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Saints and Sinners

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Saints and Sinners

NORMAN M. SHAPIRO

On April 24, 1861, twelve days after the first shell fell on Fort Sumter, the Huntsville, Alabama newspaper *Southern Advocate* reported:

The middle-aged and old men of Huntsville met at the Court House on Saturday to organize Companies for defense, &c. Dr. P. B. Robinson was in the chair and R. S. Spragins Secretary. Near 300 names were on the roll. A committee was appointed to draft rules, &c. for the through (sic) organizations of the members, who are to be officered, drill and act for the good of the public. From the number enrolled one regular, uniformed and efficient volunteer corps will be formed. The rest will be in one or two Companies for home security, and to act whenever the exigencies require.

This group was only one of many organizations formed or activated during the periods of excitement that followed Lincoln's election, the secession of the several states and the establishment of the Confederacy. Madison County's elite military company, the Madison Rifles, which was originally organized in 1855, departed for Mobile on March 26, 1861 and later became Company D of the 7th Alabama Infantry. The Huntsville Guards was organized following the Rifles departure in March and the election of officers of another volunteer company, the North Alabamians, was mentioned in the above edition of the *Southern Advocate*. The latter two companies left for Dalton, Georgia, on April 29 where they became part of the 4th Alabama Infantry. Many more military units were formed in subsequent years through 1864.

Ad hoc groups like Huntsville's "old men" were established in towns and cities throughout the Union and the Confederate states, sometimes for different reasons, but based on "the taking of the law into one's own hands, the classic definition of vigilantism."¹ Frequently associated with violence, vigilantism has a long history in America and "arose in response to a typical American problem: the absence of effective law and order in a frontier region."² The "Regulators" in South Carolina in 1767-1769 are considered to be the first vigilante movement. This movement was an organized effort

by backcountry settlers to restore law and order and establish institutions of local government. Plagued by roving bands of outlaws and angered by the assembly's failure to provide the western counties with courts and petty officers, the leading planters, supported by small farmers, created (1767) an association to regulate backcountry affairs. They brought criminals to justice and set up courts to resolve legal disputes.

Most are familiar with the vigilantes of the old West which have been prominent in fact, fiction, and film for many years. Richard Maxwell Brown identifies in summary, "326 American Vigilante Movements, 1767-1904," and suggests "that there may have been as many as 500 movements, but, at the present, only 326 are known."³ He also lists variant names for the vigilante groups: "Vigilance Committee," "Committee of Vigilance," "Committee of Safety," "Slickers," "Stranglers," and in central Texas, simply, "mobs."⁴ The original name for such groups "Regulators" is now obsolete. Brown writes that there were four major peaks or waves of vigilantism in the nineteenth century: the early 1830s, the early 1840s, the late 1850s, and the late 1860s. Prominent in the 1830s was the alleged Murrell conspiracy in Mississippi and Alabama which was described in some detail in an earlier paper by the present author.⁵ In his compilation, Brown does not consider the vigilante campaigns which were evident during the secession debate and the 1860 election in the south.⁶ Also, he does not examine the vigilante movement that attended the beginnings of the Civil War in both the North and the South and particularly in North Alabama which is of interest for this paper.

Organizations like the above Huntsville group arose primarily from fear and expectations: fear that the absence of the young men who were joining volunteer units and going off to war would diminish law and order; fear of abolitionists and slave revolts; fear of treason (disloyal acts); and fear of sedition (disloyal speech). In a recent book on the treatment of Alabama's unionists during and after the war, Margaret Storey writes, "Antebellum Southern society had long utilized extralegal courts and tribunals to adjudicate community safety, particularly anything pertaining to slave insurrections. During the secession crisis, Alabama had seen a marked increase in operative vigilance committees, many of which bullied pro-Union men. Once the war began, these locally constituted groups persisted, now composed of men too old for soldering."⁷ She continues, "most vigilance committees were bound by no particular statute; consequently, any punishment of guilty individuals was left to the "sound discretion" of the mem-

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bers of the committee itself. Alabama's vigilance committees thus assumed the power to implement a wide range of punishments for unionists, from humiliation and intimidation to incarceration, exile, and even death."⁸ While there was no authority for this assumption of power, Alabama's governors approved of the practice which was indicated, for example, in correspondence with vigilance committees requesting advice:⁹

Eufala, June 10th, 1862

His Excellency John Gill Shorter

Dear Governor – The Vigilance Committee of this City have instructed me to request your opinion for their guidance in the disposition of the following case – A. says “that he would see every women and child in the South killed & and every negro freed before he would to the ‘war’” – and when asked – “When does our Congress meet – says- when it does he hoped they might all be captured” – Is he guilty of any legal offense! & What is the penalty! What disposition should the Committee make of this case and party – Your early answer is earnestly requested.

Truly &c

Lewis S. Cato

Surprisingly, the answer was almost immediate:

Executive Department

Montgomery, Alabama, June 11th, 1862

Col. Lewis S. Cato

Eufala, Ala.

Dear :

The Governor is absent on business, and will not return for some days. Without intruding as his aid, to commit him in regard to your enquiry, contained in your letter of the 10th inst., my opinion is, that if the language of “A” quoted by you, amounts to any offense, it is sedition, unless I am not aware of any Statute passed by Congress for the punishment of sedition, and, therefore of opinion that the language referred to, does not constitute any legal offense. There can be no doubt that “A” is a bad man, and guilty

of a moral offense of a high character, & deserves to be punished, & one of the objects of the vigilance committees – as I understand them – is to reach such cases as are not provided for by the Law – Such cases must be left to the sound discretion of the Committees, and they should not hesitate to deal with them as the good and safety of the community demands.

Yr. Ob't Serv't.

A. B. Moore

Andrew B. Moore had served Alabama as the 16th governor from 1851-1861. He had been appointed Aid de Camp to Governor John Gil Shorter's military staff on December 12th 1862.

In her book, Margaret Storey summarizes the experiences of over three hundred white unionists and pro-Union African Americans, primarily from North Alabama, utilizing information in the papers of the Southern Claims Commission.¹⁰ The federal government established the Southern Claims Commission on March 3, 1871 to allow individuals to file claims for their losses due to actions by Confederate or Union activities during the Civil War. Each individual filing a claim had to prove their loyalty to the Union and document their losses using testimony which comprised answers to fifty-one questions, four of which covered the actions taken against their person or property on behalf of the Confederacy:

(18) Were you ever threatened with damage or injury to your person, family, or property on account of your Union sentiments, or were you actually molested or injured on account of your Union sentiments? If so, when, where, by whom, and in what particular way were you injured or threatened with injury?

(19) Were you ever arrested by any Confederate officer, soldier or sailor, or other person professing to act for the Confederate government, or for any State in rebellion? If so, when, where, by whom, for what cause: how long were you kept under arrest; how did you obtain your release; did you take any oath or give any bond to effect your release; and if so, what was the nature of the oath or bond?

(20) Was any of your property taken by Confederate officers or soldiers or any rebel authority? If so, what property, when, where by whom; were you ever paid therefore [sic], and did you ever present an account therefore to the Confederate government, or any rebel officer?

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(21) Was any of your property ever confiscated by rebel authority, on the ground that you were an enemy to the rebel cause? If so, give all the particulars, and state if the property was subsequently released or compensation made therefore.

Special questions were also asked of supporting witnesses, female claimants, colored claimants, and colored witnesses on behalf of white claimants.

Alabama's unionists suffered all of the punishments mentioned above plus banishment, shooting or hanging and the threat of same. The ultimate penalty, however, was most often carried out by conscript cavalry after April 1862 with passage of the "Conscription Act."

Identification of the members of vigilante groups presents an even more difficult problem as their activities may have been extralegal to varying degrees. Accordingly, one would not expect to find such references in the usual historical sources: personal letters, estates or civil records. One promising source for the information is the "Case Files of Applications From Former Confederates for Presidential Pardons, 'Amnesty Papers,' 1865-1867."¹¹ Here, the application required answers to twelve background questions including:

(4) Have you served on any "vigilance committee" during the war before which persons charged with disloyalty to the Confederate States have been examined or tried? If so, when and where, and how often? What person or persons were tried or examined by you? What sentence was passed or decision made in each case? When, where, and by whom in each case?

Thus, those persons who admitted to having served on vigilance committees were also required to provide information on committee activities.

The pardons were required for persons who were excepted from the amnesty proclaimed by President Johnson on May 29, 1865, and who desired to obtain restoration of full citizenship (which included the right to vote). There was some urgency attached to the completion of this process inasmuch as an election of delegates to a state constitutional convention was ordered for August 31, and the convention was to meet on September 10 (they actually met on September 12).

The excluded classes included practically all Confederate and State officials, for the latter acted as Confederate agents, all the old political

leaders of the state, many of the ablest citizens who had not been in politics but had attained high position under the Confederate government or in the army of navy and others. The largest class included every person in the state whose property in 1861 was assessed at \$20,000 or more. The “Case Files” for Alabama were examined in an earlier paper where the ninety-five pardons that were granted for Huntsville and Madison County were listed with vitae of the grantees.¹² It was evident that the persons on the pardon roles represented the economic and political elite of Huntsville and Madison County during this period and a likely group to prevail in “the middle-aged and old men of Huntsville.” Unfortunately, a review of the files found that only four residents admitted membership on a “Committee of Safety” that was formed in the spring of 1861 and was obviously the above group. These gentlemen were George P. Beirne, Septimus D. Cabaniss, James J. Donegan, and James H. Mastin and their individual answers to Question (4) above, are copied in Appendix I with their respective vitae from the earlier paper. It is evident that they generally agree in their description of the Committee’s activities/accomplishments, which were relatively benign. Cabaniss’ explanation is much more detailed and suggests that he may have been a member of the governing Committee of nine members. He also indicates that a large majority of what he calls the “Military Association” and a majority of the “Committee” were opposed to secession which is consistent with what we know of Huntsville/Madison County in 1860.

But there were other vigilante committees in Madison County, as noted by Daniel Hundley in his diary for May, 1861 which was abstracted in the previously mentioned earlier paper.⁵ And most unfortunately, there is no information on these committees. On May 25, 1861, Hundley wrote, “By invitation, members of several committees today met with the Triana Committee.” This ad hoc committee which was established because of a “rumored slave insurrection” responded as quickly and furiously as any of the perpetrators mentioned in Margaret Story’s book. In action for only about two weeks, the Committee was responsible for beatings, jailings, banishments, and hangings reminiscent of the Murrell conspiracy in 1835, which was mentioned earlier.

Fortunately, we found that the records of Alabama’s capitol, Montgomery, provide substantially more information on the operations of the wartime committees. In his book, *Confederate Home Front – Montgomery During the Civil War*, William Warren Roberts Jr. writes, “During the war’s

first summer, city council members drafted a loyalty oath, and citizens adopted it at a courthouse meeting on August 2. The oath pledged fidelity in the ‘mortal struggle for...rights and independence with a reckless and relentless foe.’ Concerned citizens meeting at Estelle Hall a week later established a twenty-four person Vigilante Committee. Some of the city’s best-known residents – Dr. Robert Ware, Frank Gilmer, James Farley, and Judge Abram Martin – were members.”¹³ Abram Martin, who was appointed Chairman of the committee, was born in Edgefield District, South Carolina, in 1798 and moved to Montgomery County in 1832 where he practiced law served as circuit judge from 1837 to 1843. During the war, he was named Collector of Government Revenue in the State of Alabama. According to his “application for Presidential Pardon” dated 8 August 1865, he was appointed Chairman of the Committee of Vigilance by “a large meeting of the citizens of Montgomery in my absence —.” Appendix II contains his complete statement in response to Question (4) of the Application.

In summary, Judge Martin writes that the Governor of the State was apprised of the formation and existence of the committee; that he was invited to its sessions and his council was taken; and that he believed the Governor approved of the “course” of the Committee. Judge Martin recollects that thirteen persons were brought or came before the Committee and all but two of them were “discharged generally” or tried and discharged. O. P. Sellers was brought before the committee on charges of disloyalty and was held in custody until a Military Post was established in Montgomery. Daniel Starr was tried by the Committee and “at the insistence of his attorney and...in accordance with his own wish was returned to jail for protection from the populace.” Martin does not mention the rest of Starr’s story which is reported in the book by Dr. Roberts, noted above:¹⁴ Starr was a brickmason who had been born in Connecticut but had lived in Montgomery for over a decade. He had little contact with the local Unionists but his dislike of secession was apparently well-known. A search of his home revealed a journal which was described as an “Abolition manuscript” and he was summoned before the Vigilante Committee. The night after he was returned to jail to await trial in circuit court, he was seized and lynched by parties unknown. His corpse was discovered hanging from a tree on the edge of town on the next morning, March 15, 1863.

The following copy of an undated letter from Governor Shorter’s Administrative files regarding the Montgomery situation may also be illuminating for Huntsville:

*To his Excellence
Jno. Gill Shorter,
Gov. of Ala:*

The Committee of Safety have received the enclosed resolution from The Vigilance Committee, and have given them the following response.

To the first resolution the Committee say –

“Resolved that the Chairman, in response to the resolution of the Vigilance Committee, be instructed to inform that Committee that the subject of the resolution is our belonging to the military authorities, and that this Committee is informed that an order to that effect is daily expected from the commanding general at Mobile.”

The Committee of Safety concur in the second resolution of the Committee of Vigilance, except that they recommend that business houses be closed at 3 o'clock P.M. instead of 1 P.M.

All of which is submitted by

*Yr obt servt
Geo. W. Stone
Chairman Com. Safety*

George Washington Stone, above, was born in Bedford County, Va. in 1811 and died in Montgomery in 1894. A distinguished lawyer, he was elected associate justice of the Alabama Supreme Court in 1856 and re-elected in 1862. He served in that capacity and as chief justice for nearly a quarter of a century and delivered over two thousand and one hundred decisions. In his “Application for Presidential Pardon,” he answers “unqualifiedly no” to Question (4) and the other applicable questions. Thus, it is apparent that Montgomery had both a Vigilance Committee and a Committee of Safety although the same is not mentioned in Dr. Robert’s book.

For Huntsville/Madison County, this may account for the fact that so few of the applicants for presidential pardons admitted service on any “vigilance committee.” The four gentlemen, however, who did admit such service, apparently had no problem in equating “vigilance committee” and “committee of safety.”

Appendix I

Answers to Question 4, pertaining to membership in vigilante committee

For each of the individuals below, the listing includes information from the 1860 U.S. Census Population and Slave Schedules.

Name: **Septimus D. Cabaniss**

Place of Birth: Alabama

Date of Birth: 1815

Occupation: Lawyer

Value of Real Estate: \$20,000

Value of Personal Property: \$60,000

Number of Slaves: 0

Date of Pardon: September 15, 1865

He never served on any "Vigilance Committee," but inasmuch as that term and "Committee of Safety" are generally regarded as synonymous, it is perhaps proper that he should state the fact that in the latter part of the spring, or early part of the summer of the year 1861, he did serve for a short period of time on a Committee which, according to his recollection, had the latter name, and inasmuch as he is aware now, as he was then, that such committees have been most commonly, in times of excitement, the instruments of the bad passions and prejudices of others, rather than a safeguard against them, and being always averse to doing anything not in conformity with law, he deems it due to himself to state the circumstances under which it was organized, and to say that he would not have consented to serve upon it but for his knowledge of the high character of the gentlemen associated with him for intelligence, integrity and discretion, and the belief that the existence of that Committee could serve to allay excitement, and to prevent less discreet persons from taking the law in their own hands.

In the winter and spring after the election of Mr. Lincoln, there was an apprehension in the minds of many of our citizens, and especially the Ladies, that there would be an insurrection among the slaves. This increased, after the companies of Volunteers had gone to the Confederate Army, leaving no military organizations in the county. To allay this excitement, nearly every male citizen of Huntsville and vicinity between the ages of fourteen and eighty years, voluntarily united in a Military Association, forming a

small battalion. As a consequence of this uneasiness and the state of the country, there was, as is usual in times of high excitement, a disposition on the part of some of the community to take the law in their own hands; and when the Military Association was formed, it was agreed that it should be under the control and direction of a Committee of nine citizens, selected at the time of its organization, who should be charged with the duty of investigating any matters which the safety of the Community might seem to require. Several startling reports were brought before the Committee of insurrectionary plots which, when calmly investigated, proved to be without foundation; and a considerable excitement was also aroused against several persons charged with, or suspected of, disloyalty to the Confederate States; but it was allayed by the Committee, and no one was punished, except one person whose name is not now remembered. The sentence in his case was, that he should, within a certain time, leave the County or State, and not return. According to the recollection of the undersigned, it was provide that this person had been in Huntsville but a few months, was a gambler by profession, and came from Memphis or New Orleans. Robert K. Dickson, a citizen of Huntsville, was also before the Committee, charged with uttering disloyal sentiments. The facts charged against him were investigated. The Committee advised him to be more discreet in his language, and he agreed to do so in future. Excitements arose against others who were charged with disloyalty, and were allayed through the instrumentality of the Committee; but the undersigned does not recollect any other persons whose cases were tried; and he is satisfied that the object of the Committee in those cases was prompted by a desire to preserve good order in the Community, and not to punish persons for their political sentiments. A large majority of the Military Association, and according to his recollection, a majority of the Committee, had been opposed to the secession of the State. He does not remember how often he served on said Committee, was probably at eight or ten meetings – possibly more; they were held in Huntsville.

Name: **James J. Donegan**

Place of Birth: Ireland

Date of Birth: 1800

Occupation: Farmer

Value of Real Estate: \$138,000

Value of Personal Property: \$175,000

Number of Slaves: 47

Date of Pardon: September 22, 1865

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In the Spring of 1861, a committee of safety was organized in this place, composed of three hundred of the most respected citizens of Huntsville and its vicinity, the objects of which were to keep in proper subordination their slaves of the country, to abolish all legal traffic in liquor and generally to provide good order in the community. To this committee I belonged, and it is the only one, with which I have in any way been connected. During its existence, so far as I am connected therewith, two persons were reported to the committee for the imprudent use of intemperate language, calculated to engender strife and bad feeling in a community, already too much excited. Having been admonished of the injury they were doing in the community, they were permitted, at their own request, to leave the community without molestation to their persons or property. No other persons were brought before the committee, except for offenses entirely unconnected with political questions, and I can safely affirm that its existence, which lasted but a few months, contributed in a large degree in promoting quiet and good order in this community.

Name: **George P. Beirne**

Place of Birth: Virginia

Date of Birth: 1809

Occupation: Farmer

Value of Real Estate: \$55,000

Value of Personal Property: \$235,000

Number of Slaves: 103

Date of Pardon: September 1865

In the spring of 1861, there was an organization in the town of Huntsville, of which the undersigned was one, formed for the purposes of preserving order, good conduct and the safety of the community. It was composed of three hundred of the most respected citizens of Huntsville and its vicinity. It continued its being until about the fall of 1861. The principle acts of this organization were directed to keep in their proper subordination the then slaves of the country and to prohibit the sale of liquors to negroes and others without license, all of which was done to the satisfaction of the community by the seizure in two instances of liquor kept for sale in violation of law and without the arrest or punishment of a single negro. In two or three instances, persons were brought before the committee for intemperate language, in one of the cases by letter and in the other by extempore

demonstrations. Being admonished of the impropriety of doing anything to stir up strife and bitter feelings in a community, already too much excited, these parties, at their own desire, were permitted to leave without interference with or violence to, their persons or property. The undersigned can safely say that the conservative action of the Huntsville association during its brief existence, exercised a most salutary influence upon other committees in this region and had a decided tendency to promote order and to prevent violence of any kind.

Name: **James H. Mastin**

Place of Birth: Virginia

Date of Birth: 1815

Occupation: Farmer

Value of Real Estate: \$20,000

Value of Personal Property: \$35,000

Number of Slaves:

Date of Pardon: September 22, 1865

That in the spring of 1861, about three hundred of the most respectable and orderly citizens of Huntsville and its vicinity met and organized a Committee of Safety for the purpose of keeping the slaves in proper subordination and of securing good order in the community and (to secure these ends) of preventing all illegal dealing in liquor. I was a member of this committee and of no other. To it two persons were reported as having used language calculated to produce strife and ill feeling. These parties were informed of the injury they were doing and were allowed, at their own request, to leave the community without interference with either them or their property. No other persons were brought before the Committee of Safety charged with anything at all connected with politics and I am satisfied that much good was done by it in keeping order and quiet in the community.

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Appendix II
**Answer to Question 4, pertaining to membership
in vigilante committee**
Response by Judge Abram Martin

I was appointed Chairman of the Committee of Vigilance raised in the city of Montgomery by a large meeting of the citizens (as I have understood it was) in my absence and without my knowledge of its assemblage, the purpose for which it was held, or the action that was taken at that meeting, until sometime after it was assembled and adjourned: that prior to this meeting gross infractions of law and order had been perpetrated by lawless men of our own community, and apprehensions were entertained of their recurrence of these scenes; and apprehensions were also entertained that spies and other men unfriendly to the South were and would be sent among us to learn our condition, operating plans and movements, and report them to those with whom we were engaged in war. To meet such emergencies and protect the country from consequences naturally following such a state of things was the primary object, as understood by the undersigned of the organization of the Vigilance committee, which he respectfully states without reference to himself, was composed mainly of the most prudent, cautious, correct and intelligent gentlemen of Montgomery and its vicinity and that its proceedings were conducted with a view to order, peace and harmony among our own principles and its action was conservative and intended, and calculated to protect and not endanger the rights of the citizens.

In connection with this subject, I desire to bring to the notice of your Excellency that the Governor of the State was apprised of the formation and existence of; that the committee was in communication on matters of public interest; that he was invited to its sessions, and his council was taken and I am gratified to believe its course received his approbation and that he gave it credit for cooperating faithfully, patriotically, and justly with him in the great cause, at that time, most dear to us all, and to which the great body of the Southern people were devoted heart and soul.

In accordance with the object of my appointment as a member of this Committee, and with a solemn, and I trust, a just appreciation of my obligation and duty to all the people of the state, I did serve on it during a part of the war, and before which persons charged with disloyalty to the Confederate states were examined and tried. They transpired in the court house

and council chamber of the city of Montgomery. I recollect at this time thirteen persons who were brought, or came before this Committee. I have no recollection of others. The names of these persons are as follows: Lehman, Abel Hawk, Leonard Pilken, Harvey Lee, W. Halfman, Mack Page, Sam'l House, Philip Palmore, Stickney, Thos. Rusk, Montrose Molineaux, Daniel Starr, A. P. Telley.

The first seven persons enumerated above were discharged generally. Lehman and Pilken resided in New York, Stickney was a Northern man, who was residing in the South at the commencement of the war. He afterwards removed with his family to New York, and during the war returned to Montgomery. Hawk had resided in Montgomery but was absent a considerable time according to my recollection and then returned during the war. Harvey Lee was residing in Montgomery and made several visits to the West and after he was before the Committee, and before the termination of the war left the State of Alabama with his family. I understand he resides now in Illinois. W. Halfman was residing in Montgomery, went north and remained some time and returned to Montgomery. An excited feeling prevailed against him, and at the instance of his father, the son appeared before the Committee, and was examined and discharged. Palmore was sent under arrest from Pensacola, was tried and discharged. House, Page and Rusk were before the Committee on charges preferred against them. They all resided near Montgomery except House and he resided in Wetumpka. They were discharged.

Starr was tried and defended by Thos. ? and turned over to the civil courts at the insistence of his attorney and I am informed in accordance with his own wish, was returned to the jail for protection against the populace. O. P. Sellers was sent I understand from Pensacola by the military to the Mayor of this city. How long he was in the custody of the authorities I do not know. He was afterwards, according to my recollection brought before the Committee on accusations of disloyalty and satisfactory proof was made of the charge against him. On this slate of facts the Committee detained him in custody until a Military Post was established in Montgomery. He was then turned over by order of the Vigilance Committee to the military authorities.

While Sellers was in custody, he directed the prosecution against on — and through his wife engaged my professional services on the case. I mention this fact to show that Sellers did not regard me in the light of his oppressor.

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No person was shot or hung by my order acting alone or in conjunction with others, for real or supposed disloyalty to the Confederate States.

I have not shot or hung, or aided in hanging or shooting any person for real or supposed disloyalty to the Confederate States.

I have not ordered, or been engaged in hunting anyone with dogs who was disloyal to the Confederate States, or supposed to be so.

I believe the Republicans of the Northwest were organizing a party to emancipate the slaves of the South; that their object was so avowed; I believe the emanating strength of that party would soon have enabled it to effect their object by an amendment to the constitution; that in this contest the South was certain to be defeated. I believed the Southern States had the right to secede, and in this opinion I had the concurrence of some of the ablest political leaders of the North. I believed secession by the South would be peaceable and in this opinion too I was informed by reliable authority that Mr. Lincoln and Mr. Seward concurred, and I believe that this course of secession would have been peaceable but for subsequent outside pressure upon the federal administration; - and so believing I was in favour of the ordinance of secession at the time of its passage on the 11th January 1861.

I voted in every instance for the discharge of every party put on his trial before this Committee but Starr and Sellers and voted in their cases as indicated above. I was in favour in all cases of allowing the accused the right to be heard by himself and council and the right to compel the attendance of witnesses in his behalf. As chairman or member of the Vigilance Committee I never directed, or procured it to be assembled, but on information lodged by others, except in the case of Montrose Mollineaux.

In one case I recollect I deferred the calling of the meeting together although requested to do so by several persons for near a week after confirmation accusing a party was lodged with me, and not then until complaints was made by a citizen of my inattention to the public interest. Indeed the Vigilance Committee became a byword on the streets and was ridiculed for its neglect of duty – want of firmness of action in the discharge of its duty to the public.

Montrose Mollineaux, who appeared to be a man between 25 and 30 years of age, came to my house, made great professions of s? in the cause of the South, showed what he said was a gun shot wound received in battle through his wrist and to test him I interrogated him on many points. He represented he was born in Virginia on or near the line of Tennessee, re-

moved when young with his father to Tennessee, where he remained until eight years before our interview, and thence to Huntsville, Ala. He could not tell the county of his birth, nor the county in which Nashville was situated, nor the counties surrounding Nashville, nor the counties surrounding Huntsville, nor their county seats, nor the counties of Tennessee adjacent to Madison County, nor could he tell anything of Fayetteville and Pulaski, the two towns on the principle routes from Huntsville to Nashville.

This and other circumstances, seeing he was a man of fair intelligence, satisfied me that Mollineaux was a spy, and upon consultation with other members of the Committee I directed arrest.

When his trial Mollineaux being confronted by a witness who knew him admitted that he had not been shot, and he had made this representation to obtain the hospitality of various persons with whom he called in his travels.

After his discharge Mollineaux, I am informed Mr. S. B. Pleasants, called on him and hired a horse and buggy on pretense that he was an engineer on government service at Choctaw Bluff and wanted a conveyance to ride in the country on business of the government. Mollineaux did not return as promised and Pleasants went on pursuit of him into Covington County where he found the buggy that Mollineaux had disposed and had, he was informed, received a saddle on account of the sale, and then mounted his horse and continued his flight in the direction of Milton in Florida wither Pleasants pursued him and the man in whose possession he found the buggy refused to give it up without suit and Mr. Pleasants thinking this course of procedure would be attended with more trouble and expense than the buggy was worth, abandoned it and lost horse and buggy. This statement I made on the information of Mr. Pleasants.

Sworn to & Sub.
I. H. Nettles, J.P.

Respectfully
A. Martin

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ENDNOTES

¹ Richard Maxwell Brown, *Strain of Violence, Historical Studies of American Violence and Vigilantism*, (NY: Oxford University Press, 1975) p. 95, 96.

² Brown, p. 96.

³ Brown, pp. 305 – 319, 96.

⁴ Brown, p. 97.

⁵ Norman M. Shapiro, *North Alabama's Response to the Fear and Facts of Slave Revolts, The Huntsville Historical Review*, Vol. 30, No. 1, (Fall-Winter 2004-2005), pp. 30-35.

⁶ William L. Barney, *The Secessionist Impulse-Alabama and Mississippi in 1860*, (NJ: Princeton University Press, 1974.)

⁷ Margaret M. Storey, *Loyalty and Loss-Alabama Unionists in the Civil War and Reconstruction*, (Baton Rouge: Louisiana State University Press, 2004), p. 63.

⁸ Storey, p. 64.

⁹ *Alabama Governor Shorter Administrative Files*, Microfilm Roll No. 511, Alabama Dept. of Archives and History, Montgomery, Alabama.

¹⁰ *Southern Claims Commission Approved Claims; 1871-1880: Alabama*, National Archives Microfilm Publication M2062, The National Archives, Washington D.C.

¹¹ *Case Files of Applications From Former Confederates for Presidential Pardons ("Amnesty Papers") 1865-1867*, National Archives Microfilm Publication M1003, The National Archives, Washington D.C., 1976.

¹² Norman M. Shapiro, *The Pardons of Madison County, The Huntsville Historical Review*, Vol. 22, No. 1, (Winter-Spring 1995), pp 1-29.

¹³ William Warren Roberts, Jr., *Confederate Home Front – Montgomery during the Civil War*, (Tuscaloosa: The University of Alabama Press, 1999), p. 109.

¹⁴ Roberts, p. 111, 112.

¹⁵ *Alabama Governor Shorter Administrative Files*, Microfilm Roll No. 508, Alabama Dept. of Archives and History, Montgomery, Alabama.