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# Joseph E. Brown

**Joseph Emerson Brown** (April 15, 1821 – November 30, 1894), often referred to as **Joe Brown**, was an attorney and politician, serving as the 42nd Governor of Georgia from 1857 to 1865, the only governor to serve four terms. After the American Civil War, he was elected by the state legislature as a two-term U.S. Senator, serving from 1880 to 1891. Brown was a leading secessionist in 1861, and led his state into the Confederacy.

A former Whig, and a firm believer in slavery and Southern states' rights, he defied the Confederate government's wartime policies. He resisted the military draft, believing that local troops should be used only for the defense of Georgia. He denounced Confederate President Jefferson Davis as an incipient tyrant, and challenged Confederate impressment of animals and goods to supply the troops, and slaves to work in military encampments and on the lines. Several other governors followed his lead.

After the war, Brown joined the Republican Party for a time, and was appointed as chief justice of the Supreme Court of Georgia from 1865 to 1870. Later he rejoined the Democrats, became president of the Western and Atlantic Railroad and began to amass great wealth; he was estimated to be a millionaire by 1880. He earned high profits from two decades of using mostly black convicts leased from state, county and local governments in his coal mining operations in Dade County. His Dade Coal Company bought other coal and iron companies, all based on the use of convict labor. By 1889 it was known as the Georgia Mining, Manufacturing and Investment Company. Brown and his wife, Elizabeth Grisham Brown, were honored in 1928 by a statue installed on the state capitol grounds.

He stated, "One thing every white man knows, regardless of how low his estate, he is the better of every black man." He saved The Southern Baptist Theological Seminary financially in the 1870s.<sup>[1]</sup> There is now an endowed chair, the Joseph Emerson Brown Chair of Christian Theology at the institution.<sup>[2]</sup>

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## Early life and education

Joseph Emerson Brown was born April 15, 1821 in Pickens County, South Carolina to Mackey Brown and Sally (Rice) Brown. At a young age he moved with

### Joseph Emerson Brown



**United States Senator from Georgia**

**In office**

May 26, 1880 – March 3, 1891

**Preceded by** John B. Gordon

**Succeeded by** John B. Gordon

**Chief Justice of the Georgia Supreme Court**

**In office**

1865–1870

**42nd Governor of Georgia**

**In office**

November 6, 1857 – June 17, 1865

**Preceded by** Herschel Johnson

**Succeeded by** James Johnson

#### Personal details

<b>Born</b>	April 15, 1821 <div>Pickens, South Carolina</div>
<b>Died</b>	November 30, 1894 (aged 73) <div>Atlanta, Georgia</div>

his family to Union County, Georgia.<sup>[9]</sup> In 1840, he decided to leave the farm and seek an education. With the help of his younger brother James and his father's plow horse, Brown drove a yoke of oxen on a 125-mile trek to an academy near Anderson, South Carolina. There Brown traded the oxen for eight months' board and lodging.<sup>[4]</sup>

**Political party** Whig, Democratic

In 1844, Brown moved to Canton, Georgia, where he served as headmaster of the academy at Canton.<sup>[4]</sup>

He went to Yale University to study law, then returned to Canton to practice. In 1847 he opened a law office in the county seat, and began to make the connections on which he built his fortune. He married Elizabeth Grisham, daughter of a major land developer. They had several children together.<sup>[5]</sup>

## Career

Brown joined the Democratic Party and was soon elected to the Georgia state senate in 1849 from the developing Etowah River valley.<sup>[6]</sup> He rapidly rose as a leader in the party. He was elected as state circuit court judge in 1855.

In 1857, at the young age of 36, Brown was elected governor of the state. He supported public education for free white children, believing that it was key to development of the state. He asked the state legislature to divert a portion of profits from the state-owned railroad, the Western & Atlantic, to help fund the schools.<sup>[7]</sup> Most planters did not support public education and paid for private tutors and academies for their children.

Nonetheless, Brown easily won re-election in 1859 when he defeated a young Warren Akin Sr. (who was just beginning his political career) by a margin of 60%-40%.<sup>[8]</sup>

Brown was a minor slave owner; in 1850, he owned five slaves.<sup>[9]</sup> By 1860 when he was governor, he owned a total of 19 slaves and several farms in Cherokee County, Georgia.<sup>[10]</sup>

Brown became a strong supporter of secession from the United States after Lincoln's election and South Carolina's secession in 1860. He feared that Lincoln would abolish slavery. Considering it the basis of the South's lucrative plantation economy, he called upon Georgians to oppose the efforts to end slavery:

What will be the result to the institution of slavery, which will follow submission to the inauguration and administration of Mr. Lincoln as the President ... it will be the total abolition of slavery ... *I do not doubt, therefore, that submission to the administration of Mr. Lincoln will result in the final abolition of slavery. If we fail to resist now, we will never again have the strength to resist.*

— *Joseph E. Brown, (December 7, 1860), emphasis added.*<sup>[11]</sup>

Once the Confederacy was established,<sup>[12]</sup> Brown, a states' rights advocate, spoke out against expansion of the Confederate central government's powers. He denounced President Jefferson Davis in particular. Brown tried to stop Colonel Francis Bartow from taking Georgia troops *out of the state* to the First Battle of Bull Run. He objected strenuously to military conscription by the Confederacy.<sup>[13][14][15][16]</sup>

### The capture of Milledgeville

After the fall of Atlanta, Union General William Tecumseh Sherman began his March to the Sea. On the route from Atlanta to Savannah the left wing of Sherman's army entered the city of Milledgeville, then Georgia's state capital. As U.S. troops closed in on the city, and with the fall of the capital imminent, Governor Brown ordered Quartermaster General Ira Roe Foster to remove the state records. The task proved to be difficult, as it was undertaken in the midst of chaos.

#### WAR BETWEEN THE STATES - 1864

Gov. Brown, thinking first of the valuable and perishable State property, ordered Gen. Ira Foster, Georgia's quartermaster general (who was always prompt and efficient), to secure its removal. Some of the books and other similar property were stored in the Lunatic Asylum, three miles out of town. A train of cars was held at the depot to carry off other State property, and Gen. Foster made herculean efforts to carry out the Governor's orders, but, such was the general terror and the rush to leave town, it was next to impossible to procure labor. When

the Governor saw the condition of affairs, he went to the penitentiary, had the convicts drawn up in a line, and made them a short speech; he appealed to their patriotic pride and offered pardon to each one who would help remove the State property and then enlist for the defense of Georgia. They responded promptly, were put under the command of Gen. Foster, and did valuable service in loading the train. When that was done each one was given a suit of gray, and a gun, and they were formed into a military company of which one of their number was captain. They were ordered to report for duty to Gen. Wayne, who was commanding a small battalion of militia at Milledgeville and also the Georgia cadets from the Military Institute at Marietta.

—FRANCES LETCHER MITCHELL.<sup>[17]</sup>

After the loss of Atlanta, Brown withdrew the state's militia from the Confederate forces to harvest crops for the state and the army.<sup>[18]</sup> When Union troops under Sherman overran much of Georgia in 1864, Brown called for an end to the war.

### Post-war imprisonment to Republican judgeship

After the war, Brown was briefly held as a political prisoner in Washington, D.C. He supported President Andrew Johnson's Reconstruction policies, joining the Republican Party for a time.

As a Republican, Brown was appointed as chief justice of the Supreme Court of Georgia, serving from 1865 to 1870.

### Making a million

He resigned as judge when offered the presidency of the Western and Atlantic Railroad. In this role, Brown opposed efforts by a committee to revise the state constitution to establish uniform rates for freight over the multiple railroad lines in the state.<sup>[19][20]</sup>

After Reconstruction ended, Brown rejoined the Democratic Party. He was elected to the U.S. Senate in 1880 by the state legislature, as was custom by the US constitution and state laws of the time. Soon after his election to the Senate, Brown became the first Democratic Party official in Georgia to support public education for all children. The Republican Reconstruction-era legislature was the first to establish public education in the state but the succeeding post-Reconstruction, white-dominated legislature abandoned it. Brown recommended that railroad fees be used to support it financially. Prior to this, only the elite who could afford tutors or private academies had their children formally educated.<sup>[3]</sup>

Brown was re-elected by the state legislature in 1885 to the US Senate. He retired in 1891 due to poor health.<sup>[3]</sup>

While Brown's political supporters claimed that he "came to Atlanta on foot with less than a dollar in his pocket after the war and ... made himself all that he is by honest and laborious methods"<sup>[21]</sup> most of his enterprises stemmed from his political connections. He amassed a fortune, in part through the use of convicts leased from state, county and local government in his coal mining operations in Dade County.<sup>[22]</sup> His use of leased convict labor began in 1874 and continued until his death in 1894, a period that coincided with "the high tide of the convict lease system in Georgia".<sup>[22]</sup>

The convict lease system was authorized during the period of Reconstruction, under military governor and Union general Thomas H. Ruger, who issued the first convict lease in April 1868.<sup>[23]</sup> It was expanded during the post-Reconstruction era, when the Democratic-dominated state legislature passed new laws criminalizing a range of behavior, establishing new petty crimes and fees in order to have more men convicted and captured by the system. If unable to pay fees, they had to serve as convict labor.

In 1880 Brown, whose fortune was estimated conservatively at one million dollars, netted \$98,000 from the Dade Coal Company. By 1886, Dade Coal was a parent company, owning Walker Iron and Coal, Rising Fawn Iron, Chattanooga Iron, and Rogers Railroad and Ore Banks, and leasing Castle Rock Coal Company. An 1889 reorganization resulted in the formation of the Georgia Mining, Manufacturing and Investment Company. This rested largely on a foundation of convict labor.<sup>[23]</sup> The system has been likened by journalist Douglas A. Blackmon to "slavery by another name," in his book by that title.<sup>[24]</sup>

A legislative committee visited Brown's mines during the same year that Brown sold them. They reported that the convict laborers were "in the very worst condition ... actually being starved and have not sufficient clothing ... treated with great cruelty."<sup>[25]</sup> Of particular note to the visiting officials was that the mine claimed to have replaced whipping with the water cure torture—in which water was poured into the nostrils and lungs of the prisoners—because it allowed miners to "go to work right away" after punishment.<sup>[25]</sup> It was not established if these practices were in place at the time that Brown sold the mine, or were instituted by the mine's new owner Joel Hurt.

## Death and legacy

Joseph E. Brown died on November 30, 1894 in Atlanta, Georgia. He was honored by lying in state in the state capitol, where many people paid their respects.<sup>[26]</sup>

His towering tombstone is in Oakland Cemetery.<sup>[27]</sup> In 1928, a memorial statue of Brown and his wife was installed on the grounds of the State Capitol.<sup>[28]</sup>

His son, Joseph Mackey Brown, would also become governor of Georgia (twice).

Joseph E. Brown Hall on the campus of the University of Georgia in Athens is named in his honor.<sup>[29]</sup> The building was completed in 1932.

Joseph Emerson Brown Park in Marietta, Georgia is named for him.<sup>[30]</sup>

Emerson, Georgia, referencing the governor's middle name, is named in his honor.<sup>[31]</sup>



Statue of Georgia Civil War Governor Joseph E. Brown and his wife

## In fiction

In her novel *Gone with the Wind*, Margaret Mitchell made reference to Governor Brown, and the reception that "Joe Brown's Pets" received during General Sherman's march through Georgia in 1864. Brown had tried to keep Georgia troops in the state for local defense. Mitchell wrote:

Yes, Governor Brown's darlings are likely to smell powder at last, and I imagine most of them will be much surprised. Certainly they never expected to see action. The Governor as good as promised them they wouldn't. Well, that's a good joke on them. They thought they had bomb proofs because the Governor stood up to even Jeff Davis and refused to send them to Virginia. Said they were needed for the defense of their state. Who'd have ever thought the war would come to their own back yard and they'd really have to defend their state?<sup>[32]</sup>

## See also

- American Civil War
- Ira Roe Foster- Confederate Quartermaster General of Georgia

## References

- https://www.youtube.com/watch?v=WPVv-GxjmZE&feature=youtu.be&t=3101
- http://www.bpnews.net/20683/southern-trustees-elect-mohler-to-storied-chair-of-theology
- Chapter XIX: "Governor Brown of Georgia," In: Smith, Elsie Haws. (1954). *More About those Rices. Edmund Rice (1638)*, Association & Meador Publishers, Boston.
- Wright, G. Richard (Winter 2009). "New Men in the Old South: Joseph E. Brown and his Associates in Georgia's Etowah Valley" (<http://search.ebscohost.com/login.aspx?direct=true&db=a9h&AN=48366043&site=eds-live>). *Georgia Historical Quarterly*. **93** (4). Retrieved June 20, 2016.
- "Cabinet Card of Brown Family members, Atlanta, Fulton County, Georgia, ca. 1895" (<http://dlg.galileo.usg.edu/vang/id:ful0657>). *Vanishing Georgia*. Digital Library of Georgia. Retrieved June 20, 2016.
- Wright, G. Richard; Wheeler, Kenneth H. (2009). "New Men in the Old South: Joseph E. Brown and his Associates in Georgia's Etowah Valley" (<http://search.ebscohost.com/login.aspx?direct=true&db=aqh&AN=48366043&site=eds-live&scope=site>). *Georgia Historical Quarterly*. **93** (4): 363–387. Retrieved 19 February 2018.
- Carole E. Scott, "Joseph E. Brown" ([http://www.aboutnorthgeorgia.com/ang/Joseph\\_E.\\_Brown](http://www.aboutnorthgeorgia.com/ang/Joseph_E._Brown)), About North Georgia website, 2016; accessed December 16, 2016
- "Akin, Warren" (<https://www.ourcampaigns.com/CandidateDetail.html?CandidateID=74253>). OurCampaigns.com. Retrieved November 24, 2018.
- "1850 United States Census, Slave Schedules" (<https://archive.org/stream/7thcensus0089unit#page/n197/mode/2up>), United States Census, 1850;. Retrieved on March 6, 2016.

10. "1860 United States Census, Slave Schedules" ([https://archive.org/stream/acpl\\_slavecensus\\_03\\_reel03rs#page/n9/mode/2up](https://archive.org/stream/acpl_slavecensus_03_reel03rs#page/n9/mode/2up)), United States Census, 1860; page 4, 8,.. Retrieved on March 6, 2016.
11. *Secession Debated* (<http://www.civilwarcauses.org/brown.htm>). pp. 145–159. Retrieved September 8, 2015.
12. Georgia in the American Civil War
13. McPherson, James M. (1988). *Battle Cry of Freedom*. Penguin. p. 433.
14. William R. Scaife and William Harris Bragg, *Joe Brown's Pets: The Georgia Militia, 1862-1865* (2004)
15. Carlson, David (2014). "'Remember thy Pledge!': Religious and Reformist Influences on Joseph E. Brown's Opposition to Confederate Conscription" (<http://search.ebscohost.com/login.aspx?direct=true&db=a9h&AN=101380917&site=eds-live>). *Georgia Historical Quarterly*. **98** (1/2). Retrieved June 14, 2016.
16. "Correspondence between Governor Brown and President Davis, on the Constitutionality of the Conscription Act" (<http://docsouth.unc.edu/imls/govbrown/brown.html>). *University of North Carolina at Chapel Hill*. Documenting the American South (*Project*). Digital Library of Georgia. Retrieved June 14, 2016.
17. *Georgia Land and People*.(1919) p.158 ([https://archive.org/stream/georgialandpeopl00mitc/georgialandpeopl00mitc\\_djvu.txt](https://archive.org/stream/georgialandpeopl00mitc/georgialandpeopl00mitc_djvu.txt)) at archive.org
18. About North Georgia - Reconstruction (<http://ngeorgia.com/history/reconstruction.html>)
19. Brown, Joseph E. "Argument of ex-Governor Joseph E. Brown, President of the Western and Atlantic Railroad Company, before the Revision Committee of the Constitutional Convention, on the question of the railroad interests of Georgia, and more especially on the injuries that would result to the railroads and the people from the policy of establishing uniform rates on all freights over our railroad lines" (<http://dlg.galileo.usg.edu/ggp/id:s-ga-bc610-pr4-bm1-b1877-bb7>). Digital Library of Georgia. Retrieved June 14, 2016.
20. "Western & Atlantic Railroad's Engine No. 1, "Gov. Jos. E. Brown," built in Atlanta, Georgia. Photograph inscribed and dated by the photographer, J.C. Stokely, October 12, 1888" (<http://digitalcollections.library.gsu.edu/cdm/ref/collection/ajc/id/128>). *AJCP551-19b, Atlanta Journal Constitution Photographic Archives. Special Collections and Archives, Georgia State University Library*. Digital Library of Georgia. Retrieved June 14, 2016.
21. Franklin M. Garrett, *Atlanta and Environs*, 1:952
22. Kenneth M. Stampp, *The Era of Reconstruction, 1865-1877*, 1965, p. 181
23. Matthew J. Mancini, "Race, Economics, and the Abandonment of the Convict Lease System," *The Journal of Negro History*, Vol. 63, No. 4 [October 1978], p. 342
24. Douglas A. Blackmon, *Slavery By Another Name: The Re-Enslavement of Black Americans from the Civil War to World War II* (2008)
25. Blackmon, *Slavery By Another Name*, (2008), p. 347
26. "Joseph E. Brown, Lying In State" (<https://web.archive.org/web/20160624110055/http://collectionsdev.atlantahistorycenter.com:2011/cdm/ref/collection/athpc/id/694>). *Atlanta History Photograph Collection, Atlanta History Center*. Digital Library of Georgia. Archived from the original (<http://collectionsdev.atlantahistorycenter.com:2011/cdm/ref/collection/athpc/id/694>) on June 24, 2016. Retrieved June 14, 2016.
27. "Joseph E. Brown Grave Marker" (<https://web.archive.org/web/20160624103905/http://collectionsdev.atlantahistorycenter.com:2011/cdm/ref/collection/athpc/id/1176>). *Atlanta History Photograph Collection, Atlanta History Center*. Digital Library of Georgia. Archived from the original (<http://collectionsdev.atlantahistorycenter.com:2011/cdm/ref/collection/athpc/id/1176>) on June 24, 2016. Retrieved June 14, 2016.
28. "[Photograph of unveiling of statue of Governor Joseph E. Brown, Atlanta, Fulton County, Georgia, 1928]" (<http://dlg.galileo.usg.edu/vang/id:ful0176>). *Vanishing Georgia*. Digital Library of Georgia. Retrieved June 14, 2016.
29. "Joe Brown Hall (University of Georgia)" (<http://dlg.galileo.usg.edu/larc/id:hbo0135>). Digital Library of Georgia. Retrieved June 14, 2016.
30. Seibert, David. "Joseph Emerson Brown Park" ([http://georgiainfo.galileo.usg.edu/topics/historical\\_markers/county/cobb/joseph-emerson-brown-park](http://georgiainfo.galileo.usg.edu/topics/historical_markers/county/cobb/joseph-emerson-brown-park)). *Georgiainfo: an Online Georgia Almanac*. Digital Library of Georgia. Retrieved November 9, 2016.
31. "Emerson historical marker" ([http://georgiainfo.galileo.usg.edu/topics/historical\\_markers/county/bartow/emerson](http://georgiainfo.galileo.usg.edu/topics/historical_markers/county/bartow/emerson)). Digital Library of Georgia. Retrieved June 14, 2016.
32. Margaret Mitchell (13 April 2014). *Gone with the Wind* (<https://books.google.com/books?id=uAVZAwAAQBAJ&pg=PT191>). Hayrapetyan Brothers. p. 191. GGKEY:SA26KUXWEFG.

## Bibliography

- Blackmon, Douglas A. *Slavery by Another Name: The Re-Enslavement of Black Americans from the Civil War to World War II*. New York : Doubleday, 2008. ISBN 978-0385506250
- Fielder, Herbert. *A sketch of the life and times and speeches of Joseph E. Brown* (<http://dlg.galileo.usg.edu/georgiabooks/do-pdf:gb0331>). Springfield, Mass.: Springfield Printing Company, 1883.
- Hill, Louise Biles. *Joseph E. Brown and the Confederacy*. Westport, Conn: Greenwood Press 1972. ISBN 978-0-8371-5722-1
- Lichtenstein, Alex. *Twice the Work of Free Labor: The Political Economy of Convict Labor in the New South*. New York: Verso, 1996. ISBN 978-1859840863
- Mancini, Matthew J. *One Dies, Get Another: Convict Leasing in the American South, 1866-1928*. Columbia: University of South Carolina Press, 1996. ISBN 978-1570030833
- Parks, Joseph Howard. *Joseph E. Brown of Georgia*. Southern biography series. Baton Rouge: Louisiana State University Press 1977. ISBN 978-0-8071-0189-6
- Roberts, Derrell C. *Joseph E. Brown and the politics of Reconstruction*. Southern historical publications, no. 16. University: University of Alabama Press 1973. ISBN 978-0-8173-5222-6
- Scaife, William R., and William Harris Bragg. *Joe Brown's pets: the Georgia Militia, 1861-1865*. Macon, Ga: Mercer University Press 2004. ISBN 978-0-86554-883-1
- Wright, G. Richard and Kenneth H. Wheeler, "New Men in the Old South: Joseph E. Brown and his Associates in Georgia's Etowah Valley," (<http://search.ebscohost.com/login.aspx?direct=true&db=a9h&AN=48366043&site=eds-live>) *Georgia Historical Quarterly* 93:4 (Winter, 2009)

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- United States Congress. "Joseph E. Brown (id: B000936)" (http://bioguide.congress.gov/scripts/biodisplay.pl?index=B000936). *Biographical Directory of the United States Congress*.
- Joseph Emerson Brown letters, W.S. Hoole Special Collections Library, The University of Alabama. (http://purl.lib.ua.edu/18374)
- Joseph Emerson Brown (http://georgiainfo.galileo.usg.edu/topics/historical\_markers/county/charokee/joseph-emerson-brown) historical marker

Political offices		
Preceded by <b>Herschel Vespasian Johnson</b>	<b>Governor of Georgia</b> 1857–1865	Succeeded by <b>James Johnson</b>
Legal offices		
Preceded by <b>Hiram B. Warner</b>	<b>Chief Justices of the Supreme Court of Georgia</b> 1868–1870	Succeeded by <b>Osborne Augustus Lochrane</b>
U.S. Senate		
Preceded by <b>John B. Gordon</b>	<b>U.S. Senator (Class 3) from Georgia</b> 1880–1891 Served alongside: <b>Benjamin H. Hill</b> , <b>Middleton P. Barrow</b> , <b>Alfred H. Colquitt</b>	Succeeded by <b>John B. Gordon</b>

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