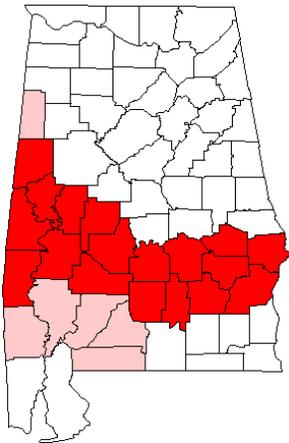


## The Free State of Winston

When Alabama seceded from the Union, the citizens of Winston County declared their intent to remain neutral, earning themselves a reputation that endures in the nickname, “the Free State of Winston.” What was that all about?

Settlement of Alabama followed navigable rivers: the Tennessee, the Alabama, and the Tombigbee. In 1860 there were just under 1 million Alabamians, some 55% free and the rest slave.<sup>1</sup> Most were spread along these vital rivers. As described by John Sledge, “Fewer than 50,000 [free or slave] resided in towns. In fact, only seven cities were listed in the 1860 census—Florence, Huntsville, Jacksonville, Marion, Montgomery, Selma, and Mobile. By far, Alabamians were a rural people, their world the plantation and farm...Slaves could be found in every corner of the state, but unsurprisingly their numbers were concentrated on the best farmland... Slave numbers in the hill counties... like St. Clair and Winston, were fine. Black Belt total were staggering by comparison. Dallas, Marengo, and Greene Counties all counted significant slave majorities, approaching 80 percent. Isolated Alabama River planters and their families lived in a sea of black humanity and, as secession loomed, keenly felt their vulnerability.”<sup>2</sup>



Alabama’s Black Belt region is part of a larger, geographical Black Belt region that stretches from Texas to Virginia. Originally, the term referred to the exceptionally fertile black soil that encouraged early pioneers in the 1800s and 1830s to settle Alabama and construct a network of cotton plantations that supported half of Alabama’s enslaved population. During this time, the Black Belt was one of the wealthiest and most politically powerful regions in the United States, and in Alabama its commerce elevated Montgomery, Selma, and Cahaba into some of the most affluent towns in the nation. Counties highlighted in red are historically considered part of the Black Belt region. Counties highlighted in pink are sometimes considered part of the region.

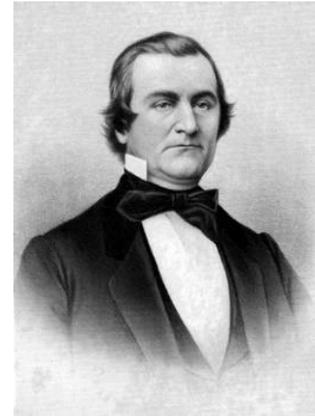


*Standing in front of the Winston County Courthouse in Double Springs is the statue "Dual Destiny" depicting a half Union and half Confederate soldier.*

Slave owners in Alabama were always a small percent of the state’s population, yet they had the loudest political voice since slaves by far were the single largest financial asset of property, constituting almost 50% of the total wealth of the South in 1860.<sup>3</sup> “In Alabama, 33,730 slaveholders had a direct, economic stake in keeping the 437,271 slaves working to produce 42 percent of Alabama’s 1860 per capita income. In addition... some nonslaveholders shared this economic tie to slavery... their families – the learned professions, the lawyer, the doctor, preacher, teacher, editor, merchant, mechanic – all professions, trades, and employments, because the slave agricultural interest, the only one developed,

paid them incomes, and they gave to the towering monopoly their allegiance.”<sup>4</sup> Some two-thirds of Alabamians in 1860 did not own slaves or live in the household with a slave owner, and they composed a majority of Alabama’s 113,871 voting age white population.<sup>5</sup> Winston County in 1860 was one of the freest of counties in Alabama, in terms both of actual number of slaves and the percentage of total county population.<sup>6</sup> Still, since most of the state’s slaves and thus most of the state’s wealth was in the Black Belt, as the Black Belt went, so eventually did the rest of Alabama.

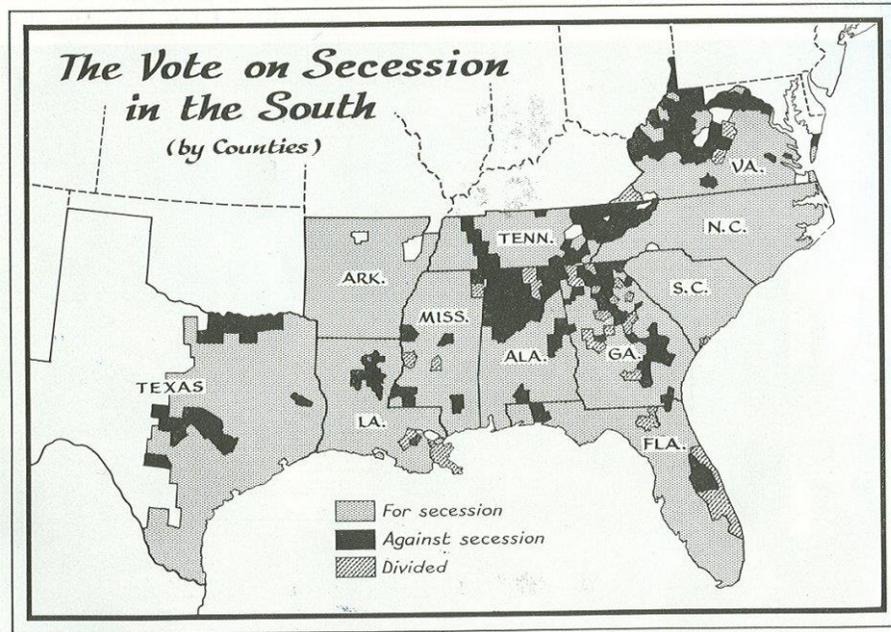
It is easy to visualize how the rise of the plantation/slave-owning sector diverged socially and geographically from the subsistence farmer sector, as well as the concomitant divergence of political power and agendas. That divergence did not in itself lead directly to secession, however. Given that (a) cotton was the principal source of export wealth in Alabama (as in the Cotton Belt in general) and (b) the reliance on slaves to make that agrarian sector so successful, protection of the institution of slavery would seem to have naturally led to the decision for secession. It was not that simple. The final leap to secession needed a catalyst. In Alabama, that catalyst was William Lowndes Yancey.



*William Lowndes Yancey*

Yancy, an Alabama lawyer deeply involved in politics and known for his “unexcelled oratorical abilities as a spokesman of Southern interests” was one of the Original Secessionists, or Fire-Eaters.<sup>7</sup> For years they had been promoting secession as the only real defense against slavery’s demise.<sup>8</sup> John Brown’s unsuccessful raid on the US arsenal at Harpers Ferry, Virginia in 1859 in an effort to spark a widespread slave rebellion in the South was the spark they awaited. The raid exacerbated fear in the South – fear of slave rebellions and of general abolition, and thus fear of the imminent loss of the Southern way of life and the lifeblood of its economic wellbeing. Such fears, of course, were not prevalent in the subsistence farming sector. They didn’t rely on slaves; in fact, they looked at slave-owners as the “Establishment” of its day – maintaining political and economic power to the detriment of the common folk. The political lines were drawn, and via crafty political maneuvering in the months leading to Alabama’s secession convention (January 7, 1861), Yancy and his Secessionists led Alabama to the Confederacy.<sup>9</sup>

The contrast between the slave-owning/plantation sector of the population and the nonslave-owning/subsistence farmer sector can be seen in the distribution of votes for secession. Notice the trend line from west-central Alabama northeastwards through eastern Tennessee and on up into northwestern Virginia.



The "Republic" of Winston, present-day Winston County, Alabama, was one of several places in the Confederacy where disaffection with secession was strong.<sup>10</sup> In Winston County, this opposition became violent and had long-lasting political consequences—deep enough to generate a legend after the war that the county seceded from Alabama.

Winston County was originally formed from part of Walker County in 1850 and was named Hancock County, before it became Winston in 1858, named after John A. Winston, the fifteenth governor of Alabama. It is located in the hilly terrain and steep-walled gorges of northern Alabama, which together with poor soil and unpredictable climate made subsistence farming, rather than large-scale cotton planting, the mainstay of Winston's economy. Moreover, its shallow soil was unsuitable for plantation-style agriculture, thus the county was never home to many slaves.<sup>11</sup> The 1860 census lists only 3,450 white residents in the underpopulated county, and just 14 slave holders with a total of 122 slaves.<sup>12</sup> Winston's residents were mainly poor farmers who viewed the Confederacy with suspicion, fearing it was meant to maintain the political control of the wealthy planter class. Census records reflect that the county had among the lowest total number of acres of farmland and the least cumulative cash value of farms in the state.<sup>13</sup>



In the 1860 election, the majority of Winston County's voters supported Southern Democrat John C. Breckinridge for president, perhaps because they saw Breckinridge as the political heir of Andrew Jackson, a hero to many of the county's residents.

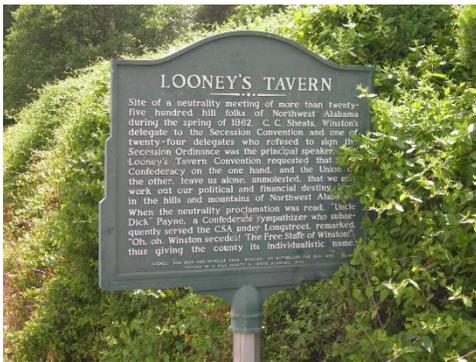


Christopher Sheats

From the beginning of the war, though, Winston County's inhabitants were strongly Unionist. Charles Christopher Sheats, a 22-year old Winston County schoolteacher and ardent Unionist, was elected by an overwhelming majority to represent the county at Alabama's secession convention in January 1861. There, he refused to sign Alabama's ordinance of secession, even after it had been passed by a vote of 61 to 39. Sheats became so vocal in his opposition that he was finally arrested. On his release, he became a leader of a pro-neutrality group. Later, he would become an open supporter of the Union and spent most of the war in prison.

In the first months after secession, many Winston Unionists formed home guard companies to defend themselves against Confederates. In addition, Unionists elected as officers in many of the county's militia units refused to take the oath of office, preventing them from drilling and entering Confederate service. "That feeling ran high was evidenced by the fact that Yancey was burned in effigy in Lawrence County."<sup>14</sup>

Winston earned its reputation as a Unionist "free state" during a large informal gathering of Unionists from Winston and surrounding counties, a crowd estimated at between 2,500 and 3,000 people met from numerous north Alabama counties. One early local historian gives the date as July 4, 1861, at Looney's Tavern, north of present-day Addison, whereas other sources suggest a later date, perhaps as



late as early 1862, also at Looney's Tavern.<sup>15</sup> According to the earlier account, the Unionists passed three resolutions. The first commended Sheats for his staunch opposition to secession. The second denied Alabama's right to secede but declared that if Alabama had that right, Winston County also had the right to secede from Alabama. The third resolution declared that those present desired to fight neither the Union nor the Confederacy and requested to be left alone by both sides to "work out our own political and financial destiny."

Although the second resolution affirmed the right of the county to secede from Alabama, it did not actually declare Winston's secession. Nevertheless, one of those present reportedly said, "Oho! Winston secedes! The Free State of Winston!"<sup>16</sup>

Many supporters of the Confederacy volunteered for Confederate service at the beginning of the war. Confederate Home Guards in the county were poorly disciplined and often used their uniforms as excuses to settle old grudges. The Union men responded by forming their own irregular bands, and by the end of the war Winston County had been largely devastated by its own people. The county's Confederates held a meeting of their own on November 30, 1861. They petitioned Gov. John Gill Shorter to suppress the Unionist spirit pervading the county, to require all of the county's residents to

take the Confederate loyalty oath, and to order the county to provide 250 Confederate soldiers. Shorter responded by issuing writs of arrest for those in the county who were actively disloyal to the Confederacy and also demanding that militia commanders who would not take the oath of office resign.

Although Winston County's Unionists wanted to be left alone, the governments of the Confederacy and of Alabama did not oblige. The hill-country Unionists soon faced Confederate conscription beginning in April 1862. The government in Richmond imposed manpower quotas on the individual states. Every able-bodied white male between the ages of 18 and 35 was subject to military service. Each state was required to produce a certain number of men for the Confederate armies. If a state's quota wasn't filled by volunteers, the men must be conscripted. In the hill counties of the Southern states, including north Alabama, volunteering fell far short of the numbers required. Frustrated at the refusal of these "tories" to see the light, Governor Frank Shorter of Alabama sent conscription parties, most composed of Home Guards, into the northern counties with leave and license to coerce their reluctant neighbors into the Confederate army. To refuse meant jail at the very least, and, quite possibly, death.<sup>17</sup>



Natural bridge was a gathering point for Unionists

Many of the pro-Union Winstonians enlisted in the Union Army's new 1st Alabama Cavalry Regiment, United States Volunteers, formed in Huntsville and Memphis in October 1862 and commanded by a New Yorker, George E. Spencer. While the regiment would play a heroic part in the war, it generally did so outside of Alabama.<sup>18</sup> A few of the county's residents, including Bill Looney, served the Union Army by helping Unionists escape to the safety of Union lines. In July 1862, Col. Abel D. Streight led a detachment of Union troops into the hills to gather more recruits for the Union Army. The Unionist farmers who fled into the woods and to the Union Army to avoid the Confederate draft could not work on their farms. Hence, the county's residents had difficulty growing enough food. Confederate impressment agents worsened matters by taking food and livestock from the county to feed the Confederate army.

Winston County itself was suffering from its own internal war, producing a number of atrocities as both Unionists and Confederates committed acts of robbery, vandalism, and even murder against their former neighbors. One notable instance was the murder of probate judge Tom Pink Curtis by a band of Confederate horsemen who were looking for salt left in Curtis's charge by the Alabama state government for distribution to the poor.<sup>19</sup> Unionist farmers who fled into the woods and to the Union Army to avoid the Confederate draft could not work on their farms. Hence, the county's residents had difficulty growing enough food. Confederate impressment agents worsened matters by taking food and livestock from the county to feed the Confederate army.

In the later years of the war, both Union and Confederate raiders swept through the county. Confederate Captain Nelson Fennel led an unsuccessful raid into Winston in June 1863 to seize deserters and draft-dodgers. Lt. Col. W. L. Maxwell led a Confederate expedition in April 1864 into the county for a similar purpose, but the rugged terrain hampered his efforts. Union colonel William J. Palmer led a raid through Winston County in December 1864 and January 1865. While in the county, his force won a skirmish with a body of Confederates and liberated a large number of Unionist conscripts. Maj. Gen. James H. Wilson led a major Union raid through the county in March and April of 1865.<sup>20</sup> It was so bad that Confederate General Leonidas Polk, "knowing that his troops were as liable as Union soldiers to be bushwhacked in some parts of the district, tried [in the spring of 1864] both the carrot and the stick to round up deserters. He first followed the widespread practice of offering an amnesty period for deserters to rejoin their regiments...he then ordered the arrest of all deserters, conscripts, and armed Unionists. Anyone who resisted, especially if 'banded together,' should be executed 'upon the spot.' Portions of Alabama regiments were reassigned to the state to break up 'robber bands'..."<sup>21</sup>

After the war, considerable tensions remained between Winston County's Unionists and Confederates, leading to occasional violence. The county's Unionism led to Republican Party dominance of local politics. After the Civil War, Winston County became a bastion of the Republican Party in Alabama, in sharp contrast to the overwhelming support for the Democrats in the rest of the state. It is believed by many that the state retaliated against the county by splitting up its state Representative districts into multiple sectors, which was a huge economic blow to the county. That would have crippled the area politically in that its state Representatives would have had little voter base in the county and, thus, little reason to spend money there. This may account, at least in part, for why in 1877 the eastern portion of the county became part of the newly-formed Cullman County. (The remainder of Cullman County was drawn from the western portion of Blount County and the northeastern corner of Walker County.)

The "Free State of Winston" was an idea, declared in spirit if not in reality; manifested in action, but held captive by the hard grip of secessionist politics. The people of Winston County were rugged, tough and hardy who had their own vision of political freedom. In the end, they were neither "free" nor a "state". Emblematic of all in the South caught up in events neither wanted nor escapable, they rode the ragged edge of an epic cultural and political eruption.

### **Post Script: State of Nickajack**

Winston Country wasn't the only Alabama region to resist secession. There also were meetings in Lawrence and Franklin Counties and a serious discussion between many north Alabama representatives to form a new state which was to be called "Nickajack". The threats never materialized, but the talk was serious enough to gain the attention of some politicians in the state.



The Proposed State of Nickajack

A preposterous proposition? Compare this map with the Secession vote map at the beginning of this article, and then note that West Virginia did, in fact, break away from Virginia – a state as steeped in legend and tradition as any state.

And it didn't stop there—

- State of Scott, a similar secession-resisting area in North Tennessee
- Searcy County, Arkansas,
- Jones County, Mississippi.

Secession was not clean, popularly or geographically. Lots of layers.



*Many thanks to David Lady and Arley McCormick for their valuable guidance and editorial support. Special thanks to Geneva (Posey) Jordan for her inspiration and guidance with this piece. Geneva is a part of my branch of the Posey family tree, that hails from Winston County. –Emil (b. Haleyville, Winston County, Alabama, 1948)*

### **Notes –**

<sup>1</sup> *Population of the United States in 1860; Compiled from the Original Returns of the Eighth Census, under the Direction of the Secretary of the Interior; Classified Population of the States and Territories, by Counties on the First Day of June, 1860; Washington: Government Printing Office, 1864 [hereinafter "Population"]; 8.*

<sup>2</sup> *These Rugged Days: Alabama in the Civil War, John S. Sledge, Tuscaloosa: University of Alabama Press, 2017; 4. Note that I do not agree with Sledge's assertion about there being only seven cities listed in the 1860 census. I read the census report differently (several more "towns and cities" listed, with definitional difference described between the two terms), but I'll not pursue it here.*

<sup>3</sup> Estimates vary. This one was taken from “Measuring Slavery in 2016 Dollars, Samuel H. Williams and Louis P. Cain, <https://www.measuringworth.com/slavery.php>. See also Slavery, Keith S. Hebert, at <http://www.encyclopediaofalabama.org/article/h-2369>, and The Case for Reparations, Ta-Nehisi Coates, *The Atlantic*, June 2014 issue.

<sup>4</sup> *Civil War Alabama*, Christopher Lyle McIlwain, Sr.; Tuscaloosa: The University of Alabama Press, 13-14.

<sup>5</sup> McIlwain, 35. Note that a bit over 90,000 actually voted in the 1860 presidential election. See voting results at [https://en.wikipedia.org/wiki/United\\_States\\_presidential\\_election\\_in\\_Alabama,\\_1860](https://en.wikipedia.org/wiki/United_States_presidential_election_in_Alabama,_1860)

<sup>6</sup> Population, 8.

<sup>7</sup> William Lowndes Yancey Facts, <http://biography.yourdictionary.com/william-lowndes-yancey>.

<sup>8</sup> “Secessionists” were adamant that Southern states, Alabama included, should leave the Union as the only way to protect the Antebellum South’s culture and economy. Secessionists tended to be from the professional class, particularly lawyers. “Cooperationists” believed slavery could be continued and managed within the existing Federal framework given the South’s political and economic strength relative to the north; but, if secession proved necessary, then it should be by a group of states at the same time. “Unionists” opposed secession, believing instead that the Union should be maintained.

<sup>9</sup> See McIlwain, pp. 27-44 for an excellent, concise description of these events. See also “Secession”, J. Mills Thornton, <http://www.encyclopediaofalabama.org/article/h-3148>.

<sup>10</sup> In 1860, Winston County was larger than today (see map at right—1860 boundaries in black, overlaid on modern boundaries in white), encompassing the western part of today’s Cullman County, with the remainder of Cullman County included in Blount County. The “Free State of Winston” is sometime depicted as encompassing today’s Winston, Cullman, and Blount Counties, along with the northeastern corner of Walker County.

<sup>11</sup> *Alabama Black Belt Heritage Area*, February 2009, 19-20.

<sup>12</sup> Population; 7.

<sup>13</sup> *Agriculture of the United States in 1860; Compiled from the Original Returns of the Eight Census, under the Direction of the Secretary of the Interior*; Washington: Government Printing Office, 1864; 2.

<sup>14</sup> Attributed to Volume 1 of Moore’s *History of Alabama* footnote, page 525; unable to locate original source.

<sup>15</sup> The first performances of “The Incident at Looney’s Tavern” were staged in a shopping center parking lot in 1987. Initially intended as a one-time-only production by the organizers of the Winston County Tourism Free Stat Festival Committee, it was such a success that the theatre was built. The play was designated as Alabama’s official state drama in 1993. However, the program was discontinued in the 2000’s and other than a limited encore in 2016 by the Winston County Young Actors Guild held in the Double Springs Middle School gymnasium, the drama is no longer produced.

<sup>16</sup> Free State of Winston, David McRae, Auburn University, *Encyclopedia of Alabama* <http://www.encyclopediaofalabama.org/article/h-1850>

<sup>17</sup> “Loyal Alabamians — The First Alabama Calvary Regiment” (Marie Young), *The Daily Evening Bulletin*, San Francisco, March 17, 1864

<sup>18</sup> See <http://www.1stalabamacavalryusv.com/1sthistory.aspx> for the unit history.

<sup>19</sup> McIlwain, 158.

<sup>20</sup> <http://www.encyclopediaofalabama.org/article/h-1850>

<sup>21</sup> *A Savage Conflict: The Decisive Role of Guerrillas in the American Civil War*, Daniel E. Sutherland; Chapel Hill: The University of North Carolina Press, 2009, 259-260.