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## In Cleveland County's Early Days

By MAMIE JONES

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### NO PROHIBITION FOR PIONEERS

Those pioneers of whom I have previously written probably made tippling beverages out of wild grape wine, persimmon and locust beer, apple cider, clear beer made of berries from cedar trees, and beer made from green stalks of Indian corn "which they did bruise and boyle."

I suspect it did not take very long for these newcomers to Western North Carolina to learn to let the ear of Indian corn mature on the stalk and make, out of the grains, a highly potent beverage such as we now refer to as corn likker. Later, the pioneers taught the

art to the Indians.

In 1791, Congress levied an excise tax on distilleries and spirits. The revenue to be used toward payment of Revolutionary war debts. This tax was discontinued in 1817.

### TODDY FOR THE JUSTICES

At the first meeting of the Court of Pleas and Quarter Sessions, held in March, 1841, to organize Cleveland county government, the Justices interrupted the very important business of appointing new county officers and road overseers to license one of their number, "William Weathers, to retail spirituous liquors in small quantities at his store."

This becomes amusing when we recall that the meeting was

being held at the home of William Weathers, and that his store was in connection with his home. Could it be possible that some of the Justices had already taken so many "drams" that the "spirits" they had brought from home had been consumed, and they felt an acute need for another toddy?

### EARLY LIQUOR LAWS AND TAXES

Between the years 1817 and 1862 there appears to have been no tax on spirituous liquors sold in bulk. The records for Court of Pleas and Quarter Sessions for Cleveland county show that the license tax for liquor retailers was \$4.00 for the year 1841. The law required

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that these retailers be men of good moral character, operating under the supervision of the County Court. A retailer could not collect by law a liquor debt that exceeded \$10.00.

In 1862, the federal government levied an excise tax on distilled spirits to get revenue to carry on the War Between the States, which was then in progress. Of course this tax could not be collected in North Carolina until after the fighting stopped.

When the government did demand this tax, our Western North Carolina citizens were very indignant. They felt that making and selling liquor in bulk was just like selling cotton by the bale or molasses by the barrel. It was their corn, their peaches, their apples, grown on their own land, the product of their own labor! What right had the government at Washington to tax such whiskey or brandy as they might make in their own stillhouses?

## **FARMING NOT PROFITABLE**

Furthermore, the sale of likker brought in a little hard money. There was small sale for the products of the farm. After a long trip to market over ruddy roads—maybe driving a mixed team of a mule and an ox—the country merchant might possibly pay 15c for a big, fat hen; a nickel for a frying-size chicken; less than 25c for half

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a bushel of eggs; and perhaps 25c for a bushel of corn. However, if the farmer made likke out of the corn, it would bring a much better price.

### **BLOCKADE BOOZE**

The \$5,000.00 bond necessary to secure a federal license to operate a distillery, plus a \$50.00 special tax, plus \$2.00 per day tax, plus 50c tax per gallon of brandy distilled (I think the tax on whiskey was higher), was prohibitive for the average Cleveland county farmer who had a small still and operated on a limited scale.

When these men found by sad experience that if "the law" caught them making illicit liquor there would be fines and jail sentences, they determined to work on the sly. They moved their stills to secluded places and worked at night by the light of the moon. That's why they were called moonshiners.

At that time in Western North Carolina, the following toast was applicable:

"Here's to the land of blockade booze; of good corn likker and mountain dew,  
"Where the sober grow drunk, and the drunk grow limber!  
"Here's to my home in the tall pine timber."

To overcome this moonshine likker the federal government sent revenue officers who then (as now) sought to destroy illicit liquor stills, and to confiscate non-tax-paid liquor.

Even those persons who were opposed to liquor resented the espionage of these "revenueurs" who, in the early days, were nearly always men of unscrupulous character. Governor Zeb Vance satirically referred to them as "red legged grasshoppers."

### **AMOS OWENS, MOONSHINER**

No story of blockade liquor in the early days of Cleveland and Rutherford counties would be complete without mention of Amos Owens, the notorious moonshiner of Cherry mountain. Accounts of his activities made headlines in the Police Gazette, the Chicago Blade, the Pennsylvania Grit, and various papers in the Carolinas.

Cherry mountain, 3000 feet above sea level, where the famous black-heart cherry trees grow to more than two feet in diameter, is in Rutherford county, near Bostic. As a manufacturer and distributor of non-tax-paid likker Amos was a frequent defendant in the Courts at Shelby, Rutherfordton, Asheville, Charlotte, and York, S. C.

When Civil war came, Amos volunteered, joined the Company of Capt. (later Major) S. D. Lee, and served as a sharpshooter. After the war he became a member of the Ku Klux Klan. As a Ku Klux he was arrested and sent to prison, along with Randolph Shotwell, Adolphus DePriest, and others. Capt. Plato Durham was arrested, but was not convicted.

Every overture was made to induce these men to turn state's evidence and betray their comrades. This they would not do. For K.K.K. activities Amos was sent to Sing Sing prison and remained there two years, after which Capt. Plato Durham procured his release.

### **WOULDN'T DIVIDE PROFITS**

When the "powers that be" issued a fiat that all liquor must be tax-paid or there would be fines, imprisonment and confiscation, Amos swore he would not pay the tax. Amos maintained that bread was the staff of life, and that liquor was life itself. He had fought the government; been starved by the government; been imprisoned by the government; and he did not propose to divide whiskey pro-

fits with the government. The land was his; the corn was his; the still was his; and the likker was his!

Amos' special invention was cherry bounce. This was composed of 44 percent blue steel whiskey, wild honey, and blackheart cherry juice. This mixture was described as "pleasant to taste, and with accelerating ingredients that wafted one, for the time being, into the clouds." Though sometimes after drinking it, one fell down with a thud and did not bounce.

One day the "Revenuers" came and arrested Amos. They demanded that he appear at Asheville court on a certain day. Amos walked the weary miles to Asheville. Before he left home he arranged with a confederate to follow him two days with his (Amos) wagon which he had loaded with a 40-gallon keg of liquor, and then covered up the keg with sweet potatoes and chestnuts.

### **CHERRY MOUNTAIN POTATOES**

Amos was tried and found not guilty. After the trial he and his assistant called on certain hotels, bar-rooms, and some private citizens whom he knew, and found an amazing demand for "taters." Amos went home the richer for the sale of 40 gallons of non-tax-paid likker and 20 bushels of sweet potatoes.

While awaiting trial as a Ku Klux at Asheville, Amos was granted prison bounds. One day his assistant brought him a 40-gallon keg hidden under 20 bushels of sweet potatoes, both of which found ready sale.

Sometimes Amos outwitted the red-legged grasshoppers. Though he was arrested and imprisoned many times, and had nine stills destroyed, Amos continued to make contraband liquor because he felt he had a moral right to make it.