a united front instead of separate state action. The letter, composed by Jeremiah Clemens, the leading cooperationist of North Alabama, was signed by one hundred prominent citizens of Huntsville and was widely distributed and printed in sympathetic newspapers throughout the state.⁷

Clemens also carried on a correspondence with United States Senator J. J. Crittenden of Kentucky. He explained to Crittenden that his object for urging a consultation of all the southern states was "to

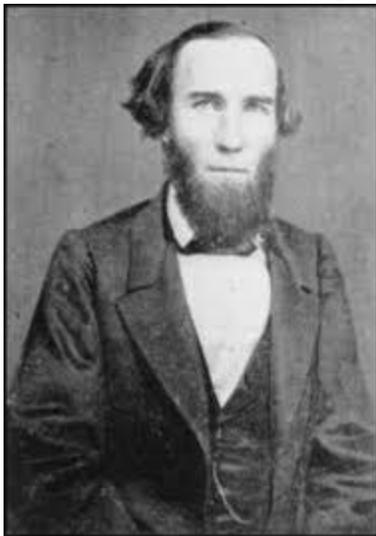
gain time to reach the popular ears". He said, "There is not a shadow of a doubt that if the election was held tomorrow two-thirds of the members would be for immediate secession. Time is everything to us and if we fail to gain that we are lost".⁸

On December 8, 1860, the cooperationists of Madison County chose Jeremiah Clemens and Nicholas Davis as their candidates to the convention. They adopted a series of resolutions repeating the views and plans set forth in the Clemens circular letter. The large number of demands regarding slavery were probably included in these resolutions to mislead the people into postponing secession. The resolution requiring that the action of the convention be referred to a direct vote of the people certainly voiced the sentiments of most North Alabamians.⁹

The local secessionist convention on December 10, 1860, chose George P. Beirne and M. P. Roberts as



candidates. General LeRoy P. Walker, one of the most prominent Alabama secessionists, was asking to oppose the cooperationists. He refused, however, stating as his reasons the intense local bitterness toward his candidacy and the certainty that Alabama would secede in any case. Actually, Walker declined so he would be in a better position to reconcile his opponents after secession. The resolutions adopted at this meeting favored separate state secession but differed in one respect



Leroy Pope Walker
*(complements of
Wikipedia)*

from the secessionists in

Central and South Alabama. One resolution called for the direct approval by the electorate of any agreements made at the convention.¹⁰ Thus, both secessionists and cooperationists of North Alabama desired a popular vote on the decisions of the forthcoming convention.

The state-wide election of delegates was held on Monday, December 24, 1860. Voting was slight, probably because the election was more a conflict over principle rather than a conflict among personalities. Of the one hundred delegates elected, fifty-four were secessionists and forty-six were cooperationists.¹¹ As expected, the central and southern counties sent secessionists, while the northern counties selected cooperationist delegates. In Madison County, the cooperationist vote represented 70 to 80 percent of the total ballots. The cooperationists candidates, Jeremiah Clemens and Nicholas Davis, received an overwhelming vote with the



count of 1487 and 1480 respectively. G. P. Beirne and M. P. Roberts, the secessionist candidates, secured votes of only 404 and 371.¹²

The able speaking team of Clemens and Davis lead the minority cooperatives in the Secession Convention battle. The fight was lost from the beginning, but the cooperationists hoped for delay so that compromises might be given every chance. After the Ordinance of Secession passed, Clemens changed his vote and advised other cooperationists to do the same. He said he realized that this would be regarded as an act of treason, but he was willing to share the perils of the coming revolution in the defense of his native state.¹³ Considering his tactics in later years, Clemens probably saw the tide of popular thought and took this move to gain high military or political fortunes for himself.

Although its delegates avowed support, North Alabama was not pleased with the work of the

convention, especially since a popular referendum was not allowed. The United States flag continued to fly over the Court House in Athens and Huntsville. At a public meeting in Huntsville, Joseph C. Bradley praised the Union, saying that he would “have his neck stretched three feet and spend his money to the last dollar” before he would consent to the destruction of the Union.¹⁴

With economic ties toward Tennessee and sectional jealousy toward South Alabama, the past chatter of forming a new state became an active idea under the pressure of secession. Many people wanted to withdraw the northern counties of Alabama and unite with the counties of east Tennessee and northeast Georgia to form a new state. Nickajack; an Indian name common in East Tennessee, was to be the name of the new state. Such contemplated action of seceding from secession would mean rebellion and civil war. Lacking the



support of politicians and the appearance of leaders, the plan was abandoned after the Lincoln proclamation of April 15, 1861. The outbreak of war crushed the organized resistance in its infancy.¹⁵

The Gilchrist story revealed during the war will illustrate the state of affairs in February and March of 1861. According to the story, J. G. Gilchrist, of Montgomery County, went to the first Confederate Secretary of War, LeRoy P. Walker, urging him to begin the hostilities by firing on Fort Sumter. Gilchrist argued that unless blood was shed the people of Alabama would be back in the Union within ten days.¹⁶

North Alabama seemed to present a solid front for the Confederacy after Lincoln's call for volunteers. During the winter of 1861-1862, John W. DuBose of the Black Belt traveled extensively in the northern counties as a Confederate recruiting officer, and reported finding all the men loyal to the Confederacy.¹⁷ Discontented persons

caused no trouble during the first months of war because only the loyal were needed for the fighting. When the Confederate Congress began to discuss conscription, however, unionists and others began to organize for self-protection and harassment.¹⁸

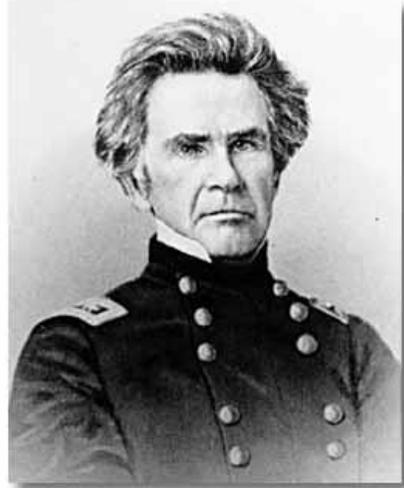
The invasion of North Alabama by the Federals early in 1862 increased the discontent and disaffection. The Tennessee Valley was left open to Union penetration after the fall of Fort Donelson on February 16, 1862, and the Confederate retreat to Corinth, Mississippi. On April 11, 1862, General O. M. Mitchell entered Huntsville and his subordinates occupied other North Alabama towns. Protected by the Federals, the disloyal began some activity against the Confederacy. It may have been at this time, or at least soon after, that the Peace Society was organized within the Federal lines and probably at the suggestion of the Federals.¹⁹



After General Mitchell had remained several months, however, he reported that few Union men could be found in or near Huntsville.²⁰ The Federals stated that the people favored the Union and opposed the Confederacy, but many feared a “reign of terror” so badly that they were “afraid of their own shadows”.²¹ Some Union leaders, however, soon appeared and became very active. The four most prominent unionists from Huntsville were Jeremiah Clemens, George W. Lane, David P. Lewis, and David C. Humphreys.

Clemens, although appointed commander of the Alabama militia, became disloyal within less than a year of fighting. As the representative of North Alabama unionist, he went to Washington to obtain a plan for southern restoration, but he was advised by E. M. Stanton, Secretary of War, to use his influence for the Union at home. Clemens was such a hated deserter that he was forced to spend much of his

time within the safety of the Union lines. His former neighbors and friends gave him the nickname “Arch Traitor”.²²



General O.M. Mitchell
(complements of Wikipedia)

Lane never recognized secession and was always an outspoken unionist. He was appointed United States district judge by Lincoln, but was never able to exercise its functions.²³ General Mitchell recommended Lane to the position of military governor of Alabama, believing the appointment would satisfy the residents of both Huntsville and North Alabama. In giving the recommendations to



Stanton, Mitchell said, “Lane has never swerved from the path of strict duty and loyalty, and whose tattooed and faded flag still waves from the staff to which he nailed it on his house top in sight of my camp”.²⁴

Lewis voted against secession, but signed the Ordinance. He was elected to the Provisional Congress and in 1863 was appointed circuit judge by the governor. He held this position for only a few months before deserting to the federals. Lewis later became a Radical governor to the Federals. Lewis later became a Radical governor of Alabama, serving from 1872 to 1874.²⁵

The other prominent unionist of Huntsville, Judge Humphreys, had represented Morgan and Madison Counties in the Alabama legislature, had opposed secession, but had entered the Confederate service. He was arrested on a charge of disloyalty and later released by order of the Confederate War Department in Richmond. During the remaining

months of the war, he organized Union meetings in North Alabama. Judge Humphreys made anti-Confederate and strong Union speeches, submitted elaborate plans for immediate return to the Union, and called upon the governor to hold a convention to consider his plans. After the surrender he allied himself with the Republicans, became a member of the first carpetbag legislature in Alabama, and finally judge of the Supreme Court of the District of Columbia.²⁶

Of these men of position and influence, Judge Lane is the only one whose loyalty remained constant. He was faithful to the Union from first to last. The other were erratic persons who changed sides for personal and property reasons. This work, however, encouraged and assured other people of the region. By late 1862, Huntsville was regarded as “the place where Union feeling most prevailed”²⁷ and the city was credited with setting the tone of political sentiment in North Alabama.



The Confederate war spirit declined and disaffection increased after 1863. The reasons for these changes in feeling are varied and complex. Defeatism, though not known by this term, undermined and drew strength from the South. The enthusiasm of 1861 was dying or at least was chilling to the war effort.²⁸ Confidence in the Confederacy diminished because of failures in the field, especially Vicksburg and Gettysburg. Many saw the hopelessness of the southern cause and dreaded the useless sacrifices of a continued war. Not only the disloyal, but the loyal as well, began to urge peace. Men refused to go into service, and desertions from the army increased.

Desertion not only weakened the manpower of the Confederacy, but also lowered the morale of the people. Poverty in the families of the soldiers was regarded as the chief cause for desertion. The unusual amount of poverty in the northern counties was

caused by the severe drought of 1862, the invasion and occupation by Federals, and the lack of able men for labor. Beginning in 1861 the government aided needy families when the breadwinner was away in the army. Such aid was given to twenty-two per cent of the total Madison County population in 1863.²⁹

Impressment, conscription, and the suspension of the writ of habeas corpus were other causes of increased disaffection. Impressment of supplies added to the bitterness and want of the Confederate people. While impressment was necessary, it was often harsh and distressing to those whose goods were taken. The conscription law was naturally unpopular because the ones forced into service were exactly those who cared little for the war.³⁰

Finally, open hostility toward Jefferson Davis and his administration destroyed confidence in the president and his policies. To make matters worse,



this strong attack on Confederate policy was from a large number of public men in the South. Confederate failures turned public opinion to finding fault and searching for scapegoats. The growing idea of government favoritism toward the planters over the small farmer and backwoodsman was particularly stressed.³¹

Such dissatisfaction stimulated the formation of numerous semi-political secret organizations known as the Peace Party or the Peace Society. Although having certain minor differences, the general features of the society were common throughout the state. Alabama consisted of at least three areas of concentration. One area was found in the counties of southeast Alabama, the largest in area was in the nine northern hill and mountain counties, and the third region was in the four counties north of the Tennessee River.³²

The purpose of the Peace Society, as the name implies, was to bring peace by submission to the

Federal government. Many methods were used, but all of them ultimately let to one main purpose. The leaders tried to make use of all types of disaffection. Ignorant or loyal men were told that the object was to secure a change in government officials. To true disloyalists the aim was peace at any price, encouraging desertion and rebellion in the army, destroying the loyalty of citizens, and taking the state back into the Union on any terms. With thoughts toward ending the war, the members committed themselves to overthrow the Confederate government by electing men who would abolish the offices which they held. They were pledged to the destruction of the army by resisting conscription, by encouraging desertion, and by protecting deserters from arrest. This last policy was stressed in the four northern counties because of the nearness to the Federal army and because deserters did not readily collect in the area.³³



The number of Peace Society members is difficult to estimate, but it possibly included about one-half of the active men left in the state.³⁴ Most members came from the poorer classes of the population with only limited experience in public affairs. Such men also became the leaders of the Society because the ablest public men were away fighting in the war. The Peace Society contained some men of ability and influence, but the majority were timid stay-at-homes.

Investigations by agents of the Confederate army revealed that the Peace Society included lawyers, preachers, justices of the peace, members of the legislature, enrollment and conscription officers, members of boards of surgeons, men and officers in the county reserves, and officers in camps of instruction. Few members came from army and then only late in the war. The true soldier despised the Peace Society and its members. The members of the Peace Society may

generally be described as the doubting, despondent and dissatisfied.³⁵

The Peace Society had no written constitution, kept no written records, elected no officers and held no regular meetings. "Eminents", men who were well informed in the sign, obligations and passwords, went over the country giving the degree. The "eminents" told the initiate the names of a few members in the area, but each initiate was really independent and isolated from other members. Since formal meetings were not held, evidence against the order was extremely difficult to obtain. It was "a society without officers, a community without members".³⁶

One means of encouraging peace was to constantly recall the difficulties of the Confederacy. Lack of the necessities of life, a chaotic currency, and military defeats and invasion were problems most often cited. Dissatisfaction with the Confederate and state administration in military



and civil policies inspired plans of replacing secession officials with peace men. The Peace Party had good prospects in this plan because most of the members were at home. The organization, therefore, influenced elections far beyond the total number of legal voters.³⁷

The first considerable success of the Peace Society was in the election of August 1863, notably in the election of members to the Confederate Congress. Of the twelve members from Alabama, six favored reconstruction. In some counties a number of publicly unknown men were elected to the state legislature and to other offices. The election revealed such great disaffection that the work of the secret society became widely known.³⁸

Encouraged by the victories in the election of 1863, the Peace Party continued its activities during 1864 and 1865. It elected many men to local offices, gained control of the government in several counties in North Alabama,

and expected to elect a governor in 1865. Public meetings were held for passing resolutions for peace and making plans for reconstruction.³⁹

Backed mainly by the dissatisfied property holders who were afraid of confiscation, the unionists and the Peace Society organized a party in early 1864 called the State Rights Party. This name, or Reconstruction Party, were the designated names of the late peace efforts. Most of the new advocates for reconstruction had been Douglas or Bell men in 1869.⁴⁰

The States Rights Party held reconstruction meetings in Huntsville on March 5, 1864, and another about a week later. The object of the meetings was to obtain peace which would thereby restore civil government and law and order. Although the meetings were held under the protection and encouragement of the Union authorities, attendance was slight. Young men were absent because they were in the



army. Of those present, all were over forty-five and all were concerned for their property. Jeremiah Clemens presided; this being one of his last political efforts before his death. Resolutions were adopted which acknowledged the hopelessness of secession and advised a return to the Union. A longer war was said to be dangerous to the liberties of the people and the restoration of civil government. Other resolutions professed devotion and loyalty to the United States and denied the legality of secession because the Ordinance had not been submitted to the people for their ratification or rejection. It should be noted that nearly all the objections to secession were based on the narrow grounds of the legality of the method. There was no denial of the principle of secession, nor of the fact that most of the people were in perfect agreement with the secession policy.⁴¹

Both Clemens and David C. Humphreys delivered speeches at these meetings

which became widely known over the entire country. The addresses were printed and distributed throughout Alabama with the assistance of Federal officials. Some women loyal to the Confederacy, however, seized a number of packages containing the speeches and threw them into the Tennessee River.⁴²

Clemens told the people that they had been hurried into the revolution by falsehoods, frauds, and crimes. An example of such lies was that secession was necessary to save slavery. The previously mentioned Gilchrist story was then told for the first time. Clemens ask the governor to call the legislature to provide for the restoration of peace and for the rights and liberties of the people. Even though there had been some fear of Confederate success, Clemens said in closing, "Thank God there is now no prospect of it succeeding".⁴³

The speech by Humphreys was mainly a plan for slavery and reconstruction.



Slavery, he stated, was dead. By submitting to Federal authority, gradual freedom for the Negroes could be secured. He expressed confidence in the conservatism of the North and urged that secession be revoked so the control of Negro labor might have the protection of an effective government. By returning to the Union, the people would have political cooperation to gain control of Negro labor and as long as they pleased to abolish slavery. The right to regulate the labor question would be given to Alabama by the United States government. "There is really no difference, in my opinion", he said, "whether we hold them as slaves or obtain their labor by some other method. Of course, we prefer the old method. But that is not the question".⁴⁴

Similar to the plea by Clemens, Humphreys ask the governor to call a convention to reunite Alabama with the Union. Such action from the governor, he conceded very improbable. The refusal would, however, be an

excuse for the independent action in North Alabama and for a movement toward setting up a new state government. The peace elements expected to win the August elections and elect as governor either J. C. Bradley of Huntsville or M. J. Bulger of Tallapoosa. The plan was to have the newly elected administration take charge at once instead of waiting for the inauguration in November.⁴⁵

Despite the discontent of many people and the increasing hardships and privations caused by war and by occupation forces, a majority of the Huntsville citizens carried on the fight until the surrender. The strength of the disaffection in North Alabama was probably exaggerated by the reports of both Union and Confederate authorities. There was never much true loyalty to the United States. Some people were quite indifferent. They wanted the stronger side to win as soon as possible and leave them and their property in safety. Other people were



discontented. They had supported the Confederacy for awhile, but for various reasons had fallen away and now wanted peace and reunion. The disaffected faction was a minority, but a substantial and active

minority which definitely made itself heard and thus, to a degree, served its purpose.



¹ Edward Chambers Betts, Early History of Huntsville, Alabama, 1804-1870

(Montgomery: Brown Printing Company, 1916) 97.

² Walter L. Fleming, Civil War and Reconstruction in Alabama (New York: Columbia University Press, 1905) 124-127.

³ Betts, Early History. 93; Fleming, Civil War. 28.

⁴ Fleming, Civil War. 108, 112.

⁵ Southern Advocate. December 5, 1860.

⁶ Ibid.

⁷ Clarence Phillips Denman, The Secession Movement in Alabama (Montgomery: Alabama State Department of Archives and History, 1933) 104-105.

⁸ Jeremiah Clemens to J. J. Crittenden, November 24, 1860, Crittenden Collection, Library of Congress. Reprinted in Malcolm C. McMillan, The Alabama Confederate Reader (University, Alabama; University of Alabama Press, 1963) 13-14.

⁹ Denman, Secession Movement. 108.

¹⁰ Southern Advocate. December 19, 1860.

¹¹ Ibid., December 26, 1860; Denman, Secession Movement, 164.

¹² Southern Advocate. December 26, 1860; Denman, Secession Movement. 164.

¹³ Denman, Secession Movement. 143.

¹⁴ Albert B. Moore, History of Alabama (University, Alabama: Alabama Book Store, 1934) 421.

¹⁵ Ibid. 417; Fleming, Civil War, 111.

¹⁶ New York Times, March 24, 1864; Walter L. Fleming, "The Peace Movement in Alabama During the Civil War I. Party Politics, 1861-1864". South Atlantic Quarterly, II (April, 1903) 123.

¹⁷ Moore, Alabama, 427.

¹⁸ Georgia Lee Tatum, Disloyalty in the Confederacy (Chapel Hill: University of North Carolina Press, 1934) 54.

¹⁹ Ibid., 26, 55.

²⁰ The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies (Washington: Government Printing Office, 1880-1901) ser. I, vol. X, pt. II, 638.

²¹ Tatum, Disloyalty. 54.

²² Official Records. ser. I, vol. X, pt. II, 167, 174, 178; Betts, Early History, 100.

²³ Willis Brewer, Alabama: Her History, Resources, War Record, and Public Men. From 1540 to 1872 (Montgomery, Alabama: Barrett and Brown, 1872) 364.



²⁴ Official Records, ser. I, vol. X, pt. II, 161-163.

²⁵ Brewer, Alabama, 368.

²⁶ Fleming, Civil War, 127, 143-145, 404; Betts, Early History, 102.

²⁷ Official Records, ser. IV, vol. II, 141-142.

²⁸ Frank L. Owsley, "Defeatism in the Confederacy", North Carolina Historical Review, III (July, 1926) 446.

²⁹ Bessie Martin, Desertion of Alabama Troops from the Confederate Army: A Study in Sectionalism (New York: Columbia University Press, 1932) 134.

³⁰ Owsley, "Defeatism in the Confederacy", North Carolina Historical Review, 449; Fleming, "The Peace Movement in Alabama During the Civil War I. Party Politics, 1861-1864", South Atlantic Quarterly, 116-117.

³¹ Walter L. Fleming, "The Peace Movement in Alabama II. The Peace Society, 1863-1865", South Atlantic Quarterly, II (July, 1903) 247; Owsley, "Defeatism in the Confederacy", North Carolina Historical Review, 450.

³² Fleming, Civil War, 141-142; Martin, Desertion, 115; Fleming, "The Peace Movement in Alabama II. The Peace Society, 1863-1865", South Atlantic Quarterly, 247-256.

³³ Owsley, "Defeatism in the Confederacy". North Carolina Historical Review, 454; Fleming, "The Peace Movement in Alabama II. The Peace Society, 1863-1865", South Atlantic Quarterly, 256; Martin, Desertion, 115.

³⁴ Fleming, Civil War, 138.

³⁵ Official Records, ser. I, vol. XXVI, pt. II, 556; Brewer, Alabama, 671; Martin, Desertion, 116, 108; Fleming, Civil War, 142.

³⁶ Fleming, "The Peace Movement in Alabama II. The Peace Society, 1863-1865", South Atlantic Quarterly, 256; Martin, Desertion, 114.

³⁷ Martin, Desertion, 113; Fleming, Civil War, 135.

³⁸ Official Records. Ser. IV, vol. II, 726.

³⁹ Fleming, "The Peace Movement in Alabama II. The Peace Society, 1863-1865", South Atlantic Quarterly, 257.

⁴⁰ Huntsville (Alabama) Times, Sesquicentennial Issue, 1955.

⁴¹ New York Times, March 24, 1864; Fleming, "The Peace Movement in Alabama During the Civil War I. Party Politics, 1861-1864". South Atlantic Quarterly, 122-124; Huntsville (Alabama) Times, Sesquicentennial Issue, 1955.

⁴² Fleming, "The Peace Movement in Alabama During the Civil War I. Party Politics, 1861-1864", South Atlantic Quarterly, 122.

⁴³ New York Times, March 24, 1864.

⁴⁴ Huntsville (Alabama) Times, Sesquicentennial Issue, 1955; Fleming, "The Peace Movement in Alabama During the Civil War I. Party Politics, 1861-1864", South Atlantic Quarterly, 122-123.

⁴⁵ Ibid., 124; Fleming, "The Peace Movement in Alabama During the Civil War II. The Peace Society, 1863-1865", South Atlantic Quarterly, 257.

