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### 3. “Full and fair compensation”

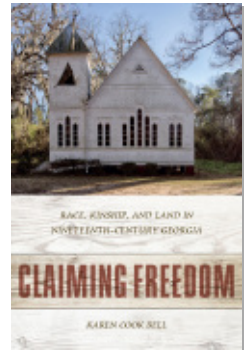
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# 3

## “FULL AND FAIR COMPENSATION”

The plant of freedom upward sprung  
And spread its leaves so fresh and young  
Its blossoms now are blowing



Paul Laurence Dunbar, “Ode to Ethiopia”

On the eve of emancipation, abandoned rice lands on Butler’s Island stood as symbols of African American suffering and dislocation. Half a decade earlier, 450 enslaved African Americans from the island had undergone the humiliation of public auction and sale at Ten Broeck Race Track in Savannah, Georgia. Their dislocation from family and community punctuated seventy years of arduous labor under horrifying conditions that denied their humanity. Yet following the end of the Civil War, Dandy Stewart and other former slaves auctioned at Ten Broeck Race Track returned to the island, “a little community [where] for generations all sorts of relations of blood and kinship [were] established.”<sup>1</sup> Their return to Butler’s Island mirrored the decision of other former slaves in the Georgia lowcountry to return to ambiguous sites where kinship and community coexisted with their pain and suffering.

Upon his return to Butler’s Island in the spring of 1865, Dandy Stewart reasserted the prewar title listed in the 1859 auction as “engineer and blacksmith.”<sup>2</sup> The rice lands that Stewart had helped to maintain were now subject to the provisions of General William Sherman’s General Field Order No. 15, promulgated in Savannah on January 16, 1865. Sherman’s field order, which reserved the Sea Islands and abandoned inland rice fields south of Charleston, South Carolina, to St. John’s River in Florida for former enslaved persons, structured the experiences of African Americans in lowcountry Georgia.<sup>3</sup> As the territorial testing ground for federal land policy in the former Confederate South, lowcountry Georgia provides a window into

former slaves' definition of the boundaries and spaces of freedom.<sup>4</sup> Former slaveholder's control of space and enslaved people's resistance to that control resulted from conflicting dialectical ideas regarding the meaning of free labor. As carpenters, brick masons, engineers, "rice planters," seamstresses, weavers, cooks, and foremen; and as lumbermen, fishermen, and hacks, former slaves created on an everyday level a space for pragmatic economic practices as they employed their skills.<sup>5</sup>

The reestablishment of a post-Civil War rice economy required negotiation with people, the landscape, and nature. As an engineer and blacksmith, Dandy Stewart had constructed and maintained the banks to protect against flooding from the Altamaha River; carved out and maintained ditches and dikes to support the tide-flow method of producing rice; and fashioned work implements and tools for the production of rice and the maintenance of the plantation.<sup>6</sup>

The flood of January 1865 posed a significant threat to rice production in the lowcountry as the Civil War entered its final stages and General Sherman's Field Order No. 15 altered the politics of land and space. The rising waters of the Savannah River and other major arteries, such as the Ogeechee, Altamaha, and St. Mary's rivers, suspended business activity and created swamp conditions in the region as water moved through the city of Savannah at the speed of twenty miles per hour and rose thirty-seven feet above the low water mark.<sup>7</sup> Unlike the case in previous flooding, the now-former slaves were not inclined to perform the work of draining, repairing, and rebuilding the rice fields and plantation mills. The chaos of the aftermath of war left plantations throughout Georgia idle as former slaves tested the new spaces of freedom by taking day trips to nearby towns and refusing to work as slaves on plantations.

For many, the return to abandoned plantations left them "bad off and short on provisions."<sup>8</sup> The privations of war and the spread of diseases also created a demographic crisis as 17,000 freed men and women died during the years of 1865 and 1866.<sup>9</sup> As it did other areas of the former Confederacy, the Civil War devastated much of the state of Georgia. Widespread destruction of physical structures, including hundreds of miles of railroads, and an economic depression, inherent in the ravages of war, left men, women, and children destitute and in need of food, clothing, and medical care.<sup>10</sup> Adding to the distress of many in the city of Savannah, a disastrous fire occurred on the evening of January 28, 1865, that destroyed more than a hundred homes and covered twenty acres of land.<sup>11</sup>

The men and women who returned to the Georgia Sea Islands formed "liberating communities" through a digetic process in which land served as the experiential tie that bound people together.<sup>12</sup> For former slaves in Georgia and throughout the South, the Civil War inaugurated a social, political, and economic revolution, and the tension between slavery, free labor, and modernity eroded. Ideas regarding the meaning of free labor emerged from the expressive culture of emancipated men and women, whereby freedom and social justice were inextricably linked. Former slaves

received inspiration for liberation and social justice ideology from biblical texts that promised freedom for the enslaved, justice for the oppressed, and an inheritance here on Earth.<sup>13</sup> Following the Civil War, this system of beliefs directed their transition to freedom. A corollary idea wedded to liberation and social justice emerged through former slaves’ understanding of free labor ideology. Beyond the ideology that promoted equality of opportunity, free labor represented the hopes, visions, and dreams of former slaves for control of their own labor.<sup>14</sup>

Free labor implied self-ownership and the possession of productive property. In this context, African American churches became sites of democratic political discourse on self-determination and Black nationalism.<sup>15</sup> Former slaves believed that securing their freedom was incompatible with continuing to work for their former masters. Freedom from white supervision implied land ownership and freedom to control their lives and the disposition of their labor. The devolution of the Freedmen’s Bureau labor policy, which failed because contract labor was antithetical to former slaves’ understanding of free labor, meant that liminal spaces of freedom would be the inheritance of former slaves.

#### FREE LABOR IDEOLOGY AND LIMINAL SPACES OF FREEDOM

Emancipated men and women challenged liminal spaces by expropriating ideas concerning free labor and establishing a coda of “full and fair compensation.”<sup>16</sup> As free labor ideology transformed the southern economy following the end of the Civil War, the Republican view that all Americans shared common economic interests undergirded their belief that slavery was inimical to the principles of free enterprise and economic liberalism. Freedom of choice, the ideological underpinning of economic liberalism, implied equality. However, southern leaders and many northern leaders could not accept this proposition following emancipation. Emancipation revolutionized southern society by destroying bondage and, in theory at least, leaving former slaves and planters free to create new ways of existing.<sup>17</sup>

The Thirteenth Amendment completed the process that northern Republicans felt was necessary to make African Americans a part of the free labor system. It also expanded federal power, as it promised freedom that the national government would theoretically guarantee; thus this amendment served as a pivotal legal and moral connective that linked former slaves to the national government.<sup>18</sup> Throughout 1865, in the face of presidential restraint and southern defiance, Republicans increasingly became united in the belief that the government had to enforce a true free labor system in the South. Thus the new status of African American labor was the linchpin of Reconstruction.<sup>19</sup>

The Thirteenth Amendment, however, had very little effect on deep-seated white attitudes about former slaves. Southern whites continued to see freed men and women as constituting an inferior order with no rights a white person was bound to respect. The Freedmen’s Bureau presided over the transition from a slave

economy, in which decisions about work resided with planters, to a free labor economy in which former slaves could make their own choices, but in which poverty and a lack of opportunity raised major barriers to economic mobility. Resistance to economic equality remained pervasive as free labor institutions were reshaped by a culture of racism.<sup>20</sup> Significantly, as the North lost its will to maintain the occupation of the South, social, political, and economic Reconstruction dissipated. By 1877 the question of labor, capital, work, and wages occupied the political landscape as the urban labor movement eclipsed southern Reconstruction.

As southern legislatures enacted a series of vagrancy laws, apprenticeship systems, and criminal penalties for breach of contract to control the labor of former slaves, they relied on an economy of antebellum stereotypes to justify their actions.<sup>21</sup> The Black Codes reflected postwar “status anxiety” over the place of former slaves in southern society.<sup>22</sup> As a regressive mechanism, the Codes vitiated the Thirteenth Amendment by regulating the labor of former slaves through the legal process. Georgia’s Black Code permitted whippings as punishment for misdemeanors; and by means of laws on labor contracts, it set up enforcement machinery to drive former slaves back to agricultural work at starvation wages.<sup>23</sup> In other parts of the South, particularly in Mississippi and South Carolina, which enacted the most severe Codes, the laws governing the labor of former slaves reinforced a slave-servant status. Mississippi required freed men and freed women to possess written evidence of employment for the coming year. Similarly South Carolina’s Code barred African Americans from following any occupation other than farmer or servant unless they paid an annual tax, which ranged from ten to one hundred dollars.<sup>24</sup>

In lowcountry Georgia, as in other regions of the former Confederate South, planters resisted the creation of a free labor market after emancipation. In Chatham County, Harris Phillips continued to hold Morris, his wife Jane, and several other former bondmen and bondwomen six months after General Sherman’s arrival in the city of Savannah. Morris sought redress for his condition and payment for his labor by filing a complaint with the Freedmen’s Bureau in Savannah.<sup>25</sup> The Bureau arranged for the resolution of contract disputes, and agents often made unilateral judgments when one party sued with a complaint. In other cases arbitration boards or military courts handed down decisions.<sup>26</sup> Bureau policy during the summer of 1865 remained sympathetic to the economic rights of former slaves. Captain A. P. Ketchum, who served as chief officer of the Sherman reservation, advised Phillips to make amicable arrangements with freed men and women and to pay them for their labor. According to Ketchum, they were also entitled to payment for work already performed on producing the crops.<sup>27</sup> General James H. Wilson, who occupied Macon, Georgia, in April 1865, articulated a similar position when he outlawed the dismissal of freed men and women without compensation for work they had already performed.<sup>28</sup>

Planters' proprietary interest in the crops produced by the labor of former slaves following President Johnson's May 1865 reversal of General William Sherman's General Field Order No. 15 stimulated contentious discourse on the preternatural duties of military commanders tasked with implementing Bureau labor policy. Military commanders' and local agents' wide-ranging mandates to implement and effectively administer the agency's multitudinous tasks escalated tensions between planters and former slaves. Throughout the state, the end of the idea of land redistribution hastened the development of a system of compensated labor to produce rice and cotton.<sup>29</sup> On John G. Lawton's plantation, confrontation over the crops and labor of former slaves magnified opposing views on property rights and the meaning of a free labor system. Former slaves on Lawton's plantation planted their own crops during the war and continued to plant the lands in Lawton's absence until June 1865. According to Bureau policy, which provided the legal imprimatur to labor relations in postwar Georgia, Lawton's land had been abandoned, and former slaves were entitled to remain on the place until they gathered their crops. The Bureau required Lawton to make "full and fair compensation" for crops, labor, and expenditures for the entire year to freed men and freed women should he not abide by this established arrangement.<sup>30</sup> Throughout lowcountry Georgia, however, planters sent former slaves away unpaid for their labor.<sup>31</sup>

Former slaves' complaints about planter intransigence regarding a free labor system clearly articulated ideas concerning the meaning of work in the context of free labor ideology. Prince Morrel, who labored on Julia Spiers's plantation, complained to the Bureau that Mrs. Spiers did not intend to pay the former slaves for the work they had performed during 1865. Morrel's complaint led to the placement of a lien on all crops and Bureau-mandated "full and fair compensation" to recure amicable relations with former slaves.<sup>32</sup> In St. Mary's, Georgia, former slaves Samuel and Dawson likewise filed a grievance with the Bureau regarding a buggy they had furnished to planter Jesse Butler. Butler agreed to pay the men eighteen dollars by securing an installment note in December 1867. However, the men had not received payment by June 1868 and commenced to demand payment for this commercial transaction with Butler.<sup>33</sup>

Complaints over property reinforced freed people's ideas concerning their proprietary rights to symbolic and economic property. Moreover, the complaints of former slaves demonstrate a shift from a two-dimensional space with sharp boundaries defined by their enslavement to a multidimensional space with unbounded subspaces. Illustrative of this is Mungo Davis's trespassing complaint against planter William Miller and his mule. According to Davis's complaint, Miller's mule was "in the habit of trespassing upon his rice fields, to the great detriment of his crop." The complaint continued: "He has represented the cases to you but was met with the answer that you would not keep your mule in for no niggers' crop and further

that you threatened to shoot him if he injured your mule.”<sup>34</sup> Bureau agents upheld Davis’s economic rights by admonishing Miller to control his animals and to fence them in, because the “very life and prosperity of the freedmen for the next year depend upon a proper care of this year’s crop.”<sup>35</sup>

Cases adjudicated by the Provost Court in Savannah, however, invariably treated former slaves with enmity. The fulminations of Reverend James Simms, who served as the legal advocate for the vast majority of former slaves in Chatham County, had very little impact on military officers who were sympathetic toward planters.<sup>36</sup> Indeed, throughout the South, planters jettisoned from their plantations former slaves who were too old or infirm to labor. In many instances, former slaves were evicted without any means to provide for themselves. In the lowcountry, former slave Sally Paeche complained to Bureau agents that planter Andrew T. Eyck had ordered her to vacate her house without the opportunity to gather her crops.<sup>37</sup> Planters, moreover, transformed “rights” that had been enjoyed by slaves—clothing, housing, access to garden plots—into commodities for which payment was due.<sup>38</sup>

Judgments promulgated by the Freedmen’s Bureau subverted planter notions of property rights. In the case of *Raymond R. Kay v. Charles Walthour, Peter Way, and Billy Gillman*, the court ruled that Walthour, Way, and Gillman, all former slaves of Raymond Kay, retained title to the horses they claimed as their property during their enslavement.<sup>39</sup> For the majority of former slaves, however, their relationship with planters remained unresolved as ideas hermetically sealed during slavery continued unabated in freedom. Negotiating with former slaves for fair wages was anathema to planter beliefs. Fanny Andrews, the daughter of a Georgia planter, expressed humiliation at being compelled to negotiate with former slaves for wages.<sup>40</sup>

The postwar labor system evolved out of the establishment of operations of power by the army. As a military organization established in the War Department, the army staffed the Bureau, and army personnel served as the connective tissue linking the southern economy to the political will of former masters and freed men and women. Contracts represented not merely the location of domination and resistance, but all manner of complex interrelationships and hybridization.<sup>41</sup> Contracts, enticement, and vagrancy laws contradicted the tenets of free labor ideology; however, these mechanisms were implemented by the Freedmen’s Bureau to regulate the labor of former slaves. Historian James Schmidt has argued that “Union Army officers did not act solely or even centrally out of racial reasons to create a free-labor system based upon Northern ideology.”<sup>42</sup> However, ideas regarding race, work, and the enslavement of Africans permeated the consciousness of northerners and southerners. The policies promulgated by the Freedmen’s Bureau, which advocated contracts with former masters, can be viewed as an extension of this racial ideology.<sup>43</sup>

The judicial work of the Bureau expanded to include legal relationships with non-Bureau tribunals. As civil governments were restored, Bureau courts were discontinued, and jurisdiction was transferred to civil authorities.<sup>44</sup> In civil courts,

Bureau agents acted as counselors and advisors of former slaves and also appeared in court as attorneys for those unable to procure counsel. In the cases involving land and labor, where civil courts were reestablished, the Bureau retained jurisdiction over cases involving disputes between planters and former slaves. This policy, which sought to promote equitable justice for former slaves, varied in regional distribution. In North Carolina, Governor Holden commissioned bureau agents as regular magistrates; in Alabama, Mississippi, and Georgia, the assistant commissioners authorized provisional governors to constitute civil courts and freedmen’s courts.<sup>45</sup> By the end of 1865, the Bureau consisted of 799 men, including officers, agents, and clerks; this group included 424 soldiers and 375 civilians.<sup>46</sup> By 1869 its workforce had dwindled to 158.<sup>47</sup>

The contract system developed out of the assumption that freed people would work for former planters out of economic necessity. This system had its origins in the antebellum northern economy, where ideas concerning discipline and hard work helped to regulate the labor of vagrants. The northern judicial system affirmed the right of employers to impose labor discipline with long-term contracts. One of the first Union-controlled areas to implement a contract labor policy was southern Louisiana. The capture of New Orleans and Baton Rouge in April and May 1862, respectively, by naval commander David G. Farragut and General Benjamin Butler brought both cities under Union military control.<sup>48</sup> Farragut, a former resident of Louisiana, led an expedition of forty-four ships up the Mississippi River with the intention of taking New Orleans, closing the Confederacy’s main source of supplies and severing the South. After a five-day bombardment of Fort Jackson and St. Philip near the mouth of the river, Farragut successfully took seventeen ships past the forts on April 24, 1862, and two days later occupied the city of New Orleans without opposition.<sup>49</sup> On May 1, General Butler brought 15,000 Federal troops to New Orleans and imposed military rule. Farragut continued up the Mississippi River and captured Baton Rouge and Bayou Sara.<sup>50</sup>

After the occupation of New Orleans and surrounding areas, army officers searched for ways to organize labor and poor relief. The Confiscation Acts of July 17, 1862, freed slaves coming under national control and authorized the president to use former slaves to suppress the rebellion. They also freed the mothers, wives, and children of freedmen whose labor and service were used to suppress the rebellion.<sup>51</sup> The Confiscation Acts led to the formation of the Bureau of Negro Labor in wartime Louisiana to address the reality of emancipation in 1862. Enslaved men and women fleeing plantations formed “contraband colonies” north of the city of New Orleans, where General Butler inaugurated a mass program of public works and promised Unionists the support of the army in enforcing plantation labor in surrounding parishes provided that wages were paid.<sup>52</sup>

Under Louisiana’s first Superintendent of Negro Labor, George H. Hanks, emancipated men and women were required to work in return for support. In Terre



Bonne, Louisiana, freedmen received ten dollars per month; freed women received six dollars per month; and children between twelve and sixteen received two dollars per month to continue laboring on sugar, cotton, and rice plantations.<sup>53</sup> Each labor agreement incorporated the language of “fair prices” for labor; however, the wages were far from fair given the inability of former slaves to sell their labor in the market place. In an ideal market, free labor removed both the legal restraints of contracts and the paternalism of the master-servant relationship.<sup>54</sup> The devaluation of women’s labor was consistent with the formulation of nineteenth-century policies that marked masculine identities in hegemonic and patriarchal terms. However, as Julie Saville demonstrates, women in the South Carolina lowcountry endeavored to control agricultural production by “disputing what they would plant, where they would plant it and in what amounts.”<sup>55</sup> Women also demanded higher wages for task work. According to Amy Dru Stanley, emancipation meant “female self-ownership,” which included the right to demand fair prices for labor.<sup>56</sup> During the Civil War, the Bureau of Negro Labor, under the auspices of the federal government, created a market in labor that seemed to contradict free labor ideology. This contradiction undergirded federal policy during the Reconstruction period as contracts controlled the ability of former slaves to sell their labor power freely in the market.<sup>57</sup>

On rice plantations, the lack of capital to repair the destruction wrought by the war, combined with the effects of neglect, made it virtually impossible to revive the rice industry on a large scale. Concomitantly an increase in rice production in Louisiana following the Civil War shifted the locus of money and profit from the crop. In 1864 Louisiana produced 1.5 million pounds of rice.<sup>58</sup> By 1866 rice production had increased to 4.7 million pounds of rice, and by 1876 the total was 22 million pounds.<sup>59</sup> New Orleans became the center of the rice trade, and a decade after the war it furnished both South Carolina and Georgia with rice seed.<sup>60</sup> Planters in the lowcountry initially employed the contract system to revive the rice industry. Through lease arrangements with former slaves, planters endeavored to perpetuate an unequal economic system in which they controlled and benefited from the labor of former slaves. On William Gibbons’s Shaftesbury plantation on Argyle Island, 119 freedmen and freedwomen entered into an agreement on March 1, 1866 in which they would cultivate 400 acres of rice land and furnish the rice seed, agricultural implements, and supplies “of all kind” to cultivate the land. Gibbons did not incur any expense for supplies, subsistence, clothing, maintenance, or medical aid.<sup>61</sup>

Although freedmen and freedwomen retained equity and commercial rights to the crops produced, the puissance of the contract favored Gibbons. At the termination of the agreement on January 1, 1867, Gibbons would receive possession of the premises with all improvements. Concurrently the foreman, Abelard Shigg, meted out tasks each day and penalized persons who did not abide by the contract

terms, which included provisions against violating the “peace and good order” of the plantation with discharge and removal.<sup>62</sup> Controlling property such as livestock reflected Gibbons’s interest in extending his authority over the economic property of former slaves as he sought to control the new boundaries and spaces of freedom. Stipulated within the contract was the provision that no hogs would run at large and that if they were found they would be killed. Gibbons also mandated that no other stock could be kept without his consent.<sup>63</sup>

The economic effects of uncompensated emancipation forced former slaves into unfavorable contracts. However, in some instances, former slaves secured advantageous contracts in which they in effect “mortgaged themselves.”<sup>64</sup> On John and Thomas Screven’s plantation in Chatham County, freedmen and freedwomen signed a twelve-month contract on January 18, 1866. The contract terms displayed the profundity of former slaves’ negotiating skill and enterprise. In addition to supplying wages and rations, which included medical attention and medicine, John and Thomas Screven agreed to pay “for all right to work double the amount “pro rate” of their stipulated wage.<sup>65</sup> Former slaves received half of their wages in money at the beginning of each month and the remainder at the expiration of the contract in rice or other produce “in an amount of sufficient market value to compensate for the full amount of wages remaining unpaid.”<sup>66</sup>

The development of joint ventures involving planters and former slaves in the rice country represented a cogent manifestation of the destruction of wealth and capital caused by the Civil War. With emancipation, the slave South was much poorer because the most valuable asset, slave property, ceased to exist. Similarly death and injury eliminated hundreds of thousands of productive people from the economy, and the war destroyed buildings, farms, bridges, railroads, horses, mules, cows, and other livestock. Securing land through lease contracts embodied a nascent form of temporary proprietorship, which allowed former slaves to rent land for later purchase.<sup>67</sup> In Chatham County, Romeo Howes, a former slave of Reverend Benjamin Burr, established a rental arrangement with William Burroughs, administrator for the Burr estate. Howes rented ten acres of land on Magnolia plantation in the White Bluff district on February 26, 1866, paying fifty dollars in four installments, with the first quarter paid at the time of signing his agreement, the next quarter on April 1, the third quarter on July 1, and the remaining quarter on October 1.<sup>68</sup>

As in other parts of the South, social dialectics were a function of power relations and were negotiated relationally. Freedmen endeavored to exercise the authority and power denied them during slavery both economically and socially. Husbands sought to protect the honor of their wives from abusive planters and overseers by lodging complaints with the Freedmen’s Bureau. Former slave Phillip Gaston lodged a complaint against his foreman, Bailey Forster, for using abusive and insulting language toward his wife, Amelia Gaston. Bureau agent William Royal

mediated the dispute by mandating that Mr. Rowe, the employer of Forster, control his foreman and advise him “not to use threatening or abusive language toward the hands.”<sup>69</sup>

#### WOMEN OF FREEDOM

The labor of African American women remained central to the southern economy in the years following the end of the Civil War. For women, the complex interrelationships of gender, class, and race produced varied responses. Emancipation required finding ways to give meaning to freedom within a society devoted to circumscribing the attempts of black women to assert their freedom. In later decades, industrialization and urbanization influenced and altered the location of the transformation of the lives and work experiences of the majority of African American women. The proliferation of racial and sexual stereotypes during the late nineteenth and early twentieth centuries affected how African American women defined themselves in relationship to each other and to the larger society.

As mothers, daughters, wives, and sisters, women had to contend with the problem of finding and keeping employment and depending on white employers for payment.<sup>70</sup> In May 1866, “a worn, weary, woman with 11 children, and another with three,” spent ten days in the forest near Columbus, Georgia, before entering the city to seek assistance.<sup>71</sup> According to their testimony, the women had been driven off the plantation because “wese no account with our childer;” they told sympathetic northern teachers.<sup>72</sup> Nancy Johnson returned to work for her mistress following the war as a seamstress; according to her testimony to the Southern Claims Commission, she “wove 40 yds. of dress goods for [her mistress] that she promised to pay me for; but she never paid me a cent for it.”<sup>73</sup> In like manner, a mother of five, evicted from a North Carolina farm by a white man who declared their “keep” would cost him more than they could earn, responded that “it seemed like it was might hard; she’d been made free, and it did appear as if thar must be something more comin.”<sup>74</sup> Their only choice was to take whatever work was available, and that was not much. Freed with nothing but the clothes on their backs and unable to provide for themselves, women relied on the assistance of the Bureau to meet their basic needs.<sup>75</sup>

The tenuous economic position of field hands and domestic servants necessitated relying on their children to support the household economy. In cases where children were held as “bound laborers” in violation of the Thirteenth Amendment, both women and men appealed to the Bureau for the release of their children and grandchildren.<sup>76</sup> In one such case, the grandparents of Peter, a former slave who had lost his mother and had been held by William Dickinson in Pierce County, Georgia, maintained to the Bureau that Dickinson had violated Peter’s labor rights as a freeperson and that, as grandparents, they retained custodial rights.<sup>77</sup> In the case of Ann Phillips of St. Mary’s, Georgia, whose son Charley “went away with W. B. Folks

to work for him,” in February 1868, the lines of demarcation between bound laborers and free laborers were contested.<sup>78</sup> Charley had been away for two months, and the longevity of his absence worried his mother, who had written a formal letter to Folks requesting his return. Phillips pressed the issue of her son’s labor further with the Freedmen’s Bureau by lodging a complaint to have her son returned.<sup>79</sup>

In other cases, women whose children were held as bound laborers for extended periods sought to secure their children by force. Dorca Samuels, the mother of Nannie, whose labor had been indentured for five years by Miller Hallows in 1866, attempted to end the indenture by threatening to bring “a band of freed people to take Nannie by force.”<sup>80</sup> In some cases, the Bureau approved apprenticeship arrangements between employers and minor children above the age of fifteen years.<sup>81</sup> Such approvals may have also stemmed from the Bureau’s desire to employ minor children since the Bureau could not properly staff Freedmen’s Bureau schools on the islands and relied on the American Missionary Association to supply teachers.<sup>82</sup>

Employers habitually defrauded women of the small amounts they had earned as they worked to sustain themselves and their families; in several cases employers forced women to leave without recompense. Under the Freedmen’s Bureau complaint procedure, women asserted their right to full and fair compensation. Compensation complaints represented the largest single category of grievances initiated by black women.<sup>83</sup> In the inland cotton districts, few planters had cash on hand after the war since Confederate bonds were worthless and they could not mortgage their former “human property” to secure loans. Planters charged their employees such exorbitant prices for supplies that workers were lucky if they ended the year even, rather than indebted to their employer. Women who achieved less than the required production quota received a lecture on the virtues of hard work and deductions from their wages. Planter Ivey White, for example, lodged a complaint against his field hand Angeline Sealy. According to the complaint, “Sealy is lazy and does not pick more than 35 to 40 pounds of cotton per day.”<sup>84</sup> The agent, Charles Rautchenburg, sustained the charge and gave Sealy a lecture on her duties, emphasizing that if she did not average from seventy-five to one hundred pounds of cotton per day, a deduction would be made from her wages.<sup>85</sup> According to Bureau agent Douglass Risley, “in nine cases out of ten,” complaints arise because “white men are still reluctant to permit [a former slave] to enjoy his rights freely.”<sup>86</sup>

The acrimony displayed against former slaves created new opportunities for women to demand fair compensation. Women like Rachel Hunter, a launderer in St. Mary’s, Georgia, imbued with values and beliefs regarding the meaning of free labor, prepared a “due bill” of fifteen dollars for services rendered to Miller B. Grant.<sup>87</sup> Grant failed to pay, so Hunter filed a complaint with the Freedmen’s Bureau to secure the wages owed to her. As in other cases, Bureau agent William Royal protected the economic rights of a former slave by demanding payment for services rendered.<sup>88</sup>

The year 1866 was a year of far-reaching political and economic significance in the city of Savannah and the state of Georgia. On April 3, 1866, President Andrew Johnson issued his Peace Proclamation, which lifted trade restrictions on the former Confederate states. Trade in Georgia benefited from this Act as commercial activities increased exponentially.<sup>89</sup> Restoration of the Atlantic and Gulf Railroad and the Central Railroad led provost marshals to combat vagrancy with compulsory labor. As historian Joseph P. Reidy argues, “in Macon and other parts of central Georgia, many vagrants were women and children whose husbands worked on the railroads or on outlying plantations where accommodations were denied to non-workers.”<sup>90</sup>

Collective acts of resistance by women occurred when women organized themselves through economic networks. In the immediate postwar years, domestic workers organized mass labor protests for higher wages. Launderers in Atlanta, Georgia, and Jackson, Mississippi, in particular, succeeded in organizing to raise wages to support themselves and their families.<sup>91</sup> In the lowcountry rice districts, women faced a peculiar dialectic as they sought to withdraw from work in the fields. The specialized knowledge and labor of women remained a key requirement for the successful cultivation of rice for the local market. Women valued rice as a dietary staple and market crop, and the technologies employed in producing rice were created and maintained through the intellect and cultural knowledge of women.<sup>92</sup> During their enslavement, rice was grown, processed, and cooked in styles that marked the African diaspora in the Americas. According to Judith Carney, “women fashioned mortars by using fire to burn into a cypress or pine tree trunk a cavity or receptacle in which to place unmilled grain. With the mortar hollowed out to waist height, they milled unprocessed rice with a wooden pestle that weighed between seven and ten pounds.”<sup>93</sup>

In the lowcountry, women’s attitudes toward work depended on the extent of their freedom from white supervision. On Butler’s Island, Charity, a former slave who represented herself to Frances Butler Leigh as “unable to move,” walked six miles almost every day to sell eggs from her own chickens on a neighboring plantation.<sup>94</sup> Finding physical strength from self-reliance, Charity used her feigned infirmity to receive patronage from Leigh while simultaneously empowering herself by refusing to sell eggs to Leigh and engaging in political masking to conceal her economic activities.<sup>95</sup> Asserting their independence through “ingenious” coded behavior provided women with the means by which they could forge strong personal identities and voices. A significant number of freed women released their anger by publicly denouncing planters, taking their grievances to local bureau agents, or goading other former slaves who were more reticent or fatalistic. Women were particularly outspoken and aggressive in their willingness to confront white authority figures.<sup>96</sup>

Through the narrative of Frances Butler Leigh, the voices of liberated women reveal that they did not submit to the pressures of planters and that they were among the most militant fighters for their rights among former slaves. As they reinterpreted the free labor ideology of the Republican Party to claim freedom for themselves, women assumed a vital role in establishing political platforms, often through mutual associations in religious institutions, which reflected their concerns as women, mothers, and workers.<sup>97</sup> Controlling their own labor and contributing to the family economy were central economic concerns. Through their engagement in political struggles women sought to alter power relations. Moreover, women asserted a new cultural aesthetic and exercised power in cultural practices as they abandoned wearing head kerchiefs. On Butler’s Island, women acted with temerity in abandoning their headscarves, not only to display and assert their natural coiffures, but also to assume a status of equality with white women.<sup>98</sup>

For women, control of their labor and access to land had multiple concurrent political meanings that can be bracketed off into symbolic and intellectual categories of analysis. The symbolism of land ownership redefined the individual’s existence because freedom in nineteenth-century America rested on the ownership of productive property. Intellectually the land represented the body, mind, visions, and dreams of women like Phoebe Robinson, an independent farmer on Sapelo Island. Robinson inherited forty-four and one-half acres of land from her husband and made careful provisions in her will to bequeath the land to her four sons, Samuel, June, Marmaduke, and Esau, and to her niece Annie.<sup>99</sup>

Sewing or working as a launderer or cook proved profitable in some cases and provided women with the resources to purchase land. Elizabeth Edy, whose husband, James, had predeceased her, sewed to provide for son, Abram, and daughter, Mary Elizabeth. She had managed to purchase real estate valued at three hundred dollars in 1870. As a member of First Bryan Baptist Church, Edy had benefited from the religious network, which emphasized saving and black landownership. Edy made her own contribution to the building fund of First African Baptist Church, paying three dollars per month to rebuild the parent church on a new site.<sup>100</sup> Like Edy, other African American women sought the security and independence land ownership engendered. Maria Johnson, who also sewed to earn money, purchased land valued at eight hundred dollars in 1870. Johnson, who served as president of the St. John the Baptist Society, functioned as the head of household and provided support to sixteen-year-old August Watch, who resided with her and whom she taught to sew.<sup>101</sup> Women landowners also engaged in entrepreneurial activities such as selling fish, fabricating various items such as woven mats and brooms, and selling excess produce from gardens. Savannah depended on market women for fruit, fish, oysters, crabs, clams, and shrimp. This form of economic activity proved profitable for women such as Dolly Williams, whose husband, John, had left her. Dolly,

a member of First African Baptist Church, maintained a savings account with the Freedmen's Bank and purchased land valued at six hundred dollars.<sup>102</sup>

#### CLAIMING FREEDOM FOR THEMSELVES

Plantation management proved difficult for Northern investors who purchased Sea Island estates in the immediate postwar period. On St. Simons Island following the death of James Hamilton Couper, owner of Cannon's Point plantation, a northern investor who believed he could "simply put former slaves to work and pay them regular wages," failed in his attempt to manage the labor of freedmen and freedwomen.<sup>103</sup> Continuing strategies of resistance that emerged during their enslavement, they forced "Mr. G" to abandon the place by working slowly or leaving the estate. For two years following his departure, fifty families controlled and possessed the land.<sup>104</sup> African Americans sought to create their own vision of a postwar southern economy that was diametrically opposed to the interests of northern investors and southern planters. Former slaves wanted self-sufficiency that would allow freedom from the exploitation of their labor. In this sense, personal autonomy superseded pecuniary interests.

Unified by the common experience of their enslavement, former slaves on Sapelo Island refused to return to the antebellum status quo. Recognizing that commercial cotton and rice production could not be sustained at its pre-Civil War level, the heirs of Thomas Spalding sold 1,000 acres of land on Sapelo Island to the Hillery Land Company, organized in 1871 by three former slaves: William Hillery, his brother-in-law John Grovner, and Bilally Bell (an appellation that suggests an Islamic retention). The Hillery Land Company enriched the island community of Sapelo by providing an institutional network to secure land. Hillery, Grovner, and Bell pooled their money to make a five hundred-dollar down payment on land in Raccoon Bluff near Belle Marsh that was being sold for \$2,000.<sup>105</sup> The men paid another five hundred dollars upon signing the purchase agreement and provided three-year notes for the five hundred dollars due on January 1.<sup>106</sup> The Hillery Land Company created an island within an island by parceling out twenty plots of thirty-three acres each, which Sapelo Island families purchased to establish homesteads.<sup>107</sup> Intracommunity networks such as that established by the Hillery Land Company reinforced fictive and nonfictive kin relationships. These relationships were important in the sale and transfer of land in lowcountry African American communities.<sup>108</sup> The community of interests served as the cohesive force for political activism over landownership and fair compensation.

Historian Eric Foner identified landownership as the central component of the black economic agenda. Black landownership would have a transformative impact on the southern economy and foster self-sufficiency. However, only in the lowcountry rice region did the ideal come to fruition. Although rice production in the lowcountry never regained its prewar profitability, the power of local black



politicians was paramount for establishing the region as a symbol and stronghold of black economic and political clout through landownership. The failure of land reform in the remainder of the South, Foner argued, led to alternative strategies to transform the economy. Most Reconstruction governments resorted to railroad construction as a vehicle to effect economic change. According to Foner, this vision appealed to a broad array of southerners and cut across party lines.<sup>109</sup>

During the waning years of congressional Reconstruction, intimidation and violence by vigilante organizations such as the Ku Klux Klan, the Jayhawks, and the Regulators proscribed the enactment of free labor ideology throughout the South.<sup>110</sup> The activities of the Klan had its origins in the labor troubles that emerged with the destruction of slavery. The enfranchisement of African American men politicized the Klan's reign of terror and led to the success of what John Hope Franklin termed “counter Reconstruction.” In the 1874 elections, only three counties in the state of Georgia maintained a black voting majority and elected African American men to the state legislature: Liberty, McIntosh, and Glynn counties.<sup>111</sup> The redemption of the state government, which involved the election of 41 Democratic senators and 156 Democrats to the House, succeeded in diminishing the Republican presence in state politics. By 1884 only Liberty and McIntosh counties elected an African American representative to the state legislature.<sup>112</sup>

Throughout the 1870s and 1880s, local African American leaders labored to ensure the longevity of the Republican Party by organizing rallies and attending state Republican conventions, not only to encourage high voter turnout in local elections, but to foment support in national elections.<sup>113</sup> In McIntosh County, Republican voters assembled in front of the old courthouse in Darien in July 1876 to choose two delegates to attend the district convention scheduled to convene on August 10 in Savannah. The meeting was called to order by Allen C. Gould, whom the convention elected on motion as convention chair. Daniel Spaulding served as secretary. The committee elected Gould and Samuel Russell as delegates. The biracial convention adopted strong resolutions endorsing Rutherford B. Hayes and William A. Wheeler for president and vice president of the United States. The convention's executive committee consisted of Gould, Hamilton Curry, Lectured Crawford, P. C. Dollie, and Peter Maxwell. Each of these local leaders and least two local white leaders attending the convention, W. H. Way and J. W. Corker, made a series of copacetic speeches in support of the Republican Party.<sup>114</sup>

The Republican Convention of the First Congressional District of Georgia met at St. James Tabernacle in Savannah on Thursday, August 10, 1876. Attorney and vice chair Louis B. Toomer called the meeting to order and read the call for the convention in the absence of James Atkins, who served as chair of the district committee. John H. Deveaux, owner of the region's only black newspaper, *The Savannah Tribune*, was unanimously elected temporary chair, and J. H. Perry was elected secretary. At the Republican District Convention, members nominated J. E. Bryant



unanimously for Congress and John T. Collins as a district elector; and they elected John H. Deveaux chair of the district committee.<sup>115</sup>

Local leaders in Chatham, McIntosh, Liberty, Glynn, and Camden counties were connected to leaders in Savannah through political and fraternal networks. The *Savannah Tribune* provided access to public community space for political activism. Political networks derived from inter-island ties established with the assistance of local leaders such as former slaves William A. Golding of Liberty County and J. C. Legree of Chatham County, who became mayor of Burroughs, Georgia. Golding, who served as a “delegate” of local freedmen and freedwomen through his employment by the Freedmen’s Bureau, held court sessions in Liberty County in which he, along with other former slaves, wrote letters complaining of the conditions in the lowcountry.<sup>116</sup> In one such letter Golding stated: “We cannot labor for the landowners and know that our infirm and children are not provided for and not allowed to educate or learn more than they were permitted in slavery. We are a working class of people and we are willing and are desirous to work for a fair compensation. But to return to work upon the terms that are at present offered to us would be we think going back into the state of slavery.”<sup>117</sup>

Like other lowcountry leaders, such as Aaron A. Bradley and Tunis Campbell, Golding wedded politics with a desire for social and economic justice.<sup>118</sup> His service in Georgia’s constitutional convention of 1867, the Georgia House of Representatives in 1868, and the Georgia labor convention reflected a trope of leadership committed to the advancement of fair compensation. Although the Georgia House of Representatives expelled Golding, along with other African American legislators, on the grounds that the right of black men to vote did not necessarily translate into a right to hold office, Golding continued to give voice to the labor concerns of African Americans in the lowcountry.<sup>119</sup>

Leaders such as Bradley and Golding used their social capital to promote identity politics in the lowcountry. *Identity politics* refers to “collective sensibilities and actions that come from a particular location within society, in direct defiance of universal categories that tend to subsume, erase, or suppress this particularity.” In this sense, *location* implies a distinctive “social memory, consciousness, and practice, as well as place within the social structure.”<sup>120</sup>

Former slaves continued to demand full and fair compensation throughout the late nineteenth century. Through organizations such as the Union League and the Georgia Colored Farmers’ Alliance, they endeavored to push against neodependency and neopaternalism. After the end of the war, the Union League provided former slaves with a platform to express their views on political, social, and economic matters.<sup>121</sup> Men such as engineer and blacksmith Dandy Stewart relied on these organizations to maintain political spaces for their own intellectual praxis. Stewart was elected to the Darien County Board of Commissioners in 1878. He

In the Superior Court of Chatham County  
 December Term 1897

In the  
 The Incorporation of Burroughs  
 Order Authorizing the Election of Corporate Officers.

The town of Burroughs having been duly incorporated on the 22nd day of January 1898 this is hereby considered, ordered and adjudged that within a period of sixty days an election be held for the following corporate officers to wit a Mayor or a President and five councilman who together shall form the Common Council of Burroughs. It is further considered, ordered and adjudged that S. T. Howell, Aaron Johnson and Cassar Segre or if they fail or refuse to act that any three legal voters residing within the territory of Burroughs the said three are hereby appointed Inspectors at the first election to be held in said town of Burroughs.

This being a town of less than two thousand inhabitants authority is given for any councilman or alderman, during his term of office as such to hold any other municipal office in the said town of Burroughs.

In open Court  
 this 31st day of January 1898  
 Filed in Office Jan'y 31. 1898

P. Talligant  
 Judge of the Court

James M. O'Leary  
 Clerk S. C. C.

Article Authorizing the Election of Corporate Officers, Burroughs, Georgia, 1898.

Records of the Chatham County Superior Court, Charter Book 4, 123-24, Savannah, Georgia.

and his son Dandy Stewart Jr., who labored as a farmer, remained commissioners throughout the 1880s.<sup>122</sup>

During the late 1880s and early 1890s, the Georgia Colored Farmers' Alliance became the principal vehicle for welding free labor ideology to fair compensation. Organized in Troup County in 1884, the Colored Farmers' Alliance at its peak boasted a membership of 90,000, which included a large number of women.<sup>123</sup> The significance of this movement became evident with the construction in the 1880s of a Farmers' Alliance Hall on Sapelo Island, where residents held political meetings to discuss the community's economic concerns.<sup>124</sup> Alliance members elected African Americans to local county positions and were instrumental in electing two

African Americans, Lectured Crawford of McIntosh County and J. M. Holzendorf of Camden County, to the Georgia state legislature in 1890.<sup>125</sup> The gradual decline of the Colored Farmers' Alliance in 1893 was coeval with deteriorating race relations throughout the state.

Dandy Stewart lived on Butler's Island throughout the Reconstruction and post-Reconstruction periods. He remained politically active in lowcountry politics throughout 1890s until his death on May 23, 1891.<sup>126</sup> His service on the Board of Commissioners for Darien, Georgia, and his duties as coroner for McIntosh County, a position he assumed in 1879, had earned him the respect and admiration of black and white citizens. Like other former slaves, Stewart carved out liminal spaces of freedom from former plantation lands, and through his labor as an engineer and blacksmith he earned enough wages to purchase thirty acres of land on Butler's Island.<sup>127</sup> Stewart, like many other African American men in the lowcountry, continued to pay a poll tax until his death to remain politically active in the county and give voice to the region. Not unlike other late-nineteenth-century African American families, Stewart left a legacy for his son, who continued his father's political activism as the economic and political challenges of the 1890s continued unabated in spite of African American resistance.