

## **Lumbee Indians - Part 3: 19th Century** <sup>[1]</sup>

### **Lumbee Indians**


by Glenn Ellen Starr Stilling

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#### **Part III: Discrimination and Injustice in the Nineteenth Century**

Like most of North Carolina's American Indian people, the Lumbee lived in relative obscurity for much of the eighteenth and nineteenth centuries. Any sense of difference was likely tempered by the fact that Lumbee people spoke English, followed the same agricultural practices as white settlers, attended Christian churches, and in many other ways blended in with the rest of the sparse population of the marginal lands in and around [Robeson County](#) <sup>[8]</sup>. For political and other purposes, prior to the revised state constitution of 1835, the Lumbee were classified as "free persons of color." But the 1835 constitution decreed that "no free Negro, free mulatto, or free person of mixed blood, descended from ancestors to the fourth generation inclusive" could vote for state legislators. Under this constitution, Lumbee people, like other [American Indians](#) <sup>[9]</sup> in the state, lost many of their civil rights. Later, the Lumbee and other free nonwhites were also stripped of their rights to serve in the militia or to own or carry firearms or other weapons without a license. Some Lumbees used the courts to challenge their classification as free persons of color. The June 1837 court case *State v. Oxendine*, the 1853 case *State v. Noel Locklear*, and an 1857 case against William Chavers for carrying a shotgun are examples in which the challenge proved successful.

The Lumbee endured many privations and injustices during the [Civil War](#) <sup>[10]</sup>, including forced conscription to serve as laborers building fortifications at Fort Fisher near [Wilmington](#) <sup>[11]</sup>, starvation, and harsh treatment by the Home Guard. One such incident led to the rise of perhaps the most famous figure in tribal history, [Henry Berry Lowry](#) <sup>[12]</sup>. Due to a complex series of accusations and incidents involving thefts and conscription, the Home Guard shot Lowry's father and brother while he watched from hiding. He and a triracial band of supporters then began an eight-year (1865–72) "[war](#)" <sup>[13]</sup> to avenge those deaths and, indirectly, other injustices suffered by the Lumbee people. The Lowry Band, outlawed in 1868, killed 18 men and was pursued by local, state, and federal militia, detectives, and bounty hunters. The reward for Lowry rose from \$300 in 1866 to \$12,000 in 1871–72. Lowry was arrested twice, escaped from pursuers many times (and from jail on the two occasions when he was arrested), and was never tried. He disappeared mysteriously in February 1872, and today he remains an important symbol of Lumbee pride and the tribe's authentic Indian identity.

Keep reading > [Part IV: Lumbee Pursuit of Education, Civil Rights, and Self-Governance](#) <sup>[4]</sup>  <sup>[4]</sup>

#### **Subjects:**

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[Antebellum \(1820-1861\)](#) <sup>[14]</sup>  
[Civil War \(1861-1865\)](#) <sup>[15]</sup>  
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[Reconstruction \(1865-1876\)](#) <sup>[17]</sup>

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#### **Origin - location:**

[Robeson County](#) <sup>[19]</sup>

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