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Author(s): Theodore L. Gross

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By THEODORE L. GROSS

## The Fool's Errand of Albion W. Tourgée

IN JUNE OF 1865, Albion Winegar Tourgée, then twenty-seven years old, wrote a long letter to the provisional governor of North Carolina, William W. Holden, requesting information for one “desirous of moving to the Old North State.” A Northern veteran of the Civil War who was just beginning his career in law, he wondered about the economic and social conditions of the South; he wondered whether a Union man would be welcomed by his former enemy. Holden assured him that there was “nothing in the feeling of the loyal people of this state which would make it unpleasant for northern labor to come into our midst.”<sup>1</sup> These remarks were deceptive, for Holden did not indicate the great hostility a Radical Republican from the North would encounter in North Carolina, and Tourgée assumed, as he wrote later, that “manufactures [would] spring up, immigration [would] pour in, and it [would] be just the pleasantest part of the country.”<sup>2</sup> In July, 1865, Tourgée left his home in Ashtabula, Ohio, and traveled throughout North Carolina, seeking a home. He finally selected Greensboro because of the opportunity to engage in a nursery business as well as in his regular profession of lawyer.<sup>3</sup>

The impetuous Tourgée, eager to rise both politically and financially, soon established himself as one of the most controversial figures ever to live in North Carolina, a carpetbag-lawyer who intended to help the freedman obtain justice in the South. Like many Radicals, he felt himself on an “errand” of enlightenment; he intended to help establish racial equality in the “poor, misguided and mismanaged South,” to “loose” Southerners “from the slough of ignorance and prejudice.” Tourgée realized “that the advocacy of Union principles; or, if you prefer the word, radical principles, is anything but a popular movement in any part of the South,” but it was what he had “enlisted for”;<sup>4</sup> he considered himself an “unflinching champion of true and absolute Republicanism,” and those “hundreds of North Carolinians” who were his supporters were to be “regarded as the forlorn hope of true Republicanism

<sup>1</sup> W. W. Holden to Tourgée, June 16, 1865. All letters, speeches, and other unpublished material quoted in this essay are to be found in the Tourgée manuscripts, The Chautauqua County Historical Museum, Westfield, Chautauqua County, New York.

<sup>2</sup> Albion W. Tourgée, *A Fool's Errand* (New York, 1879), p. 3.

<sup>3</sup> Roy F. Dibble, *Albion W. Tourgee* (New York, 1921), pp. 34-5.

<sup>4</sup> *The Union Register*, January 3, 1867. Tourgée was editor of this newspaper from January 3, 1867 to June 14, 1867.

in the state.”<sup>5</sup> Consequently, he was confronted with the immediate resistance of the majority of Southern whites who did not seek advice from intruding carpetbaggers.

Tourgée not only opposed the Conservatives in newspaper writings and speeches but also criticized many Southern Republicans whose politics, he felt, were not radical or consistent enough. These Republicans — native North Carolinians like W. W. Holden, Thomas Settle, Robert P. Dick, James H. Harris — had been members of the peace movement during the War and had advocated at that time an end to hostilities and a championing of the Union.<sup>6</sup> Tourgée claimed that “*the act of rebellion disfranchised all who participated in it voluntarily*,” and went on to say that only “loyal officials elected by local constituents” should be tolerated.<sup>7</sup> Such a proposal, which would have prevented many Republicans from holding political office, was attacked by members of Holden’s Union party. Tourgée refused to recognize that Southern Republicans had to submit to the dominance of the Conservatives during the War and that many of them now realized the difficulties involved in urging immediate and complete suffrage for the Negro. Holden tried to pacify Tourgée, paying tribute to “our friends of the *Union Register*” and saying that Tourgée “was very popular with the Unionists and will wield a strong influence in the Western portion of this state.”<sup>8</sup>

But Tourgée would not be mollified. He attacked the moderate position of the Union party, claiming that he was “against rebel hope, rebel ambition, and Confederate resurrection”<sup>9</sup> and that he was in favor of making the Southern States territories until the completion of Reconstruction.<sup>10</sup> Moreover, he warned the Negroes in Holden’s Union party, writing in April, 1867, “To the real, life-long friend of the colored people, to the believers in equality, and the life-long abolitionist, this does not *all* bode good”; he went on to tell Negroes to “shrink from their [Holdenites’] caress.”<sup>11</sup>

Tourgée was accused by Southern Unionists of splitting the Republican party in North Carolina. Certainly he was naïve in using a war-time allegiance to the Confederacy as a test for post-war loyalty to the Union. He revived the dead issues of secession and war, fearful that the Union party would control and misdirect the Negro and Unionist voters; but he underestimated the political solidarity of Union party members and their support of both Unionism and reform. In later years

<sup>5</sup> *Ibid.*, June 14, 1867.

<sup>6</sup> Horace W. Raper, “William W. Holden and the Peace Movement in North Carolina,” *The North Carolina Historical Review*, XXXI (October, 1954), 493-516, *passim*; Georgia Lee Tatum, *Disloyalty in the Confederacy* (Chapel Hill, 1934), pp. 111-15, 128-33.

<sup>7</sup> Quoted in *Raleigh Daily Sentinel*, April 29, 1867.

<sup>8</sup> *Raleigh Daily North Carolina Standard*, January 12, February 15, 1867.

<sup>9</sup> *Raleigh Daily Sentinel*, February 12, 1867.

<sup>10</sup> *The Greensboro Patriot*, December 11, 1867.

<sup>11</sup> *Raleigh Daily Sentinel*, April 12, 1867.

most of the Holdenites became the most faithful and prominent members of the Republican party, and Tourgée himself admired them.

Most of the extreme Radical Republicans who allied themselves with Tourgée — men like Wilson Carey, Harmon Unthank, Wyatt Outlaw, J. W. Stephens, W. A. Allbright, G. W. Welker, and David Hodgin — had little education, wealth, or political experience. Consequently, Tourgée, with his education, was able to assert himself as a leader of this faction. In 1866, he helped to organize the Loyal Reconstruction League “in Guilford, Alamance, and the adjoining counties,”<sup>12</sup> and it was his work with this pro-Negro group that had originally aroused the ire of North Carolinians. When W. W. Holden was proposed as “Grand President of the ULA [Union League of America] for the State of North Carolina” in March of 1867, Tourgée objected, feeling that Holden was untrustworthy and not Unionist enough. Tourgée declined to unite his local group with the Union League of America, but the national chief, J. M. Edmunds, in a letter dated March 3, 1867, informed him that such opposition was not politically advisable: “We cannot stand upon personal objections in this contest and if we attempt it, we shall find few men to whom none will object, and possibly very few who would be less objectionable than Gov Holden.”<sup>13</sup> Tourgée, who was associated with only a small group of extreme Unionists, was not powerful enough to oppose Holden, or the Republican leaders in Washington, and in April, 1867, he pledged the loyalty of his supporters and himself. Holden was appointed “Grand President of ULA for State of North Carolina” and Tourgée a “Deputy of the Grand Council of the Order for the State of North Carolina.”<sup>14</sup>

Tourgée was one of the most active and popular speech makers at League meetings, and the major message of all his speeches was that the freedman's interests were irreconcilably opposed to those of the Southern whites. At one meeting in May of 1867 he announced his support of free public schools, repeated his belief in the equality of all men, and endorsed the Reconstruction Acts.<sup>15</sup> He was often urged by other Radicals to speak before a “*great mass meeting*,” assured by them that he was able to “do more good than anybody else.”<sup>16</sup> Seemingly he cared little for his own person, and he made such vituperative attacks on national figures that one Southerner — J. M. McCorkle, a respected lawyer of Salisbury — recalled years later that Tourgée “let fly a speech at Andrew Johnson which, I reckon, made him the most hated man in all that community. He said he was worse than Catiline; that he was no

<sup>12</sup> J. G. de Roulhac Hamilton, *Reconstruction in North Carolina* (New York, 1914), p. 336.

<sup>13</sup> J. M. Edmunds to Tourgée, March 3, 1867.

<sup>14</sup> Document is dated April, 1867, and signed “Appointed by Grand Council,” Chief, J. M. Edmunds, Washington, D. C.

<sup>15</sup> *Raleigh Daily North Carolina Standard*, May 21, 23, 1867.

<sup>16</sup> J. R. Bulla to Tourgée, August 7, 1868. Bulla was the prosecutor for the courts of which Tourgée was judge.

improvement on Jefferson Davis, etc. While we listened in speechless disgust, I couldn't help admiring the persistence and pluck of the little devil." <sup>17</sup>

But Tourgée antagonized the people of North Carolina to an even greater degree when he told Northerners of the mistreatment of Negroes and Union men in his adopted state. At the Loyalist Convention, held at Philadelphia in September of 1866, he spread scurrilous, unsubstantiated rumors regarding political affairs in Guilford County and the entire state. He was the most prominent delegate from North Carolina and was particularly effective in the debate which ensued dealing with Negro suffrage. Naturally he endorsed the vote for the Negro, claiming that it was necessary to protect not only the freedman, but the Union as well. At this time he said that he was the representative of two thousand Union men in North Carolina and claimed to be their mouthpiece; these men, he reported, "demanded two conditions: 1st. The disfranchisement of all traitors. 2nd. The enfranchisement of all loyal men." He went on to affirm that no loyal man was safe in North Carolina and that "he had been lately informed 'by a Quaker' that the bodies of fifteen negroes had been dragged out of one pond in Guilford County." He also stated that "1,200 Union soldiers who had settled in the State, had been forced to sacrifice their property and leave the State to save their lives." <sup>18</sup> But this was an obvious lie, for "at that time the military authorities were making close investigations, and no one else heard of such an incident." <sup>19</sup> Tourgée also asserted that he knew of one hundred of the

loyal men who were threatened with death if they wore the blue, [and who were] now wearing the grey. . . . Several hundred loyal men had petitioned President Johnson for redress from the rebel depredations, and the petition was referred back to the disloyal Governor of that State, and came back to the authorities of their own town. I know the intents, purposes, and feelings of those men, what they are pledged to, and their necessities. I want to ask now, not politicians or Congress, but the loyal men of the North, through their press and their pulpits to give us help ere we die. Is there no rescue for us? Shall we save the Union there? Shall we continue the rebels in power, in office, on the bench, and the Union men in the dungeon? <sup>20</sup>

Jonathan Worth, who had been elected governor in November, 1865, believed Tourgée's speech "to be a tissue of lies from beginning to end"

<sup>17</sup> *The New York Tribune*, April 4, 1881, p. 5.

<sup>18</sup> *The New York Herald*, September 8, 1866, p. 1.

<sup>19</sup> Samuel A. Court Ashe, *History of North Carolina*, II (Raleigh, 1925), 925.

<sup>20</sup> *The New York Herald*, September 8, 1866, p. 1. Tourgée was only one of many Radicals who vilified Johnson and Southern conservatives. See Howard K. Beale, *The Critical Year: A Study of Andrew Johnson and Reconstruction* (New York, 1930), pp. 269-71. Tourgée is using his "Quaker source" as a direct appeal to the residents of the Quaker city, Philadelphia; the *argumentum ad hominem* seems patent. In addition, Guilford was "the centre of the influence and strength of the Society of Friends in North Carolina"; Tourgée is also appealing to the Quakers of North Carolina. Sallie W. Stockard, *The History of Guilford County* (Knoxville, Tennessee, 1902), p. 123.

and knew that his statement referring to the petition was untrue; Worth had never received any petition from Tourgée.<sup>21</sup> In other speeches delivered in Pennsylvania, Tourgée further condemned the “uncompromising Rebels” of North Carolina. “The enemy whom we thought we had routed has merely executed a flank movement,” he claimed. In the “spirit of the South today” a “Reconstructionist [is] considered a fool”; Southerners “hate Yankees” and “kill Negroes.” Southern Unionists, he maintained, “are a political minority,” suffering “legal disabilities and persecutions.” Tourgée urged as the only possible solutions the “disfranchisement of Rebels” and the “enfranchisement of Black Unionists,” solutions which had to be put into effect immediately.<sup>22</sup>

Upon his return to Greensboro, Tourgée discovered that because of his unsubstantiated statements at the Philadelphia convention his life was in constant danger. North Carolinians were convinced of his unscrupulous behavior as a politician, and many of them sent threatening letters to him and his wife:

Greensboro, Sept., 1866

A. W. Tourgée

It is about time that your lying tong [*sic*] was stopped — and if you ever show your ugly face in Guilford County again I will take care with some of my friends that you find the bottom of that niger [*sic*] pond you have been talking so much about — I warn you never to show yourself in this county again.

In the same month another local citizen demanded Tourgée’s immediate departure from the South:

. . . You knew that what you said in that convention was fake. You knew that 1200 ex-Federal soldiers *had not* been driven from the state. You knew that 15 dead negroes had not been taken from 1 pond. You knew that Southern Loyalists and negroes are safe here provided that they behave themselves. You were suffered to insult us before you went to the convention but you will not be suffered to come back and insult us. Your stay in N. C. had better be short if you expect to breathe the vital air.<sup>23</sup>

Letters of a slightly more friendly nature were sent to Tourgée’s wife, advising her to urge her husband to be more prudent. “Even ladies (and I blush to write it) are saying that he ought to be served to a suit of tar and feathers,” one person, evidently a woman, wrote. “I was born in the South and I know the character of the Southern people. There is a class of ignorant people which has always been under the influence and designing of evil leaders and has always done their miser-

<sup>21</sup> Worth to Nereus Mendenhall, September 10, 1866, in Jonathan Worth, *The Correspondence of Jonathan Worth*, coll. and ed. J. G. de Roulhac Hamilton, 11 (Raleigh, 1909), 773. Worth goes on to specify exactly what petitions had been referred to him by the President. In a letter to the editor of *The Greensboro Patriot*, September 10, 1866, he challenged Tourgée to “vindicate his facts,” and suggested that the leading Quakers of North Carolina “disabuse themselves and the Quakers of North Carolina from endorsing Tourgée’s iniquitous lies.” Tourgée never proved his statements.

<sup>22</sup> Manuscript notes for a speech delivered in Pennsylvania, Fall of 1866.

<sup>23</sup> Anonymous letter to Tourgée, September 24, 1866.

able work.”<sup>24</sup> Tourgée paid little attention to these threats and friendly admonitions; he knew that whatever political future he could anticipate would be best advanced in the South.

The Radicals and the members of Holden's Union party in North Carolina promoted agitation whenever possible. Tourgée himself delivered many speeches in Pennsylvania and later in North Carolina. His letters of 1866 read like the documents of a young man who sees himself as one of the leaders of a great movement in history: “I have to speak almost every day and would not stop if I could,” he wrote his wife in September of that year. “I know I am doing good for the great cause.”<sup>25</sup>

In the following year, the First Reconstruction Act, sponsored by the Radical Republicans, was put into operation. The Northern attitude toward the South was defined now, and the citizens in general knew of the national policy that had been established. The basic Act of March 2, 1867, “consisted of two distinct parts: five of its six sections provided for establishment of a rigorous and comprehensive military government throughout the ten states not yet restored to the Union; while the remaining section, the fifth, declared that the restoration of the states should be effected only after re-organization, on the basis of general negro enfranchisement and limited rebel disfranchisement.”<sup>26</sup>

Holden and his Union party were satisfied with this and subsequent Reconstruction Acts; some members of his party were even enthusiastic.<sup>27</sup> Tourgée, however, felt that there was not enough federal control of the states, that those Republicans in North Carolina who were to enforce the measures suffered, as he said in *Bricks Without Straw*, from “ignorance and poverty” as opposed to Conservatives who had “intelligence, wealth, and pride.”<sup>28</sup> The federal government had compelled the South to accept emancipation; similarly, Tourgée maintained, it should have forced the South to accept the civil and political equality of the Negro. Tourgée was not opposed to the Reconstruction Acts in principle; he felt that, practically, they would not succeed so long as any control was left in the hands of the states. He objected to all those “who accept the terms on which the nation gave re-established and greatly-increased power to the states of the South.”<sup>29</sup> Faced with a choice between Conservatives and Republicans, Tourgée naturally associated himself with the latter political group. Nevertheless, he continued to distrust Holden; he felt himself, as a consistent Unionist, entitled to take

<sup>24</sup> Anonymous letter to Tourgée's wife, October 16, 1866.

<sup>25</sup> Tourgée to his wife, September 16, 1866.

<sup>26</sup> William Archibald Dunning, *Reconstruction Political and Economic* (New York, 1907), p. 93.

<sup>27</sup> See letter written to Thaddeus Stevens by W. F. Henderson, H. Adams, George Kinney, P. A. Long, George Riley, in James A. Padgett, “Reconstruction Letters from North Carolina,” *The North Carolina Historical Review*, XXI (July, 1944), 242-44.

<sup>28</sup> Tourgée, *Bricks Without Straw* (New York, 1880), p. 400.

<sup>29</sup> *Ibid.*

a leading role in the new federal program and resented the position of leadership that Holden and his Union party assumed. Although he continued to criticize Holden privately — and only once openly — from June, 1867, until his departure from the South, Tourgée was Holden's political ally. As a Republican, he really had no choice at all; Holden was the leader of the Republicans, and Tourgée knew that if he wanted a political life in North Carolina he would have to ally himself with Holden.

United now with the dominant group of Republicans in the state, Tourgée became an earnest advocate of many reform measures. His active support of Republicanism is vividly borne out by his activities at the North Carolina State Convention held in Raleigh in 1868, where he was probably the most influential man in the proceedings of the convention.<sup>30</sup>

The chief function of the convention, which met on January 14, 1868, was to frame a constitution. The delegates included thirteen Conservatives, one hundred and seven Republicans (of whom sixteen were carpetbaggers) and thirteen Negroes; since the Republicans controlled the convention, they had the opportunity to put their constitutional theories into definite form.<sup>31</sup> "There was no man in the entire body who had a State reputation and there were hardly a dozen lawyers among the members." While some delegates were educated, "the great body of the membership had no qualification for the duty they had undertaken. Under these circumstances the work was naturally performed by a few leaders," among whom was Tourgée.<sup>32</sup> The constitution, of which Tourgée was one of the chief framers, was patterned after those of Ohio and progressive Northern states — states from which those Radical leaders had emigrated.

The major proposals which Tourgée urged at various times were sweeping in scope. He advocated such reforms as the equal civil and political rights of all men; the abolition of property qualifications for voters, officers and jurors; the election by the people of all officers; penal reform — the abolition of the whipping-post, the stocks and the branding-iron, and the reduction of capital crimes from seventeen to one or at most two; a uniform system of taxation; and an effective system of public schools.<sup>33</sup> But there was so much heated rivalry between himself and such "carpetbag" leaders as Joseph C. Abbott (a native of New Hampshire), David Heaton (of Minnesota), Bryan Laflin (of Massachusetts), and S. S. Ashley (of Massachusetts), that in their

<sup>30</sup> Hugh Talmage Lefler (ed.), *North Carolina History Told by Contemporaries* (Chapel Hill, 1934), p. 334.

<sup>31</sup> "The carpetbaggers controlled the committees, capturing the chairmanship of ten of the nineteen standing committees and of most of the special committees." Hamilton, *op. cit.*, p. 262.

<sup>32</sup> Hugh T. Lefler and Albert Newsome, *The History of a Southern State — North Carolina* (Chapel Hill, 1954), p. 460.

<sup>33</sup> *A Fool's Errand*, p. 142.



efforts to strengthen their respective positions they yielded many things to the natives of the state. Nevertheless, many of the provisions indicated changes which were, as a recent historian has noted, "modern, progressive, liberal, and democratic."<sup>34</sup> Some of the significant changes were the abolition of slavery; provision for universal suffrage, white and Negro; the elimination of all property and religious qualifications for voting and office-holding (except the disbarment of atheists from public office), popular election of state and county officials, abolition of the county court system and the adoption of the township county commission form of local government, provision for a Board of Charities and Public Welfare, and for "a general and uniform system of Public Schools" to be open "for at least four months in every year."<sup>35</sup>

So persistent was Tourgée in advocating equal civil and political rights for Negroes that the people of North Carolina forgot "his real service in securing" other reform measures. In one of many speeches delivered at the convention, he maintained that "Slavery was the mere feeder, the nurse and supporter of aristocracy" and that "the war from which we have just emerged was a struggle between Republicanism and oligarchy, between the rights of the people and the usurpations of aristocracy. . . . There is no color before the law — black and white are citizens alike."<sup>36</sup>

At the 1868 convention, Tourgée had been hardly aware "that he was committing an enormity" against the Southern people by advocating so many reforms; but, as he himself remarked later, "from that day he became an outlaw in the land where he had hoped to have made a home, and which he desired faithfully to serve."<sup>37</sup> As a Judge of the Superior Court from 1868 to 1874, Tourgée was accused of being corrupt, venal, and partisan toward Negroes; but the facts indicate that he genuinely desired to create a judiciary in North Carolina before which all men would be tried equally. In his address to his first Grand Jury he stated that his court was new; it was "the peace-preserving, law-enforcing branch of a new state government, created by the expressed will of a new people, and working under a fundamental law which opens the witness-stand, the jury-box, the bar and the bench to every citizen of whatever race or color."<sup>38</sup>

<sup>34</sup> Lefler and Newsome, *op. cit.*, p. 461.

<sup>35</sup> *Constitution of the State of North Carolina Together with the Ordinances and Resolutions of the Constitutional Convention Assembled in the City of Raleigh, January 14th, 1868* (Raleigh, 1868), pp. 7, 27, 28, 29, 31.

<sup>36</sup> Speech on Elective Franchise, delivered in Convention of 1868.

<sup>37</sup> *A Fool's Errand*, p. 141.

<sup>38</sup> Tourgée's Address to his first Grand Jury, in *Superior Court Record Book*, Fall Term 1868, Guilford County, p. 8. The most satisfactory methods of ascertaining Tourgée's corruption or venality or judiciousness on the bench are an analysis of his *Superior Court Record Books*, which are like professional diaries and in which are recorded all the cases over which he presided, a study of the *North Carolina Reports*, in which appear those cases judged by Tourgée that were appealed to the Supreme Court of North Carolina, and a perusal of his private letters. Such examinations, when based on no preconceived assumptions, reveal that Tourgée took particular care to avoid partisanship in the courtroom — they reveal a man who was uniformly respected (if not loved) by all Southerners who had dealings with him, except for the rabid anti-Republicans.

While he was a judge, Tourgée continued to attack, in newspaper articles and speeches, all forms of Southern pride. From 1868 to 1870 he wrote political essays signed "Wenkar," a variation of his mother's maiden name Winegar; in these essays he denounced the inferior social status of Negroes in the South and the intolerable activities of the Ku Klux Klan. In the summer of 1871, he contributed articles to the *New Berne Republican-Courier*, articles which were written by one of "God's Anynted Phue" [God's Anointed Few], a Ku Kluxer. Tourgée was here engaged in satirically attacking white supremacy and the caste distinctions in which, he repeatedly claimed, Southerners believed. These examples of Southern "egotism" were later incorporated in his fiction, particularly in such novels as *A Royal Gentleman* (1874) and *John Eax* (1882).

Tourgée also aroused the enmity of Southern whites by his partisan speeches, delivered primarily to Negroes and concerned with such subjects as "Emancipation — considered as an historical event" or the "Next Crusade," the promising future of the Negro once he was granted equal opportunities.<sup>39</sup> He showed little discretion in his addresses, for he seems to have been so intent upon making a dramatic impression on his audience that often he resorted to denigrations, which he later regretted, of local Southern heroes like Zebulon B. Vance.

Because of his preference for the Negro and condemnation of the South *in toto*, Tourgée was constantly threatened by the Ku Klux Klan. The most famous of his experiences with the Klan was later incorporated in his novel, *A Fool's Errand*;<sup>40</sup> at one time "the death sentence was about to be passed when an influential leader of the Klan . . . after much persuasion succeeded in having the decree reversed";<sup>41</sup> later Tourgée received an anonymous and undated letter which admonished him to "hold no more Courts in Carolina you have had your day if you ever hold another or attempt it you will share the fate of Mr. W. Stevens [Senator John W. Stephens, murdered by the Ku Klux Klan on May 21, 1870] it is ordered you leave the state . . . by order of the KKK." In a letter written on May 26, 1870, Tourgée commented on Senator Stephens' death and said, apprehensively, "I should not be at all surprised if I were the next victim."<sup>42</sup>

In the summer of 1870 Governor Holden published a personal letter of Tourgée's, which had attacked the Ku Klux Klan for its outrages on the Negroes and had specified particular cases of its crimes. This letter, written to Senator Abbott, another carpetbagger, supported Holden's

<sup>39</sup> "Emancipation — considered as an historical event" and "Next Crusade" are undated speeches, but the envelope containing these manuscripts is marked "Addresses to Negroes when he was a judge—n/date."

<sup>40</sup> Frank Nash, "Albion Winegar Tourgée," *Biographical History of North Carolina*, ed. Samuel A. Ashe, IV, 447.

<sup>41</sup> *Ibid.*, p. 447.

<sup>42</sup> Tourgée to R. M. Tuttle, May 26, 1870.

claims that the state was in a condition bordering on insurrection. As published in *The New York Tribune*, the letter

declared that the Ku Klux had broken into 4000 or 5000 houses, that they had burned fourteen houses in his [Tourgee's] immediate district and that he knew of thirteen murders in the district. This letter was used with telling effect, without comment from Judge Tourgée; but after the Radicals had gained the full benefit of its contents and the election was over, he blandly stated that it had been misquoted. 'I wrote four arsons instead of fourteen,' he said. 'Instead of 4000 or 5000 houses opened, I wrote 400 or 500. I said thirteen murders in the state, not in the district.' Incidentally, it was later found that three of the men reported murdered were still alive; and it was also stated that some of the house-burnings and other acts of violence were perpetrated by Holden's supporters to provide resistance to the exaggerated Ku Klux menace.<sup>43</sup>

Tourgée was infuriated at Holden for publishing the letter. On September 5, 1870, he wrote to a friend, "Holden made a series of mostly egregious blunders, and then tried to pack it off on me by publishing my letter which had been put into his hands under a promise express, of secrecy."<sup>44</sup> Tourgée's reference to Holden's "blunders" was accurate, for during the summer months Holden had used every possible means to suppress the Ku Klux Klan. On June 20, Holden had appointed George W. Kirk, an ex-Union soldier, to command occupation troops which had been organized to control the allegedly insurgent Klan, and on July 15, Alamance County was occupied. The state elections were to be held on August 4, and Democrats charged, with complete justification, "that Holden was using martial law to carry the August elections."<sup>45</sup> Holden knew that "if the intimidation tactics [of the Ku Klux Klan] were not suppressed, the Negroes could scarcely be expected to cast their ballots for [his] party."<sup>46</sup> Tourgée's letter was used by Holden as proof of the Klan's depredations in the state.<sup>47</sup>

To the people of North Carolina, Tourgée's name became synonymous with carpetbagger, with fanatic, with Radical Republican. With each succeeding year, his enemies opposed him more and more; by February of 1876 he was forced to leave Greensboro for the safety of his wife

<sup>43</sup> Stanley F. Horn, *Invisible Empire, The Story of the Ku Klux Klan 1866-1871* (Boston, 1939), p. 201.

<sup>44</sup> Tourgée to J. C. Abbott, September 5, 1870.

<sup>45</sup> Cortez A. M. Ewing, "Two Reconstruction Impeachments," *The North Carolina Historical Review*, XV (July, 1938), 209.

<sup>46</sup> *Ibid.*, p. 208.

<sup>47</sup> Holden's efforts to publicize the activities of the Klan did not accomplish his purpose, for the Republicans lost the state elections in 1870, and on January 23, 1871, Holden himself was impeached. The impeachment proceedings lasted until March 22, 1871, at which time the Democrats were successful in ousting Holden. During Holden's trial, some references were made to Tourgée as a judge, but he was never characterized as unfair or corrupt. See *Trial William W. Holden*, I, 536-65, 765-66, 777-78. For a fair account of Holden's impeachment see Cortez A. M. Ewing, "Two Reconstruction Impeachments," *The North Carolina Historical Review*, XV (July, 1938), 302-25.

and daughter, as well as himself, and at that time was appointed Pension Agent to administer oaths in Raleigh, North Carolina.<sup>48</sup>

In the following year Tourgée met with increased antagonism, for Zebulon B. Vance, an old enemy, was elected the first post-war Democratic governor, and the state officials were almost all of the Democratic persuasion. In a letter written on April 15, 1877, he described the hostility he was encountering in Raleigh:

The truth is, that I have suffered so much in persecution and vilification at the hands of Christian bretheren [*sic*] that, I became convinced that it was not good for me to go to church here. I do not mean to say anything against their religion but mine was not robust enough to stand such a strain. I always have managed to get along somehow — I hardly know how — during the past 12 years, until the last few months. The political feeling that has been so bitter since the election that I have quite given over pretending to do anything but endure what I can. . . .

It is 12 years today since I first rode throughout the streets on which I now look. All of that time I have lived here, yet I have never seen an hour when political bitterness has been so intense and hostility to Northern men so fierce as it is today. . . . It is all I can do to live among these people now and I cannot leave without serious loss until times improve.<sup>49</sup>

By 1879, Tourgée was convinced that the only way of avoiding the constant threats to the safety of his family and himself would be by returning to the North. Though he knew that Northerners were losing interest in the problems of the South, he felt that the highly controversial fiction he planned to write in the immediate future would not be met with the open hatred he had confronted in Greensboro and Raleigh, North Carolina. In an interview with *The New York Tribune*, September 3, 1879, he recounted his "fool's errand," and indicated why he had decided to return to the North:

A Northern man residing South is regarded as a liar by virtue of being a "carpet-bagger," all of whom are considered to be rascals and haters of the South. The Southern man is by habit and training intolerant. Excluded by slavery from the rest of the world, he learned to regard all who differed with him on any topic as necessarily criminal. Evidences of good will, sympathy, identity of interest, are all disregarded as soon as the outsider expresses a difference of opinion. . . .

The North, at the close of the war, assumed that the South was what the North would have been under similar circumstances, and blundered into a scheme of reconstruction from which they expected the settlement of the differences between the whites and blacks, and, after that, a reconciliation and 'era of good feeling' be-

<sup>48</sup> During the Presidential campaign of 1872, Tourgée had delivered numerous speeches in favor of Grant's re-election. These speeches were not only made in North Carolina but in New York as well. In a typical speech, delivered in Rochester, he praised Grant as a political leader who "had saved us from a terrible doom. No man but he could have broken up the fiendish Ku Klux."

<sup>49</sup> Tourgée to Dr. Sutherland, April 15, 1877.

tween North and South. They did not know that the training and character of all Southerners made it impossible either that they should ever regard the negro as a political element, enemy or ally, or the North as anything but hostile forever; and I blame them for not knowing, and I blame myself for not knowing. I thought I could live South. In 1865 there was less bitterness than now. The rebel soldiers were yet alive, who respected their late foes and remembered the earlier days. But since then a new generation has grown up nurtured in hostility. . . .

Tourgée helped to engender the "hostility" of Southerners. The true reason for his return to the North, which he indicated in personal letters to his wife, was that he had tried to make a political career for himself in the "poor, mismanaged South" and had failed; now, with his political aspirations "dead," he turned to fiction and attempted to capitalize on his experiences in the Old North State.<sup>50</sup>

Tourgée felt that his mission to North Carolina had been a "fool's errand," but he did not recognize, until the end of his life, just how small his sympathetic audience had grown. Obdurate as always, he desired, upon his return to New York in 1879, to convince Northerners of the urgency of national education for Southern Negroes and whites: that was the issue at the center of his Reconstruction novels. Tourgée recognized that many legislators desired national aid to education, but they were too willing "to waive all question of form, method, and detail in order to secure a general concurrence in a liberal appropriation of public funds for the purpose of promoting primary education in the various States, and thereby reducing promptly and effectually the present ratio of illiteracy. The motive has been a good one; the policy is absurd."<sup>51</sup> He therefore directed his attention to the method of application and said that the states were not to control the funds allocated to education; money was "to be distributed, on the basis of illiteracy, to the various townships and school districts in which free primary schools shall have been in active operation for a specified average attendance."<sup>52</sup> Tourgée felt that "very little of the ornate machinery which is found in the Northern public school is needed. . . . In the administration of this fund the utmost economy is absolutely essential."<sup>53</sup> Also, he insisted that his proposal "must provide with absolute certainty that the fund shall be expended for the promotion of primary

<sup>50</sup> The works which present Tourgée's individual interpretation of post-bellum problems are *A Fool's Errand* (1879) and *Bricks Without Straw* (1880); they are his immediate response to conditions he witnessed in the South and thus have an historical validity that is grounded on personal experience. In terms of fiction, Tourgée is most effective when he reports the Reconstruction South he knew so well. His other historical novels concerned with the Civil War and Reconstruction — *A Royal Gentleman* (1874), *Figs and Thistles* (1879), and *Hot Plowshares* (1883) — are inferior as fictions and as social commentaries.

The value of *A Fool's Errand* lies in Tourgée's report of the political failure of Radical Republicanism during Reconstruction; it is a semi-autobiographical novel. In *Bricks Without Straw*, Tourgée offers his most graphic and detailed description of the status of the Negro in the South.

<sup>51</sup> Tourgée, *An Appeal to Caesar* (New York, 1884), p. 315.

<sup>52</sup> *Ibid.*, p. 324.

<sup>53</sup> *Ibid.*, pp. 332-33.

education and for no other purpose.”<sup>54</sup> In the expenditure of this fund, the national government ought “to avoid trespassing in the least degree upon the specific domain of the State,” but on the other hand, the government must never “place the fund under the control of any State officials or State legislature.”<sup>55</sup> Tourgée urged primary education for both whites and Negroes, though this education did not have to be integrated. He clearly points out that “in case the State within which any district is located prescribes separate schools for white and colored pupils, then the equal number of colored illiterates would entitle it to receive in like manner the support of a school for colored children; and neither of these sums shall, under any circumstances, be used to aid a school for the benefit of the other race.”<sup>56</sup>

It is noticeable that education was the only solution Tourgée offered for the improved status of the Negro and that his educational program was far more moderate than the immediate demands he championed at the 1868 Constitutional Convention. His political failure in the South had taught him to be more cautious in urging certain measures, and he now fully understood the difficulties implicit in the educational program he proposed. Realizing that practical proposals which oppose the Southerner’s cherished and well-established customs will not raise the Negro to a position of equality, the heroes of Tourgée’s major Reconstruction novels, *A Fool’s Errand* and *Bricks Without Straw*, turn to the panacea of the idealist — education. Ignorance, they feel, has made the Negro afraid of the Ku Klux Klan; ignorance has made the Southerner fear the freed and aspiring Negro; ignorance has shut the Northern mind to the deep-seated issues of Reconstruction; and ignorance has caused carpet-baggers like Servosse, the protagonist of *A Fool’s Errand*, to act impetuously and inconsiderately.

Let the Nation educate the colored man and the poor-white *because* the Nation held them in bondage, and is responsible for their education; educate the voter *because* the Nation cannot afford that he should be ignorant. Do not try to shuffle off the responsibility, nor cloak the danger. Honest ignorance in the masses is more to be dreaded than malevolent intelligence in the few. It furnished the rank and file of rebellion and the prejudice-minded multitudes who made the Policy of Repression effectual. Poor-whites, Freedman, Ku Klux, and Bulldozers are all alike the harvest of ignorance. The Nation cannot afford to grow such a crop.<sup>57</sup>

Throughout the eighties and nineties, Tourgée continually reminded the Northerner of his responsibility to the Negro. But, as he partially realized, his ceaseless censures fell upon deaf ears; Northern Re-

<sup>54</sup> *Ibid.*, p. 319.

<sup>55</sup> *Ibid.*, p. 332.

<sup>56</sup> *Ibid.*, p. 337.

<sup>57</sup> *A Fool’s Errand*, pp. 346-47.

publicans and Democrats, as Rayford W. Logan has shown, were in the process of deserting the Negro.<sup>58</sup>

In the last years of his life, Tourgée lost faith in his own educational theories. He felt that even education would not help to improve the status of the Negro. In any civilization where there are white and Negro people living together, he wrote to a friend in 1902, there will always be a dominant race; and in America that dominant race will always be white. "Education," he continued in this same letter, will "do nothing for the colored person except to make him more sensible of his wrongs and render him desperate in his longings to ameliorate the evils which beset him."<sup>59</sup>

This pessimistic attitude stemmed from a lifetime of political failure. Unable as a practical politician to promote his humanitarian reforms for the Negro, he became a professional novelist who wrote political fiction which also proved to be ineffective in achieving his idealistic goals. Tourgée realized that Southern authors were victorious in creating the lasting impression of Reconstruction; they succeeded, he wrote in 1888, in convincing the American reading public that carpetbaggers had misused the Southern people and had falsified the picture of social and political difficulties which attended "the tragic era."<sup>60</sup>

Rather than accept the fact that racial equality could be realized only after a long period of time, Tourgée was certain, towards the end of his life, that the Negro would never be granted justice. Bitterly he recorded his extreme disillusionment in the political leaders and people of his time who, he believed, had "substituted caste for slavery."

I have learned something since I wrote "A Fool's Errand." I believed in many things then, such as the Fatherhood of God and the brotherhood of Man. I believed in Christianity (the modern article measured and prescribed by those who know and declare its function). I believed in the U. S. as the flower of liberty, security and equal right for all. I believed the abolition of Slavery was all that was required to establish security before the law. I was so proud of our government and civilization that I could not endure the thought that it should be stained with injustice and oppression. I believed in that curious fetich of our modern thought "Education" as a remedy for wrong. When I wrote "The remedy for Wrong is Righteousness; for Darkness, light. Make the spelling-book the scepter of national power!" — I believed every word of this Fool's Gospel.

Now I realize its folly, though I am glad that I then believed. Now, I realize the terrible truth that neither Education, Christianity, nor Civilization, mean justice or equality between man and man, when one is white and the other colored. White Christianity twists with enthusiasm the Master's words to excuse wrong to the

<sup>58</sup> Rayford W. Logan, *The Negro in American Life and Thought. The Nadir 1877-1901* (New York, 1954), pp. 35, 37.

<sup>59</sup> Tourgée to E. H. Johnson, May 15, 1902.

<sup>60</sup> Tourgée, "The South as a Field for Fiction," *The Forum*, VI (December, 1888), 405.

colored man individually and collectively. There has never been a white Christian people who were willing to give a colored people equal opportunity, equal right and security to enjoy "Life, liberty and the pursuit of happiness." Even our American Christian slavery was the worst ever known on earth. . . . Unless God intervenes there is no other fate before the colored American whom the Nation made a citizen but whom neither the courts nor Christian sentiment will grant protection in his rights as man or as a citizen. . . .<sup>61</sup>

This statement indicates Tourgée's inability to accept the policy of gradualism which was adopted by most of his contemporaries. He was never able to view the South with dispassionate eyes, for he had come there seeking political and financial success, and he had failed. That failure was as personal as it was public, and though he almost always spoke of his "fool's errand" as representing the abortive attempt of all carpetbaggers to improve Southern conditions, the animosity of North Carolinians, the defeat he suffered as a Congressional candidate, the Southern opposition which he encountered at various state conventions, and the public indifference to his proposals for national education made him excessively bitter in an intimate and private way. Tourgée, more than most Radical Republicans, was a humanitarian, a man who interpreted political problems in moral terms, who felt the need to serve some "noble cause." His attempts to help reconstruct the South resulted in political and social failure and his writings are a measurement of that failure, of what he came to regard as a "fool's errand." That personal errand was less "foolish" than Tourgée suspected, for "the imprint of his mind and thought" has been left upon "the constitution and laws of the state. . . . While he was unloved in North Carolina, he won from those who disagreed with him respect for his legal learning and judicial capacity, and admiration for the courage with which he championed the cause of those whose rights he thought were denied." Today, he is recognized as a judge whose work "in the courts over which he presided stands out conspicuously in the judicial annals" of the Reconstruction period;<sup>62</sup> he is recognized as a Radical Republican who was essentially a humanitarian — although at times a misguided one —, a selfless reformer primarily interested in providing justice for the Negro and in helping to reconstruct the South.

<sup>61</sup> Tourgée to E. H. Johnson, May 15, 1902.

<sup>62</sup> William A. Devin, "Footprints of a Carpetbagger," *The Torch*, XVII (April, 1944), 19, 21.

