

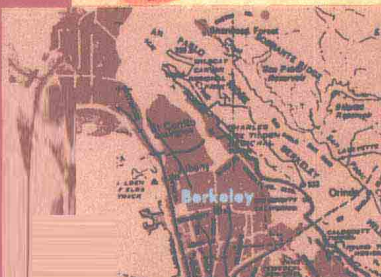
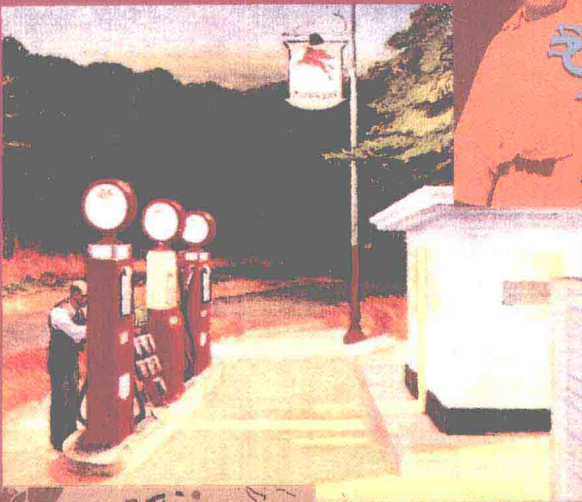
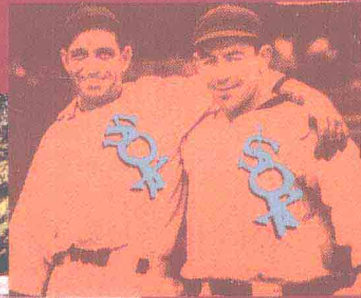
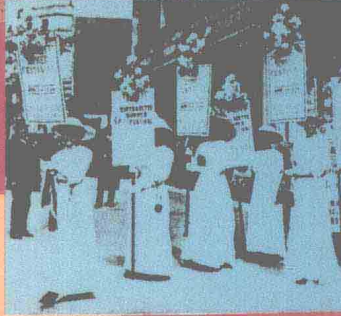
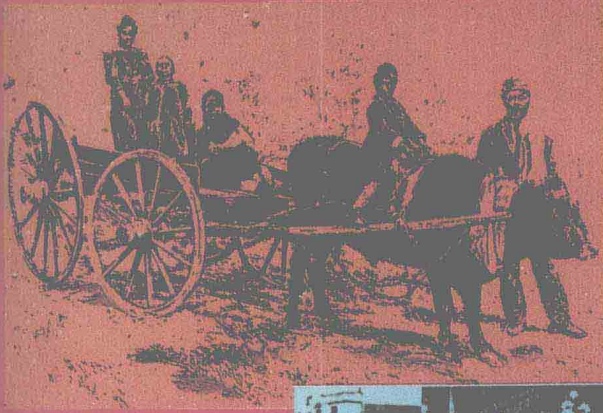
# TRUE STORIES

*from the*

# AMERICAN PAST

EDITED BY

William Graebner



# TRUE STORIES from the American Past

EDITED BY  
WILLIAM GRAEBNER

STATE UNIVERSITY OF NEW YORK  
COLLEGE AT FREDONIA

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# PREFACE

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*True Stories* is a special kind of reader. It consists of fifteen stories, each thoroughly researched and impeccably crafted by scholars who are authorities in their respective fields. Each story deals with a significant and compelling episode in the history of the United States since the Civil War. Every decade of that history is represented by at least one story.

In selecting the stories, I have been moved by the sense that the American past is too rich and varied to be bound and contained by the traditional and comfortable narratives with which most historians are conversant. Nonetheless, some of our stories—the story of the nation’s imperial adventure in the Philippines, or the account of Francis Townsend’s confrontation with Franklin D. Roosevelt’s New Dealers over pensions for the aged—will be generally familiar to instructors, if not students. Other episodes, including the opening of Disneyland, the rock concerts at Woodstock and Altamont, and the Bernhard Goetz subway shooting, will have resonance for many Americans, yet are receiving their first serious historical treatment in this book. Still others—the story of the debate over an early artificial insemination, and the sex crime panic of the 1940s, concern issues and incidents that are not even mentioned in survey textbooks. I hope readers will appreciate the remarkable diversity of *True Stories*.

Together, the stories cover a wide variety of fields of historical inquiry, many of them new to the study of history in the last two or three decades. These include popular culture; the history of medicine, sexuality; rural life; youth culture; women’s history; the history of African-Americans; crime and violence; the aged; urban history; and the history of science and technology. Most important, each episode was selected because it promised to make, well, a good story.

Why use stories to study and learn history? The idea is not as unusual as it might seem. We live in a culture steeped in stories: the myths of ancient Greece, Biblical narratives, bedtime stories, fairy tales, newspaper accounts, Hollywood epics, neighborhood rumors, one’s personal account of the day’s events after a hard day at school or at the office. Even the standard history textbooks are essentially stories—longer, more general, more familiar, and more generally accepted stories than the ones found in this book—but stories, just the same.

The accounts that make up *True Stories* are obviously not myths, or fairy tales, or rumors. They are a certain kind of story that we easily recognize as

“history.” Indeed, history might be understood as a set of analytical stories about the past whose authors think are “true.” When we read an historical account, we expect it to be balanced, to be based on historical research and “facts,” and to show respect for the past; by these standards, the stories in *True Stories* certainly qualify as history. But it is not quite the history one finds in a history textbook. *True Stories* features people who live and act in specific places and times and in precise historical circumstances. Its flesh and blood protagonists—some of them resembling mythic heroes or antiheroes—build bridges, march in parades, take money to throw baseball games, justify the marketing of hazardous substances, shoot people on the subway, speak from the big stage at the Woodstock Music & Art Fair—or, in one incredible case, artificially impregnate a woman without her knowledge. In short, one function of any story—and one purpose of *True Stories*—is to put people, and people’s deeds, back into history.

There is another lesson to be learned from these stories, one that has to do with what a story is. Although the stories presented here often involve individuals acting in specific situations, they have significance that goes far beyond the setting or the actors. The people in *True Stories* (indeed, all of us) inevitably live their lives on the stage of history. The things that they do—even the odd, eccentric, or criminal things—are ultimately historical deeds, carried out within the economic, political, social, and cultural frameworks of a particular historical era. Therefore, a good story provides the insights of the traditional textbook, though in a very different form.

Sometimes it can be difficult to see the connections between a story and history, between the text and its context. When one sees a movie, or watches the 11 o’clock television news, one does not easily or automatically think of these “stories” as part of history; and making the connections between a specific event and the larger past can be more difficult when the event occurred decades ago. To help students make these connections, and to see the need for making them, each episode concludes with an interpretive section that pulls together the themes in the story and links the story proper with some larger and familiar historical context. For example, the epic hill-country feud between the Hatfields and the McCoys in the 1880s emerges as a product of industrialization and urbanization; and the Iranian hostage crisis that began in 1979 is shaped as a moment in America’s decline as a world economic and political power.

Each episode, then, has two distinct parts. The first part is the narrated story. Our goal was to keep this story section as free as possible from analysis and interpretation, in the hope that students would fashion their own perspectives once freed, if only relatively and momentarily, from the learned authority of the historian. The second part of the episode is a shorter interpretive conclusion, where the authors have been given free reign to bring their considerable analytical skills to bear on the body of the story.

As students and instructors will discover, the attempt to separate narrative and interpretation has been only moderately successful. Even the most rudimentary collections of “facts” and the simplest narratives begin with preconceptions, proceed from moral and ethical premises, and imply interpretive frame-



works. So do our “true stories.” Despite our efforts to put these elements in the background, they inevitably appear in the stories. Indeed, one purpose of the collection is to draw attention to the inescapable subjectivity of historians. Nonetheless, we also believe that the effort made here to separate narrative and analysis can assist students in generating their own readings of the past and, by doing so, in becoming active participants in the complex process of understanding and creating their own history.

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*William Graebner*

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# THE SOUTH CAROLINA BLACK CODE

WAYNE K. DURRILL

*In December 1865, South Carolina's all-white legislature passed a series of four acts known as the Black Code. Although the Code was almost immediately declared null and void by the commander of the Union military troops stationed in the region (8 months after the Civil War had ended), the Code was a landmark in the transition from a political, economic, and social system based on the enslavement of black people to one based only on their exploitation.*

*As Wayne K. Durrill's account of the origins of this document reveals, the South Carolina Black Code was a complex and sometimes contradictory law, the provisions of which reflected the disparate desires of the state's low-country planters, upcountry yeoman farmers, and merchants. These groups disagreed on the most basic issues—whether, for example, black people should vote, or own property, or be required by law to labor for others.*

*Because South Carolina's former slaves or "freedmen" could not vote and were not directly represented in the deliberations, they had much less influence over the final product than the various white constituencies. Yet they did have a voice, and they made it heard. From the summer of 1865 through the end of the year, the state's emerging black leaders reinterpreted the meaning of emancipation for their black audiences, challenged the racist assumptions that underpinned the arguments for legal control of the black population, and, in November, came together in a convention that demanded the right to vote and objected to the very idea of a separate code governing the rights and obligations of the state's black people. Most of all, they proclaimed the right of freedmen to a measure of economic independence: to own and farm land or, at the very least, to receive a share of the crop in return for tilling land owned by others.*

*The story of South Carolina's Black Code is partly the story of war, and of the dislocations and the social and political readjustments that followed inevitably from it. During the Reconstruction era, South Carolina's blacks retained and amplified the public voice they had found in the summer of 1865. Under laws pushed through the United States Congress by the Radical Republicans, they voted, held political office, and, in 1868, formed a majority in the legislature that wrote a new constitution for the state. Despite the violence and intimidation practiced by the Ku Klux Klan and other organizations, blacks played a major role in South Carolina government until 1876,*

*when the withdrawal of Northern soldiers made it unsafe for blacks to exercise their rights and effectively ended a period of experimentation and reform in race relations.*

*Yet there is another context in which to interpret the story, and it is one that involves neither war nor Reconstruction. When South Carolina's black people opposed the Black Code and scorned efforts to turn them into simple wage earners, their actions resembled and anticipated those of hundreds of thousands of nineteenth-century workers who in the following decades would lose their skills, their small businesses, their farms, and their independence to an organizational and technological revolution spearheaded by giant corporations. For the freedman, one threat lay in the past, in a reconstitution of the ages-old system of slavery. Another—the threat of new forms of exploitation, based on wages, rents, and contracts—signaled that the future might be dangerous as well.*

By late July 1865, freedmen along the South Carolina coast had begun to wonder what this new thing—freedom—might mean. Some few thousands on the Sea Islands had gotten a taste of it during the previous 3 years. After the federal invasion of Port Royal Island in 1861, some former slaves on the cotton plantations there had divided the land among themselves, planted corn and other foodstuffs, and produced a living solely for themselves for the first time in their lives. Others not so lucky were drawn into government-sponsored cotton growing schemes that employed freedmen on large plantations for very low wages. But in the late spring of 1865 planters in South Carolina had begun to talk of returning to their plantations on the coast. What then would become of those freedmen and the crops they had just planted? On July 24, 500 or 600 freedmen on St. Helena Island gathered near an old brick church to hear a lecture given on that very question. The speaker, Martin Delany, was a major in the 104th U.S. Colored Troops, and he had been a free black man and a prominent abolitionist in the North before the Civil War. As such, he spoke with great authority when he addressed the former slaves at St. Helena Island.

Delany first informed his listeners that they were free, that slavery had been “absolutely abolished.” He did not, however, attribute that fact to Abraham Lincoln and his Emancipation Proclamation issued in January 1863. Delany declared instead that emancipation “was only a War policy of the Government . . . knowing that the whole power of the South laid in the possession of the Slaves.” Speaking as a black man (but not as a former slave), he went on to argue that “we would not have become free, had we not armed ourselves and fought out our independence.” So important did he think this point that Delany repeated the sentence twice. In doing so, he laid claim to full citizenship for all black people in the United States. Many black men, after all, had given their lives to preserve the nation. And from that claim would flow a program to secure for freedmen in South Carolina all the rights due to any citizen.

Delany began with the question of how the economic rights of freedmen might be secured during the next few years. By June 1865, planters in South Carolina already had argued that freedmen were too lazy to work and, as Delany told the crowd, “have not the intelligence to get on for yourselves without

being guided and driven to the work by overseers.” “I say it is a lie, and a blasphemous lie,” Delany exclaimed, “and I will prove it to be so.” With that he launched into a lengthy account of slavery in the United States, showing that white men had turned to Africans for labor because the latter could stand work that Indians could not. From this Delany concluded that black people in America had always worked, otherwise whites would never have taken the trouble and expense to enslave them in the first place. Hence, there was no reason to believe that they would not work in the future.

But work for whom? Delany’s answer: For themselves. “Get a community and get all the lands you can—if you cannot get any singly,” Delany told the freedmen. “Grow as much vegetables etc., as you want for your families; on the other part of land you cultivate Rice and Cotton.” In other words, freedmen should strive to become independent yeoman farmers who depended on their own labor to produce a subsistence and some surplus crops for sale in distant markets. The advantage lay in the fact that such farmers depended on no one else—including their former masters. They required no credit, accumulated no debt, and thereby retained their economic independence. Recognizing that not all freedmen would possess the financial resources to purchase land immediately, Delany said that those who had neither the money nor an opportunity to buy



**After the Civil War**, freedpeople in South Carolina attempted to establish themselves as independent farmers. The first step, even before renting or buying land, was to acquire two basic farming tools—an ox for plowing and a wagon for hauling the crop to market. (South Caroliniana Library, University of South Carolina)

or rent land should work for a portion of the crop. He informed the freedmen at St. Helena Island that the federal government had decided that "you shall have one third of the produce of the crops from your employer, so if he makes \$3, you will have to get \$1 out of it for your labour."

In making these proposals, Delany advocated self-reliance as the means to achieve economic independence. By contrast, he warned, freedmen who agreed to work for planters for wages would forfeit all chance to chart their own economic destiny. "Now I look around me," Delany told his audience, "and I notice a man, barefooted and covered with rags and dirt. Now I ask, what is that man doing, for whom is he working. I hear that he works for that and that farmer for 30 cents a day. I tell you that must not be. That would be cursed slavery over again. I will not have it, the Government will not have it. . . . I tell you slavery is over, and shall never return again."

After Delany concluded his speech, the "excitement" of the crowd "was immense," according to one observer. Groups formed to talk over what they had heard, and "ever and anon cheers were given to some particular sentences of the speech." One freedman commented: "That is the only man who ever told [us] the truth." Another vowed that the freedmen on St. Helena Island would "get rid of the Yankee employer"—men who had contracted with the federal government to raise cotton on abandoned plantations during the war. And one black man concluded that, in the future, planters would "have to work themselves or starve or leave the country—we will not work for them anymore."

This was exactly what South Carolina planters had feared would happen should the Confederacy be defeated. Some few planters who happened to be present at the meeting of freedmen "listened with horror depicted in their faces, to the whole performance," according to an army officer on the scene. "What shall become of us now?" the planters wondered, "if such a speech should be again given to those men, there will be open rebellion."

But there were other troubled listeners as well. Col. C. H. Howard, a post commander in the 128th U.S. Colored Troops, had sent two observers to report on Delany's speech. One of the men described Delany as "a thorough hater of the White race [who] tries the colored people unnecessarily," and was especially critical of Delany's "advising them not to work for any man, but for themselves." This statement contradicted what the observer believed to be government policy: "that all the [freed]men should be employed by their former masters as far as possible." He also worried that Delany had encouraged freedmen to act by force, if necessary, to preserve control over their own labor. "The mention of having two hundred thousand [black] men [in the U.S. Colored Troops] well drilled in arms—does he not hint to them what to do? if they should be compelled to work for employers."

This single meeting at St. Helena Island exemplified a debate that had emerged throughout South Carolina in July of 1865, a debate out of which would come the infamous Black Code. With slavery destroyed would black people in the South ever work for planters again? Or would freedmen gain access to land and become independent yeoman farmers? If so, the large plantations might break up and be replaced with tenant farms, and planters would become

landlords, if they managed to hold on to their land at all. Or from the merchants' point of view: Would black people simply grow a subsistence crop of corn and hogs and cease to produce a cash crop such as cotton or rice entirely, as some had done on the rice islands during the war? If so, South Carolina's largest merchants would go broke. There would be no cotton for them to buy, insure, ship to New York, and sell for enormous profits as there had been before the war. Moreover, freedmen who ceased to produce a significant cash crop would have no money on hand to buy cloth and shoes from Northern factories. They would begin to produce those goods at home and the merchants' import trade would falter.

In the summer of 1865, it fell to the Union army to mediate the differences among planters, merchants, and freedmen, and that arrangement favored the former slaves at first. In May, General Quincy A. Gilmore, the federal commander at Hilton Head, had arrested the Confederate governor, disbanded the civil courts, and divided the state into nine military subdistricts with garrisons in each, although the Union troops, in fact, were spread thinly and unevenly. Many of the soldiers were black and, as the army mustered out white troops in June and July, some places were garrisoned entirely by black soldiers. At about the same time, Gilmore also established a network of provost courts wherever his troops were stationed. During the war, trials in these tribunals had ordinarily focused on infractions of military discipline by soldiers. But beginning in July of 1865 the provost courts also tried cases involving planters and freedmen, the charge usually being breach of contract by a planter. Freedmen living in communities supplied with black troops and provost courts had powerful friends to call on in their disputes with local planters.

Because South Carolina remained under martial law for several months, Union commanders also had no choice but to make the laws by which free labor would replace slavery. In March, General Rufus Saxton had issued the first general regulations governing the labor of freedmen. In his Circular No. 3, Saxton directed that "in making contracts with the freedmen to cultivate upon shares, the employer can make no claim to any of the crops except the cotton," and he could take only half of that. Moreover, the freedmen were "to be allowed the whole corn and vegetable crop they raise, for their own support, and no contract will be held valid that does not conform to this requirement."

These regulations were further strengthened by General Oliver O. Howard, who was Commissioner of the Freedmen's Bureau which had been established in March 1865 to distribute clothing, food, and fuel to freedmen and white refugees made destitute by the war. In late May, Howard directed from Washington that freedmen "must be free to choose their own employers, and be paid for their labor." He further required that all labor contracts be entered into freely and in good faith by both parties, and be approved by officers in the Union army or Bureau. To ensure enforcement of these contracts, Howard authorized Freedmen's Bureau agents to adjudicate all differences between employers and employees in places where local courts did not exist or where the courts failed to recognize the testimony of freedmen.

Despite such rules, planters and freedmen often disagreed. Consider, for

example, the contract signed in late June 1865 by S. D. Doar and sixty-five of his former slaves on Fairfield plantation located near Charleston. The document committed the freedmen "to attend & cultivate" the lands on the plantation until December 31, 1865, "according to the usual system of planting rice & provision lands, and to conform to all reasonable rules & regulations as may be prescribed" by Doar. Doar reserved the "power to order & arrange the kind of business to be done & insist upon its faithful performance" and the right to dock any freedmen's pay for damage to tools or equipment. In return, the planter promised to compensate the freedmen with "half of the crop raised after having deducted the seed of rice, corn, peas & potatoes." Should any freed man or woman fail to "agree to the terms of this contract or breaks said terms," the planter could evict them from the plantation, thus rendering them both jobless and homeless. Not surprisingly, the army officer who witnessed the contract noted: "More trouble on this place than any other on the river."

Another officer, C. C. Bowen, who later investigated conditions on Doar's plantation, voiced "several serious objections" to the terms of this contract. According to Bowen, Doar claimed that the contract empowered him to send the freedmen "into the woods to cut wood . . . or into the rice fields to ditch, but they are paid nothing for their work, nor are they fed while performing it." Moreover, the planter insisted "that the freedmen must thresh out the old crop of rice which was made on the plantation when they were slaves, and put it on board of boats or flats for the owner to send to market. All this labor," the officer concluded, "is of no benefit to the freedman. He gets nothing for performing it, and has to furnish his own provisions or go without." It was, however, the clause requiring the freedmen to "conform to all reasonable rules & regulations" as prescribed by Doar that caused the most trouble. "It makes no difference," wrote Bowen, "how much they are abused, they cannot leave without permission from the owner." If they did leave, "it is claimed they have violated their contract and forfeited their share of the crop. Several cases of this kind have already arisen," Bowen explained.

In the South Carolina upcountry, planters exercised an even freer hand with freedmen because the Union army had stationed few troops there. In July 1865, for example, William Turns proposed to the freedmen working on his plantation in the Pendleton District that they "sign a contract for their lifetime," according to a Freedmen's Bureau agent there. When Robert Perry and his pregnant wife, Laura Perry, refused, along with all of the other freedmen, Turns drove them off the plantation "without food, or any compensation for their labor upon his crop." At that point, the Perrys and two other freedmen named Novel and Richard set out for Columbia. After walking about 25 miles, they were "overtaken" by two white men named Jolly and Dickenson who had followed them on horseback. Each carried a gun and had been sent by Turns to force the freedmen back to the plantation. The white men asked the freedmen where they were going and, after they had answered, Jolly and Dickenson tied Robert Perry and Novel "hands and feet to a tree . . . leaving the third to hold their horses." The white men shot and killed Perry and Novel, at which point Richard "ran to a creek some twenty yards distant, plunged in, [and] was



shot at by Jolly, but succeeded in making his escape.” Jolly and Dickenson “then took Laura, stripped her bare, gave her fifty lashes upon the bare back and then compelled her to walk back” to Turns’s plantation. There, Turns rewarded Jolly and Dickenson “by giving them twenty yards of cloth, three bushels of clean rice, two bushels of salt and a government wagon.” Laura, on the other hand, fared more poorly. Turns “put her at the plow by day and confined her in the dark house by night, for one week giving her nothing to eat.”

But coercion through violence was a risky business for planters. It invited intervention by the Union army or retaliation in kind from freedmen. Indeed, planters in South Carolina firmly believed during the fall of 1865 that the state’s freedmen had just such violence in mind. As the governor put it in a letter to the Union commander at Charleston, “There is an apprehension felt in many sections of the State that there will be some insurrectionary movement on the part of the colored people who were lately slaves.” Planters expected freedmen to attempt to “drive off or murder the whites with a view to possess themselves of the lands and stock of the whites.” In fact, fears of an insurrection proved groundless; freedmen engaged in no violent activity at all during the Christmas holidays in 1865.

But the possibility of pitched battles did exist during the division of crops and negotiation of contracts. Therefore, in the fall of 1865 planters in South Carolina sought to bring the power of the state to bear on the conflict over labor. They hoped that new laws governing freedmen—a Black Code—might compel them to work, laws that might be enforced by civilian courts dominated by planters themselves. But new laws could not be put on the books until the South Carolina civil government had been restored, and the current military regime disbanded. Hence, in early June 1865 a self-appointed delegation of ten planters and merchants from Charleston made their way to Washington, D.C. There they met with President Andrew Johnson and convinced him to appoint a provisional governor for South Carolina and to specify the conditions under which the state might be readmitted to the Union.

Johnson, who had risen to political power as a young man with the votes of yeoman farmers in east Tennessee, favored the early readmission of South Carolina, but only under conditions that would shift power in the state from low-country planters and merchants to yeoman farmers in the upcountry. The latter, he thought, would more likely support the Union as many had before the war and, Johnson hoped, the Republican party that he headed. To produce this dramatic shift in political power, Johnson directed Benjamin F. Perry, the provisional governor he appointed, to arrange a state convention that would rewrite South Carolina’s constitution.

Meanwhile, Governor Perry attempted to undercut the Union army’s power to intervene between planters and freedmen. In August, he met in Columbia with General Gilmore, by then military governor of the state, and General George Meade, commander of Union forces in the Atlantic states. The three men negotiated two questions crucial to the disposition of the labor of freedmen. Perry first requested that the army’s provost courts be abolished on the grounds that the officers serving as judges were incompetent in matters of