CHAPTER XII

A NEW GOVERNOR SEEKS VENGEANCE

To the titles “Parson” and “Editor,” Brownlow now added “Governor,” but whether he was preaching, writing, or ruling he was still the Parson. His election was, of course, a grim wartime act, secured in the same manner as battles are won. In time of war the laws are silent, a comment as true in Tennessee as in ancient Rome. The thirty-seven who voted against him were either jolly humorists or the forlorn but unterrified rear guard of the routed Rebels. Now as later the right to vote was based upon support of Brownlow. Abraham Lincoln, Andrew Johnson, and the East Tennessee Unionists wanted Brownlow; that was enough.\(^1\)

It was a strange and dangerous act to set a person of Brownlow’s record to rule over a million people. In peaceful times it would have been perilous; in the confusion incident to the closing of a civil war, it might well seem preposterous. Unless the wild threats of his terrible vengeance upon the majority of his fellow-citizens, made constantly for the previous five years, were merely deep acting upon a broad stage, Tennessee might look forward to conditions worse than war. For the promoting of the orderly progress of peace, it would have been impossible to make a worse choice; for carrying out a war of vengeance of a minority against a majority, Brownlow was incomparably the best selection that could have been made throughout the land. As a master in whipping up hate and revenge, he had no peer.

It therefore became Brownlow’s program from the beginning to use his power as dictator of Tennessee to punish those against

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\(^1\)Moore, op. cit., I, 526; Edward McPherson, The Political History of the United States of America during the Period of Reconstruction (Referred to hereafter as History of Reconstruction), p. 27.
whom he had a grudge, public or private, and to introduce to Tennessee that new variety of democracy which made it possible for a small minority to dominate completely the civil and political existence of the vast majority. His program was broadly political, and he succeeded in carrying it out. In politics he had grown strong and efficient; in the other and more important fields of human development he had little vision and no ability. He found Tennessee financially bankrupt and he proceeded to whip her down into far deeper distress; he found her an economic desolation and he left her as he had found her; he found social chaos among Unionists and Rebels and he added to the turmoil by setting the Negro upon the back of his former master; in the church organizations he found Christ left out and he locked the door against His return. The Parson had throughout his past life promised such a program; no one should have been surprised. He was chosen for a purpose; he efficiently carried it out; by this standard he was a success.

Brownlow was elected governor on March 4; on the same day Andrew Johnson ceased to be military governor of Tennessee and became vice president of the United States. A month later the Parson was inaugurated. During the interregnum the governor-elect was in theory the military governor also, but as there were no duties that engaged his time, he set about divesting himself of obligations which he could not well perform while governor. He resigned his Treasury agency in favor of his son John B. Brownlow, who continued it until the end of the year, when it went out of existence—the office having handled from start to finish over $100,000 of business. He also gave over the active management of his old friend the Knoxville Whig and Rebel Ventilator to his son, John, with the announcement that the latter would likely make "rather a sophomoric display" of himself, but he hoped that the public would bear with the new editor for he would learn fast. The son disappointed no one, for he so completely adopted the style of the father and carried on the campaign against the enemy so successfully that it was regarded safe to remove on February 21, 1866.
1866 the *Rebel Ventilator* from the title of the *Whig*. But there was still much work to be done, and vigilance was ever the watchword, for there were about forty newspapers in the state at this time and only seven were counted unconditionally loyal. The Parson did not completely give up writing for the *Whig*, and many things the son wrote were as much the father's as if he had written them.3

Now that Brownlow was to become governor there were some so hopeful as to believe that the leopard could change his spots or the Ethiopian his color. The *New York Times*, more dubious than hopeful, advised him to "make some attempt to infuse a little moderation into his language and demeanor," to smother his feelings of revenge, and to try to forget his war memories.4

Early in April the Parson left the invigorating and patriotic atmosphere of East Tennessee and journeyed to Nashville to be inaugurated governor of all Tennesseans in theory, but of the East Tennessee Unionists in fact. In preparing for his coming, the capitol was given a scrubbing and the American flag was draped about everything which would support one. The day broke in rare splendor upon an immense crowd either in Nashville or on its way thither. Soon cannon were booming forth and bands of music were blaring out. The Parson had come to take charge of the government; let the people rejoice! Amongst a great war display and amidst three major-generals and five brigadier-generals with their staffs in full uniform, the new governor was invested with power.5

On the sixth he delivered his message to the legislature, a requirement of the governor which the Parson as time went on made more and more into a strange mixture of a sermon, a political harangue, and a *Whig* editorial. He was weighed down by no sense of traditional dignity in such documents. He immediately launched an attack against the evils and evil-doers of the

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3 *Ibid.*, March 29, 1865, April 4, September 26, 1866. A partnership was soon formed among the Parson, his son John, and T. Haws, which lasted until February 5, 1867, when John withdrew, but continued to act as editor. *Ibid.*, February 20, 1867.

4 March 22, 1865.

5 *Knoxville Whig and Rebel Ventilator*, April 12, 1865.
times. He declared that secession was "an abomination that I cannot too strongly condemn, and one that you cannot legislate against with too much severity." The Rebels were terrible monsters and their robberies and disorders were upsetting the state. He submitted the Thirteenth Amendment for ratification, though he still disliked Negroes, free or in bondage. He hoped none would come to Tennessee and those already there could be colonized. In order to add the earmarks of a message to his talk he discussed finances, the penitentiary, the insane asylum, and the railroads. An important financial move he recommended was an increase in the salaries of the state officials.

He not only prepared his regular message for the beginning of each session of the legislature, but he also wrote many special messages as each session wore on. In addition he issued proclamations in great abundance, for in that manner could the governor speak to the people, argue with them, browbeat them, do all the talking and have the last word. On account of this proclivity he won the nickname of "Old Proc," and his enemies declared that he issued many proclamations for no other reason than to impress upon the people the fact that he was governor. With no desire to violate the law, but because there was none other like him, Brownlow now and then, and especially after he fell out with his secretary of state, would issue proclamations by merely inserting them in the Whig, without the signature or seal of the secretary. This certifier of the authenticity of state documents would on occasion see in the Whig a proclamation for the first time.

Brownlow found no governor's mansion to receive him when he arrived in Nashville, a deficiency which he hoped to remedy later when in a message to the legislature he recommended the construction of such a building. Throughout his tenure of office

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7 Knoxville Whig, October 30, 1867; "Digest of Election Cases. Cases of Contested Election in the House of Representatives from 1865 to 1871," House Misc. Docs., no. 152, 41st Cong., 2nd sess., p. 908.
he was forced to live in a room fixed up in the state capitol or in some boarding house out in the city. Depending most of the time on the boarding house, he would drive with a friend to the capitol every morning with horse and buggy and arrive strictly by nine o'clock. Being conscientious as to the time requirements of the office, he remained at the capitol during the day and left not before five o'clock in the afternoon.8

The Confederate evacuation of Nashville early in the war and the occupation of the capitol by Federal soldiers and generals had not left the archives of the state in perfect order or completeness. Those carried away by the Confederate government were captured at the end of the war near Augusta, Georgia, "three miles from Buzzard Roost station, near Gum Swamp." The state records were packed into 41 boxes and the state's money, made up to a great extent of Mexican gold, was heaped into 56 boxes and two casks. These spoils were returned to Nashville soon after Brownlow's government had been set up. To do honor to the occasion the Parson and his secretary of state, A. J. Fletcher, went to the railway station, and loaded this precious cargo upon six army transport wagons. The Parson mounted the foremost wagon in the caravan, and seating himself on a box of archives with a gold-headed walking cane in his hand and his feet resting upon a box of treasure, he drove through the streets of Nashville amidst the cheering throngs of people up the high hill to the capitol. It was freely predicted that Tennessee would soon go on a gold basis and beat all the other states and even the nation in this respect.9

Acting upon an obscure and ambiguous amendment made to the constitution by the convention in January, 1865, Brownlow proceeded to appoint a great many people to office, for the state was being remade de novo now, as only the governor and legislature had been elected in March. It was of vast importance to him and his party that the various judges be sympathetic; he secured that sympathy by appointing only those who had it.

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8 *Knoxville Whig*, February 20, October 9, 1867. Message to Legislature, October 7, 1867.
9 *Knoxville Whig and Rebel Ventilator*, June 7, 1865.
Though elections were permitted occasionally, still by the end of 1867 the vast majority of state judges from the highest to the lowest were Brownlow's appointees.\textsuperscript{10} He acted upon two restrictive principles in making his appointments: He would honor the too common practice of nepotism, and he would see that East Tennessee should rule supreme. He appointed his son James P. Brownlow, and later his nephew, Sam Hunt, adjutant-general and made liberal provision for many others of his kinsfolk, who were not tainted with rebelism. As one of his sons-in-law had been a Confederate captain and a brother-in-law had cast his lot with the Confederacy, he found opportunity to apply this latter principle.\textsuperscript{11} Aided by a legislature dominated by East Tennessee, Brownlow either appointed or secured through legislative action the appointment of a great many East Tennesseans to the various offices. So generous were the legislators that the governor declared, "They literally gave East Tennessee all the offices; and one good-natured fellow said to me that he believed they would give us both Senators if we claimed them."\textsuperscript{12}

But Brownlow was not all of the government, though he was the chief power. The legislature had a separate existence, and occasionally some of its members had a separate mind. It had met on April 2, a week before Lee's surrender. It had been nominated by a Brownlow-East Tennessee convention, and elected on a general ticket bearing Brownlow's name for governor, by a species of restrictions which placed most of the voters in East Tennessee. Many of the legislators were inexperienced men who had risen to the top when the depths had been stirred, and it was charged that a large sprinkling of them were "mere birds of passage, camp-followers, and hangers-on of the Federal army." Brownlow objected to this characterization, but the best

\textsuperscript{10}Knoxville Whig, October 9, 1867. For the amendments to the constitution see, F. N. Thorpe, ed., \textit{The Federal and State Constitutions, Colonial Charters, and Other Organic Laws of the States, Territories, and Colonies, now or heretofore forming the United States of America}, VI, 3445-48.

\textsuperscript{11}Price, op. cit., III, 359-62; Knoxville Whig and Rebel Ventilator, November 29, 1865, October 2, 1867, February 3, 1869 (note by John B. Brownlow on margin of office file).

\textsuperscript{12}Knoxville Whig and Rebel Ventilator, April 12, 1865.
defense he could make was to say that most of them were natives of Tennessee and of the surrounding states and to promise to investigate their former careers and publish the results. He did so and made out for them even a better record than he had anticipated.\textsuperscript{13}

The impressions of one of the imported statesmen, J. J. Noah, "atty Gen. of the 11th judicial District," appear in this letter he wrote to Thaddeus Stevens: "We have a fine working majority in the Legislature and we are busily engaged in making more stringent our laws against traitors. We are endeavoring to hold the state in our power and expect our friends in Congress will do all they can for us. We have a respectable number of Northern men, ex-officers of the army (like myself) who have settled in Tennessee who intend to incorporate as much of Yankee enterprise and loyalty to our Government as we can. The mass of the people do not meet us hospitably or kindly but we intend to stay with them and not be driven out."\textsuperscript{14}

The chief concern of this legislature was to entrench in authority a small unterrified and aggrieved minority of Tennesseans and to give them whatever advantage could be had through the government. Therefore, the work of this legislature was largely political; whatever social or economic legislation there was came as an incident to the minority's enjoyment of what the state had to offer. In this program they expected completely to recommend themselves to the national government. They quickly ratified the Thirteenth Amendment, finishing the process by April 7. To guarantee to themselves the government in all future elections they passed a law which disfranchised all Tennesseans who had not been "publicly known to have entertained unconditional Union sentiments from the out-

\textsuperscript{13} Fertig, op. cit., pp. 62-63; Knoxville Whig and Rebel Ventilator, March 29, 1865; Testimony Taken by the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States, I (Report of Committee, referred to hereafter by the binder's title, Ku Klux Conspiracy), p. 420; Why the Solid South? or, Reconstruction and its Results (referred to hereafter by the binder's title, Noted Men of the Solid South), p. 178.

\textsuperscript{14} Stevens MSS, No. 53337, November 27, 1865. In Harvard University Library.
break of the rebellion until the present time." These were divided into two classes according to the heinousness of the crime they had committed. Those who had been intelligent or cunning enough to secure the position of leadership either in civil or military affairs, measured by the various standards set up by Lincoln, Ben Wade, Henry Winter Davis, and Andrew Johnson, were to be denied the right to vote for a period of fifteen years. Measuring the seriousness of their crime by the intelligence of the criminals, the law placed the remainder of the Confederates in another class and disfranchised them for five years.\footnote{Brownlow, in pushing this law through, had gone far beyond Johnson's program as outlined in his Amnesty Proclamation, of May 29, 1865. The Governor, in reconstructing his own Tennessee disfranchised all the Confederates, high and low; Johnson in reconstructing the part of the South that fell to him, permitted all Confederates to vote except the small class of leaders.}

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Tennessee, led by Brownlow, not only disfranchised the overwhelming majority of its citizens, but pursued them with much other hostile legislation. The avenging leaders in their zeal sometimes passed even beyond the bounds that a heresy-hunting legislature had fixed. The house passed a bill which would have forced many Confederates into nakedness, by fining from five to fifty dollars anyone caught wearing the Confederate uniform. The senate headed off this bill, but its record in other respects left it little advantage in liberality over the house. It passed a bill, which vastly pleased Brownlow, depriving ministers who had sympathized with the Confederates, of the right to perform the marriage ceremony and requiring them to work on the roads, pay a poll tax, and serve in the militia. This bill failed in the house. The senate entertained a bill for a time which would have required women to swear allegiance to the United States before they could be married. Brownlow, with his well-known contempt for Rebel women, was unable to convince the senate that this bill should pass. But this body failed by only
one vote to strike a most serious blow to the civil rights of Confederates by requiring the plaintiff in all suits to take a test oath, which very few could do. 16

The Tennessee majority was now in subjection to the minority and to keep them from resisting, legislation was passed to tie their hands and close their mouths. They were disarmed by a law which permitted only returned Federal soldiers and "all citizens who have always been loyal" to carry "any and all necessary side arms." If anyone should utter "seditious words or speeches, spreading abroad false news," or utter false libels against the state or the United States, or incite riots, rebellions or "any manner of unlawful feud or differences," such person should suffer fine and imprisonment, and be deprived of that privilege which was dearest to the minority's heart—he should be prohibited from holding office for three years. 17

Authority and responsibility had not the slightest sobering effect upon Brownlow. He was no less wild and extravagant in his speech as governor than he was as parson. He made himself feared as an unrestrained despot rather than revered as a protector against violence. The masses looked upon him as a usurper who had seized the government for diabolical ends. The Confederates might and many of them did applaud when he said of the assassination of Lincoln that it was "the most villainous affair that ever blackened the records of Crime"; 18 but when he spread the report that Jefferson Davis had been captured in his wife's clothing and predicted the former Confederate president's speedy entrance into Hell through the hangman's noose, there was less accord. It gave Brownlow much pleasure to be able to say, "Fallen preachers, pray for the Confederacy! Hell opens wide to receive the hypocrites as they come from the gibbets of the felon. Truly the mighty have fallen! May they fall still lower down!" 19

Brownlow bitterly resented the return of the Confederate

16 Fertig, op. cit., p. 67; Noted Men of the Solid South, 180.
17 Fertig, op. cit., p. 65; Ku Klux Conspiracy, I, 421, 454, 455; Knoxville Whig and Rebel Ventilator, July 5, 1865.
18 Knoxville Whig and Rebel Ventilator, April 26, 1865.
19 Ibid., July 19.
soldiers to Tennessee, and especially to East Tennessee, where the Unionists were still receiving some aid from the East Tennessee Relief Association. He considered this portion of the state to be the special abode of Unionists, and if he could help it he would not have the Rebels eating from the fat of the land or out of the larder of the relief association. He was sure that the Rebels would give trouble, so he decided to whip up such a fury against them that they would be forced to flee the country. He failed to realize what Grant, and Sherman, and many others had sensed, that the returning Confederate soldier would be the most law-abiding citizen in the Union if it were permitted to him.

In his campaign to rouse up hate against the returning Rebels he began early to publish in his Whig long accounts of Confederate "atrocities" which had taken place in East Tennessee during the early part of the war. The scenes in the Knoxville jail were reënacted with great vividness, and the heroic bridge-burners were rehanged in all the realism that the imagination of an expert at invective could produce. Parson Brownlow's Book was advertised regularly at $1.50 per copy, the reading of which would make any person of undiluted Unionism set out on a manhunt for the returning Rebels. Firearms and daggers, which only the unconditional Unionists might legally carry, were displayed in a menacing and alluring fashion in Whig advertisements.

There were some Unionists in East Tennessee, however, who were less fearful of the Rebels and more generous toward them; and these people attempted to convert the Parson. One of them signing himself "Rednaxela," which was "Alexander" reversed, wrote the Whig and counselled conciliation. He declared that he was a Unionist and he had suffered as much as anyone in East Tennessee; but, "Let passion and mad impulse no longer rule the hour. Let us, by conciliation and kindness, win back to a reverence of the old flag the thousands of our unfortunate countrymen, so lately estrayed, who are now wishing to acknowledge its supremacy. To seek revenge may be human, but it is God-like to forgive."20

20 Ibid., June 7, 1865.
Brownlow’s whole past life was eloquent proof that he was incapable of forgiveness to his enemies. He issued on May 30 a proclamation taking note of the difficulties that had sprung up between Unionist and Rebel. He called upon the Unionists to be lenient and to take their troubles to the courts, but the mollifying effect of this part of his proclamation was then smothered out by the recounting of the terrible crimes that Unionists had suffered at the hands of Rebels. Although the Parson had appointed the judges, he suggested in his proclamation that if the courts did not do justice, then no power on earth could prevent the individual from taking his case in his own hands. Those who were guilty of having aided the rebellion had “forfeited all rights to citizenship, and to life itself. Every field of carnage, every rebel prison, every Union man’s grave unite with a violated law and demand the penalty, and if the courts do not administer it, an outraged people will. I call upon all Rebel robbers, bushwhackers and guerillas to cease their wicked ways and betake themselves to honest toil.” And as governor he warned the chief Rebel sinners “to quickly and forever withdraw from the country.” Here was the spectacle of a governor attempting to banish an important element from his state.21

Brownlow speaking unofficially could scarcely have been more violent. To the Parson it was a patriotic duty for the Unionists to maintain control in Tennessee, and he could see no difference between doing so through violence and through franchise laws. He asked whether any man “in his sober senses” supposed that the Rebels could “escape killing or such a beating as will disable them for life?” “If they are acting under this delusion,” he continued, “their erroneous notions will be corrected by the development of time.”22 He was not for pacification; he would not compromise with evil. Under his teachings his Unionist neighbors held a meeting in Knoxville and resolved that if any Union men were assassinated “we pledge our lives and sacred honor that ten Rebels shall forfeit their lives for every Union man assassinated.”23 When the Confederates cried out against this proscription and violence, the Whig quickly retaliated by repub-

\[^{11}\text{Ibid., June 7, 1865.}\]  
\[^{12}\text{Ibid., August 30.}\]  
\[^{13}\text{Ibid., September 6.}\]
lishing a chapter of “Rebel atrocities” which had been heaped upon Unionists from 1861 to 1863.\(^{24}\) Brownlow was in truth fulfilling all the promises of vengeance he had made after his expulsion from the Confederacy in 1862.

Under such discouragement, law and order almost ceased to exist in East Tennessee. So near extinction did orderly existence approach that Brownlow felt it necessary to announce: “The Executive will distinguish between who are resenting injuries done to them and their families, and bands of robbers who seek to live without work.”\(^{25}\) So near engulfed with whippings, rob­bings, and murderings was Washington County that a meeting of the better citizens was held at Jonesboro to try to re-institute the forms of government whose destruction the policies of Brownlow had brought about. It recommended that each civil district hold a meeting and appoint six honorable men “to hunt down and bring to justice such violators of the law as ought to be punished.”\(^{26}\)

Brownlow never gave up the idea that banishment of the Rebels would be the best solution for the troubles in East Tennessee. He repeated, “My most religious advice to those active leading Rebels and bad men, throughout the length and breadth of East Tennessee, is to sell out and go to a new country, take a new start in life, and cease to boast of the part they took in the rebellion.”\(^{27}\) Many East Tennesseans accepted Brownlow’s advice and left. Considerable numbers settled in Georgia, especially in Atlanta. Others drifted into the smaller towns and almost remade them.\(^{28}\) General Nathan Bedford Forrest testified in 1871 that a great many people “had to fly the country in East Tennessee” and that many men “who had been in the Southern army were killed, when they returned home, by Union men.” He declared that there was more bitterness in East Tennessee “than in any other part of the country.”\(^{29}\)

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\(^{24}\) For example, *ibid.*, September 13, 1865.


\(^{26}\) *Knoxville Whig*, June 13, 1866.

\(^{27}\) *Knoxville Whig and Rebel Ventilator*, August 30, 1865.

\(^{28}\) As an example, many of the East Tennesseans came to the little town of Crawford, Georgia. Athens, Georgia, *Banner Herald*, February 1, 1926.

\(^{29}\) *Ku Klux Conspiracy*, XIII (Florida and Misc.), 15.
The Brownlow disorders in East Tennessee did not escape the notice and condemnation of people north and south. The Parson gave his answer in a letter to the Cincinnati Gazette in which he declared that there was much more violence in Middle Tennessee than in East Tennessee, that the former region "abounds in thieves and robbers, any of whom would murder a man for his watch or for a $5 bill." In fact the whole South was full of disorders and he would tell the American people why: "I am one of those at the South who believe this war has closed out two years too soon! The rebels have been whipped, but not whipped enough. For saying these things I expect to be abused by all rebel papers South, and by all traitorous sheets North. Let them say out; I am able to stand their abuse. I am for the American Union, regardless of the hate of sections, the war of parties, or the malice of individuals."

It might appear that a more orderly way by which to drive the Rebels out of Tennessee would have been through court actions. Brownlow had early thought of this method, and by September, 1865, he had all the state courts functioning. There was also the Federal district court, but he distrusted and hated the judge, Trigg, because he had criticized the governor's disregard for law and order. Trigg also had permitted certain lawyers to practice in his court whom Brownlow claimed were disbarred by the oath required. The Parson ended up his argument by referring to Trigg's court as a "one-horse concern," and the judge retaliated by taking his legal advertising away from the Whig. Yet attempts were made to use the court against the Rebels. J. A. Sperry, a former editor of the Knoxville Register, was tried for saying mean things about the Unionists during the war. His acquittal was recorded in the Whig as a burning outrage. John E. Gamble, of Blount County, was tried for treason, in that he had been a Confederate enrolling officer, but he also was acquitted. But there was another Federal tribunal which Brownlow expected to deal out justice in a
sufficiency. He had been preparing the way by reminding the readers of the Whig of the horrors which Union soldiers had suffered at the Andersonville Prison. In due time Henry Wirz fell a victim to post-war hysteria and a military commission, and the Whig exclaimed, "A more righteous execution has not taken place since the hanging of Hayman [sic]."

The Federal court in Tennessee was dismissed as devoid of patriotism, but the Parson had faith in the state courts because he had made them and he led other bitter Unionists into a like attitude. By the fall of 1865 the Whig was teeming with many advertisements from the county courts of East Tennessee of attachments, sheriff's sales, and other such acts. The Rebels were being made to pay with their property. Old Parson W. T. Dowell, who had shared the hardships with Brownlow in his flight from Knoxville in 1861 and who later left Tennessee, now decided that the quickest way to get rich would be to return and sue the Rebels for damages. Parson Brownlow soon found it necessary to resort to the courts again. In his suit against Crozier, Reynolds and Sneed the previous year, he had got a judgment of $25,000 damages against them and he executed it by selling them out of their property in Knoxville. But when the war ended, the defendants reopened the case and succeeded in having the original judgment annulled. Brownlow now declared he would institute a new action and sue for $40,000 damages.

The Rebel leaders should also be sued in criminal actions. Brownlow attempted to establish the doctrine that all Rebels were criminals, because in engaging in war they had made themselves guilty of treason. The fact that they were obeying the orders of the Confederacy, a de facto government, did not make a difference in his opinion. True enough the Federal courts were admitting this interpretation, and General Grant had fully agreed with it, but Brownlow would not be turned aside. Three

34 For example, ibid., November 15, 1865.
36 Ibid., December 20.
37 Knoxville Whig, December 25, 1867. Of course Brownlow was never able to enrich himself to the extent of $40,000 in such an easy manner.
Confederates who had been concerned with the execution of the decree of the Confederate court martial which had condemned to death the bridge-burner, C. A. Haun, were tried in the circuit court for Knox County, and acquitted. They were then tried for hanging the two Harmons and again acquitted. Before the end of the trial President Johnson had suggested through Secretary Stanton that Governor Brownlow pardon them. Brownlow resented this interference, replying that he had no power to issue a pardon at that time. The circuit court for Jefferson County was more patriotic in Brownlow's opinion, for it had tried and sentenced to 14 years in the penitentiary, DeWitt C. Williams for "Treason against the State of Tennessee in aiding and abetting the late rebellion." Williams appealed to the state supreme court and got a *nolle prosequi* on the ground that the treason was against the United States and not against Tennessee.

Brownlow considered that eternal vigilance was the price of minority supremacy in Tennessee. He was somewhat perturbed by the uncertainty as to whether he was the governor of a state in the Union or of an unclassified political division. In early January, several months before he had become governor, he was clamoring for the admission of Tennessee but for the exclusion of the rest of the Confederacy. Soon after the legislature met in April it elected David T. Patterson, Johnson's son-in-law, and Joseph S. Fowler to be the state's two senators in Washington and on April 21 it passed a resolution requesting the president to proclaim Tennessee no longer in a state of insurrection. When on May 29 President Johnson began appointing his provisional governors for the various Southern States preparatory to their admission into the Union again, he naturally took no notice of Tennessee; but on June 13 he proclaimed Tennessee in a state of peace again and thereby assumed that it was a state in the Union.

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**WILLIAM G. BROWNLOW**

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[91] *Knoxville Whig and Rebel Ventiator*, January 3, 1865.  
A NEW GOVERNOR SEEKS VENGEANCE

It would now be necessary for Tennessee to take one more step before she would be ready to participate fully in the Federal government; she must elect her representatives in the lower house of Congress. As the state's regular election would be in August, it was determined that representatives should be elected at that time and a few legislative vacancies filled. Brownlow and his minority party looked forward to this occasion with some apprehensions. In fact from the very beginning of his régime, he felt that an army would be one of the most welcome safeguards his government could have. In his message to the legislature in April, he asked that a military force be put at his disposal; the lawmakers responded by passing a law authorizing the sheriff in each county to raise a squad of twenty-five men as a patrol to enforce order (and without mentioning it, to harass returning Rebels). To put down riots and major disturbances the sheriff might raise as large a force as he deemed necessary.\(^4^4\) So small was the Brownlow minority party that it felt there was still danger. The legislature, therefore, on May 9, called for Federal troops in addition to those who had remained in the state after the war, to guarantee a republican form of government to Tennessee.\(^4^5\)

As the Brownlow government had not yet established its legitimacy with a great majority of the Tennessee people, it seemed that the August election might well be made an auspicious occasion on which to turn it out. It was argued that the famous convention of January, 1865, had resulted from the self-appointment of a microscopically small minority which had presumed to direct the amendment of the constitution and then had nominated largely its own members to the legislature. Some said that it had not been based on more than one-seventh of the people; others maintained not more than one-twentieth. Since the election in August, 1865, would be the regular time for the selection of all state officers according to the old constitution, a clamor sprang up, aided by many conservative Union men, that this procedure be followed.\(^4^6\)

\(^4^4\) Fertig, op. cit., pp. 65-66.  
\(^4^6\) Ibid., pp. 178-79, 184; The South in the Building of the Nation, II, 525-26.
Emerson Etheridge, a Tennessee Unionist leader in 1861, now led the opposition against the Brownlow minority government. Toward the last of June, anticipating the Fourth of July celebration, he wrote that until law and order returned there could never be an old-fashioned Fourth. At that time the people would be much happier than now, "with no law but force, and no semblance of civil government, State or Federal, but usurpation enforced by the bayonets of negroes." He took part in a meeting at Dresden, which resolved that a "few desperate political and pecuniary adventurers, assembled mainly from the military camps in and out of the State of Tennessee" had met in Nashville inside the fortifications, had fraudulently and without the knowledge or consent of nineteen-twentieths of the people set up a government, that Brownlow had usurped the office of governor, and their nominees, that of the legislature. They were all "scarcely less treasonable, revolutionary and lawless than were the original authors and instigators of the rebellion." For such direct language Etheridge was later tried in his absence, at Columbus, Kentucky, by a military commission.

If the Tennesseeans expected to get rid of Brownlow, they must either resort to violence or overturn the franchise law. As they had no intention of trying the former method, a few attempted the latter. They endeavored to weaken the law's effect by applying for registration, but the rule was strictly adhered to that the voter must have been publicly known to be a Unionist from the beginning of the war. The Brownlow courts ruled strictly on all points, including the Conservatives' contention that the law did not refer to municipal elections.

Unquestionably the majority of Tennesseeans had no visions of success or had no intentions of trying to vote—they were resigned to their fate for the time being; but they bitterly condemned Brownlow's government and aroused in the Governor words of burning denunciation and threats of his vengeance. In answer to the contention that a complete state government

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47 Ku Klux Conspiracy, I, 456. 48 Ibid., p. 455.
49 American Annual Cyclopaedia, 1865, p. 779; Knoxville Whig and Rebel Ventilator, July 12, 1865.
should be elected in August, he said, “To call for an election of Governor and members of the Legislature next August, is an open declaration of war, and if persisted in, will be treated as rebellion.”

He flooded the state with his proclamations and addresses during July, and in these he explained who could vote and what would happen to those disfranchised if they attempted to cast ballots. On July 10, he called for the arrest of all pretended candidates “travelling over the state denouncing and nullifying the constitution and laws of the land, and spreading sedition and a spirit of rebellion.” He also warned the county clerks that he would hold them accountable for their faithful carrying out of the law. In an address a few days later he defended the basis on which his government rested, declaring that it was the President’s plan, and that the number of people on which it was based was immaterial. He announced that he would unseat by military force anyone illegally elected. The Rebels should not with bloody hands deposit their ballots and attempt to seize by numbers the government they had sought to destroy. A word to the wise was sufficient: “The civil and military authorities understand each other, and will act in harmony.”

At this time the Governor and the President were enjoying friendly relations, and Johnson had twice telegraphed Brownlow to carry out the law, praising him for his vigor, and promising him all the Federal troops necessary. Brownlow with two armies back of his government might well feel that he could disregard the will of Tennessee. Though martial law had not been formally declared, the Whig rightfully admitted what was the fact, that Tennessee was under martial law and would remain so until the Rebels should learn how to behave themselves.

On August 3, the election took place and was unaccompanied

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50 Ibid., June 28, 1865.
by violence—eloquent proof of the remarkable forbearance of a people trained to respect the forms of law. A total of 61,783 Tennesseans went to the polls and elected eight Congressmen. Two features of the election Brownlow disliked. Half of the Congressmen were conservative Unionists, who were opposed to the Brownlow régime; and 61,783 voters seemed to be too many unless they should vote the Brownlow ticket—only 23,352 had voted directly for Brownlow in March. He immediately called upon the county clerks and sheriffs for a report, and after studying their methods of registering the voters, declared that they had permitted 22,274 disfranchised Tennesseans to register and vote. He proceeded to throw out these votes but the evidence was so overwhelming that the Conservatives had been properly elected that he was unable to dispose of but one of them. As Dorsey B. Thomas had defeated the Parson's good friend Samuel M. Arnell, he was selected for the slaughter. Brownlow refused to bare the complete evidence on which he acted, but he saved his friend. Thomas later contested the election before Congress, but this body saved itself from making a decision on the merits of the contest by contending that Thomas had not instituted proceedings soon enough. The August election had been fought out entirely among the Unionists—no Confederates voted. The rift had come between the Conservatives who opposed disfranchisements and test oaths, and the Radicals, who were willing to follow Brownlow to any limits.53

The Brownlow government, assisted by the United States army and the sheriffs' posses of twenty-five each, had successfully leaped the first hurdle. His old legislature met in its second session on October 2 and strung out its life in uproarious debate, in inaction, or in suspended animation for the next 239 days. The Parson found so much to be thankful for that his message to the legislators took on much of the nature of a sermon. "I cannot, therefore," he declared, "neglect to call upon you, again and again, to bow your heads in adoring thankfulness before 'Him who rides upon the storm and calms the roaring seas,' that

he still rules the armies of earth and heaven, and that the American people are still the people of His special care.” It might almost be inferred that he was also thankful that there were still the Rebels whom he might belabor to his fullest pleasure. He recalled the parable of the Prodigal Son, but showed in many words that the forgiveness implied there was not intended for the Rebels. The Prodigal Son had never been guilty of seceding from the Union and becoming a traitor; and in that circumstance the Parson found a mighty difference. The mass of the Rebels should still be kept from voting from five to ten years longer “so as to give them time to wash the blood of loyal men from their hands.” As for the ring-leaders, who had pressed forward in rebellion “with all the malignity of fiends and the cruelty of savages; . . . who, through rapine, arson, perjury and butchery, have filled the land with mourning; they are entitled to neither mercy nor forbearance.”

Despite the splendid victory Brownlow’s party had won in the August election, there were disturbing elements in the situation, and these could have no more certain effect than to make the future uncertain. There could be no doubt that in throwing out the 22,274 votes he had exercised a right that could be based on no other ground than might. He never wove fine-spun theories out of the principles of a democracy which held that the majority had the right to rule. He knew his party was in a minority and he was disturbed over the fact that it was a hopelessly small one; he was also wise enough to know that it could never become larger, except through artifice. His only hope was through the continued disfranchisement of the majority and the enforcement of this course by the use of troops. But he never doubted the justice in the situation. Because the majority had tried to destroy the Union, he let his spirit of vengeance blind him to the fact that that act did not disqualify the mass of Tennesseans from continuing to participate in the government of the state. Brownlow failed to see that secession was not a movement.

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54 Senate Journal of the Adjourned Session of the General Assembly of the State of Tennessee, 1865-66, pp. 6-8; Fertig, op. cit., p. 72; Noted Men of the Solid South, pp. 184, 189.
against the institution of government, which in itself would brand its participants as enemies of organized society. Rather, he acted on the theory that those who favored secession favored anarchy. As for securing the results of the war, it did not fall within the province of the state to assume this duty. It was the peculiar duty of the Federal Government to guard what had been won; secession was not a movement against Tennessee but against the United States. But human nature favored the position Brownlow had taken, and as he had a bountiful supply of this he pushed his use of it in Tennessee to an extreme.

It was, therefore, entirely logical for the Parson to defend the rule of the minority; but the construction of his mind did not lead him to delve into the intricacies of political science and political theories like a John C. Calhoun might have done. Being a parson and a Methodist, he resorted to the Bible and to his religion. He recalled that Noah had been in a minority in the flood, that Lot had been among the few to escape the flames of Sodom, and that Jesus Christ on the cross was in a minority. According to the Whig “He reflects that, at this time, minorities are occupying the palaces in and bivouacking on the plains of glory, while majorities are crowding the deep caverns and pitching their tents on the hill tops of hell.” He also remembered the old Methodist hymn, which ran:

“Broad is the road which leadeth to death,
And thousands walk together there;
But wisdom shows a narrow path,
With only here and there a traveller!”

The majority might at times with great wisdom submit to the rule of the minority, if the minority were wise and just; but the disfranchised Tennesseans reflected ruefully on the fact that in their predicament the wise were being ruled by the unwise. The power, wealth, culture, and natural leadership of Tennessee were being forced to submit to a minority which had

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66 *Knoxville Whig*, March 21, 1866.
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gained its position through accident. The Nashville Banner pointedly reflected, "But in honest truth the great majority of the so-called Union or Loyal men of the South were the merest trash that could be collected in a civilized community, of no personal credit or social respectability."\(^{57}\)

Nothing could be gained through arguments; Brownlow would act. In January, 1866, the Whig openly admitted that as there were twice as many Rebels as there were Unionists, if the latter expected to maintain themselves in the next general state elections (August, 1867), the franchise law would need to be strengthened. There was something radically wrong with a law that gave the vote to 22,274 Tennesseans, who should have been kept away from the ballot box.\(^{58}\) The Governor should not be forced to use up his time preserving the purity of elections by throwing out fraudulent votes. So a new stringent law was introduced in the legislature, making registration more difficult and giving Brownlow unusual powers. Acrimonious discussion immediately began and continued until the legislature developed into a brawling mob which finally broke up in confusion and bedlam. The Parson had become too radical to hold together a legislature of Union men elected under a severely restricted ballot in the midst of war. James Mullins, white-haired and sixty-five, led the Brownlow forces. To many it appeared that the law was being forced through by a determined and insane majority without proper discussion. On February 13, for the purpose of destroying a quorum a sufficient number of members withdrew from the house. Mullins declared that this procedure was the result of a prearranged program. Speaker Heiskell asked if he was being accused, whereupon Mullins said he would suspect the speaker as soon as anyone else. In a rage Heiskell sprang from his chair, called Mullins "A G—d d—d old liar and a d—d thief," and threw his gavel at him, barely missing another member. Mullins then exclaimed, "You are a G—d d—d liar, a d—d old scoundrel, a partial presiding offi-

\(^{57}\) Quoted in Knoxville Whig, March 21, 1866.

\(^{58}\) Knoxville Whig and Rebel Ventilator, January 31, 1866.
cer, and one of the conspirators," and with his hand in his pocket moved toward the speaker. The house broke up in an up-roar.\(^{59}\)

The legislature adjourned from day to day until the 19th when Heiskell decided to issue warrants for the doorkeeper to arrest and bring back eleven members. Two days later a resolution was introduced to expel four members for "seditions and revolutionary" conduct. To head this off, mutineers, twenty-one in number, left the house. Heiskell refused to entertain a motion to have warrants issued for their arrest and return, on the ground that a member had the right to decide whether he would vote or not. To make the situation more difficult some of the members then resigned.\(^{60}\)

The Parson now stepped into the breach and declared that the seceders were bent on paralyzing the state government and destroying its influence with the national leaders. He furthermore charged them with attempting to destroy the state's credit, to prevent the passage of appropriation bills, to abandon the lunatic asylum and the penitentiary, to keep Northern immigrants out of the state and "prepare the way for a second rebellion."\(^{61}\) On March 3, he issued a proclamation declaring the seceders' seats vacant and calling for a special election on the last day of the month, for new members. In his proclamation he declared that they "by factions and revolutionary proceedings, have succeeded in breaking up the Legislature, and paralyzing the State Government." They had "arrested the machinery of State Government as effectually as if the same had been done by force of arms."\(^{62}\)

Not only had the Parson by his extremism outraged the great majority of Tennesseans, but thus had he also disrupted his Union following and stripped his government of almost every vestige of dignity and decorum, and made of it a grim brawl. Even some of his East Tennesseans were among the seceders.\(^{63}\)

\(^{59}\) \textit{Knoxville Whig}, February 28, March 7, 1866.

\(^{60}\) \textit{Ibid.}, February 28.

\(^{61}\) \textit{Ibid.}, April 4.

\(^{62}\) \textit{Ibid.}, March 14.

\(^{63}\) \textit{Ibid.}, March 21.
All told there were twenty-four seats in the house to be filled and two in the senate. All the bolters ran for reëlection and with five exceptions were returned by big majorities; but the legislature refused to readmit twenty-one of them.

The Parson had been defeated in his strategy, but this very defeat convinced him still more that the franchise law needed remaking, for otherwise members supporting his program would have been returned. The legislature now came to life again, and on April 18, Brownlow sent in a message urging them to hurry the passage of the franchise law. But the members were in no better humor on their return. Soon the member of the house from Carter County, in the midst of East Tennessee, fell to savagely attacking Brownlow. He declared that the Governor who had run away to a place of safety during the war, now presumed to teach patriotism to those who had remained in Tennessee. “While the people of the North were throwing gold at Gov. Brownlow, the rebels were throwing lead at me,” he shouted. At this moment James P. Brownlow, the adjutant-general and the son of the Governor, walked up to the member from Carter, thrust his hat into his face, and called him “a d—d Liar and Coward.” The Governor undoubtedly had developed the chief branch of his government into the greatest brawling mob in America. Henry Watterson, not yet become the famous Marse Henry but now only an inconspicuous newspaper helper in Nashville, declared the majority of the legislature were “LIARS and SCOUNDRELS, who ought to be in hell or the penitentiary....” The Whig dismissed him as “Little Henry Watterson, of the Nashville Banner.”

Although Brownlow extremism had been rejected in the special election by the return of the seceding members, the Governor was doubly determined to push the new franchise bill through. The Conservatives seeing the futility of further physical obstructions hit upon the strategy of universal suffrage and universal amnesty. According to their plan all Negroes should

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64 “Special Message of Gov. William G. Brownlow to the General Assembly of Tennessee, April 18, 1866,” Appendix Senate Journal.
65 Knoxvill Whig, April 25, 1866.
66 Ibid.
be given the ballot but at the same time all Rebels also should be allowed to vote. This was a clever move for it would put into operation a part of the Congressional radical program which was so extreme that the Thaddeus Stevens oligarchy had not yet applied it anywhere. Negro suffrage ought, therefore, to endear and recommend Tennessee, not yet admitted into the Union, to the Radicals in Washington. But to Brownlow, Negro suffrage was only a little less outrageous than Rebel suffrage. The Parson was wise enough also to see that if the Conservatives gave the Negro the suffrage they might induce many Negroes to vote their ticket out of gratitude. But the Conservatives knew that the Rebel vote would greatly outweigh the Negro vote, so in either case they would be the winners. Risking the displeasure of their Radical allies in Washington, the Brownlow party followed their antipathy to Negroes, and rejected the Conservative scheme. 61

The Brownlow party now pushed through their franchise bill, which became a law in May. It was the old law reënacted with important changes. Under the old law the county clerks had registered the voters and in Brownlow’s opinion they had been too lax in their work. As they had been elected locally, some of them were conservatively inclined and had allowed men to register whose Unionism was subject to suspicion. By the new law “commissioners of registration” were to register the voters, and Brownlow was given the power to appoint these commissioners. These appointees of Brownlow were to guard with extreme care the sacred suffrage jewel, and before anyone might wear it he must successfully pass through a definite procedure and be awarded a certificate. He must produce two witnesses who could vote, to swear that he was not disqualified by any of the provisions of the law, and then he must swear an extensive oath in which he should recount what he had done, what he had not done, and certify to the pleasure he had experienced at the news of Union victories and Confederate de-

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61 McPherson, History of Reconstruction, p. 28; American Annual Cyclopaedia, 1866, p. 728.
feats. The oath also included other emotions and psychological reactions he must have had. The old registration lists were annulled.\textsuperscript{68}

Brownlow was greatly pleased. Only in Tennessee, throughout all the former Confederacy, did he see Union men in control and Rebels disfranchised. President Johnson had been careless in his reconstruction rules and had allowed Rebels to vote; Brownlow had done differently.

The Brownlow minority had riveted the yoke on the necks of the Confederates in Tennessee, but there were others against whom it felt equally as bitter. On them its laws could have no effect, but it would not forego passing joint resolutions against them. A few days after dealing with its own Rebels it called for the death penalty to be assessed against Jefferson Davis, James M. Mason, R. M. T. Hunter, Robert Toombs, Howell Cobb, Judah P. Benjamin, John Slidell, Robert E. Lee, and John C. Breckinridge, and recommended that they should be "held as infamous forever."\textsuperscript{69}

Disfranchising the Rebels did not completely solve the difficulties in the position of the Brownlow minority. A year of Brownlow had sadly defaced the solid front of the Union party and there had already begun to crumble away a respectable number of Conservatives. In casting about for accretions, the immigrants, Northern and foreign, readily suggested themselves. Brownlow believed that Northerners would naturally sympathize with his party and that foreigners could be made quickly to learn who their friends were. A considerable number of Federal soldiers had remained in Tennessee after the war and others freshly mustered out of the army were looking for a place in which to begin life. Brownlow spread the news throughout the North that East Tennessee was "the Eldorado of the late revolted South," and soon he was getting so many inquiries that he printed in reply a form letter, in which he described the

\textsuperscript{68}Ibid.; Fertig, \textit{op cit.}, p. 73; \textit{Ku Klux Conspiracy}, I, 421; McPherson, \textit{History of Reconstruction}, pp. 27-28; \textit{Noted Men of the Solid South}, pp. 185-86. This law was tested in the State Supreme Court, and held constitutional.

\textsuperscript{69}Acts of Tennessee, 1865-66, pp. 450-51.
pleasures and profits that came to those wise enough and fortunate enough to live in East Tennessee.\textsuperscript{70}

In keeping with the movement common throughout the South to secure foreign immigrants, he set up an immigration bureau in his government and put at the head Hermann Bokum, a German. The Parson was partial to the Germans and the Swiss and made a special drive for them. In the Civil War he had come in contact with the Germans and had found them almost uniformly on the Union side. A few were already in Tennessee, and these he courted with a special fervor. In Knoxville he spoke to the Germans for an hour and a half and praised them for their fine qualities and patriotism. He made it a practice to have his message to the legislature reprinted in German and widely distributed. Of his message in October, 1865, 6,000 copies were printed in German and 15,000 in English, but of a later message, 1,000 copies were set in English and 2,000 in German—a fact which led the \textit{Messenger of Peace} to make the pointed inquiry: "Are Americans in a minority in Tennessee?"\textsuperscript{71}

Tennessee never acquired a very large number of foreigners, though she gave them the right to vote before they should become citizens. Brownlow had greater success in inducing Northern immigrants, though he was much disappointed in some of them after they arrived. Many of them in failing to follow his leadership in politics won from him harsh words. The \textit{Whig} declared, "For those Northern sneaks who turn Southern men after fighting three or four years on the Federal side, no party ought for a moment to entertain a particle of respect."\textsuperscript{72} Brownlow said he would welcome to Tennessee all Northern men who favored the Federal government, but "if there be one class of men in Tennessee today, meaner than another, it is that class of Northern rebels, copperheads and adventurers from the

\textsuperscript{70} \textit{Knoxville Whig and Rebel Ventilator}, January 3, November 15, 1865, June 6, 1866.

\textsuperscript{71} \textit{Knoxville Whig and Rebel Ventilator}, October 11, November 1, 15, 1865; \textit{Knoxville Whig}, April 4, August 1, 1866.

\textsuperscript{72} \textit{Knoxville Whig}, August 8, 1866. Brownlow attributed the failure of foreign immigrants to come to Tennessee to "the intolerant and proscriptive spirit of a large faction of those lately in rebellion." \textit{Ibid.}, November 7, 1866.
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North, who are in sympathy with the Rebels of the South. May God in his mercy put it into the heads of such cattle to stay away from Tennessee, and especially from East Tennessee. In the opinion of some of the Conservatives, Brownlow in his attempt to win over the Northerners, had filled the offices with them to the exclusion of many capable Tennesseans. Among the foremost was his private secretary, H. H. Thomas, who during many days while Brownlow was sick, acted in almost the full capacity of governor. A. J. Fletcher, the secretary of state, publicly condemned Brownlow for his outrageous courting of Northerners by putting them into office. He declared, "We have put them on the bench and made them Attorneys General. Some of them are very shrewd in the pursuit of office." To one of them Brownlow had given a commission for an office not yet vacant "long before he was eligible, and a life time before he had any fitness for the office."

There was another element in the population of Tennessee which gave Brownlow concern—slaves in the ante-bellum days, now the freedmen. He had had an inherent antipathy toward Negroes in any other position in life than slavery. Toward them now as freedmen he found it difficult to change his old attitude. Largely out of respect for him and Andrew Johnson, Lincoln had not included Tennessee in his Emancipation Proclamation, though this state by every test should have naturally come within its effect. Out of the burning fire of Unionism and from a sense of expediency, Brownlow had favored the abolition of slavery in the convention of January, 1865. Likewise he was impelled to advise his first legislature to ratify the Thirteenth Amendment. But he had much the same attitude toward the freedmen that Lincoln had; they should be got out of the way. Brownlow would have them colonized in some Southern clime where they might do their own governing. As a just punishment to the Rebels, he would not object to having one of the former Confederate states confiscated and turned over to the Negroes—a movement which at the moment was being started.

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73 Knoxville Whig and Rebel Ventilator, September 13, 1865.
74 Knoxville Whig, October 2, 1867.
by Dominican carpetbaggers for Louisiana. Brownlow was certain no more should be allowed to come into Tennessee.

When the Negroes got their freedom they flocked to the cities where they became a menace to peace and property. Brownlow observed them in Knoxville and was readily confirmed in his low opinion of the Negro race. The Freedmen's Bureau soon came along to protect the Negroes and to plague the whites. Brownlow declared that they refused to work since they believed that the United States owed them a living and that they should be furnished houses even if the white people should be turned out. "They fiddle and dance at night," he observed in disgust, "and lie around the stores and street corners in the daytime." And in Negro soldiers, some of whom were stationed in East Tennessee, he found a more serious disgust. They used their guns too freely and assumed a general attitude toward the whites which Brownlow could not endure. He declared that none was needed in East Tennessee and that the whites "don't propose to be shot down like dogs by men of any color, or to be run through with the bayonets at every corner of the street." Believing that the Rebels of Middle and West Tennessee had the same antipathy to them that he had, he wanted Negro troops stationed in these regions to bedevil and madden the people there. In early 1866, a Negro soldier shot and killed Lieutenant-Colonel Dyer on the streets of Knoxville and the East Tennesseans immediately lynched him in front of army headquarters. With evident approval the Whig recounted how he had been "discovered, dragged out by the infuriated populace, shot and hanged by the neck, in front of headquarters until he was dead." Soon thereafter all Federal troops were removed from East Tennessee, and this region was now free from Federal

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75 See H. C. Warmoth, War, Politics and Reconstruction, Stormy Days in Louisiana. Hinton Rowan Helper, who had stirred up a tempest in ante-bellum days in his Impending Crisis, was now advocating the banishment of the Negroes or their destruction in some other fashion. See his book Nojoque. See also Knoxville Whig and Rebel Ventilator, August 23, 1865; Acts of Tennessee, 1865, p. 5. 76 American Annual Cyclopaedia, 1865, p. 781. 77 Ibid., September 27, 1865. 78 Ibid., February 14, 21, 1866.
soldiers for the first time since Burnside had captured Knoxville.\textsuperscript{80}

From the first days of their freedom the Negroes began to develop ambitions for a participation in the government. They made a friendly gesture toward Brownlow on the eve of his departure for Nashville to assume the governorship. Through Horace Maynard they presented him with a gold watch.\textsuperscript{81} Soon thereafter the Tennessee Negroes petitioned the legislature for the right to vote. The most that body would do was to print 500 copies of the petition.\textsuperscript{82} As gifts and petitions seemed to have no effect, the Negroes next held a convention in Nashville on August 7 and 8 to awe the lawmakers and to stir up public sentiment for Negro suffrage. They resolved that they were opposed to the admission of the Tennessee Congressmen at Washington until the legislature acted on their petition.\textsuperscript{83}

The thoughts of Negro suffrage did violence to Brownlow's whole past. He hated to think on the subject. If the country was not ridded of them by colonization, he believed most of them would soon die out. In June, 1865, it was his belief that "Idle-ness, starvation, and disease, will remove a majority of the Negroes in this generation." The better class he thought would go to work, and, perhaps, they might be allowed to vote "on the ground that a loyal Negro is more worthy than a disloyal white man."\textsuperscript{84} During the summer and fall Thaddeus Stevens, Salmon P. Chase, and other Northerners whom Brownlow thought he could not afford to displease began advocating Negro suffrage. Sumner informed President Johnson that he was disappointed in Brownlow's attitude and believed that the President ought to interfere.\textsuperscript{85} So it happened that in his message to the legislature in October, 1865, Brownlow took a somewhat more liberal attitude toward the Negro, but nevertheless a belabored, grudging one. He pleaded again a natural prejudice

\textsuperscript{80} Ibid., March 7, 1866.
\textsuperscript{81} Ibid., March 29, 1865.
\textsuperscript{82} American Annual Cyclopaedia, 1865, pp. 778-79.
\textsuperscript{83} Ibid., 780-81; Knoxville Whig and Rebel Ventilator, August 23, 1865.
\textsuperscript{84} Ibid., June 28, 1865.
\textsuperscript{85} Milton, \textit{op. cit.}, p. 178.
against Negroes, but thought eventually the most intelligent might be allowed to vote; but the ballot box should not be opened to "the uninformed and exceedingly stupid slaves of the Southern cotton, rice and sugar fields." He feared they would be controlled by their former masters for years to come. With an air of impatience he met outside suggestions: When the loyal people of Tennessee thought the Negroes should have the suffrage, they would get it "and not before." And when the time came, it would be the state and not the national government that should give it to them. He was, however, willing that the Negroes should be given certain civil rights immediately—a promise of the very same development which was taking place in some of the Johnson reconstructed states in their Black Codes. 86

On January 25, 1866, long after both South Carolina and Mississippi had conferred certain civil rights on their Negroes, Tennessee made the Negro a competent witness in the state courts to the same extent that Congress allowed him to testify in the Federal courts; and not until May 26, 1866, was he given full civil rights, except that he might not serve on juries or attend the same schools as the whites. As soon as this action was taken the Freedmen's Bureau abolished its troublesome courts in the state. 87

Brownlow had no enthusiasm for this legislation but he felt that it was necessary to relieve the outside pressure. East Tennesseans, generally, felt no responsibility toward the outside; for a hundred years they had looked upon the Negro with contempt as belonging to a lower order of life; it was now too late for them to change their views. The Negro testimony law had been pushed through, because the legislature felt that only by so doing could they get the Freedmen's Bureau out of the state. But most of the East Tennessee members were uncompromising to the last; only eight of them voted for the law. 88

87 Noted Men of the Solid South, p. 185.
88 Knoxville Whig and Rebel Ventilator, December 27, 1865, January 31, 1866.
The Negroes believed Brownlow was their friend, and the Governor did not object. February 22, 1866, several thousand of them gathered in front of his lodging house in Nashville to greet him. Pleading that he was too sick to make them a speech, he told them that they had “a right to form processions, to march to the music of LIBERTY, to throw the star spangled banner to the breeze, to wear your emblems and badges, and wear them proudly.”

The situation held forth possibilities. Perhaps sometime Brownlow would find it necessary to call in the Negroes as allies to be added to the immigrants in ruling Tennessee and holding in subjection a chafing set of Rebels becoming more dangerous the longer they reflected on their degradation.

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89 *Knoxville Whig*, March 7, 1866.