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ADALINE AND THE JUDGE: AN EX-SLAVE GIRL'S JOURNEY  
WITH ALBION W. TOURGÉE

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Ohio native Albion Winegar Tourgée (1838-1905) is, perhaps, best known for his time spent in North Carolina immediately after the Civil War as the state's most infamous carpetbagger and the author of bestselling novels, such as *A Fool's Errand*.<sup>2</sup> During and after his time living in the South, Tourgée remained a lightning rod for controversy. Much of it centered on his staunch support for African American civil and social advancement during the Reconstruction and post-Reconstruction periods, including a spirited defense as chief counsel to Homer Plessy before the Supreme Court in the landmark case, *Plessy v. Ferguson*.<sup>3</sup>

At the time of Tourgée's death, his hard-fought campaign for "color blind justice" was largely forgotten among the public, and, in the years that followed, his legacy of radical activism during America's tumultuous period of rebuilding and reconnecting during the latter part of the nineteenth century was all but lost. Fortunately, Tourgée's wife, Emma Kilborn Tourgée, preserved family correspondence that eventually found its way into Chautauqua County Historical Society in New York, as *The Albion W. Tourgée Papers*.<sup>4</sup> These papers became an important source for Otto Olsen's expansive biography on Tourgée,

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<sup>2</sup> See MARK ELLIOTT, JUSTICE DEFERRED: ALBION TOURGÉE AND THE FIGHT FOR CIVIL RIGHTS (Chautauqua County Historical Society 2008), available at [http://www.vs186629956.onlinehome.us/tourgée\\_audio/Justice%20Deferred.PDF](http://www.vs186629956.onlinehome.us/tourgée_audio/Justice%20Deferred.PDF) [hereinafter ELLIOTT, JUSTICE DEFERRED].

<sup>3</sup> *Plessy v. Ferguson*, 163 U.S. 537 (1896).

<sup>4</sup> ELLIOTT, JUSTICE DEFERRED, *supra* note 2 at 2.

*Carpetbagger's Crusade: The Life of Albion Winegar Tourgée*, Richard Nelson Current's study of ten Reconstruction politicians, *Those Terrible Carpetbaggers: A Reinterpretation*, and, more recently, Mark Elliott's award-winning, *Color-Blind Justice: Albion Tourgée and the Quest for Racial Equality from the Civil War to Plessy v. Ferguson*.<sup>5</sup>

Through the efforts of these scholars, Tourgée is restored, justifiably, to the collective memory of early civil rights pioneers with a documented agenda of passion and progressivism that rivals or exceeds those of his more illustrious contemporaries. In all their accounts of Tourgée's rise as an acclaimed advocate of the racially oppressed, there are references to a young former slave girl, Adaline, with whom he forged a unique bond and adopted a few years after taking up residence in Greensboro, North Carolina, in 1865.<sup>6</sup>

This paper examines Adaline Pattillo's known life as a slave and how Tourgée's direct intervention helped her survive the chaotic and uncertain years of Reconstruction. It also shows how he allowed Adaline to blossom into a well-educated and refined young woman at a time when most African Americans in the South had little access to advanced schooling and culturally rewarding experiences. Tourgée's role of paternal nurturer, as will be seen, continued until his death, and his positive influence on Adaline remained with her for years afterward.

#### THE MAKING OF A CARPETBAGGER

Albion W. Tourgée was born in Williamsfield, Ohio on May 2, 1838, and was the son of Valentine and Louisa Tourgée.<sup>7</sup> His family moved to a farm near Kingsville, Ohio in 1847, where his childhood was spent in a hotbed of abolitionism.<sup>8</sup> Tourgée enrolled at the University of Rochester in 1859 where he spent most of his time until the beginning of the Civil War.<sup>9</sup> He enlisted in the 27th New York Volunteers on April 19, 1861 and served with that unit until he was discharged, on July 4, 1861, after receiving a severe wound to his spine in

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<sup>5</sup> RICHARD NELSON CURRENT, *THOSE TERRIBLE CARPETBAGGERS: A REINTERPRETATION* (1988); MARK ELLIOTT, *COLOR-BLIND JUSTICE: ALBION TOURGÉE AND THE QUEST FOR RACIAL EQUALITY* (2006) [hereinafter ELLIOTT, *COLOR-BLIND JUSTICE*]; OTTO OLSEN, *CARPETBAGGER'S CRUSADE: THE LIFE OF ALBION WINEGAR TOURGÉE* (1965).

<sup>6</sup> ELLIOTT, *JUSTICE DEFERRED*, *supra* note 2, at 9.

<sup>7</sup> *Id.* at 5.

<sup>8</sup> FLOYD DIBBLE, *ALBION W. TOURGÉE* 13-14 (1921); *see id.* at 5-6.

<sup>9</sup> DIBBLE, *supra* note 8, at 18-21; ELLIOTT, *COLOR-BLIND JUSTICE*, *supra* note 5, at 98.

the first battle of Bull Run.<sup>10</sup> Tourgée recovered sufficiently by July 1862 to return to active service and was commissioned as first lieutenant in the 105th Ohio Volunteers.<sup>11</sup> Showing an early sympathy for the African American cause, he applied for a transfer to a black regiment.<sup>12</sup> The transfer, however, was never granted, and Tourgée continued to serve the Ohio Volunteers until he resigned from military service on December 6, 1863, citing that it was impossible for him to serve with “honor.”<sup>13</sup>

After the war, Tourgée’s injuries left him in poor health. In an attempt to recoup his strength, he decided to try the warmer climate of the South. In addition, and perhaps more importantly, he looked for expanded opportunities in the area particularly with assisting former slaves in their transition to freedom. African American educator and close friend of Tourgée, Charles H. Moore, wrote, “[a]t first he decided to remain in Ohio and practice law after the war. But, consulting his wife who reluctantly acquiesced, he decided to come South and help in the reconstruction of the devastated fabric of the late Southern Confederacy.”<sup>14</sup> Tourgée thus moved with his wife, Emma, whom he had married in 1863, to Greensboro, North Carolina, on October 14, 1865.<sup>15</sup> Tourgée tried his hand at business—a nursery venture in 1865—but failed.<sup>16</sup> Beginning on January 3, 1867, he edited the local Republican newspaper, *The Union Register*.<sup>17</sup> By July, that effort also failed due to lack of funds, and the paper was transferred to Raleigh under different management.<sup>18</sup>

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<sup>10</sup> ELLIOT, *COLOR-BLIND JUSTICE*, *supra* note 5, at 98.

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

<sup>13</sup> *Id.*

<sup>14</sup> Letter from Charles Henry Moore to Katherine Hoskins (Sept. 9, 1936) (on file with the Greensboro Historical Museum). Moore was a North Carolina native and the first African American to graduate from Amherst College. He came to Greensboro in 1878 to take charge of the “colored schools.” He later married Adaline’s sister, Mary Pattillo. Moore was the last person to see Tourgée, perhaps in town to tie up financial and legal matters, when he departed Greensboro in June 1880 at the old railroad station. *Individual Report for Moore, Charles Henry*, CASWELL COUNTY GENEALOGY, <http://caswellcountync.org/genealogy> (search “Last Name” for “Moore” and search “First Name” for “Charles”; then follow “Search” hyperlink; then follow “Moore, Charles Henry” hyperlink) (last visited Oct. 12, 2012).

<sup>15</sup> DIBBLE, *supra* note 8, at 32-33.

<sup>16</sup> *Id.* at 32-35.

<sup>17</sup> Theodore L. Gross, *The Fool’s Errand of Albion W. Tourgee*, 24 *PHYLON* 240 (1963).

<sup>18</sup> *Id.*

Tourgée quickly found himself becoming more involved in Reconstruction politics. He firmly believed he had solutions that could “eradicate all irreconcilable differences between North and South, and thereby avoid future conflict. Establish homogeneity of sentiment throughout the country, and make the nation one people, not merely in form, but in fact.”<sup>19</sup> To achieve this goal, Tourgée took on the “personal responsibility” of guiding Southerners out of their ignorance and prejudice. Of course, his methods were from a purely Yankee perspective, and even southern Republicans were on many occasions offended by his actions and statements. Tourgée attacked, in the press and in speeches, conservative and moderate Republican leadership in North Carolina over any party line that did not conform to the staunch Radical position.<sup>20</sup>

Many whites in North Carolina, especially the Conservatives, vilified Tourgée when he began to speak out on the mistreatment of African Americans. He openly and loudly endorsed black suffrage, stating that the right to vote was essential to protect freedmen and the Union.<sup>21</sup> To bring this message to national attention, Tourgée made claims, at the Loyalist Convention held in Philadelphia in September 1866, of threats, violence, and murder occurring in the state to suppress African American advancement and settlement by northerners.<sup>22</sup> These claims, rumored to have been largely unsubstantiated, angered whites in North Carolina and made Tourgée and freedmen targets for violent retribution.<sup>23</sup>

Tourgée took an active part in the North Carolina State Constitutional Convention held in Raleigh in 1868, and served as one of the chief framers on the new constitution.<sup>24</sup> He pushed for a very progressive document and called for the permanent abolition of slavery, universal suffrage, the elimination of all property and religious qualifications for voting and holding public office, public schools, popular election of state and county officials, and provisions for a Board of Charities and Public Welfare.<sup>25</sup> Tourgée’s actions in shaping state law that directly benefited African Americans were detested by whites who saw their control slipping away because of so many pro-black reforms.

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<sup>19</sup> ALBION W. TOURGÉE, *AN APPEAL TO CAESAR* 50 (1884).

<sup>20</sup> OLSEN, *supra* note 5, at 59-78.

<sup>21</sup> ELLIOTT, *JUSTICE DEFERRED*, *supra* note 2, at 2.

<sup>22</sup> *Id.* at 107-12.

<sup>23</sup> ELLIOTT, *COLOR-BLIND JUSTICE*, *supra* note 5, at 109-10.

<sup>24</sup> ELLIOTT, *JUSTICE DEFERRED*, *supra* note 2, at 8.

<sup>25</sup> *Id.*

Again, Tourgée was branded a derisive figure in North Carolina politics and a “contemptible friend of the Negro.”<sup>26</sup>

Wearing that label like a badge of honor, Tourgée continued as an outspoken champion of African American rights and liberties. His position of authority was further solidified when he was elected a judge of the Superior Court, Seventh Judicial District of North Carolina on March 21, 1868.<sup>27</sup> With Greensboro as his base of operations, Tourgée held court in seven surrounding counties.<sup>28</sup> One of these counties was Caswell, whose courthouse was located in Yanceyville. The Judge’s travels there brought his attention to a thirteen-year-old former slave named Adaline. While the exact circumstances of this meeting are unknown, apparently a deal was struck between Tourgée and Adaline’s mother, Louisa, to allow the child to come to Greensboro and reside in his home.<sup>29</sup> Details of Adaline’s life as a slave are scarce, but some intriguing facts about her life as a slave and the man that owned her survive.

#### A. A. PATILLO OF CASWELL COUNTY

Adaline was owned by Albert Atkinson Pattillo of Yanceyville, Caswell County, North Carolina.<sup>30</sup> The county, located in the north-central portion of the state of North Carolina, is perfectly suited for growing tobacco. The crop accelerated Caswell’s economy and affected the lives of most of its citizens, both black and white, to such an extent that by the 1850s tobacco production had become the primary industry in the county.<sup>31</sup> The growing dependence on tobacco was clearly reflected in the composition of Caswell’s population. In 1810, the county’s population included 5,913 whites and 2,788 slaves.<sup>32</sup> By

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<sup>26</sup> Frank Woods, *The Sit-ins: Albion Tourgee a pioneer for rights*, GREENSBORO NEWS & REC., Jan. 31, 2010, available at [http://www.news-record.com/content/2010/01/29/article/the\\_sit\\_ins\\_albion\\_tourgee\\_a\\_pioneer\\_for\\_rights](http://www.news-record.com/content/2010/01/29/article/the_sit_ins_albion_tourgee_a_pioneer_for_rights).

<sup>27</sup> DIBBLE, *supra* note 8, at 40.

<sup>28</sup> OLSEN, *supra* note 5, at 144.

<sup>29</sup> From the author’s family oral history; see also ELLIOTT, JUSTICE DEFERRED, *supra* note 2, at 136.

<sup>30</sup> *Individual Report for Pattillo, Adaline*, CASWELL COUNTY GENEALOGY, <http://caswellcountync.org/genealogy> (search “Last Name” for “Pattillo” and search “First Name” for “Adaline”; then follow “Search” hyperlink; then follow “Pattillo, Adaline” hyperlink) (last visited June 18, 2012).

<sup>31</sup> *Bright Leaf Tobacco Process*, CASWELL COUNTY HIST. ASS’N, <http://ncccha.blogspot.com/2010/01/bright-leaf-tobacco-process.html> (last updated Jan. 5, 2010).

<sup>32</sup> U.S. CENSUS BUREAU, POPULATION OF THE UNITED STATES IN 1810 (1864).

1860, the slave population swelled to 9,355 with only 6,578 whites residing there.<sup>33</sup>

A. A. Pattillo's family and neighbors reaped the benefits brought about by the increased demand for Caswell County tobacco, but he had other plans for acquiring wealth. Instead of living the life of a farmer, Pattillo became one of the chief slave traders in the area.<sup>34</sup> Perhaps Pattillo thought much like James Steer of Louisiana, who wrote in 1818, "[f]or a young man just commencing life, the best stock, in which he can invest Capital, is, I think, negro stock . . . negroes will yield a much larger income than any Bank dividend."<sup>35</sup> Pattillo was apparently successful as a slave trader, and his business dealings took him deeper into the South. In 1849, Pattillo boasted from Wilkes County, Georgia, "[t]he People here say they believe in me, and I am fixing to sell them Negroes at high Prices."<sup>36</sup>

The 1850 census lists Pattillo as a "Trader," and the slave schedules taken that year show that he personally owned twenty slaves ranging in age from one year to thirty years.<sup>37</sup> Six years later, on August 9, a slave named Louisa gave birth to Adaline on the Pattillo plantation.<sup>38</sup> It is not known how long A. A. Pattillo continued to prosper as a slave trader, but by the end of 1859, his personal life was in shambles. For unknown reasons, he found himself in great debt, and to satisfy his creditors he was forced to sell almost all of his worldly possessions, including his remaining slaves.<sup>39</sup> Two slaves, however, were given special consideration. Pattillo entered into a legally binding agreement with his neighbor and president of the Bank of Yanceyville, Thomas D. Johnston, to sell Louisa, "about twenty-five years of age" and Adaline, "about two or three years of age" for 1,500 dollars with the stipulation that he could buy them back within the year for the same price.<sup>40</sup> This arrangement was clearly made in an attempt to keep these slaves close and assure their return once his financial woes were over. While this

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<sup>33</sup> U.S. CENSUS BUREAU, POPULATION OF THE UNITED STATES IN 1860 (1864).

<sup>34</sup> Letter from Albert A. Pattillo to Thomas Bigelow (Dec. 28, 1849) (on file with the author).

<sup>35</sup> JAMES OAKES, THE RULING RACE: A HISTORY OF AMERICAN SLAVEHOLDERS 73 (Alfred A. Knopf ed., 1982).

<sup>36</sup> Letter from Albert A. Pattillo to Thomas Bigelow (Dec. 28, 1849) (on file with the author).

<sup>37</sup> U.S. CENSUS BUREAU, POPULATION OF THE UNITED STATES IN 1850 (1854); U.S. CENSUS BUREAU, POPULATION OF THE UNITED STATES IN 1850 (SLAVE SCHEDULE).

<sup>38</sup> *Individual Report for Pattillo, Adaline*, *supra* note 30.

<sup>39</sup> CASWELL COUNTY REGISTER OF DEEDS, RECORD OF DEEDS, Vol. II, at 782.

<sup>40</sup> *Id.* at 781.

relationship between the owner and his “property” remains open to speculation, Pattillo’s desire to quickly settle the fates of Louisa and Adaline before proceeding with the liquidation of his other assets suggests that they were, more than likely, his mistress and daughter. No other documents have been found to suggest that Pattillo protected any of his other slaves in such a manner, and, years later, Adaline failed to list a father on her marriage certificate.<sup>41</sup> She also once wrote to Tourgée that, “I never have yet had a Father but what I was ashamed to own.”<sup>42</sup>

On February 1, 1860, Pattillo finalized his debt settlement before the court in Yanceyville.<sup>43</sup> In addition to losing his land, house, household furnishings, farm equipment and animals, Pattillo relinquished his slaves: “Susan and her infant child name not known, Margiana aged about twelve years, Mary about eight years old, Nat a small boy about four or five years old and Henry about nine years old . . . .”<sup>44</sup> The court also made note of Pattillo’s arrangement with Thomas Johnston, listing the “interest which he said Pattillo has in court equity in a woman by the name of Louisa and her child Adaline now under mortgage to Thomas Donoho Johnston.”<sup>45</sup>

When, and if, Louisa and Adaline returned to Pattillo is not known. He remained in Caswell County during the Civil War serving as a local patroller, a county commissioner, and Captain of Company K, Second Regiment, Home Guard formed on October 19, 1864.<sup>46</sup> After the war, he questionably cast in his lot with the victorious North and applied for a pardon from President Andrew Johnson, claiming that he had long opposed the war.<sup>47</sup> In Pattillo’s appeal to Johnson, written on June 16, 1865, he stated:

[T]o avoid conscription in the confederate Service I procured the office as assessor of the Confederate Taxes for this county. I was opposed to this war from the beginning and so announced myself all the time and I

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<sup>41</sup> Record of Marriage, Leroy William Woods and Adaline Pattillo, April 1, 1878, Guilford County, N.C.

<sup>42</sup> Letter from Adaline Pattillo to Albion W. Tourgée and Emma K. Tourgée (July 1875) (on file as #10964, Albion W. Tourgée Papers [hereinafter AWTP]). The first and last pages of this letter are missing.

<sup>43</sup> CASWELL COUNTY REGISTER OF DEEDS, *supra* note 39, at 781.

<sup>44</sup> *Id.* at 782.

<sup>45</sup> *Id.*

<sup>46</sup> MILLARD QUENTIN PLUMBLEE, AT THE FOOT OF THE LAKE: THE PATTILLO-PATILLO FAMILY AND ALLIED LINES 94 (1987).

<sup>47</sup> See NORTH CAROLINA STATE ARCHIVES, MILITARY RECORDS COLLECTION, CIVIL WAR, PETITIONS FOR PARDONS, BOX 2.1.

am now anxious to see civil government established in the State. I am one of the few in this section of N.C. who was not led astray by our bastard sister South Carolina.<sup>48</sup>

The sincerity of Pattillo's request may be suspect, but his motivation was clear. He, like so many other Southerners faced with the possibility of severe punishment from a vengeful North, found it easy to disavow any ties to the Confederacy, to get on with their lives. With the signing of his affirmation of loyalty to the Union on August 19, 1865, Pattillo was free to establish a new role for himself in Yanceyville as a respected community leader.<sup>49</sup> In 1865 and 1866, he served as Justice of the Peace and performed marriage ceremonies for newly emancipated slaves.<sup>50</sup> Ironically, a man who had earned a living separating families for profit was now actively strengthening and stabilizing black unions. Perhaps his transition to important community leader was accelerated due to the devastating loss of local leadership brought by the war, but Pattillo's time to enjoy his elevated status was limited. As Presidential Reconstruction waned and the Radical Republicans ascended to positions of power and control in Washington and beyond, men like Pattillo began to see their influence gradually fade. This change in the political climate in the state, in fact, placed A. A. Pattillo on the path of direct confrontation with Albion Tourgée.

North Carolina, backed by the new mandates from the Radicals, held a Constitutional Convention in Raleigh on January 14, 1868 to pave a way for African Americans, Radicals, and scalawags to stake a claim for a measure of equality, self-sufficiency, and mutual progress.<sup>51</sup> Pattillo, still linked with the "old guard," witnessed the coming "new order" with fear and trepidation. In fact, Pattillo was listed as a justice during the last session of the court and Quarter Sessions held in July 1868.<sup>52</sup> The humiliation of having to surrender power and abide under a new state constitution was prominently recorded during that assembly. In part it read:

The constitution of our fathers, the constitution of our happiness, we drop a tear for remembrance for thy many blessings and now bid thee

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<sup>48</sup> *Id.*

<sup>49</sup> *Id.*

<sup>50</sup> CASWELL COUNTY REGISTER OF DEEDS, MARRIAGE BONDS, CASWELL COUNTY, 1778-1868.

<sup>51</sup> *Historical Events for Year 1868*, HIST. ORB, <http://www.historyorb.com/events/date/1868> (last visited Sept. 12, 2012).

<sup>52</sup> Mins. from Caswell County Ct. of Pleas and Quarter Sessions (July 1868) (on file with the N.C. State Archives).

farewell. We turn with fearful forebodings to the future. We see general lawlessness, a most fearful disregard of public and private obligations, a great demoralization, the marriage vow not so sacredly regarded and observed, a general feeling of uneasiness as to the future and a dread when the vilest men are exalted the nation will mourn.<sup>53</sup>

Albert Pattillo's influence and presence in Caswell County diminished during Radical Reconstruction, particularly as it was dictated in the Piedmont region by Tourgée. The Judge was likely viewed by Pattillo as the "vilest" of all men not only because of his progressive policies toward freedmen, but also because Tourgée eventually claimed Adaline as his own, thus denying him the "prize" he fought to keep during his financial crisis of 1859. Tourgée, likewise, had ample reason to detest Pattillo because he was a constant reminder of the old social order that Tourgée desperately wished to see forever reversed, especially with knowing that Pattillo, above all others in Caswell County, had made a living through the sale of human beings. In this regard, Tourgée likely saw Pattillo as an unpunished and unrepentant traitor to the nation, a liar, a criminal, a sexual predator, and an ultimate defamer of basic human rights and dignity. In addition, while the exact circumstance of Tourgée becoming Adaline's guardian are still shrouded in mystery, there is no question that their relationship centered around one person—A. A. Pattillo.

Surviving court records from this period show that Pattillo was often involved in activities that placed him in Tourgée's courtroom in Yanceyville.<sup>54</sup> In one instance, John "Chicken" Stephens, a "scalawag" Justice of the Peace appointed by Tourgée, sought the judge's advice concerning A. A. Pattillo.<sup>55</sup> On May 1, 1869, Stephens wrote to Judge Tourgée:

H. F. Brandon[, Probate Judge of Caswell County,] has set aside the proceedings that I instituted against A. A. Pattillo in regard to fraud on the grounds that there was no petition or complaint filed before him from your hand. He was arrested. S. P. Hill says he gave you the papers if so

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<sup>53</sup> *Id.*

<sup>54</sup> A. A. Pattillo struggled to survive, financially and otherwise, with the advent of Radical Reconstruction in North Carolina and often turned to illegal practices, mostly involving fraudulent activities, to make money. The year 1869 saw Pattillo as a frequent "visitor" to the courthouse in Yanceyville. For legal proceedings against Pattillo see Minutes from Superior Court Docket, 1853-1924 (No. 220.16.1) (on file with the North Carolina State Archives).

<sup>55</sup> Letter from John W. Stephens to Albion Tourgée (May 1, 1869) (on file as #1195, AWTP).

please forward them immediately to Brandon or take steps as may be necessary to hold him to bail as my bond is filed with Brandon.<sup>56</sup>

Practically nothing is known of Pattillo after 1870. His name appears in the federal census that year where he is listed as a farmer.<sup>57</sup> Also in 1870, Pattillo made another appearance before Judge Tourgée to settle a case with Joseph M. Swift in the Spring Term of Superior Court.<sup>58</sup> After this, he becomes lost to history. The place and date of his death are unknown.

#### IN THE HOME OF JUDGE TOURGÉE

Adaline and her mother, Louisa, remained in Yanceyville after the Civil War and, like many “freedmen,” adopted the surname of their owner. Had they stayed close to A. A. Pattillo and depended on him for support, they would have been in a desperate situation. Mounting debt on Pattillo once again compelled him to liquidate his assets as he had done ten years earlier. After the court found him indebted to Thomas Womack, W. W. Cardwell, and Martha J. Cardwell for \$451.82 plus interest, Pattillo and his wife were forced to sell their house, property, farm animals, and implements to cover this and other legal obligations.<sup>59</sup> At that time, Louisa had another child to raise, Mary, born in 1866.<sup>60</sup> Life with Pattillo was so unbearable that Adaline, reflecting later on that period of her life, said, “[w]ell it is a horrid thing to think of and *I never shall again* if I can resist it.”<sup>61</sup> Perhaps Louisa approached Tourgée, who began holding court in Yanceyville in the spring of 1868, out of desperation and begged that he intervene on their behalf. Perhaps, too, the Judge was more sympathetic toward them than others in their condition because of their light complexion, thinking, “[t]here but by the grace of God[, and a different racial pedigree,] go I.” Or maybe there was something special he noticed in Adaline upon his introduction to her—a quality she exhibited that demanded nurturing

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<sup>56</sup> *Id.*

<sup>57</sup> U.S. CENSUS BUREAU, POPULATION OF THE UNITED STATES IN 1870 (1870).

<sup>58</sup> Mins. from Superior Ct. Docket, Caswell County, Pattillo v. Swift (Spring Term 1870) (on file with the N.C. State Archives).

<sup>59</sup> CASWELL COUNTY REGISTER OF DEEDS, *supra* note 39, at 654. Deed signed by A.A. Pattillo.

<sup>60</sup> *Individual Report for Pattillo, Mary*, CASWELL COUNTY GENEALOGY, <http://caswellcountync.org/genealogy> (search “Last Name” for “Pattillo” and search “First Name” for “Mary”; then follow “Search” hyperlink; then follow “Pattillo, Mary” hyperlink) (last visited June 18, 2012).

<sup>61</sup> Letter from Adaline Pattillo to Albion W. Tourgée and Emma K. Tourgée (July 1875) (on file as #10964, AWTP) (emphasis added).

to fruition. Whatever the reason, Tourgée chose to set her on the path of redemption, and by April 1869 Adaline was living in the Judge's home in Greensboro.<sup>62</sup>

Otto Olsen's pioneering biography on Tourgée briefly acknowledged the presence of Adaline, her younger sister, and Louisa (none by name) by stating, "[t]he Tourgée family also educated the two daughters of their light-skinned Negro cook, one of whose daughters later went north as a white person but subsequently returned to Greensboro to become the founder of a refined and prosperous Negro family."<sup>63</sup> Richard Nelson Current expanded on Olsen's observation in his book by including her name and a bit more information culled from *The Tourgée Papers*.<sup>64</sup> Current wrote, of the African Americans working around and in the Tourgée home, "[a]mong the servants were a light-complexioned mulatto cook and her bright, attractive, nearly white teen-aged daughter Adaline."<sup>65</sup> He continued:

As a child of slaves, Adaline had little or no opportunity to develop either social graces or intellectual skills. Tourgée took notice. Once the principal of an Ohio academy, he remained something of a pedagogue. He was beginning to think that Southerners, both black and white, must be reeducated if the persisting taint of slavery was ever to be removed from their minds. He was about to propose that the federal government take over the schools in the South. Meanwhile, he could make a modest start, himself, by tutoring one of slavery's offspring, Adaline.<sup>66</sup>

If Current is correct, Adaline was a kind of personal "experiment" for Tourgée—a small start on a path of social and political engineering in which he tried to force the nation to reevaluate its staunch position on race and the acceptance of African Americans as vital and productive members of an egalitarian society. It is clear that the first phase in Tourgée's plan for her began with education, but with the Judge on the road so often to hold court, much of Adaline's education fell upon Emma. He once wrote Emma, "[t]ell Ada to be careful about her writ-

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<sup>62</sup> Letter from Albion W. Tourgée to Emma K. Tourgée (Apr. 28, 1869) (on file as #1091, AWTP).

<sup>63</sup> OLSEN, *supra* note 5, at 179-80.

<sup>64</sup> See CURRENT, *supra* note 5. Although the Pattillos are mentioned in the Olsen and Current books, it is historian Mark Elliott that understood fully the importance of Adaline, especially, to Albion Tourgée. As a result, his biography on the Judge contains diligent scrutinizing of the Tourgée Papers for any mention of Adaline and careful analysis of their relationship. See ELLIOTT, *COLOR-BLIND JUSTICE*, *supra* note 5.

<sup>65</sup> CURRENT, *supra* note 5, at 196.

<sup>66</sup> *Id.*

ing—make her hold her pen right and not write so fast and carelessly.”<sup>67</sup>

Through Adaline, also called Addie or Ada, Tourgée could dictate the course of her life and put it on an upward trajectory that would allow her to escape the fate of many of her contemporaries and, ultimately, place her in a position of self-sufficiency and leadership among “her people.” In other words, Tourgée, whose writings and public activism anticipated civil rights movements and advancements of the early twentieth century, began the construction of his own version of a “New Negro” with Adaline.

There may be another reason why Tourgée had a special interest in Adaline—a fascination with light-skinned blacks. While he argued for “color-blind justice” in constitutional and judicial matters involving African Americans, he was not color-blind to the various shades of complexions he observed among the freedmen. For example, during his early years in Greensboro, Tourgée spent some time as a reporter for local and regional newspapers. Writing for the *Raleigh Standard* he covered an African Methodist Episcopal (A.M.E.) Conference held in Greensboro. Tourgée began his article with a description of the reverence of their service, but quickly shifted to a marked observance of blood admixtures.<sup>68</sup> Tourgée wrote:

The conference was composed of perhaps fifty members. One bishop, four or five presiding Elders and the remainder circuit preachers. Of these by far the greater portion were men of nearly unmixed African blood. Two of them, the one a candidate for deacon’s orders and the other an elder, had no “visible admixture of colored blood.” One of them in particular would have been taken in any city for [a] German student fresh from Göttingen. I found it difficult to convince myself that this fair, light-hued, blue-eyed, scholarly looking young man, who so reminded me of one of my own classmates who is now preaching the Gospel in heathen lands had indeed been a slave. Yet such was the fact. What a commentary on the Christianity and the holiness of the “patriarchal institution”! I would give something to know the thoughts and feelings of the “Christian gentleman”<sup>69</sup> whose son that young man is, if he could have looked with me, upon that son kneeling before the alter, and consecrated, by the laying on [of] dusky hands, to the words of the Chris-

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<sup>67</sup> Letter from Albion W. Tourgée to Emma K. Tourgée (Apr. 28, 1869) (on file as #1091, AWTP).

<sup>68</sup> Albion Tourgée, *The A. M. E. Conference at Greensboro* (no date) (on file as #11048, AWTP).

<sup>69</sup> Of course, Tourgée was a “Christian gentleman.”

tian ministry. Would it not be well to send some such men to the home—heathen, by whom they were begotten and to whom they are akin?<sup>70</sup>

Clearly, Tourgée’s interest in the ramifications of miscegenation in the post-Civil War era ran deep, and he grappled with the limits of racial classification in America. He also brought into question how “good” Christians could condone bringing such children into the world through actions that obviously involved immoral sexual practices; to him, this was the height of ecclesiastical hypocrisy, as their actions violated the sanctity of marriage and family.<sup>71</sup> Tourgée’s statement certainly reflected on men like A. A. Pattillo as being the root cause for “dooming” their offspring to a life of physically reflecting the dominant culture while being forced to suffer the indignities of being treated as a second-class citizen through vague hypodescent protocols.

These issues weighed heavily on Tourgée, and in 1868 he began to coalesce them in the form of a novel titled *Toinette: A Tale of Transition*.<sup>72</sup> Richard Current believed that Adaline was a catalyst for the book. He wrote, “[m]using on Adaline and slavery, Tourgée got the idea for a novel, and in such moments as he could snatch from his busy schedule he began to write out the story in bits and pieces. In it Toinette[, like Adaline,] is something of a Pygmalion character.”<sup>73</sup> Otto Olsen also realized the possibilities and noted, “[t]he Judge’s involvement in this venture[, bringing Adaline into his home,] impressed him with how the slightest touch of Negro ancestry brought on all the stigma of color prejudice, a consideration that inspired several of his novels.”<sup>74</sup>

Tourgée conceived Toinette as an intelligent and beautiful slave girl who is nearly indistinguishable from white. He describes her in the early part of the book as:

[N]ot so dark as many of the race who are counted the descendants of the unfortunate Ham, but her mother was—well a shade darker than she . . . . And so Toinette was a slave legally and properly, though scarcely of

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<sup>70</sup> Albion Tourgée, The A. M. E. Conference at Greensboro (no date) (on file as #11048, AWTP).

<sup>71</sup> *Id.*

<sup>72</sup> HENRY CHURTON, *TOINETTE: A TALE OF TRANSITION* (1875). This book was published by Tourgée under the pseudonym, Henry Churton, and subsequently revised and released as *A Royal Gentleman* under his real name.

<sup>73</sup> CURRENT, *supra* note 5, at 197.

<sup>74</sup> OLSEN, *supra* note 5, at 180.

darker integument than her new master, and perhaps of no meaner ancestry, paternally.<sup>75</sup>

Tourgée also noted that Toinette is fourteen when her story begins, nearly the same age as Adaline when she entered his life.<sup>76</sup> Toinette's young master, Geoffrey Hunter, conducts an "experiment" to transform her into an educated and polished lady and they develop a loving relationship that leads to the birth of a son.<sup>77</sup> Toinette later gains her freedom and Hunter moves her to Oberlin, Ohio, where she raises her child as a white widow.<sup>78</sup> Hunter joins the Confederate Army during the Civil War and Toinette, working as a Union nurse, reunites with him in a prisoner of war camp.<sup>79</sup> They realize that they still love each other, but Geoffrey refuses to give up Southern customs, traditions, and laws to marry Toinette.<sup>80</sup> To Tourgée's credit, he refused to allow Toinette to become a victim of her unusual circumstances and spiral into the plight of another tragic mulatto or quadroon. Instead, it is Geoffrey who suffers, emotionally and physically, because she demands a relationship based on equality and he refuses to "demean himself by marrying a nigger!"<sup>81</sup>

If Adaline was the inspiration for Toinette, then the novel predicts that his ultimate plan for her was to make her a "lady" capable of surviving independently while maintaining her racial identity and dignity. Tourgée later explained that his novel "concerns itself with Slavery only to mark the growth of character under that influence."<sup>82</sup> He also reinforced his views of the hypocrisy he felt "good" Christians demonstrated toward those like Adaline through the fictional Toinette by stating

Educated and refined Christian ladies and gentlemen were her familiar friends. Of course, it was all upon the hypothesis of an unmixed Caucasian descent . . . With this[, her African blood,] revealed and her descent known, she would have been as much a Pariah in that part of the nation, which boasted of its freedom and equality, and even in a community of the most ardent fanatics, as in the very hotbed of slavery.<sup>83</sup>

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<sup>75</sup> CHURTON, *supra* note 72, at 26.

<sup>76</sup> *Id.* at 27.

<sup>77</sup> *Id.* at 72.

<sup>78</sup> *Id.*

<sup>79</sup> *Id.* at 377-78.

<sup>80</sup> *Id.* at 442.

<sup>81</sup> *Id.*

<sup>82</sup> CURRENT, *supra* note 5, at 197.

<sup>83</sup> *Id.*

Tourgée eschewed concealing Toinette’s race and blending her into white society as the answer to her dilemma and likely did the same for Adaline. This assumption negates the notion that Adaline tried actively to conceal her race and blend into white society—a supposition noted by Olsen and Elliott based on a letter she wrote to the Tourgée while living briefly in the North.<sup>84</sup> In that correspondence, Adaline and a companion were mistaken as white by a man in whose home they were to board. She wrote, “[h]e said he thought he was going to have colored girls. . . . He said he called me white himself.”<sup>85</sup> Whether Adaline corrected the man immediately is not known, but the fact that she was expected to be “colored” gave her no opportunity to hide or deny her racial identity. Adaline, in fact, perhaps with child-like naivety, thought the man had “some very queer funny ways but he [was] very nice.”<sup>86</sup>

Tourgée did, however, see one advantage to the existence of nearly white African Americans—they allowed him to better argue for complete equal rights by gaining legal concessions based on their “whiteness” and gradually applying such victories to those with darker skin. Such was the case of Homer Adolphe Plessy, described as one-eighth black, and Tourgée’s decision in 1892 to select a person of color with no visible black ancestry to challenge Louisiana’s racially restrictive Separate Car Act.<sup>87</sup> Adaline, like Plessy, had no discernible “African” features, a fact that may have fostered within him a desire to elevate her social status.

In addition, Adaline may have been chosen by Tourgée because he and Emma were childless at this time (they lost a child at birth in 1867), and she likely filled a vacuum left in their lives.<sup>88</sup> Tourgée, in fact, legally adopted Adaline before she came to live in his home, and he would later tell her that he regarded her as though she was his own daughter.<sup>89</sup> News of Adaline’s adoption presented North Carolina Conservatives and those harboring hatred for carpetbaggers with the opportunity to further defame a man they came to despise for his activism on behalf of the freedmen. On April 20, 1869, the *Raleigh Sentinel*

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<sup>84</sup> Letter from Adaline Pattillo to Albion W. Tourgée and Emma K. Tourgée (July 1875) (on file as #10964, AWTP).

<sup>85</sup> *Id.*

<sup>86</sup> *Id.*

<sup>87</sup> ELLIOTT, JUSTICE DEFERRED, *supra* note 2, at 12.

<sup>88</sup> ELLIOTT, COLOR-BLIND JUSTICE, *supra* note 5, at 139.

<sup>89</sup> Letter from Adaline Pattillo to Albion W. Tourgée and Emma K. Tourgée (July 1875) (on file as #10964, AWTP).

found the opportunity to imply that Tourgée had more devious motives in bringing a teenage girl into his house. The article reads

We understand that the Judge formed such a partiality for a “yella gal” in Yanceyville that he prevailed on her mother to let him take her home and “educate” her. He said if she remained at home the probability was she would marry a negro, whereas he would take her and, educating her, “marry her off to the best advantage.” This is generous in the Judge—very generous! Is Tourgée a married man?<sup>90</sup>

The article obviously implied that Tourgée brought Adaline into his home for a sexual liaison, but that kind of libelous accusation was to be expected from his opponents in the conservative press. They immediately seized upon the slightest pretext to damage his reputation, but the Judge anticipated that kind of behavior. Yet, the article accurately identified Adaline as “yella,” slang for a light-complexioned African American, and reported exactly where she was from.<sup>91</sup> It is unlikely that Tourgée would have discussed such personal matters openly; rather, someone close to him may have spread this matter as gossip that fell into the hands of those who wished to discredit him.

Perhaps it was part of Tourgée’s plan for Adaline—an end game of his social experiment—to see that she married whomever he deemed acceptable. Of course marrying one’s daughter “off to the best advantage” is a realistic expectation for a father or a guardian and does not necessarily imply he preferred a white man as her husband. According to historian Mark Elliott

It seems unlikely, however, that Tourgée’s main purpose in educating Adaline was to improve her marital chances, even though he may have speculated in conversation about the possibility of her moving North and marrying a white man. This would be in keeping with his belief that one should not be marked for life into any caste because of their birth.<sup>92</sup>

But the *Sentinel’s* reference that he did not want her to marry a “negro,” surely taken out of context, further fanned the flames of resentment against Tourgée by implying that his ultimate political agenda included a ringing endorsement of interracial relationships throughout the South.

In response to the *Sentinel’s* scandalous tone and the escalating innuendo that raged in the Greensboro community, Emma began to

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<sup>90</sup> *Judge Tourgee as an Educator*, RALEIGH SENTINEL, Apr. 20, 1869. (This article was also published in the *Milton Chronicle*).

<sup>91</sup> *Id.*

<sup>92</sup> ELLIOTT, COLOR-BLIND JUSTICE, *supra* note 5, at 151.

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dwell upon even the slightest possibility of sexual impropriety and expressed some misgivings over keeping Adaline in their home.<sup>93</sup> Tourgée was aware that gossip would run rampant in this matter, but his commitment to Adaline was unshakable. The Judge wrote to Emma from Pittsboro, North Carolina:

I am very sorry to learn that you are suffering any annoyance in regard to Adaline—I cannot say that I feel inclined to give up my ideas respecting her. I may modify them somewhat but have no idea of surrendering them entirely. I know that the course I have marked out—in the main—is for Ada’s benefit, and is right. Your somewhat romantic supposition of the possibilities for a time, somewhat discouraged me, but further reflection has entirely convinced me that, for the present at least, I must continue my guardianship of Ada. I do not just now know in what form it will be exercised, but I shall soon devise one.<sup>94</sup>

A defiant Tourgée concluded, “I shall not ask my neighbors to define my duty for me, nor dictate my course. If they don’t like it, they may e’en [sic] let it alone.”<sup>95</sup>

One method Tourgée chose to defy those who opposed his adoption of Adaline was to refuse to keep her and Mary hidden away from the community scrutiny. Tourgée attempted to influence public opinion by taking them to a place that should have welcomed their presence. A neighbor recalled to the *Greensboro Record* decades later that, “Tourgée adopted two Negro girls and on one occasion he brought them to the Baptist church with him, taking a seat near the front.”<sup>96</sup> This action of civil disobedience foreshadowed the actions Tourgée would orchestrate years later with Homer Plessy, exchanging a pew for a railroad car, and reinforced his ambivalence over Christian beliefs and actual practices when African Americans were involved. Tourgée knew the outcome of bringing the girls to the church before they left home, and, accordingly, this societal transgression produced undesirable results when a “committee” was formed among the congregation to address this violation of the segregated seating arrangements.<sup>97</sup> Tourgée was severely reprimanded and informed that “hereafter if he

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<sup>93</sup> See Letter from Albion W. Tourgée to Emma K. Tourgée (May 14, 1869) (on file as #1108, AWTP).

<sup>94</sup> *Id.*

<sup>95</sup> *Id.*

<sup>96</sup> *Greensboro Tolerantly Regards Memory of Albion Winegar Tourgée, Once Hated Carpetbagger Judge*, GREENSBORO RECORD, Nov. 8, 1925 [hereinafter *Greensboro Tolerantly Regards Memory*].

<sup>97</sup> *Id.*

attended church he must not seat the girls with the white people.”<sup>98</sup> Tourgée never attended that church again.<sup>99</sup>

#### THE EMERGENCE OF “CLASS”

Tourgée’s relationship with Adaline, by all accounts, was exactly as he intended; he chose to be her educator, her protector, and her guide through life and succeeded to a great extent. To further her education and continue to provide her opportunities beyond the reach of most former slaves, Tourgée sent Adaline to the Hampton Normal and Industrial Institute in Virginia in 1871.<sup>100</sup> The school, founded in 1868, probably appealed to Tourgée because of its mission to elevate former slaves through a philosophy of building good character and providing practical and employable skills in the post-Civil War era.<sup>101</sup> The school’s founder, General Samuel Chapman Armstrong, declared

The thing to be done was clear: to train selected Negro youth who should go out and teach and lead their people, first by example, by getting land and homes; to give them not a dollar that they could earn for themselves; to teach respect for labor; to replace stupid drudgery with skilled hands; and, to these ends, to build up an industrial system, for the sake not only of self-support and intelligent labor, but also for the sake of character.<sup>102</sup>

Adaline, like her illustrious classmate, Booker T. Washington, readily absorbed the Hampton ideals and applied them for the rest of her life. Unfortunately, she did not graduate from the school.<sup>103</sup> In her fourth year, a personal crisis arose that led General Armstrong to write the Tourgées. “I regret very much that Ada Patillo [sic] is so situated. We must try to see her through somehow. She is certainly very unfortunate. I think if she proves herself a very attentive scholar and industrious girl she may complete the course of instruction.”<sup>104</sup> While the nature of this crisis is unknown, it likely involved the Tourgées’ growing financial problems and their inability to keep Ada-

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<sup>98</sup> *Id.*

<sup>99</sup> *Id.*

<sup>100</sup> ELLIOTT, COLOR-BLIND JUSTICE, *supra* note 5, at 137.

<sup>101</sup> Maud Wilder Goodwin, *Education of our Colored Citizens*, 42 THE POPULAR SCI. MONTHLY, Nov. 1892–Apr. 1893, at 789, 792, 795.

<sup>102</sup> *Id.* at 792.

<sup>103</sup> From the author’s family oral history. Also, the Hampton University Archives have no record of her graduation.

<sup>104</sup> Letter from Samuel Chapman Armstrong to Emma K. Tourgée (Jan. 14, 1875) (on file as #10983, AWTP).

line enrolled and Louisa employed.<sup>105</sup> It is known, however, that Armstrong sent students north to work to help cover their school expenses, particularly to Brattleboro, Vermont, then a popular resort town.<sup>106</sup> This explains Adaline's previously mentioned trip to the North.

In the few letters that survive from Brattleboro, it is clear that Adaline was filled with affection for the Tourgées. She said of Emma, "[s]he has been like a dear mother to me. I shall never forget her as long as I am in existence."<sup>107</sup> Yearning for the security she found within the Tourgée home and the time spent caring for their daughter Aimee, born in late 1870, she wrote, "I wish I could see my darling little Lodie [Aimee] and take her in my arms this dreamy day and sing her off to sleep. Give a good kiss to her from me. I wish I was near so I could help Mrs. T."<sup>108</sup> As for the Judge, Adaline wrote, "[i]t always makes me feel *so sad* to hear you say you feel towards me as a daughter for I don't see how you can feel towards such a girl as I am as a daughter. I often think to myself can it be true."<sup>109</sup>

Adaline used this time away from home to reflect on her present condition and her future. At first, she reveled in the more relaxed racial climate of the North and wrote home, "[c]an't I stay? I want to be a northerner."<sup>110</sup> However, in reality she could not bear to be away from her family, and she questioned her growing thoughts of the possibility of life outside the South.<sup>111</sup> If Tourgée had indeed pushed her

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<sup>105</sup> CURRENT, *supra* note 5; ELLIOTT, COLOR-BLIND JUSTICE, *supra* note 5; *see, e.g.*, OLSEN, *supra* note 5. The impact on the Pattillos, particularly Louisa, can be found in a letter written by Louisa in 1890 asking Emma for money owed for "a 'due bill' which [Emma] gave [Louisa] in 1875 for work during the year 1874." Letter from Louisa (Pattillo) Graves to Emma Tourgée (Mar. 26, 1890) (on file as #4585, AWTP). This statement clearly shows that Louisa was employed by the Tourgées and, therefore, resolves Mark Elliott's question about her status within the Tourgée household. *See id.*

<sup>106</sup> *See* Letter from Della S. Chadwick to Samuel Chapman Armstrong (Sept. 7, 1877) (on file with The Hampton University Archives) (informing Armstrong that she intended to return to school for the fall term after earning fifty dollars to cover her expenses). Armstrong obviously had an arrangement with someone in Brattleboro to employ his students in financial need. *See id.* The practice of college students from historically black institutions traveling North to work during summer continued well into the twentieth century.

<sup>107</sup> Letter from Adaline Pattillo to Albion W. Tourgée and Emma K. Tourgée (July 1875) (on file as #10964, AWTP). The first and last pages of this letter are missing.

<sup>108</sup> *Id.*

<sup>109</sup> *Id.* (emphasis added).

<sup>110</sup> *Id.*

<sup>111</sup> *See id.*

toward independence, the nineteen-year-old girl still had reservations about what that actually meant for women of that era. She wrote

I regret so much that I have the wrong ideas of independence for I think it can make a . . . of anyone so quickly. I hope as I grow older I shall get rid of them. I don't know of showing my independence in but one way and that is in living [as] a lady. I do feel independent in that respect because there are few of my position that are ladies. Oh! Well that will do for the talk of independence.<sup>112</sup>

As she wrote those words, Adaline realized that the uneducated and poverty-stricken child Tourgée magnanimously brought into his home was now on the verge of young womanhood, and she anticipated the responsibilities that accompanied that station in life. In her mind, she had not accomplished all her goals and maybe those set for her by Tourgée. She knew the Judge had delivered her from a dire situation years ago and was grateful, but she still felt unfulfilled as she wrote, “*I do feel* so much brighter than when I wrote before for there are not many girls of my class (no not class for I haven't any) but position (that is the word) that have such opportunities for improvement.”<sup>113</sup>

It was now time for her to be in charge of the Yanceyville Pattillos and relieve Tourgée of those duties. Adaline was well aware of the mounting financial burdens on the Judge and understood he could no longer support them. She told him

Dear Judge you know I told you when I was there last summer. I did not look for you to do any more for me, for you have already done enough. You *have helped me* now I must try to help myself altho it was so kind in you to try which I know you did.<sup>114</sup>

The money Adaline earned in Brattleboro, therefore, did not go toward her final year at Hampton, but, instead, was sent home to ensure that her mother and sister were provided with the best possible care within her means.<sup>115</sup> Of Louisa and Mary, Adaline wrote

I have been feeling uneasy about her [Louisa] every day for I know she is lame and was very near worn all out. I shall if life lasts, in the future try to do something towards supporting her if *I never* graduate even though I may have to labor hard for she has labored for me when I could not for myself . . . I hope she will get the money alright. *I do want* a home of our own and will not feel content until I get one. She said she was trying to get a home so I sent the m— [money] to help pay for it, and I want to

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<sup>112</sup> Letter from Adaline Pattillo to Albion W. Tourgée and Emma K. Tourgée (July 18, 1875) (on file as #1822, AWTP).

<sup>113</sup> *Id.* (emphasis added).

<sup>114</sup> *Id.* (emphasis added).

<sup>115</sup> *Id.*

send more if I can. The reason have told you this, is because I feel near to you and Mrs. T—I want you to know all I do. If in time I shall marry a man—I shall take Mary and try to educate her, altho it would have been so much to have her stay here. I am sorry for the child if she has to take life as I have.<sup>116</sup>

Adaline Pattillo had come of age and though she may not have yet realized it, she more than earned the lofty “class” ranking that she found so elusive. Tourgée, years earlier, had seen something special in her, and those qualities were now revealed fully. Through her willing sacrifice of her education and perhaps her future, Tourgée’s “experiment” was proven an unqualified success with the emergence of an admirable “lady.”<sup>117</sup>

Louisa remained in the Tourgée home while Adaline was at Hampton. She is mentioned in surviving letters as cooking meals and running some household activities.<sup>118</sup> With Louisa there, some family members obviously felt more comfortable with “the help,” as there was a shared fixation on skin color within the home that extended beyond the Judge’s interest. Once Louisa was out of the house permanently by 1875 and Emma had relocated to Erie, Pennsylvania in 1878, Tourgée wrote that Emma’s mother, who was still living in Greensboro, failed in her plans to get a “white nigger” to boss.<sup>119</sup>

Judge Tourgée continued to write and speak out against those who opposed African American progress, even though his life was continually threatened by the Ku Klux Klan. In a 1925 article written about Tourgée in the *Greensboro Record*, a white acquaintance of Adaline recalled that, “Addie Woods, the colored girl whom Judge Tourgée adopted in Greensboro and educated in the North told me the other day, while washing my hair that he and his family lay awake many a long night dreading a visit from the Ku Klux.”<sup>120</sup> Undaunted, Tourgée attacked that organization with a scathing expose entitled *The Invisible Empire*.<sup>121</sup> This material was later incorporated in Tourgée’s best-selling novel, *A Fool’s Errand*, a fictionalized account based on his

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<sup>116</sup> *Id.* (emphasis added).

<sup>117</sup> Adaline’s decision to return to the South was compounded by the fact that while in Vermont, she was offered work by a woman in Boston. *See id.*

<sup>118</sup> *See, e.g.*, Letter from Louisa (Pattillo) Graves to Emma K. Tourgée (Mar. 26, 1890) (on file as #4585, AWTP).

<sup>119</sup> Letter from Albion W. Tourgée to Emma K. Tourgée (Nov. 12, 1878) (on file as #2251, AWTP).

<sup>120</sup> *Greensboro Tolerantly Regards Memory*, *supra* note 96.

<sup>121</sup> ALBION WINEGAR TOURGÉE, *THE INVISIBLE EMPIRE* (1989).

own experiences of life in Greensboro during Reconstruction.<sup>122</sup> Many below the Mason-Dixon Line viewed the book to be as harmful to the perception of the South as *Uncle Tom's Cabin* had been several years earlier.<sup>123</sup>

Continued threats against Tourgée and his family, along with the inevitable return to power of Southern Democrats forced him to leave Greensboro in February 1876.<sup>124</sup> The hatred that was directed toward Tourgée throughout the state made his name synonymous with the “evil northern carpetbagger.”<sup>125</sup> After an appointment by President Grant to the position of Pension Agent in Raleigh, Tourgée realized his political future in North Carolina was waning.<sup>126</sup> In 1878, the Judge made an unsuccessful run for Congress in the Fifth Congressional District.<sup>127</sup> His failure to be elected convinced him that he was politically “dead” in the state.<sup>128</sup> The threats still persisted, and Tourgée left North Carolina on September 2, 1879.<sup>129</sup> Although he abandoned the South and his adopted daughter physically, he did not abandon the causes he long championed. Living safely in the North, Tourgée wrote the majority of his fifteen novels, eight non-fiction books, and hundreds of newspaper and magazine articles on race and racial injustice.<sup>130</sup> He founded the National Citizen's Rights Association in 1891, an organization that anticipated the mission of the National Association for the Advancement of Colored People, started a national civil rights magazine, *Our Continent*, and helped frame Ohio's anti-lynching law passed in 1896.<sup>131</sup> As previously stated, Tourgée served as lead attorney in the famed case *Plessy v. Ferguson*.<sup>132</sup> Finally, he was appointed consul to Bordeaux, France in 1897 and died there on May 21, 1905.<sup>133</sup>

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<sup>122</sup> Otto H. Olsen, *Introduction* to ALBION WINEGAR TOURGÉE, *THE INVISIBLE EMPIRE*, 1 (1989).

<sup>123</sup> ALBION WINEGAR TOURGÉE, *A FOOL'S ERRAND*, 2 (1880).

<sup>124</sup> NAURICE FRANK WOODS, JR., *PICTURING A PEOPLE: A HISTORY OF AFRICAN AMERICANS FROM 1619-1900* (2000).

<sup>125</sup> *Id.*

<sup>126</sup> See Otto H. Olsen, *Albion Winegar Tourgée*, *DOCUMENTING THE AMERICAN SOUTH* (June 20, 2012), <http://docsouth.unc.edu/church/tourgée/bio.html>.

<sup>127</sup> *Id.*

<sup>128</sup> *Albion W. Tourgée's Reconstruction Novels: Promoting Political Change through Literature*, [http://www.mcclurgmuseum.org/collection/library/lecture\\_list/cchs\\_lecture\\_tourgée.pdf](http://www.mcclurgmuseum.org/collection/library/lecture_list/cchs_lecture_tourgée.pdf).

<sup>129</sup> CURRENT, *supra* note 5, at 375.

<sup>130</sup> ELLIOTT, *COLOR-BLIND JUSTICE*, *supra* note 5, at 215-16, 253-59.

<sup>131</sup> ELLIOTT, *JUSTICE DEFERRED*, *supra* note 2, at 5, 11, 12.

<sup>132</sup> *Id.* at 12.

<sup>133</sup> *Id.* at 14.

Judge Tourgée gave Adaline opportunities few former slaves experienced—a chance to survive when others around her succumbed to ravages of an openly hostile post-war environment, to be educated at a level beyond the grasp of most freedmen, and, indirectly, to see the country beyond the confines of the segregated South. More importantly, Tourgée allowed her to experience the love of a father, something A. A. Pattillo could never give her. But the Judge could not live her life for her, and Adaline had to fulfill her destiny on her own terms. After teaching school for two years in Dublin, Virginia, she married Leroy William Woods in 1878.<sup>134</sup> From that union came seven children.<sup>135</sup> Their sixth child was named Albion Tourgée Woods.<sup>136</sup>

Adaline obtained much of what she sought in life, including middle-class respectability. Her husband operated several successful barbershops in Greensboro, including the first all-black establishment to serve whites in the downtown section of the city.<sup>137</sup> She also devoted herself to doing “some Christian work among my people and help them in every way I could.”<sup>138</sup> The family prospered and was respected in both the black and white communities. For years, Adaline continued to visit the Judge’s old home, reminisced about happy times spent there, and occasionally wrote to the Tourgées for advice and to keep in touch. In one of her last surviving letters to Emma, Adaline informed her of the profound influence she and her husband had on her. She wrote

Many and many the times I think of you and the Judge for my training and for my disposition. I am so thankful to have been placed under the care of one with so sweet a disposition as yourself. I try to be just like you. Our “greatest impressions are made upon us when we are young.”<sup>139</sup>

In addition, Adaline noted that she did get the house she once dreamed of owning and more saying, “[w]e have two nice little houses the older one Mother lives in and is quite a help to me.”<sup>140</sup>

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<sup>134</sup> *Individual Report for Pattillo, Adaline, supra* note 30.

<sup>135</sup> ELLIOTT, *COLOR-BLIND JUSTICE, supra* note 5, at 152.

<sup>136</sup> *Id.*

<sup>137</sup> *Id.*

<sup>138</sup> Letter from Addie P. Woods to Miss Sherman (Jan. 3, 1921) (on file with the Hampton University Archives as Addie P. Woods File).

<sup>139</sup> Letter from Adaline Pattillo Woods to Emma K. Tourgée (Oct. 27, 1893) (on file as #7425, AWTP).

<sup>140</sup> *Id.*

Adaline “Addie” Pattillo Woods died at age ninety-four in Gary, Indiana on October 4, 1950, while living with one of her sons.<sup>141</sup> She was buried in Fern Oak Cemetery in that city.<sup>142</sup> It is lamentable that she was not returned to Greensboro to rest not far from the places spent with the Judge and where she raised her children and cared for her grandchildren. Adaline once told Emma that she regretted “so much that I will have to rear my children up in the south,” but it was her home and she found a way to see that they had the best advantages growing up under increasingly strict Jim Crow policies.<sup>143</sup> She also informed Emma that, “I am trying to train them up to be good” and she succeeded.<sup>144</sup> Most of her children and many of their spouses became successful businesspersons, doctors, lawyers, and educators. Adaline played a major role in shaping their lives and instilling in them many valuable lessons learned from Albion Tourgée. All her children would remember the story of Adaline’s journey with the Judge and pass it on to the next generation.

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<sup>141</sup> From the author’s family oral history.

<sup>142</sup> “*Mother*” Wood Dies at Age of 94, THE GARY AMERICAN, Oct. 6, 1950, at 12.

<sup>143</sup> Letter from Adaline Pattillo Woods to Emma K. Tourgée (Oct. 27, 1893) (on file as #7425, AWTP).

<sup>144</sup> *Id.*