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## FOUNDING PUBLIC SCHOOLS IN ALABAMA— A COUNTY LED THE WAY

by

Lee C. Cain

The system of education in Alabama, as in other Southern states, developed from the top downward in line with the theory of Thomas Jefferson.<sup>1</sup> The University of Alabama opened its doors to students in 1831, more than two decades before the state established a general system of public education. The support of the school system, likewise, developed from the top with federal grants and state appropriations and subsidies. Local taxation, either county or district, supplied little school revenue until the twentieth century.

The usual sixteenth section in every township was granted to the state of Alabama upon its admission to the Union in 1819 for the maintenance of public schools. Two townships were granted for the support of a "seminary of learning" which became known as the University of Alabama.<sup>2</sup>

The state constitution of 1819 stated that "schools and the means of education shall forever be encouraged," and the instrument further stated measures be taken to preserve from waste "such lands as are or hereafter may be granted by the United States for the use of schools within each township."<sup>3</sup> By an act of 1819 a school administrative unit, the township, was created and township agents were placed in charge of the administration of the sixteenth section lands and the administration and supervision of schools within the township. In 1823 the legislature specified that three commissioners for each township would administer the sixteenth section lands and the proceeds therefrom, license teachers, and divide the township into districts. The second administrative unit, the school district, was thereby established. Each district was provided with three school trustees elected by the people of the district. They

<sup>1</sup>Department of the Interior, *An Educational Study of Alabama*, 1919, 33.

<sup>2</sup>Willis G. Clark, *History of Education in Alabama*, 1889, 217.

<sup>3</sup>Stephen B. Weeks, *History of Public Education in Alabama*, 1915, 26.

were charged with the responsibility of constructing schoolhouses, the employment of teachers, and the admission of pupils. In the admission of pupils, the trustees were to designate specifically, after a thorough investigation, those who should be admitted without tuition fees.

While the Constitution and the Acts of 1819 and 1823 recognized public education, they were ineffective in establishing a general system of free schools. Schools were operated by subscriptions and were public only in the sense that sixteenth section proceeds went toward the schooling of the indigent. With the exception of Mobile County, this was the extent of legal arrangements for public education until 1854, at which time a general state system of public education was adopted.<sup>4</sup>

The early legislatures of Alabama passed numerous acts which dealt with the sixteenth section lands for the purpose of obtaining a real source of income for the schools. The initial acts made provisions for leases and rentals. By an act of 1837 provisions were made for the sale of school lands with the approval of the people within the township. Following the passage of this act, much of these public lands were sold. The proceeds from the sales, leases, and rentals were placed in the State Bank at interest. Such funds were regarded as the "capital stock" of the township concerned and were not to be withdrawn. The interest alone was available for schools. With such a financial arrangement, this source of school revenue became dependent upon the success of the State Bank.<sup>5</sup>

Alabama, as well as the whole nation, entered an economic cycle of great prosperity in the 1830's. Widespread borrowing and speculation were characteristic of the years, and the State Bank prospered. Direct state taxation was abolished from 1836 to 1842, and the burden of defraying all the necessary expenses of state government up to \$100,000 was placed on the State Bank. By an act of 1839 the bank was ordered to pay the schools \$100,000 annually. An act in 1840 specified

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<sup>4</sup>Albert B. Moore, *History of Alabama*, 1934, 321; Jay E. Thomason, "The Development of the Administrative Organization of the Public School System of Alabama" (Doctoral dissertation, University of Alabama, 1959), 48.

<sup>5</sup>Moore, *ibid.*, 323-24; Weeks, *op. cit.*, 26-28.

that the bank pay the schools \$200,000 annually. Since the state found itself with these large sums for the exclusive use of promoting an educational system which it had not yet organized, the money was distributed among the private and denominational schools which abounded in great number.<sup>6</sup>

As a result of mismanagement and a financial depression which came in the mid 1840's, the State Bank failed with a debt of \$14,000,000 in outstanding bills. Thus the principal on the sixteenth section lands was lost. The Act of March 6, 1848, for adjusting the affairs of the bank, revised the law pertaining to the sixteenth section funds. The investment of such funds in state stock or securities was prohibited. Instead, they must be deposited in the state treasury. Thus the state became the trustee for the township from which the funds came.<sup>7</sup>

Mobile County preceded the state in the establishment of a public school system and set the example by which the general state system of schools was later patterned. The school system in Mobile County was partly native and partly New England in make-up. The system germinated from an act of January 10, 1826, which made provisions for Mobile County to manage its school affairs. The Act of 1826 created a board of school commissioners who were empowered to "establish and regulate schools" and promote the education of youth throughout the county. Local taxation was permitted for the support of the school system. Sources of revenue consisted of sixteenth section lands, certain fines and penalties, fees on suits in court, taxes on auction sales and shows, and twenty-five per cent of the "ordinary county tax." This act was the first one in Alabama which recognized education as a public responsibility and was much advanced for the time.<sup>8</sup>

Contrary to what might have been anticipated under the provisions of the Act of 1826, the board of school commissioners failed to establish public schools in the county under their administration and supervision. Numerous private and denomi-

<sup>6</sup>Weeks, *ibid.*, 28, 188.

<sup>7</sup>*Ibid.*, 29; Moore, *op. cit.*, 323-24.

<sup>8</sup>*Ibid.*, 325-26; Clark, *op. cit.*, 220; Department of the Interior, *An Educational Study of Alabama*, *op. cit.*, 35.

national schools were already organized in the county. Since the private school idea was much ingrained in the minds of the people, the board of school commissioners subsidized these institutions with the public school appropriation.<sup>9</sup>

Barton Academy, a handsome building for public schools, was completed in Mobile in 1835-36. It was named for Willoughby Barton who drew the original bill for the creation of the board of school commissioners. Rather than use the structure for public schools, it was rented to private schools and other private purposes.<sup>10</sup>

With the distribution of the public school receipts to private and denominational schools and the use of Barton Academy for private purposes, the state of affairs in time became unsatisfactory to all Mobilians. The situation was brought to a climax in 1851 by General Walter Smith who proposed that Barton Academy be sold and the interest on the money be used for private schools. General Smith believed that Barton Academy would never be able to give all the children a thorough common school education without discrimination and that high school education was not a part of the public school system. The board of school commissioners sanctioned the plan of General Smith. Two opposing groups, the public school forces and the private school forces, sprang up. The press joined in the arguments with the result that education became the foremost public issue.<sup>11</sup>

An act was passed in the state legislature in February, 1852, for the sale of Barton Academy provided it met the approval of the people. On August 2, 1852, an election was held on the question, and the "no sale" ticket won by 2,225 to 225. With the overwhelming victory of the public school forces, the first organized school system in Alabama was put into operation in Barton Academy on November 1, 1852, though tuition remained a requirement for those who were able to pay.<sup>12</sup>

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<sup>9</sup>Moore, *op. cit.*; Department of the Interior, *An Educational Study of Alabama*, *op. cit.*

<sup>10</sup>Weeks, *op. cit.*, 43; Charles G. Sumnersell, *Alabama History for Schools*, 1957, 270.

<sup>11</sup>Weeks, *op. cit.*, 44-45; Clark, *op. cit.*, 221-22.

<sup>12</sup>Weeks, *ibid.*, 45; Moore, *op. cit.*, 326-27.

When the legislature met in 1853-54, the popularity of the school system in Mobile had become well-known throughout the state. With a public school fund in excess of one million dollars and the freedom of the public land funds from such entangling alliances as with the old State Bank, the conditions were favorable for the establishment of a general state system of public schools.<sup>13</sup>

Three outstanding spokesmen for public education came to the legislature in 1853-54. Alexander B. Meek, a Mobile judge, was elected to the House and became chairman of the house committee on education. Others in the trio for public education were J. L. M. Curry who served in the House from Talladega County and Robert M. Patton, Senator from Lauderdale County and later governor of the state.<sup>14</sup>

Judge Meek wrote an education bill for a state-wide system of public education. Curry and Patton ably assisted him in overcoming opposition and getting it enacted into law. Considerable opposition was voiced because a great many Alabamians continued to view education as a private personal matter and not an obligation of the state.<sup>15</sup>

The Meek bill for a state-wide system of education became law in 1854. The public school act established a state educational fund and prohibited the diversion of any public school funds to sectarian schools. In the way of administrative personnel, the act created a state superintendent of education, three trustees in each township, and three commissioners of public schools in each county. In framing the measure, Judge Meek showed "a grasp of educational problems, a comprehension of school difficulties and school needs and a modernity of methods and aims that are truly astonishing."<sup>16</sup>

The General School Act of 1854 exempted Mobile County from its provisions except those pertaining to sixteenth section land funds. On the matter of excluding Mobile County, a part

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<sup>13</sup>Weeks, *ibid.*, 58.

<sup>14</sup>*Ibid.*

<sup>15</sup>*Ibid.*; Department of the Interior, *An Educational Study of Alabama, op. cit.*, 39.

<sup>16</sup>Weeks, *op. cit.*, 61, 63.

of the act made this statement:

As the County of Mobile has established a public school system of its own, the provisions of this act shall apply to that county only so far as to authorize and require its school commissioners to draw the portion of the funds to which that county will be entitled under this act and to make reports to the State Superintendent herein required.<sup>17</sup>

Thus Mobile County gained an independence of action which other school systems of the state did not possess. Except for the merger of the Mobile school system with the state system for a short period during the Reconstruction era, this autonomy had continued to exist down to the present time.<sup>18</sup>

Mobile County was granted approximately 24,000 acres of sixteenth section lands and these lands have continuously been administered by the board of school commissioners established in 1826. Except for 1,700 acres which was sold, the land has been kept intact and the Mobile County school system has enjoyed the proceeds derived from this source down to the present time.<sup>19</sup>

General William F. Perry became the first State Superintendent of Education under the Public School Act of 1854, and he was reelected on February 14, 1856. General Perry was aggressive and effective in his school duties. He established courses of study, prescribed textbooks, and encouraged the establishment of reading circles to assist in teacher training. In 1858 General Perry resigned as State Superintendent and entered military service where he later served the Confederacy.<sup>20</sup>

Gabriel B. Duval succeeded General Perry on September 1, 1858. Duval continued the work of his predecessor; but with

<sup>17</sup>Quoted in Clark, *op. cit.*, 226; Moore, *op. cit.*, 328.

<sup>18</sup>Moore, *op. cit.*, 328; Walter L. Fleming, *Civil War and Reconstruction in Alabama*, 1949, 610.

<sup>19</sup>James B. Sellers, *History and Administration of the Sixteenth Section of Mobile County Lands*, Vol. III, 1949, 46-47.

<sup>20</sup>Frank L. Grove, "Public Education in Alabama," *Alabama School Journal*, LV (September, 1937), 11-12; Department of the Interior, *An Educational Study of Alabama*, *op. cit.*, 38.

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the outbreak of the Civil War in 1861, Duval went to the front as a captain of a company of volunteers. In this period of absence, the duties of State Superintendent were left in the hands of subordinates.<sup>21</sup>

Academies and private schools were the predominant institutions for the education of youngsters in ante-bellum Alabama. However, the legal foundations for Alabama's public school system were established when the Civil War and its resultant economic wreckage came. Further efforts toward the building of a public school system were silenced, and it was many years before the state was able to build again upon these foundations.

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<sup>21</sup>Weeks, *op. cit.*, 79.

## THE SIEGE OF MOBILE, AUGUST, 1864-APRIL, 1865

by

Joe A. Mobley

Mobile served as a blockade-running port for the supply of the Confederacy during the Civil War. Not until August 3, 1864, did a United States Gulf Fleet, commanded by Admiral David G. Farragut, steam into Mobile Bay. In cooperation with Union land forces it launched an attack which took the Mobile harbor forts of Powell, Gaines, and Morgan, destroyed the Confederate fleet under Admiral Franklin Buchanan, and closed the harbor to blockade runners. The town of Mobile, however, was not seized and continued in Confederate possession until it surrendered to United States troops on April 12, 1865. Throughout the autumn of 1864 and the winter of 1865, the town was under siege by Federal forces, a situation which, along with the effects of four years of war, had a significant impact upon its internal life and institutions.<sup>1</sup>

The first reaction of Mobile's citizens to the Federal siege was to speculate about their fate if the Union troops should overrun the town. Varied opinions were expressed as to what the consequences would be as well as what the town's action should be toward continuing the war effort. Some citizens felt that the town should be held at all costs. Still others, probably a majority, were tired of the war and contended that further resistance was futile. They were more interested in ending the war and restoring the town's economy than fighting to the last man and burning homes and businesses that represented the promise of the future when and if the town recovered from the deprivations of war.<sup>2</sup>

The dissatisfaction of Mobilians with the Confederate war effort was known even in the camps of the Union soldiers.

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<sup>1</sup>*The War of the Rebellion, Official Records of the Union and Confederate Armies*, Series I, Vol. 39, Part I, 402, hereinafter cited as *Official Records, Armies*.

<sup>2</sup>Stephen E. Ambrose, ed., "The Siege of Mobile" by James K. Newton, *The Alabama Historical Quarterly*, XX (Winter, 1958), 599; *New Orleans Picayune*, January 24, 1865.

James K. Newton, a member of a Wisconsin regiment besieging Spanish Fort near Mobile, wrote to his parents that the prisoners taken by his unit "seem to be heartily sick of the war; some of them go so far as to say that the principal portion of the inhabitants of Mobile are praying for our success."<sup>3</sup> On April 12, 1865, Rear Admiral H. K. Thatcher, who commanded the West Gulf Squadron, reported to the United States Secretary of Navy Gideon Welles that he planned to "place a sufficient number of gun boats directly in front of the city to give efficient protection to the loyal inhabitants of which [he] learn[ed] there [were] a great number."<sup>4</sup>

Despair and war weariness were most prevalent among the poor of the port town. "The middle and lower classes," one Confederate deserter declared, "are discontented and eager for the approach of the Union forces."<sup>5</sup> Refugees who fled to New Orleans during the siege remarked on the suffering of the poor and agreed that most of the indigents hoped that "the federals would take the place."<sup>6</sup>

"Croakers" became the name given to those dispassionate Confederates who complained of conditions or viewed the war as a hopeless cause. "Nor are they few in number," cried the *Mobile Register*, a staunch supporter of the war effort.<sup>7</sup> As the fall and winter wore on, dissension over continuing the war effort grew while conditions in the besieged town worsened and more inhabitants joined the ranks of the malcontents.

Some of the conditions which led to the growing discontent were shortages of living necessities, conflict with Confederate soldiers, inflation, and speculation in food supplies and other essential commodities. These were facets of everyday life which touched all town dwellers, and there was much grumbling despite the efforts of the *Mobile Register* to label such sounds of weary discomfort as unpatriotic. In an attempt to embarrass the town's sunshine patriots, the newspaper on one occasion published the following rhyme:

<sup>3</sup>Ambrose, ed., "The Siege of Mobile," 599.

<sup>4</sup>*The War of the Rebellion, Official Records of the Union and Confederate Navies*, Series I, Vol. 22, 92, hereinafter cited as *Official Record, Navies*.

<sup>5</sup>*Official Records, Armies*, I, 49, Part I, 636.

<sup>6</sup>New Orleans *Picayune*, January 24, 1865.

<sup>7</sup>*Mobile Advertiser and Register*, April 9, 1864.

The Soldier to the Croaker  
 Is this a time, my corpulent friend  
 when foes are thund'ring around  
 And our only duty is now to defend  
 to the last each foot of ground  
 Is this a time, I earnestly ask,  
 our glorious work to impede,  
 By shirking the patriots manly task  
 for speculator's greed.<sup>8</sup>

The *Register's* use of a soldier metaphor failed to shame Mobilians, for conflict had already developed between the citizenry and the Confederate soldiers encamped around the town. The disputes between the civilians and the troops arose over the town's food supplies and the local vegetable gardens. The soldiers were accused of depleting both. One disgruntled citizen remarked in the *Register* that "we learn from the market men that the soldiers quartered in the suburbs of the city make such frequent raids on their gardens that they are unable to supply the ordinary demands of the city. . . . The plundering propensity of some of our soldiers is so great as to bring reproach upon all." He went on to say that it was "high time that the military meted out more severe punishment for crime." On a separate occasion another citizen wrote that "the market gardeners are in despair. They say it is useless to attempt to raise vegetables for the Mobile market, for the soldiers will allow nothing green to sprout without pouncing on it." Still another complained that "scarcely a day passes without our hearing of some chicken coop, pig pen or larder being robbed."<sup>9</sup>

Conflict also developed between the people of Mobile and Confederate soldiers as a result of the latter's frequent patronage of local barrooms. As early as July, 1864, citizens were demanding that the barrooms be closed because the drunkenness of soldiers was becoming a major problem in maintaining civic order and discipline. With the beginning of the battle of Mobile Bay the town fathers passed an ordinance that prohibited the dispensing of liquor, but the mayor shortly revoked the order since "there was no longer any military necessity for closing the drinking saloons and barrooms." The mayor's action en-

<sup>8</sup>Mobile *Advertiser and Register*, March 15, 1865.

<sup>9</sup>Mobile *Advertiser and Register*, January 15, 16, 24, 1865.

raged some of Mobile's inhabitants. One critic complained that "blockade runners, speculators, and extortioners have been continuously and unsparingly denounced as enemies to their country, while the venders of poison in the shape of vile whiskey, at the most extravagant prices have not only escaped [censure] justly merited, but have been actually puffed in public journals for their ostentatious liberality in spreading a free lunch—a baked opossum or a catfish stew or some other concoction." Many people shared the opinion that the permanent closing of drinking establishments should be declared a "military necessity" and steps should be taken by civil and military authorities to rid the streets of drunk and disorderly soldiers.<sup>10</sup> Confederate enlisted men guilty of overindulgence in alcoholic spirits were brought before the mayor's court for trial and sentencing.<sup>11</sup>

In February the governor of Alabama directed that the barrooms in Mobile be closed, but his mandate was virtually ignored. Even where the dispensing of individual drinks was prohibited, wholesale quantities were still legally available. "Notwithstanding the closing of the barrooms in the city," remarked the *Register*, "men somehow manage to get plenty of the ardent. The only difference now is between 3 to 5 dollars a drink and thirty dollars a quart. To sell a drink is penal, but to sell a quart, a gallon, or barrel is respectable. Heigh-hi-hi-ho, the more you put down the less you pick up."<sup>12</sup> The flow of liquor, however, ended on April 1, 1865, when, with a Union attack on Mobile imminent, all drinking establishments were closed by order of the Confederate military commander.<sup>13</sup>

Confederate soldiers resented the town's closed-fist policy on food supplies, and they felt that attempts to restrict the sale of alcoholic spirits was unjustly aimed at them. To them the hoarding of provisions and liquor was unfair in view of the tasks which they were expected to perform in the defense of Mobile. One disillusioned veteran in protest wrote the following:

<sup>10</sup> *Mobile Advertiser and Register*, January 1, 1865.

<sup>11</sup> See, for example, "Mayor's Court, *Mobile Advertiser and Register*, February 21, 1865. Almost every session included several cases of drunken and disorderly conduct, sometimes among the local inhabitants as well as Confederate soldiers.

<sup>12</sup> *Mobile Advertiser and Register*, February 10, 1865.

<sup>13</sup> *Official Records, Armies*, I, 49, Part I, 105.

### Nothing to Drink

Nothing to drink. I can't get a drop.  
 For the Governor has closed every rum shop.  
 It rains every day; don't you think he ought to  
 give us whiskey to mix with the water.  
 Now was I an officer with bars on, I think  
 at a club room I could get plenty to drink.  
 But I'm only a private, and if "drunk and down,"  
 I'll have to pay on x for the good of the town.  
 An officer, forsooth, can cut up his capers  
 and not have his name appear in the papers.<sup>14</sup>

Conflict between the residents of Mobile and encamped soldiers was common and tended to increase as conditions worsened.

But not all of Mobile's inhabitants were unsympathetic to the plight of the Confederate soldiers. Throughout the siege of late 1864 and early 1865 several aid societies were formed to gather and distribute food supplies to soldiers fortifying the town and surrounding areas. Miss Mary Douglas Waring of Mobile wrote in her journal in March, 1865, that as a member of an aid society she "had been exceedingly busy" in "preparing to send a handsome present in the form of a box of provisions" to a locally deployed Confederate unit. Medical supplies, such as were available, were also provided by these organizations. Miss Waring noted that at one meeting of the Soldiers' Hope Society that many of Mobile's ladies "arranged [themselves] in groups of three and fours all around the room, each one busily engaged in picking lint for our poor wounded soldiers, our tongues keeping time to our fingers." Such activities provided social outlets for the women of the town as well as service to the army.<sup>15</sup>

Provisions were also collected in the Alabama interior and sent to troops at defensive works like Spanish Fort and Blakely near Mobile. As late as July, 1864, vegetables were gathered from local gardens around the port city and shipped to distant Confederate armies. By the fall of 1864 most efforts of this

<sup>14</sup>Mobile *Advertiser and Register*, February 7, 1865.

<sup>15</sup>Thad Holt, Jr., ed., *Miss Waring's Journal, 1863 and 1865; Being the Diary of Miss Mary Waring, during the final days of the War Between the States* (Mobile: Graphics Inc., 1964), 10-11.

kind were restricted to troops in the vicinity of Mobile.<sup>16</sup> Shortages of supplies at home, however, hampered even this patriotic endeavor. In fact, a decline in food supplies and accompanying inflation had been problems which plagued Mobile from the beginning of the Federal blockade, and in 1863 shortages of food had led to bread riots.<sup>17</sup>

During the last months of the war, there were many cases in the Mobile mayor's court of disorderly charges being brought against persons who violently attempted to secure scarce provisions. These incidents of violence occurred when goods were received through the blockade or by railroad. Many Mobilians lined up to purchase the much desired supplies, but because there were never enough to go around, people frequently fought to obtain them. Most of these offenders were women upon whom fell the task of waiting in provision lines since their husbands were in the army. On one occasion a Mrs. Dauberry was brought before the court for disorderly conduct but was not fined. On another day Mrs. Catherine Kelly was charged for the same offense but the case was dismissed. Mary Conley on February 3, 1865, was described as being "good with her fists as well as her tongue, and made free use of both." She was fined \$25, which she paid. On the same day a Mrs. Devine was convicted of stealing a hog and fined "\$50 or thirty days, and put under \$500 bond for her good behavior."<sup>18</sup>

The number of larcenies, burglaries, and incidents of receiving stolen goods also increased as the Federal siege continued, and conditions became more difficult during the fall and winter of 1864-65. Thefts occurred in private homes and barnyards as well as in stores and warehouses. The culprits were town citizens, Confederate soldiers, and slaves; and local police came under considerable attack for not being more diligent in preventing such crimes. On April 12, 1865, Miss Mary Waring noted in her journal that with the withdrawal of Mobile's Confederate defenders "a quantity of commissary stores having been left by our military authorities" were broken into by some

<sup>16</sup>Mobile *Advertiser and Register*, July 1, 1864; April 4, 9, 1865.

<sup>17</sup>Frank Moore, ed., *The Rebellion Record: A Diary of American Events, with Documents, Narratives, Illustrative Incidents, Poetry, Etc.* (11 Vols., New York: G. P. Putnam, 1868), VII, 48.

<sup>18</sup>Mobile *Advertiser and Register*, July 22, 24, 1864; February 3, 1865.

of the town's impoverished women. "Each one of that class," Miss Waring wrote, "helped herself freely, and endeavored to carry off as much as possible—each one tried to be first, and consequently much scuffling and rioting ensued." The violence was, however, soon quelled by the citizens who appeared with loaded guns and other weapons.<sup>19</sup>

Those provisions that were in short supply were generally items which were not produced in significant quantities locally. Vegetables were furnished by local gardens but were frequently appropriated by pilfering Confederate soldiers. Among the items most desired and which created the longest provision lines were semi-luxuries like sugar and coffee. Grains such as corn, rye, barley, and wheat, and grain products (flour and corn meal) were also greatly in demand. "Those who wish for sweet things," observed the *Mobile Register*, "have to pay for the Whistle."<sup>20</sup>

In addition to foodstuffs, an acute scarcity of fuel existed in the town. Wood was the chief fuel burned in the port city, and with the advent of cold weather in late 1864 a significant shortage arose. Such a crisis might have been partly alleviated had Mobilians been willing to use coal for cooking and for heating their homes. In fact, in 1860 one Alabama coal producer in the Birmingham area had sent a load of coal to Mobile along with a workman to show the town residents how to make fires with it. The use of coal never caught on, however, and the people of Mobile continued to use wood for fuel.<sup>21</sup>

Early in 1865 the depletion of fuel became so serious that the town was forced to organize a "committee for the distribution of wood" to supervise the gathering of firewood from the forests around Mobile and offer it for sale. The committee announced in the local newspapers the time and place when the fuel would be sold and distributed. Many wood thefts also occurred, and by February 18, 1865, firewood was selling for

<sup>19</sup>Holt, ed., *Miss Waring's Journal*, 15.

<sup>20</sup>*Mobile Advertiser and Register*, January 15, 24, February 19, 1865. The newspaper also noted that a good part of the grain supply went to distillers who were doing a lucrative whiskey business.

<sup>21</sup>Lucille Griffith, *Alabama: A Documentary History to 1900* (University, Alabama: University of Alabama Press, 1968), 197.

\$20 a load.<sup>22</sup>

Despite the shortages of certain essentials, port city residents did enjoy the benefits of having adequate amounts of other provisions. Local livestock, especially hogs, was plentiful in Mobile, and meat suppliers regularly came to the Alabama port from the state's interior and sold meat for relatively reasonable prices. A newspaper editor in January, 1865, could favorably report that "the meat crop of Alabama and that part of Mississippi not occupied by the enemy is very large this year" and had doubled from the year before. In some counties of Alabama livestock producers had been furnishing Mobile with pork at a dollar a pound—not a bad price considering that whiskey sold for as much as five dollars per drink.<sup>23</sup> The town remained well supplied with meat throughout the last months of the war and during the most difficult period of the Federal siege.<sup>24</sup>

Food and other supplies were not as plentiful as they had been during the prosperous antebellum period, but there were enough available provisions in Mobile to prevent a critical shortage and forestall starvation. Those factors primarily responsible for the undue hardships experienced by many citizens, mostly the poor, were speculation and inflation. A committee of twelve prominent citizens was formed in 1863 to make supplies available to the poor. This organization and subsequent "supply associations" were not successful in preventing merchants and wholesale dealers from hoarding supplies or selling them to speculators. Some merchants did, however, accept a degree of civic responsibility and refused to sell to speculators or to hoard necessities until such time as they might bring a premium price. Among these storekeepers were men who would sell "only to the town's poor and not to those who were able to pay the market price." Offers of this kind were

<sup>22</sup>Mobile *Advertiser and Register*, February 18, 1865.

<sup>23</sup>Mobile *Advertiser and Register*, January 16, 1865.

<sup>24</sup>This account is contrary to what most historians of the Confederate homefront have contended in the past. Most of these historians have maintained that meat and supplies in general were in short supply, at least by the last year of the war, throughout the towns of the Confederacy. See, for example, Mary Elizabeth Massey, *Ersatz in the Confederacy* (Columbia: University of South Carolina Press, 1952), 60-61.

usually announced in the *Mobile Register*. One such announcement in March, 1865, read:

Anyone wanting meal for family use can get it from Cap't Otis at the price named [\$7 per bushel] unless they prefer to accommodate the patriotic dealers who put up bread because it was particularly wanted by their fellow citizens by paying them twice or thrice that price.<sup>25</sup>

Another notice in March indicated that "Ross and Fowler" were selling meal for \$8 per bushel "to families only." Ultimately, in the last months of the war, some citizens formed a "supply association" which purchased corn, had it ground at the town's mill, and sold it to the poor at cost.<sup>26</sup>

But for most provision merchants there was a profit to be made, and those merchants or citizens who could pay inflationary prices or hard currency often wound up with the spoils of free enterprise. As early as the beginning of 1863, Mobilians were using the term "reconstruction" in anticipation of losing the war and a Federal occupation.<sup>27</sup> As a result many speculators realized that what could be bought at the present time for a song and with virtually worthless Confederate money would turn a nice profit in better times when sound Yankee dollars would once again appear on the Gulf Coast. These "sharp fellows" bought up provisions and "held them hoping for starvation prices, or perhaps until such a time, as they may [have] hope[d], flour [would] bring its price in 'greenbacks.'"<sup>28</sup> In addition, those men with sound money to lend could charge exorbitant interest rates or claim cotton or other goods as collateral. "The money-dealers in Mobile seem to be as liberal as any other class," a New Orleans editor claimed, "almost any of them being willing to lend \$5 on a \$20 gold piece."<sup>29</sup>

Monetary conditions were further damaged and compli-

<sup>25</sup>*Mobile Advertiser and Register*, March 7, 1865.

<sup>26</sup>*Mobile Advertiser and Register*, March 14, 1865.

<sup>27</sup>*Mobile Tribune*, September 21, 1863.

<sup>28</sup>*New Orleans Picayune*, January 29, 1865.

<sup>29</sup>*New Orleans Picayune*, February 15, 1865.

cated by counterfeiting. Counterfeit bills that appeared in Mobile were generally easy to detect, since they were smaller than the standard currency. They did, however, increase the problem of inflation by adding to the amount of money in circulation. Also contributing to the town's financial disarray was the withdrawal of the Confederate money originally printed by the Confederate treasury at Richmond. The result was that for several months Mobile had "the evil of two currencies," because the old currency and the new were both in circulation at the same time.<sup>30</sup>

Speculation was not limited to gold, foodstuffs, and day-to-day essentials. A large cotton trade was carried on by firms in Mobile who had agents or branch houses in New Orleans. By these means cotton could be sold for greenbacks or gold during the war, and some speculators did not have to hoard cotton until Reconstruction in order to realize a profit on their investment. But the hoarding of cotton was not the special province of speculators and commercial profiteers. Many of Mobile's citizens retained and stored the staple in anticipation of more lucrative times, despite orders from Richmond for citizens in threatened areas to surrender their cotton to Confederate military authorities for destruction before it fell into the hands of the Union Army and bolstered the enemy's coffers. They continued to hoard cotton and were ultimately outraged when a military order was issued for Confederate troops to enter private homes and seize the staple.<sup>31</sup>

Prior to the Confederate seizure of cotton, General Dabney H. Maury, Confederate commander at Mobile, had urged citizens who had "cotton, resin, or turpentine in their possession as owners or otherwise" to take it out of the city.<sup>32</sup> Despite the advice of Maury, most owners of these staples elected to keep them in their possession. Although Confederate military authorities subsequently attempted to enforce an order which stipulated that all cotton, along with resin and turpentine, should be collected and burned to prevent it from falling into

<sup>30</sup> *Mobile Advertiser and Register*, July 9, 1864; February 1, 1865.

<sup>31</sup> Walter L. Fleming, *Civil War and Reconstruction in Alabama* (New York: MacMillan Company, 1905), 181; *Mobile Advertiser and Register*, September 10, 1864; March 3, 1865.

<sup>32</sup> *New Orleans Picayune*, September 10, 1864.

the hands of the enemy, the citizens of Mobile refused to cooperate. When the Federal forces occupied the town on April 12, 1865, over 20,000 bales of cotton and 25,000 barrels of resin and turpentine were found stockpiled but unscathed.<sup>33</sup>

Just as Mobile's inhabitants were reluctant to surrender their cotton, so too were they reluctant to surrender themselves to service in the Confederate Army, especially as the war came to an inglorious end. In the last years of the conflict conscription was met with considerable opposition in the port city, for there was little to tempt the men of Mobile to join the Confederate ranks. This was particularly true since those men conscripted were sent elsewhere in the state to serve as soldiers.

The people of the port city were especially outraged at Confederate efforts to conscript the town's firemen into the army to aid in the defense of Montgomery. Most towns and cities of the nineteenth century lived with the fear of fire within their borders.<sup>34</sup> Mobile was no exception, and its fears were compounded at the end of the Civil War by the possibility of Union bombardment, which could set the town ablaze. Nevertheless, by July 24, 1864, all firemen under the age of 45 had been conscripted and sent to Montgomery where they joined local military companies. "Wonder what next the military will organize," wrote one man, "perhaps the Bank of Mobile. Or how long," he went on, "will it be before we shall have a military organization of our city authorities, the Mayor and the city council?"<sup>35</sup>

Even when local defense was at stake the men of Mobile were reluctant to bear arms, and they refused to hear appeals to form volunteer companies to defend the town.<sup>36</sup> In July, 1864, with an assault on Mobile harbor looming on the horizon, all men able to fight were directed to join home guard companies and "assigned positions they would occupy in case of attack."<sup>37</sup> Men who refused to render such service were

<sup>33</sup>*Official Records, Armies*, I, 49, Part I, 41, 906-907.

<sup>34</sup>Charles N. Glaab and Theodore A. Brown, *A History of Urban America* (Milwaukee: MacMillan Company, 1967), 97, 177-78.

<sup>35</sup>*Mobile Advertiser and Register*, July 30, 1864.

<sup>36</sup>*Mobile Advertiser and Register*, August 7, 1864.

<sup>37</sup>*Mobile Tribune*, July 15, 1864.

threatened with arrest by enrollment officers.<sup>38</sup>

In the first months of 1865, with Union seizure of Mobile imminent, cases of men avoiding military service became epidemic. The people of Mobile "are failing in their duties," wailed the *Register*, which complained that there were plenty of men to fill the army among the speculators who "should be as eager to fly to the front as they are now to respond to cajolings of the auctioneer." The newspaper also blasted the leaders of the community. "Why are they not calling 'come on boys fight by our side,'" it asked? "All these are men of influence in the community, and if they would shoulder their muskets, their example would be followed by the hundreds." But such rebukes fell upon deaf ears, since most Mobilians by early 1865 were reluctant participants in a war and a cause which they considered long since lost.<sup>39</sup>

Blacks too, both free and slave, had little to rejoice over during the last days of the war in the port city. Beyond the normal repressions endured by the race before the conflict, many Negroes were forced to suffer greater hardships in providing an important if reluctant contribution to the war effort. From the beginning of the war slaves from the town and surrounding areas were used in preparing the defenses of Mobile Bay and even greater demands were made on them to fortify the port's harbor in the summer of 1864, after the Confederate Impressment Act of 1863. Slaves were also utilized extensively to construct the town's defenses during the siege of 1865.<sup>40</sup>

Yet, because of runaways, feigned illness, and general lack of cooperation, not enough slaves were available to perform the tasks necessary to insure adequate defense measures. This situation was partly the result of the failure of Alabama slave owners to cooperate with impressment measures. Few masters wanted to surrender their slaves for the exhausting work of

<sup>38</sup> *Mobile Advertiser and Register*, July 11, 1864.

<sup>39</sup> *Mobile Advertiser and Register*, March 19, 1865.

<sup>40</sup> Robert S. Reid, "The Negro in Alabama during the Civil War," *Journal of Negro History*, XXXV (January, 1950), 268; E. Merton Coulter, *The Confederate States of America, 1861-1865* (Baton Rouge: Louisiana State University Press, 1950), 258-59. The Impressment Act gave local Confederate officials the authority to impress the servants of planters to perform the labor necessary to strengthen Mobile's defenses against Union attack.

building battlements and erecting other defensive devices. In May, 1864, forty-six planters of Randolph County complained to President Davis that it was unjust to impress their slaves to work on Mobile's fortifications, and they claimed that one-third of their black servants between the ages of seventeen and fifty had been taken for that purpose. With the white men in the army these slaves were sorely needed at home to produce the crop. There were exceptions to this attitude. Three planters in Monroe and Clarke counties delivered 375 field hands to Mobile military authorities to assist in constructing the defenses of the town. But most Alabama slave owners, including those in Mobile, chose to resist or ignore the Impressment Act.<sup>41</sup>

On April 2, 1865, General Maury issued an order that announced to the town's slave owners "the necessity of either enrolling their slaves as laborers or removing them from Mobile. They will," the order declared, "be allowed reasonable time for this purpose after which male slaves between 18 and 45 years of age found within the city will be enrolled as general laborers and workers on the defenses."<sup>42</sup> The chief of police also ordered that the owners of slaves between 18 and 45 were to report every morning to a warehouse on the corner of St. Anthony and Water streets at nine o'clock. The purpose of this last directive was to insure that the servile population was accounted for properly and would not be able to turn on the town's defenders when the Union attacks came.<sup>43</sup>

Not all of the Negroes in Mobile were used merely as laborers. As the Confederacy faced collapse, "all Creoles and other free persons of color" were organized into military units to serve as regular soldiers for local defense and some Creoles (actually mixed-blood descendants of Frenchmen) voluntarily formed a company named the Native Guards and elected their own officers.<sup>44</sup>

<sup>41</sup>Harrison A. Trexler, "The Opposition of Planters to the Employment of Slaves as Laborers by the Confederacy," *Mississippi Valley Historical Review*, XXVII (June, 1941), 220; *New Orleans Picayune*, September 7, 1864.

<sup>42</sup>*Official Records, Armies*, I, 49, Part II, 1182.

<sup>43</sup>*Mobile Advertiser and Register*, April 4, 1865.

<sup>44</sup>Thomas Robeson Hay, "The South and the Arming of the Slaves," *Mississippi Valley Historical Review*, VI (June, 1919), 38; *Mobile Tribune*, March 24, 1865; *Mobile Advertiser and Register*, April 8, 1865. Mobilians have traditionally and erroneously referred to mulattoes of French descent as "Creoles."

Many citizens also felt that slaves should be armed to defend the town, and the declining fortunes of the Confederate war effort had a great deal to do with this attitude.<sup>45</sup> Confederate officers in the area generally favored the use of blacks as soldiers.<sup>46</sup> But not everyone favored arming slaves. Many feared that blacks might suddenly turn their weapons on their masters. Even men who favored arming dependable slaves insisted that those bondsmen who were not engaged in defense activities as laborers or soldiers should be sent outside the city. Old fears of slave insurrection still loomed large in Confederate minds. To the people of Mobile, as elsewhere in the South, recollections of Nat Turner and Denmark Vesey were still present. Such fears increased as Union forces drew near, for slaves might come to the aid of their Union liberators and revolt while the town was vulnerable. Therefore, many whites believed it was necessary to keep a tighter rein on blacks.<sup>47</sup> When the town was overrun by Federal troops, a Union officer noted the fear displayed by its residents over the possibility of black retribution. The officer, who commanded Negro soldiers, recalled that "many of the enemy fearing the conduct of my troops, ran over to where the white troops were entering."<sup>48</sup>

An attitude of strict control for Mobile's blacks, both slave and free, was evidenced in the town's judicial system. Justice for men of color was swift and harsh in the mayor's court. For being drunk a slave could expect to receive 39 lashes, and that punishment was dealt to one unfortunate who was caught stealing a watermelon in Mobile. Being out after hours also was punishable by 39 lashes; and unlawful assembly, which covered a multitude of gatherings, resulted in 20 to 25 lashes

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<sup>45</sup>Reid, "The Negro in Alabama during the Civil War," 268; *Mobile Advertiser and Register*, February 12, 1865.

<sup>46</sup>"The Negro in the Military Service of the United States, 1639-1886," Report of April 8, 1865, General R. L. Gibson to General D. H. Maury, in copies of records, state papers, and historical aspects relating to the military status and service of Negroes prepared under the direction of Brigadier General Richard C. Drum, Adjutant General, and by Elon A. Woodard, 1888, Record Group 94, Microcopy 858, National Archives, Washington, D.C., hereinafter cited as "The Negro in the Military Service of the United States."

<sup>47</sup>*Mobile Advertiser and Register*, March 19, 1865.

<sup>48</sup>Hawkins to Granger, April 9, 1865, "The Negro in the Military Service of the United States."