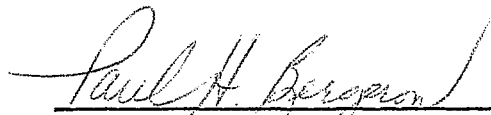
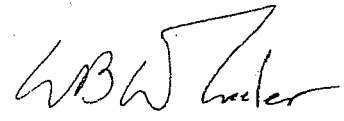


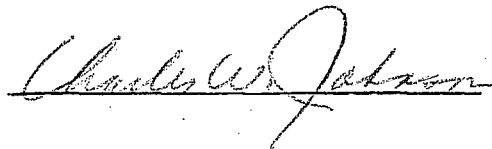
To the Graduate Council:

I am submitting herewith a thesis written by William Joseph Cummings III entitled "Community, Violence, and the Nature of Change: Whitecapping in Sevier County, Tennessee, during the 1890s." I have examined the final copy of this thesis for form and content and recommend that it be accepted in partial fulfillment of the requirements for the degree of Masters of Arts, with a major in History.


Paul H. Bergeron, Major Professor

We have read thesis
and recommend its acceptance:





Accepted for the Council:



Vice Provost
and Dean of The Graduate School

STATEMENT OF PERMISSION TO USE

In presenting this thesis in partial fulfillment of the requirements for a Master of Arts degree at the University of Tennessee, Knoxville, I agree that the Library shall make it available to borrowers under rules of the Library. Brief quotations from this thesis are allowable without special permission, provided that accurate acknowledgement of the source is made.

Requests for permission for extensive quotation from or reproduction of this thesis in whole or in parts may be granted by the copyright holder.

Signature _____

William Joseph Cummings III

Date _____

15 March 1988

COMMUNITY, VIOLENCE, AND THE NATURE OF CHANGE:
WHITECAPPING IN SEVIER COUNTY, TENNESSEE,
DURING THE 1890S

A Thesis
Presented for the
Master of Arts
Degree
The University of Tennessee

William Joseph Cummings III

June 1988

Copyright © William Joseph Cummings III, 1988

ACKNOWLEDGMENTS

While the responsibility for what is written is the author's, a project such as this is rarely completed without the help of many people. In particular, I am indebted to Professors Paul H. Bergeron, William Bruce Wheeler, and Charles W. Johnson who served as my director and committee respectively. Additionally, Dr. Robert H. Orr, the coordinator of the Office of International Agricultural Programs at the University of Tennessee, helped me to understand the nature of rural community. I also would like to express my appreciation to the staffs of the McClung Collection at the Knoxville Public Library, Special Collections at the University of Tennessee Library, and the Tennessee State Library and Archives for helping me to uncover sources related to the whitecaps of Sevier County. Similarly, I am indebted to Cheryl Henderson of the East Tennessee Historical Society who helped me to find some important information, Ann Lacava from the Graduate School who cheerfully provided advice on the final format of this project.

At this time I also would like to express my thanks to my family and friends for their support. I especially want to thank Nittaya Wongtada for her encouragement. Finally, I would like to acknowledge the help of my grandmothers, Lula Mae Cummings and Lola D. Plummer, who instilled in me a love for history and for Tennessee. This work is dedicated to their memory.

ABSTRACT

During the 1890s, a series of extra-legal and illegal activities known as "whitecapping" occurred in Sevier County, Tennessee. While the early episodes were based on traditional responses to deviant behavior in rural communities, whitecapping reflected the loss of community within the county. This study examines the relationship of whitecapping and community in Sevier County and how it changed during the 1890s. The several, often contradictory, social conditions which affected the life of every Sevier Countian are also examined to show the decline of community consensus during this period. Finally, the events galvanizing public opinion against the whitecaps are analyzed to understand their enduring effect on community in Sevier County.

TABLE OF CONTENTS

CHAPTER

I. "THIS NEW METHOD OF KUKLUXING"	1
II. "LET NOT PETTY LOCAL JEALOUSIES HINDER"	22
III. "LIVES WILL BE SACRIFICED IN A MOB"	62
IV. "THE 'GOOD WORK OF REFORMATION' WILL CONTINUE	88
 BIBLIOGRAPHY	 101
 APPENDIXES	 112
APPENDIX I. SELECTED AGRICULTURAL STATISTICS FOR SEVIER COUNTY, TENNESSEE, TAKEN FROM THE 1860, 1870, 1880, AND 1900 CENSUS	 113
APPENDIX II. THE WHITE CAP BILL PASSED BY THE TENNESSEE STATE LEGISLATURE, MARCH 1897	 114
 VITA	 116

LIST OF FIGURES

FIGURE

- 2-1. PROFILE OF TOWNS IN SEVIER COUNTY, TENNESSEE,
WITH POST OFFICES IN 1876 25
- 2-2. SEVIER COUNTY, TENNESSEE, FARMS BY IMPROVED
AND UNIMPROVED ACRES, AVERAGE FARM SIZE,
AND AVERAGE IMPROVED ACRES, 1860-1900 37
- 2-3. SEVIER COUNTY, TENNESSEE, FARMS BY ACREAGE
AND TYPE OF OWNERSHIP, 1880-1900 37
- 2-4. POPULATION AND POPULATION GROWTH RATE
IN SEVIER COUNTY, TENNESSEE, BY CIVIL
DISTRICT, 1860-1900 59
- A-1. SELECTED AGRICULTURAL STATISTICS FOR SEVIER
COUNTY, TENNESSEE, TAKEN FROM THE 1860, 1870,
1800, 1890, AND 1900 CENSUS 113

CHAPTER I

"THIS NEW METHOD OF KUKLUXING"

During the winter of 1892, a group of prostitutes from Knoxville moved into the Emert's Cove neighborhood of Sevier County, Tennessee, and began entertaining the men of the area. The wives of the community, angry that their menfolk's attention had turned away from the hearth, formed a mob to protect their families and homes. Urged on by several men, the women went to the dwelling of each prostitute one night and laid bundles of hickory switches at the front doors with a note telling the occupants to leave the neighborhood or suffer a beating during a later visit. The messages were signed "White Caps."¹

Women were the first whitecaps in Sevier County but not the first vigilantes. The ritual, known today as "rough music" or "charivari," that was carried out by the women of Emert's Cove reflected traditions and customs in East Tennessee which extended from the prehistory of European civilization to beyond nineteenth-century American culture.² Well into the twentieth

¹*Knoxville Tribune*, 18 May 1892. While the gender of the first white caps in Sevier county is interesting, female vigilantes are not unique in America or Europe. See, Vance Randolph, *Pissing in the Snow and Other Ozark Folktales* (New York: Avon Books, 1976), pp. 201-202; and, E. P. Thompson, "The Moral Economy of the English Crowd in the Eighteenth Century," *Past & Present* 50 (February 1971): 115-116.

²Violet Alford, "Rough Music or Charivari," *Folklore* 70 (December 1959): 505-518; E. P. Thompson, "'Rough Music': Le Charivari," *Annales Économies Sociétés Civilisations* 27 (Mars-Avril 1972): 287, n. 8; and Bryan D. Palmer, "Discordant Music: Charivaris and Whitecapping in Nineteenth-Century North America," *Labour/Le Travailleur* 3 (1978): 5-62.

century, rural Tennesseans traditionally formed mobs and used extra-legal violence to define and regulate deviant behavior in their communities that was not proscribed by the legal codes. In Union County, Tennessee, during the 1930s, for example, young men who went courting outside their own mountain hamlets were often driven away from their romantic interests by rock-throwing local rivals who were angry at an invader coming into their neighborhood. As late as 1950, grooms in rural Middle Tennessee still rode upon ladders carried by their friends and neighbors as a reminder that their weddings affected the entire community.³

The first whitecap episodes were applauded and commended by the people of Sevier County. The acts of violence that followed, however, were quickly recognized as being dangerous and different from the traditional methods of extra-legal justice. Called "this new method of kukluxing" by one local observer,⁴ within two months after the first outbreak of night riding, a Knoxville newspaper reported that a "wholesale killing is looked for at any time"⁵ by the county's residents.

³Michael J. McDonald and John Muldowny, *TVA and the Dispossessed: The Resettlement of Population in the Norris Dam Area* (Knoxville: University of Tennessee Press, 1982), p. 37; and interview with James E. Hall and Ray Midgett, Lebanon, Tennessee, 15 March 1986. Although its function of defining and regulating behavior is now mostly forgotten, "rough music" is still a part of mainstream American culture in the manifestation making a wedding couple conspicuous by decorating their car and following the vehicle in a noisy procession; similarly, children who "trick or treat" on Halloween reenact a forgotten warning to every head of household to meet the expectations of his neighbors.

⁴[Thomas H. Davis], *The White-Caps: A History of the Organization in Sevier County* (Knoxville: Bean, Warters & Gaut, 1899), p. 12.

⁵*Knoxville Tribune*, 18 May 1892.

While many Sevier Countians understood that their world had become more dangerous with the advent of the whitecaps, most did not realize what the new vigilantism signified. The "new method of kukluxing," which the whitecaps represented, was a symptom of a greater social malaise for the citizens of Sevier County—the collapse of their community. The purpose of this thesis is to examine the relationship between whitecapism and community in Sevier County during the 1890s. To understand this fully, however, it is necessary to comprehend the traditional relationship between mob violence and community in Sevier County and how it changed during the 1890s. The several, often contradictory, social conditions which affected the life of every Sevier Countian also need to be examined to show the decline of community consensus during this period. Finally, the events galvanizing public opinion against the whitecaps can be analyzed to understand their effect on community in Sevier County.

Sevier County has had a long history of extra-legal violence. Founded in 1785 by citizens of the "Lost State of Franklin" and named for its governor, John Sevier, the county was formed from land obtained from the Cherokee Nation by the Treaty of Dumplin Creek. This treaty opened up land south of the French Broad River that had been reserved for the Indians in other treaties made by the North Carolina and United States governments. Franklinites quickly moved into the new territory and created Sevier County. After the rest of the State of Franklin returned to the jurisdiction of North Carolina, the settlers living below the French Broad continued to defy the

transmontane authorities, because they were unwilling to yield their lands to the Indians as the other treaties had stipulated.⁶

Several years later, when William Blount became the governor of the Territory South of the River Ohio, one of the first challenges he met was the problem of settlers still living south of the French Broad. He solved this problem by negotiating the Treaty of the Holston with the Indians in 1791 which reopened the area to white settlement. Three years later the territorial assembly created Sevier County.⁷

The long and troubled founding of Sevier County, as in other frontier areas, caused the people to become fiercely proud of their independence and suspicious of outside authority. These characteristics were reinforced soon after Tennessee became a state, when the General Assembly and the federal government attempted to force the original settlers south of the French Broad, or their heirs, to pay a dollar per acre for the lands that had been taken from the Indians by the Treaty of Dumplin Creek, which had been repudiated by the Hopewell Treaty in 1785. For more than thirty years and despite the threat of property confiscation by the state government, the residents of Sevier County, feeling no doubt that land had already been paid for in sweat and blood, refused to pay the levy. Finally, the government relented and in 1829 passed a law which allowed each resident to enter a tract for not more than 200 improved acres. Almost sixty years later, the descendants of the first

⁶Samuel Cole Williams, *History of the Lost State of Franklin* (Johnson City, TN: Watauga Press, 1924, reprint ed., Nashville: Franklin Book Reprints, 1970), pp. 56-57, 75-77, and, 213-225.

⁷Robert E. Corlew, *Tennessee: A Short History*, 2nd ed. (Knoxville: University of Tennessee Press, 1981), pp. 90-93.

settlers proudly recounted their ancestors' struggle with the state and federal governments as an important event in their county's early history.⁸

The sense of local autonomy which characterized the early communities of Sevier County was further nurtured by the legal system. Until the latter part of the nineteenth-century, justice in rural areas was often perceived as "community consensus" and was closely intertwined with a community's honor. The legal system in Tennessee during this time relied upon justices of the peace, and county circuit courts to insure justice. Justices, also known by the honorific title of "squires," were usually landowners and local political leaders who kept the peace within their civil districts where they faced election every six years. Normally, they adjudicated cases involving minor crimes and resolved arguments between neighbors to keep from burdening the chancery and circuit courts with litigation. They also had the authority to hear criminal cases and to refer them to the appropriate court. Equally important in Sevier County, justices also represented their civil district in the county court. Two justices came from each civil district, except for the county seat which was represented by three members at the county court.⁹

⁸*History of Tennessee: From Earliest Time to the Present; Together with an Historical and a Biographical Sketch of From Twenty-five to Thirty Counties of East Tennessee* (Chicago and Nashville: Goodspeed Publishing Co., 1887), hereafter *Goodspeed's History of Tennessee*, pp.835-836; and, for a reprint of a 1825 notice in the *Knoxville Register* which shows an example of the State of Tennessee's harassment, see *Smoky Mountain Historical Society Newsletter* 12 (Spring 1986): 5.

⁹W. A. Milliken and John J. Vertrees, *The Code of Tennessee, Being a Compilation of the Statute Laws of the State of Tennessee, of a General Nature, in Force June 1, 1884* (Nashville: Marshall and Bruce, 1884), pp. 199, 924-938.

A legal institution that dated back to the fourteenth century in England, the office of justice of the peace was increasingly looked down upon by Tennessee's legal fraternity of the late nineteenth and early twentieth centuries. As an elective official, justices of the peace often had no formal legal training, nor were they accountable to anyone but their constituents. Justices were required to submit an annual account of their court's proceedings; but because there was no standardized form to follow, justices reported as much or as little as they wanted to about their courts. This coupled with the fact that justices were not salaried by the state, but were often paid by whomever instituted legal proceedings in their courts, distressed the Tennessee legal profession. The fee system and the lack of professional ethics, critics argued, encouraged corruption; and among themselves, lawyers referred to the institution as "justice for the plaintiff."¹⁰

The circuit court heard cases concerning major crimes, such as grand theft or murder, and other litigation which could not be resolved by the justices of the peace. Presided over by a circuit judge, the court employed two types of juries—grand and petit. In Sevier County, a grand jury of thirteen men, usually impaneled by the county court, listened to testimony to determine if enough evidence existed for an indictment or "true bill" to be brought against a defendant. As in other counties, the county court was required by law to select grand jury members who would represent all or

¹⁰Eventually the judicial responsibilities of Tennessee justices of the peace were assumed by the general sessions courts; see, Lee Seifert Greene, David H. Grubbs, and Victor C. Hobday, *Government in Tennessee*, 3rd ed. (Knoxville: University of Tennessee Press, 1975), pp. 156-157, T. L. Howard, "The Justice of the Peace System in Tennessee," *Tennessee Law Review* 13 (December 1934): 19-38, and Robert S. Keebler, "Our Justice of the Peace Courts—A Problem in Justice," *Tennessee Law Review* 9 (December 1930): 1-21.

most of the civil districts in the county. If a "true bill" was found, the petit jury, consisting of twelve men, considered the evidence during a normal trial and delivered a verdict.¹¹

Like other nineteenth-century legal systems in the South, the consensus of the community often was reflected in Tennessee's circuit courts. If the grand jury determined that a man was justified in committing the crime of which he was accused, often a "no true bill" would be found. Similarly, if the case went to trial and the petit jury felt a defendant was right in the crime he committed, a "not guilty" verdict would be returned, or a mistrial would be declared, despite the evidence. Most Tennesseans, as well as many circuit judges, believed that juries had the right to judge the law and the evidence.

Justice also was found beyond the squire's parlor and the courthouse. To maintain their community's honor, rural people warned and punished persons who behaved outside the expected norm.¹² Often the victims were people who were beyond the pale of the law because of their social position or the nature of their offense. In May of 1892, Rosie Jenkins of Sevier County, after having been warned by whitecaps to quit her adulterous affair with a county official, was taken from her house and beaten. During the year before a sixteen year-old girl from a mountain community was dragged from her bed at night by a mob, stripped, and whipped to death for marrying an old

¹¹Milliken and Vertrees, *The Code of Tennessee*, pp. 898-905; also see, D. L. Grayson, *The Annotated Constitution and Code of the State of Tennessee*, vol. 2 (Chattanooga: Times Print, 1895), pp. 1196-1197.

¹²Bertram Wyatt-Brown, *Southern Honor: Ethics and Behavior in the Old South* (New York: Oxford University Press, 1982), pp. 369-371.

widower.¹³ At different times and places, rural vigilantes traveled under different names such as "regulators," "ku kluxers," "night riders," and "Bald Knobbers." The use of the name "whitecaps" began being popularly employed by vigilantes throughout the United States in the late 1880s after mobs in southern Indiana using that name received national notoriety.¹⁴ East Tennesseans learned about the Indiana whitecaps through the Knoxville newspapers which carried reports about the Hoosier vigilantes.¹⁵

Besides through courts and mobs, justice was meted and honor was kept in communities by individual initiative. On 18 May 1895, Michael Bird, a Civil War veteran, murdered Lemuel Fox for trying to seduce his daughter. Unlike whitecapping episodes, which were generally evanescent and masked in anonymity, this case and others like it were often preceded by a history of trouble between the murderer and his victim. For weeks before the murder, Bird had warned Fox to cease evening visits to his daughter's home. When Fox, whose family was one of the oldest and most respected in the county, persisted, Bird ordered his daughter into his own home where he could better protect her from Fox's affections. On a Saturday night, shortly after the move, Bird discovered Fox on his property and shot the would-be Lothario. When

¹³*Knoxville Tribune*, 18 May 1892; and Will A. McTeer, "The Mountaineers of East Tennessee and Kentucky," *American Law Review* 26 (1892): 470.

¹⁴Sally L. James, "American Violent Moral Regulation and the White Caps" (Honors essay, 1969), p. 24. See also, Madelein Noble, "The White Caps of Harrison and Crawford Counties, Indiana" (Ph.D. dissertation, University of Michigan, 1972).

¹⁵For example; see, *Knoxville Tribune*, 11 August 1893.

Fox, who was only wounded, reached for a revolver he was carrying, the old veteran struck him with his gun and broke the trespasser's neck.¹⁶

The trial of Michael Bird is a good demonstration of the relationship between the legal system and extra-legal violence in many southern rural communities before the turn of the century. The old man surrendered immediately to the authorities and because of the nature of the crime and the prominence of the two families, the local Justice of the Peace held an inquiry on 8 June 1895, instead of waiting for the grand jury to make a indictment in July at the circuit court. A large and curious crowd, as was normal for cases like this, gathered in Fair Garden, one of the county's larger towns in the northern part of Sevier County, to witness the hearing. Bird was represented by two lawyers, and because the local attorney general was with the court at another point on the circuit, the justice appointed two attorneys for the prosecution.

All four lawyers worked vigorously on behalf of their respective clients and summoned over thirty witnesses. Finally, after hearing the testimony of a dozen witnesses, the justice ruled to indict the defendant for second degree murder. Many of the people who watched the proceeding, while not surprised at the justice's decision, felt that Bird had been right in killing Fox. The editor of the *Sevierville Star*, William H. Montgomery, reflected many of the opinions of the defendant's neighbors when he wrote that there should be "some means provided for the legal execution without judge, jury, clergy, or ceremony, of all villains who invade the sanctity and destroy the happiness of other people's homes."¹⁷

¹⁶*Sevierville Star*, 24 May 1895.

¹⁷*Sevierville Star*, 14 June 1895; and 24 May 1895.

The old veteran's bond was made by several of his friends and his trial began in July at the next term of the circuit court in Sevierville. The defense lawyers, however, employed the common legal stratagem of requesting continuances, and his case did not go before a jury until November 1896, when he was found not guilty.¹⁸ Although its deliberations are unknown, there are several factors which doubtlessly helped to sway the jury to the defendant's side. Fox had persisted in seeing Bird's daughter despite the repeated warnings and efforts by the old man, and he had broken the law by trespassing on the older man's land. More importantly, Bird only wounded the younger man and had been forced to kill him in self-defense, when Fox reached for his own weapon. The defendant's efforts to eschew violence until he had no other alternative must have been apparent to the jurors.¹⁹

Similarly, Bird's behavior after the crime had been committed also helped to convince the jury that he had behaved honorably. Instead of hiding his victim's body or fleeing the area, the old soldier turned himself in to the authorities and awaited the judgment of his neighbors. At his trial, Bird's lawyers wisely made several successful motions for continuances, in order to allow what little anger over Fox's death that might have existed to subside. Fortunately for the old veteran, the younger man had acted so outrageously that even his family and friends could not justify his actions. On the other hand, the defendant's deportment helped to convince the jurors that they

¹⁸Circuit Court of Sevier County Minutes, July 1895-November 1896, passim.

¹⁹Dickson B. Bruce Jr., *Violence and Culture in the Antebellum South* (Austin: University of Texas Press, 1979), pp. 7 and 113.

could not find him guilty without condemning what they believed was a basic right to protect the honor of their own families and homes.

As the above examples show, the court, the mob, and the individual, all worked to insure a community's honor. The jury provided the censure of the law or, as in the case of Bird, the compassion of the court. While the court could only act on legal matters, mobs and individuals dealt with problems beyond the purview of the law. Although operating outside of the law, they nevertheless still answered to the community's consensus through the courts. Juries also knew the will of the people and if a crowd's or a man's actions were too excessive or did not protect the community's honor, the courts would intercede on behalf of the community. By the 1870s, grand juries in Tennessee had at their command many laws which could be employed to protect their community's honor. Besides statutes against arson, destruction of private property, assault and battery, etc., the criminal code also prohibited the wearing of a mask during the commission of a crime or "ku-kluxing."²⁰

The honor of Sevier County, Tennessee, centered around a sense of local autonomy and social cooperation and relied upon a "fragile social equilibrium" between the courts, the mob, and each individual.²¹

²⁰The first "Ku Klux" laws, passed during Reconstruction at the insistence of the governor, William G. Brownlow, outlawed the organization the Ku Klux Klan but were repealed and replaced, shortly after he left office, with new laws forbidding "ku-kluxing" which defined the wearing of masks as *prima facie* evidence of the intent to commit a crime; see, R. T. Shannon, *Public and Permanent Statutes of a General Nature Being an Annotated Code of Tennessee* (Nashville: Marshall & Bruce Co., 1896), *passim*; for statutes outlawing "ku-kluxing," see, p.1634."

²¹Wyatt-Brown, *Southern Honor*, pp.400-401.

Nevertheless, for many years the system appeared to work and abuses were rare. When a group of young men rode into Sevierville in October of 1874 to rescue a friend incarcerated in the jail, they were stopped by Deputy Sheriff Mitchell, who convinced them to yield to the consensus of the community by arresting only two members of the mob and allowing the remainder to ride off.²²

By the early 1890s, however, that fragile balance necessary for a community to protect its honor had begun to collapse. Soon after the women of Emert's Cove with their hickory switches and anonymous notes had successfully driven the prostitutes out of their valley, new forms of night riding which no longer represented the consensus of the community arose and spread throughout the county. Therefore within a few months more than five hundred revolvers were purchased by anxious inhabitants of the county.²³

Modern scholars who have examined the whitecaps of Sevier County have recognized, but ignored this important change of perception. In his pioneer work on American culture, *The Strain of Violence*, Richard Maxwell Brown divided vigilantism into two broad models—socially constructive and socially destructive. While both types were a part of an American vigilante tradition, Brown argued that the former, which was more common, was the result of consensus that had a stabilizing effect on the community. Conversely, the rarer socially destructive vigilantism occurred only when

²²*Knoxville Grange Outlook*, 22 October 1874.

²³*Knoxville Tribune*, 18 May 1892.

strong opposition rose against the vigilantes.²⁴ Since they faced opposition during the seven years in which they were active, the Sevier County whitecaps were an aberration, Brown concluded; they were socially destructive to their community.²⁵

William F. Holmes, on the other hand, has viewed the Sevier County night riders as typical of rural vigilantes throughout the South during the late nineteenth and early twentieth centuries. After studying rural mob violence, he, while acknowledging that extra-legal violence was a part of the fabric of Southern life, discovered other reasons for whitecapping.²⁶ Influenced by the works of George Rudé, E. J. Hobsbawn, Charles Tilly, and E. P. Thompson, Holmes argued that whitecapping occurred in isolated areas with traditions of vigilantism that attempted "to maintain values and traditions . . . believed [to be] endangered by outside forces," particularly the effect of the national economy. Nearby townspeople and wealthier farmers, who were worried about the night riders' adverse effects on the area's economy, were able to suppress the whitecaps, but usually only after a heinous crime turned public

²⁴Richard Maxwell Brown, *Strain of Violence: Historical Studies of American Violence and Vigilantism* (New York: Oxford University Press, 1975), pp. 118-119.

²⁵*Ibid.*, n.91, p. 119.

²⁶William F. Holmes, "Whitecapping: Agarian Violence in Mississippi, 1902-1906," *Journal of Southern History* 35 (1969): 165-185; "Whitecapping in Mississippi: Agarian Violence in the Populist Era," *Mid-America* 55 (1973): 134-148; ; "Whitecapping: Anti-Semitism in the Populist Era," *American Jewish Historical Quarterly* 63 (1974): 244-261; "Moonshining and Collective Violence: Georgia, 1889-1895," *Journal of American History* 67 (1980): 589-611; "Whitecapping in Georgia: Carroll and Houston Counties, 1893," *Georgia Historical Quarterly* 64 (1980): 388-403; and "Moonshiners and Whitecaps in Alabama, 1893," *Alabama Review* 34 (1981): 31-49.

opinion against the vigilantes and often with the help of state and federal authorities.²⁷

Canadian historian Bryan D. Palmer, a student of E. P. Thompson, reached a similar conclusion in 1978, after surveying charivaris and whitecapping in Canada and the United States. Palmer argued that both forms of extra-legal violence were customary and had long histories in North America, insuring that community mores not covered by the legal system were obeyed. With the rise of a new middle class during the late nineteenth century, however, vigilantes became a threat to the "hegemony of the bourgeoisie" who endorsed the rule of law as a solution to all problems.²⁸

Brown, Holmes, and Palmer recognized that the Sevier County whitecaps operated without community approval, but failed to recognize the significance of their observation. This lack of consensus was unique, because rural vigilantes traditionally enjoyed the tacit support of their neighbors who understood that night riding helped regulate the community's honor. During the 1890s, however, the social cooperation necessary for community

²⁷_____, "Moonshining and Collective Violence: Georgia, 1889-1895," *Journal of American History* 67 (1980): n. 73, pp. 592, 610-611. In his 1984 book, Edward L. Ayers has agreed with Holmes' findings that whitecapism in North Georgia was a response to the inability of mountaineers to compete in a market economy. Two years later in a discussion on Southern life in the twentieth century, Pete Daniel used Holmes' early articles on whitecapping in Mississippi in his discussion of the vigilantes to focus on the relationship between the region's deteriorating economic conditions and racism; see, Edward L. Ayers, *Vengeance and Justice: Crime and Punishment in the Nineteenth-Century American South* (New York: Oxford University Press, 1984), pp. 260-264; and, Pete Daniel, *Standing at the Crossroads: Southern Life Since 1900* (New York: Hill and Wang, 1986), pp. 54-55.

²⁸Palmer, "Discordant Music," pp. 60-61.

consensus declined, and as a result, the "fragile social equilibrium" which sustained the honor of Sevier County disappeared.

The observation that whitecapping was a "new method of kukluxing," was made in a book written in 1899 by the Sevier County sheriff, Thomas H. Davis, to turn public opinion against the night riders.²⁹ The author's comparison, however, was not made against the specific acts of former night riders. Instead, the lawman recounted selected whitecap episodes that would offend his readers' expectations of vigilante behavior based upon their past history.. Similarly, an ideal typology also can be employed usefully to understand the relationship between whitecapping and community. Simply stated, an ideal typology is "a set of law-like generalizations" which can be used to understand how Sevier Countians and other Southerners made sense of some of the violence in their lives without moralizing about the right or wrong of vigilantism.³⁰

Traditionally, rural vigilantes were neighbors of their victims and had a clear understanding of the offense against the community. Whitecaps, however, often patrolled in areas outside of their civil district. One group regularly forded the French Broad and operated in the more isolated northern reaches of the county, while a band of whitecaps from north of the river reciprocated by riding through the neighborhoods south of the river. Other

²⁹[Thomas H. Davis], *The White-Caps: A History of the Organization in Sevier County*. Modern librarians generally attribute authorship of this volume to its publisher, E. W. Crozier, and indeed he may have helped ghost write some of the chapters. At the time of its release, however, the volume was known in the *Knoxville Journal* as Davis's book; the galleys are still in the possession of his daughter, Miss Nona A. Davis.

³⁰ Bertram Wyatt-Brown, "The Ideal Typology and Ante-Bellum Southern History: A Testing of a New Approach," *Societas* 5 (1975): 2-3.

whitecaps from Sevier County punished residents of neighboring Blount and Jefferson counties.³¹ The reason behind the whitecaps' far-ranging patrols was to protect their identities and thus avoid prosecution. Whitecaps also wore masks and disguises for the same reason.³² As a result, their desire for anonymity differed from members of a traditional charivari who wore masks to reinforce the notion that the victim had estranged himself from his community.³³

Since they were outside of their normal bailiwick, whitecaps occasionally punished innocent people or were excessive in their punishment because they lacked a neighbor's compassion for his victims. In his book, Davis recounted one particularly horrendous example of this fault of whitecapping. Late one night in the middle of May 1893, a large band of masked whitecaps rode up to a house occupied by the widow Mary Breeden, her two grown daughters named Bell and Martha, her son, Jacob, and another young daughter. The vigilantes planned to punish the two older daughters, because of rumors accusing the young women of being promiscuous and adulterous.³⁴ Eight night riders broke into the house and, while holding her family at gun point, dragged Bell into the front yard where two men held her arms outstretched. Then two others beat her with hickory sticks until her

³¹[Davis], *The White-Caps: A History of the Organization*, p. 18, 193.

³²Although some of the wealthier nightriders were reported to have worn long flowing robes reminiscent of today's Ku Klux Klaners, most white caps wore only cloth masks and sometimes long coats turned inside out to mask their identities see, [Davis], *The White-Caps: A History of the Organization*, p. 31.

³³Wyatt-Brown, *Southern Honor*, p. 452.

³⁴[Davis], *The White-Caps: A History of the Organization*, p.188.

nightgown was soaked in blood. When Mary pleaded on behalf of her daughter, the leader of the band promised her like punishment, but not before Bell was dragged back into the house and Martha was taken out into the yard and also whipped. Then the widow was brought out and assaulted by the mob who quit their punishment only on the orders of the leader. The old woman was beaten too severely and the intercession came too late; for a short time later, she died.³⁵

To the readers of Davis's book and to modern observers, the attack on Mary Breeden and her daughters clearly showed the fault of whitecap justice for two reasons. First was the attack on Martha and Mary Breeden. While Bell's neighbors were well aware of her deviant behavior, Martha had lived a chaste life and, after her beating, eventually married "a respectable and substantial citizen." She should never have been punished. Similarly, Mary Breeden's only crime was wanting to protect her children; and in the eyes of her Sevier County neighbors, she was martyred needlessly by the whitecaps. Second was the severity of the whitecaps' punishment. Traditionally, the purpose of rural vigilante punishment, especially during a first visitation, was to discourage certain behavior, not to disable the victim. Sevier Countians doubtlessly considered the attack on the Breeden women as too harsh. When the whitecaps returned three years later to whip Bell and Martha again, their nearest neighbor, Patrick Johnson, grabbed his revolver and ran to their defense.³⁶

³⁵Ibid., pp. 180-187.

³⁶Ibid., 188-189.

Another important difference between whitecapping and traditional vigilantism was that Sevier Countians were being expected to accept a lot of criminal activity as reflections of the community's consensus. Whitecapping, in other words, became a generic term for much of the criminal activity in Sevier County during the 1890s. The types of crime varied. Laura Rose, a target of the whitecaps, avoided being whipped by moving around in the county. When two boys, Will Lane and Frank Keeler, discovered that she was still entertaining men in the privacy of her residence, they toppled her stick chimney with a pole and frightened the occupants who no doubt thought that they had been discovered by the whitecaps.³⁷ While this prank, which rightfully could be called a good example of traditional extra-legal activity, merely discomforted the victims, other whitecapping activities clearly served criminal purposes. In November 1896, John Burnett, a pensioner, was robbed by a small gang of whitecaps. Soon after, another old man, Andrew Henderson, was assaulted and robbed of his life savings by the same group of masked men who galloped away from the crime scene yelling "White-caps! White-caps! Clear the way—the White-caps are coming!"³⁸ Clearly, the criminals in both robberies were presenting themselves as vigilantes, despite the fact that they were unconcerned with administering extra-legal justice.

In both types of instances, pranks and crimes, the perpetrators were considered, either by accident or choice, to be whitecaps and thus members of an extra-legal force that represented a community consensus. This was falsely

³⁷Cas Walker, *The Whitecaps of Sevier County: A Story of a Feud Between the White Caps and the Blue Bills in Sevier County in the Great Smoky Mountains*, rev. ed. (Knoxville, TN: Trent Publishing Company, 1974), p. 76.

³⁸[Davis], *The White-Caps: A History of the Organization*, pp. 171-179.

confirmed by the fact that until the end of their seven-year reign, no whitecap was prosecuted successfully in Sevier County. In fact, the whitecaps' apparent stamp of approval from the courts was a perception that was cultivated by the whitecap leadership who understood and were able to exploit the "fragile social equilibrium" of their legal system.

Shortly, after the charivari of the prostitutes in Emert's Cove, whitecap gangs were organized by justices of the peace who were able to protect their men by dismissing the whitecap cases in their court for lack of evidence. On the few cases that were bound over to the circuit court, the justices were still able to intercede for the night riders by selecting fellow whitecaps to serve on grand and petit juries. As whitecapping grew in popularity, the night riders were able to protect themselves further from grand and petit juries by intimidating state witnesses.³⁹ Thus the "vigilantes" were able to subvert the traditional balance between legal and extra-legal justice. Soon merchants and mechanics joined the organization in order to attract business; and whitecaps began to take on the trappings of a mystic fraternal organization, like the Masons or Oddfellows, complete with secret meetings and signs, blood oaths, and ritual garb. Eventually, the justices and other local politicians identified themselves with the vigilantes at election time and sought their vote.⁴⁰

Within a short time, whitecap gangs were being sponsored by wealthy farmers who helped the vigilantes by guaranteeing their bail and providing counsel during court proceedings. It is said that no whitecap ever languished

³⁹*Knoxville Tribune*, 18 May 1892, [Davis], *The White-Caps: A History of the Organization*, pp. 32-35.

⁴⁰[Davis], *The White-Caps: A History of the Organization*, pp. 12-13, 17-18, 31.

in jail or ever skipped on his bond.⁴¹ Like the early vigilantes who were unsatisfied with a slow and ineffective court system, the landowners saw in the whitecaps an opportunity to expedite their potential legal problems with troublesome tenants. A letter to the editor of the *Sevierville Star* provides a good example of how landlords used the vigilantes. The writer reported that a new tenant farmer who had moved into the East Forks area had become lazy and had decided to stop tending the land. Soon after, he received a notice telling him "to go to work or he would catch the withe." The note was attached to three stout switches. The result of the "letter from danger" was that the farmer subsequently was seen, in the words of the writer, to be "looking along a mule's back with prompt regularity."⁴²

Landlords sometimes masked their intimidation of their tenants by attacking them during raids on traditional victims of extra-legal justice. In April 1895, Jerry Woodsby was attacked by a group of whitecaps who ordered him to return to the employ of James Catlett, a wealthy landowner. The night riders then traveled to the cabin of Thomas Gibson to punish his daughter, Callie, for being promiscuous. When Gibson tried to defend his family, he was murdered by a shotgun blast.⁴³

Herein was the greatest difference between traditional rural vigilantes and whitecaps. Whereas traditional mobs were popular reactions that were a part of an established system of justice, the whitecaps of Sevier County, led by some of the county's leading citizens for their own purposes, sought to

⁴¹[Davis], *The White-Caps: A History of the Organization*, pp. 15.

⁴²*Sevierville Star*, 28 June 1895

⁴³[Davis], *The White-Caps: A History of the Organization*, pp. 93-97.

subvert, not compliment, the judicial system. Needless to say, whitecap leaders could not exercise absolute control over their "vigilantes" and still manipulate their followers, and their sponsorship of the night riders created a situation where any man could commit any crime and go scot-free so long as he could claim to be whitecap. As a result of the "new ku-kluxing," crimes, feuds, and vendettas, raged on unchecked in Sevier County in the name of a non-existent consensus that circumvented justice and destroyed the "fragile social equilibrium" that insured honor within the community.

CHAPTER II

"LET NOT PETTY LOCAL JEALOUSIES HINDER"

In 1910, W. L. Duggan, historian and editor of the *Sevier County Republican*, authored a pamphlet for visitors to the Appalachian Exposition in Knoxville. Encouraged by the opening of a new railroad and eager to attract new industry to Sevier County, Duggan tried to explain to potential investors that the county's lack of development was actually an asset. For many years, the historian wrote, the county had been like a becalmed ship, "undisturbed by the wheels of industry and progress," waiting for the gentle winds of change brought by "railroad facilities, new people and capital [that] will fill the sails of that ship and move the waves of that ocean, bring into our midst new people, new ideas and new methods to stimulate and forward the spirit of progress already manifested."¹ A more accurate metaphor to the people of Sevier County, however, would have been of a ship gallantly sailing against gale winds only to discover during a respite that their vessel had not traveled very far. Not surprisingly, whitecapping during the 1890s, a particularly turbulent time, reflected the culmination of the many social forces which affected the lives of Sevier Countians.

Sevier County in that decade lay within two of the physiographical areas of the Volunteer State. The eastern section of the county extended into the Great Smoky Mountains of the Unaka Range to the border of North Carolina; the lion's share of the county's 660 square miles, however, was in the region called the Great Valley of East Tennessee. The preferred farming

¹Duggan, *Facts About Sevier County*, (Sevierville, TN: Sevier County *Republican*, 1910), p. 8.

area was the fertile land along the banks of the several rivers which coursed through the county. Most of the remaining land was considered too hilly to cultivate; as a result, much of the land's resources went unexploited.²

Every inhabitant and visitor who traveled across its mountains and high ridges during the nineteenth century knew that one of the greatest problems facing Sevier County was its isolation. The geography of the county hindered the progress of its people in several ways. Because of the ridges, Sevier Countians were forced to rely on the rivers for transportation. During the season of navigation, that period when the water was neither too high and swift nor too low, steamboats and barges traveled up and down the French Broad and Pigeon Rivers. When the water was too low for boat traffic, farmers also used the riverbeds to drive their stock to market.³ While this was a common manner for the area during the pioneer days, the rest of the region moved to roads and railroads during the mid-nineteenth century.

By the 1830s, the lack of a decent transportation system hindered the development of an iron industry in the county. The Swedish Iron Works, which operated successfully on the East Fork of the Little Pigeon River from 1835 to 1840, was forced to close down because of high transportation costs. On the West Fork of the river at Pigeon Forge another antebellum iron works

²Edward T. Luther, *Our Restless Earth: The Geologic Regions of Tennessee* (Knoxville: University of Tennessee, 1977), pp. 72 and 75; and, *History of Tennessee: From Earliest Time to the Present; Together with an Historical and a Biographical Sketch of From Twenty-five to Thirty Counties of East Tennessee* (Chicago and Nashville: Goodspeed Publishing Co., 1887)[hereafter *Goodspeed's History of Tennessee*] p. 834.

³Wilma Dykeman, *The French Broad* (New York: Holt, Rinehart and Winston, 1955, reprint ed., 1974), pp.137-151.

was forced to close after several years of successful operation.⁴ Similarly, the logging industry was unable to begin until after railroads reached into Sevier County in 1910.⁵

Geography also created barriers between the many small communities of Sevier County. High ridges separated the settled coves and river plains of the county, and forced farmers and merchants to use the rivers as the major transportation routes; as a result, many of these rural communities became economically linked with Knoxville, Maryville, and Newport, instead of Sevierville.⁶ After the Civil War, the owners of small country stores in Sevier County became more dependent upon suppliers in these towns when rural people began demanding more manufactured goods.⁷ As the chart in Figure 2-1 shows, by the 1870s the shipping points for large sections of the county passed through towns other than Sevierville. Because of this, several villages rivaled the county seat in the goods and services which they provided their citizens. Two of the towns, Fair Garden and Wear's Valley, had larger populations than Sevierville, which also received goods from Knoxville.

⁴W. L. Duggan, "Sketches of Sevier and Robertson Counties," *American Historical Magazine* 5 (1900): 313.

⁵Smoky Mountain Historical Society, *The Gentle Winds of Change: A History of Sevier County, Tennessee, 1900-1930* (Maryville, TN: Printers Inc., 1986), pp. 104, 112.

⁶A "cove" is small valley surrounded by mountains that is accessible by a narrow path; the use of the term in place names (i.e. Emert's Cove, Jones Cove, etc.) is indicative of the acknowledged isolation of some Sevier Countians.

⁷Thomas D. Clark, "The Country Store in Post-Civil War Tennessee," *East Tennessee Historical Society's Publications* 17 (1945): 4.

NAME OF POST OFFICE	POPULATION	DISTANCE (miles) and DIRECTION FROM COUNTY SEAT	SHIPPING POINT	GENERAL STORES	MILLS	OTHER BUSINESSES
Boyd's Creek	N/L	8 NE	Knoxville	N/L	N/L	N/L
Catlettsburgh	100	3 N	Knoxville	2	1	8
Fair Garden	700	10 E	Newport	4	N/L	4
Gatlinburgh	N/L	14 SE	Knoxville	1	N/L	N/L
Harrisburgh	30	5 E	Knoxville	1	1	N/L
Henderson's Spring	N/L	4 S	Maryville	2	2	2
Henry's X Road	100	7 NW	Not Listed	2	5	7
Jones Cove	N/L	16 SE	Newport	1	2	9
Pigeon Forge	N/L	7 S	Not Listed	1	1	N/L
Richison's Cove	N/L	10 SE	Not Listed	N/L	N/L	N/L
Sevierville	250	0	Knoxville	5	2	8
Sinking Spring	N/L	10 NE	Not Listed	N/L	N/L	N/L
Trundle's X Road	N/L	13 W	Knoxville	N/L	N/L	N/L
Walden's Creek	N/L	9 SW	Not Listed	N/L	N/L	N/L
Wear's Valley	400	14 SW	Maryville	2	2	3

N/L= NOT LISTED

Figure 2-1. Profile of Towns in Sevier County, Tennessee, with Post Offices in 1876.

Attempts to modernize Sevier County's transportation systems commenced soon after railroads began connecting nearby Knoxville to surrounding states in the late 1850s. Outside investors, however, were discouraged by the expense of laying rails through the county's rugged terrain. Citizens of the county were also unwilling to authorize the necessary bonds, unless the tracks connected them to the towns where they brought their livestock and harvest to exchange for manufactured goods. Two railroad companies, one in 1887 and the other 1905, were able to convince the cautious voters of Sevier County to finance their ventures only with the promise that the line would connect Knoxville, Sevierville, and Newport. Unfortunately both efforts failed before track could be laid, because the two companies were unable to meet other stipulations set down by Sevier Countians.⁸

Similar attitudes prevented the development of the road system in the county. When businessmen in Sevierville and farmers in the surrounding civil districts began promoting the construction of a macadamized pike between the county seat and Knoxville in 1895, they met opposition from farmers and merchants in other towns who viewed the improvement as an additional tax burden instead of an opportunity. A Line Spring's resident, in a letter to the *Sevierville Star*, angrily asked the project's supporters "had you

⁸William Robert Rodgers, "A History of the Smoky Mountain Railroad," *East Tennessee Historical Society's Publications* 44 (1972): 71; and, Sevier County Court Minutes, 15 August 1887, and 21 November 1887, microfilm copy, McClung Collection, Lawson McGhee Library, Knox County Public Library, Knoxville, Tennessee; soon after the new railroad between Sevierville and Knoxville finally opened in 1910, local historian, newspaper editor and Sevier County booster W. L. Duggan praised the coming of the new line as an "epoch in our history that will surpass any event or effort at the improvement in the past." See, W. L. Duggan, *Facts About Sevier County*, p. 8.

ever thought of the injustices of bonds to build a pike from Sevierville to [the] Knox county line?"⁹

Supporters of the road urged the citizens of the other communities to unite for the benefit of the whole county and "let not petty local jealousies hinder a step so badly needed."¹⁰ Nevertheless, parochialism prevailed throughout the county. When the county commissioners voted to support a ferry across the French Broad, opponents filed an injunction which prevented free transportation across the river until a bridge could be constructed. As a result that section, known as "North America " by local wags because of its isolation, remained separate from the rest of the county's road systems.¹¹ Because people in the other towns with an equal claim for good roads to their suppliers and markets in Newport and Maryville were unwilling to pay the necessary taxes, it was not until 1898 that the county commissioners were able to finance a road to Knoxville.¹²

Other plans to improve Sevierville also suffered during the 1890s. In 1887, progressive Sevier Countians, in an effort to increase the prestige of the county seat, incorporated Sevierville. As in other rural areas throughout Tennessee, temperance-minded citizens in Sevier County had prevented their towns from incorporating to take advantage of the so-called "Four Mile

⁹*Sevierville Star*, 15 March 1895.

¹⁰*Ibid.*, 22 May 1895.

¹¹*Ibid.*, 8 May 1895; conversely, the area below the Tennessee River was called "South America" by Knox Countians; see, Lucile Deaderick, ed., *Heart of the Valley: A History of Knoxville, Tennessee* (Knoxville: East Tennessee Historical Society, 1976), p. 37..

¹²Smoky Mountain Historical Society, *The Gentle Winds of Change*, p. 13.

Law" of 1877, which restricted the selling of liquor to areas four miles away from chartered schools within unincorporated towns.¹³ When the state legislature amended the Four Mile Law in 1887 to include all schools in rural areas, the path was cleared for the proponents to charter the county seat. Five days after the amendment was enacted, Sam Rollen, the local state representative, introduced the necessary legislation for the incorporation of Sevierville.¹⁴

Like the opponents of the road to Knoxville, some of the people fought against the incorporation, because they were wary of civic improvements in Sevierville that would raise their taxes. Four years after the county seat's incorporation, this group was able to convince the local temperance faction that the increase of illegal distilling operations around Sevierville, locally called "blind tigers," was related to its recent charter.¹⁵ Together the two groups forced the town to unincorporate in 1891. Reincorporation of the county seat became inexorably linked to the prohibition question, and

¹³Paul E. Isaac, *Prohibition and Politics: Turbulent Decades in Tennessee, 1885-1920* (Knoxville: University of Tennessee Press, 1965), p. 11.

¹⁴Robert E. Corlew, *Tennessee: A Short History*, 2nd ed. (Knoxville: University of Tennessee Press, 1981), pp. 405-406; *Senate Journal of the Fifty-fourth General Assembly of the State of Tennessee* (Nashville: Marshall & Bruce, 1887), pp. 116, 169, and 429; and, *House Journal of the Fifty-fourth General Assembly of the State of Tennessee* (Nashville: Marshall & Bruce, 1887), p. 651.

¹⁵Many prohibitionists in Tennessee viewed their program as a panacea "to most corruption in politics and disorder in society;" see, Isaac, *Prohibition and Politics*, pp. 41-44.

resulted in dividing Seviervillians and Sevier Countians until the town rechartered a decade later.¹⁶

Throughout the 1890s, the county court voted down improvements for the county, because of influential farmers and merchants who wanted to avoid paying the necessary additional taxes. As a result, Sevier County's roads became infamous for being impassable and its few public buildings fell into disrepair.¹⁷ During this period, however, the justices were forced to approve one major civic improvement which showed Seviervillians their town's potential.

According to an old local legend, the first courts in Sevierville were held in a building which had been used as a stable before. The county soon replaced the livery with a courthouse and jail; and those structures were replaced in the 1820s, again in 1850, and in 1856 as the buildings became obsolete or destroyed by fire.¹⁸ The justices began considering the replacement of the 1856 courthouse and jail with a modern building during the early 1890s. Many people believed that new construction was the only solution. A reader from Henry's Crossroads wrote to the editor of the *Sevierville Star* that a new courthouse was "an absolute necessity," because the makeshift efforts to keep the old building's walls from collapsing had made the courthouse unsafe for the public. The writer also reported that the building could not be insured, and many of the records that had survived the

¹⁶*Sevierville Star*, 26 July 1895; and, Rita A. Whitfield, ed., 1975-76 *Tennessee Blue Book* (Nashville: State of Tennessee, 1975), p. 328.

¹⁷*Sevierville Vindicator*, 23 April 1897.

¹⁸*Goodspeed's History of Tennessee*, pp. 835-36.

1856 fire were "exposed to loss and ruin" because there was no fire-proof safe.¹⁹

Many of the county's richer men, whom Montgomery, the editor of the *Sevierville Star*, called "inflooncners," lobbied to convince the county court that building a new courthouse would be too expensive, however; and because a three-fourths majority was required to pass a bond issue, the "inflooncners" successfully prevented the new construction for many years.²⁰ Finally on 2 April 1895, the county commissioners voted 27 to 6 to issue bonds for \$20,000 to finance a new courthouse.²¹ While the many supporters of the new public building were happy at their victory, some like Montgomery were angry that the justices had taken so long to act. A month after the vote, when prisoners were able to break out of the old jail twice in two weeks, the editor blamed the justices for the jail break, because they had yielded to the influence of the "tax growlers," and had not allotted enough money to keep the old facilities in repair. Sarcastically, the editor suggested that the county commisssoners could save money if they "tear down the jail and turn the convicts over to the 'white caps'."²²

Nevertheless, Montgomery reported that "from the humblest denizen of our little city to the bloated bond holder" the new courthouse had become a symbol of civic pride by the time construction was completed in July of 1896.²³

¹⁹*Sevierville Star*, 22 February 1895.

²⁰*Ibid.*

²¹Sevier County Court Minutes, 2 April 1895.

²²*Sevierville Star*, 12, 26 April 1895.

²³*Ibid.*, 17 July 1896.

Several new businesses located in the county seat, and several merchants expanded their services which, by the start of the next year, prompted Montgomery to promise his readership that Sevierville would become a "city of immense proportion" in a few years, if it kept its rate of growth.²⁴

Sadly, the editor's promise was never realized. Knoxville, Maryville, and Newport continued to rival Sevierville successfully as a market place for farmers' goods, and the conservative fiscal policies of the county commissioners and voters of Sevier County retarded Sevierville's growth as an economic center during the 1890s. The parochialism of the merchants and farmers and their unwillingness to cooperate with the Sevierville boosters, however, reflected not only their own sense of isolation from the county seat but also their concern for their own economic struggles. Needless to say, the same myopic self interest revealed in the justices' and other leaders inability to lead the county towards a common goal was also reflected in their willingness to protect whitecaps by subverting the traditional judicial process.

One of this region's most often repeated myths is that because of their geographic isolation, rural East Tennesseans of the nineteenth century were as self-sufficient as their pioneer forefathers, and, as a result, remained separated from the national economy.²⁵ Actually Sevier County farmers participated actively at the marketplace throughout the last century. Before the Civil War, cattle, pigs, and poultry were driven to market along the banks of the rivers, and during the season of navigation, tobacco, wheat, oats, wool, molasses and other commodities were floated down on steamboats and

²⁴Ibid., 1 January 1897.

²⁵Gordon B. McKinney, *Southern Mountain Republicans, 1865-1900: Politics and the Appalachian Community* (Chapel Hill: University of North Carolina Press, 1978), p. 4.

barges. Cotton and flax was also raised by county farmers. Some Sevier Countians, who had planted mulberry trees to experiment with silk production, harvested ten pounds of cocoons in 1860. Compared with its neighbors, Sevier County, in the words of one Northern observer, "occupied a fair position in terms of agricultural production before the Civil War."²⁶

As in the rest of East Tennessee, Sevier County farms were hard hit by the Civil War. The 1870 Census, when compared with the one taken a decade before, shows that over 13,000 improved acres and 43,000 unimproved acres that had lain fallow during the war had not been recovered. Similarly, at the decade's end, there were only 1,954 horses or 70 percent of the 2,787 counted before the war. The number of pigs, which were even more important to farmers who used everything but the "oink," was severely reduced during this period. In 1860, census takers recorded 22,634 pigs in Sevier County; but ten years later, only 13,088 or 58 percent of the former population.²⁷

²⁶Dykeman, *French Broad*, pp. 137-141; 1860 United States Census, 2: 136-137; Corlew, *Tennessee*, p. 230; and Hermann Bokum, *The Tennessee Hand-Book and Immigrant's Guide: Giving a Description of the State of Tennessee; Its Agriculture and Mineralogical Character; Its Water Power, Timber, Soil, and Climate; Its Various Railroad Lines, Completed, In Progress, and Projected; Its Adaptation for Stock-Raising, Grape Culture, Etc., Etc.* (Philadelphia: J. B. Lippincott & Company, 1868), p. 34; for a schedule of agricultural production in Sevier County from 1860 to 1900, see Appendix I.

²⁷Rural sociologists are quick to point out that since Biblical times farmers have been suspicious of census takers and have traditionally responded to information gathers with answers that reflect something less than their real wealth; nevertheless, while the actual numbers discussed here may be incorrect, the relative wealth that they represent is accurate; Joseph C. G. Kennedy, *Agriculture of the United States in 1860; Compiled from the Original Returns* (Washington, DC: Government Printing Office, 1864): 136-137; and Francis A. Walker, *The Statistics of the Wealth and Industry of the United States*, vol. 3, Ninth Census (Washington, DC: Government Printing Office, 1972), pp. 246-249.

Some crop production also suffered during the Civil War, and had not recovered by the 1870. Compared to 449,133 bushels of Indian corn gathered in 1859, the 260,214 bushels of this important harvest reported in the 1870 census represented a loss in production of 42 percent. A comparison of the two censuses also shows a reduction of the Irish potato crop from 11,395 bushels in 1860 to 9,005 bushels in 1870. The sweet potato crop suffered, too; 22,050 bushels were gathered in 1860 while only 7,308 bushels were collected a decade later. Peas and bean production almost disappeared entirely; only 81 bushels were reported in 1870, compared to 3,519 bushels entered by census takers ten years before.²⁸

Despite the devastation to their land, Sevier County farmers moved quickly after the war to participate in the growing market in Knoxville, and in 1867, county leaders formed the Sevier County Farmers' Club to learn better about new agricultural techniques.²⁹ Soon farmers stopped producing crops which were labor intensive and less profitable. By 1870, for example, rice, barley, cotton, flax, and silk cocoon production had been abandoned or greatly reduced in an effort to concentrate on more efficient and marketable crops.³⁰ It was at this time that growers also cut back their maple syrup production and quickly adopted sorghum cane which is easier grown, harvested and processed into molasses. While 38,455 gallons of maple syrup were produced in 1860, none was reported in the 1870 and only 5 gallons were produced in

²⁸Ibid.

²⁹*House Journal of the Thirty-Fifth General Assembly of the State of Tennessee* (Nashville: State of Tennessee, 1867-1868), p. 128.

³⁰See Appendix I.

1880. Maple syrup production never regained its pre-Civil War popularity with Sevier County farmers; census takers did not record any being produced in 1890, and only 22 gallons were reported in 1900. Conversely, cane molasses production dramatically grew from 545 gallons in 1870, the first census after its introduction, to 35,146 gallons in 1880, 49,547 in 1890, and 44,976 in 1900.³¹ The popularity of sorghum, so soon after its introduction into the area, was indicative of Sevier County farmers' efforts to compete in the marketplace with efficient crops after the Civil War.

At the same time, the "Patrons of Husbandry" or the "Grange" began organizing throughout the nation in an effort to improve farmers' lives.³² When Grange representatives came to East Tennessee, a group of the leading farmers in the county set the example by chartering a chapter in Sevierville for the purpose of studying new agricultural techniques. While membership in the Sevierville Grange was relatively small because, in the words of one member, "some ignoramusses call it a political movement," it was an active and influential group. The chapter sponsored lecture series, demonstrations, and, in the fall of 1874, a three-day county fair.³³

At first, the farmers' twin strategies of substitution and moderate crop specialization yielded success. During the 1870s, barges loaded in Sevier County arrived in Knoxville laden with "corn, flour, potatoes, bran, oats, bacon, lard, feathers, chairs, peach butter, and other products."³⁴

³¹Ibid.

³²Corlew, *Tennessee*, pp. 380-81.

³³*Knoxville Grange Outlook*, 22 October 1874.

³⁴H. J. Bonser and C. C. Mantle, *Agricultural History of Knox County, Tennessee Part II From 1860 to 1900*, Rural Research Series, Monograph

Unfortunately, when Sevierville boosters proudly boasted in a 1876 statewide business directory that "wheat, corn, oats and fat cattle are exported"³⁵ from their prosperous town, they did not realize that they were participating in an economic system which would eventually push Sevier Countians into greater poverty and isolation.

Knoxville's importance as a rail center during the latter half of the nineteenth century forced local farmers who marketed their crops there to compete with farmers west of St. Louis as well as from their neighboring civil districts. During the early 1870s, a new milling process was introduced in Minnesota which enabled millers to remove all of the bran from hard spring wheat flour. Because the resulting flour with a high gluten content was more preferred, the growing areas for the hard spring wheat expanded to west of the Mississippi and increased the competition faced by farmers in East Tennessee, where soft wheat was grown. Wheat, already a difficult crop to grow, became unprofitable. At the same time growers of other grains, such as oats and rye, faced competition from farmers in the West whose crops were grown on virgin soil using the latest mechanical equipment. In Knox County, many farmers were barely able to compete with Western growers.³⁶ Not connected by a railroad and forced to use pioneer methods of transportation to reach Knoxville, Sevier County farmers profited even less for their labors.

no.187 (Knoxville: University of Tennessee Agricultural Economics and Rural Sociology Department and Agricultural Experiment Station, 1945), p. 4.

³⁵*Tennessee State Gazetteer and Business Directory For 1876-7* (Nashville: R. L. Polk & Company, 1876), p. 357.

³⁶Bonser and Mantle, *Agricultural History of Knox County, Tennessee*, pp. 7-9.

During this same period, while less profit was being harvested from each acre every year, the size of farms was decreasing. As shown in Figure 2.2, the number of farms in Sevier County increased from 2,014 to 3,193 during the last twenty years of the nineteenth century. Yet, at the same time, the average farm size fell from 143 to 78.1 acres. More importantly, the average amount of improved acres available for cultivation declined from 42.63 to 35.95 acres per farm. While only a reduction in size of 15.67 percent, these figures, nevertheless, help to demonstrate that more and more farmers of Sevier County were forced to compete with less and less during the 1890s.

One of the causes of the increase of smaller farms was inheritance. Moreover, many farms were lost to unpaid back taxes and broken into smaller lots at sheriff's sales. The economic depression during the early 1890s had an especially severe effect on land ownership. Figure 2.3 shows the break-up of Sevier County farms from 1880 to the end of the century. Because of their isolation, Sevier County farmers were unable to market their produce profitably in Knoxville. As a result, their land was broken up and sold to meet expenses or to pay taxes. By 1900, the average size of most farms was less than fifty acres. During this same period actual land ownership declined as sharecropping increased more than 230 percent and resulted in one out of three farmers working on rented property by the close of the nineteenth century.

From 1865 to 1900, Sevier Countians concurrently grew more reliant upon their participation in the national economy as well as economically isolated from the world around them. A sense of isolation was felt by Sevier Countians, however, because of their proximity to Knoxville, whose rapid growth during this period resulted in its social, cultural, political, as well as economic hegemony throughout the region. During the same thirty-five

	Number of Farms	Total Acres	Improved Acres	Unimproved Acres	Average Farm Size in Acres	Average Amount of Improved Acres
1860	920	248,501	60,938	187,563	270.1	66.24
1870	1003	201,258	57,338	143,920	136.1	57.17
1880	2014	288,519	85,852	202,667	143	42.63
1890	2191	262,222	95,299	166,973	120	43.49
1900	3,193	249,233	114,794	134,439	78.1	35.95

Figure 2-2. Sevier County, Tennessee, Farms by Improved and Unimproved Acres, Average Farm Size, and Average Improved Acres, 1860-1900.

NUMBER OF FARMS BY ACREAGE										NUMBER OF FARMS BY OWNERSHIP					
	Total # of Farms	Average Size	10 Acres and Under	10-20	20-50	50-100	100-500	500-1,000	1,000 and Over	Class I		Class II		Class III	
										# of Farms	% of Farms	# of Farms	% of Farms	# of Farms	% of Farms
1880	2,014	143	125	124	362	540	791	51	21	1,530	75.96	51	2.53	433	21.49
1890	2,191	120	117	175	431	565	848	41	14	1,696	77.41	57	2.60	438	19.99
1900	3,193	78.1	268	372	844	890	795	20	4	2,115	66.2	64	2.00	1,014	31.80

Class I-Cultivated by Owner, Class II-Rented for Fixed Money Rental, Class III-Rented for Share of Products

Figure 2-3. Sevier County, Tennessee, Farms by Acreage and Type of Ownership, 1880-1900.

years that followed the Civil War, Knoxville's population boomed from 5,300 in 1860 to 32,637 in 1900, compared to the whole of neighboring Sevier County whose population increased from 9,122 to 22,021 during the same time.³⁷ As the railroad hub of the region, the city attracted businesses which sought to supply the South with dry goods and other manufactured items. At the same time, marble and coal were being quarried and shipped by rail from the city to all points.³⁸ As William Rule, a Knoxville newspaper editor, boasted to a group of East Tennessee farmers:

Every ton of coal . . . contributes to the prosperity of Knoxville. . . every block of marble that is quarried in East Tennessee contributes to Knoxville's growth. . . . every pound of spelter shipped from East Tennessee puts money in Knoxville's pocket.³⁹

While Knoxville always had been a regional center for East Tennessee, its citizens strove to forge their river town into the Pittsburgh of the South. The increase of industry and commerce after the Civil War, however, brought a new leadership to the city who espoused a philosophy of the New South that changed the ambiance of the community. Many long-time residents as well as visitors realized that the city was changing. In his autobiography, Tennessee historian and Knoxville resident, J. G. M. Ramsey,

³⁷Lucile Deaderick, ed., *Heart of the Valley: A History of Knoxville, Tennessee* (Knoxville: EastTennessee Historical Society, 1976), p.74; and 1860 and 1900 U. S. Censuses.

³⁸Michael J. McDonald and William Bruce Wheeler, *Knoxville, Tennessee: Continuity and Change in an Appalachian City* (Knoxville: University of Tennessee Press, 1983), pp. 10, 16-22.

³⁹*Knoxville Daily Journal*, 6 May 1886, quoted in Robert Love Taylor, Jr., "Mainstreams of Mountain Thoughts: Selected Figures in the Heart of the Appalachian South, 1877-1903" (dissertation, University of Tennessee, 1971), p. 46

who was a member of the ruling gentry that was displaced by a new business and urban-oriented elite, recalled that following the war, the town's:

commerce, its manufactures, its business had increased with its increasing population. Also a great change in its society which I had known intimately *ab urbe condita*. Its *unity* was gone. Its people were less homogeneous, perhaps was more heterogeneous. There was an undercurrent of discordant material, antagonisms were visible everywhere and in all pursuits—rivalries, jealousies, no fraternizations. There was less hospitality, less generous emotions and manly passions, more of the sordid love of money, less culture, much less refinement, a vulgar taste. Less evangelical piety—more religious pretension. Less patriotism and, of course, more selfishness. Less of learning and, of course, more pedantry. Less deference for age, character and worth and more boastful effrontery and upstart consequence. The people were ruder and coarser, less gentler, less amiable. Fewer gentlemen of the olden time—and vastly more parvenus and upstarts. Less of real respectability and more of the would-if-I-could.⁴⁰

While some rural people from the East Tennessee region were drawn to Knoxville during these boom years, many others were wary of the city's lures. Ferrell Campbell, who spent his boyhood in Sevier County before his family moved to Knoxville in 1904, remembered the city as a strange and frightening place. Taking a wagon load of potatoes to market with his father and brother before they moved, Campbell recalled smelling the smoke from the town's many coal furnaces six miles away from the city limits and seeing

⁴⁰In all fairness to the Tennessee historian, Ramsey was able to see the potential of the progressive new world before him as well as the passing of his own world; he opined that "if the low passion for money could . . . be cultivated into an enlarged public spirit and thus come up to the dimension and proportion of a lofty patriotism, money may become the pabulum for the nourishment and support of the public good." See, William B. Hesseltine, ed., *Dr. J. G. M. Ramsey Autobiography and Letters* (Nashville: Tennessee Historical Commission, 1954), pp. 253-254.

his father's team of horses become frightened and skittish by the noise made by the trains as they drew closer to the market house.⁴¹

When they went to market, Campbell's family was fortunate enough to have relatives in the city with whom they could stay. Other poor farmers, however, often slept in their wagons to protect their belongings and save money.⁴² Owners of taverns, brothels, and gambling dens around the market house all sought to get a share of every farmer's crop. In January 1895, Jerry Tinsley, a Sevier County farmer, was flashing around a roll of money in a bar on Central Avenue, several blocks away from the market house. Suddenly becoming ill, he passed out on the way back to his boarding house and was robbed by two Knoxvilleians who had been drinking with him.⁴³

Other dangers also lurked in the city, and a careless farmer could lose his life as well as his wallet.⁴⁴ In 1882, Sevierville's first newspaper editor, P. B. Love, after reporting two homicides in Knoxville, warned his readers in the county's first newspaper that "Truly, Knox County is becoming famous for murder."⁴⁵ Love's successor during the 1890s, William R. Montgomery

⁴¹Ferrell H. Campbell, "Reminiscing—Things Experienced" (Knoxville: by author, 1977), p. 8.

⁴²*Ibid.*

⁴³*Sevierville Republican Star*, 25 January 1895.

⁴⁴Deaderick, *Heart of the Valley*, pp. 34-35, 38.

⁴⁵To Love, the county seat offered a better alternative to farmers to market their harvest and to live:

To all those who desire a quiet home in an intelligent community we say come to Sevierville. We have good schools and daily communication with the balance of the world. Goods can be shipped to this place by way of the river, as cheap as railroad transportation, and produce, which the surrounding country makes in abundance, can be shipped at much less expense. Come and get a fresh

shared the same concern with his readers and concluded, after listing the reported crimes for one week in Knoxville, that "It is worse than [the way] the White Caps, [and] Blue Bills [another vigilante group] . . . of the little insignificant county of Sevier treat one another."⁴⁶

Part of the reason for the sense of social isolation by Sevier Countians was that the new middle class in Knoxville viewed the countryside with suspicion. Many of these new Knoxvilleans were transplants from the North after the war or from the surrounding countryside after being educated away from home. Indulgent of the city's former leadership in most cases, these urbanites, nevertheless, distanced themselves from their rural neighbors. Like young progressives throughout the nation, they abandoned traditional loyalties to their old communities in a search for order in a changing world.⁴⁷ Similarly, by perceiving themselves as modern, these urban leaders also viewed the rural world around them as backward, uncivilized and violent.

John B. Brownlow, an important local Republican leader, along with other prominent Knoxvilleans O. P. Temple, Thomas Humes and William Rule, portrayed their rural neighbors as an isolated reservoir population of Scotch-Irish who preserved the democratic genius of America.⁴⁸ Because of

breeze of mountain air; it is bracing; see, *Sevierville Enterprise*, 1 June 1882.

⁴⁶*Sevierville Star*, 6 September 1895.

⁴⁷Robert H. Wiebe, *The Search for Order, 1877-1920* (New York: Hill and Wang, 1967), pp. 12-15.

⁴⁸Thomas Wilson Humes, *The Loyal Mountaineers of Tennessee* (Knoxville: Ogden Brothers and Company, 1888); Oliver P. Temple, *The Conventer, the Cavalier and the Puritan* (Cincinnati: Robert Clarke Company, 1897); William Rule, *The Loyalists of Tennessee in the Late War*

East Tennesseans' strong Unionism during the Civil War, these Knoxville leaders argued that mountaineers' primitiveness made them living links with the founding fathers.⁴⁹ These writers, nevertheless, viewed the violent primitiveness in countryside with suspicion and sought to extend a social hegemony.

Sevier Countians were well aware of how they were perceived by Knoxvilleans. Small towns around Knoxville often provided opportunities for young professionals to make a name for themselves before moving on to greater success in the city. Less successful men, however, sometimes blamed their location for their failure. One disgruntled young professional from Knoxville complained as he abandoned his unsuccessful practice that he was "too smart a man to live in Sevierville."⁵⁰

On another occasion, two lawyers, who had traveled to Sevierville to get an endorsement from a colleague, complained to the *Knoxville Tribune*.

(Cincinnati: H. C. Sherrick & Co., 1887); and Taylor, "Mainstreams of Mountain Thought", pp. 54-55.

⁴⁹Henry D. Shapiro, *Appalachia on Our Mind: The Southern Mountains and Mountaineers in the American Consciousness, 1870-1920* (Chapel Hill: University of North Carolina Press, 1978), pp. 87-88; William Rule wrote in the *Loyalists of Tennessee in the Late War*, for example:

But the events of this most eventful period in American history have been told time and again, around hundred of firesides, and are still being repeated to youthful but ever interested listeners. The spirit, which animated fathers and mothers in the trying times of the past, is impressed upon the children; and if in the future the flag of our restored Union should be insulted, or the liberties of the people threaten, strong men will be found in these mountain homes ready to respond to their country's call, to follow where duty leads, and make any sacrifice necessity demands, in defense of freedom, justice, and equality.

⁵⁰*Sevierville Star*, 20 September 1895.

about their rural neighbors' rough ways. In response to the *Tribune's* story which depicted Sevier Countians as drunken and crazy cowards, William Montgomery, editor of the *Sevierville Star*, sarcastically replied:

We are very much surprised that gentlemen of so much refinement, so much culture and tender sensibilities would come to such a benighted region as Sevier county for a recommendation. . . . The Tribune should keep its brave sons and fair daughters at home, lest they become contaminated with the vices of the "heathen."⁵¹

Some Sevier Countians brought criticism down upon themselves that the whole county was forced to share. Because Sevier County was dry, some men would go to Knoxville to drink. When a drunken M. V. Lewellyn, described by the *Knoxville Journal* as a "tall and rather woolly six footer," was subdued by a Knoxville constable after proclaiming himself as "the worst specimen of a coyote that ever terrorized Knoxville," the city's newspapers heralded the arrest as a victory for civilization. In mock sympathy for Knoxville, Montgomery, editorialized that "We do wish the people from the rural counties would quit distrubing the peace, quietude and religon of the great and law abiding county of Knox." In Sevier County, however, many people agreed that a farmer could "not take a drink of bug juice in Knoxville without being held up in the Knoxville papers as an outlaw."⁵²

The lives of Sevier Countians were particularly affected after urban leaders took control of the region's political culture. Following the Civil War, Sevier Countians like many East Tennesseans joined the Republican party out of a sense of regional pride, loyalty to the Union, and a lack of a slave culture. During the war, Sevier County had remained strongly

⁵¹Ibid., 29 March 1895.

⁵²Ibid., 31 May 1895.

Unionist and had harbored the firebrand Brownlow for several months from Confederate troops.⁵³ Party leaders realized that to survive in East Tennessee, the Republican party would have to find a way to appeal directly to the mountain voters; and that need was met with the rise of a new generation of leadership in the mid 1870s. These men, who became known as the "Old Guard," were mostly Civil War veterans who acted as community spokesmen and defended their constituents from lowland detractors who had accused them of being traitors to the South, and from the stress of a world that was growing more modern.⁵⁴ In Sevier County, they were most effectively represented by Congressman Leonidas C. Houk, who brought to his constituents political patronage, veteran pensions, and free high quality seeds developed by the government during his long tenure in office.⁵⁵

During the 1890s, two things happened, however, which curtailed the political activity of Sevier Countians and increased their sense of isolation. In 1890, the Democratic-controlled Tennessee state legislature passed a poll tax. This was the fourth of four laws designed to curtail black participation at the ballot box; it also hindered poor white farmers for the same reasons by forcing

⁵³McKinney, *Southern Mountain Republicans*, pp. 4-5. Sevier Countians' loyalty to Union was famous, and, for many years afterwards, it was reported that not one man from the county served the Confederacy; this, however, is a folkstory, a small minority did fight for the South and, as the county's court records reveal, were vigorously prosecuted for treason after the war; see, Betsy Beeler Creekmore, *Knoxville* (Knoxville: University of Tennessee Press, 1958), pp. 118-119, 210, and Sevier County Court Records 1866-1867, *passim*.

⁵⁴McKinney, *Southern Mountain Republicans*, p. 76.

⁵⁵*Ibid.*, p. 77-85.

voters to pay a two dollar tax and then keep track of the receipts.⁵⁶ For the Republican voters in Sevier County, this was the first of many onerous acts committed against them throughout the decade by Democratic governors and Democratic-controlled legislatures. Sevier Countians already paid income taxes, land taxes, road taxes, and school taxes.⁵⁷ As a result, voters were faced with an additional tax at a time when money was becoming more scarce.

Occasionally, farmers who had paid their poll tax were reimbursed at election time by local supporters of candidates. Needless to say, the practice allowed Democrats to cry "fraud" at each close election and therefore to attempt to throw out the returns from East Tennessee. In Sevier County, however, Republicans were especially careful to avoid fraud and the county court made an effort to enforce the poll tax as well as to appoint honest and alert election judges.⁵⁸

As a result, the reelection of Democrat Peter Turney to the governor's seat in 1894 further embittered many Sevier County Republicans, who felt he had gained the office only through the manipulations of the Democratic legislature. The incumbent Turney, a sixty-seven year old former state supreme court chief justice, was too ill and too feeble to campaign effectively

⁵⁶Urban Republicans fought against the four laws, mandatory voter registration, different ballot boxes for state and federal elections, a poll tax, and a secret ballot law, by special education programs for blacks in the city; *Ibid.*, p. 197. See also, Joseph H. Cartwright, *The Triumph of Jim Crow: Tennessee Race Relations in the 1880s* (Knoxville: University of Tennessee Press, 1976), pp. 223-250.

⁵⁷Montgomery complained that Sevier Countians paid income tax, but it is unclear what is meant by the reference, since there was no national or state income tax at this time. *Sevierville Star*, 22 February 1895.

⁵⁸*Ibid.*, 15 March 1895.

against the youthful Republican favorite, H. Clay Evans, and both parties realized soon after the polls were closed that the election was very close. When the official tally showed that Evans had won by a small majority of 105,104 to Turney's 104,356, Turney contested the election results, echoing his supporter's claims that East Tennessee election judges had allowed men to vote without showing their poll tax receipts as well as other instances of fraud in counties where Evans had won.

When the legislature convened on 5 January 1895, its first order of business was to create a select committee of seven Democrats and five Republicans to examine the election returns. Three months later the committee submitted a majority report, written by the Democrats and minority report by the Republicans. The majority report claimed that many violations of the poll tax laws had occurred in counties won by Evans and that Turney actually had carried the election by 2,000 votes after the illegal votes were discounted. The minority report, after challenging the authority of the committee, claimed that the Democrats never tried to determine what had happened. Furthermore, the Republicans declared that the gubernatorial contest had been as honest as any in Tennessee's history and that the returns were accurate. The legislature met in joint assembly on 4 May 1895 and voted to accept the majority report's findings; four days later, Peter Turney took the oath of office.⁵⁹

⁵⁹Roger L. Hart, *Redeemers, Bourbons & Populists: Tennessee, 1870-1896* (Baton Rouge: Louisiana State University Press, 1975), pp. 212-215, and Corlew, *Tennessee*, pp. 384-386. Hart reports that Democratic legislators "resolutely exposed violations of the poll tax law in Republican counties and, with equal determination, overlooked cases of outright fraud and false returns in Democratic counties."

To Montgomery in Sevier County, the Democrats "abuse[d] the poll tax enforcement to put their candidate in to the governor's chair." The election laws in Tennessee were "as mean as Satan" the editor complained, and too complex for the average working man to understand.⁶⁰ A few weeks later, when county leaders began to discuss the approaching Tennessee centennial celebration in Nashville, the *Star* editorialized against participating. Montgomery opposed spending any money in the state capital, because "very few people [in Sevier County] are proud they are Tennesseans"; he blamed the lack of pride at the machinations of "Peter Turney, the usurper, and the other State-level democrats stinking with rottenness which disgusts Satan himself."⁶¹

In May 1891, Leonidas C. Houk accidentally poisoned himself and died.⁶² Although he was succeeded by his son, John C. Houk, in a special election, the death of the seven-times Congressman from the Second District opened the way for a new generation of Republicans in East Tennessee. Backed by most of his father's supporters, young Houk continued his father's pro-veteran and pro-local community policies. Unfortunately, John, a very capable backroom politician, was not the gregarious and effective campaigner that his father had been. As a result, in May of 1893, his father's former secretary, Henry R. Gibson announced that he would challenge John for the Republican nomination.

⁶⁰*Sevierville Star*, 22 March 1895.

⁶¹*Ibid.*, 3 May 1895.

⁶²Houk accidentally drank a glass of poison which he mistook for water at a Knoxville drug store. *Knoxville Evening Sentinel*, 25 May 1891.

Gibson was able to win the nomination and election in 1894, but only after a long and dirty campaign. Houk was unwilling to abandon his father's pro-veteran policies which were increasingly unpopular with voters who had been born during or after the Civil War and he refused to debate his opponent in public. Instead the incumbent focused his campaign upon Gibson's not being from East Tennessee and also upon his dubious war record. A transplanted Marylander, Gibson told voters that he served in the Union Army during the Civil War; Houk, however, claimed that the politician had falsified his war records. The matter came to a head in January 1894, when the National Committee of the Grand Army of the Republic declared that the politician was not eligible for membership, because he only had served as a civilian employee of the army in the war.⁶³

Gibson, nevertheless, had several assets that made him attractive to young and discontented rural voters during his successful first bid for the 2nd Congressional District seat. As L. C. Houk's former secretary, he was already a part of the East Tennessee Republican party and had many political contacts throughout Houk's district. Gibson also was well-liked by the temperance faction because of his support of prohibition.⁶⁴ Most important, Gibson, along with editor William Rule, John B. Brownlow, and other reformers, represented to urban and progressive Republicans an effort to bring order to East Tennessee by challenging the party's Old Guard.

In Sevier County, as in all East Tennessee rural counties, there existed Republicans who supported the policies of this new generation of Republican

⁶³McKinney, *Southern Mountain Republicans*, p. 148.

⁶⁴*Ibid.*, pp. 147-150.

leadership. Some were professionals and businessmen living in Sevierville and surrounding towns; others, however, were farmers from the countryside who hoped that the reform element of the party would bring better opportunities to the region. During the 1894 Republican primary, an old black man by the name of "Uncle Ben" Farr was visited by the whitecaps, after he spoke out in favor of John C. Houk's pro-veteran and pro-local community policies. The vigilantes beat the old man and forced him to get on a stump and make a speech for Gibson.⁶⁵ The reform candidate appealed to the younger rural night-riding voters, because he promised to industrialize the region; and the vigilantes were angry and weary of the economic depression which had wracked the region.

Many older rural Republicans, however, were angered by the new party direction taken by Gibson and other urban Republicans and resented their loss of power within the party. During his tenure as a congressman, Gibson, like other reform Republicans, occasionally supported a national platform at the expense of local interests.⁶⁶ As a result, he was perceived as being uninterested in the concerns of his rural constituents. When Gibson sought reelection in 1898, he faced widespread opposition in the counties surrounding Knoxville, because he had withheld patronage from Republicans in rural areas. Moreover, some of his constituents complained that he had not sent high quality seeds to farmers or expedited problems in

⁶⁵[Thomas H. Davis], *The White-Caps: A History of the Organization in Sevier County* (Knoxville; Bean, Warters & Gaut, 1899), p. 87.

⁶⁶McKinney, *Southern Mountain Republicans*, p. 10.

the pension office as his predecessors had done. Others renewed the old complaint about Gibson's war record and his foreignness.⁶⁷

As a campaigner, however, he was ruthless, and his supporters were able to suppress rural opposition to his candidacy early in the campaign.⁶⁸ At the Congressional Committee meeting in Clinton, Gibson supporters blocked efforts by Montgomery and other rural Republicans and pushed through a primary instead of the traditional county conventions. Because he already controlled the Congressional Executive Committee, this cleared the way for Gibson's renomination and reelection. As an Old Guard Republican Montgomery was livid over Gibson's successful stratagem, but in resignation, he conceded that "We have met Captain Gibson and we are 'his'n.'"⁶⁹

Just as urban politicians were able to change the political culture of their rural constituents, urban-based lawyers concerned about reform were also able to affect the very fabric of rural community. Lawyers in Tennessee organized the Tennessee Bar Association in 1881 and attorneys throughout the state began discussing ways to improve the practice of their profession. An early target of their concern and criticism was the county circuit courts. Rural juries were perceived as being made up of ignorant, poor, corruptible

⁶⁷*Vindicator*, 16, 23, and 30 March, 1898.

⁶⁸Montgomery accused Gibson of employing four methods to get reelected: a) deceiving the voters that he is worthy of reelection; b) buying off his opposition with patronage jobs and money; c) bulldozing his opposition into silence or neutrality by having his lieutenants threaten their lives or boycott their businesses; and d) in extreme cases, employing his aides to "kill those who will not be deceived, bribed nor intimidated into supporting him." See, *Vindicator*, 23 March 1898.

⁶⁹*Vindicator*, 23 March 1898.

men who were more interested in collecting jurors' wages than in serving the cause of justice.⁷⁰

When a Knoxville jury returned a "not guilty" verdict against two Sevier Countians accused of murdering a Knox County woman, the judge, T. A. R. Nelson, Jr. and Attorney General E. F. Mynatt were "thunderstruck," according to one newspaper account. The judge resigned himself to the fact that the jurors had probably been sympathetic to the defendants' families, but the attorney general was outraged and swore that some of the jurors would never serve again. Not surprisingly, the Sevierville newspaper followed the case for its readers. While Knoxville's newspaper editors were certain of the defendants' guilt and shared Mynatt's disappointment at the verdict, Montgomery viewed the case as another example of the Knoxville newspapers falsely condemning Sevier Countians. The editor praised the jury for trying the case on "its merits and not upon the reputation of the Knoxville press trio."⁷¹

The legal profession was also critical of juries which assumed to be the judges of the law as well as the facts. This assumption was a basic part of the fabric of a rural community's honor and it allowed rural juries to speak on behalf of their neighbors by reducing a charge, if the defendant was justified in committing his crime. While cases concerning this point had come before the Tennessee Supreme Court since the 1830s, progressive lawyers began to

⁷⁰Holmes Cummins, "Trial by Jury," *Proceedings of the Bar Association of Tennessee* 4 (1886): 202-203; *Ibid.* 7 (1889): 41; Albert D. Marks, "A Suggested Improvement in the Selection of Jurors," *Ibid.* 9 (1890): 188-189; and *Ibid.* 10 (1891): 75-93. See also "The Changing Role of the Jury in the Nineteenth Century," *Yale Law Journal* 74 (1964-1965): 171-192.

⁷¹*Sevierville Star*, 7 June 1895.

urge that juries follow "due process." Lawyers were particularly critical of circuit court judges who in their charge to the jury encouraged this practice.⁷² In 1881, Circuit Court Judge, J. Newton Hacker instructed a Hawkins county murder trial jury that:

The jury are the judges of the law. Should you conclude that the court has not given you the law correctly, and should you conclude you know the law otherwise than as given you by the court, then you may pass upon the law as you know it.⁷³

In their appeal following his conviction, the defendant's attorneys, who were from Knoxville, argued before the State Supreme Court that Hacker had erred in his instruction and the court agreed. Allowing the conviction to stand, the court stated that every man has a right to know by which law he is being tried. Furthermore, the purpose of the law was to protect the defendant from a jury's "whims, caprices or prejudices."⁷⁴

Ten years later, the Tennessee Supreme Court made a similiar ruling in another appeal because Knoxville Criminal Court Judge John W. Sneed instructed a jury that they "had a legal right to disregard the instructions of the court . . . [if] you (the jury) believe you know the law better than the

⁷²Chas. D. Porter, "Is a Circuit Judge a Factor in the Trial of a Jury Case?" *Proceedings of the Bar Association of Tennessee* 12 (1893): 189, and James H. Malone, "Judge Lynch and the Jury Laws," *Ibid.* 13 (1894): 112.

⁷³Benjamin F. Lea, *Reports of Cases Determined in the Supreme Court of Tennessee for the Western Division, April Term, 1881, and for the Eastern Division, September Term, 1881*, vol. 7, edited by Robert T. Shannon, (Louisville, KY: Fetter Law Book Company, 1902), pp. 539, 543.

⁷⁴*Ibid.*, p. 554.

Court." Labelling Sneed's charge as "confessedly incorrect," the court insisted that juries must take the law as charged by the judge.⁷⁵

During the latter half of the nineteenth century, Knoxvilleians assumed leadership throughout the East Tennessee. Perceiving rural Appalachia as an area to be protected, these leaders often ignored or dismissed the traditional social systems of rural people in counties like Sevier as a hindrance to progress as they extended their hegemony throughout the region. Within the county there was a faction of like-minded people who supported the ideas of the new Knoxville leadership. Most people in Sevier County, while dependent on the market place in Knoxville, nevertheless, were wary of the city. The degree of caution varied from young farm boys who did not like the noise and smell of the city to community leaders, like William Montgomery, who recognized and resisted the growing influence of Knoxville in Sevier County.

Modern historians who have examined whitecapping episodes in neighboring states have attributed the rise of this form of vigilantism to traditions of violence, isolation, and a depressed economy.⁷⁶ Another writer similarly has suggested that whitecaps in Northern Georgia rode in response to Appalachia's being drawn unsuccessfully into an expanded market economy.⁷⁷ While the history of Sevier County would appear to confirm the

⁷⁵George W. Pickle, *Reports of Cases Determined in the Supreme Court of Tennessee for the Middle Division, December Term, 1890; for the Western District, April Term, 1891; and for the Eastern Division, September Term, 1891*, vol. 6, edited by Robert T. Shannon (Louisville, KY: Fetter Law Book Company, 1902), p. 653.

⁷⁶William F. Holmes, "Moonshining and Collective Violence: Georgia, 1889-1895," *Journal of American History* 67 (1980-81): 608-611; and Palmer, "Discordant Music," p. 45.

hypotheses of these writers, its similarity to other whitecap communities also reveals a basic flaw.

The history of Sevier County is, in many ways, the history of the rural South. Although their degree of relative isolation varied, all Southern communities had histories of extra-legal violence extending from their frontier days. Likewise, long before the 1890s, all Southern communities participated in an economy that extended outside of their region.⁷⁸ Because of these similarities, these writers have failed to account for why whitecapping erupted in some communities and not in others a few miles away suffering similar circumstances. Likewise there has been no explanation of why this form of violence was perceived as a "new method of kukluxing," or why in some counties whitecapping persisted for years, while in other communities it was quickly eradicated. In 1894, for instance, whitecapping had continued unchecked in Sevier County for over two years, but across the state in Tipton County, a jury was able to convict four whitecaps and sentence them to long prison terms.⁷⁹ Traditions, isolation,

⁷⁷Edward L. Ayers, *Vengeance and Justice: Crime and Punishment in the Nineteenth-Century American South* (New York: Oxford University Press, 1984), pp. 261-262.

⁷⁸Although Sevier County is outside of the cotton growing South, the choice of crop specialization in grain and cattle by Sevier County farmers is similar to the choice of other small to moderate Southern farmers to abandon self-sufficiency to grow cotton or tobacco. Like their brother farmers, many Sevier Countians fell into debt when they were unable to compete successfully with Western grain growers in Knoxville because of fluctuating grain prices on the international market. For problems faced by small to moderate farmers outside the Cotton Belt; see, Gavin Wright, *Old South, New South: Revolutions in the Southern Economy Since the Civil War* (New York: Basic Books, 1986), 107-110.

⁷⁹*Nashville American*, 27 October 1894.

and economics are important factors, but are not the sole reasons whitecaps rode through the small communities of Sevier County. If these reasons had been causes, then the county would have been plagued with this form of extra-legal activity during the 1870s when Sevier Countians first began to compete in an expanded market economy.

During the latter nineteenth century in France, social forces similar to those being experienced by Sevier Countians were, in the words of a modern historian, changing "peasants into Frenchmen,"⁸⁰ and the social scientists of that period were concerned about the nature of change in communities. In 1893, Emile Durkheim published his seminal work, *The Division of Labor*, which examined the evolution of primitive societies and sought to explain the nature of community and progress.⁸¹ While much of the Frenchman's work as a social scientist was superseded by later scholars, his theory as a social philosophy explaining the nature of progress can be used to understand the collapse of community in Sevier County and the rise of whitecapism. Durkheim wrote that three factors caused a community to progress—population, material density, and moral density. Simply defined: population means the number of persons within an area; material density is the amount of pressure those people place upon the resources available in an area; and moral density is the amount of social cooperation shared by the population

⁸⁰Eugen Weber, *Peasants into Frenchmen: The Modernization of Rural France, 1870-1914* (Stanford: Stanford University Press, 1976).

⁸¹Robert A. Nisbet, *The Sociology of Emile Durkheim* (New York: Oxford University Press, 1974), pp 3-7.

within the area. Durkheim postulated that a community progressed and became more modern only when all three factors were present.⁸²

Sevier County's population made it unique for several reasons, despite its shared commonality of economic forces and political processes with the rest of the rural South.⁸³ More importantly, the study of Sevier County population reveals the reason for the outbreak of the "new kind of kukluxing" known as whitecapping. Traditionally, historians of rural Southern communities have sought and defined community at the county level. This was based on two assumptions. First was the belief that county lines were drawn along natural boundaries which forced or encouraged inhabitants to use the county seat as a market place as well as a judicial center

⁸²Emile Durkheim, *The Division of Labor in Society*, trans. by George Simpson (New York: Free Press, 1964), pp. 256-262.

⁸³One important difference between Sevier County and many other Southern counties was race relations. Because the terrain made a plantation economy impractical, Sevier County, like other mountain counties, had a small slave population before the Civil War. As a result, farmers did not have to compete heavily with blacks in the market place during the latter half of the nineteenth century, and for the most part, white Sevier Countians ignored their black neighbors. Whitecaps apparently did not harass black Sevier Countians often either, and only two whitecapping incidents in Sevier County involving blacks were reported during their seven year reign. Benjamin Farr was beaten for expressing his political views, and, in the other case, a black man was beaten because his daughter was allegedly promiscuous. In both episodes, the men were singled out for reasons other than the color of their skin. Nor did Sevier County blacks perceive the whitecaps as being a particularly racist organization. During an interview in 1983 with television news reporter Edye Ellis, a black centenarian raised in Sevier County, named Ed Brabson, clearly distinguished the whitecaps from the Ku Klux Klan when questioned because he recalled they were interested in punishing immoral women, not in tormenting blacks. [Davis], *The White-Caps: A History of the Organization*, p. 87, Cas Walker, *The White Caps of Sevier County: A Story of a Feud Between the White Caps and the Blue Bills in Sevier County in the Great Smoky Mountains*, rev. ed. (Knoxville, Cas Walker, 1974), p. 77, and interview with Edye Ellis, 10 August 1987, Knoxville, Tennessee.

thus providing the inhabitants of an area with all the services necessary for a successful community. Second, using vague definitions of community, historians have assumed that the inhabitants of a county became self-sufficient at the county level and thus achieved community.⁸⁴

Sevier Countians did not achieve self-sufficiency through a network that led from the farm to the county seat for two reasons—their geographic isolation from each other and their participation in a market economy. Instead they participated in several networks which had a common nexus in the civil district. As a result, most Sevier Countians during the nineteenth century perceived their community as being within their civil district. For example, political participation in Sevier County was through a network that extended from the county seat where election judges were selected, but the polling stations were within the civil district. Most legal proceedings also were initiated in the parlor of the local justice of the peace. While some cases outside the justice's purview were passed up to the appropriate courts of law and equity in Sevierville, many occurrences of social deviance that were beyond the pale of the law were handled at the village level, where offenders could be set right by threats or charivaris.

Every civil district also contained one or more villages with a general store. By providing imported goods and manufactured items that could not be produced locally, these stores helped to promote a sense of self-sufficiency in these isolated hamlets. Some store owners received their supplies from

⁸⁴Robert C. McMath, Jr., "Community, Region, and Hegemony," in *Toward a New South: Studies in Post-Civil War Southern Communities*, eds. Orville Vernon Burton and Robert C. McMath, Jr. (Westport, CT: Greenwood Press, 1982), pp. 284-285; for an examination of the many and nebulous definitions of "community"; see, George A. Hillery, "Definitions of Community: Areas of Agreement," *Rural Sociology* 20 (1955): 111-123.

Sevierville, but most purchased their goods from Maryville, Knoxville, and Newport, because their proximity to those towns made transportation easier. Following the Civil War, the number of country stores rose to meet the needs of Sevier County's growing population. In the fourteen years between 1876 and 1890, for example, the number of small communities with general stores that received shipped goods dramatically increased from twelve to forty and as a result, many shopkeepers and their clients did not need to perceive the county seat as a part of their community's economic life.⁸⁵ Farmers drove their livestock and carried their harvests to the same towns for the same reason and shared the same perceptions. Mills and other businesses also located within civil districts preempted the need for farmers to travel to Sevierville to have their grain ground into flour, to visit a blacksmith for metal work, etc.

Throughout the latter half of the nineteenth century, Sevier County enjoyed a moderate rate of population growth. The rate of growth, however, was not uniform in all of the civil districts; and by the 1890s, several areas were suffering from greater population pressures than others, as farmers moved into districts with more or better cultivable land. These population growth rates within the Sevier County's civil districts represented the signature social force that sets the county apart from its neighbors. Figure 2-4 reveals some of Sevier County's population pressures. Although the extent of the pressure is masked by the creation of new civil districts during the years

⁸⁵*Tennessee State Gazetteer and Business Directory For 1876-7*, passim; and, *Tennessee State Gazetteer and Business Directory*, vol. 6 (Memphis: R. L. Polk & Company, 1890), passim.

	Jones Cove				Emert's Cove		Fair Garden		Harris-burg		Sevier-ville		Wear's Valley		Catletts burg		Henry's X Roads	
	Total Pop.	Rate B-A A	Civil Dist.1 Pop.	Pop. Grow. Rate	Civil Dist.2 Pop.	Pop. Grow. Rate	Civil Dist.3 Pop.	Pop. Grow. Rate	Civil Dist.4 Pop.	Pop. Grow. Rate	Civil Dist.5 Pop.	Pop. Grow. Rate	Civil Dist.6 Pop.	Pop. Grow. Rate	Civil Dist.7 Pop.	Pop. Grow. Rate	Civil Dist.8 Pop.	Pop. Grow. Rate
1860	9,122		822		467		1,064		1,000		799		656		842		666	
1870	11,028	.209	939	.142	561	.201	1,276	.199	916	-.084	950	.159	683	.041	978	.161	1,002	.504
1880	15,541	.409	1,426	.519	961	.713	1,199 *	.199	1,005 *	.199	1,407	.474	1,168	.710	980 *	.199	1,134	.132
1890	18,761	.207	1,600	.122	1,583	.647	1,324	.104	1,095	.089	1,955	.395	674	-.423	1,232	.257	1,300	.146
1900	22,021	.174	1715 ***	.283	1,377 ***	.283	1,385	.046	1,362	.243	2,592	.326	851	.262	1,273	.033	1,335	.026

	Trundle's X Roads		Cusick's X Roads		Gatlin- burg		Sinking Springs		Richardson's Cove		Boyd's Creek		Allens- ville					
	Civil Dist.9 Pop.	Pop. Grow. Rate	Civil Dist.10 Pop.	Pop. Grow. Rate	Civil Dist.11 Pop.	Pop. Grow. Rate	Civil Dist.12 Pop.	Pop. Grow. Rate	Civil Dist.13 Pop.	Pop. Grow. Rate	Civil Dist.14 Pop.	Pop. Grow. Rate	Civil Dist.15 Pop.	Pop. Grow. Rate	Civil Dist.16 Pop.	Pop. Grow. Rate	Civil Dist.17 Pop.	Pop. Grow. Rate
1860	775		797		455		449											
1870	607	-.217	945	.185	614	.349	475	.058	478		604							
1880	969	.596	1,329	.406	1,086	.769	661	.391	715	.496	888	.470	619 *	.199				
1890	1,114	.150	1,676	.261	1,325	.220	693	.048	905	.266	964	.085	769	.242	552 **			
1900	1,216	.091	1,984	.183	1,716	.295	873	.260	967	.068	1,018	.056	763	-.008	602	.090	992 ***	.283

* = C.D.#15 formed from #3, #4, and #7 after 1876; ** = C.D. #16 after 1880 from unknown C.D.'s; C.D. #17 formed from #1 and #2 after 1890
The population growth rate for C.D.'s with stars (*) and (***) represent the rate for the combined populations of parent C.D.'s and new C.D.

Figure 2-4. Population and Population Growth Rate in Sevier County, Tennessee by Civil District, 1860-1900. Source: U. S. Census 1860-1900.

between the censuses, the creation of those new districts was a response to the growing population by civil leaders interested in assuring political representation at the county court. Unfortunately, drawing lines on a map in the county clerk's office did not reduce the demand for improved acreage available for cultivation.

With the increased population pressures, local autonomy and social cooperation, both necessary aspects of rural community, began to diminish for several reasons.⁸⁶ With the rise of large regional centers, however, local autonomy in small communities was lost to the hegemony of nearby cities, because of the desire of urban leaders for "continuity and predictability."⁸⁷ As a result, farmers found it harder to participate outside of their civil district, because they perceived that laws were being passed to keep them from the ballot box and the jury box. More importantly, the effects of the worsening economy during the early 1890s, in the forms of low profits and the ever-possible sheriff's sale, made farmers wary of changes and less willing to cooperate with new neighbors. Finally with the influx of new people—strangers who often came from neighboring civil districts and counties, but, nevertheless, lacked necessary family and community ties—the willingness for people to abide by traditional ways diminished. As a result, first the justices and then others turned to whitecapping to, in part, regain control of their changing world.

Not surprisingly, whitecapping first broke out in Emert's Cove, and later, persisted in Sevierville and Pigeon Forge during most of the 1890s

⁸⁶Bertram Wyatt-Brown, *Southern Honor: Ethics and Behavior in the Old South* (New York: Oxford University Press, 1982), p. 365.

⁸⁷Weibe says that "the autonomy of the community was badly eroded" by the 1870s; see, Weibe, *The Search for Order*, pp. xiii-xiv.

because those three areas had the greatest population pressures and, in all probability, the least amounts of social cooperation. All of Sevier County, however, suffered from the same problems caused by petty local jealousies. As a result, as the troubles with the whitecaps worsened Sevier Countians became even more unwilling and unable to solve their own problems. Eventually, some Sevier Countians looked to Knoxville for help.

CHAPTER III

"LIVES WILL BE SACRIFICED IN A MOB"

Although whitecaps soon made critics and enemies both within and without the county, over seven years passed before they were successfully suppressed. Unable to fight the whitecaps in the courts, Sevier Countians began to employ other methods to attain justice against the night riders. To the dismay of nearby Knoxvilleians, however, the solution chosen by some Sevier Countians was as bad as the problem. Nevertheless, Knoxvilleians were unwilling to meddle into the affairs of their neighbors until a horrendous double murder provided them with an opportunity to intercede and ultimately destroyed whitecapping.

Whitecaps very quickly met resistance in Sevier County. John S. Springs of Emert's Cove, for example, one of the earliest critics of the whitecaps, accused the night riders of base cowardice and helped to lead an effort to keep whitecapping out of Emert's Cove while the rest of the county suffered.¹ Springs was able to speak out against the whitecaps without retaliation from the night riders, but other critics within Sevier County were not as fortunate.² Another more colorful early anti-whitecap leader was a

¹Eventually, Springs would take a more active role in the suppression of the whitecaps as a deputy sheriff and as the foreman of a grand jury that successfully indicted several important whitecaps. [Davis], *The White-Caps: A History of the Organization in Sevier County* (Knoxville, TN: Bean Warters & Gaut, 1899), p. 85.

²Springs' ability to avoid retaliation from the white caps may have been the result of foresight and planning than position within his community. Whitecaps regularly tried to silence their enemies, and, as a result, the homes of people like Springs became armed camps. Nona Davis,

woman from the Copeland Creek area near Emert's Cove. The victim of a whitecap raid herself, this woman spoke out against the night riders and often alleged that a whitecap had fathered two of her illegitimate children. One night while returning from Sevierville, where she had attended an unsuccessful whitecap trial at the circuit court, she was ambushed and murdered by the whitecaps.³

While some people publicly criticized the whitecaps, others fought them. As might be expected, these people were often related to victims of whitecap raids (brothers, fathers, or sons), or persons who feared that the night riders might visit them (seducers, adulterers, or pimps), or victims themselves. To distinguish themselves from their whitecap enemies, many of these people called themselves, the Blue Bills.

Although the first Blue Bills organized in 1892, J. A. Henderson, a popular Sevierville physician and brother to the local attorney general, took over the leadership of the vigilante group in August 1893. According to Davis, the doctor had tended Mary Breeden and was moved by the widow's suffering and death at the hands of the whitecaps.⁴ Under Henderson's guidance, the gang was set apart from the whitecaps, because when they rode they did not wear disguises or take a secret oath and often were accompanied by the sheriff or his deputy. Despite the fact that Henderson supposedly had spies within the whitecap organization, the Blue Bills were rarely able to deter

the daughter of anti-whitecap leader Thomas H. Davis, recalled that her father's and his friends' homes often had a shotgun in every corner. Interview with Nona A. Davis, Knoxville, Tennessee, 10 July 1987.

3 Cas Walker, *The White Caps of Sevier County: A Story of a Feud between the White Caps and the Blue Bills in Sevier County in the Great Smoky Mountains*, rev. ed. (Knoxville, TN: Cas Walker, 1974), pp. 26-27.

4[Davis], *The White-Caps: A History of the Organization*, pp.186-187.

their enemies. In fact many times, the whitecaps, in ways almost comical to outside observers, were able to avoid Blue Bills' ambushes; and, as a result, the two groups did not have a deadly encounter for more than two years after the Blue Bills' founding.⁵

On 26 October 1894, farmers who had been aroused by gunfire the night before discovered the bodies of three men near the Henderson's Springs resort. The whitecaps and the Blue Bills finally had clashed. Called the "Battle of Henderson's Springs,"⁶ this encounter revealed the basic trouble with using Blue Bills to curb whitecaps. Although the Blue Bills were organized by Henderson to capture whitecaps and bring them to trial, the posses were often filled with revengeful or frightened men who realized that the whitecaps controlled the courts. As a result, the Blue Bills often laid traps to kill, not capture, any whitecaps who might blunder into their snare. The

⁵[Davis], *The White-Caps: A History of the Organization*, pp. 25-27. As early as May 1892, one Knoxville newspaper accused the Bluebills of showing the "white feather" to their enemies; see, *Knoxville Tribune*, 18 May 1892.

⁶Not surprisingly, Davis recalls the battle of Henderson's Springs as being an important battle between the Blue Bills and the whitecaps. According to his account written five years after the fact, Elijah Helton had gone to Sevierville to warn Sheriff M. F. Maples of an upcoming whitecap raid on a neighbor and was a part of a seven man Blue Bill posse sent by the sheriff to intercept the night riders. A Nashville newspaper, however, reported two differing accounts: one stating that Helton had been enlisted by a friend who had received a whitecap note and had gone to Sevierville to purchase a shot gun; the other that he too was the recipient of a white cap note and was waylaid on his way to help his friend ambush the night riders. The only common strains in all three stories were that Helton traveled to Sevierville to purchase a shot gun and borrow one hundred dollars which were missing when his corpse was discovered. The other constant factor in all three accounts was that he was able to kill two of his assailants whose bodies were found with masks; see, [Davis], *The White-Caps: A History of the Organization*, pp. 86-92, and *Nashville American*, 27 October 1894..

skirmish at Henderson's Springs clearly showed the fatal flaw of using a quasi-legal force to curb extra-legal activities.

At the time, the fight shocked and frightened everyone. Within Sevier County, whitecap violence subsided for almost six months.⁷ Ironically, the Blue Bills were unable, however, to press the advantage of their only victory, because soon after the battle their leader, Dr. Henderson, was murdered. His death rocked Sevier County. The physician had been gunned down in his home by a jealous husband, William H. Gass, who had discovered that his wife had spent the weekend with the doctor in a Knoxville hotel. In fact, Gass had known about the liaison for several days; and Henderson, knowing that the irate husband was trying to confront him, had hidden in his house. Finally, in frustration, Gass sneaked up to Henderson's home and shot the doctor through a window. Henderson's disgraceful behavior undermined the legitimacy of the Blue Bills; and, as a result, Henderson's organization fell apart a few months later and the whitecaps returned.⁸ The term "Blue Bill," however, survived Henderson's demise and eventually came to mean any denouncement of or resistance to whitecapping within Sevier County.⁹

⁷[Davis], *The White-Caps: A History of the Organization*, pp. 27-28.

⁸Ibid., p.28, and *Knoxville Journal*, November 1894. Interestingly, Walker claimed that Gass was a whitecap; however, accounts at the time disagree. Davis avoids discussing Henderson's death by stating that it was unrelated to the story of the whitecaps. Eventually, Gass was acquitted by a jury who no doubt thought the husband had behaved honorably. See, Walker, *The White Caps of Sevier County: A Story of a Feud*, p.71; and [Davis], *The White-Caps: A History of the Organization*, p. 28.

⁹[Davis], *The White-Caps: A History of the Organization*, p. 186.

In Knoxville, there was a growing consternation towards the violence in Sevier County as the vigilantism grew more brazen and violent. Only one month before the fatal skirmish at Henderson Springs, four drunken whitecaps had attempted to prevent congressional candidate John C. Houk from speaking at a Baptist church in Gatlinburg, because he had denounced the organization the night before at a political rally in Jones' Cove. Arriving at the church ahead of the candidate, the four whitecaps, J. B. Trotter (a local constable), Joe Trotter, and Newton Trotter, and their leader Avery Cogsdale, drew a "death line" in the dirt around the church and threatened to kill anyone who crossed the line. They were challenged by and yielded to an old disabled Civil War veteran who told the whitecaps that being old and crippled he was unafraid of death and determined to pray in the church.

At the same time as the whitecaps were occupying the church, Houk gave a speech in Emert's Cove, where his entourage was joined and escorted by a group of Civil War veterans who were concerned about his safety. When the congressman's party approached the church, the four whitecaps quit their "death line" and went inside the building where they heckled and catcalled the candidate as he tried to speak. As Houk began his concluding remarks, Deputy Sheriff Sexton entered the church and tried to arrest one of the Trotters for threatening the old veteran who had crossed the death line earlier that day. The lawman, worried about a confrontation, was accompanied by fifteen men whom he had deputized outside the church. Not surprisingly, a fight broke out between the rowdies and the posse; it quickly grew into a melee involving everyone in the building. Some of the women panicked and escaped from the church by jumping out the windows. Although guns and knives were evident, none was used; instead, the rioters began throwing rocks which had been smuggled into the room. The fists,

feet, and stones very quickly began taking their toll and the center aisle became slick with blood. To the horror of his entourage, Houk, who was standing near the pulpit, was almost hit by a rock. The brawl was broken up as suddenly as it started when Sexton pulled his gun on one of the Trotters, but not before Cogsdale and one of the veterans had their heads caved in by the stones.¹⁰

Despite their awareness of the increasing violence, Knoxvilleans, perhaps thinking that Sevier Countians should take care of their own problems, had not moved to intercede in the affairs of their rural neighbors. The episode at Henderson's Springs, however, distressed them greatly. The front-page accounts of the battle carried in the city newspapers reported that the fight had involved several dozen men, and that enough ammunition had been used to "wipe out a regiment had it been applied."¹¹

The battle of Henderson Springs no doubt also distressed the leadership in Knoxville, because the incident was reported in newspapers throughout the South and as far north as New York.¹² Although Knoxville city leaders who had been concerned with the rise of the "mob spirit" as early as 1875 were able to recognize that the nature of whitecapping made it different from traditional rural vigilantism, to some observers outside of East Tennessee, whitecapping was indicative of the violent tendencies of all mountaineers.¹³

¹⁰ The reporter of the riot was a member of Houk's entourage; not surprisingly, he identified the whitecaps as Gibson men. [Knoxville] *Evening Sentinel*, 24 September 1894.

¹¹ *Knoxville Journal*, 27 October 1894.

¹² *New York Times*, 27 October, 1894.

When Will A. McTeer, a Maryville lawyer, wrote a letter to the editor of the *American Law Review* in 1892 to refute an earlier writer's accusation that mountain people were "semi-barbarous," the editor responded by recounting several whitecapping episodes in East Tennessee that had come to his attention.¹⁴ Similarly, a prominent Knoxville Republican, named John B. Brownlow, also disapproved of the growing acceptance of a mountaineer stereotype that described his rural constituents as being violent and primitive. When a book critical of Appalachian people appeared in 1893, titled *The Mountain Whites of the South*,¹⁵ Brownlow condemned the work "as a caricature and libel on our people. One not knowing them would infer they were scarcely above savages in intelligence, and he [the author] says, falsely, they have been retrograding since the war."¹⁶ To the dismay of some Knoxvilleans, the news of the battle of Henderson's Spring helped perpetuate the negative stereotype of mountaineers as a violent people.

The fall of 1894 was an important watershed in the battle against the whitecaps. The battle of Henderson's Spring made Sevier Countians realize

¹³[Knoxville] *Independent*, 20 August 1875, and *Knoxville Journal*, 27 October 1894.

¹⁴Will A. McTeer, "The Mountaineers of East Tennessee and Kentucky," *American Law Review* 26 (1892): 470.

¹⁵"A Scotch-Irishman, *The Mountain Whites of the South* (Pittsburgh: Presbyterian Banner Company, 1893).

¹⁶John B. Brownlow to O. P. Temple, 7 July 1893, Papers of O. P. Temple, University of Tennessee Library Special Collections, Knoxville, Tennessee. For a further discussion of the development of this mountain stereotype during this period see, Henry D. Shapiro, *Appalachia on Our Mind: The Southern Mountains and Mountaineers in the American Consciousness, 1870-1920* (Chapel Hill: University of North Carolina Press, 1978); and James C. Klotter, "The Black South and White Appalachia," *Journal of American History* 66 (1980-81): pp. 832-849.

that vigilantism could not be curbed with more vigilantism; and in Knoxville an alarmed political leadership began to consider the problems of having a brazen extra-legal force nearby. At the same time, the death of the Blue Bills' leader cleared the way for a new leadership against the night riders that would turn to the city for help.

The coalition which would eventually drive out whitecapping in Sevier County, called the "law and order league" by some wags, began during the summer of 1894. Republican Millard Filmore Maples was able to win the county sheriff's race against two other Republicans candidates with a plurality of 147 votes by campaigning against the whitecaps and by promising to appoint a Democrat as a deputy. He therefore selected a young farmer and former school teacher, named Thomas Houston Davis, to fulfil his campaign pledge.

Like others before them, the two lawmen very quickly realized that their greatest problem was convicting, not capturing, whitecaps. In the wake of the battle of Henderson's Springs, Maples and his deputies, for example, arrested thirteen whitecaps but were unable to bring them successfully to trial.¹⁷ Unfortunately for Maples, he could only enforce the law by turning to the county court—which was controlled by the whitecaps. Another good example of the frustration that the new sheriff faced came shortly after the murder of Tom Gibson, who had been shotgunned by whitecaps while trying to protect his daughter. Maples and his men wanted to track the murderers with bloodhounds; but the only dogs available were owned or controlled by William Wynn, the son of powerful landowner in Sevier County and an

¹⁷[Davis], *The White-Caps: A History of the Organization*, pp. 92, 166.

important whitecap leader, who refused to allow his hounds to be used.¹⁸ To prevent being stymied by Wynn again, Maples and Davis went to the session of the county court a month later and requested 150 dollars from the court's coffers to buy a pair of dogs. In a vote, the justices of the peace voted 21 to 8 to appropriate the money and it appeared that the sheriff had been able to circumvent the whitecaps' control of the county court. Before the money could be drawn, however, a friend of Wynn's, Jesse Atchley, prevented the purchase by filing an injunction with the chancery court. Atchley argued that the appropriation had been made illegally. The court granted the injunction and five months later ruled in favor of the plaintiff.¹⁹

Unable to find justice within the courts, Maples and Davis began seeking allies outside of Sevier County and turned to acquaintances and friends in Knoxville. The adoption of this strategy was an important break with traditional methods of fighting vigilantes and reflected an important difference between leadership of the whitecaps and the bipartisan coalition, known as the law and order league. The leaders of the whitecaps were either landowners or justices of the peace who lived their entire lives within Sevier County. William Robert (Bob) Catlett and his brother James were important landowners in Sevier County;²⁰ and Bob's brother-in-law, Bob Wade, was the

¹⁸[Davis], *The White-Caps: A History of the Organization*, p. 96. Actually, Maples may have acquired a team of dogs five months before. At the time however, he expressed a concern that the hounds might be shot down by the whitecaps. The fate of this first pack of dogs is unknown. See, *Knoxville Journal*, 27 October 1894.

¹⁹Jesse Atchley vs. Sevier County, Sevier County Chancery Court #681, Sevierville, Tennessee.

²⁰There is no record or proof that James M. Catlett was a whitecap leader; however, Tipton and Wynn claimed that he was an accessory after the

son of J. J. Wade another important landowner. Similarly, William and Pleas Wynn were the sons of E. M. Wynn, another wealthy property owner. Both the Catlett and Wynn families owned valuable property along the river between Sevierville and Pigeon Forge, where whitecapping was rampant throughout the 1890s, and both families' land was worked by tenant share croppers. James Catlett Tipton, another whitecap leader, was a carpenter and not a landholder, but significantly he had joined the night riders soon after they began and moved through the ranks because of his abilities as a natural leader.²¹

Like their whitecap counterparts, the leadership of the law and order league came from the uppercrust of Sevier County society. As boys, Pleas Wynn, Catlett Tipton had played on a baseball team, "Eureka," which was captained by Tom Davis. Nevertheless, there was an important difference in the backgrounds of the leaders of these two factions. Maples and Davis and their allies were better educated than their enemies. The deputy had spent two terms at Carson College and one at Knoxville Business College. Z. D. Massey and J. R. Penland, two other leaders against the whitecaps, were respectively a physician and lawyer. Even Maples, who did not enjoy the same educational background as the others, had been a merchant before becoming a sheriff and, as a result, had, according to Davis, "acquired what might be called a good business education."²² Because their education had

fact in the Whaleys' murders, and there is at least one case of the night riders harassing his tenants in his behalf. See, [Davis], *The White-Caps: A History of the Organization*, pp. 93-94, 206, and 211-13.

²¹Tipton may have been a transitional character from the old style rural violence to whitecapping. He very clearly enjoyed his role as a whitecap leader and actively recruited other people to join the secret organization. See, [Davis], *The White-Caps: A History of the Organization*, pp. 148- 154, 159-160.

taken them out of Sevier County, the anti-whitecap leaders were accustomed to working successfully with associates outside the county and in Knoxville and were therefore willing to go outside the county for help.²³ Their enemies, on the other hand, while no strangers to the city, nevertheless were farmers, or sons of farmers, who were being buffeted by economic forces of the 1890s. As a result, they sought to consolidate their power within the county.

Maples' and Davis' new strategy was two-fold. The two lawmen began pursuing, capturing and arresting whitecaps and other criminals to demonstrate the desire of law-abiding Sevier Countians to follow due process. The two men were so zealous in their efforts that they even began to bring to the circuit court cases normally handled by justices of the peace. In December 1896, for example, Maples and Davis brought in Jesse Rodgers and Ellen Deats, who had been charged with public lewdness.²⁴ Davis was particularly relentless and tracked fleeing whitecaps throughout the South and as far west as Texas. William Montgomery, the editor of the *Sevierville Star*, sarcastically suggested that the two lawmen had collected enough reward

²²Davis identified both his major enemies and allies in his book and provided short biographies for M. F. Maples, Bob Catlett, Pleas Wynn, Catlett Tipton as well as himself. He also accused James Catlett, William Wynn, and Bob Wade among others of being important whitecaps. In addition to Maples, Davis implied that the anti-whitecap leaders were Massey, Penland, and Davis' brother-in-law Andrew Love, a Sevierville merchant. See, [Davis], *The White-Caps: A History of the Organization*, passim.

²³The colleagues in the city may have been a natural place for doctors, lawyers, and merchants to turn for help. One sociologist has suggested that professionals find elements of community within their professions. See, William J. Goode, "Community With a Community: The Professions," *American Sociological Review* 22 (1957), p. 194.

²⁴*Sevierville Star*, 11 December 1896.

money tracking down criminals who had fled the county that they would be able to finance their reelection.²⁵

Although the lawmen were able to return criminals to Sevierville, they still were unable to secure convictions, because the whitecaps controlled the juries. Maples' and Davis' allies used the lack of courtroom success to convince their urban associates that the circuit court at Sevierville was corrupt and needed to be changed. Although it is unknown what Maples, Davis, Massey and others said, it is very clear they were able to use urban perceptions of the countryside and fear of mob violence to their advantage. When Sevier County's state representative, W. A. Parton, received a whitecap notice at a home of a Knoxville friend, the city papers expressed alarm that whitecapping might enter the city.²⁶

Needless to say, the sheriff and his men were not the only ones in Sevier County to realize that the problem lay within the courts. Montgomery, like the law and order league, recognized that the whitecaps' greatest strength lay in their control of the courts. "The organization of the 'white caps,' he editorialized in 1895, "is the outgrowth of officers [justices of the peace] failing to enforce the law, [by] prohibiting certain habits against some gentlemen ? [sic] who stand high in political and social circles."²⁷

Montgomery, along with other Old Guard Republicans in the county, was unable to work with the law and order league, because he recognized that the reformers were a political coalition of Gibson Republicans and Democrats

²⁵Ibid., 8 March 1895.

²⁶Despite Knoxville editors' consternation, Parton dismissed the note as a prank by Knoxville friends, *Sevierville Star*, 23 April 1897

²⁷Ibid., 3 May 1895.

"of the meanest die."²⁸ The editor, like other Sevier Countians, was also very critical of the law and order league's allies at Knoxville newspapers who, in his opinion, had "written up every neighborhood brawl or carnival as a white cap outrage or a white cap and blue bill collision."²⁹ Calling on traditional solutions to solve what he considered to be a traditional problem, the editor of the *Sevierville Star* urged Sevier Countians to accept responsibility and take care of their own. He also called upon the sheriff and others "to defend Sevier County . . . from the slander of vile curses, whether these slanders enimate [sic] from a 'one hoss cuss' who runs a 'two hoss' newspaper or a 'one hoss cuss' who holds down a 'four hoss office.'"³⁰

For more than two years following the battle of Henderson's Springs, the whitecaps continued to divide Sevier Countians, while nervous Knoxvilleans looked on. Although Maples was unable to convict any night riders, he and Davis were able to hold together their coalition of Gibson Republicans and Democrats and thus win reelection in the fall of 1896 by a small plurality over two other Republican candidates.³¹ Unbeknownst to the sheriff and his deputy, however, a chain of events was in progress which would end whitecapping in Sevier County.

In December 1895, a sharecropper named William Whaley leased a tract of land and a cabin from Bob Catlett. When the farmer and his wife, Laura, arrived to take possession, however, the old tenant, named Walter

²⁸*Vindicator*, 9 March 1898.

²⁹*Sevierville Star*, 7 June 1895.

³⁰*Ibid.*, 22 March 1895.

³¹[Davis], *The White-Caps: A History of the Organization*, p. 167.

Maples (no relation to the sheriff), refused to vacate the premises. Catlett put the Whaleys in another house while he tried to evict Maples, who appeared determined to stay. The Whaleys were eager to move into their leased property and made frequent pleas to their landlord to get Maples out.

One night, Catlett and his wife's brother, Bob Wade, appeared drunk at the Whaleys' temporary abode and demanded that Laura Whaley draft a whitecap note for Maples. Once the woman had finished writing the letter, Catlett forced her to take a whitecap oath; then he, with Wade and William Whaley, went to Maples' cabin where they posted the note. While they were there, they threw rocks against the building and Catlett discharged his shotgun at the house to intimidate Maples and his family. The threats worked; Maples left soon afterwards and the Whaleys took possession of the cabin.

During the next spring, in addition to fulfilling his usual sharecropping agreement, Whaley contracted to buy some hogs from his landlord by working extra for Catlett. In the following September, after working the required number of days, Whaley sold the livestock to pay some other debts. When Catlett heard about the transaction, he became enraged. Mounting a horse the landlord rode to where Whaley was harvesting corn and accused his tenant of selling livestock before he had fulfilled the contract. When Whaley insisted that he had earned the pigs, Catlett threatened to imprison the young farmer and then evicted his tenant before the crop could be harvested.

Laura Whaley was pregnant at the time of her husband's quarrel with Catlett. Distressed that William might be arrested, she went into labor and prematurely gave birth to a daughter. As was the custom of the time, Laura was tended by female relatives and women in the neighborhood during her

confinement. In her anxiety, Laura revealed all that had transpired between her and the landlord. One of the neighborhood women was Rou Catlett, Bob's daughter, and Laura appealed to her for help. Rou agreed and when she returned home, she was able to convince her father not to prosecute William Whaley. Unfortunately, she also revealed that Laura had told her about the whitecapping incident.

Some of the other women also spread the story; and when Sheriff Maples and Davis heard about it, they subpoenaed Laura to appear before the grand jury in November 1896. Laura went before the court, and as a result of her testimony Bob Catlett and Bob Wade were indicted for "rocking" Walter Maples' home. Laura had traveled to Sevierville with her sister Lizzie Chandler, the divorced wife of a whitecap, and she told Lizzie that as she left the courthouse that she had seen her former landlord and his brother-in-law. "Lizzie," she said, ". . . They will kill us."³²

The Whaleys fearing for their lives prepared to flee Sevier County. Laura's mother was from Coal Creek, Tennessee, and suggested that William seek employment there. Laura, still weak from childbirth, was unable to journey that far; so she with her daughter and Lizzie moved into a small cabin on the property of E. M. Wynn. William returned shortly from his trip; but contracted a severe case of the flu and was unable to travel. So the family was forced to remain in Sevier County while they waited for their health to improve.³³

³²Ibid., pp. 119-124.

³³Ibid., p. 124.

While William Whaley was looking for a way to escape, Catlett, his former landlord, was planning his revenge. Catlett approached a whitecap leader named Catlett Tipton and asked him to murder the Whaleys, because Laura had sworn against him in court.³⁴ At first Tipton refused, but eventually Catlett was able to convince his fellow whitecap to commit the assassination for fifty dollars and a guarantee to protect him if the matter went to court.³⁵ Tipton, however, did not know the Wynn's farm so he enlisted the aid of Pleas Wynn, E. M. Wynn's son, to guide him to the Whaley's cabin. Catlett, Wade, Tipton and Wynn all conspired to murder the Whaleys while also providing Catlett with an alibi. A few days after Christmas 1896, Catlett came to Sevierville, where he conferred with Wade, Tipton and Wynn, and announced to acquaintances in the town that he was driving some livestock to North Carolina.

That night Tipton and Wynn broke into the Whaley home and murdered William and Laura. Lizzie was also in the cabin, but survived because Laura successfully pleaded to the two masked men to allow her sister to take care of her daughter. William Whaley begged for mercy as well but was shot in the mouth and killed instantly; Laura died seconds later when a

³⁴James Catlett Tipton was not related to Bob Catlett; he was, however, named after Bob Catlett's father. See [Davis], *The White-Caps: A History of the Organization*, p. 148.

³⁵There are several reasons why Tipton might have accepted Catlett's commission to murder the Whaleys. In his confession, Tipton recalls that one of the times that Catlett asked him to commit the crime after the two men along with some whitecap friends had raided a turnip patch which suggests that Catlett tried to call upon a common bond (because we can commit this small crime, we can commit a greater crime). Beyond that, Catlett was a fearsome man with an explosive temper; Tipton may have committed the crime just to avoid Catlett's anger.

second blast tore away the side of her head. The two assassins quickly departed the cabin leaving tracks in freshly fallen snow.³⁶

Within minutes people began gathering at the Whaley's cabin and within hours news of the murder had spread through the county. The murder of the young couple enraged Sevier Countians. Montgomery called it the "most horrible crime which has yet blacken the fair name of Sevier County."³⁷ Two ministers told their congregations that they would lead the lynching bees if the culprits were found.³⁸ Throughout the county and in Knoxville citizens called on Maples to find the murderers quickly.

Davis was out of the county tracking down a criminal the night the Whaleys were murdered; after he returned, however, he moved quickly. Within days Davis arrested Tipton and Wynn and took them before Justice of the Peace George Blalock, who discharged the two men for lack of evidence. Wade surrendered the following day. Davis then set out for North Carolina to pick up Catlett, who was being held by the sheriff in Asheville.³⁹ When Catlett returned to Sevierville, he and Wade were taken before squire W. D. Atchley, the brother of Jesse Atchley, who discharged Catlett but held Wade under a thousand dollar bond.⁴⁰

Needless to say, the release of the three major suspects further aggravated the already volatile situation in Sevier County. Knoxville papers

³⁶[Davis], *The White-Caps: A History of the Organization*, pp. 124-130.

³⁷*Sevierville Star*, 1 January 1897.

³⁸*Knoxville Journal*, 29 December 1896.

³⁹*Sevierville Star*, 8 January 1896

⁴⁰[Davis], *The White-Caps: A History of the Organization*, pp 73 -74.

were aghast that justices had allowed the men to walk. Complaining in response that the Knoxville press had already convicted Catlett and Wade, Montgomery urged that the law take its proper course. Realizing more than ever that he needed outside help, Davis traveled to Nashville to consult with Governor Bob Taylor, who contributed five hundred dollars to a growing reward fund for the conviction of the Whaleys' murderer. On his return, Davis stopped in Knoxville and conferred with city leaders about curbing the whitecaps.

After Davis returned to Sevier County, he began to prepare a case against Tipton, Wynn, Catlett and Wade. The deputy hired two detectives to assist him by interviewing Sevier Countians who had fled to Knoxville. Important witnesses like James Rommes and James Moore, two men who had testified against Wade, were afraid to remain in their county and had moved to Knoxville. Lizzie Chandler, who had witnessed the murder and was able to identify the assailants, was also moved to Knoxville, where she stayed in the home of a deputy sheriff.⁴¹ This was necessary because shortly after she identified Pleas Wynn as one of the murderers, the whitecaps had tried unsuccessfully to abduct her, but she was rescued by Maples and Davis.⁴² When the grand jury convened in March 1897, Davis was able to use her testimony and others to convince the grand jury to indict Tipton, Wynn, Catlett and Wade for the murders of William and Laura Whaley.

Catlett Tipton and Pleas Wynn were quickly arrested again and Davis brought in Catlett a few hours later. The three men were brought before the

⁴¹Ibid., pp. 197-98.

⁴²Ibid., p. 132.

circuit court judge, W. R. Hicks, who released the men on bail, but not before new violence had broken out in Sevierville. William Wynn, Pleas' older brother, confronted Davis's father in a livery stable and, after accusing the old man of spreading rumors which involved him in a recent robbery, attacked and beat Davis.⁴³ Wynn was soon arrested, but the fight quickly divided Sevierville into two armed camps with the battle lines drawn between "whitecaps" supporting the Wynn family and the law and order league supporting Davis. Fearing that the assault on the elder Davis signaled a rescue attempt, Sheriff Maples divided his forces in the county seat, leaving half to guard Tipton and the Wynn brothers and rode out to help escort Catlett back to town. When Davis learned of his father's injuries, he turned to his followers and ordered that "if attacked, every man dies on the spot."⁴⁴

Before the defendants returned to the courthouse for their trial, the law and order league, with their allies in Knoxville and Nashville, were able to persuade the state legislature to pass two laws which changed the court system in Sevierville and prevented their escaping justice easily. The first bill, popularly known as the white cap bill, banned the making of extra-legal conspiracies to murder or injure persons or property. More important, the

⁴³ State vs. Wynn, East Tennessee Supreme Court Case #1553 (1897), typed transcript, Tennessee State Library and Archives, Nashville. William Wynn was charged with felonious assault, but was found not guilty by a Sevierville jury that convicted him of assault and battery and sentenced him to pay fifty dollars and spend ninety days in the county workhouse instead. Ironically, Wynn, a justice of the peace and son of a important farmer, had served as warden of that facility before Maples became sheriff.

⁴⁴[Davis], *The White-Caps: A History of the Organization*, p. 78.

law ordered judges to bar people who participated in extra-legal activities from sitting on juries.⁴⁵

To Davis and other members of the law and order league passing a law which would keep white caps out of the jury box was not enough. For the new law to work a strong anti-whitecap jurist was needed, and in the opinion of the law and order league, the local circuit court judge Hicks, who was a friend of the Wynn family, was too lenient on whitecaps. He must be replaced, if the whitecaps were to be wiped out. Most other people in Sevier County, however, liked Hicks and considered him to be a good jurist. Montgomery reported that when Hicks had substituted for an ailing judge in Kingston, he had been well received by the local bar as a capable and efficient judge. Nevertheless, a bill drafted by George W. Pickle, the state's Attorney General, was successfully introduced into the state legislature by W. R. Parton of Sevierville that detached Sevier County from its judicial circuit and made it a part of the Knoxville Criminal Court.⁴⁶

The passage of the whitecap bill and the Parton bill (which was locally called by critics—the Davis bill, after the deputy who conceived the legislation and lobbied for its passage) gave the law and order league the weapons to fight the whitecaps. Other Sevier Countians, however, while generally approving of the anti-whitecap law, considered the unprecedented removal of Sevier County courts from Hicks' circuit suspect. One Sevierville constituent wrote to state senator J. C. Houk that "with the exception of a few lawbreakers and

⁴⁵*Public and Private Acts and Resolutions Passed by the Fiftieth General Assembly of the State of Tennessee, 1897* (Nashville: State of Tennessee, 1897), pp.192-193.. For a copy of the legislation, see Appendix 2.

⁴⁶*Public and Private Acts of Tennessee*, pp. 530-531.

sap headed Democrats that pay little attention to law or gospel" no one in the county wanted their court removed from Hicks.⁴⁷ Others led by George L. Zirkle, Tipton and Wynn's lawyer, wrote to the state senator that they suspected that it was a Democratic trick inspired by Davis. Sheriff Maples, a good Republican, answered those charges in behalf of his deputy by telling Houk that "There needs to be a united effort to put down white caping [sic] . . . [and] we are Satisfied that we can never accomplish anything with Judge Hicks on the bench." County Republican leader D. W. Payne agreed and told Houk that "a mob will be the result if there is not something done."⁴⁸

In Knoxville, not surprisingly, the legislation was popular and considered necessary for the control of the whitecaps. "The state of affairs in Sevier is most dangerous." wrote a Knoxville doctor to his state representative; "Unless some immediate steps are taken to punish the guilty I fear many lives will be sacrificed in a mob."⁴⁹ Except for the law and order league, however, most Sevier Countians were distressed at the loss of their old circuit court judge and attorney general. Many had feared that they would be put into the circuit of a Democratic judge; most disliked the loss of control of their own affairs. Under the Davis bill, Sevier County was placed under the Knoxville's Criminal Court which was presided over by T. A. R. Nelson,

⁴⁷S. A. Sims to J. C. Houk, 18 March 1897, Papers of L. C. and J. C. Houk, McClung Collection, Lawson McGhee Library, Knoxville, Tennessee.

⁴⁸M. F. Maples to J. C. Houk, 22 March 1897, and D. W. Payne, 23 March 1897, Papers of L. C. Houk, Box 66. To his own state representative, Payne wrote "we want to Git a judge who has backbone enough to enforce the law & the Present one has failed to do so." D. W. Payne and Dr. J. G. Ellis to W. A. Parton, 29 March 1897, Papers of L. C. and J. C. Houk.

⁴⁹Dr. B. D. Brabson to Jesse L. Rogers, 31 May 1897, Papers of L. C. and J. C. Houk.

Jr., the son of the man who had defended Andrew Johnson during his impeachment. While Sevier Countians were for the most part relieved to have the son of such a famous Republican as their new jurist, they were more concerned and resentful of their new attorney general, E. F. Mynatt, a Democrat, who surprised even Knoxville Republicans by selecting his brother to help him prosecute the additional caseload caused by the change in jurisdiction.⁵⁰

Some Sevier Countians recognized part of the greater social impact of the two new laws. In his efforts to block the passage of these two pieces of legislation, George L. Zirkle warned Sevier Countians that Knox County would soon control their affairs.⁵¹ Montgomery, the editor who already resented the growing influence of Knoxville, agreed; after publishing a copy of the white cap bill for his readers, he quoted a Jonesboro newspaper: "Local government is a monstrosity that [Governor] Bob [Taylor] and the gang have forever discarded as unworthy of their royal selves."⁵²

Soon afterwards, the editor changed the name of his newspaper to define what he considered to be his role in Sevier County—*The Vindicator*. Surrounded by Democrats and Gibson Republicans who were in cahoots with "inflooncners" from Knoxville, the new newspaper was, according to its motto, "Devoted to the Defense of Sevier County Against Robbers at Home and Slanderers Abroad." The law and order league, recognizing the necessity of having its own voice in Sevier County, started its own newspaper, and

⁵⁰L. C. Houk to J. C. Houk, 10 April 1897, Papers of L. C. and J. C. Houk.

⁵¹J. R. Houk to J. C. Houk, undated petition, Papers of L. C. and J. C. Houk.

⁵²*Sevierville Star*, 7 May 1897.

continued using the name, the Sevierville *Star*.⁵³ For a small mountain county to have two local newspapers during this time is indicative of the stress and turmoil caused by the collapse of community in Sevier County.

Judge Nelson and Attorney General Mynatt came to Sevierville to open the July 1897 session and were immediately challenged by the social forces they hoped to suppress. Staying in a Sevierville hotel on the Saturday before the court was to open, the two men were charivariated by a group of young men. The rowdies gathered outside the hotel and sang "Hang Judge Nelson by the sour apple tree" occasionally changing the verse to include the new attorney general. The judge, who had been warned to expect trouble, moved quickly to demonstrate his authority and ordered Sheriff Maples to arrest the nocturnal choir and bring them before his court the following Monday. There he lectured the young men and ordered them to make bond to reappear in court at a future date. The judge's strategy work; neither he nor anyone else in Sevierville was bothered by night music again.⁵⁴

Both Nelson and Mynatt realized that to be effective they would have to act with dispatch; and as a result they promised Sevier Countians that they would clear the docket during the summer session. They discovered, however, that the whitecap law which gave them control over jury selection

⁵³The existence of the *Star* during this period has gone unnoticed because Montgomery's collection of Sevier County newspapers which, not surprisingly, had no copies of the rival newspaper is the only collection presently available to researchers. Montgomery, in the pages of his own newspaper, however, frequently attacked the reporting of his rival editor, whom he called "Fido" because his dogmatic loyalty to the law and order league. The author has in his possession the front page of one issue of the *Star* printed during this period.

⁵⁴[Davis], *The White-Caps: A History of the Organization*, pp. 56-57.

was a hindrance as well as a help. In a county that had strong traditions of extra-legal activities which had been allowed to run unchecked for over five years, it was difficult to find a juror who was not a former vigilante or otherwise already biased. As Jesse Atchley said when asked if William Wynn was a whitecap, "most of the men in this county have been accused of that."⁵⁵ Most of the men in the county also had an opinion about most of the cases that they would hear as jurors. As a result, Mynatt was forced literally to search the backwoods of Sevier County for prospective jurors.⁵⁶ These jurors were troublesome for the new attorney general, because defense attorneys could appeal to their sense of honor in many of the cases.

Although he was not a whitecap, the trial of William H. Gass is a good example of the new tribulations of the law and order league. Gass had murdered Henderson almost three years before, but his lawyers had successfully kept the case out the court; and as a result it was the first murder trial on the docket. Mynatt, no doubt thinking this would be an easy conviction (inasmuch as Gass confessed that he shot his victim) quickly learned that most people in Sevier County either had an opinion about the case or were related to someone involved in the trial. Over three hundred prospective jurors were interviewed before the jury could be impanelled. Despite the prosecutor's efforts to find a jury that would convict Gass, the defendant was acquitted of the murder.⁵⁷

⁵⁵State vs. Wynn, East Tennessee Supreme Court Case #1553 (1897).

⁵⁶State vs. Wynn and Tipton, East Tennessee Supreme Court Case # 1537 (1898), typed transcript, Tennessee State Library and Archives, Nashville, and [Davis], *The White-Caps: A History of the Organization*, p. 136.

⁵⁷*Vindicator*, 4 August 1897.

Mynatt decided to try Tipton and Wynn for the murder of Laura Whaley first, then of William. Catlett, it was decided, would be tried as an accessory, after the two whitecaps were convicted. The strength of the prosecution's case lay with the testimony of Lizzie Chandler, who shortly after the crime had identified Wynn as her sister's murderer. She had spotted Wynn walking along the street from an upstairs hotel room in Sevierville. Davis had taken her there and had pointed Wynn out to her. Wisely, the attorney general kept the deputy from the trial to prevent the defense lawyers from accusing him of coaching Chandler. Tipton's and Wynn's attorneys focused their defense on discrediting Chandler by pointing out to the jury that the witness was a divorcee and a convicted prostitute. They were unsuccessful; Wynn was convicted of the murder of Laura Whaley, and a few months later, both men were convicted of the murder of her husband.⁵⁸

To many Sevier Countians the conviction of Tipton and Wynn represented a victory for the law and order league, not justice. Except for the testimony of Chandler, which many suspected was coached, the rest of the evidence against the two men was circumstantial. Nevertheless, Mynatt's closing remarks to the jury were so inflammatory, one of the defense lawyers remarked in his closing arguments that "It is equal to convicting by mobs to find the defendants guilty."⁵⁹ The notion that a new mob was running Sevier County was confirmed in the minds of many when William Wynn challenged Sheriff Maples on the last day of his brother's second trial. The lawman shot Wynn and then summoned deputies from surrounding

⁵⁸State vs Wynn and Tipton, East Tennessee Supreme Court #1537 (1898).

⁵⁹Ibid.

counties to protect him from whitecap reprisal.⁶⁰ Arrested for the murder of William Wynn, Maples stepped aside and let his deputy, Tom Davis, take complete control of the sheriff's office.

⁶⁰[Davis], *The White-Caps: A History of the Organization*, p. 168.

CHAPTER IV

"THE 'GOOD WORK OF REFORMATION' WILL CONTINUE"

For Tom Davis and the law and order league, the conviction of Tipton and Wynn was an important hallmark not only in their battle against whitecapism but also in their growing influence within Sevier County. The Knoxville newspapers, while sympathetic to E. M. Wynn, the father of William and Pleas, hailed the conviction of Tipton and Wynn and praised Davis for his active role in the case. Even the *Vindicator* grudgingly acknowledged the law and order league's growing influence and admitted that Judge Nelson and Attorney General Mynatt had helped the county with its vigorous clearing of the docket.¹

Many Sevier Countians wondered, however, what would become of Bob Catlett, the man who was accused of hiring Tipton and Wynn to murder the Whaleys. Would Davis, who had destroyed the Wynn family in his zeal to defeat the whitecaps, pursue the county's richest man with the same vigor? More important, many were concerned that the law and order league was becoming a gang which, like the whitecaps before them, manipulated county government to serve its own purpose. This apprehension was further confirmed four months later when Davis was elected sheriff by a narrow margin of 74 votes, the first Democrat to win the office since the Civil War.² Like the Blue Bills, some law and order league members had joined to escape

¹*Vindicator*, 4 August 1897.

²*Knoxville Journal and Tribune*, 5 August 1898; and [Davis], *The White-Caps: A History of the Organization* (Knoxville, TN: Bean, Warters & Gaut, 1899), pp. 62-67.

punishment at the hands of the whitecaps. During the months, that followed the trial some of these members began to break the law with impunity. And although they were arrested and jailed, these criminals were considered by Montgomery and others to be indicative of the moral turpitude of the entire law and order league. More important, Davis' followers used "Boodle and Deception to Win the Race for 'Taum'" at the polls, despite the fact the candidate had called for a clean election.³ Members of the law and order league were also not above using physical coercion to protect their candidate, and several of Davis's supporters waylaid and assaulted R. H. Shields, Davis's rival, on election day after accusing him of being a whitecap.⁴

William Montgomery, editor of the *Vindicator*, reporting the assault on Shields, was also quick to point out the different ways the new sheriff treated prisoners who were his friends, as opposed to those who were his enemies. Shields' assailant was kept in Sevierville's jail under a light guard; but Davis's enemies, on the other hand, were often carted off to the city prison in Knoxville while a special armed guard of deputies from surrounding counties would patrol Sevierville to quell any "whitecap" mob that might rise in protest.⁵

³*Vindicator*, 10 August 1898. Davis was probably well aware of the efforts in his behalf. Years later his daughters would remember their uncle, who managed Davis' campaign, joke that each vote had cost a silver dollar and a shot of whiskey on election day. Interview with Nona A. Davis, Knoxville, Tennessee, 10 July 1987.

⁴*Vindicator*, 10 August 1898. Actually Davis, perhaps because of several unsuccessful attempts on his life, looked upon any criticism of his work as an endorsement of his enemies. In his eyes, the editor William Montgomery was a whitecap, although it is obvious that the newspaperman disliked the vigilantes with a fervor equal to Davis. Interview with Nona Davis.

While Davis continued to warn his allies about possible whitecap retaliation, in fact, by the time of the second Tipton and Wynn trial, whitecapping had ceased in Sevier County. Soon after the arrest of Tipton, Catlett, and Wynn, the whitecaps became very active threatening potential witnesses to the trial and succeeded in driving some Sevier Countians out of the county.⁶ Davis, himself, had several attempts on his life;⁷ as time went on, however, whitecapping stopped for two possible reasons. First was the shift in public opinion within Sevier County towards the night riders. Whereas before, Sevier Countians had been willing to overlook the criminal excesses, because the victims were often considered to be bad characters themselves, the murder of the young mother and her ill husband in the name of whitecap honor was unacceptable. The second reason that night riding stopped was that Catlett and the other whitecap leaders probably realized, once they could no longer intimidate witnesses, to continue supporting the night riders would only prejudice the community and eventually the jury against them. As a result, most extra-legal activities within the county ceased.⁸

Not surprisingly, many Sevier Countians blamed Knoxville for the continuing success of the law and order league and increasingly resented the influence of Knoxville upon their affairs. In July 1898, W. H. Thomas, a

⁵*Vindicator*, 10 August 1898.

⁶*Knoxville Journal*, 27 January 1897.

⁷*Ibid.*, 19 March 1897.

⁸*Vindicator* did report, however, that five young women from the northern part of the county did whip a young man who had made some vulgar remarks about them. See *Vindicator*, 4 August 1897.

teamster from Sevierville, was robbed and killed in Knoxville in broad daylight by an interracial gang. Montgomery described the crime as a "Horrible Murder in the Law and Order County of Knox" and called the Knoxville newspapers' accounts of the crime "in keeping with its past acts and course in slandering the people of Sevier county." Bitter about the murder, Thomas's partner, Pink Maples, expressed his anger at the new road which tied Sevier County closer to Knoxville and had carried his friend to his death.⁹ Ironically, as a Sevierville merchant as well as owner of a transportation company, Maples no doubt had supported the building of the road; now, however, like other Sevier Countians, he regretted the effect that Knoxville's proximity had on his life.

As the animosity of Sevier Countians towards the law and order league and the "inflooncners" from Knoxville continued to increase, Bob Catlett came to trial, but not in Sevierville. Catlett's lawyers petitioned Judge Nelson for a change of venue and successfully argued that their client was too notorious to get an impartial jury in Sevier County. Nelson concurred, no doubt remembering the trouble that the state had had seating a jury for Tipton and Wynn, and therefore ordered the case to be tried in Morristown—in the court of Judge Hicks. Ironically, this was one of Nelson's last acts as a judge in Sevierville, because the state legislature reorganized the courts in East Tennessee again and eliminated the Knoxville Criminal Court and moved Sevier County into a new judicial circuit. In frustration Montgomery rhetorically asked readers when would Sevier Countians have a hand in their own affairs.¹⁰

⁹*Vindicator*, 20 July and 27 July 1898.

Bob Catlett's trial, opening on 6 February 1899, more than two years after the murder of the Whaleys, lasted one week. Among the prosecution's witnesses were Tipton and Wynn, who testified against their former leader. Catlett's lawyers had tried to delay the trial until after the two men were executed but Tipton and Wynn had received reprieves in order to appear at the trial. Despite their testimony and that of others, the jury were unable to agree about Catlett's guilt and consequently the case was declared a mistrial.¹¹

Needless to say both the law and order league and its critics were angered by the trial's outcome. Davis suggested to a Knoxville newspaper that jurors had been bribed or coerced, although a survey of the jurors showed that most had thought that the state had failed to make its case. Montgomery agreed with the sheriff: "It looks like the man of wealth and influence who incited the hellish deed of killing the Whaleys will escape while the poor wretches who were duped into doing his dirty work will have to suffer."¹²

As Sevier Countians waited for the second trial of the man whom they thought was responsible for the Whaleys' murder, Montgomery moved to undermine the people whom he considered responsible for stealing Sevier County's autonomy. In an editorial before the first trial, the newspaperman had told his readers that their complacent attitudes were the cause of their loss of power. "The people pay the freight and as long as they submit to being outraged and robbed by political vampires, the 'good work of reformation'

¹⁰Ibid., 15 June 1898.

¹¹[Davis], *The White-Caps: A History of the Organization*, pp. 199-217.

¹²*Vindicator*, 15 February 1899.

will continue."¹³ As a result Montgomery became increasingly critical of Davis's performance as sheriff, because he considered the lawman to be the linchpin of foreign influence in Sevier County.

For example, Davis spent large amounts of time in Knoxville and Nashville consulting with allies and trying to block efforts to have Tipton's and Wynn's death sentence commuted. Montgomery taunted Davis for his efforts to insure the execution of Tipton and Wynn and suggested to his readers that by spending so much time away from Sevier County, the sheriff had abandoned his office. Davis's supposed negligence would be an important factor in the second trial of Bob Catlett.

The state had planned to prosecute Catlett during the last week of May and had successfully gotten a second reprieve for Tipton and Wynn, so that the two doomed men could testify again. On the first day of the trial, however, Attorney General Henderson announced that he did not believe that the state had sufficient evidence to convict the defendant and asked for a delay. Judge Hicks rejected the state's request and in a surprise move dismissed the charges against Catlett. Before a new warrant could be served upon Catlett, he escaped.

Davis was away from the courtroom, perhaps at the suggestion of the attorney general, and as a result received most of the blame in Sevier County for what Montgomery called a "miscarriage of justice."¹⁴ In a front-page editorial, Montgomery accused Davis of profiting by the Whaleys' deaths and demanded to know why the sheriff had pushed so hard for the conviction

¹³Ibid., 7 December 1898.

¹⁴Ibid., 31 May 1899.

and execution of Tipton and Wynn, but had allowed Catlett to escape. Clearly, wrote the editor, Catlett was hiding until sometime after the execution of his former henchmen so as to prevent them from testifying against him. It was important, therefore, to rearrest the whitecap leader quickly. "[Is] Bob evading Tom or Tom evading Bob," Montgomery queried. "An indignant people await an explanation[.]"¹⁵

Although he never answered where he was when Catlett escaped, Davis responded to his critics a short time later by releasing a small book entitled, *The White-Caps: A History of the Organization in Sevier County*. In the book, Davis listed some of the worst whitecap activities and explained his efforts in the suppression of the night riders. The sheriff, according to his publisher, had "restored good order and re-established the supremacy of the law in the good county of Sevier."¹⁶ Interestingly, Davis never mentioned the law and order league, but instead aligned his efforts with the Blue Bills, who had represented an effort by Sevier Countians to solve their own problems.

With Catlett in hiding, Davis was able to push successfully for the execution of Tipton and Wynn. As the 5 July 1899 date of their execution approached, the prisoners' fates were sealed when Governor Benton McMillin announced that there would be no more reprieves.¹⁷ On the day before the execution, the two men were escorted by Davis and a large group of deputies from the Knoxville city prison to the jail in Sevierville, where a

¹⁵Ibid., 7 June 1899.

¹⁶[Davis], *The White-Caps: A History of the Organization*, p. 7.

¹⁷*Vindicator*, 28 June 1899.

scaffold had been built. Ironically, Tipton, who was a carpenter by trade, had helped build the fence surrounding the gallows.¹⁸

Davis expected trouble and a large crowd did gather to watch the double execution; but to the amazement of observers, the crowd remained peaceable through the day. As noon, the hour of their execution approached, the sheriff surprised reporters by allowing his prisoners an extra hour with their wives. Then Davis ordered the men out onto the gallows where, after allowing his prisoners an opportunity to make a last statement and say farewell to their wives, Tipton and Wynn were hanged. One reporter remarked that he was surprised that Davis did not open the trap himself.¹⁹

Throughout the state, newspapers carried the story of the execution. In Memphis, Tipton's and Wynn's crime was called "one of the worst in the history of whitecapism." In Nashville, the *Banner* proclaimed that with the execution "The Whaleys are Avenged." In Knoxville, the double hanging was considered instructive. "Their fate," wrote the editor of the *Sentinel*, "offers a solemn warning to other whitecaps in Sevier county. It will be a wholesome lesson we believe." The editor of the *Journal* echoed the same sentiments. "Yield strict obedience to the law, that is the lesson."²⁰ In Sevierville, however, coverage of the execution was subdued by the effect the hanging had on the community. Even "Fido" at the *Sevierville Star* did not

¹⁸*Knoxville Journal*, 5 July 1899.

¹⁹*Vindicator*, 5 July and 12 July 1899, *Knoxville Journal* 4 July and 5 July 1899, and *Chattanooga Daily Times*, 6 July 1899.

²⁰*Memphis Commercial Appeal*, 6 July 1899; *Nashville Banner*, 5 July 1899; *Knoxville Sentinel*, 6 July 1899; and *Knoxville Journal*, 7 July 1899. Reports of the execution reached as far north as New York city; see, *New York Tribune* 4 July 1899.

call the hanging a victory for law and order. Montgomery told his readers that the community would not profit by the death of Tipton and Wynn until Catlett was punished too: "If it can be shown that the rich as well as the poor must obey the law, it will be well for the county."²¹

For Davis, the execution of Tipton and Wynn was at best a pyrrhic victory. Unable to capture Catlett, he quickly lost support within both Sevier and Knox counties. The old whitecap fighter did not even enter the sheriff's race the following year. The race was won by R. H. Shields, Davis's opponent in the 1898 race. Montgomery hailed Shields' election as an important victory for the county in its effort to regain autonomy, and congratulated the candidate who had run against both Maples and Davis for his tenacity.²² Davis and other members soon left Sevier County to seek better fortunes elsewhere.

In October 1900, Bob Catlett was seen in Knoxville for the first time since his second trial. The *Knoxville Journal and Tribune* reported the sighting and suggested that the old whitecap leader would soon surrender, now that the furor over his crime had died down. Montgomery quickly retorted that people in Sevier County had known for months that Catlett was hiding in his home, and once again blasted Knoxvilleans for meddling in the affairs of Sevier County. The editor wrote that had the law and order league and its Knoxville allies done their job, Catlett would be hanged and Tipton and Wynn would be serving a life sentence. Now, however, Sevier County ruled its own affairs. "The Knoxville papers have lost their 'influence' and

²¹*Sevierville Star*, 7 July 1899, *Vindicator*, 5 July and 12 July 1899.

²²*Vindicator*, 8 August 1900.

the ex-republican exoffice holders are out of office, Bob Catlett will not come back to Sevier county to either live or die."²³

Montgomery, as it turned out, was doubly wrong. Catlett remained in Sevier County the rest of his long life , and, although tried again, was never convicted for his role in the Whaley murders.²⁴ Nor would Sevier Countians ever be free of Knoxville "infloonce" and enjoy the autonomy and independence that they had had during their early history. Montgomery, himself, acknowledged the difference two years later when he changed the motto of the *Vindicator* to read: "Devoted to the Development of the Various Resources of Sevier County."²⁵

As in other rural counties throughout the South, the inhabitants of the many small communities of Sevier County were affected by the hegemony of nearby urban centers which controlled the new economic, social and political systems of which they were a part. Because of the state's harsh efforts to eradicate whitecapping, however, Sevier Countians were able to recognize that the growth of Knoxville's influence was the result of their own loss of autonomy and community. Not surprising, the history of the whitecaps became an enduring source of shame for Sevier Countians.

In 1937, a Knoxville grocer and transplanted Sevier Countian named Cas Walker reissued a bowdlerized edition of Tom Davis's book on the

²³Ibid., 3 October 1900.

²⁴Cas Walker, *The Whitecaps of Sevier County: A Story of a Feud Between the White Caps and the Blue Bills in Sevier County in the Great Smoky Mountains* (Knoxville, TN: Trent Publishing Company, 1974), p. 120.

²⁵*Vindicator*, 27 August 1902.

whitecaps.²⁶ And while the the book sold well and in the open in Knoxville, in Sevierville it was discreetly sold behind the counter to interested readers. In fact, one druggist, a newcomer, placed the book in his front window for his customers' perusal. Within fifteen minutes, he was warned several times, however, that if he did not want to replace the glass, he should remove the book. The town's other druggist sold copies of the book wrapped in paper.²⁷

As time passed, the stain on the honor of Sevier County did not fade. When the Davis book was reissued in 1963 under the name, *Interment of the White Caps*, the editor, Marion R. Mangrum, wrote:

After almost three-quarters of a century, . . . we still have the remnant effects of the White Caps hovering over us like a ghost, or curse. The effect of this condition is much like epidemic disease. Those who know they have it—don't know how to get rid of it. Others scatter it not realizing the adverse effects.

Newcomers to this area [Sevier County] settle in new homes knowing nothing of the local customs. They expect to love and be loved. Suddenly there is an unexplainable barrier between the newcomer and the old Sevier County resident. Upon checking these misunderstandings we discover many have been frightened by such stories as: you'll end up getting whipped", or, "you had better be careful—you'll get burned out", and in the higher locations a good one is, "check your brake rods before you start down the mountain", etc. A little fright, even as a prank, is extremely dangerous. Many times the ghost of the White Caps has spoiled what could have been good relationships between neighbors.²⁸

²⁶Cas Walker, *The White Caps of Sevier County: A Story of Women and Kluxers in the Great Smokey Mountains* (Knoxville, TN: S. B. Newman & Company, 1937). Walker's book was revised and issued in 1974 under the title *The White Caps of Sevier County: A Story of a Feud Between the White Caps and the Blue Bills in Sevier County in the Great Smoky Mountains*.

²⁷Knoxville Sentinel, 7 July 1937.

²⁸Marion Mangrum, *Interment of the White Caps* (Maryville, TN: Brazos Press, 1963), pp. vii - viii.

Conversely, Knoxvilleians and some Sevier Countians who left the country-side recalled the suppression of the whitecaps with pride. In later biographical sketches of Nelson, Mynatt, and Davis and other leaders of the law and order league, their fight with the whitecaps became indicative of their courage and their willingness to bring judicial reform to Sevier County.²⁹ Because Davis linked his efforts with the Blue Bills, this group of unsuccessful vigilantes gained more prestige with transplanted Sevier Countians in passing years than they had had before in their own time. Cas Walker proudly bragged that his father was a fearless Blue Bill who had planted dynamite charges in his yard to blow up any whitecap raid against him or his family.³⁰

Similarly, in the summer of 1949, J. Victor Henderson, the son of Dr. J. A. Henderson, foiled a robbery attempt of a Knoxville bank by pulling a revolver and chasing the robber down Clinch Avenue. Henderson was able to fire two shots but the felon eluded him unscathed. Later a friend boasted to newspaper reporters that Henderson's family had a tradition of deterring crime and recounted the exploits of the old Blue Bill leader.³¹

Even today some Sevier Countians refused to talk about this dark chapter in their county's history and as a result the whitecaps continue to divide Sevier County. Recently, the county historian successfully threatened to withdraw her support and efforts from a county history if any mention was made of the whitecaps. While doing interviews for this thesis, subjects

²⁹For example see, *Knoxville Sentinel*, 2 June 1929.

³⁰Walker, *The Whitecaps of Sevier County: A Story of a Feud*, pp. 28-31.

³¹*Knoxville Journal*, 17 July 1949

regularly warned the author that people in Sevier County do not want to talk about the whitecaps. One such person referred to the whitecaps as "poison."

Herein is the irony of the whitecaps of Sevier County. The original vigilantes banded together to protect and preserve their community honor, but, their efforts came too late. By the 1890s, Sevier Countians already participated in a social, political, and economic system which had burdened and destroyed traditional community within the county. Freed from the restraints of community, some people exploited traditional feelings towards extra-legal violence to further their own position within the county. These people were eventually opposed by another group who were willing to go outside the county for help in their efforts to end the violence. Because of the reform efforts of this second group, Sevier Countians were made aware of their actual loss of autonomy and community. As a result, honor in Sevier County was lost to the "good work of reformation," and shame which was the result of that loss endured.

BIBLIOGRAPHY

BIBLIOGRAPHY

Primary Materials

Articles and Books

- _____. "untitled article." *Proceedings of the Bar Association of Tennessee* 7 (1889): 41.
- _____. *History of Tennessee: From Earliest Times to the Present; Together with an Historical and a Biographical Sketch of From Twenty-five to Thirty Counties of East Tennessee*. Chicago and Nashville: Goodspeed Publishing Co., 1887.
- _____. "Report of the Special Committee on the Jury System." *Proceedings of the Bar Association of Tennessee* 10 (1891): 75-93.
- _____. *Tennessee State Gazetteer and Business Directory For 1876-7*. Nashville: R. L. Polk & Company, 1876.
- [Davis, Thomas H.]. *The White-Caps: A History of the Organization in Sevier County*. Knoxville: Bean, Warters & Gaut, 1899.
- Bokum, Hermann. *The Tennessee Hand-Book and Immigrant's Guide: Giving a Description of the State of Tennessee; Its Agriculture and Mineralogical Character; Its Water Power, Timber, Soil, and Climate; Its Various Railroad Lines, Completed, In Progress, and Projected; Its Adaptation for Stock-Raising, Grape Culture, Etc., Etc*. Philadelphia: J. B. Lippincott & Company, 1868.
- Campbell, Ferrell H. *Reminiscing—Things Experienced*. Knoxville: by the author, 1977.
- Cummins, Holmes. "Trial by Jury." *Proceedings of the Bar Association of Tennessee* 4 (1886): 202-03.
- Duggan, W. L. *Facts about Sevier County*. Sevierville, TN: Sevier County Republican, 1910.
- _____. "Sketches of Sevier and Robertson Counties." *American Historical Magazine* 5 (1900): .
- Hesseltine, William B., ed. *Dr. J. G. M. Ramsey Autobiography and Letters*. Nashville: Tennessee Historical Commission, 1954.

- Humes, Thomas Wilson. *The Loyal Mountaineers of Tennessee*. Knoxville: Ogden Brothers and Company, 1888.
- McTeer, Will A. "The Mountaineers of East Tennessee and Kentucky." *American Law Review* 26 (1892): 469-470.
- Malone, James H. "Judge Lynch and the Jury Laws." *Proceedings of the Bar Association of Tennessee* 13 (1894): 108-113.
- Marks, Albert. "A Suggested Improvement in the Selection of Juries." *Proceedings of the Bar Association of Tennessee* 9 (1890): 188-189.
- Porter, Chas. D. "Is the Circuit Judge a Factor in the Trial of a Jury Case?" *Proceedings of the Bar Association of Tennessee* 12 (1893): 188-189.
- Rule, William. *The Loyalists of Tennessee in the Late War*. Cincinnati: H. C. Sherrick & Co., 1887.
- Temple, Oliver P. *The Covenanter, the Cavalier and the Puritan*. Cincinnati: Robert Clarke Company, 1897.

Census Compilations

- Kennedy, Joseph C. G. *Agriculture of the United States in 1860; Compiled from the Original Returns of the Eighth Census*. Washington, D.C.: Government Printing Office, 1864.
- . *Population of the United States in 1860*. Washington, D.C.: Government Printing Office, 1864.
- Hunt, William C. *Population, Part I and II*. vols I and II, Census Reports. Washington, D.C.: United States Census Office, 1901.
- Merriam, William R. *Agriculture, Part I and II*. vols IV and V, Census Reports. Washington, D.C.: United States Census Office, 1902.
- Porter, Robert P. *Report on the Population of the United States at the Eleven Census: 1890*. Washinton, D.C.: Government Printing Office, 1895.
- . *Report on the Statistics of Agriculture in the United States at the Eleventh Census: 1890*. Washinton, D.C.: Government Printing Office, 1895.

Walker, Francis A. *Report on the Productions of Agriculture as Returned at the Tenth Census (June 1, 1880)*. Washington D.C.: Government Printing Office, 1883.

_____. *The Statistics of the Population of the United States*. vol. 1 Ninth Census. Washington D.C.: Government Printing Office, 1872.

_____. *The Statistics of the Population of the United States at the Tenth Census*. Washington D.C.: Government Printing Office, 1883.

_____. *The Statistics of the Wealth and Industry of the United States*. vol. 3 Ninth Census. Washington D.C.: Government Printing Office, 1872.

Court Records

Chancery Court of Sevier County Records. Sevier County Courthouse, Sevierville, Tennessee.

Circuit Court of Sevier County Minutes. microfilm copy McClung Collection, Lawson McGhee Library. Knoxville, Tennessee.

State vs Wynn. East Tennessee Supreme Court Case #1553 (1897). typed transcript, Tennessee State Library and Archives. Nashville, Tennessee.

State vs Wynn and Tipton. East Tennessee Supreme Court Case #1537 (1898). typed transcript, Tennessee State Library and Archives. Nashville, Tennessee.

State Documents and Compilations of Tennessee State Law

_____. *House Journal of the Thirty-Fifth General Assembly of the State of Tennessee*, 1867. Nashville: State of Tennessee, 1868.

_____. *Public and Private Acts and Resolutions Passed by the Fiftieth General Assembly of the State of Tennessee*, 1897. Nashville: State of Tennessee, 1897.

_____. *Senate Journal of the Fifty-fourth General Assembly of the State of Tennessee*. Nashville: Marshall & Bruce, 1887.

Grayson, D. L. *The Annotated Constitution and Code of the State of Tennessee*. 2 vols. Chattanooga: Times Print, 1895. *House Journal of the Forty-fourth General Assembly of the State of Tennessee*. Nashville: Marshall & Bruce, 1887.

Lea, Benjamin F. *Reports of Cases Determined in the Supreme Court of Tennessee for the Western Division, April Term, 1881, and for the Eastern Division, September, 1881.* Edited by Robert T. Shannon. Vol. 7. Louisville, KY: Fetter Law Book Company, 1902.

Milliken, W. A., and Vertrees, John J. *The Code of Tennessee, Being a Compilation of the Statute Laws of the State of Tennessee, of a General Nature, in Force June 1, 1884.* Nashville: Marshall and Bruce, 1884.

Pickle, George W. *Reports of Cases Determined in the Supreme Court of Tennessee for the Middle Division, December Term, 1890; for the Western District, April Term, 1891; and for the Eastern Division, September Term, 1891.* Edited by Robert T. Shannon. Vol. 6. Louisville, KY: Fetter Law Book Company, 1902.

Shannon, R. T. *Public and Permanent Statutes of a General Nature Being an Annotated Code of Tennessee.* Nashville: Marshall & Bruce Co., 1896.

Newspapers

Chattanooga Daily Times

Knoxville Evening Sentinel

Knoxville Grange Outlook

Knoxville Independent

Knoxville Journal

Knoxville Journal and Tribune

Knoxville Register

Knoxville Sentinel

Knoxville Tribune

Memphis Commercial Appeal

Nashville American

Nashville Banner

New York Times

New York Tribune

Sevierville Enterprise

Sevierville Republican Star

Sevierville Star

Sevierville Vindicator

Manuscripts

Papers of L. C. and J. C. Houk. C. M. Mc Clung Collection, Lawson McGhee Library. Knoxville, TN.

Papers of O. P. Temple. University of Tennessee Library Special Collections. Knoxville, TN.

Secondary Materials

Articles

- _____. "The Changing Role of the Jury in the Nineteenth Century." *Yale Law Journal* 74 (1964-1965): 171-192.
- Alford, Violet. "Rough Music or Charivari." *Folklore* 70 (December 1959): 505-518.
- Clark, Thomas D. "The Country Store in Post-Civil War Tennessee." *East Tennessee Historical Society Publications* 17 (1945): 3-21.
- Dykstra, Robert R. "Town-County Conflict." A Hidden Dimension in American Social History." *Agricultural History* 38 (1964): 195-204.
- Goode, William J. "Community With a Community: The Professions." *American Sociological Review* 22 (1957), pp. 194-200.
- Hillery, George A. "Definitions of Community: Areas of Agreement." *Rural Sociology* 20 (1955): 111-123.
- Holmes, William F. "Moonshiners and Whitecaps in Alabama, 1893." *Alabama Review* 34 (1981): 31-49.
- _____. "Moonshining and Collective Violence: Georgia, 1889-1895." *Journal of American History* 67 (1980): 589-611.
- _____. "Whitecapping: Agarian Violence in Mississippi, 1902-1906." *Journal of Southern History* 35 (1969): 165-185.
- _____. "Whitecapping: Anti-Semitism in the Populist Era." *American Jewish Historical Quarterly* 63 (1974): 244-261.
- _____. "Whitecapping in Georgia: Carroll and Houston Counties, 1893." *Georgia Historical Quarterly* 64 (1980): 388-403.
- _____. "Whitecapping in Mississippi: Agarian Violence in the Populist Era." *Mid-America* 55 (1973): 134-148.
- Howard, T. L. "The Justice of the Peace System in Tennessee." *Tennessee Law Review* 13 (December 1934): 19-38.
- Keebler, Robert S. "Our Justice of the Peace Courts—A Problem in Justice." *Tennessee Law Review* 9 (December 1930): 1-21.

- Klotter, James C. "The Black South and White Appalachia." *Journal of American History* 66 (1980-81): 832-849.
- Palmer, Bryan D. "Discordant Music: Charivaris and Whitecapping in Nineteenth-Century North America." *Labour/Le Travailler* 3 (1978): 5-62.
- Rodgers, William Robert. "A History of the Smoky Mountain Railroad." *East Tennessee Historical Publications* 44 (1972): 71-89.
- Thompson, E. P. "The Moral Economy of the English Crowd in the Eighteenth Century." *Past & Present* 50 (February 1971): 76-136.
- . "Rough Music: Le Charivari." *Annales Economies Sociétés Civilisations* 27 (Mars-Avril 1972): 285-312.
- Williams, Dale Edward. "Morals, Markets and the English Crowd in 1766." *Past & Present* 104 (1984): 56-73.
- Wyatt-Brown, Bertram. "The Ideal Typology and Ante-Bellum Southern History: A Testing of a New Approach." *Societas* 5 (1975): 1-29.
- Smoky Mountain Historical Society Newsletter* 12 (Spring 1986): 5.

Books

- Ayers, Edward L. *Vengeance and Justice: Crime and Punishment in the Nineteenth-Century American South*. New York: Oxford University Press, 1984.
- Bonser, H. J., and Mantle, C. C. *Agricultural History of Knox County Part II From 1860 to 1900*. Rural Research Series, Monograph no. 187, Knoxville: University of Tennessee Agricultural Economics and Rural Sociology Department and Agricultural Experiment Station, 1945.
- Brown, Richard Maxwell. *Strain of Violence: Historical Studies of American Violence and Vigilantism*. New York: Oxford University Press, 1975.
- Bruce, Dickson B., Jr. *Violence and Culture in the Antebellum South*. Austin: University of Texas Press, 1979.
- Cartwright, Joseph H. *The Triumph of Jim Crow: Tennessee Race Relations in the 1880s*. Knoxville: University of Tennessee Press, 1976.
- Cohen, Hennig, and Dillingham, William B., eds. *Humor of the Old Southwest*. Boston: Houghton Mifflin Company, 1964.

- Corlew, Robert E. *Tennessee: A Short History*. 2nd ed. Knoxville: University of Tennessee Press, 1981.
- Creekmore, Betsy Beeler. *Knoxville*. Knoxville: University of Tennessee Press, 1958.
- Daniel, Pete. *Standing at the Crossroads: Southern Life Since 1900*. New York: Hill And Wang, 1986.
- Deaderick, Lucile, ed. *Heart of the Valley: A History of Knoxville, Tennessee*. Knoxville: East Tennessee Historical Society, 1976.
- Durkheim, Emile. *The Division of Labor in Society*. trans. by George Simpson, New York: Free Press, 1964.
- Dykeman, Wilma. *The French Broad*. New York: Holt, Rinehart and Winston, 1955; rpt. ed., 1974.
- Green, John W. *Bench an Bar of Knox County, Tennessee*. Knoxville: Archer & Smith, 1947[?].
- Greene, Lee Seifert; Grubbs, David A.; and Hobday, Victor C. *Government in Tennessee*. 3rd ed. Knoxville: University of Tennessee Press, 1975.
- Hart, Roger L. *Redeemers, Bourbons & Populists: Tennessee, 1870-1896*. Baton Rouge: Louisiana State University Press, 1975.
- Holmes, William F. "Whitecapping in Late Nineteenth-Century Georgia." In *From the Old South to the New: Essays on the Transitional South*. Edited by Walter J. Fraser, Jr. and Winfred B. Moore, Jr. Contributions in American History, no. 93. Westport, CT: Greenwood Press, 1981.
- Isaac, Paul E. *Prohibition and Politics: Turbulent Decades in Tennessee, 1885-1920*. Knoxville: University of Tennessee Press, 1965.
- Jackson, Kenneth T. *The Ku Klux Klan in the City, 1915-1930*. New York: Oxford University Press, 1967.
- Lamon, Lester C. *Black Tennesseans, 1900-1930*. Knoxville: University of Tennessee Press, 1977.
- Luther, Edward T. *Our Restless Earth: The Geological Regions of Tennessee*. Knoxville: University of Tennessee Press, 1977.

- Mangrum, Marion R. *Interment of the White Caps*. Maryville, TN: Brazos Printing Company, 1963.
- McDonald, Michael J., and John Muldowny. *TVA and the Dispossessed: The Resettlement of Population in the Norris Dam Area*. Knoxville: University of Tennessee Press, 1982.
- McDonald, Michael J., and William Bruce Wheeler. *Knoxville, Tennessee: Continuity and Change in a Appalachian City*. Knoxville: University of Tennessee Press, 1983.
- McKinney, Gordon B. *Southern Mountain Republicans, 1865-1900: Politics and the Appalachian Community*. Chapel Hill: University of North Carolina, 1978.
- McMath, Robert C. Jr. "Community, Region, and Hegemony." In *Toward a New South: Studies in Post-Civil War Southern Communities*, pp. 281-300. Edited by Orville Vernon Burton and Robert C. McMath, Jr. Contributions in American History, no. 97. Westport, CT: Greenwood Press, 1982.
- Nisbet, Robert A. *The Sociology of Emile Durkheim*. New York: Oxford University Press, 1974.
- Randolph, Vance. *Pissing in the Snow and Other Ozark Folktales*. New York: Avon Books, 1976.
- Shapiro, Henry D. *Appalachia on Our Mind: The Southern Mountains and Mountaineers in the American Consciousness, 1870-1920*. Chapel Hill: University of North Carolina Press, 1978.
- Smoky Mountain Historical Society. *The Gentle Winds of Change: A History of Sevier County, Tennessee, 1900-1930*. Maryville, TN: Printers Inc., 1986.
- Walker, Cas. *The White Caps of Sevier County: A Story of a Feud Between the White Caps and the Blue Bills in Sevier County in the Great Smoky Mountains*. Knoxville, TN: Trent Publishing Company, 1974.
- Walker, Cas. *The White Caps of Sevier County: A Story of Women and Kluxers in the Great Smokey Mountains*. Knoxville, TN: S. B. Newman & Company, 1937.
- Weber, Eugen. *Peasants Into Frenchmen: The Modernization of Rural France, 1870-1914*. Stanford: Stanford University Press, 1976.

- Whitfield, Rita A., ed. *1975-76 Tennessee Blue Book*. Nashville: State of Tennessee, 1975.
- Wiebe, Robert H. *The Search for Order, 1877-1900*. New York: Hill and Wang, 1967.
- Williams, Samuel Cole. *History of the Lost State of Franklin*. Johnson City, TN: Watauga Press, 1924, rpt. ed. Nashville: Franklin Book Reprints, 1970.
- Wright, Gavin. *Old South, New South: Revolutions in the Southern Economy Since the Civil War*. New York: Basic Books, 1986.
- Wyatt-Brown, Bertram. "Community, Class, and Snopesian Crime in the Local South." In *Class, Conflict, and Consensus: Antebellum Southern Community Studies*, pp. 173-206. Edited by Orville Vernon Burton and Robert C. McMath, Jr. Contributions in American History, no. 96. Westport, CT: Greenwood Press, 1982.
- . *Southern Honor: Ethics and Behavior in the Old South*. New York: Oxford University Press, 1982.

Theses and Dissertations

- James, Sally L. "American Violent Moral Regulation and the White Caps." Honors essay, William and Mary College, 1969.
- Noble, Madelein. "The White Caps of Harrison and Crawford Counties, Indiana." dissertation, University of Michigan, 1972.
- Taylor, Robert Love, Jr. "Mainstreams of Mountain Thought: Selected Figures in the Heart of the Appalachian South, 1877-1903." dissertation, University of Tennessee, 1971.

Interviews

- Nona Davis, Knoxville, Tennessee, 12 July 1987
- Edye Ellis, Knoxville, Tennessee, 30 June 1987
- James E. Hall, Lebanon, Tennessee, 15 March 1986.
- Ray Midgett, Lebanon, Tennessee, 15 March 1986.

APPENDIXES

APPENDIX 1

	1860	1870	1880	1890	1900
Horses	1,954	2,787	2,880	3,143	3,925
Neat Cattle	6,475	6,214	7,940	6,864	11,485
Swine	22,634	13,088	19,516	17,098	22,353
Sheep	7,657	9,578	9,471	6,547	5,365
Wool, pounds of	14,475	16,109	19,314	15,483	16,140
Wheat, bushels	62,374	63,483	89,499	108,286	128,220
Indian Corn, bushels of	449,133	260,214	439,885	594,352	586,900
Oats, bushels of	26,115	42,460	53,274	92,799	34,510
Hay, tons of	2,246	2,315	2,584	7,824	10,764
Irish Potatoes, bushels of	11,395	9,005	9,526	25,816	16,382
Sweet Potatoes, bushels of	22,050	7,308	13,770	21,846	26,133
Peas and Beans, bushels of	3,519	81	4,958	1,501	13,007
Tobacco, pounds of	13,756	13,997	9,819	32,360	47,140
Ginned Cotton, bales of	26	6	6	—	7
Silk Cocoons, pounds of	10	—	—	—	—
Rice, pounds of	2,003	—	—	—	—
Flax, pounds of	3,262	—	—	—	—
Honey, pounds of	14,888	200	35,147	39,041	42,530
Maple Syrup, gallons of	38,455	—	5	—	22
Sorghum Molasses, gallons of	—	545	35,146	49,547	44,976

Figure A-1. Selected Agricultural Statistics for Sevier County, Tennessee,
Taken from the 1860, 1870, 1880, 1890, and 1900 Census.

APPENDIX II

The White Cap Bill Passed by the Tennessee State Legislature, March 1897

Although the term "whitecap" is not used in the text the following bill, introduced in the fiftieth general assembly by state senator John C Houk, was popularly known as the whitecap bill. The bill was passed on March 22, 1897 and signed into law by Robert L. Taylor two days later.

Senate Bill No. 368

AN ACT to prevent and punish the formation or continuance of conspiracies and combinations of persons for certain unlawful purposes, and to declare the punishment and the methods of inflicting it, and the disqualification of persons who shall become or remain members of such conspiracies and combinations; and of persons who shall directly or indirectly encourage or procure others to become or remain members thereof; and of persons who shall directly or indirectly aid, abet or encourage any of the schemes or purposes of such unlawful conspiracies or combinations.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be a felony, punishable by from three years to twenty-one years imprisonment in the penitentiary and by full judgment of infamy and disqualification, for two or more persons to enter into any conspiracy or combination, or to remain in any conspiracy or combination under any name or upon any pretext whatsoever, to take human life, or engage in any act reasonably calculating to cause loss of life, whether generally or of a class or classes, or of any individual of individuals, or to inflict corporal punishment or injury whether generally or upon a class or classes, or upon any individual of individuals; or to burn or otherwise destroy property of to feloniously take the same whether generally or of a class or classes, or of any individual of individuals.

Section 2. *Be it further enacted,* That it shall be a felony, punished in like manner as the offense described in the first Section of this Act, for any person, either directly or indirectly to procure or encourage any one to become or remain a member of any such unlawful conspiracy or combination as is described in the first Section of this Act; or for any person either directly or indirectly to aid, abet, or encourage any person to engage or remain in such conspiracies or combinations or to aid or abet in the accomplishment of any purpose or end of such conspiracies or combinations.

Section 3. *Be it further enacted,* That no person who has been guilty of any offense described in the two preceding Sections of this Act, shall be competent to sit or serve on any grand or traverse jury, and it shall be the duty of the court to carefully exclude all such persons from the juries, both grand and petit; and when he shall be informed or shall have reason to suspect any person presented as a juror, guilty of any of said offenses, he shall call witnesses, if necessary, and examine fully into the truth of the charge; he shall dismiss from the grand jury any person who has been selected and afterwards shown to be implicated in any of said offenses.

Section 4. *Be it further enacted,* That the judges of the criminal and circuit courts shall give this Act specially in charge to grand juries, and the grand juries shall have inquisitorial power of the offenses herein declared.

Section 5. *Be it further enacted,* That indictments framed under this Act shall not be held insufficient by reason of the general nature of the charges preferred, or for embracing more than one of said offenses in the same indictment.

Section 6. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

VITA

William Joseph Cummings III was born in Germany on 29 July 1950. The son of an United States Army officer, he attended public schools in Georgia, Kansas, Ohio, and Virginia. It was in Fairfax County, Virginia, that he graduated from West Springfield High School in June 1968. Following a four-year enlistment in the United States Air Force, he attended the University of Tennessee in Knoxville where he received a Bachelor of Arts in Liberal Arts with a major in Political Science and a minor in History in 1977. Three years later, he began study toward a Master of Arts in History which was awarded in June 1988.

The author of several popular and scholarly articles, Mr. Cummings has been a free lance writer and historian for the past three years.