CHAPTER THREE: THE EFFECTS OF CONFEDERATE DISAFFECTION, CONFEDERATE DISLOYALTY, AND UNIONISM ON THE FLOYD COUNTY HOMEFRONT

Unionists in Floyd County aided local deserters, attempted to spread Confederate disaffection among its residents, joined covert peace societies, provided intelligence and aid to Federal troops, and conflicted bitterly with local Confederate loyalists. The widespread community turmoil that resulted from the clash between the county’s Unionists and loyalists further negated Floyd as a positive portion of the Southern homefront and forced Confederate authorities to take action designed to suppress and arrest the county’s disloyal residents.

The causes of Unionism within residents of the Confederate States varied widely, although there were several common factors viewed as root motivations. Southern residents with specific religious beliefs, with Republican political allegiances, or who moved South shortly before secession, held overt reasons to remain loyal to the United States during the war. Some southern citizens became disaffected with the Confederacy and eventually also became Unionist as a result of tax-in-kind laws and the Confederate Impressment Act, both of which bred class resentment and disloyalty.\(^1\) Conscription laws further alienated a portion of the Confederacy’s population, exacerbating class tensions on the homefront by allowing exemptions for men owning twenty or more slaves, or for those wealthy enough to purchase a substitute.\(^2\) Jefferson Davis’ suspension of the writ of habeas corpus, which allowed martial law in some regions, added to the disaffection of a portion of the Confederacy’s residents, eventually turning some against the South.\(^3\) In Appalachia and southwest Virginia the roots of Unionism lay in much of the same soil: conscription turned residents against each other and the Confederacy, impressment agents alienated the population, tax-in-kind measures infuriated poor farmers.\(^4\) Confederate

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\(^2\)Tatum, *Disloyalty*, 13-14.

\(^3\)Escott, *Jefferson Davis*, 203-208.

disaffection bred Unionism and disloyalty throughout the war, eventually becoming one of the causes for the disintegration of the South’s homefront.

Floyd County residents’ Confederate disaffection, disloyalty, and Unionism expanded throughout the Civil War. Conscription laws produced hostility within a portion of the county’s population and were resisted by many. Grain shortages and hoarding by tax-in-kind agents caused fear, unrest, and dissatisfaction with Confederate policy. Floyd’s Dunkard population, whose non-violence doctrine made joining the Confederate army impossible, suffered harassment from local loyalists, prompting many to sympathize with the Union cause. The effects of inflation, extortion, and impressment led to widespread discontentment in the community, as did new taxes needed to feed soldiers’ families and fund the Confederacy. State and governmental prosecution of local deserters turned the runaway soldiers’ relatives and friends against the Confederacy and the war, and led many of them to become Unionist. Floyd’s loyalist community exacerbated the rise in local Unionism by attacking those in their community who were unsupportive or antagonistic towards the Confederacy, and by summoning Confederate troops to the county to prosecute, intimidate, and threaten its disaffected residents.

Confederate conscription laws confused many inhabitants of Floyd County. Like Primitive Baptist minister Peter Corn, most residents were “accustomed to having a say in all contracts” and therefore felt the draft policy was unjust. When portions of the population resisted conscription they were arrested and imprisoned by regional Confederate enrolling officers and by Colonel Robert Taylor Preston and the 4th Virginia Reserve. This further alienated disaffected residents and turned many openly against the Confederacy. In addition, the county’s Dunkard church was “as a body . . . opposed to the war.” Confederates in the community considered Floyd’s Dunkard parishioners to be Unionists and thus liable for harassment, property seizure, and violence. And even though male members of the sect paid $500 each to become exempt from military duty, they suffered increasing harassment and violence from incensed loyalists who interpreted any refusal to defend Virginia as treasonous.


Peter Corn, “An Autobiographical Narrative by Elder Peter Corn, April 6, 1907,” in 250 Years in the Blue Ridge, ed. Nancy Hanley and Janet Keith (Floyd County: Privately Printed, 1993), 165.

See the names of men arrested and jailed for resisting conscription by local enrolling officers and by Colonel Preston and his troops, listed in Floyd County Court, Common Law Order Book 3, 1859-1868, Floyd Courthouse, Virginia, pages 255-277.

Quote from Floyd County Dunkard Joshua Weddle, in Records of The Southern Claims Commission, Record Group 217, Claim Number 2995, National Archives of the United States, Washington, D.C.

Ibid., testimony of Denis Hylton for Joshua Weddle.
Alcohol distilling caused grain shortages throughout the Confederacy and prompted most states to pass prohibition legislation early in the war. Virginia’s wartime government waited until March, 1863, to enact statewide prohibition and end grain hoarding by alcohol distillers, a delay that caused suffering among the state’s homefront population. By September, 1862, Floyd residents were so alarmed by local grain shortages that they held a community meeting to discuss “prohibiting the distilling of grain during our present difficulties.” They met in Jacksonville, resolving to design a petition to the state government that would explain a recent crop failure made “the principal sufferers [of liquor speculation] the needy and unprotected families of the poorer classes.” Most felt that local distilleries were “consuming in a few months the entire products of the county,” causing starvation among the wives and children of soldiers and prompting their husbands to desert Confederate forces. In the petition, signed by 572 residents, the county court explained it was taxing the community to feed its soldiers’ families, but hoarding of grain by distillers was causing a severe shortage as well as exorbitant prices and “intense suffering in our midst.” Those signing the petition urged the Virginia General Assembly to outlaw alcohol production, explaining that “Our men will be much better soldiers without the liquor, and their families enabled to obtain bread.” The effect of such “intense suffering” early in the war, combined with even greater shortages and hardships later, caused disaffection for the Confederate and Virginia governments within a portion of the Floyd community, resulting eventually in an increase in local Unionism and desertion.

Extortion by merchants, pillaging by Confederate troops and home guard units, and the increasing worthlessness of Confederate currency added to the Floyd community’s misery. Jacksonville tanner James W. LeSueur, like other merchants, forced residents to sign his military exemption petition, threatening customers who refused that he would

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10Ibid., Another act passed by Virginia’s Legislature in October of 1863 outlawed distilling alcohol for the Confederacy by contractors operating in the state, see ibid., 55-56.

11The local meeting is explained in an enclosure that arrived with the petition, in Virginia General Assembly, Legislative Petitions, Floyd County, 1831-1862, The Library of Virginia, Richmond.

12Ibid.

13Ibid., The enclosure also explained that Floyd County’s magistrates feared the grain shortage would keep local men from re-enlisting.

14There are 572 signatures on the actual distilling petition, which was sent to the Virginia General Assembly on 8 September 1862. See Virginia General Assembly, Legislative Petitions, Floyd County, 1831-1862, The Library of Virginia.

15Ibid.
“see them in hell” before ever selling them leather again.¹⁶ The collapse of Confederate currency troubled residents like John Howell, who wrote his wife from the camp of the 54th Virginia Infantry in Dalton, Georgia, instructing her get rid of the currency she had and “donat sell eny thing you have for Confederate money.”¹⁷ Repeated foraging by the Confederate army and pillaging by home guard units forced Floyd residents to conceal their provisions. Local soldiers like Cephas Walton wrote county authorities, begging them to “try and tend to my famley and see that they dont suffer if you can help it.”¹⁸ Scarcity and hardship forced some Floyd residents to examine their allegiance to the Confederacy, prompting them to seek an end to their continued suffering as well as the war.

Even Floyd County’s slaveholders eventually found reason to at least question their loyalty to the Confederacy, dramatically exhibiting the scope of disaffection within the community. In January, 1863, Floyd’s magistrates were instructed by the state government to impress a Confederate mandated county quota of twenty slaves and furnish them to regional conscription authorities.¹⁹ Floyd’s magistrates compiled the list of slaves to be furnished, but encountered resentment from local slaveholders. The magistrates conveyed their distress to the regional conscription officer, informing him that the county provided “1,300” men for military duty, has “only some 400 slaves,” is “elevated and cold and not well adapted to agriculture,” and therefore requested a slave exemption.²⁰ The state refused to grant the magistrates’ request. However, the county magistrates continued to reject the state government’s requisition and furnished no slaves, which forced state authorities to again demand Floyd’s quota of bondsmen in December, 1864.²¹ Despite the

¹⁶ A letter from concerned Floyd government authorities explained LeSuer’s extortion to state authorities, see Harvey Deskins, William Banks Shelor, Jackson Godby, and Burwell Akers, “Floyd Court House” [Floyd County, Virginia], to Governor John Letcher [Richmond, Virginia], 13 July 1863, Executive Papers and Letters, Virginia Governor John Letcher, The Library of Virginia, Richmond (hereafter cited as Letcher Papers).

¹⁷ John Howell, Dalton, Georgia, to Mary A. Howell, Floyd County, Virginia, 2 March 1864, quoted in George L. Sherwood and Jeffery C. Weaver, 54th Virginia Infantry (Lynchburg, Va.: H.E. Howard, 1993), 103.

¹⁸ Cephas L. Walton, “Camp Near 7 Pines,” to Captain S. R. Alderidge [Floyd County, Virginia], 17 June 1864, Walton Family Correspondence, Special Collections, Carol M. Newman Library, Virginia Polytechnic Institute and State University, Blacksburg.

¹⁹ See, Colonel J. F. Gilman, “Chief of Confederate Army Engineer Bureau,” to James A. Seddon, “Confederate Secretary of War,” enclosed in a letter from Seddon to Governor John Letcher, January 1863, Letcher Papers; and also a printed circular with Floyd County’s quota of 20 slaves, dated 22 January 1863, in ibid.

²⁰ The twenty slaveholders are listed in Floyd County, Court Order Book, 1858-1864, Floyd Courthouse, Virginia, page 407; for the letter from Floyd County magistrates to J. S. Preston, “Chief of the Conscription Bureau,” requesting a slave exemption, see ibid., page 472.

²¹ See the printed circular from George W. Mumford, “Secretary of the Commonwealth,” to
additional request, Floyd’s head magistrate Harvey Deskins informed the Virginia government that the county court, although “well apprized of the bad name they have a broad,” unanimously agreed that it could not furnish the slaves.\textsuperscript{22} The court cited numerous reasons in its objection, complaining that Floyd was “one of the poorest grain growing [counties] in the state” and that local “crops for the last two years have been an intire failure.”\textsuperscript{23} The magistrates also explained that due to the absence of “1,800” Floyd soldiers, the court was being forced to find ways to feed 800 soldiers’ families with only the assistance of “brokendown old men.” The court therefore hoped the state would “spare the negroes to assist in relieving the poor families.”\textsuperscript{24}

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Name of Slaves & Age & Race\\
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Avery & 57 & Black\\
Baker & 19 & Black\\
Brown & 32 & Black\\
Crosby & 18 & Black\\
Dennis & 18 & Black\\
Duncan & 29 & Black\\
Evans & 60 & Black\\
Ford & 30 & Black\\
Garner & 40 & Black\\
Greer & 18 & Black\\
Henderson & 30 & Black\\
Hill & 40 & Black\\
Howard & 60 & Black\\
Jackson & 32 & Black\\
King & 30 & Black\\
Lott & 30 & Black\\
Mclay & 29 & Black\\
Middleton & 30 & Black\\
Morris & 30 & Black\\
Newman & 30 & Black\\
Page & 30 & Black\\
Peck & 30 & Black\\
Price & 30 & Black\\
Riley & 30 & Black\\
Smith & 30 & Black\\
Taylor & 30 & Black\\
Walker & 30 & Black\\
Watson & 30 & Black\\
White & 30 & Black\\
Williams & 30 & Black\\
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Floyd County Magistrates’ List of Slaves for Possible Impressment by the Confederacy. Floyd County, Court Order Book, 1858-1864.
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\textsuperscript{22}Harvey Deskins, “Floyd Court House” [Floyd County, Virginia], to Governor William Smith [Richmond, Virginia], 7 January 1865, Smith Papers.

\textsuperscript{23}Ibid.

\textsuperscript{24}Ibid., The magistrates' claim of furnishing 1,800 soldiers appears to be an exaggeration of roughly 500 men.
Despite the second demand from the state government, the county magistrates again refused to furnish the required slaves, ultimately supplying no local bondsman to the Confederate war effort. Although the excuses provided by the court were likely a factor in its decision, two other unspoken elements played a far greater role. First, since several of the magistrates’ own slaves were on the county’s quota list, their objection was personally motivated, and second, since two Floyd magistrates were Unionist, their votes went consistently against legislation that would in any way provide assistance to the Confederate States.25

The Unionist county magistrates, Esom Huff and Ferdinand Winston, were two of approximately 100 open and well known anti-Confederate residents of Civil War Floyd.26 Their elections, which occurred despite strenuous objections from loyalist residents, indicate that Unionist sentiment was also present among hundreds of less open or outspoken Floyd residents. The county’s well known local Unionists were primarily farmers, sometimes slaveholders, usually wealthy landowners, and often Dunkard in religion.27 They were also mostly men, roughly 40 years old, usually owners of real estate worth about $1,000 and personal property valued at $775, and sometimes occupied as merchants, craftsmen, industry owners, civic representatives, and clergy. Only a small portion of the county’s outspoken Unionists were tenant farmers, impoverished, or female. Most of the county’s well known Unionists were neighbors living in very close proximity of each other.28 In 1860, the county’s census taker indicated that their homes were usually no more than ten households apart and often were separated by only one or two other families. Floyd’s foremost Unionists also lived clustered in portions of five neighborhood districts: Court House, Huffsville / Simpsons and Greasy Creek / Willis Ridge. Most also lived within 100 households of Dunkard clergyman Christian Bowman, or near Spangler’s Mill, and were additionally concentrated in family groupings. No

25 See the magistrates listed on the twenty slave list in the Floyd County, Court Order Book, 1858-1864, page 407; Unionists Esom Huff and Ferdinand A. Winston were both elected county magistrates during the war.

26 The foremost Unionists of Floyd County during the Civil War are derived from roughly 97 names residents provided in response to question seventeen on the Southern Claims Commission interrogation form: “Who were the leading and best known Unionists of your vicinity during the war?”

27 Floyd County’s well known Unionist slaveholders were derived from names provided on question seventeen of the Southern Claims Commission interrogation form (see above footnote), and then cross-listed with Floyd slaveholders listed in [United States, Bureau of the Census] “Eighth Census of the United States: 1860” Manuscript Schedules of Slave Population, Floyd County, Virginia. The Unionist slaveholders were: John Carter - 6 slaves; Ruth Carter - 2 slaves; Jackson Godby - 1 slave; John Harman - 1 slave; Jacob Helm - 7 slaves; Preston Howery - 1 slave; Jacob Moore - 8 slaves; Elijah Wilson - 2 slaves.

28 This information as well as additional examples that follow in the text, was derived from the names provided on question seventeen of the Southern Claims Commission interrogation form (see footnote number 26 above) and from data available in [United States, Bureau of the Census] “Eighth Census of the United States: 1860” Manuscript Schedules of Free Population, Floyd County, Virginia.
outspoken Unionists resided in the districts of Flat Head, Copper Hill or Copper Valley, and very few lived in Indian Valley or Jacksonville.

“Levying War Against the State, Adhering to its Enemies, and Giving Them Aid and Comfort”: Unionist Activity in Floyd County

Unionist residents of Floyd County acted in a variety of ways to impede the Confederate war effort. They attempted to spread their Unionist beliefs to others in the community and sought to remove the county as a positive or useful portion of the Southern homefront. They avoided military service, aided deserters, assisted draft dodgers across Federal lines, and eventually organized “Union Guard” units in response to the violence of local home guards and Confederate forces. Sometime in 1863, many of Floyd’s Unionists also joined a covert peace society and participated in activity “treasonous” to the Confederate cause by harboring Federal soldiers, providing intelligence to United States troops, and issuing death threats to local Confederates. These and other Unionist actions inevitably prompted a furious response from Floyd’s loyalists and the Virginia and Confederate governments. Their reaction, however, came after significant increases in local Confederate disaffection and Unionism, and served only to hasten the collapse of the Floyd County homefront.

In an attempt to further Unionist beliefs in Floyd, many of the county’s anti-Confederate residents spoke openly of their hostility towards the Confederacy. They also attempted to convert the county’s disaffected inhabitants into Unionists and sought out disillusioned community members in an effort to transform their apathy into disloyalty. In 1862, Freeborn Hall was arrested for “counseling, aiding and abetting . . . [residents] to resist the laws and authorities [of the Confederacy].”\(^\text{29}\) His arrest came after being overheard advising local farmers that the Confederacy’s war against the United States would result in the South’s “starvation” and would also “free the negroes,” leaving Floyd County’s white residents impoverished as well as living among free blacks.\(^\text{30}\) David Weddle informed his neighbors that “if he had his way he would hang Jeff Davis and all his rebel crew.”\(^\text{31}\) Andrew F. Stigleman, a brazen Unionist, made his opinions known and “regardless of the company or persons [present], spoke roughly of the so called Confederate government and its advocates.”\(^\text{32}\) Other county Unionists encouraged their

\(^{29}\) Floyd County Court, Common Law Order Book 3, 1859-1868, page 214.

\(^{30}\) Ibid.

\(^{31}\) Records of the Southern Claims Commission, Record Group 217, Claim Number 2441, testimony of William Jasper Dillion for David Weddle Sr.

\(^{32}\) Ibid., Record Group 233, Claim Number 2436, testimony of Alex Weddle for Andrew F. Stigleman.
sons to desert Confederate forces and provided guidance on conscription resistance and desertion.

Any public expression of Unionist sentiment in Floyd County was a dangerous action and liable to prompt a quick and violent Confederate loyalist response. Many Union men therefore spoke of their beliefs and addressed fellow residents only in secure situations. Court House district tenant farmer Elijah Hylton, who was “for the Union all the time,” was forced to “keep quiet” until assured of his own safety, at which time he attempted to sway others to the Union cause. 33 Floyd’s Unionists understood the danger of publicly advocating their beliefs, and like Benjamin Harmen realized “a man dared not talk every time he wanted to talk.” 34 Philip Ratliff was “sorry that [the] Union army couldn’t smash up everything at once and come right along” and simply refused to speak at all when not permitted to “talk my sentiments.” 35 Other county Unionists were sometimes compelled to internalize their feelings. One local anti-Confederate felt a “secret joy. . . . [and] good all over” after the fall of Vicksburg, but chose not to express his reaction or at the time reveal a discernible Unionist sentiment. 36

Unionists who continued to express themselves publicly eventually became targets of home guard and local loyalist aggression aimed at censuring their comments. In September, 1862, after learning a local Confederate officer was killed in battle, Court House district farmer Hyram Dulany enraged the county’s loyalist residents by declaring publicly that “he was glad to hear of the death of Henry Lane in the Battle of Cedar Run, [and] that he hoped he was in Hell where all secessionists ought to be.” 37 Floyd’s loyalists informed the county court of Dulany’s pronouncements, demanded his arrest, and testified against him at his eventual trial. 38

In 1861, the Virginia legislature passed laws defining treason as “levying war against the State, adhering to its enemies, or giving them aid and comfort.” The state sanctioned “punishment by death” if the treasonous activity could be verified by two witnesses. 39 In April, 1862, using the Virginia Code’s definition, Floyd’s court charged

33 Ibid., Record Group 217, Claim Number 17710.
34 Ibid., Record Group 233, Claim Number 2431.
35 Ibid., Record Group 233, Claim Number 8741.
36 Ibid., Record Group 233, Claim Number 2436.
37 Floyd County Court, Common Law Order Book 3, 1859-1868, page 224.
38 Ibid.
39 See the printed circular titled “Treason in Virginia” issued by the state on 15 May 1861, available in Confederate Imprints, 1861-1865, Microfilm, Number 2867 [and filmed from the collection available in the Archives Division of Rice University, Texas].
county Unionists Clarburn Lloyd and Hiram Hall with treason for “acting and speaking in a contemptuous manner and threatening personal violence against the person of William E. Lewis -- Captain of the home guard.” Captain Lewis testified that Lloyd and Hall spoke openly of their “hostile sentiments to the Southern Confederacy and in favor of the federal government,” yet due to a lack of further evidence the men were released. Five months later Captain Lewis received threats from several more of Floyd’s Unionists and again attempted to arrest them for treason. However, this time the county’s Unionists “waylaid and murdered” Lewis, stole his weapons, and left his corpse on a local road. In Lynchburg, the *Daily Virginian* reacted to the murder by declaring Floyd County “infested” with Union men and deserters, and by proclaiming Captain Lewis a “Southern man. . . . [and] a worthy man, much esteemed by his neighbors.”

Unionists in Floyd resisted Confederate conscription and aspired to keep relatives out of the service as well. Daniel Wall “hid in the bush for twelve months to keep out of the rebel army.” Jacob Moses fled north to Cincinnati to “keep from being conscripted into the Rebel reserves.” Moses paid the fare for a potential Montgomery County conscript as well, allowing fellow Unionist “Dock” Hunley to join him on the trip north. Hannah J. Spangler did all she could to keep her son out of Confederate service, but when he enlisted anyway and was soon killed, she “begged [other county] men not to volunteer.” Rebecca Blackwell, whose “sympathies were always with the army of the north,” used “all the influence” she could to keep sons William, Thomas, Abe, and Elijah out of the Confederate army. Many Unionists advised their conscripted sons to desert as soon as possible and cross into Federal lines so they could not be returned to the Confederate military.

40 Floyd County Court, Common Law Order Book 3, 1859-1868, page 212.

41 *Ibid.*. No further record of the trial exists and no court record was found that indicated the men were punished. They were likely released due to insufficient evidence.

42 *Daily Lynchburg Virginian*, 8 October 1862.

43 *Ibid.*.

44 Records of the Southern Claims Commission, Record Group 233, Claim Number 13128, testimony of F. L. B. Anderson for Daniel Wall.

45 *Ibid.*, Record Group 217, Claim Number 17604.

46 *Ibid.*, Record Group 217, Claim Number 2990.

47 *Ibid.*, Record Group 233, Claim Number 2436.
Floyd’s Unionist residents supported each other, often providing shelter, sustenance, and funding to fellow anti-Confederates and Federal soldiers in need of assistance. The constant hazard of retribution from loyal residents and Confederate forces combined to generate a strong solidarity among local Unionists as well as make them suspicious of inhabitants from other Floyd neighborhoods. To insure a continued anti-Confederate stance among Floyd’s impoverished Unionists, and to strengthen their resistance to Confederate bribes, wealthy Unionists like Joshua Weddle “contributed means to many poor fellows whose sentiments were that of mine.”\(^{48}\) Other anti-Confederates harbored residents who “were afraid to stay at their own houses because of their Union sentiment.”\(^{49}\) When five escaped Federal soldiers found their way to Floyd in 1862, Hosea Wimmer fed and sheltered the men for several days, then assisted them out of the county and toward northern lines, committing treason that could have resulted in his execution.\(^{50}\) The local anti-Confederate community supported each other politically, and despite threats of violence, voted for Unionist candidates seeking local office. They suffered harassment and intimidation for their actions. Huffsville farmer Jacob Weaver “voted for the Unionist candidate for sheriff [in the fall of 1864]” despite facing “Guards . . . threatening with guns” at the polls.\(^{51}\)

\(^{48}\) Ibid., Record Group 217, Claim Number 2995.

\(^{49}\) Ibid., Record Group 233, Claim Number 2992 [Amos Graham].

\(^{50}\) Ibid., Record Group 233, Claim Number 14495. Wimmer claimed the Union soldiers were from units that originated in Indiana. It seems reasonable to conclude that they escaped from the Confederate prison in Danville, Virginia, approximately 80 miles southeast of Floyd County.

\(^{51}\) Ibid., Record Group 233, Claim Number 5862. Ferdinand A. Winston was the Unionist candidate for sheriff in November 1864. He lost the election.
When local anti-Confederates became the target of Confederate harassment, Noah Underwood, like other Unionists in Floyd, promptly “assisted them to get into Union lines.”52 Others even aided relatives who hoped to enlist with United States forces. Simpsons district farmer Jacob Walters gave his grandson “a horse, saddle, bridle, and eleven dollars in silver. . . . to go to the Union army.”54 Despite the funding, Walters’ grandson never made it north, but instead was “driven back [to Floyd County] by the rebels” where he “laid in the woods the balance of the war.”55

To counter the intimidation and abuse of Floyd’s home guards, local Unionists infiltrated the units, organized Union guards, and engaged in guerrilla warfare. Some of Floyd Unionists were conscripted into home guards, others like Joseph Phares, infiltrated the units and “used the position for the benefit of Union men” by providing false intelligence to its officers and warning fellow anti-Confederates of the guard’s plans.56 In the summer of 1864, approximately 100 Floyd Unionists enlisted in their own “guard,” and under the leadership of “captain” Charles Huff they confronted the county’s Confederate home guard units with a series of ambushes and nighttime raids.57 Jacob Walters and Jacob Board, who were both members of the Union guard, assembled with other volunteers after dark to set ambushes around Confederate home guard encampments.58 Floyd’s Unionists also directly challenged the authority of Confederate home guards who were attempting to arrest them. One local anti-Confederate, when confronted by the guards, “took a gun from a Rebel’s hands and . . . told the soldiers that he would give them what was in the gun.”59

Sometime in 1863, members of the covert Unionist peace society known as The Heroes of America visited Floyd and recruited the county’s anti-Confederate residents into the organization.60 The order, which was headquartered in Raleigh, North Carolina,

52 Ibid., Record Group 233, Claim Number 3520.
54 Ibid., Record Group 217, Claim Number 5861. Jacob Walters’ grandson, Jacob Board, lived with Walters at his Court House district farm. Board would have been eighteen, and eligible for Confederate conscription, sometime in 1864.
55 Ibid.
56 Ibid., Record Group 233, Claim Number 5649, testimony of Esom Huff for Joseph Phares.
57 Ibid., Record Group 233, Claim Number 8740, testimony of Charles Huff for Otey F. Kinsey.
58 Ibid., Record Group 217, Claim Number 5861, testimony of Jacob Board for his grandfather Jacob Walters.
59 Ibid.
60 The society was also known as The Heroes of 1776 and The Red String League. Some evidence that the order was established in Floyd County as early as the fall of 1862 by Raleigh, North
promised its members protection from the Confederate military and guaranteed division of Southern loyalists’ land after a Northern victory.\(^{61}\) In exchange, the H. O. A. expected its constituents to provide intelligence on Confederate troop movements, to encourage desertion from Confederate forces, and to aid deserters and Federal forces in the vicinity.\(^{62}\) Members swore an oath to secrecy, faced the penalty of death for divulging the order’s covert existence, and used an elaborate biblically themed password and sign system to identify fellow H. O. A. members.\(^{63}\)

Floyd’s Unionist residents were highly receptive to the H. O. A.’s doctrine and joined the order by the dozens.\(^{64}\) In 1863, Court House district farmers John H. Sowers, Peter Bowman, and L. G. Wickham took the Heroes’ oath, but were afterwards “afraid to talk with anybody [about their membership] . . . in the red string or Union league party.”\(^{65}\) Tilman Overstreet and miller Jacob B. Moses joined the “Heroes of America to break down the Confederate government,” and Dunkard Eli Epperly took the league’s oath to “brake the Confederacy down.”\(^{66}\) Court House district farmer Freeborn Hall and his neighbor, carpenter Robert W. Whitlow, joined the “order for the suppression of the rebellion.”\(^{67}\) Charles Huff took the oath and in the winter of 1863. Huff’s friend Otey F. Carolina physician John Lewis Johnson can be found in William T. Amman and David D. Scarboro, “The Heroes of America in Civil War North Carolina,” \textit{North Carolina Historical Review} 58 (October 1981): 336, 338-339; evidence the society was founded in Floyd in the fall of 1863 by North Carolina Unionist Horace Dean is available in Tatum, \textit{Disloyalty}, 32-33, 158-59; and in \textit{The Official War Records}, series 4, volume 3, 807.


\(^{63}\)Auman and Scarboro also concluded that the order’s cryptic signs and passwords came mainly from text in the Book of Joshua and were based on the practices of Freemasons, see “Heroes of America,” 342-344; see also \textit{The Official War Records}, series 4, volume 3, 806, 809-811.

\(^{64}\)Kenneth W. Noe’s assertion that the Heroes of America are mentioned by only one claimant in the 220 post war claims from southwestern Virginia filed with the Southern Claims Commission is entirely incorrect. In Floyd County alone the H. O. A. is mentioned in five separate claims by seven different residents who refer to membership in the order and implicate approximately 30 other Floyd residents as H. O. A. members during the war. For Dr. Noe’s inaccurate accusation, see his “Red String Scare: Civil War Southwest Virginia and the Heroes of America,” \textit{North Carolina Historical Review} 69 (July 1992): 321-22. For Floyd claimants mentioning the H. O. A., see Records of the Southern Claims Commission, Record Group 217, Claim Number 2993, and Record Group 233, Claim Numbers 2091, 3491, 8740, 13909.

\(^{65}\)Records of the Southern Claims Commission, Record Group 233, Claim Number 13909, testimony of Peter Bowman and L. G. Wickham for John H. Sowers.

\(^{66}\)\textit{Ibid.}, Record Group 217, Claim Number 2993, testimony of Tilman Overstreet for Jacob B. Moses; Record Group 233, Claim Number 3491, testimony of Tilman Overstreet for Eli Epperly.

\(^{67}\)\textit{Ibid.}, Record Group 233, Claim Number 2091, testimony of F. A. Hall and Ferdinand A.
Kinsey, a Simpsons district blacksmith, also became member of the “secret organization of the neighborhood . . . which had for its object the preservation of the Union and signs which one Union man knew another.”

Floyd’s H. O. A. members spread the doctrine of the society throughout the county and eventually even recruited county soldiers in the 54th Virginia Infantry and in local home guard units. The pervasiveness of H. O. A. membership within the Floyd community, and within the county’s government, made attempts by the Confederacy to root-out and destroy the order there almost impossible. Local participants in the society sheltered Federal soldiers, encouraged desertion, protected deserters, and provided intelligence to fellow Unionists and the Northern army. Members risked execution for treason, yet boldly confronted Floyd’s loyalist residents, threatening them with death for reporting H. O. A. and deserter activities. When Court House district slaveholder Perry Graham notified Floyd’s home guard about deserters and H. O. A. members living in his neighborhood, an informer alerted the order’s participants. The society then left a note for Graham, cautioning him that,

You had better tend to your own business and lit other peoples alone. . . . You will not be permitted to go to mill of you don’t change your mode of doing, for everybody is aware of your reporting every person you know of. . . . Your time is short if you don't quit supporting the guard when they are in your neighborhood for it is your delight to get them started after people. Do you sir know sir that every body knows you and your family are fools in that respect you old Southern devil. You will get your dues . . . you old rebel, you had better go home and go to work and mind your own business and let other people alone and [make] old Sall [Graham’s wife] go home to hell where she belongs for cooking for the guard. Remember the within and obey it, for vengence is at hand. We, us & Co.

Winston for Robert W. Whitlow.

68 Ibid., Record Group 233, Claim Number 8740, testimony of Charles Huff for Otey F. Kinsey.

69 Deserters recruited into the H. O. A. while hiding in Floyd County, who were afterwards captured and returned to their units, spread H. O. A. doctrine among the troops. For evidence that this was especially true with deserters returned to the 54th Virginia Infantry, see Sherwood and Weaver, 54th Virginia Infantry, 129; the local H. O. A. also placed members in Floyd’s home guard, see Tatum, Disloyalty, 160.

70 McKinney, Southern Mountain Republicans, 26.

71 The threat appears as an enclosure in a letter from the Floyd County home guard, to Colonel Gardener, Dublin, Virginia, 3 December 1864, available in the Letters Received, Confederate Secretary of War, Record Group 109, National Archives of the United States, Washington, D.C.
“A Notorious Union Man, or Something Worse”: Floyd County Magistrate Ferdinand A. Winston

In 1863, H. O. A. member Ferdinand A. Winston began using his position as a Floyd County magistrate to spread Confederate disaffection and to supply deserters with relief earmarked for soldiers’ families. Winston, a thirty-seven-year-old Jacksonville cabinet maker, was elected as a Floyd County magistrate in November, 1860. He was born in Vermont, moved to southwestern Virginia with his parents in the late 1820s, and settled in Jacksonville with his wife, two daughters, sister, and mother in the 1850s.72 Ironically, the Winston’s neighbors in Jacksonville were wealthy slaveholder and secessionist Dr. John D. Stuart and his brother J. E. B. Stuart, who took classes at the Jacksonville Male Academy before becoming a Confederate Cavalry Major-General during the war.73

In the spring of 1861, as a newly elected county magistrate, Winston wrote Virginia’s governor and explained that he would stridently refuse to take Confederate oaths prescribed for all elected office holders in the state. Winston claimed that the oaths’ real purpose was to “humiliate the people and confer more power upon those who are crushing us with a weight too intolerable to be born,” and notified Governor Letcher that he personally had “no affection for the Dictator of the Confederate States.”74 In a subsequent dispatch Winston agreed to submit to the oath if necessary, but informed Letcher that Floyd’s Unionists hoped “for the restoration [because] it is impossible to forget the old United States.”75 Although Letcher’s response to Winston’s early Unionist declarations is unknown, an 1863 investigation of Winston was officially sanctioned by the governor.

Sometime in late 1862 or early 1863, Winston joined Floyd County’s chapter of the Heroes of America.76 In November, 1863, Confederate army physician James Dove

72 Winston’s home in Jacksonville is listed as Household 1413 on the Manuscript Schedules of Free Population, Floyd County, Virginia.

73 Dr. Stuart resided in Jacksonville Household 1411, see ibid.; for information about him and his brother J. E. B. Stuart, see Amos D. Wood, Floyd County: A History of its People and Places (Radford, Va.: Commonwealth Press, 1981 [based on manuscript originally written in 1932] ), 358, 371; and Sherwood and Weaver, 54th Virginia Infantry, 218.

74 Ferdinand A. Winston, “Floyd Court House” [Floyd County, Virginia], to Governor John Letcher [Richmond, Virginia], 28 June 1861, Letcher Papers.

75 Ferdinand A. Winston, “Floyd Court House” [Floyd County, Virginia], to Governor John Letcher [Richmond, Virginia], 9 July 1861, Letcher Papers.

76 Winston testified for H. O. A. member Robert W. Whitlow during a Southern Claims Commission interrogation in June 1872, informing investigators that Whitlow “belonged to a Union organization, I was a Union man myself during the war.” See Record Group 233, Claim Number 2091; in 1867 Winston was noted as a member of a “loyal secret society during the war” by Union General John M.
accused Winston of supplying fellow Unionists and the wives of deserters with relief materials collected for soldiers’ families. Dove complained to Governor Letcher and informed him that the magistrate was using his position to “inculcate and spread disaffection among the citizens” and “hamper our efforts at independence in every possible way.” To further prove his allegations, Dove also forwarded Letcher corroborating testimony from Presbyterian Minister Lindsay H. Blanton.

Blanton testified that during a November, 1863, dinner visit with the Winstons, the magistrate told him “the South can never succeed in establishing its independence.” Winston also spoke openly of a post-war Unionist property division of Confederate residents’ land and expressed his belief that “Virginia was forced out of the Union by a mob [and] there was no free expressions of the sentiment of the people at the polls.” Blanton reported his astonishment at such brazen disloyalty and asked Winston how he could express such an opinion “after more than two years of bloodshed -- after all the pillage and murder of Southern people . . . after an ocean of blood flowed between us and the North?” Winston’s reply of “Let the South be sure that its hands are clean are unweigh of blood murder” -- “I am in favor of a reconstruction of the Union” convinced Blanton that the magistrate was “a notorious Union man or something worse.” The reverend’s sworn memorandum also bolstered Dove’s allegations and persuaded Virginia’s legal authorities to begin an investigation of the Floyd County magistrate.

After reading the Dove and Blanton memorandums, Governor Letcher forwarded the information to Confederate Adjutant-General L. Baptist French. On November 21, 1863, French charged Winston with “disloyalty” and issued a warrant for his arrest. When the Floyd Court was informed that Confederate General Jones was in the county to execute French’s arrest order, the justices promptly declared that “the conduct of Mr. Winston and his genuine character is such to repel any such charge” and informed Jones

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77 Dr. James Dove, Salem, Virginia, to Governor John Letcher [Richmond, Virginia], 19 November 1863, in the January 1864 folder of Smith’s Papers.

78 Ibid.

79 Ibid.

80 Ibid.

81 Ibid., (Underlining is Blanton’s).

82 French’s arrest order is located as part of a circulating Confederate military document dated 19 November 1863 through 5 January 1864, and enclosed in the January 1864 file of Smith’s Papers.
that the court would “unanimously refuse to sanction or enter said order.” The court’s bold declaration did little to dissuade Jones, who promptly arrested Winston. On January 5, 1864, Jones had Winston transported by train to Richmond’s Castle Thunder Prison to await trail on “disloyalty” charges. While being held in Richmond, Winston received monetary aid, letters of encouragement, and eventually a horse from his Unionist friends in Floyd.

Magistrate Winston’s imprisonment created several problems for Virginia’s legal authorities, because while a “disloyalty” law existed for state militia members, no similar law existed for Virginia’s civil officers. William Smith, the state’s newly elected governor, understood the potential problem of trying Winston and turned the magistrate’s file over to Virginia’s Attorney General J. R. Whicker in hope of locating a loophole in the statute. On January 13, 1864, Whicker reported that he could “find no law or ordinance of Convention applicable to such cases,” for while the state could charge Winston with “malfeasance in office,” it could not use the magistrate’s “disloyalty” as the sole means of establishing the malfeasance. Since the state lacked substantial proof that Winston provided Confederate relief materials to the county’s deserters, and would be forced to rely fundamentally on testimony alleging that Winston uttered “disloyal” speech, it was left with few legal options to prosecute the magistrate. Whicker summed up the difficulty to Governor Smith with his opinion that “the disloyal sentiments attributed to Winston, however reprehensible in the view of every true patriot, don’t render him liable to any indictment under our law.” Whicker also advised Smith to encourage the General Assembly to pass legislation that would make it legal to remove any officer of the Commonwealth who uttered “treasonable or disloyal sentiments.” In the mean time, “Winston . . . must be left to disgrace the official station which [he] treasonably holds.”

On January 19, 1864, Governor Smith addressed the General Assembly to encourage passage of a disloyal speech law. In the address, Smith related the legal difficulties of the present law and informed the delegates that Winston had been using his magistrate position to spread “sentiments [that] are well calculated prejudicially to effect

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83 Floyd County, Court Order Book, 1858-1864, page 463.
84 The information is located in the same Confederate military document cited above, in the areas signed by General Jones and Major J. B. Dorman, located in the January 1864 folder of Smith’s Papers; and for Winston’s confinement, see an Address of Virginia Governor William Smith to the Virginia General Assembly, 19 January 1864, Smith Papers.
85 Records of the Southern Claims Commission, Record Group 233, Claim 8042 [Freeborn Hall].
86 J. R. Whicker, “Attorney General of Virginia” [Richmond, Virginia], to Governor William Smith [Richmond, Virginia], 13 January 1864, Smith Papers.
87 Ibid.
88 Ibid.
public opinion.” The governor appealed for “proper legislation . . . for the arrest, detention, and punishment of all such persons” because they were “a source of very great annoyance to [Virginia’s] loyal citizens.” The legislature, however, realized the inherent difficulty of regulating and defining “disloyal” speech and was unable to approve such a law, leaving Attorney General Whicker no choice but to free Winston.

In early 1864, Winston was released from Castle Thunder and returned to Floyd on a horse provided by the county’s Unionists. Winston’s term as a county magistrate either expired by the time he made his way back to Floyd, or he resigned the office. As a non-office holding citizen of Virginia within the parameters of Confederate conscription, Winston was then immediately eligible to be drafted into Southern forces. Possibly as a way to avoid such circumstances, Winston declared himself a Union candidate for Floyd County’s Sheriff in the fall of 1864. His campaign infuriated the county’s loyalists, who organized to ensure a defeat. On election day, according to Winston, “there was guards placed at every precinct . . . to prevent men from voting for me.” A few county Unionists mustered the courage to vote for Winston anyway, but most submitted to the loyalist threat and placed votes for other candidates or chose not to vote. On December 31, 1864, Winston was conscripted into the Confederate army and ordered to muster in with troops drilling at Lynchburg’s Camp Lee. One week later he was assigned “Light Duty” and furloughed for 30 days. After returning to his home in Floyd, Winston was appointed Assistant Commissioner of Revenue by the county court, making him ineligible for military service if the appointment received sanction from the governor of Virginia.

89 Address by Virginia Governor William Smith delivered to the Virginia General Assembly, 19 January 1864, Smith Papers.

90 Ibid.


92 In Southern Claims Commission testimony for his friend Samuel Morricle, Winston informed the claims commissioners that: “I myself was a Union candidate for sheriff for the county of Floyd in 1864.” See Records of the Southern Claims Commission, Record Group 233, Claim Number 14406; and see also Record Group 233, Claim Number 5862, for the corroborating testimony from Jacob Weaver.

93 Ibid., Record Group 233, Claim Number 14406, testimony of Ferdinand A. Winston for Samuel Morricle.

94 In ibid., Record Group 233, Claim Number 5862, Jacob Weaver describes loyalist threats at the polls, but contends he voted for Winston anyway.

95 Winston’s conscription and furlough information is available in a letter from S. P. Guerrant, “Acting Enrolling Officer, Floyd County, Virginia,” to Governor William Smith [Richmond, Virginia], 25 February 1865, Smith Papers.

96 Harvey Deskins, “Floyd Court House” [Floyd County, Virginia], to Governor William Smith
On March 4, 1865, with few other legal options available, Governor Smith begrudgingly submitted to Winston’s appointment and personally certified him exempt from military duty.⁹⁷

“Feverently Hoping That the Governor May Devise Some Plan to Restore Order in Our Afflicted County”: Local Responses to Unionism

Floyd’s Confederate loyalist residents reacted with bewilderment, anger, and eventually violence against the county’s Unionist inhabitants. They informed the governor of Virginia about treasonous activities taking place in their community, participated in Floyd’s home guard, and threatened and harassed the county’s anti-Confederate residents. They also arrested and forced local Unionists into the Confederate army.

Unionists in Floyd were consistently threatened by the county’s Confederate loyalists, who hoped to suppress the treasonous activity of their neighbors through a campaign of terror. In 1863, the county’s home guard informed H. O. A. member Robert W. Whitlow that they planned to hang him at any time for his Unionist beliefs.⁹⁸ Anchilus H. Dickerson, who overheard county loyalists making plans to hang his Unionist friend Madison D. Reed, warned Reed that he “was to be hung [along with] other violations of his person” for expressing anti-Confederate sentiment. Dickerson then assisted other neighborhood Unionists in disrupting the loyalists’ plan.⁹⁹ Phillip Ratliff was tormented by Floyd’s home guard and forced to “swear allegiance to the Confederate States” or face prison.¹⁰⁰ Floyd’s loyalist guard harassed Unionist David Weddle, destroyed his corn crop, terrorized his family, and “threatened to set fire to his buildings and burn them up and take him and put him in Castle Thunder.”¹⁰¹ Miriam Reed was also subjected to frequent raids by the home guard and forced to stand by as they destroyed her family’s grain and feed stock.¹⁰² Andrew Stigleman suffered similar harassment and was frightened

[Richmond, Virginia], 25 February 1865, Smith Papers.

⁹⁷ Governor William Smith’s personal exemption of Ferdinand A. Winston is available in his March 1865 Executive Papers.

⁹⁸ Ibid., Record Group 233, Claim Number 2091.

⁹⁹ Ibid., Record Group 217, Claim Number 2994.

¹⁰⁰ Ibid., Record Group 233, Claim Number 8741.

¹⁰¹ Ibid., Record Group 217, Claim Number 2441, testimony of William Jasper Dillion for David Weddle Sr.

¹⁰² Ibid., Record Group 217, Claim Number 2434.
enough to offer only a feeble protest when the guard broke into his fodder supply, fed it to their horses, and then “wasted and destroyed [the rest of] it just for meanness.”

Other Unionists in Floyd faced even worse treatment from the county’s Confederate residents. The county’s Dunkard community was singled out for retribution and learned late in the war that local loyalists planned to drive them from Floyd, destroy their churches, and hang their ministers. Forty-six-year-old Court House district farmer Hyram Dulany was shot for expressing disloyalty in the company of Floyd’s home guard. The guard later ambushed Unionist David Weddle and advised him to either “hold his tongue” or “be served like [Hyram] Dulany.”

Floyd’s Unionists were arrested, imprisoned, and often forced into the Confederate army by the county’s loyalist residents. When Miriam Reed’s elderly father refused to reveal the hiding place of his son, who was attempting to evade conscription, the county home guard confined him to jail. In an attempt to produce the information, the guard later shocked and terrified the aged farmer to death. The home guard also arrested and imprisoned Unionist Jacob Weaver, and were attempting to force him into the Confederate army when he escaped and managed to hide out for the remainder of the war. In 1864, the county’s home guard captured Phillip Ratliff and forced him into Confederate reserves stationed nearby. A defiant Ratliff quickly informed the unit’s commander that he would refuse to bear arms, and if forced to do so, he would not fire his weapon at other men. Ratliff then allowed himself to be captured by Federal forces, swore an oath of allegiance to the United States, and returned to Floyd.

Floyd’s loyalists reported the treasonous actions of Unionists in their county to the governor of Virginia and Confederate officials and demanded action to suppress the activity. The election of Union men to local office incensed Floyd’s Confederates and they reported their consternation to authorities. In the spring of 1864, Jacksonville lawyer Martin Holt relayed his indignation in a letter to Governor Smith and complained that county magistrate Esom Huff was “unquestionably a disloyal man [and] doing everything he can against the Confederate cause. . . . [including] encouraging desertion . . . and

103 Ibid., Record Group 233, Claim Number 2436, testimony of Willis Reed for Andrew F. Stigleman.

104 Ibid., Record Group 217, Claim Number 17710, testimony of Alexander Weddle for Elijah Hylton.

105 For the Dulany shooting and Weddle’s threat, see ibid., Record Group 217, Claim Number 2441.

106 Ibid., Record Group 217, Claim Number 2434.

107 Ibid., Record Group 233, Claim Number 5862.

108 Ibid., Record Group 233, Claim Number 8741.
[attempting to] stir up strife and array the people against the Confederate government."\textsuperscript{109} Holt reported that Huff was a candidate for re-election and expressed his hope that Smith could keep such “disloyal men” out of office, because local loyalists were “fearful from the crowd he has behind him that he will be re-elected.”\textsuperscript{110}

Floyd’s loyalists became incensed when they learned of fellow residents’ participation in the Heroes of America. In April, 1864, after investigating the society with fellow loyalists, an anonymous local Confederate warned Governor Smith about a treasonous order in their midst. In the harried, but very detailed dispatch, “Virginia” advised Smith that “there exists in this county a secret organization whose avowed object is to stop this war. Every deserter . . . and every ‘union’ man and Lincoln well wisher in the county are believed on indubitable grounds to be members of the society. This infamous society have possession of the high and low places of the county.”\textsuperscript{111} Furthermore, the anonymous loyalist relayed, local authorities were “powerless” to stop the order, which was causing Floyd’s Confederate residents to contemplate fleeing their

\textsuperscript{109}Martin H. Holt, “Flat Head” [Floyd County, Virginia], to Governor William Smith [Richmond, Virginia], 25 April 1864.

\textsuperscript{110}Ibid.

\textsuperscript{111}“Virginia” [Floyd County, Virginia] to Governor William Smith [Richmond, Virginia], 6 April 1864, Smith Papers. It appears highly probable that Confederate loyalist Dr. Andrew Jackson Hoback wrote the letter. In addition to the obvious self incriminations contained in the anonymous letter (i.e. “Virginia’s” references to Dr. Hoback), the handwriting on subsequent letters attributed to Hoback in Governor Smith’s Papers is nearly identical to the handwriting used by “Virginia.”
homes. Because the order’s members were unknown, and even the local mail carriers could not be trusted, “Virginia” was not sure Smith would get the letter, but hoped if it did arrive that he would somehow “remedy the evil.” The governor was advised to contact Floyd County physician Andrew Jackson Hoback for further information about the order’s existence.

Under the governor’s instructions, Secretary of the Commonwealth G. W. Mumford, replied to Hoback in late April and demanded a list of local H. O. A. members as well as further details about the society’s operations. Hoback promptly responded and reported that H. O. A. participants in Floyd claimed the society was a “benevolent association similar to Odd Fellows and Free Masons. . . . [and] designed to mitigate the horrors of war.” However, Hoback explained, Floyd’s loyalists thought “that a very large majority of the citizens of this county are in it. . . . [and they are] Union in sentiment or have become despondent of Southern secession -- men who want peace upon any terms.”

Most believed that every local deserter was a member, felt several slaveholders and civic officials were members as well, and understood that the society’s participants “threaten death to any person who shall seek to betray them.” Floyd’s Confederates also thought that members of the order sought to “employ deserters to work on their farms [so they could] harbor, feed and conceal them” and that the H. O. A. “encourages desertion from the army. . . . [and] protects deserters by giving them information of the approach of Police Guards.” Hoback noted that he and Floyd’s loyalists were “feverently hoping that the Governor may devise some plan to restore order in our afflicted county.” Governor Smith notified Confederate officials about the treasonous order existing in Floyd and instigated a widespread investigation of the society that eventually moved Jefferson Davis to call for a suspension of habeas corpus to arrest its members.

“The Repression of the Evil”: Confederate Responses to Unionism in Sisson’s Kingdom

The Confederate government reacted to reports of Unionism and secret peace societies in Floyd County with understandable hostility. In 1864, it sent troops to the region to terrorize Floyd’s Unionists and dispatched undercover detectives to infiltrate the local chapter of the Heroes of America. Later, the Confederacy also attempted to suspend habeas corpus to make the imprisonment of Unionists living in the South less difficult.

Even without the suspension of habeas corpus, the Confederacy could heavily penalize Unionist residents if it could prove their disloyalty. In August, 1861, the Act of

112 Ibid.

113 Andrew Jackson Hoback, “Flat Head,” Floyd County, Virginia, to G. W. Mumford, “Secretary of the Commonwealth” [Richmond, Virginia], 25 April 1864, Smith Papers.
Banishment gave Confederate residents loyal to the United States 40 days to leave the South, the subsequent Sequestration Act defined those who stayed as “alien enemies” whose property could be confiscated. However, the existing Confederate laws were insufficient to arrest and then successfully try Floyd’s citizens. Witnesses in Floyd who attempted to corroborate the actions of “alien enemies” were terrorized into withdrawing their testimony, several county magistrates were disloyalists who refused to convict local Unionists, and the secrecy of the local peace societies made incriminating information about them difficult to obtain. This created several legal problems for the Confederacy and eventually drew even President Jefferson Davis into a debate concerning how to suppress Unionism in Floyd. In the fall of 1864, Davis argued that Unionist activity in Floyd, as well as in other regions of the South, cried-out for a suspension of the writ of habeas corpus, which would allow the Confederate military to arrest and imprison residents it deemed treasonous as well as detain them indefinitely without the present difficulties of due process or judicial hearings.

Before the move for suspension of habeas corpus, the Confederacy attempted to repress Unionism in Floyd through military action. Colonel Robert Taylor Preston, General John Echols, and Colonel Robert Trigg were all initially ordered into Floyd to apprehend deserters, but soon also began pillaging and terrorizing Floyd’s anti-Confederate community. Unionist Jacob Walters, whose “acts toward Southern soldiers was always contemptible,” notified Confederate troops ransacking his farm “that he would rather feed a bad dog” than feed them, provoking the soldiers to loot and pillaging the entire contents of his family’s stock of foodstuffs. In the fall of 1864, Colonel Trigg arrested Tilman Overstreet, Jacob Moses, and Eli Epperly and informed the men that he intended to drive them and their families out of the county for having “Union principals.” Floyd’s Dunkards were an obvious and highly visible target for Confederate troops and “were persecuted and abused as rebels to the Confederacy.” Captain George and his troops used local informants to compile a list of Floyd’s foremost Unionists and then engaged in a campaign of terror against them. Court House district tenant farmer Amos Graham felt that George and his men “were regular cutthroats,” because they forced their way into his home and declared that they were “determined on killing us or converting us to the cause of secession.” Confederate soldiers threatened to burn the homes of dozens of Floyd’s Unionists and terrorized farmers like William

115 Records of the Southern Claims Commission, Record Group 217, Claim Number 5861, testimony of Esom Huff for Jacob Walters.
116 Ibid., Record Group 217, Claim Number 2993, testimony of Tilman Overstreet for Jacob Moses; Record Group 233, Claim Number 3491, testimony of Tilman Overstreet for Eli Epperly.
117 Ibid., Record Group 217, Claim Number 2995, testimony of Willis Reed for Joshua Weddle.
118 Ibid., Record Group 233, Claim Number 2992.
Jasper Dillion and Dunkard David Weddle.\(^{119}\) In the fall of 1863, the troops surrounded Dillion’s farm and “threatened to burn up everything I had because I was a Union man and harbored and fed deserters.” When the soldiers also threatened to shoot him, a defiant Dillion brazenly shouted “to shoot -- that he would soon die that way as any.”\(^{120}\)

Confederate troops from General Duke’s command encamped at Floyd Unionist Jacob Weaver’s Huffsville district farm, then “destroyed considerable property . . . consisting of grain of all kinds, hay and provisions” and afterwards forced Weaver’s wife Lucy to cook for the soldiers.\(^{121}\) The same troops next broke into the farm of Dunkard Elijah Hylton, stole his provisions, and declared that he and his family could expect a continuance of similar treatment because he “was a Union man.”\(^{122}\) Duke’s men stole bacon and oats from Court House district farmer James Wright and his eight children, then quartered themselves in his house and declared that because he was a Union man it was legal.\(^{123}\)

Floyd’s Unionists were subjected to repeated arrests by Confederate troops in the county, although few could actually be legally charged with “disloyalty,” and most were only imprisoned for a week or two. In order to make “disloyalty” charges against Floyd’s Unionists, General Echols resorted to dressing his troops in tattered Federal Uniforms and dispatching the “bogus Yankees” to the homes of suspected anti-Confederates.\(^{124}\) Numerous local Unionists were also arrested by Colonel Robert Taylor Preston and deserter hunting soldiers from the 4th Virginia Reserve. In 1864, Noah Underwood was threatened with execution by Preston and then jailed for five days on the sole charge of being a Union man.\(^{125}\) Preston arrested Floyd County’s constable Joseph Phares on suspicion of being a Unionist. He then threatened to burn Phares’ farm, held him for three weeks in a guardhouse in Dublin, and forced Phares to take a Confederate oath before

\(^{119}\) For information concerning Confederate soldiers threatening to burn the homes and farms of local Unionists, see the note below as well as *ibid.*, Record Group 217, Claim Number 2993; Record Group 233, Claim Number 5649.

\(^{120}\) *Ibid.*, Record Group 233, Claim Number 2430, testimony of Dillion and testimony of David Weddle for him.

\(^{121}\) *Ibid.*, Record Group 233, Claim Number 5862.

\(^{122}\) *Ibid.*, Record Group 217, Claim Number 17710.

\(^{123}\) *Ibid.*, Record Group 233, Claim Number 9141.

\(^{124}\) W. H. Newlin, *An Account of the Escape of Six Federal Soldiers from Prison at Danville, Virginia: Their Travels by Night Through the Enemy’s County to the Union Pickets at Gauley Bridge, West Virginia, in the Winter of 1863-64* (Cincinnati: Western Methodist Book Concern, 1889), 87.

\(^{125}\) Records of the Southern Claims Commission, Record Group 233, Claim Number 3520, testimony of Noah B. Underwood and A. P. Dobbins for him.
being released.\footnote{126}{Ibid., Record Group 233, Claim Number 5649.} David Hall and Jacob Walters faced similar treatment from Preston. Both were apprehended at their homes and taken to the Confederate jail in Dublin on unproveable “disloyalty” charges.\footnote{127}{Ibid., Record Group 217, Claim Number 5861; Record Group 233, Claim Number 9141.} Months later, Colonel Preston informed Freeborn Hall’s family that he would burn their home if they refused to divulge his whereabouts. When Hall arrived to defend his family, Preston indicted him for having “Unionist sentiments” and then held him in a nearby Confederate prison for three months.\footnote{128}{Ibid., Record Group 233, Claim Number 8042.}

Unionist Amos Graham was apprehended, imprisoned, and “much against [his] will was forced in the service of Colonel Trigg’s regiment.” Graham deserted “the first opportunity he had . . . and came home and evaded service.”\footnote{129}{Ibid., Record Group 233, Claim Number 2992.} Confederate soldiers confined Elijah Wilson to a jail in Dublin and afterwards returned to his Simpsons district farm where they terrorized his wife by destroying the few clothes she owned and informed her that she was guilty of feeding a Union man.\footnote{130}{Ibid., Record Group 233, Claim Number 12100, testimony of David Hall for Elijah Wilson.} The soldiers used similar treatment on Hosea Wimmer and held him in jail while they used his team of horses to steal the Wimmer family’s hay supply.\footnote{131}{Ibid., Record Group 233, Claim Number 14495.} Unionist Rebecca Blackwell was arrested by local home guards, but was promptly released after warning the troops of the violent retribution they faced from a local deserter gang.\footnote{132}{Ibid., Record Group 217, Claim Number 2990.}

In September, 1864, after a continued deluge of letters, including one from Montgomery County’s “Committee of Safety” reporting that “a secret society who . . . encourages desertion exists in our midst,” the Confederacy moved to infiltrate and destroy all chapters of the Heroes of America operating in southwest Virginia.\footnote{133}{The Official War Records, series 4, volume 3, 805.} To provide the necessary intelligence, authorities in Richmond dispatched undercover Confederate spies Thomas McGill and John B. Williams to the region, a move that provided detailed reconnaissance on the H. O. A. for the Confederate government. After several weeks in the mountains of southwest Virginia the detectives successfully infiltrated the society by using its own passwords and signs and compiled “a large list of traitors” that included several “prominent men,” local magistrates, and the sheriff of Montgomery County.\footnote{134}{Ibid., 805-806.}
Williams and McGill also reported that the society was well established only in a few counties, but informed Confederate authorities that members claimed the order was especially strong in Floyd County, where “nearly all the people” were participants in “The Heroes of America.”¹³⁵

After reviewing the detectives’ reports, Confederate Secretary of War James Seddon forwarded the information along with his own opinion to Jefferson Davis. Seddon urged the President for a “prompt and vigorous response” to “arrest and repress” the “treasonable association among the disaffected people” of southwest Virginia and reported that the society was “plundering and subsisting upon the means of the well affected citizens” and preventing its disclosure through a campaign of “terror, threats, and outrages.”¹³⁶ Seddon explained that the H. O. A.’s promise of land division was spreading the order rapidly among the “disaffected” and “ignorant” residents of the region, and its leaders were becoming increasingly “ambitious in their designs . . . [and] lately conceived the idea of forming a new state of Southwest Virginia.”¹³⁷ Furthermore, Seddon added, the Confederacy’s lawyers could not legally charge members of the order and therefore Davis must immediately call for a suspension of the writ of habeas corpus “as the prudent and most satisfactory remedy.”¹³⁸

On November 9, 1864, Davis moved on the advice of his Secretary of War and notified the Confederate Congress that “a dangerous conspiracy exists in some of the counties of southwestern Virginia.”¹³⁹ The President then called for a suspension of the writ of habeas corpus “in order that full efficiency may be given to the military power for the repression of the evil.”¹⁴⁰ Although the Confederate Congress submitted to Davis’ request for suspension of the writ twice in 1862 and once on early 1864, this time they denied his appeal, making suppression of the Heroes of America in Floyd County virtually impossible, and allowing the continued disintegration of the community as a useful portion of the Confederate homefront.¹⁴¹

¹³⁵Ibid., 806-809.
¹³⁶Ibid., 802-803.
¹³⁷Ibid., 813, 802-804.
¹³⁸Ibid., 802-804.
¹⁴⁰Journal of the Congress of Confederate States, volume 7, 266.