



# Rebel Underground

Sons of Confederate Veterans  
Major John C. Hutto Camp #443  
Jasper, Alabama

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"It is natural to man to indulge in the illusions of hope. We are apt to shut our eyes against a painful truth - and listen to the song of that siren, till she transforms us into beasts. Is this the part of wise men, engaged in a great and arduous struggle for liberty? Are we disposed to be of the number of those, who having eyes, see not, and having ears, hear not, the things which so nearly concern their temporal salvation? For my part, whatever anguish of spirit it might cost, I am willing to know the whole truth; to know the worst, and to provide for it."

Patrick Henry March 23, 1775



## **Major John C. Hutto Camp**

### **October Meeting Notice**

**Sunday, 16 October 2016 - 2:30 pm**

**and**

### **Jasper Car Show**

**Saturday, 15 October 2016 - all day**

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In an agreement with Leeds artist Jerry Anderson, the school has traded in "The Rebels." A replacement sculpture of bronze horses by Anderson is set to go up sometime this year.

"What it means is that we can officially put the Confederate identity behind us," said university spokesman Steve Johnson, who called the statue the last campus 'emblem' of the school's Confederate ties. "Now the university can move forward."

The school put the statue in storage in



Dixie State University returning controversial 'Rebels' statue to artist by Annie Knox - Salt Lake Tribune Jan 13 2015 (Brian Maffly photo) The Rebels, by Utah sculptor Jerry Anderson.

A statue of Confederate soldier boys is gone once and for all from Dixie State University — a move by the school to shed lingering ties to slavery.

December 2012 as Dixie State worked to win university status and still maintain "Dixie" in its name. The statue had become a flash point and staging area for anti-racism rallies. Lawmakers granted the university status in 2013.

"I think it was a bunch of 'balarney'," he said Tuesday, referring to the statue's removal from campus. "But it had to happen."

The 80-year-old artist said he recognizes why some officials wanted to uproot the statue but added, "I think America is too politically correct."

Shortly before the artwork was removed from campus, someone threw a sheet over its Confederate flag.

"The statue has become a lighting rod. We feel bad about that," then-Dixie State President Stephen Nadauld said at the time. "It's a beautiful piece of art. We are nervous something might happen to the statue. It might be vandalized."

St. George's nickname as Utah's "Dixie" has sparked sensitivity and debate, with younger generations noting the South's shameful history of slavery. Others have argued the moniker is harmless shorthand for the area's warmer climes and Mormon pioneers' attempts to grow cotton in the region.

For a time, Dixie State University administrators fully endorsed the connection to the antebellum South.

Inspired by the song "Two Little Boys," which tells the story of two young men who reunite as Union soldiers during the Civil War, Anderson depicted the soldiers in a small sculpture called "Retreat" 30 years ago. In 1983, he was commissioned to create a life-sized version.

"I want people to know that the statue really didn't represent one nation," Anderson said in an interview Tuesday. "It represented every

war in every country. What they've forgotten to see in that message is two boys helping each other."

The statue was installed first at the Green Valley Mall and later donated to the Dixie Convention Center on the university campus in 1987. Anderson sold the statue to the school for \$35,000 in the 1980s.

"We are very appreciative of Mr. Anderson's generous artistic contributions, not only to Dixie State University, but to the entire region," DSU President Richard B. Williams said in a statement. "We are grateful to Jerry for working with us and we look forward to displaying his work on this campus for everyone to view and enjoy in the years to come."

After the school removed "The Rebels," a judge declared the university its legal owner.

"You've got to make everybody happy, is what I've learned from it all," Anderson said.

The statue is back at his studio and is set to be installed in a Leeds gallery. The artist invited the public to come look at it any time.

"Art shouldn't be hidden," he said. "Art is created for history. Not for what's right and what's wrong, but for everyone to be able to see and learn from."



### **Fort Bowie, Arizona**

The first fort established in the Southwest during Abe Lincoln's War of Northern Aggression.

The first Fort Bowie was built in July 1862. U. S. Army soldiers built the second Fort Bowie in 1868, a massive adobe fort complex whose ruined walls still stand at the top of the pass.

Visitors can hike the trails around this National Historic Site, which includes adobe fort ruins as well as the stone foundations of the first Fort Bowie and a mail stage station.



### **Fort Craig, New Mexico**

A major site in New Mexico's History, Fort Craig's ruins still stand along the west bank of the Rio Grande outside of Socorro, New Mexico.

Built in 1854, it was the site of the first encounter between Confederate and Union soldiers in February 1862.

Like Fort Union, it was abandoned in the 1880s after thirty years housing U.S. troops as they continued the war of aggression against Native Americans; the site was transferred to the Bureau of Land Management in 1981.

Visitors can tour it on a well-maintained pathway that winds through the remains of fort storehouses, barracks, and walls, as well as protective earthworks.





### **Fort Selden, New Mexico**

was built on the east bank of the Rio Grande in southern New Mexico and along the El Camino Real (whose ruts run through the middle of the fort complex.)

Fort Selden has a very similar history to Fort Craig, Fort Union, and Fort Garland: it housed soldiers fighting the War of Northern Aggression, and then "Buffalo Soldiers" and other U.S. military personnel continued the war of aggression against American Indians during the volatile years of the Indian Wars.

Abandoned in 1891, the fort's ruins have been declared a New Mexico State Monument.

### **Federal judge: Mississippi flag offends more than just African-Americans**

By Ariane de Vogue, CNN Supreme Court Reporter - Ole Miss students want state flag taken down

Washington (CNN) Carlos Moore, a Mississippi attorney, lost his battle last week to have the state's flag -- that includes the Confederate battle emblem -- declared unconstitutional. But he believes his fight -- that triggered a provocative opinion from a federal district court judge -- has just begun.

"To millions of people, particularly African-Americans, the Confederate battle emblem is a symbol of Old Mississippi -- the Mississippi of slavery, lynchings, pain and white supremacy," wrote U.S. District Court Judge Carlton W. Reeves in an opinion on Thursday.

"The emblem offends more than just African-Americans," he added, "it is difficult to imagine how a symbol borne of the South's intention to maintain slavery can unite Mississippians in the 21st century." While making clear his disdain for the flag, Reeves who was appointed to the bench by President Barack Obama in 2010, said he had to dismiss Moore's case on a procedural issue. Reeves said that Moore did not have the "standing," or legal right to be in court. Reeves held that Moore couldn't show a "cognizable legal injury" necessary to bring the case.

But the judge left open the possibility that

another case could be brought or "the people themselves" could act to change the flag.

"Today, Mississippi stands alone," Reeves wrote, "it is the only state to include the notorious 'stars and bars' in its official flag." "At times there is something noble in standing alone," Reeves continued. "This is not one of those times."



Moore said in an interview that he was disappointed that the judge blocked his case from going forward, and he plans to file an appeal this week with the Fifth Circuit Court of Appeals.

But he believes from a historical perspective the judge "hit the nail on the head."

"While he dismissed my lawsuit, he definitely left the door open and seemed to be receptive to others challenging the constitutionality of the state flag in the federal court, or to the voters themselves," he said.

Moore has also attention of a lawyer from a

Philadelphia law firm.

"I think the judge did a remarkable job of exploring and laying out the historic context of which the flag arose, the way the flag has been used for a more than a century and laying out why it is wrong to have a state incorporate that emblem into its official state flag. However, the judge interpreted 'standing' in a way that is not consistent with Supreme Court precedent," said the new lawyer, Michael T. Scott of Reed, Smith.

Moore argues in court briefs that the flag is "tantamount to hateful government speech that both has a discriminatory intent and disparate impact and violates the Equal Protection Clause of the 14th Amendment." The lawsuit targets Gov. Phil Bryant. Bryant was not required to answer Moore's allegations, but his office filed a motion to dismiss arguing that Moore's complaint is "devoid of a single allegation that he has personally suffered a concrete and particularized injury."

Lawyers for the state argued that while Moore may sincerely hold a belief that the flag "allegedly incites racial violence," such "generalized fear of future injury is insufficient to confer standing."

In court papers they stress that the Mississippi Supreme Court has weighed in on the issue and ruled that the decision to "fly or adopt" a state flag rests "entirely with the political branches."

Reeves' opinion walks through the flag and

the state's history and discusses a case brought by the Mississippi State Conference of NAACP branches and individuals. In 2001, the Mississippi legislature set a special election where voters had the option of choosing an alternate design. According to Reeves, "the special election results substantially favored the 1894 flag." In January 2016, several bills were introduced regarding the flag, but they did not clear committee hurdles.

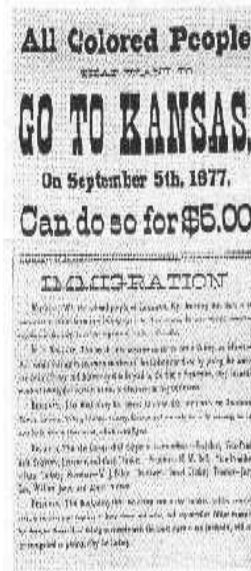
Marc Allen, public affairs officer for the Mississippi Division of the Sons of Confederate Veterans, a group that says it works to honor the reputation of soldiers who fought for the confederacy during the Civil War says Reeves was right to dismiss the case, but he misrepresented the state's history.

"This is not a federal judge issue, this is an issue for the people of the State of Mississippi to decide," Allen said. Allen calls the emblem "a battle standard, it's what the confederate soldier looked to on the battlefield."

"I think the judge doesn't understand the history of what he is saying," Allen said. "A lot of people will point to its use by hate groups, but if you use that logic, we also have to get rid of the Christian cross and the bible."

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On October 04, 1877, Nicodemus, Kansas was established during Reconstruction as a brief haven for many Blacks from the old confederacy. Claims are made that Nicodemus, Kansas was the first primarily Black rural settlement after slavery ended. History tries to forget the hundreds of thousands of former slaves who died at the hands of the Union Army immediately upon obtaining their freedom.



On April 16, 1877 a circular predicted Nicodemus would become the *"Largest Colored Colony in America."* Several efforts to establish colonies of emancipated slaves and free blacks into the Carribean and/or back to Africa had failed during the war. In June 1877, W. R. Hill, from Indiana, filed a 160-acre town site plat with the

government land office in Kirwin, Kansas, to found a town on the proposed site. Over the next three years, the first general store, including a pharmacy, the first attorney and land agent offices, and later a post office and a church were built.

In 1910, the Black population of the county reached its peak of 700. The black refugees associated Kansas with the Underground Railroad and the fiery abolitionist John

Brown, and were particularly responsive to opportunities to settle there. Handbills and flyers distributed by the Nicodemus Town Company portrayed Nicodemus as a place for African-Americans to establish Black self-government.

The desperate families of the South listened with rapt attention and in the late summer of 1877, 308 railroad tickets were purchased to take them to the closest railroad point in Ellis, Kansas some fifty-five miles away, the families walked to Nicodemus, arriving in September 1877. Within one month the first black child was born in Graham County to Mr. and Mrs. Henry Williams

Building homes along the Soloman River in dugouts, the original settlers found more disappointment and privation as they faced adverse weather conditions. In the Promised Land of Kansas, they initially lacked sufficient tools, seed, and money, but managed to survive the first winter, some by selling buffalo bones, others by working for the Kansas Pacific Railroad at Ellis, 55 miles away. Yet, others survived only with the assistance of the Osage Indians, who provided food, firewood and staples.

The Union Pacific ran south of the Solomon River, bypassing Nicodemus by six miles. In 1950, the town was reduced to 16 inhabitants. Three years later, the post office closed. Nicodemus completed a cycle of existence in less than 80 years. Another effort to colonize blacks by the Yankee government had failed.

## HUTTO CAMP OFFICERS

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17 U.S. Code § 107

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