"No Safety for Union Men": The Norfolk Race Riot of 1866 and Military Occupation

Brianna E. Kirk
Charlottesville, Virginia

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Introduction

It was an early spring day in Norfolk, Virginia on April 9, 1866, when word of the 39th Congress's override of President Andrew Johnson's veto reached the port city nestled next to the Virginia Peninsula. The Civil Rights Act of 1866, proposed earlier that same year by Illinois senator Lyman Trumbull, had been resurrected in the Senate and the House of Representatives and had finally passed. Ten sections in total, the act declared that "all persons born in the United States and not subject to any foreign power, excluding Indians not taxed, are hereby declared to be citizens of the United States."[1] Furthermore, it ensured that the aforesaid citizens also held the right to enter into contracts, sue in a court of law, hold "real and personal" property, and have the "full and equal benefit of all laws and proceedings for the security of person and property, as is enjoyed by white citizens."[2] The passage of the Civil Rights Act of 1866 took the necessary steps to enforce the outcomes of the Civil War. Cries of joy echoed throughout the country, and African American communities came together to celebrate the momentous event.

Black residents of Norfolk gathered on the morning of April 16, 1866, to celebrate this historic event nearly one year after the Civil War's end. Joined by blacks from the nearby town of Portsmouth and guided in part by recently discharged United States Colored Troops (USCT), the group planned to march through the streets of Norfolk to a platform erected on a town green. Once there, speakers were to give remarks on the historic passing of the Civil Rights Act and what it meant for the future of African American people in the United States. Hundreds of freed people gathered in Norfolk's streets and peacefully made their way through the town towards the stand.

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[1] Civil Rights Act, 1866. 39th Congress, 1st Session.
[2] Civil Rights Act, 1866. 39th Congress, 1st Session.

What began as a peaceful parade, though, did not end as one. During the procession, the streets were lined with white residents of Norfolk, most displeased with the sight of blacks, some of whom wore blue uniforms, marching down their streets. A drunken white man hurled insults at those who marched past. A gun's crack ripped through the air, surprising the parade participants and sending everyone into a frenzy. Two black men attempted to subdue the likely shooter but he quickly escaped. More gunfire rang out as the crowd dispersed.

Hours later, as the sun began to set over Norfolk on April 16, a squad of between eighty and one hundred men, "marching by twos and in the cadence step," paraded down the main street. Dressed in gray, these men looked prepared for battle, as they were spotted wielding pistols and rifles, banding and disbanding at will, "cursing and damning the negroes" and firing at any they saw.[3] "I have a very bad opinion of the feeling here," African American resident William Keeling remarked in his testimony on these events, "more so now than before the surrender of the confederate army."[4]

When the violence finally ended, the riot had claimed four lives and left many more African Americans severely wounded. The federal military presence in the city, after some difficulty, quelled the disturbance and prevented further bloodshed from the roving bands of gray-clad men. Before the summer was over, major outbursts of racial violence plagued the South twice more. In the first days of May, racial tension gripped the city of Memphis as another riot terrorized its black population. Not long after, New Orleans experienced its own violent episode in July. The prospect of a peaceful Reconstruction, and of a seamless transition from slavery to citizenship, now seemed a distant hope.

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[3] "Riot at Norfolk," House of Representatives, 39th Congress, 2d Session, Ex. Doc. No. 72.
[4] "Riot at Norfolk," House of Representatives, 39th Congress, 2d Session, Ex. Doc. No. 72.

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This paper examines the Norfolk Race Riot of April 16, 1866. The first of three race riots that took place in the first full summer after the American Civil War, it has largely been forgotten in the broader context of Reconstruction and Civil War memory, despite being located in the state that had been the epicenter of Civil War combat. Scholars have recently turned in earnest to the complicated nature of the war's end and the myriad of issues that plagued Reconstruction's start, with much attention paid to how it occurred on the ground in the former Confederacy. Even with this renewed emphasis, the Norfolk riot and its implications for the course of Reconstruction remain absent from the scholarship.[5]

For the victorious Union, the challenge of Reconstruction was to incorporate the southern states back into the national fold while at the same time protecting the rights of the newly freed slaves. But northerners were divided over how exactly to do so. While the Confederate armies had surrendered and rebel soldiers had begun returning home, the United States government recognized the possibility that some southerners might continue fighting. This fear underscored the need for maintaining Union soldiers in the field to oversee the transition from wartime to peacetime. As hundreds of thousands of northern men demobilized and returned home, the number of federal troops remaining in the South declined drastically. According to historian Gregory Downs, Union soldiers in the former Confederacy "dropped from roughly 1 million in April 1865 to 300,000 at the end of June." That number continued to fall throughout 1865 and into 1866, so that by May, Downs estimates, there were only approximately 30,000 Union troops in the South.[6]

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[5] The only work to solely focus on the Norfolk Race Riot was John Hammand Moore's 1982 article. A mere ten pages in length, the author lacks citations to substantiate his claims and relies heavily on one particular Southern sympathizing newspaper. See Moore, "The Norfolk Riot: 16 April 1866," *Virginia Magazine of History and Biography* 90, no. 2 (April 1982): 155-164.

[6] Gregory P. Downs, *After Appomattox: Military Occupation and the Ends of War* (Cambridge: Harvard University Press, 2015), 89-90, 262-265. This was a stark difference from the number of troops in the South at the start of 1866, which numbered around 87,000. Within a year, those numbers were reduced to 25,000 across the former

The Union occupation, at its outset, was intended to enforce the outcomes of the war and ensure that blacks' newfound rights received some level of armed protection as the nation staggered away from the battlefields and began navigating the post-war world. Two competing interpretations on the extent, impact, and success of Union occupation are offered in two recently acclaimed works. Gregory Downs argues in *After Appomattox* that the Civil War was inherently a political and military conflict; with politicians dictating when wartime ended and when peacetime began, the government sought to utilize its war powers well after the armies had surrendered. This gave the U.S. government the authority to "suppress the rebellion, consolidate its forces, and fashion effective civil rights." Only when the war's goals were complete – in particular, when the Thirteenth Amendment was ratified and officially became part of the Constitution – would the country enter into a 'post-war society.' Accomplishing that, though, relied heavily on the "military's authority" to essentially "run an occupation of the South that would have been illegal in peacetime." The ex-rebels "could not be allowed to rule unimpeded" because they certainly would "refuse to acknowledge the rights" of free blacks. Only the military's presence could enforce the still fragile civil rights. In this vein, Downs refers to early Reconstruction as "post-surrender wartime," a time when federal troops remained on active war-footing until every ex-Confederate state was readmitted to and seated in Congress.[7]

Conversely, historian Mark Wahlgren Summers makes a different case in *The Ordeal of the Reunion*, asserting instead that using the military to protect the freedoms of those newly emancipated from white southern oppression was not the primary goal of Civil War Americans.

Confederacy. These figures include troops stationed in Texas. Without those numbers, the rate at which the troop numbers were reduced increases. Excluding Texas, there were approximately 22,000 Union troops in the South in May 1866, with 2,883 of them stationed in Virginia. The reduction of troops across the South continued into 1867 and through 1870. According to Downs, there were 127 military posts in the South in the 1867 winter (compared to the 207 in January 1866), and by the fall of 1870, there were a mere 44.

[7] Down, *After Appomattox*, 2-6, 63.

Rather, the war powers used by Lincoln and the federal government were "an abnormality, brought on by the necessities of war." The faster those powers dissipated, the government returned to normalcy, and the southern states were reincorporated into the Union, all done within the purview of the Constitution, Summers argues, the "sooner the whole nation could recover its unique balance of liberties and separate spheres of authority." Most Americans did not wish for the extent of change desired by the Radical Republicans and instead were content to judge Reconstruction's success based on the war's principle aims: restoring the Union and North-South relations, abolishing slavery, and extinguishing further rebellion. Military occupation was unwanted and unneeded, especially when placed in light of "American traditions" which called for "an end of military supervision as soon as possible," highlighting how a standing army during peacetime drew the suspicion of many. In essence, since political reunion was the goal of the war, the reduction of troops in the South was necessary, and most northerners felt that the government needed to cease using its war powers, even if military withdrawal took place at the expense of African Americans.[8]

Taken together, these two works differ on the effectiveness of the federal government and Union occupation. Whereas Downs sees the federal troops, even in their reduced numbers, as being necessary to and effective in enforcing the war's outcomes and protecting the freedpeople, Summers emphasizes northerners' belief that the rebuilding and transformation of the South needed to be done by southerners themselves, not imposed by federal troops acting as on-the-ground proxies for the U.S. government.

Norfolk, then, is a worthy test case of these two frameworks, since it offers unique insight into how a Union occupied post-war society functioned (or failed to function) in a post-emancipation world. Indeed, the city's Yankee occupiers had been reduced in number since the

[8] Mark Wahlgren Summers, *The Ordeal of the Reunion: A New History of Reconstruction* (Chapel Hill: University of North Carolina Press, 2014), 4, 66, 17.

war's end to the extent that the commanding officer needed to call upon additional troops from nearby Fortress Monroe to assist in suppressing the riot. Additionally, Norfolk's white residents maintained their hostility to the Union army's presence and their protection of African Americans. Yet the federal troops stationed in Norfolk still afforded some protection to the city's black residents, even if that protection was minimal at best, and were successful at thwarting attempts at further violence against blacks.

In a broader sense, I argue that Union occupation fostered environments where race riots were more likely to occur. Numerous scholars have given close attention to the other two race riots during the 1866 summer – Memphis, Tennessee, and New Orleans, Louisiana, - but have neglected Norfolk. The Memphis riot of May 1-3, 1866, claimed over 200 casualties, the majority of them black victims of physical and sexual violence. Dozens of homes, churches, and schools in the black community were burned to the ground. The violence finally ended when federal troops intervened on May 3. The New Orleans riot took place on July 30, 1866, and similarly claimed roughly 150 casualties, again the majority of them black. These two riots in particular loom large in Reconstruction historiography, and historians examining Memphis and New Orleans explicitly link the two violent outbursts to President Johnson's failed Reconstruction policies and to Congress's rejection of the Johnsonian government.[9]

Adding Norfolk to this narrative not only shows that white southerners wished for the return of the old racial order but also highlights the largely impossible task the post-war military occupation forces faced in trying to fully protect the rights of the freedpeople. This paper builds

[9] See Stephen Ash, *A Massacre in Memphis: The Race Riot that Shook the Nation One Year After the Civil War* (New York: Hill and Wang, 2013); Hannah Rosen, *Terror in the Heart of Freedom: Citizenship, Sexual Violence, and the Meaning of Race in the Postemancipation South* (Chapel Hill: University of North Carolina Press, 2005); Ted Tunnell, *Crucible of Reconstruction: War, Radicalism, and Race in Louisiana 1862-1877* (Baton Rouge: Louisiana State University Press, 1984); and Gilles Vandal, *The New Orleans Riot of 1866: Anatomy of a Tragedy* (Lafayette: University of Southwestern Louisiana, 1983).

on existing scholarship to demonstrate that military occupation in Norfolk provided only tenuous protection for blacks. Testimony on the riot during a congressional inquiry investigation shows how Unionists sought to make the case for a continued military presence in Norfolk by emphasizing the defiant methods and war-footing of recalcitrant rebels. The rapid reduction of Union troops allowed ex-Confederates to lash out in racial violence against the newly emancipated blacks as a way to reestablish their pre-war supremacy and political power. This testimony underscores how outnumbered the occupying forces were in the midst of such implacable hostiles.

The paper will proceed in three sections, the first of which examines the wartime context of Norfolk. The city and surrounding areas were the site of a wide variety of wartime experiences. The Union's occupation from 1862 on and the city's proximity to major events of the war – notably the first ironclad battle of Hampton Roads, slaves' flight to 'Freedom's Fortress' (Fortress Monroe), and the beginnings of the Peninsula Campaign in 1862 – worked to stifle overt rebel sentiment held by its inhabitants. The war's impact on the city is critical in understanding how events unfolded after Confederate surrenders. This section will also explain the political climate after the Civil War. With a presidential assassination, millions of enslaved people released from bondage, and rapid new legislation all stunning the country, Confederates were returning home to a drastically changed world they neither recognized nor particularly cared for.

The second section works to ground readers in the events that occurred on April 16, 1866, and the ways in which they were reported, primarily in Virginia newspapers. What began as a peaceful political celebration by African Americans resulted in a violent racial outburst that continued into the night. And while the physical violence of this event ended by April 17, newspapers largely embarked on a crusade to smear the black community and fault them for what occurred in the days and weeks after.

The third section places the Norfolk Race Riot in the larger Reconstruction historiography. This section poses some reasons scholars have mostly neglected to include this event in Reconstruction's story and argues why Norfolk should be included in post-war histories and what it offers to the larger narrative.

Section 1 – Context of Wartime Norfolk, Virginia

Civil War Norfolk is a city that has been well studied in Civil War historiography. The city had 14,620 residents in 1860, 4,319 of them (approximately 30 percent of the population) were free and enslaved African Americans.[10] Wartime Norfolk underwent many changes, most of them quick and abrupt, that influenced its post-war story. A city that began the war under Confederate control, Norfolk quickly fell into Union hands in early 1862. Beginning with the battle of Hampton Roads in March, the Confederate *Virginia*, built on the shell of the sunken USS *Merrimac*, squared off against the Union gunboat *Monitor* in the waters right beside Norfolk. The *Virginia* sank two federal ships (USS *Cumberland* and USS *Congress*) before engaging with the *Monitor* on March 9, marking the first ironclad engagement of the war. "The shores was lined thick with people watching that strange fight," former slave Robert Ellet recalled. "All I could see was the flash of the guns." When the fighting was all over, the *Virginia*, unable to completely destroy the *Monitor*, withdrew from the waters. Confederate troops in Norfolk were essentially cut off and surrounded. Unable to successfully guide the ship up the James River towards Richmond, they therefore decided to burn their prized ironclad to prevent it from falling into Union hands. They left the area

[10] U.S. Census Bureau, *Population of the United States in 1860; Compiled from the Original Returns of the Eighth Census* (Washington, D.C.: Government Printing Office, 1864). Historian Michael Hucles determined these are the correct figures for Norfolk in 1860 based on a computing error. See Hucles, "Many Voices, Similar Concerns: Traditional Methods of African-American Political Activity in Norfolk, Virginia, 1865-1875," *Virginia Magazine of History and Biography* 100, no. 4 (October 1992): 543 n.2.

in complete federal control, paving the way for General George B. McClellan's oncoming advance towards Richmond.[11]

Union forces under McClellan targeted the Virginia Peninsula as a prime location to begin his grand campaign to capture the Confederate capital at Richmond. The Peninsula was one of the major pathways towards Richmond; the abundance of waterways (Hampton Roads, Chesapeake Bay, York River, and James River) provided many avenues of attack to McClellan. Once Confederate General Joseph Johnston began withdrawing his troops from the Peninsula area, McClellan seized the opportunity and began the largest amphibious landing of the war. A quarter million Union soldiers were brought to the Peninsula for the march to take Richmond, using Fortress Monroe as a base of operations.[12]

Fortress Monroe – transformed by Union General Benjamin Franklin Butler to 'Freedom's Fortress' – became a safe haven for runaway slaves who were used to undermine the Confederacy for the remainder of the war. On May 23, 1861, three enslaved men belonging to a Confederate officer fled to Fortress Monroe to avoid being sent further south to labor. Confederate Major John Cary requested that the slaves be returned on the grounds of the Fugitive Slave Clause, which required that slaves who escaped to other states be returned to their owners. General Butler – an astute lawyer – argued that since Virginia seceded from the Union and claimed to be a foreign country separate from the United States, he was under no obligation by the U.S. Constitution to abide by the clause and concede to a foreign country. Furthermore, since the Confederacy used enslaved African Americans as laborers for the war effort and considered them property, Butler

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[11] Glenn David Brasher, *The Peninsula Campaign and the Necessity of Emancipation: African Americans and the Fight for Freedom* (Chapel Hill: University of North Carolina Press, 2012), 89-92. Robert Ellet as quoted in Brasher, *The Peninsula Campaign*, 91.

[12] Brasher, *The Peninsula Campaign*; Stephen W. Sears, *To the Gates of Richmond: The Peninsula Campaign* (New York: Houghton Mifflin Company, 1992), xi, 15-16.

shrewdly dubbed the escaped slaves as 'contraband of war' to justify his decision to retain them. As a result of this, Fortress Monroe quickly became a contraband camp for runaway slaves, and as Union troops continued to encounter escaped slaves on the Peninsula, slavery and emancipation became harder issues for the U.S. government to ignore.[13]

The city of Norfolk capitulated to the Union on May 10, 1862, when Mayor William Lamb surrendered to Union General John Wool.[14] Norfolk was then placed under martial law and remained so through the end of the war. Thanks to the Confederate evacuation in 1862, Norfolk endured much physical destruction: rebel soldiers burned the Gosport Navy Yard (much more effectively than the Union troops had done a year prior), destroyed buildings and machines, and burned Confederate ships as southern troops evacuated the city.[15] By mid-1863, some of the city's antebellum residents had evacuated, and those who remained harbored a simmering hostility towards their Yankee occupiers. As would also be seen in post-war Norfolk, the civil and military officials continued to clash over who had proper rule of the occupied city. The lack of agreement led to a continued blockade, which severely impacted the maritime and commercial trade economy capabilities that defined Norfolk in the antebellum period.[16]

Norfolk's black population faced numerous challenges during the war. African Americans comprised approximately 30 percent of Norfolk's total population in 1860, a number that increased as enslaved persons gravitated towards Fortress Monroe and the surrounding area. Norfolk became a "temporary home for the greatest concentration of ex-slaves in all of Virginia," numbering about

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[13] Brasher, *The Peninsula Campaign*, 33-39.
[14] Thomas C. Parramore, et. al. *Norfolk: The First Four Centuries* (Charlottesville: University of Virginia Press, 1994), 206-207.
[15] Parramore, *Norfolk*, 207-208.
[16] Parramore, *Norfolk*, 211. See, also, Ludwell H. Johnson III, "Blockade or Trade Monopoly? John A. Dix and the Union Occupation of Norfolk," *Virginia Magazine of History and Biography* 93, no. 1 (January 1985):54-78; and Susan M. Ames, "Federal Policy Toward the Eastern Shore of Virginia in 1861," *Virginia Magazine of History and Biography* 69 no. 4 (October 1961): 432-459.

"26,000 contrabands."[17] Once Union troops occupied the port city in 1862, many contrabands were housed "throughout the Norfolk area's military enclaves," although not very well because of the large numbers. The impending issuing of Abraham Lincoln's Emancipation Proclamation on January 1, 1863, encouraged Norfolk blacks to apply and obtain a permit from the federal occupiers to hold a parade in celebration of the Proclamation's release.[18] Totaling around 4,000 people, the parade was "one of the largest and most exuberant expressions of freedom in the country." African American men even burned an effigy of Confederate president Jefferson Davis. The city's white population did not respond kindly to this particular march. These "die-hard secessionists … resented these changes in the racial status quo," and were not afraid to let it be known to their fellow whites, albeit in the "privacy of their homes."[19] That white southerners in Norfolk expressed anti-black rhetoric in their homes despite the constant Union presence demonstrates their sentiments were merely subdued, and not stamped out, during wartime.

The continual Union occupation, the naval blockade, the large influx of African Americans, and the poor physical condition of the city worked together and fostered an environment among the white inhabitants that allowed resentment to percolate throughout their ranks. And though it remained in check during the war by the continued Union army presence, once the war ended and the new president Andrew Johnson began implementing his policies and U.S. troops began the demobilization process, Norfolk's white residents were emboldened to unleash their anger.[20]

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[17] Adele Logan Alexander, *Homelands and Waterways: The American Journey of the Bond Family, 1846-1926* (New York: Patheon Books, 1999), 139.
[18] See Kathleen Ann Clark, *Defining Moments: African American Commemoration and Political Culture in the South, 1863-1913* (Chapel Hill: University of North Carolina Press, 2005), 15-17. Clark states that blacks "carried out some of the most assertive wartime celebrations in Virginia," and did so in the "face of apparent danger."
[19] Alexander, *Homelands and Waterways*, 140-142.
[20] This thought is echoed in *After Appomattox*, where he states that "Many ex-Confederates became confident that time was on their side; surely the departure of the troops would allow landowners … to once again claim their old rights." See, Downs, *After Appomattox*, 36.

"To give real freedom"[21]

Abraham Lincoln's assassination on April 14, 1865, meant that Vice President Andrew Johnson would rise up and become the new executive. The only southern senator to remain loyal to the Union after Tennessee seceded in May 1861, Johnson became the military governor of Tennessee in 1862. Championed as a hero in the eyes of the North for his loyalty, Johnson replaced Hannibal Hamlin as Lincoln's vice president on the 1864 electoral ticket of the National Union Party. Many viewed Johnson as a sure way to win a close and contested election; he not only was a southerner (and a loyal one), but he also was a Democrat, and harbored deep animosity towards the planter class.

The hopes for Johnson's hard hand towards the South and success as President did not translate when he assumed office, making his Reconstruction policies in 1865 and 1866 confounding. A man who starkly remarked in early 1865 that "treason must be made odious" initially had the support of many who had been concerned with Lincoln's seemingly lenient Reconstruction plan.[22] As Johnson's *Proclamation of Amnesty and Reconstruction*, issued in May 1865, laid out, however, former Confederates needed to only proclaim present and future loyalty to the United States – a mere "acknowledgment of defeat" – and pledge acceptance of emancipation to be welcomed back into the nation's fold with their full political rights restored. The fourteen classes of ex-rebels exempt from the blanket pardon needed to personally apply for a pardon from President Johnson himself.[23]

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[21] *Congressional Globe*, 39th Congress, 1st Session, pg. 1151.
[22] Andrew Johnson, January 12, 1865, Speech to the Union Convention, The Papers of Andrew Johnson (Knoxville: University of Tennessee Press, 1986), 7:398.
[23] The fourteen classes exempt included high-ranking Confederate officers and field officers, those who owned property in excess of $20,000, and former Confederate government officials. See Eric Foner, *Reconstruction: America's Unfinished Revolution 1863-1877* (New York: Harper Collins, 1988), 183; Summers, *The Ordeal of the Reunion*, 64.

It soon became apparent that Johnson's previously harsh rhetoric and policies towards former Confederates were nothing more than a ruse. The provisional governors chosen to begin reconstructing the southern states were "loyal by almost any standard."[24] The problem, though, centered on the fact that these provisional governors needed to fill countless vacant offices at the state and local level. Patronage jobs attracted and were filled by large numbers of the Old South's leadership instead of the relatively few loyal Union men. These efforts made clear that emancipation and changes to freedmen's rights were not priorities and deepened the belief that Johnson was allowing the southern states to revamp their state governments however they wanted.[25] Johnson's policies towards the South became increasingly lenient, especially as he granted seemingly limitless pardons to the exempted classes. By the end of 1865, white southerners saw Johnson as their "ally and protector."[26]

With the growing resolve of ex-Confederates, Congress strongly believed further protection of the freedpeople was necessary and renewed the Freedmen's Bureau. Initially created in March 1865, the purpose of the Freedmen's Bureau was to aid former slaves in their transition from bondage to citizenship by providing food, housing, clothing, and land confiscated during the war, establishing schools, and overseeing contracts between former slaves and their employers, among other things.[27] Oliver Otis Howard, a Union general during the war who lost his right arm at the battle of Seven Pines in 1862, became the first commissioner of the Bureau. The Bureau's establishment in 1865 signified Republicans' understanding and belief that the U.S. government

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[24] Foner, *Reconstruction,* 188.
[25] See W.E.B. Du Bois, *Black Reconstruction: An Essay Toward a History of the Part Which Black Folk Played in the Attempt to Reconstruct Democracy in America, 1860-1880* (Philadelphia: Albert Saifer Publisher, 1935), 278-281.
[26] Foner, *Reconstruction,* 190.
[27] Foner, *Reconstruction,* 68-70; John Hope Franklin, *Reconstruction After the Civil War* (Chicago: University of Chicago Press, 1961), 36-37.

needed to lead the process of incorporating emancipated slaves into the national fabric and bear the responsibility of enacting legislation to do so.[28]

The Freedmen's Bureau was never intended to be a long-term solution in aiding former slaves, especially since the original legislation limited its existence to a year. However, with increased hostilities facing African Americans, Congress decided to extend and expand the organization's life through the Freedmen's Bureau Bill in early 1866, only to have the bill vetoed by President Johnson.[29] Arguing that the eleven former Confederate states had no representation in Congress and that the president was elected by all Americans, not just those from a single district, and therefore had a "broader view of the national interest," Johnson believed the Bureau was unconstitutional and would encourage "indolence" amongst African Americans.[30] The tensions between the president and Congress grew as Johnson became increasingly opposed to black civil rights, setting the stage for later clashes between these two branches of government. More importantly, Johnson's opposition to further freedpeople's rights brought Republicans in Congress to the realization that protecting the former slaves would require regulation and force.

A necessary companion to the Freedmen's Bureau Bill was the Civil Rights Act of 1866, proposed by Senator Lyman Trumbull on January 5, 1866.[31] The act was the first attempt to assign meaning to the recently passed Thirteenth Amendment, to "define in legislative terms the essence of freedom."[32] Prior to the act's proposal, Trumbull had conversed with Bureau Commissioner Howard on conditions in the South, and the reports from the Bureau on the mistreatment of blacks influenced his decision to introduce the Civil Rights Act. The congressional debates over the Civil

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[28] Foner, *Reconstruction,* 68.
[29] This bill, like the Civil Rights Act, was also proposed by Senator Lyman Trumbull.
[30] Foner, *Reconstruction,* 247-248.
[31] *Congressional Globe,* 39th Congress, 1st Session, pg. 129.
[32] Foner, *Reconstruction,* 244.

Rights Act largely focused on what "fundamental rights" the federal government was responsible for protecting, and whether the act should embody a broad or narrow definition of which rights deserved the government's protection. "I thought when I voted for the amendment to abolish slavery that I was aiding to give real freedom to the men who had so long been groaning in bondage," Pennsylvania Representative Thayer stated. "The practical question now to be decided is whether they shall be in fact freemen …If it is competent for the new-formed Legislatures of the rebel States to enact laws which oppress this large class of people who are dependent for protection upon the United States Government, … of what practical value is the amendment abolishing slavery?"[33]

By February, congressional Republicans came to the agreement that the Civil Rights Act, alongside the Freedmen's Bureau Bill, were "necessary amendments" to Johnson's Reconstruction.[34] It was clear that Johnson's belief in the southern states' provisional governments to "manage their own affairs without federal oversight" proved false, with reports from the Joint Committee on Reconstruction detailing discrimination against any supporter of black rights.[35] As the 1866 winter turned to spring, Congress became convinced that the President's policies were only emboldening the former rebels at the expense of the freed slaves.

In response to this, the Senate and the House of Representatives passed the Civil Rights Act in February and March 1866, respectively. President Johnson then vetoed the act on March 27. Similar to his veto of the Freedmen's Bureau Bill, Johnson fundamentally disagreed with the purpose of the Civil Rights Act. "To me the details of the bill are fraught with evil," Johnson wrote in his veto message. The sheer "distinction of race and color is by the bill made to operate in favor

[33] Senator Thayer, *Congressional Globe*, 39th Congress, 1st Session, pg. 1151.
[34] Foner, *Reconstruction,* 246.
[35] Foner, *Reconstruction,* 246.

of the colored and against the white race. … It is another step, or rather stride, towards the centralization and the concentration of all legislative powers in the National Government. The tendency of the bill must be to resuscitate the spirit of rebellion…"[36] The president's opinion that providing African Americans with basic rights was unhealthy for the white race increased the divide between him and Congress, to the point where both houses of Congress voted to pass the act into law over his veto. The Senate passed it by a vote of 33 to 15 on April 6, and the House of Representatives by a vote of 122 to 41 on April 9, exactly one year after Robert E. Lee's surrender.[37] The stage for a complicated and combative Reconstruction was set.

Section 2 – The Norfolk Race Riot

"Major, they are coming"[38]

The origins and course of the events that transpired on April 16, 1866, remained murky in the days and weeks following the riot. As one might expect, themes of who sparked the violence broke down along racial lines; for the most part, white residents blamed African Americans for firing the first shot, while African Americans accused a white man of doing so. Press coverage followed along a similar rift, divisions explored later in this paper. However, because of the discrepancies in how the day's events began and unfolded – and the already difficult racial climate of the post-war years – Lieutenant General Ulysses S. Grant ordered an investigation into the "cause and progress of the recent riots" in Norfolk.[39]

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[36] Andrew Johnson, "Veto Message," March 27, 1866. Accessed via *The American Presidency Project*, http://www.presidency.ucsb.edu/ws/?pid=71978
[37] *Congressional Globe*, 39th Congress, 1st Session, pg. 1809, 1861.
[38] P.W. Stanhope testimony, HR Ex. Doc 72, pg. 5.
[39] HR Ex. Doc 72, pg. 3.

On Monday, April 30, 1866, a board of officers was organized according to Grant's order and instructed to report its findings to the Department of Virginia Headquarters in Richmond.[40] Composed of three members, the board convened in Norfolk on Thursday, May 3, to begin questioning witnesses and obtaining testimony to uncover the events that unfolded nearly two weeks prior.[41] After discussion, the board agreed that the "proceedings should be conducted with closed doors."[42] Its proceedings spread out over ten days. The board was authorized to "summon all persons whose testimony is desired" and interviewed sixty-seven individuals who had some knowledge of the events.[43] This included federal troop commanders, white citizens of Norfolk, and a few African Americans. Everyone interviewed was either present at the parade-turned-riot and involved in some aspect of it or heard of the events second-hand.

The most disputed aspect of the story of the Norfolk riot pertained to its beginnings. What is clear from the findings of the board's investigation was that a procession of African Americans – both from Norfolk and nearby Portsmouth – joined to form a crowd of upwards of eight hundred individuals and marched through the main streets of Norfolk. There were approximately fifteen to twenty newly discharged USCT soldiers mixed throughout the procession, all dressed in their Union blue uniforms and wielding their weapons.[44] The speaker's stand was erected in an area on the northern side of the city, on the grounds surrounded by Church, Nicholson, Union, and Queen

[40] The board consisted of Brevet Brigadier General H.S. Burton, colonel 5th U.S. artillery; Major Lyman Bissell, 11th U.S. infantry; Captain D.M. Vance, 11th U.S. infantry (Vance replaced Captain J.M. Goodhue, 11th U.S. infantry after he failed to appear). The phonographic reporter, Joseph A. Dear, was also sworn to "faithfully" report the board's proceedings. HR Ex. Doc 72 pg. 3, 2.
[41] Originally, the board was to begin on Wednesday, May 2, 1866, but postponed until May 3 when Captain D.M. Vance was absent and then subsequently replaced.
[42] HR Ex. Doc 72, pg. 3.
[43] HR Ex. Doc 72, pg. 3. Of the 67 individuals interviewed, 50 were white males, 4 were white females, 10 were black males, and 3 were black females.
[44] This number varies depending on the witness. Some recalled seeing fewer and some much greater, but 15 to 20 armed former USCT soldiers were the most consistent numbers.

Streets.[45] After what was described as a peaceful procession throughout the city, the celebratory parade arrived at the speaker's stand, and following a period of about fifteen minutes, while the speakers were preparing to begin the ceremony, a "disturbance commenced" at the corner of Nicholson street.[46]

"I heard some one sing out there was a fight, and heard some women scream, and looking around, I heard the report of a pistol," observed black resident Joseph T. Wilson, the president of the day's festivities who was on the stand when the disturbance began. "I heard several after that, … and a short time afterwards I saw a man running towards the house in his shirt sleeves and the crowd after him…."[47] Wilson's role as the day's featured speaker came as no surprise. A Norfolk native, he was a prominent community leader and activist in the city. He served in two well-known black Union regiments – the 2nd Louisiana Native Guard and the renowned 54th Massachusetts – before returning to his hometown at the end of the war. Shortly after his return home, Wilson and other African American men from Norfolk founded the Colored Monitor Union Club to further the issue of black suffrage.[48] In June 1865, he and others penned "Equal Suffrage: Address from the Colored Citizens of Norfolk, VA. to the People of the United States." It appealed to "Christian and enlightened people" to recognize the needs of southern blacks and asked them to "at once, concede to us the full enjoyment of those privileges of full citizenship, which, not only are our undoubted right, but are indispensable to [the] elevation and prosperity of our people."[49]

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[45] See appendices for maps.
[46] Joseph T. Wilson, testimony, HR Ex. Doc 72, pg. 34.
[47] Joseph T. Wilson, HR Ex. Doc 72, pg. 34.
[48] Steven Hahn asserts in *A Nation Under Our Feet* that cities occupied by Union forces during the war had the "most advanced" political organizations, with the "institutional harbingers of the Republican Party" like established groups advocating for equal suffrage "in evidence." Hahn also sheds light on how African Americans saw their involvement in the body of polity a necessary way to obtain their rights. Blacks "constituted themselves as political actors in a society that tried to refuse them that part." See Hahn, *A Nation Under Our Feet: Black Political Struggles in the Rural South from Slavery to the Great Migration* (Cambridge: Harvard University Press, 2003), 118, 1.
[49] *Equal Suffrage: Address from the Colored Citizens of Norfolk, Va., to the People of the United States. Also an Account of the Agitation among the Colored People of Virginia for Equal Rights. With an Appendix Concerning the*

Additionally, Wilson became the editor of a local Unionist paper, *The True Southerner*, in early 1866 after the newspaper moved from Hampton, Virginia, to Norfolk, where Wilson discovered "Norfolk whites proved more intolerant" than Hampton whites. The paper, though, was short-lived; founded in November 1865, it ceased operations in mid-April 1866, when the offices sustained attacks from a white mob, and the "presses were dumped in the Roads and no more issues of the paper were published."[50]

Another African American on the speaker's stand, Austin Brown, told a story similar to Wilson's. "During the time, when the procession got round the stand, I heard a pistol fired, and there was a rush towards Nicholson street," he explained. Brown also told of a "white man in his shirt-sleeves running," with the addition that others commented that he "was the one." When questioned as to who the white man was, Brown replied "His name was [William] Mosely. He looked like as if he had been drinking." [51] Mosely, an off-duty police officer, was extremely intoxicated when the procession arrived at the speaker's stand and had already drawn attention as the one who hurled insults at the passing African Americans. His drunken presence near the parade's end – not as a representative of the city's police force but instead as an agitator – captures the passivity of Norfolk's civil authorities to prevent violence and their simultaneous hostility towards African Americans by allowing forms of retaliation against them. Indeed, the civil authorities knew of the celebration days in advance and its potential to "irritate…the white

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Rights of Colored Witnesses before the State Courts (New Bedford, Massachusetts, 1865), 1. Accessed via https://www.encyclopediavirginia.org/Extracts_from_Equal_Suffrage_Address_from_the_Colored_Citizens_of_Norfolk_Va_to_the_People_of_the_United_States_Also_an_Account_of_the_Agitation_among_the_Colored_People_of_Virginia_for_Equal_Rights_With_an_Appendix_Conce

[50] Robert Francis Engs, *Freedom's First Generation: Black Hampton, Virginia, 1861-1890* (Philadelphia: University of Pennsylvania Press, 1979), 94. The press dumping happened in the wake of the riot, a few days after the paper published its account of the events.

[51] Austin Brown, testimony, HR Ex. Doc 72, pg. 31.

population," yet did nothing. There was only one person representing the civil authorities during the procession; according to many, he did nothing to quell the disturbance and restore peace.[52]

Brown's statement that this white man was the one who initiated the conflict was corroborated by others present in the parade. "While I was on the stand, it was a white man of the name of Mosely who was then making threats there," Edward Williams testified. Recalling that Mosely stated he came to "see things went on right, and he would be damned if he did not see it," Williams heard "the discharge of a pistol" and saw a "colored boy clap his hand to his head and turn round and fall down."[53] Panic began to ensue, and a number of African Americans then ran after Mosely, caught up to him, and beat him and his son, who had arrived on the scene from their house, which was located not far from where the parade gathered.

The largest challenge in determining the riot's beginnings was determining who fired the first shot once the procession reached the speaker's stand. The testimonies obtained from all of the witnesses add little clarity to the answer; there were two competing explanations offered up by those interviewed.

One explanation for how the violence began was that a group of young African American boys accidentally fired off a blank round whilst playing with a pistol. Elizabeth Mosely testified that she saw "ten or fifteen colored boys" standing near her home, and "there was one [who] had a pistol fooling with it, and it went off…." Another black boy appeared to be hit, and the one who fired the pistol then "ran off towards Nicholson street and said 'a white man had shot him,' and that started the whole crowd on Nicholson street."[54] Another witness offered a slightly different version of that same story. "Mr. Mosely…said that before he was willing to hear the civil rights

[52] HR Exec. Doc. 72, pg. 64.
[53] Edward W. Williams, testimony, HR Ex. Doc 72, pg. 32.
[54] Elizabeth Mosely, HR Ex. Doc 72, pg. 56.

bill read from that stand, he was willing to go direct to hell," a black Norfolk citizen remarked, "and then he attempted to arrest a man who was not the [one] that had shot that blank cartridge."[55] While it is not clear whether this African American youth did in fact fire off a blank shot that sparked Mosely into action, the story circulated enough that many indeed believed it.

The other version of how the violence began was that a white man, Robert Whitehurst, fired the first shot and severely wounded a black man in the crowd surrounding the speaker's stand. A few days prior to the African American celebration, Whitehurst reportedly "had a difficulty with some negroes" that resulted in him taking a pistol from his mother's house and arming himself.[56] On the day of the celebration, Whitehurst approached the crowd with his pistol and "met the same negroes with whom he had had the difficulty a few days previous, and there resumed the quarrel."[57] He shot into the crowd and took off running down Nicholson Street towards his home as a crowd of African Americans pursued him. Whether Whitehurst fired this first incendiary shot that sparked and initiated the violence that continued throughout the day and into the night cannot be fully corroborated.

Once this shot was fired, Mosely, in an extreme drunken state and already riled up from watching the procession, attempted to arrest a black man who he thought had shot the pistol. This African American man forcefully told Mosely "he would not be arrested" and continued to resist the arrest.[58] As this altercation ensued, Whitehurst ran towards his house, a few hundred yards from the stand, and fired into the crowd as they pursued him. When he reached his home, his mother appeared in the doorway, struggling to stop Whitehurst from firing the pistol more, but was unsuccessful. In the midst of the panic and chaos, Whitehurst himself had been shot by those

[55] George Holland, testimony, HR Ex. Doc 72, pg. 35.
[56] Simon Stone, testimony, HR Ex. Doc 72, pg. 9.
[57] Stanhope, testimony, HR Ex. Doc 72, pg. 4.
[58] George Holland, testimony, HR Ex. Doc 72, pg. 35.

chasing him, and, in an effort to return the fire, he accidentally shot his mother in the throat. Though his mother lived to see Whitehurst die from his own injuries, she too succumbed to her mortal wound.

The genesis of the riot received great attention in the testimony before the official inquiry board. Though the reports of how the riot actually began remained contested, the events surrounding the remainder of the riot are somewhat clearer. The white residents of Norfolk had clear objections to the black population celebrating this momentous civil rights victory and were not afraid to let that be known. The contested nature of who could claim the public space of Norfolk's streets and for what purpose heightened racial tensions in the city.[59] And while white Norfolk residents actively sought to subdue the city's African Americans through violence, they demonstrated the need for a continued military presence to maintain peace and secure the hard-fought civil rights now guaranteed to those newly emancipated. These recalcitrant ex-rebels aptly show how emboldened President Johnson's lenient Reconstruction policies made them, and that there was a realistic hope their post-war world would not look terribly different from their antebellum life.

Even before the violence erupted on April 16, the United States federal troops stationed at Norfolk were prepared for some type of violent episode. Initially expecting the procession to occur on Saturday, April 14, the delay likely did not sit well with the white residents, as rumblings of an interruption to the procession percolated throughout the city. Once the date was finalized, the federal troops wasted no time in preparing. "On Sunday afternoon I issued orders to the officers of my command, ordering each officer to his post and to remain there all Monday, and on no account to leave his post unless he had written orders from me to that effect," Brevet Major Philip

[59] See Clark, *Defining Moments*, 31. Clark argues that black processions "forcefully altered the social geography of southern towns and cities." Also see Downs, *After Appomattox*, 145.

W. Stanhope testified. A captain in the 12th United States infantry and in command of the Norfolk and Portsmouth post during the riot, his testimony is the longest and most detailed account of the occurrences that day. The procession, he recounted, passed by his headquarters in the morning on its way to the speaker's stand. He "kept the procession in view" until it reached the stand, when it began raining, dispersing the crowd until the mild storm passed. Drenched and in need of fresh clothes, Stanhope returned to his headquarters to change, comfortable in how the celebration was going since there was "no disorder whatever" at that point, minus a few "certain missiles" having been thrown at some processors early on.[60]

Events quickly shifted, however, as Stanhope received word of "trouble" near the procession's end not long after he left the site. Wasting no time, the commander ordered a company out to cordon off the ground where the stand was and to disarm the USCT soldiers with weapons. In total, he recalled there were "about eighteen muskets in the procession, I am certain not twenty, and two or three discharged cavalry men had their sabres with them." Stanhope left the stand after the former soldiers were disarmed to see and inquire about Robert Whitehurst, the first white casualty. The Whitehurst house was a mere few hundred yards from the speakers' stand, and on his way there, Stanhope encountered Mosely. He remarked that Mosely was "very drunk," and "from the violence of his language and actions he was exposing himself to a second attack from the negroes." With Mosely's house being next door to the Whitehursts, Stanhope ordered the

[60] P.W. Stanhope testimony, HR Ex. Doc 72, pg. 3-4. The 'missiles' thrown into the crowd were bricks and bottles. Stanhope's name was likely misprinted as 'F.W. Stanhope' instead of 'P.W. Stanhope' in the testimony. Philip W. Stanhope was commissioned a captain in the 12th U.S. Infantry on May 14, 1861. The unit itself was organized at Fort Hamilton, New York, and moved to the Virginia Peninsula in 1862. The 12th U.S. participated in the major battles in the Eastern Theater, with some units being sent to the Peninsula in early 1866. *U.S. Army Military Registers, 1798-1969*, p. 85. See, also, P.W. Stanhope, Norfolk, Virginia, April 1866 Return. "U.S., Returns from Military Posts, 1800-1916", *National Archives and Records Administration*, Washington, D.C., Microfilm Serial M167, roll 868. Accessed via Ancestry.com.

drunken officer to his home and posted a guard at his door, the intent to "protect him from further violence and keep him from going out" and perpetrating more violence.[61]

Major Stanhope, in efforts to control the violent outburst, remained on or near the speakers' stand until the entire crowd, both white and black, had dispersed. He then escorted the Portsmouth delegation across the Elizabeth River and back home. Upon arriving back in Norfolk, Stanhope received word from the city mayor and subsequently went to see him. "He told me his police force was worthless; that he was not able to control the disturbance," Stanhope recollected. The major answered that he had already assumed control of the situation, "finding no one on the ground representing the city."[62]

The lack of effort by Norfolk's mayor to intervene in the riot was noted by many throughout the board's inquiry. Thomas C. Tabb entered the mayor's office in 1865 but was quickly replaced by William W. Lamb after resigning in early May 1866.[63] Many who testified commented on the sheer incompetence of Mayor Tabb to do anything regarding the violence. Simon Stone, a collector of internal revenue for Norfolk, testified that "it was a general complaint that the civil authorities did not make any effort" to quell the disturbance, commenting that without the military acting, "[Norfolk] will have a terrible muss, for the civil authorities don't intend to interfere."[64]

Brevet Major H.C. Egbert, a captain in the 12th U.S. Infantry, similarly commented on the city's civil leadership. "The civil authorities are perfectly powerless, and are now. The police … are perfectly worthless; they go about in bodies of three and four, and are generally lounging on the steps, and in my opinion make no attempt to suppress any disorder at all."[65] When asked

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[61] P.W. Stanhope, HR Ex. Doc 72, pg. 4.
[62] P.W. Stanhope, HR Ex. Doc 72, pg. 4.
[63] Harrison W. Burton, *The History of Norfolk, Virginia: A Review of Important Events and Incidents which occurred from 1736 to 1877* (Norfolk, VA: Norfolk Virginian Job Print, 1877), 234.
[64] Simon Stone testimony, HR Ex. Doc 72, pg. 9.
[65] Brevet Major H.C. Egbert testimony, HR Ex. Doc 72, pg. 11.

whether the civil authorities had enough man power and strength to effectively deal with this type of disturbance and violence, William Barry, a clerk of the U.S. district court, responded that he had "no confidence" in them, largely because "most of them are returned rebel soldiers. …I have been out on several evenings…and I would meet the policemen sitting round in squads, and once or twice I saw several of them drunk."[66]

The inability and unwillingness of Norfolk's police force to maintain order and curb white violence against the city's African Americans is indicative of the larger climate in the South at the Civil War's end. With President Johnson's seemingly refusal to further African American rights in the wake of the Civil War, white southerners felt no need to do the same, or to really protect blacks from violence. In fact, the president's actions emboldened former Confederates and southerners alike who wished for a return to the status quo of pre-war race relations. With ex-rebels maintaining a martial and wartime mentality post-surrender, the Union occupying forces struggled to maintain order as their numbers continued to be reduced.[67]

Hours after the riot dispersed, Norfolk's white residents were eager to avenge Robert Whitehurst's death. Major Stanhope had restored order in the wake of the initial racial violence but braced for more potential outbursts throughout the night. "In my opinion, on Monday night an attempt was made to make an indiscriminate slaughter of the negroes who were out on the streets, and I have not heard of one negro being on the street who was not fired upon," he continued to testify. As Stanhope returned to his quarters as dusk settled over Norfolk, he came upon a "crowd

[66] William H. Barry testimony, HR Ex. Doc 72, pg. 13.
[67] See Downs, *After Appomattox,* Appendix 6, pg. 262.

of white men dressed in gray coming from the engine house…They were marching two and two and in step like any other organized body of men."[68]

Later in the night, at approximately 9:30 p.m., Stanhope met with Major Egbert (who now commanded the night patrols) when he was informed of gunfire on Freemason Street. He promptly left with his orderly and went towards the area when he "heard a body of men approach, marching along the street." Presuming the men were a few of his night patrols, the major moved to the side of the street, where he saw "a body of not less than eighty men," and fewer than "a hundred." The militaristic group was in "three bodies of men a short distance apart, marching by twos and in cadence step." As Stanhope and his orderly rode towards the rear of the group, a shot from the "head of the column" nearly struck the major in the face. His horse, frightened by the shot, reared up and took some time to calm down. More shots were fired from this large group of men, about "four or five," at which point the entire "body then halted, apparently at the word of commanded, and fronted the street – wheeled into the street by the right wheel and fired a regular volley, which lighted up the whole street."[69]

The encounter with the large band of armed men proved to be a sobering experience for Major Stanhope. He ordered out Company E with specific orders to "intercept and apprehend the rioters who had been firing upon the street." The company's commander, Lieutenant Rathbone, was to not let the company fire into or at the crowd unless fired upon first, in which case the company could "fire at once, and exterminate the mob with the bayonet."[70]

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[68] P.W. Stanhope, HR Ex. Doc 72, pg. 5-6. It is unclear why Stanhope did not make an effort at this time to stop this crowd. A possible reason is he did not have any troops with him and deemed he did not have enough force at that time.
[69] P.W. Stanhope, HR Ex. Doc 72, pg. 5.
[70] P.W. Stanhope, HR Ex. Doc 72, pg. 5.

Now that troops were actively patrolling the city streets, Stanhope believed the insurgents could quickly be stopped and apprehended, thereby restoring some peace to Norfolk. However, roughly thirty minutes after dispatching Rathbone and his men, they returned to headquarters, reporting they "could not find any organized body of men or collection of men on the streets."[71] How could this be? "This was sufficient evidence for me to conclude that it was not a mob, but an organized body of men who could meet and disperse at will," Stanhope asserted. "During the night the patrols were actively engaged in patrolling the city, and although constant firing was going on during the whole night, and a number of negroes were killed and wounded, not a single body of men could be encountered by my patrols, which I consider as another evidence they were not a mob, as a mob does not disperse immediately."[72]

When morning came, the previous night's destruction and violence was revealed. Unaware of the exact number of deaths when interviewed, Stanhope remarked that African American residents were too fearful of the civil authorities to come forward and testify to the actual number of blacks who were killed or wounded. A "false report" spread amongst Norfolk's white citizens the day after the riot that Major Stanhope was "going to arm the negroes and turn them loose on the citizens." The general feeling of the whites, then, was that "an organized attempt would be made to crush my command, in order to get at the negroes and exterminate them."[73] Faced with the elusive nature of these white men and the evidence that their goal was to invoke terror amongst the city and to murder blacks, Stanhope telegraphed to Major General Nelson Miles at Fortress Monroe for additional troops, who arrived in the evening of Tuesday April 17, as a precautionary measure in case another riot began.

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[71] P.W. Stanhope, HR Ex. Doc 72, pg. 5.
[72] P.W. Stanhope, HR Ex. Doc 72, pg. 5.
[73] P.W. Stanhope, HR Ex. Doc 72, pg. 5.

The city's mayor was notified that additional troops were called upon to prevent further bloodshed, and it was his responsibility to inform the citizens that "any attempt at riot would be crushed at once" with the "ample and sufficient" resources at hand.[74] Displaying passivity, Mayor Tabb offered to disseminate this information the next morning (Wednesday, April 18), despite Stanhope's desire to prevent possible violence on Tuesday night. Stanhope forcefully stated that the mayor would be held responsible – by him and the general populace – if further blood was shed due to his inaction. Faced with these threats of blame, Tabb amazingly sent notice to "three different companies and organizations."[75]

Among the "organizations" Stanhope referenced was likely a local fire company named the United Service Fire Company (also referred to as the United States Fire Company). Composed primarily of ex-Confederate soldiers, it is the organization identified throughout the testimony as the perpetrators of the April 16 night attacks. "That company was called the United [Service] Fire Company when first organized in this city, and when the rebellion broke out they organized themselves" into an artillery unit, Zachariah Sykes stated. "They are very bitter generally against Union men…and seem particularly bitter against southern Union men."[76] Major Egbert also testified on this company: "The United Service Fire Company, as I understand, is mainly composed of soldiers who were at Drury's [sic] Bluff, in the confederate service…"[77] Many witnesses remarked that the fire company joined the rebel army as an artillery unit and "renewed their organization on return."[78]

[74] P.W. Stanhope, HR Ex. Doc 72, pg. 5.
[75] P.W. Stanhope, HR Ex. Doc 72, pg. 5.
[76] Zachariah Sykes, testimony, HR Exec. Doc. 72, pg. 17.
[77] Brevet Major H.C. Egbert, testimony, HR Exec. Doc. 72, pg. 11.
[78] T.L.K. Baker, testimony, HR Exec. Doc. 72, pg. 20.

The men of this fire company together joined the Norfolk Light Artillery Blues after Virginia's secession, but after a month of recruitment, the unit had exceeded its allotted number by the state. The extra volunteers (including the men from the fire company) broke off from the Norfolk Light Artillery Blues in mid-summer 1861 and formed a new company named the Norfolk Light Artillery. West Point graduate Lieutenant Frank Huger was elected as their captain. Because of the similarity in the names of the two units, and since most were originally part of the Norfolk Light Artillery Blues, deciphering which unit was which proved difficult.[79]

While some witnesses claimed the men of the fire company served at Fort Darling on Drewry's Bluff for the entirety of the war, there is some evidence to suggest that this particular unit fought in various places and in some of the largest and most destructive battles of the Civil War.[80] If these southerners did serve and fight in many battles, and were not simply stationed on Drewry's Bluff for the war's entirety, it might help explain their overtly martial method of inflicting violence on Norfolk's blacks and their resistance towards their city's post-war occupation. Accounts of the men dressed in their Confederate garb, marching like a military unit throughout the streets of Norfolk, and shooting at federal troops speaks to the hostile nature of former Confederates towards Union occupation, and more importantly, to the growing indignation

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[79] Ken Wiley, *Norfolk Blues: The Civil War Diary of the Norfolk Light Artillery Blues* (Shippensburg, PA: Burd Street Press, 1997), 11. The similarity of the battery unit names indeed proved difficult to differentiate them in the historical record. While Frank Huger did not command the Norfolk Light Artillery for the entire war, the battery continued to be referred to as "Huger's Artillery." Joseph D. Moore eventually replaced Huger as the captain, and the unit was then identified as either Moore's Company, or Huger-Moore's Company.

[80] For example, Robert Whitehurst's compiled service record includes text at the bottom of each page that reads: "Captain Moore's (also known as Captain Huger's) Company Virginia Light Artillery was formed by the division of Captain Vickery's Light Artillery Company, 6th Regiment Virginia Infantry, about June 8, 1861. It served in various temporary field organizations which were composed of independent companies." See Robert Whitehurst, Compiled Military Service Record, RG 109, M324, NARA. James Longstreet lists Huger's Artillery as part of his First Corps at the Battle of Fredericksburg, and in A.P. Hill's Third Corps at the Battle of Gettysburg in his memoirs. See Longstreet, *From Manassas to Appomattox: Memoirs of the Civil War in America* (Philadelphia: J.B. Lippincott Company, 1896), 318, 414. The unit is also listed in the *Official Records* as being part of the Army of Northern Virginia's artillery on February 15, 1863. See *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies, Series 1, Vol. 25, Part II* (Washington, D.C.: Government Printing Office, 1889), 625.

towards African American civil rights and the political changes unfolding across the country. The city, indeed, was in a "post-surrender wartime."[81]

It became clear that Union occupying armies had a difficult task before them after Confederate surrenders. According to Downs, rebel soldiers "returned home from fighting still fighting," which historian Andrew Lang attributes to raised anxieties about the "inability of military rule to completely pacify and change the ideologies of a conquered people."[82] How were federal troops to enforce the outcomes of the Civil War when faced with blatant hostility and aggression?

The effects of Andrew Johnson's policy of leniency towards former Confederates, and his direct opposition to rights for freed peoples, are seen in full in Norfolk. In addition to the open and continual violence against black residents, many expressed extreme fear of living in the city without the federal military presence. "I think that no Union man would be safe here without the military," Oswald Loreck stated, "and I know that these men here are more bitter than they were before General Lee surrendered." When pressed to assess the effectiveness of the Norfolk civil authorities, Loreck warned that few had "confidence" in the police and watchmen, "most of whom are returned rebel soldiers; and I know that I myself would not stay twenty-four hours if the military were to leave." [83] Loreck's testimony is especially striking, for he himself is a white man in the federal army posted in Norfolk. His wariness of the white residents speaks to white loyalists' pressing desire for protection against ex-Confederates.

Major Stanhope received a letter two days after the riot from Assistant Adjutant General Edward W. Smith, stationed at the Department of Virginia headquarters in Richmond, praising

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[81] Downs, *After Appomattox*, 2.
[82] Downs, *After Appomattox*, 9; Andrew F. Lang, *In the Wake of War: Military Occupation, Emancipation, and Civil War America* (Baton Rouge: Louisiana State University Press, 2017), 69.
[83] Oswald Loreck testimony, HR Ex. Doc 72, pg. 13.

him for his actions on April 16. "The Commanding General approves the course pursued by you, and the steps which you have taken to secure peace and quiet in the city," Smith wrote. He continued that the "order of the city is primarily in charge of the Civil authorities and it is not expedient for the Military authorities to interfere, unless [they] are clearly unable to preserve order. If disturbances occur, or are, in your judgment, likely to occur, threatening violence to the Colored people, you will interfere to protect or suppress them."[84]

The investigative board asked the majority of witnesses their opinions on the state of race relations in Norfolk. "Very bad, indeed," Zachariah Sykes retorted. "There would be no chance for the colored people, or the Union men either, here. I know the people and their prejudices, and I know our only safety, at the present time, is with the military. …Unless we get some protection from the government, there is no safety for Union men, or negroes either."[85] Resident William Brooks, Sr., echoed similar sentiments, stating "Union men here are looked upon worse than dogs… I am well satisfied that if there was no protection here other than the civil authorities my life would be unsafe in ten minutes. I don't feel myself safe one minute at night unless I am armed to the teeth."[86]

When T.L.K. Baker was questioned as to how events would have unfolded had the military not been present, he strikingly retorted that "very much blood would have been shed on both sides." At one point, he remembered, he had been forcefully told "on the streets that if I did not leave the city I should certainly be murdered."[87] Dr. E.W. Todd had a similar reaction to the question of the military's presence. "I do not believe the colored people or the Union men would be safe a moment

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[84] Ed. W. Smith to Philip William Stanhope, letter, 18 April 1866, in Philip W. Stanhope, *Official Papers, Letters, and Notes, Relation to the War Record of P.W. Stanhope, Major and Brevet Lieutenant-Colonel, U.S. Army*. N.p.: P.W. Stanhope, 1879.
[85] Zachariah Sykes testimony, HR Ex. Doc 72, pg. 17.
[86] Wm. H. Brooks, Sr., testimony, HR Ex. Doc 72, pg. 18.
[87] T.L.K. Baker testimony, HR Ex. Doc 72, pg. 21.

in Virginia after the military were removed. I think so from the events that have occurred in this place since the evacuation."[88]

These are just a few examples from the inquiry testimony; similar sentiment was expressed by many, if not most, of those loyal to the Union interviewed by the inquiry board. The recognition that the absence of the Union military presence in Norfolk would result in full-scale violence reinforced the notion that occupation was necessary to protect southern blacks and their fragile freedom.

The committee's findings, reported to the Department of Virginia headquarters in Richmond, weaved together the dozens of the testimonies they heard. In total, they concluded that two whites and two blacks were killed, with six others seriously wounded. The African Americans of Norfolk and Portsmouth decided to celebrate the passage of the Civil Rights Act on April 16, the board determined, which "excited considerable ill-feeling among the white inhabitants." Despite the conflicting accounts of how the violence initially erupted, the board reported the first shot was fired by a "foolish prank of some colored boys," which caused the intoxicated polic officer William Mosely to attempt the arrest of a black man. The board's conclusion loosely documents their best estimation of how the riot unfolded, but in actuality do not say anything previously unknown: ex-rebels, motivated by their anger towards the black celebration and the federal military presence, pursued violence to express their discontent, and Norfolk's civil authorities were incredibly ill-quipped to handle any form of violence against blacks. For this reason, the board noted, "the interests of peace and good order require that Norfolk should be held as a military post for some time to come."[89]

[88] Dr. E.W. Todd testimony, HR Ex. Doc 72, pg. 21.
[89] HR Ex. Doc 72, pg. 64-66.

"Claiming to be our Moses"[90]

Press coverage of the Civil Rights Act passage and the Norfolk Race Riot largely divided along racial lines. While African American papers criticized the violence and the hostile reaction to blacks celebrating the passage, white newspapers were quick to condemn any form of celebration and blame the day's riot on the black community.

"In the Senate, on Friday last, this [Civil Rights] bill was passed over the President's veto by a vote of thirty-three to fifteen," the *Richmond Dispatch* reported on April 9, 1866. "It may thus be forced upon the country in spite of the President's efforts to save us from its evil effects. We need not speculate as to what would be the result of such a Radical triumph."[91] The *Staunton Spectator* similarly reported the event: "The 'civil rights bill,' against which this veto is directed, is a far more dangerous and atrocious measure than that heretofore vetoed…In speaking of the President's message vetoing the civil rights bill,…the President has made another patriotic and determined effort to save the Constitution and the rights of the States from utter annihilation. The veto message is a powerful and noble argument."[92] Increasingly, papers attacked the act as possessing "fatal defects," describing Johnson's veto message as systematically exposing "its evils, its defects, and its monstrosities."[93] Some were even as bold as to write that blacks had no right celebrating the act's passage, claiming the Emancipation Proclamation's anniversary was the "right day" for any celebration. "The day proper for an emancipation anniversary is the 1st of January," the day Lincoln's proclamation "fixed the event. That date…has always been one of

[90] *The Christian Recorder*, April 7, 1866.
[91] *Richmond Dispatch*, April 9, 1866. Ironically, this article was published on the same day the House of Representatives voted in favor of overriding Johnson's veto, not yet aware the Act had become law.
[92] *Staunton Spectator*, April 3, 1866.
[93] *Alexandria Gazette*, March 28, 1866.

great jubilation for the blacks…and it would be especially appropriate for them to associate it every year with…their liberation."[94]

Black coverage of the act's passage, in contrast, praised Congress and condemned Johnson. Joseph T. Wilson's *True Southerner* reported that African Americans were "glad to find that Congress has determined to be true to the people and to the Union, and act justly," despite greatly offending southern men like Robert E. Lee, Jefferson Davis, and President Johnson. "We have believed for some time," the paper continued, "that Mr. Johnson was untrue to the United States Government… His aims in this have been so transparent that one must be blind indeed who has not seen through them."[95]

The *True Southerner* was a vehicle for African Americans and their push for full and equal rights before the law to reach a large audience, within and beyond Norfolk. In a typical article entitled "Impeach Him," the paper depicted Johnson as a "traitor" and "public enemy," associating him with Clement Vallandigham and Jefferson Davis, his "treachery to his party" making him "detestible [sic] in the eyes of honest men." Further down on the same page, the paper linked Johnson's immoral drunken behavior and betrayal of "every principle of Republican Government" to his consent to be a "willing tool," an almost puppet-like man who bows to the desires of southern traitors. "We think Davis and Lee are more consistent than Johnson; they have been traitors but once (for they are still faithful to the Confederacy) but Johnson has been unfaithful to two principles."[96]

These articles were surrounded by others relating to similar issues, namely the Freedmen's Bureau, loyalty, and treatment of Andrew Johnson. The general tone connecting the individual

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[94] *Richmond Dispatch*, April 9, 1866.
[95] "Civil Rights Bill," *The True Southerner,* April 12, 1866.
[96] *The True Southerner*, April 12, 1866.

articles together was potential hope for the future and joy that African American rights were finally gaining protection through federal law. “Thanks to Congress and Great Jehovah,” an article read. “Bells, are ringing, cannon firing, … the streets are filled with people.” “Jubilant Shout!” another header read. “Monday next appointed to celebrate passage of the Civil Rights Bill.”[97]

The *Christian Recorder*, based out of Philadelphia, Pennsylvania also joyously reported news surrounding the act. “Good News,” began the declaration, “Colored People To Be Protected.” “We as a people have little to fear and all to hope from the discussions going on in Congress in regard to our rights,” the paper reported on April 7, 1866. Considering ways African Americans could deal with discrimination in the wake of Johnson’s veto, the author mused over what social equality would mean for race relations, working to mitigate that “bugbear about social equality between us and the whites.” “May [it] be known that we have some other conception of Heaven than a white man’s parlor. …[The President] hates negroes – because he has oppressed them – that’s all. … There have been darker hours for the race than this, by far.” Having already seized a “partial deliverance” in the form of the 13th Amendment, black Americans needed only to “learn to labor and to wait” on God, that they would “participate in his and our final victory” of civil rights over white prejudice whose “chief instrument [is] one who began by claiming to be our Moses, and ends by being our Pharaoh.”[98]

With the Civil Rights Act passage provoking such different coverage in white and black newspapers, it comes as no surprise that the Norfolk Race Riot was reported in a similar fashion. White papers in Virginia detailed the day’s events on a racial line that laid blame at the feet of African Americans. *The True Southerner,* conversely, reported the riot as a tragedy and labeled it

[97] *The True Southerner*, April 12, 1866.
[98] *The Christian Recorder*, April 7, 1866.

as targeted violence towards blacks in efforts to control black political participation and retake power.

"On the occasion of celebrating the passage of the Civil Rights bill, in Norfolk, on the 16th, ult., the negroes killed several white persons, and wounded and beat in a brutal manner several others," the *Staunton Spectator* reported. "These horrible acts were committed without the best provocation on the part of the whites." This article offers its own account of the riot's origin, citing a disruptive "drunken negro" as the culprit who fired the first shot, after being accosted by two African Americans beforehand. "No one saw the pistol fired; but all the witnesses believe it was fired by the drunken negro. …The report of the pistol and the cries of the wounded negro caused great excitement and commotion, and, without waiting to inquire the facts, the negroes chose to conclude that they had been fired on by citizens, the cry was raised 'kill the d-----d secessionists,' and the few white persons in the neighborhood, some of whom were in their own houses, were seized and butchered." [99] The *Alexandria Gazette* also reported a drunk African American instigating the riot. "The recent riot at Norfolk is said to have had its origin in whiskey. The presence of armed men in the negro procession is considered as very unfortunate, to say the least of it."[100]

Perhaps the most vitriolic coverage of the event came from the *Richmond Dispatch*, who characterized the celebratory procession as a "calculated" demonstration put on by the "deluded negroes of Norfolk," one intended only "to excite the bitterest passions" of the whites. "The white people of that venerable town looked upon the proceeding quietly, and suppressed the sentiments which every one must know agitated their breasts. It was insulting – it was galling to the pride of those who beheld it." Even more so, the paper ascribed the celebration's inspiration as arising from

[99] "Origin of the Negro Riot at Norfolk," *Staunton Spectator*, May 1, 1866.
[100] *Alexandria Gazette*, April 19, 1866.

an "ill-judged and improperly permitted display" in Richmond on April 3. Norfolk blacks, it claimed, modeled their assault on their community's white residents from this demonstration two weeks prior. "This body of uneducated and impulsive beings, whose impulses, when aroused, are entirely unrestrained by any sense of propriety or feelings of humanity" was responsible for rallying together with the purpose "to kill every white man they met… in the blind fury of the war upon all whites." "This exactly brings us to the peculiar danger of trusting such assemblages of blacks," the article concluded. "These Norfolk brutes…exhibited a studied effort to make [the celebration], in the greatest degree, offensive."[101]

Joseph Wilson's *The True Southerner* also reported on the riot.[102] The procession began "under the most favorable" conditions, the article read, despite many of the marchers having heard threats it would be interrupted since African Americans "should have no celebration on this occasion." Having sustained verbal threats from white residents and an attack with "bottles and brickbate" thrown at them from behind a fence, the marchers arrived at the speaker's stand relatively unscathed, until a pistol fired on the crowd. "*This shot was fired by a white man. Without any provocation he deliberately drew his pistol and fired into the crowd*." Though it did not heavily emphasis the nighttime violence that followed the initial outbreak, the paper made its position clear on why Norfolk's African Americans needed protection. "The white citizens are threatening to kill everybody that approves of the Civil Rights Bill," it stated. "The city has been put under martial law, and it is hoped by loyal men it will [be] kept so until loyal citizens can take charge of its government."[103]

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[101] *Richmond Dispatch*, April, 20, 1866.
[102] This April 19th issue of *The True Southerner* was the last one to be published before the press was destroyed.
[103] *The True Southerner*, April 19, 1866.

Section 3 – The Norfolk Race Riot in Reconstruction Historiography

Eric Foner's *Reconstruction* has been the authoritative work on Reconstruction since its publication in 1988. Its daunting six hundred pages detail the trying times after the Civil War and the failures that accompanied attempts to simultaneously re-work the social fabric of the south while providing and protecting basic civil rights for African Americans. Foner's excellent account places blacks at the center of Reconstruction's story instead of the periphery. But Foner does fall short when it comes to the Norfolk Race Riot. In his synthesis, the riot is not mentioned once. The Memphis and New Orleans riots (May and July 1866, respectively) are given a combined four pages. It is surprising that the Norfolk riot is never mentioned, not even in passing, given the centrality of African Americans in the book and the fact that the riot began over blacks rejoicing in the act's passage. For Norfolk was a place where, despite the strong rebel sentiment found throughout, blacks found a political voice and held onto it for some time.[104] That the first race riot of the 1866 summer, initiated by white southerners who abhorred the sight of African Americans celebrating a civil rights victory, received no attention in such a monumental history is troubling, and something that recurs throughout other Reconstruction history, too.

Mark Wahlgren Summers' more recent Reconstruction synthesis, *The Ordeal of the Reunion,* follows in Foner's footsteps and does not reference the riot. Another book of Summers, *A Dangerous Stir*, dismisses the Norfolk riot in a single sentence. Doug Egerton's *The Wars of Reconstruction* does mention the riot, but only affords it a paragraph. Despite being one of the few works to allocate space for the event, it is more troublesome how Egerton characterizes it. He wrongly describes the celebratory march as an event where freedmen "took to the streets in spontaneous 'parade in honor of the passage' of the [Civil Rights] bill," thereby misreading the

[104] See Hucles, "Many Voices, Similar Concerns"; Clark, *Defining Moments*, 215.

choreographed nature of the procession and of the white mob violence. In his account, white residents attempted to disperse the procession, but "marchers fought back," Union soldiers were called to suppress the disturbance, and "one white man was killed."[105] While there are many other histories of Reconstruction, historians on the whole have ignored not only the riot itself and the celebratory events surrounding its conception, but also its overall significance as the first to occur in 1866.

Much attention has been paid to the Memphis race riot of early May 1866, a great deal more than the New Orleans riot. The first few days of that month saw portions of the city burned, and dozens of people – primarily African Americans – murdered and injured in its violent wake. Stephen Ash's *A Massacre in Memphis* analyzes how the riot affected the various groups found within Memphis – white northerners, white southerners, black residents, and Irishmen. By breaking down the city's demographics, Ash is able to narrate the multi-day riot and tease out the role(s) that each group of people played in it. He concludes with commentary on how the Memphis riot has lived on in Civil War memory. "Memphis and New Orleans quickly became a rallying cry in the momentous battle over the nation's reconstruction," with Memphis being the "earliest" battle in southern whites' attempts to limit black equality.[106] Similarly, Hannah Rosen's *Terror in the Heart of Freedom* takes a gendered approach to the Memphis riot and the use of sexual violence against black women as a way white men reasserted their racial superiority in a time when definitions of freedom were still fluid. Both of these takes on the Memphis riot affirms what the

[105] Douglas R. Egerton, *Wars of Reconstruction: The Brief, Violent History of America's Most Progressive Era* (New York: Bloomsbury Press, 2014), 203. It is very clear that the African American procession in celebration of the bill's passage was anything but spontaneous. They originally planned the celebratory march for April 12, but delayed until April 16. Not only did they consciously choose the date for which the parade was to occur, but also erected a speaker's stand on the town green. The actual procession itself started as a peaceful and organized march with banners, far from being an impulsive event. To discount Egerton's claim even further, see the advertisement in *The True Southerner* on April 12, 1866 explicitly stating when the celebration was to take place.
[106] Ash, *A Massacre in Memphis*, 185, 187.

other Reconstruction historiography has put forth: that, by omission, the Norfolk riot was not as bloody, deadly, or destructive, and was therefore worthy of being forgotten.

An article written by John Hammond Moore in 1982 is the lone scholarly work on the Norfolk Race Riot. Outdated and under researched, Moore sparingly utilizes the congressional inquiry testimony while relying heavily on a Norfolk newspaper, *The Day Book*, a Confederate-sympathizing publication. In addition to factual inaccuracies, Moore's reliance on overtly biased evidence without referencing other white or African American newspapers is concerning, and calls into question the story Moore set out to tell. While his limited analysis does not explicitly support the ex-Confederates' actions towards Norfolk's black population, he makes no effort to condemn the violence, either.

Moore also does not place the riot in conversation other scholarship, missing an opportunity to connect the event to the broader political climate of the first full year after the war's end. With no emphasis on Norfolk's connections to other racial violence that occurred during the same 1866 summer, or even the larger post-war struggle of African Americans to claim their rights, it comes as no surprise that this event and implications for Union occupation and Reconstruction were cast aside in favor of more violent episodes like Memphis and New Orleans.

Surprisingly, though the Memphis and New Orleans riots have been connected together as clear indications of white supremacy's prevalence in the post-war South, the works do not explicitly relate the violence to how effective or ineffective Union occupation was in those cities. Norfolk, then, adds this intricate layer to the 1866 summer, and compels us to rethink the Memphis and New Orleans riots through the lens of occupation. The Norfolk riot is a window into the dangers and the political consequences of demobilization. The post-riot congressional investigation reveals how Congress built the case for a "post-surrender wartime" force, upon

evidence that Confederate states operated on war-footing. Placing Norfolk into the conversation on racial violence and post-war occupation alongside Memphis and New Orleans, these three cities can be examined together as sites of occupation, beginning in 1862 and continuing after Confederate surrenders, and as sites of violence. By doing so, it becomes clear that the frameworks advanced by Downs and Summers, while persuasive, are too clear cut when applied to situations on the ground. Military occupation was a largely impossible task, and the sheer size of it is what made it ineffective; the size and scope of the project doomed the Union army's efforts from the start. Additionally, Johnson's leniency towards ex-rebels ensured that the occupying armies would never be successful, no matter how many soldiers were present in the former Confederacy and no matter what the scope of northern opinions on it were.

Conclusion

The violence that occurred on April 16, 1866, in Norfolk, Virginia was by no means the bloodiest conflict to occur during the Reconstruction years. In fact, it likely was one of the few, if not the only, race riot that cost so few lives. Yet scholars have neglected the riot by viewing it this way, mischaracterizing its significance to Reconstruction's story and obscuring the complexity of the event itself. Norfolk was a racially-charged city from the time Union soldiers landed there in 1862 through the opening years of Reconstruction. Hostility towards African Americans only increased as the Civil War shifted from preserving the Union towards a fight to also end slavery. With the passage of the Civil Rights Act on the heels of the 13th Amendment's ratification, southerners and ex-Confederates alike fretted over the impending scope of change in the country's social makeup. And since they had yet to receive representation in Congress, the only perceived

method of maintaining themselves at the top of the racial hierarchy was to inflict violence against African Americans.

The continual presence of Union troops in Norfolk after the war's end maintained the hostility present during wartime. But, while the number of federal soldiers during the war was better equipped and better able to keep the rebel sympathizers in check, the rapid reduction of troops during demobilization created an opening that southerners exploited to reassert their racial superiority.

Southerners and ex-Confederates viewed the Union troops stationed throughout the South as a hostile force. African Americans and southern Unionists viewed the federal soldiers as a protective force, one intended to create the space necessary for ex-slaves to begin the transition to citizenship and full rights, even if that protection was not effective and did not fulfill the needs and expectations of those threatened by southern whites. While Downs emphasizes the kinds of arguments needed to justify occupation, namely that wartime conditions persisted and remaining on war-footing was necessary, Summers is correct about the scope and effectiveness of the occupation. Given the recalcitrance of southerners and especially the passivity (at best) and hostility (at worst) of the civil authorities, the Union presence – even in a city that had been occupied since 1862 and was next to a major federal military installation – proved to be woefully inadequate.

Appendix I

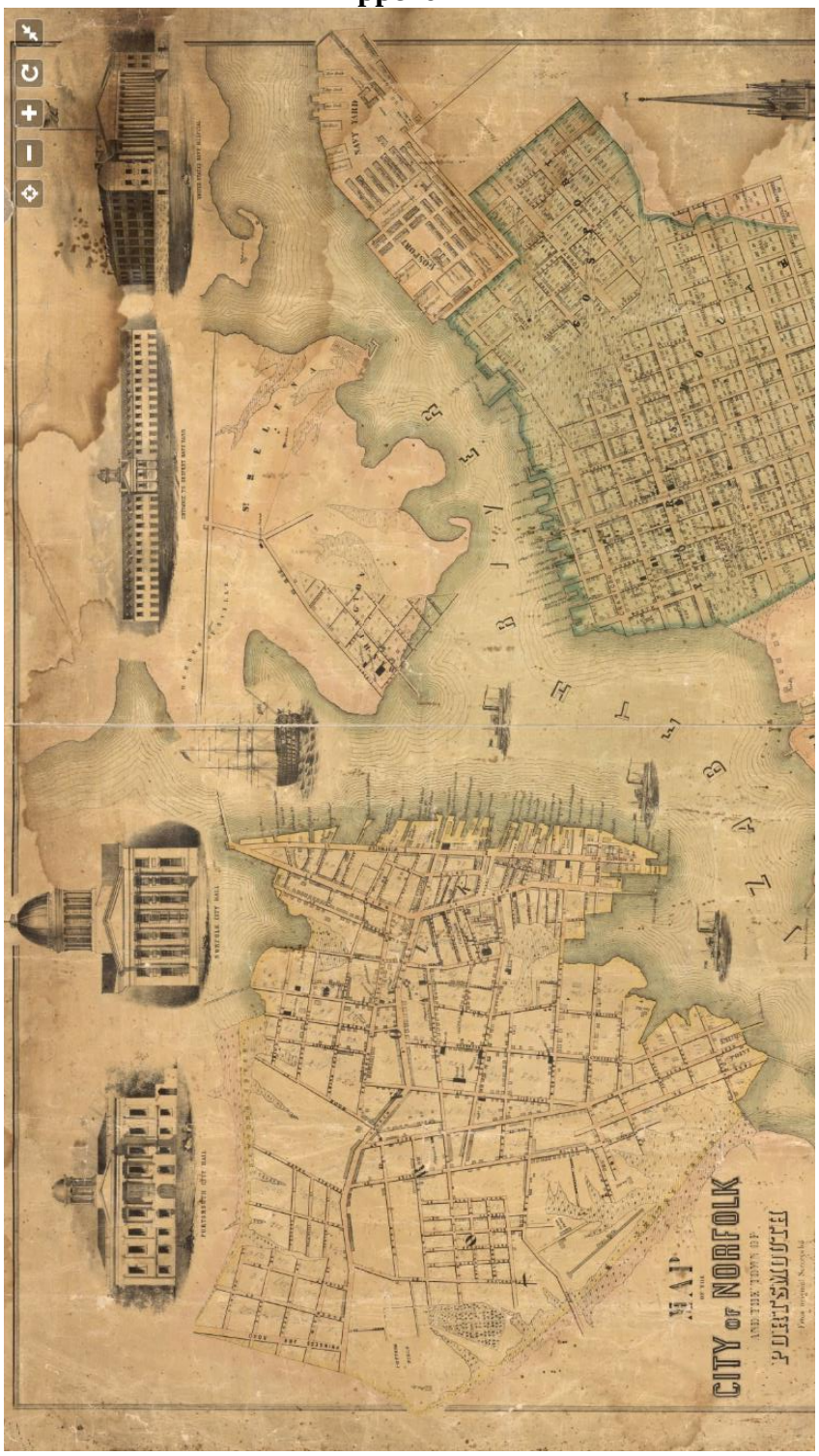

Figure 1. Map of the city of Norfolk and the town of Portsmouth.
James Kelly, *Map of the city of Norfolk and the town of Portsmouth*. Philadelphia: Folin & Keily, 1851. Image courtesy of the Library of Congress, Geography and Map Division.

Appendix II

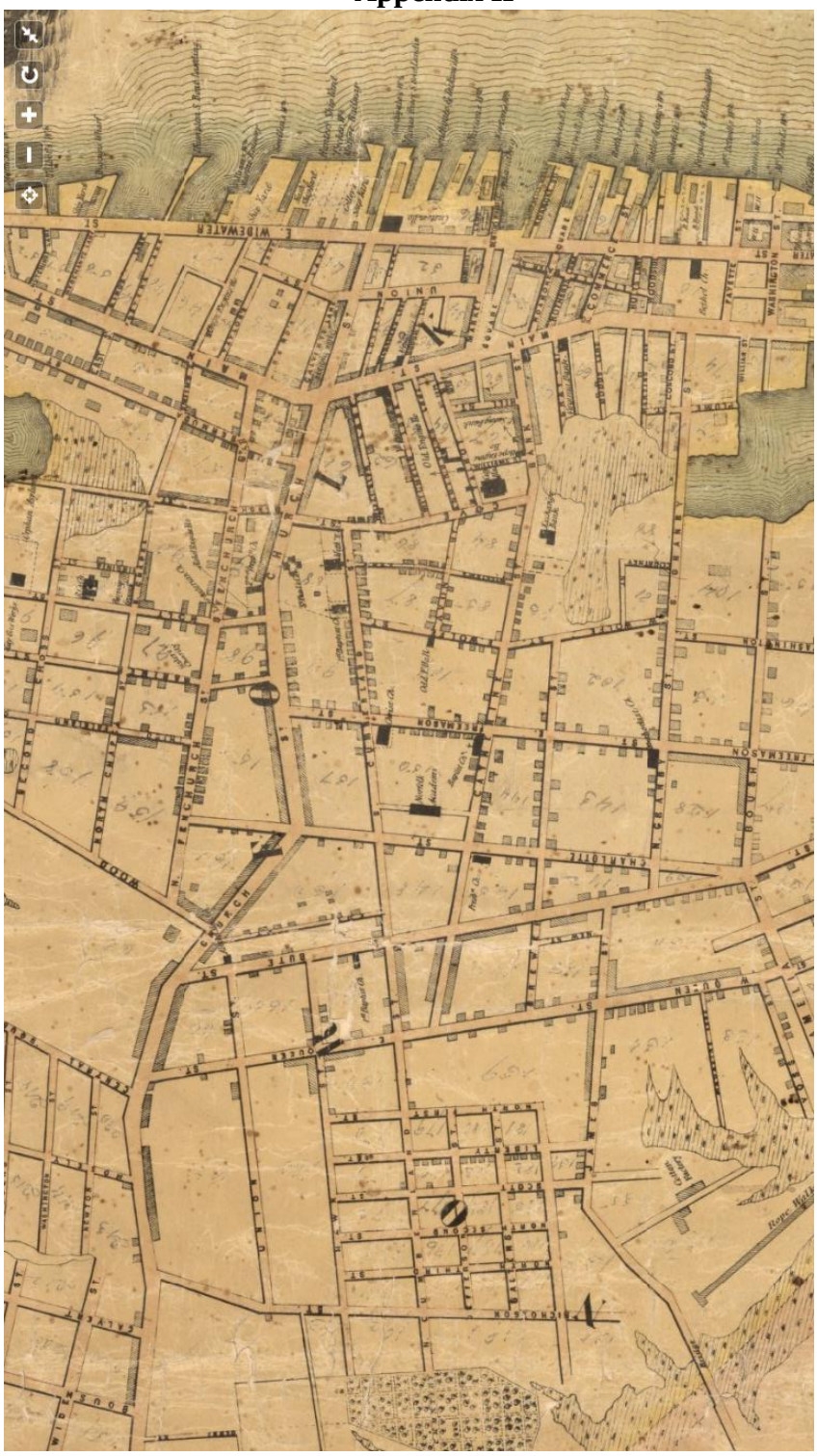

Figure 2. A zoomed-in view of the section of Norfolk where the riot took place. Note Nicholson Street at the far left, where the violence began. James Kelly, *Map of the city of Norfolk and the town of Portsmouth*. Philadelphia: Folin & Keily, 1851. Image courtesy of the Library of Congress, Geography and Map Division.