

**“The Devotees of the Barbarism”:
Kentucky in the Aftermath of Emancipation**

Brian Alberts
“The Hard Hand of War” Conference
The Filson Historical Society
Submission copy
October 23-25, 2014

The ratification of the 13th Amendment on December 6, 1865 solidified a fundamental shift in society for the Commonwealth of Kentucky as much as any former slave state.¹ But for Harrison, a newly liberated Kentucky freedman contracting out his and his family's labor that same month, this victory for the rights of black Americans quickly proved a little hollow.

Of course, the significance of Harrison's newfound agency should not be ignored. But in many ways Harrison's relationship with his employer was still highly inequitable. In his agreement to labor on W. H. Wilson's farm for the 1866 season, Harrison would receive as compensation one third of the tobacco and corn he produced. Wilson provided the livestock and tools as well as meat and bread for Harrison and his family. Harrison's sons Buck and Jim also worked on the farm and his wife Bettie cooked and performed other housework. Their working conditions were less reasonable. Harrison was docked seventy five cents for every rainy day he could not work while his sons lost twenty five cents. It was specified that Bettie was to complete all housework "neat and fast" and "with out a word of Jaw." They had to pay back double the value of any lost or broken tools. Stealing anything brought a similar penalty at first, but the second offense would earn the guilty party thirty nine lashes. Upon a third offense, the guilty party would be shot.²

Harrison's experience in many ways embodied the trends in labor and race relations that Kentucky would quickly develop in the wake of the Civil War and the ratification of the Thirteenth Amendment. Efforts to restrict African American prosperity, maintain some semblance of prewar race and labor relations, control African American freedom and behavior,

¹ Eric Foner. *Reconstruction: America's Unfinished Revolution 1863-1877* (New York: Harper and Row, 1988), 66-7.

² "Contract between W.H. Wilson and Harrison," December 30, 1865. *Records of the Field Offices for the State of Kentucky, Bureau of Refugees, Freedmen and Abandoned Lands, 1865-1872*. National Archives Microfilm Publication M1904, Record Group 105, Roll 64. Hereafter referred to as *Freedmen's Bureau*.

and dominate through threats of violence would together constitute much of white Kentuckians' vision for their postwar commonwealth. The study of Harrison's and other experiences in Kentucky, taking place during and immediately following the American Civil War, shows that despite the state's wartime Unionism, many white Kentuckians felt increasingly alienated from the trajectory of the Union by 1868. This shift was largely the result of the introduction of emancipationist Union policies, which forced white Kentuckians to defend their attachment to slavery against the implications and momentum of emancipation and try to shape postwar racial and labor relations in ways similar to other parts of the South. These efforts manifested primarily in white Kentuckians' opposition to the recruitment of black soldiers and freedom for their families, as well as in public policy debates over both the Thirteenth Amendment and the post-slavery future for black Kentuckians. They also appeared in attempts by whites to control the social and economic conditions of African American life as well as in the racial violence that erupted throughout the process of emancipation.

The Commonwealth of Kentucky held a very unique position throughout the American Civil War and its aftermath. Kentucky, though its prewar economy was highly diverse, still held the largest stake in slavery of any Border State, with about 225,000 black Americans or twenty percent of its population enslaved in 1860. Many white Kentuckians had strongly associated slavery with social and racial order for at least a decade before the war and thus were very reluctant to abolish it.³ Though enough statewide commitment to the Union existed to keep the

³Ira Berlin, Steven Miller, Joseph Reidy and Leslie Rowland, editors. *The Wartime Genesis of Free Labor: The Upper South*. Freedom: A Documentary History of Emancipation 1861-1867, Series 1, Vol. 2 (New York: Cambridge University Press, 1993), 625. See also Foner, *Reconstruction*, 37; Ross Webb. *Kentucky in the Reconstruction Era* (Lexington, KY: The University Press of Kentucky, 1979), 7; Harold D. Tallant. *Evil Necessity: Slavery and Political Culture in Antebellum Kentucky* (Lexington, KY: The University Press of Kentucky, 2003), 3, 9. See also Marshall, *Creating a Confederate Kentucky*, 11, 151-9.

state from the brink of secession in 1861, loyalties were sorely strained and an oppositional Confederate government was established. Kentucky initially refused to furnish troops for the Union, but it ultimately supplied as many as 25,000-40,000 Confederate and 90,000-100,000 Union soldiers.⁴ Unfortunately, the Union's growing opposition to slavery and an increasingly antagonistic relationship between state and federal officials greatly tested Kentucky's relationship with the Union cause. Because slavery was viewed as a control mechanism for the state's black population, emancipation was simply not what white Kentuckians were fighting for. Being exempt from the Emancipation Proclamation and direct Reconstruction policies by its loyal status, Kentucky managed to stave off the final destruction of slavery within its borders for months following the end of the war.⁵

As the work of numerous scholars, notably Anne Marshall, has shown, Kentucky would ultimately find its sympathies aligning with ex-Confederates in the postwar nation. Other factors, such as a strongly antagonistic relationship with Federal policy and a lingering military presence, contributed to Kentucky's alienation. But in the end it was concerns over race and the destruction of slavery helped Kentucky identify more with its southern, ex-Confederate counterparts than with the Republican and Union causes. In the decades following the war, Kentucky would adopt strong post-bellum Confederate sympathies through a long process of cultural formation based on competing memories of the war.⁶ My work gets between the Civil War and this scholarship to illustrate that the mechanisms which drove Kentucky's white

⁴Lowell H. Harrison and James C. Klotter. *A New History of Kentucky* (Lexington: The University Press of Kentucky, 1997), 187-192, 195.

⁵Anne Marshall, *Creating a Confederate Kentucky* (Chapel Hill: University of North Carolina Press, 2010), 10, 24-5. See also Harrison and Klotter, *A New History of Kentucky*, 234, and Berlin, et al. *The Wartime Genesis of Free Labor*, 625.

⁶Marshall, *Creating a Confederate Kentucky*, 4, 23.

population towards its postwar Confederate identity settled into place very quickly, even before the war's conclusion. Between 1863 and 1868, white Kentuckians' reactions to emancipationist policies in the Union and their efforts to preserve an unequal social and economic hierarchy based on race set them on the pro-Confederate path argued by scholars like Marshall. Assistant Commissioner Clinton Fisk of the Freedman's Bureau gave perhaps the most poetic, if damning, description of Kentucky's agitation over slavery's erosion when he said in 1865, "the devotees of the barbarism cling to its putrid carcass with astonishing tenacity."⁷

Following Kentucky's well-documented attempt at neutrality, occupation by Union troops began as early as September 1861. The large number of pro-Confederate sympathizers led to harsh Union tactics, including interference in state elections meant to suppress Confederate subversion and influence. Before long many Unionist Kentuckians felt as though they were being treated like disloyal Confederates. Feelings of betrayal only increased in 1863, when General Ambrose Burnside declared martial law and the Emancipation Proclamation was issued by President Lincoln, freeing the slaves in the Confederacy and drastically altering the purpose of the war.⁸ A common reaction to the Proclamation among white Kentuckians was perhaps best summarized by Edward Winkler, a Louisville-born Union soldier serving in the 28th Kentucky Infantry, who stated "I am totally and irrevocably against it...it is unjust, unconstitutional, and will cause the death of many brave and true men. Now the rebels have a good and just cause to fight for...What cause have we Kentuckians to fight for[?]"⁹

⁷ "Tennessee and Kentucky Freedmen's Bureau Assistant Commissioner to the Freedmen's Bureau Commissioner," July 20, 1865. Document 234 in Berlin, et al. *The Wartime Genesis of Free Labor*, 705-7.

⁸ Ibid, 205-6.

⁹ "Letter from Ed Winkler to Family," Feb 22, 1863. *Edward Winkler (1841-1886) Papers 1863-1879*, The Filson Historical Society, Louisville, Kentucky.

Not only did this shift war aims in a direction that most Kentuckians vehemently opposed, but it also created a large influx of technically free Confederate contrabands into the state and hindered the enforcement of Kentucky's standing slave laws. The practice among state officials to arrest all blacks traveling without passes, regardless of status, led to friction between Union and state authorities. In at least one case, Kentucky regiments attempted, on threat of violence, to stop other Union regiments crossing the state line into Tennessee, hoping to prevent black Kentuckians from crossing with them.¹⁰ Tensions rose in the first half of 1864 when the Union began recruiting free blacks and slaves for service in the Union Army from places like Camp Nelson, providing a path to freedom. This path was extended in March 1865 when the federal government passed a law freeing the wives and children of any black man who served. The recruitment and deployment of black soldiers in Kentucky, so controversial that state government protests largely prevented it throughout 1863, was a major issue Kentuckians faced in the process of dismantling slavery.¹¹

The recruitment of black soldiers was often opposed either because it would be ineffectual, claiming that African Americans were unable or unwilling to work, or because it would lead to armed conflict. One observer worried "that the negroes have got arms in their hands, and so many notions of freedom in their heads that before the war is over it is not impossible that we may have to fight them as well as the [secessionists]."¹² Concerns held by

¹⁰ "Letter from N.G. Markham to Eunice and Willie Markham," April 13, 1863. *N.G. Markham Papers 1854-1905*. The Filson Historical Society, Louisville, Kentucky.

¹¹ Marshall, *Creating a Confederate Kentucky*, 24-5. See also Berlin, et al. *The Wartime Genesis of Free Labor*, 627-633 and Victor B. Howard. *Black Liberation in Kentucky: Emancipation and Freedom, 1862-1884* (Lexington: The University Press of Kentucky, 1983), 50-5.

¹² Frances Peter. *A Union Woman in Kentucky: The Diary of Frances Peter*. Edited by John David Smith and William Cooper, Jr. (Lexington, KY: The University Press of Kentucky, 2000), x, xvii, 96, 136.

white Kentuckians about the ineffectiveness or even danger of black recruitment would not significantly change in the war's aftermath.

Opposition to black recruitment was no less pronounced in the state government. Statements by Governor Thomas Bramlette in 1865 disputed the constitutionality of the measure and connected it to the trend of slavery's erosion in Kentucky which, he claimed, we could not avoid, and for which we are not responsible."¹³ The same year, members of the legislature questioned the validity of election results where black soldiers were deployed at voting locations because, as they argued, the soldiers had driven some voters from the polls.¹⁴ Newspapers such as the *Lafayette Daily Democrat* echoed the types of sentiments seen in the legislature. A report on the presence of black troops in Paducah, Kentucky highlighted their antagonistic relationship with the white population. After recounting the regiment's struggles with a band of white guerillas in Paducah, the article describes a citizenry "held in terror by the military authorities." All of Paducah was reportedly held in a "general gloom" due to the shame caused by the presence of the black soldiers, who "avail themselves of the privilege granted to them to offer indignities to white people."¹⁵ A separate complaint was levied that exemptions from the draft were given to African Americans in New Orleans so that they could continue the cultivation of cotton. With no such exemptions in Kentucky, the newspaper sourly asked, "why is it that the peace, the prosperity, the loyalty of Kentucky is considered of less importance than the profits of a few speculators of hardly doubtful honesty in the Gulf States?"¹⁶ Other wartime

¹³ *Journal of the Senate of the Commonwealth of Kentucky* (Frankfort, KY: George C. Prentice, State Printer, 1865), 38-9.

¹⁴ *Journal of the House of Representatives of the Commonwealth of Kentucky* (Frankfort, KY: George C. Prentice, State Printer, 1865), 247-8; Harrison and Klotter. *A New History of Kentucky*, 206.

¹⁵ "A Letter from Paducah," *Louisville Daily Democrat*, March 16, 1864.

¹⁶ *Louisville Daily Democrat*, March 20, 1864.

articles asserted the commitment of even non-slaveholding whites in Kentucky to the preservation of slavery and racial hierarchy, and worried that black soldiers contributed to the degradation of the white race.¹⁷ When white Kentuckians could not prevent their recruitment, their ire at times could turn to the families of black soldiers. Federal refugee camps received an influx of black soldiers' families who had either been dismissed by their masters or who had chosen to leave due to unnamed "cruel and fiendish atrocities," in the words of Commissioner Fisk. After the establishment of a rule in 1865 which freed the families of black men who enlisted, federal officials were hard pressed to prevent the forced re-enslavement of black soldier families in Kentucky.¹⁸ As these instances show, opposition to black soldier recruitment in Kentucky was clearly associated with efforts to preserve slavery and the racial order. In resisting the broader emancipation policies of the federal government, white Kentuckians were being alienated from the Union it otherwise supported throughout the war.

That alienation was no better demonstrated than in Kentucky's refusal to ratify the Thirteenth Amendment. Despite the encouragement of Governor Bramlette that Kentucky accept the amendment conditionally rather than outright reject it, Kentucky's legislature voted down the measure and repeatedly denounced it as "tyrannical usurpation, to which uncontrollable force [had] compelled their submission; but for which their duty to themselves

¹⁷ *Louisville Daily Democrat*, June 6, 1864; *Louisville Daily Democrat*, March 24, 1864; "Negro and White Prisoners Put in the Same Cells," *Louisville Daily Democrat*, March 17, 1864.

¹⁸ Howard, *Black Liberation in Kentucky*, 111-2; "Superintendent of the Refugee Home at Camp Nelson, Kentucky, to the Freedmen's Bureau Assistant Commissioner for Kentucky and Tennessee," November 1, 1865. Document 172C in Hahn, et al. *Land and Labor*, 656-9; "Three Officers at Bowling Green, Kentucky, to the Headquarters of the Post of Bowling Green," July 3, 1865. Document 233 in Berlin, et al. *The Wartime Genesis of Free Labor*, 704-5; "Provost Marshal of the 4th District of Kentucky to the Commander of the Department of Kentucky," October 25, 1865. Document 240 in Berlin, et al. *The Wartime Genesis of Free Labor*, 717.

and their posterity [required] them to set their seal of condemnation.”¹⁹ They would continue this rhetoric months after the amendment was ratified without Kentucky and added to the Constitution.²⁰

Members of the legislature objected to the amendment on several grounds, including the manner of its passing and the legislature’s denial of the federal government’s authority in the matter. But most of all, the legislature objected to the idea that emancipation could do anything but disrupt social relations in Kentucky. The legislature passed one resolution which asserted that the commonwealth itself was the best vehicle for securing the rights of its black inhabitants. “To say nothing of humanity,” it stated, “the plainest and strongest incentive of self-interest will induce Kentucky...to treat her negro population with perfect justice.” To imply through the amendment’s existence that Kentucky would not pursue such policies independently was an insult. So long as African Americans inhabited the state, the resolution asserted, it was in the best interests of white Kentuckians to maintain good relations with them. The Thirteenth Amendment, however, would incite the opposite effect, and white Kentuckians would be “persecuted into hating and mistreating” black Kentuckians.²¹

The massive gains by conservatives in the election in August of 1865 showed the extent to which these sentiments echoed beyond the legislature itself.²² The *Louisville Daily Democrat* qualified the nature of white Kentuckians’ opposition when it described the amendment, like the General Assembly, as an arbitrary overextension of power which the states had been “ordered to ratify” while also coupling it with the forceful enfranchisement of African

¹⁹ *Journal of the Senate of the Commonwealth of Kentucky* (1865), 238-41.

²⁰ Howard. *Black Liberation in Kentucky*, 77, 88-9.

²¹ *Journal of the Senate of the Commonwealth of Kentucky* (1865), 307-8.

²² *Journal of the Senate of the Commonwealth of Kentucky* (1865), 238-41, 307-8; Howard, *Black Liberation in Kentucky*, 85.

Americans. The amendment, “sanctioning” the abolition of slavery and undermining constitutional guarantees of property, was intimately tied with broader claims or usurpation which, in the *Democrat’s* opinion, gave continued participation in the Union “no merit.”²³

Such statements illustrate how Kentucky associated emancipation and the Thirteenth Amendment with not only a breakdown of their social and economic order but also the betrayal of their constitutional vision and loyalty to the Union. But when the amendment passed without Kentucky’s support, its white inhabitants were forced to contend with the newly freed black population and determine how to shape their postwar social and economic relations. In both law and labor relations, the mindset that unequal racial hierarchies must be preserved dominated. At least one white Kentuckian seemed prepared for some measure of black equality, but maintained that black Kentuckians would lack the education necessary for equal political participation for at least a generation.²⁴ Others became convinced that black Kentuckians were “no longer the humble servants they used to be. They are restless, impertinent and discontented, neglect their work, and run off in great numbers.”²⁵ And they acted accordingly, passing a variety of laws which closely resembled the various forms of Black Codes seen throughout the South following the Civil War.²⁶ Black Kentuckians were barred from juries and from testifying in court cases involving whites, and could themselves face trial without counsel. Their rights to travel, consume alcohol, or own firearms were curtailed. Strict vagrancy laws sought to control their labor, and they were barred from holding power over

²³ *Louisville Daily Democrat*, December 7, 1865. *Louisville Daily Democrat*, December 19, 1865.

²⁴ “Letter from Robert Winn to Martha Winn,” Jan 22, 1865. *Winn-Cook Family Papers 1861-1875*. The Filson Historical Society, Louisville, Kentucky.

²⁵ Peter. *A Union Woman in Kentucky*, 118, 187.

²⁶ *Journal of the House of Representatives* (1865), 150.

whites in labor contracts.²⁷ As the *Louisville Democrat* stated, white Kentuckians believed that “two races on the same soil, so radically distinct, will not live on a basis of equality. They have never done so and never will.”²⁸

The commitment of white Kentuckians, not only to these laws and statutes but also the hostile attitudes toward African Americans which created them, prompted the federal government in 1866 to extend into Kentucky the jurisdiction of the Freedmen’s Bureau. The Bureau’s goal, put simply, was to provide advocacy and aid to African Americans in the state, usually in the form of mediation in contract and other disputes.²⁹ The Freedman’s Bureau offers historians an excellent window into the actual practice of race relations in Kentucky, as opposed to legal statutes and rhetoric from newspaper articles or the legislature. As the unfortunate case of Harrison’s previously described contract showed, labor agreements and conditions could be made to resemble much of the former relationship between master and slave. Most contracts approved by the Freedmen’s Bureau were much less severe but can easily contain some disadvantages for black laborers. They also revealed trends not only in the ways that the Freedmen’s Bureau tried to improve contract terms over time but also how white employers in Kentucky sought to undermine or limit the prosperity available to black laborers.

Though some labor contracts were fully written out, many contracts approved by the Freedmen’s Bureau were filled out on forms. The first generations of these forms, used

²⁷ Harrison and Klotter, *A New History of Kentucky*, 237. See also Richard H. Stanton. *The Revised Statutes of Kentucky Approved and Adopted by the General Assembly, 1851 and 1852, and in Force from July 1, 1852, with all the Amendments Subsequently Enacted, and Notes of the Decisions of the Court of Appeals of Kentucky*, Volume 2 (Cincinnati, OH: Robert Clarke & Co., 1867), 4, 141-2, 368, 379-80, 416-17, 470. There is also an example of a black Kentuckian facing trial for murder without counsel, before James Brisbin, a Union officer and anti-slavery orator, stepped in to defend him. See “Letter from James S. Brisbin to his wife,” May 26, 1865. *James S. Brisbin (James Sanks) 1837-1892 Misc Collection*. The Filson Historical Society, Louisville, Kentucky.

²⁸ *Louisville Daily Democrat*, March 8, 1865.

²⁹ Harrison and Klotter. *A New History of Kentucky*, 238. See also Foner, *Reconstruction*, 142-3.

primarily before August 1865, were quite simple and only stated the names of the employer and laborer, their compensation, and an agreement that the employer would provide the freedman with food and quarters.³⁰ By 1866-67 even more intricate forms became widespread, with one variation including the curious stipulation that the laborer be treated “with kindness and humanity.” Most styles of contract, however, stipulated that all wages were forfeit should the laborer leave their position before the expiration of the contract, barring maltreatment.³¹

The final terms of contracts nevertheless varied immensely, even if that meant simply crossing out lines on the forms themselves. In several cases these edits were more or less benign, such as choosing to pay the laborer monthly rather than through sharecropping. Other alternations were unfortunate but relatively minor, such as the exclusion of medical services.³² More egregious changes to contracts might stipulate that the laborer cover all expenses personally. Mostly in cases involving women and children, some contracts exchanged labor for mere sustenance in what must have closely resembled an antebellum master-slave relationship.³³ Contracts sometimes also included less dignifying stipulations, such as Thomas Ellis’ agreement to “use no bad language” and to be “kind and obedient to the family” of his employer, James Coffey.³⁴

³⁰ See, for example, “Contract between W.D. Crockett and Henry Wallace,” June 18, 1865. *Freedmen’s Bureau*, Roll 64.

³¹ See, for examples, “Contract between William H. Arthur and Mary White,” June 22, 1866. *Freedmen’s Bureau*, Roll 64, and “Contract between W.J. Reader and Rena Walker,” January 2, 1867. *Freedman’s Bureau*, Roll 68.

³² See, for examples, “Contract between [R.B.D.] and Henry Wallace,” September 8, 1865. *Freedmen’s Bureau*, Roll 64, and “Contract between William H. Arthur and Mary White,” June 22, 1866. *Freedmen’s Bureau*, Roll 64. Additional examples can be found through at least 1868.

³³ See, for examples, “Contract between William Reed and John Rankin,” January 12, 1867. *Freedmen’s Bureau*, Roll 68, “Contract between William Muir and William McBride,” June 30, 1865. *Freedmen’s Bureau*, Roll 64, “Contract between Charles B. Anderson and Susan Allen,” June 20, 1866. *Freedmen’s Bureau*, Roll 64, and “Contract between Dudley Portwood and James A. Sampson,” August 31, 1865. *Freedman’s Bureau*, Roll 64.

³⁴ “Contract between James M. Coffey and Thomas Ellis,” January 24, 1866. *Freedmen’s Bureau*, Roll 64.

The choices of typical and desirable terms in Kentucky labor contracts, as well as the evolution in the forms used by the Freedmen's Bureau, hinted at similarly evolving perceptions and concerns regarding the welfare of employee and laborer alike. The ideas expressed in the contracts reflected broader attitudes among white Kentuckians that African Americans needed food, shelter, and care provided to them and that they would not work unless threatened with the forfeiture of their wages, if they chose to work at all.³⁵ If slavery itself could not be preserved, hierarchical labor conditions could and were preserved.

Outside of legal contracts, the most effective and tragic vehicles for racial subordination were undoubtedly violence, threats and coercion. Widespread violence against black Kentuckians was not only documented by the Freedmen's Bureau but used to justify its presence in Kentucky. The Bureau served as a limited shield for freedmen against white violence and the continuation of its presence was largely contingent on the agitation of white inhabitants.³⁶ One Bureau official expressed hope that white Kentuckians would "mend their ways" once they realized that the removal of the Bureau in Kentucky would only follow the cessation of violence.³⁷

Dozens of killings, shootings, and rapes, as well as hundreds of other reported cases of mistreatment, were committed against black Kentuckians to maintain notions of racial inferiority. In its purest form, violent coercion involved simply keeping freedmen enslaved. Multiple instances of women or children being held in slavery were reported to the Freedmen's Bureau as late as August 1866. In other instances the employer would simply neglect to

³⁵ Outside of labor contracts, an example of this attitude can be seen in "Letter from [Zed] M. Laylan to Joel Tanner Hart" September 24, 1868. *Joel Tanner Hart Papers 1836-1877*. The Filson Historical Society, Louisville, Kentucky.

³⁶ George C. Wright. *Racial Violence in Kentucky 1865-1940* (Baton Rouge: Louisiana State University Press, 1990), 2-3.

³⁷ "Narrative Report of Bureau Operations for January 1868" February 15, 1868. *Freedmen's Bureau*, Roll 48.

properly pay the wages owed to a black laborer. This might involve a simple refusal to pay or, in one curious instance, involve payment in Confederate currency.³⁸

Other acts were even less humane and threatened both the dignity and property of black Kentuckians, if not their very lives. In the summer of 1866 James Rice, a Freedmen's Bureau Superintendent in Lexington, wrote to the mayor of the city calling his attention to the recent death of an African American man. The city authorities, refusing to bury the man in a public cemetery, had completely neglected the body to the point where Rice expressed concerns for the spread of disease.³⁹ Soon after, Rice's attention would also be called to the forced seizure of a freedmen-operated Church in Georgetown by a white pastor who changed the locks and refused the Freedmen access. Rice authorized the local Bureau agents to use force to reopen it if necessary.⁴⁰

Worst of all were the physical threats and acts of violence perpetrated by whites against African Americans in Kentucky. By far the most significant and pervasive source of physical violence and intimidation in Kentucky were the Regulators, bands of white guerillas closely associated with the Ku Klux Klan and responsible for lynchings and the harassment not only of black Kentuckians but also whites who hired, sold land to, or otherwise helped them. Though much of the scholarly attention to Regulators is devoted to the 1870s and beyond, they were quite active as early as 1867.⁴¹ According to a Freedmen's Bureau inspection report that year,

³⁸ Harrison and Klotter, *A New History of Kentucky*, 238; "George Duff to George W. Metcalf," July 16, 1866. *Freedman's Bureau*, Roll 112. See also "George Duff to [Captain Clem]," June 30, 1866. *Freedman's Bureau*, Roll 112.

³⁹ "James H. Rice to the Mayor of the City of Lexington, Kentucky," June 25, 1866. *Freedmen's Bureau*, Roll 112.

⁴⁰ "James H. Rice to [T.N. Trimell]," July 23, 1866. *Freedmen's Bureau*, Roll 112.

⁴¹ Howard, *Black Liberation in Kentucky* 98-9. See also Marion B. Lucas, *A History of Blacks in Kentucky: From Slavery to Segregation 1760-1891* (Kentucky Historical Society, 2003), 194-5, and Harrison and Klotter, *A New History of Kentucky*, 251-2.

which examined central Kentucky near Frankfort and Lexington, Regulators sought to keep freedmen “in a state of slavery” and enjoyed significant support from the populace in multiple counties around Nicholasville, Lancaster, and Lebanon. Any black Kentuckian who angered the “mob” by ceasing to work, offending his employers, holding a “social party,” or any acts “considered wrong in negroes,” was soon assaulted by the Regulators and either hanged, shot, or “unmercifully whipped.” The Regulators operated with almost total immunity from local authorities. The judges and lawyers refused to prosecute and law enforcement officers refused to execute warrants, often for fear of retaliation. In the inspector’s estimation, the civil authorities were “utterly powerless” and the jails were “simply traps.” The Regulators’ activity amounted to a “reign of terror.”⁴²

The confluence of this racialized violence, the enforcement of inequality through law and labor contracts, and the staunch opposition many white Kentuckians levied against emancipationist policies in the immediate postwar era laid the foundations for its subsequent identification with ex-Confederate ideas and values. In creating their vision for their postwar commonwealth, white Kentuckians clung immediately to the putrid carcass of slavery, using its legacy of social and economic hierarchies based on race to swiftly craft legal and extra-legal institutions which reinforced inequality for black Kentuckians. Though most white Kentuckians supported the Union initially, their actions and reactions to the nation’s larger emancipationist course set the commonwealth on a path which would lead it farther and farther from the Union to which it had remained loyal.

⁴² “Acting Assistant Inspector General to the Chief Superintendent at Louisville, Kentucky,” June 20, 1867. *Freedmen’s Bureau*, Roll 48.