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Henry Berry Lowry: Champion of the Dispossessed

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My band is big enough ,... They are all true men and I could not be as safe with more. We mean to live as long as we can, to kill anybody who hunts us, from the Sheriff down, and at last, if we must die, to die game (Blu 1980:53).

The nineteenth century stands apart in the minds of indigenous peoples as a period of extreme hardship. Tribes, in the first half of this era, were initially victimized by the enactment of devastating "segregation" measures (i.e., the Indian Removal policy and later the Reservation policy). Later in the century, when it was clear that segregation was an insufficient response to intercultural relations, the federal government shifted its powerful attention to a series of overtly ethnocidal "civilization," or better termed, "Americanization" measures. Broadly stated, such measures entailed the cultural assimilation, the spiritual assimilation, and the physical assimilation of indigenous lands and resources. The principal change agents for the United States government were the military, Christian missionaries, and federal bureaucrats. These change agents were both supported, but also frequently challenged, in their efforts to transform Indian tribes by land speculators, state officials, and frontiersmen.

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The southeastern region of the United States, home to dozens of indigenous nations, was the focal point of several of these segregative and civilization policies that displaced and ultimately decimated the aboriginal Indian inhabitants. The Indian Removal Act of 1830 (4 St. 411) was the dominant policy which set in motion the chain of events that would redefine not only the geographical heart of Indian Country but also the intergovernmental relationship between indigenous nations and the states and the federal government. This comprehensive and complex statute was pushed through Congress by several contradictory forces: on the one hand, President Andrew Jackson supported the policy because of his desire to dramatically affirm the preeminence of states' rights over indigenous rights; on the other hand, there were those in both houses of Congress and in the private sector who saw it as a way to protect the remaining rights of indigenous peoples by isolating them far from Anglo settlements (Rogin 1975). Regardless of the political motives behind the measure, the policy led to both the voluntary and forced relocation of a majority of eastern tribes - including a majority of the Five Civilized tribes - the Cherokees, Creeks, Choctaws, Chickasaws, and Seminoles - to Arkansas and Oklahoma. This was the federal government's most systematic and expensive effort to eliminate Indian people from that and other regions of the country (Foreman 1989).

Lumbee-State Relations: The Beginning

North Carolina also proved adept, initially, at ignoring the tribes, then later at fragmenting and attempting to control those groups which successfully avoided relocation. In the 1830s, while a majority of the Cherokees in the western part of the State were being expelled from their ancient homeland, ancestors of the current-day Lumbee, then known as the Indians of "Scuffletown," located in Robeson County, in the southeastern corner of the state, were experiencing a different type of oppression. Before 1835, the indigenous people of Robeson County had been recognized and accepted as free persons, exercising the same rights and privileges as the white population (U.S. Senate 1915:25). As the racial climate of the Old South grew progressively worse because of the increasing friction over the slavery issue, it was apparent that the civil freedoms enjoyed by the Indians of the county were being placed in jeopardy. When the State Constitution was revised in 1835, an amendment was inserted that disfranchised all free negroes and mulattoes. Although this article had not been specifically designed to affect Indians then listed as "free persons of color," it was nonetheless interpreted by many influential whites to cover all dark-skinned people. The "Age of Jacksonian Democracy" was in reality an "Age of White Supremacy" in the south, and all people of color suffered its consequences (Sider 1993:xv-xvi).

Discrimination and exploitation of the Indian and black people mounted during the Ante-bellum period. As the Civil War approached, the Indians of Robeson

County prepared for the worst. But the "Scuffletown" Indians possessed a distinct advantage over the black population of the county. The Lumber River meanders through the gnarled swamps and "pocosins" of the county and they had lived along its dark and murky waters for over one hundred years. They were thus able to use the swamps as a refuge and safe haven in times of oppression (Evans 1977:21).

As the Civil War began, the Indians warily eyed both the Confederate and Union camps. Refused admittance to the Confederate ranks, and ignorant of Yankee motives, the Indians prepared for the harsh days that every war guarantees. As the South's material and human resources dwindled the Southern leadership introduced measures to stabilize their faltering economy. In 1863, the confederacy began conscription. This act enabled civil authorities to capture Indian men and transport them to the North Carolina coast where they were forced to build batteries and make salt (Dial 1993:41). The Confederacy considered these work projects essential to the defense of Wilmington, an important port town. The Indians, never having experienced slavery, resented this forced labor, and when word reached Robeson County of the intolerable and infectious conditions of these work camps, many Indians decided to hide in the swamps rather than be subjected to such an unbearable state of living.

However, the Indians that sought refuge in the marshy bottomlands from the Confederate slave-drivers were not alone. Many of their relatives escaped from the coastal work camps to join them. Additionally, some escaping Union soldiers from a Confederate prison in Florence, South Carolina also made their way to the protective environment and friendly inhabitants there.

The Lowry Clan and the Home Guard

The southern plantation owners were, for the most part, able to maintain their standard of living, but the majority of the Indian and black people of Robeson County suffered greatly. Nonetheless, there were a few Indian families that had large land holdings of their own. Allen Lowry, a prominent planter and outspoken critic of conscription, was one such person. Allen and his wife, Mary Cumba, had ten sons and two daughters. As fate would have it, four of Allen's sons were potential victims of conscription: William, Thomas, Stephen and Henry Berry. As the Civil War heightened, a scarcity of food forced the Indians "layin' out" in the swamps to take bolder steps to secure food and clothing. Indian guerrillas, led by William Lowry and reinforced by escaped slaves and several whites began raiding white plantations for arms, ammunition, food and blankets (Barton 1972:2).

In 1864, James P. Barnes, an affluent white planter and Confederate conscription officer, accused Allen Lowry's sons of stealing several of his prize hogs. He notified Allen that neither he, nor any of his family members were to ever come

onto his property again. Barnes enforced his threat by enthusiastically joining those plantation owners who were constantly combing the swamps for Indians of conscription age. He was shot while on an expedition tracking Indians who were avoiding conscription in December, 1864, and before he died he told several of his neighbors that William and Henry Berry Lowry were responsible for his wound (Dial 1993:43).

Following the death of J. P. Barnes, the mixed guerilla band had a confrontation with James Brantley Harris. Like Barnes, Harris was a conscription officer. But he was also in charge of the Home Guard, an organized group of local citizens intent on furthering the Confederate cause, and more specifically on maintaining law and order, no matter the cost. Besides actively seeking out Indian men to serve in the coastal work camps, Harris was also a liquor merchant. A brutal man, he was disliked as much by the whites as by the Indians. He had a reputation as being the "roughest of his class, overbearing and abusive," and he was "charged with being too familiar with the wives and daughters of his captives" (Evans 1977:39).

Harris' first serious conflict with the Indians came because of his desire for an Indian girl. The girl's boyfriend warned Harris that unless he stopped bothering her, he would kill him. The boastful officer did not take kindly to this threat and set up an ambush to kill the man that had made it. That night he shot and killed Jarman Lowry, the brother of his intended victim who he had mistaken for the girl's lover (Dial 1993:44). Harris was never tried for this murder. Indeed, it would have set a bad precedent for the Confederates had one of their more "effective" officers been convicted of murder. But shortly thereafter, the Lowry clan was shocked to learn that Harris had also intentionally murdered two of Jarman's brothers, recently granted a few day's furlough from the Fort Fisher work camp on the coast. At the funeral of the two dead boys, George Lowry, their father, delivered a moving speech. He declared that "in the fight between the Indians and white man we always fought on the side of the white men, yet white men treated us as Negroes. Here are our young men killed by a white man and we get no justice, and that in a land where we were always free" (Ibid., p.45). Although a warrant was issued for Harris' arrest he never stood trial for any of these murders.

Henry Berry Lowry's Ascendancy

Knowing he had sparked the enmity of one of the most prominent Indian families, James Brantley Harris should have left the county. But Harris continued his feud with the Indians and on January 15, 1865, as he was riding in his buggy, he was killed by a hail of gunfire (Campisi 1987:28). The youthful Henry Berry and his followers were accused of (or given credit for) the assassination. The Lumber River Indians, particularly those still hiding in the swamps, prepared for the reprisals certain to follow the death of a second Confederate officer. The Lowry band, now led by

Henry Berry, made a series of aggressive raids in the white community to fortify their meager provisions. In early February 1865, they made a daring attack on the Robeson County court house in Lumberton which the local militia used as an ammunition depot. It was a splendid and well-timed attack and very successful. Well stocked with firearms, Henry Berry and his comrades proceeded to the plantations of wealthy planters to secure badly needed food and clothing. Local whites were both angered and frightened at this rash of events, but failed to consider that their behavior had precipitated these desperate actions.

The Home Guard, in the throes of an impending Union victory, decided to mount a major campaign against the Indians whom they considered guilty of "all" the raids. On March 3, 1865, they began to round up the Lowry clan. Captain Hugh McGregor, leader of this detachment, in a series of separate yet well planned raids, arrested Allen Lowry and his wife, three of their sons, Calvin, Sinclair and William, several women, and an Indian neighbor, George Dial. This series of raids was successful because the guardsmen broke up into relatively small units and by carrying out their raids simultaneously they were able to thwart the "grapevine telegraph" used so effectively by the Indians to keep one another informed of the Home Guard's presence. The male members of the clan were quickly separated from their women. The men were accused of robbery, of having aided escaped Union prisoners and Confederate deserters, of having knowledge of secret stashes of guns, munitions, and other weapons, and of having dodged service in the confederate government's labor camps near Wilmington" (Dial 1993:47).

Captain McGregor, commander of the Home Guard, now faced a critical jurisdictional question. Who was to decide what to do with the prisoners? Because they were civilians, should they be taken to the civil authorities for trial? Or should they be turned over to Sheriff Reuben King? As the guard continued to badger the Indian men with leading questions and accusations, William and Calvin who had been bound together, requested some water. As the two men stood near a fence, William cut himself free and attempted to escape. He was wounded and taken back to the farm. After his return, John H. Coble, a white preacher and active member of the Home Guard, exhorted William to speak the truth. William and the others continued to deny all charges and were summarily locked into the smokehouse with the women.

William's brave escape attempt crystallized the prevailing view of the guardsmen. It was decided that they should be tried immediately. The four adult Lowry men were tried by a jury selected from the ranks of the military company, hardly an impartial group. They were quickly found guilty of various charges, and were ordered to be shot. Two of the convicted men, Calvin and Sinclair, were spared when it was noted that none of the stolen property had been found on their farms. But Allen Lowry, respected community leader and father of Henry Berry, and William Lowry, Allen's

eldest son, were found guilty and readied for execution. Rather than execute the two men on the spot, the guardsmen decided to take them back to Allen's homestead. The men were blindfolded and roped to a stake. The commander selected twelve guardsmen who then fired a barrage of bullets into their bodies. This double murder of Henry Berry's father and older brother instilled a vengeance in his heart that would remain until he had killed or driven away everyone responsible (Blu, 1980:53).

On March 9, 1865, less than a week after the brutal executions, a union army, commanded by General Sherman marched triumphantly into Lumberton. With the cry "The Yankees are coming, the Yankees are coming," Sherman and nearly 500 men invaded the Lumber River bottomlands (Evan 1977:46). Many Indians immediately volunteered for federal service, and served as guides for Sherman's troops, stealthily leading them through the rugged marshlands in their search for Confederate troops. This Union sympathy cost the Indians deeply. Following Sherman's departure the Home Guard reemerged from hiding and quickly reasserted their dominance by punishing any families they found guilty of having assisted or sympathized with the Yankees.

In April, the Home Guard returned to harass the Lowry family. They arrested another of Henry Berry's brothers, Sinclair, and kidnapped his mother, Mary Cumba. They proceeded to physically and verbally assault her under the pretense that she was withholding information about guns and ammunition, and that she was hiding her other sons in the swamps to avoid conscription.

Robeson County Politics, Reconstruction, and the Lumbees

While millions of Americans celebrated the end of the Civil War, the situation of the Lumber River Indians remained practically unchanged. Having believed that a Union victory would signal the birth of prosperity, the Indians felt betrayed (Campisi 1987:28-29).

As reconstruction began in the South, Indians and blacks alike suspiciously eyed local political developments. The white community almost immediately split into two parties: radicals, who favored equal treatment and equal opportunity for blacks and Indians; and conservatives, who feared granting full citizenship to dark-skinned people, feeling that minority groups should instead undergo an apprenticeship to "gradually" raise their status equal to that of whites (Purdue 1985:47). Unfortunately, the conservative party gained power in the county. The Home Guard was disbanded shortly after the war ended. But the white plantation owners who feared attacks by their ex-slaves and the battered Indians felt another organization was needed to protect their property. After a meeting of plantation owners in Lumberton, it was decided that a "police guard" would serve this purpose. The federal government subsequently

provided them with firearms and ammunition, and empowered them to maintain law and order in the community.

This series of events, nonetheless, failed to dampen the optimism of the Indians. They, like everyone else, were weary of war, and sought to reestablish order and stability to their lives. Additionally, with conscription ended, Henry Berry and his friends no longer had to "lay out" in the swamps, and thus ended their raids on the plantation owners.

This period of calm allowed Henry Berry time to do what any single twenty-two year old man wants to do, court. Known even then as a man of exceptional intelligence, handsome features and incredible endurance, Henry was strongly attracted to his sixteen year old cousin, Rhoda Strong. Rhoda was considered by many community members as the "queen of Scuffletown," because of her great beauty. After a brief courtship, they set their wedding date for December 7, 1865. Against advice of several elders, Henry insisted that the wedding be held on his deceased father's homestead. These elders feared that a large wedding would attract the police guard which had become bolder since President Andrew Johnson strongly supported the reconstruction efforts of this southern state. But Henry Berry would not be denied.

Hector J. McClean, a white friend, performed the ceremony in the presence of scores of relatives and friends. Following an elaborate feast, it seemed as if the warnings given by the elders had been unnecessary. But as everyone settled in for a long night of celebration, Lieutenant A. J. McNair, wanting to avoid a bloody confrontation, quietly informed Henry Berry that he was under arrest. Following several anxious moments and "threatening conversation," Henry grudgingly allowed his hands to be handcuffed and was taken into custody. As the police guard gingerly led their prize captive away, Hector McClean boldly stepped forward and demanded to know the reason for Henry's arrest. Lieutenant McNair was embarrassed by a white man's defense of an Indian and afraid that further questioning might reveal the fact that no warrant had been issued for Henry's arrest (it would not be drawn up until the next day). He quickly arrested McClean, and later released him "on parole and under the promise to behave better in the future" (Evan 1977:70-71).

Following his arrest and the issuance of the belated warrant that charged him with the killing of James P. Barnes, Henry Berry was locked up in the Lumberton jailhouse. The police guard, feeling that this building was not secure enough, later transferred him to the Columbus County Jail in Whiteville, a town some thirty miles away. During a preliminary hearing, Henry Berry remained defiantly aloof from the court proceedings. He refused to answer questions and did not cross-examine the witnesses brought before him. But Henry never stood trial. He managed to escape using a file to saw his way through the metal bars. How he secured the file baffled his

jailers and the authorities. Local tradition has it that his wife, Rhoda, concealed the file in a cake that was delivered to him (*Ibid.*, p. 72).

Henry Berry realized that his days of freedom were over. He retreated to the protective confines of the Lumber River swampland and was soon joined by several kinsmen and friends. The following individuals formed the nucleus of what became known as the "Lowry band:" Henry Berry and his two older brothers, Stephen and Thomas; his wife's brothers, Andrew and Boss Strong; his first cousins, Calvin and Henderson Oxendine; two close friends, John Dial and William Chavis; two black men, George Applewhite and Eli Ewin; and one white, Zachariah T. McLaughlin (*Dial 1993:48*). White oppression had brought this band together during the Civil War, and now the injustice visited upon Henry Berry served as the cause to draw them together again.

After Henry's daring escape the county court issued thirty-five capiases (indictments) that were widely distributed among county sheriffs in both Carolinas. In addition, Jonathan Wroth, the recently elected conservative governor, offered a three-hundred dollar reward for the capture of Henry Berry.

Even though Henry's mother, Mary Cumba, had been brutalized by local whites during the war, she adhered to the notion that Henry Berry, her youngest child, would be vindicated of all charges by the courts. In 1867 she sought remedy through the Freedmen's Bureau. Although an investigation followed, no whites were indicted. The Bureau then attempted to have the case transferred to a military court, but they refused to accept it. With no legal remedies available, the Lowry band indulged in many raids on the local planters and merchants "in retaliation" for past wrongdoing. Throughout these early forays no bloodshed occurred.

The white citizenry petitioned Republican Governor W. W. Holden to take action against the "outlaw band." In 1868 Governor Holden issued a proclamation declaring Henry Berry Lowry and his band "outlaws" (*Evans 1977:102*). In an attempt to further assuage the fears of the whites, and with the hope of returning stability to the shaken country, Sheriff Benjamin A. Howell, Dr. Alfred Thomas, local agent of the Freedmen's Bureau, and Henry Berry agreed to meet. The whites agreed that if Henry surrendered, he would be guaranteed a fair trial. Wanting to avoid further armed conflict, Henry agreed to give himself up if he would be assured good treatment and security. Howell and Thomas, underestimating the fear that gripped the whites, guaranteed that these requests would be fulfilled.

Henry Berry's initial treatment in the Lumberton jailhouse was in accordance with the promises of Howell and Thomas, but word of his imprisonment spread rapidly throughout Lumberton. Henry Berry soon learned that some local vigilantes

had formulated their own ideas about how he should be treated, which did not include a fair and impartial trial. Somehow he acquired a knife and pistol and forced the jailer to release him. As he exited the jail he left the jailer with these words "if you leave this place within fifteen minutes you will be shot as you come out" (Ibid., p. 106). The jailer wisely heeded this warning allowing the Indian leader to make his second and last jail break. Henry Berry Lowry would never be behind bars again.

Reunited with his devout followers, the revitalized band returned to their bold, often daring raids. Although the local white newspapers considered them "swamp outlaws," the members of the band vanished into the swamps only when they knew of the police guard's presence. Henry Berry and the other band members were often seen on the public highways or at work and occasionally attended church. It was observed, however, that they were always well armed. The band was afforded this freedom because their raids were always conducted against the rich conservative planters, particularly those who had injured members of their families. It was said that the band never stole from the poor, a policy that endeared them to Robeson County's impoverished citizens (Barton 1972:2). Furthermore, maintaining close ties with the needy enabled the members of the band to be constantly aware of the location of the police guard, whereas the police guard was usually misdirected in their search for the guerrillas.

Ex-Sheriff Reuben King was a white Robesonian the Lowry band particularly disliked. Although King had been defeated in the last election by Benjamin Howell, most of the whites continued to recognize King as their Sheriff, most likely because of the harsh treatment he frequently exercised on the local Indians. On January 23, 1869, Henry and his followers approached the sheriff's house, intent on robbing him. When Henry Berry demanded King's money, the sheriff awkwardly went for his assailant's gun. As the two men wrestled to the floor, George Applewhite, one of the two blacks in Henry's troupe shot the sheriff in the back. Although the band found a small amount of cash, Henry regretted the death of the sheriff.

Sheriff King's death forced local authorities to intensify their efforts to either capture or crush this rebellious band. But King's death had a greater significance: Whereas before the band was determined to exact revenge only on those men immediately responsible for the deaths of Allen and William Lowry, now, primarily for reasons of self-preservation, they knew there would be times when they might also be in situations that required them to kill others (Evans 1977:109).

Owen Clinton Norment, also known as "Black Owen" was appointed captain of the police guard and was intent on stamping out the Lowry band and their persistent raids. A member of one of Robeson County's old families, Norment viewed the capture of Henry Berry and his followers as a golden opportunity for his family and the

Republican party to regain the influence they once wielded. By late 1869 "Black Owen's" mission had made great advances in accomplishing this monumental task. Eight members of the band had been captured. These eight guerilla fighters were scheduled for trial in the Robeson County courthouse in the spring of 1870.

Although a good number of his men were behind bars, Henry Berry and the remaining members continued their raids unabated. On March 19, 1870, only two weeks before his comrades were to be tried, Henry and several of his followers decided to pay "Black Owen" an unexpected visit. Hearing a noise outside his house one night Norment went to investigate. Almost immediately a shot shattered the silence of the night. His wife heard her husband's painful groan, rushed outside and helped him as he struggled back into the house. "Black Owen" was dead by morning (*Ibid.*, p. 115).

Despite this death, on April 1, 1870, George Applewhite and Stephen Lowry became the first band members to stand trial for murder. Since racial tensions were at a fever pitch in Lumberton, these two were transferred to Whiteville to stand trial. John Dial, also a member of the Lowry band, provided the testimony against Applewhite and Lowry. Although Dial stated that his earlier confession had been extracted by coercion, the judge ruled that the defendants were guilty and sentenced them to death by hanging.

While this trial was taking place, several other members of the band who were still incarcerated in Lumberton escaped. Legend has it that Rhoda Lowry again provided the tools which freed her comrades (*Barton 1972:2*). Lumberton officials, fearful of losing their few remaining prisoners, transferred them to a maximum-security unit in Wilmington, where their kinsmen, Calvin and Henderson Oxendine, were already held. But even this impregnable jail soon yielded its occupants. Lumbee oral history asserts that Rhoda once again was the person responsible for freeing her friends. She apparently diverted the attention of the jailers by enticing them away from their duties long enough to allow an accomplice to free everyone except Calvin, who maintained his innocence.

Following this spectacular escape, the band regrouped and continued their attacks on their oppressors. By 1870 Henry Berry Lowry had become the most wanted man in North Carolina. The mention of his name evoked fear in the minds of domineering white officials and planters, and yet it served to sooth the hearts of the long victimized Indian and black people. The Lowry band's persistent and successful opposition to the racist southern power structure rekindled the pride and dignity of all dark-skinned people (*Sider 1971:4*).

As the police guard and other authorities vainly struggled to capture the

"swamp outlaws," they turned their attention to the Indian community in general. Aware that the band relied on relatives and friends for food and munitions, the police guard raided the home of Andrew Strong on October 5, 1870. Andrew, the brother of Boss Strong, Henry Berry's right hand man, was kidnapped and dragged from his home by Captain Murdock McClean and about twenty police guard. Andrew had been implicated by Malcolm Sanderson, an Indian informant. As the party left Andrew's home, it became apparent that the guard intended to execute not only Strong but Sanderson as well. As the men were prepared for execution, Strong bolted for freedom. The police guard fired a barrage of bullets, but failed to stop him. Sanderson was later found dead.

Word quickly spread throughout Scuffleton that John Taylor, a white man, was responsible for Sanderson's death. Knowing that Henry Berry would not allow a fellow Indian's death to go unavenged, even that of a traitor, Taylor immediately sought to placate Sanderson's family by offering them money as compensation for his death. Henry Berry patiently waited for the local authorities to punish Taylor. When it became apparent that no legal action was forthcoming, the guerilla leader, accompanied by Boss Strong, executed the guardman themselves.

"The Only Land I Know"

From 1870 to 1873 eighteen deaths occurred in Robeson County. It was a vicious and terrifying period during which members of the Lowry band, the police guard, and even a few innocent people, were buried beneath the rich bottom lands of the Lumber River plains.

Following the murder of Zake McLaughlin, the only white member of the guerilla band, Robeson county was stunned by the death of John Saunders. A Boston detective, Saunders devised what he considered a foolproof plan to capture Henry Berry Lowry. The detective promised the celebrated band leader that he would help him and his followers escape to either Mexico or to the western frontier. However, the years of false promises had molded Henry into a cautious man. He soon learned that the Bostonian indeed planned to help him escape the state, only to have him captured and returned to face trial. Soon after they discovered this plot, the outlaw band captured Saunders. Returning to their hideout at Devil's Den, the band debated what to do with the detective. After three days of deliberation, they decided that he should be executed. Henry Berry later said that "the efficiency and morale of my company compelled me to kill Saunders. We all pitied him but if I hadn't killed him I would have had no right to kill John Taylor or any of the rest."

By the summer of 1871, Henry Berry and his band had reached its zenith in both appeal and notoriety throughout the state. Although three members of the band

had died, local authorities had suffered considerable more deaths, and were utterly bewildered as to how to apprehend the elusive group. The State Legislature had increased the bounty on Henry Berry's head to \$12,000, and had placed a price of \$6,000 on the capture or death of Steve and Tom Lowry, Boss Strong, Henderson Oxendine and George Applewhite. The Robeson County Commissioners added several hundred more dollars to the rewards themselves. Hundreds of "Wanted: Dead or Alive" posters were distributed throughout the State. The \$12,000 offered for Henry's capture or death was the largest ever posted for an outlaw in North Carolina (Dial 1985:86). During this period, Henderson Oxendine became the only band member ever tried, convicted and publicly executed. Arrested in February 1871, he was taken to Lumberton and tried for the 1869 murder of Sheriff Reuben King. Following a brisk trial and certain conviction, he was hung on March 17, 1871.

This public execution resurrected the declining morale of the police guard and incited them to increase their attempts to capture or kill Henry Berry and his comrades. Instead of continuing their futile searches in the marshy swamps, they resorted to yet another tactic. The police guard decided to arrest several wives of band members and use them as bait to lure the "swamp outlaws" out into the open. One of the women arrested was Rhoda Lowry, Henry Berry's wife. They charged the women with aiding and abetting the outlaws and waited for Henry and his band to make their move. Rather than assaulting the jail or surrendering, Henry, his brother Steve, and the Strong brothers sent the following message to the local authorities responsible for jailing their wives: "We make a request that our wives ... be released to come home to their families by Monday morning, and if not, the bloodiest times will be here that ever was before -- the life of every man will be in jeopardy" (Evans 1977:199). Although the civil and military personnel wanted to maintain their stand, pressure from the community forced them to relent. The wives were released.

As Henry awaited his wife's release he had an exceptional encounter with a detachment of police guard. As he paddled along the Lumber River, he was met by a hail of bullets from more than a dozen guardsmen. Not panicking, he slipped into the cool water, tilted the boat for protection and reached for his weapons. But to the police guard's shock, rather than heading upstream and out of gun shot range, he headed straight for the guardsmen, "firing as he came with an accuracy that had already become legendary" (Evans 1977:196). Stunned by this move, the militiamen hastily made their retreat, carrying two wounded men with them.

Although a major conflict had been averted by the release of the band members' wives, the peace was abruptly shattered that summer. Captain Murdock McClean, an accomplice in the murders of Henry Berry's kinfolk, Allen and William Lowry, and his friend Malcolm Sanderson, was the next person to feel the wrath of this aggrieved and bitter man. While Murdock, his brother Hugh, and a friend, Archy

McCallum, were riding in a buggy, they were ambushed by Henry and several of his followers. The McClean brothers were fatally wounded, but McCallum managed to escape.

By late 1871 Robeson officials, weary of the prolonged conflict, sought federal assistance. John C. Gorman, adjutant-general of North Carolina, set up a meeting with Henry Berry to discuss a peaceable way to end the conflict. Gorman said that Henry Berry presented his version of the band's grievances and sought to justify themselves for the violent actions they had pursued. Henry Berry wanted to know whether, in the event of surrender, he and his companions might be allowed to go free or at least be sent to the Indian Territory (present day Oklahoma), or some other remote part of the country. And as Gorman further related, "some of the crimes alleged against them, they denied, and complained that from the first, they had acted on the defensive" (*Ibid.*, p. 218). The adjutant-general was particularly impressed by the weaponry Lowry carried, noting that the guerilla leader carried a Spencer rifle, a double-barreled shotgun, several revolvers, and a knife.

When Gorman asked Henry Berry why he simply did not leave the county, Henry replied:

Robeson County is the only land I know. I can hardly read, and do not know where to go if I leave these woods and swamps, where I was raised. If I can get safe conduct and pardon I will go anywhere ... But these people will not let me live and I do not mean to enter any jail again (*Dial* 1993:54).

Although Gorman was moved by Henry Berry's dilemma, he lacked the authority to provide the assistance Henry requested. Thus, following a series of additional meetings, Gorman and the federal troops were recalled.

The enormous bounties placed upon the "Swamp Outlaws"--totalling more than \$40,000 - began to have the impact the authorities wanted (*Barton* 1972:2). Bounty hunters began infiltrating the swamps of the Lumber River region. Henry Berry, realizing that amnesty for him and his comrades would never be granted, retaliated swiftly. On February 16, 1872, Henry Berry Lowry led his men on a daring raid for the last time. Early that morning they stole the safe of two wealthy Lumberton merchants, Pope and McLeod. This escapade was especially daring since Pope and McLeod's business safe also contained most of the townspeople's money, as Lumberton did not have a bank at the time. Before making their escape, the band displayed their disdain for the local authorities by dashing into Sheriff McMillan's office in the courthouse, and stealing that safe as well. The combined weight of the two iron safes proved to be too great a burden for their wagon, so Sheriff McMillan's safe was opened and its \$6,000 quickly removed. The emptied safe was then left in the

middle of a Lumberton street.

When the band reached the protective swamps, the other safe was ransacked, yielding over \$22,000 in currency. This robbery proved the most profitable raid ever carried out by the Henry Berry Lowry band. Shortly after this raid, Henry Berry disappeared. The final two years of what later became known as the "Ten year reign of terror." "The Lowrie War," or "The Lowrie Uprising," saw only the dogged pursuit by bounty hunters who gradually killed the remaining band members. Steve Lowry being the last to die in February, 1874 (Campisi 1987:29).

Conclusion

But what of Henry Berry? The \$12,000 individual bounty placed upon him was never collected. What of this young Indian who had pledged vengeance and succeeded killing or driving away every man directly responsible for the deaths of his father and brother and who eluded local, state and federal troops for ten years? There are many accounts that purport to explain his disappearance. Some maintain that Henry put on a military uniform and left with John Gorman's federal troops never to return again. More elaborate variations maintain that Henry Berry made his escape out of the state. For every escape story, there are an equal number of legends declaring that he died accidentally while still in Scuffletown. The most prominent variation of this theme is that while he was attempting to draw a load from his shotgun, it accidentally discharged, killing him instantly (Dial 1993:55). Henry Berry's wife Rhoda, lived for many years in the Scuffletown region and always remained silent about her husband's disappearance.

Regardless of how and when he died, Henry Berry Lowry, the "King of Scuffletown," served to incite and unite the Indians of Robeson County. And because of the interracial nature of his band, it has been argued that Henry Berry was able to forge a pluralistic alliance that served to bond, at least temporarily, the dispossessed and disenfranchised of other races as well in a way that had never before occurred.

He appeared just as the Conservative party gained power during Reconstruction, determined to suppress the Indians of the region. In large part, his presence and the boldness of his deeds prevented his people from being relegated to a "half-free" status (Wetmore 1975:165-166). Henry Berry Lowry did not choose to follow the path he traveled, and in a direct sense was never a "leader" in a real or even symbolic sense" (Sider 1971:163). Nevertheless, this single individual has risen to legendary status among the Lumbees and even local whites because he dared to defy the white political and economic power structure of a staunchly conservative state and challenged the injustices being perpetrated against not only Indians but others as well.

The traditional leadership of many other tribal nations often gained prominence while their people were still free of the yoke of federal colonial oppression and while they could still rely on a somewhat friendly reception by the white officials. Henry Berry Lowry is revered by his people because he lifted their spirits and protected them long after there was any possibility of driving the white man from their lands - a task that involved almost certain death for him.

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